AGENDA

WILSONVILLE CITY COUNCIL MEETING
JANUARY 4, 2016
7:00 P.M.

CITY HALL
29799 SW TOWN CENTER LOOP
WILSONVILLE, OREGON

Mayor Tim Knapp

Council President Scott Starr — Councilor Julie Fitzgerald
Councilor Susie Stevens — Councilor Charlotte Lehan

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

Executive Session is held in the Willamette River Room, City Hall, 2nd Floor

5:00 P.M. **EXECUTIVE SESSION** [15 min.]
A. Pursuant to ORS 192.660(2)(e) Real Property Transactions

5:15 P.M. **REVIEW OF AGENDA** [5 min.]

5:20 P.M. **COUNCILORS' CONCERNS** [5 min.]

5:25 P.M. **PRE-COUNCIL WORK SESSION**

A.	CNG Station Expansion (Simonton)	[10 min.]	Page 5
B.	Fiber Business Plan (Miller/Cole)	[20 min.]	Page 8
C.	Public Works Standards (Rappold/Ward)	[15 min.]	
D.	Rec Aquatic Communications Plan (Troha/Gail)	[10 min.]	
E.	Murase Plaza Terracing Project Update (Sherer)	[5 min.]	

6:50 P.M. **ADJOURN**

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Monday, January 4, 2016 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on December 22, 2015. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered therewith except where a time limit for filing has been fixed.

7:00 P.M. CALL TO ORDER

A. Roll Call
B. Pledge of Allegiance
C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

7:05 P.M. MAYOR'S BUSINESS

A. Delora Kerber named 2016 APWA President
B. Upcoming Meetings Page 12

7:10 P.M. COMMUNICATIONS

A. Auditor's Annual Report – Grove Mueller Auditors (staff – Cole)
B. Leadership Academy Presentation to Wilsonville Community Sharing

7:25 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items ***not*** on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

7:30 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

A. Council President Starr – (Park & Recreation Advisory Board Liaison)
B. Councilor Fitzgerald – (Development Review Panels A & B Liaison)
C. Councilor Stevens – (Library Board and Wilsonville Seniors Liaison)
D. Councilor Lehan– (Planning Commission and CCI Liaison)

7:45 P.M. CONSENT AGENDA Page 13

A. Minutes of the November 16, 2015 and December 7, 2015 Council Meetings. (staff – King)

7:45 P.M. PUBLIC HEARING

Please Note: The documents supporting Ordinances No. 779, 780, 781, and 782 are quite large, and therefore not included in the packet; however, links to the documents are included. The documents may also be found on the City's website: http://www.ci.wilsonville.or.us/AgendaCenter/ViewFile/Agenda/12142015-455?html=true

A. **Ordinance No. 779** – first reading Page 49
An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Public Forest (PF) Zone To The Village (V) Zone On Approximately 3.20 Acres Northwest Of SW Villebois Drive North Between SW Costa Circle West And SW Berlin Avenue. Comprising Tax Lot 3200 And Adjacent Right-Of-Way Of Section 15AC, T3S, R1W, Clackamas County, Oregon, Polygon WLH LLC, Applicant. Brookeside Terrace

Documents: Brookeside SR.Exhibits.pdf, Exhibit B1 part 1.pdf, Exhibit B1 part 2.pdf, Exhibit B2.pdf

B. **Ordinance No. 780** – first reading Page 53

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Public Forest (PF) Zone To The Village (V) Zone On Approximately 5.03 Acres Located In The Villebois Village Center Between Costa Circle And Villebois Drive. Comprising Tax Lots 3000 and 3400 of Section 15AC, T3S, R1W, Clackamas County, Oregon, Polygon WLH LLC, Applicant. Camden Square/Royal Crescent

Documents: Camden Square.Royal Crescent SR.Exhibits.pdf, Exhibit B1 part 1.pdf, Exhibit B1 part 2.pdf, Exhibit B2 PDP Plans.pdf, Exhibit B3 FDP Plans.pdf

C. **Ordinance No. 781** – first reading Page 57

An Ordinance Of The City Of Wilsonville Annexing Specific Segments Of SW Grahams Ferry Road And SW Tooze Road, And Territory Located At The Northern Edge Of Villebois Of The City Of Wilsonville, Oregon. The Territory Is More Particularly Described As Tax Lots 700, 800, 900 And 1000, Of Section 15, 3S, Range 1W, Willamette Meridian, Clackamas County, City Of Wilsonville And Allen T. Chang Owners. (staff – Edmonds)

Documents: DB15-0083 SR.Exhibits.pdf

D. **Ordinance No.782** – first reading Page 63

An Ordinance Of The City Of Wilsonville Adopting The City Of Wilsonville Public Works Standards - 2015Public Works Standards (Rappold/Ward)

Documents:

New Section 7 http://www.ci.wilsonville.or.us/DocumentCenter/View/9549
2015 PW Standards Sections 1-6 Track Changes
http://www.ci.wilsonville.or.us/DocumentCenter/View/9550
2015 PW Standards Sections 1-6 Final
http://www.ci.wilsonville.or.us/DocumentCenter/View/9551
2015 PW Standards Section 3 Track Changes
http://www.ci.wilsonville.or.us/DocumentCenter/View/9559
2015 PW Standards Section 3 Final
http://www.ci.wilsonville.or.us/DocumentCenter/View/9560

8:40 P.M. NEW BUSINESS

A. **Resolution No. 2561** Page 70

A Resolution Of The City Of Wilsonville Approving And Accepting Modified Sales Price Of Surplus Land. (Staff – Kohlhoff)

8:50 P.M. CONTINUING BUSINESS

A. **Ordinance No. 778** – second reading Page 78

An Ordinance Of The City Of Wilsonville Declaring A Ban On Medical Marijuana Processing Sites, Medical Marijuana Dispensaries, Recreational Marijuana Producers, Recreational Marijuana Processors, Recreational Marijuana Wholesalers, And Recreational Marijuana Retailers; Referring Ordinance; And Declaring An Emergency. (staff – Jacobson)

8:55 P.M. CITY MANAGER'S BUSINESS

9:00 P.M. LEGAL BUSINESS

9:05 P.M. ADJOURN

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated. The Mayor will call for a majority vote of the Council before allotting more time than indicated for an agenda item.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:-Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503)570-1506 or king@ci.wilsonville.or.us

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date: January 4, 2016	**Subject**: Upgrade and expansion of CNG fueling station. **Staff Member**: Scott Simonton **Department:** Fleet Services (SMART)
Action Required Bid award	**Advisory Board/Commission Recommendation**
☐ Motion ☐ Public Hearing Date: ☐ Ordinance 1st Reading Date: ☐ Ordinance 2nd Reading Date: ☐ Resolution ☒ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☐ Approval ☐ Denial ☐ None Forwarded ☒ Not Applicable **Comments**:
Staff Recommendation: Information only, direction sought.	
Recommended Language for Motion:	
Project / Issue Relates To: *[Identify which goal(s), master plans(s) your issue relates to.]*	
	☒Adopted Master Plan(s) Transit Master Plan – which supports the use of alternative fuels for transit. ☐Not Applicable

ISSUE BEFORE COUNCIL:

Staff is seeking Council authorization to award a bid to Fastech U.S., in the amount of $157,643 to complete planned upgrades to the City's Compressed Natural Gas (CNG) fueling station.

EXECUTIVE SUMMARY:

The city's Compressed Natural Gas fueling station was designed to be incrementally expanded and upgraded as dictated by immediate need, and/or the availability of grant funds.

Staff was successful in securing grant funding through ODOT's 2014 Congestion Mitigation and Air Quality (CMAQ) program, for the purpose of expanding and upgrading fuel storage capabilities, and upgrading our fast fill dispenser.

The original cost estimates for this project totaled $120,000. Under the grant agreement with ODOT, the City's matching amount was to be $50,000. ODOT experienced multiple delays, pushing the project timeline out nearly two years. The bids received both exceeded the original budgeted amount. After negotiation with the bidders, the best bid is in the amount of $157,643. Staff has asked ODOT for a grant amendment reflecting the increased costs. We are awaiting an answer at this time. Assuming an amendment is agreed upon in the same match percentage, the City's investment would increase by $13,000, to a total of $63,000. In the worst case scenario, if ODOT refuses to amend the grant, the City's total investment would increase by $37,000, to a total of $87,000.

We believe that additional funds will be approved by ODOT, but cannot be certain of the amount at this time.

Upgrading fuel storage will allow us to avoid upcoming maintenance costs. Our current storage consists partially of "DOT cylinders;" similar to what is used in the storage of various industrial gases. The current storage system, while very cost effective at its inception, has two major drawbacks:

1) The cylinders must be disassembled, tested, and recertified every five years. This will be necessary in the fall of 2016; and
2) The second drawback is that these cylinders result in a large number of gas fittings. Eliminating this type of storage will reduce possible leak points by removing thirty six separate connections from the fuel piping system, greatly reducing the likelihood of gas leaks. An added advantage to this storage upgrade is the ability to store more compressed fuel at all times. This would be helpful operationally, in the event of a gas or electrical supply interruption, allowing us to fuel buses for an additional day without the ability to produce fuel.

Upgrading the fueling dispenser will increase the accuracy of fuel measuring, as all transactions are currently recorded manually. Equipment which automatically meters the amount of fuel dispensed will save staff time while increasing accuracy. It will also allow us to deploy CNG vehicles to other City departments, by keeping fuel billing separated. Finally, it would give us the opportunity to partner with other local entities who would like to utilize our station as a backup fueling option.

EXPECTED RESULTS:

With approval, staff will immediately move forward with negotiating a contract with the selected bidder.

TIMELINE:

Once a contract is approved, procurement of equipment will proceed immediately. Construction is expected to be completed by May, 2016.

CURRENT YEAR BUDGET IMPACTS:

FINANCIAL REVIEW / COMMENTS:
Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:
Reviewed by: _____ Date: _____

COMMUNITY INVOLVEMENT PROCESS: N/A

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:
This project will improve our ability to ensure adequate fueling for the CNG vehicles in our fleet, allow us to expand the use of alternative fuels, and allow us the opportunity to assist other local entities who utilize alternative fueled vehicles.

ALTERNATIVES: Council could direct staff to delay fueling station expansion and upgrades at this time, thereby refusing the CMAQ grant award.

CITY MANAGER COMMENT:

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date:	**Subject**: **Fiber Business Plan**
January 4, 2016	**Staff Member**: Holly Miller **Department:** Information Systems
Action Required	**Advisory Board/Commission Recommendation**
☐ Motion ☐ Public Hearing Date: ☐ Ordinance 1st Reading Date: ☐ Ordinance 2nd Reading Date: ☐ Resolution ☒ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☐ Approval ☐ Denial ☐ None Forwarded ☒ Not Applicable **Comments**:
Staff Recommendation: Staff is seeking direction regarding the creation of a fiber business plan.	
Recommended Language for Motion: NA	
Project / Issue Relates To: *[Identify which goal(s), master plans(s) your issue relates to.]*	
☒Council Goals/Priorities Council Goals 7 – Community Amenities and 9 – Economic Development	☐Adopted Master Plan(s) ☐Not Applicable

ISSUE BEFORE COUNCIL:

Staff is seeking Council feedback and direction as to whether a fiber business plan should be embarked upon this fiscal year.

EXECUTIVE SUMMARY:

The purpose of this staff report is to request Council feedback and direction as to whether the City should embark upon a business plan to review the potential opportunities of a municipal fiber utility. This staff report provides an overview of various municipal fiber operation models

to help the Council understand the realm of what's possible and what other municipalities are undertaking in their communities. As the City continues to grow and maintain the current City fiber asset, a number of questions have arisen with respect to whether the City should lease access and if so at what rate, what maintenance responsibilities would be, and general use policies. A fiber business plan would help answer these questions as well as providing an analysis of the costs, benefits, and risks of each of the various municipal fiber models.

In 2013, the City undertook a project to construct fiber infrastructure and cabling from City Hall to the new Transit and Fleet buildings. The project offers an 8 year return on investment and enables not only the facilities network connectivity but also enhanced signal connectivity along Wilsonville Road, a path for the connection of several key water telemetry locations, and remote access to WES station security systems.

Since the building of that first significant segment of fiber, the City has continued to expand the network, taking advantage of development projects and partnership opportunities to significantly reduce construction costs while working toward the goal of completing a physical fiber "ring" for network redundancy. As new segments are built, adjacent signals, telemetry locations, parks, and other amenities are being incorporated. Among these linkages was a recent interconnection with the Clackamas County broadband network. Joining this network has enabled the City to help facilitate higher speed, lower cost services to several Wilsonville School campuses, improved our Library services through a faster connection to LINCC, and given Wilsonville Police vastly improved communication with the Sheriff's network for video conferencing, remote training, and large case file downloads.

Our current network represents a model where most cities start - fiber owned by municipal government, exclusively for the use and benefit of municipal government. In this model, the City leverages the cost of otherwise leased telecommunications services to fund building, owning, and maintaining its own fiber infrastructure. Since the City does not offer fiber or services to other entities, there is no charge for service, other than contribution by various internal funds paying their proportional share of the capital construction costs. This model generally offers good return on investment and very low risk. It also has nominal broader community benefit as there is no access to fiber or fiber infrastructure beyond the municipal government users. While Wilsonville's fiber program currently employs this model, it has expanded, somewhat organically, to take advantage of the opportunity to facilitate connectivity with Wilsonville schools and Clackamas County, which leads to the second model.

The second model grows to offer fee-based access to other government and community anchor institutions and utilizes fiber as an economic development tool. In this model the municipal fiber infrastructure is expanded to key commercial and industrial districts. Local connection points are also established to open up fiber access to a variety of telecommunications providers for whom the cost of construction might have otherwise been a barrier to entry in the local market. Enhanced competition improves local service quality and reduces costs for business community participants, while offering the municipality some return on investment both from tangible lease fees and less tangible, but still important, economic development benefits. The City of Sherwood has operated successfully under a model similar to this for many years.

A third model goes beyond the business community to residential customers. Where incumbent broadband providers are not meeting the residential service demands and/or there is a lack of competition to mitigate cost and improve service offerings, some municipalities are opting to expand their fiber programs into the community neighborhoods. In some cases, the municipality then becomes an internet services provider (ISP) and in other cases, the municipality enters into a public-private partnership with an established ISP.

The City of Sandy is nationally recognized for becoming a successful early provider of municipal residential fiber, with a residential uptake rate of nearly double that of other successful programs and a current projection of early repayment of the general obligation debt incurred for construction. In addition to Sandy, the City of Lake Oswego is currently looking into providing residential services through a public-private partnership and the cities of Independence and Monmouth formed a cooperative utility to offer service. And more recently, the City of Hillsboro completed a study on the feasibility of providing residential services and, after reviewing the study's results, opted not to pursue residential services. The residential services model has the highest potential long term profitability but also the greatest risk.

Finally, a fourth, niche, model that has emerged over the last few years is the Google fiber model. In this scenario, a municipality applies for and may subsequently take any number of actions in order to convince Google to build, own, operate and maintain Google residential fiber services in their community. This model is exceedingly popular with residents and comes with a level of marketing that ensures community recognition and should prove very beneficial for economic development purposes. Google Fiber can also have a number of drawbacks; chief among them is the low number of successful annual candidates for the program. Portland is on the short-list of potential Google fiber cities along with Gresham, Beaverton, Hillsboro, Tigard, and Lake Oswego. From initial announcement to now, the process has taken over 22 months and a final decision has not been made official.

With the Internet of Things not just on the horizon, but an ever increasing daily reality, the benefits of fiber continue to multiply well beyond basic building to building connections. Municipal fiber is expanding, not just nationally but in the surrounding communities and the first step in determining how best to manage and leverage Wilsonville's fiber assets would be the completion of a fiber business plan. The business plan would look at the variety of potential municipal fiber models available and recommend a model for Wilsonville based on the opportunities, demographics, and needs of our specific community.

EXPECTED RESULTS:

With approval, staff will immediately move forward with bids for the creation of a Fiber Business Plan.

TIMELINE:

It would be feasible to receive bids, select a vendor, complete contract negotiations, and begin the Fiber Business Plan creation this fiscal year. Completion of a final report and presentation to Council may not be done until early FY16-17.

CURRENT YEAR BUDGET IMPACTS:
This project has not been budgeted, and is anticipated to cost between $70,000 and $80,000. A supplemental budget adjustment would be necessary and could be brought forward at a future Council meeting.

FINANCIAL REVIEW / COMMENTS:
Reviewed by: ___SCole_____ Date: __12/18/2015_____

LEGAL REVIEW / COMMENT:
Reviewed by: NA - Informational Date:

COMMUNITY INVOLVEMENT PROCESS: N/A

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups):
This project will assist Council in determining the long term strategy for Wilsonville's Municipal Fiber Program. Depending on the chosen direction, municipal fiber has the potential to provide significant economic development benefits both as an attractive amenity to new business and as a retention tool for current businesses.

If expanded to serve residential customers, a fiber program could also provide Wilsonville residents lower cost, faster broadband service.

ALTERNATIVES: N/A

CITY MANAGER COMMENT:

ATTACHMENTS:

CITY COUNCIL ROLLING SCHEDULE

Board and Commission Meetings 2016

Items known as of 12/29/15

JANUARY

DATE	DAY	TIME	EVENT	LOCATION
1-4	Monday	7 p.m.	Council Meeting	Council Chambers
1/11	Monday	6:30 p.m.	DRB Panel A	Council Chambers
1/13	Wednesday	1 p.m.	Wilsonville Community Seniors Inc.	Community Center
1/13	Wednesday	6 p.m.	Planning Commission	Council Chambers
1/14	Thursday	4:30 p.m.	Parks and Recreation Advisory Board	Parks and Recreation Administration Building
1/18	Monday	Martin Luther King Jr. Holiday City Offices Closed		
1/20	Wednesday	6 p.m.	Wilsonville Leadership Academy	City Hall
1/21	Thursday	7 p.m.	Council Meeting	Council Chambers
1/25	Monday	6:30 p.m.	DRB Panel B	Council Chambers
1/27	Wednesday	6:30 p.m.	Library Board	Library

COMMUNITY EVENTS

January 9 – Tree Recycling
Wilsonville area scouts will pick up your Christmas Trees beginning at 8:30 a.m. Residents can also drop off trees at the Wilsonville City Hall parking lot from 9 to 11:30 a.m. This is a fundraiser for the scouts.

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, November 16, 2015. Mayor Knapp called the meeting to order at 7:02 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:
Mayor Knapp
Councilor Starr
Councilor Fitzgerald
Councilor Stevens - Excused
Councilor Lehan

Staff present included:
Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Barbara Jacobson, Assistant City Attorney
Sandra King, City Recorder
Chris Neamtzu, Planning Director
Nancy Kraushaar, Community Development Director
Stephan Lashbrook, SMART Director
Scott Simonton, SMART
Delora Kerber, Public Works Director
Kristin Retherford, Economic Development Director
Jon Gail, Community Relations Coordinator
Mark Ottenad, Government and Public Affairs Director

Motion to approve the order of the agenda.

Motion: Councilor Starr moved to approve the order of the agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

Mayor Knapp noted Councilor Stevens had lost her husband this past week after many years of marriage and the Councils' and staff's thoughts are with her at this difficult time. He also mentioned the events that took place in Paris, France.

A. Appointment of Interim City Attorney

Due to the retirement of Mike Kohlhoff, City Attorney, Council will appoint Assistant City Attorney Barbara Jacobson as Interim City Attorney for a six-month term beginning December 1, 2015. Ms. Jacobson has been a member of the Wilsonville team for several years and is familiar with the issues the City is dealing with.

Councilor Fitzgerald mentioned that Mike Kohlhoff the City's long-term City Attorney is retiring, and appointing Ms. Jacobson as the interim is a good transition.

Motion: Councilor Lehan moved that the Council ratify the appointment of interim City Attorney Barbara Jacobson effective December 1. Councilor Fitzgerald seconded the motion.

Councilor Lehan indicated the Council had discussed the topic during their last meeting; and noted that Mr. Kohlhoff will be working on a contract basis for the City during this transition period. She noted the transition to Ms. Jacobson has been underway since Mr. Kohlhoff announced his retirement.

Vote: Motion carried 4-0.

B. Recognize Kristin Retherford's election to President of the Oregon Economic Development Association (OEDA)

Mayor Knapp noted Kristin Retherford has been elected as President of the Oregon Economic Development Association. The OEDA is a statewide organization of economic development professionals from City and county governments, state agencies, ports, chambers of commerce, utilities and business groups.

Ms. Retherford thanked the Council for the opportunity to participate in an organization such as OEDA, to engage in networking and professional development opportunities. Wilsonville's profile has increased throughout the state by participating in OEDA as a resource and information.

C. Recognize Stephan Lashbrook's election to the Oregon Transit Association (OTA) Board

Mr. Lashbrook said the OTA represents all the transit agencies in Oregon from small rural communities to Tri-Met. OTA functions as a lobbying group in Salem during the legislative session to solve public transit issues around the state.

D. Recognize Scott Simonton's receipt of the Annual Public Transportation System Innovation Award from the Oregon Transit Association.

Mr. Lashbrook noted Mr. Simonton received the award for the idea and construction of the city's own Compressed Natural Gas (CNG) fueling station. The CNG station allowed the City to increase the number of CNG buses in the SMART fleet. The plant will be expanded this next year to allow more natural gas vehicles in the future.

E. Keeping Storm Drains Clear of Leaves

Delora Kerber, Public Works Director, provided information on keeping the storm water systems clear of leaves and what homeowners can do to prevent localized flooding.

F. Upcoming Meetings

Mayor Knapp announced the date of the next Council meeting and the Clackamas County "Fill a Stocking Fill a Heart" benefit dinner. The Mayor noted the regional meetings he attended on behalf of the City.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items ***not*** on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

The Mayor reminded the audience that the Frog Pond public hearing comment period had been closed at the November 16th Council meeting and that any comments regarding Frog Pond will not be made a part of the November 16th record.

Patricia Lyon, 7925 SW Vlahos Drive, Sundial Apartments. Ms. Lyon provided written testimony submitted by Marina Salas, who expressed concern regarding the large monthly rent increases ($600/month) that are taking place in Wilsonville and the region with little or no notice to the renter. Ms. Lyon went on to say she was surprised the issue of rent increases had not been addressed and felt that the increases will cause an economic downfall in the community.

She understood this was a state wide issue and she asked mayors to approach the state to take a stand and put a cap on rental rates since renters working at minimum wage jobs cannot absorb the rent increases.

Councilor Fitzgerald thanked Ms. Lyons for attending and bringing the issue to the Council's attention and for representing others. This is something the Council has begun to hear more about.

Mayor Knapp responded there was not one obvious avenue. He noted a resident testified before the Council two weeks ago about a similar situation involving the same apartment complex. Council requested the legal department to provide background on what other cities may be doing and what Wilsonville's choices might be. Once the information was received the Council would have an informed discussion about taking direction.

Mr. Kohlhoff said the City of Portland is looking at implementing a 90 day notice provision if the landlord is increasing rents for no cause; and setting limits to the percent of increase. Currently there is no rent control in Oregon, it may be that petitioning and talking to state legislators is the best way to effect major change.

Ms. Jacobson has learned Portland recently enacted an ordinance for a no cause eviction if you are a month to month tenant, there has to be a 90 day notice period. She is preparing information for the Council to review.

Councilor Starr was of the opinion the housing crisis in the tri county area was caused by Metro and by limiting the amount of land that can be developed, resulting in increasing the price per square foot and ruining people's ability to pay rent and to buy a house. This is having a trickle-down effect that is crushing people making $36,000 per year or less. He felt the governor has to step in because Metro has caused something that they have no ability to fix.

Nathan Starr said he and his son were currently living in a motel due to a no cause eviction from the Sundial Apartments. Mr. Starr indicated he had spoken at the capital about no cause evictions, the ten to fifty percent rent hikes, and the retaliatory actions taken by landlords. These rent increases are affecting many other tenants in Wilsonville; tenant reform is a must to help renters being displaced due to no fault of their own.

Councilor Lehan recounted the Thunderbird Mobile Home Park closure which displaced 400 elderly residents. The City proceeded in the courts and legislature while working to get their housing replaced which led to Creekside Apartments. She appreciated Mr. Starr's coming forward and speaking to the Council and said she would speak to the city's representatives in Salem to learn the best way to move forward.

Lori Loen announced the Wilsonville Leadership Academy is hosting a spaghetti dinner on December 5th to raise funds for Wilsonville Community Sharing at the Community Center.

Mike Shangel thanked the Council for asking for input on the Frog Pond Concept Plan. He felt the majority of people testifying would be comfortable more lots in the 8,000 to 10,000 square foot size, and fewer in the 3,000 to 5,000 square foot range and fewer attached structures.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (Park & Recreation Advisory Board Liaison) announced the community tree lighting ceremony, Reindeer Romp 5K Fun Run and Kids Dash, and the toy drive.

Councilor Fitzgerald – (Development Review Panels A & B Liaison) noted the next meeting dates of the DRB Panels. She invited the public to attend the Holiday Fun Fest, and the SMART Holiday Light Drives.

Councilor Lehan– (Planning Commission and CCI Liaison) reported at their last meeting the Planning Commission received a presentation on the West Side URA Substantial Amendment, and the Transportation Performance Modeling report. She noted the next meeting dates of the Planning Commission and the Library Board.

CONSENT AGENDA

Mr. Kohlhoff read the Consent Agenda items into the record.

A. **Resolution. No. 2556**
A Resolution Of The City Of Wilsonville Authorizing Acquisition Of Property And Property Interests Related To The Improvement Of Parkway Avenue Adjacent To Xerox.

B. Minutes of the October 19 and November 2, 2015 Council Meetings.

Motion: Councilor Fitzgerald moved to approve the Consent Agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

CONTINUING BUSINESS

Mr. Kohlhoff read the title of Ordinance No. 777 into the record for second reading.

A. **Ordinance No. 777 – Second Reading**
An Ordinance Of The City Of Wilsonville Adding Section 10.250, Amending Section 10.430, Renumbering Sections 10.540 And 10.550, And Repealing Section 10.530 Of The Wilsonville City Code.

Mr. Kohlhoff stated after first reading and public hearing, Council questioned the consistency of the language in the proposed ordinance. Staff changed all references to read “not to exceed”.

Motion: Councilor Starr moved to adopt Ordinance No. 777 on second reading. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.
Councilor Starr - Yes
Councilor Fitzgerald - Yes
Councilor Stevens - Excused
Councilor Lehan - Yes
Mayor Knapp - Yes

B. **Resolution No. 2533**
A Resolution of the City of Wilsonville Adopting The Frog Pond Area Plan, Establishing A Vision For The 500-Acre Frog Pond Area, Defining Expectations For The Type Of Community It Will Be In The Future, And Recommending Implementation Steps.

Mr. Kohlhoff read the title of Resolution No. 2533 into the record.

Mayor Knapp noted the Council had completed taking public testimony at the October 19th meeting and closed the public hearing. At this point Council will receive an update from Planning Staff after which Council will ask clarifying questions, and then Council will deliberate on the issue.

Mr. Neamtzu introduced the project team: Joe Dills, Angelo Planning Group, Brian Vanneman of Leland Consulting Group, Scott Mansur with DKS Associates, Nancy Kraushaar, Community Development Director, and Steve Adams, Development Engineering Manager.

The following is a transcript.

At the October 19th meeting, a public hearing was conducted on the Frog Pond Area Plan. Staff spent a considerable amount of time presenting background material, discussing the Planning Commission Recommendation & Key Issues, Transportation issues, Infrastructure Project Highlights, Infrastructure Funding and Quality Development. We also spent time discussing the four Framework Plans that are contained in the Concept Plan.

The Council then conducted the public hearing. There was a broad spectrum of testimony provided on the Plan, covering many different points of view. The great news is that the community is engaged and interested in this planning work.

The Public Hearing was then closed, and due to the absence of two City Councilors, the hearing was continued to this evening for deliberations.

To date, Council has received hours of public testimony on the Plan, but has not had the chance to discuss the Plan yourselves. That is what tonight is about. Staff does not have an additional presentation, but the key members of the project team are in attendance to answer any questions that you have.

Last Friday, a short memo was distributed to the Council with a staff recommendation for a potential amendment to the Plan to specifically address the submittal of a petition with over 500 on-line "signatures" requesting that the Plan not contain lots smaller than 4,000 SF. This amendment would provide additional evidence of the responsive nature of this entire process.

If the Council wishes to have a conversation regarding the specifics of that recommendation, staff has a couple of slides that we can pull up to summarize the recommendation.

As a reminder, Staff covered a number of minor modifications to the Plan at last month's meeting. Those changes are summarized in Attachment 7 (APG Memorandum dated October 6, 2015), which can be found on page 281 of 351 in the October 19th packet. Staff will make the amendments contained in that memo, in addition to any others that the Council agrees upon.

A motion to approve the Plan should include reference to this list of additional updates to the Plan. That concludes the staff presentation. Thank you.

Mayor Knapp –Thank you very much. Protocol wise we follow Roberts Rules essentially which would indicate we would need a motion on the table before we have discussion. At this point, however if there are questions of clarification or anything to clarify the reports and the information that we've had it would be appropriate to ask those of staff at this time, but not move into deliberation yet. So, if anyone is in that mode? Councilor Fitzgerald.

Councilor Fitzgerald – I think this would be a good time to clarify that I was one of the two Councilors not able to attend at the last hearing, I was out of the country, but I spent a lot of time watching the entire hearing on video, taking notes and read all of the materials. So I wanted to make that clear.

Mayor – thank you very much. Any other clarifications or what not for staff? Councilor Starr?

Councilor Starr – I guess this would be some for staff and also just for the communication to the public. We had a chance earlier this evening to take a look at a transportation Plan for our City, and I had asked Chris to help me understand several of the intersections, and since the Advance-Boeckman-Stafford-Wilsonville road intersection is part of the Frog Pond area, I wanted to get some clarity around how they grade that intersection, and then compare it to Wilsonville Road and Boones Ferry Road so we could see how that translates into another intersection. So currently, Chris, I had asked you what the Advance-Boeckman-Stafford road operating level was, and want you to review where it is now and what would happen if we went into Frog Pond.

Mr. Neamtzu – Thank you Councilor Starr. I'd be happy to. Advance Road, Boeckman Road, Stafford Road, Wilsonville Road intersection is currently operating today at Level of Service "C" during the PM peak hour with the volume to capacity ratio of .68, and less than one is really good. Lower than one is better than closer to one for comparison purposes.

Councilor Starr – And also "C" is on a scale of "A" to "F".

Mr. Neamtzu – "A" to "F", right. And "D" is our operating level. That is what our Code mandates, we operate at or better than LOS "D" in the PM peak hour. So the intersection would fail with the addition of Frog Pond traffic based on today's existing four-way stop and all the development. But that's not what the Plan is; the Plan is to build a signalized intersection at that location. The TSP modeled the traffic there, as did this project, and the model shows that the School District is currently designing the lights and signalization that would be there and that at build out, with the traffic signal, the intersection would operate at LOS "D" with the volume to capacity ratio of .63.

Councilor Starr – And just to make clear where "D" is. Let's talk about Wilsonville Road and Boones Ferry Road. What is the grade that that intersection is right now?

Mr. Neamtzu – That would be LOS "D".

Councilor Starr – So we're going to take the four-way stop and potentially make it a "D" intersection with the development as it's laid out at least for right now, with Option G.

Mr. Neamtzu –With a traffic signal.

Councilor Starr – Okay, I just wanted to make sure that I understood that and the public got a chance to hear that as well. Thank you.

Mayor – Other questions for staff?

Councilor Fitzgerald – We have looked at so many pages of testimony, a couple of big notebooks there, so I don't know if it's going to be very easy to find it right off. I happened to be looking at some of the previous minutes when we looked at Options "D", "E", and "F". I don't have "G" right in front of me, but as we looked at the different progressions of decreasing the number of small lots and increasing the large lots, obviously that means that you have fewer total homes on the acreage. The estimated price, sale price, for the home that was estimated that the market would bear kept increasing for those homes. Could you give us, would it be reasonable to give us a summary of, in the west Frog Pond what the estimate is for the small, medium, large, and then also for the east and south.

Mr. Neamtzu – Yes, I can do my best and I have the numbers for west in front of me. Those can be found in the Plan on page 182 of 351 and that's from last month's October 19th packet. Brian Vanneman has taken the chair to my left, he is the primary author of the market analysis we performed as part of this.

For the west neighborhood Councilor Fitzgerald, the small lot single family is on a lot size of 5,000 square feet and we identified a required home price of $439,700 for the small lot in the west neighborhood.

Councilor Fitzgerald – Can you explain what you mean by the term "required home price" because obviously the City is not demanding what the price is, but where does that come from?

Mr. Vanneman – To answer your first question about home prices escalating, I don't know why that is. I don't know exactly what you're referring to except to say that in the course of doing the work the market has gotten hotter throughout the Portland metro region, and in the course of this Plan we tried to show that as we went from 2014 to the middle of this year. I tried to reflect increasing sales values, so we did try to escalate the potential home prices as we went through the Plan.

We also, in the various documents, there is mostly two terms that we use. There is "required home price" and there is "market price". The required home price is the price the home would be to sell in order to return an adequate value to the land. In other words, we set a target transaction price for the land in Frog Pond, and we said what price does the house need to sell at in order for the property owner to essentially sell their parcel for $4.00 per square foot, essentially what we call "raw" land. Our thought process on that is if the home price goes too far below the required price, then with all the costs involved, that developer will not be able to pay the landowner enough money and the land may stay as a hobby farm or rural land use.

Mr. Neamtzu – So the other two numbers, since you asked the question. The medium lot is a 7,000 square foot average and that one has a required home price of $576,000; and then the large lots that are 10,000 square foot average is upwards of $775,400 is our required home price on that category.

Mayor – Other questions for staff? I would like to have staff clarify for the Council the Planning Commission recommendation and the additional caveats or requests that they attached to that recommendation.

Mr. Neamtzu –The Planning Commission had three very specific additions to the recommendation that they provided you. The first one had to do with the attached cottage row-home product which is found in the east neighborhood that is the densest product. There was testimony about the density of that category and so they made a place holder, and they suggested that we revisit the density for that land use type at that specific location as part of master planning. They recognized there was additional work to do. My sense was we did a lot of detail work in the west and we did a lot of detail work throughout the Plan that was one area where they were looking for more information. We had prepared the illustrative diagrams to assist in depicting what that category would look like; we've shown lots of pictures, drawn different orientations of buildings to green spaces and to streets to attempt to depict what that housing category would look like. At the end they thought it should be looked at a little bit more. They also added a condition that they've asked you to consider, the location of the retail node, again as part of master planning would be Phase II work many years down the road from now when the City is serious about getting that land served and seeing development happen there. And the third one related to arts and culture in the Frog Pond Grange, so they made a place holder that the Grange is looked at and specific text be added to the Plan to address arts and culture at the Grange which was out intent, but the Plan didn't actually say specifically.

So those corrections are all highlighted in that memo, and Attachment 7 that I mentioned earlier.

Mayor –Has Planning Staff thought through those recommendations and put together a suggested or possible approach on how Council could honor those recommendations?

Joe Dills, Angelo Planning Group –The approach that was suggested in the materials distributed to Council on Friday sort of picked up on the Planning Commission's theme that we've heard multiple points of view about the east neighborhood, and really they all ought to be honored and reflected somehow in the Plan. To do that, the suggestion would be to go one step beyond what the Planning Commission recommended to recommend the array of land uses and densities in the east and south neighborhoods and say we had a conversation about it but we decided to do that. And to actually augment that language by saying that there were two points of view - one was to go forward with the attached and cottage component of that housing as recommended by the Planning Commission, the second was to reflect the specific requests that were made during testimony that the smallest average lot size be 4,000 square feet; both would be written into the Plan. New text would be added to say that those two points of view were expressed and not only would we relook at it when master planning occurred down the road, when the land comes into the UGB and so on, but there are specific ranges that would be looked at to honor the ideas expressed during the process today. That's the essence of the approach.

Mayor – Okay and just one follow up question. When would staff project that might arrive back on our doorstep if we were to follow that approach.

Mr. Dills – Let me outline the steps and then Chris you can add on to that. So of course the lands in east and south are in the urban reserve, they are not within the urban growth boundary that is a starting point. There would have to be a regional decision first of all at the Metro Council level that they are adding any land at all to the regional UGB; secondly that these lands be included in an expansion; and then third, the City's planning processes would occur subsequent to that. So Chris what is the time line on this.

Mr. Cosgrove – We should probably mention that these have not been acknowledged yet. So that's also a major hurdle that may take another two years, we don't know, but without those things being acknowledged there're not even real yet.

Mayor – Those 'things' being the reserves?

Mr. Cosgrove – The urban reserves, yes.

Mr. Dills – I forgot the court case that they're not even approved as being part of the reserves at this point, that's a local decision not an acknowledged decision.

Mr. Neamtzu – Three to four years from the resolution of the litigation which has no time frame at this point. We can assume at a bare minimum if it were to be done today of three to four years; with the litigation, five or more.

Mayor – Until we might get to the point of relooking at the east neighborhood Plan if we were to follow this methodology that has been put on the table as a possible route.

The other component that strikes me that would be a factor would be what had happened in the west neighborhood by that time. In the west neighborhood, based on our prior experience in other developing areas of Wilsonville, would we expect the west neighborhood to be built out in five years?

Mr. Neamtzu – I don't see that happening. I think it's probably more in the ten year and beyond time frame with the economic cycles that are likely to occur in the future.

Mayor –So if that were true, would there be a drive for us to revisit the east and south neighborhood plans five years before the west neighborhood was completed, or would we logically let the west neighborhood continue to develop before we went back and said, okay we're ready now to decide how the other neighborhoods are to go here.

Mr. Neamtzu – There's a lot to be learned from the west neighborhood so the more we can learn from that the better off we will be as we enter into the east and the south. Doing it too early from the actual time that it is likely to develop means that the Plan has a chance to get stale and be out of date. Picking the time is very important and having something real happening is important to have at least a sense of it being able to achieve that. You don't want the Plan to sit on the shelf too long and then have something happen that renders the Plan useless and then have to go and redo the entire thing. So, having it on the cusp of when we are ready to get in there makes the most sense to me.

Mayor – Which would suggest it might be closer to a decade than to five years, very possibly.

Mr. Neamtzu – Absolutely.

Mayor – Okay I'm holding up some other Councilors I'm sorry to pursue so long on this. I think Councilor Starr is next.
Councilor Starr – Let me ask in a different way than the way you just asked it. In essence, what we're really doing here is nailing down west and creating a guideline at best for something that's probably not going to happen for at least another ten years and that is subject to multiple possible changes.

Mr. Neamtzu – That's fair yes.

Councilor Starr – I had two other questions. When I was looking through a lot of the diagrams I noticed a number of alleyways in the neighborhoods, does that drive up the cost per square foot? Because basically now you're creating less land for people to inhabit and more infrastructure so I'm curious how that works. Is it better, I guess what I'm asking is does it cost more per square foot and is it better to be served with one road and a garage in the front as opposed to two roads with a porch in the front and garage in the back.

Mr. Dills – There's no single model for all types of lots. Just purely on the economics the larger lot product or medium lot product is more efficient to do with a single road and garages accessed with driveways in the front. Once you have moved to the small lot and the townhouse product, then the quality of the frontage comes into play. And so the pedestrian friendliness of the front and the "front yard friendliness" of the front and all of those eyes on the street have value to the builder and to the home price. So the answer on the small lot and townhome type of product is not necessarily cost more, it may in fact be part of an economic objective of the developer.

Councilor Starr – And the medium to large then?

Mr. Dills – Medium to large I think more purely on the economics, less cost for doing a single loaded front loaded.

Councilor Starr – Which is something we can still consider with west or is it a done deal.

Mr. Neamtzu – Phase II of the project is about the urban form and coding for the west neighborhood so those discussions are all wrapped into the Phase II part of this project.

Mr. Dills – One additional thought comes to mind, the location is important. So a medium sized lot, let's say a 5,000 or 6,000 square foot lot that is facing on one of the west neighborhoods public parks is a very important public space to have around it, and that would be a situation which the benefits of the alley loaded homes would add to the quality of the entire neighborhood.

Councilor Starr – Okay. And then I guess my second question might be for the Council. I'd be very interested to have Chris take us through what he sent out on Friday just so we can hear it and discuss it if you guys are open to that. I don't know if you want to ask your question first and afterwards Chris can talk about that if you are open to it.

Mayor – We can do that. Let's see if there is anything else, I think maybe that we would have people interested in hearing that too. Councilor Lehan?

Councilor Lehan – I just wanted to ask, go back to the time frame, and add a couple of comments and a question. From my recollection with Charbonneau, I came on the Council initially in 1991 and we were just in that next year or two finishing out the last lot approvals for Charbonneau. That was a little over twenty years from when Charbonneau began. Villebois we did the Dammasch Area Master Plan in 1996, we're twenty years out now on Villebois, and how many years would you say we have left to go on that one?

Mr. Neamtzu – we're easily five plus years to go.

Councilor Lehan – so these are 25 year projects. The numbers I heard are way optimistic in terms of time frame. And when we had talked about Villebois and the timing, we were anticipating the next one would be Frog Pond west, and after that would be north of Tooze on Grahams Ferry of Villebois, that would be

the next major residential movement. Then you'd get back to Frog Pond east. Who knows which way things will work out? My point is it always ends up being longer than anticipated; there are things that happen that you can't anticipate that slow these things down, even with a robust building environment like in Villebois, you still have 25 years.

Mayor – Any other questions of staff? If there are no specifics perhaps it would be time to ask staff to go into this more recent recommendation about how we might take the concepts out of the Planning Commission recommendation and move it forward. Probably most people in the audience have not heard or seen the specifics on this, and I think the Council would also like to be refreshed.

Mr. Neamtzu – Yes. Happy to do that, thank you. Given the variety of testimony that the City Council received at the October 19th public hearing, specifically the submittal of a petition with over 500 on-line signatures making specific requests for no lot being less than 4,000 square feet in the east neighborhood, staff thought long and hard about that and put together some recommendations.

It would be reasonable and it would be appropriate for the Council to consider including a second land use framework option in the concept Plan for the east neighborhood specifically. That second framework Plan would represent the two different points of view that we saw. We have the Planning Commission recommended point of view, the Option "G"; this would be an Option H, we have prepared metrics that we can show you and we've prepared text as well that can go into the Plan specifically to address this two Plan option. Again, nobody has a crystal ball, we recognize this is a long way down the road and we want to provide the flexibility that we think the City needs in the future to be able to address a possible wide range of options at that time. By including the secondary Plan I think we would be further showing the highly responsive nature of this project and the project team, and the decision making on this particular plan. I'll read the text that we came up with for this:

> "At the time of adoption there were two proposals regarding residential land use in the east and south neighborhoods. The first proposal was the Planning Commission recommended Option – which is Option "G" with the condition to re-examine the R-2.5 densities, and commercial site location at a future date of master planning.
>
> The second proposal was that there should be a minimum lot size of 4,000 square feet. The Council considered these proposals carefully along with all of the rational implications and issues, and working from the premises that both points of view should be honored and represented in the Plan. Many years will pass before final decisions need to be made and the range of housing choices and price ranges should increase in the future when these neighborhoods are developed, the Council struck a balance. The balance was to include both options in the Plan with the commitment to revisit the densities and the commercial site in the future as part of master planning. An additional idea was added to consider during master planning, neighborhood-scale mixed-use where residential would be allowed over the retail in the commercial center."

That would be the text that could go into the Plan and the metrics that accompany that, we have metrics for two options, two variations on that. I'm not going to spend a lot of time going into that but the unit count drops by 136 units in the east and there are a number of densities and different analysis that I've prepared in the memorandum dated November 13, 2015 that was distributed. The sixty units above mixed use would be an opportunity for us. The Plan currently doesn't talk about vertical mixed use; those could be condominium types of units, and ownership configuration. Staff could make findings to show that we don't have a lot of that particular product type in the City and that an ownership based condominium type of product would be the preferred product type for vertical mixed-use.

The reason that's important is that it could give us as many as maybe sixty additional dwelling units, and it would be supportive of the retail node. It would be good urban design, and it would bring those density units up just ever so slightly closer to the numbers that we know will be the test, at least what we suspect at this time will be the test when it comes to asking for this land to be included in the urban growth boundary. The second set is with housing over retail and again if we need to go into details on those numbers we're able to do that.

Mayor – Questions? Councilor Fitzgerald.

Councilor Fitzgerald – I just want to clarify; did I hear you say that we did not have a track record of condominium sales over retail in Wilsonville?

Mr. Neamtzu – It's a housing product type that we currently have very little of. The question is whether these would be apartments, rentals, or ownership. I think we could make some findings to support our case for an ownership product whether that could be required ultimately in the end is a question from a number of points of view, legal points of view. And without going into that I would suggest that we could make findings to support our position if the Council preferred an ownership product to a possible rental type of product.

Councilor Fitzgerald – Okay, I think everybody probably agrees that we can't legislate what the market wants to do, what people want to buy, or sell, or rent, from the City Council. It depends on what people are interested in. I know in Villebois the original idea was to have more retail and be this little nice looking shopping area that you could go to, but the market just didn't bear that out, so there had to be a change. So in this case we might be talking about twenty-five years down the road, we certainly are not going to be able to predict what interest rates are, and where people want to shop and so forth. I just wanted to get some, have you talk a little bit about that, as another example of the nature of the Plan, it's a guideline. The Council at that time would, I suppose, be compelled to respond to what the market is doing, right. They wouldn't be compelled to just build something that wouldn't sell, who would build that. Right?

Mr. Neamtzu – Correct.

Councilor Starr – On the table, how many R-2.5 lots were there that came out for the 60 that went in, I can't remember in your write up what that number was.

Mr. Neamtzu – The sixty is in addition, the R-2.5 had a total of 436 units, and the other option, Option "H", bear with me

Mr. Dills – Goes down to 682 that is the whole neighborhood though.

Councilor Starr – Is the difference coming out of R-4 or is it spread out.

Mr. Dills – For the vertical?

Councilor Starr – If you're going from 742 to 6-something, I'm just trying to figure out where you're subtracting from.

Mr. Dills – We're subtracting from the R-2.5.

Councilor Starr – Okay.

Mr. Dills – Minus that many and added back for the vertical.

Councilor Starr – So you're taking out, if I understood what you said Chris, you said 436?

Mr. Neamtzu – 436 minus the, so we have164 dwelling units less, so that's to be the difference between R-2.5 and R-4.

Mr. Dills – Correct.

Mr. Neamtzu – So there'd be 165 units less, and then the 60 is a variable condition, or not.

Mayor – Other questions for staff? Mr. Kohlhoff, protocol wise, can we have staff stay to be a resource for technical questions while we're deliberating?

Mr. Kohlhoff – Sure. This is basically a legislative matter, and you're trying to get answers for your questions, you're not taking testimony.

Mayor – Alright so if that's the most of the questions the Council has, the appropriate protocol would be to have a motion to adopt one of these strategies that have been described, either the original Planning Commission strategy, or some other modified strategy, or this combined conceptual approach that Planning staff has just briefed us on and came out in written form to us late last week. Or, anything, if someone has a different idea that they think is more appropriate that could be.

Councilor Lehan –This Option "H" if I could ask, where did this come from again, out of whole cloth from you or the

Mr. Neamtzu –I felt compelled to respond to this significant petition that we received, so yes, it came out of my office.

Councilor Lehan – Okay, so Planning Commission has not responded to this at this point, has not seen this.

Mr. Neamtzu – No. We received that information one week prior to our October 19th hearing, so it was all after the conclusion of all the Commission hearings.

Councilor Lehan – Is this, is Option "H" like an amendment to Resolution No. 2553 or is it a replacement of it?

Mr. Neamtzu – I think 2553 is fine as long as we are clear about the Memorandum, Attachment 7 with all the specific changes, because that really guides a number of specific changes to the Plan, to the resolution is generic enough that it should be good in its current form.

Mr. Kohlhoff – If I may, I think it goes hand in hand with your basic recommendation from the Planning Commission on the first item to revisit density for the cottage area, because that's exactly what has been done here. So it actually puts come clarification, puts some flesh on the bones, so to speak, if you were to adopt that.

Councilor Lehan – So then would it be appropriate for me to move that we adopt Resolution No. 2553 with Option "H" as a clarification of the direction to flesh that piece out about the cottage and to add it to the text.

Mr. Kohlhoff – Yes.

Councilor Lehan – Then that would be what I would move.

Councilor Fitzgerald – Second.

Mayor – Point of clarification. Does that cover the October 19 memo wording, or does that need additional clarification if we wish to include that?

Mr. Kohlhoff – Is it referenced in the resolution?

Mr. Neamtzu – No. We would want to reference the changes specifically to Attachment 7 of the record that had all of the other changes. So, Attachment 7 plus Option "H", plus any other changes that the Council wishes to direct.

Councilor Lehan – Okay, Attachment 7 plus Option "H" to 2553.

Councilor Fitzgerald – I second the motion.

Mayor – Okay now we have that on the table, a motion and a second to approve Resolution 2553 incorporating those two additional pieces. So, it would be the appropriate time now for discussion, and normally I would give the maker of the motion the first chance to provide a perspective if you would like.

Councilor Lehan – I'll wait.

Councilor Starr – Could I make an amendment motion? I would move that we accept Option "G" with the following minor changes: to keep the large lots at 124 units, to change the medium lots from 281 units at 46% to 335 units at 55%; and then to lower the small lots from 205 units at 34% to 150 units at 25%.

Mr. Kohlhoff – May I ask a question? You said Option "G", but you're reading the calculations off of Option "H" that you made the changes to, is that correct?

Councilor Starr – I guess those are, both Option "H" and Option "G" contain the same for west so I guess I could say an amendment to Option "H".

Mr. Cosgrove – They are the same.

Mayor – We can't discuss without having a second to have any real discussion on the amendment motion.

Councilor Lehan - I will second it for the purposes of discussion because I would like to know what your rational is here.

Mayor – Okay. We have a motion to amend, and a second on the motion to amend and it's now appropriate to have discussion on the motion to amend. Councilor Lehan.

Councilor Lehan – On the motion to amend, I was asking the maker of the motion to amend to explain how he arrived at those numbers, or why not some different numbers.

Councilor Starr – Thank you. I also thank you for allowing me the chance to go through this. I had the opportunity to hear several economists in the local area talk about housing and the direction that housing is going. And I took the opportunity, hopefully to not take too many slides, but to take a look at what's going on and some of the pressures we are under, and I'll try to go real fast so we don't take up too much time. This is what led me to that amendment.

Chris if you could go to the next slide. Basically Dr. Gerald Mildren with Portland State gave this presentation, and basically what he is basically trying to get across is that high density means high cost and the opposite of that would be lower density helps keep the cost per square foot down, which not only affects housing as in single family housing, but also affects apartments. And we heard about some of the very negative effects, I would call it emergency effects of what's going on even in our town. So I want to put out there the first slide and Chris if you could go to the next one, you can see the cost per square foot in Portland where they are adding higher and higher densities at 212 and Canby, Wilsonville at 112 per square foot. Downtown in this model that we're under through Metro means higher costs. And then the next slide, affordability requires more suburban land and for everybody's knowledge, Metro's shut down the opportunity to bring in more suburban land which is only going to push costs higher and make it more expensive for anybody to buy a house.

Next if you go to the next slide, urban growth boundary means a higher land cost, that's just supply and demand so it's pretty self-explanatory. But the closer you get to downtown, obviously the higher cost per square foot.

This slide is kind of hard to read black and white, but you can see lack of suburban construction, so in Clackamas County we're probably the lowest as far as what kind of housing is, the growth of housing in our county versus others, and that's also compressing supply and causing higher costs.

Next. The next two slides are really important because of what we're seeing right now, rents in 2009 where Portland stacks amongst all the major cities in the country, the trend that we're on because of this, if you go to the next slide, puts Portland past Los Angeles for 2035. What that means is it's going to be a major job killer, because as the cost for rent and housing goes up, the desirability to locate your business goes down. Right now we're the most affordable West Coast City when you look at Portland, Seattle, San Francisco, San Jose, San Diego and Los Angeles but we're not on a very good trend right now.

Next slide. Who does this affect the most, well the rich get richer and the poor get poorer, so if you're minimum wage or even a little bit higher than minimum wage, the chances of you obviously being in an apartment versus a house are much higher, and so they are the folks that are paying a much higher cost of what it takes to live on and basically cover housing than everybody else.

Next slide. I took this from one of the economists for the State, so I thought this was probably the most telling one of the slides of the day. If you go to the next slide. Here is what's going on with household income and jobs, so we're seeing jobs increase for folks that are entry level and we're seeing jobs increase from the $75,000 to $100K at a pretty good clip, just a little under 10,000 over the last seven years. For the $100,000 to $150,000 range probably about 27,000 new jobs, and over $150,000, 30,000 new jobs. And I wanted to share this because the market is there for the higher end houses or the higher and medium sized houses. What Wilsonville has not done a good job of is being accommodating to the folks on the higher end, we just don't have that many houses and so that's where we got Option "G" that now took it to 20% but also if you look at the 75-150 where most of the trend for new jobs are, and Wilsonville being an attractor of employment, I think we really need to concentrate on more medium sized housing than what we have in the Plan. So that's why I recommended that we make not a huge change, but enough of a change to accommodate some of the demands that make us attractive not only for

people to locate their businesses but then people to live so they're not driving over the freeways and causing a lot of traffic issues. So in essence I'm just asking for us to consider a swing of fifty houses or so from small to medium. And that was the logic behind that Councilor Lehan.

Councilor Lehan – You mentioned a number of things that I think don't lead to the conclusion that you are making. One of them is about the lack of suburban land and why we have a lack of sprawl in Clackamas County. A big part of that is because the cities of Clackamas County, as opposed to the cities of Washington County, turn it down when they are presented with it. It isn't because Metro said you can't do it. Oregon City has tried to add land around their boundary with full blessings of Metro; it is turned down by voter approved annexation every time. The same is true of West Linn and Lake Oswego, and the whole Stafford thing is part of that. Metro says fine, urbanize it all, they take them to court and say no we absolutely don't want to.

Councilor Starr – That's not been our experience in Wilsonville.

Councilor Lehan – It has not been our experience in Wilsonville, in Wilsonville we don't have voter approved annexation, and we have tried to grow responsibly and whenever we've asked for annexation we have received it. Now this one right now east Frog Pond is tied up on a whole bunch of legal things, not the least of which is Stafford. It's an odd situation in Clackamas County, but you don't have any cities – like Sherwood that is always eager or Cornelius – in Clackamas County there is not enthusiasm any more than there is with the east side of Stafford Road. A lot of people said "Why do we have to grow?" There isn't enthusiasm for sprawling out and certainly when I've thought where it would be logical the local City Council wanted to, the residents said "No". Then you're left with making good use of the land you have. In terms of density driving prices, that's sort of another way of saying the price of the land is what's driving the price, and you will never see a ranch house on a ¼ acre lot in downtown San Francisco, it doesn't matter how much you want it, nobody is going to build it because of the land costs, the per square foot costs in San Francisco will not – there's a required price - just isn't going to happen. That's why it's more expensive in Portland and like it's more expensive in San Francisco, it's sort of a chicken and egg thing; you can't say this leads to this or whatever.

Councilor Starr – I think two economists just did and I kind of agree with them. I guess it's a matter of opinion but

Councilor Lehan – There is some opinion but it's not an opinion about Clackamas County, that's just they are curmudgeons as far as expanding, especially into farm land, but even into rural residential. They're not excited about it. I'm reluctant to support it because it seems like arbitrary numbers and I'm always reluctant to do something that I feel varies very much from what the Planning Commission recommendation is that came to us. I'm willing to go along with the Option "H" because it left a door open to flesh out that bone.

Councilor Fitzgerald – Thank you I was looking at some of our earlier materials and we haven't said much about demographics in Wilsonville. Speaking of Portland State for example, let me just correct this wasn't necessarily in our materials but I recently looked again at some population forecasts from Portland State. As everybody can tell people are moving to Oregon, I think the last figure I saw was projecting a million more residents moving to the Willamette Valley by 2040 and we're right in the middle of that. In our materials demographic context was provided by the staff, they have a chart the projected changes in age of residents in Wilsonville. This Chart 8, on the Frog Pond area Plan dated September 2nd shows that the fastest growing age group in Wilsonville, between 2015 and 2035 is going to be age 65 plus. They also report that 68% of Wilsonville's current households are one or two people. I think we're probably addressing that fairly well with best we can on projecting in the west and looking at the fact that families

need a larger house rather than a smaller house in most cases, we're already starting out with a required small home price of $439,000, a medium home $576,000 and a large at $775,000. Each time we reduce the number of houses we reduce the number of opportunities for people to buy a house. So I'm not really inclined to just arbitrarily change those numbers either. There are so many different studies, our Planning Commission all of our open houses, and we've made innumerable changes to this over the last few months, so I'm not inclined to change the numbers tonight.

Mayor – my perspective on the amendment that has been offered is that I am reluctant because this process has gone on for a year and a half of public hearings, we've had many, many people say what they think and staff has listened and I've lost track on how many different iterations modified, changed, massaged the Plan in response to the input that had been received. I think that's appropriate. I think it's the right way for things to be done. It may or not be what I personally would do if I was in charge of it, but I'm not; it's a collaborative public process.

Once that process has occurred and we have worked through all of that I am reluctant to jump in and say well it's all okay, but we need to change this piece of it. I don't know that once we start down that road that how we say we change piece A but somebody else wants to change piece B, and so I'm very hesitant to go down that road with an undetermined end to that process. I do think that it is reasonable to reserve judgment on some of these things until we have better pictures and better experience and I think that will come over time if the west neighborhood is put into motion and the private sector builds and the market is such that individuals want to buy those products and they absorb them then we will see that and we will have a period of several years during which we can evaluate the depth of that demand and how well the Plan is meeting it. At some point in the future we can draw on that experience and say maybe we should change and have more of this and less of something else, but I don't see how we can make an appropriate judgment on that at this point in time so far out. So I am reluctant to take a knife to the Plan or even a surgical scalpel to make small changes. I think that is not the process that will serve our community best at this point in time.

Councilor Starr – Frog Pond west is our last shot to create the Wilsonville that we want to create because after that we're going to have to really be forced to live under the guidance of Metro's land use policies and I might be different than the three of you but I think they've failed miserably. Metro doesn't do land use well, they don't do traffic well, they don't do garbage well, I mean it's just a black hole of taxes. For where we are though with land I don't want to lose the Wilsonville that really sucked me in when I first came around here and said wow, this town has charm, this town is special. And after Frog Pond west we're going to start evolving to look like every other place because that's the way the rules are.

And so when I look at how we can affect cost per square foot, when I look at what it's going to do to our schools, I got an email from the chair of the school board that basically said, "with respect to your question about growth and the impact to our schools, clearly the impact is felt more with higher density but we are well poised to be responsive to whatsoever scenario plays out." So they're basically saying it's going to affect the schools. And also traffic, I'm not looking forward to the four -way stop that I go up to and then go right on to having an intersection that reminds me of Wilsonville Road and Boones Ferry. That's an absolute mistake. So here's our one chance to keep the town kind of more like the one that attracted so many people and to have an neighborhood like the neighborhood of Meadows, and Morey's Landing, and Park at Merrifield, and Hazelwood, that built this town, and we're going to migrate away. The last thing is I think the public spoke loudly and I'm concerned that we're ignoring them and I just don't think it's a good thing. In our last City survey, growth was a huge area and basically the message we were told was "don't screw it up". I think that we're not headed in a good direction if we push hard to increase density so we can look like every other town in this metro area. I gave it a shot folks.

Councilor Fitzgerald – Councilor Starr I think you are referring to this change of numbers that you just described is that what you are referring to the 50 houses?
Councilor Starr – I'm referring to that as what I thought might be palatable, that wasn't my first choice but it was what I thought might be a compromise.

Councilor Fitzgerald – I'd like to add to that we have made a lot of compromises and I think it's not really capturing the spirit of all the many conversations we've had in the hearings and in the discussions with lots of residents, and letters that we've received that have led us to the point of what you see in Option "H". It's a nice sound bite to say that it's not going to look like Meadows, I don't know why we keep saying that because we haven't even gotten to that point, that's at a much later phase of this, the shape of the lots. I really want to compliment the staff in responding to the input that we've received. Thank you.

Councilor Lehan – Should we call the vote on the amendment so that we can discuss the original motion?

Mayor – Okay. Is there other input on the amendment? If **not I'll call for the vote, all in favor of the motion to amend the Resolution 2553 as moved by Councilor Starr please say Aye. Motion fails 1-3.** Councilor Starr voting "Yes", Councilors Lehan and Fitzgerald and the Mayor voting "No".

We are then at a point where we can discuss the entire motion or consider other amendments.

Mayor Knapp declared a recess at 9:09 p.m. and reconvened the meeting at 9:14 p.m.

Councilor Lehan – I want to address a couple of things that could perhaps be misinterpreted. One is that somehow we are big supporters of Metro that has been implied here. Metro is an agency, is a regional government directly elected by the voters and I have agreed with Metro sometimes and we have had pitched battles with Metro at other times, and one of them was over Frog Pond. In 2004 Metro had it in their cross hairs to be industrial; it was scheduled to be industrial all the way down Advance and up to Elligsen. I know we've had that graphic up before but we fought them and the community fought them and we fought them on the basis of, and when I say fought them we turned 500 people out at hearing at the Holiday Inn and had people testifying on not having Frog Pond be industrial.

And it was on the basis of the work that the Planning Commission had done from back in the 1970s, the Planning Commission and the City Council, so a lot of Planning Commissioners a lot of City Councilors who had carefully laid out Wilsonville to be what it was. This is to say industrial on the west side, mostly on the northwest side of the freeway, and residential on the east side. You see that in the way that the transportation is, the way the roads are that Wilsonville Road in front of the high school has narrow lanes with trees in the median, it has trees right at the curb and an offset sidewalk. This is all just the other way around on the west side. On 95th Avenue we great big lanes, we have no trees in the median, we have curb tight sidewalk and the trees are away. That's because 95th Avenue is built for trucks and Wilsonville Road, Stafford Road we never intended for trucks. We have tried to discourage trucks by the way that road is built and by the way it is landscaped, and then recently added the landscaping in front of Landover. I won't get into why that wasn't there originally but that's a whole other story.

The point is we went and testified. When I say 'we' me as the Mayor and the City Council the staff and the neighbors of Meadows and Landover went and testified against this Plan and we made the case that we wanted it to be residential. And that that was always the plan, and I'm sure there are many people still in Landover who testified to that effect. Metro eventually agreed with us. So it's not that we have always been in lock step with Metro, or that we are afraid to say something to them if we think they are wrong,

because we have disagreed with them on multiple occasions and we have usually prevailed for many reasons.

I have to give you a little of my background because I love Wilsonville or I wouldn't have been serving on the City Council all these years. I was born here in 1951. At that time there was no freeway and Old Town was the town. There was a grocery store, there was a feed store, there was a wigwam burner across the street from it and a log pond, and there was the ferry, three churches and a grade school. It was fine; it was a nice little rural town. But in 1954 the freeway opened and Old Town abruptly died because you couldn't get there, it was a dead end, the ferry stopped when the freeway started. The next big change was the arrival of Dammasch Hospital in 1958. And Dammasch Hospital put us back on the map when we were fading away from businesses leaving and the people had left. Dammasch Hospital has come and gone; Burns Brothers has come and gone. Lots of things have changed.

My point in saying this is that no City is ever static. If a City remains static it will die, it's going downhill. So every City is like they say, "You can't step into the same river twice", every morning you wake up to a slightly changed city. It isn't the same as it was when you moved here in 1970 or when I was born here in '51. And it won't be the same in five years or ten years. We're all trying all of these people individually and I'm sure everyone out here to make it the best City it can be but we can't hold it still. We're trying to allow it to grow in a way that maintains the qualities that we want.
This is a concept Plan that we're looking at for west Frog Pond. It is a guideline as has been stated before. The Dammasch Area Master Plan of 1996 that was the pre-curser of Villebois, it changed a whole lot, and in fact we still are changing it. Developers come to us and say we want to change this we want to change that, and we reassess and see what works going forward. There's still a lot to build out all the way up to Tooze that hasn't been decided yet. These plans in the course of the next 25 years will evolve and we can't predict the market.

Now in terms of the compromises that we have done here, we have compromised a lot on this. We have completely eliminated apartments and condos and that gives me pause when we just heard about the increase in rents for our renters. And I think that the whole multi-family thing is a sort of red herring because a more important issue is owner occupied. In terms of the stability of the community it's probably I say this recognizing that many of our renters have lived in these apartments for ten and fifteen years, but still, the stability is being owner occupied. It doesn't matter that it's a condo or a cottage; if you own it then you have a stake in that piece of real estate and a stake in the community that's pretty significant. We added owner occupied to Village at Main when it wasn't scheduled for that in the original zoning and of course there are the Canyon Creek Cottages I think those are an excellent example of owner occupied small houses that are very popular especially for starters.

Wilsonville Road and Boones Ferry let me address that. When we raise the specter of turning Stafford and Advance into Wilsonville Road and Boones Ferry - Wilsonville Road and Boones Ferry is a lot of lanes and I don't think there are any plans to add that many lanes. We've got six lanes going into five lanes and maybe eight lanes, this was never anticipated any more than it ever was at Brown and Wilsonville, at Barber and Kinsman, we're not doing those kinds of, and why it won't be that because it's not sitting on top of an interchange. Wilsonville Road and Boones Ferry will always be a challenge because if it were being built today it wouldn't be allowed; you wouldn't be allowed to build an intersection of that complexity and size that close to an interchange, ODOT would not allow it. So we are doing the best we can with it, and so is ODOT but it will always be a challenge because it's too close to the freeway. Stafford Road will never look like that anymore than any of those other roads would.

Mostly I would stress again that I'm not in a rush to develop any of this and I'm entirely comfortable with building in plenty of review because I think it's a long, long process. Just like Charbonneau was, just like

Villebois was it's going to be 25 years. That's about all I have to say about this, I'm happy to vote for it, I'm very pleased with the amount of process that we have had and community input that we've had.

Mayor – First of all I want to acknowledge that everybody involved in this is trying to do the right thing for Wilsonville. It isn't a question of whether everybody is unanimous because we value having different voices and different perspectives. I think that adds to the quality of our community, it adds to the thoughtfulness of our decision making process and all of that is good both in the short run and in the long run.

I think that the time frames that we're talking about, and I was pleased to hear both staff and Councilor Lehan remind us of how long these neighborhoods take to grow. It's hard for us to know what will be true. I know if we think back 20 years I was at a different point in my life then than I am now, 20 years hence things are going to be different. It won't be us at the same position we are now, it will be a different set of younger folks and people that are starting families and single individuals, empty nesters, retired forks, professionals, all the different needs in their community and what it means to have a place in the community, and what kind of housing, what kind of interaction with the rest of the community, with their neighbors. What won't change is that people are looking for a connection. They are looking for feeling like they belong in the community that they are in. I think it is a responsibility that we have to try to foresee ways to build community. That means to me not just accommodating one kind of household or one economic level or one preference in terms of the neighborhood. I think our strength is in having a multiplicity of different accommodations for people at different times of their lives and at different levels of economic ability and different needs for interaction and amenities in the community. The quality of the community we are building is what we should be talking about and that does not translate into only one density is appropriate or workable, or only one type of home fits.

I have a concern at the suggestion that we should be driven by fear of the future or fear of change. I don't know what the world is going to be like in 10-20 years but I am optimistic that we will find our way toward that future with positive results if we keep talking and working together. I think that there will be surprises during that period of time but I think that we will still need to have neighborhoods where we can connect with the other people around us. Where we can enjoy amenities in our community and find satisfaction in our lives and in our interactions.

I concur with Councilor Lehan's statement that experience has shown us in Wilsonville that changes will happen in our plans. They won't be translated verbatim, they never have and they never will. We have experience in Wilsonville that has demonstrated that we can, should, and will be responsive to evolving needs to evolving economics, to evolving patterns within how people live. And I am absolutely sure with the quality of the staff and the City work that we have under our belts now we will be able to do that going into the future. We have built some great neighborhoods in Wilsonville, I guess I shouldn't say 'built' we didn't build them, we've encouraged them or we have helped facilitate at the government level. Better yet we have enabled high quality neighborhoods to grow in Wilsonville is a better way of thinking about it.

The public surveys that we have taken every other year have indicated that the vast majority of the people that live in Wilsonville think it's a good quality community and whether they have concerns about how things work in the future or not they think that it's a good community to live in and we should be proud of that and we should listen and think about where there are chances to improve it, but we should not fear moving forward because of uncertainty.

I think that this is a good plan, I think that the work done by the staff, the public through all their public outreach process and eventually to the Planning Commission recommendation is very strong and I want

to honor that work and the results they have reached. The suggestions the Planning Commission made I think are well thought out suggestions for acknowledging the uncertainty as this project moves forward over time. I appreciate the staff that has put some substance around those ideas in a way that would give us a framework to respond to those suggestions from the Planning Commission.

From that standpoint I'm happy to support the motion that has been made based on the Planning Commission with the additional work and framework that planning staff has brought forward to us in Option "H". I think it will serve the community well, and it will evolve and change as needs change over time and as answers become clearer as we go forward and the neighborhoods are begun and grow to a size that they are really a major component of Wilsonville. So that's my point of view.

Councilor Lehan – I just wanted to add one brief thing that I meant to say, and that is my appreciation of the work of the Planning Commission. I wanted to point out that Wilsonville's Planning Commission is different than most planning commissions because they focus entirely on long range planning, on these legislative issues of figuring out long range plans. The work of deciding land use decisions, applications for development, is done by our Development Review Board panels, we have two of those. In most cities the planning commission is doing it all, but in Wilsonville the Planning Commission is freed to spend 100% of its time on long range planning and I think that it shows in Wilsonville. It's a larger body than the City Council, there are people intentionally who have a variety of viewpoints on the Planning Commission and I just really appreciate the work that they do and want to point that out. I think the community doesn't understand a lot of times how important the Planning Commission is to Wilsonville's success overall.

Councilor Fitzgerald – We've been thanking the Planning Commission and staff, City Council, so forth. I also want to thank people who took the time to sign the petitions because we got to hear from them, we also had a number of letters, really a lot of different viewpoints on the letters and I'm really pleased with the fact that we've been able to add this change to Option "H" reflecting a minimum lot size, acknowledgement that there's a goal and strong interest in that. I think that allows a lot of flexibility even though it may be quite a ways down the road. So more people can be involved as we go forward, that's for sure.

Councilor Starr – I would like to say no matter how this comes out, I'm very positive that all the work Chris that you and your team have done will make a neighborhood that looks, and I'm talking about west because that's really more the immediate of what might happen, and that's not even immediate I shouldn't say that, it's closer. I know it will look good because of what you guys do and the thought that you put behind it. I guess there might be a difference in philosophy and strategy on what's important to try to shape policy as far as pricing and cost of housing and things like that, but at the end of the day, I'm still confident that whatever we end up with its going to be a very good looking neighborhood and a very good representation of this city. Thank you.

Mayor – Any other comment or discussion? If not I will call for the **vote to on the motion to approve Resolution 2553 together with the Attachment 7 and the additional information brought forward, both narrative and statistical by staff labeled Option "H". This is the motion in front of us I believe. All in favor please say Aye, all opposed. Motion passes 3-1.** Thank you very much.

Vote: Motion carried 3-1. Councilor Starr voting "No".
End of transcript.

CITY MANAGER'S BUSINESS

Mr. Cosgrove acknowledged the coming retirement of the City Attorney Mr. Kohlhoff after serving the City for 35 years and offered a heartfelt thank you for the opportunity to work with him the past four years.

LEGAL BUSINESS

Mr. Kohlhoff expressed his appreciation for having the chance to work for the City and the citizens of Wilsonville and the different City Councils during his tenure. He recounted many of the changes and the growth he has seen over the years as well as the waiting opportunities for the future.

ADJOURN

Mayor Knapp adjourned the meeting at 9:44 p.m.

Respectfully submitted,

_____
Sandra C. King, MMC, City Recorder

ATTEST:

_____
Tim Knapp, Mayor

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, December 7, 2015. Mayor Knapp called the meeting to order at 7:10 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:
Mayor Knapp
Councilor Starr
Councilor Fitzgerald - excused
Councilor Stevens
Councilor Lehan -- excused

Staff present included:
Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, Assistant City Attorney
Sandra King, City Recorder
Barbara Jacobson, City Attorney
Jon Gail, Community relations
Susan Cole, Finance Director

Motion to approve the order of the agenda.

Motion: Councilor Starr moved to approve the order of the agenda. Councilor Stevens seconded the motion.

Vote: Motion carried 3-0.

MAYOR'S BUSINESS

A. Upcoming Meetings

Mayor Knapp attended a series of meetings in preparation for the joint meeting with the city of Tualatin on the Basalt Creek issue where discussion of the Basalt Creek Concept Plan would occur.

Susan Cole, Finance Director, announced the City had received the Distinguished Budget Award from the Government Finance Officers Association (GFOA).

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS – There was none.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (Park & Recreation Advisory Board Liaison) reported on the well-attended community tree lighting event, and invited the public to participate in the Reindeer Romp and 5-K fun run. The new Murase Park play structure was featured on the cover of the Parks and Rec Business Magazine.

Councilor Stevens – (Library Board and Wilsonville Seniors Liaison) attended the Library Board meeting where they toured the children's sections of the Library which has been enhanced and improved to bring families into the library. She announced the SMART light drives starting December 15th leaving from the Community Center and noted the dates of the Holiday Fun Fest, and the first meeting of the Tourism Promotion Committee.

Mayor Knapp reported the DRB Panel B approved the Charbonneau Country Club application to replace the boat ramp to their marina. The Mayor announced the upcoming meeting date of the Planning Commission. He noted the December 21st Council meeting had been cancelled.

CONSENT AGENDA

A. **Resolution No. 2557**
A Resolution Adopting The Canvass Of Votes For The November 3, 2015 Special Election

B. **Resolution No. 2559**
A Resolution of the City of Wilsonville authorizing the City Manager to sign a franchise extension Agreement With Comcast, Extending The Term Of The Current Comcast Cable Franchise To June 30, 2016.

Ms. Jacobson read the consent agenda into the record.

Motion: Councilor Starr moved to adopt the Consent Agenda. The motion was seconded by Councilor Stevens.

Vote: Motion carried 3-0.

PUBLIC HEARING

A. **Ordinance No. 776** – 1st Reading
An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Chapter 3, Right-Of-Way And Public Easement Management Section, By Amending Section 3.410, Franchise Required, And Adding A New Section 3.415, Franchise Fees.

Ms. Jacobson read the title of Ordinance No 776 into the record on first reading.

Mayor called the hearing to order at 7:34 p.m. and read the hearing format for the record.

Mr. Kohlhoff provided the staff report and the background regarding the amendment. The proposed ordinance amends the Franchise Fee provisions of the Code for utility providers who benefit from using the City's right-of-way features.

To provide background for the proposed ordinance, Mr. Kohlhoff stated, due to federal regulations in telecommunication, several years ago the City adopted a right-of-way ordinance

and privilege tax for the use of the City's right-of-way in lieu of using a franchise fee approach for all utilities except for existing cable utilities.

A recent Oregon Supreme Court case has held where a government, such as a special district, wants the privilege of using a city's right-of-way, a tax may not be imposed, but rather a franchise fee which is cost related needs to be the method used. Hillsboro and Tualatin Valley Water District seek to bring a large water transmission line from Hillsboro through the City to connect to a treatment plant the City has a large ownership interest in on the Willamette River.

This transmission line caused the City to review its franchise fee code section to cover this eventuality and make sure the appropriate franchise fees are in line with the Oregon Supreme Court case.

The proposed ordinance provides:

(1) A listing of cost factors which are involved in regulating the rights-of-way.

(2) A franchise fee for utilities who serve Wilsonville customers of up to 5% of gross revenues derived from prices charged to Wilsonville customers.

(3) A franchise fee for utilities who do not serve Wilsonville customers (pass-through without service delivery) based on a per cubic foot charge multiplied times the number of cubic feet used in occupying the right-of-way, plus for large pressure pipes transportation, 1% of gross revenue derived from the utility's transportation system located in Wilsonville multiplied times the fraction that the portion, in lineal feet, of the utility transportation system in Wilsonville occupying the City's rights-of-way bears to the full transportation system, in linear feet, that it is directly a part of.

(4) A separate per lineal foot fee for one inch and below pipes and lines.

(5) Provision that, based on the listed cost factors, the City Council may adjust the respective fees if they find it is warranted by individual circumstances.

The ordinance recitals recognize that rights-of-way are the foundation that, when developed, form the transportation system, and that it is a very complex and very valuable utility system unto itself. The administrative factors are widespread among several departments to achieve regulatory compliance and management oversight of the rights-of-way transportation system. Municipal utility pricing may include a portion for return of investment (profit). *Kliks v. Dalles City*, 216 Or. 160, 335 P.2d 366 (1959).

However, the recent Supreme Court Decision in *Rogue Valley Sewer Services v. City of Phoenix* has ruled that a franchise fee for a government utility that serves customers must be based on costs and not simply revenue generating, as that would amount to an unconstitutional tax on government. *Rogue Valley Sewer Services v. City of Phoenix*, 357 Or. 437 (2015).

Wilsonville is faced with developing a pass-through franchise fee that would cover a governmental utility that enters the City, benefits from the use of the City's rights-of-way without any service to Wilsonville customers, and is not of a lesser, intrusive size, such as a one-inch conduit for fiber, but rather is of 72 inches (6') in diameter size and approximately 3.5 miles in length to transport millions of gallons of pressurized water through Wilsonville. The right-of-way space it will occupy is extremely large and it will take away the City's ability to have other utilities in the same space that could generate return on investment for the City. This creates a recognized cost to the City known to economists as opportunity cost. This is a cost factor that is provided for in the ordinance.

Additionally, the transportation of large volumes of product under pressure can provide greater impacts upon leakage. This type of risk cost is also included in the factors. The cost of insurance to insure against the risk is not the only part of the risk cost. The City experienced such an issue after a design and construction defect resulted in a sinking road. In that case there was insurance, but the City encountered dispute by the insurance carriers over cost of cure and who would pay, causing the City to commence litigation. With the costs associated with litigation, the time elapsed between settlement and the construction season to be able to cure, and compromises inherent in settlements of disputed claims; the City's out-of-pocket cost was quite high. Thus, it is reasonably foreseeable that the cost of insurance may not cover the full costs for claims of major damages. In this case, the pipeline will also be near a wetland, and impacts of chlorinated water and earth deposits from surging water could provide pollution issues, in turn affecting the cost of insurance for full coverage and potential additional costs to cure. Water line leaks and breaks over the time of a pipeline's life of 70 years are also reasonably foreseeable. A brief research of water line breaks has provided examples of major breaks and millions of dollars in claims. Given both experience and consensus, it is reasonable to build a risk fund in addition to cost of insurance or shifting responsibility through indemnification and insurance provisions by the utility provider in any franchise agreement.

Finally, the City has historically had franchise fee agreements or the use of privilege taxes for private utility use of the rights-of-way to serve Wilsonville utility customers. This typically has been at a charge of 5% of gross revenues from those served, with the City currently charging its own utilities 4%. Thus, following the existing guidelines of in-place agreements, the up to 5% of gross revenues was provided.

In the case of entry and pass-through use, staff explored several options and approaches by other cities, based on a review provided by ECONorthwest. Although simple to calculate, a lineal foot approach does not provide a true relationship to space occupied by large pipelines or the volume of water passing through the pipe. A proportionate percentage of gross revenue by proportioning the amount of line or other system equipment to the total line or other system equipment did not seem to fully capture the impacts and the opportunity cost of the large pipelines and the space they occupy. While the percentage can be increased beyond the historical 5% to better align with costs over the life of the facilities, such as a 40-year pipeline life, that, in turn, might be susceptible to more legal challenges due to appearances of being out of the norm.

The cubic foot of occupancy approach aligns to better capture the disproportional use being granted from that of the typical sized utility. It also captures better the potential impacts and

associated costs of such use. It does not necessarily account for the volume of water, gas, etc. that might pass through it. Combining the cubic feet of occupancy approach with a lower, proportional percentage of gross revenues to account for the water flowing through the pipeline helps ensure that the City's total costs are recovered, as water will not flow through the pipeline for approximately 10 years, albeit a segment of the pipeline is scheduled to be constructed in Wilsonville during the summer of 2016.

Under the language of the proposed ordinance, the Council could enter into a Franchise Agreement that only required the cubic foot approach for each segment built and the percent of gross revenues provision to back it at the time water flows through the pipeline. With the provision that the Council could adjust the fees, the Council could do a lease based on a cubic foot formula and then waive this part of the fee while maintaining the 1% revenue portion as well. This provides for negotiating flexibility given the unusual particulars that pressurized large pass-through pipes may bring to bear on individual situations and routes.

To assist the Council, ECONorthwest provided the various fee scenarios under the different methodologies and the different cities, which have been provided to the City Council. Staff has put together a cost analysis involved in regulating the City's rights-of-way and a reasonable method to apportion the various costs to the large pipeline in order for the Council to assess the reasonableness of the proposed franchise fee provisions.

Mr. Kohlhoff added the City has invested $300 million in the transportation road system throughout the City, which is treated as a quasi-utility. The lost opportunity costs are reasonable and have been included in the analysis to come to the $1.15 per cubic foot, which may be adjusted depending on negotiations.

Mayor Knapp referred to Franchise Fee Section (2), paragraphs (b) and (c). Paragraph (2)(b) begins "To recover the costs for, the value of,…where services are not provided to Wilsonville residents…", then it talks about the differing sizes of pipe and different fees. Paragraph (2)(c) "To recover the costs for, the value of, and account for risks associated…where services are not provided to Wilsonville residences, businesses and rights-of-way, the annual Franchise Fee for such Pass-through….". The Mayor wanted to know if there was ambiguity between paragraphs (2)(b) and (2)(c)?

Mr. Kohlhoff responded a simpler approach was used for the smaller pipes for fiber, and it coincides with what the City does with the fee for privilege tax for the small fibers.

The Mayor clarified paragraph (2)(c) only pertains if the pipe is less than 1 inch in diameter, even though it is a pipe, line, conduit, or like facility. He was concerned that over time, costs and values in the City would change and was there a mechanism to adjust or index the dollar values for the future.

Mr. Kohlhoff stated staff would review that point and come back with additional information on the second reading of the ordinance.

Councilor Stevens asked if the last sentence in paragraph (2)(b) addressed that concern, and that section would be the right place for an addition if one was necessary.

Mr. Kohlhoff offered to discuss the ordinance with Councilors if they have additional questions.

Mayor Knapp invited public comment, hearing nothing he closed the public hearing at 7:48 p.m.

Motion: Councilor Stevens moved to adopt Ordinance No. 776 on first reading. Councilor Starr seconded the motion.

Councilor Starr said it does appear that there is some indication of opportunity costs towards the future charges paragraphs (i) and (j) but they could be indexed, and asked for the language to be clarified to specifically state the indexing.

Mr. Kohlhoff understood the Council would like to see an indexing provision that would insure the City was covered for inflation added to the ordinance and brought back on second reading.

Vote: Motion carried 3-0.

B. **Ordinance No. 778** 1st Reading

An Ordinance Of The City Of Wilsonville Declaring A Ban On Medical Marijuana Processing Sites, Medical Marijuana Dispensaries, Recreational Marijuana Producers, Recreational Marijuana Processors, Recreational Marijuana Wholesalers, And Recreational Marijuana Retailers; Referring Ordinance; And Declaring An Emergency.

Ms. Jacobson read the title of the ordinance into the record on first reading.

Mayor Knapp called the hearing to order at 7:48 p.m. and read the hearing format. The Mayor stated people have indicated to him they would like to know where a testifier is from when giving testimony during a public hearing. Is it appropriate to ask where a speaker resides if they do not wish to give their full address?

Mr. Cosgrove did not think it could be required; however, someone could make a public records request for the speaker cards.

Ms. Jacobson said some people are hesitant to state their address publicly since the meetings are now televised. If you wanted to ask a speaker if they reside in Wilsonville that would be appropriate.

Ms. Jacobson prepared the following staff report. Pursuant to Oregon House Bill 3400 (HB 3400), passed last session, cities may prohibit, within the city limits, the establishment of recreational marijuana producers, processors, wholesalers, and retailers. Medical marijuana processors, wholesalers, and retail establishments may also be banned unless they are grandfathered. Wilsonville has no grandfathered medical marijuana operations. HB 3400 is silent on whether a city can ban medical marijuana growers from operating within city limits.

This allowed prohibition under HB 3400, however, has one catch: Cities that are not located within a county that voted NO on Measure 91 by 55 percent or more may enact such a ban only by referral to the voters at the next statewide general election of November 2016. In the meantime, however, the city may enact an ordinance temporarily banning all or any of the above, to be effective immediately and until the results of the general election are in. In light of Wilsonville's effective ban on marijuana-related operations through its business license requirements, the Council must now determine whether it wishes to take advantage of this state-sanctioned process or continue to rely on the business license ban, the legality of which is disputed by the state but is supported by the current federal law prohibition of all marijuana use.

Last month in work session, Council discussed options with respect to the above-described ban, referral to voters, and the implications with respect to tax revenue. A copy of the work session staff report is attached hereto for your reference and contains an executive summary applicable to this action. At work session, Council directed that an ordinance be drafted banning all allowable marijuana facilities for public hearing at the December 7 Council meeting.

In addition, during work session a concern was raised by Councilor Lehan regarding the banking issues that face the marijuana industry. Basically, most banks will not deal with marijuana businesses for fear of running afoul of federal law. There are a few credit unions, however, in the State of Washington that have recently elected to take the risk but have reported there are numerous hoops to jump through and, if anything goes awry, the bank can lose its charter, as well as any pledged security. In a recent article found in the *Credit Union Times* magazine, it is noted that a primary reason these credit unions decided to take a chance is that the Washington Liquor Control and Cannabis Control Board regulations were specifically written and adopted to address the U.S. Attorney General's "Cole Memo" priorities for enforcement of the Controlled Substance Act. (Note: the Cole Memo is a document issued by the prior attorney general, who has since been replaced, about enforcement priorities and, although the new attorney general has not repealed it, there is some indication that she may not be entirely in agreement with it.) The article does go on to state that in neighboring Oregon, financial institutions are staying away from serving the pot business. In Colorado, even though the State of Colorado itself chartered the Fourth Corner Credit Union last year as a dedicated bank for marijuana companies, the Federal Reserve rejected its application to open a master account (which is necessary for a bank to function). The Federal Reserve also rejected its application to establish an electronic payment system that would have allowed customers to buy marijuana products with a credit card. As a result, in December, the federal court is scheduled to hear a case brought by Fourth Corner seeking to force the Federal Reserve to give it access to a master account.

Councilor Lehan also asked about the tax revenue that might be lost. As noted, if the City elects to ban either one or all of the listed Marijuana Facilities, it will get no state tax revenue share. The tax revenue for recreational marijuana sold by OLCC retailers will be collected by the Department of Revenue and distributed according to the formula found in the statute (HB 2041, Section 14). Until July 1, 2017, 10% of the Marijuana Fund is distributed to cities based on population. After July 1, 2017, 5% of the Fund will be distributed based on the number of producing and processing licenses cities have granted, and the other 5% will be distributed based on the number of retail licenses cities have granted. Again, cities that ban marijuana are not eligible to receive any distributions from the fund. Medical marijuana is tax free. Given how

easy it is to obtain a medical marijuana card, however, it will be interesting to see how many more people opt to go that direction. That situation has been an issue in the State of Washington in terms of lost tax revenue.

If an ordinance banning some or all of the marijuana operations was to be enacted and the people voted to support the ban, the issue would be resolved and the chances of legal challenges to the City's ban would be greatly reduced. If, on the other hand, the vote was in favor of allowing the operations, then the City Council would then need to decide whether to follow the direction of the voters or stand by the business license ban.

Recreational licenses will begin to be issued in January, and cities are therefore advised the wisest course of action is to get a ban in place prior to that date to avoid greater potential for legal disputes and disgruntled applicants. Because there is only one meeting in December, our second reading will occur on the first business day of the month of January. As a result, we have made the Ordinance an emergency so we can quickly get word to the OLCC, as they begin receiving and processing applications in January.

None immediately, but if a city elects to ban any of the marijuana operations legalized by state law, the city will not get any of the tax revenue collected from the sale of marijuana, nor can it impose a local tax. For the first year, revenue is distributed based on population. Thereafter, the formula is changed based on the number of marijuana facilities located in the city, as outlined above. Additionally, HB 3400 allows a local tax of up to 3%, if approved by voter referral. Although the City already passed a higher local tax than is included in HB 3400, the belief is that the taxation formula of HB 3400 is most likely preemptive.

This matter has been of ongoing discussion during past City Council meetings open to the public, including most recently at a work session held on November 16, 2015. There was also a town hall meeting conducted by Representative John Davis and Senator Kim Thatcher.

If an ordinance ban is enacted and referred to the citizens for a vote in November 2016, there will be clarity for both citizens and the Council as to the will of the people on this issue. The issue of the conflict between state and federal law will, however, remain. Opting out precludes the City from collecting the marijuana tax at both the state and local level.

The Council has the following options, or a combination thereof, for consideration:

1) Elect to enact an ordinance banning all or some of the above-listed operations and refer to the voters to determine the will of the people on this issue;

2) Take no action and rely solely on the business license ordinance to limit marijuana operations within the City;

3) Take other action, such as enacting reasonable time, place, and manner restrictions, if the Council elects to allow some marijuana operations to occur, which will also generate some tax revenue.

4) Regardless of which election is made above, including a local tax election on the November 2016 ballot is another option, keeping in mind that as long as marijuana facilities are not allowed to operate in Wilsonville, there will be no tax to collect. The alternative for taxation is to wait until the next general election to do this, if the ban is referred to the voters in November 2016, to avoid additional cost and possible voter confusion.

Clackamas County implemented time, place, and manner regulations on December 7, 2015 rather than enacting a ban.

Mayor Knapp asked if specifics of the County regulations were known, and if commercial growing or distribution facilities would be placed just outside of Wilsonville. He wanted to know what types of land uses were in unincorporated Clackamas County just outside of Wilsonville and are those land uses ones where commercial growing, processing or distribution would be allowed under the County's regulations.

Ms. Jacobson explained Clackamas County can regulate only the unincorporated areas of the county. She has a synopsis of the regulations she can provide to the Council. The County regulations allow recreational and medical marijuana facilities – production/grow, processing, wholesaling and retailing in these zones: Business Park, Light Industrial, General Industrial, Village Office, Corridor Commercial, General Commercial, Station Community Mixed Use, Office Commercial, Neighborhood Commercial, Community Commercial, Regional Center Commercial, Retail Commercial, Panned Mix Use, and Regional Center Office.

The Mayor asked if distribution can occur from a grow site, and what the cities of West Linn and Tualatin were allowing.

Ms. Jacobson responded growing and retailing cannot be combined. Growing would be allowed in an agricultural area adjacent to Wilsonville and some processing. Tualatin has reasonable time, place and manner restrictions but they have been vacillating on whether or not they would keep that in place. The Tualatin ordinance was not compatible with HB3400 because they had greater restrictions between retail operations and processing operations than were allowed under HB3400. She was not sure if their ordinance would remain in place. The City Attorney did not know what West Linn was implementing, but would find out and report back to the Council. She would also provide a matrix of the Clackamas County regulations on second reading.

Councilor Starr wanted to know if Washington County has enacted any laws since a portion of Wilsonville was included in Washington County, and what other cities voted for the ban in the tri-county area.

Ms. Jacobson replied Washington County has time, place and manner restrictions in place, they have not banned marijuana, and she was not sure what operations might be in that corner of Washington County. There is an ongoing list on the OLCC website that includes cities that have adopted the ban.

Mayor Knapp pointed out the part of Washington County that includes Wilsonville is an industrial area, and if there are growing or manufacturing, processing or distribution allowed in industrial areas, then that could be allowed in the industrial area adjacent to Wilsonville.

Mr. Cosgrove indicated West Linn was looking to ban recreational uses.

The Mayor invited public testimony.

Tim Smith, 7576 SW Thornton Drive, Canyon Creek, Wilsonville. Mr. Smith indicated he was a former staffer for the Oregon Lottery. He is the owner of Wilsonvilleweed.com an informational website providing information to the marijuana industry. Mr. Smith argued Oregon passed Measure 91 by a large percentage, and felt if Wilsonville imposed a ban that marijuana would be obtained in an illegal way from the black market. He was of the opinion that a ban on the industry would be anti-business and people would go outside the city to make their purchases.

Mayor Knapp closed the hearing at 8:05 p.m. and asked if Council had questions of staff.

Councilor Starr asked how Wilsonville voted on Measure 91.

Ms. Jacobson responded Wilsonville voted 51% against legalization.

Councilor Stevens clarified if the ban was put into place, there would be no tax revenue collected; but if voters voted in favor in November 2016 then the City would be able to collect the tax revenue.

Ms. Jacobson explained if Council enacted the ordinance now, and kept it in effect through November 2016 and referred it to the voters as required, and the voters voted in favor of allowing it, the Council would then have to decide what to do next, since the business license ban would still be in place. The likely solution would be a time, place, and manner regulation as has been done in other jurisdictions. After that, then the City would collect the taxes. The other issue that can be put on the ballot in November is an additional local tax on marijuana capped at 3%. If the ban goes to the ballot, the Council could, in theory, put both on the ballot; however that might confuse the voters.

Mayor Knapp asked what the State level of tax is that would come to participating cities.

Ms. Jacobson read, "Until July 1, 2017 ten percent of the marijuana fund is distributed to the cities based on population. After July 1, 2017 five percent of the fund will be distributed based on the number of producing and processing licenses the cities have granted and the other five percent will be based on the number of retail licenses the city has granted." The amount of tax would depend on the number of retail operations each city had. The funds would come from a pool.

Councilor Stevens asked if the Council needed to revoke the resolution previously adopted on the tax or does the statute override it. Ms. Jacobson stated the resolution would be negated by the statute.

The Mayor asked for a motion.

Motion: Councilor Starr moved to approve Ordinance No. 778 on first reading. Councilor Stevens seconded the motion.

Councilor Stevens seconded the motion to allow discussion. She noted Wilsonville was one of the few communities that did not pass Measure 91. The Councilor felt was there has been so much discussion about legalizing marijuana for so long that it was important to reaffirm how the voters of the community feel by having another vote on this in November 2016. If the vote passes giving clear indication the citizens want these businesses in Wilsonville, it will become a part of the economic business community. As a Council member it was important to understand that was really what the citizens want and re-evaluate how the citizens feel.

Councilor Starr agreed with Councilor Stevens' comments. Measure 91 was understood by the voters and both sides of the argument were presented. He thought the desires of the citizens should be respected for the first vote; and the second vote will determine the future, not the Council deciding for them.

Mayor Knapp was in agreement also. He did not feel a 41-59% split gave sufficient direction to the Council to make a choice on behalf of the citizens and a second vote is appropriate. The question of having establishments is a different question from Measure 91. The Mayor was not sure how a second vote on legalization would turn out; however he was not convinced that Measure 91 is an indicator of what the answer to this question might be. That uncertainty led him to want to ask Wilsonville residents the question again.

Vote: Motion carried 3-0.

NEW BUSINESS

A. **Resolution No. 2558**
A Resolution Of The City Of Wilsonville Authorizing Intergovernmental Cooperative Agreement For Advance Road Middle School Site Infrastructure Between City Of Wilsonville And West-Linn Wilsonville School District.

Ms. Jacobson read the title of Resolution No. 2558 into the record.

Mr. Kohlhoff explained the Resolution before Council is an agreement between the West Linn-Wilsonville School District and the City, regarding infrastructure that is necessary for the development for the middle school on Advance Road.

This agreement provides for the necessary infrastructure for development of the middle school, including road improvements to Advance Road, signalization at the intersection of Advance/ Boeckman and Wilsonville/Stafford, a major sewer line, water line, and that the property will be portioned to complete the exchange agreement and deed the City approximately ten acres of park land. In addition, this agreement will allow the City to partner with the West Linn-

Wilsonville School District to cost-effectively provide necessary public capital infrastructure to serve the school and future development.

The Assistant City Attorney noted on page 5 of the IGA there is a correction to the figures as follows:

- The Advance Road street improvement costs inclusive of soft costs are now estimated to be $1,103,000 which is a reduction from the original figure of $1,211,000.
- This affects the District's portion which is being reduced from $772,000 to $664,000.

Reimbursement districts are provided for to the extent that some of these costs will benefit other properties adjacent to what will be served by this infrastructure. It was pointed out there was some risk involved in reimbursement districts because they have asked for ten years, but in this case part of the areas that might be involved are not yet within the City limits, they are in urban reserves and not in the urban growth boundary. However, the city can extend reimbursement districts for good cause shown which may mitigate the length of time that may be a risk factor.

In an exchange agreement for the development of Lowrie Primary School the City received ten acres for parks out of the 40 acre school site on Advance Road.

Mr. Kohlhoff explained the IGA before Council is patterned after the Lowrie Elementary School agreement. What is different is that no guarantees for a reimbursement district are negotiated into the Advance Road IGA. It went to the School District Board tonight so we will see if they have any changes.

Steve Adams noted there had been minor language changes to make the IGA flow and read more clearly.

Mr. Cosgrove pointed out the City has mitigated its risks on the reimbursement district.

Councilor Starr asked if the School District was planning on using the 10-acre park area as adjacent playground area for recess, or are they using the school grounds for recess.

Mr. Kohlhoff explained the School District has their own recreation site; but joint uses would be appropriate. He noted the School District has acquired an additional 2 acre property from the Lowrie family which is adjacent to the School District property; however, this property is not within the UGB.

Councilor Starr referred to the City's 10 acre piece and thought he had seen ball fields to be put onto the property. He questioned the use and whether aggregating the 10-acres into a larger parcel for ball fields would be a better use.

Mr. Adams said no development plans have been made for the 10-acre parcel, but it looked like there is room for 2 ball fields and or 4 soccer fields. The design and planning for this park are several years out.

Councilor Starr felt the City would get "more bang for the buck" if there was more acreage for athletic fields, which would then leave this parcel for residential or another use.

Mr. Kohlhoff understood the Councilor was asking if these 10 acres could be traded for a greater parcel that could be developed. He noted there were issues to be considered such as: the location, time frame, is whether the parcel is within the UGB.

Councilor Starr thought the 10-acres did not seem to be a part of a long term strategy on what the City is going to do with fields and recreational facilities, but at this point there is flexibility to talk about uses and planning.

Mayor Knapp asked how Mr. Kohlhoff would characterize the City's development relationship with the School District on the Lowrie school development.

Mr. Kohlhoff thought the relationship was excellent. Mr. Adams agreed.

Motion: Councilors Stevens moved to approve Resolution No. 2558, Councilor Starr seconded the motion.

Vote: Motion carried 3-0.

B. **Resolution No. 2560**
A Resolution Approving The System Development Charges Deferral Agreement Between The City Of Wilsonville And BL & DF LLC For The Subaru Development.

Ms. Jacobson read the title of Resolution No. 2560 into the record.

Ms. Kraushaar provided the staff report. The applicant for the Subaru development in Wilsonville, has requested that the SDCs be deferred until occupancy at which time additional funding will be available for their payment. The agreement states the conditions of the referral, when payment is to be made, and consequences for non-payment.

The City has agreed that Applicant may defer paying only certain SDC until June 30, 2016, or until an occupancy permit of any nature is requested. The deferred SDCs shall bear interest at the rate of one percent (1%) until paid in full. All of the deferred SDCs, plus all interest due thereon, must be paid on or before the due date. Failure to pay by the due date shall be a default under this Agreement and, in such case; the default interest rate shall be increased to twelve percent (12%) per annum and shall continue to accrue until the deferred SDCs, plus all interest due thereon, including default interest, are paid in full.

The Mayor asked if the City had allowed deferrals in the past. Ms. Kraushaar indicated the City has allowed them in the past; but not often.

Motion: Councilor Starr moved to approve Resolution No. 2560, Councilor Stevens seconded the motion.

Vote: Motion carried 3-0.

CITY MANAGER'S BUSINESS

Mr. Cosgrove thanked the Mayor and Councilor Starr for attending the City Employee Holiday Party. He noted he had volunteered at the Wilsonville Community Sharing spaghetti dinner which earned over $1,500.00 for WCS. He complimented the Leadership Academy for their quick planning and execution of the project within just three weeks.

LEGAL BUSINESS

Ms. Jacobson reported the City had requested that ODOT lower the speed limit on Day Road to 35 mph from 45 mph due to an unsafe sight distance. ODOT denied the request and the City went to the appeals board at ODOT. The Appeals Board compromised the reduction to 40 mph.

Ms. Kraushaar felt the environment in the Day Road area will be changing due to new businesses and the speed limit should be reduced. ODOT did not agree with the City since the environment had not yet changed. Staff will return to ODOT in a year to request the 35 mph speed. At this time there is an advisory speed posted of 35 mph.

Councilor Starr wondered how the City's roads were doing with the volume of rain storms.

Mr. Cosgrove responded there had been areas with significant flooding and staff was working to keep storm drains clear.

ADJOURN

Mayor Knapp adjourned the meeting at 8:52 p.m.

Respectfully submitted,

_____
Sandra C. King, MMC, City Recorder

ATTEST:

_____
Tim Knapp, Mayor

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date:	**Subject**: **Ordinance No. 779**
January 6, 2016	Zone Map Amendment from PF (Public Facility) to V (Village), Villebois Phase 8 Central, Brookeside Terrace **Staff Member**: Daniel Pauly AICP, Associate Planner. **Department:** Community Development, Planning Division
Action Required	**Advisory Board/Commission Recommendation**
☒ Motion ☒ Public Hearing Date: January 4, 2016 ☒ Ordinance 1st Reading Date: January 4, 2016. ☒ Ordinance 2nd Reading Date: January 18, 2016 ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☒ Approval ☐ Denial ☐ None Forwarded ☐ Not Applicable **Comments**: Following their review at the December 14th meeting, the Development Review Board, Panel A recommends approval of the Zone Map Amendment.
Staff Recommendation: Adopt Ordinance No. 799.	
Recommended Language for Motion: I move to adopt Ordinance No. 799 on first reading.	
Project / Issue Relates To: Comprehensive Plan, Zone Code and Villebois Master Plan.	
☐Council Goals/Priorities	☒Adopted Master Plan(s) ☒Not Applicable

ISSUE BEFORE COUNCIL:

Approve or deny Ordinance No. 799 for a Zone Map Amendment from the Public Facility (PF) zone to Village (V) zone on approximately 3.20 acres northwest of SW Villebois Drive North between SW Costa Circle West and SW Berlin Ave.

EXECUTIVE SUMMARY:

The zone map amendment will rezone the land proposed to be developed as 50 row houses and associated alleys and open space in the north central part of Villebois as well as adjacent right-of-way. The proposed zoning is consistent with the Comprehensive Plan designation of Residential-Village.

Development Review Board Panel 'A' recommended the Council approve the Zone Map Amendment during their December 14th meeting.

EXPECTED RESULTS:

Adoption of Ordinance No. 799.

TIMELINE:

The Zone Map Amendment will be in effect 30 days after the ordinance is adopted.

CURRENT YEAR BUDGET IMPACTS:

None

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:

Reviewed by: __BJ_____ Date: ___12/28/15_____

COMMUNITY INVOLVEMENT PROCESS:

The required public hearing notices have been sent and DRB Public Hearing held.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

Ordinance No. 799 will support the continued build out of Villebois consistent with the Villebois Village Master Plan.

ALTERNATIVES:

Not approve the Zone Map Amendment preventing the planned development.

CITY MANAGER COMMENT:

ATTACHMENTS:

Exhibit A – Ordinance No. 799 and Attachments
- Attachment 1, Zoning Order DB15-0063.
  - Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
- Attachment 2 Zone Map Amendment Findings.
- Attachment 3 DRB Panel A Resolution No. 318 recommending approval of Zone Map Amendment

Exhibit B – Adopted Staff Report and DRB Recommendation

ORDINANCE NO. 779

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FOREST (PF) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 3.20 ACRES NORTHWEST OF SW VILLEBOIS DRIVE NORTH BETWEEN SW COSTA CIRCLE WEST AND SW BERLIN AVENUE. COMPRISING TAX LOT 3200 AND ADJACENT RIGHT-OF-WAY OF SECTION 15AC, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON WLH LLC, APPLICANT.

RECITALS

WHEREAS, Polygon WLH LLC has made a development application requesting, among other things, a Zone Map Amendment for the Property to develop a 50 unit row house development and associated alleys and parks consistent with the Villebois Village Master Plan; and

WHEREAS, RCS-Villebois Development LLC as the property owner and an authorized representative has signed the appropriate application form; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on December 14, 2015;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment and associated development applications on December 14, 2015, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 318 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB15-0063), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on January 4, 2016, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the foregoing recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB15-0063, attached hereto as Attachment 1, 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 January 4, 2016, and scheduled for the second and final reading on January 21, 2016, commencing at 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

ENACTED by the City Council on the 4th day of January, 2016, by the following votes:

Yes:___ No:___

_____
Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this ____day of _____, 2016.

_____
Tim Knapp, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Councilor President Starr
Councilor Stevens
Councilor Fitzgerald
Councilor Lehan

Attachments:

Attachment 1: Zoning Order DB15-0063.
Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
Attachment 2: Zone Map Amendment Findings,
Attachment 3: DRB Panel A Resolution No. 318 recommending approval of the Zone Map Amendment

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date:	**Subject**: **Ordinance No. 779**
January 6, 2016	Zone Map Amendment from PF (Public Facility) to V (Village), Villebois Phase 8 Central, Brookeside Terrace **Staff Member**: Daniel Pauly AICP, Associate Planner. **Department:** Community Development, Planning Division
Action Required	**Advisory Board/Commission Recommendation**
☒ Motion ☒ Public Hearing Date: January 4, 2016 ☒ Ordinance 1st Reading Date: January 4, 2016. ☒ Ordinance 2nd Reading Date: January 18, 2016 ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☒ Approval ☐ Denial ☐ None Forwarded ☐ Not Applicable **Comments**: Following their review at the December 14th meeting, the Development Review Board, Panel A recommends approval of the Zone Map Amendment.
Staff Recommendation: Adopt Ordinance No. 799.	
Recommended Language for Motion: I move to adopt Ordinance No. 799 on first reading.	
Project / Issue Relates To: Comprehensive Plan, Zone Code and Villebois Master Plan.	
☐Council Goals/Priorities	☒Adopted Master Plan(s) ☒Not Applicable

ISSUE BEFORE COUNCIL:

Approve or deny Ordinance No. 799 for a Zone Map Amendment from the Public Facility (PF) zone to Village (V) zone on approximately 3.20 acres northwest of SW Villebois Drive North between SW Costa Circle West and SW Berlin Ave.

EXECUTIVE SUMMARY:

The zone map amendment will rezone the land proposed to be developed as 50 row houses and associated alleys and open space in the north central part of Villebois as well as adjacent right-of-way. The proposed zoning is consistent with the Comprehensive Plan designation of Residential-Village.

Development Review Board Panel 'A' recommended the Council approve the Zone Map Amendment during their December 14th meeting.

EXPECTED RESULTS:

Adoption of Ordinance No. 799.

TIMELINE:

The Zone Map Amendment will be in effect 30 days after the ordinance is adopted.

CURRENT YEAR BUDGET IMPACTS:

None

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:

Reviewed by: _____BJ_ Date: _12/28/15_____

COMMUNITY INVOLVEMENT PROCESS:

The required public hearing notices have been sent and DRB Public Hearing held.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

Ordinance No. 799 will support the continued build out of Villebois consistent with the Villebois Village Master Plan.

ALTERNATIVES:

Not approve the Zone Map Amendment preventing the planned development.

CITY MANAGER COMMENT:

ATTACHMENTS:

Exhibit A – Ordinance No. 799 and Attachments
- Attachment 1, Zoning Order DB15-0063.
  - Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
- Attachment 2 Zone Map Amendment Findings.
- Attachment 3 DRB Panel A Resolution No. 318 recommending approval of Zone Map Amendment

Exhibit B – Adopted Staff Report and DRB Recommendation

ORDINANCE NO. 779

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FOREST (PF) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 3.20 ACRES NORTHWEST OF SW VILLEBOIS DRIVE NORTH BETWEEN SW COSTA CIRCLE WEST AND SW BERLIN AVENUE. COMPRISING TAX LOT 3200 AND ADJACENT RIGHT-OF-WAY OF SECTION 15AC, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON WLH LLC, APPLICANT.

RECITALS

WHEREAS, Polygon WLH LLC has made a development application requesting, among other things, a Zone Map Amendment for the Property to develop a 50 unit row house development and associated alleys and parks consistent with the Villebois Village Master Plan; and

WHEREAS, RCS-Villebois Development LLC as the property owner and an authorized representative has signed the appropriate application form; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on December 14, 2015;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment and associated development applications on December 14, 2015, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 318 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB15-0063), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on January 4, 2016, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the foregoing recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB15-0063, attached hereto as Attachment 1, 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 January 4, 2016, and scheduled for the second and final reading on January 21, 2016, commencing at 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

ENACTED by the City Council on the 4th day of January, 2016, by the following votes:

Yes:___ No:___

_____
Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this ____day of _____, 2016.

_____
Tim Knapp, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Councilor President Starr
Councilor Stevens
Councilor Fitzgerald
Councilor Lehan

Attachments:

Attachment 1: Zoning Order DB15-0063.
Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
Attachment 2: Zone Map Amendment Findings,
Attachment 3: DRB Panel A Resolution No. 318 recommending approval of the Zone Map Amendment

ZONE MAP AMENDMENT
Zoning Order DB15-0063
Villebois Phase 8 Central
Brookeside Terrace

INDEX of RECORD

1. City Council Staff Report for January 4, 2016 Meeting

2. Council Exhibit A: Ordinance No. 779 approving and adopting Zoning Order DB15-0063

3. Council Exhibit A, Attachment 1: Zoning Order DB15-0063

4. Council Exhibit A, Attachment 1, Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned

5. Council Exhibit A, Attachment 2: Zone Map Amendment Findings

6. Council Exhibit A, Attachment 3: Development Review Board Panel A's Resolution No. 318 recommending approval of the Zone Map Amendment.

7. Council Exhibit B: DRB adopted staff report and exhibits.
    - Exhibit A1: DRB Amended & Adopted Staff Report
    - Exhibit A2: Staff PowerPoint Presentation for DRB hearing
    - Exhibit A3: Corrections memo dated December 14, 2015
    - Exhibit B1: Applicant notebook
    - Exhibit B2: Large format plans for PDP and FDP
    - Exhibit C1: Engineering Requirements
    - Exhibit C2: Natural Resources Findings and Requirements
    - Exhibit C3: Comments from Public Works

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date:	**Subject**: **Ordinance No. 779,**
January 6, 2016	Zone Map Amendment from PF (Public Facility) to V (Village), Villebois Phase 8 Central, Brookeside Terrace **Staff Member**: Daniel Pauly AICP, Associate Planner. **Department:** Community Development, Planning Division
Action Required	**Advisory Board/Commission Recommendation**
☐ Motion ☒ Public Hearing Date: January 4, 2016 ☒ Ordinance 1st Reading Date: January 4, 2016. ☒ Ordinance 2nd Reading Date: January 18, 2016 ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☒ Approval ☐ Denial ☐ None Forwarded ☐ Not Applicable **Comments**: Following their review at the December 14th meeting, the Development Review Board, Panel A recommends approval of the Zone Map Amendment.
Staff Recommendation: Adopt Ordinance No. 779.	
Recommended Language for Motion: I move to adopt Ordinance No. 779 on first reading.	
Project / Issue Relates To: Comprehensive Plan, Zone Code and Villebois Master Plan.	
☐Council Goals/Priorities	☒Adopted Master Plan(s) ☒Not Applicable

ISSUE BEFORE COUNCIL:

Approve or deny Ordinance No. 779 for a Zone Map Amendment from the Public Facility (PF) zone to Village (V) zone on approximately 3.20 acres northwest of SW Villebois Drive North between SW Costa Circle West and SW Berlin Ave.

EXECUTIVE SUMMARY:

The zone map amendment will rezone the land proposed to be developed as 50 row houses and associated alleys and open space in the north central part of Villebois as well as adjacent right-of-way. The proposed zoning is consistent with the Comprehensive Plan designation of Residential-Village.

Development Review Board Panel 'A' recommended the Council approve the Zone Map Amendment during their December 14th meeting.

EXPECTED RESULTS:

Adoption of Ordinance No. 779.

TIMELINE:

The Zone Map Amendment will be in effect 30 days after the ordinance is adopted.

CURRENT YEAR BUDGET IMPACTS:

None

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:

Reviewed by: _____ Date: _____

COMMUNITY INVOLVEMENT PROCESS:

The required public hearing notices have been sent and DRB Public Hearing held.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

Ordinance No. 779 will support the continued build out of Villebois consistent with the Villebois Village Master Plan.

ALTERNATIVES:

Not approve the Zone Map Amendment preventing the planned development.

CITY MANAGER COMMENT:

ATTACHMENTS:

Exhibit A – Ordinance No. 779 and Attachments
- Attachment 1, Zoning Order DB15-0063.
  - Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
- Attachment 2 Zone Map Amendment Findings.
- Attachment 3 DRB Panel A Resolution No. 318 recommending approval of Zone Map Amendment

Exhibit B – Adopted Staff Report and DRB Recommendation

Pacific Community Design

EXHIBIT A

September 28, 2015

LEGAL DESCRIPTION Job No. 395-048

A tract of land being Lot 80, plat of "Villebois Village Center No. 3", Clackamas County Plat Records, and public Right-of-Way, in the Northeast Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the mostly northerly corner of said plat of "Villebois Village Center No. 3";

thence along the northeasterly plat boundary line of said plat, South 47°51'53" East, a distance of 147.24 feet to a point of tangential curvature;

thence continuing along said northeasterly plat boundary line, along a 900.00 foot radius tangential curve to the right, arc length of 99.96 feet, central angle of 06°21'49", chord distance of 99.91 feet, and chord bearing of South 44°40'59" East to a point of tangency;

thence continuing along said northeasterly plat boundary line, South 41°30'04" East, a distance of 226.09 feet to an angle point;

thence along the easterly plat boundary line of said plat, South 01°35'01" West, a distance of 90.41 feet to an angle point;

thence along the southeasterly plat boundary line, South 45°34'29" West, a distance of 197.50 feet to a point on the extension of the centerline of SW Costa Circle West;

thence along the centerline SW Costa Circle West and said extension, North 42°57'16" West, a distance of 78.77 feet to a point of tangential curvature;

thence continuing along said centerline, along a 746.00 foot radius tangential curve to the left, arc length of 79.46 feet, central angle of 06°06'11", chord distance of 79.42 feet, and chord bearing of North 46°00'21" West to a point of tangency;

thence continuing along said centerline, North 49°03'27" West, a distance of 319.46 feet to a point on the northwesterly plat boundary line of said plat;

thence along said northwesterly line plat boundary line, North 31°30'05" East, a distance of 40.80 feet to an angle point;

thence continuing along said northwesterly plat boundary line, North 34°32'15" East, a distance of 255.92 feet to the POINT OF BEGINNING.

12564 SW Main Street, Tigard, OR 97223 ♦ [T] 503-941-9484 [F] 503-941-9485

Containing 3.20 acres, more or less.

Basis of bearings per "Villebois Village Center No. 3", Clackamas County Plat Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2017

Pacific Community Design, Inc.
12564 SW Main Street, Tigard, OR 97223 ♦ [T] 503-941-9484 [F] 503-941-9485

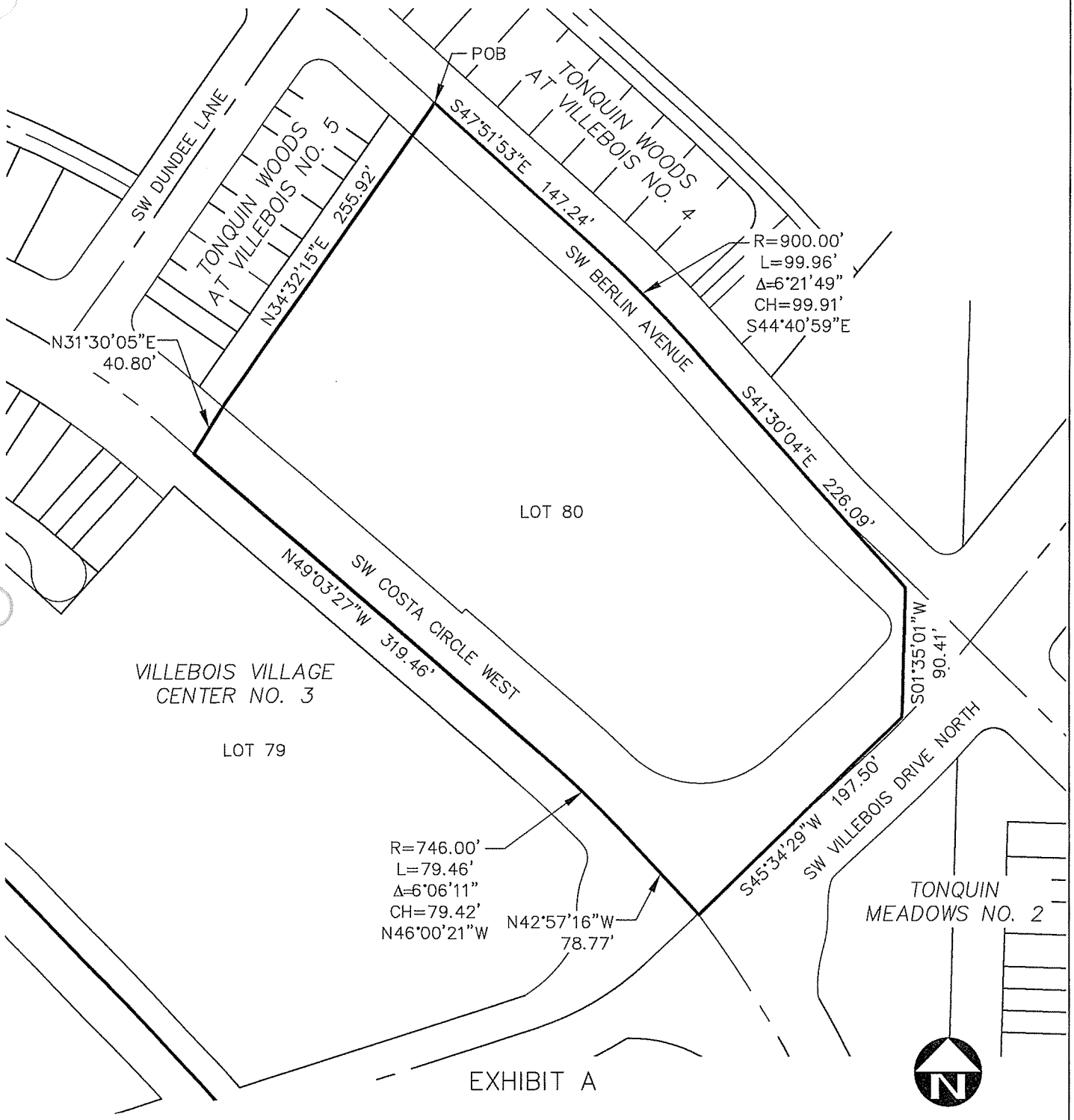


EXHIBIT A

DRAWN BY: GPS DATE: 9/28/15

REVIEWED BY: TCJ DATE: 9/28/15

PROJECT NO.: 395-048

SCALE: 1"=100'

PAGE 3 OF 3

Pacific Community Design

12564 SW Main St
Tigard, OR 97223
[T] 503-941-9484
[F] 503-941-9485

N:\proj\395-048\Drawings\06 Survey\Legals\395048.Zone Change.dwg - SHEET: Lot 80 Sep. 28, 15 - 10:22 AM gar

ORDINANCE NO. 779– ATTACHMENT 1

BEFORE THE CITY COUNCIL OF THE CITY OF WILSONVILLE, OREGON

In the Matter of the Application of Polygon WLH, LLC for a Rezoning of Land and Amendment of the City of Wilsonville Zoning Map Incorporated in Section 4.102 of the Wilsonville Code.	))))))	**ZONING ORDER DB15-0063**

The above-entitled matter is before the Council to consider the application of DB15-0063, 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 Attachment, 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 3.20 acres south of SW Berlin Avenue between SW Villebois Drive North and SW Dundee Lane. Comprising tax lot 3200 and adjacent right-of-way of Section 15AC, T3S, R1W, Clackamas County, Oregon, as more particularly shown and described in Attachment A, 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: January 4, 2016.

_____

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

_____

Barbara A. Jacobson, City Attorney

ATTEST:

_____

Sandra C. King, MMC, City Recorder

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

Ord. No. 779 Attachment 2
Staff Report
Wilsonville Planning Division

Brookeside Terrace Zone Map Amendment

City Council
Quasi-Judicial Public Hearing

Hearing Date:	January 4, 2016
Date of Report:	December 28, 2015

Application No.: DB15-0063 Zone Map Amendment

Request/Summary: The City is being asked to review a Quasi-judicial Zone Map Amendment for a 50-lot row house subdivision, associated parks and open space, adjacent right-of-way and other associated improvements.

Location: Approximately 3.20 acres northwest of Villebois Drive North between SW Costa Circle West and SW Berlin Avenue. The properties are specifically known as Tax Lot 3200, Section 15AC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

Owner: David Nash, RCS- Villebois LLC

Applicant: Fred Gast, Polygon WLH LLC

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

Comprehensive Plan Designation: Residential-Village
Zone Map Classification (Current): PF (Public Facility)
Zone Map Classification (Proposed): V (Village)

Staff Reviewers: Daniel Pauly AICP, Associate Planner

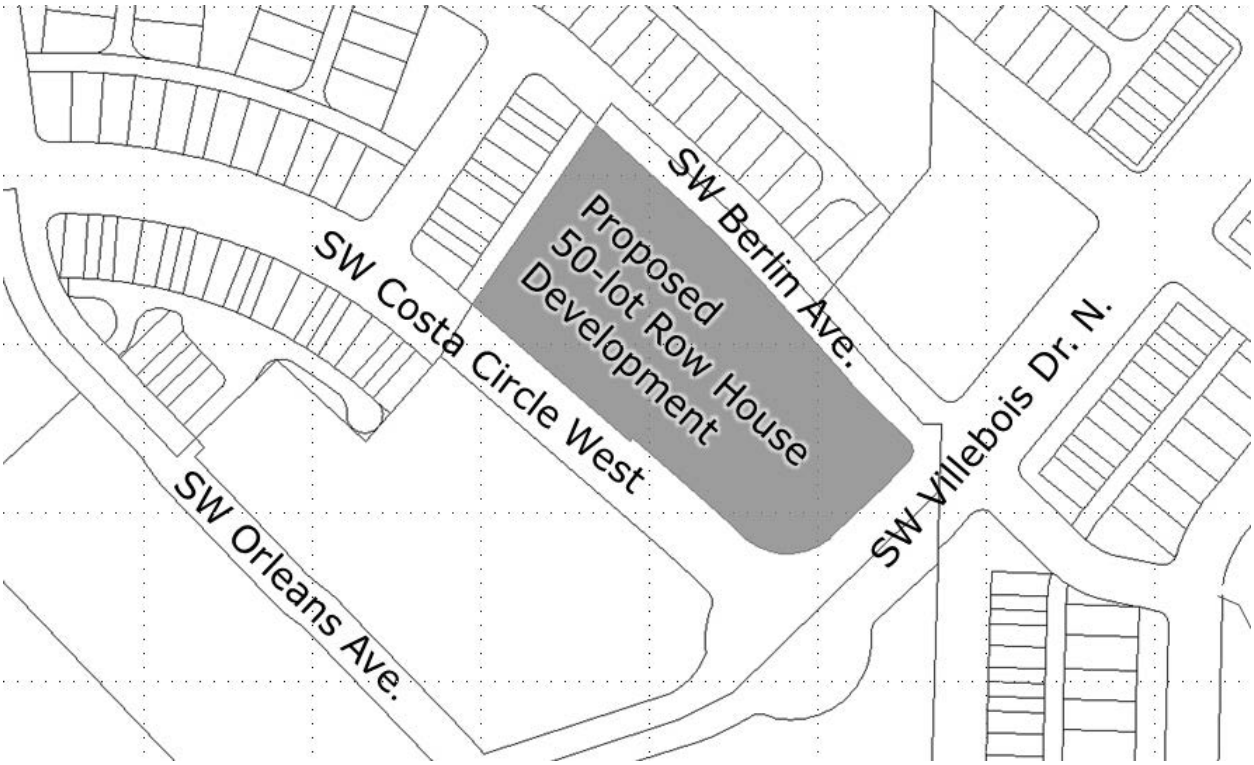
Staff Recommendation: **Approve** the requested Zone Map Amendment.

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 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Residential Development in Any Zone
Section 4.125	V-Village Zone
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
Other City Planning Documents:	
Comprehensive Plan	
Villebois Village Master Plan	
SAP Central Approval Documents	

Vicinity Map



Background/Summary:

Zone Map Amendment (DB15-0063)

The subject property still has a "Public Facility" zoning dating from its time as part of the campus of Dammasch State Hospital. Consistent with other portions of the former campus, a request to update the zoning consistent with the Comprehensive Plan is included concurrent with applications to develop the property.

Conclusion:

Staff and the DRB have reviewed the application and facts regarding the request and recommends the City Council approve of the zone map amendment (DB15-0063).

Findings of Fact:

1. The statutory 120-day time limit applies to this application. The application was received on October 9, 2015. On February 28, 2014, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on November 9, 2015, the Applicant submitted new materials. On November 10, 2015 the application was deemed complete. The City must render a final decision for the request, including any appeals, by August 20, 2014

.

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
Northeast:	V	Berlin Avenue, vacant residential
Northwest	V	Row houses
Southwest:	V	Costa Circle West, Montague Park
Southeast	V	Villebois Drive North, vacant residential

3. Prior land use actions include:

Legislative:
02PC06 - Villebois Village Concept Plan
02PC07A - Villebois Comprehensive Plan Text
02PC07C - Villebois Comprehensive Plan Map
02PC07B - Villebois Village Master Plan
02PC08 - Village Zone Text
04PC02 – Adopted Villebois Village Master Plan
LP-2005-02-00006 – Revised Villebois Village Master Plan
LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
LP09-0003 – Zone text amendment to allow for detached row houses
LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)
LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi Judicial:
DB06-0005 -

- Specific Area Plan (SAP) – Central.
- Village Center Architectural Standards.
- SAP-Central Architectural Pattern Book.
- Master Signage and Wayfinding Plan.

- Community Elements Book Rainwater Management Program and Plan

DB06-0012 - DB06-0012-Tentative Subdivision Plat (Large Lot)
DB09-0037 & 38 – Modification to the Village Center Architectural Standards (VCAS) to change/add provision for detached row houses.
DB13-0015 – SAP Central Phasing Amendment
DB13-0043 – Tentative Subdivision Plat for Villebois Village Center No. 3 (large lot subdivision, includes subject properties.
DB15-0005 – SAP Refinements and Central Phasing Amendment

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

Conclusionary Findings:

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

General Information

Application Procedures-In General
Section 4.008

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

Initiating Application
Section 4.009

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."
Finding: This criterion is satisfied.
Explanation of Finding: The applications have been submitted on behalf of contract purchaser Polygon Homes, and is signed by the property owners, Davis Nash of RCS Villebois LLC.

Pre-Application Conference
Subsection 4.010 (.02)

Review Criteria: This section lists the pre-application process
Finding: These criteria are satisfied.

Explanation of Finding: A pre-application conference was held on September 10, 2015 in accordance with this subsection.

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

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

General Submission Requirements
Subsection 4.035 (.04) A.

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

Zoning-Generally
Section 4.110

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

Zone Map Amendment

Comprehensive Plan

Development per Villebois Village Concept Plan
Implementation Measure 4.1.6.a

A1. **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.

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

A2. **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 residential development implementing the elements as outlined by the Villebois Village Master Plan, as previously approved.

Application of "Village" Zone District
Implementation Measure 4.1.6.c.

A3. **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.

Uses Supporting "Urban Village"
Implementation Measure 4.1.6.d.

A4. **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 as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

General

Zoning and Comprehensive Plan
Section 4.029

A5. **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 development as required by this section.

Base Zones
Subsection 4.110 (.01)

A6. **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.

Village Zone

Village Zone Purpose
Subsection 4.125 (.01)

A7. **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".

Village Zone Uses
Subsection 4.125 (.02)

A8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The proposed residential uses are consistent with the Village Zone designation and Villebois Village Master Plan.

Concurrency with PDP
Subsection 4.125 (.18) B. 2.

A9. **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.

Zone Change Review

Zone Change Procedures
Subsection 4.197 (.02) A.

A10. **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.

Comprehensive Plan Conformity, etc.
Subsection 4.197 (.02) B.

A11. **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 A1 through A4 substantially comply with applicable Comprehensive Plan text.

Residential Designated Lands
Subsection 4.197 (.02) C.

A12. **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.

Public Facility Concurrency
Subsection 4.197 (.02) D.

A13. **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: Existing primary public facilities are available or can be provided in conjunction with the project as shown on the applicant's plan sheets submitted for the Preliminary Development Plan request.

SROZ Impacts
Subsection 4.197 (.02) E.

A14. **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.

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

A15. **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.

Development Standards Conformance
Subsection 4.197 (.02) F.

A16. **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: The zone map amendment will facilitate development consistent with the Village Zone standards and other applicable standards of the Planning and Land Development Ordinance.

Exhibit A1
Staff Report
Wilsonville Planning Division

Polygon Homes- Brookeside Terrace

Development Review Board Panel 'A'
Quasi-Judicial Public Hearing

Amended and Adopted December 14, 2015
Removed language ~~struckthrough~~
Added language ***bold italics***

Hearing Date:	December 14, 2015
Date of Report:	December 7, 2015

Application Nos.: DB15-0063 Zone Map Amendment
DB15-0064 SAP-Central Amendment
DB15-0065 SAP-Central PDP 8, Preliminary Development Plan
DB15-0066 Final Development Plan
DB15-0067 Tentative Subdivision Plat

Request/Summary: Applications under review are a Quasi-judicial Zone Map Amendment, Villebois Specific Area Plan Central Amendment, Preliminary Development Plan, Final Development Plan, and a Tentative Subdivision Plat, for a 50-lot row house subdivision, associated parks and open space, and other associated improvements.

Location: Northwest of Villebois Drive North between SW Costa Circle West and SW Berlin Avenue. The properties are specifically known as Tax Lot 3200, Section 15AC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

Owner: David Nash, RCS- Villebois LLC

Applicant: Fred Gast, Polygon WLH LLC

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

Comprehensive Plan Designation: Residential-Village
Zone Map Classification (Current): PF (Public Facility)
Zone Map Classification (Proposed): V (Village)

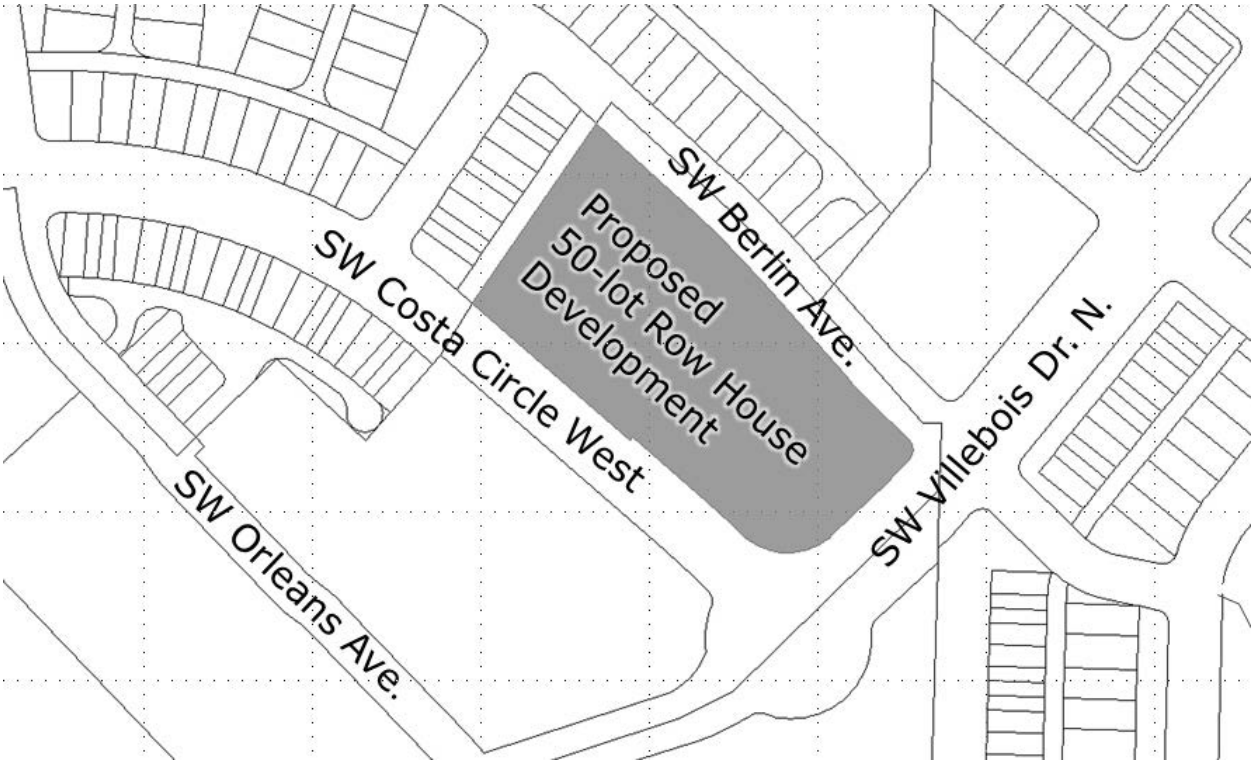
Staff Reviewers: Daniel Pauly AICP, Associate Planner
Steve Adams PE, Development Engineering Manager
Kerry Rappold, Natural Resource Program Manager
Don Walters, Building Plans Examiner

Staff Recommendation: **Approve with conditions** the requested SAP Amendment, Preliminary Development Plan, Final Development Plan, and Tentative Subdivision Plat. **Recommend approval** of the requested Zone Map Amendment to City Council.

Applicable Review Criteria:

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

Vicinity Map



Background / Summary:

Zone Map Amendment (DB15-0063)

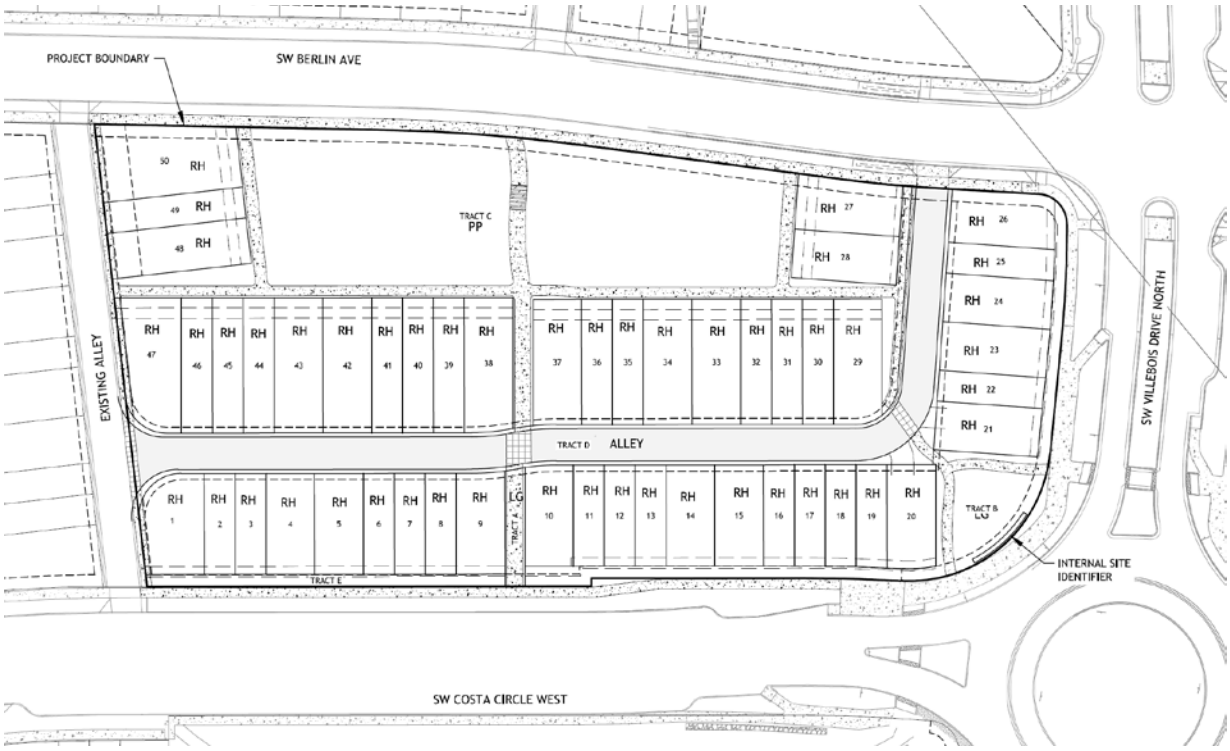
The subject property still has "Public Facility" zoning dating from its time as part of the campus of Dammasch State Hospital. Consistent with other portions of the former campus, a request to update the zoning consistent with the Comprehensive Plan is included concurrent with applications to develop the property.

SAP Central Amendment (DB15-0064)

The requested SAP amendment modifies the phasing. The subject property most recently was shown as Phase 13 of SAP Central. The proposal is to make it Phase 8. The phasing is reasonable as the proposed development is adjacent to existing development or development approved or under construction on all sides.

PDP 8C Preliminary Development Plan (DB15-0065)

The proposed Preliminary Development Plan 8 of Specific Area Plan Central (also known as Brookside Terrace) comprises 2.25 acres. The applicant proposes 50 row houses with 0.62 acres of parks and open space, and associated infrastructure improvements. The front of all the houses will face tree lined streets, parks and green spaces.



Proposed Housing Type	Number of Units
Row House	50
Total	50

The PDP also includes requests for a number of SAP Refinements including density and mix of housing types.

As part of the PDP request the applicant can request a density change for the SAP of up to 10%. The original SAP Central unit count used for density calculations is 1,010 units reflective of the Figure 1 of the Villebois Village Master Plan. The 1,010 unit count for SAP Central assumed 80.9% of the maximum number of Village Apartments would be built, which would be 79 units for the subject property. The difference from the proposed 50 units is 29 units. A review of the previous SAP Central PDP 1-7 approvals show a unit count of 1,092 units. See discussion point below for information on this calculation. The proposed unit count is 1063 units, 2.68% below the most recent SAP unit count and 5.26% above the original SAP Central unit count. The change is within the 10% cumulative density change allowed from the original SAP approval. The change would result in 2,667 units in Villebois, which would continue to exceed the required 2,300 units.

For the housing type refinement housing types are grouped into two aggregate land use categories with medium lot single family and larger single-family homes in one category and small lot single-family and all attached units in a second category. Both the apartments shown in the Villebois Village Master Plan and SAP Central approval and the proposed row houses are within the same aggregate land use category, making the change from apartments to row

houses not quantitatively significant. However, the qualitative test of diversity of unit types also needs to be considered, especially in terms of urban design. The proposed row house buildings would be a similar size and bulk as 2-3 story apartment buildings thus providing for a substantially similar urban landscape as previously planned.

Final Development Plan (DB15-0066)

Details have been provided for all the parks and open space matching the requirements of the Community Elements Book. Street trees are also shown conforming to the Community Elements Book.

Tentative Subdivision Plat (DB15-0067)

The applicant is proposing the subdivision of the properties into 50 residential lots, along with alleys, and park and open space areas. The name of the proposed subdivision approved by Clackamas County is "Brookeside Terrace."

Discussion Topics:

Defining Housing Types

Villebois has been planned for a wide variety of housing types, with the largest variety in the Village Center. A couple of these housing types are affected by the density and housing type refinement proposed. To better understand the refinement the following are the definitions of the affected unit types per the Villebois Concept Plan.

Townhomes (or row houses): This land use designation allows for a single-family dwelling type with common sidewalls and continuous front facades. Townhomes are the highest density housing type that provides yards and fee-simple ownership. Alleys provide parking access.

Village Apartments: The multi-family land use designation accommodates rental units in a village setting. Less dense than Urban Apartments, parcels will likely be arranged as multiple two or three story buildings around a shared green and surface parking. Building will have more generous setbacks to provide privacy for ground level residences.

Housing Diversity and Types of Unit Defined

In considering a refinement to change unit types, the change must be considered against the Villebois Village Master Plan policy of "a complete community with a wide range of living choices". Limited guidance is provided as to the flexibility of placement of uses within a single aggregate land use category as it relates to this range of living choices policy. It is clear the intent of the aggregation of land uses would not allow a wholesale switch of all attached units to small lot single-family because they are in the same aggregate land use category. The guidance provided and historically used in reviewing requests to modify land uses within an aggregate category is the general idea of a transect of residential uses, in terms of both density per acre and urban form. The densest residential uses with the largest and most urban buildings

are focused around the piazza in the Village Center with the least dense and largest lots with single-family homes on the edge of the master plan area.

With the above guidance in mind, the proposed row houses have a similar density as "Village Apartments" they are replacing and at 2-3 stories with multiple attached units the row house buildings have a similar size and bulk as building that would house apartments. Thus they equally meet this important Master Plan Policy.

Understanding SAP Central Density Calculations

The original SAP Central approval showed density in two manners. One is a table reflective of Figure 1 of the Villebois Village Master Plan, the other is a map showing minimum and maximum unit count by unit type on each block or sub block. The density numbers in the table are the ones used to calculate density for purposes of refinements. However, the map is important to track the change in the table numbers over time. Of most importance is the relationship between the minimums and maximums shown on the map and the single number shown in the table. The number in the table assumes a certain unit count within the range, which overall is about 81.3% of the maximum unit count shown on the map. However, the percentage of maximum is not the same across all unit types, varying widely from 53.1% to 97.7%. Table 1 below shows the percent of max unit count for each unit type. The number is calculated by dividing the unit number for each unit type in the original SAP table by the sum of all the maximum numbers for the each unit type on the original map.

Table 1 Percent of Max Unit Count by Unit Type

Unit Type	% of Max Unit Count Reflected in Original SAP Central Land Use Table
Village Apartment	80.9%
Condo	86.1%
Row house	93.5%
Mixed-Use Condo	53.1%
Urban Apartment	90.0%
Small Lot Single-family	90.0%
Specialty Condo	97.7%

To calculate the change to the SAP unit count over time staff has first applied the percentages in Table 1 to the maximum of each unit type in each PDP. For example the maximum number of row houses in PDP 7 shown in the original SAP approval is 46, 93.5% of which is 43. The maximum number of urban apartments in PDP 7 shown in the original SAP approval is 24, 90% of which is 22. Summing these two numbers is 65, which is the unit number for PDP 7 reflective of the original SAP table. For the cumulative unit count for PDP 6 and below this number reflective of the original table is used. For the cumulative unit count calculation for PDP 7 and above the PDP approved unit number of 68 units is used. Table 2 below shows the change of unit count over time. PDP 1 and 2 are grouped for simplicity. All the cumulative changes over time are within 10% of the original 1,010 unit count. Note the mixed use unit count for PDP 1

and 2 has not been approved. Also, the small amount of mixed-use condos shown in PDP 7 was included with PDP 1 and 2 as the number appears on the map within PDP 1. PDP 3 and 5 are parks and do not have any units.

Table 2 Cumulative Unit Count Over Time and % Change from Original

Approval Phase	Cumulative Unit Count (sum of approved unit counts and original unit counts for unapproved phases)	% Difference from original 1,010 SAP Unit Count
PDP 1 and 2	1097	8.62% increase
PDP 4	1098	8.75% increase
PDP 6	1089	7.82% increase
PDP 7	1092	8.16% increase
Proposed PDP 8	1063	5.26% increase

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 (DB15-0064, DB15-0065, DB15-0066, DB15-0067) and recommend approval of the zone map amendment to City Council (DB15-0063) with the following conditions:

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

Planning Division Conditions:

Request A: DB15-0063 Zone Map Amendment

PDA 1.	This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. Case files DB15-0064, DB15-0065, DB15-0066, and DB15-0067 are contingent upon City Council's action on the Zone Map Amendment request.

Request B: DB14-0064 SAP-North Amendment

PDB 1.	Approval of DB15-0064 SAP Central Amendment is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0063).

Request C: DB15-0065 SAP-Central PDP 8, Preliminary Development Plan

PDC 1.	Approval of DB15-0065 SAP-Central PDP 8, Preliminary Development Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0063).
PDC 2.	All park and open space improvements approved by the Development Review Board shall be completed prior the issuance of the 25th house permit for PDP 8 Central. If weather or other special circumstances prohibit completion, bonding for the improvements will be permitted. See Finding C79.
PDC 3.	The applicant/owner shall enter into an Operations and Maintenance Agreement for the subdivision that clearly identifies ownership and maintenance for parks, open space, and paths. Such agreement shall ensure maintenance in perpetuity and shall be recorded with the subdivision for 'Brookeside Terrace.' Such agreement shall be reviewed and approved by the City Attorney prior to recordation.
PDC 4.	Where a building foundation is exposed in the public view shed more than would be typical on a level lot, the foundation shall have a brick or stone façade matching the design of the house.

Request D: DB15-0066 Final Development Plan

PDD 1.	Approval of DB15-0066 Final Development Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0063).
PDD 2.	All plant materials shall be installed consistent with current industry standards.
PDD 3.	All construction, site development, and landscaping of the parks shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor alterations may be approved by the Planning Division through the Class I Administrative Review process. See Findings D18 and D26.
PDD 4.	All retaining walls within the public view shed shall be a decorative stone or brick construction or veneer. Final color and material for the retaining walls shall be approved by the Planning Division through the Class I Administrative Review Process.
PDD 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.
PDD 6.	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Development Review Board. See Finding D26 through D28.
PDD 7.	The applicant shall submit final parks, landscaping and irrigation plans to the City prior to construction of parks. The irrigation plan must be consistent with the requirements of Section 4.176(.07)C.
PDD 8.	Prior to occupancy of each house the Applicant/Owner shall install landscaping along the public view-sheds of each house, unless otherwise approved by the Community Development Director. Homeowners association shall contract with a professional landscape service to maintain the landscaping.
PDD 9.	Street trees shall be planted as each house or park is built.

Request E DB15-0067 Tentative Subdivision Plat

PDE 1.	Approval of DB15-0067 Tentative Subdivision Plat is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0063).
PDE 2.	Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
PDE 3.	Alleyways shall remain in private ownership and be maintained by the Homeowner's Association established by the subdivision's CC&Rs. The CC&Rs shall be reviewed and approved by the City Attorney prior to recordation.
PDE 4.	~~Being located within the Villebois Village Center Boundary the proposed lots shall be part of the Villebois Village Center Master Association and shall contribute an equitable amount to the maintenance of the parks and other facilities owned by the~~

	~~Villebois Village Center Master Association. Such relationship shall be reflected in the subdivision's CC&R's.~~ ***Applicant shall ensure lots in the proposed Brookeside Terrace plat (Lot 80 of Villebois Village Center No. 3) contribute a pro rata share of the costs of the administration and maintenance of Piazza Park, Montague Park, the Village Center share mail facility adjacent to the Piazza, and any other amenities agreed upon by the impacted parties. The pro rata share is anticipated to be substantially the same level of contribution required for administration and maintenance of these facilities from row houses previously included in the Villebois Village Center Master Association. However, the pro rata share amount is subject to further evaluation and agreement by the impacted parties.***
PDE 5.	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-8C or the Tentative Plat.
PDE 6.	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 7.	All reserve strips and street plugs shall be detailed on the Final Subdivision Plat. See Finding E3.
PDE 8.	All tracts shall include a public access easement across their entirety.
PDE 9.	The applicant/owner shall submit subdivision bylaws, covenants, and agreements to the City Attorney prior to recordation. See Finding E6.

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

Engineering Division Conditions:

Request A: DB15-0065 SAP Central PDP 8, Preliminary Development Plan

PFA 1.	Public Works Plans and Public Improvements shall conform to the "Public Works Plan Submittal Requirements and Other Engineering Requirements" in Exhibit C1.
PFA 2.	At the request of Staff, DKS Associates completed a Transportation Study, dated December 1, 2015. The project is hereby limited to no more than the following impacts. Estimated New PM Peak Hour Trips 26 Estimated Weekday PM Peak Hour Trips 7 Through Wilsonville Road Interchange Area
PFA 3.	Consistent with other development within Villebois Village, the applicant shall be required to complete design and construction for full street improvements through the far curb and gutter, and far corner radii of intersections, for the extension of Paris Avenue southwest of the proposed development and the new Collina Lane southeast of the development. Design and improvements shall include street lighting on both sides of the streets.
PFA 4.	Applicant shall install the top lift of asphaltic concrete on the section of Costa Circle West (2" top lift) adjacent to the development.
PFA 5.	Alleyways shall connect to the public right-of-way at as near 90° as possible, per the 2014 Public Works Standards.
PFA 6.	PFA 6. 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. The street lighting style shall Acorn style street lights in conformance to the current edition of the Villebois SAP Central Community Elements Book Lighting Master Plan. At this time the City is investigating changing lighting standards to LED style street lights. City staff shall work to identify an acceptable LED substitute luminaire. Additional costs associated with construction of an independent power system and LED luminaires shall be approved by the City prior to construction, and such costs reimbursed by the City upon receipt and approval of contractor bid costs for the work.
PFA 7.	Per the Villebois Village SAP Central Master Signage and Wayfinding plan all regulatory traffic signage in Villebois Central shall be finished black on the back sides
PFA 8.	All of the proposed development lies within the Coffee Creek basin. Per City Ordinance 608 storm water detention is not required for this project due to its direct connection to the Coffee Creek wetlands.
PFA 9.	Plans submitted with the DRB packet (dated 11/06/2015) show a new storm system planned within Berlin Avenue tying into the existing storm system in Villebois Drive. Applicant shall instead tie the project storm system into the existing storm

	system in Berlin Avenue, or show why this preferred option cannot be achieved.
PFA 10.	Applicant shall install a looped water system by connecting to the existing water lines in Costa Circle West and Berlin Avenue.
PFA 11.	The proposed development lies within the Sanitary Sewer Reimbursement District established by City Resolution #2350. Prior to issuance of the Public Work Permit the Applicant shall submit payment to the City pursuant to Resolution #2350.
PFA 12.	All construction traffic shall access the site via Tooze Road to Villebois Drive N. No construction traffic will be allowed on Brown Road or Barber Street, or on other residential roads.
PFA 13.	SAP Central PDP 8 consists of 50 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 (26th lot).

Request D Tentative Subdivision Plat DB15-0067

PFD 1.	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**.**
PFD 2.	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.
PFD 3.	Consistent with other development within Villebois Village the applicant shall dedicate full right-of-way full street improvements through the far curb and gutter for the extension of Paris Avenue southwest of the proposed development and the new Collina Lane southeast of the development

Natural Resources Division Conditions:

All Requests

NR 1.	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed 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 Files DB15-0063 through DB15-0067.

A1. Staff report and findings (this document)
A2. Slides and notes for Staff's Public Hearing Presentation *(available at Public Hearing)*
A3. Corrections Memo dated December 14, 2015
B1. Applicant's Notebook: *Under separate cover*

Section I: General Information
- IA) Introductory Narrative
- IB) Form/Ownership Documentation
- IC) Fee Calculation
- ID) Mailing List *This information has been revised*
- IE) Updated SAP Central Phasing & Unit Counts

Section II: Preliminary Development Plan (Including Phasing Amendment & Refinements)
- IIA) Supporting Compliance Report
- IIB) Reduced Drawings
- IIC) Utility & Drainage Reports
- IID) Traffic Analysis

Section III: Tentative Subdivision 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 & Sketch

Section V: Final Development Plan
- VA) Supporting Compliance Report
- VB) Reduced Plans
- VC) Elevations & Floor Plans
- VD) Elevations Approved by Steve Coyle

B2. Applicant's Large Format Plans for PDP and FDP (Smaller 11x17 plans included in Sections IIIB, IIB and VB of the applicant's notebook Exhibit B1.) *Under separate cover.*
- Sheet 1 Cover Sheet (Preliminary Development Plan)
- Sheet 2 Existing Conditions
- Sheet 3 Site/Land Use Plan
- Sheet 4 Preliminary Plat

Sheet 5 Preliminary Grading
Sheet 6 Composite Utility Plan
Sheet 7 Circulation Plan
Sheet 8 Parking Plan
Sheet 9 SAP Central Phasing Plan
Sheet 10 Street Tree Plan
Sheet 1 Cover Sheet (Final Development Plan)
Sheet 2 Site Plan
Sheet L1 Planting and Street Tree Plan
Sheet L1.1 Pocket Park Detail
Sheet L2 Plant Legend and Planting Details
Sheet L3 Details
Sheet L4 Details

C1. Public Works Plan Submittal Requirements and Other Engineering Requirements
C2. Natural Resources Findings and Requirements
C3. Comments from Public Works Department

Findings of Fact:

1. The statutory 120-day time limit applies to this application. The application was received on October 9, 2015. On October 30, 2015, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on November 9, 2015, the Applicant submitted new materials. On November 12, 2015 the application was deemed complete. The City must render a final decision for the request, including any appeals, by March 11, 2016

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2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
Northeast:	V	Berlin Avenue, vacant residential
Northwest	V	Row houses
Southwest:	V	Costa Circle West, Montague Park
Southeast	V	Villebois Drive North, vacant residential

3. Prior land use actions include:

Legislative:
02PC06 - Villebois Village Concept Plan
02PC07A - Villebois Comprehensive Plan Text
02PC07C - Villebois Comprehensive Plan Map
02PC07B - Villebois Village Master Plan
02PC08 - Village Zone Text
04PC02 – Adopted Villebois Village Master Plan

LP-2005-02-00006 – Revised Villebois Village Master Plan
LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
LP09-0003 – Zone text amendment to allow for detached row houses
LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)
LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi Judicial:
DB06-0005 -

- Specific Area Plan (SAP) – Central.
- Village Center Architectural Standards.
- SAP-Central Architectural Pattern Book.
- Master Signage and Wayfinding Plan.
- Community Elements Book Rainwater Management Program and Plan

DB06-0012 - DB06-0012-Tentative Subdivision Plat (Large Lot)
DB09-0037 & 38 – Modification to the Village Center Architectural Standards (VCAS) to change/add provision for detached row houses.
DB13-0015 – SAP Central Phasing Amendment
DB13-0043 – Tentative Subdivision Plat for Villebois Village Center No. 3 (large lot subdivision, includes subject properties.
DB15-0005 – SAP Refinements and Central Phasing Amendment

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

Conclusionary Findings:

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

General Information

Application Procedures-In General
Section 4.008

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

Initiating Application
Section 4.009

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."
Finding: This criterion is satisfied.
Explanation of Finding: The applications have been submitted on behalf of contract purchaser Polygon Homes, and is signed by an authorized representative of the property owner, RCS Villebois Development LLC.

Pre-Application Conference
Subsection 4.010 (.02)

Review Criteria: This section lists the pre-application process
Finding: These criteria are satisfied.
Explanation of Finding: A pre-application conference was held on September 10, 2015 in accordance with this subsection.

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

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

Finding: This criterion is satisfied.
Explanation of Finding: No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements
Subsection 4.035 (.04) A.

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

Zoning-Generally
Section 4.110

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

Request A: DB15-0063 Zone Map Amendment

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

Comprehensive Plan

Development per Villebois Village Concept Plan
Implementation Measure 4.1.6.a

A1. **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.

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

A2. **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 residential development implementing the elements as outlined by the Villebois Village Master Plan, as previously approved.

Application of "Village" Zone District
Implementation Measure 4.1.6.c.

A3. **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.

Uses Supporting "Urban Village"
Implementation Measure 4.1.6.d.

A4. **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 as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

General

Zoning and Comprehensive Plan
Section 4.029

A5. **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 development as required by this section.

Base Zones
Subsection 4.110 (.01)

A6. **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.

Village Zone

Village Zone Purpose
Subsection 4.125 (.01)

A7. **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".

Village Zone Uses
Subsection 4.125 (.02)

A8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The proposed residential uses are consistent with the Village Zone designation and Villebois Village Master Plan.

Concurrency with PDP
Subsection 4.125 (.18) B. 2.

A9. **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. C.

Zone Change Review

Zone Change Procedures
Subsection 4.197 (.02) A.

A10. **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.

Comprehensive Plan Conformity, etc.
Subsection 4.197 (.02) B.

A11. **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 A1 through A4 substantially comply with applicable Comprehensive Plan text.

Residential Designated Lands
Subsection 4.197 (.02) C.

A12. **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.

Public Facility Concurrency
Subsection 4.197 (.02) D.

A13. **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.

SROZ Impacts
Subsection 4.197 (.02) E.

A14. **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.

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

A15. **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.

Development Standards Conformance
Subsection 4.197 (.02) F.

A16. **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 B: DB15-0064 SAP-Central Amendment

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

Specific Area Plans

SAP Submittal Requirements
Subsection 4.125 (.18) D.

B1. **Review Criteria:** This subsection lists the submittal requirements for SAPs, which would include SAP Modifications.
Finding: These criteria are satisfied.
Details of Finding: All the required materials have been submitted or are on file with the City from previous submittals for SAP Central.

Master Plan and Other Standards
Subsection 4.125 (.18) E. 1. b. i.

B2. **Review Criteria:** "The Development Review Board may approve an application for SAP approval only upon finding the following approval criteria are met:
i. That the proposed SAP:

- Is consistent with the standards identified in this section.
- Complies with the applicable standards of the Planning and Land Development Ordinance, and
- 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: Consistency with the standards of Section 4.125 and other applicable standards in the Planning and Land Development Ordinance are being measured as can be seen in findings elsewhere in this report and the proposal is consistent with the standards or will be made consistent by conditions of approval. SAP Central has previously been found to be consistent with the Villebois Village Master Plan. Specific findings related to the phasing changes and refinements, which show continuing consistency, can be found below.

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

B3. **Review Criteria:** "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: These criteria are satisfied.
Details of Finding: A phasing plan for SAP Central has previously been approved with 7 phases built are obtaining land use approvals. The proposed phasing amendment

identifies new phases 8 and 9. Sheet 9 of Exhibit B2 shows the proposed phasing. The phasing is reasonable as it shows the next phases of development adjacent to existing development and services and reflects the latest information on likely development build out. See also Finding E12.

Ensuring Conformance
Subsection 4.125 (.18) E. 1. b. iii.

B4. **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 SAP modifications or conditions of approval are recommended.

Specific Area Plan Phasing Amendments

Phasing Amendments
Subsection 4.125 (.18) J. 4.

B5. **Review Criterion:** "Amendments to the SAP for phasing will be processed as a Class II administrative review proposal."
Finding: These criteria are satisfied.
Details of Finding: This intention of this section is for phasing amendments where no other SAP amendments are being request. As a broader SAP amendment is being requested that is being reviewed by the DRB the phasing amendment is being reviewed by the DRB as well.

Request C: DB15-0065 SAP-Central PDP 8, Preliminary Development Plan

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

Village Zone

Permitted Uses
Subsection 4.125 (.02)

C1. **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.
Explanation of Finding: The uses proposed includes row houses and open space, which are permitted in the Village Zone.

Development Standards Applying to All Development in the Village Zone

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

C2. **Review Criteria:** This subsection lists the block, alley, pedestrian, and bicycle standards applicable in the Village Zone.
Finding: These criteria are satisfied.
Explanation of Finding: The applicant's drawings, Exhibit B2, shows blocks, alleys, pedestrian, and bicycle paths consistent with this subsection and the SAP, as proposed to be amended.

Access
Subsection 4.125 (.05) B.

C3. **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.
Explanation of Finding: A condition of approval for the Preliminary Subdivision Plat will ensure compliance with this standard. See Request E.

C4. Review Criteria:

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [10, 12] (%age)	Max. Bldg. Height [9] (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Row Houses [11] - Village Center [14]	NR	NR	NR	[1]	80	45	5 [4]	10	NR	NR	NR	NA
Row Houses [11]	NR	15	50	[1]	80	45	8 [5]	15	NR	NR	NR	NA

Notes:
- NR — No Requirement
- NA — Not Allowed
- 1 — Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)
- 3 — Bay windows, balconies, and other structural building projections above 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.
- 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, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.
- 7 — The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.
- 9 — 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.
- 12 — See Definitions, 4.125.01, for measurement of Minimum Frontage Width.
- 13 — 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.
- 14 — See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.
- 16 — For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.
- 19 — Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.
- 20 — 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.

Explanation of Finding: The proposed building type is Row Houses-Village Center. The PDP enables all development standards in Table V-1 to be met.

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

C5. 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				
Row Houses	1.0/DU	NR	NR	NR

Finding: These criteria are satisfied.

Explanation of Finding: As shown on Sheet 8 of Exhibit B2, 109 parking spaces are proposed, where 50 are required.

Parks & Open Space
Subsection 4.125 (.08)

C6. **Review Criteria:** This subsection prescribes the open space requirement for development in the Village Zone.
Finding: These criteria are satisfied.
Explanation of Finding: Figure 5 Parks & Open Space Plan of the Villebois Village Master Plan states that there are a total of 159.73 acres within Villebois, which is approximately 33% of Villebois. The proposed PDP does not reduce the amount of dedicated open space, and actually adds open space tracts not shown in the Master Plan.

Villebois Street Alignment and Access Improvements

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

C7. **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.
Explanation of Finding: The surrounding street alignments are built or under construction and are not altered by the proposed PDP.

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

C8. **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.
Explanation of Finding: The surrounding streets are built or under construction and no continuation of streets would be affected by the proposed PDP. All improvements in the right-of-way within the proposed PDP will be required to meet Public Works Standards as part of the Public Works Permit. Nothing in PDP would prevent design of improvements meeting Public Works Standards.

Streets and Master Plan
Subsection 4.125 (.09) A. 1. a. ii.

C9. **Review Criterion:** "All streets shall be developed according to the Master Plan."
Finding: This criterion is satisfied.
Explanation of Finding: The surrounding streets shown in the Master Plan are built or under construction.

Street Intersection Angles
Subsection 4.125 (.09) A. 2. a. & b.

C10. **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.

Explanation of Finding: No intersection angles are affected by the proposed PDP.

Street Intersection Offsets
Subsection 4.15 (.09) A. 2. c.

C11. **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.

Explanation of Finding: No intersections are affected by the proposed PDP.

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

C12. **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.

Explanation of Finding: No streets are proposed as part of the PDP, thus no curb extension are being reviewed.

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

C13. **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.

Explanation of Finding: No streets are proposed as part of the PDP.

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

C14. **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.

Explanation of Finding: No streets are proposed as part of the PDP.

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

C15. **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.

Explanation of Finding: The adjoining rights-of-way have previously been dedicated and compliance with the provisions of Section 4.177 are not impacted by the PDP.

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

C16. **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.

Explanation of Finding: Access drives (alleys) will be paved at least 16-feet in width within a 20-foot tract, as shown on the Circulation Plan and be constructed with a hard surface capable of carrying a 23-ton load.

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

C17. **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.

Explanation of Finding: Clear vision areas will be required to be maintained in compliance with the Section 4.177.

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

C18. **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.
Explanation of Finding: Vertical clearance will be required to be maintained in compliance with the Section 4.177.

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

C19. **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: This criterion will be satisfied.
Explanation of Finding: No interim street improvements are proposed pursuant to this subjection.

Other Villebois Development Standards

Sidewalk and Pathway Standards
Subsection 4.125 (.10)

C20. **Review Criteria:** "The provisions of Section 4.178 shall apply within the Village zone."
Finding: These criteria are satisfied.
Explanation of Finding: Section 4.178 has been deleted and Section 4.154, which replaced it, is being applied.

Landscaping, Screening and Buffering
Subsection 4.125 (.11)

C21. **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.
Explanation of Finding: The appropriate landscaping is provided. The proposed street trees are among the choices provided in the Community Elements Book.

Signage and Wayfinding
Subsection 4.125 (.12)

C22. **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.
Explanation of Finding: Signage will be provided consistent with the SAP Central

Signage & Wayfinding Plan.

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

C23. **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.

Explanation of Finding: The Village Center Architectural Standards 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 Village Center Architectural Standards and Community Elements Book, the design of the PDP will satisfy these criteria. See also Final Development Plan, Request D.

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

C24. **Review Criterion:** "Flag lots are not permitted."

Finding: This criterion is satisfied.

Explanation of Finding: No flag lots are proposed.

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

C25. **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.

Explanation of Finding: The application requests PDP approval for row houses. Conformance with the Village Center Architectural Standards and Community Elements Book will assure consistency with the Design Standards of subsection (.14). Compliance with the Village Center Architectural Standards and Community Elements Book is being reviewed as part of Request D, Final Development Plan.

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

C26. **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.

Explanation of Finding: The appropriate landscape plans have been provided. See sheets L1 through L4 of Exhibit B2.

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

C27. **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.

Explanation of Finding: There are no existing trees within the PDP area.

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

C28. **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.

Explanation of Finding: Compliance with the Village Center Architectural Standards and Community Elements Book is being reviewed as part of Request D, Final Development Plan.

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

C29. **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.

Explanation of Finding: Subsequent Building Permit applications will review proposed buildings for consistency with the criteria of Table V-3. Certain criteria related to materials will be reviewed as part of the review of the Village Center Architectural Standards in Request D.

Preliminary Development Plan Approval Process

PDP Submission Timing

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

C30. **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.

Explanation of Finding: This PDP addresses Phase 8 on the SAP Central Phasing Plan as amended with Request B.

Owners' Consent

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

C31. **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.

Explanation of Finding: This application is made by Fred Gast of Polygon Homes. The PDP application has been signed on behalf of the owner RCS Villebois LLC.

Proper Form & Fees

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

C32. **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.

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

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

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

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

C34. **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.
Explanation of Finding: The proposed PDP includes only residential uses with supporting recreational amenities and utilities.

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

C35. **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.
Explanation of Finding: A preliminary subdivision plat has been submitted concurrently with this request. See Request E.

Zone Map Amendment
Subsection 4.125 (.18) G. 1. g.

C36. **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.
Explanation of Finding: A zone map amendment request has been submitted concurrently with this request. See Request A.

Information Required for PDP
Subsection 4.125 (.18) G. 2. a. – c.

C37. **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.

Explanation of Finding: All of the listed applicable information has been provided. See Exhibits B1 and B2.

Land Area Tabulation
Subsection 4.125 (.18) G. 2. d.

C38. **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.

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

Approx. Gross Acreage	2.25 Acres
Parks and Open Space	0.62 Acres
Public Streets	0.00 Acres
Lots and Alleys	1.62 Acres

Net Residential Density: 50 lots / 2.25 Acres = 30.86 units per net acre

Streets, Alleys, and Trees
Subsection 4.125 (.18) G. 2. e.

C39. **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.

Explanation 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. No trees exist within the PDP area. See Exhibit B2.

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

C40. **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.

Explanation of Finding: The proposed PDP includes row houses. Being in the Village Center the elevations of all the buildings have been submitted are being reviewed as part of the Final Development Plan, Request D.

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

C41. **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.

Explanation of Finding: A composite utility plan has been provided. See applicant's Sheet 6, Exhibit B2.

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

C42. **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.

Explanation of Finding: The PDP is proposed to be executed in a single phase.

Capital Improvements Security
Subsection 4.125 (.18) G. 2. i.

C43. **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.

Explanation of Finding: The appropriate bond or security will be obtained for issuance of the Public Works Permit.

Traffic Report
Subsection 4.125 (.18) G. 2. j.

C44. **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.
Explanation of Finding: The required traffic report has been provided, and can be found in Section IID of the applicant's notebook, Exhibit B1.

PDP Application Submittal Requirements

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

C45. **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.
Explanation of Finding: The PDP matches SAP Central, as requested to be amended in Request B and refined as part of this request, and the application includes all of the requested information.

Traffic Report
Subsection 4.125 (.18) H. 2.

C46. **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.
Explanation of Finding: The required traffic report is included in Section IID of the applicant's notebook, Exhibit B1.

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

C47. **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.
Explanation of Finding: The required level of detail has been shown, similar to other PDP's approved throughout Villebois.

Copies of Legal Documents
Subsection 4.125 (.18) H. 4.

C48. **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.
Explanation of Finding: The required legal documents for review have been provided. See Section IIIC in the applicant's notebook, Exhibit B1.

PDP Approval Procedures

PDP Approval Procedures
Subsection 4.125 (.18) I.

C49. **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.
Explanation of Finding: The request is being reviewed according to this subsection.

Refinements Generally

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

C50. **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: As part of the requested PDP the applicant is requesting a number of SAP Refinements. The applicant has provided plan sheets and written information 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 the requested refinement.

Refinement Request Land Use Mix and Density

SAP Refinements: Mix of Land Use/Density
Subsection 4.125 (.18) J. 1. a. iv. and v.

C51. **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." "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 apartments shown in the Master Plan and SAP are in the same aggregate land use category as the proposed row houses. Therefore, there is no significant change to the mix of land uses.

The original SAP Central unit count used for density calculations is 1,010 units reflective of the Figure 1 of the Villebois Village Master Plan. The 1,010 unit count for SAP Central assumed 80.9% of the maximum number of Village Apartments would be built, which would be 79 units for the subject property. The difference from the proposed 50 units is 29 units. A review of the previous SAP Central PDP 1-7 approvals show a unit count 1092 units. The proposed unit count is 1,063 units, 2.68% below the most recent SAP unit count and 5.26% above the original SAP Central unit count. The change is within the 10% cumulative density change allowed from the original SAP approval. The change would result in 2,667 units in Villebois, which would continue to exceed the required 2,300 units.

Quantifiable Significance
Subsection 4.125 (.18) J. 1. b. i.

C52. **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: Quantifiable measures related to this refinement include 1. The number of units within the aggregate land use category, which is not changing as both apartments and row houses are in the same aggregate land use category. For density the quantifiable measure is total units. As discussed in Finding C51 the proposed density change is well below 10%.

Qualitative Significance
Subsection 4.125 (.18) J. 1. b. ii.

C53. **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 C54-C59 below, the proposed refinements do not significantly affect land use mix or density in a qualitative sense.

Refinements and Master Plan Implementation-Generally
Subsection 4.125 (.18) J. 2. a.

C54. **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 specific conditions of approval from SAP Central have been identified in relation to the proposed changes so this finding focuses on better or equally meeting the affected goals, policies, and implementation measures of the Villebois Village Master Plan as follows:

Refinements and Master Plan- Range of Living Choices
Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan General Land Use Plan Policy 1

C55. **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." "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."
Finding: These criteria are satisfied.
Details of Finding: The language regarding a wide range of living choices is the portion of the policy relevant to the proposed refinement. A wide range of living choices is fundamental to the diversity of the Villebois neighborhood. The policy of a wide range of living choices has been implemented by a variety of residential land uses indicated on Figure 1-Land Use Plan, and subsequently in SAP and PDP approvals. The residential land uses in Figure 1 are grouped into two aggregate land use categories, with medium-lot single-family and larger in one category and small-lot single family and smaller in the second, including all attached products ranging from apartments to row houses. There is no differentiation between for sale and for rent unit types in description of units. The aggregation of the residential land uses into two categories recognized a need for flexibility over time to respond to various market and other factors. Limited guidance is provided as to the flexibility of placement of uses within a single aggregate land use category as it relates to the range of living choices. The guidance that is provided and has historically been used in reviewing requests to modify land uses within an aggregate category is the general idea of a transect of residential uses. The densest residential uses are focused around the piazza in the Village Center with the least dense and largest lots on the edge of the project. The transect can be understood from both a pure residential density perspective, but also an urban design perspective.

With the above guidance in mind, The proposed row houses are within the same aggregate land use category as "Village Apartments" they are replacing, have a similar density, and at 2-3 stories with multiple attached units the row house buildings have a similar size and bulk as building that would house apartments. Thus they equally meet this Master Plan Policy.

Refinements and Master Plan – Wide Variety of Neighborhood Housing
Subsection 4.125 (.18)J.2. a. & Villebois Village Master Plan Residential Neighborhood Housing Policy 1

C56. **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." "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."
Finding: These criteria are satisfied.

Details of Finding: A wide variety of housing options is fundamental to the diversity of the Villebois. Pursuant to the explanation in Finding C55, the proposed row houses are within the same aggregate land use category as "Village Apartments" they are replacing, have a similar density, and at 2-3 stories with multiple attached units the row house buildings have a similar size and bulk as building that would house apartments. They also provide for home ownership in Wilsonville were an ongoing community discussion revolves around the high percentage of rental properties. Thus by providing a land use choice that is not significantly, as defined by Wilsonville's Code, different than the previously planned apartments the proposal equally contributes the variety of housing the central neighborhood of Villebois.

Refinements and Master Plan -Minimum Density and Unit Count

Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan Residential Neighborhood Housing Policies 3 and 4.

C57. **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." "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 Villebois Village shall accommodate a total of at least 2,300 dwelling units within the boundary of the Villebois Village Master Plan."

Finding: These criteria are satisfied.

Details of Finding: The proposal, together with another proposal for PDP 9 Central being reviewed concurrently, will result in a total Villebois unit count of 2,525 units, or 12.83 units per acre.

Refinements and Master Plan –Mix of Housing Types

Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan Residential Neighborhood Housing Policies 3 and 4.

C58. **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." "The Villebois Village shall provide a mix of housing types within each neighborhood and on each street to the greatest extent practicable."

Finding: These criteria are satisfied.

Details of Finding: A mix of housing types is fundamental to the diversity of the Villebois. However, determining the greatest extent of housing mix practicable is unclear. The block in question was previously planned for a single housing type, Village Apartments. The current proposal also has a single unit type, row houses. However, the proposed row houses do have a variety of units. The end units are different than the middle units. In addition, along SW Costa Circle are units with tuck under parking providing an additional unit type. The proposal will thus provide an equal or greater amount of housing mix on the block as previously proposed. The proposed development is adjacent to row houses built by the same developer. However, the proposal provides different architecture with some additional floor plan options.

Refinements and Master Plan –Scale and Design of High Density Housing
Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan Residential Neighborhood Housing Policy 9

C59. **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." "Higher density residential uses shall be of a scale and design in keeping with the desired vision for Villebois as expressed in the Villebois Village Concept Plan and in the Policies and Implementation Measures of the Villebois Village Master Plan.

Finding: These criteria are satisfied.

Details of Finding: The scale and design of the proposed row house building are a scale and similar design as Village Apartments with the major differences being the number of doors facing the street. Thus the design equally reflects this master plan policy.

Refinements and Resource Impacts
Subsection 4.125 (.18) J. 2. b.

C60. **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 refinement does not negatively impact any identified environmental or scenic resources.

Refinements Impacting Subsequent PDP's and SAP's Impact
Subsection 4.125 (.18) J. 2. c.

C61. **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 do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

Refinement Request Parks, Trails, and Open Space

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

C62. **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: With the previous plan for Village Apartments it was assumed there would be internal landscaping and pedestrian circulation. With the row house proposal the open space and pathways will be owned by the HOA with a public access easement

adding to the list of parks and open spaces available to the public in Villebois.

Quantifiable Significance
Subsection 4.125 (.18) J. 1. b. i.

C63. **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 quantifiable measures related to this refinement include the number of parks and open spaces as well as the park and open space acreage and number of amenities, all of which are increasing, thus not creating a significant, or any reduction, as it relates to the refinement criteria.

Qualitative Significance
Subsection 4.125 (.18) J. 1. b. ii.

C64. **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 C54 below, the proposed refinements do not significantly affect parks in a qualitative sense.

Refinements and Master Plan Implementation-Generally
Subsection 4.125 (.18) J. 2. a.

C65. **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: All the related goals, policies, and implementation measures are better met by increasing the recreational opportunities in the community.

Refinements and Resource Impacts
Subsection 4.125 (.18) J. 2. b.

C66. **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 refinement does not negatively impact any identified environmental or scenic resources.

Refinements Impacting Subsequent PDP's and SAP's Impact
Subsection 4.125 (.18) J. 2. c.

C67. **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 do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

Refinement Request Utilities and Storm Water Facilities

SAP Refinements: Utilities and Storm Water
Subsection 4.125 (.18) J. 1. a. iii.

C68. **Review Criteria:** "Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility."
Finding: These criteria are satisfied.
Details of Finding: Water, sanitary sewer, and storm sewer pipelines as well as storm water facilities have been modified from the SAP approvals to best serve the proposed development. The pipelines and facilities have been designed by a professional engineer and are being reviewed by the City that they meet all related service level and other requirements to adequate serve the development.

Quantifiable Significance
Subsection 4.125 (.18) J. 1. b. i.

C69. **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 quantifiable measures relate to service levels. All service level standards will be fully met by the proposed pipelines and facilities thus not producing a significant change.

Qualitative Significance
Subsection 4.125 (.18) J. 1. b. ii.

C70. **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 C71 below, the proposed refinements do not significantly affect utilities and stormwater in a qualitative sense.

Refinements and Master Plan Implementation-Generally
Subsection 4.125 (.18) J. 2. a.

C71. **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: As all service levels and other requirements will be met, all the related goals, policies, and implementation measures are equally or better met.

Refinements and Resource Impacts
Subsection 4.125 (.18) J. 2. b.

C72. **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 refinement does not negatively impact any identified environmental or scenic resources.

Refinements Impacting Subsequent PDP's and SAP's Impact
Subsection 4.125 (.18) J. 2. c.

C73. **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 do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

PDP Approval Criteria

Standards of Section 4.125
Subsection 4.125 (.18) K. 1. a.

C74. **Review Criteria:** "Is consistent with the standards identified in this section."
Finding: These criteria are satisfied.
Explanation of Finding: As shown elsewhere in this request, the proposed Preliminary Development Plan is consistent with the standards of Section 4.125.

Planning and Land Development Ordinance
Subsection 4.125 (.18) K. 1. b.

C75. **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.
Explanation of Finding: Findings are provided showing compliance with applicable standards of the Planning and Land Development Ordinance. Specifically Findings C57 through C59 address Subsections 4.140 (.09) J. 1. through 3.

Approved SAP Consistency
Subsection 4.125 (.18) K. 1. c.

C76. **Review Criterion:** "Is consistent with the approved Specific Area Plan in which it is located."
Finding: This criterion is satisfied.
Explanation of Finding: The requested PDP approval is consistent with the SAP, as requested to be amended by Request B.

Pattern Book Consistency
Subsection 4.125 (.18) K. 1. d.

C77. **Review Criterion:** "Is consistent with the approved Pattern Book and, where required, the approved Village Center Architectural Standards."
Finding: This criterion is satisfied.
Explanation of Finding: The proposed row houses are subject to the Village Center Architectural Standards, consistency with which is being reviewed as part of Request D, Final Development Plan.

Reasonable Phasing Schedule
Subsection 4.125 (.18) K. 2.

C78. **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.
Explanation of Finding: The PDP will be completed in a single phase.

Parks Concurrency
Subsection 4.125 (.18) K. 3.

C79. **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 PDC 2.

Explanation of Finding: All private open space requirements are required to be completed prior to occupancy of 50% of the dwelling units.

DRB Conditions
Subsection 4.125 (.18) K. 5.

C80. **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.
Explanation of Finding: No additional conditions of approval are recommended.

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:"

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

C81. **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.
Explanation of Finding: The applicant's findings demonstrate the location, design, size, and uses proposed with the PDP are both separately and as a whole consistent with SAP Central as proposed to be amended in Request B, and thus the Villebois Village Master Plan, the City's Comprehensive Plan designation of Residential – Village for the area, and any other applicable ordinance of which staff is aware.

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

C82. **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.

Explanation 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 SAP Central, as requested to be amended in Request B. A copy of the Traffic Impact Analysis is included in Section IID of the applicant's notebook, Exhibit B1.

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

C83. **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.

Explanation of Finding: As shown in the Utility and Drainage Report, Section IIC of the applicant's notebook, Exhibit B1, and the applicant's Composite Utility Plan, Sheet 6 of Exhibit B2, adequate or immediately planned facilities and services are sufficient to serve the planned development.

On-site Pedestrian Access and Circulation

Continuous Pathway System
Subsection 4.154 (.01) B. 1.

C84. **Review Criterion:** "A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable."

Finding: This criterion.

Explanation of Finding: A pedestrian pathway system is provided connecting through and around the development. Internal walkway connect to the sidewalk system which connects to the entire Villebois pedestrian network.

Safe, Direct, Convenient Pathways
Subsection 4.154 (.01) B. 2.

C85. **Review Criteria:** "Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:

a. Pedestrian pathways are designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.

b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations, which do not involve a significant amount of unnecessary out-of-direction travel.

c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.
d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.)."

Finding: These criteria are satisfied.

Explanation of Finding: The pathways will be smooth and consistent surface and will be free from hazards. The pathways provide direct paths midblock and for circulation around the interior of the block. Pathways will be required to meet ADA, as necessary, through the building permits.

Vehicle/Pathway Separation
Subsection 4.154 (.01) B. 3.

C86. **Review Criterion:** "Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards."

Finding: This criterion is satisfied.

Explanation of Finding: All pathways are separated from vehicle circulation areas by being vertically raised.

Crosswalks
Subsection 4.154 (.01) B. 4.

C87. **Review Criterion:** "Where a pathway crosses a parking area or driveway, it shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast)."

Finding: This criterion does not apply.

Explanation of Finding: All crosswalks, including those across alleys are clearly marked with concrete inlays between asphalt.

Pathway Width and Surface
Subsection 4.154 (.01) B. 5.

C88. **Review Criteria:** "Primary pathways shall be constructed of concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA."

Finding: These criteria will be satisfied

Explanation of Finding: The public sidewalks and proposed internal pathways are concrete 5' wide or greater. All pathways are a durable surface.

Signs for Pathways
Subsection 4.154 (.01) B. 6.

C89. **Review Criteria:** "All pathways shall be clearly marked with appropriate standard signs."

Finding: These criteria do not apply.
Explanation of Finding: No signs are proposed or required in relation to the temporary pathway.

Protection of Natural Features & Other Resources

General Terrain Preparation
Subsection 4.171 (.02)

C90. **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.
Explanation of Finding: The PDP matches the SAP Central approvals, as requested to be amended in Request B and found to meet the requirements of this subsection.

Hillsides
Subsection 4.171 (.03)

C91. **Review Criterion:** "Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:"
Finding: This criterion does not apply.
Explanation of Finding: No development is proposed on such slopes.

Trees and Wooded Area
Subsection 4.171 (.04)

C92. **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.
Explanation of Finding: No trees exist within the PDP area.

High Voltage Power Lines
Subsection 4.171 (.05)

C93. **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.
Explanation of Finding: The development area and surrounding area are not around high voltage power lines.

Safety Hazards
Subsection 4.171 (.06)

C94. **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.

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

Earth Movement Hazard Areas
Subsection 4.171 (.07)

C95. **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.

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

Soil Hazard Areas
Subsection 4.171 (.08)

C96. **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.

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

Historic Resource Protection
Subsection 4.171 (.09)

C97. **Review Criteria:** This subsection establishes requirements for protection of historic resources.

Finding: This criterion is satisfied.

Explanation of Finding: The PDP matches the SAP Central approvals, as requested to be amended in Request B and found to meet the requirements of this subsection.

Other General Development Standards

Landscaping, Screening, and Buffering
Section 4.176

C98. **Review Criteria:** This section establishes landscape, screening, and buffering requirements for development within the City.

Finding: These criteria are satisfied.

Explanation 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 park and linear green areas will be reviewed with Request D, Final Development Plan.

Street Improvement Standards
Section 4.177

C99. **Review Criteria:** This section establishes street improvements standards for development within the City.
Finding: These criteria are satisfied.
Explanation of Finding: Streets surrounding the subject PDP have been built or are being built as part of previous projects. All public improvements, such as sidewalks, extra asphalt lifts or repairs, are required to meet Public Works Standards as reviewed as part of applicable Public Works Permits.

Request D: DB15-0066 Final Development Plan

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

Final Development Plans

FDP Approval Procedure
Subsection 4.125 (.18) L.

D1. **Review Criteria:** This subsection establishes the procedure for review of Final Development Plans in the Village Zone including being filed for the entire FDP, be filed within 2 years of the PDP, be signed by the property owners of all affected properties, be filed an the approved City form, and have a professional coordinator and design team.
Finding: These criteria are satisfied.
Explanation of Finding: The application is for row houses in the Village Center which require FDP review. The FDP has been filed for the entire seven lot development. The FDP has been filed concurrently with the PDP request. See Request C. Signatures have been obtained from the owner. The applications where submitted with the appropriate City form. Stacy Connery AICP with Pacific Community Design is the professional coordinator for a professional design team.

FDP Submittal Requirements, Approval Procedures and Criteria
Subsection 4.125 (.18) M. and N. and P. 1.

D2. **Review Criteria:** These subsections establish the submittal requirements and approval procedures for Final Development Plan Review. Subsections N. and P. 2. state Final Development Plans are subject Section 4.421.
Finding: These criteria are satisfied.

Explanation of Finding: The applicant has submitted the applicable materials listed in Section 4.034 and the application is being reviewed against the criteria of Section 4.421. See Findings D19 through D22 below.

Community Elements Book
Village Center Architectural Standards (VCAS)
Subsection 4.125 (.18) P. 2.

D3. **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 a Condition of Approval.
Explanation of Finding: With a location in the Village Center as shown in Figure 2a of the Villebois Village Master Plan Brookeside Terrace is subject to the Community Elements Book and Village Center Architectural Standards, with no specific address standards applying, and comply shown below.

Community Elements Book:

Applicable Requirement	**Requirement Met?**	**Notes**
Street Lighting	☒	Previously installed
Curb Extensions	☒	Previously installed
Street Trees	☒	Tulip trees and Copper Beech match the Community Elements Book and are spaced consistently for the type of street
Landscape Elements-Site Furnishings	☒	Proposed benches match book
Tree Protection	☒	No trees are within the FDP area
Plant List	☒	All plant materials listed on page L2 of Exhibit B2 are on the Villebois plant list or approved by the City. No prohibited plants are proposed

Village Center Architectural Standards

Standard	**Standard Met?**	**Notes**
1.2 Building Height & Roof Form		
Required Standards		
1) Max. Building Height according to Table V-1	☒	Height less than the 45' allowed in Table V-1
2) Addresses have other height limitations	☐	No applicable addresses
3) Building height measured as defined in 4.001.	☒	Building measured correctly

4) Rooftop equipment screened from current and future taller buildings	☒	No rooftop equipment proposed
5) At least 2 roof garden in SAP Central	☐	No rooftop gardens proposed, more appropriate for other building types in SAP Central
Optional Standards:		
6) Buildings encouraged to reach max. allowable height	☐	The applicant has chosen not to build to the maximum height of 45', but the buildings are 3 stories tall.
7) Minimize shading of public and private outdoor areas during mid-day	☐	The shading from the buildings will be typical of other row houses.
2.1 Vertical Façade Articulation for All Mixed Use Buildings		Building not mixed use
1.3 Horizontal Façade Articulation		
Required		
1) Horizontal Facades articulated into smaller units using two or more of the following: change of materials, change of color, façade planes that are vertical in proportion, bays and recesses, breaks in roof elevation.	☒	Façade planes vertical in proportion and include bays and recesses, and breaks in roof elevation.
2) Incorporate features such as offsets, projections, reveals, and similar elements to preclude large expanses of uninterrupted building surfaces.	☒	Projections, porches, and other elements prevent large expanses of uninterrupted building surfaces.
Optional		
3) Articulation should extend to the roof	☒	Articulation, including the break between buildings and architectural detail, extends to the roof.
3.1 Exterior Building Materials & Color		
Required		
1) Visually heavier and more massive materials at base when multiple materials used.	☒	Heavier brick material is at the base.
2) Bright, intense colors reserved for accent trim	☒	While a variety of colors are use they are not intense.
3) Bright colors not used for commercial purposes	☒	Bright colors are not being used for commercial purposes
4) Concrete block shall be split-faced, ground-faced,	☒	Concrete block is not being used.

or scored when facing street or public way. Discouraged around the plaza.		
5) Exteriors constructed of durable and maintainable materials with texture, pattern, or lend themselves to quality detailing.	☒	The brick, cement fiber siding, and roof materials are all durable and easy to maintain and allow for detailing.
Optional		
6) Exterior materials have an integral color, patterning, and/or texture	☒	The exterior materials have integral color, patterning, or texture.
7) Sustainable building materials and practices are strongly encouraged	☒	The builder will participate in the Portland General Electric Earth Advantage program.
3.2 Architectural Character		
Required		
1) A definitive, consistent Architectural Character. All primary facades consistent with Architectural Character	☒	The row houses have a consistent American Modern (Craftsman) architectural character and create diversity with that character.
2) No mixing of Architectural Styles	☒	The entire building is consistently in the American Modern (Craftsman) Architectural style.
3) Secondary facades incorporate primary façade features over 25% of wall length	☒	Materials including lap siding as well as windows with trim extend on all facades.
4) All visible sides have a similar level of quality and visual interest	☒	A majority of the detailing and materials wrap around to the street facing side elevations of the building. Materials and details included on the front elevations such as finishes, trim, and window patterns are incorporated into the side elevations.
5) Accessory buildings designed and integrated into primary building	☒	No accessory buildings are proposed
6) Applicants encouraged to consult an architect or architectural historian regarding appropriate elements of architectural style	☒	The buildings have been designed by Milbrandt Architects, Inc., P.S.
7) If not in an address, elevations not repeated on adjacent blocks	☒	The row houses are not within an Address. The row houses do not repeat an elevation found on an

		adjacent block.
3.3 Ground Level Building Components		
Required		
1) Building setbacks and frontage widths as required by Table V-1	☒	The row houses meet the required setbacks, including the 5' front setback, established by Table V-1
2) Retail orientation towards street	☒	Not applicable
3) Differentiating entrances for mixed use buildings	☒	Not applicable
4) Entries have weatherproof roof covering appropriately sized but at least 4 feet deep and 4 feet wide	☒	Weatherproof covering provided by proposed front porches at least 4' by 4'
5) Any building lighting, is indirect or shielded	☒	Any lighting would be shielded under the front porch.
6) Parking structures screened using at least two of the following: residential or commercial uses, decorative grill work, decorative artwork, vegetation	☒	Not applicable, no parking structure proposed
7) Plaza address mixed-use buildings have canopy or awning	☒	Not applicable
8) Reflective, heavily tinted, or other sight obscuring glass discouraged	☒	Proposed glass is not reflective, heavily tinted or otherwise sign obscuring.
9) Landscaping or other screening provided when parking is between buildings and the street	☒	Not applicable
Optional		
10) Create indoor/outdoor relationships	☒	Large windows and porches help create an indoor/outdoor relationship.
11) Canopies and Awnings primary function is weather protection	☐	Not applicable
4.1 Façade Components		
Required		
1) Windows and doors recessed 3 inches for shadowing or incorporate shutters (appear operable and sized for window), railing, and/or visible or substantial trim (contrasting material,	☒	Windows and doors have substantial trim which helps create shadowing.

color, or creates shadowing.)		
2) Balconies extend no more than 36"	☐	Not applicable, none proposed on front elevations.
3) Shutters sized to appear operable at window and door openings	☐	Not applicable, none proposed.
4) Except in the plaza address, balconies shall be at least 5 feet deep	☒	Second level decks on the rear façade will be at least 5 feet deep
Optional		
4) (*Note: Duplicate numbers in published VCAS*) Individual windows square or vertical in proportion. An assembly of windows have horizontal proportion	☒	All individual windows are square or vertical in proportion.
5) Materials changes occur at a horizontal line or at inside corner of two vertical planes.	☒	Materials change at horizontal lines or corners
6) Every residential unit have outdoor living space.	☒	All units have front porches and rear decks.
7) Expression of rainwater path	☐	Not in compliance (optional)
8) Building fronts uneven angles to accommodate shape of street	☐	Not applicable
9) Wide opening windows	☐	The applicant has not indicated details of window opening (optional)
10) Discourage use of high window sills	☒	High window sills are not used
11) Finishing touches and ornament	☒	The use of finishing touches and ornamentation is provided.
5.1 Fencing		
Required		
1) See all applicable sections of the Village Zone, including but not limited to Section 4.125(.14) Table V-4 Permitted Materials and Configurations and Section 4.125 (.05) D. Fences	☐	No fencing is proposed.
2) The following fencing requirements apply to all fences and walls located between rights-of-way and building lines.	☐	No fencing is proposed.
3) See Address overlay sections for additional	☐	No fencing is proposed.

requirements.		
4) Except where specifically required by Address overlays, fences are optional. Less fencing than the maximum allowable is allowed.	☐	No fencing is proposed.
5) Fencing shall be consistent with the Architectural Character of adjacent buildings, See Architectural Character, this section.	☐	No fencing is proposed.
6) Fencing controlling access to a courtyard, outdoor lobby, or other public entries shall be greater than 50% transparent.	☐	No fencing is proposed.
7) Fencing located within the first 2'0" setback from right-of-ways shall be greater than 50% transparent.	☐	No fencing is proposed.
8) Fencing located within interior side yards or separating buildings on the same lot shall be offset 4'0" or greater behind the adjacent front building line.	☐	No fencing is proposed.
9) Posts, pilasters, columns, or bollards may extend an additional 8" above the maximum height of any allowed fencing.	☐	No fencing is proposed.
10) Fencing may not change height at corners. They must level top surfaces and transition at posts to maintain height as required by changes in grade elevation.	☐	No fencing is proposed.
11) Loading facilities, trash enclosures, and ground-level mechanical and utility equipment: These facilities shall be sited at the rear or side of buildings wherever practicable, and shall be screened where visible from the street. Screening shall match the adjacent development in terms of	☐	No fencing is proposed.

quality of materials and design. Such screening shall minimize light glare and noise levels affecting adjacent residential uses.		
Optional		
12) Fencing is encouraged to be consistent with building railing at balconies, decks, porches, etc.	☐	No fencing is proposed.

Landscape Standards

Landscape Code Compliance
Subsection 4.176 (.02) B.

D4. **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.

Explanation of Finding: No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

Landscape Area and Locations
Subsection 4.176 (.03)

D5. **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.

Explanation of Finding: More than 15% of the proposed Brookeside Terrace development will be landscaping and the landscaping is located in a variety of area.

Buffering and Screening
Subsection 4.176 (.04)

D6. **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.

Explanation of Finding: No conditions requiring buffering and screening are within the area covered by the subject FDP request.

Shrubs and Groundcover Materials
Subsection 4.176 (.06) A.

D7. **Review Criteria:** This subsection establishes plant material and planting requirements for shrubs and ground cover.

Finding: These criteria are satisfied.

Explanation of Finding: Applicant's Planting Plan in their plan set, Exhibit B2, indicates the requirements established by this subsection will be met by the proposed plantings.

Plant Materials-Trees
Subsection 4.176 (.06) B.

D8. **Review Criteria:** This subsection establishes plant material requirements for trees.

Finding: These criteria are satisfied.

Explanation of Finding: Applicant's Planting Plan in their plan set, Exhibit B2, indicates the requirements established by this subsection will be met by the proposed plantings.

Plant Material-Street Trees
Subsection 4.176 (.06) C.

D9. **Review Criteria:** This subsection establishes plant material requirements for street trees.

Finding: These criteria are satisfied.

Explanation of Finding: The street tree requirements in the SAP Central Community Elements Book meet or exceed these requirements, and therefore street trees meeting the Community Elements Book meet or exceed the requirements of this subsection.

Types of Plant Species
Subsection 4.176 (.06) E.

D10. **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.
Explanation 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 or otherwise approved as allowed in the Community Elements Book.

Tree Credit
Subsection 4.176 (.06) F.

D11. **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.
Explanation of Finding: No trees exist in the FDP area.

Exceeding Plant Standards
Subsection 4.176 (.06) G.

D12. **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.
Explanation of Finding: The selected landscape materials do not violate any height or visions clearance requirements.

Landscape Installation and Maintenance
Subsection 4.176 (.07)

D13. **Review Criteria:** This subsection establishes installation and maintenance standards for landscaping.
Finding: These criteria are satisfied or will be satisfied by Condition of Approvals PDD 2 PDD 7.
Explanation 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.

- The condition of approval requires irrigation meeting the standards of this subsection.

Landscape Plans
Subsection 4.176 (.09)

D14. **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.
Explanation of Finding: Landscape plans have been submitted with the required information. See Sheets L1 through L4 in Exhibit B2.

Completion of Landscaping
Subsection 4.176 (.10)

D15. **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.
Explanation of Finding: Landscaping will be required to be completed prior to occupancy of 50% of the units (25 units).

Site Design Review

Excessive Uniformity, Inappropriateness Design
Subsection 4.400 (.01) and Subsection 4.421 (.03)

D16. **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.

Explanation of Finding:

Excessive Uniformity: The proposed row houses are different than surrounding architecture to avoid excessive uniformity.

Inappropriate or Poor Design of the Exterior Appearance of Structures: The row houses have been reviewed by City staff and the City's consultant architect, Steve Coyle, for conformance with the Community Elements book and Village Center Architecture standards and have been professionally designed thus avoiding inappropriate or poor design. . See Section VD of Exhibit B1, applicant's notebook.

Inappropriate or Poor Design of Signs: No signs are proposed.

Lack of Proper Attention to Site Development: The appropriate professional services have been used to design the development, demonstrating appropriate attention being given to site development.

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

Purposes and Objectives
Subsection 4.400 (.02) and Subsection 4.421 (.03)

D17. **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.

Explanation 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. This includes designing the site to in context of the site including size and location within the development. In addition, the row houses are consistent with the Community Element Book and Village Center Architectural Standards, which has previously been reviewed to ensure consistency with the Villebois Village Master Plan which has similar purposes and objectives as site design review.

Development Review Board Jurisdiction
Section 4.420

D18. **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 PDD 3.

Explanation 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.

Design Standards
Subsection 4.421 (.01)

D19. **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.
Explanation of Finding:
Preservation of Landscaping: The site is an open field of grass with no landscaping or trees required to be maintained
Relation of Proposed Buildings to Environment: The development is proposed to incorporate the sloping nature of the site.
Drives, Parking and Circulation: The street and alley accessed garage parking is typical of row house and single-family development throughout Villebois.
Surface Water Drainage: The project is part of the Villebois master planning efforts for that address surface water drainage, and the appropriate attention has been paid to surface water drainage including professionally prepared drainage reports.
Utility Service: The necessary sanitary and storm sewer connections are provided, no above ground utility installations are proposed.
Advertising Features: No signs or advertising features are proposed.
Special Features: No special features, as listed, are proposed.

Applicability of Design Standards
Subsection 4.421 (.02)

D20. **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.
Explanation of Finding: Design standards have been appropriately applied to all the site features including the buildings and landscaping.

Conditions of Approval
Subsection 4.421 (.05)

D21. **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.
Explanation of Finding: No additional conditions of approval are recommended.

Color or Materials Requirements
Subsection 4.421 (.06)

D22. **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 is satisfied.
Explanation of Finding: No additional requirements for Color or Materials are recommended.

Submission Requirements
Section 4.440

D23. **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.
Explanation of Finding: The applicant has submitted the required additional materials, as applicable.

Time Limit on Approval
Section 4.442

D24. **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.
Explanation 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.

Landscape Installation or Bonding
Subsection 4.450 (.01)

D25. **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.

Explanation of Finding: Landscaping will be required to be installed with the construction of the row houses.

Approved Landscape Plan
Subsection 4.450 (.02)

D26. **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 PDD 6.

Explanation of Finding: The condition of approval shall provide ongoing assurance this criterion is met.

Landscape Maintenance and Watering
Subsection 4.450 (.03)

D27. **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 PDD 6.

Explanation of Finding: The condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping
Subsection 4.450 (.04)

D28. **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 PDD 6.

Explanation 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.

Request E: DB15-0067 Tentative Subdivision Plat

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

Village Zone Uses
Subsection 4.125 (.02)

E1. **Review Criteria:** This subsection lists the permitted uses in the Village Zone.
Finding: These criteria are satisfied.
Explanation of Finding: The proposed subdivision is for uses residential uses permitted in the Village Zone.

Development Standards Applying to All Development in Village Zone

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

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

Access Standards
Subsection 4.125 (.05) B.

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 6.
Explanation of Finding: Condition of Approval PDE 6 requires a non-access reservation strip on the street side of lots with street access helping to ensure this criterion is met.

Development Standards in the Village Zone
Table V-1

E4. **Review Criteria:** This table shows the development standards, including setback for different uses in the Village Zone.
Finding: These criteria are satisfied.
Explanation of Finding: The proposed lots allow development that meets relevant standards of the table.

Parking and Loading
Subsection 4.125 (.07)

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.
Explanation of Finding: Nothing concerning the tentative subdivision would prevent the required parking from being built.

Open Space Requirements
Subsection 4.125 (.08)

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 9.
Explanation 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. the condition of approval require the City Attorney to review and approve pertinent bylaws, covenants, or agreements prior to recordation.

Street and Improvement Standards

General Street Provisions
Subsection 4.125 (.09) A. 1.

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.
Explanation of Finding: No streets are proposed to be dedicated as part of the plat.

Intersection of Streets
Subsection 4.125 (.09) A. 2.

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.
Explanation of Finding: No streets are proposed to be dedicated as part of the plat.

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

E9. **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.
Explanation of Finding: No streets are proposed to be dedicated as part of the plat.

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

E10. **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.

Explanation of Finding: No right-of-way is proposed to be dedicated as part of the plat.

Access Drives

Subsections 4.125 (.09) A. 6.and 4.177 (.01) E.

E11. 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.

Explanation of Finding: The tentative subdivision plat shows alleys of sufficient width to meet the width standards. Access easements will be granted allowing emergency access.

Clear Vision Areas

Subsections 4.125 (.09) A. 7. and 4.177 (.01) F.

E12. 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.

Explanation of Finding: No streets are proposed to be dedicated as part of the plat.

Vertical Clearance

Subsections 4.125 (.09) A. 8.and 4.177 (.01) G.

E13. 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.

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

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

E14. **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.

Explanation of Finding: The area covered by the tentative subdivision plat does not include any interim improvements addressed by this subsection.

Land Division Authorization

Plats Review Authority
Subsection 4.202 (.01) through (.03)

E15. **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.

Explanation 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.

Legally Lot Requirement
Subsection 4.202 (.04) A.

E16. **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.
Explanation of Finding: It is understood that no lots will be sold until the final plat has been approved by the Planning Director and recorded.

Undersized Lots Prohibited
Subsection 4.202 (.04) B.

E17. **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.
Explanation of Finding: No lots will be divided into a size smaller than allowed by the proposed Village "V" zoning designation.

Plat Application Procedure

Pre-Application Conference
Subsection 4.210 (.01)

E18. **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.
Explanation of Finding: A pre-application conference was held on September 10, 2015 in accordance with this subsection.

Tentative Plat Preparation
Subsection 4.210 (.01) A.

E19. **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.

Explanation of Finding: Sheet 4 of Exhibit B2 is a preliminary subdivision plat prepared in accordance with this subsection.

Tentative Plat Submission
Subsection 4.210 (.01) B.

E20. **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.

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

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

E21. **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.

Explanation of Finding: The land is intended to be developed in a single phase.

Remainder Tracts
Subsection 4.210 (.01) E.

E22. **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.

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

Street Requirements for Land Divisions

Master Plan or Map Conformance
Subsection 4.236 (.01)

E23. **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.

Explanation of Finding: No streets or pathways affected by the listed documents are proposed or required to be dedicated as part of the plat.

Adjoining Streets Relationship
Subsection 4.236 (.02)

E24. **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.

Explanation of Finding: No streets are proposed or required in connection with the plat.

Streets Standards Conformance
Subsection 4.236 (.03)

E25. **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.

Explanation of Finding: No streets are proposed or required in connection with the plat.

Creation of Easements
Subsection 4.236 (.04)

E26. **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.
Explanation of Finding: No specific easements are requested pursuant to this subsection.

Topography
Subsection 4.236 (.05)

E27. **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.
Explanation of Finding: No streets are proposed or required in connection with the plat.

Reserve Strips
Subsection 4.236 (.06)

E28. **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.
Explanation 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 6 to prevent access to the front side of lots served by an alley. See also Findings E3.

Future Street Expansion
Subsection 4.236 (.07)

E29. **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.
Explanation of Finding: No streets are proposed or required in connection with the plat.

Additional Right-of-Way
Subsection 4.236 (.08)

E30. **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.
Explanation of Finding: No additional right-of-way is required for the proposed plat.

Street Names
Subsection 4.236 (.09)

E31. **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.

Explanation of Finding: No new named streets are proposed.

General Land Division Requirements

Blocks
Subsection 4.237 (.01)

E32. 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.

Explanation of Finding: The tentative subdivision plat shows blocks consistent with those proposed Preliminary Development Plan. See Request C.

Easements
Subsection 4.237 (.02)

E33. 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.

Explanation of Finding: As shown on preliminary plat, Sheet 4 of Exhibit B2, the required easements have been provided. A Condition of Approvals ensures all easements dealing

with utilities are on the final plat.

Mid-block Pathways
Subsection 4.237 (.03)

E34. **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.

Explanation of Finding: No blocks exceed the length standard, however a mid-block crossing is provided.

Tree Easements
Subsection 4.237 (.04)

E35. **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.

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

Lot Size and Shape
Subsection 4.237 (.05)

E36. **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.

Explanation 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 Requests C and D.

Access
Subsection 4.237 (.06)

E37. **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.
Explanation of Finding: Each lot has the minimum frontage on a street or open space as allowed in the Village Zone.

Through Lots
Subsection 4.237 (.07)

E38. **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.
Explanation of Finding: No through lots are proposed.

Lot Side Lines
Subsection 4.237 (.08)

E39. **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.
Explanation 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 adjacent alley or street orientation.

Large Lot Divisions
Subsection 4.237 (.09)

E40. **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.
Explanation of Finding: No future divisions of the lots included in the tentative subdivision plat likely to be divided in the future.

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

E41. **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.

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

Land for Public Purposes
Subsection 4.237 (.12)

E42. **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.

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

Corner Lots
Subsection 4.237 (.13)

E43. **Review Criterion:** "Lots on street intersections shall have a corner radius of not less than ten (10) feet."

Finding: This criterion is satisfied.

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

Lots of Record
Section 4.250

E44. **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.

Explanation of Finding: The parcel being divided is of record, and the resulting subdivision lots will be lots of record.

Public Improvements

Improvements-Procedures
Section 4.260

E45. **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.

Explanation of Finding: No additional right-of-way is proposed in connection with the plat. Any improvements connected to development of Brookeside Terrace within the existing right-of-way will be required to meet Public Works Standards through the issuance of a Public Works Permit.

Improvements-Requirements
Section 4.262

E46. **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.

Explanation 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.

“Brookeside Terrace”
Villebois Central Phase 8

DRB Panel A Public Hearing
December 14, 2015
Presented by: Daniel Pauly AICP, Associate Planner

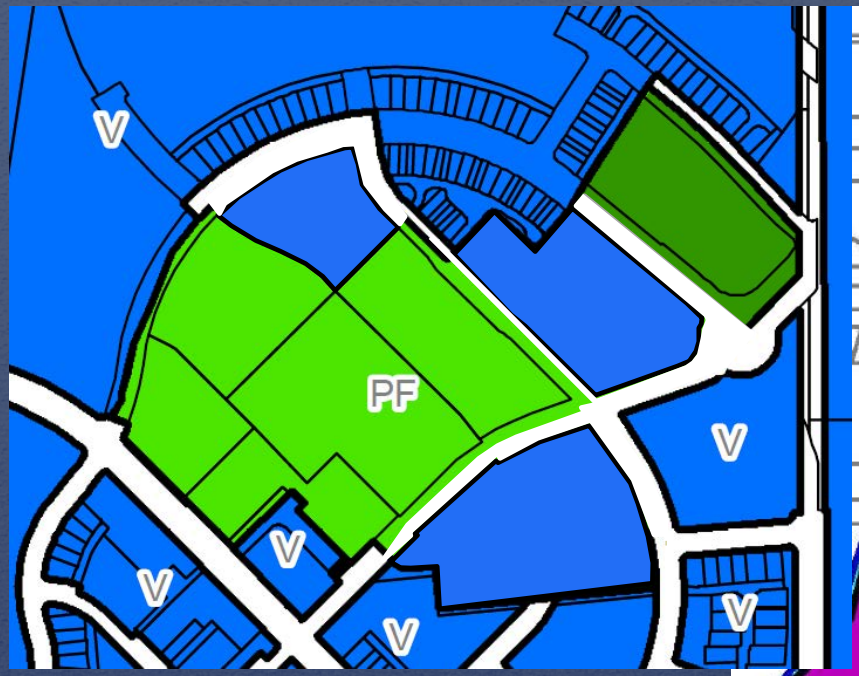
Exhibit A2 DB15-0063 et. al.

Proposed
50-lot Row House
Development
SW Berlin Ave.
SW Costa Circle West
SW Villebois Dr. N.
SW Orleans Ave.

A. Zone Map Amendment
B. SAP-Central Phasing Amendment
C. Preliminary Development Plan
D. Final Development Plan
E. Tentative Subdivision Plat

The Requests

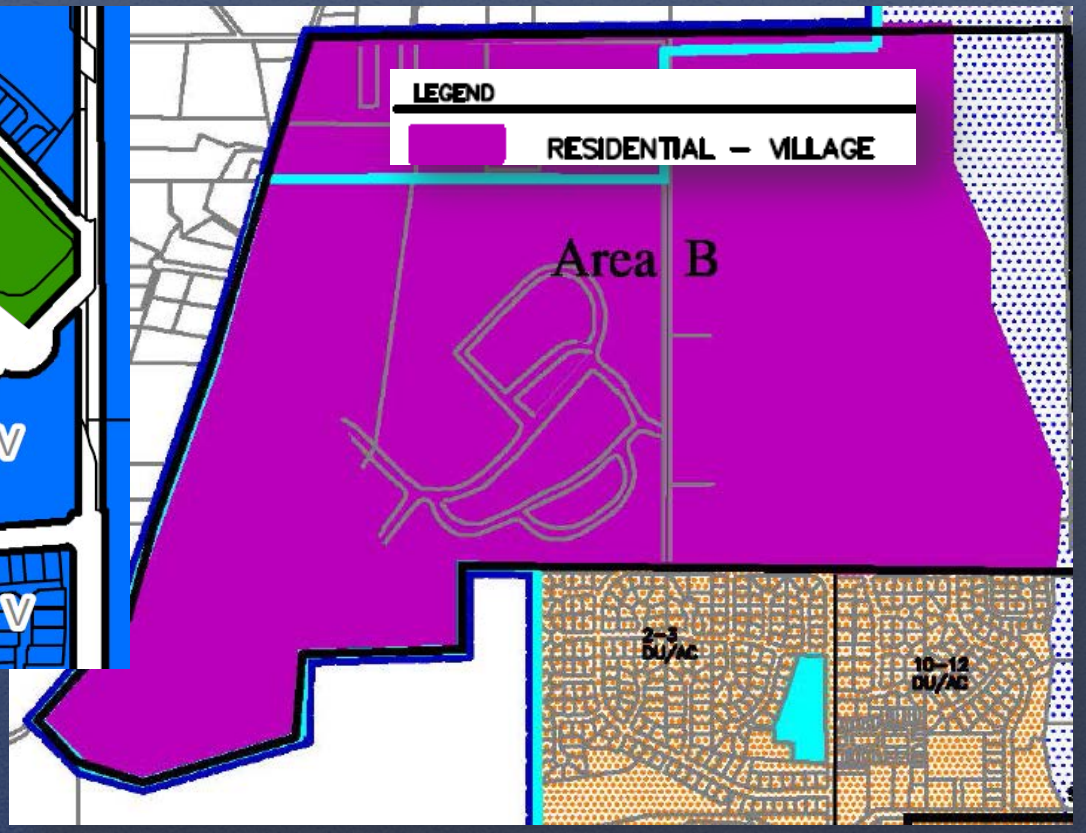
Zone Map Amendment



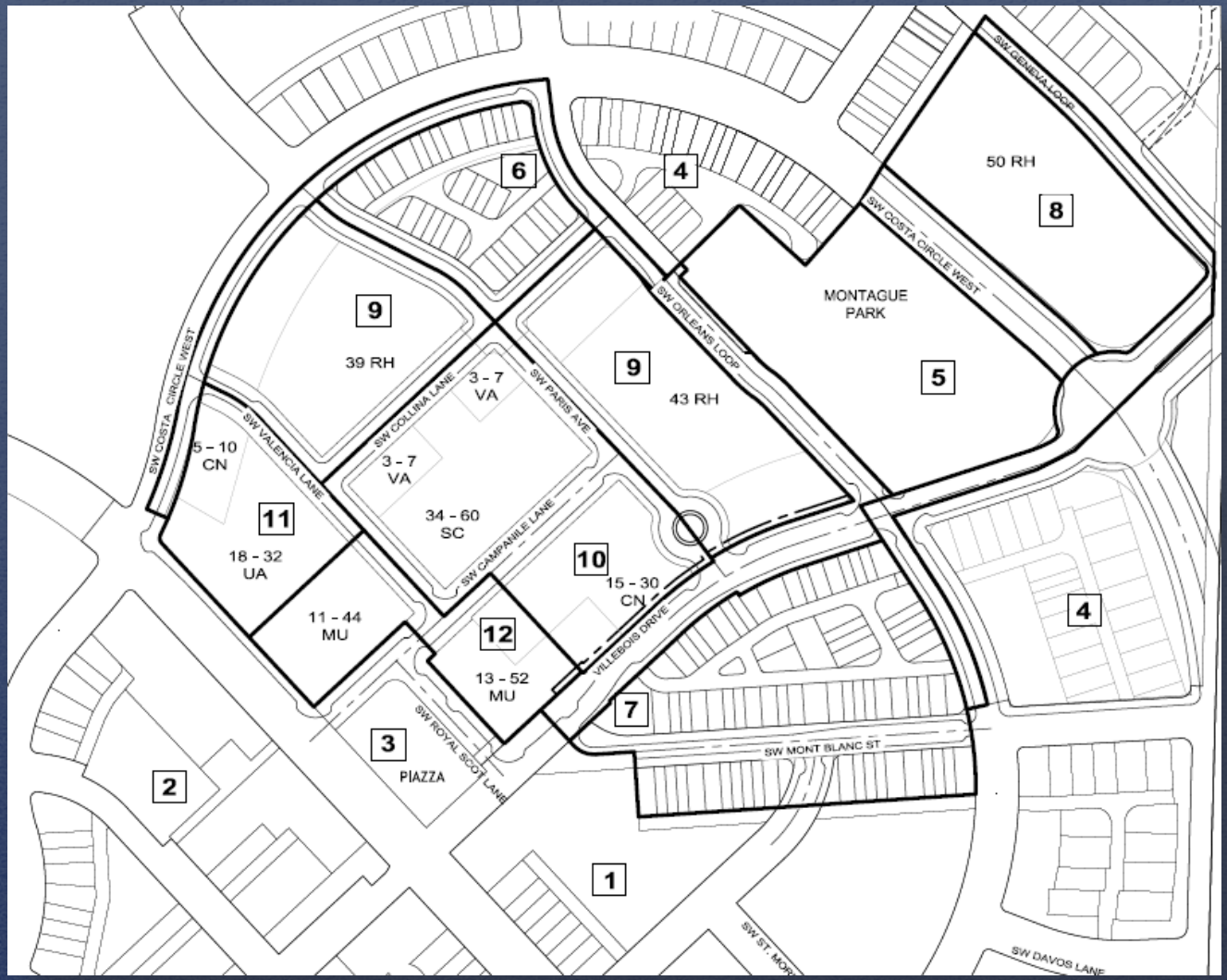
Current Zoning

Public Facilities (PF)

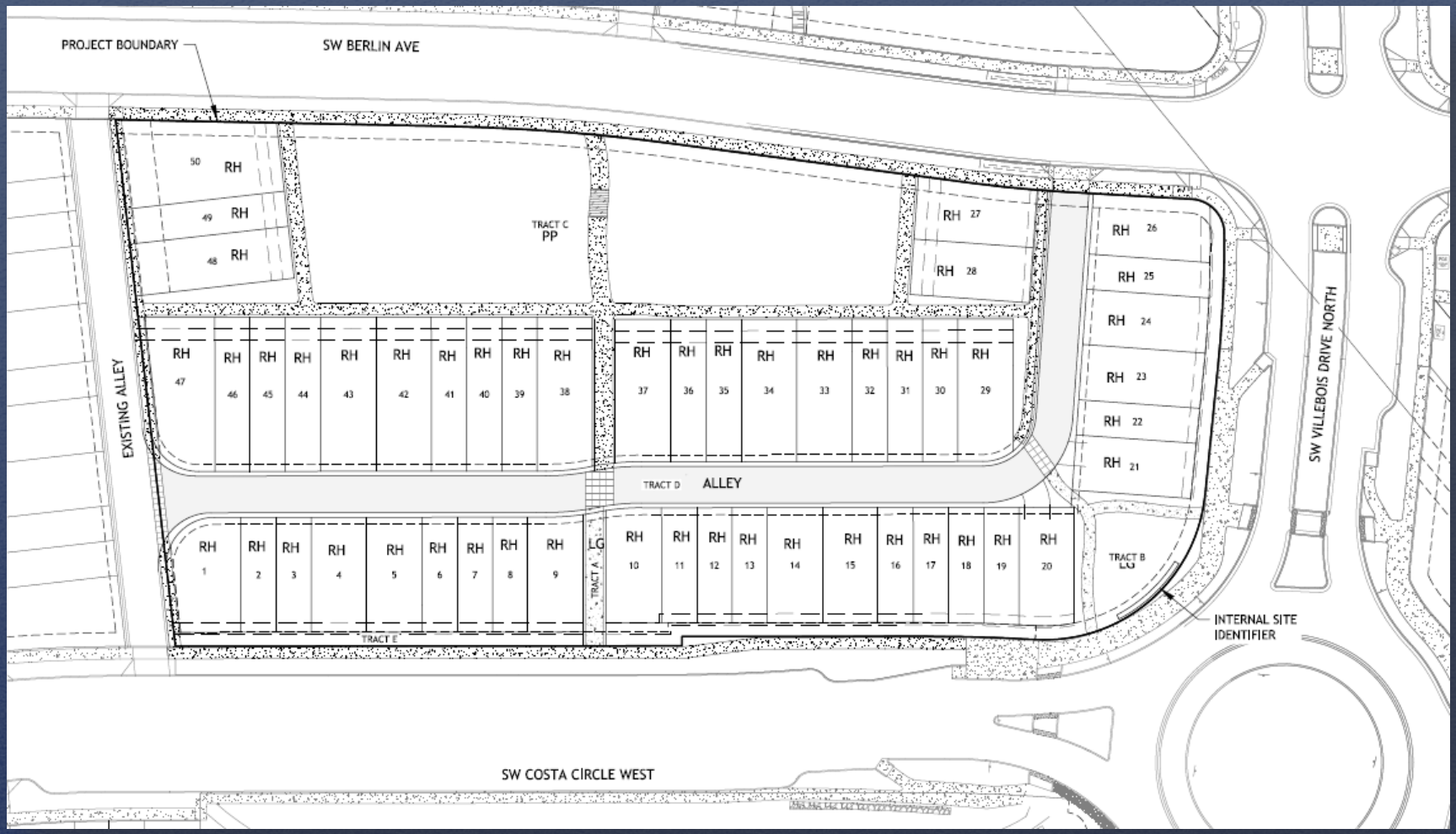
Village (V)



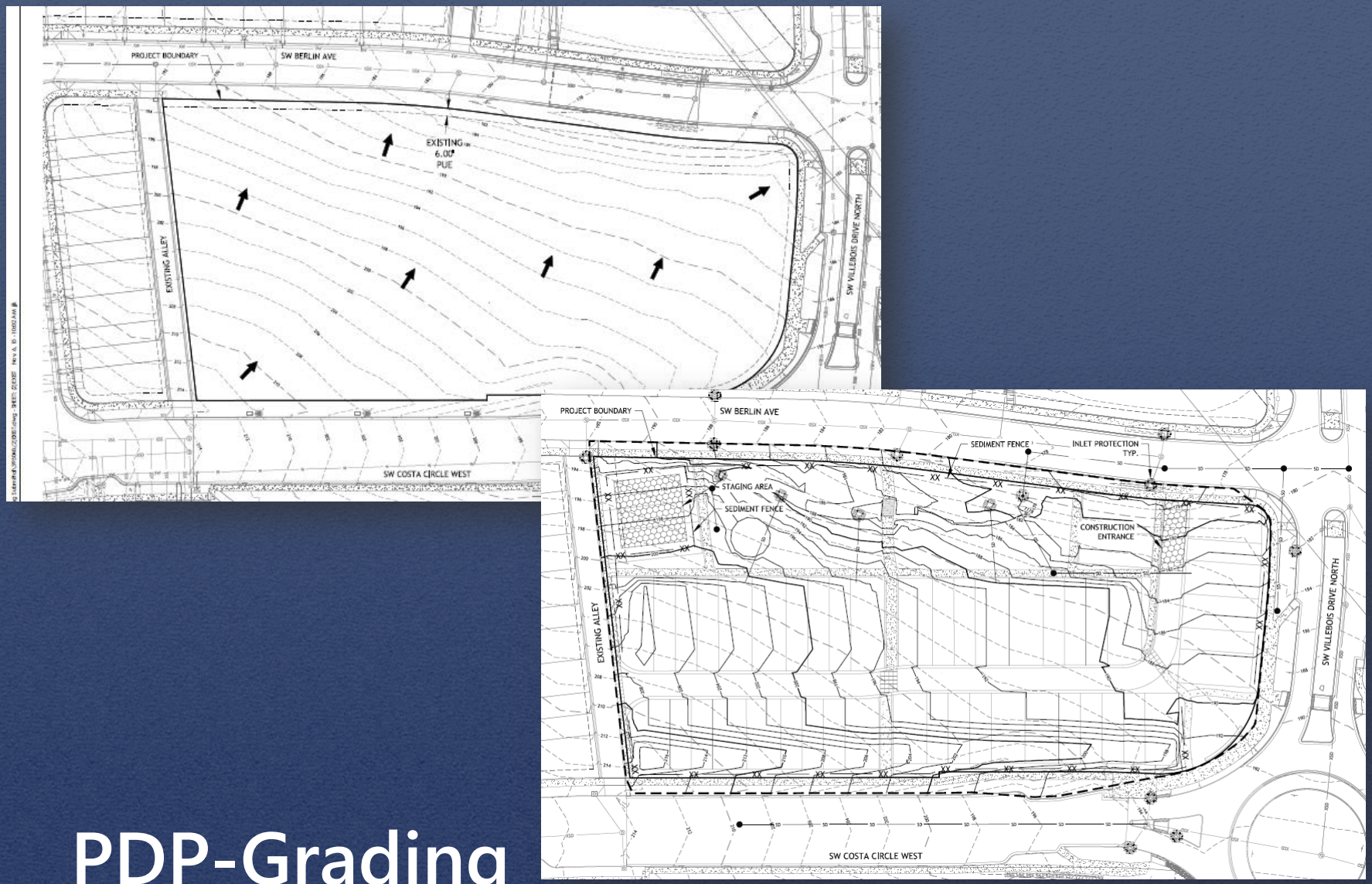
Comprehensive Plan



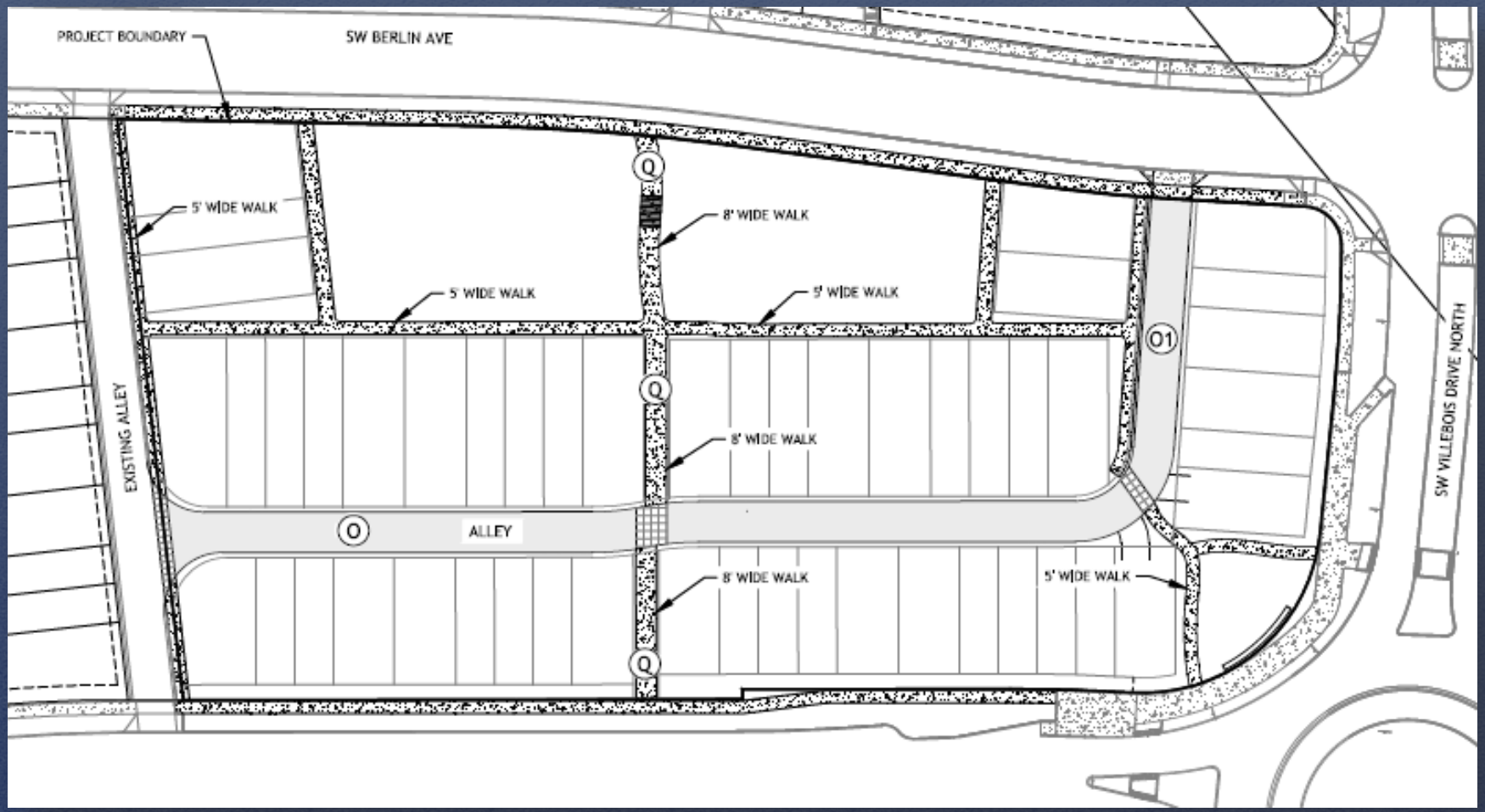
SAP Central Phasing Amendment



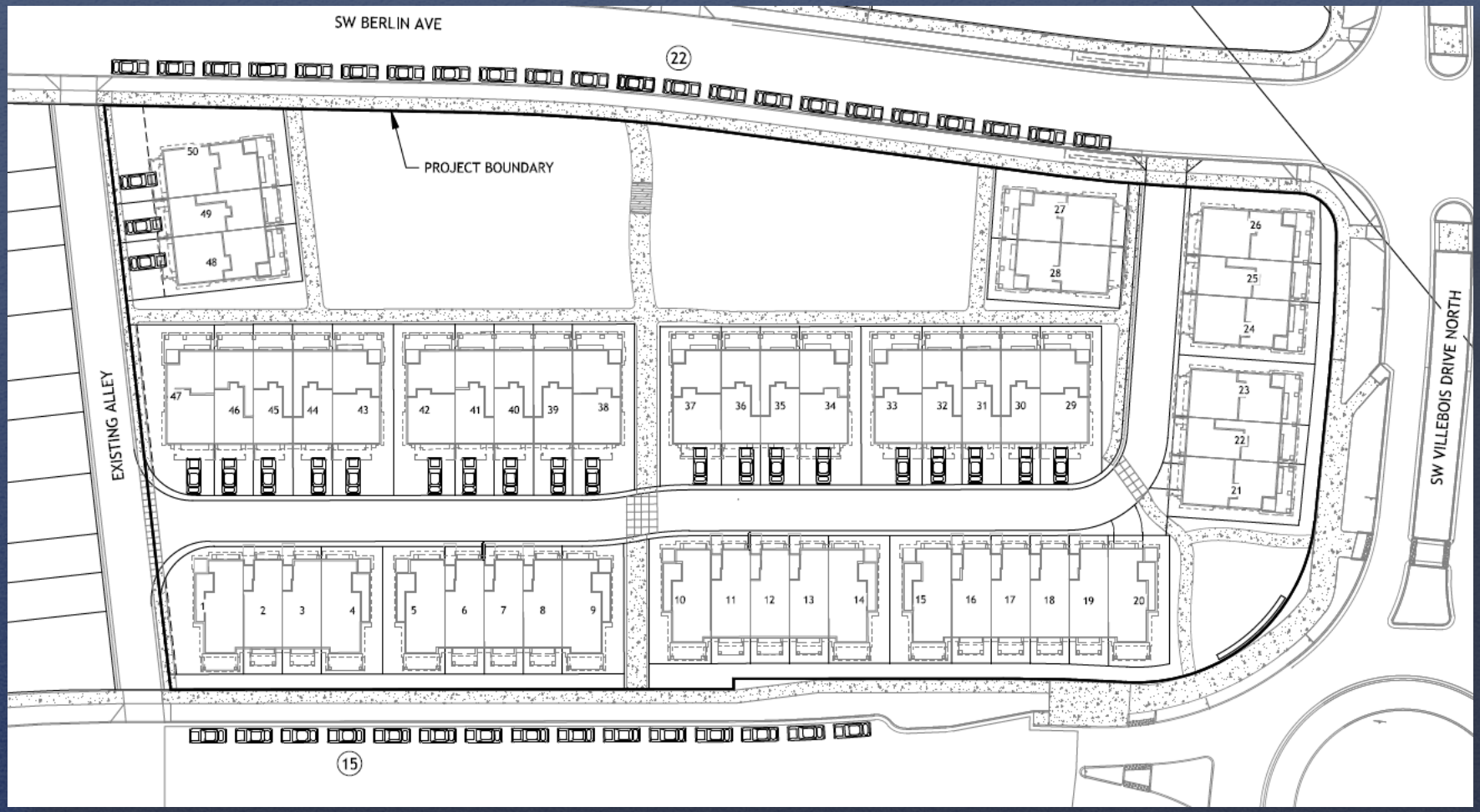
Preliminary Development Plan (PDP)


PROJECT BOUNDARY
SW BERLIN AVE
EXISTING
6.00'
PUE
EXISTING ALLEY
SW VILLEBOIS DRIVE NORTH
SW COSTA CIRCLE WEST
PROJECT BOUNDARY
SW BERLIN AVE
SEDIMENT FENCE
INLET PROTECTION
TYP.
STAGING AREA
SEDIMENT FENCE
CONSTRUCTION
ENTRANCE
EXISTING ALLEY
SW VILLEBOIS DRIVE NORTH
SW COSTA CIRCLE WEST

PDP-Grading



PDP-Circulation


SW BERLIN AVE
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PROJECT BOUNDARY
EXISTING ALLEY
SW VILLEBOIS DRIVE NORTH
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PDP-Parking

79

Unit count for project area in Original SAP Central unit count

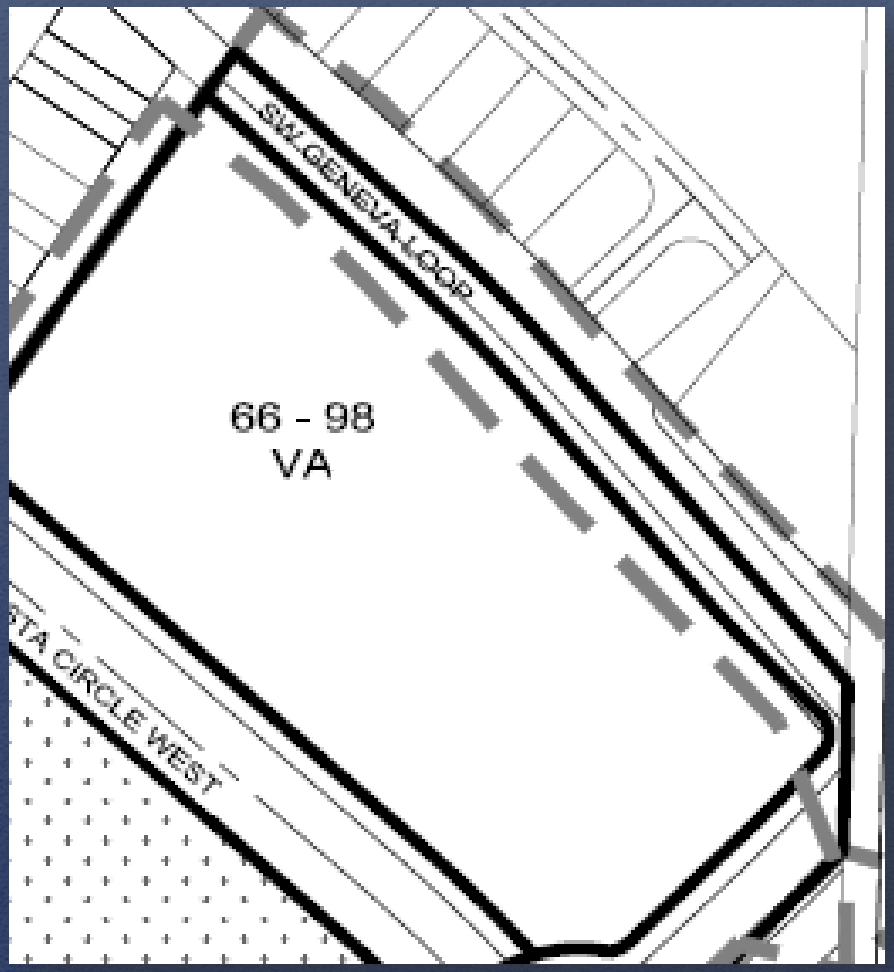
50

Proposed Unit Count

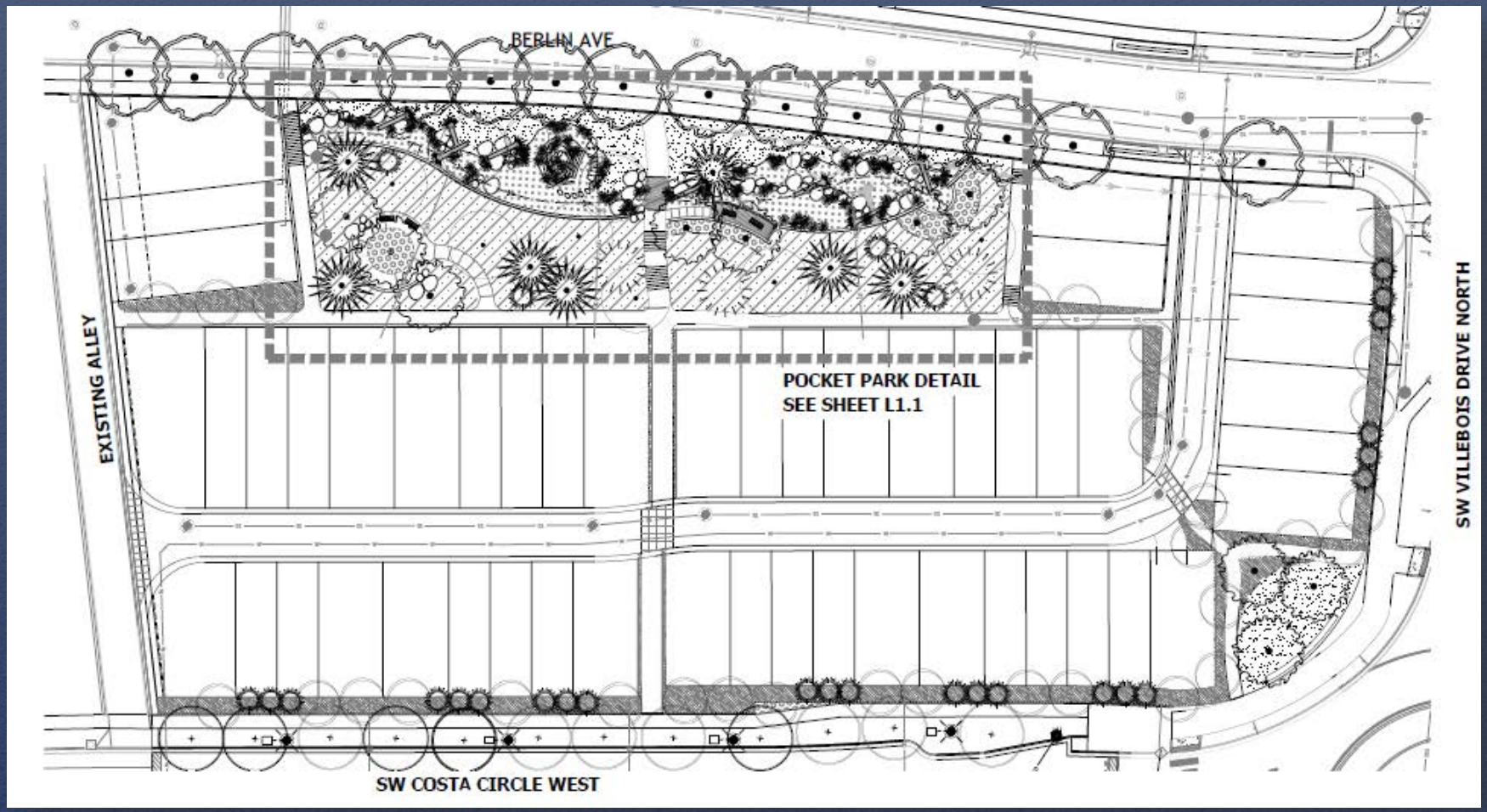
+5.26%

Cumulative change from original from SAP Central unit count

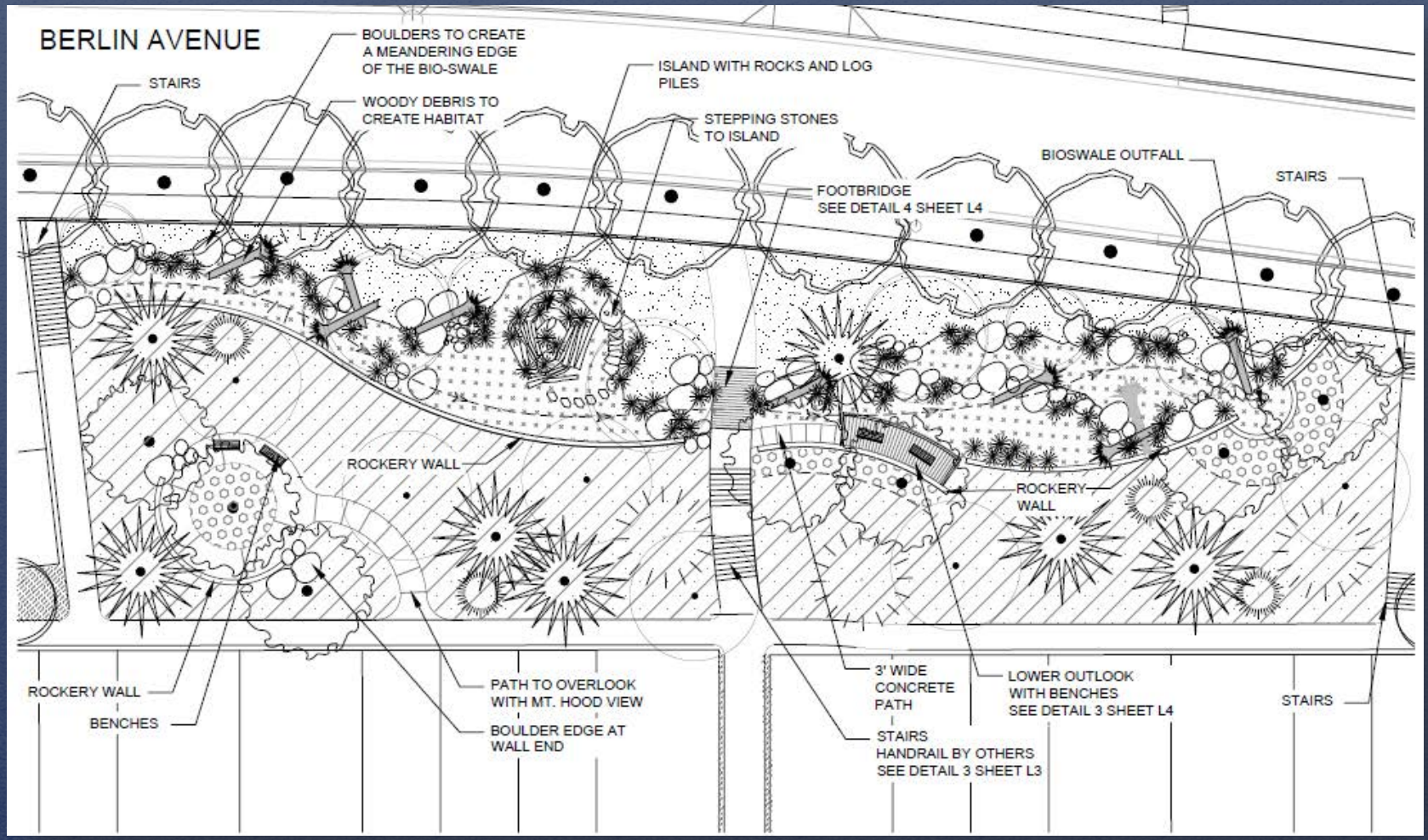
PDP-Density and Housing Mix



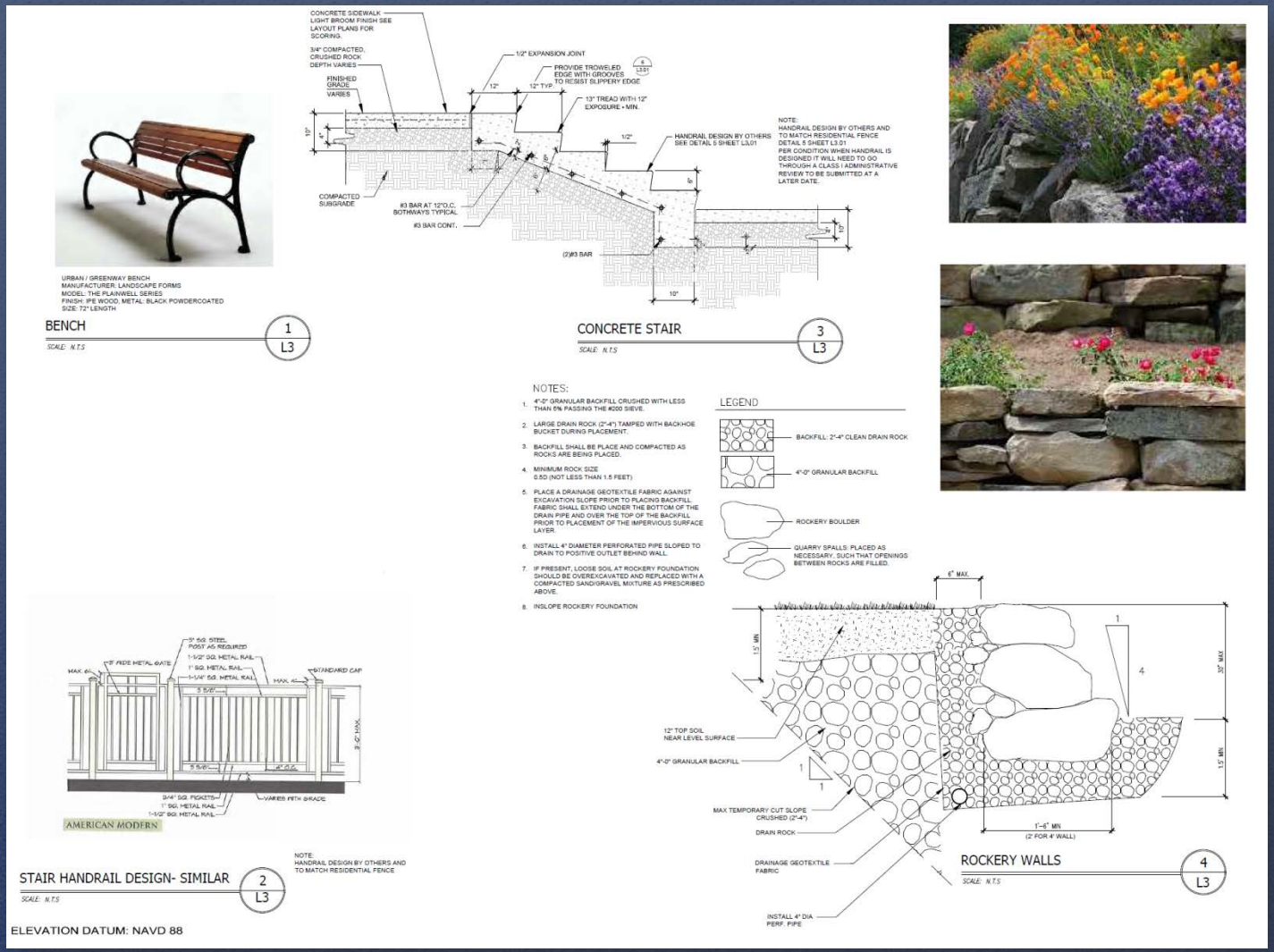
PDP-Density and Housing Mix



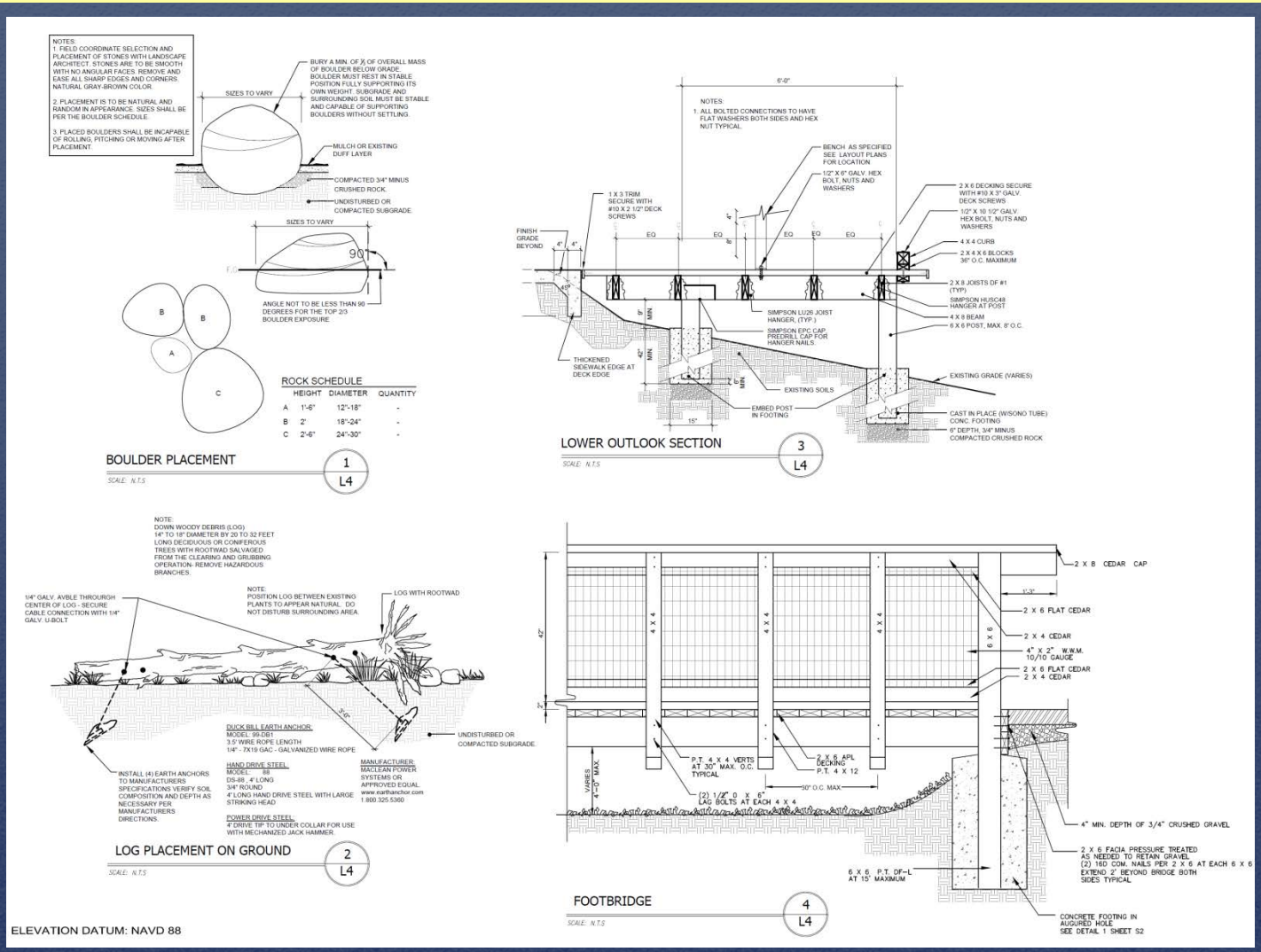
Final Development Plan (FDP)



Final Development Plan (FDP)



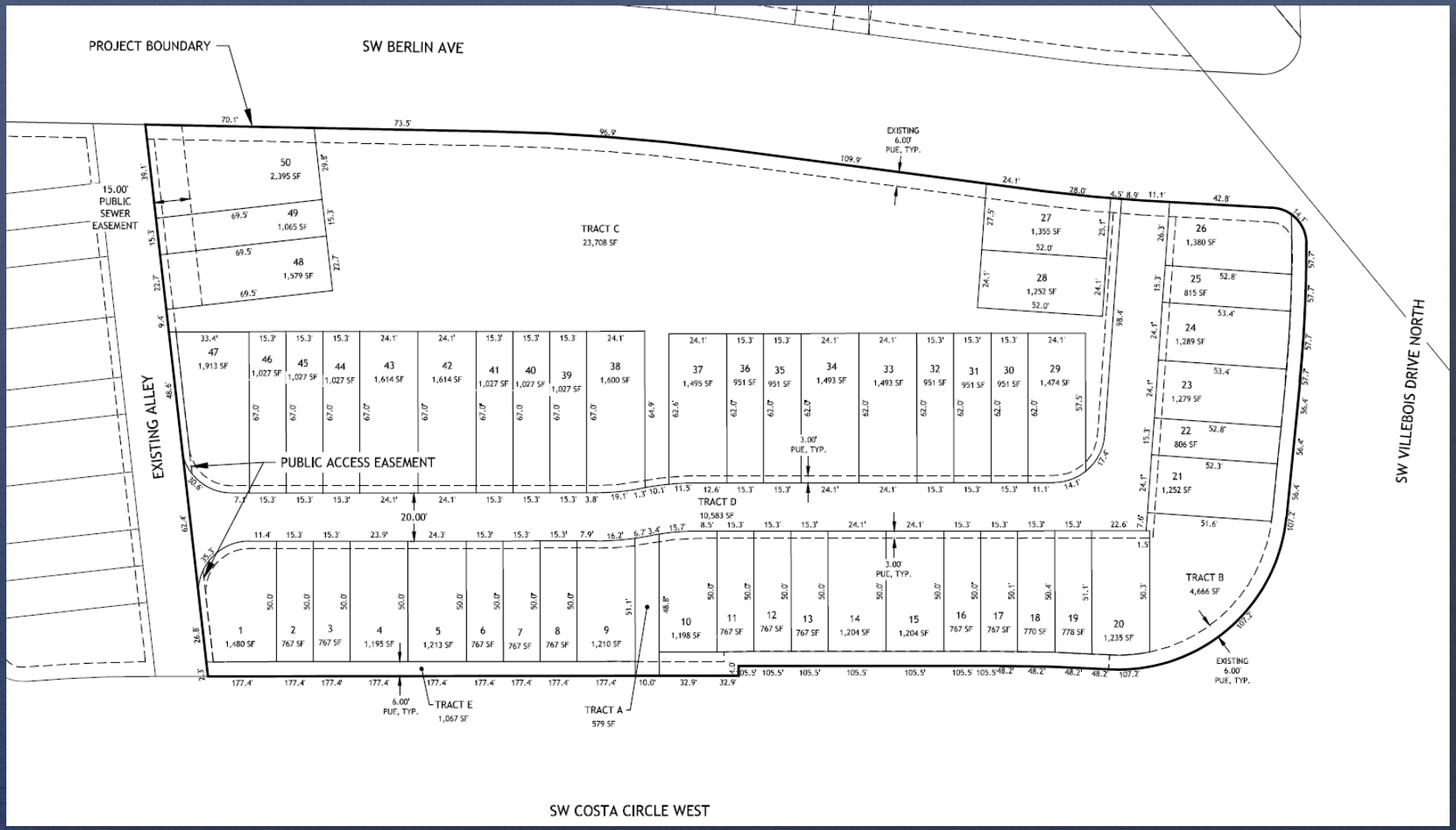
Final Development Plan (FDP)



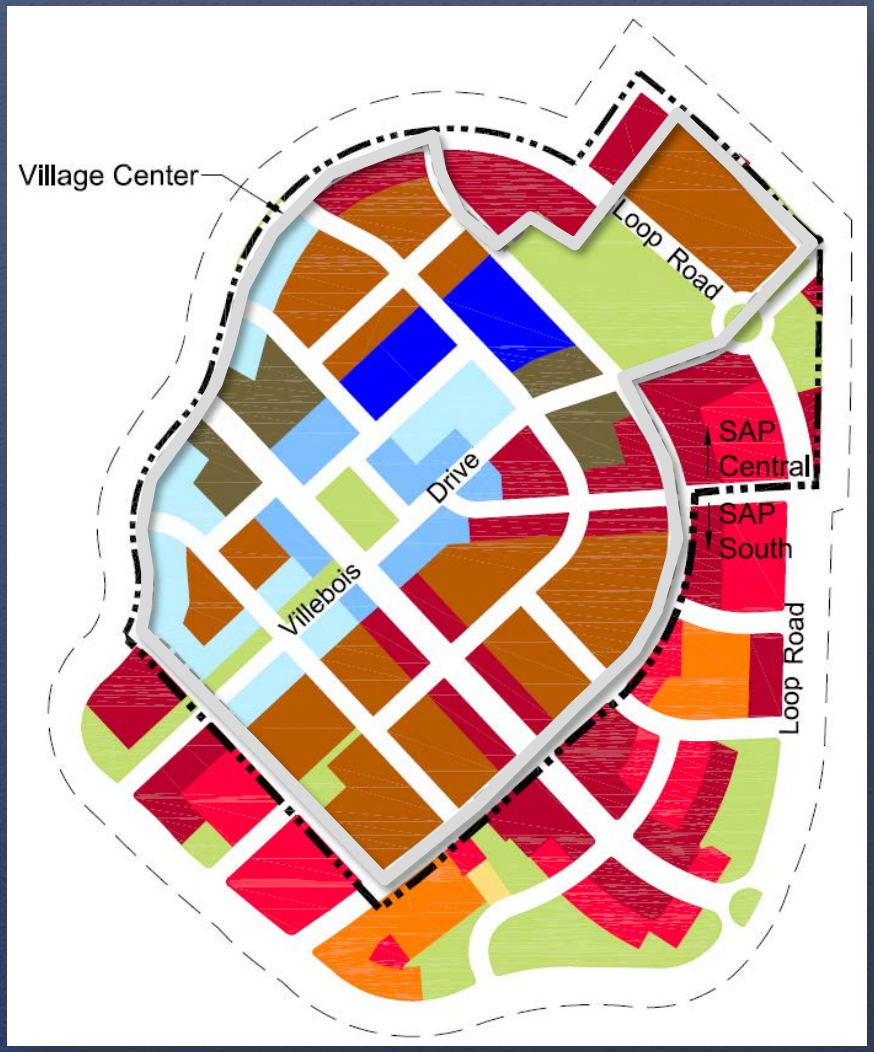
Final Development Plan (FDP)

FDP Architecture

FDP-Architecture



Tentative Subdivision Plat



Tentative Subdivision Plat

Revisions & Questions?

Memorandum: Res. 318 Proposed Revisions to Staff Report

From: Daniel Pauly AICP, Associate Planner
To: Development Review Board
Date: December 14, 2015
Project: Villebois Phase 8 Central: Brookeside Terrace

Staff recommends the following revisions be made to the Staff Report published December 7, 2015

Page 8 of 79

Delete the following language regarding exactions as it is not relevant to the application:

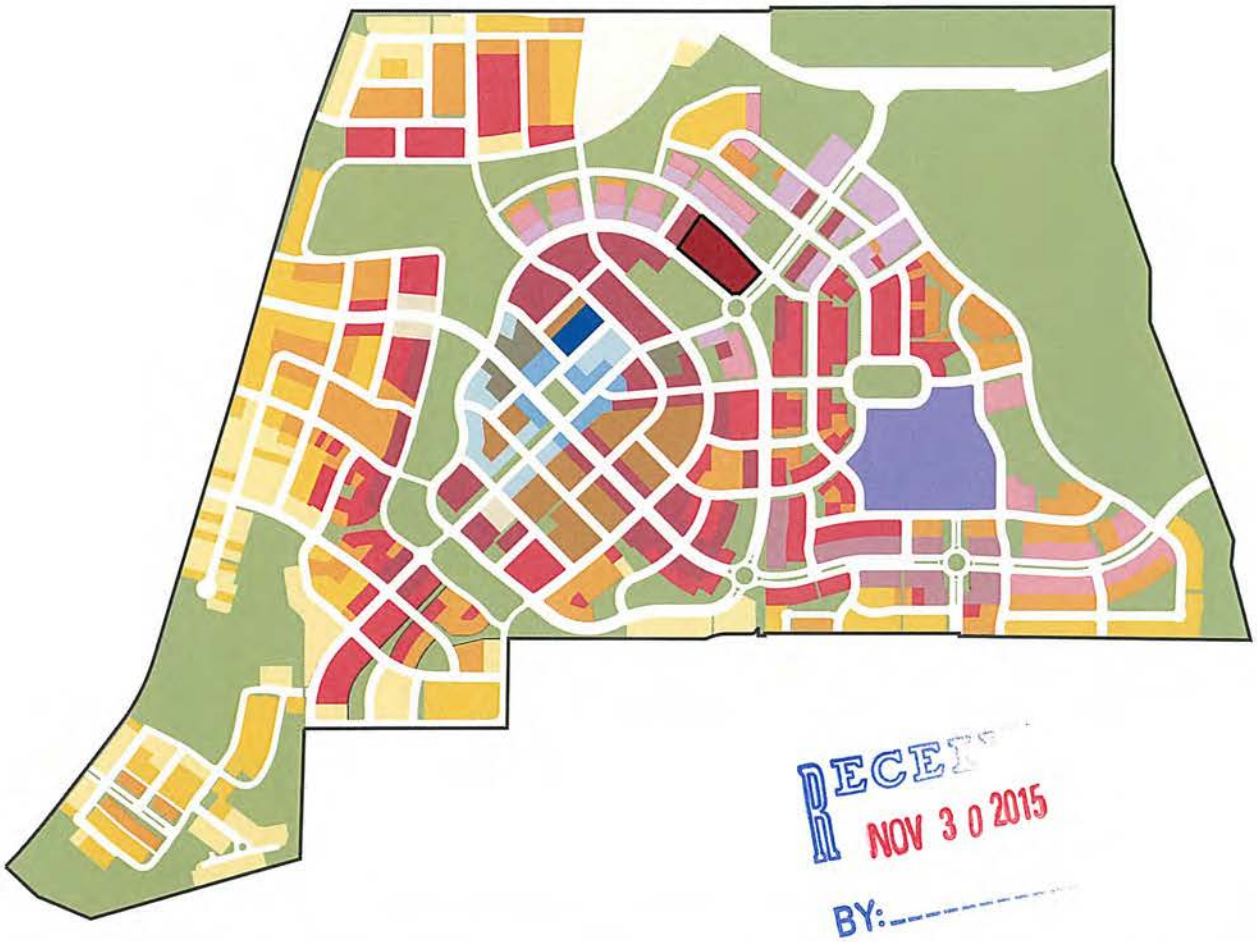
"The Developer is working with the City to reach agreement on the apportionment of fair and equitable exactions for the subject applications through a Development Agreement. Such agreement is subject to approval by the City Council by resolution."

Page 9-10 of 79

Revised Condition of Approval PDE 4 to read as follows to allow additional flexibility for private parties to work out agreement of how proposed lots will contribute to neighborhood level amenities in the Village Center, particularly the Piazza, Montague Park, and shared mail facilities.

"Applicant shall ensure lots in the proposed Brookeside Terrace plat (Lot 80 of Villebois Village Center No. 3) contribute a pro rata share of the costs of the administration and maintenance of Piazza Park, Montague Park, and the Village Center shared mail facility adjacent to the Piazza. The pro rata share is anticipated to be substantially the same level of contribution required for administration and maintenance of these facilities from row houses previously included in the Villebois Village Center Master Association. However, the pro rata share amount is subject to further evaluation and agreement by the impacted parties."

City of Wilsonville
EXHIBIT A3 DB15-0063 et seq



RECEIVED
NOV 30 2015
BY:

Row Homes – PDP 8C

Preliminary Development Plan, Tentative Plat, Zone Change, Tree Removal Plan & Final Development Plan

The City of Wilsonville, Oregon October 9, 2015

POLYGON NORTHWEST COMPANY

Pacific Community Design

City of Wilsonville
EXHIBIT B1 DB15-0063 et seq

Section I) General Information

IA) Introductory Narrative

INTRODUCTORY NARRATIVE

PHASE 8 - CENTRAL

INCLUDING:
PRELIMINARY DEVELOPMENT PLAN (REFINEMENTS & SAP PHASING AMENDMENT), TENTATIVE PLAT, ZONE CHANGE, & FINAL DEVELOPMENT PLAN

SECTION IA

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I. GENERAL INFORMATION

Applicant:	**Polygon WLH, LLC** 109 E. 13th Street Vancouver, WA 98660 Tel: (503) 314-0807 Fax: (360) 693-4442 **Contact: Fred Gast**
Property Owner:	RCS – Villebois Development, LLC 371 Centennial Pkwy Louisville, CO 80027 Tel: (503) 535-1615 Fax: (503) 466-4202 **Contact: Rudy Kadlub**
Design Team:	
Primary Contact:	**Stacy Connery** **Pacific Community Design, Inc.** Tel: (503) 941-9484 Fax: (503) 941-9485 Email: stacy@pacific-community.com
Process Planner/Civil Engineer/Surveyor/ Landscape Architect:	**Pacific Community Design, Inc.** 12564 SW Main Street Tigard, OR 97223 Tel: (503) 941-9484 Fax: (503) 941-9485 **Contact: Stacy Connery, AICP** **Jessie King, PE** **Travis Jansen, PLS/PE** **Kerry Lankford, RLA**
Site and Proposal Information:	
Site:	3S 1W 15AC, Tax Lot 3200
Size:	2.25 gross acres
Comprehensive Plan Designation:	City - Residential – Village (R-V)
Specific Area Plan:	SAP – Central
Proposal:	Preliminary Development Plan (Includes refinements & SAP Phasing Amendment) Tentative Plat

	Zone Change to Village (V) Final Development Plan
Unit Count:	50 Rowhomes
Net Residential Density:	30.86 units/acre
Project Name:	Villebois PDP 8 – Central "Brookeside Terrace"

II. REQUEST

This application requests approval of the following four (4) applications for the Phase 8 area of SAP Central.

- Preliminary Development Plan (PDP 8C), including refinements & SAP Phasing Amendment – Section II of Notebook
- Tentative Plat Approval (PDP 8C) – Section III of Notebook
- Zone Change to Village (V) for PDP 8C area – Section IV of Notebook
- Final Development Plan for PDP 8C area – Section V of Notebook

III. PLANNING CONTEXT

VILLEBOIS VILLAGE MASTER PLAN & SAP CENTRAL

The proposed PDP 8C area is located within the central portion of the *Villebois Village Master Plan* as illustrated on the Notebook Cover. The *Master Plan* and SAP Central show Apartment Land Use Types for the subject area. The *Master Plan* and SAP Central do not show any parks and open space areas on the subject property. A minor pathway is shown in a North-South alignment through the center of the site on the Master Plan. The PDP 8C area is inside the Village Center and is therefore subject to the *Village Center Architectural Standards*; however, the site is not subject to an Address Overlay.

IV. PROPOSAL DESCRIPTION

Phase 8 of Specific Area Plan Central (also known as PDP 8C) includes approximately 2.25 gross acres. PDP 8C is the block located northwest of the Costa Circle West and south of SW Berlin Avenue. PDP 8C proposes 50 single family attached Row House units, 0.62 acres for a pocket park, linear greens, a minor pathway segment, and associated infrastructure improvements.

The proposed Row House units will be American Modern (Craftsman) architectural style.

LAND USES

PDP 8C proposes 50 single family attached Row House units. The proposed number and type of units is compatible with adjacent land uses. The table in Section IE of this Notebook lists the residential units broken down by development phase for all of SAP Central. PDP 8C is submitted with the concurrent FDP for architecture and park areas (see Section V of the Notebook). PDP 1C, PDP 2C and PDP 4C are approved and built (homes are in process of being built). PDP 3C is the site of the Villebois Piazza, which is approved and built. PDP 5C, the site of Montague Park, is in construction. PDP 6C and PDP 7C received planning approval Summer 2015.

PARKS & OPEN SPACE

The Master Plan and SAP Central do not show any parks within the subject area. PDP 8C proposes the addition of 0.62 acres for a pocket park, linear greens, and a minor pathway segment. A concurrent Final Development Plan (FDP) for the park areas is included with this submittal.

UTILITIES

Sanitary Sewer

The sanitary sewer system for Phase 8 Central is shown on the Composite Utility Plan in Section IIB of this Notebook. The Sanitary Sewer Master Plan shows this site draining to both the Tooze Main and the Barber Main via a gravity system portion of the site. The proposed sanitary sewer will be a gravity system that will direct the entire site to the Tooze main, only. This main will then discharge to the Kinsman main via the connection installed in 2006. Sanitary sewer service can adequately be provided to this area in compliance with the Villebois Village Master Plan and the City's Wastewater Collection System Master Plan, as demonstrated in the Utility Analysis Memorandum prepared by Jessie King, PE (see Exhibit IIC).

Water

The proposed water system for Phase 8 Central is shown on the Composite Utility Plan in Section IIB of this Notebook. The proposed public water system will be an 8" system with some 6" lines for fire hydrant connections. The system will be looped throughout the development to maximize flows. Water service can adequately be provided to this area in compliance with the Villebois Village Master Plan and the City's Water System Master Plan.

Stormwater

The proposed site drains to the east to the Coffee Lake Creek drainage basin (CLC Basin). The City's Stormwater Master Plan for Coffee Lake Creek specifies that detention will not be required for the portion of Villebois Village that drains to the CLC Basin. Stormwater runoff will be collected by a series of catch basins leading to an underground piping system previously constructed with the PDP 4C infrastructure. As shown within the attached plans (see Section IIB of this Notebook), the system will ultimately connect with the system in PDP 3E where the runoff will drain to an existing regional water quality facility. A Utility Analysis Memorandum prepared by Jessie

King, PE (see Exhibit IIC) demonstrates that the proposed system will provide adequate sizing and treatment.

Rainwater

A Rainwater Management Plan is included with the Supporting Utility Reports in Section IIC of this Notebook. Rainwater management within PDP 8C will be provided through street trees, a swale and bio-retention cell located in the pocket park, as shown within the attached plans (Section IIB of this Notebook).

CIRCULATION

The transportation infrastructure proposed for PDP 8 Central will provide convenient neighborhood circulation and a range of transportation options. The *Circulation Plan* (see Exhibit IIB) illustrates the circulation system within this Preliminary Development Plan area.

V. AMENDMENTS TO SAP CENTRAL

SAP PHASING AMENDMENT

Construction of PDP 8C will be completed in one phase. PDP 8C is planned to be built later in 2016-2017.

The attached plans (see Section IIB) show ultimate improvements that are consistent with the *Master Plan* and SAP Central. PDP 8C will be accessed through SW Berlin Avenue to the north and SW Costa Circle West on the south side of the site. ROW for these streets already exists. This PDP addresses Phase 8 on the amended SAP Central Phasing Plan, as shown in Exhibit IE of this Notebook. This PDP includes a request to amend the SAP Central Phasing as shown in Exhibit IE.

VI. REFINEMENTS TO SAP CENTRAL

The following sections of this Narrative describe the proposed refinements to SAP Central that are included in the PDP application. Detailed findings regarding the requested refinements can be found in the PDP Supporting Compliance Report in Section IIA of this Notebook.

LAND USES

PDP 8C refines the subject area beyond what was described in SAP Central. The total density shown for the subject area in SAP Central is 66-98 Village Apartment units.

PDP 8C proposes 50 Rowhome units. The proposed refinements result in the addition of a pocket park and linear greens.

Table A below shows the number of units in each land use category currently within SAP Central and the number of units in the SAP with the proposed refinement as well as the percent change in each aggregate land use category. Table B shows the number of units originally shown in SAP Central and the number of units with the proposed refinement, as well as the percent change in each aggregate land use category.

Note: Since PDP 8C is submitted at the same time as PDP 9C, the following analysis includes both requests in the proposed unit counts.

Table A. Comparison of Current and Proposed Unit Counts

	Current Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,012	983	-2.90%
Total	1,012	983	-2.90%

Table B. Comparison of Original SAP Central and Proposed Unit Counts

	Original Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,010	983	-2.67%
Total	1,010	983	-2.67%

NOTE: The Current Unit Count for SAP Central reflects the final approved unit counts for PDP 1C, PDP 2C, PDP 3C, PDP 4C, PDP 5C (Montague Park), PDP 6C, and PDP 7C. Figures also account for recent Modifications to PDP 1C and PDP 2C. This number includes PDP 9C, which is being submitted concurrently.

Both tables show that the proposed refinements do not exceed the 10% standard. This proposal results in a total of 2,587 units within Villebois. This is above the density of 2,300 units required to be obtained across Villebois, meeting the refinement criteria.

None of the conditions of approval for SAP Central are specific to the proposed refinements. As the proposed refinements will not compromise the project's ability to comply with SAP conditions of approval, they will equally meet the conditions of approval of SAP Central.

The proposed refinements will equally or better meet the following Goals, Policies and Implementation Measures of the *Villebois Village Master Plan* than the SAP Central plan.

- ***Land Use, General Land Use Plan Goal*** *– Villebois Village shall be a complete community that integrates land use, transportation, and natural resource elements to foster a unique sense of place and cohesiveness.*

  The proposed PDP 8C plan better integrates natural resource elements with land uses and transportation through additional park areas for a pocket park and linear greens.

- ***Land Use, General Land Use Plan 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.

The proposed PDP 8C plan meets this Land Use Plan Policy by contributing to the range of living choices for attached single-family home ownership. This was 66-98 Apartment units. Now, 50 Row Houses are proposed. The replacement of Apartment units with Row House units better meets current market demand and city-wide goals of providing for a variety of home ownership options. The site is located within a transitional area at the outer edge of the Village Center and better provides for this transitional nature in terms of density and building massing and height, both of which are intended to increase towards the core of the Village Center (mixed use areas surrounding the Piazza). This proposal maintains the project's path of exceeding the minimum density of 2,300 units across Villebois.

- ***Villebois Village Master Plan, Village Center Policy 1*** *- The Village Center shall be a highly pedestrian-oriented place that is the focus of a mix of residential, shopping, service, and civic and mixed-use buildings.*

  The proposed PDP 8C plan meets this Land Use Plan Policy by increasing park space and providing street frontages that are highly pedestrian oriented with covered front porches on all Row Homes. As described above, PDP 8C contributes to the mix of residential options in the Village Center by providing additional ownership options and serving the transitional nature of its location at the outer edge of the Village Center.

- ***Villebois Village Master Plan, Village Center Policy 2*** *- The Village Center shall encourage multi-modal transportation system opportunities with good access by vehicular, pedestrian, bicycle and transit traffic.*

  The proposed PDP 8C plan encourages multi-modal transportation system opportunities by providing convenient vehicular access through alleys and encouraging pedestrian oriented street frontages by providing for garage access from alleys and by providing a segment of a minor pathway.

- ***Villebois Village Master Plan, Village Center Implementation Measure 2*** *- Specify a mixture of uses (residential, commercial, retail, civic, and office development) with the implementing Village zone that will support the long-term vitality of the Village Center and enhance the creation of a true urban village at its core. Employment may include uses related to high-tech businesses. The Village Center is intended to provide locations for uses consistent with, but not limited to, the following examples.*

  - *Consumer Goods: bookstore, clothing, florist, jeweler, pet shop, bicycle shop.*
  - *Food & Sundries: bakery, specialty grocery, hardware, laundromat, dry cleaner, gifts.*
  - *General Office: professional offices, non-profit, health services, governmental services, real estate, insurance, travel.*
  - *Service Commercial: bank, day care center, photo processing, telecommunications, upholstery shop.*

- *Lifestyle & Recreation: hair salon, specialty retail, theater, video/DVD store, art gallery, health club, restaurants, dance studio.*
- *Hospitality: hotel, bed and breakfast, conference center.*
- *Light Manufacturing/Research and Development.*
- *Civic/Institutional: meeting hall, library, museum, churches, farmer's market, community center.*
- *Residential: condominiums, apartments, and townhouses*

  The proposed PDP 8C plan is consistent with the Village Center Implementation Measure 2 by providing single-family residential attached row houses. This use is included in the above list of intended Village Center uses. As described above, PDP 8C contributes to the mix of residential options in the Village Center by providing additional ownership options and serving the transitional nature of its location at the outer edge of the Village Center. Additionally, the proposed PDP 8C provides convenient vehicular access through alleys and provides street frontages that are highly pedestrian oriented with front yard courtyards on all Row Homes.

- ***Parks and Open Space/Off-Street Trails and Pathways Goal*** *– The Parks system within Villebois Village shall create a range of experiences for its residents and visitors through an interconnected network of pathways, parks, trails, open space and other public spaces that protect and enhance the site's natural resources and connect Villebois to the larger regional park/open space system.*

  The Villebois Village Master Plan and SAP Central do not show any parks, linear greens, or open space within the proposed PDP area. A segment of a minor pathway is shown on the Master Plan. A new pocket park and linear greens, totaling 0.62 acres in size, is added to this area with the proposed design for PDP 8C. The proposed refinement increases the amount of parks and open space that protect and enhance the site's natural resources and connect Villebois to the larger regional park/open space system.

PARKS & OPEN SPACE

A comparison of the proposed plan for PDP 8C and the original SAP Central plan for this area shows an increase in the areas planned for parks. The addition of green spaces provides enhanced pedestrian connectivity and direct access to green space for more of the homes in the PDP area. The proposed plan distributes green space through the PDP area. A detailed description and analysis of the parks and open space refinements can be found in the PDP Supporting Compliance Report in Exhibit IIA of the Notebook.

UTILITIES

A comparison of the *Composite Utility Plan* of the proposed PDP (see Section IIB of this Notebook) with the *Utility Plan* in SAP Central (Volume II) shows the proposed refinements for the rain water treatment facilities. Specifically, a swale and bioretention cell in place of planter boxes.

CIRCULATION

A comparison of the *Circulation Plan* from the proposed PDP 8C (see Exhibit IIB) and the *Circulation Plan* from SAP Central (Volume II) shows that the proposed circulation system is consistent. No refinements are proposed.

VII. PROPOSAL SUMMARY & CONCLUSION

This 'Introductory Narrative,' in conjunction with the referenced sections, describes the proposed Preliminary Development Plan, Tentative Plat, Zone Change, and Final Development Plan. The Supporting Compliance Reports located in Sections II through V, respectively, support these requests for approval of the subject applications and demonstrate compliance with the applicable standards of the Wilsonville Planning and Land Development Ordinance.

IB) Form/Ownership Documentation

CITY OF WILSONVILLE

29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone: 503.682.4960
Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Pre-Application meeting date:

TO BE COMPLETED BY APPLICANT:
Please PRINT legibly.

Planning Division
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175.

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements.

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Applicant:

Polygon WLH LLC (Fred Gast)

Address: 109 E 13th St. Vancouver, WA 98660

Phone: (503) 314-0807

Fax: (360) 693-4442

E-mail: fred.gast@polygonhomes.com

Authorized Representative:

Pacific Community Design (Stacy Connery)

Address: 12564 SW Main St. Tigard, OR 97223

Phone: (503) 941-9484

Fax: (503) 941-9485

E-mail: stacy@pacific-community.com

Property Owner:

RCS- Villebois Development, LLC

Address: 371 Centennial Pkwy. Louisville, CO

Phone: (503) 535-1615

Fax: (503) 466-4202

E-mail: dnash@RealCapitalSolutions.com

Property Owner's Signature:

Printed Name: Date:

Applicant's Signature *(if different from Property Owner):*

Printed Name: Date:

Site Location and Description:

Project Address if Available: West side of Villebois Drive North, between Costa Circle West and Berlin Avenue Suite/Unit

Project Location: Lot 80 of Villebois Village Center No.3

Tax Map #(s): 31W15AC Tax Lot #(s): 3200 County: ☐ Washington ☒ Clackamas

Request: PDP 8C (including SAP Refinements and Phasing Amendment, Tentative Plat "Brookeside Terrace" Zone Change , FDP for 50 Rowhome units and park).

Project Type: **Class I** ☐ **Class II** ☐ **Class III** ☑

☑ Residential	☐ Commercial	☐ Industrial	☐ Other (describe below)

Application Type:

☐ Annexation	☐ Appeal	☐ Comp Plan Map Amend	☐ Conditional Use
☐ Final Plat	☐ Major Partition	☐ Minor Partition	☐ Parks Plan Review
☐ Plan Amendment	☐ Planned Development	☑ Preliminary Plat	☐ Request to Modify Conditions
☐ Request for Special Meeting	☐ Request for Time Extension	☐ Signs	☐ Site Design Review
☐ SROZ/SRIR Review	☐ Staff Interpretation	☐ Stage I Master Plan	☐ Stage II Final Plan
Type C Tree Removal Plan	☐ Tree Removal Permit (B or C)	☐ Temporary Use	☐ Variance
☐ Villebois SAP	☑ Villebois PDP	☑ Villebois FDP	☐ Waiver
☑ Zone Map Amendment	☑ Other (SAP Refinements)		

CITY OF WILSONVILLE

29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone: 503.682.4960
Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Pre-Application meeting date:

TO BE COMPLETED BY APPLICANT:
Please PRINT legibly

Planning Division
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements.

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Applicant:

Polygon WLH LLC (Fred Gast)

Address: 109 E 13th St. Vancouver, WA 98660

Phone: (503) 314-0807

Fax: (360) 693-4442

E-mail: fred.gast@polygonhomes.com

Authorized Representative:

Pacific Community Design (Stacy Connery)

Address: 12564 SW Main St. Tigard, OR 97223

Phone: (503) 941-9484

Fax: (503) 941-9485

E-mail: stacy@pacific-community.com

Property Owner:

RCS- Villebois Development, LLC

Address: 371 Centennial Pkwy. Louisville, CO

Phone: (503) 535-1615

Fax: (503) 466-4202

E-mail: dnash@RealCapitalSolutions.com

Property Owner's Signature:

Sharon Eshima

Printed Name: Sharon Eshima Date: 9/28/15

Applicant's Signature *(if different from Property Owner):*

Printed Name: _____ Date: _____

Site Location and Description:

Project Address if Available: West side of Villebois Drive North, between Costa Circle West and Berlin Avenue Suite/Unit _____

Project Location: Lot 80 of Villebois Village Center No.3

Tax Map #(s): 31W15AC Tax Lot #(s): 3200 County: ☐ Washington ☒ Clackamas

Request: PDP 8C (including SAP Refinements and Phasing Amendment, Tentative Plat "Brookside Terrace" Zone Change, , FDP for 50 Rowhome units and park).

Project Type: **Class I** ☐ **Class II** ☐ **Class III** ☑

☑ Residential ☐ Commercial ☐ Industrial ☐ Other (describe below)

Application Type:

☐ Annexation	☐ Appeal	☐ Comp Plan Map Amend	☐ Conditional Use
☐ Final Plat	☐ Major Partition	☐ Minor Partition	☐ Parks Plan Review
☐ Plan Amendment	☐ Planned Development	☑ Preliminary Plat	☐ Request to Modify Conditions
☐ Request for Special Meeting	☐ Request for Time Extension	☐ Signs	☐ Site Design Review
☐ SROZ/SRIR Review	☐ Staff Interpretation	☐ Stage I Master Plan	☐ Stage II Final Plan
Type C Tree Removal Plan	☐ Tree Removal Permit (B or C)	☐ Temporary Use	☐ Variance
☐ Villebois SAP	☑ Villebois PDP	☑ Villebois FDP	☐ Waiver
☑ Zone Map Amendment	☑ Other (SAP Refinements)		

Lawyers Title of Oregon, LLC
Commercial Branch
121 SW Morrison St., Suite 500
Portland, OR 97204
503-220-0015 FAX 877-638-9521

Lawyers Title
121 SW Morrison St., Suite 500
Portland, OR 97204

Date Prepared: September 02, 2015
2nd Revision

PRELIMINARY TITLE REPORT
FOR ISSUING TITLE INSURANCE

Parties: RCS - Villebois Development, LLC a Colorado limited liability company to Polygon WLH LLC, a Delaware limited liability company
File Number: 32F0004824
Property Address:

Lot 77, 78, 80 and 82
Wilsonville, OR 97070

PRIOR REPORT IS REVISED FOR THE FOLLOWING:

Effective date has changes; Several exceptions have been deleted because they of duplication and/or do not affect the subject lots

LAWYERS TITLE OF OREGON, LLC is prepared to issue title insurance, as of the effective date and in the form and amount shown on Schedule A, subject to the conditions, stipulations and exclusions from coverage appearing in the policy form and subject to the exceptions shown on Schedule B. This report is preliminary to the issuance of a policy of title insurance issued by Fidelity National Title Insurance Company and shall become null and void unless a policy is issued and the full premium paid.

This report is for the exclusive use of the person to whom it is addressed. Title insurance is conditioned on recordation of satisfactory instruments that establish the interests of the parties to be insured; until such recordation, the Company may cancel or revise this report for any reason.

If you need assistance with this report, please contact:

Escrow Officer: Peggy Neikirk, 503-553-5664 Fax: 877-638-9521
E-mail: pneikirk@ltic.com

Title Officer: Bob Brandon, Phone: 503-553-5690 Fax: 877-638-9521
E-mail: Bob.Brandon@ltic.com

SCHEDULE A

1. The effective date of this preliminary title report is 8:00 A.M. on

August 28, 2015

2. The policies and endorsements to be insured and the related charges are:

Policy/Endorsement Description	Liability	Charge
ALTA 2006 Standard Owner's Policy (Short Term Rate Applied)	$7,030,000.00	$8,359.00
TOTAL OWNERS POLICY CHARGES		**$8,359.00**
PROPOSED INSURED: Owner's Policy Polygon WHL LLC		
ALTA 2006 Extended Lender's Policy (Simultaneous Issue Rate)		$0.00
TOTAL LOAN POLICY CHARGES		**$0.00**
PROPOSED INSURED: Loan Policy as requested in Lender Documents		
Local Govt. Lien Search Charge		$120.00

3. Title to the land described herein is vested in:

RCS - Villebois Development, LLC, a Colorado limited liability company

The estate or interest in land is:

Fee Simple

4. The land referred to in this report is described as follows:

SEE ATTACHED EXHIBIT "A"

Exhibit "A"

Lots 77, 78, 80, 82, VILLEBOIS VILLAGE CENTER NO. 3, according to the official plat thereof, recorded June 6, 2014, as Recorder's Fee No. 2014-026961, in the City of Wilsonville, Clackamas County, Oregon.

SCHEDULE B

Except for the items properly cleared through closing, the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

STANDARD EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public record; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3. Easements, claims of easements, or encumbrances not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

5. Any lien, or right to lien, for unemployment taxes, workmen's compensation, services, labor, equipment rental or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS:

6. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2015-2016.

7. City Liens, if any, in favor of the City of Wilsonville. None as of July 23, 2015.

8. Rights of the public to any portion of the Land lying within streets, roads and highways.

9. Unrecorded Development Agreement, including the terms and provisions thereof,
   Dated : May 24, 2004
   By and between : Villebois, LLC
   And : City of Wilsonville, the Urban Renewal Agency for Wilsonville
   AND State of Oregon
   disclosed of record by Assignment of Development Agreement,
   Recorded : October 17, 2005
   As : 2005-102816

10. Deleted.

11. Deleted.

12. Deleted.

13. Deleted.

14. Deleted.

15. Deleted.

16. Deleted.

17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
    Granted to : City of Wilsonville
    Purpose : 6 foot Public utility along street
    Recording Date : March 1, 2013
    Recording No. : 2013-014660
    And as shown on the recorded Partition Plat No. 2013-051.
    And as shown on the recorded plat of Villebois Village Center No. 3.

18. Deleted.

19. Deleted.

20. A deed of trust to secure an indebtedness in the amount shown below,
    Amount : $3,576,598.00
    Dated : October 30, 2013
    Trustor/Grantor : RCS - Villebois Development, LLC, a limited liability company
    Trustee : First American Title Company of Oregon
    Beneficiary : Manufacturers and Traders Trust Company d/b/a M&T Bank, a New York banking corporation
    Loan No. : Not disclosed
    Recording Date : October 31, 2013
    Recording No. : 2013-074532
    (Affects additional property)

    A substitution of trustee under said deed of trust which names, as the substituted trustee, the following:
    Trustee : Lawyers Title of Oregon, LLC, an Oregon limited liability company
    Recording Date : July 7, 2014
    Recording No. : 2014-032489

21. A deed of trust to secure an indebtedness in the amount shown below,

Amount	:	$678,770.00
Dated	:	October 30, 2013
Trustor/Grantor	:	RCS - Villebois Development, LLC, a limited liability company
Trustee	:	First American Title Company of Oregon
Beneficiary	:	Manufacturers and Traders Trust Company d/b/a M&T Bank, a New York banking corporation
Loan No.	:	Not disclosed
Recording Date	:	October 31, 2013
Recording No.	:	2013-074533

(Affects additional property)

A substitution of trustee under said deed of trust which names, as the substituted trustee, the following:

Trustee	:	Lawyers Title of Oregon, LLC, an Oregon limited liability company
Recording Date	:	July 7, 2014
Recording No.	:	2014-032491

22. Deleted.

23. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat of Villebois Village Center No. 3.

24. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose	:	Public utility
Affects	:	A 6.00 foot strip along SW Villebois Drive North - see plat for exact location

25. Terms and provisions of Street Dedication Deed for Lot 77, Villebois Village Center No. 3

Recorded	:	August 10, 2015
As	:	2015-053437
By and between	:	RCS - Villebois Development LLC, a Colorado limited liability company to the City of Wilsonville, a municipal corporation of the State of Oregon, and its assigns

26. Terms and provisions of Street Dedication Deed for Lot 78, Villebois Village Center No. 3

Recorded	:	August 10, 2015
As	:	2015-053438
By and between	:	RCS - Villebois Development LLC, a Colorado limited liability company to the City of Wilsonville, a municipal corporation of the State of Oregon, and its assigns

27. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053439
In favor of : City of Wilsonville, a municipal corporation of the State of Oregon
For : A permanent right-of-way and public utility easement affecting Lot 78

28. Terms and provisions of Street Dedication Deed for Lot 82, Villebois Village Center No. 3
Recorded : August 10, 2015
As : 2015-053440
By and between : RCS - Villebois Development LLC, a Colorado limited liability company to the City of Wilsonville, a municipal corporation of the State of Oregon, and its assigns

29. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053441
In favor of : City of Wilsonville, a municipal corporation of the State of Oregon
For : A permanent right-of-way and public utility easement affecting Lot 82

30. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053449
In favor of : Polygon WLH LLC, a Delaware limited liability company
For : A temporary access, utility and construction easement affecting Lots 77, 78 and 82

31. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053451
In favor of : Polygon WLH LLC, a Delaware limited liability company
For : A temporary construction easement affecting Lots 76, 77 and 78

32. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

33. Personal property taxes, if any.

END OF EXCEPTIONS

NOTES:

A. Paid taxes for the year 2014-15
Original Amount : $11,863.59
Account No. : 05025940; Levy Code: 003-033; Map 31W15AC02900
Affects : Lot 77

Original Amount : $8,054.63
Account No. : 05025941; Levy Code: 003-033; Map 31W15AC03000
Affects : Lot 78

Original Amount : $8,163.46
Account No. : 05025943; Levy Code: 003-033; Map 31W15AC03200
Affects : Lot 80

Original Amount : $7,510.40
Account No. : 05025945; Levy Code: 003-033; Map 31W15AC03400
Affects : Lot 82

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

B. NOTE: We find no Notice of Completion recorded on said Land.

C. Washington County imposes a transfer tax of $1.00 per $1,000 (or fraction thereof) of the selling price in a real estate transfer, unless the county approves an exemption application. Exemption criteria and applications are available at the country's website, see: http://www.co.washington.or.us/AssessmentTaxation/Recording/TransferTaxExemption/index.cfm.

D. NOTE: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

E. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below:

Limited Liability Company: Polygon WLH LLC and RCS-Villebois Development, LLC

a) A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member

b) If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendments thereto with the appropriate filing stamps

c) If the Limited Liability Company is member-managed, a full and complete current list of members certified by the appropriate manager or member

d) If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company, that it was validly formed, is in good standing and authorized to do business in the state of origin

e) If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

F. NOTE: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

G. NOTE: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties : Polygon WLH LLC, a Delaware limited liability company and RCS-Villebois Development, LLC, a Colorado limited liability company

H. NOTE: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

I. If requested to issue an extended coverage ALTA loan policy, the following matters must be addressed:

a) The rights of tenants holding under unrecorded leases or tenancies
b) Any facts which would be disclosed by an accurate survey of the Land
c) Matters disclosed by a statement as to parties in possession and as to any construction, alterations or repairs to the Land within the last 75 days. The Company must be notified in the event that any funds are to be used for construction, alterations or repairs.

NOTE: In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.

NOTE: THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

NOTE: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

LENDER NOTE: Lawyers Title of Oregon, LLC, an Oregon limited liability company is the correct name to use if you are going to use this company as the trustee for a trust deed in this transaction.

NOTICE REGARDING RECORDING CHARGES:

Recording charge (per document) is the following:

COUNTY	FIRST PAGE	EACH ADDITIONAL PAGE
Clackamas	$53.00	$5.00

**NOTE: When possible the company will record electronically. An additional charge of $5.00 applies to each document that is recorded electronically.

**NOTE: A multiple transaction document bears an additional $5.00 charge for each additional transaction. A document that fails to conform to certain formatting and page one requirements bears an additional $20.00 charge.

RECORDING CHARGES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

NOTE REGARDING ARBITRATION: THE POLICY OR POLICIES OF TITLE INSURANCE TO BE ISSUED WILL CONTAIN A CLAUSE PERMITTING ARBITRATION OF CLAIMS AT THE REQUEST OF EITHER THE INSURED OR THE COMPANY. UPON REQUEST, THE COMPANY WILL PROVIDE A COPY OF THIS CLAUSE AND THE CURRENTLY APPLICABLE ARBITRATION RULES. FOR THE APPLICABLE ENDORSEMENT CHARGE, THE COMPANY WILL DELETE THE ARBITRATION CLAUSE IF IT RECEIVES BEFORE CLOSING A WRITTEN REQUEST FOR THE ENDORSEMENT

NOTE: It is our policy in Oregon to identify a reduced title insurance charge on Schedule A when it appears to us that your transaction qualifies for a reduced charge. The reduction usually is computed as a percentage of the Company's basic rate. If a reduced charge appears on Schedule A, it is one of the following:

Short Term Rate: A discount of 25% of the basic rate applies when title insurance has been issued for the property within the previous three years.

Builder–Developer Rate: A discount of 35% of the basic rate may apply when a party to the transaction is a builder or developer and the property is residential.

Contract Fulfillment Rate: A discount of up to 50% of the basic rate may apply to an owner's policy issued upon fulfillment of a previously insured land sale contract.

Leasehold to Owner's Conversion Rate: A previously insured lessee who exercises an option to purchase in the lease may obtain title insurance for the purchase with a 50% credit from the previous policy.

Post-Construction Permanent Loan Rate. A discount of up to 75% of the basic rate may apply to a loan policy for a permanent mortgage when it refinances a previously insured construction loan.

Reorganization Rate: A discount of up to 65% of the basic rate may apply for title insurance to a business entity that is affiliated with a previously insured business entity.

Corporate Employee Transfer Rate: When a corporation transfers an employee from one area to another and the employee's corporation or one rendering employee transfer services acquires the employee's property with title insurance, a discount of up to 50% applies to the resale.

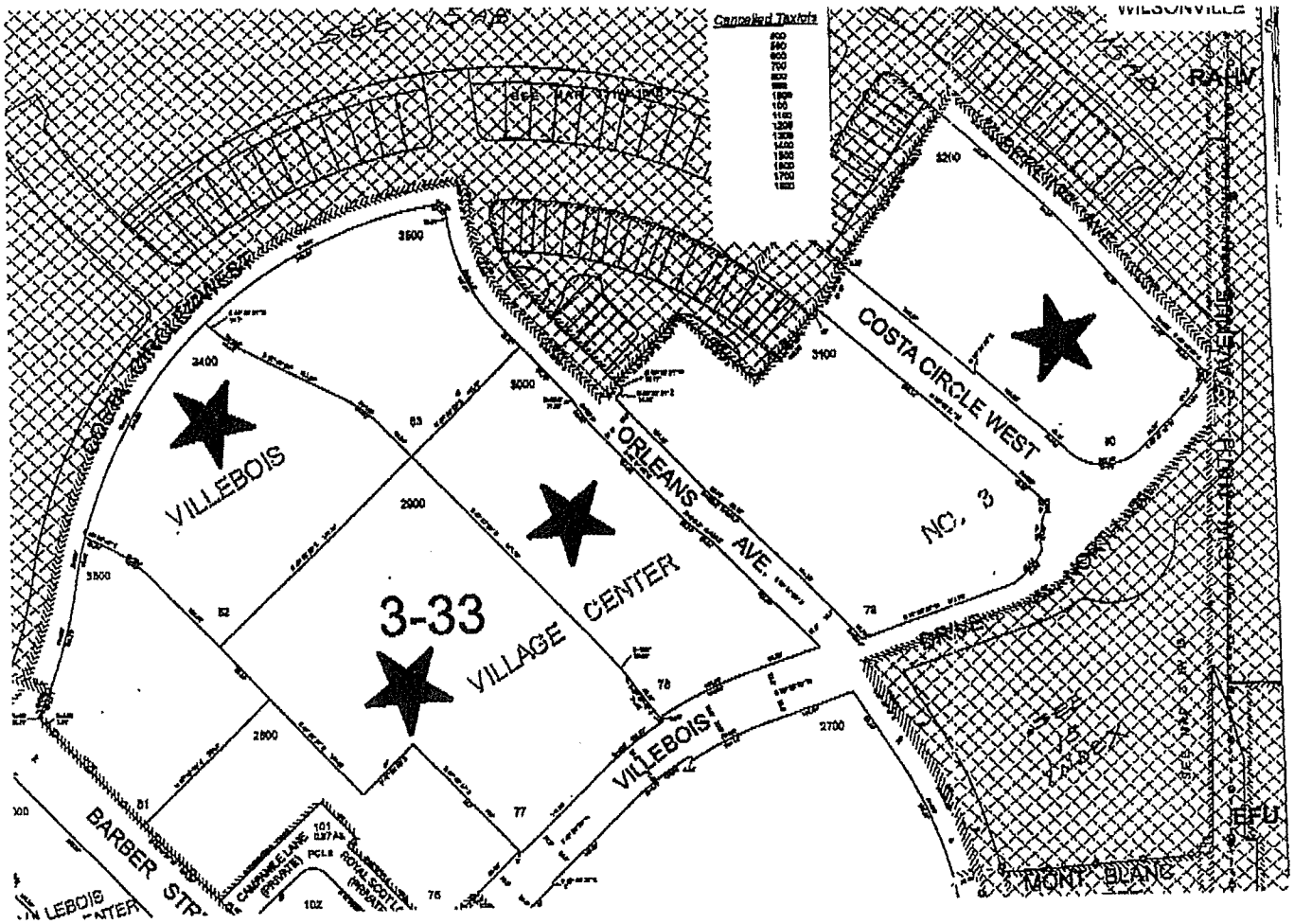
Simultaneous Issue Rate: A special rate may apply when two or more policies are issued simultaneously, such as a loan policy with an owner's policy or two loan policies.

For many real estate transactions, Federal law requires that a settlement statement show the allocation of title insurance charges between title insurer and title insurance agent. For the transaction that is the subject to this report, the allocation is as follows:

i. Lawyers Title of Oregon, LLC (agent): 88%
ii. Fidelity National Title Insurance Company, a California Corporation (Insurer): 12%

IF YOU THINK A REDUCED RATE APPLIES TO YOUR TRANSACTION BUT IT DOES NOT APPEAR ON SCHEDULE A, PLEASE INFORM YOUR ESCROW OFFICER OR TITLE OFFICER. You may contact your escrow officer or title officer at the phone number, email address or mailing address shown on this report.

End of Report
/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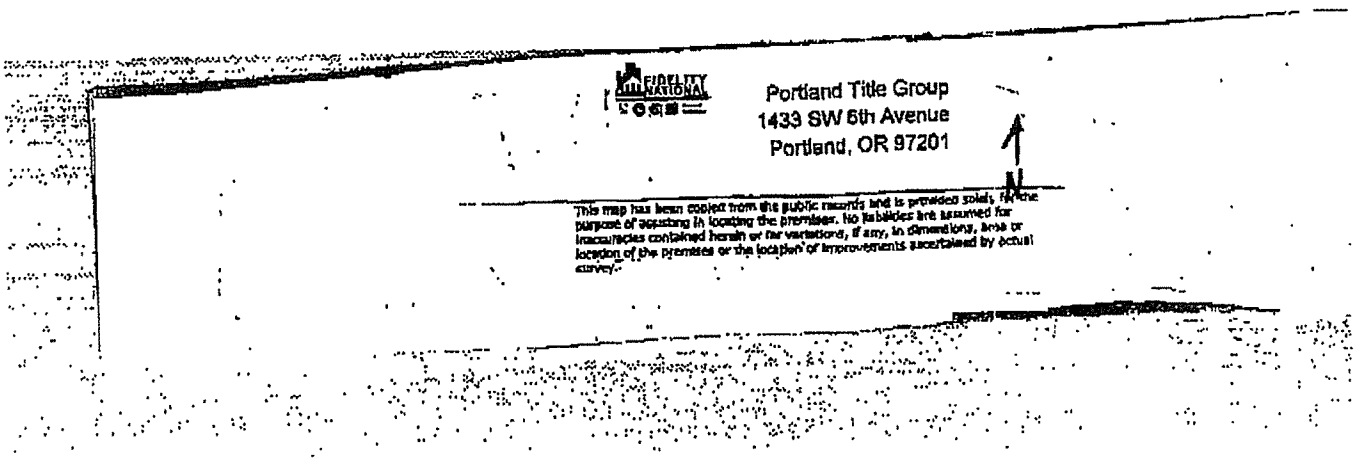
COSTA CIRCLE WEST
ORLEANS AVE.
VILLEBOIS
3-33
VILLAGE
CENTER
NC, 3
VILLEBOIS
BARBER STR
MONT. BLANC
EFU


FIDELITY NATIONAL TITLE
Portland Title Group
1433 SW 6th Avenue
Portland, OR 97201
This map has been copied from the public records and is provided solely for the purpose of assisting in locating the premises. No liabilities are assumed for inaccuracies contained herein or for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.

IC) Fee Caculation
ID) Mailing List

These 2 items have been omitted due to sensitive information.

IE) Updated SAP Central Phasing & Unit Counts

Villebois (updated 11/17/15)

Land Use Table

LAND USE	SAP NORTH	SAP SOUTH	SAP EAST	SAP CENTRAL	TOTAL
Estate	22	0	0	0	22
Large	43	104	0	0	147
Standard	20	68	49	0	137
Medium	89	127	112	0	328
subtotal	**174**	**299**	**161**	**0**	**634**
Small Detached	214	158	226	8	606
Small Attached / Cottage	49	0	147	9	205
Rowhouse	0	103	42	340	485
Nbhd Apartments	10	21	0	0	31
Village Apartments	0	0	0	366	366
Condos	0	0	0	33	33
Urban Apartments	0	0	0	83	83
Mixed Use Condos	0	0	0	97	97
Specialty Condos	0	0	0	47	47
subtotal	**273**	**282**	**415**	**983**	**1,953**
TOTAL UNITS	**447**	**581**	**576**	**983**	**2,587**

SAP Central (updated 11/17/15)

	Existing Count	Proposed***									
LAND USE	**SAP CENTRAL**	**PDP 1C***	**PDP 2C****	**PDP 4C**	**PDP 6C**	**7C**	**8C**	**9C**	**10C**	**11C**	**12C**	**Total**
Estate	0	0	0	0	0	0	0	0	0	0	0	0
Large	0	0	0	0	0	0	0	0	0	0	0	0
Standard	0	0	0	0	0	0	0	0	0	0	0	0
Medium	0	0	0	0	0	0	0	0	0	0	0	0
subtotal	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Small Detached	8	0	0	8	0	0	0	0	0	0	0	8
Small Attached/Cottage	9	0	0	9	0	0	0	0	0	0	0	9
Rowhouse	203	56	13	40	31	68	50	82	0	0	0	340
Village Apartments	385	304	52	0	0	0	0	0	(6-14)	0	0	356 + (6-14)
Condos	46	3	0	0	0	0	0	0	(15-30)	(5-10)	0	3 + (20-40)
Urban Apartments	130	0	58	0	0	0	0	0	0	(18-32)	0	58 + (18-32)
Mixed Use Condos	104	(8-12)	(24-30)	0	0	0	0	0	0	0	(24-96)	(56-138)
Specialty Condos	127	0	0	0	0	0	0	0	(34-60)	0	0	(34-60)
subtotal	**1,012**	**363+(8-12)**	**123 + (24-30)**	**57**	**31**	**68**	**50**	**82**	**(55-104)**	**(23-42)**	**(24-96)**	**774+ (134-284)**
TOTAL UNITS	**1,012**	**908 - 1058**										

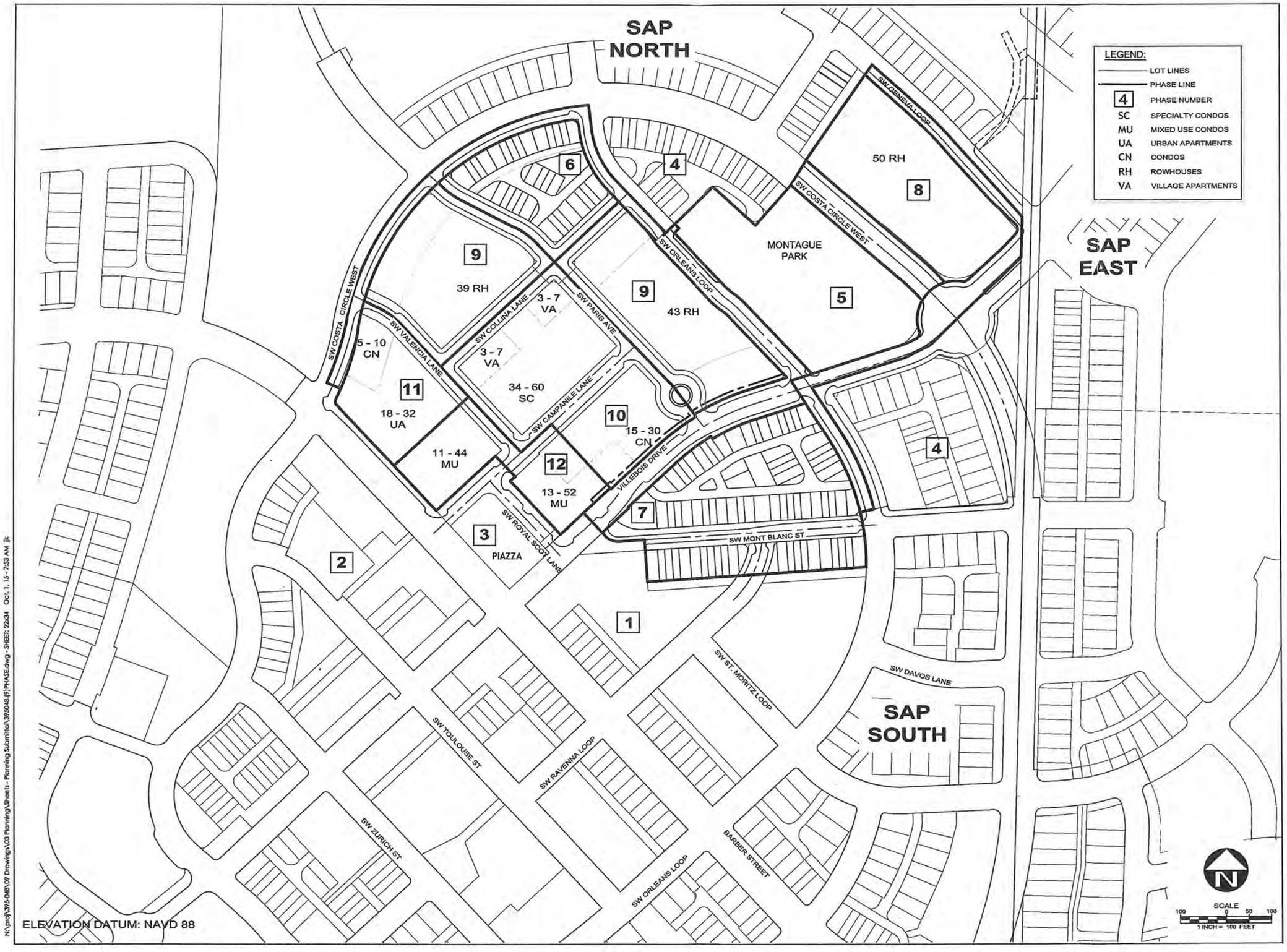
(#-#) indicates range approved with either PDP or SAP, but no building or refined unit count yet defined

* PDP 1C Approved & Built; FDP's Approved for The Alexan - 274 Apts (built), 39 RH w/ Polgyon 2013 MOD (31 built), 3 Carvalho Condos (built), and 30 Rainwater Garden Apts (built) + 2014 PDP Mod to change 30 condos to 18 RH & 8 RH to 7 RH

**PDP 2C Approved & Built; FDP's Approved for The Charlston - 52 Apts (built), 13 RH w/ Polygon MOD (built), Carvalho Carriage Homes - 6 Apts approved 2014 (0 built) + 2014 PDP Mod to change 39 Condo's (Trafalgar Flats) to 49 Urban Apts + 3 Condo's (Carriage Homes) to 3 Urban Apts

***PDP 3C = Piazza & PDP 5C = Montague Park; no residential density (not included in table); PDP 6C & PDP 7C received planning approval in July 2015; PDP 8C & PDP 9C are pending planning approval (each PDP submitted separately)

	Proposed Count
LAND USE	**SAP CENTRAL**
Estate	0
Large	0
Standard	0
Medium	0
subtotal	**0**
Small Detached	8
Small Attached/Cottage	9
Rowhouse	340
Nbhd Apartments	0
Village Apartments	366
Condos	33
Urban Apartments	83
Mixed Use Condos	97
Specialty Condos	47
subtotal	**983**
TOTAL UNITS	**983**



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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

SAP CENTRAL
PHASING PLAN
UPDATE

1ST SUBMITTAL DATE 10/02/2015

9

Section II) Preliminary Development Plan

IIA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT

PRELIMINARY DEVELOPMENT PLAN 8 - CENTRAL

SECTION IIA

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II. PROPOSAL SUMMARY & CONCLUSION 35

I. WILSONVILLE PLANNING & LAND DEVELOPMENT ORDINANCE

SECTION 4.125 VILLAGE (V) ZONE

(.02) PERMITTED USES

Examples of principle uses that are typically permitted:

D. Row Houses

H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.

Response: This Preliminary Development Plan (PDP) application proposes to create 50 lots for development of row houses, as well as a 0.62 acres for a pocket park and linear greens. All proposed uses within the subject PDP are permitted pursuant to this section.

(.05) DEVELOPMENT STANDARDS APPLYING TO ALL DEVELOPMENTS IN THE VILLAGE ZONE

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

A. Block, Alley, Pedestrian and Bicycle Standards:

1. Maximum 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.

Response: Blocks within the proposed PDP plan meet the maximum 1,800-foot block perimeter.

2. Maximum spacing between streets for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions from meeting this standard.

Response: Blocks within the proposed PDP plan meet the maximum 530-foot spacing for local street access.

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

Response: 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.

C. Trailers, travel trailers, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or

calling, or for storage of material, unless approved for such purpose as a temporary use.

Response: No trailers, travel trailers, mobile coaches, or such vehicles will be used for the purpose of conducting a trade or calling or for the storage of material unless approved as a temporary use.

D. Fences:

1. General Provisions:

a. Fencing within the Village Zone shall be in compliance with the Master Fencing Program in the adopted Architectural Pattern Book for the appropriate SAP.

b. When two or more properties with different setbacks abut, the property with the largest front yard setback requirement shall be used to determine the length and height of the shard side yard fence, as required by section 4.125 above.

c. The development Review Board may, in their discretion, require such fencing as deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.

2. Residential:

a. The maximum height of any fence located in the required front yard of a residential development shall not exceed three (3) feet.

b. Fences on residential lots shall not include chain link, barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flake board. Fences in residential areas that protect wetlands, or other sensitive areas, may be chain link.

Response: The SAP Central Master Fencing Plan does not indicate any required community fencing within the subject PDP. The Village Center Architectural Standards (VCAS) indicate that fencing is optional and when provided should be consistent with the architecture. The architectural style of the proposed row homes is American Modern (Craftsman). The Row Homes will include covered front porches.

E. Recreational Area in Multi-Family Residential and Mixed Use Developments.

Response: The proposed PDP includes lots for the development of single family residential homes; therefore this standard does not apply.

F. Fire Protection:

1. All structures shall include a rated fire suppression system (i.e., sprinklers), as approved by the Fire Marshal

Response: All of the homes within the proposed PDP area will include appropriate fire suppression systems. This will be verified with review of future building permit applications.

Table V-1 Development Standards

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [10, 12] (%age)	Max. Bldg. Height (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Commercial Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	5	NR	NR	NR	NA
Hotels - Village Center [14]	NR	NR	NR	1	80	60	NR [3]	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	8	NR	NR	NR	NA
~~Multi-Family Dwellings - Village Center~~ [14]	~~NR~~	~~NR~~	~~NR~~	~~1~~	~~80~~	~~45~~	~~5~~ [4]	~~15~~	~~NR~~	~~NR~~	~~NR~~	~~NA~~
Row Houses [11] - Village Center [14]	NR	NR	NR	1	80	45	5 [4]	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	1	60	45	8 [4]	15	NR	NR	NR	NA
Row Houses [11]	NR	15	50	1	80	45	8 [5]	15	NR	NR	NR	NA
Duplexes	4,000	45	70	2	60 [16]	35	12 [5, 6]	20 [6]	5	5 [15]	7	8,17,18
Single-Family Dwellings	2,250	35	50	2	60 [16]	35	12 [5, 6]	20 [6]	5	5 [15]	7	8,17

Notes: NR No Requirement

NA Not Allowed

1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)

2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage
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 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.

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, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.

6 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.

7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.

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 façade 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.

12 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.

13 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.

14 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.

15 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.

16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.

17 Dwellings on lots without alley access shall be at least 36 feet wide.

18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.

19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.

20 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]

Response: The *Tentative Plat* (see Section IIIB in this Notebook) depicts proposed lot sizes and dimensions. All of the lots meet applicable requirements, as addressed below. All of the lots will be developed with single family attached row houses, with no more than ten contiguous units along a street edge. Table V-1 does not indicate a minimum lot size, width or depth for Row Houses in the Village Center. The proposed PDP 8C does not have any lots >8,000 sf, so no maximum lot coverage applies. Row House lots will have a frontage width greater than 80%, except as allowed by footnote 11 of Table V-1. Row Houses will not have building heights greater than 45 ft, and will have front setbacks between 5-10 ft, except as allowed under footnote 4 above. No additional standards from Table V-1 apply.

(.07) GENERAL REGULATIONS – OFF-STREET PARKING, LOADING & BICYCLE PARKING

Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the village zone.

A. General Provisions:

1. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.

2. The Board shall have the authority to grant variances or refinements to these standards in keeping with the purposes and objectives set forth in this zone.

Response: The applicant acknowledges that the provision and maintenance of off-street parking is the continuing obligation of the property owner. There are no variances or refinements to the standards of this section proposed with this application.

B. Minimum and Maximum Off-Street Parking Requirements:

1. Table V-2, Off-Street Parking Requirements, below, shall be used to determine the minimum and maximum parking standards for noted land uses. The number of required parking spaces shown in Table V-2 shall be determined by rounding to the nearest whole parking space…

Table V-2: Off-Street Parking Requirements

Category	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short Term	Bicycle Long Term
Single Family Detached Dwelling Units	1.0 / DU	NR	NR	NR
Row Houses	1.0 / DU	NR	NR	NR

Response: Each of the homes will provide a minimum of a one-car garage in compliance with this standard. Some homes will have space for a car to park in a driveway, as noted on the Parking Plan (see Section IIB).

C. Minimum Off-Street Loading Requirements:

Response: The proposed PDP includes lots for development of single family row homes; therefore no loading areas are required.

D. Bicycle Parking Requirements:

Response: The proposed PDP includes single family row house units. There is no bicycle parking requirement for these unit types, as noted in *Table V-2* above, therefore these standards do not apply.

(.08) OPEN SPACE

Open space shall be provided as follows:

A. 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 front yard areas shall not be counted towards the required open space area. Required rear yard areas and other landscaped areas that are not within required front or side yards may be counted as part of the required open space.

B. 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. See SROZ provisions, Section 4.139.10.

C. 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.

Response: 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 8C includes a pocket park and linear greens not shown in the *Villebois Village Master Plan* for this area, thereby increasing park areas. This proposal provides more park areas than originally included in this phase.

(.09) STREET & ACCESS IMPROVEMENT STANDARDS

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

1. General Provisions:

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

Development Plan, or Final Development Plan and the following standards:

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

i. 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.

Response: All street improvements within this PDP will comply with the applicable Public Works Standards. 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*. The street system is illustrated on the *Circulation Plan* (see Section IIB of this Notebook).

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

Response: All streets within this PDP will be developed with curbs, landscape strips, sidewalks, and bikeways or pedestrian pathways as depicted on the *Circulation Plan* (Section IIB of this Notebook) and in accordance with the *Master Plan*.

2. Intersections of streets

a) Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.

b) Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of thirty (30) foot centerline radius and said angle shall not be less than sixty (60) degrees. Any angle less than ninety (90) degrees shall require approval by the City Engineer after consultation with the Fire District.

Response: The plan sheets located in Section IIB of this Notebook demonstrate that all proposed streets will intersect at angles consistent with the above standards (see the *Tentative Plat* in Section IIIB).

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

i. 1000 ft. for major arterials
ii. 600 ft. for minor arterials
iii. 100 ft. for major collector
iv. 50 ft. for minor collector

Response: The plan sheets located in Section IIIB of this Notebook demonstrate that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created (see the *Tentative Plat* in Section IIIB).

d) Curb Extensions:

i. 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 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.**

Response: Curb extensions are shown on the *Circulation Plan* (see Section IIB). Curb extensions will not obstruct bicycle lanes on collector streets, as the subject property is not adjacent to collector streets. The attached drawings illustrate that all street intersections will have a minimum 20 foot wide clear distance between curb extensions on all local residential street intersections.

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

Response: The *Grading & Erosion Control Plan* located in Section IIB, demonstrates that proposed streets can comply with this standard.

4. Centerline Radius Street Curves:

The minimum centerline radius street curves shall be as follows:

a) Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by City Engineer.

b) Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.

c) Local streets: 75 feet

Response: The *Tentative Plat* (see Section IIIB) demonstrates that all streets will comply with the above standards.

5. Rights-of-way:

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

Response: Rights-of-way for adjacent streets have already been dedicated as shown on Section IIB of this Notebook.

6. Access drives.

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

b) 16 feet for two-way traffic.

Response: 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.

7. Clear Vision Areas

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

Response: Clear vision areas will be provided and maintained in compliance with the Section 4.177.

8. Vertical clearance:

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

Response: Vertical clearance will be provided and maintained in compliance with the Section 4.177.

9. Interim Improvement Standard:

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

Response: No interim improvements are proposed.

(.10) SIDEWALK AND PATHWAY IMPROVEMENT STANDARDS

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

Response: 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 Section IIB of this notebook).

(.11) LANDSCAPING, SCREENING AND BUFFERING

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

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

Response: The *Street Tree/Lighting Plan* shows the street trees proposed within this PDP. The trees are in conformance with the Community Elements Book.

(.12) MASTER SIGNAGE AND WAYFINDING

Response: The SAP Central *Signage & Wayfinding Plan* indicates an internal site identifier within the subject property. The attached PDP plans (see Section IIB of this Notebook) and FDP plans (see Section VB of this Notebook) are consistent with the SAP Central *Signage & Wayfinding Plan*.

(.14) DESIGN STANDARDS APPLYING TO THE VILLAGE ZONE

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

1. Generally:

a. Flag lots are not permitted.

Response: No flag lots are proposed (see the *Tentative Plat* in Section IIB of this Notebook).

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

Response: No lots without alley access are proposed in this PDP.

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

Response: None of the lots include accessory dwellings; therefore this standard does not apply.

d. For Village Center lots facing two or more streets, two of the facades shall be subject to the minimum frontage width requirement. Where multiple buildings are located on one lot, the facades of all buildings shall be used to calculate the Minimum Building Frontage Width.

Response: All lots in this PDP are in the Village Center. For lots facing two or more streets (Lot 26), the two street-facing facades will meet the minimum frontage width requirement.

2. Building and site design shall include:

a. Proportions and massing of architectural elements consistent with those established in an approved Pattern Book or Village Center Design.

b. Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Pattern Book, Community Elements Book or approved Village Center Architectural Standards.

Response: Compliance with the *Village Center Architectural Standards* is demonstrated with the FDP in Section V of this Notebook. Compliance with the Community Elements Book is demonstrated later in this report.

c. Protective overhangs or recesses at windows and doors.

d. Raised stoops, terraces or porches at single-family dwellings.

e. Exposed gutters, scuppers, and downspouts.

Response: As shown in the architectural drawings in the FDP (see Section V of this Notebook), the buildings proposed in the FDP will include protective overhangs and recesses at windows and doors and exposed gutters and downspouts. The row homes each include a covered porch at the front entrance.

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

Response: There are no existing trees in this FDP area.

g. A landscape plan in compliance with Section (.11), above.

Response: The FDP plans (see Section VB) comply with the requirements of Sections 4.125(.07) and (.11).

h. Building elevations of block complexes shall not repeat an elevation found on an adjacent block.

i. Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.

Response: A block complex is defined as "an assemblage of buildings bounded entirely by intersecting streets so as to form a single, comprehensive group." In adjacent block complexes and lots, elevations are not repeated. The adjacent homes to the west across the alley include row homes in English Revival and French Revival Architectural styles. To the north directly across Berlin Avenue, the homes are small cottages in a variety of architectural styles. Just north of the cottages are small lots with single family homes with similar elevations. Southwest of the site are additional detached single family homes, cottages, and rowhomes in French Revival, English Revival, and in a variety of architectural styles. Directly south of PDP 8C, across SW Costa Circle West, is Montague Park.

The proposed Row Homes will use the American Modern (Craftsman) elevations. The proposed Row Homes will not repeat the Elevations built on adjacent lots or block complexes. These Row Homes will serve as transitions from the residential neighborhood to the north and west of the site into the Village Center. Densities increase towards and closer to the core of the Village Center (the mixed use area surrounding the Piazza). Row Homes on the subject block provide for an appropriate transitional density and building massing and height at the outer edge of the Village Center boundary. Additionally, Montague Park offers transitional space from the outer edge of the Village Center leading to the Piazza at the core of the Village Center.

j. A porch shall have no more than three walls.

Response: As shown on the architectural drawings in Section VB of this Notebook, balconies for the proposed Row Homes will not have more than 3 walls.

k. A garage shall provide enclosure for the storage of no more than three vehicles.

Response: As shown on the architectural drawings in Section VB, each garage will provide storage for no more than three vehicles.

3. Lighting and site furnishings shall be in compliance with the approved Community Elements Book.

Response: The FDP application in Section V of the Notebook shows site furnishings within the parks. The *Street Tree/Lighting Plan* (see Section IIB) shows proposed street trees and lighting for this Preliminary Development Plan. These plans illustrate that lighting and site furnishings will be provided in compliance with the Community Elements Book.

4. Building systems, as noted in Tables V-3 and V-4 (Permitted Materials and Configurations), below, shall comply with the materials, applications and configurations required therein.

Response: The PDP does not propose any buildings. A concurrent FDP application for the proposed architecture is included in Section V of the Notebook.

(.18) VILLAGE ZONE DEVELOPMENT PERMIT PROCESS

B. Unique Features and Processes of the Village (V) Zone. To be developed, there are three (3) phases of project approval. Some of these phases may be combined, but generally the approvals move from the conceptual stage through to detailed architectural, landscape and site plan review in stages. All development within the Village zone shall be subject to the following processes:

2. Preliminary Development Plan (PDP) approval by the Development Review Board, as set forth in Section 4.125(.18)(G) through (K) (Stage II equivalent), below. Following SAP approval, an applicant may file applications for Preliminary Development Plan approval (Stage II equivalent) for an approved phase in accordance with the approved SAP, and any conditions attached thereto. Land divisions may also be preliminarily approved at this stage. Except for land

within the Central SAP or multi-family dwellings outside the Central SAP, application for a zone change and Final Development Plan (FDP) shall be made concurrently with an application for PDP approval. The SAP and PDP/FDP may be reviewed simultaneously when a common ownership exists.

Final Development (FDP) approval by the Development Review Board or the Planning Director, as set forth in Sections 4.125(.18)(L) through (P) (Site Design Review equivalent), below, may occur as a separate phase for lands in the Central SAP or multi-family dwellings outside the Central SAP.

Response: The Applicant is requesting approval of a Preliminary Development Plan (PDP). Compliance with Sections 4.125(.18)(G) through (K) is demonstrated in the following sections of this report. This PDP addresses Phase 8 on the amended SAP Central Phasing Plan, as shown in Exhibit IE of this Notebook. This PDP includes a request to amend the SAP Central Phasing as shown in Exhibit IE.

A request for preliminary approval of a tentative subdivision plat is submitted concurrent with this PDP application (see Section III of this Notebook). A request for a zone change to Village (V) zone is also submitted concurrent with this PDP application (see Section IV of this Notebook). A Final Development Plan is also submitted concurrent with this PDP (see Section V of this Notebook).

G. Preliminary Development Plan Approval Process:

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

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

Response: This PDP addresses Phase 8 on the amended SAP Central Phasing Plan, as shown in Exhibit IE of this Notebook. This PDP includes a request to amend the SAP Central Phasing as shown in Exhibit IE.

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

Response: This application is made by Polygon WLH, LLC, who is authorized by the Property Owner to submit the application. The application form can be found in Exhibit IB, which includes the property owner's signature.

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

Response: The appropriate application form and fee have been filed with this submittal. A copy of the form and fee are included in Sections IB and IC, respectively.

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

Response: The professional coordinator and professional design team are set forth in the Introductory Narrative, located in Section IA of this Notebook.

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

Response: This PDP does not include mixed land uses. The proposed land uses are shown on the *Site/Land Use Plan,* in Section IIB of this Notebook.

f) Include a preliminary land division (concurrently) per Section 4.400, as applicable.

Response: This application includes a request for preliminary land division approval. This request for approval of a Tentative Plat can be seen in Section III of this Notebook. This section includes a Supporting Compliance Report, the proposed Tentative Plat, draft CC&R's, a copy of the certification of liens & assessments form, and the subdivision name approval from the County Surveyor's Office.

g) Include a concurrent application for a Zone Map Amendment (i.e., Zone Change) for the subject phase.

Response: This application includes a request for a zone map amendment to zone the subject Preliminary Development Plan area Village (V). This zone change request can be seen in Section IV of this Notebook. This section includes a Supporting Compliance Report, a Zone Change Map, and a legal description & sketch of the proposed zone change area.

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

a) A boundary survey or a certified boundary description by a surveyor licensed in the State of Oregon.

b) Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, (e.g., flood plain, wetlands, forested areas, steep slopes or adjacent to stream banks). Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:

i) One (1) foot contours for slopes of up to five percent (5%);

ii) Two (2) foot contours for slopes from six percent (6%) to twelve (12%);

iii) Five (5) foot contours for slopes from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and

iv) Ten (10) foot contours for slopes exceeding twenty percent (20%).

c) The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the PDP and within 50 feet of the PDP boundary, as required by Section 4.139.

Response: 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 this Notebook). Topographic information in accordance with Section 4.125(.18)G.2.b. is shown on the *Existing Conditions*, located in Section IIB of this Notebook. The site does not include any designated SROZ areas.

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

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

Gross Acreage	2.25 Acres
Parks	0.62 Acres
Public Streets	0.00 Acres
Lots and Alleys	1.62 Acres

Net Residential Density: 50 Lots / 2.25 Acres = 30.86 units per net acre

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

Response: The above information is shown on the *Existing Conditions,* the *Tentative Plat*, and the *Circulation Plan*. The plan sheets mentioned above can be found in Section IIB of this Notebook.

f) Conceptual drawings, illustrations and building elevations for each of the listed housing products and typical non-residential and mixed-use buildings to be

constructed within the Preliminary Development Plan boundary, as identified in the approved SAP, and where required, the approved Village Center Design.

Response: The proposed PDP includes Row House units, which are attached single-family homes. A concurrent application for the FDP for architecture is included in Section V. The proposed elevations can be found in Exhibit VC.

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

Response: Proposed storm drainage facilities, and water and sanitary lines are shown on the *Composite Utility Plan* (see Section IIB in this Notebook).

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

Response: The PDP is proposed to be executed in one phase.

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

Response: The applicant will provide a performance bond or other acceptable security for the capital improvements required by the project.

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

Response: A copy of the Traffic Impact Analysis is provided in Section IID.

H. PDP Application Submittal Requirements:

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

a) The location of water, sewerage and drainage facilities;
b) Conceptual building and landscape plans and elevations, sufficient to indicate the general character of the development;
c) The general type and location of signs;
d) Topographic information as set forth in Section 4.035;

e) A map indicating the types and locations of all proposed uses; and

f) A grading and erosion control plan illustrating existing and proposed contours as prescribed previously in this section.

Response: The proposed PDP generally conforms to the approved SAP Central, with the proposed refinements described in the following sections of this report. As demonstrated above, the PDP application includes all information required by 4.125(.18)(D)(1) and (2), as applicable to a PDP. The *Existing Conditions* shows the existing site features, including topographic features. Proposed lots to be created for development are shown on the *Tentative Plat*. The *Grading and Erosion Control Plan* shows the location of drainage facilities, topographic information, and a grading and erosion control facilities. The *Composite Utility Plan* indicates the proposed location of water and sanitary sewer lines and drainage facilities. The *Site/Land Use Plan* indicates the types and locations of all proposed uses in the Preliminary Development Plan. The plan sheets mentioned above can be found in Section IIB of this Notebook.

Landscape plans for the park areas are located with the FDP application materials in Section V of the Notebook. One internal site identifier is proposed, as the SAP Central *Signage & Wayfinding Plan* does indicates an identifier within the subject property.

The proposed PDP includes Row House units, which are attached single-family homes. Elevations for the row homes within the PDP are included in Exhibit VC, along with a concurrent request for FDP approval of the architecture.

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

Response: A copy of the Traffic Impact Analysis is provided in Section IID.

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

Response: 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 Section V of this Notebook).

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

Response: Copies of legal documents will be provided as appropriate and required by the Development Review Board.

I. PDP Approval Procedures

1. An application for PDP approval shall be reviewed using the following procedures:

a) Notice of a public hearing before the Development Review Board regarding a proposed PDP shall be made in accordance with the procedures contained in Section 4.012.

b) A public hearing shall be held on each such application as provided in Section 4.013.

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

Response: In accordance with the procedures contained in Section 4.012, the City shall provide notice of a public hearing before the Development Review Board on the proposed Preliminary Development Plan. This report, in conjunction with all submitted information, demonstrates that the proposal conforms to the applicable permit criteria set forth in the City's Code.

J. PDP Refinements to Approved Specific Area Plan

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

a) Refinements to the SAP are defined as:

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

Response: The PDP design does not propose any refinements to the street network or functional classification of streets.

ii. Changes to the nature or location of parks types, trails or open space that to not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Preliminary Development Plan.

Response: The *Villebois Village Master Plan* and SAP Central do not show any parks, linear greens, or open space within the proposed PDP area. A minor pathway segment is shown in the Master Plan crossing north to south through the center of the site. A pocket park and linear greens, totaling 0.62 acres, will be added to this area with the proposed design for PDP 8C. The minor pathway is provided as shown in the Master Plan. Proposed refinements increase the park space within the PDP. 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.

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

Response: The PDP design proposes refinements to the rainwater treatment facilities. The proposed development will contain a swale and a bio-retention cell within the pocket park, instead of the planter boxes previously shown in SAP Central. The proposed rainwater treatment facilities are better suited to the proposed Row Home development and create an amenity within the pocket park.

PDP 8C will treat 99% of the impervious area created on site. With the existing and future treatment facilities located on the remaining portion of SAP Central, SAP Central will treat 65% of the overall impervious area created. Based on this information, the proposed rainwater refinement does not significantly reduce the service or function of rainwater treatment within SAP Central.

iv. 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 the 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.

v. 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.

Response: SAP Central was approved in 2006. Since the approval of SAP Central, seven (7) separate PDP's have been approved or submitted for approval and some modifications of original approvals have also occurred. The following analysis reflects the final and current approved unit counts in PDP 1C, PDP 2C, PDP 3C, and PDP 4C, PDP 5C or Montague Park, PDP 6C, and PDP 7C (Note: PDP 9C is being submitted concurrently).

For purposes of this analysis, it is important to keep in mind that changes to the mix/location of "land uses" are to be evaluated as described by the code – in the aggregate. The code defines one land use group as condos, apartments, row houses, and small detached uses – which will be referred to as the 'smaller land use group' in the following analysis. The recent Planning Director's Interpretation approved under Case File AR12-0021 found small attached uses to be included in this smaller land use group. Recent approvals of PDP 3E and PDP 4E, as well as modifications in PDP 5S and PDP 1N, have approved Small Cottages as a replacement for the Small Attached and Row House uses. The code defines the second land use group as mediums, standards, large and estate uses – which will be referred to as the 'larger land use group' in the following analysis.

PDP 8C refines the subject area beyond what was described in SAP Central. The total density shown for the subject area in SAP Central is 66-98 Village Apartment units.

PDP 8C proposes 50 Rowhome units. The proposed refinements result in the addition of a pocket park and linear greens.

Table A below shows the number of units in each land use category currently within SAP Central and the number of units in the SAP with the proposed refinement as well as the percent change in each aggregate land use category. Table B shows the number of units originally shown in SAP Central and the number of units in the SAP with the proposed refinement, as well as the percent change in each aggregate land use category.

Note: Since PDP 8C is submitted at the same time as PDP 9C, the following analysis includes both requests in the proposed unit counts.

Table A. Comparison of Current and Proposed Unit Counts

	Current Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,012	983	-2.90%
Total	1,012	983	-2.90%

Table B. Comparison of Original SAP Central and Proposed Unit Counts

	Original Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,010	983	-2.67%
Total	1,010	983	-2.67%

NOTE: The Current Unit Count for SAP Central reflects the final approved unit counts for PDP 1C, PDP 2C, PDP 3C, and PDP 4C, and proposed unit counts for PDP 5C (Montague Park), PDP 6C, and PDP 7C. Figures also account for recent Modifications to PDP 1C and PDP 2C. PDP 9C is being submitted concurrently.

Both tables show that the proposed refinements do not exceed the 10% standard. This proposal results in a total of 2,587 units within Villebois. This is above the density of 2,300 units required to be obtained across Villebois, meeting the refinement criteria.

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

a. As used herein, "significant" means:

i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above, or,

ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.

Response: The PDP does not include changes that are significant under the above definitions. As the above findings demonstrate, the proposed refinements of providing row homes in place of apartments, less density, and a pocket park do not cause a quantifiable change greater than 10%. Additionally, the proposed refinements do not negatively affect an important, qualitative feature of Villebois as demonstrated in the following responses. The proposed refinements will provide a plan for the subject block that better addresses the transitional nature of its location at the outer edge of the Village Center. The proposed refinements contribute to the range of home ownership options within the Village Center and within Villebois. Additionally, the proposed refinements result in a greater amount of greenspace through the addition of a pocket park and linear greens.

2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:

a) The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.

Response: None of the conditions of approval for SAP Central are specific to the proposed refinements. As the proposed refinements will not compromise the project's ability to comply with SAP conditions of approval, they will equally meet the conditions of approval of SAP Central.

The proposed refinements will equally or better meet the following Goals, Policies and Implementation Measures of the *Villebois Village Master Plan* than the SAP Central plan.

- ***Land Use, General Land Use Plan Goal*** – *Villebois Village shall be a complete community that integrates land use, transportation, and natural resource elements to foster a unique sense of place and cohesiveness.*
- The proposed PDP 8C plan better integrates natural resource elements with land uses and transportation through additional park areas for a pocket park and linear greens.
- ***Land Use, General Land Use Plan 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.*
- The proposed PDP 8C plan meets this Land Use Plan Policy by contributing to the range of living choices for attached single-family home ownership. This was 66-98 Apartment units. Now, 50 Row Houses are proposed. The replacement of Apartment units with Row House units better meets current market demand and city-wide goals of providing for a variety of home ownership options. The site is located within a transitional area at the outer edge of the Village Center and better provides for this transitional nature in terms of density and building massing and height, both of which are intended to increase towards the core of the Village Center (mixed use areas surrounding the Piazza). This proposal maintains the project's path of exceeding the minimum density of 2,300 units across Villebois.
- ***Villebois Village Master Plan, Village Center Policy 1*** – *The Village Center shall be a highly pedestrian-oriented place that is the focus of a mix of residential, shopping, service, and civic and mixed-use buildings.*
- The proposed PDP 8C plan meets this Land Use Plan Policy by increasing park space and providing street frontages that are highly pedestrian oriented with covered front porches on all Row Homes. As described above, PDP 8C contributes to the mix of residential options in the Village Center by providing additional ownership options and serving the transitional nature of its location at the outer edge of the Village Center.
- ***Villebois Village Master Plan, Village Center Policy 2*** – *The Village Center shall encourage multi-modal transportation system opportunities with good access by vehicular, pedestrian, bicycle and transit traffic.*

- The proposed PDP 8C plan encourages multi-modal transportation system opportunities by providing convenient vehicular access through alleys and encouraging pedestrian oriented street frontages by providing for garage access from alleys and by providing a segment of a minor pathway.
- ***Villebois Village Master Plan, Village Center Implementation Measure 2*** – *Specify a mixture of uses (residential, commercial, retail, civic, and office development) with the implementing Village zone that will support the long-term vitality of the Village Center and enhance the creation of a true urban village at its core. Employment may include uses related to high-tech businesses. The Village Center is intended to provide locations for uses consistent with, but not limited to, the following examples.*
  - *Consumer Goods: bookstore, clothing, florist, jeweler, pet shop, bicycle shop.*
  - *Food & Sundries: bakery, specialty grocery, hardware, laundromat, dry cleaner, gifts.*
  - *General Office: professional offices, non-profit, health services, governmental services, real estate, insurance, travel.*
  - *Service Commercial: bank, day care center, photo processing, telecommunications, upholstery shop.*
  - *Lifestyle & Recreation: hair salon, specialty retail, theater, video/DVD store, art gallery, health club, restaurants, dance studio.*
  - *Hospitality: hotel, bed and breakfast, conference center.*
  - *Light Manufacturing/Research and Development.*
  - *Civic/Institutional: meeting hall, library, museum, churches, farmer's market, community center.*
  - *Residential: condominiums, apartments, and townhouses*

    The proposed PDP 8C plan is consistent with the Village Center Implementation Measure 2 by providing single-family residential attached row houses. This use is included in the above list of intended Village Center uses. As described above, PDP 8C contributes to the mix of residential options in the Village Center by providing additional ownership options and serving the transitional nature of its location at the outer edge of the Village Center. Additionally, the proposed PDP 8C provides convenient vehicular access through alleys and provides street frontages that are highly pedestrian oriented with front yard courtyards on all Row Homes.
- ***Parks and Open Space/Off-Street Trails and Pathways Goal*** – *The Parks system within Villebois Village shall create a range of experiences for its residents and visitors through an interconnected network of pathways, parks, trails, open space and other public spaces that protect and enhance the site's natural resources and connect Villebois to the larger regional park/open space system.*
- The Villebois Village Master Plan and SAP Central do not show any parks, linear greens, or open space within the proposed PDP area. A segment of a minor pathway is shown on the Master Plan. A new pocket park and linear greens,

totaling 0.62 acres in size, is added to this area with the proposed design for PDP 8C. The proposed refinement increases the amount of parks and open space that protect and enhance the site's natural resources and connect Villebois to the larger regional park/open space system.

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

Response: As described above, the proposed refinements will better meet the goals, policies, and implementation measures of the VVMP and the framework of SAP Central by better meeting the transitional nature of the site's location at the outer edge of the Village Center, by increasing home ownership options, and adding to the amount of parks and open space provided throughout Villebois. Additionally, proposed rowhomes are better suited to the topography of the site than an apartment building, which minimizes the extent of grading needed.

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

Response: The refinements proposed with PDP 8C do not alter streets or utilities. These refinements in and of themselves have no effect on the development potential of an adjoining or subsequent PDP. Therefore, these refinements will not preclude an adjoining or subsequent PDP or SAP from developing consistent with the approved SAP or *Master Plan*.

3. 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.

4. Amendments to the SAP for phasing will be processed as a Class II administrative review proposal.

Response: The Applicant does not propose an amendment of SAP Central, except for a phasing amendment. This application includes a request for a SAP Central Phasing Amendment.

K. PDP Approval Criteria

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

1. That the proposed PDP:

a. Is consistent with the standards identified in this section.

Response: This Supporting Compliance Report provides an explanation of how the proposed development is consistent with the standards of the Village zone.

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

Response: This Supporting Compliance Report provides an explanation of how the proposed development is consistent with the applicable standards of the Planning and Land Development Ordinance. A description of how the proposed development complies with Section 4.140(.09)J.1-3 is included in the subsequent pages of this report.

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

Response: The proposed Preliminary Development Plan is consistent with Specific Area Plan – Central, as demonstrated by the plan sheets located in Section IIB and this report, and as refined and described earlier in this report.

d. Is consistent with the approved Pattern Book and, where required, the approved Village Center Architectural Standards

Response: The proposed Row Homes are consistent with the Village Center Architectural Standards (VCAS), as demonstrated with the concurrent FDP application in Section V. Proposed lots are sized to accommodate the proposed Row Homes consistent with *Table V-1*.

COMMUNITY ELEMENTS BOOK

Lighting Master Plan

Response: This PDP application includes plans for street lighting within PDP 8C as illustrated on the *Street Tree/Lighting Plan*. The proposed lighting is consistent with the Community Elements Book.

Curb Extensions

Response: As shown on the *Circulation Plan* (see Section IIB), pedestrian calming exists near the northeast corner of the site to facilitate crossing of Villebois Drive. The location of this curb extension is consistent with the Curb Extension Concept Plan Diagram in the Community Elements Book.

Street Tree Master Plan

Response: As shown on the *Street Tree/Lighting Plan*, street trees proposed along the streets in the PDP area are consistent with the respective designated street tree lists.

Site Furnishings

Response: No site furnishings are proposed with this PDP application; however, the concurrent FDP application for the proposed pocket park includes details regarding site furnishings in these areas (see Section V of this Notebook).

Play Structures

Response: No play structures are proposed with this PDP/FDP application.

Tree Protection

Response: No existing trees are located within the site.

Plant List

Response: The *Community Elements Book* approved with SAP – Central contains a Plant List (pages 16-18) of non-native and native trees, shrubs, and groundcovers, ferns, herbs, vines, perennials, grasses, and bulbs for species to plant throughout Villebois. Within the rights-of-way in this PDP, only street trees and rainwater components are proposed. Additional landscaping details are provided with the FDP application which is submitted concurrent with this PDP (see Section V of this Notebook).

MASTER SIGNAGE AND WAYFINDING PLAN

Response: The internal site identifier, as shown on the attached plans (Section IIB), is in accordance with the SAP Central *Signage & Wayfinding Plan*.

RAINWATER PROGRAM

Response: A rainwater management plan is included with the supporting utility reports located in Section IIB of this Notebook. Rainwater management within PDP 8C will be provided through street trees, a swale, and a bio-retention cell located in the pocket park, as shown within the attached plans (Section IIB of this Notebook). The rainwater management plan included in this application is consistent with the rainwater program for SAP Central.

3. 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.

Response: The PDP is proposed to be executed in one phase.

4. 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 special circumstances prohibit completion, in which case bonding for the improvements shall be permitted.

Response: The parks within PDP 8C will be completed prior to occupancy of 50% of the housing units, as required. Bonding will be provided if special circumstances prohibit completion.

5. In the Central SAP, parks shall be constructed within each PDP as provided above, and that pro-rata portion of the estimated cost of Central SAP parks not within the PDP, calculated on a dwelling unit basis, shall be bonded or otherwise secured to the satisfaction of the city.

Response: The proposed PDP is within SAP Central. The Applicant will provide for that pro-rata portion of the estimated cost of Central SAP parks not within the PDP through bonding or other form of security satisfactory to the City.

6. 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.

Response: This report demonstrates that the proposed Preliminary Development Plan is in conformance with Specific Area Plan – Central, and thus, the *Villebois Village Master Plan* as well as the applicable requirements and standards of the Planning and Land Development Ordinance.

SECTION 4.139 SIGNIFICANT RESOURCE OVERLAY ZONE (SROZ) ORDINANCE

Response: The PDP 8C application does not include any areas within the SROZ. Therefore, Section 4.139 does not apply.

SECTION 4.140 PLANNED DEVELOPMENT REGULATIONS

(.09) FINAL APPROVAL (STAGE TWO)

J. 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:

1. 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.

Response: This Supporting Compliance Report demonstrates 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 the City's Planning and Land Development Ordinance.

2. 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.

Response: 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 application, 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 this Notebook.

a. In determining levels of Service D, the City shall hire a traffic engineer at the applicant's expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:

i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of information of the estimate of the traffic generated and the likely routes of travel; (Amended by Ord 561, adopted 12/15/03.)

ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic. This analysis shall be conducted for each direction of travel if backup from other intersections will interfere with intersection operations. (Amended by Ord 561, adopted 12/15/03.).

Response: The traffic generated by the PDP and its impact on the existing LOS will be consistent with the SAP – Central application. A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

b. The following are exempt from meeting the Level of Service D criteria standard:

i. A planned development or expansion thereof which generates three (3) new p.m. peak hour traffic trips or less;

ii. A planned development or expansion thereof which provides an essential governmental service.

Response: This PDP does not request an exemption from meeting the Level of Service D; therefore this criterion does not apply to this project.

c. Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant. (Added by Ord 561, adopted 12/15/03.)

Response: The traffic generated by the PDP will be consistent with the SAP – Central application. A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

d. Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations. (Added by Ord 561, adopted 12/15/03.)

Response: The subject PDP is not exempt from subsection 'b' and the system development charges will be provided as required.

e. In no case will development be permitted that creates an aggregate level of traffic at LOS "F". (Added by Ord 561, adopted 12/15/03.)

Response: The traffic generated by the PDP will be consistent with the SAP – Central application. The DKS evaluation for SAP Central showed that the development will not create an aggregate level of traffic at LOS "F". A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

3. 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.

Response: This Supporting Compliance Report, the Utility and Drainage Reports (see Section IIC of this notebook) and the plan sheets (see *Composite Utility Plan* in Section IIB) show that the future residents of PDP-8 Central will be adequately served by the planned facilities and services.

SECTION 4.154 ON-SITE PEDESTRIAN ACCESS AND CIRCULATION

(.02) On-site Pedestrian Access and Circulation

A. The purpose of this section is to implement the pedestrian access and connectivity policies of the Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.

Response: PDP 8C will be in compliance with Section 4.154 and provide for safe, reasonably direct, and convenient pedestrian access and circulation, as described below.

B. Standards. Development shall conform to all the following standards:

1. Continuous Pathway System. A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable.

Response: Pedestrian pathway sidewalks along SW Costa Circle West and SW Berlin Avenue will extend along the development site and connect to existing adjacent sidewalks.

2. Safe, Direct, and Convenient. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:

Response: Connecting to Montague Park to the south of the site, pedestrian connections are at the end of each block. This is due to topographic constraints at the mid-block path of the site that would not allow for connections into Montague Park. For Neighborhood Park 5 to the North, pedestrian connections into the Park are near the corner of SW Berlin Avenue and SW Villebois Drive North. Pedestrian crossings of these roads are directed to the routes already established with the surrounding development pattern while providing safe, reasonably direct, and convenient connections.

a. Pedestrian pathways area designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.

Response: Pedestrian pathways will be free from hazards and will provide a reasonably smooth and consistent surface.

b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations that does not involve a significant amount of unnecessary out-of-direction travel.

Response: The pathways will be reasonably direct and will not involve a significant amount of unnecessary out-of-direction travel.

c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.

Response: The pathways connect to the front of each home and are consistent with the Americans with Disabilities Act (ADA) requirements (Note: A portion of one pathway includes stairs due to topographic constraints on the site).

d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.).

Response: There are no parking lots within PDP 8C; therefore this criteria is not applicable.

3. Vehicle/Pathway Separation. Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards.

Response: Pedestrian pathways will be separated from the vehicle lane by a mountable curb.

4. Crosswalks. Where a pathway crosses a parking area or driveway, it shall be clearly marking with a contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast).

Response: Where crosswalks cross alleys, they will be clearly marked with a inlay between asphalt.

5. Pathway Width and Surface. Primary pathways shall be constructed concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA.

Response: Primary pathways will be constructed of concrete that are at least five (5) feet in width.

6. All pathways shall be clearly marked with appropriate standard signs.

Response: Pathways will be clearly marked with appropriate standard signs.

SECTION 4.171 GENERAL REGULATIONS – PROTECTION OF NATURAL FEATURES & OTHER RESOURCES

(.02) General Terrain Preparation

A. All developments shall be planned designed, constructed and maintained with maximum regard to natural terrain features and topography, especially hillside areas, floodplains, and other significant land forms.

B. All grading, filling and excavating done in connection with any development shall be in accordance with the Uniform Building Code, all development shall be planned, designed, constructed and maintained so as to:

1. Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.

2. Avoid substantial probabilities of: (1) accelerated erosion; (2) pollution, contamination or siltation of lakes, rivers,

streams and wetlands; (3) damage to vegetation; (4) injury to wildlife and fish habitats.

3. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and nutrient runoff, and preserve the natural scenic character.

Response: 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.

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.

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

Response: 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.

(.04) Trees and Wooded Areas.

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

1. Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.

2. Existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater shall be incorporated into the development plan and protected wherever feasible.

3. Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.

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

1. Avoiding disturbance of the roots by grading and/or compacting activity.

2. Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.

3. **Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.**

4. **Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.**

Response: There are no existing trees on the subject site.

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

A. Due to the restrictions placed on these lands, no residential structures shall be allowed within high voltage powerline easements and rights of way and petroleum pipeline easements, and any development, particularly residential, adjacent to high voltage powerline easements and rights of way and petroleum pipeline easement shall be carefully reviewed.

B. Any proposed non-residential development within high voltage powerline 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.

Response: This Preliminary Development Plan does not contain any high voltage powerline or petroleum pipeline easements or rights of way.

(.06) Hazards to Safety: Purpose:

A. To protect lives and property from natural or human-induced geologic or hydrologic hazards and disasters.

B. To protect lives and property from damage due to soil hazards.

C. To protect lives and property from forest and brush fires.

D. To avoid financial loss resulting from development in hazard areas.

Response: Development of the subject area will occur in a manner that minimizes potential hazards to safety.

(.07) Standards for Earth Movement Hazard Areas:

A. No development or grading shall be allowed in areas of land movement, slump or earth flow, and mud or debris flow, except under one of the following conditions.

Response: Development of the subject area will occur in a manner that minimizes potential hazards to safety. No earth movement hazard areas have been identified within the subject PDP area.

(.08) Standards for Soil Hazard Areas:

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

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

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

(.09) Historic Protection: Purpose:

A. To preserve structures, sites, objects, and areas within the City of Wilsonville having historic, cultural, or archaeological significance.

Response: A Historic/ Cultural Resource Inventory was previously conducted for the property identified as SAP – Central. The inventory shows that the subject PDP does not include any sites, objects, or areas having historic, cultural, or archaeological significance. Therefore, the standards of this section are not applicable.

SECTION 4.172 FLOOD PLAIN REGULATIONS

Response: The site does not include any areas identified as flood plain.

SECTION 4.176 LANDSCAPING, SCREENING & BUFFERING

Response: 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 pocket park area will be reviewed with the concurrent FDP application in Section V of this Notebook.

SECTION 4.177 STREET IMPROVEMENT STANDARDS

Response: Adjacent street rights-of-way have already been dedicated.

The plan sheets located in Section IIB 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 the fire department. 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 & PATHWAY STANDARDS

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

(.02) Pathways

A. Bicycle facilities shall be provided using a bicycle lane as the preferred facility design. The other facility designs listed will only be used if the bike lane standard cannot be constructed due to physical or financial constraints. The alternative standards are listed in order of preference.

1. Bike lane. This design includes 12-foot minimum travel lanes for autos and paved shoulders, 5-6 feet wide for bikes, that are striped and marked as bicycle lanes. This shall be the basic standard applied to bike lanes on all arterial and collector streets in the City, with the exception of minor residential collectors with less than 1,500 (existing or anticipated) vehicle trips per day.

Response: The PDP plan sheets located in Section IIB (see the *Circulation Plan*) depict cross-sections of the proposed sidewalks and pathways in compliance with the above standards and Specific Area Plan – Central.

II. PROPOSAL SUMMARY & CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the Village Zone and other applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Preliminary Development Plan. Therefore, the applicant requests approval of this application. Concurrent applications for a Tentative Plat, Zone Change, and Final Development Plan are included in this notebook as Sections III, IV, and V, respectively, pursuant to City requirements.

IIB) Reduced Drawings

PHASE 8 CENTRAL
BROOKESIDE TERRACE ROW HOMES
PRELIMINARY DEVELOPMENT PLAN

TL 3200, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

POLYGON WLH, LLC
109 E. 13TH ST.
VANCOUVER, WA 98660
[P] 503-221-1920
CONTACT: FRED GAST

PLANNER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: STACY CONNERY, AICP

CIVIL ENGINEER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: JESSIE KING, PE

SURVEYOR:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: TRAVIS JANSEN, PLS, PE

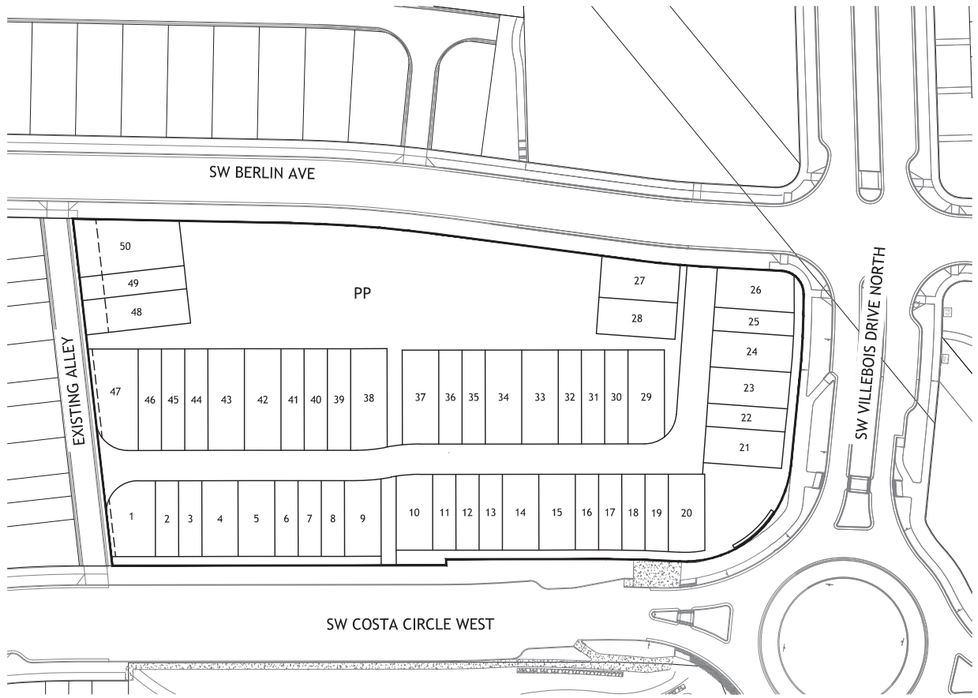
LANDSCAPE ARCHITECT:

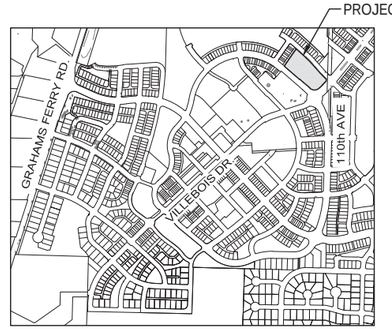
PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: KERRY LANKFORD, RLA, CLARB

GEOTECHNICAL ENGINEER:

GEODESIGN, INC.
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE

ELEVATION DATUM: NAVD 88





VICINITY MAP

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

SHEET INDEX:

1	COVER SHEET
2	EXISTING CONDITIONS
3	SITE / LAND USE PLAN
4	PRELIMINARY PLAT
5	PRELIMINARY GRADING & EROSION CONTROL PLAN
6	COMPOSITE UTILITY PLAN
7	CIRCULATION PLAN & STREET SECTIONS
8	PARKING PLAN
9	SAP CENTRAL PHASING PLAN UPDATE
10	STREET TREE PLAN

SCALE
50 0 25 50
1 INCH = 50 FEET

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

COVER SHEET

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

1

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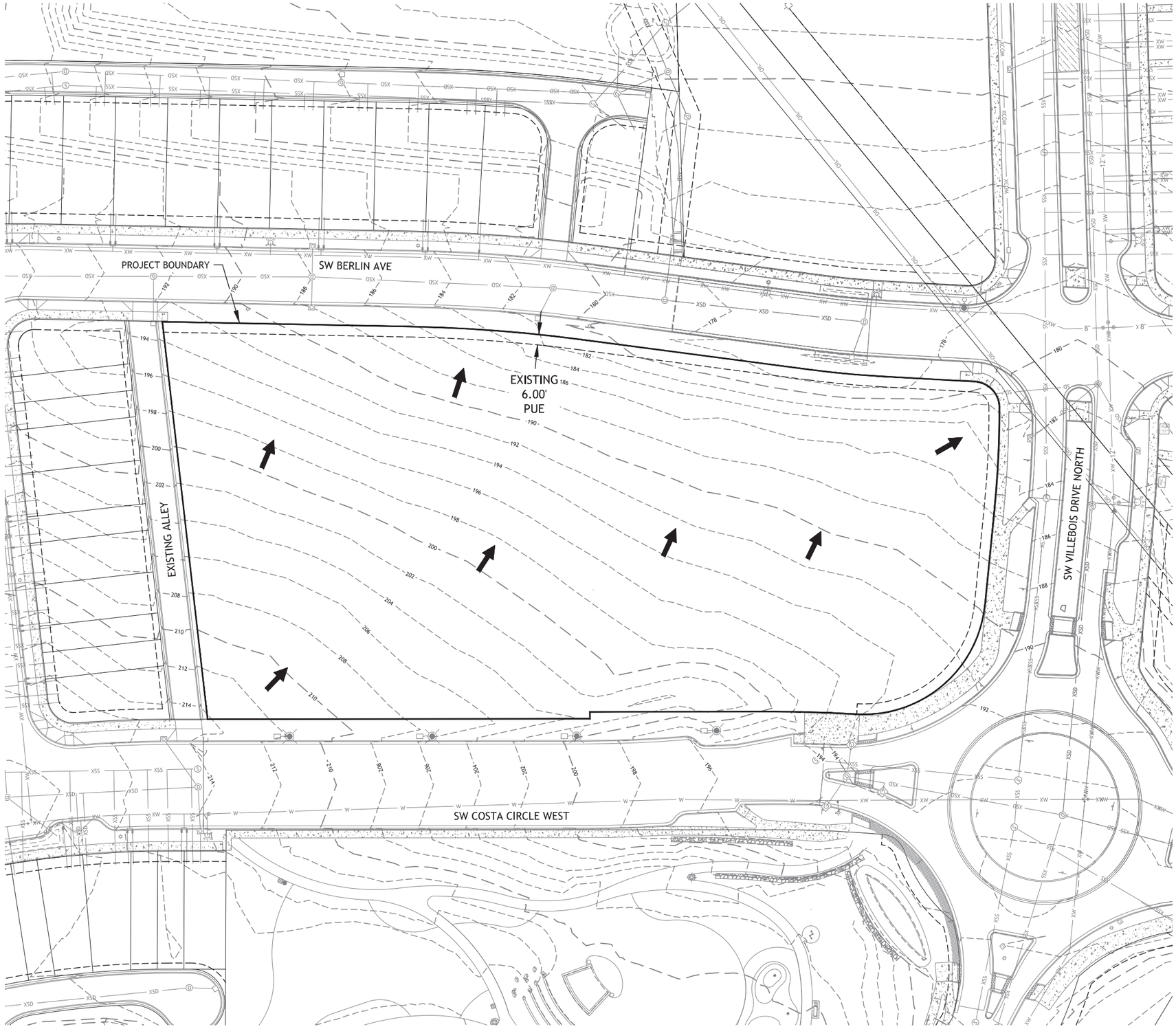

LEGEND

- EASEMENT LINES
- EXISTING RIGHT-OF-WAY
- EXISTING CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING BOUNDARY LINE
- EXISTING SIDEWALK
- EX 1-FOOT CONTOURS
- EX 5-FOOT CONTOURS
- EX SANITARY SEWER
- EX STORM DRAIN
- EX WATER LINE
- EX GAS LINE
- EX BURIED POWER LINE
- EX OVERHEAD POWER LINE
- EX CABLE TV LINE
- EX TELEPHONE LINE
- EX SANITARY MANHOLE
- EX SANITARY CLEANOUT
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- EXISTING FENCE
- EXISTING ELECTRIC VAULT
- EXISTING PAVEMENT
- EX TREES
- DRAINAGE DIRECTION

NOTE: NO EXISTING TREES LOCATED ON SITE.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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DATE DESCRIPTION

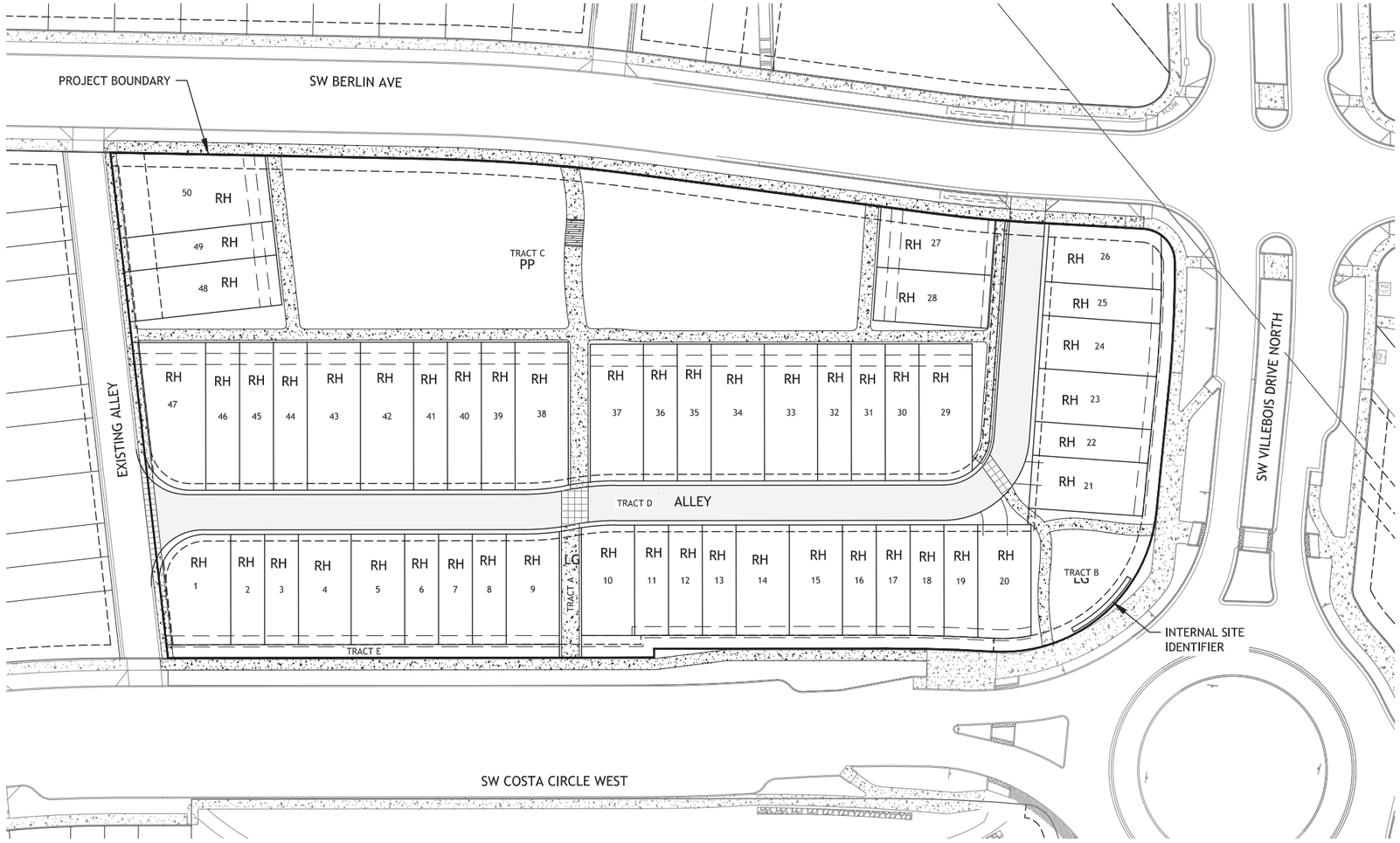
PDP 8C BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

EXISTING CONDITIONS

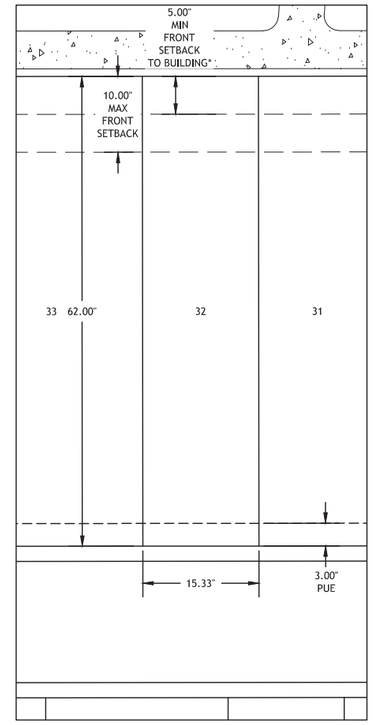
1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

2



LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED CENTERLINE
- EXISTING CENTERLINE
- PROPOSED PUBLIC UTILITY EASEMENT
- PROPOSED BUILDING SETBACK
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PDP BOUNDARY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED A.C. PAVING
- PROPOSED SIDEWALK
- PROPOSED SIDEWALK BY OTHERS
- EXISTING SIDEWALK



*PORCHES, STAIRS, STOOPS, DECKS, CANOPIES, BALCONIES, BAY WINDOWS, CHIMNEYS, AWNINGS AND OTHER BUILDING PROJECTIONS MAY ENCROACH UP TO THE PUBLIC WAY.

TYPICAL LOT PLAN

LEGEND:

RH	ROW HOUSE LOTS
LG	LINEAR GREEN SPACE
LG	POCKET PARK

LOT COUNT:

50	ROW HOUSE LOTS
50	TOTAL

LAND AREA TABLE:

TOTAL AREA:	2.24 AC
PUBLIC STREETS:	0.00 AC
LINEAR GREEN SPACE & POCKET PARK:	0.69 AC
LOTS & ALLEYS:	1.55 AC
AVG. DENSITY PER NET ACRE:	
50 / 1.55 =	32.26 UNITS / AC

SCALE
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1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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DATE DESCRIPTION

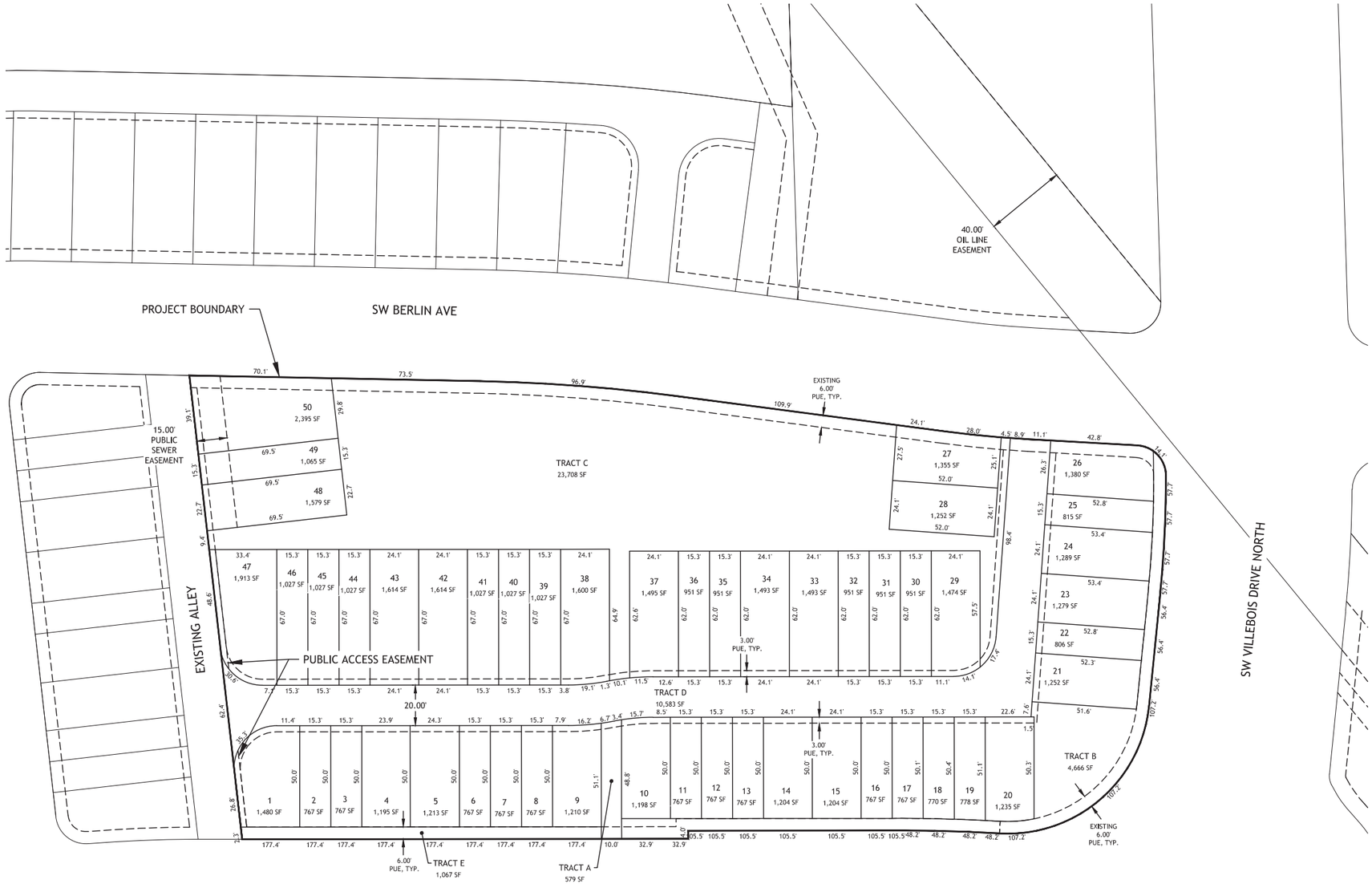
PDP 8C
BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

SITE / LAND USE PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

3



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DATE	DESCRIPTION

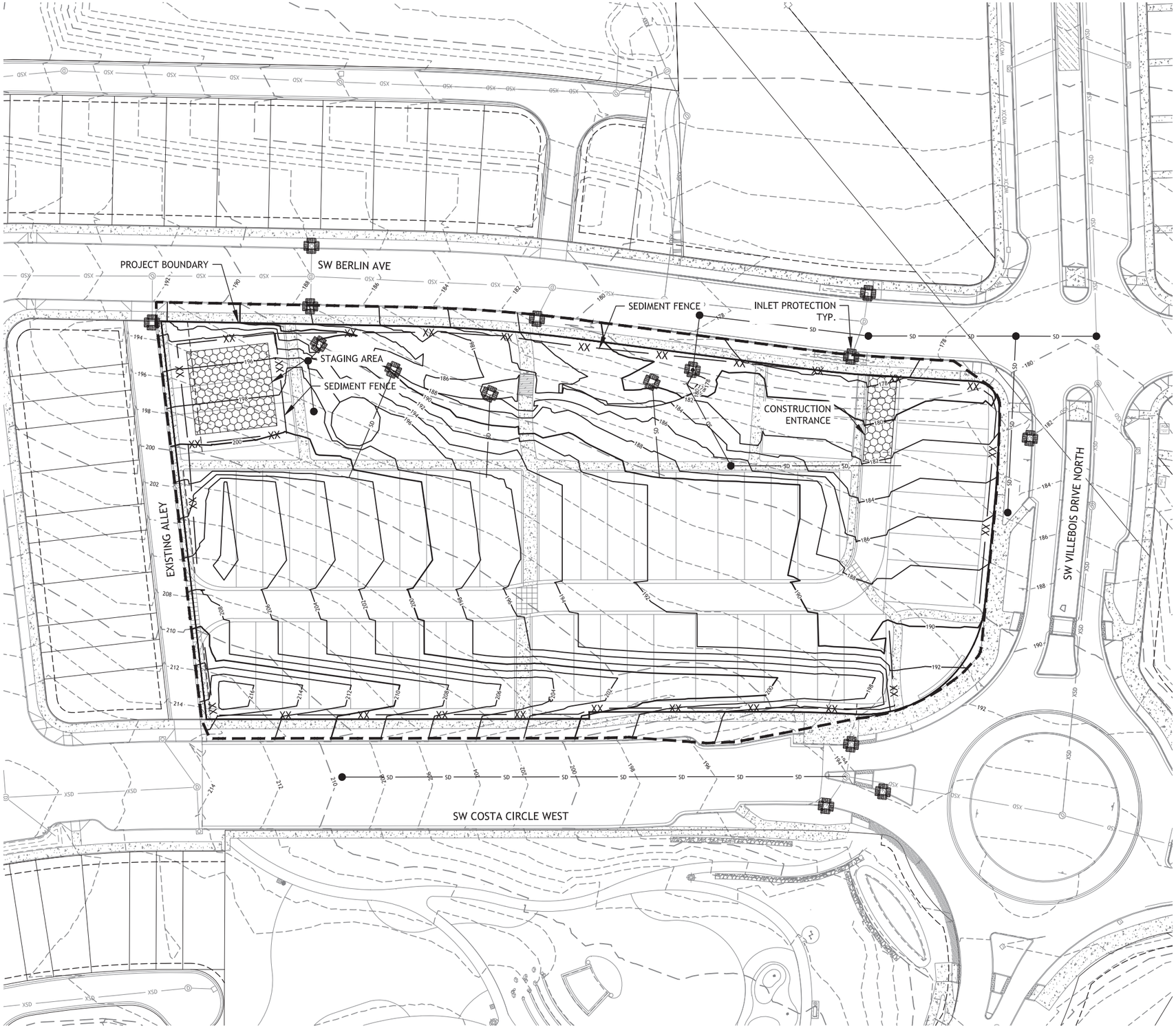
PDP 8C BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

PRELIMINARY PLAT

1ST SUBMITTAL DATE	10/02/2015
2ND SUBMITTAL DATE	11/06/2015

4



ELEVATION DATUM: NAVD 88

LEGEND

- EX 2-FT CONTOUR
- EX 10-FT CONTOUR
- FG 2-FT CONTOUR
- FG 10-FT CONTOUR
- PROPOSED RETAINING WALL
- GRADING LIMITS
- EXISTING FENCE
- SEDIMENT FENCE
- TREE PROTECTION FENCING
- CONSTRUCTION FENCING
- WATTLES
- BIO-BAG PROTECTION
- EX TREES TO REMAIN

TREE LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
	EXISTING TREES TO RETAIN

NOTE: NO EXISTING TREES LOCATED ON SITE.

SCALE
30 0 15 30
1 INCH = 30 FEET

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DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

GRADING &
EROSION CONTROL
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

5

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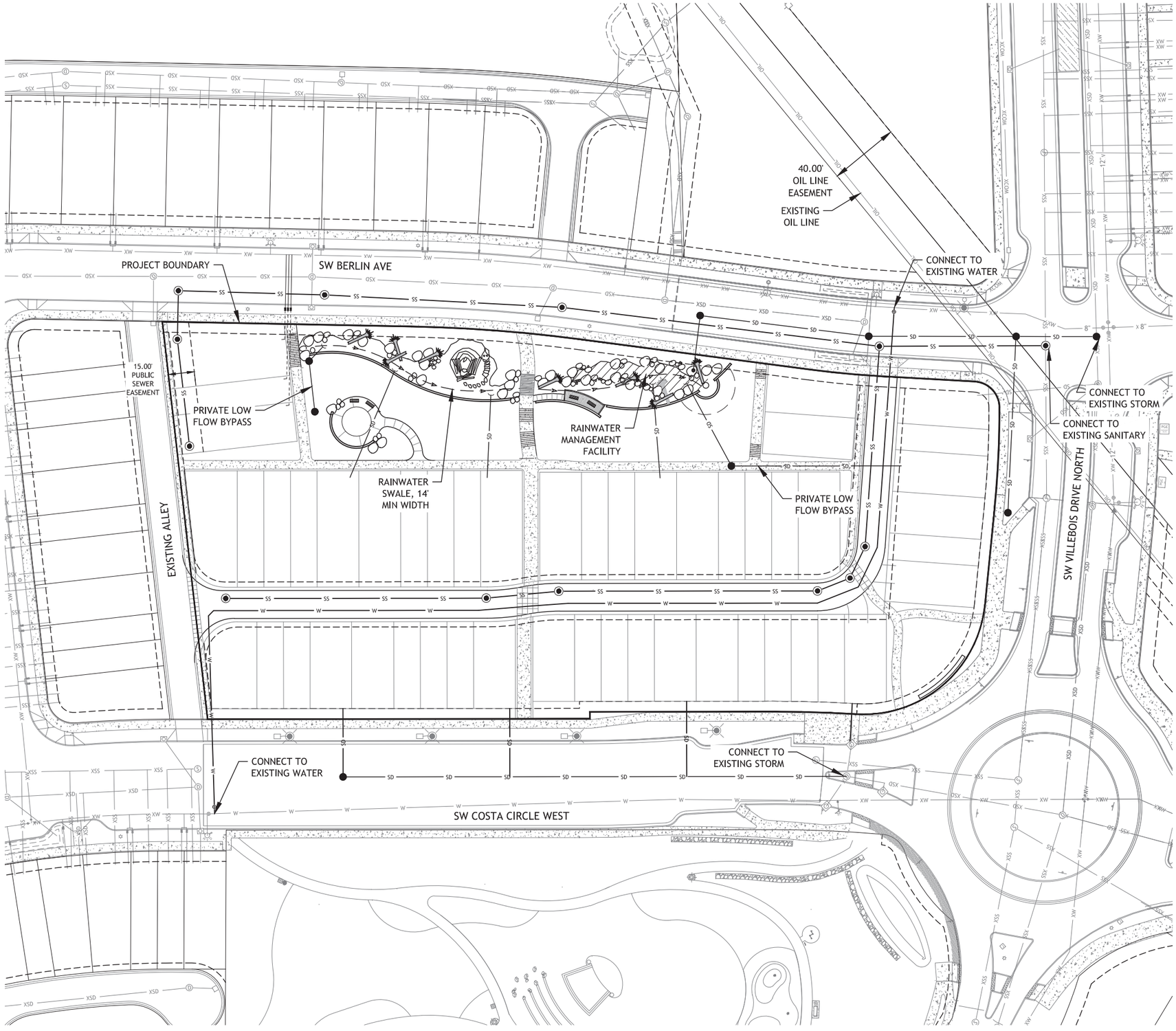

LEGEND:

- PROPOSED SANITARY SEWER
- EX SANITARY SEWER
- PROPOSED STORM DRAIN
- EX STORM DRAIN
- PROPOSED WATER LINE
- EX WATER LINE
- PROPOSED SANITARY MANHOLE
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED FIRE HYDRANT
- EX SANITARY MANHOLE
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- EXISTING FENCE
- EX TREES
- PROPOSED RAINWATER MANAGEMENT FACILITY

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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REVISIONS
DATE DESCRIPTION

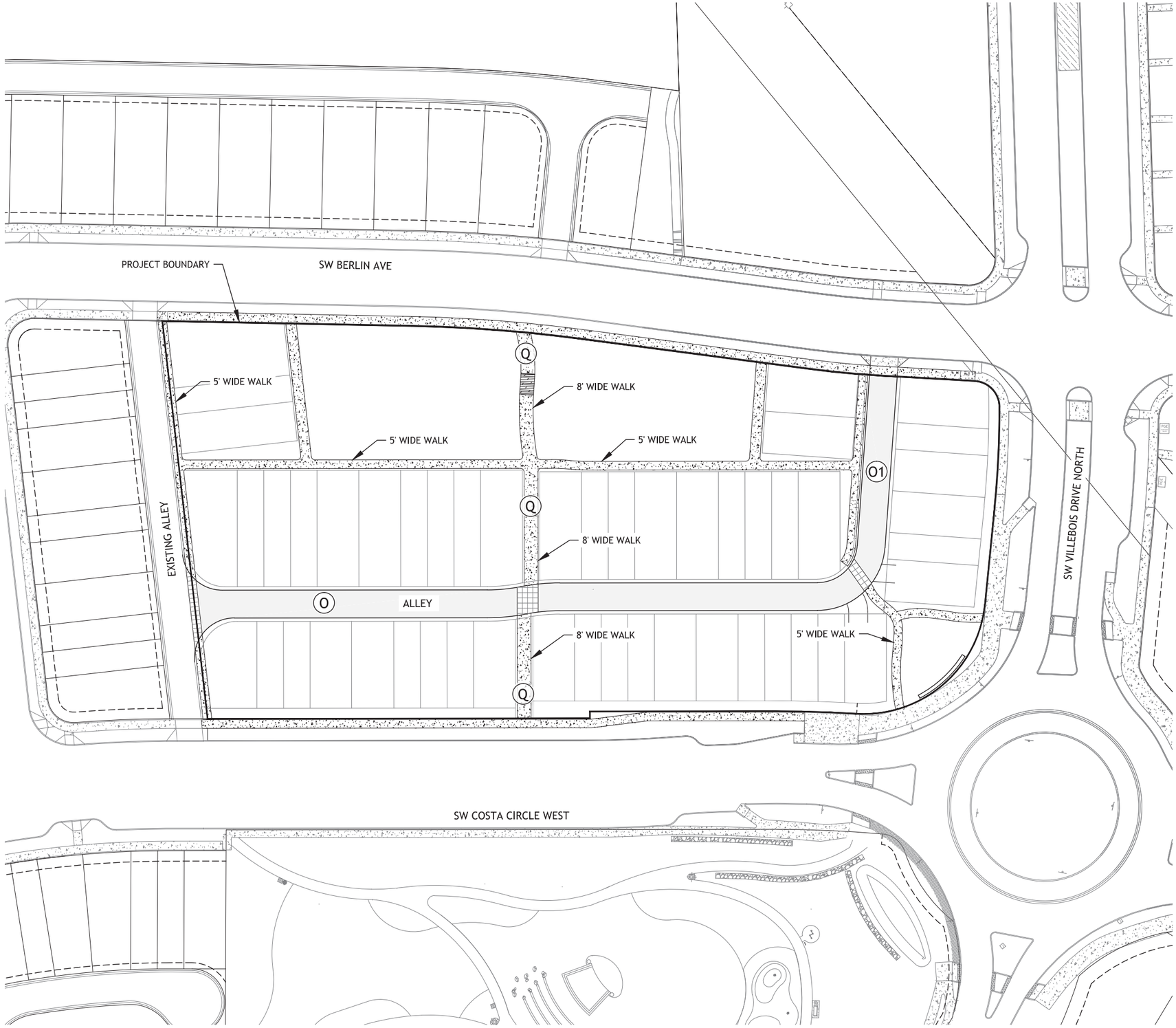
PDP 8C BROOKESIDE TERRACE ROW HOMES

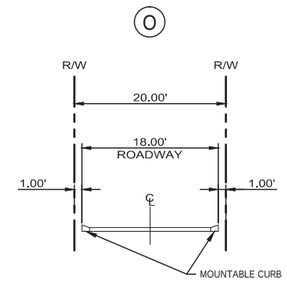
Preliminary Development Plan

COMPOSITE UTILITY PLAN

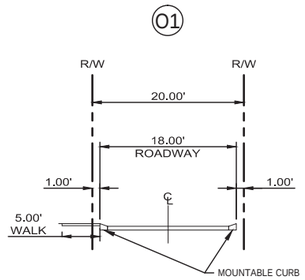
1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

6

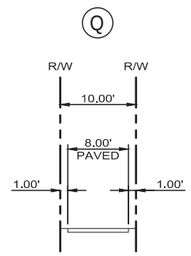




ALLEY
SCALE: 1"=10'



ALLEY WITH WALK
SCALE: 1"=10'



MINOR PATHWAY
SCALE: 1"=10'

SCALE
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1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

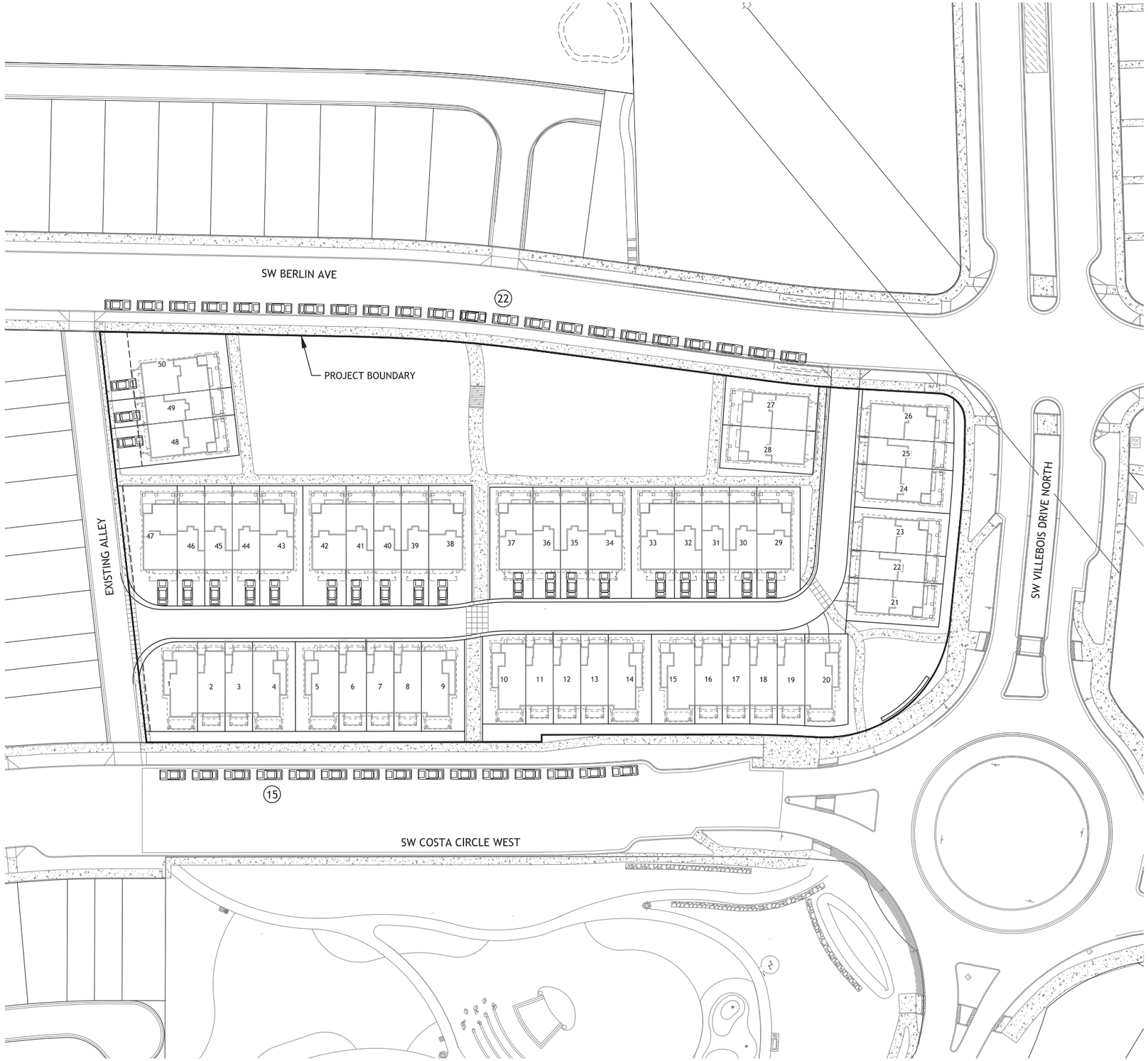
PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

CIRCULATION
PLAN &
STREET
SECTIONS

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

7



LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- PARKING SPACE

OFF STREET PARKING

REQUIRED

- ROW HOUSES:
  50 UNITS AT 1 SPACE/UNIT = 50 SPACES

PROVIDED

- ROW HOUSES:
  28 - UNITS W/1 CAR GARAGE = 28 SPACES
  22 - UNITS W/1 CAR GARAGE AND 1 DRIVEWAY SPACE = 44 SPACES
  72 SPACES

ON STREET PARKING

PROVIDED

- ROW HOUSES:
  - BERLIN AVE: 22 SPACES
  - COSTA CIRCLE WEST: 15 SPACES
  37 SPACES

TOTAL PARKING REQUIRED: 50 SPACES

TOTAL PARKING PROVIDED: 109 SPACES

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

PARKING
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

8

SAP NORTH

SAP EAST

SAP SOUTH

LEGEND:

	LOT LINES
	PHASE LINE
4	PHASE NUMBER
SC	SPECIALTY CONDOS
MU	MIXED USE CONDOS
UA	URBAN APARTMENTS
CN	CONDOS
RH	ROWHOUSES
VA	VILLAGE APARTMENTS

6
4
9
39 RH
9
43 RH
50 RH
8
MONTAGUE PARK
5
11
5 - 10 CN
18 - 32 UA
3 - 7 VA
34 - 60 SC
3 - 7 VA
11 - 44 MU
12
13 - 52 MU
10
15 - 30 CN
4
7
3
PIAZZA
2
1

SW COSTA CIRCLE WEST
SW VALENCIA LANE
SW COLLINA LANE
SW PARIS AVE
SW ORLEANS LOOP
SW GENEVA LOOP
SW COSTA CIRCLE WEST
SW CAMPANILE LANE
VILLEBOIS DRIVE
SW ROYAL SCOT LANE
SW MONT BLANC ST
SW ST. MORITZ LOOP
SW DAVOS LANE
SW TOULOUSE ST
SW RAVENNA LOOP
SW ZURICH ST
SW ORLEANS LOOP
BARBER STREET

ELEVATION DATUM: NAVD 88

SCALE
100 0 50 100
1 INCH = 100 FEET

N:\proj\395-048\09 Drawings\03 Planning\Sheets - Planning Submittal\395048-(9)PHASE.dwg SHEET: 22x34 Nov. 9, 15 - 8:43 AM jk

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

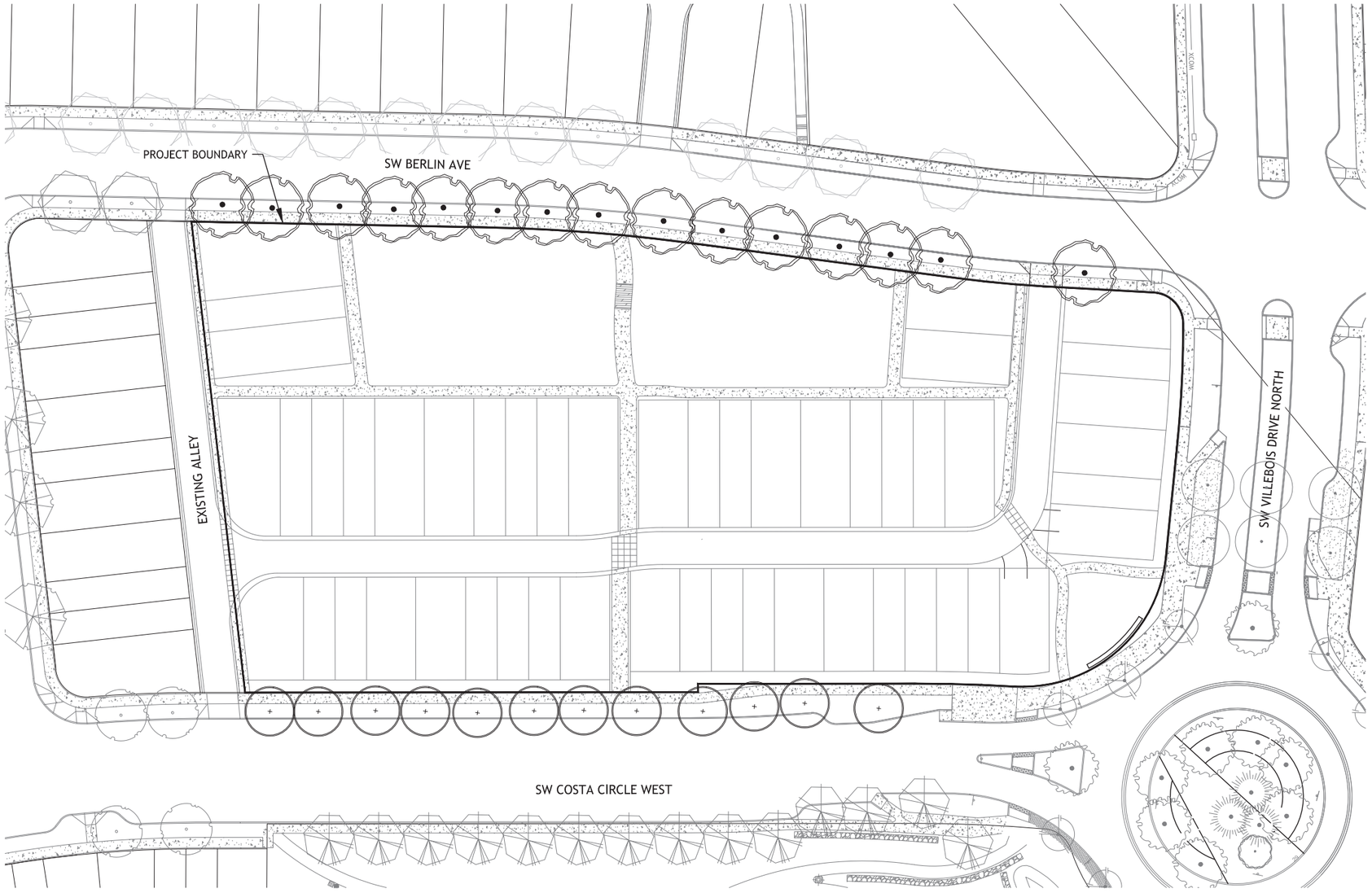
PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

SAP CENTRAL
PHASING PLAN
UPDATE

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

9



STREET TREE LEGEND: UPDATE TREE NAME PER STREET

QTY.	SYMBOL	BOTANICAL NAME / Common Name	SIZE	SPACING
15		COPPER BEECH FAGUS SYLVATICA	2 1/2" cal., B&B	25' O.C.
12		LIRIODENDRON TULIPIFERA TULIP TREE	2 1/2" cal., B&B	25' O.C.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

N:\proj\395-048\09 Drawings\03 Planning\Sheets - Planning Submittal\395048 (10)STREET TREE.dwg - SHEET: (10)STREET TREE Nov. 9, 15 - 8:45 AM jlk

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

STREET
TREE
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

10

IIC) Utility & Drainage Reports

M E M O R A N D U M

DATE: October 6, 2015

TO: City of Wilsonville

FROM: Jessie King, PE
Pacific Community Design

RE: Brookeside Terrace Row Homes (PDP 8C) Rainwater Analysis
Job No. 395-048

This memorandum report is to demonstrate that the rainwater management program proposed for the Brookeside Terrace Row Homes (PDP 8C) development portion of Villebois SAP Central is in compliance with the rainwater master plan submitted with SAP Central.

This portion of Villebois drains to the Coffee Lake Basin, see the developed drainage map Figure A1. The SAP Central rainwater management plan showed rainwater management provided by a series of planter boxes on the lots for commercial building runoff (see Figure A3). Per SAP Central Plan, facilities 10 & 13 were sized to treat a total of 83,787 sf of impervious area (124% of the total site area).

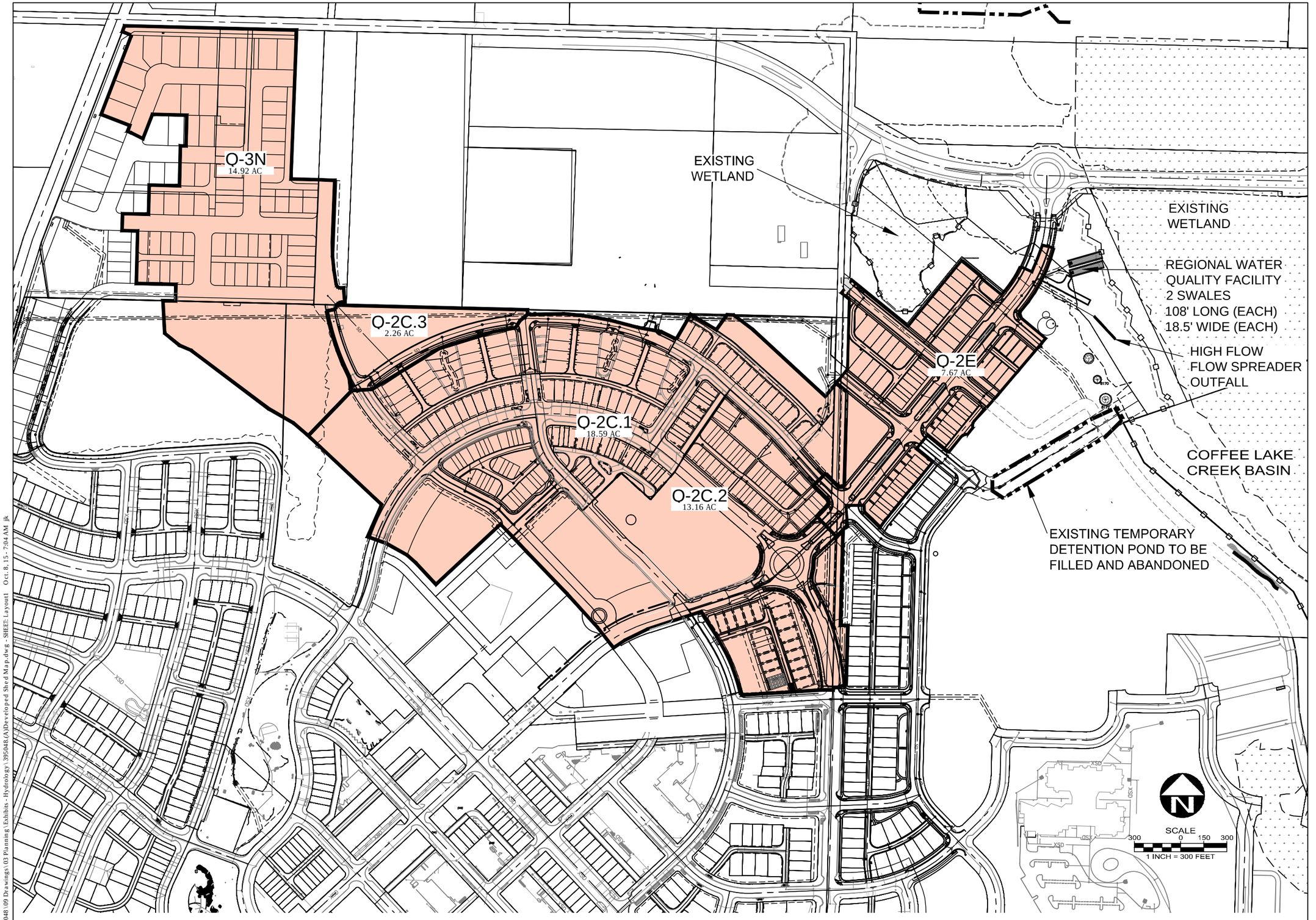
The proposed development will contain a vegetated swale and bio-retention cell to treat alley runoff and the row home buildings. Planter boxes were replaced with these facilities to take advantage of the natural open space on site to create the vegetated swale.

PDP 8C will treat 99% of the impervious area created on site. With the existing and future treatment facilities located on the remaining portion of SAP Central, SAP Central will treat 65% of the overall impervious area created. Based on this information the current facilities are adequately sized to provide treatment per the Villebois Village Rainwater Management Plan for SAP Central.

Thank you.

Attachments:

1. Figure A1 – Developed Drainage Map
2. Figure A2 – PDP 8C Rainwater Management Plan
3. Figure A3 – SAP Central Rainwater Management Plan
4. B1 – Composite Curve Number – Lot 80 (SAP Central)
5. B2 – Percent Impervious – Lot 80 (SAP Central)
6. B3 – Composite Curve Number – Lot 80 (PDP 8C)
7. B4 – Percent Impervious – Lot 80 (PDP 8C)
8. C1 – PDP 8C Rainwater Management Calculations
9. C2 – SAP Central Component Summary



ELEVATION DATUM: NAVD 88

N:\ proj\ 395-048 \09 Drawings\ 03 Planning\ Exhibits - Hydrology\ 395048.(A)Developed Shed Map.dwg - SHEET: Layout1 Oct. 8, 15 - 7:04 AM jk

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

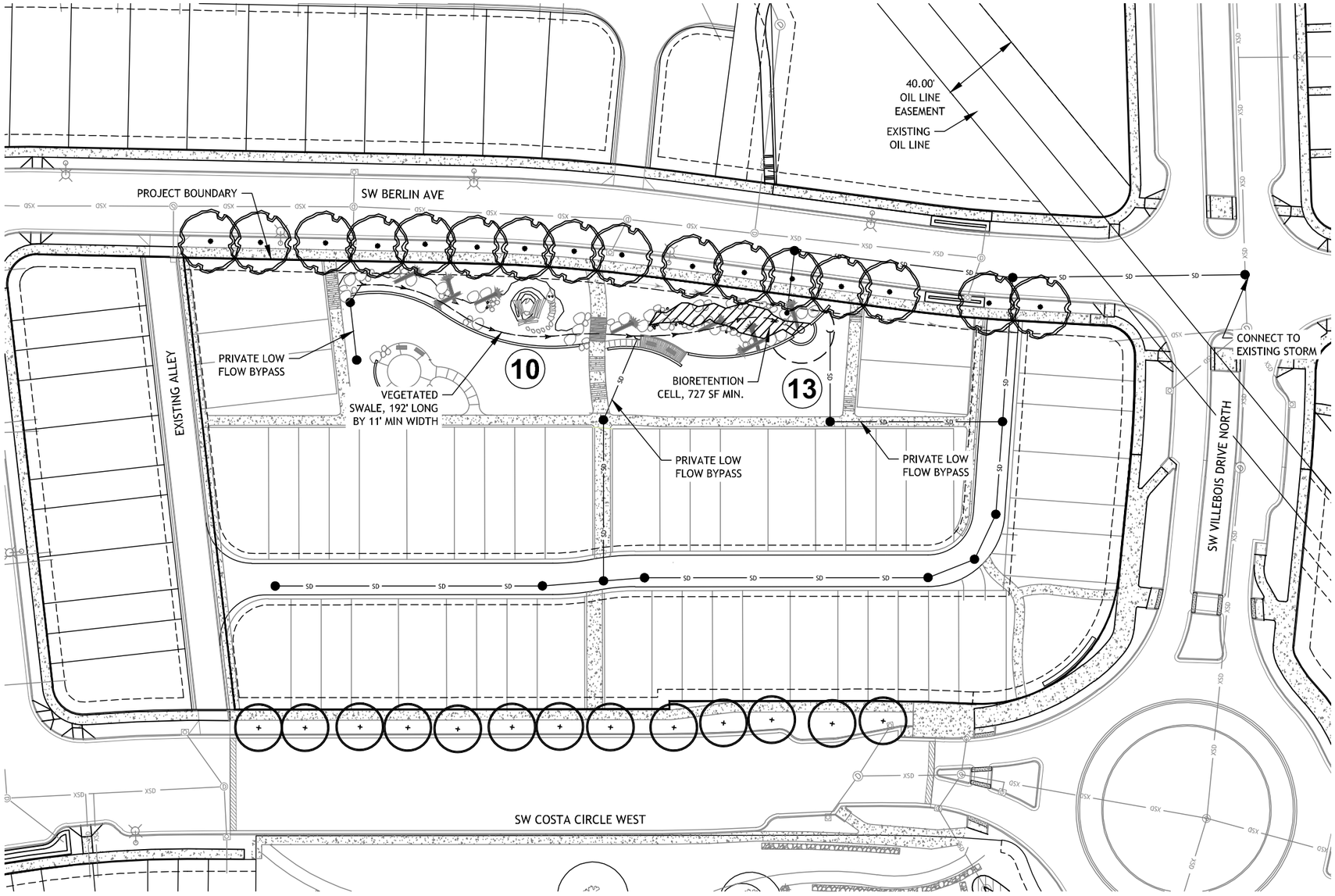
PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

DEVELOPED
DRAINAGE
MAP

1ST SUBMITTAL DATE 10/02/2015

A1



LEGEND:

SD — PROPOSED STORM DRAIN

PROPOSED RAINWATER MANAGEMENT FACILITY

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

N:\proj\395-048\09 Drawings\03 Planning\Exhibits - Hydrology\395048(A2)Rainwater Map.dwg - SHEET: (A)SHED Oct. 7, 15 - 4:01 PM pre

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

RAINWATER
MANAGEMENT
PLAN

1ST SUBMITTAL DATE 10/02/2015

A2

SAP NORTH

SAP SOUTH

SW COSTA CIRCLE WEST

SW COSTA CIRCLE EAST

SW COLLINA LANE

SW VALENCIA LANE

SW RAVENNA LOOP

SW ORLEANS LOOP

SW CAMPANILE LANE

SW MONTE CARLO LANE

BADER STREET

SW TOULOUSE ST

SW ZURICH ST

SW ST MORITZ LOOP

SW DAVOS LANE

PDP 8C

COSTA PACIFIC COMMUNITIES

LEGEND:

- SAP BOUNDARY
- RAINWATER COMPONENT
- PERVIOUS STREET PAVERS
- ROOF GARDEN
- 6 RAINWATER COMP. NUMBER

N

SCALE

0 100 200

1 IN = 200 FT

Villebois

COSTA PACIFIC COMMUNITIES

ALPHA COMMUNITY DEVELOPMENT
FLETCHER FARR AYOTTE
IVERSON ASSOCIATES
PACIFIC HABITAT SERVICES
WALT KNAPP
KITTELSON & ASSOCIATES
MAYER/REED

VILLEBOIS

SAP CENTRAL

Rainwater Management Plan

DATE: February 24, 2006

FIGURE A 3

N:\proj\999-225\Stormwater Master Plan\SAP CENTRAL\SAP CENTRAL_RAIN.dwg - SHEET: MASTER PLAN Oct 07, 2015 - 3:40pm pre

COMPOSITE CURVE NUMBER
SAP CENTRAL

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	1.50	94	66.7%
Street and Alley ROW's	0.25	94.4	11.1%
Open Space Area	0.50	80	22.2%
TOTAL	2.25		

Composite Curve Number per COA = 90.9

FIGURE B1

PERCENT IMPERVIOUS
SAP CENTRAL

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

Total Site Area	2.25	acres	97,823	sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	0
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	58,806
ROW/Alley Impervious Area (80%)	8,712
Total	67,518
% Impervious =	69%

FIGURE B2

COMPOSITE CURVE NUMBER
PDP 8C

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	1.40	90	62.1%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	0.00	94	0.0%
Street and Alley ROW's	0.24	94.4	10.8%
Open Space Area	0.61	80	27.1%
TOTAL	2.25		

Composite Curve Number per COA = 87.8

FIGURE B3

PERCENT IMPERVIOUS
PDP 8C

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

Total Site Area	2.25	acres	97,823	sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	51,836
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	0
ROW/Alley Impervious Area (80%)	8,466
Total	60,303
% Impervious =	62%

FIGURE B4

JOB NUMBER: 395-048

PROJECT: BROOKESIDE TERRACE ROW HOMES - PDP 8C

FILE: N:/PROJ/395-048/05REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

EXHIBIT C:

RAINWATER COMPLIANCE SUMMARY - SAP CENTRAL

PHASE	DRAINAGE BASIN	BASIN ID	AREA (SF)	% IMPERVIOUS	IMPERVIOUS AREA (SF)	RAINWATER COMPONENT NO.	RAINWATER COMPONENT TYPE	RAINWATER COMPONENT AREA / NO. OF TREES	SIZING FACTOR	IMPERVIOUS AREA TREATED[1]			% IMPERVIOUS AREA TREATED
										ARROWHEAD CREEK	MILL CREEK	COFFEE LAKE CREEK	
8C	COFFEE LAKE CREEK	LOT 80	97,823	62%	60,303	-	-	-	-	-	-	59617	-
							TREES	29	0.01			2900	
						10[1]	VEGETATED SWALE	2,112	0.06			32484	
						13	BIO-RETENTION CELL	727	0.03			24233	
TOTAL PDP 1C			717,433		556,610					369,104			**66%**
TOTAL PDP 2C			230,432		189,922					90,499			**48%**
TOTAL PIAZZA VILLEBOIS			38,768		38,768					26,042			**67%**
TOTAL PHASE 4C			354,143		251,361							165,600	**66%**
TOTAL PHASE 6C			80,884		61,092							37,078	**61%**
TOTAL PHASE 7C			178,700		115,947					39,199		53,100	**80%**
TOTAL PHASE 8C			97,823		60,303							59,617	**99%**
FUTURE SAP CENTRAL PHASES[2]			637,940		532,865					217,069	0	122,477	**64%**
SAP CENTRAL TOTAL			2,336,123		1,806,868					741,913	0	437,872	**65%**

[1]COMPONENT IMPERVIOUS AREA TREATED REFLECTS ACTUAL COMPONENT CATCHMENT AREA AND MAY NOT REFLECT SIZING FACTOR

[2]FUTURE SAP CENTRAL PHASE TOTALS PER APPROVED SAP CENTRAL RAINWATER MANAGEMENT PLAN

alpha
COMMUNITY DEVELOPMENT

JOB: VILLEBOIS SAP CENTRAL
PROJECT: 398-023
FILE: N:/PROJ/999-225/STORM. MASTER/SAP CENTRAL/RAIN.XLS

EXHIBIT C:
SAP CENTRAL RAINWATER MANAGEMENT COMPONENT SUMMARY

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
1	Bioretention Cell	0.03	323	10,767	No Change	323	10,767
2	Bioretention Cell	0.03	310	10,339	No Change	310	10,339
3	Planter Box	0.03	264	8,784	No Change	264	8,784
4	Planter Box	0.03	264	8,784	No Change	264	8,784
5	Bioretention Cell	0.03	314	10,477	No Change	314	10,477
6	Bioretention Cell	0.03	317	10,567	No Change	317	10,567
7	Planter Box	0.03	420	14,000	No Change	420	14,000
8	Bioretention Cell	0.03	156	5,200	No Change	156	5,200
9	Bioretention Cell	0.03	156	5,200	No Change	156	5,200
10	Planter Box	0.03	1,231	41,028	No Change	1,231	41,028
11	Bioretention Cell	0.03	283	9,424	No Change	283	9,424
13	Planter Box	0.03	1,283	42,759	No Change	1,283	42,759
14	Planter Box	0.03	264	8,784	No Change	264	8,784
15	Planter Box	0.03	264	8,784	No Change	264	8,784
16	Bioretention Cell	0.03	245	8,156	No Change	245	8,156
17	Bioretention Cell	0.03	248	8,276	No Change	248	8,276
18	Planter Box	0.03	471	15,689	No Change	471	15,689
19	Bioretention Cell	0.03	113	3,750	No Change	113	3,750
20	Bioretention Cell	0.03	113	3,750	No Change	113	3,750
21	Planter Box	0.03	364	12,138	No Change	364	12,138
22	Planter Box	0.03	385	12,833	No Change	385	12,833
23	Bioretention Cell	0.03	272	9,072	No Change	272	9,072
25	Bioretention Cell	0.03	125	4,150	No Change	125	4,150
26	Bioretention Cell	0.03	374	12,478	No Change	374	12,478
27	Bioretention Cell	0.03	489	16,294	No Change	489	16,294
28	Bioretention Cell	0.03	489	16,294	No Change	489	16,294
29	Planter Box	0.03	300	10,000	No Change	300	10,000
30	Planter Box	0.03	300	10,000	No Change	300	10,000

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
31	Planter Box	0.03	300	10,000	No Change	300	10,000
32	Bioretention Cell	0.03	196	6,544	No Change	196	6,544
33	Bioretention Cell	0.03	199	6,626	No Change	199	6,626
34	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
35	Bioretention Cell	0.03	195	6,484	No Change	195	6,484
36	Planter Box	0.03	500	16,667	No Change	500	16,667
37	Planter Box	0.03	500	16,667	No Change	500	16,667
38	Planter Box	0.03	408	13,599	No Change	408	13,599
39	Bioretention Cell	0.03	60	2,000	No Change	60	2,000
40	Bioretention Cell	0.03	60	2,000	No Change	60	2,000
41	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
42	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
43	Planter Box	0.03	385	12,833	No Change	385	12,833
44	Bioretention Cell	0.03	365	12,150	No Change	365	12,150
45	Bioretention Cell	0.03	202	6,731	No Change	202	6,731
46	Bioretention Cell	0.03	389	12,983	No Change	389	12,983
47	Bioretention Cell	0.03	207	6,903	No Change	207	6,903
48	Bioretention Cell	0.03	331	11,030	No Change	331	11,030
49	Planter Box	0.03	434	14,467	No Change	434	14,467
50	Bioretention Cell	0.03	176	5,883	No Change	176	5,883
51	Bioretention Cell	0.03	176	5,883	No Change	176	5,883
52	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
53	Planter Box	0.03	441	14,700	No Change	441	14,700
54	Planter Box	0.03	419	13,975	No Change	419	13,975
55	Planter Box	0.03	341	11,359	No Change	341	11,359
56	Planter Box	0.03	341	11,359	No Change	341	11,359
57	Bioretention Cell	0.03	204	6,800	No Change	204	6,800
58	Bioretention Cell	0.03	204	6,800	No Change	204	6,800
59	Bioretention Cell	0.03	129	4,300	No Change	129	4,300
60	Bioretention Cell	0.03	129	4,300	No Change	129	4,300
61	Bioretention Cell	0.03	203	6,780	No Change	203	6,780
62	Planter Box	0.03	354	11,784	No Change	354	11,784
63	Planter Box	0.03	364	12,118	No Change	364	12,118
64	Planter Box	0.03	441	14,700	No Change	441	14,700
65	Planter Box	0.03	520	17,333	No Change	520	17,333
66	Bioretention Cell	0.03	153	5,106	No Change	153	5,106
67	Bioretention Cell	0.03	153	5,106	No Change	153	5,106
68	Planter Box	0.03	467	15,553	No Change	467	15,553
69	Bioretention Cell	0.03	387	12,884	No Change	387	12,884

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
70	Planter Box	0.03	244	8,133	No Change	244	8,133
71	Planter Box	0.03	244	8,133	No Change	244	8,133
72	Planter Box	0.03	292	9,733	No Change	292	9,733
73	Planter Box	0.03	328	10,933	No Change	328	10,933
74	Planter Box	0.03	328	10,933	No Change	328	10,933
75	Planter Box	0.03	343	11,433	No Change	343	11,433
76	Planter Box	0.03	520	17,333	No Change	520	17,333
77	Planter Box	0.03	300	10,000	No Change	300	10,000
78	Planter Box	0.03	341	11,359	No Change	341	11,359
79	Bioretention Cell	0.03	313	10,444	No Change	313	10,444
80	Bioretention Cell	0.03	318	10,587	No Change	318	10,587
81	Planter Box	0.03	300	10,000	No Change	300	10,000
82	Planter Box	0.03	150	5,000	No Change	150	5,000
83	Planter Box	0.03	343	11,433	No Change	343	11,433
84	Bioretention Cell	0.03	167	5,568	No Change	167	5,568
85	Bioretention Cell	0.03	160	5,339	No Change	160	5,339
86	Planter Box	0.03	292	9,733	No Change	292	9,733
87	Bioretention Cell	0.03	220	7,334	No Change	220	7,334
88	Planter Box	0.03	448	14,933	No Change	448	14,933
90	Bioretention Cell	0.03	221	7,382	No Change	221	7,382
91	Planter Box	0.03	395	13,154	No Change	395	13,154
92	Planter Box	0.03	385	12,833	No Change	385	12,833
93	Planter Box	0.03	322	10,733	No Change	322	10,733
94	Planter Box	0.03	322	10,733	No Change	322	10,733
95	Planter Box	0.03	150	5,000	No Change	150	5,000
96	Planter Box	0.03	100	3,333	No Change	100	3,333
97	Planter Box	0.03	100	3,333	No Change	100	3,333
98	Planter Box	0.03	100	3,333	No Change	100	3,333
99	Planter Box	0.03	100	3,333	No Change	100	3,333
100	Planter Box	0.03	100	3,333	No Change	100	3,333
101	Bioretention Cell	0.03	137	4,550	No Change	137	4,550
102	Bioretention Cell	0.03	137	4,550	No Change	137	4,550
103	Planter Box	0.03	341	11,359	No Change	341	11,359
104	Planter Box	0.03	341	11,359	No Change	341	11,359
105	Planter Box	0.03	272	9,057	No Change	272	9,057
106	Bioretention Cell	0.03	208	6,933	No Change	208	6,933
107	Bioretention Cell	0.03	147	4,900	No Change	147	4,900
108	Bioretention Cell	0.03	146	4,867	No Change	146	4,867
109	Planter Box	0.03	455	15,167	No Change	455	15,167

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
110	Planter Box	0.03	413	13,767	No Change	413	13,767
111	Bioretention Cell	0.03	178	5,937	No Change	178	5,937
112	Planter Box	0.03	693	23,094	No Change	693	23,094
113	Planter Box	0.03	253	8,421	No Change	253	8,421
114	Planter Box	0.03	263	8,767	No Change	263	8,767
115	Bioretention Cell	0.03	231	7,695	No Change	231	7,695
116	Planter Box	0.03	80	2,677	No Change	80	2,677
117	Planter Box	0.03	155	5,152	No Change	155	5,152
119	Planter Box	0.03	130	4,342	No Change	130	4,342
120	Planter Box	0.03	124	4,142	No Change	124	4,142
121	Bioretention Cell	0.03	180	6,013	No Change	180	6,013
122	Bioretention Cell	0.03	180	6,013	No Change	180	6,013
123	Planter Box	0.03	316	10,525	No Change	316	10,525
124	Planter Box	0.03	97	3,229	No Change	97	3,229
125	Planter Box	0.03	161	5,366	No Change	161	5,366
126	Bioretention Cell	0.03	218	7,260	No Change	218	7,260
127	Bioretention Cell	0.03	218	7,260	No Change	218	7,260
128	Planter Box	0.03	360	12,000	Adjusted to fit architectual style.	349	11,633
129	Bioretention Cell	0.03	156	5,211	Parking to lot access walks added.	78	2,606
130	Bioretention Cell	0.03	256	8,545	Parking to lot access walks added.	128	4,272
131	Planter Box	0.03	360	12,000	Adjusted to fit architectual style.	349	11,633
132	Planter Box	0.03	189	6,300	No Change	189	6,300
133	Bioretention Cell	0.03	328	10,939	Adjutsted to work with sidewalk access.	328	10,933
134	Bioretention Cell	0.03	713	23,752	Adjutsted to work with sidewalk access.	127	4,233
135	Bioretention Cell	0.03	240	7,996	Relocated to off-street area to treat lot runoff and street runoff.	953	31,767
136	Bioretention Cell	0.03	240	7,996	Eliminated, area now treated by component 144.	0	0
137	Planter Box	0.03	250	8,343	No Change	250	8,343
138	Planter Box	0.03	222	7,413	No Change	222	7,413
139	Planter Box	0.03	222	7,413	No Change	222	7,413
140	Planter Box	0.03	236	7,864	No Change	236	7,864
141	Planter Box	0.03	231	7,712	No Change	231	7,712
142	Bioretention Cell	0.03	177	5,901	No Change	177	5,901
143	Bioretention Cell	0.03	190	6,337	No Change	190	6,337
144	Bioretention Cell	0.03	1,017	33,894	Adjusted to treat lot runoff and street runoff.	1,257	41,900
145	Bioretention Cell	0.03	517	17,244	Adjusted to work with sidewalk access.	183	6,100
146	Bioretention Cell	0.03	188	6,280	No Change	188	6,280

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
147	Bioretention Cell	0.03	188	6,280	No Change	188	6,280
148	Planter Box	0.03	159	5,294	No Change	159	5,294
149	Planter Box	0.03	210	6,987	No Change	210	6,987
150	Bioretention Cell	0.03	140	4,676	No Change	140	4,676
151	Bioretention Cell	0.03	140	4,676	No Change	140	4,676
152	Planter Box	0.03	170	5,665	No Change	170	5,665
153	Planter Box	0.03	92	3,078	No Change	92	3,078
154	Planter Box	0.03	224	7,455	No Change	224	7,455
155	Bioretention Cell	0.03	182	6,071	Adjusted to work with sidewalk access.	182	6,067
156	Bioretention Cell	0.03	182	6,071	Adjutsted to work with sidewalk access.	182	6,067
157	Planter Box	0.03	504	16,800	Adjusted due to inability to mitigate back of building	252	8,400
160	Planter Box	0.03	239	7,970	No Change	239	7,970
161	Bioretention Cell	0.03	180	6,011	No Change	180	6,011
162	Bioretention Cell	0.03	180	6,011	No Change	180	6,011
163	Planter Box	0.03	73	2,418	No Change	73	2,418
164	Planter Box	0.03	206	6,854	No Change	206	6,854
165	Planter Box	0.03	252	8,400	No Change	252	8,400
166	Deciduous Trees	0.01	815	81,500	No Change	815	81,500
167	Evergreen Trees	0.005	0	0	No Change	0	0
168	Permeable Pavers-Mt Blanc	1	20,297	20,297	No Change	20,297	20,297
169	Permeable Pavers-Campanile	1	12,224	12,224	No Change	12,224	12,224
170	Permeable Pavers-Villebois Dr.	1	30,479	30,479	No Change	30,479	30,479
171	Permeable Pavers-Plaza Lane	1	8,736	8,736	No Change	8,736	8,736
172	Permeable Pavers-Plaza	1	25,558	25,558	No Change	25,558	25,558
173	Green Roof	1	5,000	5,000	No Change	5,000	5,000
	Total		147,287	1,656,392		146,600	1,633,483

Total Impervious Area in SAP	1,806,695
Percent Mitigated	91.7%
Percent Adjusted	-1.3%
Cumulative Percent Achieved	90.4%

Future Facilities within Arrowhead Creek Basin
Future Facilities within Coffe Lake Creek Basin
SAP Central Facilties within PDP 8C Area

M E M O R A N D U M

DATE: October 6, 2015

TO: City of Wilsonville

FROM: Jessie King, PE
Pacific Community Design

RE: Brookeside Terrace Row Homes – PDP 8C
Job No. 395-048

This memorandum report is to address the utility connections for the Brookeside Terrace Row Homes (PDP 8C) development portion of Villebois SAP Central. This phase is located within the Villebois Village Center, north and east of the Costa Circle West and Villebois Drive North intersection. This report will be divided into three sections: Water, Sanitary Sewer, and Storm Sewer. Rainwater Management will be discussed in a separate report.

Water

SAP Central defined the land use for this area to be village apartments with a maximum unit count of 98. The proposed development will contain attached row homes with a total unit count of 50, and therefore complies with design intent of SAP Central.

Sanitary Sewer

This site is located within service area 5, see attached exhibit SS. SAP Central defined the land use for this area to be village apartments with a maximum unit count of 85. The proposed development includes attached row homes with a total unit count of 50. Based on the reduction in number of units, there is adequate capacity for this development.

Storm Sewer

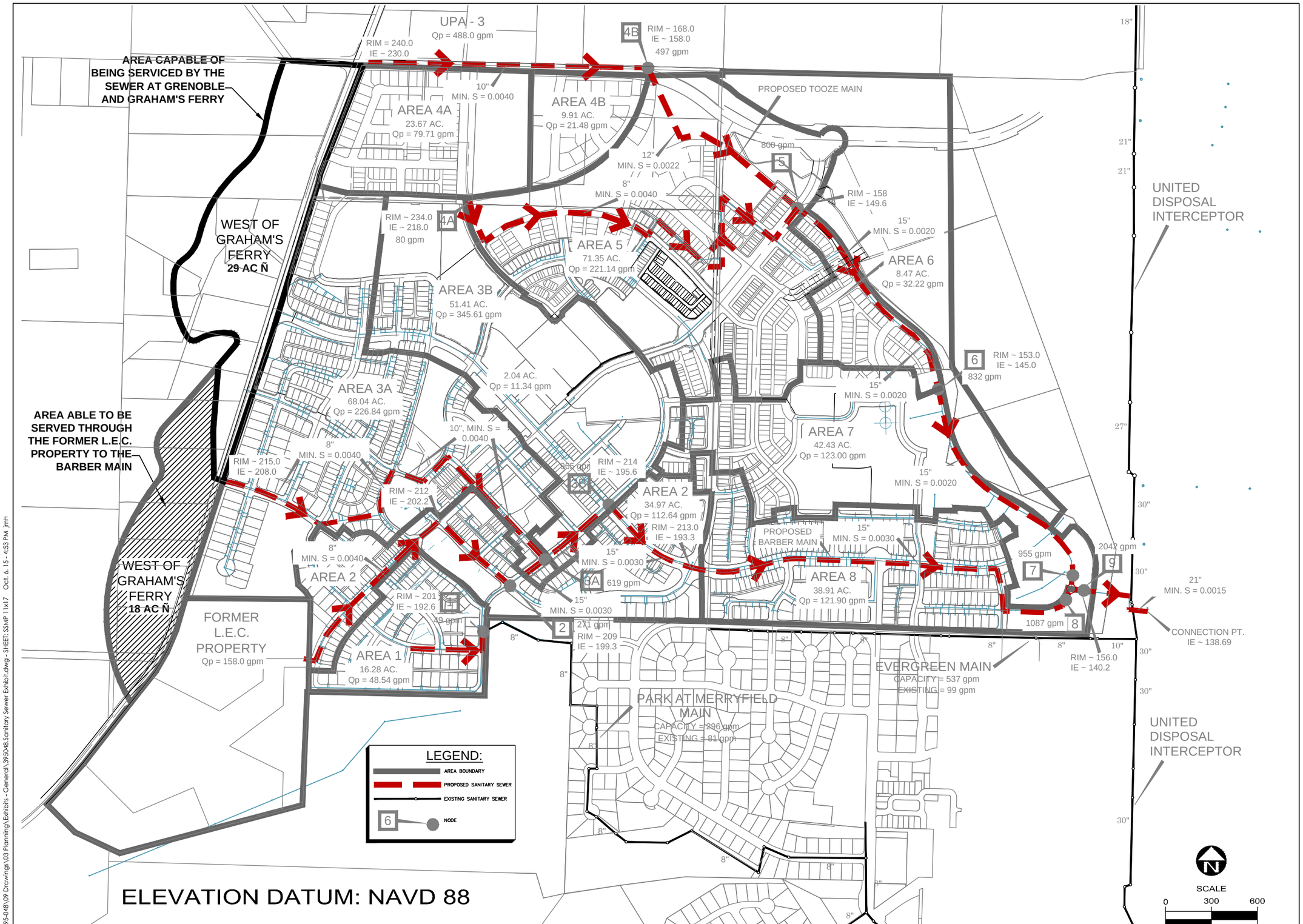
See the developed drainage map, exhibit A. The stormwater report submitted with PDP 2N defined the land use for this area to be 85% impervious, based on the SAP Central land use designation. The water quality facilities within the Coffee Lake Basin were designed to provide treatment for this land use. The proposed layout has an impervious area of 62%. For impervious area calculations refer to exhibits B1-B4.

Based on this information the current facilities are adequately sized to provide treatment per the City of Wilsonville Public Works Standards.

Thank you.

Attachments:

1. SS - Sanitary Sewer Service Area Exhibit
2. A1 – Developed Drainage Map
3. B1 – Composite Curve Number – Lot 80 (SAP Central)
4. B2 – Percent Impervious – Lot 80 (SAP Central)
5. B3 – Composite Curve Number – Lot 80 (PDP 8C)
6. B4 – Percent Impervious – Lot 80 (PDP 8C)



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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

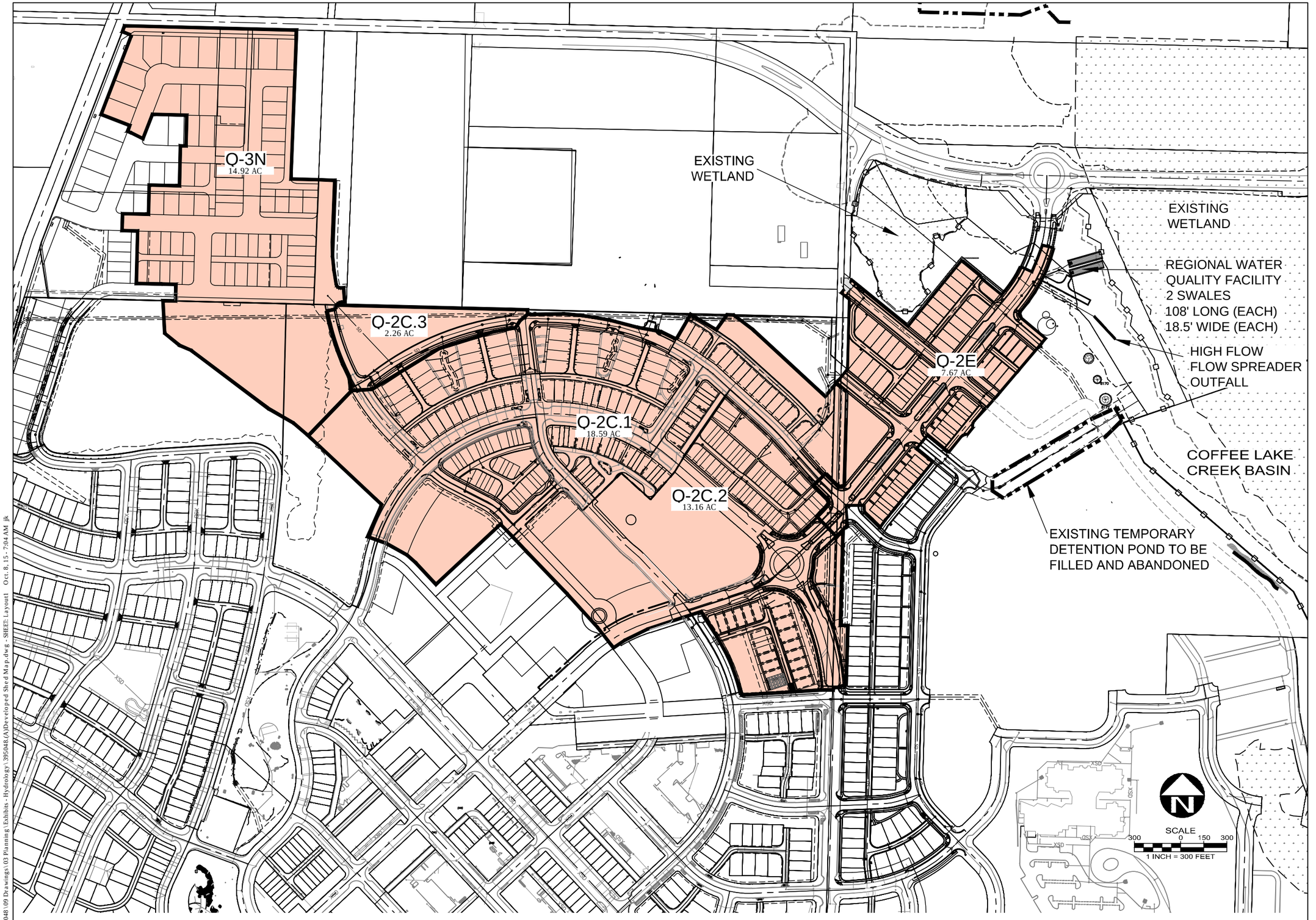
PDP 6C/FDP
VILLEBOIS
ROW HOMES

Preliminary Development Plan
&
Final Development Plan

SANITARY SEWER UNITED DISPOSAL

1ST SUBMITTAL DATE 10/06/2015

SS



ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

DEVELOPED
DRAINAGE
MAP

1ST SUBMITTAL DATE 10/02/2015

A1

COMPOSITE CURVE NUMBER
SAP CENTRAL

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	1.50	94	66.7%
Street and Alley ROW's	0.25	94.4	11.1%
Open Space Area	0.50	80	22.2%
TOTAL	2.25		

Composite Curve Number per COA = 90.9

FIGURE B1

PERCENT IMPERVIOUS
SAP CENTRAL

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

Total Site Area	2.25	acres	97,823	sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	0
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	58,806
ROW/Alley Impervious Area (80%)	8,712
Total	67,518
% Impervious =	69%

FIGURE B2

COMPOSITE CURVE NUMBER
PDP 8C

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	1.40	90	62.1%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	0.00	94	0.0%
Street and Alley ROW's	0.24	94.4	10.8%
Open Space Area	0.61	80	27.1%
TOTAL	2.25		

Composite Curve Number per COA = 87.8

FIGURE B3

PERCENT IMPERVIOUS
PDP 8C

JOB NUMBER:	395-048
PROJECT:	BROOKESIDE TERRACE ROW HOMES - PDP 8C
FILE:	N:/PROJ/395-048/05-REPORTS/RAINWATER/395048.RAINWATER ANALYSIS.XLSX

Total Site Area	2.25	acres	97,823	sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	51,836
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	0
ROW/Alley Impervious Area (80%)	8,466
Total	60,303
% Impervious =	62%

FIGURE B4

IID) Traffic Analysis

Submitted 10/08/2015

117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

October 1, 2015

Steve Adams
City of Wilsonville
29799 SW Town Center Loop East
Wilsonville, OR 97070

Subject: Villebois Urban Village SAP Central PDP 8C Transportation Study (Lot 80)

Dear Steve:

Based on the request for traffic study from Pacific Community Design[1] and preliminary site plan provided by the project sponsor, DKS Associates has prepared this letter scope for traffic engineering services as part of our standing on-call services agreement. The project sponsor has indicated that the proposed PDP 8C development will consist of a total of 50 craftsman rowhouses.

Since PDP 8C is part of the overall SAP Central, which previously received land use approval, no intersection capacity analysis will be conducted as part of this scope of services. The study will include the following elements:

- Land Use/Trip Generation Comparison
- Site Plan Evaluation
- Documentation and Response to Comments

Once the project has been initiated, changes to the site plan, including unit counts and types of units, project phasing, access/road locations, or schedule adjustments (i.e. putting the project on hold for any period of time) may require modification to scope and budget to address.

SCOPE OF WORK

Task 1: Land Use/Trip Generation Comparison

Since SAP Central was previously analyzed in the prior transportation SAP Central Area 2 study, DKS will compare the land use and PM peak hour trip generation assumed in the previous approved study with the current unit count and will note any discrepancies.

[1] *Request for Traffic Study for proposed Lot 78, 80, and 82, SAP Central, Villebois,* Stacey Connery (Pacific Community Design), September 14, 2015.

Task 2: Site Plan Review
DKS will review the prior and current site plans and will make an assessment of pedestrian and bicycle needs, vehicular access and circulation, connectivity, safety, and alignment of streets and alleys. The transportation review will include a detailed discussion of any site plan issues as well as recommended mitigations with associated graphics if necessary.

Task 3: Documentation and Response to Comments
A report of our findings will be submitted to the City of Wilsonville within three weeks of authorization and receiving the final site plan from the project sponsor (if it differs from the site plan provided with the traffic study request).

We have allocated a nominal budget (2 hours of staff effort) toward response to comments from City staff and/or the project sponsor's representatives following the completion of this report. Additional work beyond the tasks outlined in this scope, attendance at any meetings, or further effort in responding to comments would require a subsequent mutual agreement between DKS, City staff and the project sponsor.

Task 4: Project-Related Meetings (Contingency)
We have not included any project-related meetings in this scope of services. Additional meetings could be attended if authorized, at a cost of approximately $500 per meeting.

BUDGET AND AUTHORIZATION

In consideration of the performance of these services, DKS Associates will be compensated the fixed price amount of $1,000 for Tasks 1 to 3. This fixed price amount is based upon the scope of services and level of effort presented above.

DKS will invoice monthly based upon our estimate of progress (percent complete). Payments are due on a net 30-day basis. A service charge of 1¼ percent per month compounded will be assessed on billings not paid when due. If payment of our invoices is not made within 45 days of the due date, DKS reserves the right to cease work on this project until such time as payment is received. In the event of any litigation between the parties to this agreement arising from this agreement, the prevailing party shall be reimbursed for its reasonable attorney's fees and costs.

Should the services not be authorized in thirty (30) days; or should changes occur in the scope or level of effort; or should the completion date extend beyond December 31, 2015, due to circumstances beyond DKS's control; we reserve the right to revise the scope, budget, and schedule to reflect then current conditions. Such revisions will be effected through amendments to this agreement.

If this agreement is acceptable, please have a duly authorized official of your company sign below and return one original for our files. That signature will constitute formal authorization to proceed with the services according to the terms outlined.

Please give me or Jordin Ketelsen a call if you have any questions.

Sincerely,
DKS Associates

Scott M. Mansur, P.E.
Office Manager

Approved by:
City of Wilsonville

10/2/15

By: Steve R. Adams, P.E. Date
Development Engineering Manager

By: Development Applicant Date

MEMORANDUM

117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

DATE: November 5, 2015

TO: Steve Adams, P.E., City of Wilsonville

FROM: Scott Mansur, P.E., PTOE
Jordin Ketelsen, EIT

SUBJECT: **Villebois Urban Village SAP Central 8C Transportation Study (Lot 80)** P15018-014

This memorandum documents trip generation estimates and a site plan review for the proposed PDP 8C development of 50 rowhouses west of Villebois Drive and north of Costa Circle West. The purpose of this memorandum is to compare the proposed land use development of Villebois Urban Village Specific Area Plan (SAP) Central (dated March 3rd, 2015) to previously analyzed SAP Central land use numbers and ensure the current proposal was adequately analyzed as part of a prior traffic impact study and that additional intersection capacity analysis will not be needed.

Villebois Land Use

When the Future Study Area was added to the *Villebois Village Master Plan*,[1] DKS performed updated traffic impact analysis for the entire Villebois area. Table 1 shows the residential land use estimates that were the basis of the updated traffic impact analysis.[2]

Table 1: Villebois Village Residential Land Uses Analyzed in Prior Traffic Impact Study (October 2013)

SAP	Single Family Units	Condo/Townhouse Units	Apartment Units	Total Residential Units
East	534	42	-	576
Central[a]	49	459	501	1,009
North	423	31	10	464
South	357	103	21	481

[a] SAP Central also included 33,000 square feet of retail space.

[1] The most recent version of the *Villebois Village Master Plan* was adopted October 7, 2013, and included the addition of the "future study area".

[2] *Villebois Future Study Area Transportation Impact Analysis*, DKS Associates, October 21, 2013, page 5.

SAP Central Residential Land Use/Trip Generation

As shown previously in Table 1, the most recent traffic impact analysis performed for Villebois assumed that SAP Central would include 49 single family units, 459 condo/townhouse units, and 501 apartment units for a total of 1,009 residential units. Now, the current SAP Central proposal (dated September 15, 2015) includes 75 single family units, 459 condo/townhouse units, and 449 apartment units for a total of 983 residential units.[3] Table 2 shows the p.m. peak hour trip generation estimates for both land use breakdowns along with the net change.[4] As shown, the currently planned residential land uses are estimated to generate 593 (389 in, 204 out) p.m. peak hour trips for SAP Central, which is a net decrease of -5 total (-3 in, -2 out) trips.

Table 2: SAP Central Trip Generation Comparison

Land Use (ITE Code)	Size	Average Trip Generation Rate	Number of New Trips (P.M. Peak)		
			In	Out	Total
Basis of Traffic Impact Analysis (October 2013)					
Single Family Units (210)	49 units	1.01 trips/unit	31	18	49
Condo/Townhome (230)	459 units	0.52 trips/unit	159	79	238
Apartments (220)	501 units	0.62 trips/unit	202	109	311
		Total Trips	**392**	**206**	**598**
Current Plans (September 2015)					
Single Family Units (210)	75 units	1.01 trips/unit	48	28	76
Condo/Townhome (230)	459 units	0.52 trips/unit	160	79	239
Apartments (220)	449 units	0.62 trips/unit	181	97	278
		Total Trips	**389**	**204**	**593**
		Net New Trips	***-3***	***-2***	***-5***

[3] Single Family unit number provided by Stacy Connery, Pacific Community Design, October 23 2015.

[4] Retail land use quantities and trip generation estimates were not included in the analysis because no changes are being proposed.

SAP Central PDP 8C Lot 80 Trip Generation

SAP Central is broken into approximately 14 Planned Development Phases (PDPs). Table 3 shows the estimated trip generation for PDP 8C based on the currently proposed 50 rowhouses for Lot 80. As shown, the 50 proposed residential units planned would generate approximately 26 (17 in, 9 out) p.m. peak hour trips.

Table 3: SAP Central PDP 7C Lot 75 Trip Generation

Land Use (ITE Code)	Number of Units	Average Trip Generation Rate	Number of New Trips (P.M. Peak)		
			In	Out	Total
***Lot 80* - Condo/Townhome (230)**	50	0.52 trips/unit	17	9	26

Site Plan Review

The applicant's preliminary site plan was provided with the Traffic Study Request letter and is attached to the appendix.[5] It was reviewed to evaluate site access for vehicles and pedestrians as well as evaluate parking.

Site Access

The roadways of Villebois Drive and Costa Circle West are planned to be extended surrounding the proposed site. Access to the internal alley network of the site will be provided on Berlin Avenue. An existing alley way located immediately west of the site will also provide access from Berlin Avenue and Costa Circle West to the proposed rowhouses.

Pedestrian Access

The site plan shows proposed sidewalks surrounding the rowhouses on all frontages as well as the internal alley ways adjacent to the rowhouses. Additionally, the site plan shows several paths through the site with proposed pedestrian connections to the future Villebois Drive, Costa Circle West, and Berlin Avenue. The proposed Montague Park to the south of the site will be a key pedestrian generator for the area. The project sponsor should ensure adequate pedestrian connectivity between the project site and Montague Park is provided.

Parking

In total, the 50 rowhouse units require 1 space per dwelling unit. Therefore, the single car garages provided with each rowhouse will be sufficient to the parking demand and code requirements. Additionally, the site plan shows approximately 500 feet of available on-street parking on the adjacent SW Costa Circle West and SW Berlin Avenue. This will provide space for approximately 17 vehicles based on 28 feet per vehicle.

[5] Site plan provided in email from Steve Adams, City of Wilsonville, April 15, 2015.

Summary

Key findings for the proposed Villebois Urban Village SAP Central PDP 8C Lot 80 development of 50 rowhouses in Wilsonville, Oregon are as follows:

- The proposed SAP Central is expected to generate -5 total (-3 in, -2 out) p.m. peak hour trips more than the original approved trip generation estimates.
- The proposed development of 50 rowhouses within PDP 8C are estimated to generate 26 (17 in, 9 out) p.m. peak hour trips.
- The required parking spaces (50) are provided by the single car garages in each unit and on-street parking available on the adjacent Costa Circle West and SW Berlin Avenue.

Please let us know if you have any questions.

Section III) Tentative Plat

IIIA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT

TENTATIVE PLAT

PDP 8 - CENTRAL

SECTION IIIA

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I. WILSONVILLE PLANNING & LAND DEVELOPMENT ORDINANCE

SECTION 4.125. VILLAGE (V) ZONE

(.02) PERMITTED USES

Examples of principle uses that are typically permitted:

D. Row Houses

H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.

Response: The proposed Tentative Plat will create lots for development of single family row houses and tracts for park areas. All proposed uses within the subject area are permitted pursuant to this section.

(.05) DEVELOPMENT STANDARDS APPLYING TO ALL DEVELOPMENTS IN THE VILLAGE ZONE

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

A. Block, Alley, Pedestrian and Bicycle Standards:

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

Response: These standards are addressed within the PDP Compliance Report (see Section IIA).

2. Maximum spacing between streets for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions from meeting this standard.

Response: These standards are addressed within the PDP Compliance Report (see Section IIA).

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

Response: These standards are addressed within the PDP Compliance Report (see Section IIA).

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

Response: 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.

Table V-1 Development Standards

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [11, 17] (%age)	Max. Bldg. Height [9] (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Commercial Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	5	NR	NR	NR	NA
Hotels - Village Center [14]	NR	NR	NR	1	80	60	NR [3]	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center [14]	NR	NR	NR	1	80	45	5 [4]	15	NR	NR	NR	NA
Row Houses [11] - Village Center [14]	NR	NR	NR	1	80	45	5 [4]	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	1	60	45	8 [4]	15	NR	NR	NR	NA
Row Houses [11]	NR	15	50	1	80	45	8 [5]	15	NR	NR	NR	NA
Duplexes	4,000	45	70	[2]	60 [16]	35	12 [5,6]	20 [6]	5	5 [15]	[7]	[8,17,18]
Single-Family Dwellings	2,250	35	50	[2]	60 [16]	35	12 [5,6]	20 [6]	5	5 [15]	[7]	[8,17]

Notes: NR No Requirement
NA Not Allowed
1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)
2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage
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 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.
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, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.
6 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.
7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.
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 façade 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.
12 See Definitions, 9.125.01, for measurement of Minimum Frontage Width.
13 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.
14 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.
15 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.
16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.
17 Dwellings on lots without alley access shall be at least 36 feet wide.
18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.
19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.
20 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]

Response: The *Tentative Plat* (see Section IIB in this Notebook) depicts proposed lot sizes and dimensions. All of the lots meet applicable requirements, as addressed below. All of the lots will be developed with single family attached row houses, with no more than ten contiguous units along a street edge. Table V-1 does not indicate a minimum lot size, width, or depth for Row Houses in the Village Center. The proposed PDP 8C does not have any lots >8,000 sf, so no maximum lot coverage applies. Row House lots will have a frontage width greater than 80%, except as allowed by footnote 11 of Table V-1. Row Houses will not have building heights greater than 45 ft, and will have front setbacks between 5-10 ft, except as allowed under footnote 4 above. No additional standards from Table V-1 apply. There is a concurrent final development plan application for the proposed architecture in Section V.

(.07) GENERAL REGULATIONS – OFF-STREET PARKING, LOADING & BICYCLE PARKING

Table V-2: Off-Street Parking Requirements

Category	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short Term	Bicycle Long Term
Row Houses	1.0 / DU	NR	NR	NR

Response: Each of the Row Houses will provide a minimum of a one-car garage in compliance with this standard.

(.08) OPEN SPACE

Open space shall be provided as follows:

A. 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 front yard areas shall not be counted towards the required open space area. Required rear yard areas and other landscaped areas that are not within required front or side yards may be counted as part of the required open space.

B. 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. See SROZ provisions, Section 4.139.10.

C. 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.

Response: 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 *Master Plan*. PDP 8C includes the addition of a pocket park not shown in the *Villebois Village Master Plan*, thereby increasing the amount park space. The additional park

areas are described in more detail in the PDP and FDP compliance report (see Section IIA and VIA).

(.09) STREET & ACCESS IMPROVEMENT STANDARDS

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

1. General Provisions:

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

Response: The street alignments and access improvements within this PDP are generally consistent with those approved in the *Villebois Village Master Plan* and SAP Central, as refined by the PDP application (see the PDP Supporting Compliance Report for further description of refinements to the street network – Section IIA of Notebook).

i. 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.

Response: All street improvements within this Preliminary Development Plan will comply with the applicable Public Works Standards. The street system within this Preliminary Development Plan is designed to provide for the continuation of streets within Villebois and to adjoining properties or subdivisions according to the *Master Plan*. The street system is illustrated on the *Circulation Plan* located in Section IIB of this Notebook.

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

Response: All streets within this Preliminary Development Plan will be developed with curbs, landscape strips, sidewalks, and bikeways or pedestrian pathways as depicted on the *Circulation Plan* (Section IIB of this Notebook) and in accordance with the *Master Plan*.

2. Intersections of streets

a. Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.

b. Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of thirty (30) foot centerline radius and said angle shall not be less than sixty (60) degrees. Any angle less than ninety (90) degrees shall

require approval by the City Engineer after consultation with the Fire District.

Response: The plan sheets located in Section IIB of this Notebook demonstrate that all proposed streets will intersect at angles consistent with the above standards (see the *Tentative Plat* in Section IIIB*)*.

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

i. 1000 ft. for major arterials

ii. 600 ft. for minor arterials

iii. 100 ft. for major collector

iv. 50 ft. for minor collector

Response: The plan sheets located in Section IIB of this Notebook demonstrate that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created (see the *Tentative Plat* in Section IIIB).

d. Curb Extensions:

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

ii. Not obstruct bicycle lanes on collector streets.

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

Response: Curb extensions are shown on the *Circulation Plan* (see Section IIB). Curb extensions will not obstruct bicycle lanes on collector streets as the subject site is not adjacent to collector streets. The attached drawings illustrate that all street intersections will have a minimum 20 foot wide clear distance between curb extensions on all local residential street intersections.

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

Response: The *Grading & Erosion Control Plan* located in Section IIB, demonstrates that proposed streets can comply with this standard.

4. Centerline Radius Street Curves:

The minimum centerline radius street curves shall be as follows:

a. Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by City Engineer.

b. Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.

c. Local streets: 75 feet

Response: The *Tentative Plat* (see Section IIIB) demonstrates that all streets will comply with the above standards.

5. Rights-of-way:

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

Response: Rights-of-way for adjacent streets have already been dedicated as shown on the plan sheets located in Section IIB of this Notebook.

6. Access drives.

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

b. 16 feet for two-way traffic.

Response: Access drives (alleys) will be paved at least 16-feet within a 20-foot tract, as shown on the *Circulation Plan* in Section IIB of this Notebook. In accordance with Section 4.177, all access drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions

7. Clear Vision Areas

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

Response: Clear vision areas will be provided and maintained in compliance with the Section 4.177.

8. Vertical clearance:

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

Response: Vertical clearance will be provided and maintained in compliance with the Section 4.177.

9. Interim Improvement Standard:

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

Response: No interim improvements are proposed.

(.18) VILLAGE ZONE DEVELOPMENT PERMIT PROCESS

G. Preliminary Development Plan Approval Process:

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

f) Include a preliminary land division (concurrently) per Section 4.400, as applicable.

Response: This application includes a request for preliminary land division approval. This request for approval of a Tentative Plat can be seen in Section III of this Notebook. This section includes a Supporting Compliance Report, the proposed Tentative Plat, draft CC&R's, a copy of the certification of liens & assessments form, and the subdivision name approval from the County Surveyor's Office.

SECTION 4.177. STREET IMPROVEMENT STANDARDS

Response: Adjacent street rights-of-way have already been dedicated.

The drawings located in Section IIB demonstrate that all proposed access drives (alleys) within the Preliminary Development Plan area will have a minimum improvement width of 16 feet and will provide two-way travel. All access drives (alleys) will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions.

Clear vision areas 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).

LAND DIVISIONS

SECTION 4.210. APPLICATION PROCEDURE

A. Preparation of Tentative Plat. The Planning Staff shall provide information regarding procedures and general information having a direct influence on the proposed development, such as elements of the Comprehensive Plan, existing and proposed streets, road and public utilities. 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 each surveyor or engineer shall be furnished as part of the submittal.

Response: A Tentative Plat has been prepared by an Oregon licensed professional engineer as required. The Tentative Plat can be seen in Section IIIB of this Notebook. Improvement plans can be seen in Section IIB of this application Notebook. The Introductory Narrative located in Section IA includes a listing of the services provided by each design team member.

B. Tentative Plat Submission. The purpose of the Tentative Plat is to present a study of the proposed subdivision to the Planning Department and Development Review Board and to receive approval recommendations for revisions before preparation of a final Plat. 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:

1. **Site development application form completed and signed by the owner of the land or a letter of authorization signed by the owner. A preliminary title report or other proof of ownership is to be included with the application form.**
2. **Application fees as established by resolution of the City Council.**

Response: Copies of the application form and the application fee are included in Sections IB and IC, respectively, of this Notebook.

3. **Ten (10) copies and one (1) sepia or suitable reproducible tracing of the Tentative Plat shall be submitted with the application. Paper size shall be eighteen inch (18") by twenty-four inch (24"), or such other size as may be specified by the City Engineer.**

Response: The balance of the 10 copies of the Tentative Plat (see Section IIIB) will be provided when the application is determined complete; three (3) of which have been provided with initial submittal.

4. **Name of the subdivision. No subdivision shall duplicate or resemble the name of any other subdivision in Clackamas or Washington County. Names may be checked through the county offices.**

Response: The proposed name is "Brookeside Terrace" (see Section IIIE for documentation of subdivision name approval from the Clackamas County Surveyor's Office).

5. **Names, address, and telephone numbers of the owners and applicants, and engineer or surveyor.**

Response: The names, addresses and telephone numbers of the owner, applicant, engineer and surveyor are listed in the Introductory Narrative, which can be seen in Section IA of this Notebook, and are listed on the *Cover Sheet* (see Section IIB of Notebook).

6. **Date, north point and scale drawing.**
7. **Location of the subject property by Section, Township, and Range.**
8. **Legal road access to subject property shall be indicated as City, County, or other public roads.**
9. **Vicinity map showing the relationship to the nearest major highway or street.**
10. **Lots: Dimensions of all lots, minimum lot size, average lot size, and proposed lot and block numbers.**

11. Gross acreage in proposed plat.

Response: The above information is provided on the plan sheets located in Section IIB of this Notebook. The location of the subject property by Section, Township and Range and the gross acreage of the proposed plat are also listed in the Introductory Narrative, located in Section IA of this Notebook, and are listed on the *Cover Sheet* (see Section IIB of Notebook).

12. Proposed uses of the property, including sits, if any, for multi-family dwellings, shopping centers, churches, industries, parks, and playgrounds or other public or semi-public uses.

Response: The proposed plat does not include any multi-family dwelling sites, shopping centers, churches, or industries. Park areas are indicated on the plan sheets located in Section IIB. Proposed uses within the subject park areas are detailed on the FDP Plans included in Section VB of this Notebook.

13. Improvements: Statement of the improvements to be made or installed including streets, sidewalks, lighting, tree planting, and times such improvements are to be made or completed.

Response: Proposed improvements are shown on the plan sheets in Section IIB. The *Circulation Plan* shows proposed streets and sidewalks. The *Street Tree/Lighting Plan* shows proposed street trees and proposed street lights.

14. Trees. Locations, types, sizes, and general conditions of all existing trees, as required in Section 4.600.

Response: No existing trees are located within the site.

15. Utilities such as electrical, gas, telephone, on and abutting the tract.

Response: The *Composite Utility Plan* shows existing and proposed utilities. These sheets can be seen in Section IIB of this Notebook.

16. Easements: Approximate width, location, and purpose of all existing and proposed easements on, and known easements abutting the tract.

17. Deed Restrictions: Outline of proposed deed restrictions, if any.

18. Written Statement: Information which is not practical to be shown on the maps may be shown in separate statements accompanying the Tentative Plat.

19. If the subdivision is to be a "Planned Development," a copy of the proposed Home Owners Association By-Laws must be submitted at the time of submission of the application. The Tentative Plat shall be considered as the Stage I Preliminary Plan. The proposed By-Laws must address the maintenance of any parks, common areas, or facilities.

Response: The *Existing Conditions* plan, located in Section IIB, shows the approximate width, location, and purpose of all existing easements. The *Tentative Plat,* located in Section IIIB, shows proposed easements. No deed restrictions are proposed at this time. A draft of the CC&R's is included in Section IIIC of this Notebook.

20. Any plat bordering a stream or river shall indicate areas subject to flooding and shall comply with the provisions of Section 4.172.

Response: The proposed plat areas do not border a stream or river.

21. Proposed use or treatment of any property designated as open space by the City of Wilsonville.

Response: The proposed plat does not include any areas designated as open space by the City of Wilsonville.

22. A list of the names and addresses of the owners of all properties within 250 feet of the subject property, printed on self-adhesive mailing labels. The list shall be taken from the latest available property ownership records of the Assessor's Office of the affected county.

Response: The required mailing list has been submitted with this application. A copy is provided in Section ID.

23. A completed "liens and assessments" form, provided by the City Finance Department.

Response: A copy of this form is provided in Exhibit IIID.

24. Locations of all areas designated as a Significant Resource Overlay Zone by the City, as well as any wetlands shall be shown on the tentative plat.

Response: The proposed plat does not include any areas designated as SROZ by the City or any wetlands.

25. Locations of all existing and proposed utilities, including but not limited to domestic water, sanitary sewer, storm drainage, streets, and any private utilities crossing or intended to serve the site. Any plans to phase the construction or use of utilities shall be indicated.

Response: The *Existing Conditions* plan shows all existing utilities. The *Composite Utility Plan* shows all proposed utilities. The *Grading and Erosion Control Plan* show proposed streets and storm drainage facilities. These plan sheets can be seen in Section IIB of this Notebook.

26. A traffic study, prepared under contract with the City, shall be submitted as part of the tentative plat application process,

unless specifically waived by the Community Development Director.

Response: A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

C. Action on proposed tentative plat:

1. Consideration of tentative subdivision plat. The Development Review Board shall consider the tentative plat and the reports of City staff and other agencies at a regular Board meeting no more than ninety (90) days after tentative plat application has been accepted as complete by the City. Final action on the proposed tentative plat shall occur within the time limits specified in Section 4.013. The tentative plat shall be approved if the Development Review Board determines that the tentative plat conforms in all respects to the requirements of this Code.

Response: The proposed Tentative Plat located in Section IIIB, is included with this application for review by the Development Review Board.

2. Consideration of tentative partition plat. The Planning Director shall review and consider any proposed land partition plat through the procedures for Administrative Reviews specified in Section 4.030 and 4.035.

Response: This request is for a Tentative Subdivision Plat. This code section does not apply.

3. The Board shall, by resolution, adopt its decision, together with findings and a list of all Conditions of Approval or required changes to be reflected on the Final Plat

Response: Any Conditions of Approval adopted by the Board shall be reflected on the Final Plat.

4. Board may limit content of deed restrictions. In order to promote local, regional and state interests in affordable housing, the Board may limit the content that will be accepted within proposed deed restrictions or covenants. In adopting conditions of approval for a residential subdivision or condominium development, the Board may prohibit such things as mandatory minimum construction costs, minimum unit sizes, prohibitions or manufactures housing, etc.

Response: The applicant recognizes the authority of the Board to limit the content of the deed restrictions or covenants.

5. Effect of Approval. After approval of a tentative plat, the applicant may proceed with final surveying, improvement construction and preparation of the final plat. Approval shall be effective for a period of two (2) years, and if the final plat

is not submitted to the Planning Department within such time, the tentative plat shall be submitted again and the entire procedure shall be repeated for consideration of any changes conditions which may exist. Except, however, that the Development Review Board may grant a time extension as provided in Section 4.023.

Response: After approval of the Tentative Plat, a final plat will be prepared and submitted to the Planning Department within two years if an extension is not provided.

D. Land division phases to be shown. Where the applicant intends to develop the land in phases, the schedule for 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.

Response: The PDP is proposed to be executed in one phase.

E. Remainder tracts to be shown as lots or parcels. Tentative plats shall clearly show all effected 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.

Response: No remainder tracts are proposed.

SECTION 4.236. GENERAL REQUIREMENTS – STREETS.

(.01) Conformity to the Master Plan Map: 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.

Response: The proposed land division complies with Specific Area Plan – Central and the *Villebois Village Master Plan* with the refinements described in the PDP Supporting Compliance Report (see Section IIA of this Notebook), and thereby conforms to the applicable Master Plans.

(.02) Relation to Adjoining Street System.

A. 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.

B. 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.

C. 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.

Response: The street system proposed in this land division generally conforms to the street system in SAP Central and the *Villebois Village Master Plan* with refinements described in the PDP Supporting Compliance Report (see Section IIA of this Notebook).

(.03) All streets shall conform to the standards set forth in Section 4.177 and the block size requirements of the zone.

Response: Previous sections of this report have demonstrated compliance with the standards of Section 4.177 and the applicable block size requirements.

(.04) Creation of Easements: 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. Also, within a Planned Development, cluster settlements may have easement driveways for any number of dwelling units when approved by the Planning Director or Development Review Board.

Response: Any necessary easements will be identified on the final plat.

(.05) Topography: The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of these regulations.

Response: The *Grading and Erosion Control Plan* (see Section IIB) demonstrates that the layout of streets has given recognition to surrounding topographic conditions.

(.06) Reserve Strips: 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:

A. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or

B. To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards established by the City; or

C. To prevent access to land abutting a street of the land division but not within the tract or parcel of land being divided; or

D. To prevent access to land unsuitable for building development.

Response: Reserve strips will be provided as appropriate.

(.07) Future Expansion of Street: 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.

Response: Streets that will be expanded in the future will occur in compliance with this standard.

(.08) Existing Streets: 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.

Response: Rights-of-way have already been dedicated in accordance with the *Villebois Village Master Plan* and the Transportation System Plan.

(.09) Street Names: 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.

Response: No street names will be used that duplicate or could be confused with the names of existing streets. Street names and numbers will conform to the established name system in the City, as approved by the City Engineer.

SECTION 4.237. GENERAL REQUIREMENTS – OTHER.

(.01) Blocks:

A. 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.

B. Sizes: Blocks shall not exceed the sizes and length 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.

Response: The PDP compliance report demonstrates compliance with the applicable block size requirements (see Section IIA). The street system proposed in this land division conforms to the street system in SAP Central and the *Villebois Village Master Plan* as described in the PDP Supporting Compliance Report (see Section IIA of this Notebook).

(.02) Easements:

A. Utility lines. Easements for 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 the utility lines within and adjacent to the site shall be installed with underground services within the street and to any structures. All utilities shall have appropriate easements for construction and maintenance purposes.

B. 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.

Response: The final plat will include the appropriate easements.

(.03) Pedestrian and bicycle pathways. 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.

A. Pathways shall be required to connect to cul-de-sacs to pass through unusually shaped blocks.

B. 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.

Response: No mid-block pathways are required as the proposed block size does not exceed the length standards of the zone in which it is located. However, a segment of a minor pathway is provided through the site in a North-South alignment consistent with the Master Plan.

(.04) Tree planting. 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 planning 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.

Response: The *Street Tree/Lighting Plan* shows proposed street tree planting. This plan sheet can be seen in Section IIB of this Notebook.

(.05) Lot Size and shape. 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.

A. In areas that are not served by public sewer, an on-site sewage disposal permit is required from the City. If the soil structure is adverse to on-site sewage disposal, no development shall be permitted until sewer service can be provided.

B. Where property is zoned or deeded for business or industrial use, other lot widths and areas may be permitted at the discretion of the Development Review Board. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

C. In approving an application for a Planned Development, the Development Review Board may waive the requirements of this section and lot size, shape, and density shall conform to the Planned Development conditions of approval.

Response: Proposed lot sizes, widths, shapes and orientations are appropriate for the proposed development and are in conformance with the Village Zone requirements as demonstrated by this report.

(.06) Access. The division of land shall be such that each lot shall have a minimum frontage on a public street, as specified in the standards of the relative zoning districts. This minimum frontage requirement shall apply with the following exceptions:

A. A lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than twenty-five (25) feet upon a street, measured on the arc.

B. The Development Review Board may waive lot frontage requirements where in its judgment the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of this regulation or if the Board determines that another standard is appropriate because of the characteristics of the overall development.

Response: The proposed lots comply with the applicable access requirements of the Village Zone as demonstrated in previous sections of this report.

(.07) Through lots. 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. A planting screen easement of at least ten (10) feet, across which there shall be no access, may be required along the line of lots abutting such a traffic artery or other disadvantageous use. Through lots with planting screens shall have a minimum average depth of one hundred (100) feet. The Development Review Board may require

assurance that such screened areas be maintained as specified in Section 4.176.

Response: No through lots are proposed by this application.

(.08) Lot side lines. The side lines of lots, as far as practicable for the purpose of the proposed development, shall run at right angles to the street upon which the lots face.

Response: All side lines of lots will run at right angles to the street upon which the lots face.

(.09) Large lot land divisions. 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.

Response: This request does not include any tracts which may be divided at a future time.

(.10) Building line. 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 setbacks lines are established for the land division, they shall be shown on the final plat.

Response: No building lines are proposed by this application.

(.11) Build-to line. The Planning Director or Development Review Board may establish special 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.

Response: No build-to lines are proposed by this application.

(.12) Land for public purposes. 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.

Response: This land division does not include land to be dedicated for public purposes except for the dedication of street right-of-way.

(.13) Corner lots. Lots on street intersections shall have a corner radius of not less than ten (10) feet.

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

SECTION 4.262. IMPROVEMENTS - REQUIREMENTS.

(.01) Streets. Streets within or partially within the development shall be graded for the entire right-of-way width, constructed and surfaced in accordance with the Transportation Systems Plan and City Public Works Standards. Existing streets which abut the development shall be graded, constructed, reconstructed, surfaced or repaired as determined by the City Engineer.

Response: The *Grading and Erosion Control Plan,* located in Section IIB of this Notebook, shows compliance with this standard.

(.02) Curbs. Curbs shall be constructed in accordance with standards adopted by the City.

Response: Curbs will be constructed in accordance with City standards.

(.03) Sidewalks. Sidewalks shall be constructed in accordance with standards adopted by the City.

Response: Sidewalks will be constructed in accordance with City standards.

(.04) Sanitary sewers. When the development is within two hundred (200) feet of an existing public sewer main, sanitary sewers shall be installed to serve each lot or parcel in accordance with standards adopted by the City. When the development is more than two hundred (200) feet from an existing public sewer main, the City Engineer may approve an alternate sewage disposal system.

Response: The *Composite Utility Plan,* located in Section IIB of this Notebook, illustrate proposed sanitary sewer lines.

(.05) Drainage. Storm drainage, including detention or retention systems, shall be provided as determined by the City Engineer.

Response: The *Grading and Erosion Control Plan,* located in Section IIB of this Notebook, illustrate the proposed storm drainage facilities. A supporting utility report is provided (see Section IIC) that demonstrates that the proposed storm drainage facilities will meet City standards.

(.06) Underground utility and service facilities. All new utilities shall be subject to the standards of Section 4.300 (Underground Utilities). The developer shall make all necessary arrangements with the serving utility to provide the underground services in conformance with the City's Public Works Standards.

Response: Proposed utilities will be placed underground pursuant to Section 4.300 and City Public Works Standards.

(.07) Streetlight standards. Streetlight standards shall be installed in accordance with regulations adopted by the City.

Response: Proposed streetlights are shown on the *Street Tree/Lighting Plan,* located in Section IIB of this Notebook. Streetlights will be installed in accordance with City standards.

(.08) Street signs. Street name signs shall be installed at all street intersections and dead-end signs at the entrance to all dead-end streets and cul-de-sacs in accordance with standards adopted by the City. Other signs may be required by the City Engineer.

Response: Street name and dead-end signs will be installed in accordance with City standards.

(.09) Monuments. Monuments shall be placed at all lot and block corners, angle points, points of curves in streets, at intermediate points and shall be of such material, size, and length as required by State Law. Any monuments that are disturbed before all improvements are completed by the developer and accepted by the City shall be replaced to conform to the requirements of State Law.

Response: Monuments will be placed at all lot and block corners, angle points, points of curves in streets, at intermediate points and will be of such material, size, and length as required by State Law.

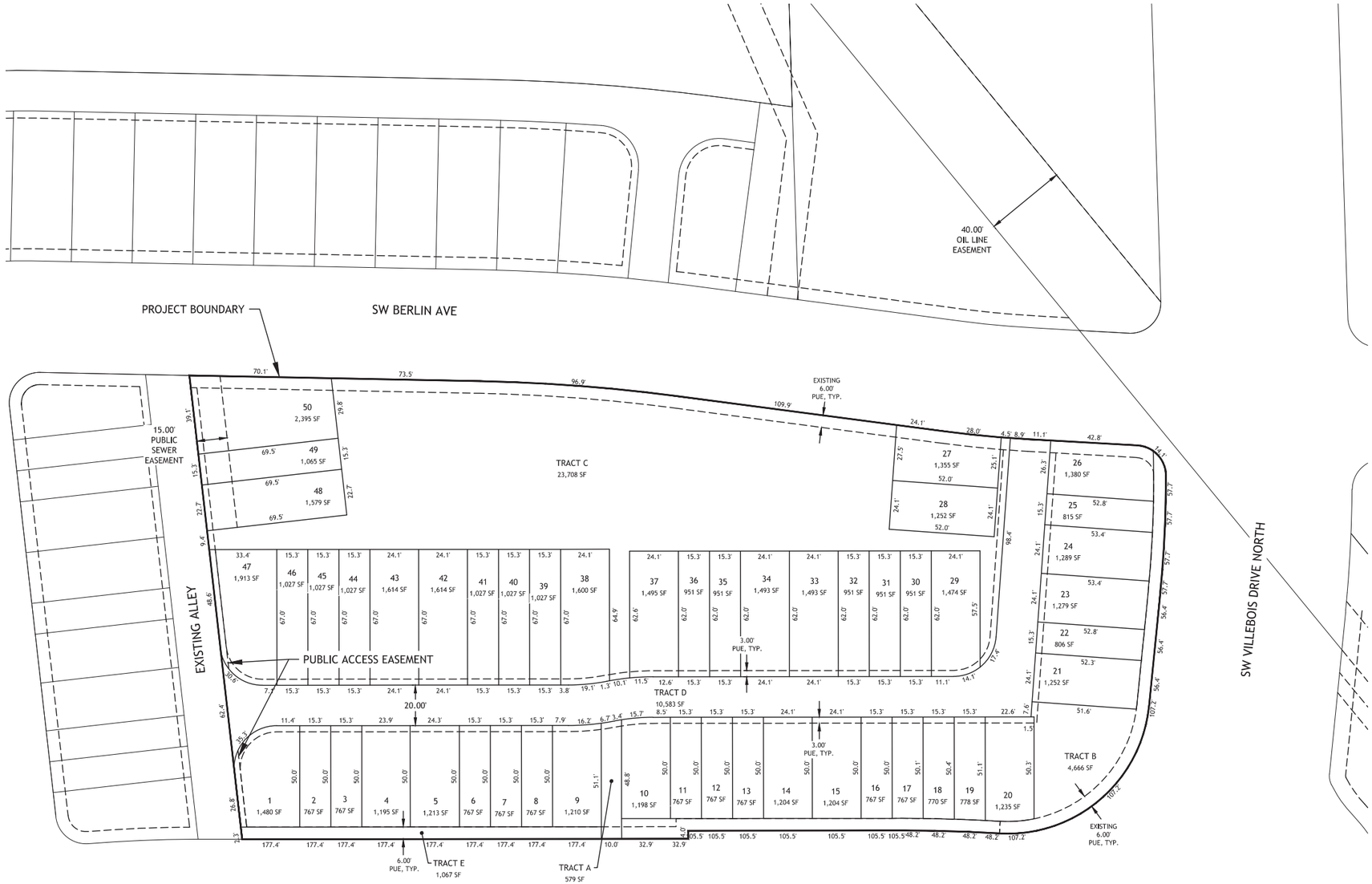
(.10) Water. Water mains and fire hydrants shall be installed to serve each lot in accordance with City standards.

Response: Water mains and fire hydrants will be installed to serve each lot in accordance with City standards (see the *Composite Utility Plan),* located in Section IIB of this Notebook).

II. CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Tentative Subdivision Plat. Therefore, the applicant respectfully requests approval of this application.

IIIB) Tentative Plat



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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

PDP 8C BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

PRELIMINARY PLAT

1ST SUBMITTAL DATE	10/02/2015
2ND SUBMITTAL DATE	11/06/2015

4

IIIC) Draft CC & R’s

PRELIMINARY DRAFT
TO BE MODIFIED

After Recording Return To:
Ball Janik LLP
101 SW Main Street, Suite 1100
Portland, OR 97204-3219
Attn.: Barbara Radler

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR

_____

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR _____ is made and executed on this ___ day of _____ 20___ by _____, a _____.

Declarant is the owner of the real property located in the City of Wilsonville, Clackamas County, Oregon and legally described on the attached Exhibit A. Declarant desires to establish a planned community on the property known as "_____," which shall also be part of the master planned development known as "Villebois," which was established and is governed by the Master Plan approved by the City of Wilsonville.

NOW THEREFORE, Declarant hereby declares that the real property described on the attached Exhibit A shall be held, sold and conveyed subject to the covenants, conditions and restrictions declared below, which shall run with the real property and shall benefit and be binding upon all parties having or acquiring any right, title or interest in the real property or any part thereof.

1. DEFINITIONS

The terms specified below shall have the following meanings when used in this Declaration:

1.1 ACC. "ACC" shall mean the Architectural Control Committee of the Association formed pursuant to Section 12.

1.2 Articles. "Articles" shall mean the Articles of Incorporation of the Association filed with the Corporation Division of the Oregon Secretary of State, as amended from time to time.

1.3 Assessment. "Assessment" shall mean any assessment levied against one or more Owners by the Association for payment of expenses relating to the Property and shall include Regular Assessments, Special Assessments, Limited Assessments and Reserve Assessments as those terms are defined herein.

1.4 Association. "Association" shall mean _____ Homeowners Association, an Oregon nonprofit mutual benefit corporation, formed for the purposes set forth in this Declaration, the Bylaws and the Articles.

1.5 Association Landscaping. "Association Landscaping" shall mean all landscaping and all irrigation systems and utilities pertaining to landscaping located in the Common Areas and the front yard areas of the Lots, including all grass, sod, ground cover, flower and plant beds, planter strips, trees, shrubs, bushes and other plantings located in the front yard areas of the Lots, but excluding all sidewalks, driveways, fencing and other non-landscaping improvements located in the front yard areas of the Lots. The front yard areas of the Lots include those portions of the Lots located between the front of the Homes and any public or private street.

1.6 Board. "Board" shall mean the duly elected Board of Directors of the Association.

1.7 Bylaws. "Bylaws" shall mean the Bylaws of the Association, as amended from time to time. The Bylaws shall be adopted pursuant to ORS 94.625 and recorded in the official records of Clackamas County, Oregon.

1.8 City. "City" shall mean the City of Wilsonville, Oregon.

1.9 Common Areas. "Common Areas" shall mean those portions of the Property legally described on the attached Exhibit B which shall be owned by the Association for the common benefit of the Owners.

1.10 Common Maintenance Areas. "Common Maintenance Areas" shall mean the Common Areas and any other property that the Association is required to maintain pursuant to this Declaration or that the Board deems necessary or appropriate for the Association to maintain for the common benefit of the Owners, including without limitation, those areas described in Section 11.1.

1.11 Declarant. "Declarant" shall mean _____, a _____, and its successors and assigns who are designated as such in writing by Declarant and who consent in writing to the transfer or assumption of any rights or obligations of Declarant under this Declaration or the Bylaws. If less than all of Declarant's rights and obligations under this Declaration or the Bylaws are transferred to a successor or assign, then the successor or assign shall only be deemed a Declarant with respect to those rights or obligations that are specifically assigned or assumed by the successor or assign. One or more persons or entities may be a Declarant.

1.12 Declaration. "Declaration" shall mean this Declaration of Covenants, Conditions and Restrictions for _____, as amended from time to time in accordance with its terms.

1.13 Design Guidelines. "Design Guidelines" shall mean the design guidelines described in Section 13.

1.14 Home. "Home" shall mean a dwelling unit located on a Lot and any associated Improvements.

1.15 Improvement. "Improvement" shall mean every structure or improvement of any kind, including without limitation, buildings, sidewalks, driveways, fences, walls, works of art, trees, hedges, plantings and other landscaping, changes in exterior color or shape, site work (such as, without limitation, excavation, grading and utility improvements), and all other product of construction efforts (such as, without limitation, alterations, renovations and reconstruction) on or with respect to the Property or any portion thereof.

1.16 Limited Assessment. "Limited Assessment" shall mean an assessment levied against an Owner by the Association for costs and expenses incurred by the Association for corrective action performed pursuant to this Declaration that is required as a result of the willful or negligent actions or omissions of the Owner or the Owner's tenants, family members, guests, contractors, or invitees. "Limited Assessment" also includes assessments for a common expense or any part of a common expense that benefits fewer than all of the Lots, as determined in the sole discretion of the Board.

1.17 Lot. "Lot" shall mean each of Lots 1 through 81, inclusive, as depicted on the Plat.

1.18 Master Plan. "Master Plan" shall mean the Master Plan of Villebois approved by the City.

1.19 Member. "Member" shall mean each member of the Association and shall include every Owner of a Lot. There shall be two (2) classes of membership in the Association, Class A and Class B, as described in Section 3.3 below.

1.20 Nonprofit Corporation Act. "Nonprofit Corporation Act" shall mean the Oregon Nonprofit Corporation Act (ORS 65.001 to 65.990), as amended from time to time.

1.21 Operation and Maintenance Agreement. "Operation and Maintenance Agreement" shall mean the Villebois Operation and Maintenance Agreement between the City and Declarant executed in connection with the recordation of the Plat.

1.22 Owner. "Owner" shall mean any person or entity, including Declarant, at any time owning a Lot, including any vendee under a recorded land sale contract to whom possession has passed, but does not include a tenant or holder of a leasehold interest, a person holding only a security interest in a Lot or a vendor under a recorded land sale contract who has surrendered possession.

1.23 Pattern Book. "Pattern Book" shall mean the design requirements for each area within Villebois adopted and applied by the City and which will be a condition to the City's approving building permits.

1.24 Planned Community Act. "Planned Community Act" shall mean the Oregon Planned Community Act (ORS 94.550 to 94.783), as amended from time to time.

1.25 Plat. "Plat" shall mean the Plat of _____ recorded in the official records of Clackamas County, Oregon on _____, 20___ as Document No. _____ and any amendments thereto.

1.26 Property. "Property" shall mean the real property located in the City of Wilsonville, Clackamas County, Oregon and legally described on the attached Exhibit A.

1.27 Regular Assessment. "Regular Assessment" shall mean an assessment by the Association against all Owners to provide for the payment of all estimated normal expenses of the Association for the performance of the Association's duties as provided in this Declaration or the Bylaws.

1.28 Reserve Assessment. "Reserve Assessment" shall mean an assessment by the Association against all Owners to establish and maintain the reserve funds pursuant to Section 6.

1.29 Special Assessment. "Special Assessment" shall mean an assessment against all Owners in the event that the Regular Assessment for any particular year is or will become inadequate to meet the expenses of the Association.

1.30 Special Declarant Rights. "Special Declarant Rights" shall mean those rights reserved for Declarant in Section 15.

1.31 Turnover Meeting. "Turnover Meeting" shall mean the meeting of the Owners called pursuant to the Bylaws for the purpose of turning over control of the Association to the Class A Members.

1.32 Villebois. "Villebois" shall mean all of the property subject to the Master Plan.

2. DECLARATION

2.1 Property Covered. The property that is covered by and is hereby made subject to this Declaration is the Property.

2.2 Purpose. The purpose of this Declaration is to provide for the maintenance, restoration, repair, improvement and upkeep of the Common Maintenance Areas and to set forth other terms and conditions governing the use and enjoyment of the Property.

2.3 Declaration. The Property shall be subject to all of the conditions, covenants, restrictions, and provisions contained in this Declaration, which shall benefit and burden each Lot and all other portions of the Property. Such conditions, covenants, restrictions, and provisions shall be binding on all parties having any right, title or interest in or to the Property, or any part thereof, and each of their respective heirs, personal representatives, successors and assigns. The Property shall be a Class I planned community as defined in the Planned Community Act and shall be subject to all of the terms and provisions of the Planned Community Act. The Property shall be known as "_____."

2.4 Improvements. Declarant does not agree to build any particular Improvements on the Property, but may elect, at Declarant's option, to build any such Improvements. Declarant elects not to limit Declarant's rights to add Improvements not described in this Declaration.

3. THE ASSOCIATION

3.1 Organization. Declarant shall, concurrently with the execution and recording of this Declaration, organize the Association as a nonprofit mutual benefit corporation pursuant to the Nonprofit Corporation Act under the name "_____ Homeowners Association" The Articles shall provide for the Association's perpetual existence, but in the event the Association is at any time dissolved, whether inadvertently or deliberately, it shall automatically be succeeded by an unincorporated association of the same name. All of the property, powers and obligations of the Association existing immediately prior to its dissolution shall thereupon automatically vest in the successor unincorporated association. Such vesting shall thereafter be confirmed as evidenced by appropriate conveyances and assignments by the Association to the successor unincorporated association. To the greatest extent possible, any successor unincorporated association shall be governed by the Articles and Bylaws as if they had been drafted to constitute the governing documents of the unincorporated association.

3.2 Membership. Every Owner of a Lot shall, immediately upon creation of the Association and thereafter during the entire period of such Owner's ownership of a Lot, be a Member of the Association. Such membership shall commence, exist and continue simply by virtue of such ownership, shall expire automatically upon termination of such ownership, and need not be confirmed or evidenced by any certificate or acceptance of membership.

3.3 Voting Rights. The Association shall have the following two (2) classes of voting membership:

3.3.1 Class A Members. Class A Members shall be all Owners other than Declarant (except that beginning on the date on which the Class B membership is converted to Class A membership, and thereafter, Class A Members shall be all Owners, including Declarant). Class A Members shall be entitled to one (1) vote for each Lot owned. When more than one (1) person holds an interest in a Lot, all such persons shall be Members. However, only one (1) vote shall be exercised for the Lot. The vote for the Lot shall be exercised as the Owners of the Lot

determine among themselves. If the Owners of the Lot cannot agree upon how to exercise the vote, then the vote for that Lot shall be disregarded in determining the proportion of votes with respect to the particular matter at issue.

3.3.2 Class B Members. The Class B Member shall be Declarant. The Class B Member shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the election in writing by Declarant to terminate the Class B membership.

3.4 Powers and Obligations. The Association shall have, exercise and perform all of the following powers, duties and obligations:

3.4.1 Declaration. The powers, duties and obligations granted to the Association by this Declaration, including, without limitation, the authority to levy Assessments against the Owners for the costs of operating and managing the Association and performing the Association's responsibilities under this Declaration and the Bylaws, as well as the operating costs and expenses of the ACC.

3.4.2 Statutory Powers. The powers and obligations of a nonprofit corporation pursuant to the Nonprofit Corporation Act, and of a homeowners association pursuant to ORS 94.630, as either may be amended from time to time, except as provided otherwise by this Declaration or the Bylaws.

3.4.3 General. Any additional or different powers, duties and obligations necessary or desirable for the purpose of carrying out the functions of the Association pursuant to this Declaration and the Bylaws or otherwise promoting the general benefit of the Members. The powers and obligations of the Association may from time to time be amended, repealed, enlarged or restricted by changes to this Declaration made in accordance with the provisions herein, accompanied by changes to the Articles or Bylaws made in accordance with such instruments, as applicable, and with the Planned Community Act and Nonprofit Corporation Act.

3.5 Liability. Neither the Association, members of the Board, officers of the Association nor members of committees established under or pursuant to the Bylaws shall be liable to any Owner for any damage, loss, injury or prejudice suffered or claimed on account of any action or failure to act by the Association or any Board member, officer or committee member, provided that the Association, Board member, officer or committee member acted or failed to act, in good faith, within the scope of his or her authority, and in a manner reasonably believed to be in the best interest of the Association and its Members, with regard to the act or omission at issue.

3.6 Interim Board. Declarant shall have the right to appoint an interim Board consisting of one (1) to three (3) directors, who shall serve as the Board until replaced by Declarant or until their successors have been elected by the Owners at the Turnover Meeting.

3.7 Transitional Advisory Committee. Declarant shall form a transitional advisory committee as provided in the Bylaws to provide for the transition of administrative responsibility for the Association from Declarant to the Class A Members.

3.8 Association Rules and Regulations. The Board from time to time may adopt, modify, or revoke such rules and regulations governing the conduct of persons and the operation and use of the Lots and Common Areas as it may deem necessary or appropriate in order to assure the safe, peaceful and orderly use and enjoyment of the Property, without unduly infringing on the privacy or enjoyment of any Owner or occupant of any part of the Property. A copy of the rules and regulations, upon adoption, and a copy of each amendment, modification or revocation thereof, shall be delivered by the Board promptly to each Owner and shall be binding upon all Owners and occupants of all Lots upon the date of delivery. The method of adoption of such rules shall be as provided in the Bylaws.

4. ALLOCATION OF COMMON PROFITS AND EXPENSES

4.1 Method of Allocation. The common profits of the Association shall be distributed among, and the common expenses of the Association shall be charged to, the Lots on an equal basis, except as provided in Section 5.4 below. The common expenses of the Association may be assessed on a monthly, quarterly or annual basis as determined by the Board.

4.2 No Exception. No Owner may claim exemption from liability for contribution toward the common expenses of the Association by waiving his or her use or enjoyment of the Common Areas or by abandoning his or her Lot. No Owner may claim an offset against such liability for failure of the Association or the Board to perform its obligations.

5. ASSESSMENTS

5.1 Creation of Lien and Personal Obligation of Assessments. Declarant, for each Lot it owns, does hereby covenant, and each Owner of a Lot by acceptance of a conveyance thereof, whether or not so expressed in the conveyance, shall be deemed to covenant to pay to the Association all Assessments or other charges as may be fixed, established and collected from time to time in the manner provided in this Declaration or the Bylaws. Such Assessments and charges, together with any interest, expenses or attorneys' fees imposed pursuant to Section 7.4, shall be a charge on the land and shall be a continuing lien upon the Lot against which the Assessment or charge is made. Assessments, charges and other costs shall also be the personal obligation of the person who was the Owner of the Lot at the time when the Assessment or charge becomes due. Such liens and personal obligations shall be enforced in the manner set forth in Section 7 below.

5.2 Regular Assessments.

5.2.1 Commencement. Regular Assessments for each Lot shall commence upon the sale of the Lot to an Owner other than a Declarant. Regular Assessments shall not be levied against Declarant-owned Lots.

5.2.2 Amount of Regular Assessments. The Regular Assessments shall be based upon an annual budget prepared by the Board with respect to projected expenses of the Association, including, without limitation, the following:

(a) maintenance, repair, replacement, and upkeep of the Common Maintenance Areas;

(b) premiums for all insurance policies that the Association is required or permitted to maintain pursuant to the Bylaws;

(c) any deficits remaining from the previous fiscal year of the Association;

(d) reserves for the major maintenance, repair and replacement of the Common Maintenance Areas and the Improvements located thereon for which the Association has maintenance responsibility and such other reasonable contingency reserves as may be established from time to time at the discretion of the Board;

(e) costs related to the preparation, review and update of the reserve study and maintenance plan described in Section 6; and

(f) such other and further costs, expenses, obligations, and liabilities as the Board, in its discretion, may incur for the management, operation, and maintenance of the Property and the Association in accordance with this Declaration and the Bylaws.

5.2.3 Allocation of Regular Assessments. The Regular Assessments shall be allocated equally among all Lots subject to assessment pursuant to Section 5.2.1.

5.3 Special Assessments. In addition to the Regular Assessments, the Association shall have the authority to levy Special Assessments to satisfy any actual or projected deficiency between the expenses of the Association and the amounts realized through Regular Assessments; provided, however, that prior to the Turnover Meeting, any special assessment for capital improvements or additions shall be approved by not less than fifty percent (50%) of the total voting power of the Association, determined on the basis of one vote per Lot notwithstanding the special voting rights of Declarant under Section 3.3.2 hereof. Special Assessments shall be allocated equally among all Lots. Special Assessments are payable as the Board may from time to time determine, but no sooner than thirty (30) days after mailing notice thereof to the Owners.

5.4 Limited Assessments. The Association shall have the authority levy against any Owner a Limited Assessment equal to the costs and expenses incurred by the Association, including legal fees, for corrective action performed pursuant to this Declaration or the Bylaws that is required as a result of the willful or negligent actions or omissions of the Owner or the Owner's tenants, family members, guests, contractors, or invitees, or for a common expense or any part of a common expense that benefits a particular Lot or Lots rather than all the Lots, as determined in the sole discretion of the Board.

5.5 Reserve Assessments. The Association shall have the authority to levy Reserve Assessments necessary to fund the reserve account created under Section 6. The Reserve Assessments for each Lot shall commence upon the sale of the Lot to an Owner other than a Declarant. Reserve Assessments shall not be levied against Declarant-owned Lots. The Reserve Assessments shall be allocated equally among all Lots subject to assessment pursuant to this Section 5.5.

5.6 Statement of Account. Upon the request of an Owner or an Owner's agent, for the benefit of a prospective purchaser, the Board shall make and deliver a written statement of any unpaid Assessments against the Owner's Lot through the date specified in the statement and the purchaser in that case shall not be liable for any unpaid assessments against the Lot that are not included in the statement provided by the Board. The Association is not required to provide a statement of outstanding Assessments if the Association has commenced litigation by filing a complaint against the Owner and the litigation is pending when the statement would otherwise be due.

6. RESERVE ACCOUNT; RESERVE STUDY AND MAINTENANCE PLAN

6.1 Reserve Account. Declarant shall establish a reserve account in the name of the Association for the major maintenance, repair and replacement, in whole or in part, of the Common Maintenance Areas and any Improvements located in, on, or under the Common Maintenance Areas for which the Association has maintenance responsibility pursuant to this Declaration, including exterior painting, if the Common Maintenance Areas include any exterior painted surfaces, that will normally require major maintenance, repair or replacement in more than one (1) year and fewer than thirty (30) years. The reserve account need not include those items that could reasonably be funded from the maintenance fund or for which one or more Owners are responsible for maintenance or replacement under this Declaration or the Bylaws. The reserve account shall be funded by the Reserve Assessments. The reserve funds shall be kept separate from other funds of the Association and may be used only for maintenance, repair, and replacement of the Common Maintenance Areas for which reserves have been established as specified in this Section 6.1. However, after the Turnover Meeting, the Board may borrow funds from the reserve account to meet high seasonal demands on the regular operating funds or to meet other unexpected increases in expenses. Funds borrowed to meet unexpected increases in expenses under this Section shall be repaid from Regular or Special Assessments if the Board has adopted a resolution, which may be an annual continuing resolution, authorizing the

borrowing of funds. Not later than the adoption of the budget for the following year, the Board shall adopt by resolution a written payment plan providing for repayment of the borrowed funds within a reasonable period. The Board shall administer the reserve fund and may adjust the amount of the Reserve Assessments to reflect changes in current maintenance, repair or replacement costs over time as indicated by the reserve study or update (as discussed in Section 6.2 below), and may provide for other reserve items that the Board, in its discretion, deems appropriate. If, after reviewing the reserve study or reserve study update, the Board determines that the reserve account will be adequately funded for the following year, then the Board may vote to reduce or eliminate funding of the reserve account for that particular year. Additionally, following the Turnover Meeting, on an annual basis, the Board, with the approval of all Owners, may elect not to fund the reserve account for the following year regardless of whether or not the reserve account is fully funded. Any funds established for any of the purposes mentioned in this Section shall be deemed to be a reserve fund notwithstanding that it may not be so designated by the Board. The amount of the reserve fund shall constitute an asset of the Association and shall not be refunded or distributed to any Owner. An Owner may treat his or her outstanding share of the reserve fund as a separate item in a sales contract.

6.2 Reserve Study. The Board shall annually conduct a reserve study, or review and update an existing study, of the Common Maintenance Areas and other reserve items set forth in Section 6.1 to determine the requirements of the reserve fund described in Section 6.1. The reserve study shall: (a) identify all items for which reserves are or will be established; (b) include the estimated remaining useful life of each item as of the date of the reserve study; and (c) include for each item, as applicable, an estimated cost of maintenance, repair and replacement at the end of the item's useful life.

6.3 Maintenance Plan. The Board shall prepare a maintenance plan for the maintenance, repair and replacement of all property for which the Association has maintenance, repair or replacement responsibility under this Declaration, the Bylaws or the Planned Community Act. The maintenance plan shall: (a) describe the maintenance, repair and replacement to be conducted; (b) include a schedule for the maintenance, repair and replacement; (c) be appropriate for the size and complexity of the maintenance, repair and replacement responsibility of the Association; and (d) address issues that include, but are not limited to, warranties and the useful life of the items for which the Association has maintenance, repair and replacement responsibility. The Board shall review and update the maintenance plan as necessary.

7. ENFORCEMENT

7.1 Default in Payment of Assessments; Enforcement of Lien. If an Assessment or any other charge levied under this Declaration or the Bylaws is not paid within ten (10) days after its due date, such Assessment or charge shall become delinquent and shall bear interest from the due date until paid at the rate set forth in Section 7.4 below and, in addition, the

Association may exercise any or all of the following remedies as allowed under the Planned Community Act:

7.1.1 Lien. The Association shall have a lien against each Lot for any Assessment levied against the Lot and any fines or other charges imposed under this Declaration or the Bylaws against the Owner of the Lot from the date on which the Assessment, fine or charge is due. The provisions regarding the attachment, notice, recordation and duration of liens established on real property under ORS 94.709 shall apply to the Association's lien. The lien shall be foreclosed in accordance with the provisions regarding the foreclosure of liens under ORS 94.709 through 94.719. The Association, through its duly authorized agents, may bid on the Lot at a foreclosure sale, and may acquire and hold, lease, mortgage and convey the Lot.

7.1.2 Suit or Action. The Association may bring an action to recover a money judgment for unpaid Assessments, fines and charges under this Declaration without foreclosing or waiving the lien described in Section 7.1.1. Recovery on any such action, however, shall operate to satisfy the lien, or the portion thereof, for which recovery is made.

7.1.3 Fines. In addition to any other remedies available to the Association hereunder and subject to the requirements of ORS 94.630(1)(n), the Association shall have the right to impose reasonable fines upon an Owner who violates the Declaration, Bylaws or any rules and regulations of the Association, in the manner and amount the Board deems appropriate in relation to the violation.

7.1.4 Other Remedies. The Association shall have any other remedy available to it by law or in equity.

7.2 Notification of First Mortgagee. Upon the advance written request of the first mortgagee of any Lot, the Board shall notify the first mortgagee of any default in the performance of the terms of this Declaration by the Lot's Owner that is not cured within sixty (60) days.

7.3 Subordination of Lien to First Mortgages. The Association's lien for the Assessments and other charges provided for in this Declaration shall be subordinate to the lien of any first mortgage or deed of trust of record. The sale or transfer of any Lot shall not affect the Association's lien. However, the sale or transfer of a Lot pursuant to the foreclosure of a first mortgage lien or the execution of a deed in lieu of foreclosure of a first mortgage lien shall extinguish the Association's lien with respect to Assessments and other charges that became due prior to such sale or transfer. No sale, foreclosure or transfer of a Lot shall extinguish the personal obligation of the Owner who owned the Lot at the time the Assessment or other charge became due.

7.4 Interest, Expenses and Attorneys' Fees. Any amount not paid to the Association when due in accordance with this Declaration shall bear interest from the due date until paid at a

rate of twelve percent (12%) per annum, or at such other rate as may be established by the Board, but not to exceed the lawful rate of interest under the laws of the State of Oregon. A late charge may be charged for each delinquent Assessment in an amount established from time to time by resolution of the Board. If the Association files a notice of lien, the lien amount shall also include the recording fees associated with filing the notice, and a fee for preparing the notice of lien established from time to time by resolution of the Board. If the Association brings any suit or action to enforce this Declaration, or to collect any money due hereunder or to foreclose a lien, the defaulting Owner shall pay to the Association all costs and expenses incurred by the Association in connection with such suit or action, including a foreclosure title report, and the prevailing party in such suit or action shall recover such amount as the court may determine to be reasonable as attorneys' fees at trial and upon any appeal or petition for review thereof.

7.5 Nonexclusiveness and Accumulation of Remedies. An election by the Association to pursue any remedy provided in this Section 7 for a violation of this Declaration shall not prevent the concurrent or subsequent exercise of any other remedy permitted hereunder. The remedies provided in this Declaration are not exclusive, but shall be in addition to all other remedies, including actions for damages and suits for injunctions and specific performance, that are available under applicable law to the Association. In addition, any aggrieved Owner may bring an action against another Owner or the Association to recover damages or to enjoin, abate, or remedy any violation of this Declaration by appropriate legal proceedings.

8. PROPERTY RIGHTS AND EASEMENTS

8.1 Owners' Use and Occupancy. Except as otherwise expressly provided in this Declaration, the Bylaws, the Plat or any easement, covenant or any other instrument of record, the Owner of a Lot shall be entitled to the exclusive use and benefit of his or her Lot. Declarant and any representative of the Association authorized by the Association may at any reasonable time, upon reasonable notice to the Owner, enter upon any Lot for the purpose of determining whether or not the use of and/or the Improvements on the Lot are then in compliance with this Declaration, the Bylaws, the Design Guidelines or the rules and regulations of the Association. No such entry shall be deemed to constitute a trespass or otherwise create any right of action in the Owner of the Lot. Declarant or the Association may grant or assign easements over or with respect to any Lot to municipalities or other utilities performing utility services and to communications companies.

8.2 Owners' Easements of Enjoyment. Subject to any restrictions contained in this Declaration, the Bylaws, the Plat, the Operation and Maintenance Agreement or any easement, covenant or other instrument of record, every Owner and the Owner's family members, tenants, guests, and invitees shall have a right and easement of enjoyment in and to the Common Areas, which easement shall be appurtenant to and shall pass with the title to every Lot. Use of the Common Areas shall not result in unreasonable disturbance of the Owners and occupants of the

other Lots and shall be subject to the rules and regulations as may be adopted by the Board from time to time pursuant to Section 3.8.

8.3 Title to Common Areas. Declarant shall convey fee title to the Common Areas to the Association free and clear of liens and encumbrances no later than the Turnover Meeting.

8.4 Extent of Owners' Rights. The rights and use of enjoyment in the Property shall be subject to the following easements and all other provisions of this Declaration:

8.4.1 Association's and Owners' Easements. Declarant reserves for itself and grants to the Association and the Board and their duly authorized agents and representatives for the benefit of the Association and all Owners of Lots within the Property the following easements:

(a) An easement under and upon the Common Areas, for installation and maintenance of power, gas, electric, sewer, water and other utility and communication lines and other utility and communication lines and services installed by Declarant or with the approval of the Board;

(b) An easement under and upon the Common Areas, for construction, maintenance, repair, and use of the Common Areas and any Improvements thereon;

(c) The right to have access to the Common Areas and to all Lots as may be necessary for the installation, maintenance, repair, upkeep or replacement of the Common Maintenance Areas, for determining whether or not the use of and/or the Improvements on a Lot are then in compliance with this Declaration, the Bylaws, the Design Guidelines or the rules and regulations of the Association, or to make emergency repairs thereon necessary for the public safety or to prevent damage to the Common Maintenance Areas or to another Lot or Home. In case of an emergency originating in or threatening any Lot or Home or the Common Maintenance Areas, each Owner hereby grants the right of entry to any person authorized by the Board or the Association, whether or not the Owner is present at the time;

(d) Such easements as are necessary to perform the duties and obligations of the Association set forth in this Declaration, the Bylaws and Articles, as the same may be amended or supplemented;

(e) Each Lot shall have an easement over any adjoining Lot as may be required to perform maintenance, repair or reconstruction of the Home located on the benefited Lot. The Owner of the benefited Lot shall be responsible for restoring any damage to the burdened Lot resulting from such use and shall indemnify and hold harmless the owner of the burdened Lot for, from and against any damage, claim, loss or liability resulting from such use; and

(f) Pursuant to ORS 94.733(3), each Lot, Home and all Common Areas shall have an easement over all adjoining Lots, Homes and the Common Areas for the purpose of accommodating any present or future encroachment as a result of engineering errors, construction, reconstruction, repairs, settlement, shifting, or movement of any portion of the Property, or any other similar cause, and any encroachment due to building overhang or projection. There shall be valid easements for the maintenance of the encroaching Lots, Homes and the Common Areas so long as the encroachments shall exist, and except as otherwise provided, the rights and obligations of Owners shall not be altered in any way by the encroachment, nor shall the encroachment be construed to be encumbrances affecting the marketability of title to any Lot, Home or Common Areas.

8.4.2 Declarant's Easements. So long as Declarant owns any Lot, and in addition to any other easements to which Declarant may be entitled, Declarant reserves an easement over, under and across the Common Areas in order to carry out development, construction, sales and rental activities necessary or convenient for the development of the Property or the sale or rental of Lots and for such other purposes as may be necessary or convenient for discharging Declarant's obligations or for exercising any of Declarant's rights hereunder.

8.4.3 Utility and Other Municipal Easements. Declarant or the Association may (and, to the extent required by law, shall) grant or assign easements to municipalities or other utilities performing utility services and to communications companies, and the Association may grant free access thereon to police, fire, and other public officials and to employees of utility companies and communications companies serving the Property.

8.4.4 Villebois Easements. All Common Area parks and trail systems with the Property may be used and enjoyed by the owners and occupants of other portions of Villebois on the same basis as the Owners. Such use shall be subject to all conditions and restrictions set forth in this Declaration, which may be enforced as provided in this Declaration. Such owners and occupants shall pay, indemnify and hold harmless the Association and all Owners for, from and against any damage, loss, claim or liability arising out of such use.

8.4.5 Transfer of the Common Areas. The Association may not sell, transfer or grant a security interest in any portion of the Common Areas unless the Owners holding at least eighty percent (80%) of the total voting power of the Association, including eighty percent (80%) of the votes not held by Declarant, and the Class B Member, if any, approve the sale, transfer or grant of security interest. A sale, transfer or grant of security interest in any portion of the Common Areas in accordance with this Section 8.4.5 may provide that the Common Areas so conveyed shall be released from any restrictions imposed on such Common Areas by this Declaration or the Bylaws. No such sale, transfer, or grant of security interest may, however, deprive any Lot of such Lot's right of access or support without the written consent of the Owner of such Lot.

8.4.6 Authority to Grant Easements and Other Property Interests in Common Areas. The Association may execute, acknowledge and deliver leases, easements, rights of way, licenses, and other similar interests affecting the Common Areas and consent to vacation of roadways within and adjacent to the Common Areas. Except for those matters described in ORS 94.665(4)(b), which the Board may approve without Owner consent, the granting of any interest pursuant to this Section 8.4.6 must be approved by at least seventy-five percent (75%) of the Owners present at a meeting of the Association or with the consent of at least seventy-five percent (75%) of all Owners solicited by any means the Board determines is reasonable. If a meeting is held to conduct the vote, the meeting notice shall include a statement that the approval of the granting of an interest in the Common Areas will be an item of business on the agenda of the meeting.

8.5 Maintenance and Reconstruction Easements. An easement is hereby reserved in favor of the Association and its successors, assigns, contractors, agents, and employees over and across each Lot, for purposes of accomplishing the repair and restoration of the Common Maintenance Areas pursuant to Section 14.

9. GENERAL PROVISIONS FOR AND RESTRICTIONS ON USE OF LOTS

9.1 Each Lot, including the Home and all other Improvements located thereon, shall be maintained in a clean and attractive condition, in good repair, and in such a manner as not to create a fire hazard.

9.2 No Lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any Lot other than one detached single-family dwelling and a private garage or carport. The Home and any other Improvements on a Lot shall comply with all applicable City height restrictions.

9.3 A greenhouse of noncommercial type, or a garden tool shed or other residential accessory buildings or improvements, may be erected, provided that these types of Improvements are of an acceptable architectural design (as determined by the ACC in accordance with Section 12), shall have the exterior painted and, if such structure is separate from the Home, shall be located within the fenced-in patio or courtyard. Such accessory buildings or improvements shall comply with applicable requirements of the City. All Homes shall provide a garage or carport sufficient to accommodate a minimum of two (2) vehicles.

9.4 All garbage, trash, cuttings, refuse, garbage and refuse containers, oil tanks, clothes lines or other service facilities, stored trailers, and recreational vehicles ("RV's") shall be screened from the view of neighboring Homes and from the Common Areas in a manner approved by the ACC. No RV's shall be visibly parked on a Lot for more than five (5) continuous days in a calendar month. The intent of this provision is to minimize the negative visual impact caused by the visible parking or storage of RV's.

9.5 No noxious or offensive activity shall take place on any Lot, nor shall anything be done or placed on any Lot that interferes with or jeopardizes enjoyment of other Lots or within the Property.

9.6 If any tree, shrub, or other vegetation blocks or substantially obscures the view from any Home, the Owner of the Home may petition the ACC for the trimming, topping, or removal of such tree, shrub, or other vegetation. Upon receipt of such petition, the ACC shall investigate the matter and make a determination in writing whether such view is actually blocked or substantially obscured. If the ACC makes such a determination, the Owner of the offending tree, shrub, or other vegetation shall have ten (10) days from the date the ACC made such determination to elect whether the offending tree, shrub, or other vegetation should be trimmed, topped, or entirely removed. If the offending tree, shrub, or other vegetation is not part of the Association Landscaping, then the Owner of the Lot on which the offending tree, shrub, or other vegetation is located shall bear sole responsibility for the entire cost of such trimming, topping, or removal and shall be solely responsible for obtaining any approvals from the City prior to proceeding with topping or removal.

9.7 The maintenance and replacement (if removed) of trees planted in the rear and side yards of all Lots shall be the responsibility of each Owner; provided, that no tree may be removed without the prior approval of the ACC and any required governmental approvals. Customary trimming and pruning in accordance with professional arboriculture industry standards of trees shall be permitted in the rear and side yards of the Lots without prior approval.

9.8 All fences, walls, hedges, landscaping and other Improvements installed on any Lot shall comply with the City vision clearance requirements and height restrictions. Owners who desire a fence are encouraged to use the same or similar material in style as fencing in the areas near the Property. Prior to construction, design of all fences, hedges or walls must be approved in writing by the ACC.

10. GENERAL RESTRICTIONS ON USE OF PROPERTY

10.1 Common Areas. No person shall construct or reconstruct any Improvements, or alter or refinish any Improvements, make any excavation or fill, make any change in the natural or existing surface drainage, or install a utility line in the Common Areas without the prior written approval of the Board or a duly appointed committee to which the Board has delegated such responsibility and, if required, the City.

10.2 Association Landscaping. No person shall remove, alter, modify or replace any Association Landscaping without the prior written approval of the Board or a duly appointed committee to which the Board has delegated such responsibility and, if required, the City.

11. MAINTENANCE OBLIGATIONS

11.1 Association Maintenance Obligations. The Association shall be responsible for the maintenance, repair, upkeep and replacement of the following Common Maintenance Areas:

(a) Tracts A, C, D, E, G, J and L, as shown on the Plat, including all paved street surfaces, mountable curbs, street signs, lighting, landscaping, irrigation systems and other Improvements located thereon, to be maintained as private streets and/or alleys;

(b) Tracts B, F, H, I, K, M and N, as shown on the Plat, including all landscaping, irrigation systems, sidewalks, lighting and other Improvements located thereon, to be maintained as a recreational areas, parks, open space tracts and/or linear/buffer tracts;

(c) The Association Landscaping;

(d) [Include City-owned park tract to be maintained by Association??];

(e) All entry monument signage for the Property, including any landscaping, lighting and irrigation systems related thereto;

(f) All cluster mailboxes serving the Lots; and

(g) Any other area determined by the Board to be in the interest of the Association to maintain.

The Association shall regularly inspect, maintain, repair and keep the Common Maintenance Areas in good condition and provide for all necessary services and cause all acts to be done which may be necessary or proper to assure the maintenance of the Common Maintenance Areas. The Association shall perform all maintenance obligations set forth in this Declaration or the Bylaws, any maintenance manual provided by Declarant or the maintenance plan described Section 6 above and shall employ all other commonly accepted maintenance practices intended to prolong the life of the materials and construction of Improvements within the Common Maintenance Areas. Additionally, the Association shall be responsible for performing all maintenance required of the "Obligor" under the Operation and Maintenance Agreement.

11.2 Owner's Maintenance Obligations. Except to the extent Association Landscaping is maintained by the Association, each Owner shall maintain his or her Lot and the Improvements located thereon in a clean and attractive condition, in good repair and in such a fashion as not to create a hazard of any kind. Such maintenance shall include, without limitation, painting or staining, repair, replacement and care of roofs, gutters, downspouts, surface water drainage, walks, driveways, landscaping and other exterior Improvements. In addition, each Owner shall keep his or her Lot free of trash and other unsightly materials. The provisions of the preceding sentence include the areas between the property line of any Lot and

the nearest curb, including sidewalks and street trees unless otherwise included in the Association Landscaping.

11.3 Damage or Destruction By Owner. If damage to the Common Maintenance Areas, including any Improvements located thereon, beyond ordinary wear and tear is directly attributable to an Owner or the family members, invitees, licensee, or guest of an Owner, then that Owner shall be responsible for the cost of repairing the damage and the Association may levy a Limited Assessment against the Owner for the repair cost.

12. ARCHITECTURAL CONTROL COMMITTEE

12.1 Creation of Committee. The ACC with the powers and authority described in this Section 12 shall be created as a committee of the Association. The ACC shall have three (3) members, who shall be appointed by Declarant until the Turnover Meeting, after which the ACC members shall be appointed by the Board and shall serve at the pleasure of the Board. Members of the ACC must be Owners. Board members may also serve as ACC members. Appointed members of the ACC shall remain in office until new members are appointed by the Board unless they sooner resign or are disqualified.

12.2 Operations. The members of the ACC shall elect a chairperson, who shall conduct all meetings and shall provide for reasonable notice to each member of the ACC prior to any meeting. The notice shall set forth the time and place of the meeting. Notice may be waived by any member.

12.3 Majority Action. The affirmative vote of a majority of the members of the ACC shall govern its actions and constitute the act of the ACC. A quorum of the ACC shall consist of a majority of the ACC members. The ACC may render its decision only by written instrument setting forth the action taken by the members consenting thereto.

12.4 Review Procedures. If the ACC fails to provide written approval or disapproval of plans and specifications within thirty (30) days after such complete plans and specifications have been submitted, approval of the ACC shall not be required and the related covenants shall be deemed to have been satisfied, unless within twenty (20) days of receipt of the complete plans and specifications, the ACC notifies the Owner of the ACC's intention to extend the approval period by an additional fifteen (15) days to a total of forty-five (45) days after receipt of complete plans and specifications. The ACC shall, from time to time, adopt application forms and rules specifying those requirements necessary to constitute a complete application.

12.5 Approval of Plans by ACC. No Home, building, garage, structure, or other Improvement of any kind or nature, including, without limitation, landscaping, shall be commenced, erected, placed, or altered on any Lot until the construction plans and specifications, and a plan showing the nature, shape, height, materials, and colors, together with detailed plans showing the proposed location of the same on the particular building site and

proposed landscaping has been submitted to and approved in writing by the ACC. All such Improvements and alterations shall be in conformance with the Design Guidelines, the Pattern Book adopted by the City for each area within Villebois and all other applicable governmental laws, ordinances, conditions of approval, rules and regulations. To the extent that the requirements contained in the Pattern Book or in any applicable governmental laws, ordinances, rules and regulations may be in conflict with the Design Guidelines, the more restrictive standard shall apply. Complete plans and specifications for approval by the ACC must include all material required by the rules of the ACC as provided in Section 12.4 above. In no case shall any plans and specifications be accepted for approval that are inconsistent with the requirements of Section 9.2. The ACC may approve or disapprove plans and specifications as submitted or may approve such plans and specifications with specific conditions to such approval.

12.6 Damages Inadequate. Damages are hereby declared to be inadequate compensation for any breach of the covenants, conditions, and restrictions imposed by this Declaration. Declarant, the ACC, or any Owner may, by appropriate proceedings, enjoin, abate, and remedy any such breach and the continuance

12.7 Nuisance. The result of every act of omission or commission or the violation thereof, whether such covenants, conditions, and restrictions are violated in whole or in part, shall constitute a nuisance, and every remedy allowed by law or equity against such nuisance, either public or private, shall be applicable against every such result and may be exercised by Declarant, the ACC, or by any Owner, and may be prohibited or enjoined.

12.8 Non-Waiver. The provisions contained in this Declaration shall inure to the benefit of and be enforceable by Declarant, the ACC, or any Owner, and each of their legal representatives, heirs, successors, and assigns. Failure by Declarant, the ACC or any Owner or their legal representatives, heirs, successors, and assigns to enforce any of the provisions contained herein shall in no event be deemed a waiver of the right to do so thereafter.

12.9 Estoppel Certificate. Within fifteen (15) business days after an Owner delivers a written request to the ACC, the ACC shall provide the Owner with an estoppel certificate executed by a member of the ACC. The estoppel certificate shall state whether or not the Improvements located on the Lot owned by the requesting Owner comply with the provisions of this Declaration. If the estoppel certificate indicates that the Improvements are not in compliance, then it shall identify the specific non-conforming Improvements and set forth with particularity the nature of the noncompliance. Any purchaser in due course from the Owner, and any mortgagee, beneficiary, or secured party having any interest in the Lot and any associated Improvements, may rely on the estoppel certificate with respect to the matters set forth therein, and the estoppel certificate shall be conclusive as between the ACC, all Owners, and such purchaser, mortgagee, beneficiary, or secured party.

12.10 Defenses. The issuance of an estoppel certificate as described in Section 12.9 shall constitute an absolute defense to claims brought against an Owner pursuant to this Section

12 with respect to matters within the purview of the ACC, where the Improvement at issue was in existence at the time of the issuance of the estoppel certificate.

12.11 Liability. The ACC shall use reasonable judgment in accepting or disapproving all plans and specifications submitted to it. Neither the ACC nor any individual ACC member shall be liable to any person for any official act of the ACC in connection with submitted plans and specifications, except to the extent the ACC or any individual ACC member acted with malice or wrongful intent. Approval by the ACC does not necessarily assure approval by any governmental authority. Notwithstanding that the ACC has approved plans and specifications, neither the ACC nor any of its members shall be responsible or liable to any Owner, occupant, builder, developer, or contractor with respect to any loss, liability, claim, or expense which may arise by reason of such approval. Review or analysis of structural, geophysical, engineering, or other similar considerations shall be outside the scope of the ACC's review. Neither the Board, the ACC, or any agent thereof, nor Declarant or any of its members, managers, employees, agents, or consultants, shall be responsible in any way for any defects in any plans or specifications submitted, revised, or approved in accordance with the provisions of this Declaration, nor for any structural or other defects in any work done according to such plans and specifications. The Association shall indemnify, hold harmless, and defend the ACC and its members in any suit or proceeding which may arise by reason of any of the ACC's decisions, provided that the ACC members acted in good faith, within the scope of their authority, and in a manner reasonably believed to be in the best interest of the Association and its Members. The Association shall use reasonable efforts to procure errors and omissions insurance coverage with respect to the ACC members, in accordance with the provisions of the Bylaws.

12.12 Activities of Declarant. This Section 12 shall not apply to the activities of Declarant or its affiliates.

13. DESIGN GUIDELINES

13.1 Paint Requirement. The exterior of any Home erected on a Lot shall be fully completed and painted within one (1) year after construction of the Home has commenced.

13.2 Designs, Materials, and Construction Quality. The external designs and materials of all Homes shall harmonize with each other and shall be reasonably harmonious with those employed on the Homes on other Lots. All auxiliary buildings on a Lot shall be of the same general design and materials as the Home on the Lot. The primary exterior color tone of all buildings shall blend with the natural environment. Bright, unnatural exterior colors are prohibited, except for limited use as trim and accent panels. All Homes, auxiliary buildings, fences, retaining walls, and other Improvements shall comply with the requirements of the Pattern Book and shall be constructed in a good, quality manner in accordance with locally accepted professional building practices.

13.3 Home Size. The ground floor area of each Home, exclusive of one story open porches, garages, and carports, shall not be less than that required by the City Building Code.

13.4 Foundations. All structures erected shall have full, concrete masonry or concrete or wooden piers and piling foundations as approved by the City and designed to accommodate the surrounding terrain. Foundations and exterior walls of all buildings shall be finished in a suitable and customary manner for each such type of building.

13.5 Height Restrictions. All Homes and other Improvements constructed on the Lots shall comply with the applicable City height restrictions. Any height adjustment granted by the City shall be approved by the ACC, unless the ACC determines that the building will unreasonably restrict the view of neighboring Lots.

13.6 Environmental Conditions. Owners shall insure that design and construction of structures in the Property shall properly withstand environmental conditions, including the protection of the flora on the Property.

13.7 Factory Built Homes. All Homes shall be constructed on the Lots. Mobile homes, factory built homes, or manufactured homes shall not be permitted. Notwithstanding the foregoing, panels constructed off-site but assembled on the Lot shall be permitted.

13.8 Additional Design Guidelines. The ACC shall have the authority, but not the obligation, to promulgate and issue, and thereafter to amend from time to time, additional design guidelines supplementing and/or interpreting, but not contradicting, the design guidelines set forth in this Section 13 or elsewhere in this Declaration. Such guidelines shall be supplied in writing to all Owners and shall be fully binding upon all parties as if set forth in this Declaration and shall be applied by the ACC in reviewing and approving or denying proposed improvements or modifications. The ACC shall take into account any proposed building site envelope in order to minimize any impact on neighboring Lots and shall have authority to establish and modify guidelines as necessary or convenient to further this purpose.

13.9 Activities of Declarant. This Section 13 shall not apply to the activities of Declarant or its affiliates.

14. CASUALTY AND CONDEMNATION

14.1 Casualty. The Owner of each Home shall repair, reconstruct, and rebuild the damaged or destroyed portions of his or her Home to substantially the same condition that existed prior to the damage or destruction. In the event of damage to or destruction of the Common Areas or Association Landscaping, the Association shall repair and restore the damaged portion of the Common Areas, unless the holders of at least 75% of the Class A Member voting power of the Association and the Class B Member, if any, agree that the damaged or destroyed portions shall not be repaired or restored. All repair, reconstruction,

rebuilding, or restoration shall begin within six (6) months following the damage or destruction and shall be diligently pursued to completion within twelve (12) months following the damage or destruction, unless work is delayed by causes beyond the reasonable control of the Owner or the Association, as the case may be. If the proceeds of the insurance policies held by the Association are insufficient to fund the full cost of repair and/or restoration of the Common Areas or Association Landscaping, the difference between the amount of such proceeds and such cost shall be charged to all Owners by means of a Special Assessment.

14.2 Condemnation. If any part of the Common Areas are taken by any authority having the power of condemnation or eminent domain (or shall be sold under threat of condemnation), each Owner shall be entitled to notice of such event. The Association shall represent the Owners in negotiations with the condemning authority. The condemnation award shall be applied first to restoration of the Common Areas not taken (unless holders of at least 75% of the Class A Member voting power of the Association and the Class B Member, if any, agree that the remaining Common Areas shall not be restored) and then to such other purposes as the Board may determine in its discretion (including payment to the Owners).

15. SPECIAL DECLARANT RIGHTS

15.1 Declarant shall have the following Special Declarant Rights:

15.1.1 Responsibility and control of the ACC and the Association until the Turnover Meeting, including the right to appoint, remove and replace members of the Board and the ACC.

15.1.2 The right to maintain a sales and management office on the Property.

15.1.3 The right to reserve easement and access rights across the Common Areas for use of future development.

15.1.4 The right to construct Improvements in the Common Areas, whether or not such Improvements are described in this Declaration.

15.1.5 The right to approve amendments to this Declaration and the Bylaws prior to the Turnover Meeting and for a period of ten (10) years thereafter regardless of whether Declarant still owns a Lot.

15.1.6 The right to approve Special Assessments for capital improvements or additions for so long as Declarant owns a Lot.

15.1.7 The right to receive notice of and to attend all Owner meetings and Board meetings for a period of ten (10) years following the Turnover Meeting regardless of whether Declarant still owns a Lot. Meeting notices to Declarant shall be given in the same manner as notices to the Owners; provided, however, that any notice of a Board meeting that is posted at

the Property pursuant to the Bylaws must also be given to Declarant by mail or any other delivery method described in Section 17.4 within the time period prescribed in the Bylaws.

15.1.8 The right to review and make copies of all inspection, maintenance and other records of the Association regardless of whether the Turnover Meeting has occurred or Declarant still owns a Lot.

15.1.9 The rights of Declarant under the Planned Community Act, including but not limited to those under ORS 94.550(21), and all other rights reserved for Declarant elsewhere in this Declaration or in the Bylaws.

16. DISPUTE RESOLUTION.

16.1 Required Procedure. To the fullest extent allowed by law, all claims, controversies, or disputes, whether they are statutory, contractual, tort claims, and/or counterclaims between or among Declarant, Declarant's successors and assigns, the Association, and/or Owner(s) (collectively, the "Parties" and individually, a "Party") which arise out of or are related to the Property, the Lots, the Homes, the Planned Community Act, this Declaration, the Bylaws, the Articles, the Design Guidelines or the rules and regulations of the Association, or which relate to the interpretation or breach of the Planned Community Act, this Declaration or the Bylaws, the Articles, the Design Guidelines or the rules and regulations of the Association (collectively referred to as "Claims") shall be resolved in accordance with the procedures specified herein. Except as otherwise required by the Planned Community Act, the following matters are excluded from this dispute resolution clause and do not constitute Claims: (i) judicial or non-judicial foreclosure or any other action or proceeding to enforce assessments, fines, interest or a trust deed, mortgage, Association lien, or land sale contract; (ii) a forcible entry and detainer action; (iii) actions by the Association or any Owner related to removal of a structure or other condition that violates this Declaration, the Bylaws, the Design Guidelines or any rules and regulations of the Association; (iv) actions for the appointment of a receiver; (v) provisional remedies such as injunctions or the filing of a lis pendens; or (vi) the filing or enforcement of a mechanic's lien. The filing of a notice of pending action (lis pendens) or the application to any court having jurisdiction thereof for the issuance of any provisional process remedy described in Rules 79 through 85 of the Oregon Rules of Civil Procedure (or corresponding federal statutory remedies), including a restraining order, attachment, or appointment of receiver, shall not constitute a waiver of the right to mediate or arbitrate under this Section, nor shall it constitute a breach of the duty to mediate or arbitrate. The proceeds resulting from the exercise of any such remedy shall be held by the Party obtaining such proceeds for disposition as may be determined by an agreement of the Parties pursuant to a mediation or by the arbitration award.

16.2 Negotiated Resolution. The Parties will seek a fair and prompt negotiated resolution of Claims and shall meet at least once to discuss and seek to resolve such Claims, but if this is not successful, all Claims shall be resolved by mediation, in small claims court, or by binding arbitration as set forth in Sections 16.3, 16.4 or 16.5, as applicable.

16.3 Mediation. Prior to mediation of any Claim, the Parties shall endeavor to resolve disputes through the process set forth in Section 16.2 above. All Claims that are not resolved by such process shall be subject to mediation as a condition precedent to arbitration or the filing of a small claims complaint. The request for mediation may be made concurrently with the filing of a demand for arbitration as set forth in Section 16.5 below, but, in such event, mediation shall proceed in advance of arbitration, which shall be stayed pending mediation for a period of sixty (60) days from the date of filing, unless stayed for a longer period by agreement of the parties. All mediation shall be in Clackamas County, Oregon with any dispute resolution program available that is in substantial compliance with the standards and guidelines adopted under ORS 36.175, as it may be amended. The foregoing requirement does not apply to circumstances in which irreparable harm to a Party will occur due to delay or litigation or an administrative proceeding initiated to collect assessments, other than assessments attributable to fines.

16.4 Small Claims. All Claims that have not been resolved by mediation and which are within the jurisdiction of the Small Claims Department of the Circuit Court of the State of Oregon shall be brought and determined there, and all Parties shall be deemed to have waived their right to a jury trial with respect to such Claims.

16.5 Arbitration. Prior to arbitration of any Claim, the Parties shall endeavor to resolve disputes through the processes set forth in Section 16.2, 16.3 and 16.4 above, as applicable. All Claims that have not been resolved by such processes shall be resolved by binding arbitration. Such arbitration shall be conducted by and pursuant to the then effective arbitration rules of Construction Arbitration Services, Inc., or another reputable arbitration service selected by Declarant. If Declarant is not a Party to such dispute, the arbitration service shall be selected by the Board. Any judgment upon the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof.

16.6 No Attorneys' Fees. Unless otherwise specifically provided for in this Declaration, the Bylaws or the Planned Community Act, no party in the arbitration, mediation or other proceeding shall be entitled to recover costs or attorneys' fees in connection therewith. To the fullest extent allowed by law and except for Claims in an amount less than or equal to $7,500, no Claim shall be initiated by the Association without approval from the Owners holding seventy-five percent (75%) of the total voting power of the Association. The foregoing vote requirement shall not be required to institute or respond to the following: (i) actions to collect delinquent Assessments, fines or other charges under the Declaration, these Bylaws or any rules and regulations adopted by the Association; (ii) actions initiated by the Association prior to the Turnover Meeting; (iii) actions challenging ad valorem taxation or condemnation proceedings; (iv) actions initiated against any contractor or vendor hired by the Association or supplier of goods and services to the Association; (v) the defense of claims filed against the Association or the assertion of counterclaims in proceedings instituted against it (except for non-mandatory counterclaims); (vi) actions by the Association to appoint a receiver; or (vi) actions to summarily abate, enjoin and remove a structure or condition that violates this Declaration, the Bylaws, the Design Guidelines or any rules and regulations of the Association.

16.7 Confidentiality. The Parties shall keep all discussions of disputes, all settlements and arbitration awards and decisions confidential and shall not disclose any such information, whether directly or indirectly, to any third parties unless compelled to do so by an order of a court of competent jurisdiction. The Parties agree that if a Party breaches its confidentiality obligation then the other Party or Parties to the dispute shall be entitled to seek and obtain any and all equitable remedies, including injunctive relief and specific performance and each Party hereby waives any claim or defense that the other Party has an adequate remedy at law for any such breach and the Parties agree that the aggrieved Party shall not be required to post any bond or other security in connection with any such equitable relief.

17. MISCELLANEOUS

17.1 Term. The covenants, conditions and restrictions of this Declaration shall run for a term of thirty (30) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years each, unless amended, modified or terminated by a vote of the Owners holding at least seventy-five percent (75%) of the total voting power of the Association.

17.2 Amendment and Repeal.

17.2.1 This Declaration, or any provision thereof, as from time to time in effect with respect to all or any part of the Property, may be amended or repealed by the vote or written consent of Owners holding at least seventy-five percent (75%) of the total voting power of the Association and the written consent of Declarant prior to the Turnover Meeting and for a period of ten (10) years thereafter. To the extent any amendment relates to the preservation or maintenance of the Common Areas, such amendment shall also be approved by the zoning administrator of the City.

17.2.2 Upon approval of an amendment as provided herein, the president and secretary of the Association shall execute an instrument amending this Declaration and certifying that the amendment was adopted in accordance with this Declaration and ORS 94.590, which certification shall be properly acknowledged in the manner of acknowledgment of deeds, and the Board, or other duly appointed and authorized persons, shall record the instrument amending this Declaration.

17.2.3 In no event shall an amendment to this Declaration create, limit or diminish any Special Declarant Rights without Declarant's written consent. Additionally, no amendment to this Declaration shall change the boundaries of a Lot, any uses to which a Lot is restricted, the method for determining liability for common expenses, the method for determining the right to common profits or the method of determining voting rights unless the Owners of the affected Lots unanimously consent to the amendment.

17.3 Regulatory Amendments. Notwithstanding the provisions of Section 17.2, until the Turnover Meeting, Declarant shall have the right to amend this Declaration or the Bylaws without any other Owner approval in order to comply with the requirements of any applicable statute, ordinance, regulation or guideline of the Federal Housing Administration, the Veterans Administration, the Farmers Home Administration of the United States, the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Loan Mortgage Corporation, any department, bureau, board, commission or agency of the United States or the State of Oregon, or any corporation wholly owned, directly or indirectly, by the United States or the State of Oregon that insures, guarantees or provides financing for a planned community or lots in a planned community.

17.4 Notices. Any notices permitted or required to be delivered as provided herein shall be in writing and may be delivered by: (i) messenger service (or hand delivery); (ii) overnight courier service; (iii) regular U.S. Mail; or (iv) electronic mail, facsimile transmission or any other form of electronic communication acceptable to the Board and permissible under the Planned Community Act. Notices delivered by messenger service (or hand delivery), overnight courier service or regular U.S. Mail shall be sent to each Member's mailing address last appearing on the books of the Association. Notices delivered by facsimile or email shall be sent to the Member's email address or facsimile number last appearing on the books of the Association. Notwithstanding the foregoing, electronic mail, facsimile or other form of electronic communication may not be used to give notice of: (i) failure to pay an assessment; (ii) foreclosure of an Association lien under ORS 94.709; or (iii) an action the Association may take against a Member. Additionally, a Member may decline to receive notice by electronic mail, facsimile or other form of electronic communication by giving written notice thereof to the Board. Notices shall be deemed given on the date the notices are sent in accordance with the procedures outlined herein.

17.5 Right of Enforcement. Except as otherwise provided herein, each Owner of a Lot shall have the right to enforce any or all of the provisions of this Declaration. Additionally, the provisions of this Declaration relating to the preservation and maintenance of the Common Areas shall be deemed to be for the benefit of the City as well as the Association and Owners and the City may enforce such provisions by appropriate proceedings at law or in equity, or may cause such maintenance to be performed, the costs of which shall be a lien upon the Property.

17.6 Remedies Cumulative. Each remedy provided herein is cumulative and not exclusive.

17.7 Joint Owners. If two or more persons share the ownership of any Lot, regardless of the form of ownership, the responsibility of such persons to comply with this Declaration shall be a joint and several responsibility and the act or consent of any one or more of the co-Owners shall constitute the act or consent of the entire ownership interest; provided, however, that if the co-Owners disagree among themselves as to the manner in which any vote or right of consent held by them shall be exercised with respect to a pending matter, any co-Owner may deliver

written notice of such disagreement to the Association, and the vote or right of consent involved shall then be disregarded completely in determining the proportion of votes or consents given with respect to such matter.

17.8 Lessees and Other Invitees. Lessees, invitees, contractors, family members and other persons entering the Property under rights derived from an Owner shall comply with all of the provisions of this Declaration restricting or regulating the Owner's use, improvement or enjoyment of such Owner's Lot and other areas within the Property. The Owner shall be responsible for ensuring such compliance and shall be liable for any failure of compliance by such persons in the same manner and to the same extent as if the failure had been committed by the Owner.

17.9 Non-Waiver. The failure to enforce any of the provisions of this Declaration at any time shall not constitute a waiver of the right to subsequently enforce such provision.

17.10 Restrictions Construed Together. All of the provisions of this Declaration shall be liberally construed together to promote and effectuate the general plan and scheme of the Property.

17.11 Restrictions Severable. Each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision.

17.12 Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall each include the masculine, feminine and neuter.

17.13 Captions. All captions and titles used in this Declaration are intended solely for convenience of reference and shall not affect that which is set forth in any of the provisions hereof.

(Remainder of Page Intentionally Left Blank;
Signature Page Follows)

PRELIMINARY DRAFT
TO BE MODIFIED

IN WITNESS WHEREOF, the undersigned has executed this Declaration as of the date first written above.

DECLARANT: _____, a
_____

By:_____

Name:_____

Title:_____

STATE OF _____)
) ss.
County of_____)

The foregoing instrument was acknowledged before me on this ____ day of _____ 20___, by _____, who is the _____ of _____, a _____, on behalf of said_____.

_____
Notary Public for_____
My Commission Expires:_____

PRELIMINARY DRAFT
TO BE MODIFIED

EXHIBIT A

Legal Description of Property

Lots 1 through 81, inclusive, and Tracts A through N, inclusive, of _____, Clackamas County, Oregon, the plat of which was recorded in the official records of Clackamas County, Oregon on _____, 20___ as Document No. _____.

PRELIMINARY DRAFT
TO BE MODIFIED

EXHIBIT B

Legal Description of Common Areas

Tracts A through N, inclusive, _____, Clackamas County, Oregon, the plat of which was recorded in the official records of Clackamas County, Oregon on _____, 20___ as Document No. _____.

IIID) Copy of Certification of Assessments & Liens

City of WILSONVILLE In OREGON

29799 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax

CERTIFICATION OF ASSESSMENTS AND LIENS

"It is the policy of the City of Wilsonville that no permits of any kind shall either be issued or application processed for any applicant who owes or for any property for which there is any payment which is past due owing to the City of Wilsonville until such time as said sums owed are paid." (Resolution #796)

Project/Property Address: West side of Villebois Drive North between Cosra Circle West and Berlin Avenue

Aka Tax Lot(s) 3200 on Map(s) 31W15AC

Applicant: Polygon WLH, LLC

Address: 109 E 13th Street, Vancouver, WA 98660

Property Owner: RCS- Villebois Development, LLC

Address: 371 Centennial Pkwy, Louisville, CO 80027

In reference to the above, the City of Wilsonville records show that the following amount is due to the City:

Principal Amnt Due $ 0 ☐Current ☐Non-Current

Comments:

Dated: 10/6/15

Finance Department: Kathy

(This certification shall be null and void 120 days following the Finance Department date of signature)

IIIE) Subdivision Name Approval

Allie Breyer

From: Fuller, Debbie <DebbieFul@co.clackamas.or.us>
Sent: Tuesday, September 29, 2015 10:50 AM
To: Allie Breyer
Subject: RE: Plat Name Reservation Requests

Hi Allie,

I've made the correction. I will attach this email to the official "Plat Name Request" form.

Thank you for letting me know.

Debbie Fuller
Office Manager | DTD
Development Services Building
Ph: 503-742-4492 | Fax: 503-742-4481 | Email: debbieful@clackamas.us

Office Hours: Monday – Thurs. 7:30 - 4:30 ~ Friday 8:00 - 3:00
Lobby Hours: Monday - Thurs. 8:00 - 4:00 ~ Friday 8:00 - 3:00

From: Allie Breyer [mailto:allie@pacificcommunity.onmicrosoft.com]
Sent: Tuesday, September 29, 2015 10:38 AM
To: Fuller, Debbie
Subject: RE: Plat Name Reservation Requests

Hi Debbie,

There was a small spelling error in my request. Is there any way to change "Brookside Terrace" to "Brookeside Terrace." I forgot to put an "e" in Brooke.

Please let me know if this is possible. Thank you!

Allie

From: Fuller, Debbie [mailto:DebbieFul@co.clackamas.or.us]
Sent: Monday, September 14, 2015 4:17 PM
To: Allie Breyer <allie@pacificcommunity.onmicrosoft.com>
Subject: RE: Plat Name Reservation Requests

You are welcome !

From: Allie Breyer [mailto:allie@pacificcommunity.onmicrosoft.com]
Sent: Monday, September 14, 2015 4:17 PM
To: Fuller, Debbie
Cc: Stacy Connery
Subject: RE: Plat Name Reservation Requests

Great, thank you Debbie.

From: Fuller, Debbie [mailto:DebbieFul@co.clackamas.or.us]
Sent: Monday, September 14, 2015 4:11 PM
To: Allie Breyer <allie@pacificcommunity.onmicrosoft.com>
Cc: Stacy Connery <stacy@pacific-community.com>
Subject: RE: Plat Name Reservation Requests

Hi Allie,

Your requests for the plat names of "Royal Crescent at Villebois", "Brookside Terrace", and "Camden Square" are all approved.

Thank you.

Debbie Fuller
Office Manager | DTD
Development Services Building
Ph: 503-742-4492 | Fax: 503-742-4481 | Email: debbieful@clackamas.us

Office Hours: Monday – Thurs. 7:30 - 4:30 ~ Friday 8:00 - 3:00
Lobby Hours: Monday - Thurs. 8:00 - 4:00 ~ Friday 8:00 - 3:00

From: Allie Breyer [mailto:allie@pacificcommunity.onmicrosoft.com]
Sent: Monday, September 14, 2015 1:58 PM
To: Fuller, Debbie
Cc: Stacy Connery
Subject: Plat Name Reservation Requests

Hi Debbie,

I attached forms for three plat name requests for Lots 78, 80, and 82 in Villebois.

Let me know if there is anything else you need from me, or if you have any questions.

Thanks,
Allie Breyer
Phone: (503) 941-9484
Pacific Community Design
12564 SW Main Street
Tigard, OR 97223

REQUEST TO RESERVE SUBDIVISION / CONDOMINIUM NAME

Clackamas County Surveyor's Office
150 Beavercreek Road #325
Oregon City, OR 97045
(503) 742-4475 / FAX (503) 742-4481
E-mail address: surveyor@clackamas.us

PLAT NAME REQUESTED:
Brookside Terrace

	TWP/RANGE:	**SECTION#:**	**TAX LOT#(s):**
Location of Plat:	3S1W	15AC	3200

I understand that if the above name plat is not pending or recorded within two years, the name will be removed from the reserved list.

RESERVED BY: Pacific Community Design

DATE:	**TELEPHONE:**	**FAX:**
9/14/15	(503) 941-9484	(503) 941 - 9485

EMAIL ADDRESS: travis@pacific-community.com

PLAT SURVEYOR: # 57751

NAME OF DEVELOPER: Polygon WLH, LLC

ADDRESS: 109 E 13th St. Vancouver, WA 98660

DATE:	**TELEPHONE:**	**FAX:**
9/14/15	(503) 314 - 0807	(360) 693 - 4442

EMAIL ADDRESS: Fred.gast@polygonhomes.com

APPROVED BY:	**APPROVAL DATE:**

Section IV) Zone Change

IVA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT
ZONE CHANGE
PDP 8 - CENTRAL

SECTION IVA

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I. CITY OF WILSONVILLE COMPREHENSIVE PLAN

COMPACT URBAN DEVELOPMENT – IMPLEMENTATION MEASURES

IMPLEMENTATION MEASURE 4.1.6. A

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

Response: This application is being submitted and reviewed concurrently with a Preliminary Development Plan for Phase 8 of SAP-Central.

IMPLEMENTATION MEASURE 4.1.6.C

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

Response: The application proposes a zone change to "Village" for the subject property area, which includes the "Residential-Village" Comprehensive Plan Map Designation.

IMPLEMENTATION MEASURE 4.1.6.D

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

Response: This application seeks zone change approval from PF - Public Facilities to V – Village Zone on a portion of Villebois located within SAP Central. The subject property is 3.20 acres in size. The plan for subject property includes single family residential lots and park and open space areas. The 'Introductory Narrative' (see Section IA of Notebook) lists the proposed number and type of residential units, which contribute to a diverse mix of housing. The proposed residential land use and housing type in this area are consistent with those portrayed in the *Villebois Village Master Plan*, which this regulation is intended to implement.

II. CITY OF WILSONVILLE LAND DEVELOPMENT ORDINANCE

SECTION 4.029 ZONING CONSISTENT WITH THE COMPREHENSIVE PLAN

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

Response: This zone change application is being requested concurrent with a PDP application and Tentative Plat for the site in conformance with the code. The PDP application material is located in Section II of this Notebook and the Tentative Plat application material is in Section III.

SECTION 4.110 ZONING – ZONES

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

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

Response: The subject property is within the city limits of Wilsonville. The area has a City of Wilsonville Comprehensive Plan designation of "Residential – Village." The site is currently zoned Public Facilities. This request is for a zone change to "Village," which is permitted within the area designated "Residential – Village" on the Comprehensive Plan Map.

SECTION 4.125 VILLAGE (V) ZONE

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

Response: The subject property lies within the area designated "Residential – Village" on the Comprehensive Plan Map. This request is for a zone change to "V – Village."

(.02) Permitted Uses

Response: The proposed uses listed in the associated application for a Preliminary Development Plan (see Section II of this Notebook) are consistent with the land uses permitted under the Village zone. The PDP, located in Section II of this Notebook, states that the proposed development will create lots for single family residential Row Houses as well as tracts for park areas. These uses are permitted under the Village zone.

(.18) Village Zone Development Permit Process

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

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

Response: The application for a zone change is being made concurrent with an application for PDP approval (see Section II of this Notebook).

SECTION 4.197 ZONE CHANGES AND AMENDMENTS TO THIS CODE – PROCEDURES.

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

A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140; and

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

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

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

This zone change application will establish the appropriate zone for this development and will be governed by the appropriate Zoning Sections.

B. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan Text; and

Response: Comprehensive Plan Implementation Measure 4.1.6.c. states, *"the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."* Since the "Village" zone must be applied to areas designated Residential Village on the Comprehensive Plan Map, its application to these areas is consistent with the Comprehensive Plan.

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

Response: As noted above, Comprehensive Plan Implementation Measure 4.1.6.c. states, *"the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."* Since the Village Zone must be applied to areas designated "Residential Village" on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

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

means to insure that <u>all</u> primary facilities are available and are adequately sized; and

<u>Response:</u> The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available and can be provided in conjunction with the project. Section IIC of this Notebook includes supporting utility and drainage reports. In addition, the applicant will fund the completion of a Traffic Impact Analysis, which is attached as Exhibit IID.

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

<u>Response:</u> The subject site does not include any areas within a Significant Resource Overlay Zone.

F. That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and

<u>Response:</u> The applicant is committed to a schedule demonstrating that the development of the subject property is reasonably expected to commence within two (2) years of the initial approval of the zone change.

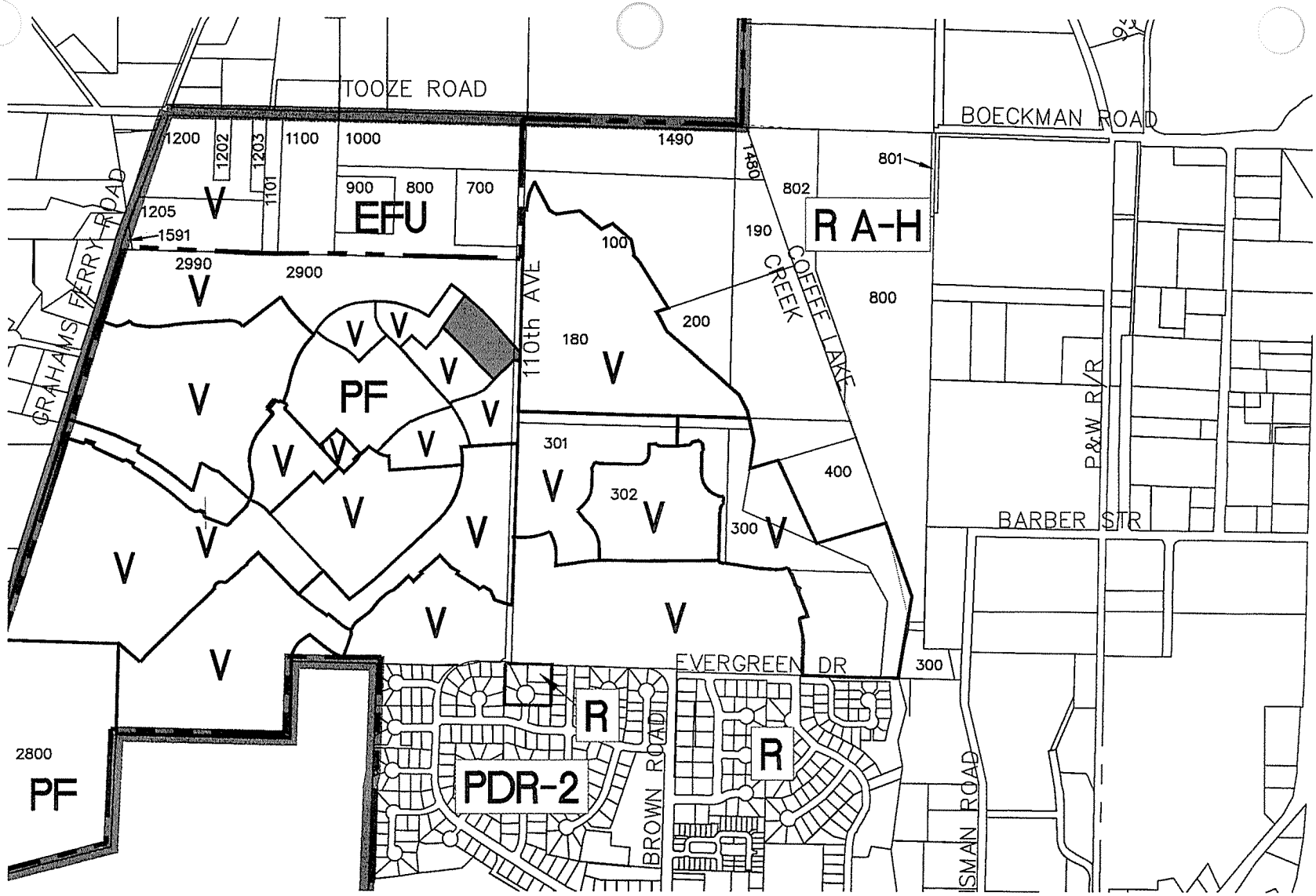
G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.

<u>Response:</u> The proposed development can be developed in compliance with the applicable development standards, as demonstrated by this report and the Preliminary Development Plan (Section II) and Tentative Plat (Section III) applications.

III. PROPOSAL SUMMARY & CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Zone Change. Therefore, the applicant requests approval of this application.

IVB) Zone Change Map



LEGEND

- SUBJECT AREA – PROPOSED VILLAGE (V) ZONE (3.20 AC)
- ZONE LINE
- EXISTING UGB
- EXISTING CITY BOUNDARY
- PF — EXISTING ZONING DESIGNATION

1" = 1000'

PROPOSED ZONE MAP AMENDMENT

N:\proj\395-048\09 Drawings\03 Planning\Exhibits - General\395048 Zoning Plan Exhibit PDP 8 Central.dwg - SHEET: 8x11 Oct 06, 2015 - 2:10pm jjk

IVC) Legal Description & Sketch

Pacific Community Design

EXHIBIT A

September 28, 2015

LEGAL DESCRIPTION Job No. 395-048

A tract of land being Lot 80, plat of "Villebois Village Center No. 3", Clackamas County Plat Records, and public Right-of-Way, in the Northeast Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the mostly northerly corner of said plat of "Villebois Village Center No. 3";

thence along the northeasterly plat boundary line of said plat, South 47°51'53" East, a distance of 147.24 feet to a point of tangential curvature;

thence continuing along said northeasterly plat boundary line, along a 900.00 foot radius tangential curve to the right, arc length of 99.96 feet, central angle of 06°21'49", chord distance of 99.91 feet, and chord bearing of South 44°40'59" East to a point of tangency;

thence continuing along said northeasterly plat boundary line, South 41°30'04" East, a distance of 226.09 feet to an angle point;

thence along the easterly plat boundary line of said plat, South 01°35'01" West, a distance of 90.41 feet to an angle point;

thence along the southeasterly plat boundary line, South 45°34'29" West, a distance of 197.50 feet to a point on the extension of the centerline of SW Costa Circle West;

thence along the centerline SW Costa Circle West and said extension, North 42°57'16" West, a distance of 78.77 feet to a point of tangential curvature;

thence continuing along said centerline, along a 746.00 foot radius tangential curve to the left, arc length of 79.46 feet, central angle of 06°06'11", chord distance of 79.42 feet, and chord bearing of North 46°00'21" West to a point of tangency;

thence continuing along said centerline, North 49°03'27" West, a distance of 319.46 feet to a point on the northwesterly plat boundary line of said plat;

thence along said northwesterly line plat boundary line, North 31°30'05" East, a distance of 40.80 feet to an angle point;

thence continuing along said northwesterly plat boundary line, North 34°32'15" East, a distance of 255.92 feet to the POINT OF BEGINNING.

12564 SW Main Street, Tigard, OR 97223 ♦ [T] 503-941-9484 [F] 503-941-9485

Containing 3.20 acres, more or less.

Basis of bearings per "Villebois Village Center No. 3", Clackamas County Plat Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2017

Pacific Community Design, Inc.
12564 SW Main Street, Tigard, OR 97223 ♦ [T] 503-941-9484 [F] 503-941-9485

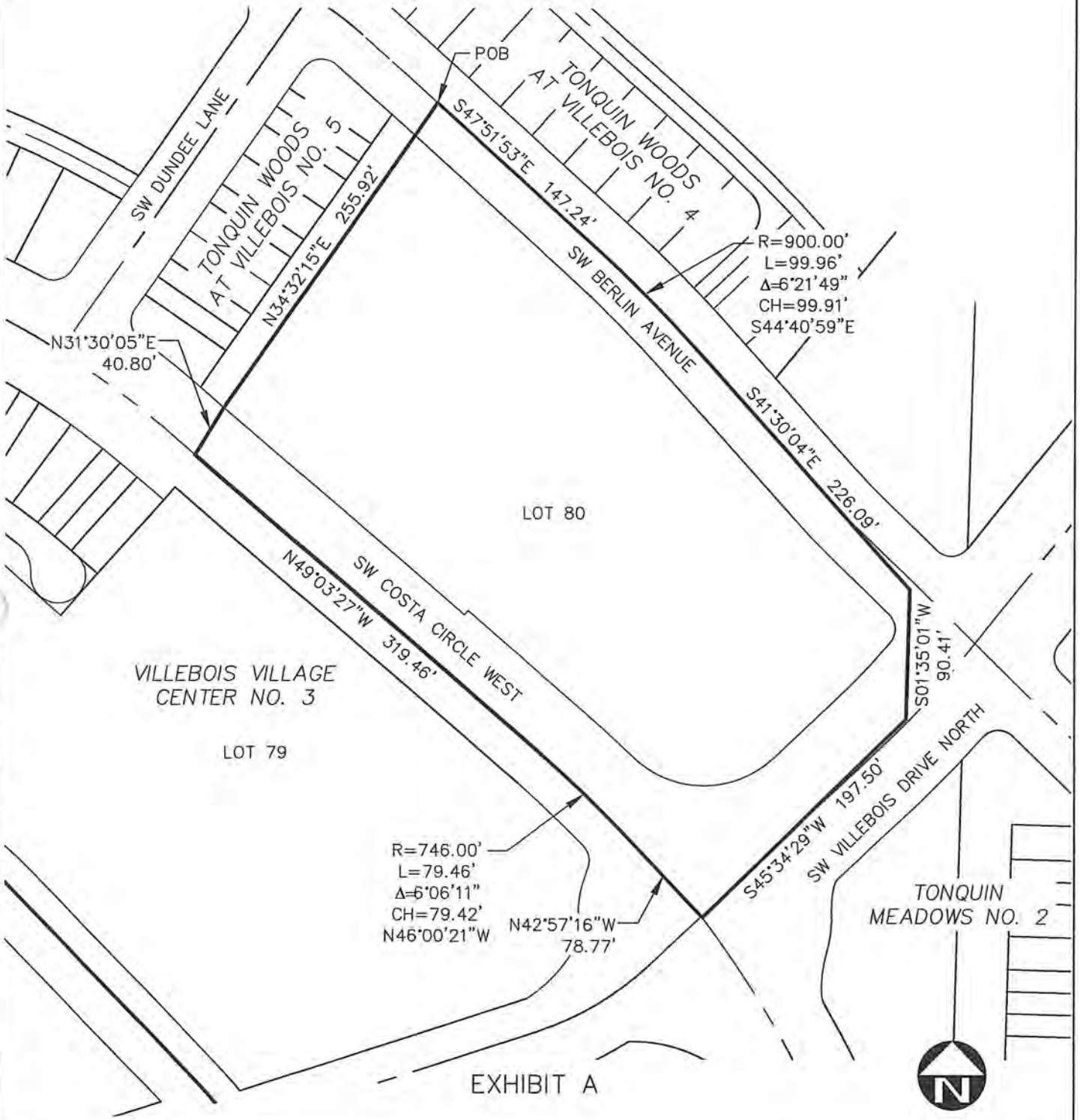


EXHIBIT A

DRAWN BY: GPS DATE: 9/28/15

REVIEWED BY: TCJ DATE: 9/28/15

PROJECT NO.: 395-048

SCALE: 1"=100'

PAGE 3 OF 3

Pacific Community Design

12564 SW Main St
Tigard, OR 97223
[T] 503-941-9484
[F] 503-941-9485

N:\proj\395-048\Drawings\06 Survey\Legals\395048.Zone Change.dwg - SHEET: Lot 80 Sep. 28, 15 - 10:22 AM gar

Section V) Final Development Plan

VA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT
FINAL DEVELOPMENT PLAN 8 - CENTRAL

SECTION VIA

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I. WILSONVILLE PLANNING & LAND DEVELOPMENT ORDINANCE

SECTION 4.125. VILLAGE (V) ZONE

(.02) Permitted Uses

Examples of principle uses that typically permitted:

D. Row Houses

H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.

Table V-1 Development Standards

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [16,17] (%age)	Max. Bldg. Height [9] (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Commercial Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [2]	5	NR	NR	NR	NA
Hotels - Village Center [14]	NR	NR	NR	1	90	60	NR [2]	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [2]	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center [14]	NR	NR	NR	1	90	45	5 [4]	15	NR	NR	NR	NA
Row Houses [11] - Village Center [14]	NR	NR	NR	1	80	45	8 [5]	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	1	60	45	8 [4]	15	NR	NR	NR	NA
Row Houses [11]	NR	15	50	1	80	45	8 [5]	15	NR	NR	NR	NA
Duplexes	4,000	45	70	2	60 [16]	35	12 [5,6]	20 [6]	5	5 [18]	7	4,17,18
Single-Family Dwellings	2,250	35	50	3	60 [16]	35	12 [5,6]	20 [7]	5	5 [18]	7	4,17

Notes: NR No Requirement

NA Not Allowed

1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)

2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage
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 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.

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, balconies, 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., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.

7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 18 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 façade 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.

12 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.

13 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.

14 See Figure IX-1 - Village Center Boundary & Land Use Plan of the Villebois Village Master Plan for areas included within the Village Center.

15 On flag lots and large lots with frontage 50 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.

16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.

17 Dwellings on lots without alley access shall be at least 36 feet wide.

18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.

19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.

20 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]

Response: This Preliminary Development Plan (PDP) application proposes to create 50 lots for development of row houses, as well as tracts for park areas. Architecture for the proposed row homes is shown on the Elevations and Floorplans in Section VC of this notebook and described in Section II of this compliance report. The American Modern (Craftsman) style Row Houses are designed for attached single family residences. Row homes are permitted within the subject PDP are permitted pursuant to this section. The parks proposed within PDP 8C are permitted uses. These are non-commercial parks to be owned and operated by a homeowners association.

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

Response: The proposed row homes within PDP 8C include off-street parking in attached garages and some driveways. Shown on the parking plan (Section IIB), there are 72 spaces for off-street parking, which is more than the minimum required 50 spaces. The proposed park within PDP 8C does not include any off-street parking. This area is not planned to provide park amenities that require off-street parking. The proposed area includes pathways for pedestrians and bicycle travel.

(.08) Open Space.

Response: 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 *Master Plan*. PDP 8C includes the addition of 0.62 acres of parks not shown in the *Villebois Village Master Plan*, thereby increasing the amount of park space.

(.09) Street and Access Improvement Standards.

Response: The Supporting Compliance Report for the PDP demonstrates that streets and access improvement standards are met (See Section IIA). This code section does not apply to the proposed park, except to assure that vision clearance standards are met in proposed planting schemes for the area. Proposed landscaping is sited to meet vision clearance standards (see Exhibit VB).

(.10) Sidewalk and Pathway Improvement Standards.

Response: This code section refers directly to code Section 4.176, which is addressed in subsequent sections of this report.

(.11) Landscaping, Screening and Buffering

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

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

Response: The applicable provisions of Section 4.176 are addressed in the subsequent sections of this report. The PDP provides information regarding street trees for the proposed streets (See Section IIB). This FDP application reflects the provision of street trees consistent with that shown in the PDP application.

(.12) Master Signage and Wayfinding

Response: The internal site identifier, as shown on the attached plans (Section IIB), is in accordance with the SAP Central Signage & Wayfinding Plan.

(.14) Design Standards Applying to the Village Zone

A. The following design standards implement the Design Principles found in (.13), above, and enumerate the architectural details and design requirements applicable to buildings and other features within the Village (V) zone. The Design Standards are based

primarily on the features, types, and details of the residential traditions in the Northwest, but are not intended to mandate a particular style or fashion. All development within the Village zone shall incorporate the following:

2. Building and site design shall include:

b. 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 Design.

Response: The materials proposed for the park areas and buildings, architecture, and streetscapes of the subject PDP are consistent with the approved *Community Elements Book* and the VCAS, as shown in the FDP Approval Criteria section of this report. The *Pattern Book* is not applicable to the subject site.

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

Response: There are no existing trees on site.

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

Response: A detailed landscape plan is provided with this FDP application in accordance with the requirements of Section 4.125 (.07) and (.11), 4.176(.09), and 4.440(.01)B (see attached plans in Exhibit VB).

3. Lighting and site furnishings shall be in compliance with the approved Community Elements Book.

Response: Lighting and site furnishings as identified in the approved *Community Elements Book* for SAP - Central are addressed in the FDP Approval Criteria section of this report.

(.18) Village Zone Development Permit Process

L. Final Development Plan Approval Procedures (Equivalent to Site Design Review):

1. Unless an extension has been granted by the Development Review Board as enabled by Section 4.023, within two (2) years after the approval of a PDP, an application for approval of a FDP shall:

a. Be filed with the City Planning Division for the entire FDP, or when submission of the PDP in phases has been authorized by the development Review Board, for a phase in the approved sequence.

b. Be made by the owner of all affected property or the owner's authorized agent.

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

d. Set forth the professional coordinator and professional design team for the project.

Response: This application has been made by the owner and applicant of the affected property and has been filed on the prescribed form and accompanied by the prescribed fee (copies of the application form and fee payment are included in Sections IB and IC, respectively, of this Notebook). The professional coordinator and professional design team for the project are listed in the Introductory Narrative (see Section IA of this Notebook).

M. FDP Application Submittal Requirements:

1. An application for approval of a FDP shall be subject to the provisions of Section 4.034.

Response: Section 4.034(.08), states that "Applications for development approvals within the Village zone shall be reviewed in accordance with the standards and procedures set forth in Section 4.125." The proposed FDP is reviewed in accordance with the standards and procedures set forth in Section 4.125, as demonstrated by this report.

N. FDP Approval Procedures

1. An application for approval of a FDP shall be subject to the provisions of Section 4.421.

Response: The provisions of Section 4.421 are addressed in the following sections of this report.

O. FDP Refinements to an Approved Preliminary Development Plan

Response: This FDP is submitted for review and approval concurrent with the PDP. Thus, the FDP is consistent with the PDP and does not propose any refinements or amendments to the PDP.

P. FDP Approval Criteria

1. An application for approval of a FDP shall be subject to the provisions of Section 4.421.

Response: The provisions of Section 4.421 are addressed in the following sections of this report.

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

Response: This FDP addresses parks and proposed architecture within PDP 8C. The attached Elevations & Floor Plans (see Exhibit VC) demonstrate compliance with the

Village Center Architectural Standards and the Village Center Design as described in Section II of this report. The FDP is within the Village Center. The FDP is submitted for review and approval concurrent with the PDP; therefore, there are no conditions of a previously approved PDP that apply to this request. Conformance of the proposed FDP with the *Community Elements Book* for SAP - Central is demonstrated as follows.

SECTION 4.154 ON-SITE PEDESTRIAN ACCESS AND CIRCULATION

(.02) On-site Pedestrian Access and Circulation

A. **The purpose of this section is to implement the pedestrian access and connectivity policies of the Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.**

Response: PDP 8C will be in compliance with Section 4.154 and provide for safe, reasonably direct, and convenient pedestrian access and circulation, as described below.

B. **Standards. Development shall conform to all the following standards:**

1. **Continuous Pathway System. A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable.**

Response: Pedestrian pathway sidewalks along SW Costa Circle West and SW Berlin Avenue will extend along the development site and connect to existing adjacent sidewalks.

2. **Safe, Direct, and Convenient. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:**

Response: Connecting to Montague Park to the south of the site, pedestrian connections are at the end of each block. This is due to topographic constraints at the mid-block path of the site that would not allow for connections into Montague Park. For Neighborhood Park 5 to the North, pedestrian connections into the Park are near the corner of SW Berlin Avenue and SW Villebois Drive North. Pedestrian crossings of these roads are directed to the routes already established with the surrounding development pattern while providing safe, reasonably direct, and convenient connections.

a. **Pedestrian pathways area designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.**

Response: Pedestrian pathways will be free from hazards and will provide a reasonably smooth and consistent surface.

b. **The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations that does not involve a significant amount of unnecessary out-of-direction travel.**

Response: The pathways will be reasonably direct and will not involve a significant amount of unnecessary out-of-direction travel.

c. **The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.**

Response: The pathways connect to the front of each home and are consistent with the Americans with Disabilities Act (ADA) requirements (Note: A portion of one pathway includes stairs due to topographic constraints on the site).

d. **All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.).**

Response: There are no parking lots within PDP 8C; therefore this criteria is not applicable.

3. **Vehicle/Pathway Separation. Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards.**

Response: Pedestrian pathways will be separated from the vehicle lane by a mountable curb.

4. **Crosswalks. Where a pathway crosses a parking area or driveway, it shall be clearly marking with a contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast).**

Response: Where crosswalks cross alleys, they will be clearly marked with a inlay between asphalt.

5. **Pathway Width and Surface. Primary pathways shall be constructed concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA.**

Response: Primary pathways will be constructed of concrete that are at least five (5) feet in width.

6. **All pathways shall be clearly marked with appropriate standard signs.**

Response: Pathways will be clearly marked with appropriate standard signs.

SECTION 4.156. SIGN REGULATIONS

Response: The internal site identifier, as shown on the attached plans (Section IIB), is in accordance with the SAP Central Signage & Wayfinding Plan.

SECTION 4.176. LANDSCAPING, SCREENING & BUFFERING

(.02) Landscaping and Screening Standards.

Response: As shown on the attached plans (see Exhibit VB), the park will be landscaped with a mixture of ground cover, lawn areas, shrubs, and trees. Streets and public right-of-way improvements, including street trees, are reviewed with the PDP (see Section II of this Notebook). This FDP consistently reflects street trees shown in the PDP.

(.03) Landscape Area.

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.

Response: The attached plans (Section IIB) show that more than 15% of the site will be landscaped.

(.04) Buffering and Screening.

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.

A. All intensive or higher density developments shall be screened and buffered from less intense or lower density developments.

B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. Multi-family developments shall be screened and buffered from single-family areas.

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.

Response: None of the above-listed areas or uses exist within the site/proposed development. Therefore, no buffering or screening is required in relation to the FDP.

(.05) Sight-Obscuring Fence or Planting.

The use for which a sight-obscuring fence or planting is required shall not begin operation until the fence or planting is erected or in place and approved by the City. A temporary occupancy permit may be issued upon a posting of a bond or other security equal to one hundred ten percent (110%) of the cost of such fence or planting and its installation. (See Sections 4.400 to 4.470 for additional requirements.)

Response: No sight-obscuring fence or planting is required in this FDP area.

(.06) Plant Materials.

A. Shrubs and Ground Cover. All required ground cover plants and shrubs must be of sufficient size and number to meet these standards within three (3) years of planting. Non-horticultural plastic sheeting or other impermeable surface shall not be placed under mulch. Surface mulch or bark dust are to be fully raked into soil of appropriate depth, sufficient to control erosion, and are confined to areas around plantings. Areas exhibiting only surface mulch, compost or barkdust are not to be used as substitutes for plants areas.

1. Shrubs. All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.

Response: As shown on the attached plans (see Exhibit VB) all shrubs will be equal to or better than 2-gallon size with a 10 to 12 inch spread. All shrubs will be well branched and typical of their type as described in current AAN standards.

2. Ground cover. Shall be equal to or better than the following depending on the type of plant materials used: Gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum. No bare root planting shall be permitted. Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. Where wildflower seeds are designated for use as a ground cover, the City may require annual re-seeding as necessary.

Response: As shown on the attached plans (see Exhibit VB) all ground covers will be at least 4" pots and spaced appropriately. These plants will be installed as required.

3. **Turf or lawn in non-residential developments. Shall not be used to cover more than ten percent (10%) of the landscaped area, unless specifically approved based on a finding that, due to site conditions and availability of water, a larger percentage of turf or lawn area is appropriate. Use of lawn fertilizer shall be discouraged. Irrigation drainage runoff from lawns shall be retained within lawn areas.**

Response: The subject FDP area is within a residential development; therefore this criterion does not apply.

4. **Plant materials under trees or large shrubs. Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.**

Response: As shown on the attached plans (see Exhibit VB) appropriate plant materials will be installed beneath the canopies of trees and large shrubs. Areas that are not appropriate to plant beneath the canopies of existing trees will be mulched with bark.

B. **Trees. All trees shall be well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards and shall be balled and burlapped. The trees shall be grouped as follows:**

1. **Primary trees which define, outline or enclose major spaces, such as Oak, Maple, Linden, and Seedless Ash, shall be a minimum of 2" caliper.**
2. **Secondary trees which define, outline or enclose interior areas, such as Columnar Red Maple, Flowering Pear, Flame Ash, and Honeylocust, shall be a minimum of 1-3/4" to 2" caliper.**
3. **Accent trees which, are used to add color, variation and accent to architectural features, such as Flowering Pear and Kousa Dogwood, shall be 1-3/4" minimum caliper.**
4. **Large conifer trees such as Douglas Fir or Deodar Cedar shall be installed at a minimum height of eight (8) feet.**
5. **Medium-sized conifers such as Shore Pine, Western Red Cedar or Mountain Hemlock shall be installed at a minimum height of five to six (5 to 6) feet.**

Response: As shown on the attached plans (see Exhibit VB), proposed tree species have been selected from the Villebois Plant List in the *Community Elements Book*. All proposed trees meet the minimum 2" caliper code requirement or the minimum height

requirement for conifers as appropriate. All proposed trees will be well-branched, typical of their type as described in current AAN, and balled and burlapped.

C. **Where a proposed development includes buildings larger than twenty-four (24) feet in height or greater than 50,000 square feet in footprint area, the Development Review Board may require larger or more mature plant materials:**

Response: This standard does not apply to the subject FDP as no buildings are proposed in the park.

D. **Street Trees.**

Response: Review of streets and rights-of-way, including street trees, occurs with the PDP (see Section II of this Notebook). Street trees shown in the plans for this FDP are consistent with those shown in the PDP application. Compliance with the Street Tree Master Plan is demonstrated in the PDP (Section II of Notebook).

E. **Types of Plant Species.**

1. **Existing landscaping or native vegetation may be used to meet these standards, if protected and maintained during the construction phase of the development and if the plant species do not include any that have been listed by the City as prohibited. The existing native and non-native vegetation to be incorporated into the landscaping shall be identified.**

Response: There are no existing trees in the subject FDP.

2. **Selection of plant materials. Landscape materials shall be selected and sited to produce hardy and drought-tolerant landscaping. Selection shall be based on soil characteristics, maintenance requirements, exposure to sun and wind, slope and contours of the site, and compatibility with other vegetation that will remain on the site. Suggested species lists for street trees, shrubs and groundcovers shall be provided by the City of Wilsonville.**

Response: All proposed landscaping materials are selected from the Villebois Plant List in the *Community Elements Book*. Specific materials were selected to best meet the site characteristics of the subject property.

3. **Prohibited plant materials. The City may establish a list of plants that are prohibited in landscaped areas. Plants may be prohibited because they are potentially damaging to sidewalks, roads, underground utilities, drainage improvements, or foundations, or because they are known to be invasive to native vegetation.**

Response: No plant materials listed as "Prohibited Plant Species" on the Villebois Plant List are included in the proposed landscaping.

F. **Tree Credit.**

Response: Tree credits are not applicable to this FDP application.

G. Exceeding Standards. Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met.

H. Compliance with Standards. The burden of proof is on the applicant to show that proposed landscaping materials will comply with the purposes and standards of this Section.

Response: The attached plans (see Exhibit VB) and this report demonstrate that the proposed landscaping complies with the standards of the Wilsonville Development Code and the *Community Elements Book*.

(.07) Installation and Maintenance.

A. Installation. Plant materials shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement.

B. Maintenance. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this Code, or any condition of approval established by a City decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Failure to maintain landscaping as required in this Section shall constitute a violation of this Code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.

C. Irrigation. The intent of this standard is to assure that plants will survive the critical establishment period when they are most vulnerable due to a lack of watering and also to assure that water is not wasted through unnecessary or inefficient irrigation. Approved irrigation system plans shall specify one of the following:

1. A permanent, built-in, irrigation system with an automatic controller. Either a spray or drip irrigation system, or a combination of the two, may be specified.

2. A permanent or temporary system designed by a landscape architect licensed to practice in the State of Oregon, sufficient to assure that the plants will become established and drought-tolerant.

3. Other irrigation system specified by a licensed professional in the field of landscape architecture or irrigation system design.

4. A temporary permit issued for a period of one year, after which an inspection shall be conducted to assure that the plants have become established. Any plants that have died,

or that appear to the Planning Director to not be thriving, shall be appropriately replaced within one growing season. An inspection fee and a maintenance bond or other security sufficient to cover all costs of replacing the plant materials shall be provided, to the satisfaction of the Community Development Director. Additionally, the applicant shall provide the City with a written license or easement to enter the property and cause any failing plant materials to be replaced.

Response: Plants will be installed and maintained properly. A permanent-built-in irrigation system with an automatic controller will be installed underground to irrigate the proposed landscaping and to assure that plants survive the establishment period. Additional details about the irrigation system will be provided with construction plans.

D. Protection. All required landscape areas, including all trees and shrubs, shall be protected from potential damage by conflicting uses or activities including vehicle parking and the storage of materials.

Response: The attached planting plans demonstrate that all landscape areas will be protected from potential damage by vehicle travel along streets and alleys.

(.08) Landscaping on Corner Lots.

All landscaping on corner lots shall meet the vision clearance standards of Section 4.177. If high screening would ordinarily be required by this Code, low screening shall be substituted within vision clearance areas. Taller screening may be required outside of the vision clearance area to mitigate for the reduced height within it.

Response: All landscaping at corners will meet the vision clearance standards of Section 4.177.

(.09) Landscape Plans.

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. Landscape plans shall divide all landscape areas into the following categories based on projected water consumption for irrigation:

A. High water usage areas (+/- two (2) inches per week): small convoluted lawns, lawns under existing trees, annual and perennial flower beds, and temperamental shrubs;

B. Moderate water usage areas (+/- one (1) inch per week): large lawn areas, average water-using shrubs, and trees;

C. Low water usage areas (Less than one (1) inch per week, or gallons per hour): seeded field grass, swales, native plantings, drought-tolerant shrubs, and ornamental grasses or drip irrigated areas.

D. Interim or unique water usage areas: areas with temporary seeding, aquatic plants, erosion control areas, areas with temporary irrigation systems, and areas with special water-saving features or water harvesting irrigation capabilities.
These categories shall be noted in general on the plan and on the plant material list.

Response: The attached plans (see Exhibit VB) include the required information listed in Section 4.176(.09).

(.10) Completion of Landscaping.

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.

Response: The applicant does not anticipate deferring the installation of plant materials. Should it be necessary to defer installation of plant materials, the applicant will apply for a temporary permit.

(.11) Street Trees Not Typically Part of Site Landscaping.

Street trees are not subject to the requirements of this Section and are not counted toward the required standards of this Section. Except, however, that the Development Review Board may, by granting a waiver or variance, allow for special landscaping within the right-of-way to compensate for a lack of appropriate on-site locations for landscaping. See subsection (.06), above, regarding street trees.

Response: Street trees are not counted toward the required standards of this Section.

(.12) Mitigation and Restoration Plantings.

Response: No additional tree removal is proposed with the FDP.

SECTION 4.177. STREET IMPROVEMENT STANDARDS

(.01) Except as specifically approved by the Development Review Board, all street and access improvements shall conform to the Street System Master Plan, together with the following standards:

H. Access drives and lanes.

Response: The proposed parks are accessible from the adjacent street rights-of way and/or pathways as shown on the attached plans. All streets and alleys accommodate 2-way traffic.

I. Corner or clear vision area.

1. A clear vision area 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. No structures, plantings, or other obstructions that would impede visibility between the height of 3- inches and 10 feet shall be allowed within said area. Measurements shall be made from the top of the curb, or, when there is no curb, from the established street center line grade. However, the following items shall be exempt:

a. Light and utility poles with a diameter less than 12 inches.

b. An existing tree, trimmed to the trunk, 10 feet above the curb.

c. Official warning or street sign.

d. Natural contours where the natural elevations are such that there can be no cross-visibility at the intersection and necessary excavation would result in an unreasonable hardship on the property owner or deteriorate the quality of the site.

Response: Landscaping at the corners of the parks will be less than 30 inches in height to assure that visibility is not blocked.

SECTION 4.178. SIDEWALK & PATHWAY STANDARDS

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

Response: All sidewalks and pathways in the subject FDP area are at least 5 feet in width and concrete.

(.03) Pavement surface.

A. All bike paths shall be paved with asphalt to provide a smooth riding surface. Where pathways are adjacent to and accessible from improved public streets, the Public Works Director may require a concrete surface. At a minimum the current AASHTO "Guide for the Development of Bicycle Facilities" and the State "Oregon Bicycle Plan" shall be used to design all bicycle facilities within the City of Wilsonville. Any deviation from the AASHTO, ODOT, and City standards will require approval from the City Engineer prior to implementation of the design.

B. To increase safety, all street crossings shall be marked and should be designed with a change of pavement such as brick or exposed aggregate. All arterial crossings should be signalized.

C. All pathways shall be clearly posted with standard bikeway signs.

D. Pedestrian and equestrian trails may have a gravel or sawdust surface if not intended for all weather use.

Response: There are no bicycle pathways in this FDP area. Details about sidewalks in the public right-of-way were addressed in the PDP application (Section II of this Notebook). No Major pathways are identified on the subject property. A minor pathway through the center of the site is provided, consistent with the Master Plan.

(.06) Pathway Clearance.

A. Vertical clearance of at least 8 feet 6 inches shall be maintained above the surface of all pathways. The clearance above equestrian trails shall be a minimum of ten feet.

B. All landscaping, signs and other potential obstructions shall be set back at least (1) foot from the edge of the pathway surface. No exposed rock should be permitted within two (2) feet of the path pavement and all exposed earth within two (2) feet of the pavement shall be planted with grass, sod or covered with 2" of barkdust.

Response: As shown on the attached plans, all potential obstructions are at least one foot from the edge of the pathway surfaces, and vertical clearance will be maintained.

SITE DESIGN REVIEW

SECTION 4.400. PURPOSE.

(.01) 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 therefore.

Response: No buildings are proposed within park areas. The SAP Central Signage & Wayfinding Plan indicates an internal site identifier within the subject property. The attached PDP plans (see Section IIB of this Notebook) and FDP plans (see Section VIB of this Notebook) are consistent with the SAP Central Signage & Wayfinding Plan.

The proposed landscaping within the park is designed in compliance with the standards for the rest of Villebois, so the entire development will have a cohesive, harmonious

appearance, creating a desirable place of residence and adding to the overall quality of life in the City.

(.02) The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:

A. Assure that Site Development Plans are designed in a manner that insures proper functioning of the site and maintains a high quality visual environment.

Response: The row homes and parks in the FDP area has been designed to assure proper functioning of the site and to maintain an aesthetically pleasing environment. The proposed landscaping and park design will add to the quality of the environment as well as the functioning of the site.

B. Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of said development;

Response: The FDP includes landscaping as shown on the attached plans (Exhibit VB), which will enhance the visual environment of the site. Pedestrian connections to sidewalks, trails, and adjacent residences will be provided to enhance the site's connectivity to surrounding uses.

C. Discourage monotonous, drab, unsightly, dreary and inharmonious developments;

Response: The FDP area will include landscaping as shown on the attached plans (see Exhibit VB). Landscaping will consist of an appropriate mixture of ground cover, shrubs, and trees selected from the Villebois Plant List to create a harmonious appearance throughout the larger Villebois development. The proposed landscaping will contribute to an interesting and aesthetically appealing development.

D. Conserve the City's natural beauty and visual character and charm by assuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

Response: The parks will incorporate landscaping that makes sense for a Pacific Northwest community, while matching the City's natural beauty and visual character.

E. Protect and enhance the City's appeal and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial purposes;

Response: The design of the proposed row houses, landscaping, and parks, along with the pedestrian connections to adjacent residences and streets, will help to maintain the appeal of Villebois as a unique and attractive community in which to live, work, and recreate. Residents of Villebois will stimulate the local economy by opening new businesses and thus creating jobs and by spending money in existing businesses.

F. **Stabilize and improve property values and prevent blighted areas and, thus, increase tax revenues;**

Response: The proposed parks will create neighborhood amenities that will help to maintain property values in this new community. A Home Owners Association will ensure that these areas are properly maintained over time.

G. **Insure that adequate public facilities are available to serve development as it occurs and that proper attention is given to site planning and development so as to not adversely impact the orderly, efficient and economic provision of public facilities and services.**

Response: The process used to plan for Villebois incorporates a tiered system that originates at the *Villebois Village Master Plan*. The *Master Plan* shows how facilities, including parks and open space, are distributed and available to residents throughout Villebois.

Figure 5 - Parks & Open Space Plan of the *Master Plan* shows that approximately 33% of Villebois will be in parks and open space. Phase 8 Central will contain more areas for parks than originally shown for this area with SAP - Central, as demonstrated in the PDP (see Section II of this Notebook). This FDP is consistent with the PDP, SAP - Central, and the *Villebois Village Master Plan*, and therefore, complies with this criterion.

H. **Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services and reduce opportunities for crime through careful consideration of physical design and site layout under defensible space guidelines that clearly define all areas as either public, semi-private, or private, provide clear identity of structures and opportunities for easy surveillance of the site that maximize resident control of behavior -- particularly crime;**

Response: The *Villebois Village Master Plan* shows that the community will include a variety of housing options (living) and the Village Center will contain places for employment (working). This FDP shows a living environment in Phase 8 Central that is enhanced by proximity to park and open space areas. Residents who will surround the parks and open spaces will provide on-going surveillance and control.

I. **Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvements;**

Response: The design of the Villebois Village has been created to develop a community that is truly unique. The City and Villebois Master Planner, as well as the Applicant, are working in partnership with nearby residents, property owners, and local and regional governments to create a complete, livable, pedestrian-oriented community that will be an asset to the City of Wilsonville and Portland region. This partnership has generated citizen participation in the project and the unique design shall foster civic pride and community spirit amongst the residents of Villebois.

J. Sustain the comfort, health, tranquillity and contentment of residents and attract new residents by reason of the City's favorable environment and, thus, to promote and protect the peace, health and welfare of the City.

Response: The design of the Villebois Village revolves around three guiding principles: connectivity, diversity, and sustainability. These principles are intended to sustain the comfort, health, tranquility, and contentment of Villebois residents, while also promoting and protecting the peace, health and welfare of the City. *Connectivity* refers to creating connections between Villebois neighborhoods and between Villebois and other parts of the City and region for multiple modes of transportation. *Diversity* includes multiple choices of housing styles, housing affordability, recreation, employment, goods and services, and infrastructure for transportation. *Sustainability* involves the protection of natural resources and open space, energy conservation, and storm and rainwater management.

SECTION 4.421. CRITERIA AND APPLICATION OF DESIGN STANDARDS.

(.01) 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. (Even in the Boones Ferry Overlay Zone, a range of architectural styles will be encouraged.)

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

Response: As shown in the attached plans (see Exhibit VB), proposed plant materials are drawn from the Villebois Plant List, which includes native species, to ensure consistency of general appearance within the Villebois community.

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

Response: Chapter 3 of the *Villebois Village Master Plan* takes into account scenic views, topography, existing vegetation, and other natural features in the design and location of parks and open spaces in the Villebois development. The FDP area does not include any steep slopes, sensitive wildlife habitat areas, wetlands, SROZ areas,

or flood plains. The proposed parks are in addition to the parks shown in the *Master Plan* and SAP Central. No existing trees are located on the site.

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

Response: No driveways or parking areas are proposed or required with this FDP. The parks included in the FDP are all accessible from adjacent streets and pathways, as shown on the FDP plans (see Reduced Drawings in Section VIB).

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

Response: Surface water drainage is addressed in the PDP application (see Section II of Notebook). The FDP is consistent with grading and drainage shown in the PDP. This system has been carefully designed so as not to adversely affect neighboring properties.

E. **Utility Service. Any utility installations above ground shall be located so as to have an harmonious relation to neighboring properties and site. The proposed method of sanitary and storm sewage disposal from all buildings shall be indicated.**

Response: The PDP application addresses utility installation (see Section II of Notebook). The FDP is consistent with the PDP.

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

Response: No advertising features are proposed in this FDP.

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

Response: This FDP does not propose any exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures or other accessory areas and structures. Compliance with Section 4.176 is addressed earlier in this report.

(.02) **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.**

Response: No accessory buildings or structures are proposed.

(.03) **The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.**

Response: Compliance with the purpose of Section 4.400 has been addressed earlier in this report.

SECTION 4.440. PROCEDURE.

(.01) **Submission of Documents.**

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:

A. **A site plan, drawn to scale, showing the proposed layout of all structures and other improvements including, where appropriate, driveways, pedestrian walks, landscaped areas, fences, walls, off-street parking and loading areas, and railroad tracks. The site plan shall indicate the location of entrances and exits and direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles. The site plan shall indicate how utility service and drainage are to be provided.**

B. **A Landscape Plan, drawn to scale, showing the location and design of landscaped areas, the variety and sizes of trees and plant materials to be planted on the site, the location and design of landscaped areas, the varieties, by scientific and common name, and sizes of trees and plant materials to be retained or planted on the site, other pertinent landscape features, and irrigation systems required to maintain trees and plant materials. An inventory, drawn at the same scale as the Site Plan, of existing trees of 4" caliper or more is required. However, when large areas of trees are proposed to be retained undisturbed, only a survey identifying the location and size of all perimeter trees in the mass in necessary.**

C. **Architectural drawings or sketches, drawn to scale, including floor plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures and other improvements as they will appear on completion of construction. Floor plans shall also be provided in sufficient detail to permit computation of yard requirements based on the**

relationship of indoor versus outdoor living area, and to evaluate the floor plan's effect on the exterior design of the building through the placement and configuration of windows and doors.

D. A Color Board displaying specifications as to type, color, and texture of exterior surfaces of proposed structures. Also, a phased development schedule if the development is constructed in stages.

E. A sign plan, drawn to scale, showing the location, size, design, material, color and methods of illumination of all exterior signs.

F. The required application fee.

Response: Section VB of this notebook includes FDP plans that meet the requirements of Section 4.440 (.01). A copy of the application fee submitted is included in Exhibit IB of this notebook. Architectural Elevations & Floor Plans are included in Section VC of this notebook.

The SAP Central *Signage & Wayfinding Plan* indicates an internal site identifier within the subject property. The attached PDP plans (see Section IIB of this Notebook) and FDP plans (see Section VB of this Notebook) are consistent with the SAP Central *Signage & Wayfinding Plan.* A copy of the required application fee is included in Exhibit IC.

SECTION 4.450. INSTALLATION OF LANDSCAPING.

(.01) 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.

Response: The applicant understands that they must provide a security to guarantee installation of the proposed landscaping.

(.02) 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.

Response: The applicant understands that changes to the landscape plan included in this application cannot be made without official action of the Planning Director or the Development Review Board.

(.03) 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.

Response: The applicant understands that they are responsible for the ongoing maintenance of the proposed landscaping.

(.04) 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.

Response: This FDP does not include any existing development; therefore this criterion does not apply.

II. COMMUNITY ELEMENTS BOOK

Applicable Requirement	Requirement Met?	Notes
Street Lighting	☒	Lighting shown on attached plans is consistent with Lighting Master Plan.
Curb Extensions	☒	Will be developed with curb extensions shown on Curb Extension Concept Plan.
Street Trees	☒	Location and species of street trees shown on the attached plans are consistent with the Master Plan.
Landscape Elements-Site Furnishings	☒	Furnishings shown on attached plans were selected to maintain the identity and continuity of Villebois.
Tree Protection	☒	There are no existing trees on the proposed site.
Plant List	☒	All plant materials listed on page L1.02 of Exhibit B2 are on the Villebois plant list. No prohibited plants are proposed.
Address Overlay Areas	☒	Subject FDP is not located within an Address Overlay Area.

III. VILLAGE CENTER ARCHITECTURAL STANDARDS

Standards Applying to All Buildings

Standard	Standard Met?	Notes
1.1 Building Types		
1) Buildings outside Address overlays meet development standards of V-Zone per Building Type	☒	Row houses consistent with standards specified for Villebois Central
1.2 Building Height & Roof Form		
Required Standards		
1) Max. Building Height according to Table V-1	☒	Height less than the 45' allowed in Table V-1
2) Addresses have other height limitations	☒	Not located within an Address Overlay
3) Building height measured as defined in 4.001.	☒	Building measured correctly
4) Rooftop equipment screened from current and future taller buildings	☒	No rooftop equipment proposed
5) At least 2 roof garden in SAP Central	☒	No rooftop gardens proposed, more appropriate for other building types in SAP Central
Optional Standards:		
6) Buildings encouraged to reach max. allowable height	☐	The applicant has chosen not to build to the maximum height of 45', but the buildings are 3 stories tall, which maximizes height for a row house.
7) Minimize shading of public and private outdoor areas during mid-day	☒	Have covered front porches and rear balconies for private areas with sun exposure.
1.3 Horizontal Façade Articulation		
Required		
1) Horizontal Facades articulated into smaller units using two or more of the following: change of materials, change of color, façade planes that are vertical in proportion, bays and recesses, breaks in roof elevation.	☒	Façade planes vertical in proportion and include bays and recesses, and breaks in roof elevation.
2) Incorporate features such as offsets, projections, reveals, and similar elements to preclude large expanses of uninterrupted building surfaces.	☒	The Elevations and Floor Plans in Section VC show the use of colors and materials, as well as trim or shutters, to break down the scale of the buildings.

Optional		
3) Articulation should extend to the roof	☒	Articulation, including the break between buildings and architectural detail, extends to the roof.
2.1 Vertical Façade Articulation for All Mixed Use Buildings		Building not mixed use
3.1 Exterior Building Materials & Color		
Required		
1) Visually heavier and more massive materials at base when multiple materials used.	☒	Heavier brick material is at the base.
2) Bright, intense colors reserved for accent trim	☒	While a variety of colors are used, they are not intense.
3) Bright colors not used for commercial purposes	☒	N/A. Buildings not mixed use.
4) Concrete block shall be split-faced, ground-faced, or scored when facing street or public way. Discouraged around the plaza.	☒	Concrete block is not being used.
5) Exteriors constructed of durable and maintainable materials with texture, pattern, or lend themselves to quality detailing.	☒	The brick, cement fiber siding, and roof materials are all durable and easy to maintain and allow for detailing.
Optional		
6) Exterior materials have an integral color, patterning, and/or texture	☒	The exterior materials have integral color, patterning, or texture.
7) Sustainable building materials and practices are strongly encouraged	☒	The builder will participate in the Portland General Electric Earth Advantage program.
3.2 Architectural Character		
Required		
1) A definitive, consistent Architectural Character. All primary facades consistent with Architectural Character	☒	The row houses have a consistent American Modern (Craftsman) architectural character and create diversity with that character. This is the first Craftsman style architecture in the Village Center.
2) No mixing of Architectural Styles	☒	The entire building is consistently in the American Modern (Craftsman) Architectural style.
3) Secondary facades incorporate primary façade features over 25% of wall length	☒	Materials including lap siding as well as windows with trim extend on all facades.

4) All visible sides have a similar level of quality and visual interest	☒	A majority of the detailing and materials wrap around to the street facing side elevations of the building. Materials and details included on the front elevations such as finishes, trim, and window patterns are incorporated into the side elevations.
5) Accessory buildings designed and integrated into primary building	☒	No accessory buildings are proposed
6) Applicants encouraged to consult an architect or architectural historian regarding appropriate elements of architectural style	☒	The buildings have been designed by Milbrandt Architects, Inc., P.S.
7) If not in an address, elevations not repeated on adjacent blocks	☒	The row homes are not within an Address. The row houses do not repeat an elevation found on an adjacent block.
3.3 Ground Level Building Components		
Required		
1) Building setbacks and frontage widths as required by Table V-1	☒	The row houses meet the required setbacks, including the 5' front setback, established by Table V-1
2) Retail orientation towards street	☐	Not applicable
3) Differentiating entrances for mixed use buildings	☐	Not applicable
4) Entries have weatherproof roof covering appropriately sized but at least 4 feet deep and 4 feet wide	☒	Weatherproof covering provided by proposed front porches at least 4' by 4'
5) Any building lighting, is indirect or shielded	☒	Any lighting would be shielded under the front porch.
6) Parking structures screened using at least two of the following: residential or commercial uses, decorative grill work, decorative artwork, vegetation	☐	Not applicable, no parking structure proposed
7) Plaza address mixed-use buildings have canopy or awning	☐	Not applicable
8) Reflective, heavily tinted, or other sight obscuring glass discouraged	☐	Not applicable
9) Landscaping or other screening provided when	☐	Not applicable

parking is between buildings and the street		
Optional		
10) Create indoor/outdoor relationships	☒	Large windows and porches help create an indoor/outdoor relationship.
11) Canopies and Awnings primary function is weather protection	☐	Not applicable
4.1 Façade Components		
Required		
1) Windows and doors recessed 3 inches for shadowing or incorporate shutters (appear operable and sized for window), railing, and/or visible or substantial trim (contrasting material, color, or creates shadowing.)	☒	Windows and doors have substantial trim which helps create shadowing.
2) Balconies extend no more than 36"	☐	Not applicable, none proposed on front elevations.
3) Shutters sized to appear operable at window and door openings	☒	Not applicable, no shutters are proposed.
4) Except in the plaza address, balconies shall be at least 5 feet deep	☒	Second level decks on the rear façade will be at least 5 feet deep
Optional		
4) (*Note: Duplicate numbers in published VCAS*) Individual windows square or vertical in proportion. An assembly of windows have horizontal proportion	☒	All individual windows are square or vertical in proportion.
5) Materials changes occur at a horizontal line or at inside corner of two vertical planes.	☒	Materials change at horizontal lines or corners
6) Every residential unit have outdoor living space.	☒	All units have front porches and rear decks.
7) Expression of rainwater path	☐	Not applicable
8) Building fronts uneven angles to accommodate shape of street	☐	Not applicable.
9) Wide opening windows	☐	Not applicable.
10) Discourage use of high window sills	☒	High window sills are not used
11) Finishing touches and ornament	☒	The use of finishing touches and ornamentation is provided.
5.1 Fencing		
Required		

1) See all applicable sections of the Village Zone, including but not limited to Section 4.125(.14) Table V-4 Permitted Materials and Configurations and Section 4.125 (.05) D. Fences	☐	No fencing is proposed.
2) The following fencing requirements apply to all fences and walls located between rights-of-way and building lines.	☐	No fencing is proposed.
3) See Address overlay sections for additional requirements.	☐	No fencing is proposed.
4) Except where specifically required by Address overlays, fences are optional. Less fencing than the maximum allowable is allowed.	☐	No fencing is proposed.
5) Fencing shall be consistent with the Architectural Character of adjacent buildings, See Architectural Character, this section.	☐	No fencing is proposed.
6) Fencing controlling access to a courtyard, outdoor lobby, or other public entries shall be greater than 50% transparent.	☐	No fencing is proposed.
7) Fencing located within the first 2'0" setback from right-of-ways shall be greater than 50% transparent.	☐	No fencing is proposed.
8) Fencing located within interior side yards or separating buildings on the same lot shall be offset 4'0" or greater behind the adjacent front building line.	☐	No fencing is proposed.
9) Posts, pilasters, columns, or bollards may extend an additional 8" above the maximum height of any allowed fencing.	☐	No fencing is proposed.
10) Fencing may not change height at corners. They must level top surfaces and transition at posts to maintain height as required by changes in grade elevation.	☐	No fencing is proposed.

11) Loading facilities, trash enclosures, and ground-level mechanical and utility equipment: These facilities shall be sited at the rear or side of buildings wherever practicable, and shall be screened where visible from the street. Screening shall match the adjacent development in terms of quality of materials and design. Such screening shall minimize light glare and noise levels affecting adjacent residential uses.	☐	No fencing is proposed.
Optional		
12) Fencing is encouraged to be consistent with building railing at balconies, decks, porches, etc.	☐	No fencing is proposed.

IV. CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Final Development Plan. Therefore, the applicant requests approval of this application.

VB) Reduced Plans

PHASE 8 CENTRAL
BROOKESIDE TERRACE ROW HOMES
FINAL DEVELOPMENT PLAN

TL 3200, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

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CONTACT: FRED GAST

PLANNER:

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CONTACT: STACY CONNERY, AICP

CIVIL ENGINEER:

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LANDSCAPE ARCHITECT:

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GEOTECHNICAL ENGINEER:

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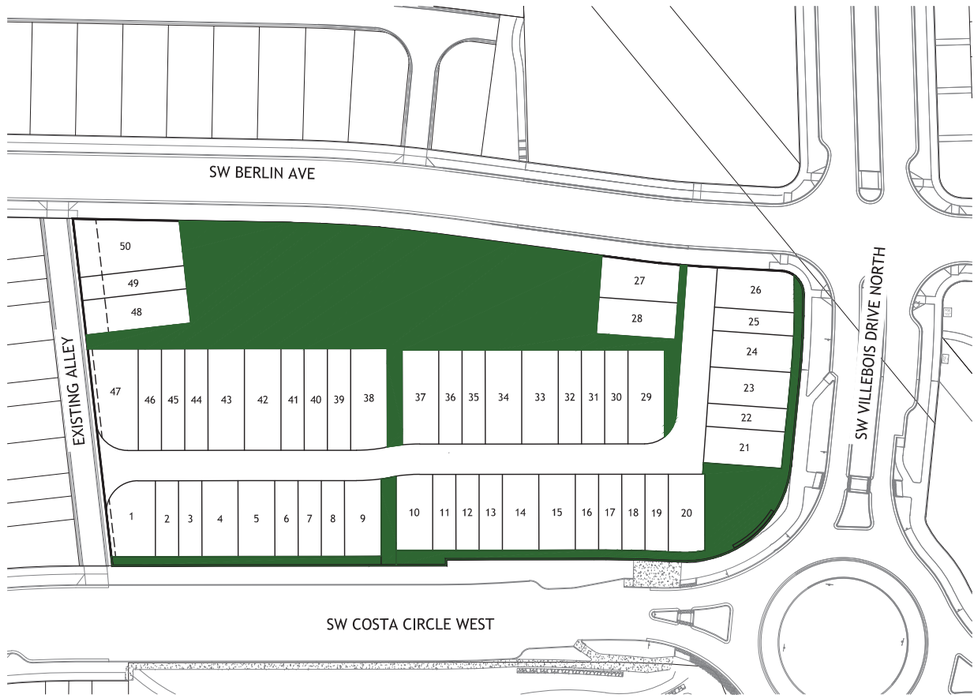
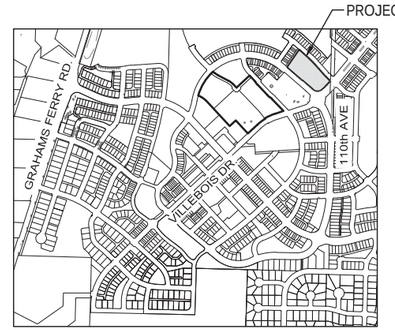
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE





VICINITY MAP

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

SHEET INDEX:

1	COVER SHEET
2	SITE PLAN
L1	PLANTING AND STREET TREE PLAN
L1.1	POCKET PARK DETAIL
L2	PLANT LEGEND AND PLANTING DETAILS
L3	DETAILS
L4	DETAILS

SCALE
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1 INCH = 50 FEET

ELEVATION DATUM: NAVD 88

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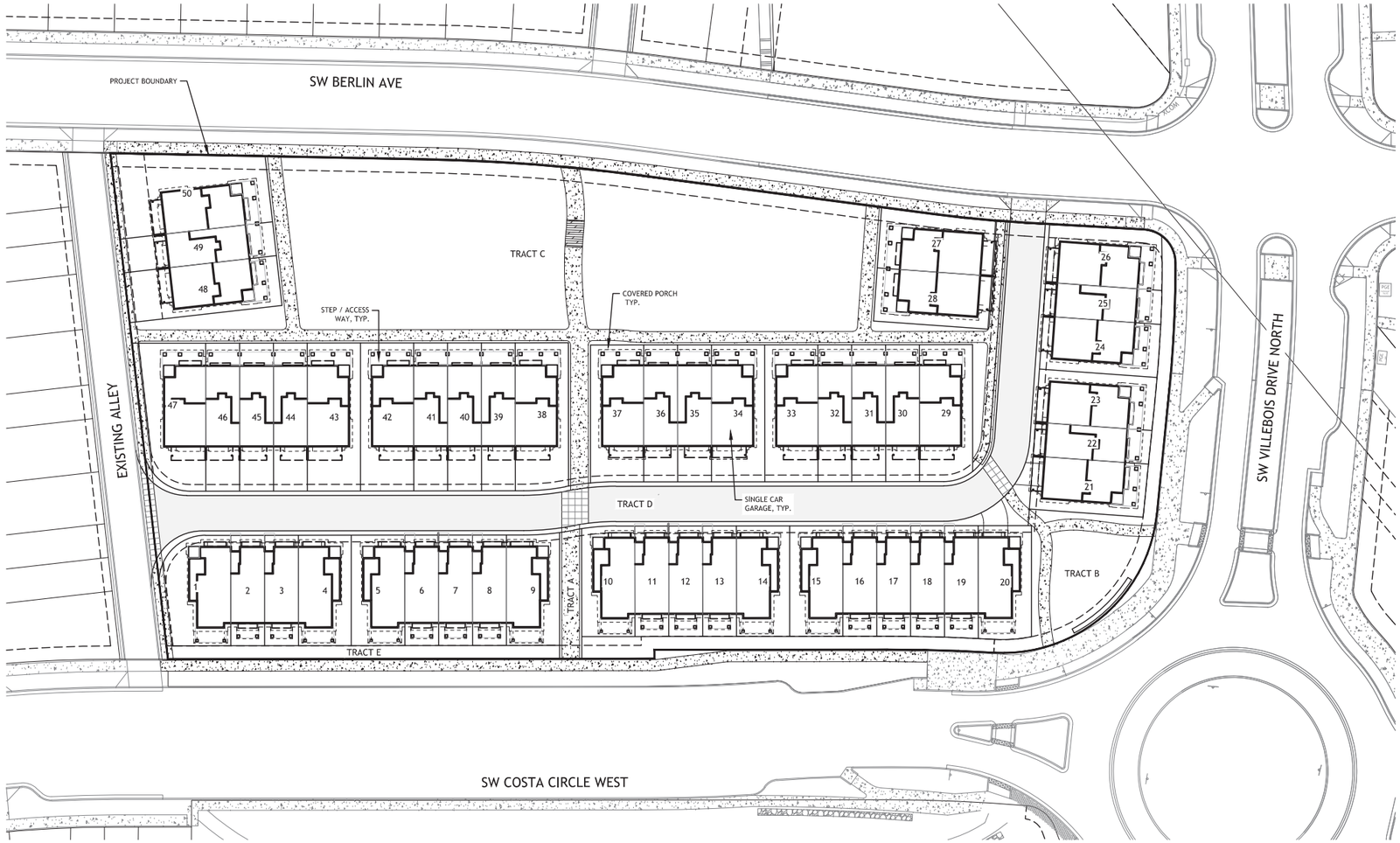
COVER SHEET

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

1



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ELEVATION DATUM: NAVD 88

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Final Development Plan

SITE
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

2

LEGEND:

STREET TREES

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	SIZE	SPACING
	FAGUS SYLVATICA COPPER BEECH	15	2 1/2" cal., B&B	25' O.C.
	LIRIODENDRON TULIPIFERA TULIP TREE	12	2 1/2" cal., B&B	25' O.C.

SHADE TREES - 2' CAL. / SPACING VARIES

RED SUNSET MAPLE / ACER RUBRUM 'FRANKSRED'
EMERALD VASE LACEBARK ELM / ULMUS PARVIFOLIA 'EMERALD VASE'
ENGLISH OAK / QUERCUS ROBUR
WHITE OAK / QUERCUS ALBA
RED OAK / QUERCUS RUBRA
AMERICAN HOPHORNBEAM / OSTRYA VIRGINIANA
BLOODGOOD LONDON PLANETREE - PLATANUS ACERIFOLIA 'BLOODGOOD'

SMALL ORNAMENTAL TREES- 2" CAL. SPACING VARIES

CHINESE REDBUD / CERCIS CHINENSIS: 2" CAL., B&B
CAPITAL SELECT FLOWERING PEAR / PYRUS CALLERYANA 'CAPITAL' : 2" CAL., B&B
BLIREIANA PLUM / PRUNUS X BLIREIANA: 2" CAL. B&B
CHINESE KOUSA DOGWOOD / CORNUS KOUSA 'CHINENSIS': 2" CAL., B&B
JAPANESE MAPLE / ACER PALMATUM : 8' HT.
YOSHINO FLOWERING CHERRY / PRUNUS X YEDOENSIS: 2" CAL., B&B

EVERGREEN TREES - 8' HGT.

DOUGLAS FIR / PSEUDOTSUGA MENZIESII: 8' HT., B&B
WESTERN WHITE PINE / PINUS MONTICOLA: 8' HT., B&B
WESTERN RED CEDAR / THUJA PLICATA 83' HT.
LELAND CYPRESS / CUPRESSOCYPARIS LEYLANDII: 8'-10' HT., B&B
PYRAMIDAL ATLAS CEDAR / CEDRUS ATLANTICA 'FASTIGIATA'
INCENSE CEDAR / CALOCEDRUS DECURRENS
COLUMNAR EASTERN WHITE PINE / PINUS STROBUS FASTIGIATA

NATIVE TREES IN NATIVE PLANTING AREAS - 3' HT. / SPACING VARIES

BIGLEAF MAPLE / ACER MACROPHYLLUM: 3' HT.,
BLACK HAWTHORNE / CRATAEGUS DOUGLASII: 3' HT.,
PACIFIC DOGWOOD / CORNUS NUTTALLII: 3' HT.,
OREGON ASH / FRAXINUS LATIFOLIA: 3' HT., .

ORNAMENTAL GRASSES AND GROUNDCOVERS - 1-2 GAL.

DWARF FOUNTAIN GRASS /PENNISETUM ALOPECUROIDES ' HAMLEN'
BLUE OAT GRASS / HELICTOTRICHON SEMPERVIRENS
PURPLE FOUNTAIN GRASS /PENNISETUM SETACEUM 'RUBRUM'
"MASSACHUSETTS KINNIKINICK' / ARCTOSTAPHYLOS UVA-URSI 'MASS.'
BEARBERRY COTONEASTER / COTONEASTER DAMMERI
SCARLET MEIDILAND ROSE / ROSA MEIDILAND 'MEIKROTAL'

SMALL ORNAMENTAL SHRUBS - 3 GAL.

DAVID VIBURNUM / VIBURNUM DAVIDII
ISANTI REDOSER DOGWOOD / CORNUS SERICEA 'ISANTI'
ANTHONY WATERER SPIREA / SPIREA BUMALDA 'ANTHONY WATERER'
COMPACT JAPANESE HOLLY /ILEX CRENATA 'COMPACTA'
'CRIMSON PYGMY' BARBERRY / BERBERIS THUNBERGII 'CRIMSON PYGMY'
AZALEA / VARIES

MEDIUM TO LARGE ORNAMENTAL SHRUBS- 3 GAL.

SHOWA-NO-SAKAE CAMELLIA / CAMELLIA SASANQUA 'SHOWA-NO-SAKAE'
FOREST FLAME PIERIS / PIERIS JAPONICA 'FOREST FLAME'
RHODODENDRON 'JEAN MARIE DE MONTEGUE'
'NIKKO BLUE' HYDRANGEA / HYDRANGEA MACROPHYLLA 'NIKKO BLUE'
RENAISSANCE SPIREA / SPIREA VANHOUTTEI 'RENAISSANCE'
DOUBLFILE VIBURNUM / VIBURNUM P. TOMENTOSUM: 24"-30" HT.
THUNBERG SPIREA / SPIREA THUNBERGII

NATIVE PLANT MIX WITH LOW GROW NATIVE GRASSES - 2 GAL.

RED FLOWERING CURRENT / RIBES SANGUINEUM
OREGON GRAPE / MAHONIA NERVOSA
PACIFIC NINEBARK / PHYSOCARPUS CAPITATUS
SNOWBERRY / SYMPHOROCARPUS ALBA
RED TWIG DOGWOOD / CORNUS SERICEA
SHINY LEAF SPIRAEA / SPIRAEA BETULIFOLIA
SALAL / GAULTHERIA SHALLON

LAWN

FINE LAWN, SEED

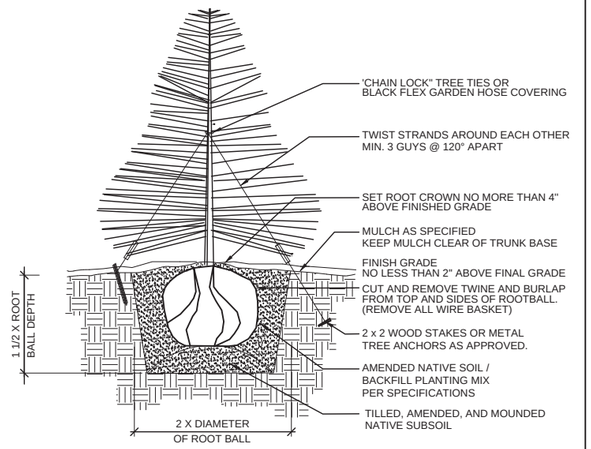
LOW GROW MEADOW MIX ROUGH SEED AND EMERGENTS

CALIFORNIA BROME / BROMUS CARINATUS
BLUE WILDRYE / ELYMUS GLAUCUS
NATIVE RED FESCUE / FESTUCA RUBRA V RUBRA
LARGE LEAF LUPINE / LUPINUS POLYPHYLLUS
DEWEY SEDGE / CAREX DEWEYANA
SLOUGH SEDGE / CAREX OBNUPTA
COMMON SPIKERUSH / ELOCHARIS PALUSTRIS
SOFT RUSH / JUNCUS TENIUS
SMALL FRUITED BULRUSH / SCIRPUS MICROCARPUS

ELEVATION DATUM: NAVD 88

GENERAL NOTES: LANDSCAPE PLAN

1. THE CONTRACTOR SHALL VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL DETERMINE IN THE FIELD THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO ODR.
4. ALL PLANT MASSES TO BE CONTAINED WITHIN A BARK MULCH BED, UNLESS NOTED OTHERWISE.
5. BED EDGE TO BE NO LESS THAN 12" AND NO MORE THAN 18" FROM OUTER EDGE OF PLANT MATERIAL BRANCHING. WHERE GROUND-COVER OCCURS, PLANT TO LIMITS OF AREA AS SHOWN.
6. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
7. CONTRACTOR TO FINE GRADE AND ROCK-HOUND ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUAL SURFACE, FREE OF IRREGULARITIES (BUMPS OR DEPRESSIONS) & EXTRANEOUS MATERIAL OR DEBRIS.
8. QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR OWN TAKE-OFFS AND ARE NOT GUARANTEED AS ACCURATE REPRESENTATIONS OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER LABELED ON THE PLANT TAG AND THE QUANTITY OF GRAPHIC SYMBOLS SHOWN, THE GRAPHIC SYMBOL QUANTITY SHALL GOVERN
9. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
10. WITH THE EXCEPTION OF THOSE TREES INDICATED ON THE TREE REMOVAL PLAN, CONTRACTOR SHALL NOT REMOVE ANY TREES DURING CONSTRUCTION WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ODR. EXISTING VEGETATION TO REMAIN SHALL BE PROTECTED AS DIRECTED BY THE ODR.
11. WHERE PROPOSED TREE LOCATIONS OCCUR UNDER EXISTING OVERHEAD UTILITIES OR CROWD EXISTING TREES, NOTIFY ODR TO ADJUST TREE LOCATIONS.
12. LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY AFTER THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN NOTIFICATION TO THE ODR. MAINTAIN TREES, SHRUBS, LAWNS AND OTHER PLANTS UNTIL FINAL ACCEPTANCE OR 90 DAYS AFTER NOTIFICATION AND ACCEPTANCE, WHICHEVER IS LONGER.
13. REMOVE EXISTING WEEDS FROM PROJECT SITE PRIOR TO THE ADDITION OF ORGANIC AMENDMENTS AND FERTILIZER. APPLY AMENDMENTS AND FERTILIZER PER THE RECOMMENDATIONS OF THE SOIL ANALYSIS FROM THE SITE.
14. BACK FILL MATERIAL FOR TREE AND SHRUB PLANTING SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL BY VOLUME, BONE MEAL PER MANUFACTURE'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
15. GROUND COVERS AND PERENNIALS SHALL BE PLANTED WITH A MAXIMUM 2 INCH COVER OF BARK MULCH WITH NO FOLIAGE COVERED.
16. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL THAT DO NOT COMPLY WITH THE DRAWINGS AND SPECIFICATIONS MAY BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH PLANT MATERIALS THAT ARE IN COMPLIANCE WITH THE DRAWINGS.
17. ALL PLANT MATERIALS SHALL BE NURSERY GROWN WITH HEALTHY ROOT SYSTEMS AND FULL BRANCHING, DISEASE AND INSECT FREE AND WITHOUT DEFECTS SUCH AS SUN SCALD, ABRASIONS, INJURIES AND DISFIGUREMENT.
18. ALL PLANT MATERIAL SHALL BE INSTALLED AT THE SIZE AND QUANTITY SPECIFIED. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR SUB-STANDARD RESULTS CAUSED BY REDUCTION IN SIZE AND/OR QUANTITY OF PLANT MATERIALS.



NOTE:
1. TIE BRIGHTLY COLORED P.V.C. RIBBON ON WIRE GUYS. (MIN. 1 PER GUY.))
2. IN LAWN AREAS CUT TREE CIRCLE AT 12' RADIUS FROM TRUNK.

CONFIER TREE GUYING DETAIL

SCALE: N.T.S

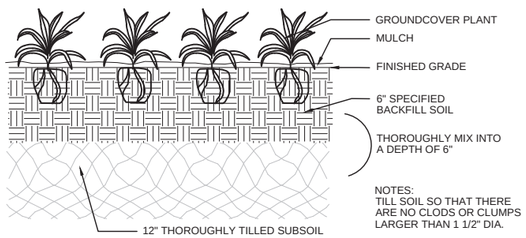
3 / L2

NOTE:
STAKE ALL EVERGREEN TREES LESS THAN 4" CALIPER. DO NOT STAKE VINE MAPLES. TREES 1 1/2" CALIPER AND LESS SHALL BE STAKED WITH A SINGLE WOOD STAKE UNLESS OTHERWISE SPECIFIED.

TREE STAKING DETAIL

SCALE: N.T.S

4 / L2

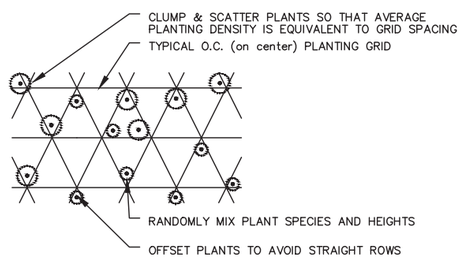


NOTES:
TILL SOIL SO THAT THERE ARE NO CLODS OR CLUMPS LARGER THAN 1 1/2" DIA.

GROUNDCOVER PLANTING DETAIL

SCALE: N.T.S

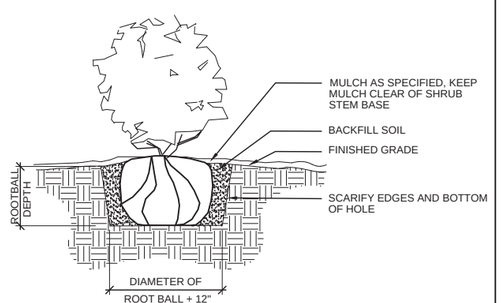
1 / L2



RANDOM PLANTING PATTERN

SCALE: N.T.S

2 / L2



SHRUB PLANTING DETAIL

SCALE: N.T.S

5 / L2

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PLANT LEGEND AND PLANTING DETAILS

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L2

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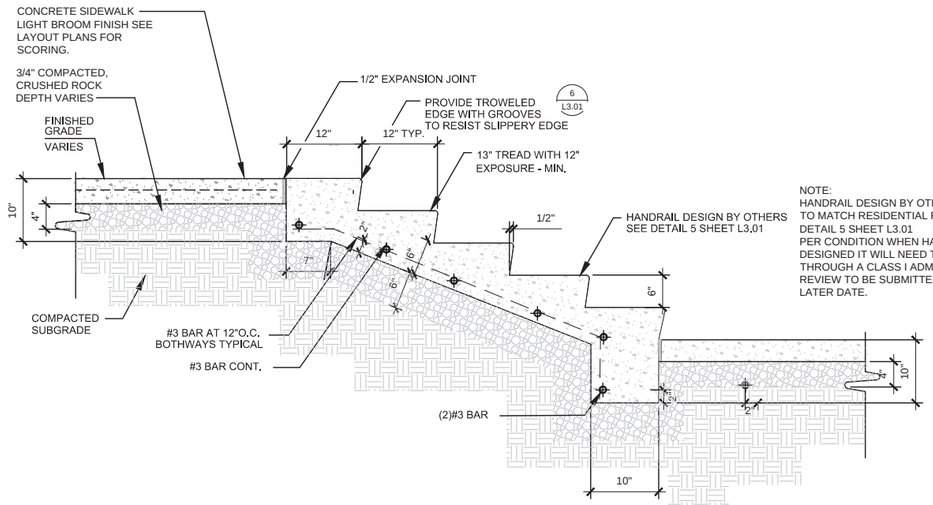
URBAN / GREENWAY BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: THE PLAINWELL SERIES
FINISH: IPE WOOD, METAL: BLACK POWDERCOATED
SIZE: 72" LENGTH

BENCH

1 / L3

SCALE: N.T.S



NOTE:
HANDRAIL DESIGN BY OTHERS AND TO MATCH RESIDENTIAL FENCE DETAIL 5 SHEET L3.01 PER CONDITION WHEN HANDRAIL IS DESIGNED IT WILL NEED TO GO THROUGH A CLASS I ADMINISTRATIVE REVIEW TO BE SUBMITTED AT A LATER DATE.

CONCRETE STAIR

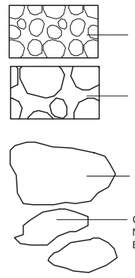
3 / L3

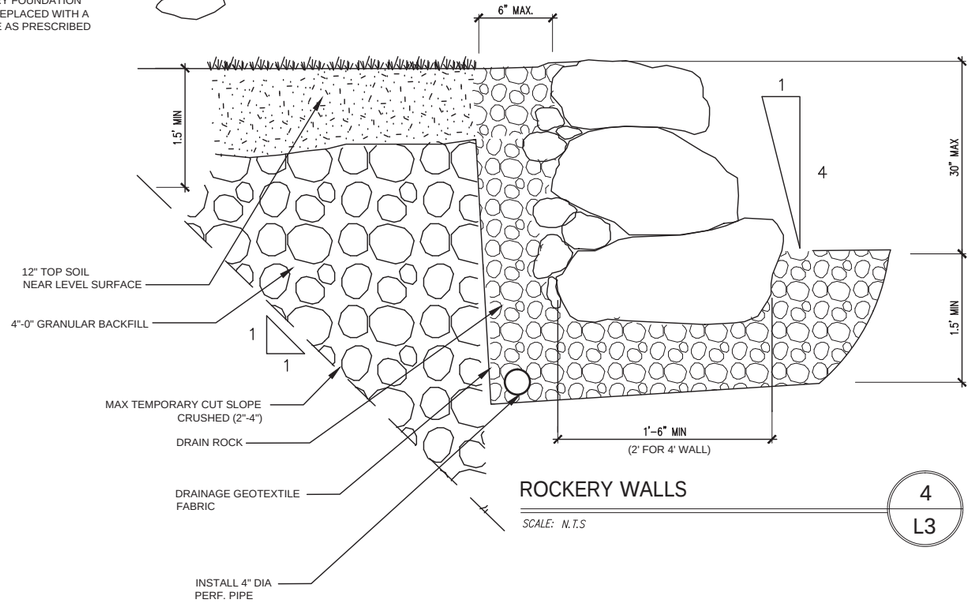
SCALE: N.T.S

NOTES:

1. 4"-0" GRANULAR BACKFILL CRUSHED WITH LESS THAN 5% PASSING THE #200 SIEVE.
2. LARGE DRAIN ROCK (2"-4") TAMPED WITH BACKHOE BUCKET DURING PLACEMENT.
3. BACKFILL SHALL BE PLACE AND COMPACTED AS ROCKS ARE BEING PLACED.
4. MINIMUM ROCK SIZE 0.5D (NOT LESS THAN 1.5 FEET)
5. PLACE A DRAINAGE GEOTEXTILE FABRIC AGAINST EXCAVATION SLOPE PRIOR TO PLACING BACKFILL. FABRIC SHALL EXTEND UNDER THE BOTTOM OF THE DRAIN PIPE AND OVER THE TOP OF THE BACKFILL PRIOR TO PLACEMENT OF THE IMPERVIOUS SURFACE LAYER.
6. INSTALL 4" DIAMETER PERFORATED PIPE SLOPED TO DRAIN TO POSITIVE OUTLET BEHIND WALL.
7. IF PRESENT, LOOSE SOIL AT ROCKERY FOUNDATION SHOULD BE OVEREXCAVATED AND REPLACED WITH A COMPACTED SAND/GRAVEL MIXTURE AS PRESCRIBED ABOVE.
8. INSLOPE ROCKERY FOUNDATION

LEGEND

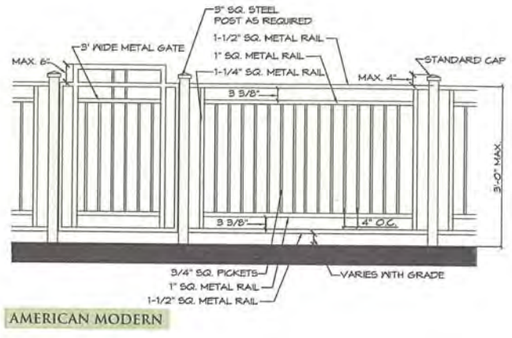




ROCKERY WALLS

4 / L3

SCALE: N.T.S



NOTE:
HANDRAIL DESIGN BY OTHERS AND TO MATCH RESIDENTIAL FENCE

STAIR HANDRAIL DESIGN- SIMILAR

2 / L3

SCALE: N.T.S

ELEVATION DATUM: NAVD 88

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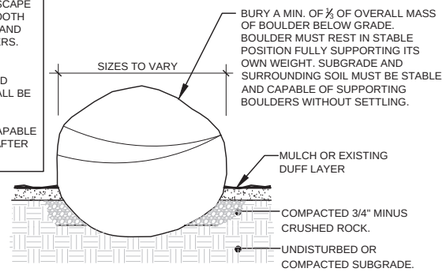
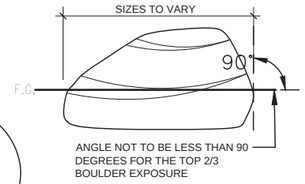
L3

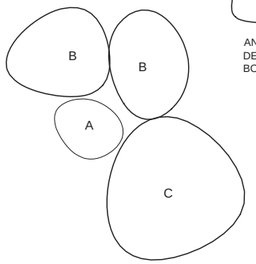
NOTES:
1. FIELD COORDINATE SELECTION AND PLACEMENT OF STONES WITH LANDSCAPE ARCHITECT. STONES ARE TO BE SMOOTH WITH NO ANGULAR FACES. REMOVE AND EASE ALL SHARP EDGES AND CORNERS. NATURAL GRAY-BROWN COLOR.

2. PLACEMENT IS TO BE NATURAL AND RANDOM IN APPEARANCE. SIZES SHALL BE PER THE BOULDER SCHEDULE.

3. PLACED BOULDERS SHALL BE INCAPABLE OF ROLLING, PITCHING OR MOVING AFTER PLACEMENT.





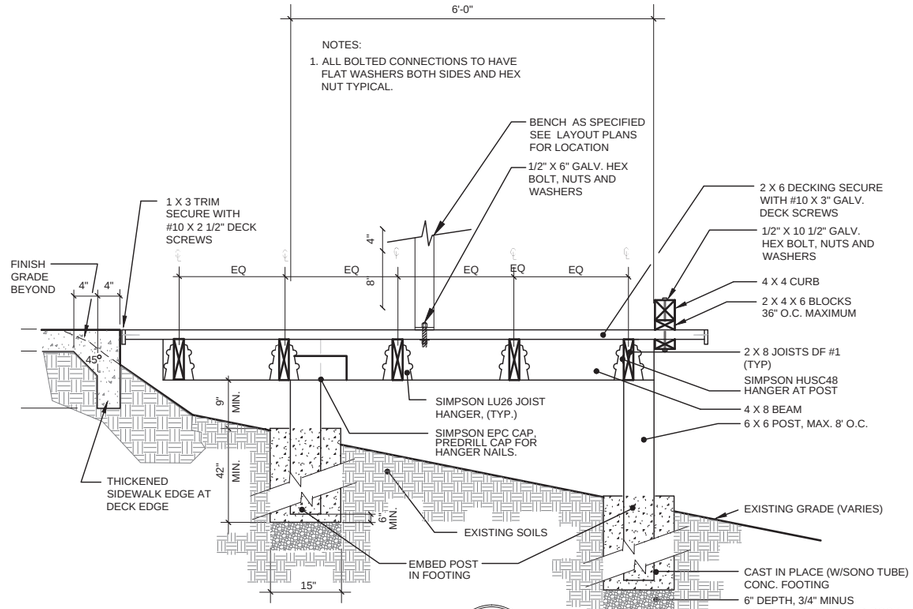


ROCK SCHEDULE

	HEIGHT	DIAMETER	QUANTITY
A	1'-6"	12"-18"	-
B	2'	18"-24"	-
C	2'-6"	24"-30"	-

BOULDER PLACEMENT — 1 / L4

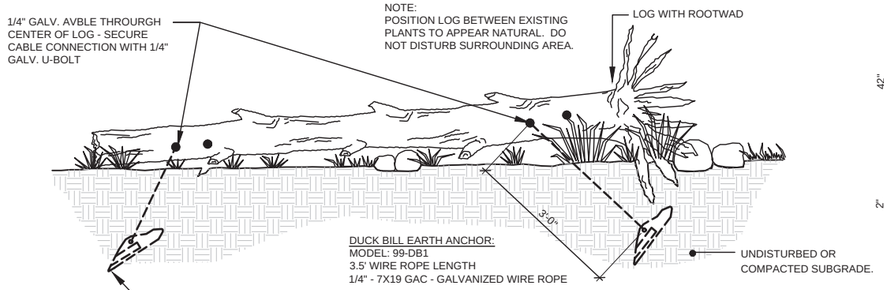
SCALE: N.T.S



LOWER OUTLOOK SECTION — 3 / L4

SCALE: N.T.S

NOTE:
DOWN WOODY DEBRIS (LOG)
14" TO 18" DIAMETER BY 20 TO 32 FEET LONG DECIDUOUS OR CONIFEROUS TREES WITH ROOTWAD SALVAGED FROM THE CLEARING AND GRUBBING OPERATION- REMOVE HAZARDOUS BRANCHES.



DUCK BILL EARTH ANCHOR:
MODEL: 99-DB1
3.5' WIRE ROPE LENGTH
1/4" - 7X19 GAC - GALVANIZED WIRE ROPE

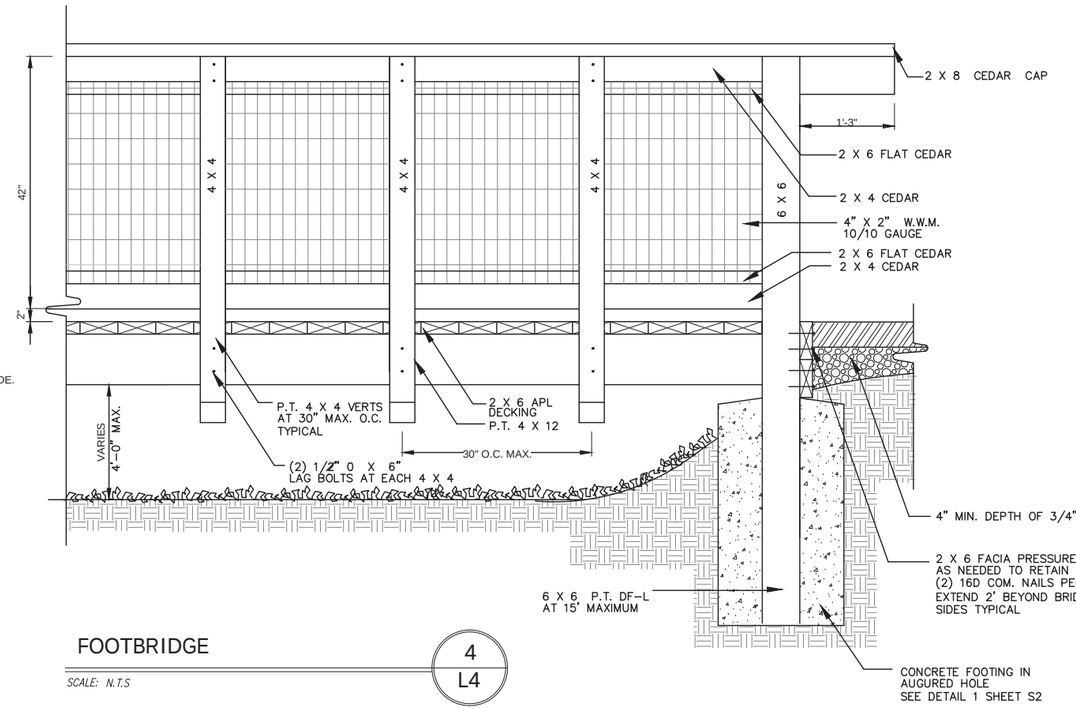
HAND DRIVE STEEL:
MODEL: 88
DS-88 , 4' LONG
3/4" ROUND
4' LONG HAND DRIVE STEEL WITH LARGE STRIKING HEAD

POWER DRIVE STEEL:
4' DRIVE TIP TO UNDER COLLAR FOR USE WITH MECHANIZED JACK HAMMER.

MANUFACTURER:
MACLEAN POWER SYSTEMS OR APPROVED EQUAL.
www.earthanchor.com
1.800.325.5360

LOG PLACEMENT ON GROUND — 2 / L4

SCALE: N.T.S



FOOTBRIDGE — 4 / L4

SCALE: N.T.S

ELEVATION DATUM: NAVD 88

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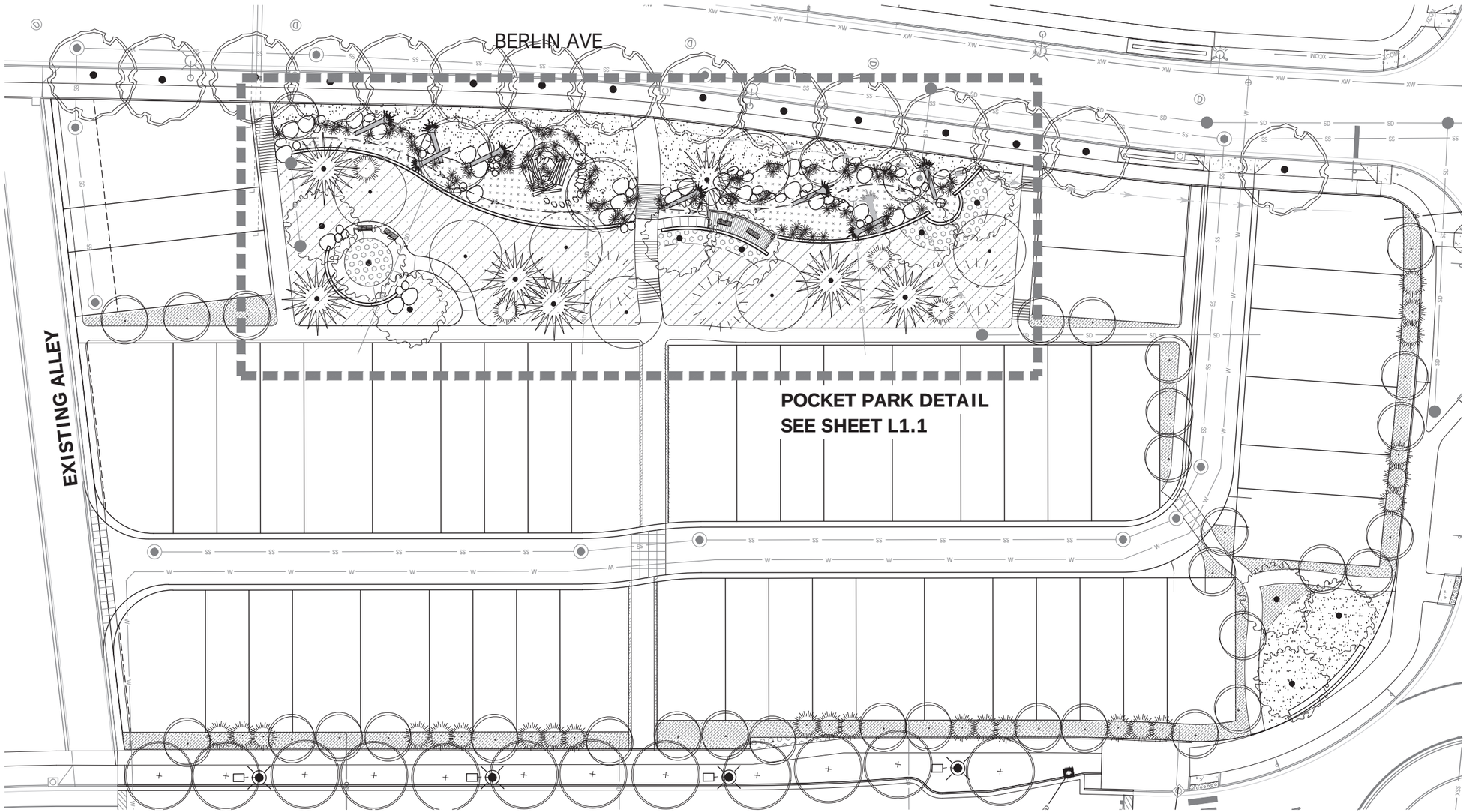
L4



1 PLANTING PLAN

SCALE
20 0 10 20
1 INCH = 20 FEET

ELEVATION DATUM: NAVD 88

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PLANTING AND STREET TREE PLAN

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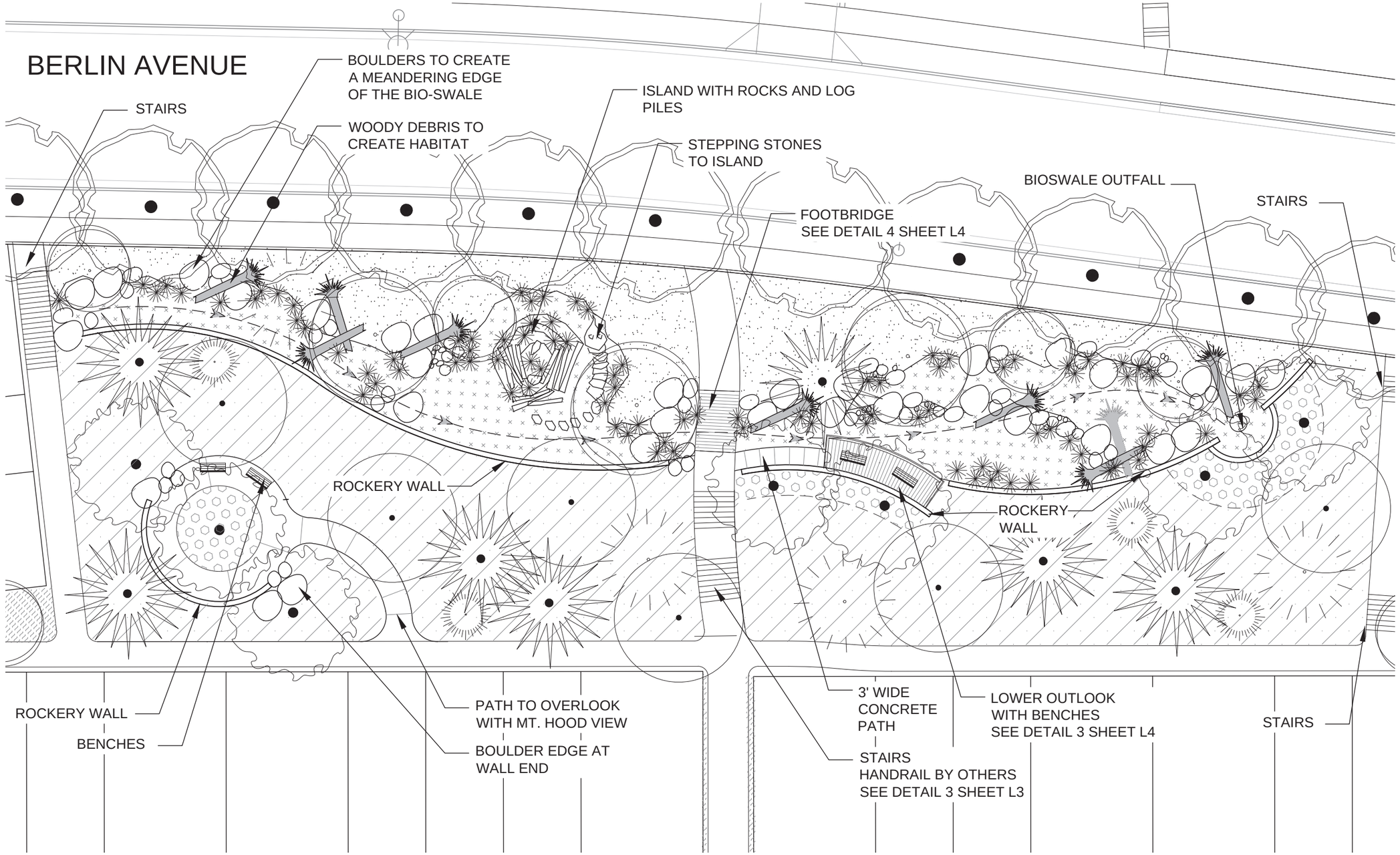
L1



1 POCKET PARK- DETAIL

SCALE
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1 INCH = 10 FEET

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POCKET PARK DETAIL

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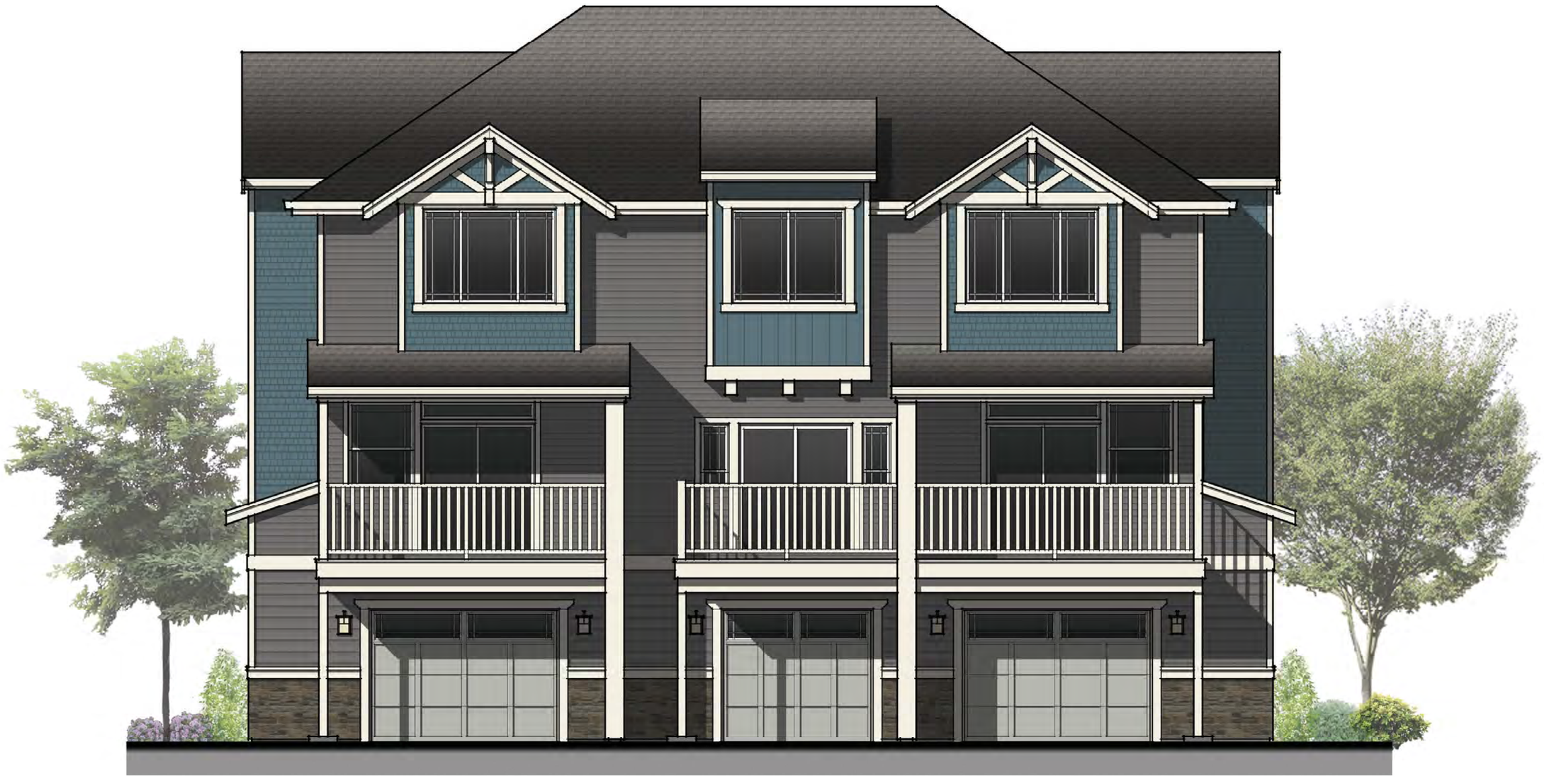
L1.1

VC) Elevations & Floor Plans



3-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
WESTCHESTER GRAY (2849)

(B) ACCENT 1
FIBER CEMENT SHINGLES
SMOKY BLUE (7604)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
WHITETAIL (7103)

(D) ACCENT 3
DOORS
CHELSEA GRAY (2850)

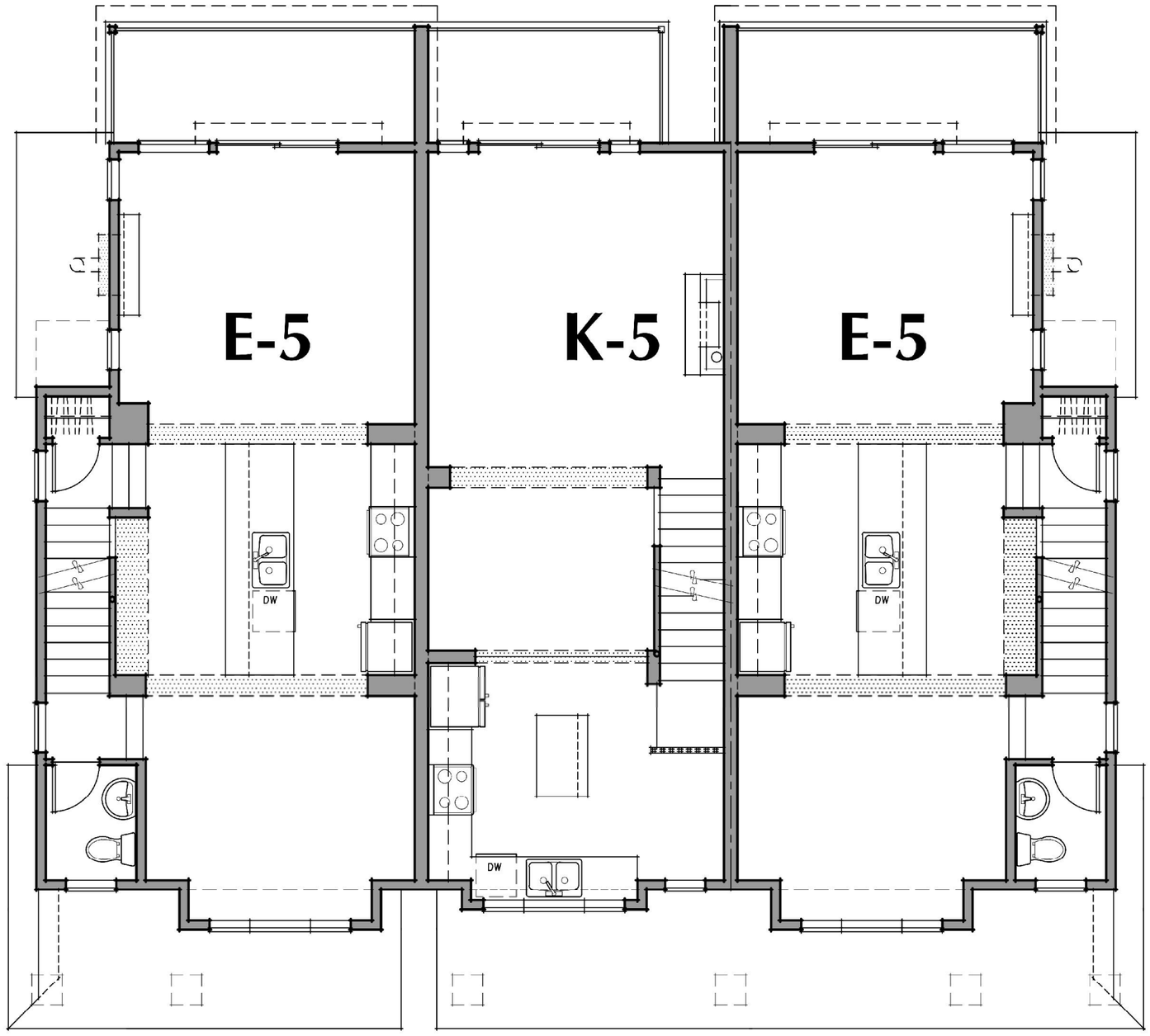
(E) STONE VENEER
CHARCOAL MIST

3-PLEX

3/16" = 1'-0"

SIDE ELEVATION

AMERICAN MODERN

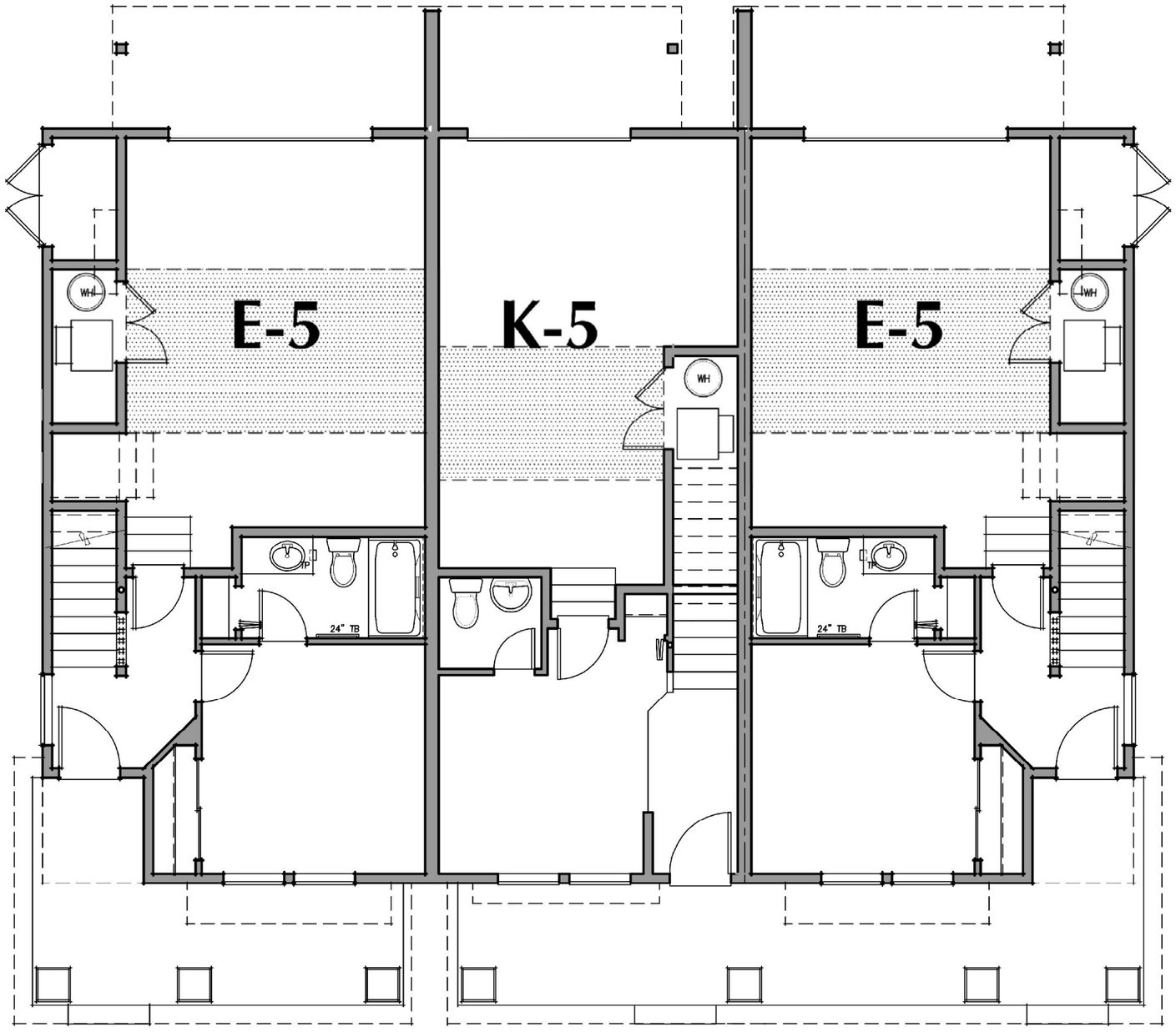


3-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN

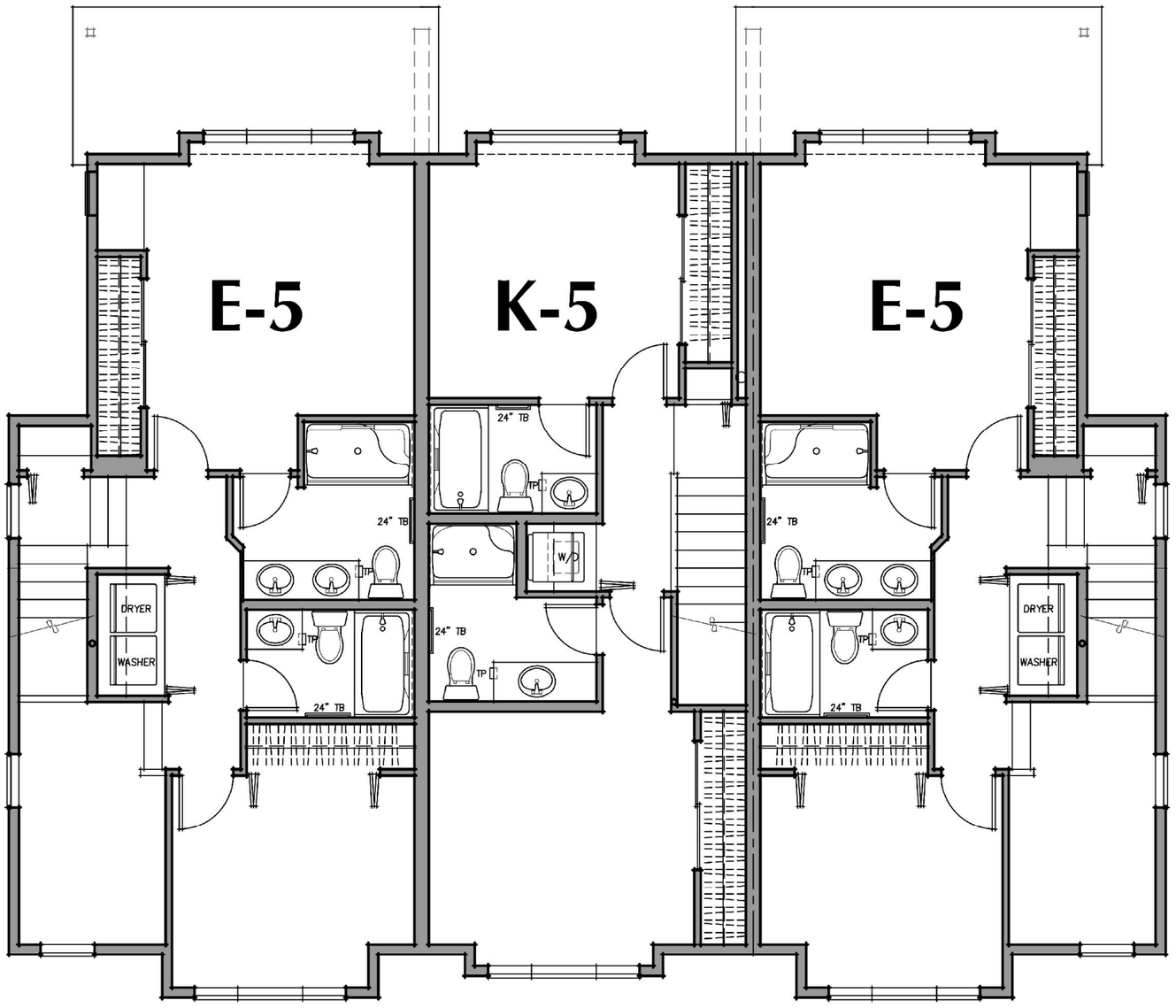


3-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN



3-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN

4-PLEX T.U.

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

4-PLEX T.U.

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

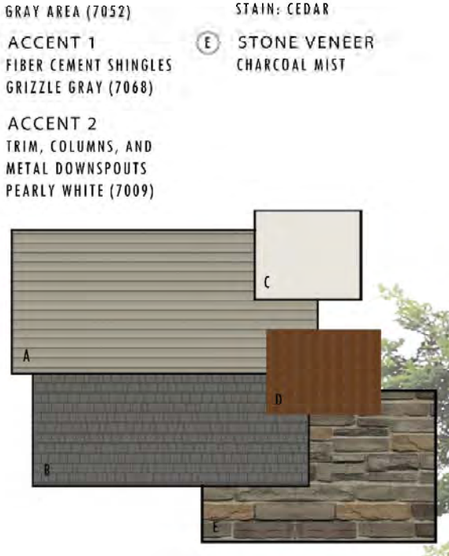
(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
GRAY AREA (7052)

(B) ACCENT 1
FIBER CEMENT SHINGLES
GRIZZLE GRAY (7068)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
PEARLY WHITE (7009)

(D) ACCENT 3
DOORS
STAIN: CEDAR

(E) STONE VENEER
CHARCOAL MIST

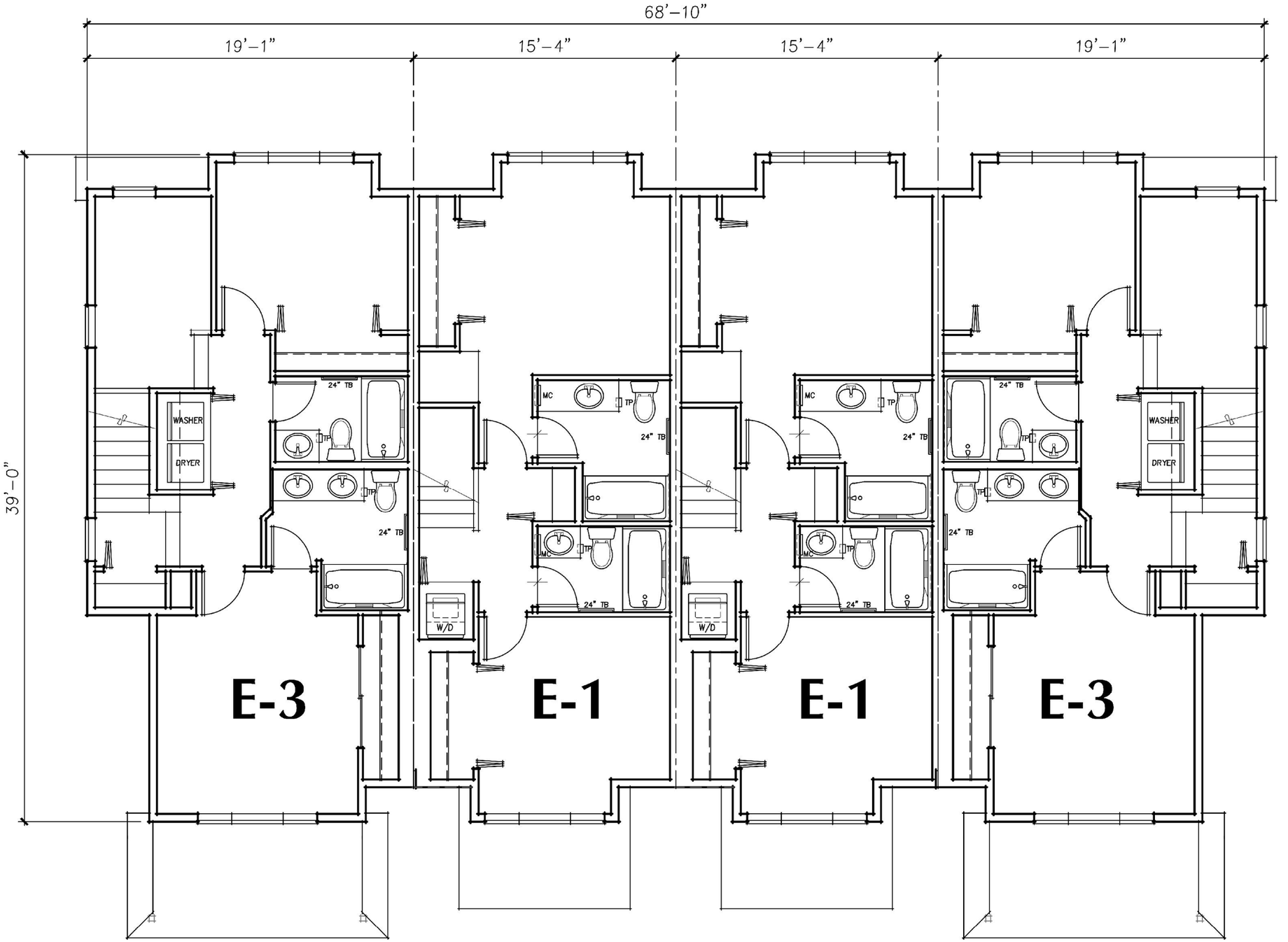


4-PLEX T.U.

3/16"=1'-0"

SIDE ELEVATION

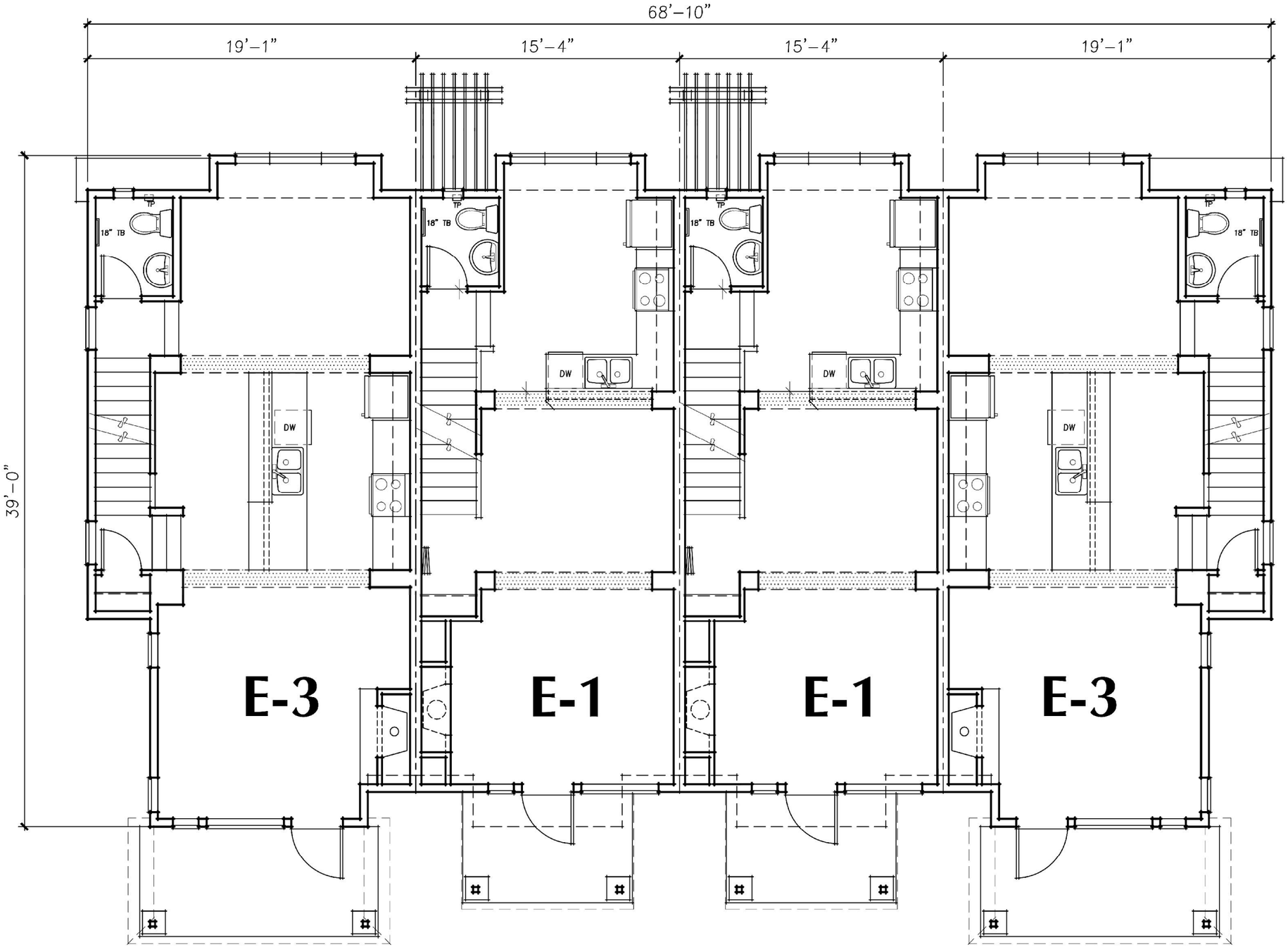
AMERICAN MODERN



4-PLEX T.U.

UPPER FLOOR PLAN

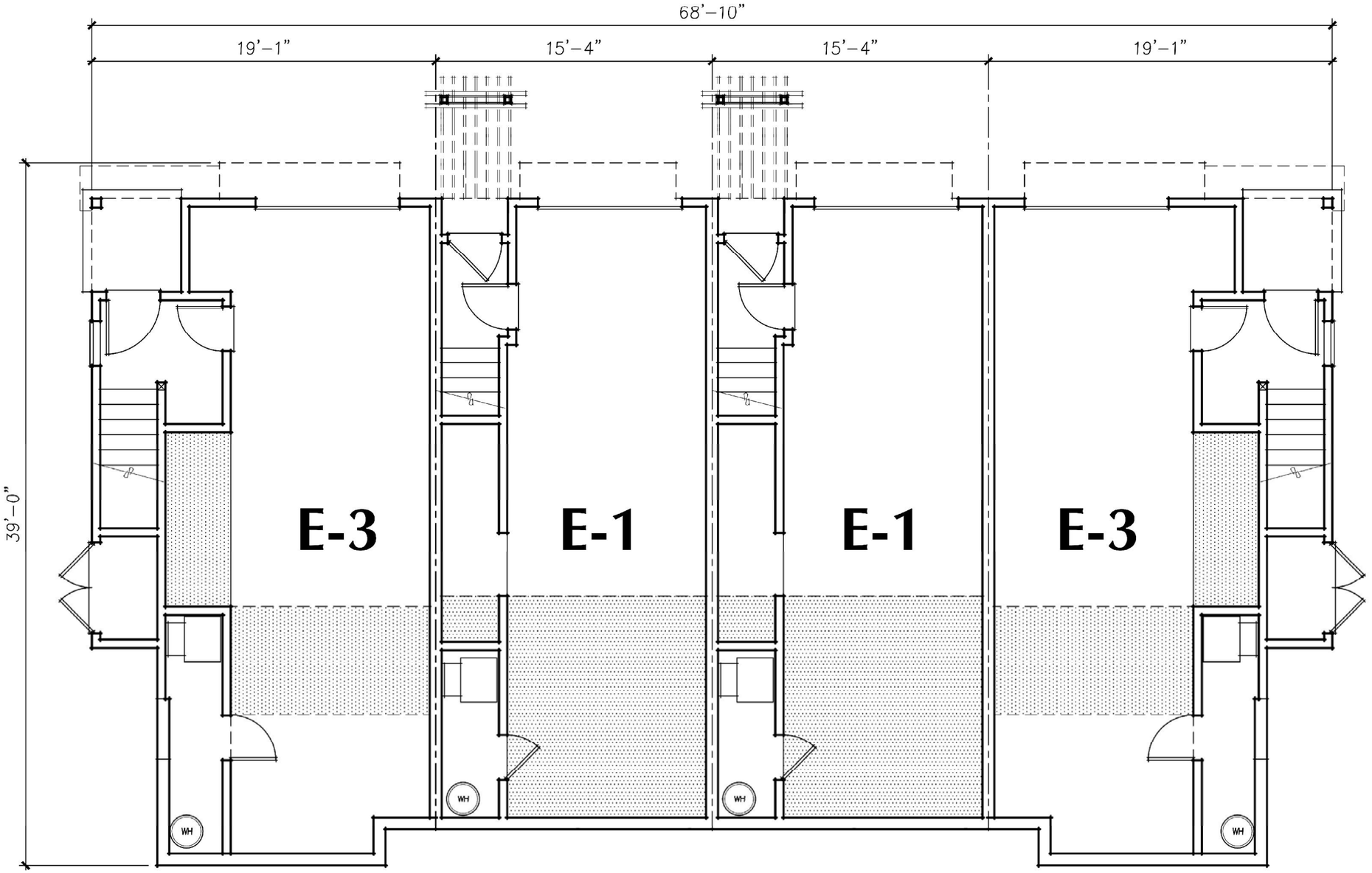
1/8"=1'-0"



4-PLEX T.U.

MIDDLE FLOOR PLAN

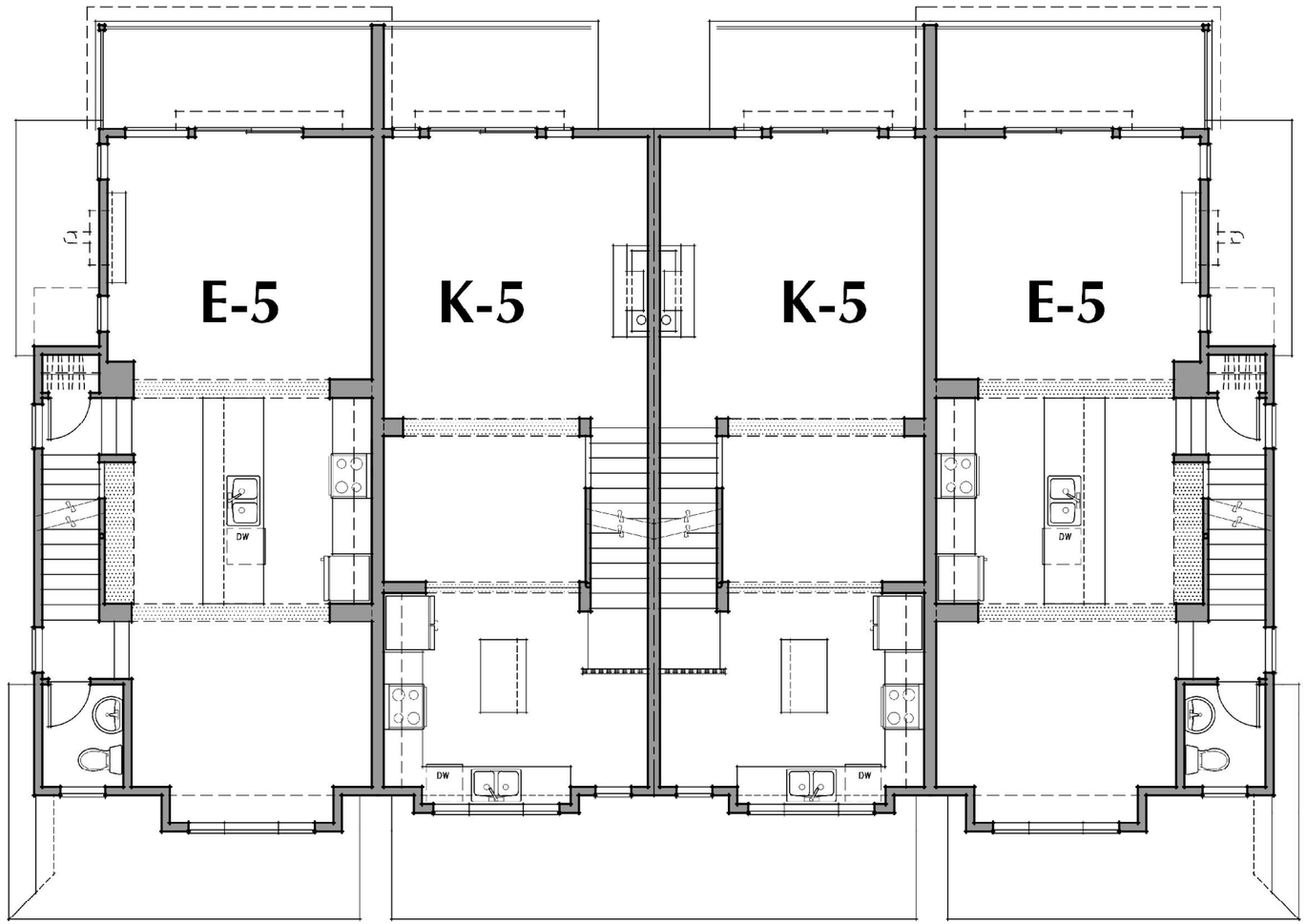
1/8"=1'-0"



4-PLEX T.U.

LOWER FLOOR PLAN

1/8"=1'-0"

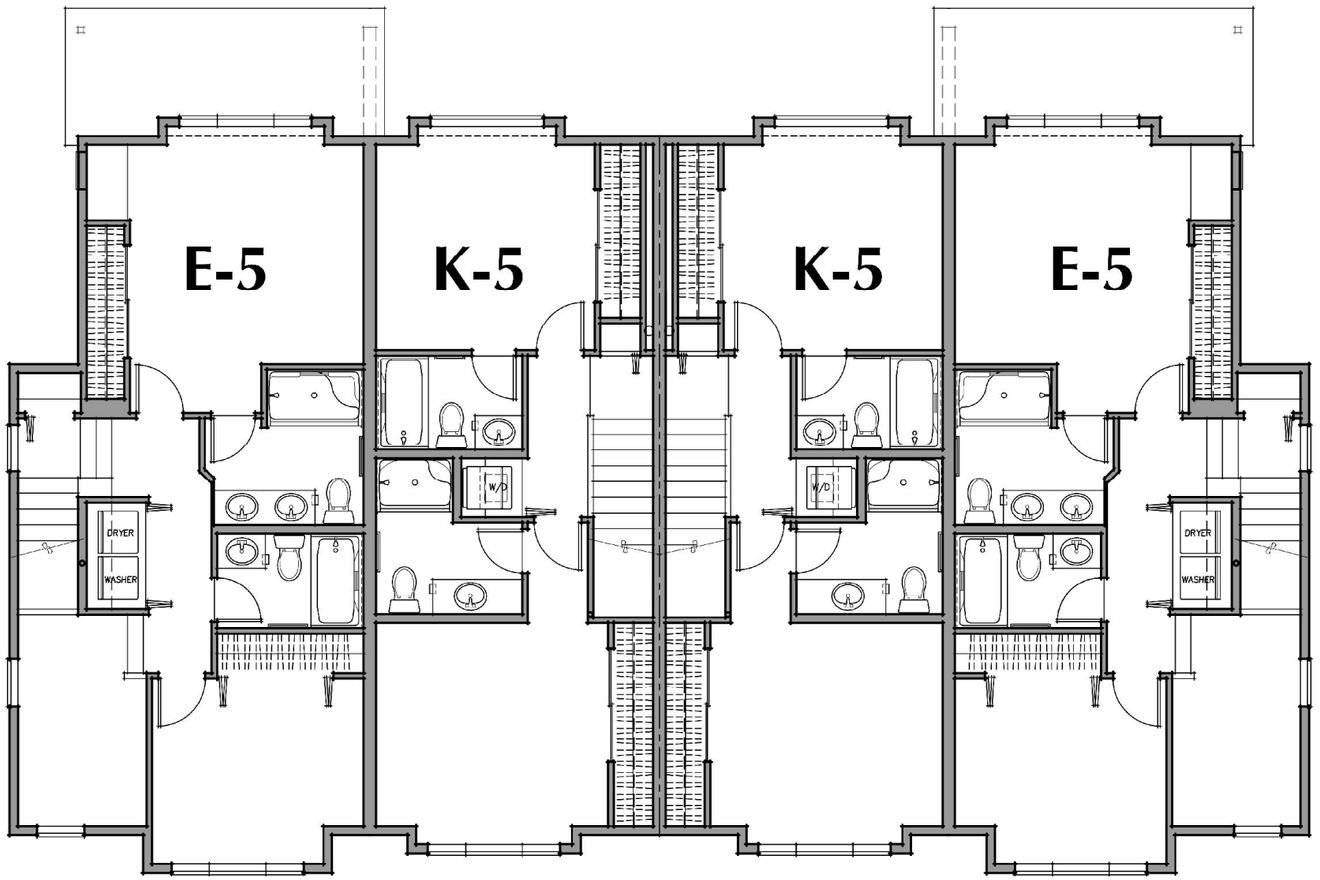


4-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN

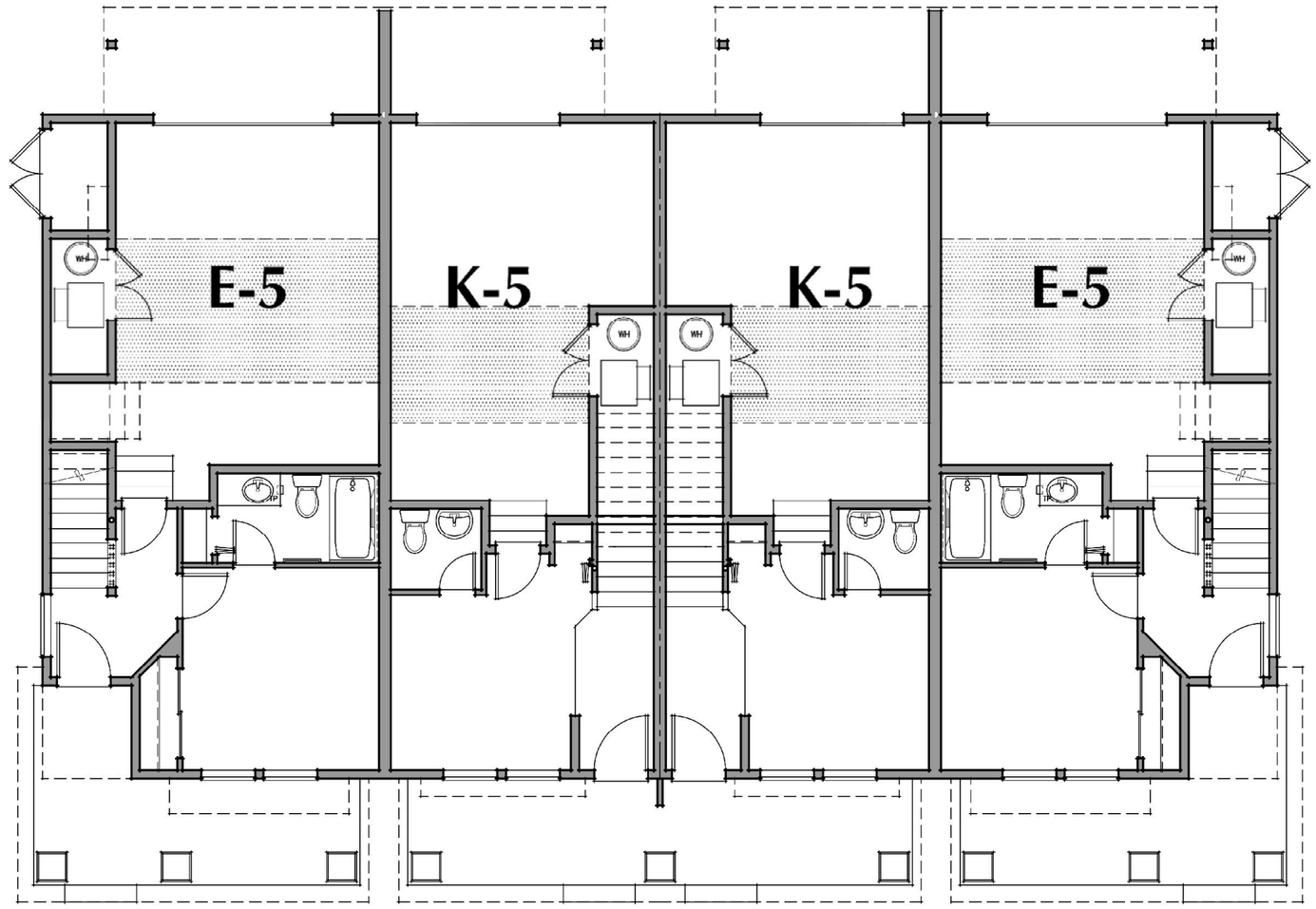


4-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN



4-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN

4-PLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

4-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
ANDRION (6174)

(B) ACCENT 1
FIBER CEMENT SHINGLES
OLIVE GROVE (7734)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
SW PEARLY WHITE (7009)

(D) ACCENT 3
DOORS
GRIZZLE GRAY (7068)

(E) STONE VENEER
CHARCOAL MIST

4-PLEX

3/16" = 1'-0"

RIGHT SIDE ELEVATION

AMERICAN MODERN

5-PLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

5-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

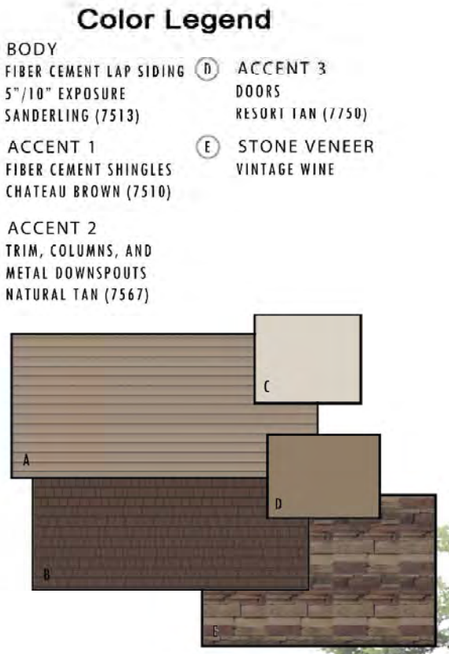
(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
SANDERLING (7513)

(B) ACCENT 1
FIBER CEMENT SHINGLES
CHATEAU BROWN (7510)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
NATURAL TAN (7567)

(D) ACCENT 3
DOORS
RESORT TAN (7750)

(E) STONE VENEER
VINTAGE WINE

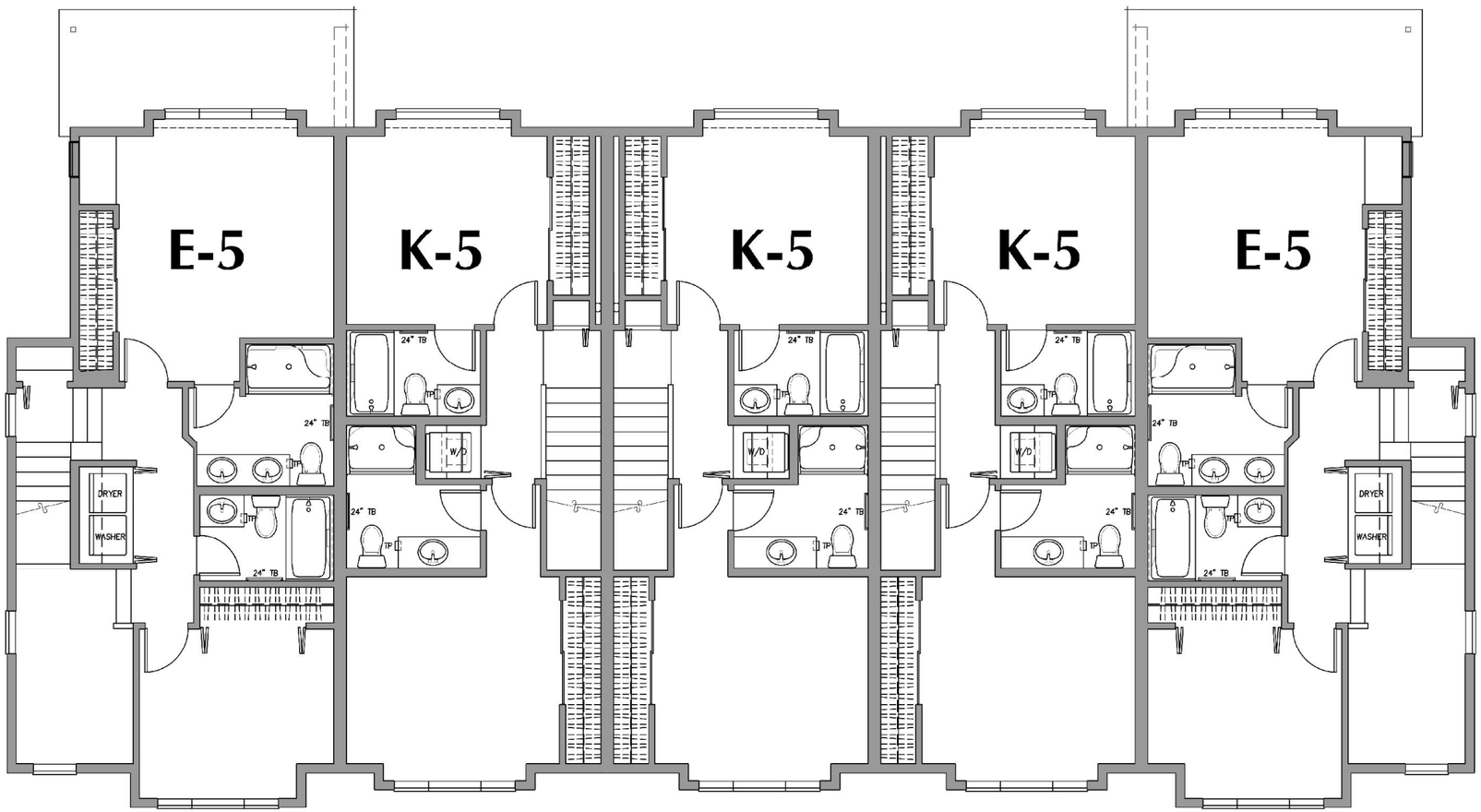


5-PLEX

3/16" = 1'-0"

SIDE ELEVATION

AMERICAN MODERN

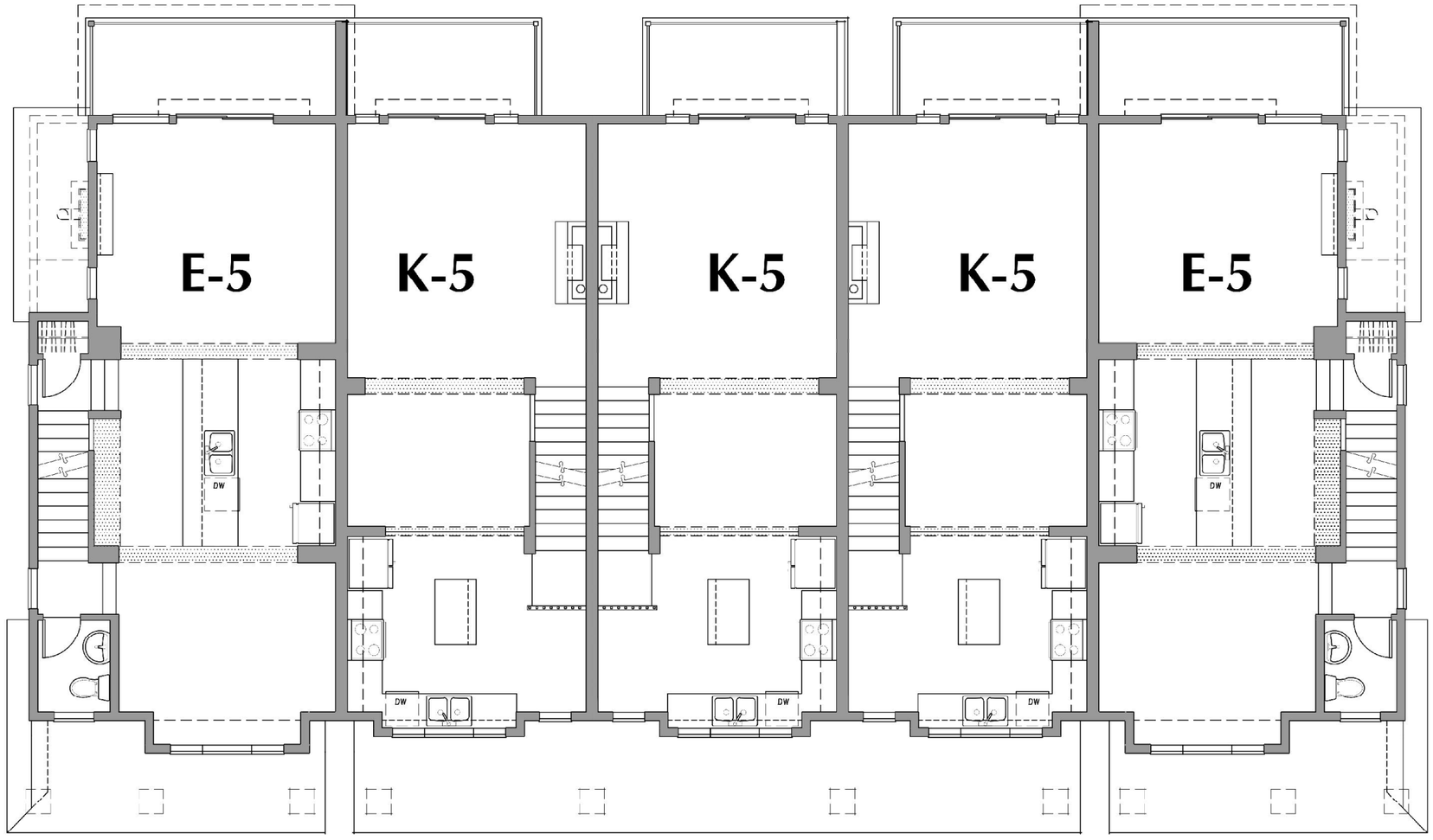


5-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN

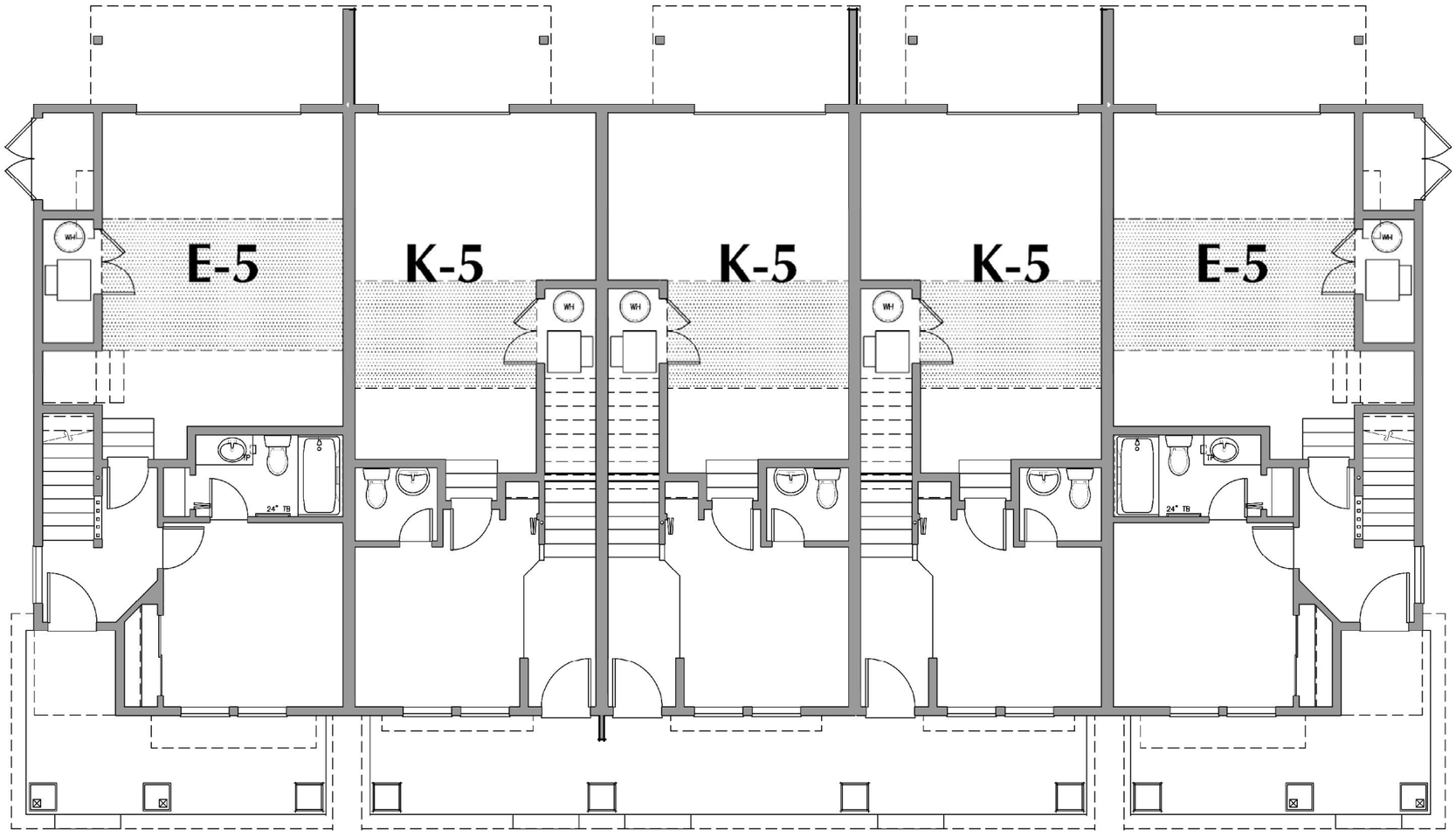


5-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN



5-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN

5-PLEX T.U.

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

5-PLEX T.U.

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
ROYCROFT SUEDE (2842)

(B) ACCENT 1
FIBER CEMENT SHINGLES
SUPERIOR BRONZE (6152)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
PEARLY WHITE (7009)

(D) ACCENT 3
DOORS
PEARLY WHITE (7009)

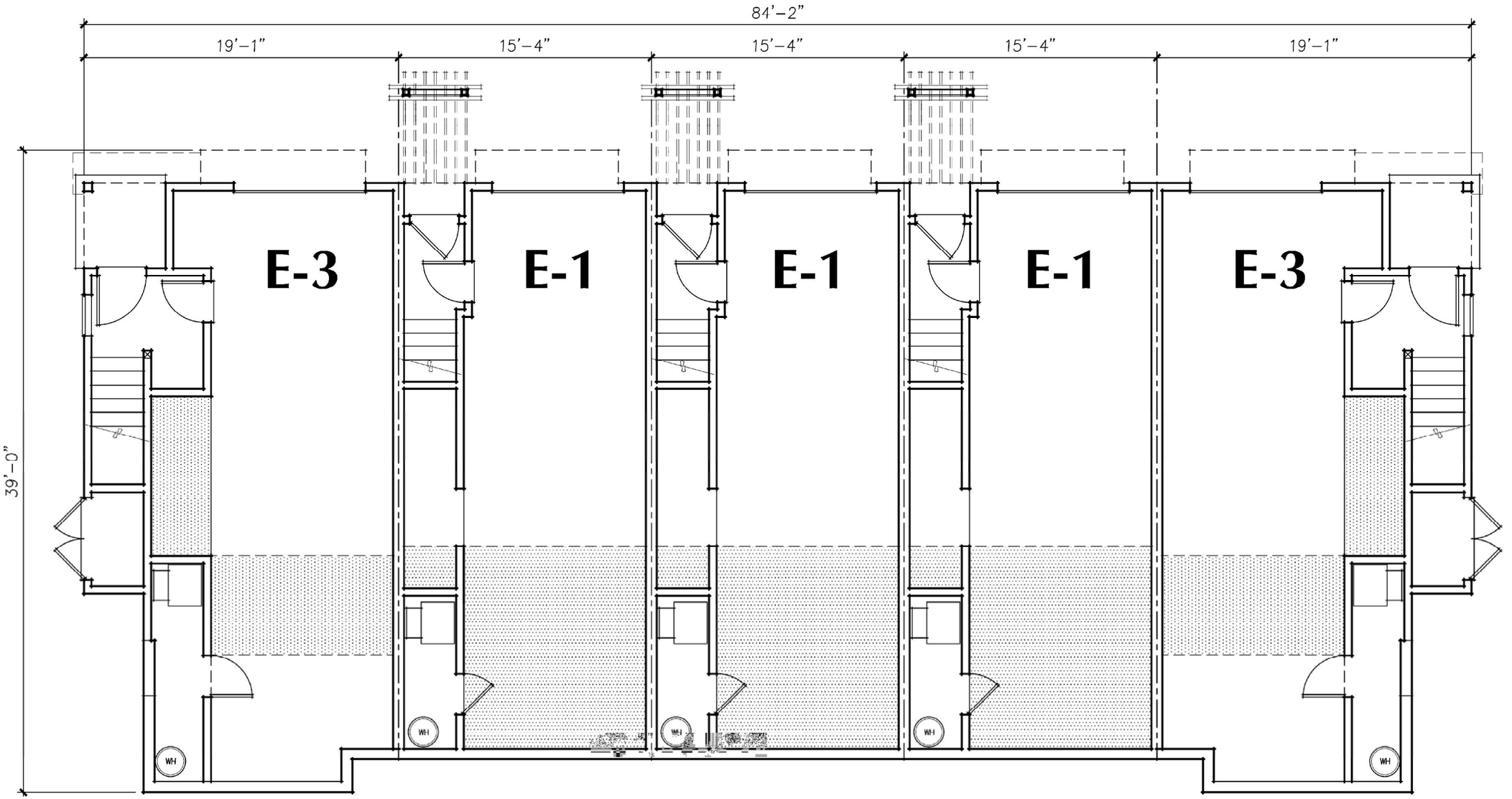
(E) STONE VENEER
CHARCOAL MIST

5-PLEX T.U.

3/16"=1'-0"

SIDE ELEVATION

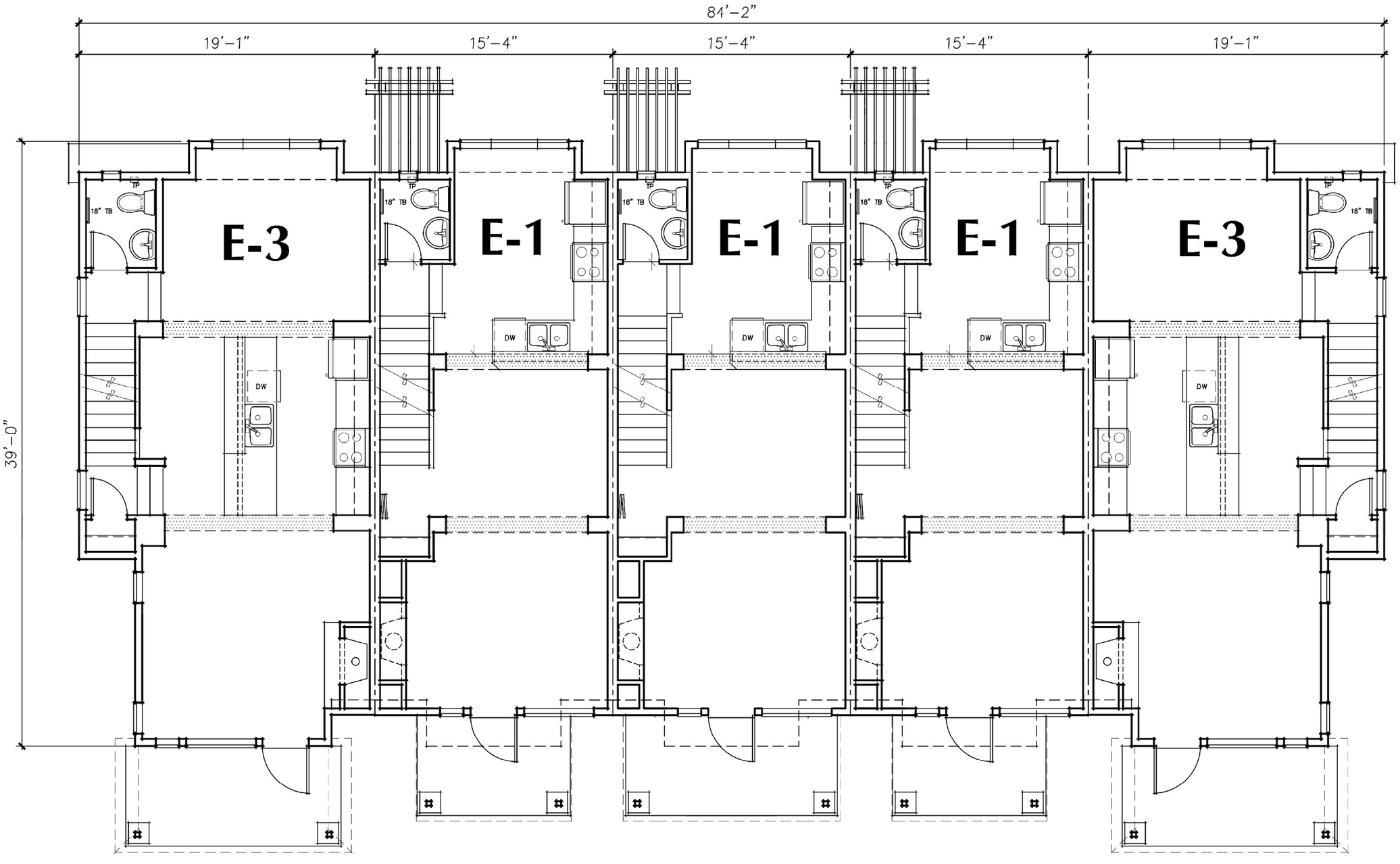
AMERICAN MODERN



5-PLEX T.U.

LOWER FLOOR PLAN

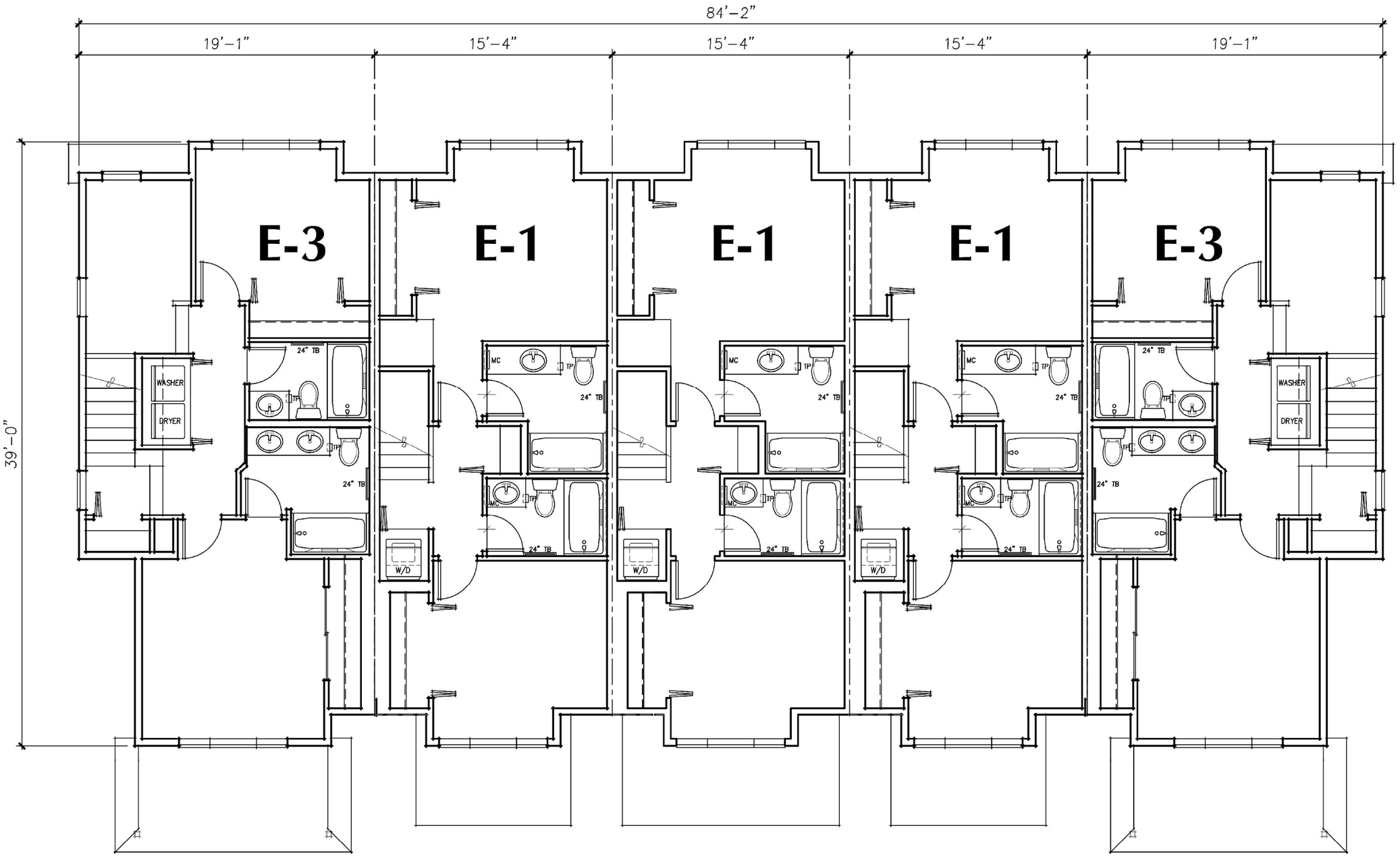
1/8"=1'–0"



5-PLEX T.U.

MIDDLE FLOOR PLAN

1/8"=1'–0"



5-PLEX T.U.

UPPER FLOOR PLAN

1/8"=1'-0"

6-PLEX

3/16" = 1'-0"

FRONT ELEVATION

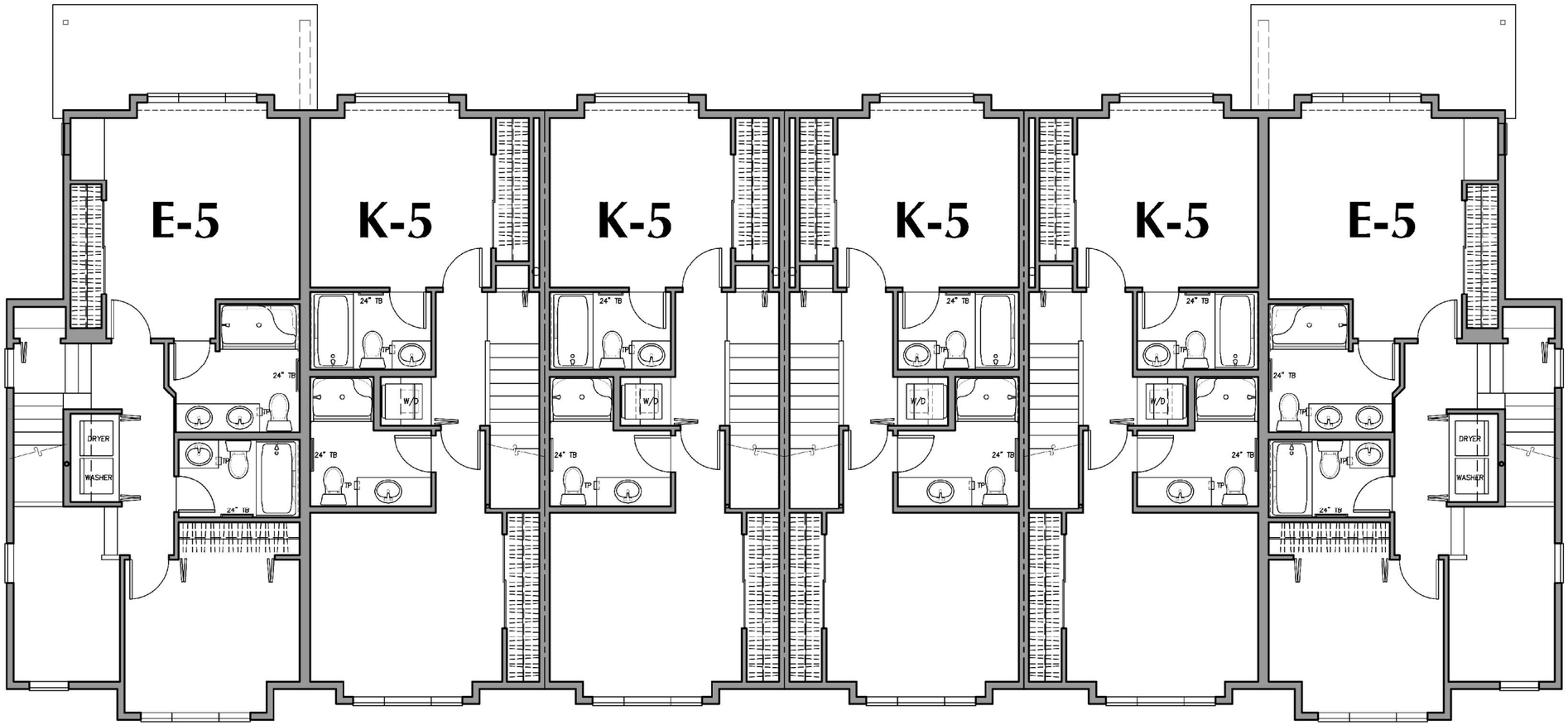
AMERICAN MODERN

6-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

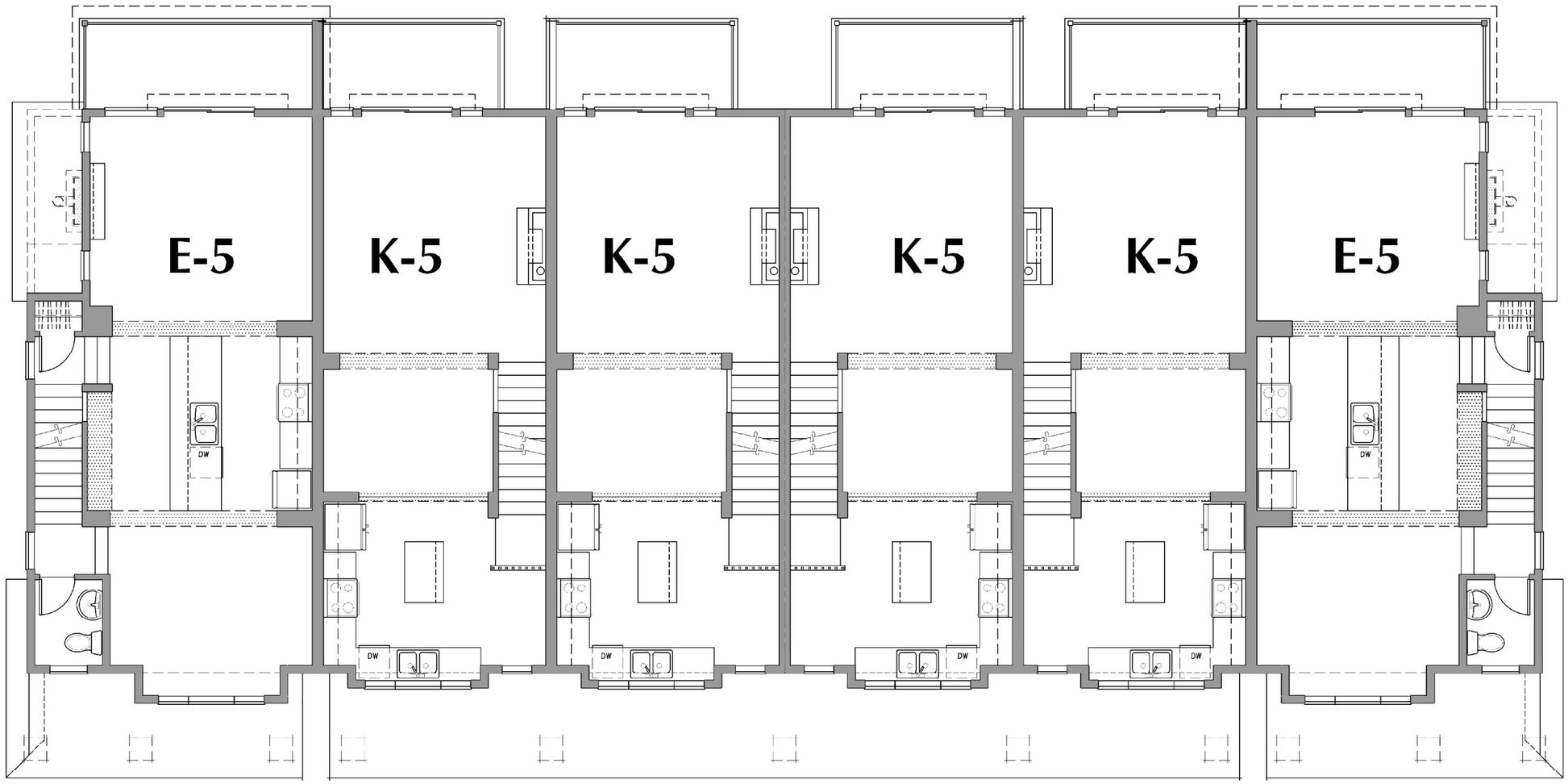


6-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN

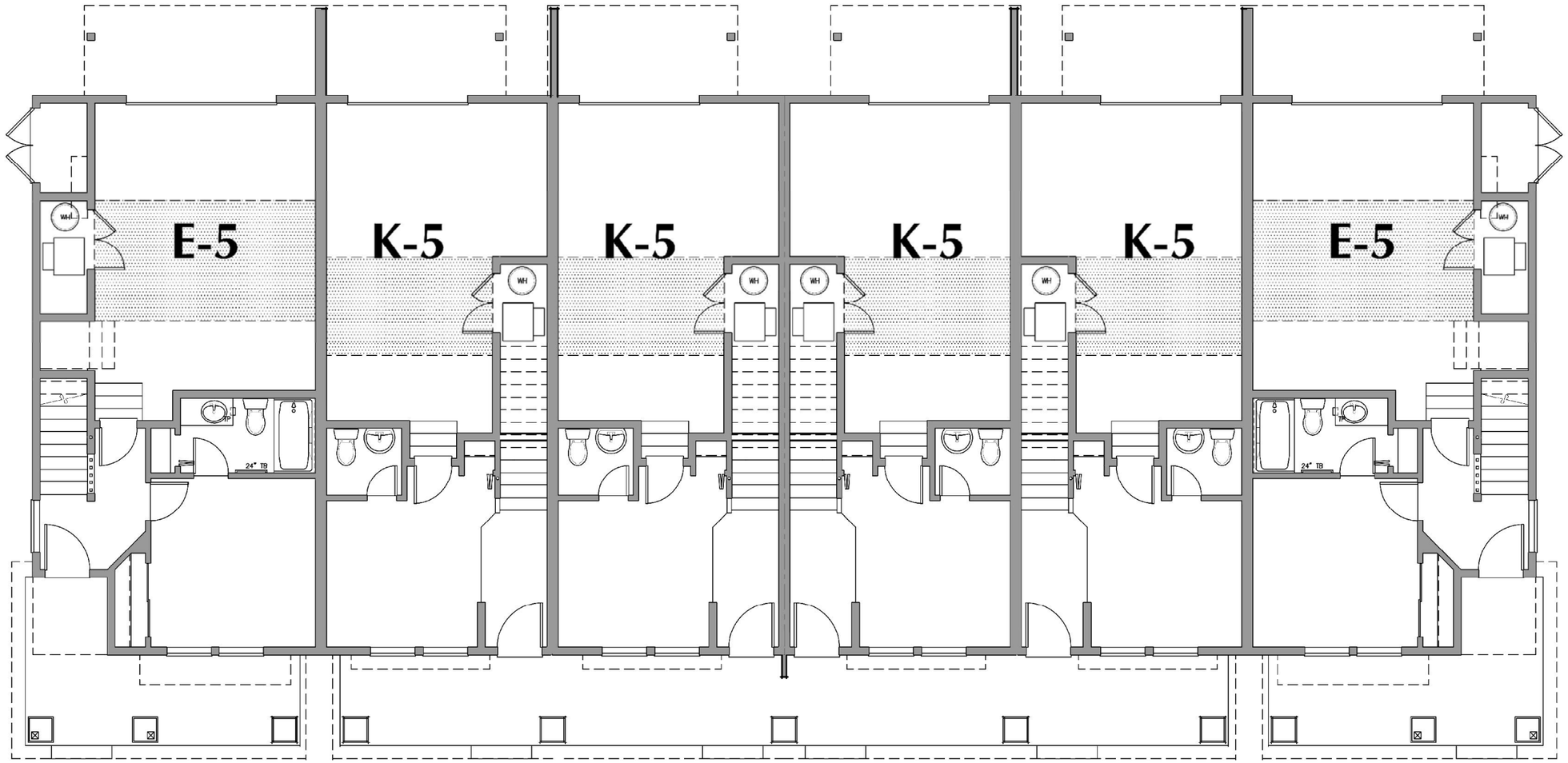


6-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN



6-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN

6-PLEX

3/16" = 1'-0"

FRONT ELEVATION

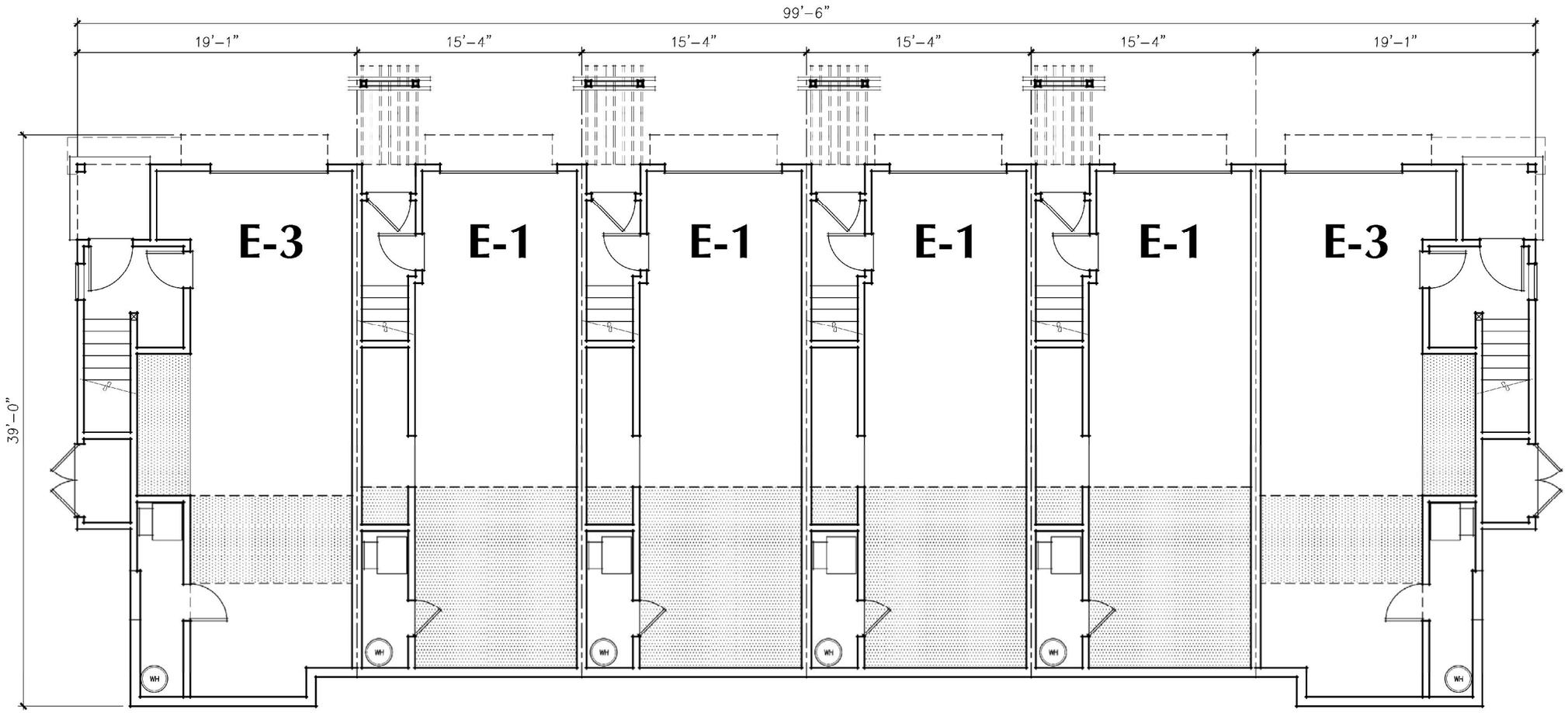
AMERICAN MODERN

6-PLEX

3/16" = 1'-0"

REAR ELEVATION

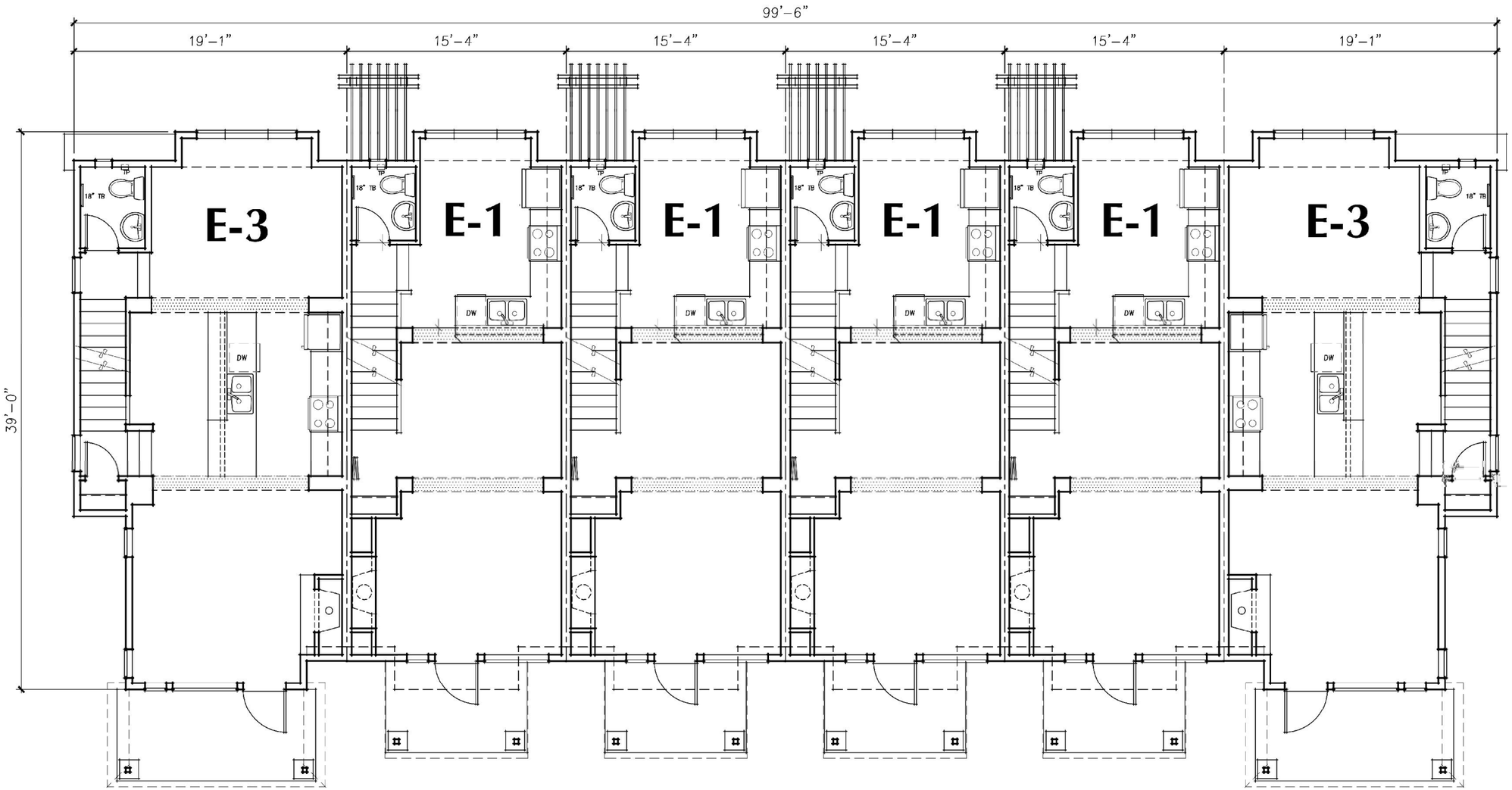
AMERICAN MODERN



6-PLEX T.U.

LOWER FLOOR PLAN

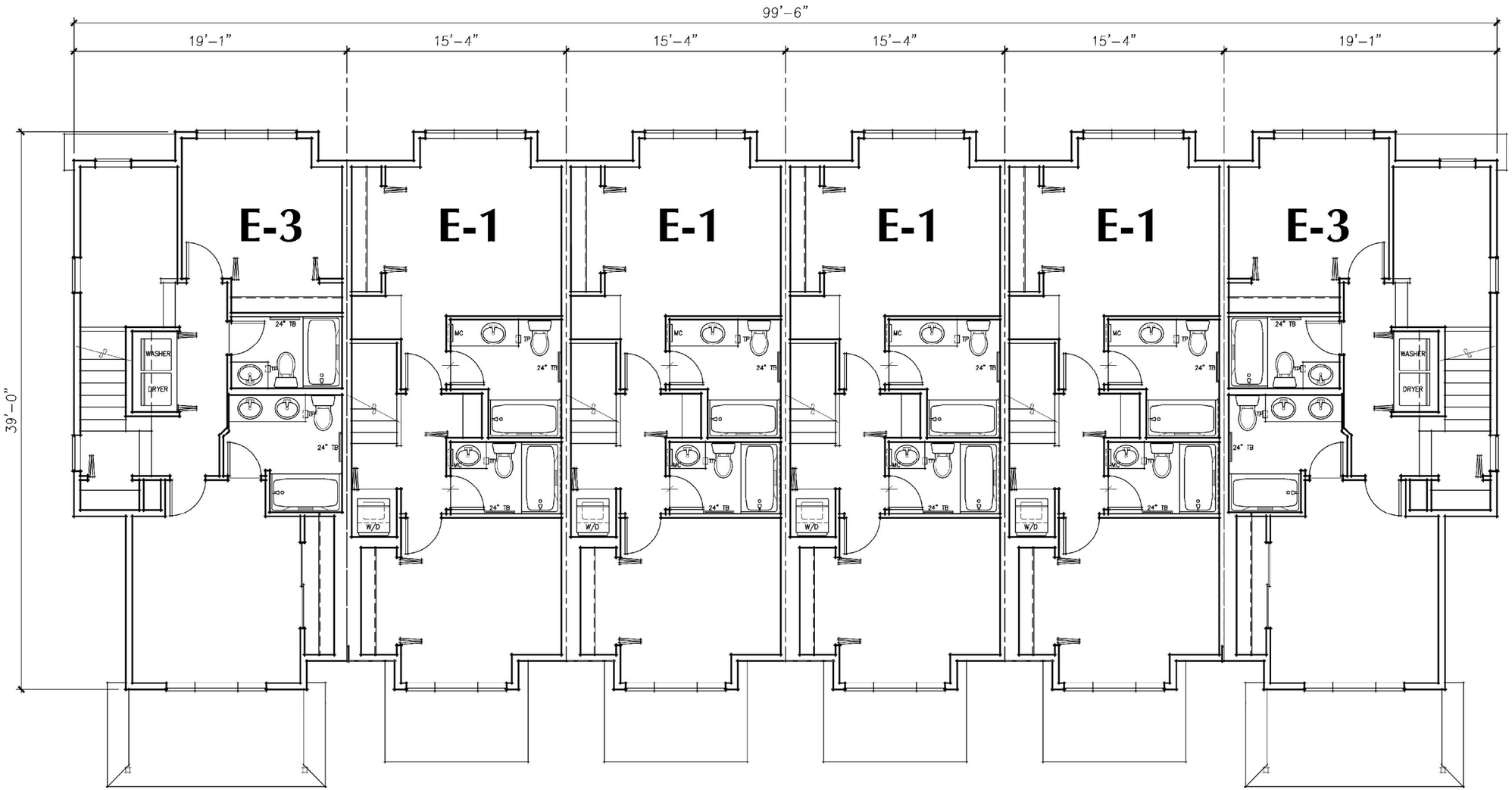
1/8"=1'-0"



6-PLEX T.U.

1/8"=1'-0"

MIDDLE FLOOR PLAN



6-PLEX T.U.

1/8"=1'-0"

UPPER FLOOR PLAN

DUPLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

DUPLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

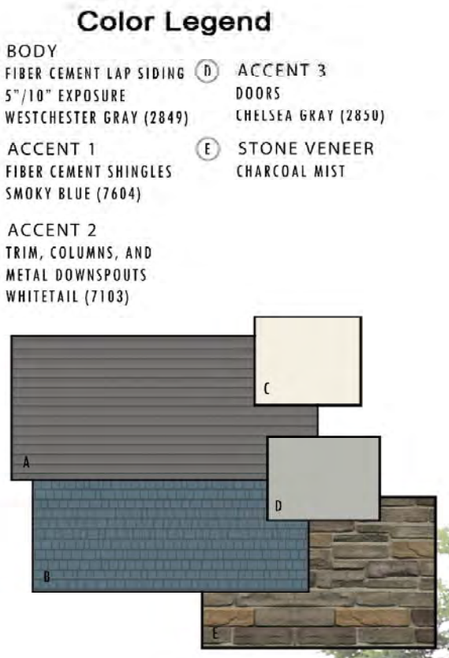
(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
WESTCHESTER GRAY (2849)

(B) ACCENT 1
FIBER CEMENT SHINGLES
SMOKY BLUE (7604)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
WHITETAIL (7103)

(D) ACCENT 3
DOORS
CHELSEA GRAY (2850)

(E) STONE VENEER
CHARCOAL MIST

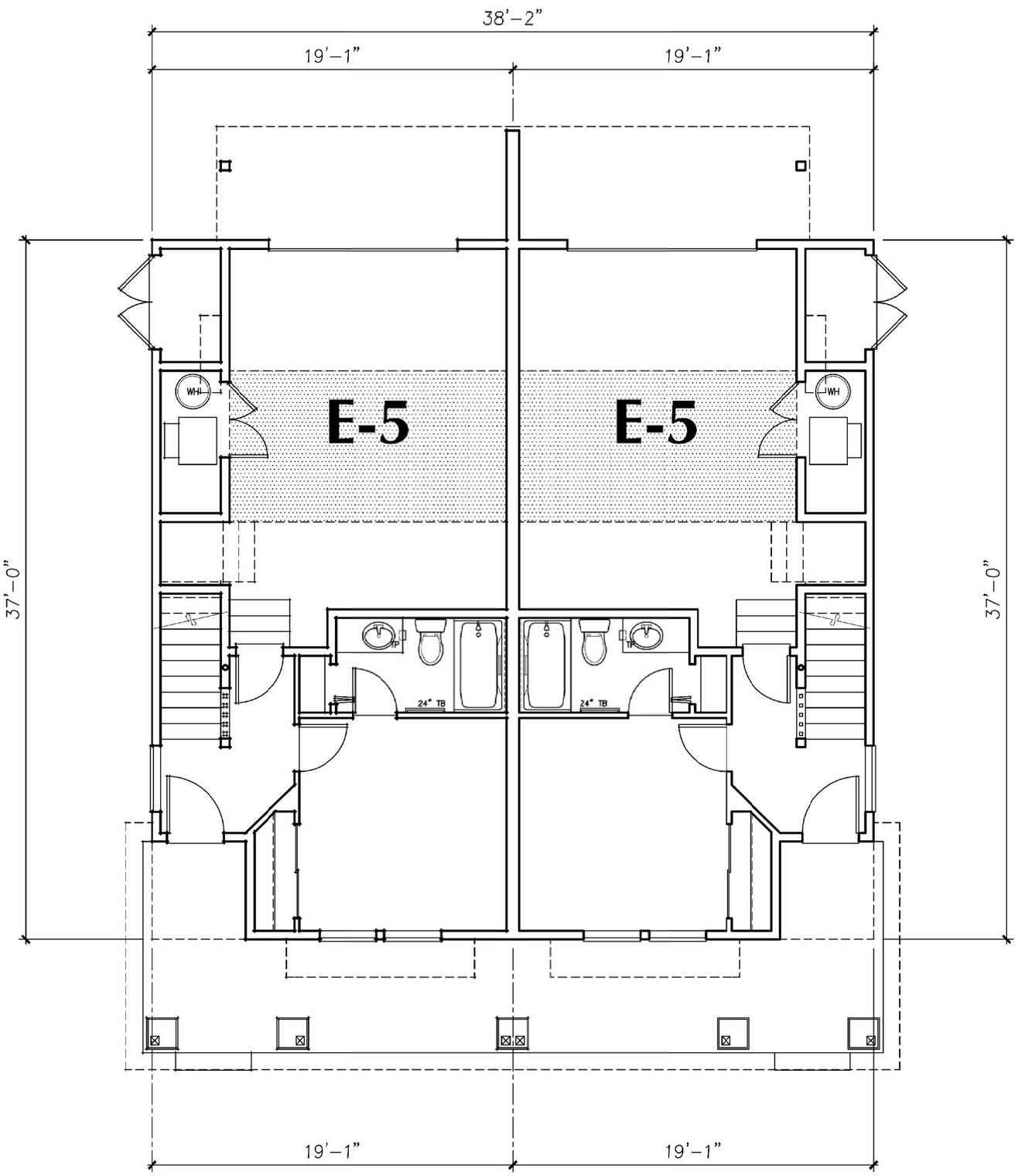


DUPLEX

3/16"=1'-0"

SIDE ELEVATION

AMERICAN MODERN

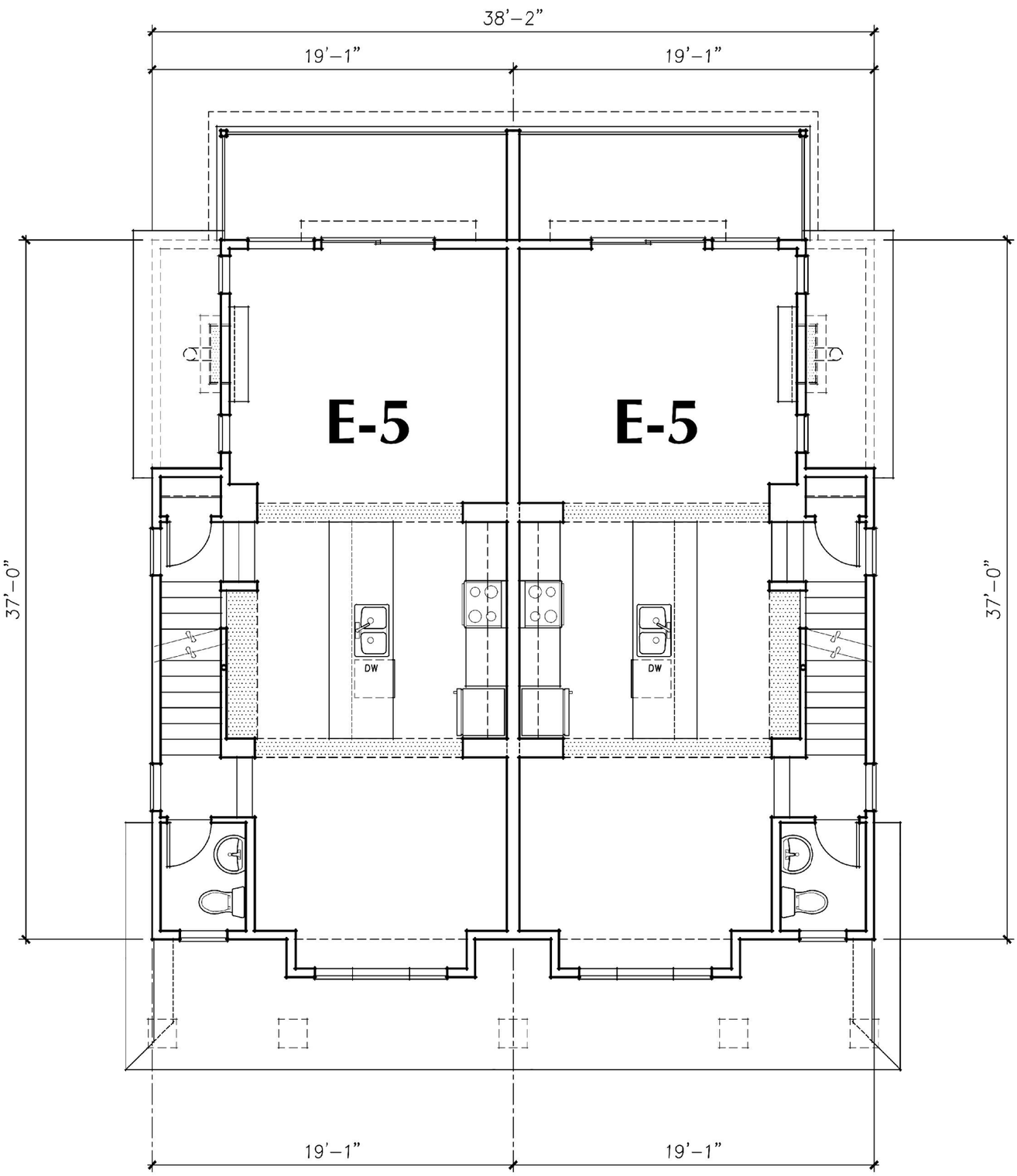


DUPLEX

LOWER LEVEL PLAN

1/8" = 1'-0"

AMERICAN MODERN

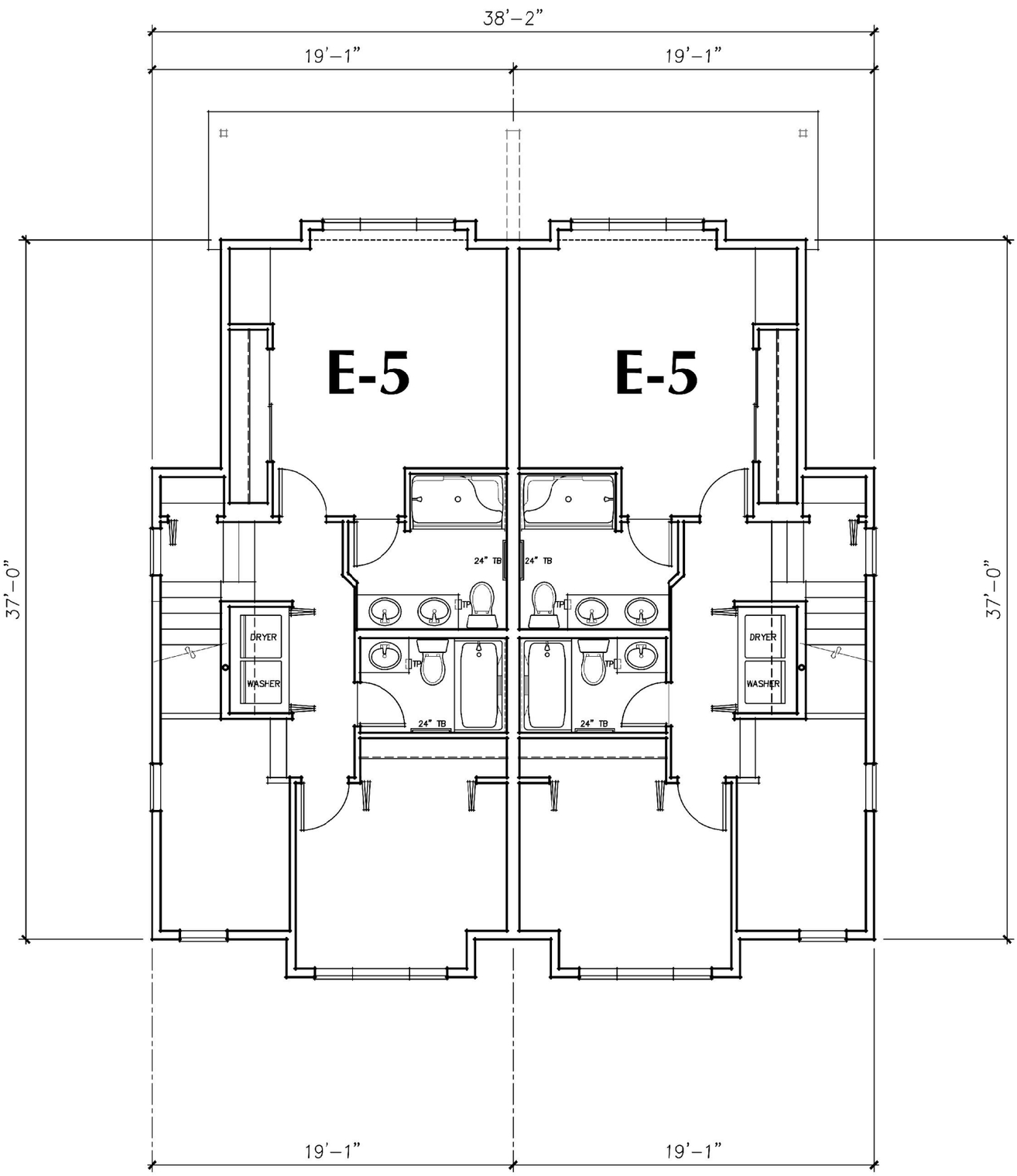


DUPLEX

MIDDLE LEVEL PLAN

1/8" = 1'-0"

AMERICAN MODERN



DUPLEX

UPPER LEVEL PLAN

1/8" = 1'-0"

AMERICAN MODERN

DUPLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN - ALT 1

NOTE: TOP OF WINDOWS AT LOWER FLOOR = 6'-8" A.F.F. AT MIDDLE FLOOR = 8'-0" A.F.F. AT UPPER FLOOR = 7'-0" A.F.F. UNLESS NOTED BY #X'-X"

DUPLEX

1/8" = 1'-0"

RIGHT SIDE ELEVATION

AMERICAN MODERN - ALT 1

DUPLEX

1/8" = 1'-0"

REAR ELEVATION

AMERICAN MODERN - ALT 1

DUPLEX

1/8" = 1'-0"

LEFT SIDE ELEVATION

AMERICAN MODERN - ALT 1

N:\15-7\DRW DIMENSIONAL PHASE 3 (30 UNITS)\E-F-G FLR AMERICAN MODERN.DWG

Milbrandt Architects, Inc., P.S.
25 Central Way, Suite 210, Kirkland, Washington 98033 Phone: 425-454-7130 Fax: 425-658-1209 Website: http://www.milbrandtarch.com

Polygon at Villebois

Wilsonville, Oregon

Polygon Northwest Company

Row Houses at Villebois Central
Building Elevations
American Modern

Scale:	Drawn By:	Date:	Date Plotted:
AS NOTED	AF	8-11-15	9-15-15

Sheet No.: **T2**

Job No.: 1517

3-PLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN – ALT 1

NOTE: TOP OF WINDOWS AT LOWER FLOOR = 8'-8" A.F.F. AT MIDDLE FLOOR = 8'-0" A.F.F. AT UPPER FLOOR = 7'-5" A.F.F. UNLESS NOTED BY R.C.P.

3-PLEX

1/8" = 1'-0"

RIGHT SIDE ELEVATION

AMERICAN MODERN – ALT 1

3-PLEX

1/8" = 1'-0"

REAR ELEVATION

AMERICAN MODERN – ALT 1

3-PLEX

1/8" = 1'-0"

LEFT SIDE ELEVATION

AMERICAN MODERN – ALT 1

T:\15-210\DWG\DWG\CENTRAL PHASE - 3-5D UNITS\3-PLEX AT AMERICAN MODERN.DWG

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Polygon at Villebois

Wilsonville, Oregon

Polygon Northwest Company

Row Houses at Villebois Central
Building Elevations
American Modern

Scale:	Drawn By:	Date:	Date Plotted:
AS NOTED	AF	8-11-15	9-15-15

Sheet No.: **T2**

Job No.: 1517

4-PLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN - ALT 1

NOTE: TOP OF WINDOWS
AT LOWER FLOOR = 6'-8" A.F.F.
AT MIDDLE FLOOR = 8'-0" A.F.F.
AT UPPER FLOOR = 7'-0" A.F.F.
UNLESS NOTED BY +X-X

4-PLEX

1/8" = 1'-0"

RIGHT SIDE ELEVATION

AMERICAN MODERN - ALT 1

4-PLEX

1/8" = 1'-0"

REAR ELEVATION

AMERICAN MODERN - ALT 1

4-PLEX

1/8" = 1'-0"

LEFT SIDE ELEVATION

AMERICAN MODERN - ALT 1

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Polygon at Villebois

Wilsonville, Oregon

Polygon Northwest Company

Row Houses at Villebois Central Building Elevations

American Modern

Scale:	Drawn By:	Date:	Date Plotted:
AS NOTED	AF	8-11-15	9-15-15

Sheet No.: T2

Job No.: 1517

5-PLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN – ALT 1

NOTE: TOP OF WINDOWS
AT LOWER FLOOR = 6'-8" A.F.F.
AT MIDDLE FLOOR = 8'-0" A.F.F.
AT UPPER FLOOR = 7'-0" A.F.F.
UNLESS NOTED BY -X-X

5-PLEX

1/8" = 1'-0"

RIGHT SIDE ELEVATION

AMERICAN MODERN – ALT 1

5-PLEX

1/8" = 1'-0"

REAR ELEVATION

AMERICAN MODERN – ALT 1

5-PLEX

1/8" = 1'-0"

LEFT SIDE ELEVATION

AMERICAN MODERN – ALT 1

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Polygon at Villebois

Wilsonville, Oregon

Polygon Northwest Company

Row Houses at Villebois Central Building Elevations

American Modern

Scale:	Drawn By:	Date:	Date Plotted:
AS NOTED	AF	8-11-15	9-15-15

Sheet No.: T2

Job No.: 1517

VD) Elevations approved by Steve Coyle

Type	Plan	Style	Date
Revival	**Flat Row House Duplex**	**American Modern**	**9/16/15**

This Design is:	**Satisfactory**	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Flat Row House 3-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Flat Row House 4-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Flat Row House 5-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Row House 4-plex**	**American Modern**	**9/16/15**

4-PLEX T.U.
1/4" = 1'-0"

FRONT ELEVATION
AMERICAN MODERN

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Row House 5-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Row House 6-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

PHASE 8 CENTRAL
BROOKESIDE TERRACE ROW HOMES
PRELIMINARY DEVELOPMENT PLAN

TL 3200, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

POLYGON WLH, LLC
109 E. 13TH ST.
VANCOUVER, WA 98660
[P] 503-221-1920
CONTACT: FRED GAST

PLANNER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: STACY CONNERY, AICP

CIVIL ENGINEER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: JESSIE KING, PE

SURVEYOR:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
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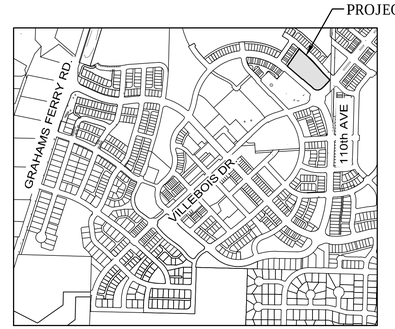
[P] 503-941-9484
CONTACT: TRAVIS JANSEN, PLS, PE

LANDSCAPE ARCHITECT:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: KERRY LANKFORD, RLA, CLARB

GEOTECHNICAL ENGINEER:

GEODESIGN, INC.
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE



VICINITY MAP

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

SHEET INDEX:

1	COVER SHEET
2	EXISTING CONDITIONS
3	SITE / LAND USE PLAN
4	PRELIMINARY PLAT
5	PRELIMINARY GRADING & EROSION CONTROL PLAN
6	COMPOSITE UTILITY PLAN
7	CIRCULATION PLAN & STREET SECTIONS
8	PARKING PLAN
9	SAP CENTRAL PHASING PLAN UPDATE
10	STREET TREE PLAN

SCALE
50 0 25 50
1 INCH = 50 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

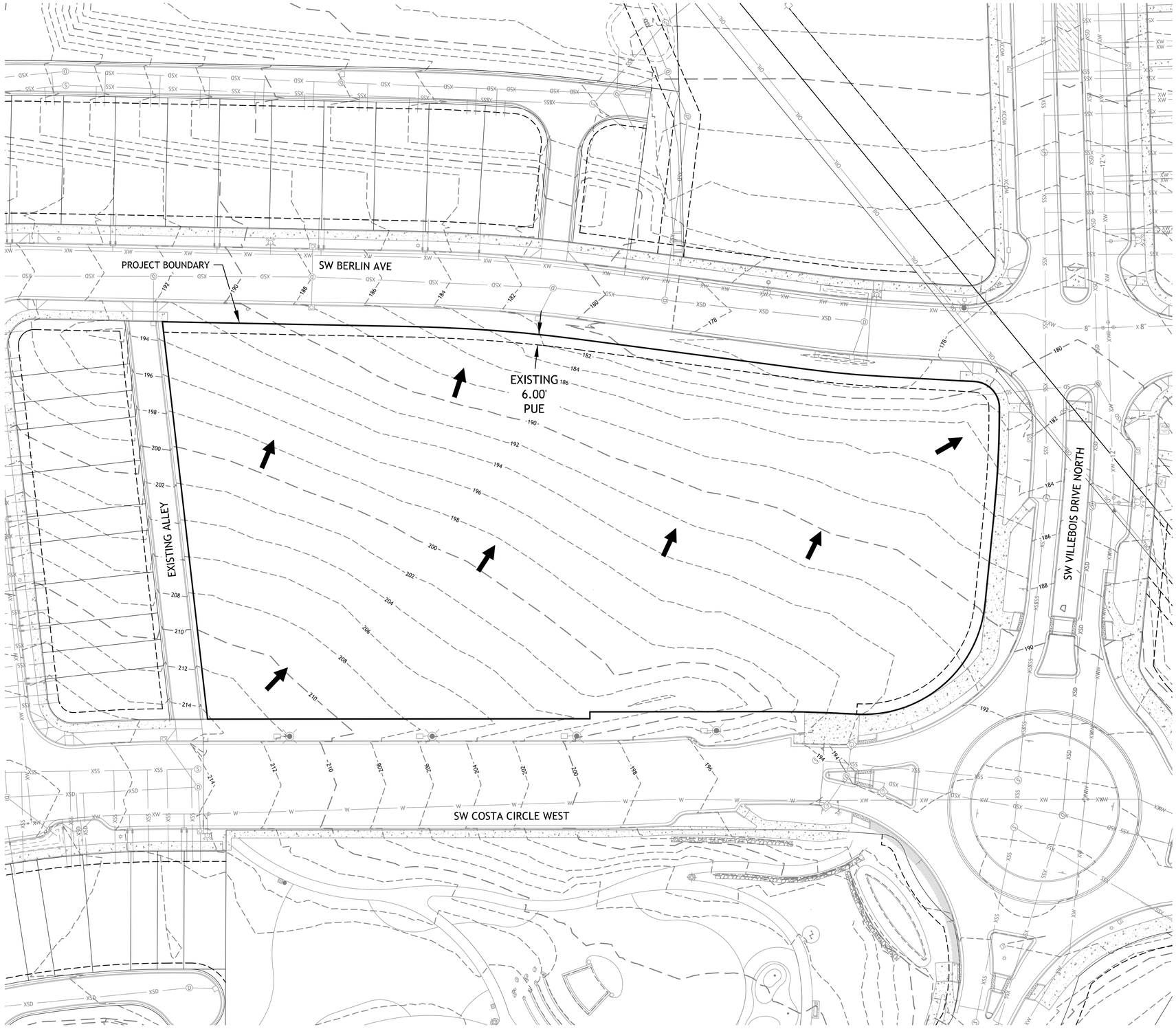
Preliminary
Development
Plan

COVER
SHEET

City of Wilsonville
EXHIBIT B2 DB15-0063 et seq

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

1



LEGEND

- EASEMENT LINES
- EXISTING RIGHT-OF-WAY
- EXISTING CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING BOUNDARY LINE
- EXISTING SIDEWALK
- EX 1-FOOT CONTOURS
- EX 5-FOOT CONTOURS
- EX SANITARY SEWER
- EX STORM DRAIN
- EX WATER LINE
- EX GAS LINE
- EX BURIED POWER LINE
- EX OVERHEAD POWER LINE
- EX CABLE TV LINE
- EX TELEPHONE LINE
- EX SANITARY MANHOLE
- EX SANITARY CLEANOUT
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- EXISTING FENCE
- EXISTING ELECTRIC VAULT
- EXISTING PAVEMENT
- EX TREES
- DRAINAGE DIRECTION

NOTE: NO EXISTING TREES LOCATED ON SITE.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

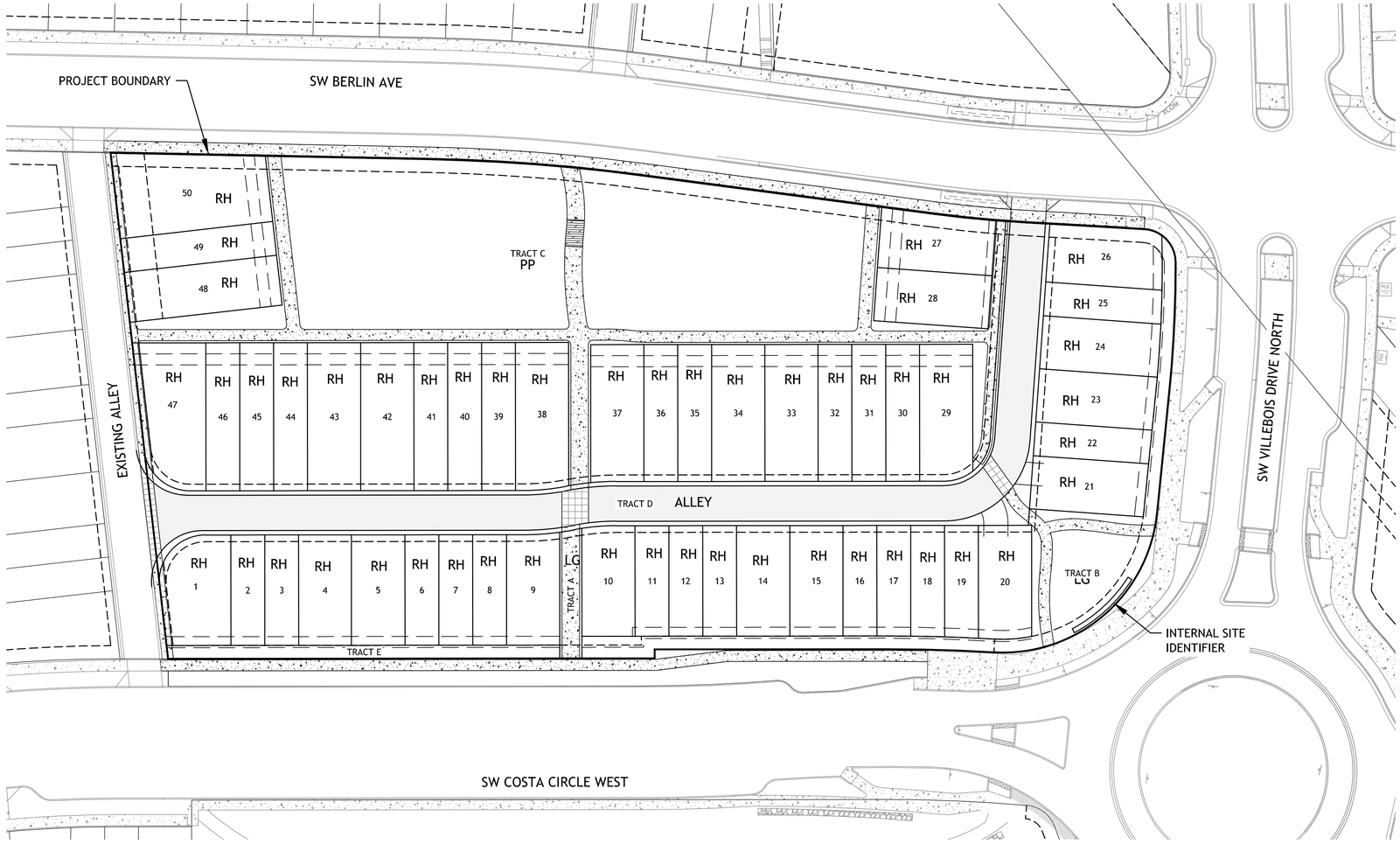
PDP 8C BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

EXISTING CONDITIONS

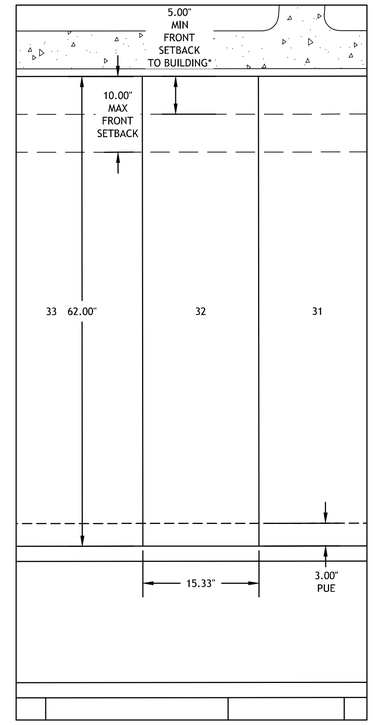
1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

2



LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED CENTERLINE
- EXISTING CENTERLINE
- PROPOSED PUBLIC UTILITY EASEMENT
- PROPOSED BUILDING SETBACK
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PDP BOUNDARY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED A.C. PAVING
- PROPOSED SIDEWALK
- PROPOSED SIDEWALK BY OTHERS
- EXISTING SIDEWALK



*PORCHES, STAIRS, STOOPS, DECKS, CANOPIES, BALCONIES, BAY WINDOWS, CHIMNEYS, AWNINGS AND OTHER BUILDING PROJECTIONS MAY ENCROACH UP TO THE PUBLIC WAY.

TYPICAL LOT PLAN

LEGEND:

RH	ROW HOUSE LOTS
LG	LINEAR GREEN SPACE
LG	POCKET PARK

LOT COUNT:

50	ROW HOUSE LOTS
50	TOTAL

LAND AREA TABLE:

TOTAL AREA:	2.24 AC
PUBLIC STREETS:	0.00 AC
LINEAR GREEN SPACE & POCKET PARK:	0.69 AC
LOTS & ALLEYS:	1.55 AC
AVG. DENSITY PER NET ACRE:	
50 / 1.55 =	32.26 UNITS / AC

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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DATE DESCRIPTION

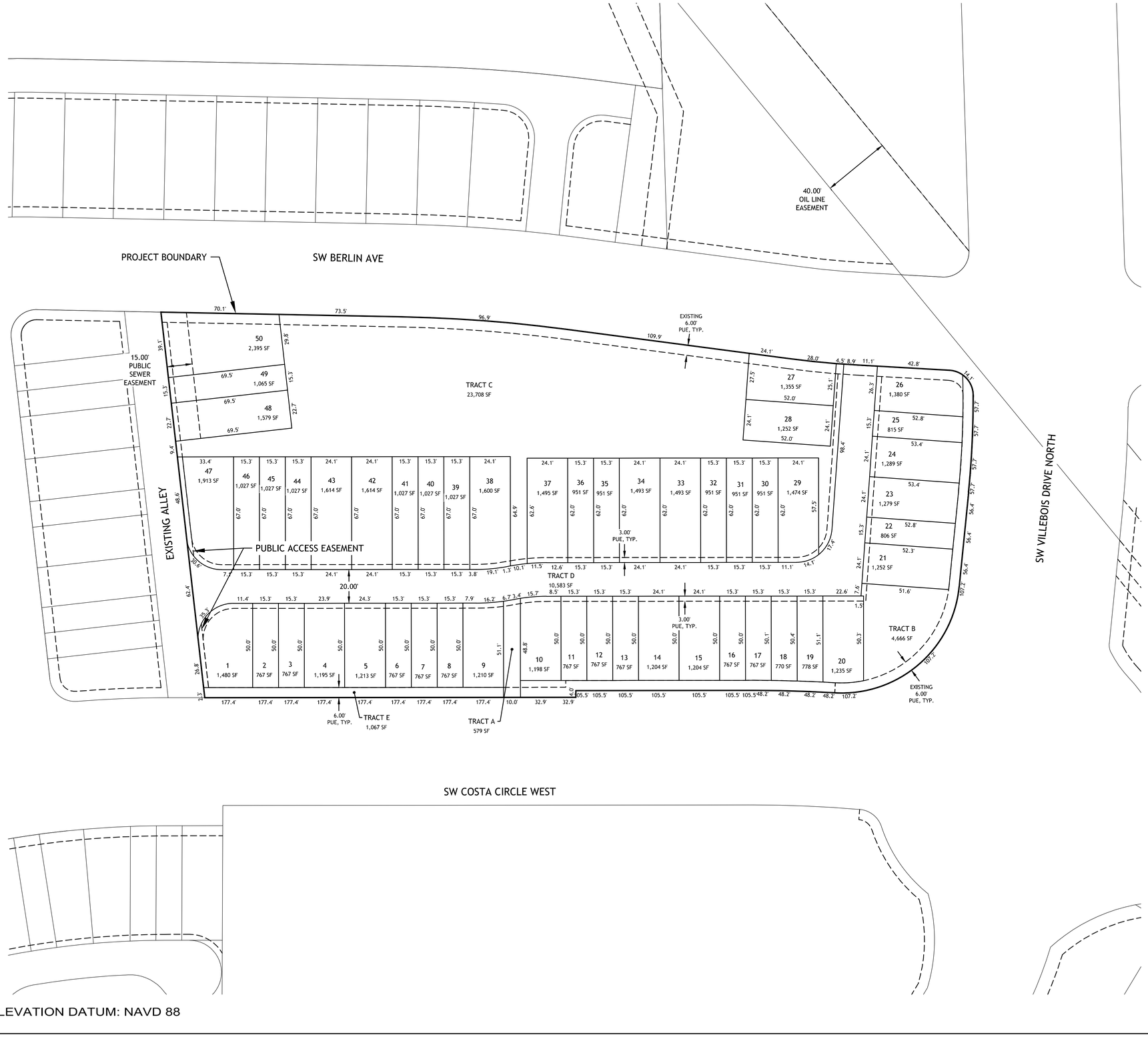
PDP 8C
BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

SITE / LAND USE PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

3



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Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

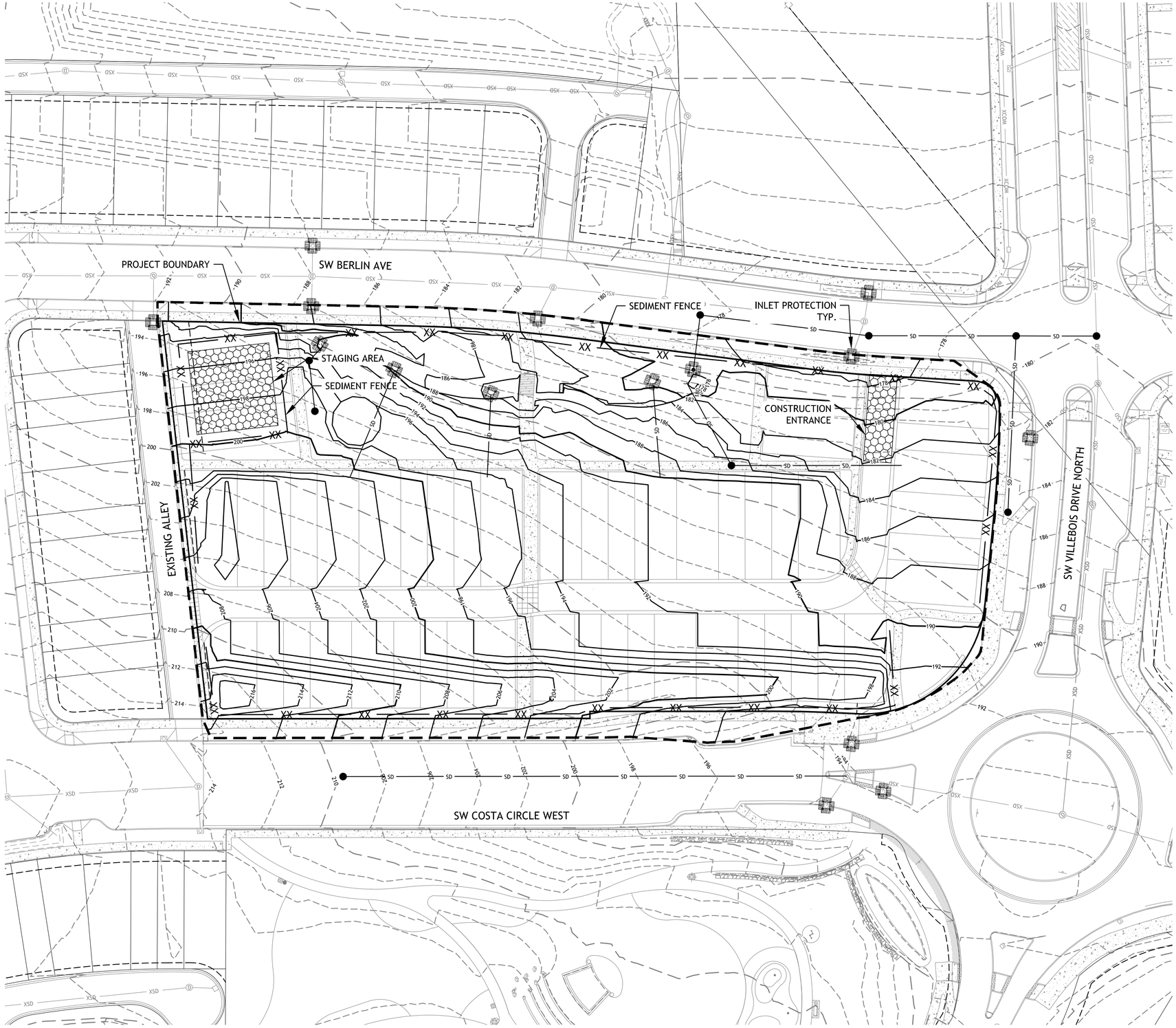
PDP 8C BROOKESIDE TERRACE ROW HOMES

Preliminary Development Plan

PRELIMINARY PLAT

1ST SUBMITTAL DATE	10/02/2015
2ND SUBMITTAL DATE	11/06/2015

4



ELEVATION DATUM: NAVD 88

LEGEND

- EX 2-FT CONTOUR
- EX 10-FT CONTOUR
- FG 2-FT CONTOUR
- FG 10-FT CONTOUR
- PROPOSED RETAINING WALL
- GRADING LIMITS
- EXISTING FENCE
- SEDIMENT FENCE
- TREE PROTECTION FENCING
- CONSTRUCTION FENCING
- WATTLES
- BIO-BAG PROTECTION
- EX TREES TO REMAIN

TREE LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
	EXISTING TREES TO RETAIN

NOTE: NO EXISTING TREES LOCATED ON SITE.

SCALE
30 0 15 30
1 INCH = 30 FEET

Villebois

POLYGON NW COMPANY

Pacific Community Design

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REVISIONS
DATE DESCRIPTION

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BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

GRADING &
EROSION CONTROL
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

5

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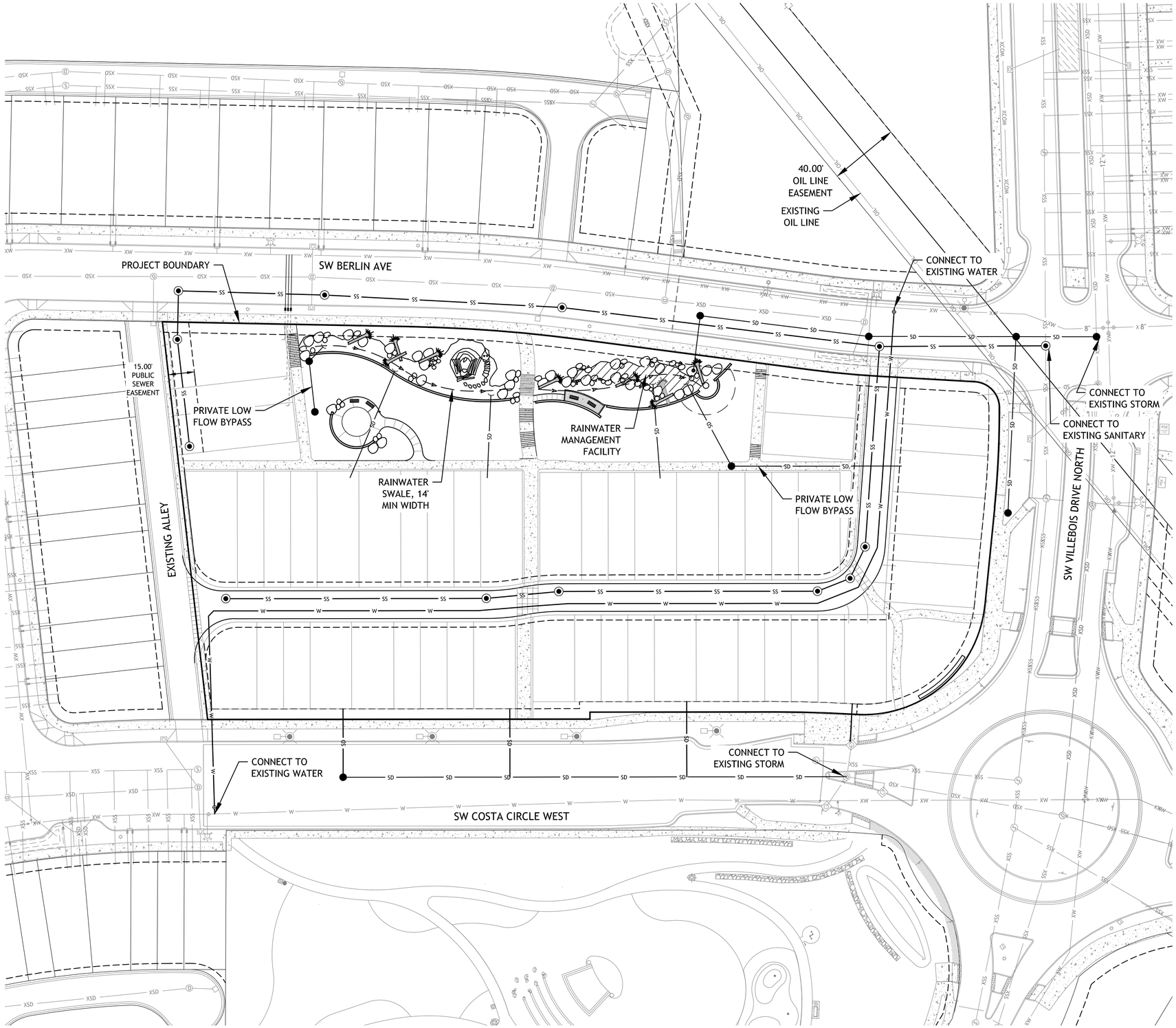

LEGEND:

- PROPOSED SANITARY SEWER
- EX SANITARY SEWER
- PROPOSED STORM DRAIN
- EX STORM DRAIN
- PROPOSED WATER LINE
- EX WATER LINE
- PROPOSED SANITARY MANHOLE
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED FIRE HYDRANT
- EX SANITARY MANHOLE
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- EXISTING FENCE
- EX TREES
- PROPOSED RAINWATER MANAGEMENT FACILITY

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

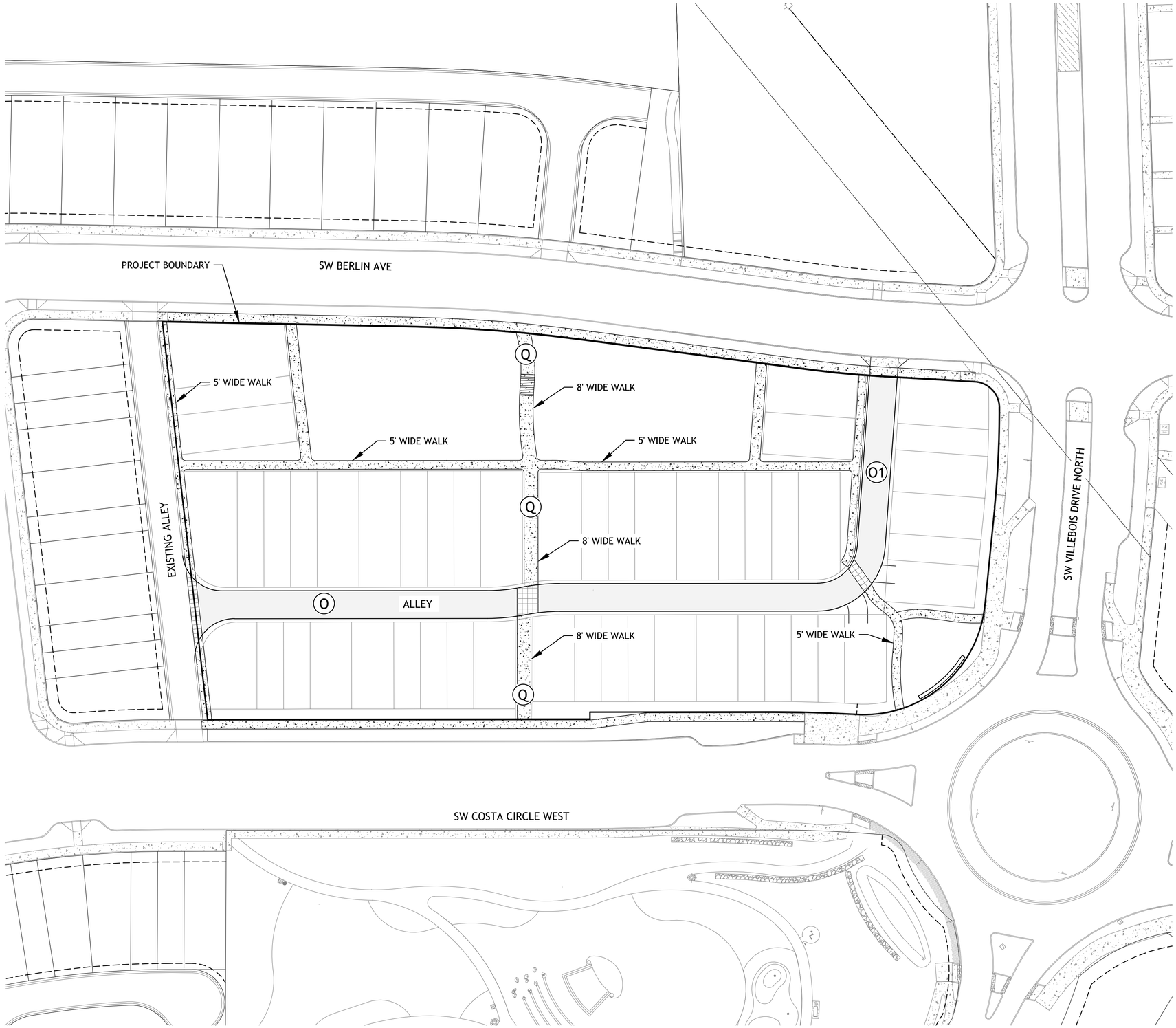
PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

COMPOSITE
UTILITY
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

6



ELEVATION DATUM: NAVD 88

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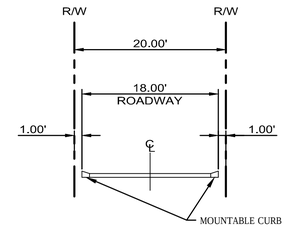
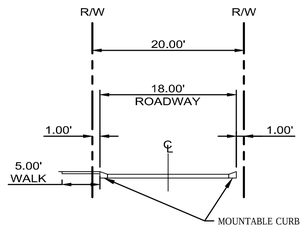


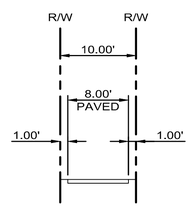
ALLEY
SCALE: 1"=10'

O1



ALLEY WITH WALK
SCALE: 1"=10'

Q



MINOR PATHWAY
SCALE: 1"=10'

SCALE
30 0 15 30
1 INCH = 30 FEET

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

CIRCULATION
PLAN &
STREET
SECTIONS

1ST SUBMITTAL DATE	10/02/2015
2ND SUBMITTAL DATE	11/06/2015

7

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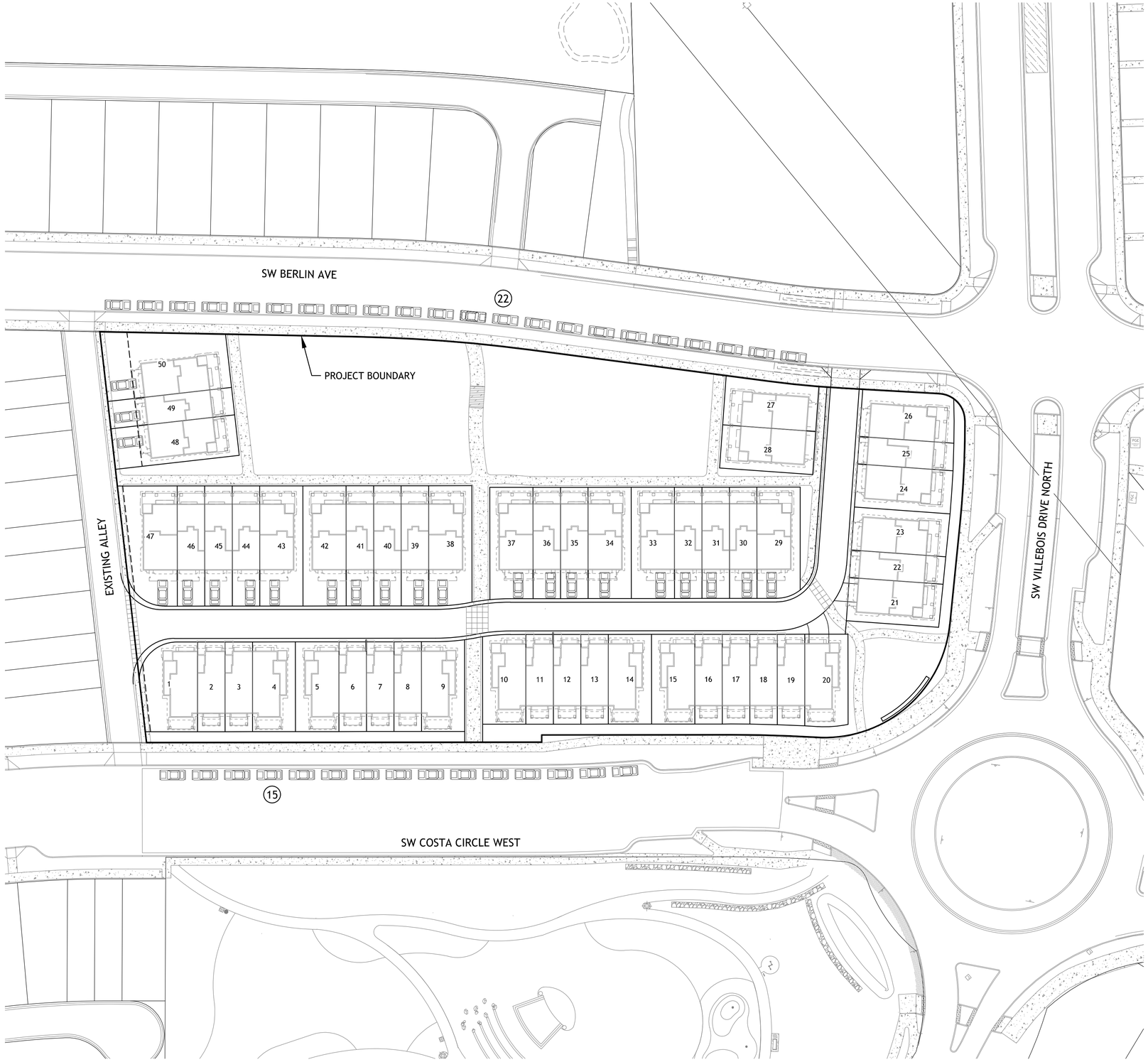

LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- PARKING SPACE

OFF STREET PARKING

REQUIRED

- ROW HOUSES:
  50 UNITS AT 1 SPACE/UNIT = 50 SPACES

PROVIDED

- ROW HOUSES:
  28 - UNITS W/1 CAR GARAGE = 28 SPACES
  22 - UNITS W/1 CAR GARAGE AND 1 DRIVEWAY SPACE = 44 SPACES
  72 SPACES

ON STREET PARKING

PROVIDED

- ROW HOUSES:
  - BERLIN AVE: 22 SPACES
  - COSTA CIRCLE WEST: 15 SPACES
  37 SPACES

TOTAL PARKING REQUIRED: 50 SPACES

TOTAL PARKING PROVIDED: 109 SPACES

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

PARKING
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

8

SAP NORTH

SAP EAST

SAP SOUTH

MONTAGUE PARK

LEGEND:

	LOT LINES
	PHASE LINE
4	PHASE NUMBER
SC	SPECIALTY CONDOS
MU	MIXED USE CONDOS
UA	URBAN APARTMENTS
CN	CONDOS
RH	ROWHOUSES
VA	VILLAGE APARTMENTS

6
4
50 RH
8
9
39 RH
9
43 RH
5
3 - 7
VA
5 - 10
CN
11
18 - 32
UA
3 - 7
VA
34 - 60
SC
10
15 - 30
CN
11 - 44
MU
12
13 - 52
MU
4
7
3
PIAZZA
2
1

SW GENEVA LOOP
SW COSTA CIRCLE WEST
SW ORLEANS LOOP
SW COSTA CIRCLE WEST
SW VALENCIA LANE
SW COLLINA LANE
SW PARIS AVE
SW CAMPANILE LANE
VILLEBOIS DRIVE
SW ROYAL SCOT LANE
SW MONT BLANC ST
SW DAVOS LANE
SW ST. MORITZ LOOP
SW TOULOUSE ST
SW RAVENNA LOOP
SW ZURICH ST
SW ORLEANS LOOP
BARBER STREET

ELEVATION DATUM: NAVD 88

SCALE
100 0 50 100
1 INCH = 100 FEET

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REVISIONS
DATE DESCRIPTION

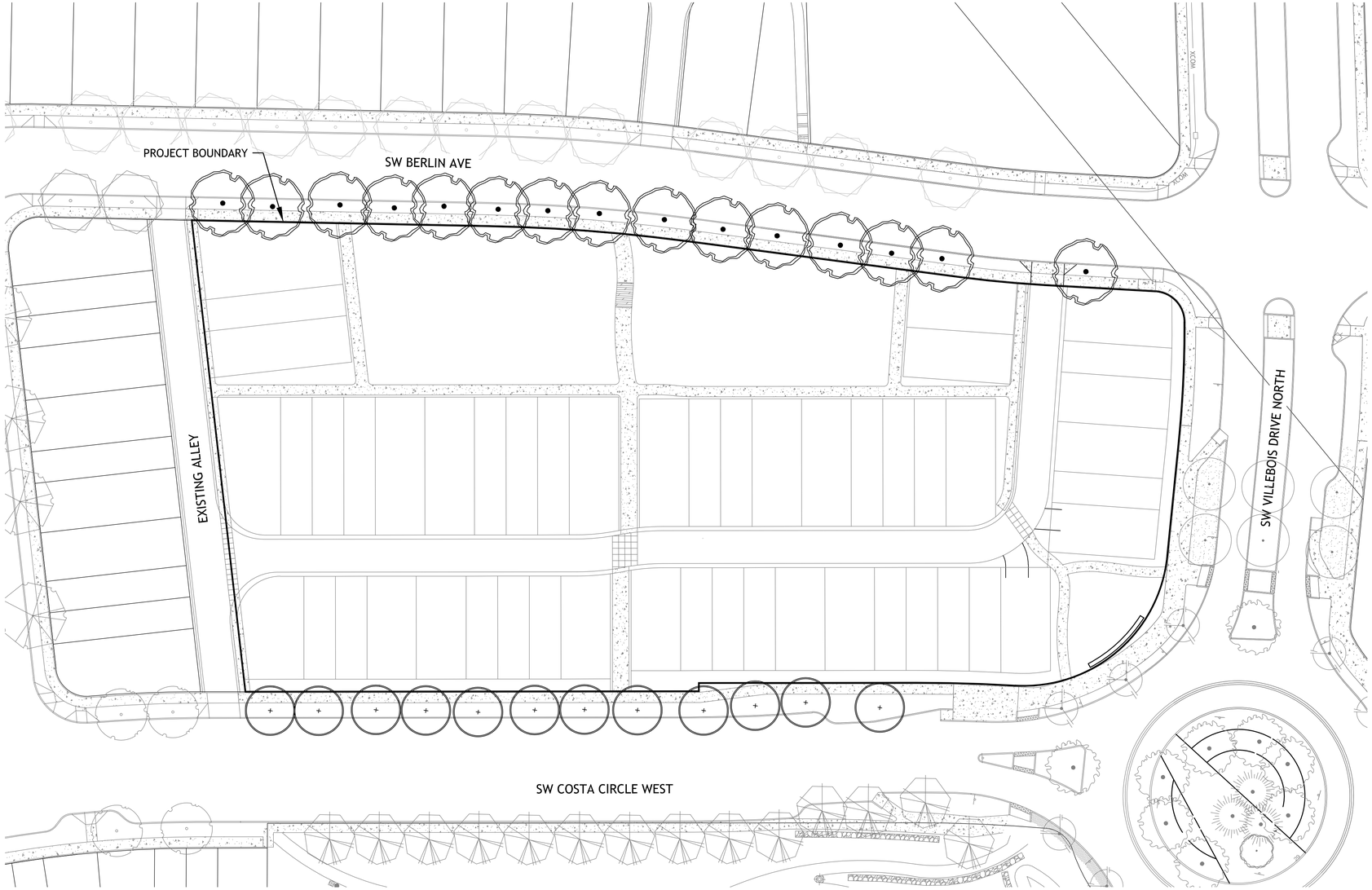
PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

SAP CENTRAL
PHASING PLAN
UPDATE

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

9



STREET TREE LEGEND: UPDATE TREE NAME PER STREET

QTY.	SYMBOL	BOTANICAL NAME / Common Name	SIZE	SPACING
15		COPPER BEECH FAGUS SYLVATICA	2 1/2" cal., B&B	25' O.C.
12		LIRIODENDRON TULIPIFERA TULIP TREE	2 1/2" cal., B&B	25' O.C.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

STREET
TREE
PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

10

PHASE 8 CENTRAL
BROOKESIDE TERRACE ROW HOMES
FINAL DEVELOPMENT PLAN

TL 3200, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

POLYGON WLH, LLC
109 E. 13TH ST.
VANCOUVER, WA 98660
[P] 503-221-1920
CONTACT: FRED GAST

PLANNER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
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CONTACT: JESSIE KING, PE

SURVEYOR:

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[P] 503-941-9484
CONTACT: TRAVIS JANSEN, PLS, PE

LANDSCAPE ARCHITECT:

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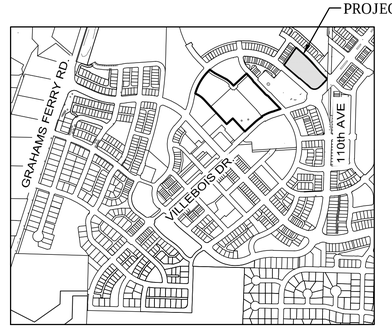
[P] 503-941-9484
CONTACT: KERRY LANKFORD, RLA, CLARB

GEOTECHNICAL ENGINEER:

GEODESIGN, INC.
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE

ELEVATION DATUM: NAVD 88



VICINITY MAP

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

SHEET INDEX:

1	COVER SHEET
2	SITE PLAN
L1	PLANTING AND STREET TREE PLAN
L1.1	POCKET PARK DETAIL
L2	PLANT LEGEND AND PLANTING DETAILS
L3	DETAILS
L4	DETAILS

SCALE
50 0 25 50
1 INCH = 50 FEET

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POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

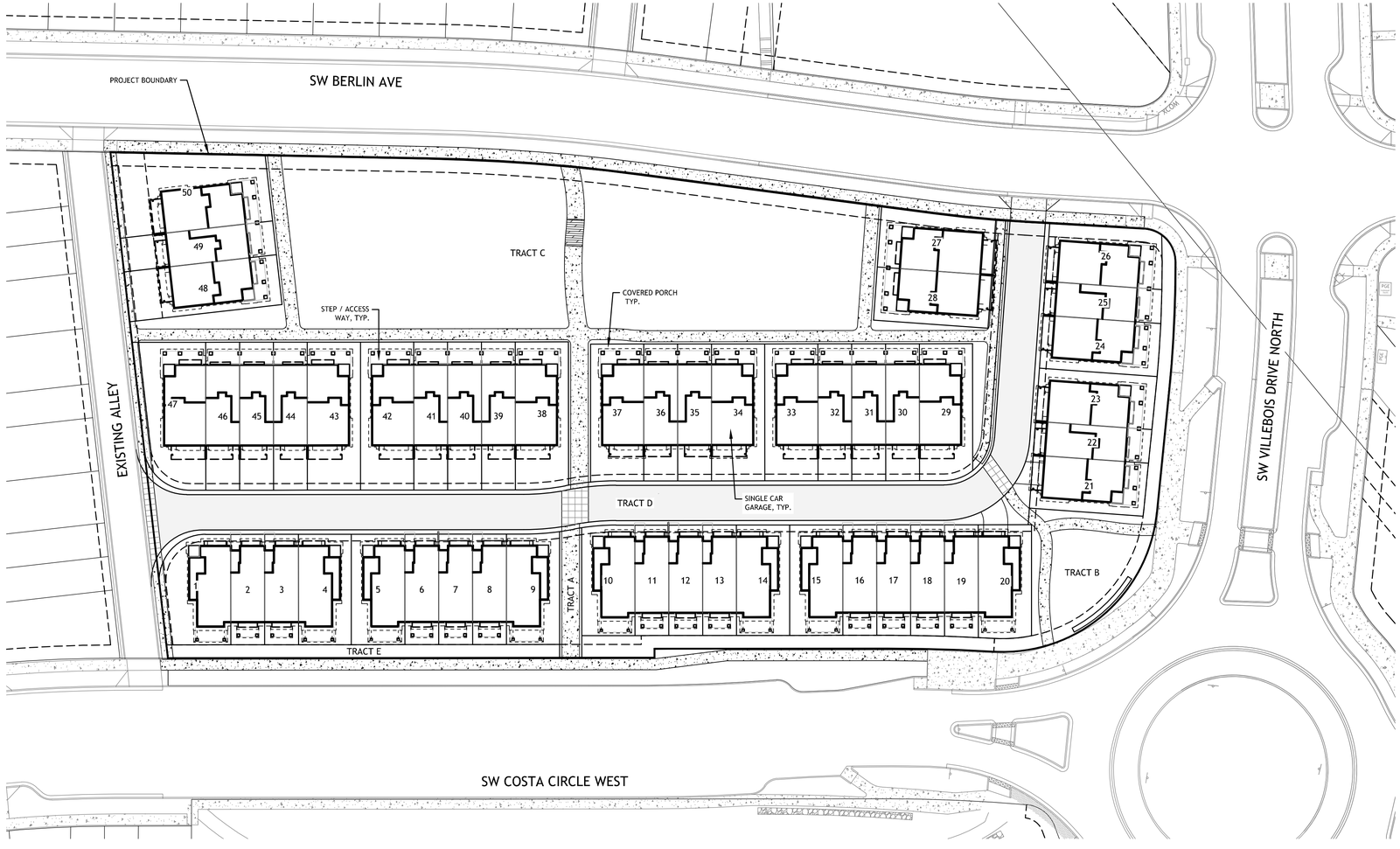
PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Final Development Plan

COVER SHEET

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

1



ELEVATION DATUM: NAVD 88

SCALE
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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Final Development Plan

SITE PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

2

LEGEND:

STREET TREES

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	SIZE	SPACING
	FAGUS SYLVATICA COPPER BEECH	15	2 1/2" cal., B&B	25' O.C.
	LIRIODENDRON TULIPIFERA TULIP TREE	12	2 1/2" cal., B&B	25' O.C.

SHADE TREES - 2' CAL. / SPACING VARIES

RED SUNSET MAPLE / ACER RUBRUM 'FRANKSRED'
EMERALD VASE LACEBARK ELM / ULMUS PARVIFOLIA 'EMERALD VASE'
ENGLISH OAK / QUERCUS ROBUR
WHITE OAK / QUERCUS ALBA
RED OAK / QUERCUS RUBRA
AMERICAN HOPHORNBEAM / OSTRYA VIRGINIANA
BLOODGOOD LONDON PLANETREE - PLATANUS ACERIFOLIA 'BLOODGOOD'

SMALL ORNAMENTAL TREES- 2" CAL. SPACING VARIES

CHINESE REDBUD / CERCIS CHINENSIS: 2" CAL., B&B
CAPITAL SELECT FLOWERING PEAR / PYRUS CALLERYANA 'CAPITAL' : 2" CAL., B&B
BLIREIANA PLUM / PRUNUS X BLIREIANA: 2" CAL. B&B
CHINESE KOUSA DOGWOOD / CORNUS KOUSA 'CHINENSIS': 2" CAL., B&B
JAPANESE MAPLE / ACER PALMATUM : 8' HT.
YOSHINO FLOWERING CHERRY / PRUNUS X YEDOENSIS: 2" CAL., B&B

EVERGREEN TREES - 8' HGT.

DOUGLAS FIR / PSEUDOTSUGA MENZIESII: 8' HT., B&B
WESTERN WHITE PINE / PINUS MONTICOLA: 8' HT., B&B
WESTERN RED CEDAR / THUJA PLICATA 83' HT.
LELAND CYPRESS / CUPRESSOCYPARIS LEYLANDII: 8'-10' HT., B&B
PYRAMIDAL ATLAS CEDAR / CEDRUS ATLANTICA 'FASTIGIATA'
INCENSE CEDAR / CALOCEDRUS DECURRENS
COLUMNAR EASTERN WHITE PINE / PINUS STROBUS FASTIGIATA

NATIVE TREES IN NATIVE PLANTING AREAS - 3' HT. / SPACING VARIES

BIGLEAF MAPLE / ACER MACROPHYLLUM: 3' HT.,
BLACK HAWTHORNE / CRATAEGUS DOUGLASII: 3' HT.,
PACIFIC DOGWOOD / CORNUS NUTTALLII: 3' HT.,
OREGON ASH / FRAXINUS LATIFOLIA: 3' HT., .

ORNAMENTAL GRASSES AND GROUNDCOVERS - 1-2 GAL.

DWARF FOUNTAIN GRASS /PENNISETUM ALOPECUROIDES ' HAMLEN'
BLUE OAT GRASS / HELICTOTRICHON SEMPERVIRENS
PURPLE FOUNTAIN GRASS /PENNISETUM SETACEUM 'RUBRUM'
"MASSACHUSETTS KINNIKINICK' / ARCTOSTAPHYLOS UVA-URSI 'MASS.'
BEARBERRY COTONEASTER / COTONEASTER DAMMERI
SCARLET MEIDILAND ROSE / ROSA MEIDILAND 'MEIKROTAL'

SMALL ORNAMENTAL SHRUBS - 3 GAL.

DAVID VIBURNUM / VIBURNUM DAVIDII
ISANTI REDOSER DOGWOOD / CORNUS SERICEA 'ISANTI'
ANTHONY WATERER SPIREA / SPIREA BUMALDA 'ANTHONY WATERER'
COMPACT JAPANESE HOLLY /ILEX CRENATA 'COMPACTA'
'CRIMSON PYGMY' BARBERRY / BERBERIS THUNBERGII 'CRIMSON PYGMY'
AZALEA / VARIES

MEDIUM TO LARGE ORNAMENTAL SHRUBS- 3 GAL.

SHOWA-NO-SAKAE CAMELLIA / CAMELLIA SASANQUA 'SHOWA-NO-SAKAE'
FOREST FLAME PIERIS / PIERIS JAPONICA 'FOREST FLAME'
RHODODENDRON 'JEAN MARIE DE MONTEGUE'
'NIKKO BLUE' HYDRANGEA / HYDRANGEA MACROPHYLLA 'NIKKO BLUE'
RENAISSANCE SPIREA / SPIREA VANHOUTTEI 'RENAISSANCE'
DOUBLFILE VIBURNUM / VIBURNUM P. TOMENTOSUM: 24"-30" HT.
THUNBERG SPIREA / SPIREA THUNBERGII

NATIVE PLANT MIX WITH LOW GROW NATIVE GRASSES - 2 GAL.

RED FLOWERING CURRENT / RIBES SANGUINEUM
OREGON GRAPE / MAHONIA NERVOSA
PACIFIC NINEBARK / PHYSOCARPUS CAPITATUS
SNOWBERRY / SYMPHOROCARPUS ALBA
RED TWIG DOGWOOD / CORNUS SERICEA
SHINY LEAF SPIRAEA / SPIRAEA BETULIFOLIA
SALAL / GAULTHERIA SHALLON

LAWN

FINE LAWN, SEED

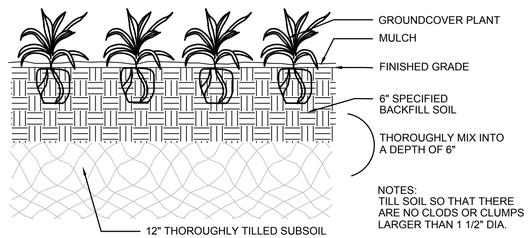
LOW GROW MEADOW MIX ROUGH SEED AND EMERGENTS

CALIFORNIA BROME / BROMUS CARINATUS
BLUE WILDRYE / ELYMUS GLAUCUS
NATIVE RED FESCUE / FESTUCA RUBRA V RUBRA
LARGE LEAF LUPINE / LUPINUS POLYPHYLLUS
DEWEY SEDGE / CAREX DEWEYANA
SLOUGH SEDGE / CAREX OBNUPTA
COMMON SPIKERUSH / ELOCHARIS PALUSTRIS
SOFT RUSH / JUNCUS TENIUS
SMALL FRUITED BULRUSH / SCIRPUS MICROCARPUS

ELEVATION DATUM: NAVD 88

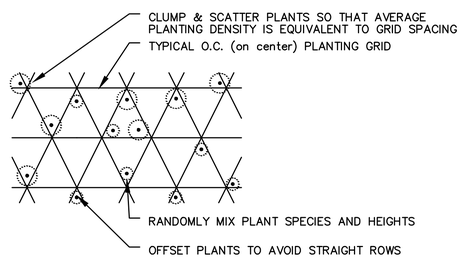
GENERAL NOTES: LANDSCAPE PLAN

1. THE CONTRACTOR SHALL VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL DETERMINE IN THE FIELD THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO ODR.
4. ALL PLANT MASSES TO BE CONTAINED WITHIN A BARK MULCH BED, UNLESS NOTED OTHERWISE.
5. BED EDGE TO BE NO LESS THAN 12" AND NO MORE THAN 18" FROM OUTER EDGE OF PLANT MATERIAL BRANCHING. WHERE GROUND-COVER OCCURS, PLANT TO LIMITS OF AREA AS SHOWN.
6. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
7. CONTRACTOR TO FINE GRADE AND ROCK-HOUND ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUAL SURFACE, FREE OF IRREGULARITIES (BUMPS OR DEPRESSIONS) & EXTRANEOUS MATERIAL OR DEBRIS.
8. QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR OWN TAKE-OFFS AND ARE NOT GUARANTEED AS ACCURATE REPRESENTATIONS OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER LABELED ON THE PLANT TAG AND THE QUANTITY OF GRAPHIC SYMBOLS SHOWN, THE GRAPHIC SYMBOL QUANTITY SHALL GOVERN
9. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
10. WITH THE EXCEPTION OF THOSE TREES INDICATED ON THE TREE REMOVAL PLAN, CONTRACTOR SHALL NOT REMOVE ANY TREES DURING CONSTRUCTION WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ODR. EXISTING VEGETATION TO REMAIN SHALL BE PROTECTED AS DIRECTED BY THE ODR.
11. WHERE PROPOSED TREE LOCATIONS OCCUR UNDER EXISTING OVERHEAD UTILITIES OR CROWD EXISTING TREES, NOTIFY ODR TO ADJUST TREE LOCATIONS.
12. LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY AFTER THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN NOTIFICATION TO THE ODR. MAINTAIN TREES, SHRUBS, LAWNS AND OTHER PLANTS UNTIL FINAL ACCEPTANCE OR 90 DAYS AFTER NOTIFICATION AND ACCEPTANCE, WHICHEVER IS LONGER.
13. REMOVE EXISTING WEEDS FROM PROJECT SITE PRIOR TO THE ADDITION OF ORGANIC AMENDMENTS AND FERTILIZER. APPLY AMENDMENTS AND FERTILIZER PER THE RECOMMENDATIONS OF THE SOIL ANALYSIS FROM THE SITE.
14. BACK FILL MATERIAL FOR TREE AND SHRUB PLANTING SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL BY VOLUME, BONE MEAL PER MANUFACTURE'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
15. GROUND COVERS AND PERENNIALS SHALL BE PLANTED WITH A MAXIMUM 2 INCH COVER OF BARK MULCH WITH NO FOLIAGE COVERED.
16. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL THAT DO NOT COMPLY WITH THE DRAWINGS AND SPECIFICATIONS MAY BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH PLANT MATERIALS THAT ARE IN COMPLIANCE WITH THE DRAWINGS.
17. ALL PLANT MATERIALS SHALL BE NURSERY GROWN WITH HEALTHY ROOT SYSTEMS AND FULL BRANCHING, DISEASE AND INSECT FREE AND WITHOUT DEFECTS SUCH AS SUN SCALD, ABRASIONS, INJURIES AND DISFIGUREMENT.
18. ALL PLANT MATERIAL SHALL BE INSTALLED AT THE SIZE AND QUANTITY SPECIFIED. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR SUB-STANDARD RESULTS CAUSED BY REDUCTION IN SIZE AND/OR QUANTITY OF PLANT MATERIALS.



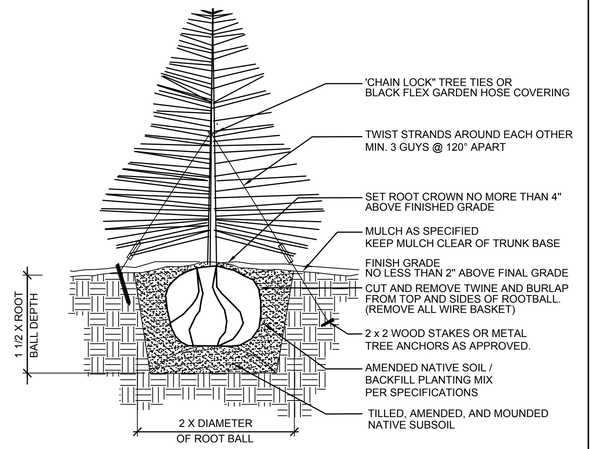
GROUNDCOVER PLANTING DETAIL — 1 / L2

SCALE: N.T.S



RANDOM PLANTING PATTERN — 2 / L2

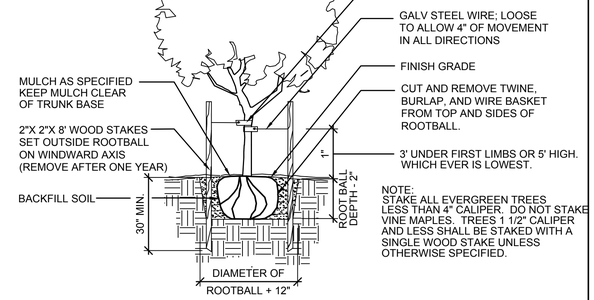
SCALE: N.T.S



NOTE:
1. TIE BRIGHTLY COLORED P.V.C. RIBBON ON WIRE GUYS. (MIN. 1 PER GUY.))
2. IN LAWN AREAS CUT TREE CIRCLE AT 12' RADIUS FROM TRUNK.

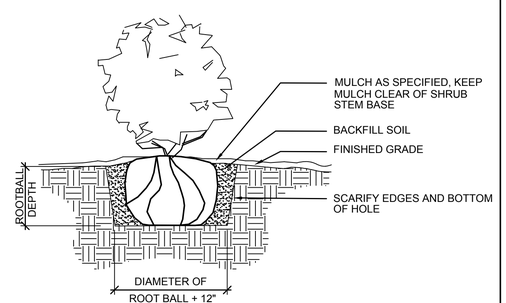
CONFIER TREE GUYING DETAIL — 3 / L2

SCALE: N.T.S



TREE STAKING DETAIL — 4 / L2

SCALE: N.T.S



SHRUB PLANTING DETAIL — 5 / L2

SCALE: N.T.S

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

PDP 8C
BROOKESIDE TERRACE ROW HOMES

Final Development Plan

PLANT LEGEND AND PLANTING DETAILS

1ST SUBMITTAL DATE	10/02/2015
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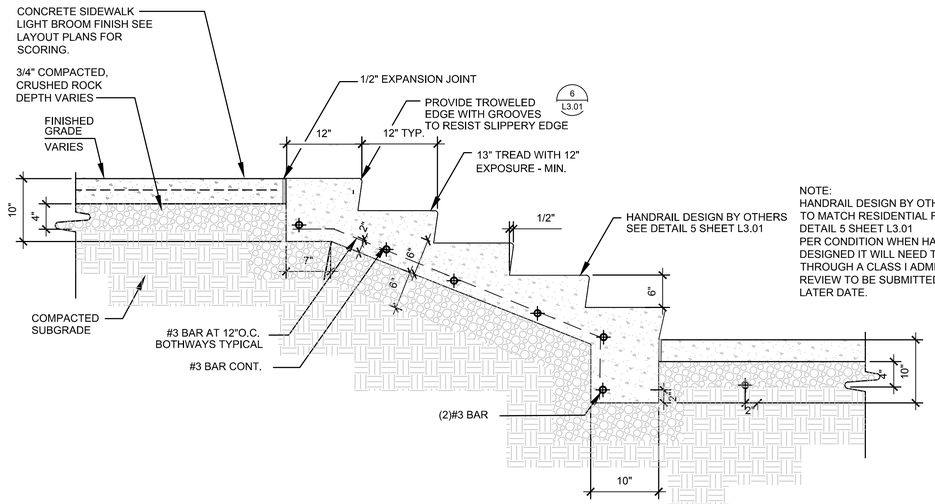
L2

URBAN / GREENWAY BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: THE PLAINWELL SERIES
FINISH: IPE WOOD, METAL: BLACK POWDERCOATED
SIZE: 72" LENGTH

BENCH 1/L3

SCALE: N.T.S



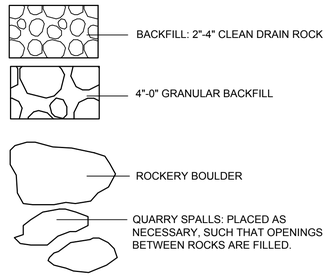
CONCRETE STAIR 3/L3

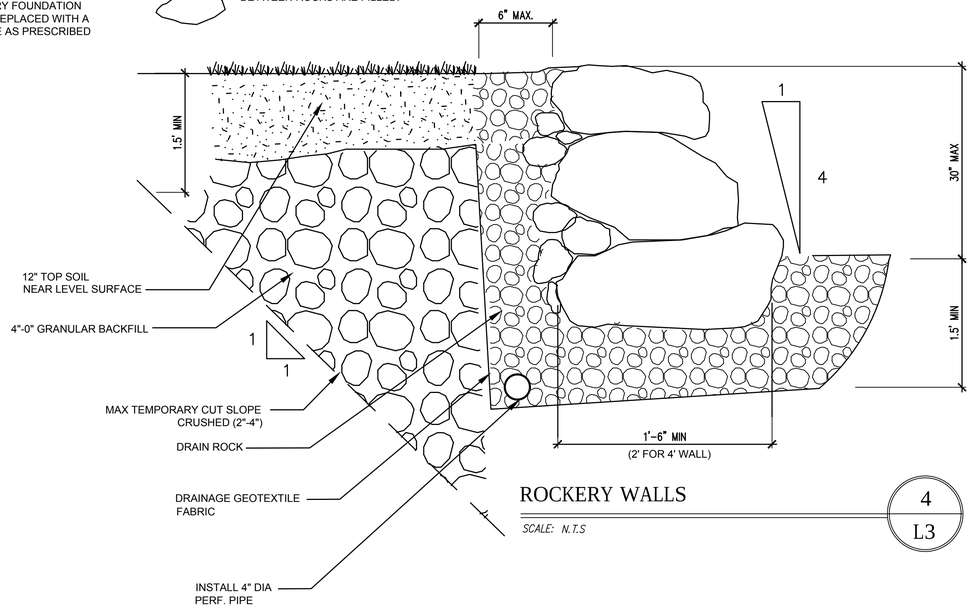
SCALE: N.T.S

NOTES:

1. 4"-0" GRANULAR BACKFILL CRUSHED WITH LESS THAN 5% PASSING THE #200 SIEVE.
2. LARGE DRAIN ROCK (2"-4") TAMPED WITH BACKHOE BUCKET DURING PLACEMENT.
3. BACKFILL SHALL BE PLACE AND COMPACTED AS ROCKS ARE BEING PLACED.
4. MINIMUM ROCK SIZE 0.5D (NOT LESS THAN 1.5 FEET)
5. PLACE A DRAINAGE GEOTEXTILE FABRIC AGAINST EXCAVATION SLOPE PRIOR TO PLACING BACKFILL. FABRIC SHALL EXTEND UNDER THE BOTTOM OF THE DRAIN PIPE AND OVER THE TOP OF THE BACKFILL PRIOR TO PLACEMENT OF THE IMPERVIOUS SURFACE LAYER.
6. INSTALL 4" DIAMETER PERFORATED PIPE SLOPED TO DRAIN TO POSITIVE OUTLET BEHIND WALL.
7. IF PRESENT, LOOSE SOIL AT ROCKERY FOUNDATION SHOULD BE OVEREXCAVATED AND REPLACED WITH A COMPACTED SAND/GRAVEL MIXTURE AS PRESCRIBED ABOVE.
8. INSLOPE ROCKERY FOUNDATION

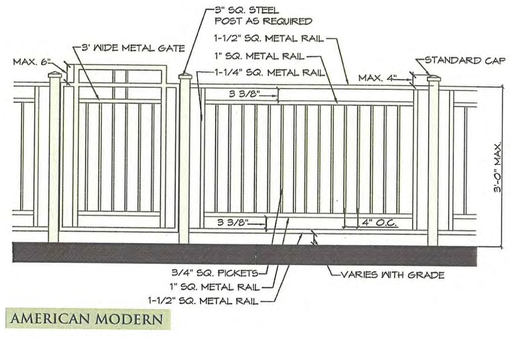
LEGEND





ROCKERY WALLS 4/L3

SCALE: N.T.S



AMERICAN MODERN

STAIR HANDRAIL DESIGN- SIMILAR 2/L3

SCALE: N.T.S

NOTE:
HANDRAIL DESIGN BY OTHERS AND TO MATCH RESIDENTIAL FENCE

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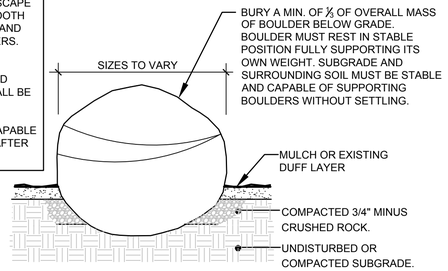
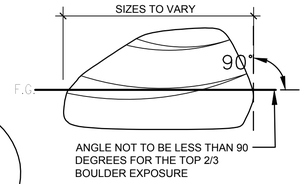
L3

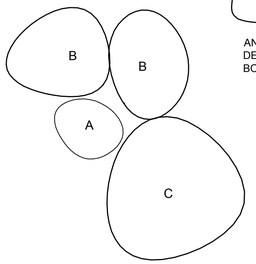
NOTES:
1. FIELD COORDINATE SELECTION AND PLACEMENT OF STONES WITH LANDSCAPE ARCHITECT. STONES ARE TO BE SMOOTH WITH NO ANGULAR FACES. REMOVE AND EASE ALL SHARP EDGES AND CORNERS. NATURAL GRAY-BROWN COLOR.

2. PLACEMENT IS TO BE NATURAL AND RANDOM IN APPEARANCE. SIZES SHALL BE PER THE BOULDER SCHEDULE.

3. PLACED BOULDERS SHALL BE INCAPABLE OF ROLLING, PITCHING OR MOVING AFTER PLACEMENT.





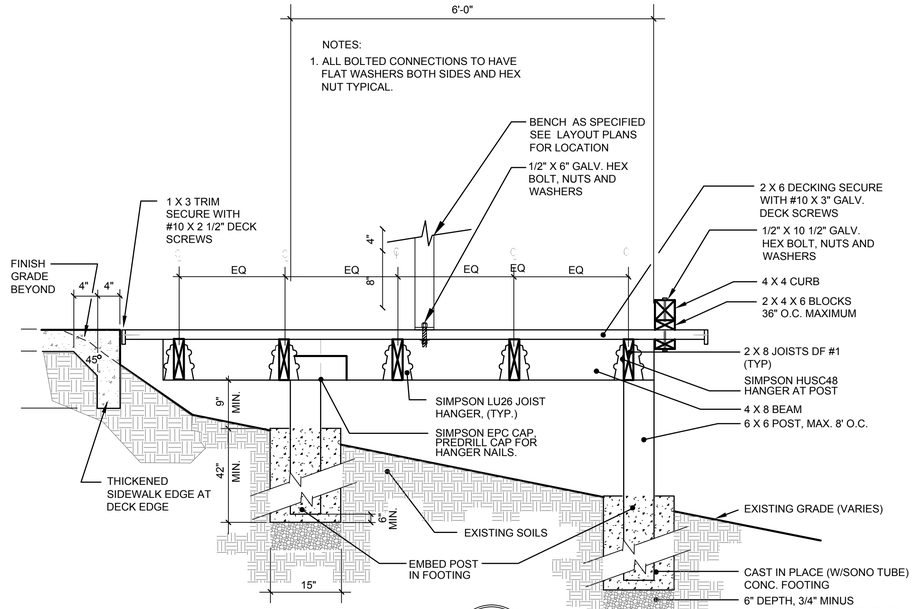


ROCK SCHEDULE

	HEIGHT	DIAMETER	QUANTITY
A	1'-6"	12"-18"	-
B	2'	18"-24"	-
C	2'-6"	24"-30"	-

BOULDER PLACEMENT — 1 / L4

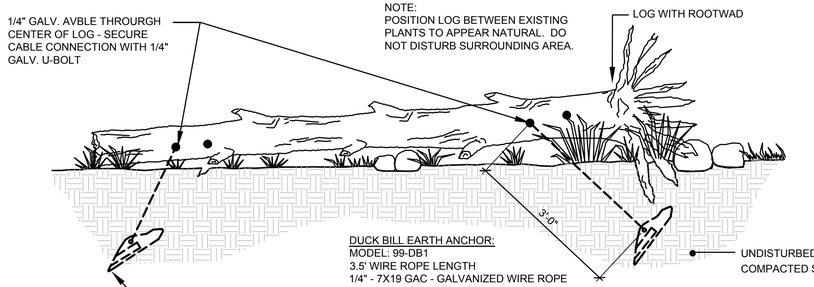
SCALE: N.T.S



LOWER OUTLOOK SECTION — 3 / L4

SCALE: N.T.S

NOTE:
DOWN WOODY DEBRIS (LOG)
14" TO 18" DIAMETER BY 20 TO 32 FEET LONG DECIDUOUS OR CONIFEROUS TREES WITH ROOTWAD SALVAGED FROM THE CLEARING AND GRUBBING OPERATION- REMOVE HAZARDOUS BRANCHES.



DUCK BILL EARTH ANCHOR:
MODEL: 99-DB1
3.5' WIRE ROPE LENGTH
1/4" - 7X19 GAC - GALVANIZED WIRE ROPE

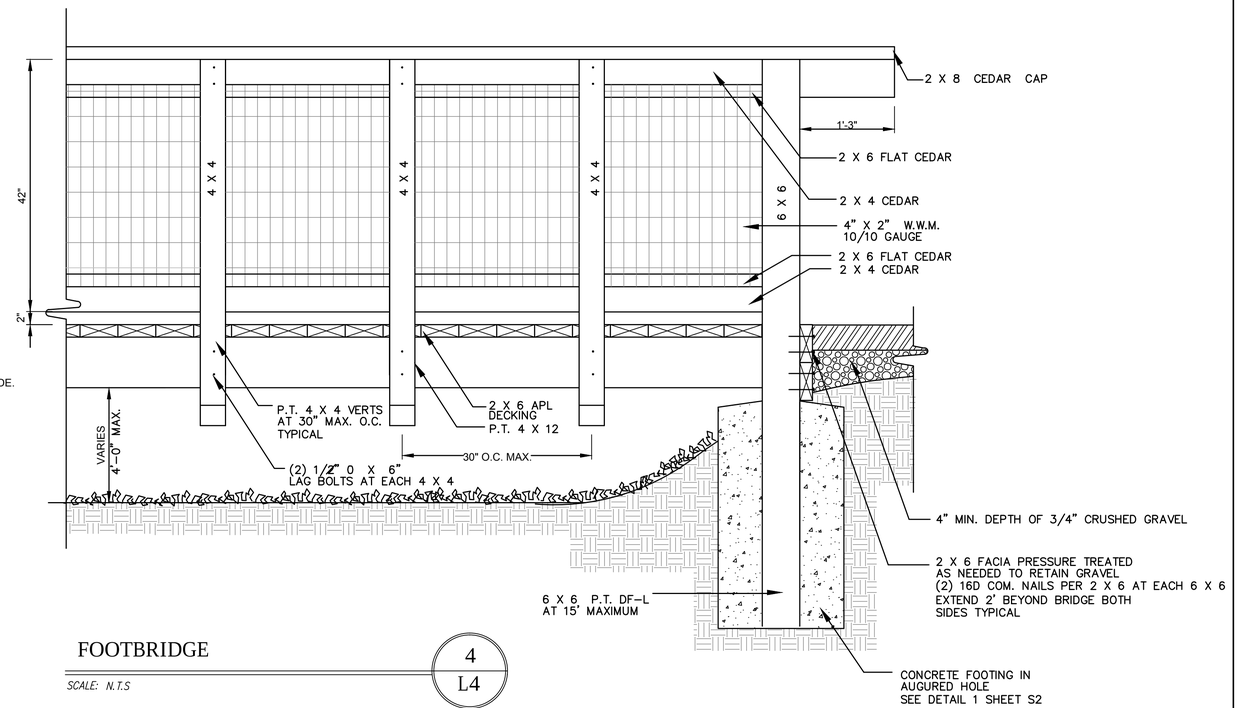
HAND DRIVE STEEL:
MODEL: 88
DS-88 , 4' LONG
3/4" ROUND
4' LONG HAND DRIVE STEEL WITH LARGE STRIKING HEAD

POWER DRIVE STEEL:
4' DRIVE TIP TO UNDER COLLAR FOR USE WITH MECHANIZED JACK HAMMER.

MANUFACTURER:
MACLEAN POWER SYSTEMS OR APPROVED EQUAL.
www.earthanchor.com
1.800.325.5360

LOG PLACEMENT ON GROUND — 2 / L4

SCALE: N.T.S



FOOTBRIDGE — 4 / L4

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DETAILS

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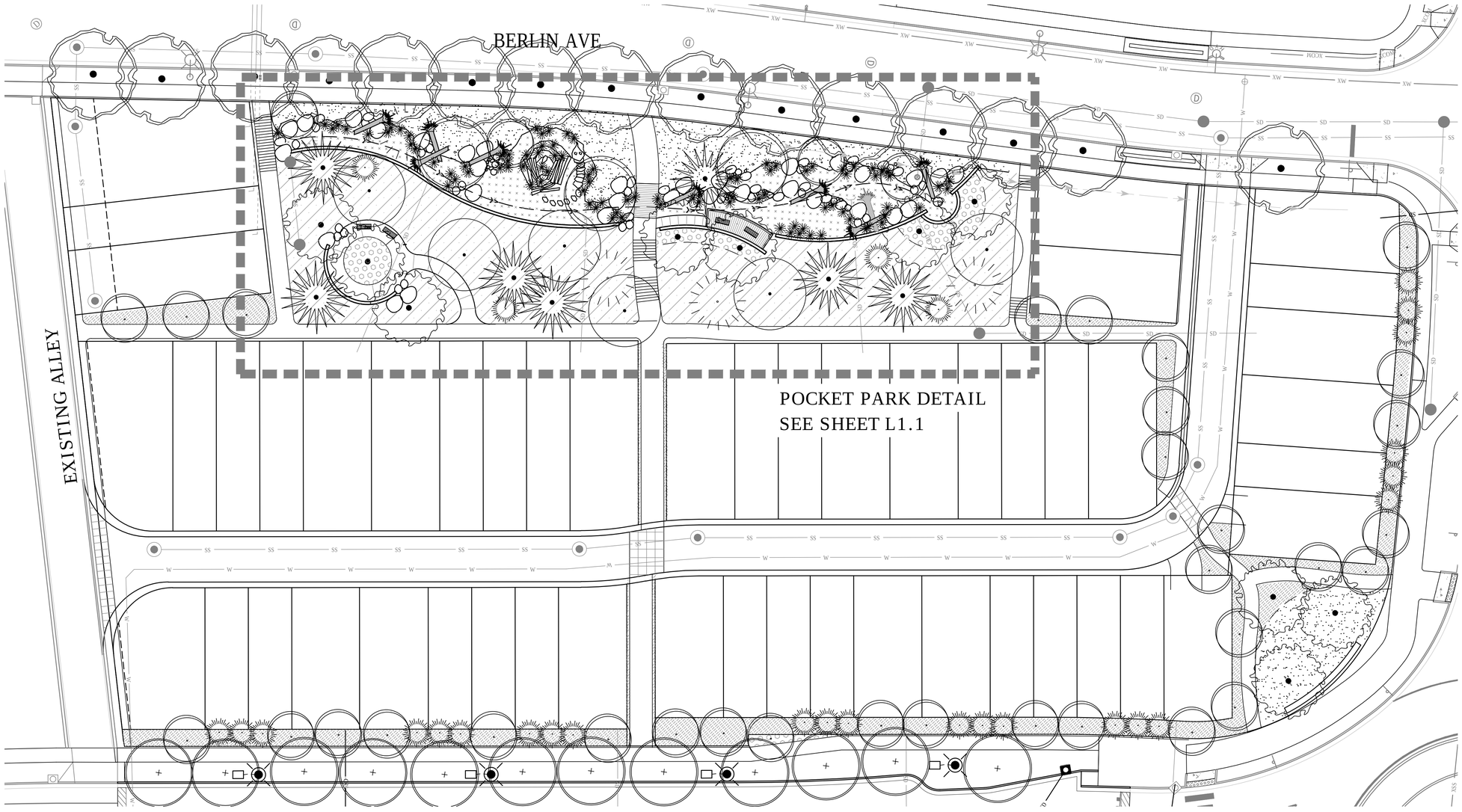
L4



1 PLANTING PLAN

SCALE
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ELEVATION DATUM: NAVD 88

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BROOKESIDE
TERRACE
ROW HOMES

Final Development Plan

PLANTING AND STREET TREE PLAN

1ST SUBMITTAL DATE 10/02/2015
2ND SUBMITTAL DATE 11/06/2015

L1

BERLIN AVENUE

STAIRS

BOULDERS TO CREATE A MEANDERING EDGE OF THE BIO-SWALE

WOODY DEBRIS TO CREATE HABITAT

ISLAND WITH ROCKS AND LOG PILES

STEPPING STONES TO ISLAND

FOOTBRIDGE SEE DETAIL 4 SHEET L4

BIOSWALE OUTFALL

STAIRS

ROCKERY WALL

ROCKERY WALL

ROCKERY WALL

BENCHES

PATH TO OVERLOOK WITH MT. HOOD VIEW

BOULDER EDGE AT WALL END

3' WIDE CONCRETE PATH

STAIRS HANDRAIL BY OTHERS SEE DETAIL 3 SHEET L3

LOWER OUTLOOK WITH BENCHES SEE DETAIL 3 SHEET L4

STAIRS

1 POCKET PARK- DETAIL

SCALE
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1 INCH = 10 FEET

ELEVATION DATUM: NAVD 88

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POCKET PARK DETAIL

1ST SUBMITTAL DATE 10/02/2015
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L1.1

Exhibit C1
Public Works Plan Submittal Requirements and Other Engineering Requirements

1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2014.

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

Coverage *(Aggregate, accept where noted)*	**Limit**
Commercial General Liability:	
▪ General Aggregate (per project)	$3,000,000
▪ General Aggregate (per occurrence)	$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

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.

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.

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 PW 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 printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.

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 Works Permit set.
o. Composite franchise utility plan.
p. City of Wilsonville detail drawings.
q. Illumination plan.
r. Striping and signage plan.
s. Landscape plan.

7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.

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.

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.

10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.

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.

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.

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.

14. 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.

15. 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.

16. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.

17. No surcharging of sanitary or storm water manholes is allowed.

18. 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.

19. 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.

20. 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.

21. 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.

22. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

23. 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.

24. 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.

25. 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.

26. 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. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.

27. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.

28. 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 Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.

29. 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).

30. Mylar Record Drawings:

    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.

Rainwater Management Requirements

1. All rainwater management components in private areas shall comply with the plumbing code.
2. Pursuant to the City of Wilsonville Public Works Standards, access shall be provided to all areas of the proposed rainwater management components. At a minimum, at least one access shall be provided for maintenance and inspection.
3. Plantings in rainwater management components located in private areas shall comply with the Plant List in the Rainwater Management Program or Community Elements Plan.
4. The rainwater management components shall comply with the requirements of the Oregon DEQ UIC (Underground Injection Control) Program.

Other Requirements

5. The applicant shall comply with all applicable state and federal requirements for the proposed construction activities (e.g., DEQ NPDES #1200–CN permit).

Public Works Plan Review Comment Form

Plans for Review: Brookeside Terrace Vb 8 Central
Return All Comments To: Dan Pauly
Due Date: December 2, 2015

Name	Page No.	Comments	Engineering's Response
Delora Kerber PW Admin		It is imperative that the water service be shown on the plans. Depending on the proposal there could be lots of unnecessary connections or length of connections from the main to the meters. Why are there three connection lines from the main across Berlin Street instead of one connection that splits to the three meters that serve lots 48, 49, & 50?	
Randy Watson Pretreatment			
Jason Labrie Water		Water services to each lot appear to be missing on the plans, with a few exceptions. These need to be included. Show the composite utility plan layer (including water services) beneath the street tree plan so that the required clearances from public utilities can be verified.	
Folz/Havens Sewer			
Gering Cross Connection			
Arnie Gray Roads			
Ralph Thorp Trees/Irrigation			
Matt Baker Facilities Maint			
Blankenship/Reeder Park Maint			

City of Wilsonville
EXHIBIT C3 DB15-0063 et seq

December 15, 2015

DEVELOPMENT REVIEW BOARD PANEL A

DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND RECOMMENDATION TO CITY COUNCIL

Project Name: **Brookeside Terrace: Villebois PDP 8 Central**

Case Files:	**Request A:**	**DB15-0063**	**Zone Map Amendment**
	Request B:	DB15-0064	SAP Central Amendment
	Request C:	DB15-0065	Preliminary Development Plan
	Request D:	DB15-0066	Final Development Plan
	Request E:	DB15-0067	Tentative Subdivision Plat

Owner: David Nash, RCS – Villebois LLC

Applicant: Fred Gast – Polygon WLH LLC

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

Property Description: Tax Lot 3200 in Section 15AC; T3S R1W; Clackamas County; Wilsonville, Oregon.

Location: Phase 8 of SAP-Central, Villebois

On December 14, 2015, at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

Request A: The DRB has forwarded a recommendation of approval to the City Council. ***A Council hearing date is scheduled for Monday, January 4, 2016 to hear this item.***

Requests B, C, D, and E:

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

An appeal of Requests B, C, D, and E 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 15th day of December 2015 and is available for public inspection. The decision regarding Requests B, C, D, and E 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. 318, including adopted staff report with conditions of approval.

DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 318

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A ZONE MAP AMENDMENT FROM PUBLIC FACILITY (PF) ZONE TO VILLAGE (V) ZONE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A SPECIFIC AREA PLAN – CENTRAL AMENDMENT, PRELIMINARY DEVELOPMENT PLAN, FINAL DEVELOPMENT PLAN AND TENTATIVE SUBDIVISION PLAT FOR THE DEVELOPMENT OF ROW HOUSES IN PHASE 8 OF SAP-CENTRAL. THE SUBJECT PROPERTY IS LOCATED ON TAX LOT 3200 OF SECTION 15AC, T3S, R1W, CLACKAMAS COUNTY, OREGON. POLYGON WLH, LLC, 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 December 7, 2015, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on December 14, 2015, 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 December 7, 2015, 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 (DB15-0063), for:

DB15-0064 through DB15-0067 SAP Central Amendment, Preliminary Development Plan for Phase 8 Central, Final Development Plan, and Tentative Subdivision Plat for a 50-lot row house development, 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 14th day of December, 2015 and filed with the Planning Administrative Assistant on Dec 15, 2015. This resolution is final on the l5th 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)*.

Kristin Akervall, Vice-Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date:	**Subject**: **Ordinance No. 780**
January 4, 2016	Zone Map Amendment from PF (Public Facility) to V (Village), Villebois Phase 9 Central, Camden Square and Royal Crescent at Villebois **Staff Member**: Daniel Pauly AICP, Associate Planner. **Department:** Community Development, Planning Division
Action Required	**Advisory Board/Commission Recommendation**
☒ Motion ☒ Public Hearing Date: January 4, 2016 ☒ Ordinance 1st Reading Date: January 4, 2016. ☒ Ordinance 2nd Reading Date: January 21, 2016 ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☒ Approval ☐ Denial ☐ None Forwarded ☐ Not Applicable **Comments**: Following their review at the December 14th meeting, the Development Review Board, Panel A recommends approval of the Zone Map Amendment.
Staff Recommendation: Adopt Ordinance No. 780.	
Recommended Language for Motion: I move to adopt Ordinance No. 780 on first reading.	
Project / Issue Relates To: Comprehensive Plan, Zone Code and Villebois Master Plan.	
☐Council Goals/Priorities	☒Adopted Master Plan(s) ☒Not Applicable

ISSUE BEFORE COUNCIL:

Approve or deny Ordinance No. 780 for a Zone Map Amendment from the Public Facility (PF) zone to Village (V) zone on approximately 5.03 acres located in the Villebois Village Center between Costa Circle and Villebois Drive.

EXECUTIVE SUMMARY:

The zone map amendment will rezone the land proposed to be developed as 82 row houses and associated streets, alleys, and open space in the Villebois Village Center. The proposed zoning is consistent with the Comprehensive Plan designation of Residential-Village.

Development Review Board Panel 'A' recommended the Council approve the Zone Map Amendment during their December 14th meeting.

EXPECTED RESULTS:

Adoption of Ordinance No. 780.

TIMELINE:

The Zone Map Amendment will be in effect 30 days after the ordinance is adopted.

CURRENT YEAR BUDGET IMPACTS:

None

FINANCIAL REVIEW / COMMENTS:

Reviewed by: __SCole_____ Date: __12/23/15____

LEGAL REVIEW / COMMENT:

Reviewed by: _____BJ_____ Date: ____12/28/15_____

COMMUNITY INVOLVEMENT PROCESS:

The required public hearing notices have been sent and DRB Public Hearing held.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

Ordinance No. 780 will support the continued build out of Villebois consistent with the Villebois Village Master Plan.

ALTERNATIVES:

Not approve the Zone Map Amendment preventing the planned development.

CITY MANAGER COMMENT:

ATTACHMENTS:

Exhibit A – Ordinance No. 780 and Attachments
- Attachment 1, Zoning Order DB15-0068.
  - Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
- Attachment 2 Zone Map Amendment Findings.
- Attachment 3 DRB Panel A Resolution No. 319 recommending approval of Zone Map Amendment

Exhibit B – Adopted Staff Report and DRB Recommendation

ORDINANCE NO. 780

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FOREST (PF) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 5.03 ACRES LOCATED IN THE VILLEBOIS VILLAGE CENTER BETWEEN COSTA CIRCLE AND VILLEBOIS DRIVE. COMPRISING TAX LOTS 3000 AND 3400 OF SECTION 15AC, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON WLH LLC, APPLICANT.

RECITALS

WHEREAS, Polygon WLH LLC has made a development application requesting, among other things, a Zone Map Amendment for the Property to develop a 82 unit row house development and associated alleys and parks consistent with the Villebois Village Master Plan; and

WHEREAS, RCS-Villebois Development LLC as the property owner and an authorized representative has signed the appropriate application form; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on December 14, 2015;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment and associated development applications on December 14, 2015, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 319 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB15-0068), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on January 4, 2016, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the foregoing recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB15-0068, attached hereto as Attachment 1, 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 January 4, 2016, and scheduled for the second and final reading on January 21, 2016, commencing at 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

ENACTED by the City Council on the 21st day of January, 2016, by the following votes:

Yes:___ No:___

_____
Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this ____day of _____, 2016.

_____
Tim Knapp, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Councilor President Starr
Councilor Stevens
Councilor Fitzgerald
Councilor Lehan

Attachments:

Attachment 1: Zoning Order DB15-0068.
Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
Attachment 2: Zone Map Amendment Findings,
Attachment 3: DRB Panel A Resolution No. 319 recommending approval of the Zone Map Amendment

ZONE MAP AMENDMENT
Zoning Order DB15-0068
Villebois Phase 9 Central
Camden Square & Royal Crescent at Villebois

INDEX of RECORD

1. City Council Staff Report for January 4, 2016 Meeting

2. Council Exhibit A: Ordinance No. 780 approving and adopting Zoning Order DB15-0068

3. Council Exhibit A, Attachment 1: Zoning Order DB15-0068

4. Council Exhibit A, Attachment 1, Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned

5. Council Exhibit A, Attachment 2: Zone Map Amendment Findings

6. Council Exhibit A, Attachment 3: Development Review Board Panel A's Resolution No. 319 recommending approval of the Zone Map Amendment.

7. Council Exhibit B: DRB adopted staff report and exhibits, including:

    - Exhibit A1: DRB Amended & Adopted Staff Report
    - Exhibit A2: Staff PowerPoint Presentation for DRB hearing
    - Exhibit A3: Corrections memo dated December 14, 2015
    - Exhibit B1: Applicant notebook
    - Exhibit B2: Large format plans for PDP
    - Exhibit B3: Large format plans for FDP
    - Exhibit C1: Engineering Requirements
    - Exhibit C2: Natural Resources Findings and Requirements
    - Exhibit C3: Comments from Public Works

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date:	**Subject**: **Ordinance No. 780**
January 4, 2016	Zone Map Amendment from PF (Public Facility) to V (Village), Villebois Phase 9 Central, Camden Square and Royal Crescent at Villebois **Staff Member**: Daniel Pauly AICP, Associate Planner. **Department:** Community Development, Planning Division
Action Required	**Advisory Board/Commission Recommendation**
☐ Motion ☒ Public Hearing Date: January 4, 2016 ☒ Ordinance 1st Reading Date: January 4, 2016. ☒ Ordinance 2nd Reading Date: January 21, 2016 ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☒ Approval ☐ Denial ☐ None Forwarded ☐ Not Applicable **Comments**: Following their review at the December 14th meeting, the Development Review Board, Panel A recommends approval of the Zone Map Amendment.
Staff Recommendation: Adopt Ordinance No. 780.	
Recommended Language for Motion: I move to adopt Ordinance No. 780 on first reading.	
Project / Issue Relates To: Comprehensive Plan, Zone Code and Villebois Master Plan.	
☐Council Goals/Priorities	☒Adopted Master Plan(s) ☒Not Applicable

ISSUE BEFORE COUNCIL:

Approve or deny Ordinance No. 780 for a Zone Map Amendment from the Public Facility (PF) zone to Village (V) zone on approximately 5.03 acres located in the Villebois Village Center between Costa Circle and Villebois Drive.

EXECUTIVE SUMMARY:
The zone map amendment will rezone the land proposed to be developed as 82 row houses and associated streets, alleys, and open space in the Villebois Village Center. The proposed zoning is consistent with the Comprehensive Plan designation of Residential-Village.

Development Review Board Panel 'A' recommended the Council approve the Zone Map Amendment during their December 14th meeting.

EXPECTED RESULTS: Adoption of Ordinance No. 780.

TIMELINE:
The Zone Map Amendment will be in effect 30 days after the ordinance is adopted.

CURRENT YEAR BUDGET IMPACTS:
None

FINANCIAL REVIEW / COMMENTS:
Reviewed by: _SCole_____Date: _12/23/15_____

LEGAL REVIEW / COMMENT:
Reviewed by: __BJ___ Date: _12/28/15_____

COMMUNITY INVOLVEMENT PROCESS:
The required public hearing notices have been sent and DRB Public Hearing held.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY
Ordinance No. 800 will support the continued build out of Villebois consistent with the Villebois Village Master Plan.

ALTERNATIVES:
Not approve the Zone Map Amendment preventing the planned development.

CITY MANAGER COMMENT:

ATTACHMENTS:

Exhibit A – Ordinance No. 780 and Attachments
- Attachment 1, Zoning Order DB15-0068.
  - Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
- Attachment 2 Zone Map Amendment Findings.
- Attachment 3 DRB Panel A Resolution No. 319 recommending approval of Zone Map Amendment

Exhibit B – Adopted Staff Report and DRB Recommendation

ORDINANCE NO. 780

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FOREST (PF) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 5.03 ACRES LOCATED IN THE VILLEBOIS VILLAGE CENTER BETWEEN COSTA CIRCLE AND VILLEBOIS DRIVE. COMPRISING TAX LOTS 3000 AND 3400 OF SECTION 15AC, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON WLH LLC, APPLICANT.

RECITALS

WHEREAS, Polygon WLH LLC has made a development application requesting, among other things, a Zone Map Amendment for the Property to develop a 82 unit row house development and associated alleys and parks consistent with the Villebois Village Master Plan; and

WHEREAS, RCS-Villebois Development LLC as the property owner and an authorized representative has signed the appropriate application form; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on December 14, 2015;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment and associated development applications on December 14, 2015, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 319 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB15-0068), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on January 4, 2016, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the foregoing recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB15-0068, attached hereto as Attachment 1, 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 January 4, 2016, and scheduled for the second and final reading on January 21, 2016, commencing at 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

ENACTED by the City Council on the 21st day of January, 2016, by the following votes:

Yes:___ No:___

_____
Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this ____day of _____, 2016.

_____
Tim Knapp, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Councilor President Starr
Councilor Stevens
Councilor Fitzgerald
Councilor Lehan

Attachments:

Attachment 1: Zoning Order DB15-0068.
Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned
Attachment 2: Zone Map Amendment Findings,
Attachment 3: DRB Panel A Resolution No. 319 recommending approval of the Zone Map Amendment

ORDINANCE NO. 780– ATTACHMENT 1

BEFORE THE CITY COUNCIL OF THE CITY OF WILSONVILLE, OREGON

In the Matter of the Application of Polygon WLH, LLC for a Rezoning of Land and Amendment of the City of Wilsonville Zoning Map Incorporated in Section 4.102 of the Wilsonville Code.	))))))	**ZONING ORDER DB15-0068**

The above-entitled matter is before the Council to consider the application of DB15-0068, 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 Attachment, 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 5.03 acres located in the Villebois Village Center between SW Costa Circle and Villebois Drive. Comprising tax lots 3000 and 3400 of Section 15AC, T3S, R1W, Clackamas County, Oregon, as more particularly shown and described in Attachment A, 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: January 4, 2016.

_____

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

_____

Barbara A. Jacobson, Interim City Attorney

ATTEST:

_____

Sandra C. King, MMC, City Recorder

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

Pacific Community Design

EXHIBIT A

September 28, 2015

LEGAL DESCRIPTION Job No. 395-048

Lot 78

A tract of land being Lot 78, plat of "Villebois Village Center No. 3", Clackamas County Plat Records, and public Right-of-Way, in the Northeast Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the most westerly corner of said Lot 78;

thence along the northwesterly line of said Lot 78 and its extension, North 47°03'23" East, a distance of 224.00 feet to a point on the centerline of SW Orleans Avenue;

thence along said centerline, South 43°36'51" East, a distance of 86.44 feet to a point of tangential curvature;

thence continuing along said centerline, along a 100.00 foot radius tangential curve to the right, arc length of 23.54 feet, central angle of 13°29'12", chord distance of 23.48 feet, and chord bearing of South 36°52'15" East to a point of reverse curvature;

thence continuing along said centerline, along a 100.00 foot radius reverse curve to the left, arc length of 23.55 feet, central angle of 13°29'30", chord distance of 23.49 feet, and chord bearing of South 36°52'24" East to a point of tangency;

thence continuing along said centerline, South 43°37'09" East, a distance of 161.26 feet to a point of tangential curvature;

thence continuing along said centerline, along a 185.00 foot radius tangential curve to the left, arc length of 31.96 feet, central angle of 09°53'51", chord distance of 31.92 feet, and chord bearing of South 48°34'05" East to a point of reverse curvature;

thence continuing along said centerline, along a 185.00 foot radius reverse curve to the right, arc length of 31.96 feet, central angle of 09°53'51", chord distance of 31.92 feet, and chord bearing of South 48°34'05" East to a point of tangency;

thence continuing along said centerline, South 43°37'09" East, a distance of 194.08 feet to a point of tangential curvature;

thence continuing along said centerline, along a 188.00 foot radius tangential curve to the right, arc length of 35.00 feet, central angle of 10°39'55", chord distance of 34.94 feet, and chord bearing of South 38°17'12" East to a point of tangency;

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thence continuing along said centerline, South 32°57'14" East, a distance of 1.49 feet to a point on the centerline of SW Villebois Drive North;

thence along the centerline of SW Villebois Drive North, South 72°02'29" West, a distance of 137.99 feet to a point of tangential curvature;

thence continuing along said centerline, along a 500.50 foot radius tangential curve to the left, arc length of 115.37 feet, central angle of 13°12'28", chord distance of 115.12 feet, and chord bearing of South 65°26'15" West to a point on the extension of the southwesterly line of Lot 78;

thence along said southwesterly line and extension, North 37°07'07" West, a distance of 102.12 feet to a point of tangential curvature;

thence continuing along said southwesterly line, along a 185.00 foot radius tangential curve to the left, arc length of 20.99 feet, central angle of 06°30'02", chord distance of 20.98 feet, and chord bearing of North 40°22'08" West to a point of tangency;

thence continuing along said southwesterly line, North 43°37'09" West, a distance of 371.18 feet to the POINT OF BEGINNING.

Containing 2.76 acres, more or less.

Lot 82

A tract of land being Lot 82, plat of "Villebois Village Center No. 3", Clackamas County Plat Records, and public Right-of-Way, in the Northeast and Northwest Quarters of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the most easterly corner of said Lot 82;

thence along the southeasterly line of said Lot 82, South 47°03'23" West, a distance of 342.14 feet to the most southerly corner of said Lot 82;

thence along the southwesterly line of said Lot 82, North 42°56'37" West, a distance of 124.43 feet to a point of tangential curvature;

thence continuing along said southwesterly line, along a 185.00 foot radius tangential curve to the left, arc length of 66.69 feet, central angle of 20°39'19", chord distance of 66.33 feet, and chord bearing of North 53°16'17" West to a point of tangency;

thence continuing along said southwesterly line and its extension, North 63°35'56" West, a distance of 62.11 feet to a point on the northwesterly plat boundary line of said plat;

thence along said northwesterly plat boundary line, along a 590.00 foot radius non-tangential curve, concave southeasterly, with a radius point bearing South 73°45'52" East, arc length of 319.53 feet, central angle of 31°01'49", chord distance of 315.64 feet, and chord bearing of North 31°45'02" East to a point on the extension of the northeasterly line of Lot 82;

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thence along said northeasterly line and its extension, South 48°39'01" East, a distance of 46.86 feet to a point of tangential curvature;

thence continuing along said northeasterly line, along a 185.00 foot radius tangential curve to the left, arc length of 45.41 feet, central angle of 14°03'50", chord distance of 45.30 feet, and chord bearing of South 55°40'56" East to a point of tangency;

thence continuing along said northeasterly line, South 62°42'51" East, a distance of 133.98 feet to a point of tangential curvature;

thence continuing along said northeasterly line, along a 185.00 foot radius tangential curve to the right, arc length of 61.66 feet, central angle of 19°05'42", chord distance of 61.37 feet, and chord bearing of South 53°10'00" East to a point of tangency;

thence continuing along said northeasterly line, South 43°37'09" East, a distance of 53.84 feet to the POINT OF BEGINNING.

Containing 2.27 acres, more or less.

Basis of bearings per "Villebois Village Center No. 3", Clackamas County Plat Records.

RENEWS: 6/30/2017

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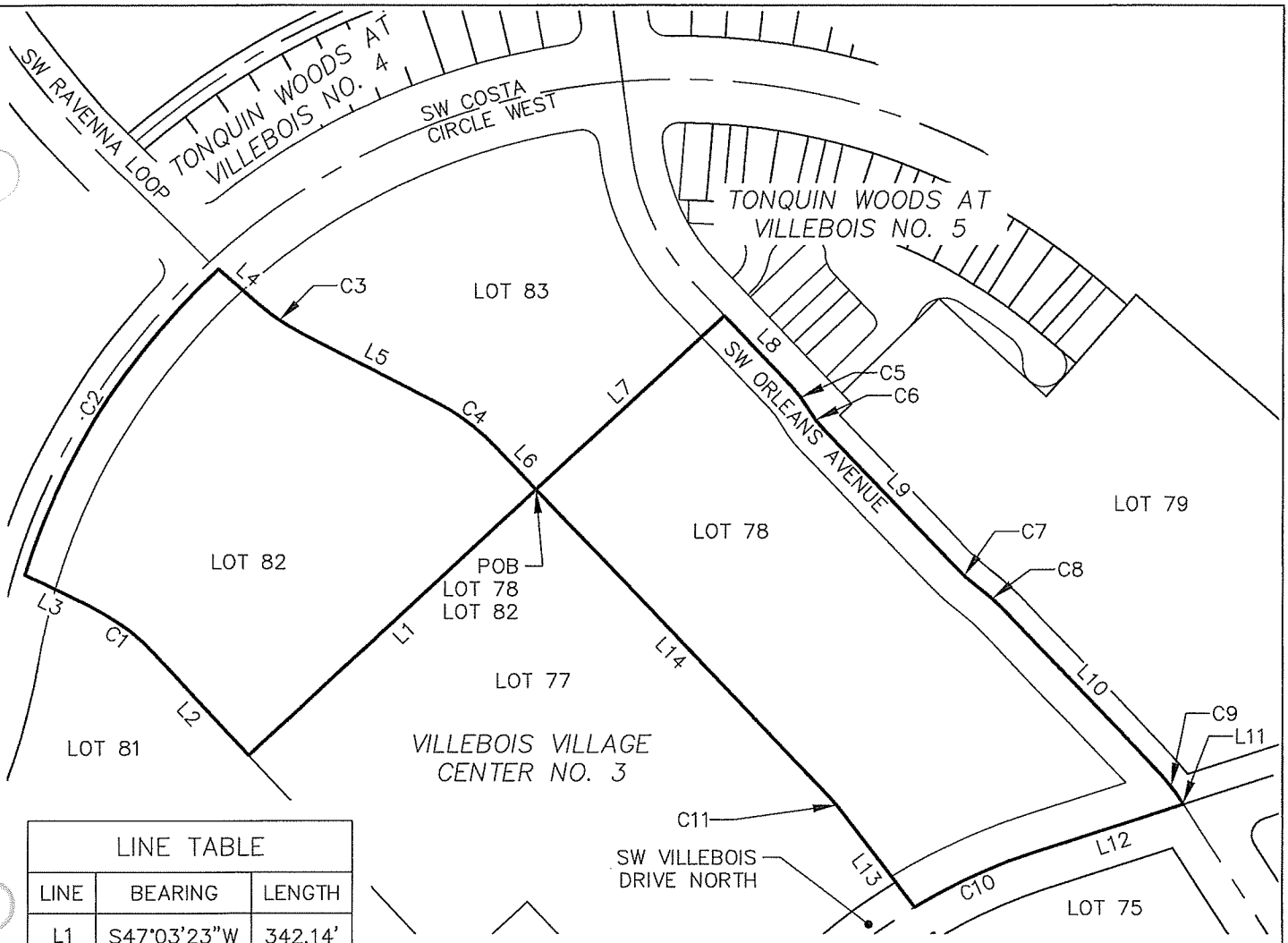

LINE TABLE		
LINE	BEARING	LENGTH
L1	S47°03'23"W	342.14'
L2	N42°56'37"W	124.43'
L3	N63°35'56"W	62.11'
L4	S48°39'01"E	46.86'
L5	S62°42'51"E	133.98'
L6	S43°37'09"E	53.84'
L7	N47°03'23"E	224.00'
L8	S43°36'51"E	86.44'
L9	S43°37'09"E	161.26'
L10	S43°37'09"E	194.08'
L11	S32°57'14"E	1.49'
L12	S72°02'29"W	137.99'
L13	N37°07'07"W	102.12'
L14	N43°37'09"W	371.18'

EXHIBIT A

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	185.00'	66.69'	20°39'19"	66.33'	N53°16'17"W
C2	590.00'	319.53'	31°01'49"	315.64'	N31°45'02"E
C3	185.00'	45.41'	14°03'50"	45.30'	S55°40'56"E
C4	185.00'	61.66'	19°05'42"	61.37'	S53°10'00"E
C5	100.00'	23.54'	13°29'12"	23.48'	S36°52'15"E
C6	100.00'	23.55'	13°29'30"	23.49'	S36°52'24"E
C7	185.00'	31.96'	9°53'51"	31.92'	S48°34'05"E
C8	185.00'	31.96'	9°53'51"	31.92'	S48°34'05"E
C9	188.00'	35.00'	10°39'55"	34.94'	S38°17'12"E
C10	500.50'	115.37'	13°12'28"	115.12'	S65°26'15"W
C11	185.00'	20.99'	6°30'02"	20.98'	N40°22'08"W

DRAWN BY: GPS DATE: 9/28/15

REVIEWED BY: TCJ DATE: 9/28/15

PROJECT NO.: 395-048

SCALE: 1"=150'

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Tigard, OR 97223
[T] 503-941-9484
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N:\proj\395-048\Drawings\06 Survey\Legals\395048.Zone Change.dwg - SHEET: Lot 78 & 82 Sep. 28, 15 - 10:22 AM

Ord. No. 780 Attachment 2
Staff Report
Wilsonville Planning Division

Camden Square and Royal Crescent at Villebois Zone Map Amendment

City Council
Quasi-Judicial Public Hearing

Hearing Date:	January 4, 2016
Date of Report:	December 28, 2015

Application No.: DB15-0068 Zone Map Amendment

Request/Summary: The City is being asked to review a Quasi-judicial Zone Map Amendment for an 82-lot row house subdivision, associated parks and open space, adjacent right-of-way and other associated improvements.

Location: Approximately 5.03 acres in the Villebois Village Center between SW Costa Circle West and SW Villebois Drive North. The properties are specifically known as Tax Lots 3000 and 3400, Section 15AC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

Owner: David Nash, RCS- Villebois LLC

Applicant: Fred Gast, Polygon WLH LLC

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

Comprehensive Plan Designation: Residential-Village
Zone Map Classification (Current): PF (Public Facility)
Zone Map Classification (Proposed): V (Village)

Staff Reviewers: Daniel Pauly AICP, Associate Planner

Staff Recommendation: **Approve** the requested Zone Map Amendment.

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 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Residential Development in Any Zone
Section 4.125	V-Village Zone
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
Other City Planning Documents:	
Comprehensive Plan	
Villebois Village Master Plan	
SAP Central Approval Documents	

Vicinity Map

Background/Summary:

Zone Map Amendment (DB15-0068)

The subject property still has a "Public Facility" zoning dating from its time as part of the campus of Dammasch State Hospital. Consistent with other portions of the former campus, a request to update the zoning consistent with the Comprehensive Plan is included concurrent with applications to develop the property.

Conclusion:

Staff and the DRB have reviewed the application and facts regarding the request and recommends the City Council approve of the zone map amendment (DB15-0068).

Findings of Fact:

1. The statutory 120-day time limit applies to this application. The application was received on October 9, 2015. On February 28, 2014, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on November 9, 2015, the Applicant submitted new materials. On November 10, 2015 the application was deemed complete. The City must render a final decision for the request, including any appeals, by August 20, 2014

.

2. Surrounding land uses are as follows:

Camden Square

Compass Direction	Zone:	Existing Use:
Northeast:	V	SW Orleans Avenue, Montague Park and Row Houses
Northwest	V	SW Collina Lane (planned, not constructed), Row Houses (approved not built)
Southwest:	PF	SW Paris Avenue (planned, not constructed), vacant
Southeast	V	SW Villebois Drive North (planned, not constructed), Row Houses (approved not built)

Royal Crescent at Villebois

Compass Direction	Zone:	Existing Use:
Northeast:	V	SW Paris Avenue (planned, not constructed), Row Houses (approved not built)
Northwest	V	SW Costa Circle West, Edelweiss Park
Southwest:	PF	SW Collina Lane (planned, not constructed), vacant residential
Southeast	PF	SW Valencia Lane (planned, not constructed) vacant residential

3. Prior land use actions include:

Legislative:
02PC06 - Villebois Village Concept Plan
02PC07A - Villebois Comprehensive Plan Text

02PC07C - Villebois Comprehensive Plan Map
02PC07B - Villebois Village Master Plan
02PC08 - Village Zone Text
04PC02 – Adopted Villebois Village Master Plan
LP-2005-02-00006 – Revised Villebois Village Master Plan
LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
LP09-0003 – Zone text amendment to allow for detached row houses
LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)
LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi Judicial:
DB06-0005 -

- Specific Area Plan (SAP) – Central.
- Village Center Architectural Standards.
- SAP-Central Architectural Pattern Book.
- Master Signage and Wayfinding Plan.
- Community Elements Book Rainwater Management Program and Plan

DB06-0012 - DB06-0012-Tentative Subdivision Plat (Large Lot)
DB09-0037 & 38 – Modification to the Village Center Architectural Standards (VCAS) to change/add provision for detached row houses.
DB13-0015 – SAP Central Phasing Amendment
DB13-0043 – Tentative Subdivision Plat for Villebois Village Center No. 3 (large lot subdivision, includes subject properties.
DB15-0005 – SAP Refinements and Central Phasing Amendment

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

Conclusionary Findings:

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

General Information

Application Procedures-In General
Section 4.008

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.

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

Initiating Application
Section 4.009

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."
Finding: This criterion is satisfied.
Explanation of Finding: The applications have been submitted on behalf of contract purchaser Polygon Homes, and is signed by the property owners, Davis Nash of RCS Villebois LLC.

Pre-Application Conference
Subsection 4.010 (.02)

Review Criteria: This section lists the pre-application process
Finding: These criteria are satisfied.
Explanation of Finding: A pre-application conference was held on September 10, 2015 in accordance with this subsection.

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

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

General Submission Requirements
Subsection 4.035 (.04) A.

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

Zoning-Generally
Section 4.110

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

Zone Map Amendment

Comprehensive Plan

Development per Villebois Village Concept Plan
Implementation Measure 4.1.6.a

A1. **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.

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

A2. **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 residential development implementing the elements as outlined by the Villebois Village Master Plan, as previously approved.

Application of "Village" Zone District
Implementation Measure 4.1.6.c.

A3. **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.

Uses Supporting "Urban Village"
Implementation Measure 4.1.6.d.

A4. **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 as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

General

Zoning and Comprehensive Plan
Section 4.029

A5. **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 development as required by this section.

Base Zones
Subsection 4.110 (.01)

A6. **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.

Village Zone

Village Zone Purpose
Subsection 4.125 (.01)

A7. **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".

Village Zone Uses
Subsection 4.125 (.02)

A8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The proposed residential uses are consistent with the Village Zone designation and Villebois Village Master Plan.

Concurrency with PDP
Subsection 4.125 (.18) B. 2.

A9. **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.

Zone Change Review

Zone Change Procedures
Subsection 4.197 (.02) A.

A10. **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.

Comprehensive Plan Conformity, etc.
Subsection 4.197 (.02) B.

A11. **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 A1 through A4 substantially comply with applicable Comprehensive Plan text.

Residential Designated Lands

Subsection 4.197 (.02) C.

A12. **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.

Public Facility Concurrency
Subsection 4.197 (.02) D.

A13. **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: Existing primary public facilities are available or can be provided in conjunction with the project as shown on the applicant's plan sheets submitted for the Preliminary Development Plan request.

SROZ Impacts
Subsection 4.197 (.02) E.

A14. **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.

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

A15. **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.

Development Standards Conformance
Subsection 4.197 (.02) F.

A16. **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: The zone map amendment will facilitate development consistent with the Village Zone standards and other applicable standards of the Planning and Land Development Ordinance.

December 15, 2015

DEVELOPMENT REVIEW BOARD PANEL A

DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND RECOMMENDATION TO CITY COUNCIL

Project Name: **Camden Square and Royal Crescent at Villebois: Villebois PDP 9 Central**

Case Files:	**Request A:**	**DB15-0068**	**Zone Map Amendment**
	Request B:	DB15-0069	SAP Central Amendment
	Request C:	DB15-0070	Preliminary Development Plan
	Request D:	DB15-0071	Final Development Plan
	Request E:	DB15-0072	Tentative Subdivision Plat
	Request F:	DB15-0073	Type C Tree Plan

Owner: David Nash, RCS – Villebois LLC

Applicant: Fred Gast – Polygon WLH LLC

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

Property Description: Tax Lot 3000 and 2400 in Section 15AC; T3S R1W; Clackamas County; Wilsonville, Oregon.

Location: Phase 9 of SAP-Central, Villebois

On December 14, 2015, at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

Request A: The DRB has forwarded a recommendation of approval to the City Council. ***A Council hearing date is scheduled for Monday, January 4, 2016 to hear this item.***

Requests B, C, D, E and F:
Approved with conditions of approval.
These approvals are contingent upon City Council's approval of Request A.

An appeal of Requests B, C, D, E and F 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 15th day of December 2015 and is available for public inspection. The decision regarding Requests B, C, D, E and F 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. 319, including adopted staff report with conditions of approval.

DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 319

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A ZONE MAP AMENDMENT FROM PUBLIC FACILITY (PF) ZONE TO VILLAGE (V) ZONE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A SPECIFIC AREA PLAN – CENTRAL AMENDMENT, PRELIMINARY DEVELOPMENT PLAN, FINAL DEVELOPMENT PLAN, TENTATIVE SUBDIVISION PLAT AND TYPE 'C' TREE PLAN FOR THE DEVELOPMENT OF ROW HOUSES IN PHASE 9 OF SAP-CENTRAL. THE SUBJECT PROPERTY IS LOCATED ON TAX LOTS 3000 AND 3400 OF SECTION 15AC, T3S, R1W, CLACKAMAS COUNTY, OREGON. POLYGON WLH, LLC, 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 December 7, 2015, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on December 14, 2015, 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 December 7, 2015 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 (DB15-0068), for:

DB15-0069 through DB15-0073 SAP Central Amendment, Preliminary Development Plan Phase 9 Central, Final Development Plan, Tentative Subdivision Plat, Type C Tree Plan, for an 82-lot row house development, 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 14th day of December, 2015 and filed with the Planning Administrative Assistant on Dec. 15, 2015. 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)*.

Kristin Akervall, Vice-Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

Exhibit A1
Staff Report
Wilsonville Planning Division

Polygon Homes- Camden Square/Royal Crescent at Villebois

Development Review Board Panel 'A'
Quasi-Judicial Public Hearing

Amended and Adopted December 14, 2015
Removed language ~~struckthrough~~
Added language ***bold italics***

Hearing Date:	December 14, 2015
Date of Report:	December 7, 2015

Application Nos.: DB15-0068 Zone Map Amendment
DB15-0069 SAP-Central Amendment
DB15-0070 SAP-Central PDP 8, Preliminary Development Plan
DB15-0071 Final Development Plan
DB15-0072 Tentative Subdivision Plat
DB15-0073 Type C Tree Plan

Request/Summary: The Development Review Board is being asked to review a Quasi-judicial Zone Map Amendment, Villebois Specific Area Plan Central Amendment, Preliminary Development Plan, Final Development Plan, Tentative Subdivision Plat, and Type C Tree Plan for an 82-lot row house development, associated open space and associated improvements.

Location: ~~Northwest of Villebois Drive North between SW Costa Circle West and SW Berlin Avenue.~~ ***Village Center between SW Costa Circle West and SW Villebois Drive.*** The properties are specifically known as Tax Lots 3000 and 3400, Section 15AC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

Owner: David Nash**,** RCS- Villebois LLC

Applicant Fred Gast, Polygon WLH LLC

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

Comprehensive Plan Designation: Residential-Village
Zone Map Classification (Current): PF (Public Facility)
Zone Map Classification (Proposed): V (Village)

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

Staff Recommendation: **Approve with conditions** the requested SAP Amendment, Preliminary Development Plan, Final Development Plan, and Tentative Subdivision Plat. **Recommend approval** of the requested Zone Map Amendment to City Council.

Applicable Review Criteria:

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

Vicinity Map

Background / Summary:

Zone Map Amendment (DB15-0068)

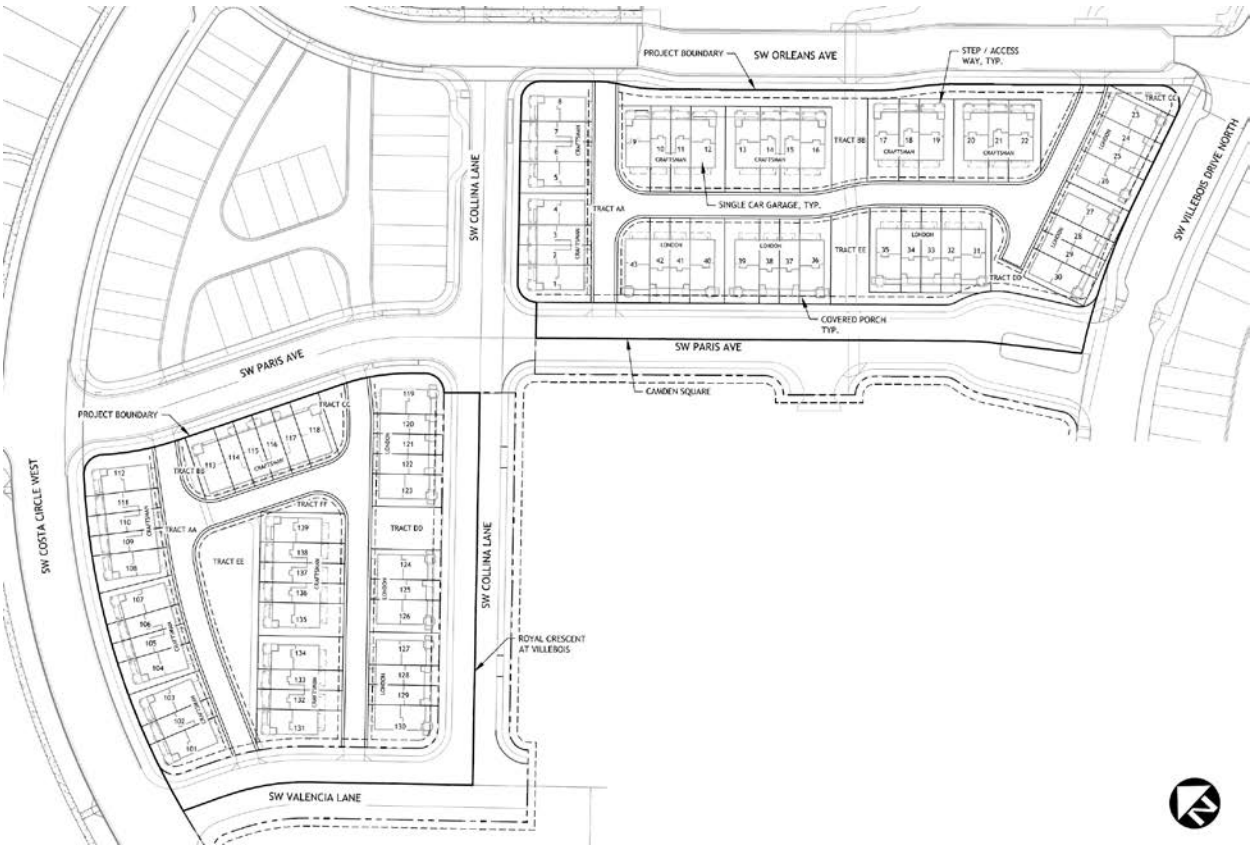
The subject property still has a "Public Facility" zoning dating from its time as part of the campus of Dammasch State Hospital. Consistent with other portions of the former campus, a request to update the zoning consistent with the Comprehensive Plan is included concurrent with applications to develop the property.

SAP Central Amendment (DB15-0069)

The request to amend the SAP changes the phasing consistent with the planned development sequencing. Camden Square was previously shown as Phase 8 of SAP Central. Royal Crescent at Villebois was previously shown as Phases 11 and 12 of SAP Central. The proposal is to make both Camden Square and Royal Crescent at Villebois Phase 9. All utilities and other services are available or will be made available as part of the development. There is existing development or development under construction to the northeast and northwest.

PDP ~~3N~~ ***9C*** Preliminary Development Plan (DB15-0070)

The proposed Preliminary Development Plan 9 of Specific Area Plan Central (also known as ~~Brookside Terrace~~ ***Camden Square and Royal Crescent at Villebois***) comprises 5.03 acres. The applicant proposes 82 row houses and associated streets, parks, and open space. The front of all the houses will face tree lined streets, parks and green spaces.



Proposed Housing Type	Number of Units
Row Houses	82
Total	82

The PDP also includes a request for a number of SAP Refinements including density and mix of housing types.

As part of the PDP request the applicant can request a density change for the SAP of up to 10%. The original SAP Central unit count used for density calculations is 1,010 units reflective of the Figure 1 of the Villebois Village Master Plan. The 1,010 unit count for SAP Central assumed varying percentages of different unit types would be built including: 80.9% for Village Apartments, 86.1% for Condos, 93.5% for row houses, 90% for Urban Apartments, and 97.7% for Specialty Condos. Based on these percentages the number of units for PDP 9 reflective of the original SAP Central unit count table is 134 units. The difference from the proposed 82 units is 52 units. The current SAP unit count, including the proposed PDP 8 Central, in 1,063. The

proposed unit count is 1,011 units, 4.89% below the most recent SAP unit count and 0.12% above the original SAP Central unit count. The change is within the 10% cumulative density change allowed from the original SAP approval. The change would result in 2615 units in Villebois, which would continue to exceed the required 2,300 units.

For the housing type refinement housing types are grouped into two aggregate land use categories with medium lot single family and larger single-family homes in one category and small lot single-family and all attached units in a second category. The previously unit types shown in the Villebois Village Master Plan and SAP Central approval and the proposed row houses are within the same aggregate land use category, making the change to row houses not quantitatively significant. However, the qualitative test of diversity of unit types also needs to be considered, especially in terms of urban design. The proposed row house buildings would be a similar size and bulk as 2-3 story apartment or condo buildings thus providing for a substantially similar urban landscape as previously planned.

Final Development Plan (DB15-0071)

Details have been provided for all the parks and open space matching the requirements of the Community Elements Book. Street trees, curb extensions, street lights, and mail kiosks are also shown conforming to the Community Elements Book. The proposed London and Craftsmen style row houses are consistent with the Village Center Architectural Standards.

Tentative Subdivision Plat (DB15-0072)

The applicant is proposing two subdivisions. Both proposed subdivisions include row house lots, alley and park tracts, and the necessary right-of-way dedications. "Camden Square" is proposed as a 43-lot subdivision. "Royal Crescent at Villebois" is proposed as a 39-lot subdivision.

Type C Tree Plan (DB15-0073)

25 trees are inventoried on site, and 1 tree off-site that will be impacted by associated street construction. Of the 25 trees, 2 are designated to be retained. Of the 23 trees proposed for removal 2 are dead, 8 are in poor conditions, and 13 are in moderate condition. 18 of the 23 trees are European white birch. While some are still in moderate condition many have poor structure, branch die back and other issues. In addition, the European white birch is one of the birch varieties susceptible to the Bronze Birch Borer which has been damaging and killing many birch trees throughout Wilsonville. Other trees being removed include 3 apple trees in poor condition, and a western sycamore and a sweet gum being removed due to construction. Mitigation will be accomplished by planting street trees.

Discussion Topics:

Defining Housing Types

Villebois has been planned for a wide variety of housing types, with the largest variety in the Village Center. A number of these housing types are affected by the density and housing type refinement proposed. To better understand the refinement the following are the definitions of the affected unit types per the Villebois Concept Plan.

Condo: This multi-family land use designation accommodates ownership units at an urban density. Buildings will be mostly two or three stories fronting the street with modest setbacks. Parking is located at the center of the parcel in the form of surface lots and tuck-under garages.

Specialty Condo: This land use designation is linked to specific blocks with existing Dammasch Hospital buildings. Adaptive re-use of these structures will accommodate small loft-style ownership units in an urban setting. The intensive land use will depend upon off-site parking strategies.

Townhomes (or row houses): This land use designation allows for a single-family dwelling type with common sidewalls and continuous front facades. Townhomes are the highest density housing type that provides yards and fee-simple ownership. Alleys provide parking access.

Urban Apartments: This multi-family land use designation accommodates rental units at an urban density. Ground level uses may include residential 'flex' space convertible to non-retail commercial space. Buildings will be mostly two or three stories front the street with modest setbacks. Parking is located at the center of the parcel in the form of surface lots and tuck under garages.

Village Apartments: The multi-family land use designation accommodates rental units in a village setting. Less dense than Urban Apartments, parcels will likely be arranged as multiple two or three story buildings around a shared green and surface parking. Building will have more generous setbacks to provide privacy for ground level residences.

Housing Diversity

In considering a refinement to change unit types, the change must be considered against the Villebois Village Master Plan policy of "a complete community with a wide range of living choices". Limited guidance is provided as to the flexibility of placement of uses within a single aggregate land use category as it relates to this range of living choices policy. It is clear the intent of the aggregation of land uses would not allow a wholesale switch of all attached units to small lot single-family because they are in the same aggregate land use category. The guidance provided and historically used in reviewing requests to modify land uses within an aggregate category is the general idea of a transect of residential uses, in terms of both density per acre and urban form. The densest residential uses with the largest and most urban buildings

are focused around the piazza in the Village Center with the least dense and largest lots with single-family homes on the edge of the master plan area.

With the above guidance in mind, the proposed row houses are a similar density remaining consistent with the general Villebois density transect. For urban design, the proposed buildings continue to provide a variety of linear multi-story buildings along the streets in the Village Center creating a feel of a dense urban location

Understanding SAP Central Density Calculations

The original SAP Central approval showed density in two manners. One is a table reflective of Figure 1 of the Villebois Village Master Plan, the other is a map showing minimum and maximum unit count by unit type on each block or sub block. The density numbers in the table are the ones used to calculate density for purposes of refinements. However, the map is important to track the change in the table numbers over time. Of most importance is the relationship between the minimums and maximums shown on the map and the single number shown in the table. The number in the table assumes a certain unit count within the range, which overall is about 81.3% of the maximum unit count shown on the map. However, the percentage of maximum is not the same across all unit types, varying widely from 53.1% to 97.7%. Table 1 below shows the percent of max unit count for each unit type. The number is calculated by dividing the unit number for each unit type in the original SAP table by the sum of all the maximum numbers for the each unit type on the original map.

Table 1 Percent of Max Unit Count by Unit Type

Unit Type	% of Max Unit Count Reflected in Original SAP Central Land Use Table
Village Apartment	80.9%
Condo	86.1%
Rowhouse	93.5%
Mixed-Use Condo	53.1%
Urban Apartment	90%
Small Lot Single-family	90%
Specialty Condo	97.7%

To calculate the change to the SAP unit count over time staff has first applied the percentages in Table 1 to the maximum of each unit type in each PDP. For example the maximum number of row houses in PDP 7 shown in the original is 46, 93.5% of which is 43. The maximum number of urban apartments in PDP 7 shown in the original is 24, 90% of which is 22. Summing these two numbers is 65, which is the unit number for PDP 7 reflective of the original SAP table. For the cumulative unit count for PDP 6 and below this number reflective of the original table is used. For the cumulative unit count calculation for PDP 7 and above the PDP approved unit number of 68 units is used. Table 2 below shows the change of unit count over time. PDP 1 and 2 are grouped for simplicity. All the cumulative changes over time are within 10% of the original 1,010 unit count. Note the mixed use unit count for PDP 1 and 2 has not been approved. Also,

the small amount of mixed-use condos shown in PDP 7 was included with PDP 1 and 2 as the number appears on the map within PDP 1. PDP 3 and 5 are parks and do not have any units.

Table 2 Cumulative Unit Count Over Time and % Change from Original

Approval Phase	Cumulative Unit Count (sum of approved unit counts and original unit counts for unapproved phases)	% Difference from original 1,010 SAP Unit Count
PDP 1 and 2	1097	8.62% increase
PDP 4	1098	8.75% increase
PDP 6	1089	7.82% increase
PDP 7	1092	8.16% increase
Proposed PDP 8	1063	5.26% increase
Proposed PDP 9	1011	0.12% increase

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 (DB15-0069, DB15-0070, DB15-0071, DB15-0072, DB15-0073) and recommend approval of the zone map amendment to City Council (DB15-0068) with the following conditions:

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

Planning Division Conditions:

Request A: DB15-0068 Zone Map Amendment

This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. Case files DB15-0069, DB15-0070, DB15-0071, DB15-0072, and DB15-0073 are contingent upon City Council's action on the Zone Map Amendment request.

Request B: DB~~14~~15-0069 SAP-North Amendment

PDB 1.	Approval of DB15-0069 SAP Central Amendment is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0068).

Request C: DB15-0070 SAP-Central PDP 8, Preliminary Development Plan

PDC 1.	Approval of DB15-0070 SAP-Central PDP 8, Preliminary Development Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0068).
PDC 2.	All park and open space improvements approved by the Development Review

	Board shall be completed prior the issuance of the building permit for the (41st) house in PDP 9 Central. If weather or other special circumstances prohibit completion, bonding for the improvements will be permitted. See Finding C79.
PDC 3.	The applicant/owner shall enter into an Operations and Maintenance Agreement for the subdivision that clearly identifies ownership and maintenance for parks, open space, and paths. Such agreement shall ensure maintenance in perpetuity and shall be recorded with the subdivisions for 'Camden Square' and 'Royal Crescent at Villebois'. Such agreement shall be reviewed and approved by the City Attorney prior to recordation.
PDC 4.	Where a building foundation is exposed in the public view shed more than would be typical on a level lot, the foundation shall have a brick or stone façade matching the design of the house.
PDC 5.	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, as a part of the recordation of a final plat. See Finding C104.

Request D: DB15-0071 Final Development Plan

PDD 1.	Approval of DB15-0071 Final Development Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0068).
PDD 2.	All plant materials shall be installed consistent with current industry standards.
PDD 3.	All construction, site development, and landscaping of the parks shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor alterations may be approved by the Planning Division through the Class I Administrative Review process. See Finding D18.
PDD 4.	All retaining walls within the public view shed shall be a decorative stone or brick construction or veneer. Final color and material for the retaining walls shall be approved by the Planning Division through the Class I Administrative Review Process.
PDD 5.	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 D26 through D28.
PDD 6.	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.

Request E DB15-0072 Tentative Subdivision Plat

PDE 1.	Approval of DB15-0072 Tentative Subdivision Plat is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0068).
PDE 2.	Any necessary easements or dedications shall be identified on the Final Subdivision Plat.

PDE 3.	Alleyways shall remain in private ownership and be maintained by the Homeowner's Association established by the subdivision's CC&Rs. The CC&Rs shall be reviewed and approved by the City Attorney prior to recordation.
PDE 4.	The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for PDP-9C or the Tentative Plat.
PDE 5.	A non-access reservation strip shall be applied on the final plat to those lots with access to a public street and an alley. All lots with access to a public street and an alley must take vehicular access from the alley to a garage or parking area. A plat note effectuating that same result can be used in the alternative. The applicant shall work with the County Surveyor and City Staff regarding appropriate language. See Finding E3.
PDE 6.	All reserve strips and street plugs shall be detailed on the Final Subdivision Plat. See Finding E3.
PDE 7.	All tracts shall include a public access easement across their entirety.
PDE 8.	The applicant/owner shall submit subdivision bylaws, covenants, and agreements to the City Attorney prior to recordation. See Finding E6.
PDE 9.	~~Being located within the Villebois Village Center Boundary the proposed lots shall be part of the Villebois Village Center Master Association and shall contribute an equitable amount to the maintenance of the parks and other facilities owned by the Villebois Village Center Master Association. Such relationship shall be reflected in the subdivision's CC&R's.~~ ***Applicant shall ensure lots in the proposed Camden Square and Royal Crescent at Villebois plats (Lots 78 and 82 of Villebois Village Center No. 3) contribute a pro rata share of the costs of the administration and maintenance of Piazza Park, Montague Park, the Village Center shared mail facility adjacent to the Piazza, and any other amenities agreed upon by the impacted parties. The pro rata share is anticipated to be substantially the same level of contribution required for administration and maintenance of these facilities from row houses previously included in the Villebois Village Center Master Association. However, the pro rata share amount is subject to further evaluation and agreement by the impacted parties."***

Request F: DB15-0073 Type C Tree Plan

PDF 1.	Approval of DB15-0073 Type C Tree Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB15-0068).
PDF 2.	Trees planted as replacement of removed trees shall be, state Department of Agriculture Nursery Grade No. 1. or better, shall meet the requirements of the American Association of Nursery Men (AAN) American Standards for Nursery

	Stock (ANSI Z60.1) for top grade, shall be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee's successors-in-interest for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during that time shall be replaced. See Findings F25 and F26.
PDF 3.	Solvents, building material, construction equipment, soil, or irrigated landscaping, shall not be placed within the drip line of any preserved tree, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist. See Finding F29.
PDF 4.	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: • 6' high fence set at tree drip lines. • Fence materials shall consist of 2 inch mesh chain links secured to a minimum of 1 ½ inch diameter steel or aluminum line posts. • Posts shall be set to a depth of no less than 2 feet in native soil. • Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. • Tree protection fences shall be maintained in a full upright position. See Findings F30.

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

Engineering Division Conditions:

Request A: DB15-0070 SAP Central PDP 9, Preliminary Development Plan

PFA 1.	Public Works Plans and Public Improvements shall conform to the "Public Works Plan Submittal Requirements and Other Engineering Requirements" in Exhibit C1.
PFA 2.	At the request of Staff, DKS Associates completed a Transportation Study, dated December 1, 2015. The project is hereby limited to no more than the following impacts.

	Estimated New PM Peak Hour Trips 43 Estimated Weekday PM Peak Hour Trips 11 Through Wilsonville Road Interchange Area
PFA 3.	Consistent with other development within Villebois Village, the applicant shall be required to complete design and construction for full street improvements through the far curb and gutter, and far corner radii of intersections, for the new extensions of Paris Avenue, Collina Lane, and Valencia Lane as shown in plans dated 11/6/2015 submitted with the DRB application. Design and improvements shall include street lighting on both sides of the streets.
PFA 4.	Applicant shall install the 2" top lift of asphaltic concrete on the section of Costa Circle West through the intersection with Valencia Lane, and on Paris Avenue through the intersection with Collina Lane, and on Collina Lane from Orleans Avenue through the intersection of Paris Avenue adjacent to the site~~.~~ ***and 1 ½ inch top lift of asphaltic concrete on Orleans Avenue adjacent to the development.***
PFA 5.	Alleyways shall connect to the public right-of-way at as near 90° as possible, per the 2014 Public Works Standards.
PFA 6.	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. The street lighting style shall Acorn style street lights in conformance to the current edition of the Villebois SAP Central Community Elements Book Lighting Master Plan. At this time the City is investigating changing lighting standards to LED style street lights. City staff shall work to identify an acceptable LED substitute luminaire. Additional costs associated with construction of an independent power system and LED luminaires shall be approved by the City prior to construction, and such costs reimbursed by the City upon receipt and approval of contractor bid costs for the work.
PFA 7.	Per the Villebois Village SAP Central Master Signage and Wayfinding plan all regulatory traffic signage in Villebois Central shall be finished black on the back sides
PFA 8.	From storm basin plans previously submitted it appears that much or all of the proposed development lies within the Arrowhead Creek basin, with part of the project possibly lying within the Coffee Creek basin. Pursuant to Implementation Measure WQC-2b of the Stormwater Master Plan, and Section 301.1.10 of the Public Works Standards interbasin transfer of stormwater is not allowed and the storm system shall be designed accordingly. For areas of the project that may lie in the Arrowhead Creek basin detention is provide by existing storm facilities located in Pond F. Per City Ordinance 608 storm water detention is not required for areas of the project that may lie within the Coffee Creek basin.

PFA 9.	Applicant shall install a looped water system through the development by extending existing water lines in adjacent streets. At Valencia Lane and Collina Lane, the proposed water line shall be extended southeast to the termination of Valencia Lane for future extension, and a Tee installed for the water line to extend northeast in Collina Lane.
PFA 10.	The Villebois Sanitary Sewer (SS) Master Plan shows the proposed development included in the south sanitary sewer trunk line. Applicant shall design and construct the sanitary system to connect to the existing system that is part of the south sanitary trunk line.
PFA 11.	All construction traffic shall access the site via Grahams Ferry Road to Barber Street to Costa Circle or via Tooze Road to Villebois Drive N. No construction traffic will be allowed on Brown Road or Barber Street east of Costa Circle West, or on other residential roads.
PFA 12.	SAP Central PDP 9 consists of 82 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 (42nd lot).

Request D Tentative Subdivision Plat DB15-0072

PFD 1.	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**.**
PFD 2.	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.
PFD 3.	Consistent with other development within Villebois Village the applicant shall dedicate full right-of-way full street improvements through the far curb and gutter for the extension of Paris Avenue, Collina Lane, and proposed Valencia Lane.

Natural Resources Division Conditions:

All Requests

NR 1.	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed 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 Files DB15-0068 through DB15-0073.

A1. Staff report and findings (this document)
A2. Slides and notes for Staff's Public Hearing Presentation *(available at Public Hearing)*
A3. Corrections Memo dated December 14, 2015
B1. Applicant's Notebook: *Under separate cover*

Section I: General Information
- IA) Introductory Narrative
- IB) Form/Ownership Documentation
- IC) Fee Calculation
- ID) Mailing List *This information has been revised*
- IE) Updated SAP Central Phasing and Unit Count

Section II: Preliminary Development Plan (Includes SAP Phasing Amendment and Refinements)
- IIA) Supporting Compliance Report
- IIB) Reduced Drawings
- IIC) Utility & Drainage Reports
- IID) Traffic Analysis
- IIE) Tree Report

Section III: Tentative Subdivision 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 & 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 Plans
- VIC) Elevations & Floor Plans
- VID) Elevations Approved by Steve Coyle

B2. Applicant's Large Format Plans for PDP (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 Site/Land Use Plan
- Sheet 4 Royal Crescent Preliminary Plat
- Sheet 5 Camden Square Preliminary Plat
- Sheet 6 Preliminary Grading & Erosion Control Plan
- Sheet 7 Composite Utility Plan
- Sheet 8 Circulation Plan & Street Sections

Sheet 9 Parking Plan
Sheet 10 Royal Crescent Tree Preservation Plan
Sheet 11 Camden Square Tree Preservation Plan
Sheet 12 Street Tree Plan

B3. Large Format Plans for Final Development Plan(Smaller 11x17 plans included in Section VIB of the applicant's notebook, Exhibit B1.)
Sheet 1 Cover Sheet
Sheet 2 Site Plan
Sheet L1 Planting Plan and Plant Legend
Sheet L2 Planting Plan Notes and Planting Details
Sheet L3 Landscape Details and Materials

C1. Public Works Plan Submittal Requirements and Other Engineering Requirements

C2. Natural Resources Findings and Requirements

C3. Comments from Public Works

Findings of Fact:

1. The statutory 120-day time limit applies to this application. The application was received on October 9, 2015. On October 30, 2015, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on November 9, 2015, the Applicant submitted new materials. On November 12, 2015 the application was deemed complete. The City must render a final decision for the request, including any appeals, by March 11, 2016

.

2. Surrounding land uses are as follows:

Camden Square

Compass Direction	Zone:	Existing Use:
Northeast:	V	SW Orleans Avenue, Montague Park and Row Houses
Northwest	V	SW Collina Lane (planned, not constructed), Row Houses (approved not built)
Southwest:	PF	SW Paris Avenue (planned, not constructed), vacant
Southeast	V	SW Villebois Drive North (planned, not constructed), Row Houses (approved not built)

Royal Crescent at Villebois

Compass Direction	Zone:	Existing Use:
Northeast:	V	SW Paris Avenue (planned, not constructed), Row Houses (approved not built)

Northwest	V	SW Costa Circle West, Edelweiss Park
Southwest:	PF	SW Collina Lane (planned, not constructed), vacant residential
Southeast	PF	SW Valencia Lane (planned, not constructed) vacant residential

3. Prior land use actions include:

Legislative:
02PC06 - Villebois Village Concept Plan
02PC07A - Villebois Comprehensive Plan Text
02PC07C - Villebois Comprehensive Plan Map
02PC07B - Villebois Village Master Plan
02PC08 - Village Zone Text
04PC02 – Adopted Villebois Village Master Plan
LP-2005-02-00006 – Revised Villebois Village Master Plan
LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
LP09-0003 – Zone text amendment to allow for detached row houses
LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)
LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi Judicial:
DB06-0005 -

- Specific Area Plan (SAP) – Central.
- Village Center Architectural Standards.
- SAP-Central Architectural Pattern Book.
- Master Signage and Wayfinding Plan.
- Community Elements Book Rainwater Management Program and Plan

DB06-0012 - DB06-0012-Tentative Subdivision Plat (Large Lot)
DB09-0037 & 38 – Modification to the Village Center Architectural Standards (VCAS) to change/add provision for detached row houses.
DB13-0015 – SAP Central Phasing Amendment
DB13-0043 – Tentative Subdivision Plat for Villebois Village Center No. 3 (large lot subdivision, includes subject properties.
DB15-0005 – SAP Refinements and Central Phasing Amendment

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

Conclusionary Findings:

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

General Information

Application Procedures-In General
Section 4.008

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

Initiating Application
Section 4.009

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."
Finding: This criterion is satisfied.
Explanation of Finding: The applications have been submitted on behalf of contract purchaser Polygon Homes, and is signed by the property owners, RCS Villebois LLC.

Pre-Application Conference
Subsection 4.010 (.02)

Review Criteria: This section lists the pre-application process
Finding: These criteria are satisfied.
Explanation of Finding: A pre-application conference was held on September 10, 2015 in accordance with this subsection.

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

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

Explanation of Finding: No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements
Subsection 4.035 (.04) A.

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

Zoning-Generally
Section 4.110

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

Request A: DB15-0068 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

Development per Villebois Village Concept Plan
Implementation Measure 4.1.6.a

A1. **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.

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

A2. **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 residential development implementing the elements as outlined by the Villebois Village Master Plan, as previously approved.

Application of "Village" Zone District
Implementation Measure 4.1.6.c.

A3. **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.

Uses Supporting "Urban Village"
Implementation Measure 4.1.6.d.

A4. **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 as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

General

Zoning and Comprehensive Plan
Section 4.029

A5. **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 development as required by this section.

Base Zones
Subsection 4.110 (.01)

A6. **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.

Village Zone

Village Zone Purpose
Subsection 4.125 (.01)

A7. **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".

Village Zone Uses
Subsection 4.125 (.02)

A8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The proposed residential uses are consistent with the Village Zone designation and Villebois Village Master Plan.

Concurrency with PDP
Subsection 4.125 (.18) B. 2.

A9. **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. C.

Zone Change Review

Zone Change Procedures
Subsection 4.197 (.02) A.

A10. **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.

Comprehensive Plan Conformity, etc.
Subsection 4.197 (.02) B.

A11. **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 A1 through A4 substantially comply with applicable Comprehensive Plan text.

Residential Designated Lands
Subsection 4.197 (.02) C.

A12. **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.

Public Facility Concurrency
Subsection 4.197 (.02) D.

A13. **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.

SROZ Impacts
Subsection 4.197 (.02) E.

A14. **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.

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

A15. **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.

Development Standards Conformance
Subsection 4.197 (.02) F.

A16. **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 B: DB15-0069 SAP-Central Amendment

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

Specific Area Plans

SAP Submittal Requirements
Subsection 4.125 (.18) D.

B1. **Review Criteria:** This subsection lists the submittal requirements for SAPs, which would include SAP Modifications.
Finding: These criteria are satisfied.
Details of Finding: All the required materials have been submitted or are on file with the City from previous submittals for SAP Central.

Master Plan and Other Standards
Subsection 4.125 (.18) E. 1. b. i.

B2. **Review Criteria:** "The Development Review Board may approve an application for SAP approval only upon finding the following approval criteria are met:
i. That the proposed SAP:

- Is consistent with the standards identified in this section.
- Complies with the applicable standards of the Planning and Land Development Ordinance, and
- 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: Consistency with the standards of Section 4.125 and other applicable standards in the Planning and Land Development Ordinance are being measured as can be seen in findings elsewhere in this report and the proposal is consistent with the standards or will be made consistent by conditions of approval. SAP Central has previously been found to be consistent with the Villebois Village Master Plan. Specific findings related to the phasing changes and refinements, which show continuing consistency, can be found below.

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

B3. **Review Criteria:** "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: These criteria are satisfied.
Details of Finding: A phasing plan for SAP Central has previously been approved with 7 phases built are obtaining land use approvals. The proposed phasing amendment

identifies new phases 8 and 9. The phasing is reasonable as it shows the next phases of development adjacent to existing development and services and reflects the latest information on likely development build out.

Ensuring Conformance
Subsection 4.125 (.18) E. 1. b. iii.

B4. **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 SAP modifications or conditions of approval are recommended.

Specific Area Plan Phasing Amendments

Phasing Amendments
Subsection 4.125 (.18) J. 4.

B5. **Review Criterion:** "Amendments to the SAP for phasing will be processed as a Class II administrative review proposal."
Finding: These criteria are satisfied.
Details of Finding: This intention of this section is for phasing amendments where no other SAP amendments are being request. As a broader concurrent request is being reviewed by the DRB the phasing amendment is being reviewed by the DRB as well.

Request C: DB15-0070 SAP-Central PDP 8, 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

Permitted Uses
Subsection 4.125 (.02)

C1. **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.
Explanation of Finding: The uses proposed includes row houses and open space, which are permitted in the Village Zone.

Development Standards Applying to All Development in the Village Zone

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

C2. **Review Criteria:** This subsection lists the block, alley, pedestrian, and bicycle standards applicable in the Village Zone.
Finding: These criteria are satisfied.
Explanation of Finding: The Preliminary Development Plan drawings, Exhibit B2, shows blocks, alleys, pedestrian, and bicycle paths consistent with this subsection and the SAP.

Access
Subsection 4.125 (.05) B.

C3. **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.
Explanation of Finding: A condition of approval for the Tentative Subdivision Plat will ensure compliance with this standard. See Request E.

Development Standards
Subsection 4.125 (.05) Table V-1

C4. **Review Criteria**:

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [10, 12] (%age)	Max. Bldg. Height [9] (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Row Houses [11] - Village Center [14]	NR	NR	NR	[1]	80	45	5 [4]	10	NR	NR	NR	NA
Row Houses [11]	NR	15	50	[1]	80	45	8 [5]	15	NR	NR	NR	NA

Notes:
- NR — No Requirement
- NA — Not Allowed
- 1 — Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)
- 3 — Bay windows, balconies, and other structural building projections above 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.
- 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, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.
- 7 — The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.
- 9 — 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.
- 12 — See Definitions, 4.125.01, for measurement of Minimum Frontage Width.
- 13 — 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.
- 14 — See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.
- 16 — For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.
- 19 — Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.
- 20 — 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.

Explanation of Finding: The proposed building type is Row Houses-Village Center. The PDP enables all development standards in Table V-1 to be met..

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

C5. 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				
Row Houses	1.0/DU	NR	NR	NR

Finding: These criteria are satisfied.

Explanation of Finding: As shown on Sheet 9 of Exhibit B2, 218 parking spaces are proposed, where 82 are required.

Parks & Open Space
Subsection 4.125 (.08)

C6. Review Criteria: This subsection prescribes the open space requirement for development in the Village Zone.

Finding: These criteria are satisfied.

Explanation of Finding: Figure 5 Parks & Open Space Plan of the Villebois Village Master Plan states that there are a total of 159.73 acres within Villebois, which is approximately 33% of Villebois. The proposed PDP does not reduce the amount of dedicated open space, and actually adds open space tracts not shown in the Master Plan.

Villebois Street Alignment and Access Improvements

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

C7. 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.

Explanation of Finding: The proposed PDP includes the construction of SW Paris Avenue (named changed from Ravenna Loop due to PDP 7C approval) between SW Collina Lane and Villebois Drive South, SW Collina Lane between SW Paris Avenue and proposed SW Valencia Lane, and SW Valencia Lane from SW Costa Circle West to the proposed SW Collina Lane. All three of these streets are proposed as Residential-Village Center "H1" consistent SAP Approval documents. The proposed aligns match the SAP Approval.

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

C8. **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.
Explanation of Finding: Consistent with the SAP Central approvals, SW Paris Avenue will be built to allow for an intersection mid-block for a future planned street, and the SW Collina Lane and SW Valencia Lane intersection is being designed for the future extension of SW Valencia Lane.

Streets and Master Plan
Subsection 4.125 (.09) A. 1. a. ii.

C9. **Review Criterion:** "All streets shall be developed according to the Master Plan."
Finding: This criterion is satisfied.
Explanation of Finding: All planned streets are planned consistent with the Master Plan and SAP Central approvals.

Street Intersection Angles
Subsection 4.125 (.09) A. 2. a. & b.

C10. **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.
Explanation of Finding: Intersection are designed at right angles or as approved in the SAP Central Circulation plan due to the curvilinear nature of SW Costa Circle West and SW Villebois Drive North.

Street Intersection Offsets
Subsection 4.125 (.09) A. 2. c.

C11. **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.

Explanation of Finding: No intersections proposed violate these offset standards.

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

C12. **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.

Explanation of Finding: All curb extensions shown in the SAP Central Community Elements Book are proposed and provide the 20 foot minimum clearance.

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

C13. **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.

Explanation of Finding: No streets are proposed that would exceed the grades listed in this subsection.

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

C14. **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.

Explanation of Finding: No significant street curves are proposed that would approach the subscribed minimum centerline radius for local streets.

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

C15. **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.
Explanation of Finding: The provision of Section 4.177 are being applied,

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

C16. **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.
Explanation of Finding: Access drives (alleys) will be paved at least 16-feet in width within a 20-foot tract, as shown on the Circulation Plan and be constructed with a hard surface capable of carrying a 23-ton load.

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

C17. **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.
Explanation of Finding: Clear vision areas will be required to be maintained in compliance with the Section 4.177.

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

C18. **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.
Explanation of Finding: Vertical clearance will be required to be maintained in compliance with the Section 4.177.

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

C19. **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: This criterion will be satisfied.
Explanation of Finding: Per Condition of Approval PFA 3 full street improvements for new extensions of Paris Avenue, Collina Lane, and Valencia Lane are required.

Other Villebois Development Standards

Sidewalk and Pathway Standards
Subsection 4.125 (.10)

C20. **Review Criteria:** "The provisions of Section 4.178 shall apply within the Village zone."

Finding: These criteria are satisfied.
Explanation of Finding: Section 4.178 has been deleted and Section 4.154, which replaced it, is being applied.

Landscaping, Screening and Buffering
Subsection 4.125 (.11)

C21. **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.
Explanation of Finding: The appropriate landscaping is provided. The proposed street trees are among the choices provided in the Community Elements Book.

Signage and Wayfinding
Subsection 4.125 (.12)

C22. **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.
Explanation of Finding: Signage will be provided consistent with the SAP Central Signage & Wayfinding Plan.

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

C23. **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.
Explanation of Finding: The Village Center Architectural Standards 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 Village Center Architectural Standards and Community Elements Book, the design of the PDP

will satisfy these criteria. See also Final Development Plan, Request D.

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

C24. **Review Criterion:** "Flag lots are not permitted."
Finding: This criterion is satisfied.
Explanation of Finding: No flag lots are proposed.

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

C25. **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.
Explanation of Finding: The application requests PDP approval for row houses. And open spaces in conformance with the Village Center Architectural Standards and Community Elements Book will assure consistency with the Design Standards of subsection (.14). Compliance with the Village Center Architectural Standards and Community Elements Book is being reviewed as part of Request D, Final Development Plan.

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

C26. **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.
Explanation of Finding: The appropriate landscape plans have been provided. See FDP Plans, Exhibit B3.

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

C27. **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.

Explanation of Finding: One good and one important tree are within the project area, both of which are being preserved and protected.

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

C28. **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.

Explanation of Finding: Compliance with the Village Center Architectural Standards and Community Elements Book is being reviewed as part of Request D, Final Development Plan.

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

C29. **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.

Explanation of Finding: Subsequent Building Permit applications will review proposed buildings for consistency with the criteria of Table V-3. Certain criteria related to materials will be reviewed as part of the review of the Village Center Architectural Standards in Request D.

Preliminary Development Plan Approval Process

PDP Submission Timing
Subsection 4.125 (.18) G. 1. a.

C30. **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.

Explanation of Finding: This PDP addresses Phase 9 on the SAP Central Phasing Plan as

amended with Request B.

Owners' Consent
Subsection 4.125 (.18) G. 1. b.

C31. **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.
Explanation of Finding: This application is made by Fred Gast of Polygon Homes. The PDP application has been signed on behalf of the owner RCS Villebois LLC.

Proper Form & Fees
Subsection 4.125 (.18) G. 1. c.

C32. **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.
Explanation of Finding: The applicant has used the prescribed form and paid the required application fees.

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

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

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

C34. **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.
Explanation of Finding: The proposed PDP includes only residential uses with supporting recreational amenities and utilities.

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

C35. **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.
Explanation of Finding: A preliminary subdivision plat has been submitted concurrently with this request. See Request E.

Zone Map Amendment
Subsection 4.125 (.18) G. 1. g.

C36. **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.
Explanation of Finding: A zone map amendment request has been submitted concurrently with this request. See Request A.

Information Required for PDP
Subsection 4.125 (.18) G. 2. a. – c.

C37. **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.
Explanation of Finding: All of the listed applicable information has been provided. See Exhibits B1 and B2.

Land Area Tabulation
Subsection 4.125 (.18) G. 2. d.

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

Approx. Gross Acreage	3.94 Acres
Parks and Open Space	0.42 Acres
Public Streets	0.61 Acres
Lots and Alleys	2.91 Acres

Net Residential Density: 82 lots / 2.91 Acres = 28.18 units per net acre

Streets, Alleys, and Trees
Subsection 4.125 (.18) G. 2. e.

C39. **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.
Explanation 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. Trees have been identified. See Exhibit B2.

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

C40. **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.
Explanation of Finding: The proposed PDP includes row houses. Being in the Village Center the elevations of all the buildings have been submitted are being reviewed as part of the Final Development Plan, Request D.

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

C41. **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.
Explanation of Finding: A composite utility plan has been provided. See applicant's Sheet 7, Exhibit B2.

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

C42. **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.
Explanation of Finding: The PDP is proposed to be executed in a single phase.

Capital Improvements Security
Subsection 4.125 (.18) G. 2. i.

C43. **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.
Explanation of Finding: The appropriate bond or security will be obtained for issuance of the Public Works Permit.

Traffic Report
Subsection 4.125 (.18) G. 2. j.

C44. **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.
Explanation of Finding: The required traffic report has been provided, and can be found in Section IID of the applicant's notebook, Exhibit B1.

PDP Application Submittal Requirements

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

C45. **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.

Explanation of Finding: The PDP matches SAP Central, as requested to be amended in Request B, and the application includes all of the requested information.

Traffic Report
Subsection 4.125 (.18) H. 2.

C46. **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.

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

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

C47. **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.

Explanation of Finding: The required level of detail has been shown, similar to other PDP's approved throughout Villebois.

Copies of Legal Documents
Subsection 4.125 (.18) H. 4.

C48. **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.
Explanation of Finding: The required legal documents for review have been provided. See Section IIIC in the applicant's notebook, Exhibit B1.

PDP Approval Procedures

PDP Approval Procedures
Subsection 4.125 (.18) I.

C49. **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.
Explanation of Finding: The request is being reviewed according to this subsection.

Refinements Generally

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

C50. **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: As part of the requested PDP the applicant is requesting a number of SAP Refinements. The applicant has provided plan sheets and written information 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 the requested refinement.

Refinement Request Land Use Mix and Density

SAP Refinements: Mix of Land Use/Density
Subsection 4.125 (.18) J. 1. a. iv. and v.

C51. **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." "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 Village Apartments, Urban Apartments, Condos, and Specialty Condos shown in the Master Plan and SAP are in the same aggregate land use category as the proposed row houses. Therefore, there is no significant change to the mix of land uses.

The original SAP Central unit count used for density calculations is 1,010 units reflective of the Figure 1 of the Villebois Village Master Plan. The 1,010 unit count for SAP Central assumed varying percentages of different unit types would be built including: 80.9% for Village Apartments, 86.1% for Condos, 93.5% for row houses, 90% for Urban Apartments, and 97.7% for Specialty Condos. Based on these percentages the number of units for PDP 9 reflective of the original SAP Central unit count table is 134 units. The difference from the proposed 82 units is 52 units. The current SAP unit count, including the proposed PDP 8 Central, in 1,063. The proposed unit count is 1,011 units, 4.89% below the most recent SAP unit count and 0.12% above the original SAP Central unit count. The change is within the 10% cumulative density change allowed from the original SAP approval. The change would result in 2615 units in Villebois, which would continue to exceed the required 2,300 units.

Quantifiable Significance
Subsection 4.125 (.18) J. 1. b. i.

C52. **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: Quantifiable measures related to this refinement include 1. The number of units within the aggregate land use category, which is not changing as both apartments and row houses are in the same aggregate land use category. For density the quantifiable measure is total units. As discussed in Finding C51 the proposed density reduction of units is well below 10% both for this application alone and cumulatively over time for SAP Central.

Qualitative Significance
Subsection 4.125 (.18) J. 1. b. ii.

C53. **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 Findings C54-C59 below, the proposed refinements do not significantly affect land use mix or density in a qualitative sense.

Refinements and Master Plan Implementation-Generally
Subsection 4.125 (.18) J. 2. a.

C54. **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 specific conditions of approval from SAP Central have been identified in relation to the proposed changes so this finding focuses on better or equally meeting the affected goals, policies, and implementation measures of the Villebois Village Master Plan as follows:

Refinements and Master Plan- Range of Living Choices
Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan General Land Use Plan Policy 1

C55. **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." "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."

Finding: These criteria are satisfied.

Details of Finding: The language regarding a wide range of living choices is the portion of the policy relevant to the proposed refinement. A wide range of living choices is fundamental to the diversity of the Villebois neighborhood. The policy of a wide range of living choices has been implemented by a variety of residential land uses indicated on Figure 1-Land Use Plan, and subsequently in SAP and PDP approvals. The residential land uses in Figure 1 are grouped into two aggregate land use categories, with medium-lot single-family and larger in one category and small-lot single family and smaller in the second, including all attached products ranging from apartments to row houses. No differentiation is made between for sale and for rent unit types in description of units. The aggregation of the residential land uses into two categories recognized a need for flexibility over time to respond to various market and other factors. The Master Plan and other implementing language provides limited guidance as to the flexibility of placement of uses within a single aggregate land use category as it relates to the range of living

choices. The guidance provided and historically used in reviewing requests to modify land uses within an aggregate category is the general idea of a transect of residential uses. In the transect the densest residential uses are focused around the piazza in the Village Center with the least dense and largest lots on the edge of the Villebois Village Master Plan area. The transect can be understood from both a pure residential density perspective, but also an urban design perspective.

With the above guidance in mind, a number of conclusions can be made supporting a finding that the proposal equally meets this Master Plan Policy. First, the proposed row houses are a similar density remaining consistent with the general Villebois density transect. For urban design, the proposed buildings continue to provide a variety of linear multi-story buildings along the streets in the Village Center creating a feel of a dense urban location.

Refinements and Master Plan – Wide Variety of Neighborhood Housing
Subsection 4.125 (.18)J.2. a. & Villebois Village Master Plan Residential Neighborhood Housing Policy 1

C56. **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." "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."

Finding: These criteria are satisfied.

Details of Finding: A wide variety of housing options is fundamental to the diversity of the Villebois. Pursuant to the explanation in Finding C55, the proposed row houses are within the same aggregate land use category as land uses they are replacing, have a similar density, and at 2-3 stories with multiple attached units the row house buildings have a similar size and bulk as buildings that would house apartments or condos. Thus by providing a land use choice that is not significantly, as defined by Wilsonville's Code, different than the previously planned apartments the proposal equally contributes the variety of housing the central neighborhood of Villebois. While the diversity of units in the Village Center is decreased, the differentiation of end of middle units continue to provide a variety of variety of unit sizes and price points. The use of multiple architectural styles, the London and the Craftsmen, provide a variety of architectural options.

Refinements and Master Plan -Minimum Density and Unit Count
Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan Residential Neighborhood Housing Policies 3 and 4.

C57. **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." "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 Villebois Village shall accommodate a total of at least 2,300 dwelling units within the boundary of the Villebois Village Master Plan."

Finding: These criteria are satisfied.

Details of Finding: The proposal, together with another proposal for PDP 9 Central being reviewed concurrently, will result in a total Villebois unit count of 2,587 units, or 13.14 units per acre.

Refinements and Master Plan –Mix of Housing Types

Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan Residential Neighborhood Housing Policies 3 and 4.

C58. **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." "The Villebois Village shall provide a mix of housing types within each neighborhood and on each street to the greatest extent practicable."

Finding: These criteria are satisfied.

Details of Finding: A mix of housing types is fundamental to the diversity of the Villebois. However, determining the greatest extent of housing mix practicable is unclear. The Camden Square block was previously planned for Village Apartments, Urban Apartments, and Village Apartments. The Royal Crescent at Villebois block was previously planned for Village Apartments and Condos. The current proposal has a single unit type for both blocks, row houses. However, the proposed row houses do have a variety of units. The end units are different than the middle units. The proposal will thus provide a substantially equal amount of housing mix on the block as previously proposed. The proposed development is adjacent to row houses built by the same developer. However, the proposal provides different architecture with some additional floor plan options.

Refinements and Master Plan –Scale and Design of High Density Housing

Subsection 4.125 (.18) J. 2. a. and Villebois Village Master Plan Residential Neighborhood Housing Policy 9

C59. **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." "Higher density residential uses shall be of a scale and design in keeping with the desired vision for Villebois as expressed in the Villebois Village Concept Plan and in the Policies and Implementation Measures of the Villebois Village Master Plan.

Finding: These criteria are satisfied.

Details of Finding: The scale and design of the proposed row house building are a scale and similar design as apartment and condo. Thus the design equally reflects this master plan policy.

Refinements and Resource Impacts
Subsection 4.125 (.18) J. 2. b.

C60. **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 refinement does not negatively impact any identified environmental or scenic resources.

Refinements Impacting Subsequent PDP's and SAP's Impact
Subsection 4.125 (.18) J. 2. c.

C61. **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 do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

Refinement Request Parks, Trails, and Open Space

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

C62. **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: With the previous plan it was assumed there would be internal landscaping and pedestrian circulation. With the row house proposal the open space and pathways will be owned by the HOA with a public access easement adding to the list of parks and open spaces available to the public in Villebois.

Quantifiable Significance
Subsection 4.125 (.18) J. 1. b. i.

C63. **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 quantifiable measures related to this refinement include the number of parks and open spaces as well as the park and open space acreage and number of amenities, all of which are increasing, thus not creating a significant, or any reduction, as it relates to the refinement criteria.

Qualitative Significance
Subsection 4.125 (.18) J. 1. b. ii.

C64. **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 C65 below, the proposed refinements do not significantly affect parks in a qualitative sense.

Refinements and Master Plan Implementation-Generally
Subsection 4.125 (.18) J. 2. a.

C65. **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: All the related goals, policies, and implementation measures are better met by increasing the recreational opportunities in the community.

Refinements and Resource Impacts
Subsection 4.125 (.18) J. 2. b.

C66. **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 refinement does not negatively impact any identified environmental or scenic resources.

Refinements Impacting Subsequent PDP's and SAP's Impact
Subsection 4.125 (.18) J. 2. c.

C67. **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 do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

Refinement Request Utilities and Storm Water Facilities

SAP Refinements: Utilities and Storm Water
Subsection 4.125 (.18) J. 1. a. iii.

C68. **Review Criteria:** "Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility."
Finding: These criteria are satisfied.
Details of Finding: Water, sanitary sewer, and storm sewer pipelines as well as storm water facilities have been modified from the SAP approvals to best serve the proposed development. The pipelines and facilities have been designed by a professional engineer and are being reviewed by the City that they meet all related service level and other requirements to adequate serve the development.

Quantifiable Significance
Subsection 4.125 (.18) J. 1. b. i.

C69. **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 quantifiable measures relate to service levels. All service level standards will be fully met by the proposed pipelines and facilities thus not producing a significant change.

Qualitative Significance
Subsection 4.125 (.18) J. 1. b. ii.

C70. **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 C71 below, the proposed refinements do not significantly affect utilities and stormwater in a qualitative sense.

Refinements and Master Plan Implementation-Generally
Subsection 4.125 (.18) J. 2. a.

C71. **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: As all service levels and other requirements will be met, all the related goals, policies, and implementation measures are equally or better met.

Refinements and Resource Impacts
Subsection 4.125 (.18) J. 2. b.

C72. **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 refinement does not negatively impact any identified environmental or scenic resources.

Refinements Impacting Subsequent PDP's and SAP's Impact
Subsection 4.125 (.18) J. 2. c.

C73. **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 do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

PDP Approval Criteria

Standards of Section 4.125
Subsection 4.125 (.18) K. 1. a.

C74. **Review Criteria:** "Is consistent with the standards identified in this section."
Finding: These criteria are satisfied.
Explanation of Finding: As shown elsewhere in this request, the proposed Preliminary Development Plan is consistent with the standards of Section 4.125.

Planning and Land Development Ordinance
Subsection 4.125 (.18) K. 1. b.

C75. **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.
Explanation of Finding: Findings are provided showing compliance with applicable standards of the Planning and Land Development Ordinance. Specifically Findings C57

through C59 address Subsections 4.140 (.09) J. 1. through 3.

Approved SAP Consistency
Subsection 4.125 (.18) K. 1. c.

C76. **Review Criterion:** "Is consistent with the approved Specific Area Plan in which it is located."
Finding: This criterion is satisfied.
Explanation of Finding: The requested PDP approval is consistent with the SAP, as requested to be amended by Request B.

Pattern Book Consistency
Subsection 4.125 (.18) K. 1. d.

C77. **Review Criterion:** "Is consistent with the approved Pattern Book and, where required, the approved Village Center Architectural Standards."
Finding: This criterion is satisfied.
Explanation of Finding: The proposed row houses are subject to the Village Center Architectural Standards, consistency with which is being reviewed as part of Request D, Final Development Plan.

Reasonable Phasing Schedule
Subsection 4.125 (.18) K. 2.

C78. **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.
Explanation of Finding: The PDP will be completed in a single phase.

Parks Concurrency
Subsection 4.125 (.18) K. 3.

C79. **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 PDC 2.
Explanation of Finding: All private open space requirements are required to be completed prior to occupancy of 50% of the dwelling units.

DRB Conditions
Subsection 4.125 (.18) K. 5.

C80. **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.

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

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:"

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

C81. **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.

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

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

C82. **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.

Explanation 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 SAP Central, as requested to be amended in Request B. A copy of the Traffic Impact Analysis is included in Section IID of the applicant's notebook, Exhibit B1.

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

C83. **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.
Explanation of Finding: As shown in the Utility and Drainage Report, Section IIC of the applicant's notebook, Exhibit B1, and the applicant's Composite Utility Plan, Sheet 7 of Exhibit B2, adequate or immediately planned facilities and services are sufficient to serve the planned development.

On-site Pedestrian Access and Circulation

Continuous Pathway System
Subsection 4.154 (.01) B. 1.

C84. **Review Criterion:** "A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable."
Finding: This criterion.
Explanation of Finding: A pedestrian pathway system is provided connecting through and around the development. Internal walkway connect to the sidewalk system which connects to the entire Villebois pedestrian network.

Safe, Direct, Convenient Pathways
Subsection 4.154 (.01) B. 2.

C85. **Review Criteria:** "Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:

a. Pedestrian pathways are designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.
b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations, which do not involve a significant amount of unnecessary out-of-direction travel.
c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.
d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.)."

Finding: These criteria are satisfied.
Explanation of Finding: The pathways will be smooth and consistent surface and will be free from hazards. The pathways provide direct paths midblock and for circulation

around the interior of the block. Pathways will be required to meet ADA, as necessary, through the building permits.

Vehicle/Pathway Separation
Subsection 4.154 (.01) B. 3.

C86. **Review Criterion:** "Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards."
Finding: This criterion is satisfied.
Explanation of Finding: All pathways are separated from vehicle circulation areas.

Crosswalks
Subsection 4.154 (.01) B. 4.

C87. **Review Criterion:** "Where a pathway crosses a parking area or driveway, it shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast)."
Finding: This criterion does not apply.
Explanation of Finding: Where pathways cross the alleys concrete inlays are provided between the asphalt.

Pathway Width and Surface
Subsection 4.154 (.01) B. 5.

C88. **Review Criteria:** "Primary pathways shall be constructed of concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA."
Finding: These criteria will be satisfied
Explanation of Finding: The public sidewalks and proposed internal pathways are concrete 5' wide or greater.

Signs for Pathways
Subsection 4.154 (.01) B. 6.

C89. **Review Criteria:** "All pathways shall be clearly marked with appropriate standard signs."
Finding: These criteria do not apply.
Explanation of Finding: No signs are proposed or required in relation to the temporary pathway.

Protection of Natural Features & Other Resources

General Terrain Preparation
Subsection 4.171 (.02)

C90. 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.

Explanation of Finding: The PDP matches the SAP Central approvals, as requested to be amended in Request B and found to meet the requirements of this subsection.

Hillsides
Subsection 4.171 (.03)

C91. Review Criterion: "Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:"

Finding: This criterion does not apply.

Explanation of Finding: No development is proposed on such slopes.

Trees and Wooded Area
Subsection 4.171 (.04)

C92. 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.

Explanation of Finding: Trees are being preserved where practicable, including in the right-to-way for SW Paris Avenue and SW Collina Lane.

High Voltage Power Lines
Subsection 4.171 (.05)

C93. **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.

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

Safety Hazards
Subsection 4.171 (.06)

C94. **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.

Explanation of Finding: The applicant states that development of the subject area will

occur in a manner that minimizes potential hazards to safety.

Earth Movement Hazard Areas
Subsection 4.171 (.07)

C95. **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.

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

Soil Hazard Areas
Subsection 4.171 (.08)

C96. **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.

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

Historic Resource Protection
Subsection 4.171 (.09)

C97. **Review Criteria:** This subsection establishes requirements for protection of historic resources.

Finding: This criterion is satisfied.

Explanation of Finding: The PDP matches the SAP Central approvals, as requested to be amended in Request B and found to meet the requirements of this subsection.

Other General Development Standards

Landscaping, Screening, and Buffering
Section 4.176

C98. **Review Criteria:** This section establishes landscape, screening, and buffering requirements for development within the City.

Finding: These criteria are satisfied.

Explanation 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 park and linear green areas will be reviewed with Request D, Final Development Plan.

Street Improvement Standards-Generally

Conformance with Standards and Plan
Subsection 4.177 (.01)

C99. **Review Criteria:** "Development and related public facility improvements shall comply with the standards in this section, the Wilsonville Public Works Standards, and the Transportation System Plan,"

Finding: These criteria are satisfied.

Details of Finding: As shown in the findings below the standards of Section 4.177 are being applied to the proposed public improvements. The proposed improvements appear to meet or be able to meet Public Works Standards. The Engineering Division will issue a Public Works Permit prior to construction and inspect during construction ensuring the Public Works Standards are met. The streets are being developed consistent with the Villebois Village Master Plan and the thus the TSP.

Rough Proportionality
Subsection 4.177 (.01)

C100. **Review Criteria:** This subsection establishes public facility improvements required shall be in rough proportion to the potential impacts of the development.

Finding: These criteria are satisfied.

Details of Finding: It is understood the developer will be responsible for half-street improvements adjacent to the subject properties. The exact finances and funding of the improvements are subject to agreement between the developer and the City.

Timing of Street Improvements
Subsection 4.177 (.01)

C101. **Review Criteria:** "Such improvements shall be constructed at the time of development or as provided by Section 4.140, except as modified or waived by the City Engineer for reasons of safety or traffic operations."

Finding: These criteria are satisfied.

Details of Finding: Street improvements will be constructed prior to or concurrently with the proposed private improvements.

Street Improvement Standards-Adjoining Property Connectivity

Streets and Adjoining Properties
Subsection 4.177 (.02) A.

C102. **Review Criteria:** "All street improvements and intersections shall provide for the continuation of streets through specific developments to adjoining properties or subdivisions."

Finding: These criteria are satisfied.

Details of Finding: All future street connectivity is provided for as indicated in the Villebois Village Master Plan and SAP Central Approvals

Street Improvement Standards-Right-of-Way

Right-of-Way Dedication
Subsection 4.177 (.02) C. 1.

C103. **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 Transportation System Plan. All dedications shall be recorded with the County Assessor's Office."

Finding: These criteria are satisfied.

Details of Finding: Right-of-way dedication is proposed as part of the Tentative Subdivision Plat. Other adjacent right-of-way dedication for SW Paris Avenue, SW Collina Lane, and SW Valencia Lane is also being provided separate from the current proposal for allow for the construction of the full street.

Waiver of Remonstrance Against Formation of Local Improvement District
Subsection 4.177 (.02) C. 2.

C104. **Review Criterion:** "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."

Finding: This criterion will be satisfied by Condition of Approval PDC 5.

Details of Finding: The Condition of Approval requires the waiver of remonstrance.

Arterial Street Setbacks
Subsection 4.177 (.02) C. 3.

C105. **Review Criteria:** "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: The Transportation Systems Plan does not show any arterial streets adjacent to the site.

Street Improvement Standards-Clearance

Corner Vision Clearance
Subsection 4.177 (.02) E.

C106. **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 a. through e.
Finding: These criteria are satisfied.
Details of Finding: Clear vision clearance appears to be provided, and will further be reviewed as part of the Public Works Permit plan review.

Vertical Clearance
Subsection 4.177 (.02) F.

C107. **Review Criteria:** "Vertical clearance - a minimum clearance of 12 feet above the pavement surface shall be maintained over all streets and access drives."
Finding: These criteria are satisfied.
Details of Finding: Nothing in the proposal would prevent the minimum vertical clearance from being provided.

Street Improvement Standards- Interim Improvements

Interim Improvement Standards
Subsection 4.177 (.02) G.

C108. **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 Development Review Board, the following interim standards shall apply." Listed 1 through 3 including asphalt overlays, half-street improvements, and single-asphalt lifts.
Finding: These criteria are satisfied.
Details of Finding: Per Condition of Approval PFA 3 full street improvements are being required for the new extensions of Paris Avenue, Collina Lane, and Valencia Lane.

Street Improvement Standards-Sidewalks

Sidewalks Required
Subsection 4.177 (.03)

C109. **Review Criteria:** "Sidewalks shall be provided on the public street frontage of all development. Sidewalks shall generally be constructed within the dedicated public right-of-way, but may be located outside of the right-of-way within a public easement with the approval of the City Engineer."

Finding: These criteria are satisfied.
Details of Finding: Sidewalks are propoased within the street right-of-way adjacent to the proposed development.

Through Zone
Subsection 4.177 (.03) A.

C110. **Review Criteria:** "Sidewalk widths shall include a minimum through zone of at least five feet. The through zone may be reduced pursuant to variance procedures in Section 4.196, a waiver pursuant to Section 4.118, or by authority of the City Engineer for reasons of traffic operations, efficiency, or safety."
Finding: These criteria are satisfied.
Details of Finding: Planned sidewalks have a through zone of 5 feet.

Sidewalks on One Side
Subsection 4.177 (.03) B.

C111. **Review Criteria:** "Within a Planned Development, the Development Review Board may approve a sidewalk on only one side. If the sidewalk is permitted on just one side of the street, the owners will be required to sign an agreement to an assessment in the future to construct the other sidewalk if the City Council decides it is necessary."
Finding: These criteria are satisfied.
Details of Finding: Sidewalks are planned on both sides of the streets.

Street Improvement Standards-Bicycle Facilities and Multiuse Paths

Bicycle Facilities and TSP
Subsection 4.177 (.04)

C112. **Review Criteria:** "Bicycle facilities shall be provided to implement the Transportation System Plan, and may include on-street and off-street bike lanes, shared lanes, bike boulevards, and cycle tracks. The design of on-street bicycle facilities will vary according to the functional classification and the average daily traffic of the facility."
Finding: These criteria are satisfied.
Details of Finding: No additional bike facilities are called for in this phase of Villebois. However, a new bike ped mid-block off-street crossing is provided in Camden Square.

Street Pathway Relationship
Subsection 4.177 (.05)

C113. **Review Criteria:** "Pathways may be in addition to, or in lieu of, a public street. Paths that are in addition to a public street shall generally run parallel to that street, and shall be designed in accordance with the Public Works Standards or as specified by the City Engineer. Paths that are in lieu of a public street shall be considered in areas only where no other public street connection options are feasible, and are subject to the following standards."

Finding: These criteria are satisfied.

Details of Finding: The proposed bike-ped path is in addition to other planned streets and bike facilities.

Direct Pathway Connections
Subsection 4.177 (.05) A.

C114. **Review Criteria:** "Paths shall be located to provide a reasonably direct connection between likely pedestrian and bicyclist destinations. Additional standards relating to entry points, maximum length, visibility, and path lighting are provided in the Public Works Standards."

Finding: These criteria are satisfied.

Details of Finding: The proposed mid-block pathway between SW Paris Avenue and SW Orleans Avenue provides a beneficial link between the Piazza and Montague Park.

Pathway Dedication and Easements
Subsection 4.177 (.05) B.

C115. **Review Criteria:** "To ensure ongoing access to and maintenance of pedestrian/bicycle paths, the City Engineer will require dedication of the path to the public and acceptance of the path by the City as public right-of-way; or creation of a public access easement over the path."

Finding: These criteria are satisfied.

Details of Finding: The proposed mid-block pathway will have a public access easement over it.

Street Improvements Standards- Access Drives and Driveways

Clear Travel Lane
Subsection 4.177 (.08) A.

C116. **Review Criteria:** "An access drive to any proposed development shall be designed to provide a clear travel lane free from any obstructions."

Finding: These criteria are satisfied.

Details of Finding: The alleys are designed to provide a clear travel lane.

Travel Lane Load Capacity
Subsection 4.177 (.08) B.

C117. **Review Criteria:** "Access drive travel lanes shall be constructed with a hard surface capable of carrying a 23-ton load."

Finding: These criteria are satisfied.

Details of Finding: The proposed alleys will be built to carry a 23-ton load.

Emergency Vehicle Access
Subsection 4.177 (.08) C.

C118. **Review Criteria:** "Where emergency vehicle access is required, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider."
Finding: These criteria are satisfied.
Details of Finding: Emergency access is provided consistent with access elsewhere in Villebois.

Emergency Access Lanes
Subsection 4.177 (.08) D.

C119. **Review Criteria:** "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."
Finding: These criteria are satisfied.
Details of Finding: The alleys exceed the 12 foot width and will be paved. All alleys will be in dedicated public access easements which include emergency access.

No On-street Vehicle Stacking
Subsection 4.177 (.08) I.

C120. **Review Criteria:** "Driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street."
Finding: These criteria are satisfied.
Details of Finding: The alley design is sufficient to allow access to the individual homes without stacking extending into the public right-of-way.

Limiting Driveway Width
Subsection 4.177 (.08) K.

C121. **Review Criteria:** "Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians."
Finding: These criteria are satisfied.
Details of Finding: The alley access points are the standard width as built through Villebois and are the minimum to accommodate the approved alley cross section for Villebois.

Pedestrian Safety Features
Subsection 4.177 (.08) L.

C122. **Review Criteria:** "As it deems necessary for pedestrian safety, the City, in consultation with the roadway authority, may require traffic-calming features, such as speed tables,

textured driveway surfaces, curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site."

Finding: These criteria are satisfied.

Details of Finding: Pedestrian safety features, including curb extensions, have been incorporated into the Villebois Master Plan and SAP Approvals. All curb extensions are provided consistent with the SAP Central Community Elements Book. Consistent with Section 4.154 concrete inlays are provided in the asphalt to delineate crosswalks both across public streets and across alleys.

Driveway Alignment
Subsection 4.177 (.08) P.

C123. **Review Criteria:** "Unless constrained by topography, natural resources, rail lines, freeways, existing or planned or approved development, or easements or covenants, driveways proposed as part of a residential or mixed-use development shall meet local street spacing standards and shall be constructed to align with existing or planned streets, if the driveway. 1. Intersects with a public street that is controlled, or is to be controlled in the planning period, by a traffic signal; 2. Intersects with an existing or planned arterial or collector street; or 3. Would be an extension of an existing or planned local street, or of another major driveway."

Finding: These criteria are satisfied.

Details of Finding: No streets or major driveways exist requiring particular alignment of alleys.

Street Improvement Standards- Intersection Spacing

Driveway Alignment
Subsection 4.177 (.09) A.

C124. **Review Criteria:** "Unless constrained by topography, natural resources, rail lines, freeways, existing or planned or approved development, or easements or covenants, driveways proposed as part of a residential or mixed-use development shall meet local street spacing standards and shall be constructed to align with existing or planned streets, if the driveway. 1. Intersects with a public street that is controlled, or is to be controlled in the planning period, by a traffic signal; 2. Intersects with an existing or planned arterial or collector street; or 3. Would be an extension of an existing or planned local street, or of another major driveway."

Finding: These criteria are satisfied.

Details of Finding: Intersection spacing is as approved in the Villebois Village Master Plan and SAP Central approval documents.

Request D: DB15-0071 Final Development Plan

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

Final Development Plans

FDP Approval Procedure
Subsection 4.125 (.18) L.

D1. **Review Criteria:** This subsection establishes the procedure for review of Final Development Plans in the Village Zone including being filed for the entire FDP, be filed within 2 years of the PDP, be signed by the property owners of all affected properties, be filed an the approved City form, and have a professional coordinator and design team.
Finding: These criteria are satisfied.
Explanation of Finding: The application is for row houses in the Village Center which require FDP review. The FDP has been filed for the entire seven lot development. The FDP has been filed concurrently with the PDP request. See Request C. Signatures have been obtained from the owner. The applications where submitted with the appropriate City form. Stacy Connery AICP with Pacific Community Design is the professional coordinator for a professional design team.

FDP Submittal Requirements, Approval Procedures and Criteria
Subsection 4.125 (.18) M. and N. and P. 1.

D2. **Review Criteria:** These subsections establish the submittal requirements and approval procedures for Final Development Plan Review. Subsections N. and P. 2. state Final Development Plans are subject Section 4.421.
Finding: These criteria are satisfied.
Explanation of Finding: The applicant has submitted the applicable materials listed in Section 4.034 and the application is being reviewed against the criteria of Section 4.421. See Findings D19 through D22 below.

Community Elements Book
Village Center Architectural Standards (VCAS)
Subsection 4.125 (.18) P. 2.

D3. **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.
Explanation of Finding: With a location in the Village Center as shown in Figure 2a of the Villebois Village Master Plan Camden Square and Royal Crescent at Villebois are subject to the Community Elements Book and Village Center Architectural Standards, with the Villebois Drive address applying to the Villebois Drive frontage of Camden Square, and comply as follows

Community Elements Book:

Applicable Requirement	**Requirement Met?**	**Notes**
Street Lighting	☒	Street lighting is being required consistent with the Master Plan while using updated LED lighting technology. See Condition of Approval PFA 6.
Curb Extensions	☒	Will be developed with curb extensions shown on Curb Extension Concept Plan.
Street Trees	☒	Location and species of street trees shown on the attached plans are consistent with the Master Plan.
Landscape Elements-Site Furnishings	☐	No furnishings such as benches, tables, or trash cans are proposed.
Tree Protection	☒	Trees will be protected as required by the City. See Request F.
Plant List	☒	All plant materials listed on page L1 of Exhibit B3 are on the Villebois plant list or approved by the City. prohibited plants are proposed

Village Center Architectural Standards

Standard	**Standard Met?**	**Notes**
1.2 Building Height & Roof Form		
Required Standards		
1) Max. Building Height according to Table V-1	☒	Height less than the 45' allowed in Table V-1
2) Addresses have other height limitations	☒	Structures along Villebois Drive are within the height allowance for the Villebois Drive address.
3) Building height measured as defined in 4.001.	☒	Building measured correctly
4) Rooftop equipment screened from current and future taller buildings	☒	No rooftop equipment proposed
5) At least 2 roof garden in SAP Central	☐	No rooftop gardens proposed, more appropriate for other building types in SAP Central
Optional Standards:		
6) Buildings encouraged to reach max. allowable height	☐	The applicant has chosen not to build to the maximum height of 45', but the buildings are 3 stories tall.
7) Minimize shading of public	☐	The shading from the buildings will

and private outdoor areas during mid-day		be typical of other row houses.
2.1 Vertical Façade Articulation for All Mixed Use Buildings		Building not mixed use
1.3 Horizontal Façade Articulation		
Required		
1) Horizontal Facades articulated into smaller units using two or more of the following: change of materials, change of color, façade planes that are vertical in proportion, bays and recesses, breaks in roof elevation.	☒	Façade planes vertical in proportion and include bays and recesses, and breaks in roof elevation.
2) Incorporate features such as offsets, projections, reveals, and similar elements to preclude large expanses of uninterrupted building surfaces.	☒	Projections, porches, and other elements prevent large expanses of uninterrupted building surfaces.
Optional		
3) Articulation should extend to the roof	☒	Articulation, including the break between buildings and architectural detail, extends to the roof where appropriate for the craftsmen style.
3.1 Exterior Building Materials & Color		
Required		
1) Visually heavier and more massive materials at base when multiple materials used.	☒	Heavier brick material is at the base of the craftsmen style. The more massive stucco is at the base of the London style.
2) Bright, intense colors reserved for accent trim	☒	While a variety of colors are use they are not intense.
3) Bright colors not used for commercial purposes	☒	Bright colors are not being used for commercial purposes
4) Concrete block shall be split-faced, ground-faced, or scored when facing street or public way. Discouraged around the plaza.	☒	Concrete block is not being used.
5) Exteriors constructed of durable and maintainable materials with texture, pattern, or lend themselves to quality detailing.	☒	The brick, cement fiber siding, and roof materials are all durable and easy to maintain and allow for detailing.

Optional		
6) Exterior materials have an integral color, patterning, and/or texture	☒	The exterior materials have integral color, patterning, or texture.
7) Sustainable building materials and practices are strongly encouraged	☒	The builder will participate in the Portland General Electric Earth Advantage program.
3.2 Architectural Character		
Required		
1) A definitive, consistent Architectural Character. All primary facades consistent with Architectural Character	☒	The row houses have a consistent London and American Modern (Craftsman) architectural character and create diversity with that character.
2) No mixing of Architectural Styles	☒	Each building is consistently in a single style.
3) Secondary facades incorporate primary façade features over 25% of wall length	☒	Materials including lap siding as well as windows with trim extend on all facades.
4) All visible sides have a similar level of quality and visual interest	☒	A majority of the detailing and materials wrap around to the street facing side elevations of the building. Materials and details included on the front elevations such as finishes, trim, and window patterns are incorporated into the side elevations.
5) Accessory buildings designed and integrated into primary building	☐	No accessory buildings are proposed
6) Applicants encouraged to consult an architect or architectural historian regarding appropriate elements of architectural style	☒	The buildings have been designed by Milbrandt Architects, Inc., P.S.
7) If not in an address, elevations not repeated on adjacent blocks	☒	Except for the row houses on Villebois Drive, the row houses are not within an Address. The non-Villebois Drive row houses do not repeat an elevation found on an adjacent block.
3.3 Ground Level Building Components		
Required		
1) Building setbacks and frontage widths as required by Table V-1	☒	The row houses meet the required setbacks, including the 5' front setback, established by Table V-1
2) Retail orientation towards street	☐	Not applicable

3) Differentiating entrances for mixed use buildings	☐	Not applicable
4) Entries have weatherproof roof covering appropriately sized but at least 4 feet deep and 4 feet wide	☒	Weatherproof covering provided by proposed front porches and entrances at least 4' by 4'
5) Any building lighting, is indirect or shielded	☒	Lighting is shielded, typical porch light lighting.
6) Parking structures screened using at least two of the following: residential or commercial uses, decorative grill work, decorative artwork, vegetation	☐	Not applicable, no parking structure proposed
7) Plaza address mixed-use buildings have canopy or awning	☐	Not applicable
8) Reflective, heavily tinted, or other sight obscuring glass discouraged	☒	Proposed glass is not reflective, heavily tinted or otherwise sign obscuring.
9) Landscaping or other screening provided when parking is between buildings and the street	☒	Not applicable
Optional		
10) Create indoor/outdoor relationships	☒	Large windows and porches help create an indoor/outdoor relationship.
11) Canopies and Awnings primary function is weather protection	☐	Not applicable
4.1 Façade Components		
Required		
1) Windows and doors recessed 3 inches for shadowing or incorporate shutters (appear operable and sized for window), railing, and/or visible or substantial trim (contrasting material, color, or creates shadowing.)	☒	Windows and doors have substantial trim which helps create shadowing.
2) Balconies extend no more than 36"	☐	Not applicable, none proposed on front elevations.
3) Shutters sized to appear operable at window and door openings	☐	Not applicable, none proposed.
4) Except in the plaza address, balconies shall be	☒	Second level decks on the rear façade will be at least 5 feet deep

at least 5 feet deep		
Optional		
4) (*Note: Duplicate numbers in published VCAS*) Individual windows square or vertical in proportion. An assembly of windows have horizontal proportion	☒	All individual windows are square or vertical in proportion.
5) Materials changes occur at a horizontal line or at inside corner of two vertical planes.	☒	Materials change at horizontal lines or corners
6) Every residential unit have outdoor living space.	☒	All units have front porches or courtyards and rear decks.
7) Expression of rainwater path	☐	Not applicable
8) Building fronts uneven angles to accommodate shape of street	☐	Not applicable
9) Wide opening windows	☐	The applicant has not indicated details of window opening (optional)
10) Discourage use of high window sills	☒	High window sills are not used
11) Finishing touches and ornament	☒	The use of finishing touches and ornamentation is provided.
5.1 Fencing		
Required		
1) See all applicable sections of the Village Zone, including but not limited to Section 4.125(.14) Table V-4 Permitted Materials and Configurations and Section 4.125 (.05) D. Fences	☒	Proposed fencing is shown on attached plans and will be constructed of materials consistent with Table V-3, which applies to row houses.
2) The following fencing requirements apply to all fences and walls located between rights-of-way and building lines.	☒	Proposed fencing will comply.
3) See Address overlay sections for additional requirements.	☒	Any additional address overlay requirements are being applied.
4) Except where specifically required by Address overlays, fences are optional. Less fencing than the maximum allowable is allowed.	☒	Any additional address overlay requirements are being applied.
5) Fencing shall be consistent with the Architectural	☒	The courtyard fencing on the London style row houses is a design

Character of adjacent buildings, See Architectural Character, this section.		consistent with the architectural style.
6) Fencing controlling access to a courtyard, outdoor lobby, or other public entries shall be greater than 50% transparent.	☒	Project does not include public entry spaces.
7) Fencing located within the first 2'0" setback from right-of-ways shall be greater than 50% transparent.	☒	Proposed fencing located within the first 2'-0" setback from rights-of-ways will be greater than 50% transparent.
8) Fencing located within interior side yards or separating buildings on the same lot shall be offset 4'0" or greater behind the adjacent front building line.	☐	No such fencing is proposed.
9) Posts, pilasters, columns, or bollards may extend an additional 8" above the maximum height of any allowed fencing.	☒	The courtyard posts for London style homes will not extend more than 8" above the fence.
10) Fencing may not change height at corners. They must level top surfaces and transition at posts to maintain height as required by changes in grade elevation.	☒	Fence height is consistent for the proposed courtyard fencing.
11) Loading facilities, trash enclosures, and ground-level mechanical and utility equipment: These facilities shall be sited at the rear or side of buildings wherever practicable, and shall be screened where visible from the street. Screening shall match the adjacent development in terms of quality of materials and design. Such screening shall minimize light glare and noise levels affecting adjacent residential uses.	☐	No such fencing is proposed.
Optional		
12) Fencing is encouraged to be consistent with building railing at balconies, decks,	☒	London style row houses do not include building railing at balconies, decks, or porches on front or side

porches, etc.		elevations within the same view shed as the courtyard fencing.
Villebois Drive Address		
Applies to 2 Camden Square Row House buildings (4-plexes) facing Villebois Drive		
2.1 Building Types		
The Building Types, per Table V-1: Development Standards (Village Zone), shall be Multi-Family Dwellings-Village Center or Row House-Village Center. This does not exclude mixed use building programs. Row houses may be detached or attached.	☐	Attached row houses are proposed within the Villebois Drive Address.
2.2 Building Height and Roof Form		
Required:		
1) In addition to the Maximum Building Height as required in Table V-1: Development Standards (Village Zone), this address shall have a minimum building height of two stories	☒	The proposed row houses are 3 stories exceeding the minimum standard, but within the maximum.
2) Roof forms: All buildings shall have one or more of the following roof forms: a) Flat or low-slope roof with parapet; or b) Sloped principal roof with 4:12 or greater pitch.	☒	All building have appropriate roof forms approved by the City's consultant architect, Steve Coyle.
Optional:		
3) Roofs are encouraged to have dormers, chimneys, fight monitors, and similar roof components to add visual interest.	☐	Roofs are varied to provide visual interest, but do not have the roof components listed
4) Variations on the Plaza Address roof forms are encouraged.	☒	Future development will allow for a variety of roof forms.
5) A variety of roof heights and configurations are encouraged	☒	Future development will allow for a variety of roof heights.
Horizontal Façade Articulation		
Required:		
1) Horizontal Articulation: Horizontal facades longer than 60 feet shall be articulated into smaller units. At least two of the	☒	The portion of the Camden Square development along Villebois Drive includes two row house buildings exceeding 60 feet in length. The buildings incorporate a change in

following methods of horizontal articulation shall be employed: a) Change of material; b) Change of color, texture, or pattern of similar material; c) Major façade planes than are vertical in proportion; d) Bays and recesses at least 8 feet wide and no more than 25 feet wide and at least 3 feet in depth; e) Breaks in roof elevations (height) of 2 feet or greater in height; and/or f) Unique storefront design for each tenant, including change of material, color, and glazing patterns.		color for each unit and the end units have major vertical façade planes that bump out from the primary façade plane.
2.4 Exterior Building Materials		
Required:		
1) The requirements of this Section supersede Table V-4 Permitted Materials and Configurations (Village Zone)	☒	The applicability of this section over Table V-4 is understood.
2) At least 30 percent of each building façade to which these standards apply shall be finished in one or more of the following materials: a) Brick, stone, or cast stone; b) Stucco or plaster c) Poured-in-place concrete, or pre-cast concrete veneer, and/or d) Metal panel systems.	☒	A majority of each façade in the public view shed is brick or stucco.
3) The additional following materials may be used up to the remaining percentage of each façade: a) Wood; b) Cellulose fiber-reinforced cement product	☒	Cellulose fiber-reinforced cement product is used on the remainder of the side elevations not otherwise covered with brick and stucco.

c) Rock, glass block, tile, and/or; d) Concrete block: split façade, ground façade, or scored		
4) The percentage calculation applies only to the facades facing a public or private street	☒	The application of the material requirements have been limited to those facades facing the street.
5) Doors and windows and their associated trim shall be excluded from the percentage calculation	☒	Doors and windows have been excluded as from the calculation as described
6) Glass shall have less than 20 percent reflectance	☒	Glass will not exceed 20% reflectance.
3.1 Ground Level Building Components		
Required:		
1) The ground level of multi-family or mixed-use buildings (excluding common entries and other spaces necessary to the function of the building) shall be Flex Space, meeting the following requirements. (listed a through c)	☒	Multi-family or mixed-use buildings are not proposed.
2) Ground level residential units shall utilize buffering elements between private zones and the public right-of-way. Strategies include, but are not limited to: gated fences, planter walls, change of paving materials, recessed entries, and landscaping.	☒	Gated courtyard fencing and recessed entries are proposed on the London style row houses along Villebois Drive.
Optional:		
3) Row Houses do not have to meet the requirements of Flex Space, above. However, Live/Work unit configurations are encouraged.	☒	All proposed London style row houses have a ground floor entry at street level and the ground floor has a room separate from the rest of the living space that could be used as a work space or office.
4) Building construction should take into account fire separations, sprinklers, and other requirements for mixed-use buildings.	☐	Mixed-use buildings are not proposed.
Courtyard Address		

Applies to 1 Camden Square Row House building (3-plex) facing Paris Avenue at the future intersection with SW Campanile Lane.☐		
2.1 Building Types		
Required:		
1) Maximum Building Height for new buildings shall be 40 feet	☒	The proposed building is less than 40 feet.
2) Maximum Building Height for existing buildings, plus any new construction levels, shall be 60 feet	☐	Existing buildings no longer are present.
3) The roof form of all new buildings and new levels shall be a flat, low slope, or shed roof with a parapet or substantial overhang.	☒	The London style row house have low slopping roofs.
Optional:		
4) Building facades in a set of row houses are encouraged to be similar in height.	☒	The row houses along SW Paris Avenue in Camden square are all the same height.
5) Roof gardens, "green-roofs", and roof trellises are encouraged.	☐	Not proposed.
2.3 Horizontal Façade Articulation		
Required:		
1) The southeast (new construction) Address length shall be broken into at least two building masses with a public pedestrian connection between Villebois Drive and the Courtyard. The pedestrian connection shall align with the center of Building C. The pedestrian connection shall be consistent with the Courtyard streetscape character as described in the Community Elements Plan.	☐	The southeast Address length is not part of the proposed development.
2) Horizontal Articulation: Horizontal facades shall be articulated into smaller units. At least two of the following methods of horizontal articulation shall be employed:	☒	Façade planes are vertical in proportion. Outcroppings provided.

a) Change of material (at inside corner or with a reveal) b) Change of color, texture, or pattern of similar materials c) Major façade planes that are vertical in proportion d) Bays and recesses at least 8 feet wide and no more than 25 feet wide and at least 3 feet in depth e) Breaks in roof elevation (height) or 2 feet or greater in height f) Individual entries, bays, and/or recesses for each dwelling unit; and g) Reveal between major façade planes.		
Optional:		
3) Articulation should extend to the roof.	☒	Articulation extends to the roof level.
Vertical Façade Articulation		
Required:		
1) Differentiation of Building's Base: Building facades shall express a vertical division between stacked units. For example, a two-story townhouse on the second and third floors should have substantially different character than the ground level unit. Both of the following methods of horizontal articulation shall be incorporated: a) Change of material occurring at or near the floor level of transition; and b) Setback of 5 feet or greater located at or near the demising floor level. The setback shall occur along at least 60% of the façade length. The setback	☐	No stacked units are proposed as existing buildings no longer are present.

requirement is only for the street facing façade.		
Optional:		
2) Use of the required upper unit setback for outdoor space is strongly encouraged.	☐	No stacked units are proposed as existing buildings no longer are present.
3) Differentiation of base may vary in height and setback depth. The purpose is not to create a regular rigid solution but rather to break up the mass in creative ways.	☒	A different material is proposed at the base of the building.
4.1 Exterior Building Materials		
Required:		
1) The requirements of this Section supersede Table V-4: Permitted Materials and Configurations (Village Zone).	☒	The applicability of this section is understood.
2) For the new construction length of the Address, the first floor (min.) shall have vertical walls (excluding doors and windows) finished in material compatible in color and texture to the material used on the existing buildings.	☐	Existing buildings no longer are present, therefore there are not materials to match.
3) Wood or simulated wood railing or fencing is prohibited.	☐	No wood railings or fencing is proposed.
Optional:		
4) For this Address in particular, unique materials and innovative use of materials is encouraged.	☐	No use of innovative materials is proposed.
5) Exteriors should be constructed of durable and maintainable materials that have texture, pattern, or lend themselves to quality detailing.	☐	The exterior materials are durable and maintainable and typical of development elsewhere in the Village Center.
4.2 Ground Level Building Components		
Required:		
1) Ground level units at	☐	Existing buildings no longer are

existing buildings shall have direct access to a private yard or terrace whenever feasible.		present.
2) Ground level units at existing buildings shall have at grade and have direct access to a private yard or shared outdoor space.	□	Existing buildings no longer are present.
3) Off-street parking meeting the following requirements will be allowed in front of existing buildings: a) The parking surface shall be at the same grade as the street; b) Parking stalls shall be located adjacent to the street with the travel lane towards the existing building; c) Parking stalls shall be screened from the street with landscaping; and d) Entrances and exits shall be located at the side streets (not the Address street) to the extent feasible.	□	Existing buildings no longer are present.

Landscape Standards

Landscape Code Compliance

Subsection 4.176 (.02) B.

D4. **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.

Explanation of Finding: No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

Landscape Area and Locations
Subsection 4.176 (.03)

D5. **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.

Explanation of Finding: More than 15% of the proposed Camden Square and Royal Crescent at Villebois development will be landscaping. Landscaping is in multiple locations, planting occur around the row house buildings. A variety of plant materials are used, with a limited but practicable use of native plant material.

Buffering and Screening
Subsection 4.176 (.04)

D6. **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.

Explanation of Finding: No conditions requiring buffering and screening are within the area covered by the subject FDP request.

Shrubs and Groundcover Materials
Subsection 4.176 (.06) A.

D7. **Review Criteria:** This subsection establishes plant material and planting requirements for shrubs and ground cover.

Finding: These criteria are satisfied.

Explanation of Finding: Applicant's Planting Plan in their plan set, Exhibit B3, indicates the requirements established by this subsection will be met by the proposed plantings.

Plant Materials-Trees
Subsection 4.176 (.06) B.

D8. **Review Criteria:** This subsection establishes plant material requirements for trees.
Finding: These criteria are satisfied.
Explanation of Finding: Applicant's Planting Plan in their plan set, Exhibit B3, indicates the requirements established by this subsection will be met by the proposed plantings.

Plant Material-Street Trees
Subsection 4.176 (.06) C.

D9. **Review Criteria:** This subsection establishes plant material requirements for street trees.
Finding: These criteria are satisfied.
Explanation of Finding: The street tree requirements in the SAP Central Community Elements Book meet or exceed these requirements, and therefore street trees meeting the Community Elements Book meet or exceed the requirements of this subsection.

Types of Plant Species
Subsection 4.176 (.06) E.

D10. **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.
Explanation 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 or otherwise approved as allowed in the Community Elements Book.

Tree Credit
Subsection 4.176 (.06) F.

D11. **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.
Explanation of Finding: No tree credits are being saught.

Exceeding Plant Standards
Subsection 4.176 (.06) G.

D12. **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.

Explanation of Finding: The selected landscape materials do not violate any height or visions clearance requirements.

Landscape Installation and Maintenance
Subsection 4.176 (.07)

D13. **Review Criteria:** This subsection establishes installation and maintenance standards for landscaping.

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDD 5.

Explanation 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.
- The condition of approval requires irrigation meeting the standards of this subsection.

Landscape Plans
Subsection 4.176 (.09)

D14. **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.

Explanation of Finding: Landscape plans have been submitted with the required information. See Sheets L1 through L2 in Exhibit B3.

Completion of Landscaping
Subsection 4.176 (.10)

D15. **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.

Explanation of Finding: Landscaping will be required to be completed prior to

occupancy of 50% of the units in each block (22 units for Camden Square, 20 units for Royal Crescent at Villebois).

Site Design Review

Excessive Uniformity, Inappropriateness Design
Subsection 4.400 (.01) and Subsection 4.421 (.03)

D16. **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.

Explanation of Finding:

Excessive Uniformity: The proposed row houses are different than adjoining blocks consistent with the Village Center Architectural Standards except where appropriate along Villebois Drive thus avoiding architecture to avoid excessive uniformity.

Inappropriate or Poor Design of the Exterior Appearance of Structures: The row houses have been reviewed by City staff and the City's consultant architect, Steve Coyle, for conformance with the Community Elements book and Village Center Architecture standards and have been professionally designed thus avoiding inappropriate or poor design. . See Section VD of Exhibit B1, applicant's notebook.

Inappropriate or Poor Design of Signs: No signs are proposed.

Lack of Proper Attention to Site Development: The appropriate professional services have been used to design the development, demonstrating appropriate attention being given to site development.

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

Purposes and Objectives
Subsection 4.400 (.02) and Subsection 4.421 (.03)

D17. **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.

Explanation 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. This includes designing the site to in context of the site including size and location within the development. In addition, the row houses are consistent with the Community Element Book and Village Center Architectural Standards, which has previously been reviewed to ensure consistency with the Villebois Village Master Plan which has similar purposes and objectives as site design review.

Development Review Board Jurisdiction
Section 4.420

D18. **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 PDD 3.
Explanation 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.

Design Standards
Subsection 4.421 (.01)

D19. **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.
Explanation of Finding:
Preservation of Landscaping*:* Existing trees are being preserved, including in the right-of-way where healthy and preservation is practicable.
Relation of Proposed Buildings to Environment: The development is proposed to incorporate the natural slope of the site as much as practicable.
Drives, Parking and Circulation*:* The street and alley accessed garage parking is typical of row house and single-family development throughout Villebois.
Surface Water Drainage: The project is part of the Villebois master planning efforts for that address surface water drainage, and the appropriate attention has been paid to surface water drainage including professionally prepared drainage reports.
Utility Service: The necessary sanitary and storm sewer connections are provided, no above ground utility installations are proposed.
Advertising Features: No signs or advertising features are proposed.
Special Features: No special features, as listed, are proposed.

Applicability of Design Standards
Subsection 4.421 (.02)

D20. **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.
Explanation of Finding: Design standards have been appropriately applied to all the site features including the buildings and landscaping.

Conditions of Approval
Subsection 4.421 (.05)

D21. **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.
Explanation of Finding: No additional conditions of approval are recommended.

Color or Materials Requirements
Subsection 4.421 (.06)

D22. **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 is satisfied.
Explanation of Finding: No additional requirements for Color or Materials are recommended.

Submission Requirements
Section 4.440

D23. **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.
Explanation of Finding: The applicant has submitted the required additional materials, as applicable.

Time Limit on Approval
Section 4.442

D24. **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.
Explanation 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.

Landscape Installation or Bonding
Subsection 4.450 (.01)

D25. **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.
Explanation of Finding: Landscaping will be required to be installed with the construction of the row houses.

Approved Landscape Plan
Subsection 4.450 (.02)

D26. **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 PDD 5.
Explanation of Finding: The condition of approval shall provide ongoing assurance this criterion is met.

Landscape Maintenance and Watering
Subsection 4.450 (.03)

D27. **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 PDD 5.
Explanation of Finding: The condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping
Subsection 4.450 (.04)

D28. **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 PDD 5.
Explanation 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.

Request E: DB15-0072 Tentative Subdivision Plat

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

Village Zone Uses
Subsection 4.125 (.02)

E1. **Review Criteria:** This subsection lists the permitted uses in the Village Zone.
Finding: These criteria are satisfied.
Explanation of Finding: The proposed subdivision is for uses residential uses permitted in the Village Zone.

Development Standards Applying to All Development in Village Zone

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

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

Access Standards
Subsection 4.125 (.05) B.

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.
Explanation 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.

Development Standards in the Village Zone
Table V-1

E4. **Review Criteria:** This table shows the development standards, including setback for different uses in the Village Zone.
Finding: These criteria are satisfied.
Explanation of Finding: The proposed lots allow development that meets relevant standards of the table.

Parking and Loading
Subsection 4.125 (.07)

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.
Explanation of Finding: Nothing concerning the tentative subdivision would prevent the required parking from being built.

Open Space Requirements
Subsection 4.125 (.08)

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 8.
Explanation 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. the condition of approval require the City Attorney to review and approve pertinent bylaws, covenants, or agreements prior to recordation.

Street and Improvement Standards

General Street Provisions
Subsection 4.125 (.09) A. 1.

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.

Explanation of Finding: The street alignments are consistent with the Villebois Village Master Plan and SAP Central Circulation plan and allow for the continuation of streets as indicated in these documents. The street improvements are being required to meet Public Works Standards as will be reviewed with issuance of the Public Works Permit.

Intersection of Streets
Subsection 4.125 (.09) A. 2.

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.

Explanation of Finding: Intersection angles, intersections, offsets, and curb extension are consistent with the Village Village Master Plan and SAP Central Circulation Plan.

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

E9. **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.

Explanation of Finding: No street curves are proposed that would approach the minimum allowed radius.

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

E10. 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.

Explanation of Finding: Right-of-way is being dedicated sufficient for planned streets. Financing of street improvements is being handled through development agreements, and a waiver of remonstrance is not necessary.

Access Drives
Subsections 4.125 (.09) A. 6.and 4.177 (.01) E.

E11. 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.

Explanation of Finding: The tentative subdivision plat shows alleys of sufficient width to meet the width standards. Access easements will be granted allowing emergency access.

Clear Vision Areas

Subsections 4.125 (.09) A. 7. and 4.177 (.01) F.

E12. **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.
Explanation of Finding: Appropriate vision clearance will be maintained.

Vertical Clearance
Subsections 4.125 (.09) A. 8.and 4.177 (.01) G.

E13. **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.
Explanation of Finding: Nothing shown on the tentative subdivision plat would preclude the required clearance from being provided.

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

E14. **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.
Explanation of Finding: Pursuant to Condition of Approval PFA 3 full street improvements for the new extensions of Paris Avenue, Collina Lane, and Valencia Lane are being required.

Land Division Authorization

Plats Review Authority
Subsection 4.202 (.01) through (.03)

E15. **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.

Explanation 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.

Legally Lot Requirement
Subsection 4.202 (.04) A.

E16. **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.

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

Undersized Lots Prohibited
Subsection 4.202 (.04) B.

E17. **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.

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

Plat Application Procedure

Pre-Application Conference
Subsection 4.210 (.01)

E18. **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.
Explanation of Finding: A pre-application conference was held on September 10, 2015 in accordance with this subsection.

Tentative Plat Preparation
Subsection 4.210 (.01) A.

E19. **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.
Explanation of Finding: Sheets 4 and 5 of Exhibit B2 are tentative subdivision plats prepared in accordance with this subsection.

Tentative Plat Submission
Subsection 4.210 (.01) B.

E20. **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.
Explanation of Finding: The tentative subdivision plats have been submitted with the required information.

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

E21. **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.

Explanation of Finding: The land is intended to be developed in a single phase, however the timing for Camden Square and Royal Crescent at Villebois may be constructed separately and on slightly different time frames.

Remainder Tracts
Subsection 4.210 (.01) E.

E22. **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.
Explanation of Finding: All affected property has been incorporated into the tentative subdivision plat.

Street Requirements for Land Divisions

Master Plan or Map Conformance
Subsection 4.236 (.01)

E23. **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.
Explanation of Finding: Planned streets are consistent with the Villebois Village Master Plan and SAP Central Circulation Plan, and thus in harmony with other applicable plans.

Adjoining Streets Relationship
Subsection 4.236 (.02)

E24. **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.
Explanation of Finding: The proposed streets allow for future street extensions, specifically of Valencia Lane and Campanile Lane, as shown in the SAP Central Circulation Plan.

Streets Standards Conformance
Subsection 4.236 (.03)

E25. **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.
Explanation of Finding: The proposed plat enables the development of the streets consistent with the Preliminary Development Plan and thus will conform with these listed standards and requirements for which compliance was reviewed with the PDP. See Request C.

Creation of Easements
Subsection 4.236 (.04)

E26. **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.
Explanation of Finding: No specific easements are requested pursuant to this subsection.

Topography
Subsection 4.236 (.05)

E27. **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.
Explanation of Finding: No significant topography exists where streets are proposed to be developed affecting street layout decisions.

Reserve Strips
Subsection 4.236 (.06)

E28. **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.

Explanation 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 6 to prevent access to the front side of lots served by an alley. See also Findings E3.

Future Street Expansion
Subsection 4.236 (.07)

E29. **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.
Explanation of Finding: The proposed streets allow for future street extensions, specifically of Valencia Lane and Campanile Lane, as shown in the SAP Central Circulation Plan. No additional reserve strips or street plugs are needed to preserve the ability for future street extension.

Additional Right-of-Way
Subsection 4.236 (.08)

E30. **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.
Explanation of Finding: No additional right-of-way is required for the proposed plat.

Street Names
Subsection 4.236 (.09)

E31. **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.
Explanation of Finding: The proposed street names are those shown in the SAP Central Circulation Plan, except SW Paris Avenue. SW Paris Avenue is labeled as SW Ravenna Loop in the SAP Central Circulation Plan. However, a segment of SW Ravenna Loop in PDP 7 Central has been approved to be removed, this necessitating the renaming of the SW Ravenna Loop to the north of the removed segment. SW Paris Avenue has already been applied and approved by City Engineer for segments of the same street already built in SAP North and adjacent to PDP 6 Central. While no other changes to street names as shown in the SAP Central Circulation Plan are anticipated a final determination of street names will be made by the City Engineer during review of the Final Plat.

General Land Division Requirements

Blocks
Subsection 4.237 (.01)

E32. 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.

Explanation of Finding: The tentative subdivision plat shows blocks consistent with those proposed Preliminary Development Plan. See Request C.

Easements
Subsection 4.237 (.02)

E33. 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.

Explanation of Finding: As shown on preliminary plat, Sheets 4 and 5 of Exhibit B2, the required easements have been provided. A Condition of Approvals ensures all easements dealing with utilities are on the final plat.

Mid-block Pathways
Subsection 4.237 (.03)

E34. **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.

Explanation of Finding: No blocks exceed the length standard, however a mid-block crossing is provided.

Tree Easements
Subsection 4.237 (.04)

E35. **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.

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

Lot Size and Shape
Subsection 4.237 (.05)

E36. **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.

Explanation 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 Requests C and D.

Access
Subsection 4.237 (.06)

E37. **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.

Explanation of Finding: Each lot has the minimum frontage on a street or open space as

allowed in the Village Zone.

Through Lots
Subsection 4.237 (.07)

E38. **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.
Explanation of Finding: No through lots are proposed.

Lot Side Lines
Subsection 4.237 (.08)

E39. **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.
Explanation 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 adjacent alley or street orientation.

Large Lot Divisions
Subsection 4.237 (.09)

E40. **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.
Explanation of Finding: No future divisions of the lots included in the tentative subdivision plat likely to be divided in the future.

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

E41. **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.

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

Land for Public Purposes
Subsection 4.237 (.12)

E42. **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.

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

Corner Lots
Subsection 4.237 (.13)

E43. **Review Criterion:** "Lots on street intersections shall have a corner radius of not less than ten (10) feet."

Finding: This criterion is satisfied.

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

Lots of Record
Section 4.250

E44. **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.

Explanation of Finding: The parcel being divided is of record, and the resulting subdivision lots will be lots of record.

Public Improvements

Improvements-Procedures
Section 4.260

E45. **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.

Explanation of Finding: All improvements will be required to conform to the Public Works Standards. See Condition of Approval PFB 1 and Exhibit C1.

Improvements-Requirements
Section 4.262

E46. **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.

Explanation 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: DB15-0073 Type C Tree Plan

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

Type C Tree Removal

Review Authority
Subsection 4.610.00 (.03) B.

F1. **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 affirmance, reversal or modification by the City Council, if subsequently reviewed by the Council."

Finding: This criterion is satisfied.

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

Attaching Conditions
Subsection 4.610.00 (.06) A.

F2. **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 met.

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

Timeframe for Removal
Subsection 4.610.00 (.06) B.

F3. **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.
Explanation 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.

Security to Ensure Compliance
Subsection 4.610.00 (.06) C.

F4. **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 is satisfied.
Explanation of Finding: As allowed by Subsection 1 the bonding requirement is being waived as the application is required to comply with WC 4.264(1).

General Standards for Tree Removal, Relocation or Replacement

Preservation and Conservation
Subsection 4.610.10 (.01) B.

F5. **Review Criteria:** "No development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a principle shall be equal in concern and importance as other design principles."
Finding: These criteria are satisfied.
Explanation of Finding: Of the 25 trees, 2 are designated to be retained. These are the only two trees rated important or good in the tree inventory. Of the 23 trees proposed for removal 2 are dead, 8 are in poor conditions, and 13 are in moderate condition. 18 of the 23 trees are European white birch. While some are still in moderate condition many have poor structure, branch die back and other issues. In addition, the European white birch is one of the birch varieties susceptible to the Bronze Birch Borer which has been damaging and killing many birch trees throughout Wilsonville. Other trees being removed include 3 apple trees in poor condition, and a western sycamore and a sweet gum being removed due to construction of streets and sidewalks.

Development Alternatives
Subsection 4.610.10 (.01) C.

F6. **Review Criteria:** "Preservation and conservation of wooded areas and trees shall be given careful consideration when there are feasible and reasonable location alternatives and design options on-site for proposed buildings, structures or other site improvements."
Finding: These criteria are satisfied.
Explanation of Finding: Careful considerations have been given to tree removal and all levels of planning from the Master Plan to Final Development Plan. Trees are being preserved, including in the right-of-way where preservation is feasible and desirable based on tree condition and species.

Land Clearing
Subsection 4.610.10 (.01) D.

F7. **Review Criteria:** "Where the proposed activity requires land clearing, the clearing shall be limited to designated street rights-of-way and areas necessary for the construction of buildings, structures or other site improvements."
Finding: These criteria are satisfied.
Explanation of Finding: This standard is being followed as shown in the applicant's plan set, Exhibit B2.

Residential Development
Subsection 4.610.10 (.01) E.

F8. **Review Criteria:** "Where the proposed activity involves residential development, residential units shall, to the extent reasonably feasible, be designed and constructed to blend into the natural setting of the landscape."
Finding: These criteria are satisfied.
Explanation of Finding: The subject site is relatively flat and previously developed as part of the Dammasch State Hospital campus and is being development with a pattern similar to other areas of Villebois.

Statutes and Ordinances
Subsection 4.610.10 (.01) F.

F9. **Review Criteria:** "The proposed activity shall comply with all applicable statutes and ordinances."
Finding: These criteria are satisfied.
Explanation of Finding: This standard is broad and duplicative. As found elsewhere in this report, the applicable standards are being applied.

Tree Relocation and Replacement
Subsection 4.610.10 (.01) G.

F10. **Review Criteria:** "The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with WC 4.620.00, and the protection of those

trees that are not removed, in accordance with WC 4.620.10.
Finding: These criteria are satisfied.
Explanation of Finding: The proposed tree activity is being reviewed in accordance to the referenced sections related to replacement and protection.

Tree Removal Limitations
Subsection 4.610.10 (.01) H.

F11. **Review Criteria:** "Tree removal or transplanting shall be limited to instances where the applicant has provided completed information as required by this chapter and the reviewing authority determines that removal or transplanting is necessary based on the criteria of this subsection." Listed 1. through 4.
Finding: These criteria are satisfied.
Explanation of Finding: The proposed tree removal is either necessary for construction or is due to the health and condition of the trees.

Additional Standards for Type C Permits

Tree Survey
Subsection 4.610.10 (.01) I. 1.

F12. **Review Criteria:** "For all site development applications reviewed under the provisions of Chapter 4 Planning and Zoning, the developer shall provide a Tree Survey before site development as required by WC 4.610.40 , and provide a Tree Maintenance and Protection Plan, unless specifically exempted by the Planning Director or DRB, prior to initiating site development."
Finding: These criteria are satisfied.
Explanation of Finding: The required Tree Maintenance and Protection Plan has been submitted. See Section VC of Exhibit B1.

Tree Plans and Plat Approval
Subsection 4.610.10 (.01) I. 2.

F13. **Review Criteria:** "The recording of a final subdivision plat whose preliminary plat has been reviewed and approved after the effective date of Ordinance 464 by the City and that conforms with this subchapter shall include a Tree Survey and Maintenance and Protection Plan, as required by this subchapter, along with all other conditions of approval."
Finding: These criteria are satisfied.
Explanation of Finding: The required plan has been submitted. See Section VC of Exhibit B1.

Trees and Utilities
Subsection 4.610.10 (.01) I. 3.

F14. **Review Criteria:** "The City Engineer shall cause utilities to be located and placed

wherever reasonably possible to avoid adverse environmental consequences given the circumstances of existing locations, costs of placement and extensions, the public welfare, terrain, and preservation of natural resources. Mitigation and/or replacement of any removed trees shall be in accordance with the standards of this subchapter."
Finding: These criteria are satisfied.
Explanation of Finding: The Composite Utility Plan, Sheet 7 of Exhibit B2, shows the site has been designed to minimize the impact upon the environment to the extent feasible given existing conditions. Utility placement in relation to trees will be further reviewed during review of construction drawings and utility easement placement on the final plat.

Type C Tree Plan Review

Type C Applicability
Subsection 4.610.40 (.01)

F15. **Review Criteria:** "Approval to remove any trees on property as part of a site development application may be granted in a Type C permit"
Finding: These criteria are satisfied.
Explanation of Finding: The proposed Type C Tree Plan is being reviewed concurrently with the Preliminary Development Plan, which is the equivalent of a Stage II Final Plan in the Village Zone.

Applicable Standards and Criteria
Subsection 4.610.40 (.01)

F16. **Review Criteria:** "A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4."
Finding: These criteria are satisfied.
Explanation of Finding: The proposed Type C Tree Plan is being reviewed concurrently with the Preliminary Development Plan, which is the equivalent of a Stage II Final Plan in the Village Zone.

Loss of Development Density
Subsection 4.610.40 (.01)

F17. **Review Criteria:** "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."
Finding: These criteria are satisfied.
Explanation of Finding: Application of the standards are allowing density to be constructed consistent with the Villebois Village Master Plan and SAP Central approvals, as refined with the PDP, see Request C.

Landscape Plans Concurrency
Subsection 4.610.40 (.01)

F18. **Review Criteria:** "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."
Finding: These criteria are satisfied.
Explanation of Finding: The proposed Type C Tree Plan is being reviewed concurrently with the Preliminary Development Plan.

Review with Stage II Final Plan
Subsection 4.610.40 (.01)

F19. **Review Criteria:** "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."
Finding: These criteria are satisfied.
Explanation of Finding: The proposed Type C Tree Plan is being reviewed concurrently with the Preliminary Development Plan, which is the equivalent of a Stage II Final Plan in the Village Zone.

Mitigation and Landscaping Requirements
Subsection 4.610.40 (.01)

F20. **Review Criteria:** "Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter."
Finding: These criteria are satisfied.
Explanation of Finding: Mitigation is being fulfilled by street tree and other plantings shown on the landscaping plans.

Decision Final before Removal
Subsection 4.610.40 (.01)

F21. **Review Criteria:** "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.
Explanation of Finding: The proposed Type C Tree Plan is being reviewed concurrently with the Preliminary Development Plan, which is the equivalent of a Stage II Final Plan in the Village Zone. No removal will occur pursuant to this request until the PDP approval is final.

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

F22. **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.

Explanation of Finding: The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan. See Section VC of the applicants notebook, Exhibit B1 and Sheets 10-11 of the applicant's plan set, Exhibit B2.

Tree Relocation, Mitigation, or Replacement

Replacement Required
Subsection 4.620.00 (.01)

F23. **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.

Explanation of Finding: The tree mitigation requirements will be more than exceeded by the planned street tree and trees in parks and linear greens.

Determining Replacement
Subsection 4.620.00 (.02)

F24. **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.

Explanation of Finding: More trees are planned to be planted that proposed to be removed. Each tree, including street trees and trees in parks and linear greens will meet the minimum diameter requirement.

Replacement Plan
Subsection 4.620.00 (.03)

F25. **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 2.
Explanation of Finding: Mitigation for removal of the trees will be more than satisfied by the planned street tree planting. The condition of approval will ensure the other relevant requirements of this subsection are met.

Replacement Tree Stock
Subsection 4.620.00 (.04)

F26. **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 2.
Explanation of Finding: Condition of Approval PDF 2 assures this is met.

Replacement Locations
Subsection 4.620.00 (.05)

F27. **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.
Explanation of Finding: The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

Tree Protection During Construction

Protected Tree Labeling
Section 4.620.10 (.01) A.

F28. **Review Criterion:** "All trees required to be protected must be clearly labeled as such."
Finding: These criteria are satisfied.
Explanation of Finding: Fencing will clearly indicate which trees will be protected.

Construction Material Near Trees
Section 4.620.10 (.01) B.

F29. **Review Criterion:** "No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist."
Finding: These criteria are satisfied or will be satisfied by Condition of Approvals PDF 3 and PDF 4.
Explanation of Finding: The conditions of approval assure the applicable requirements of

this Section will be met.

Protective Barriers
Section 4.620.10 (.01) D.

F30. **Review Criteria:** "Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the developer shall erect and maintain suitable barriers as identified by an arborist to protect remaining trees. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers." The most appropriate and protective barrier shall be utilized. Barriers are required for all trees designated to remain, except in the following cases:" Listed 1 through 2.

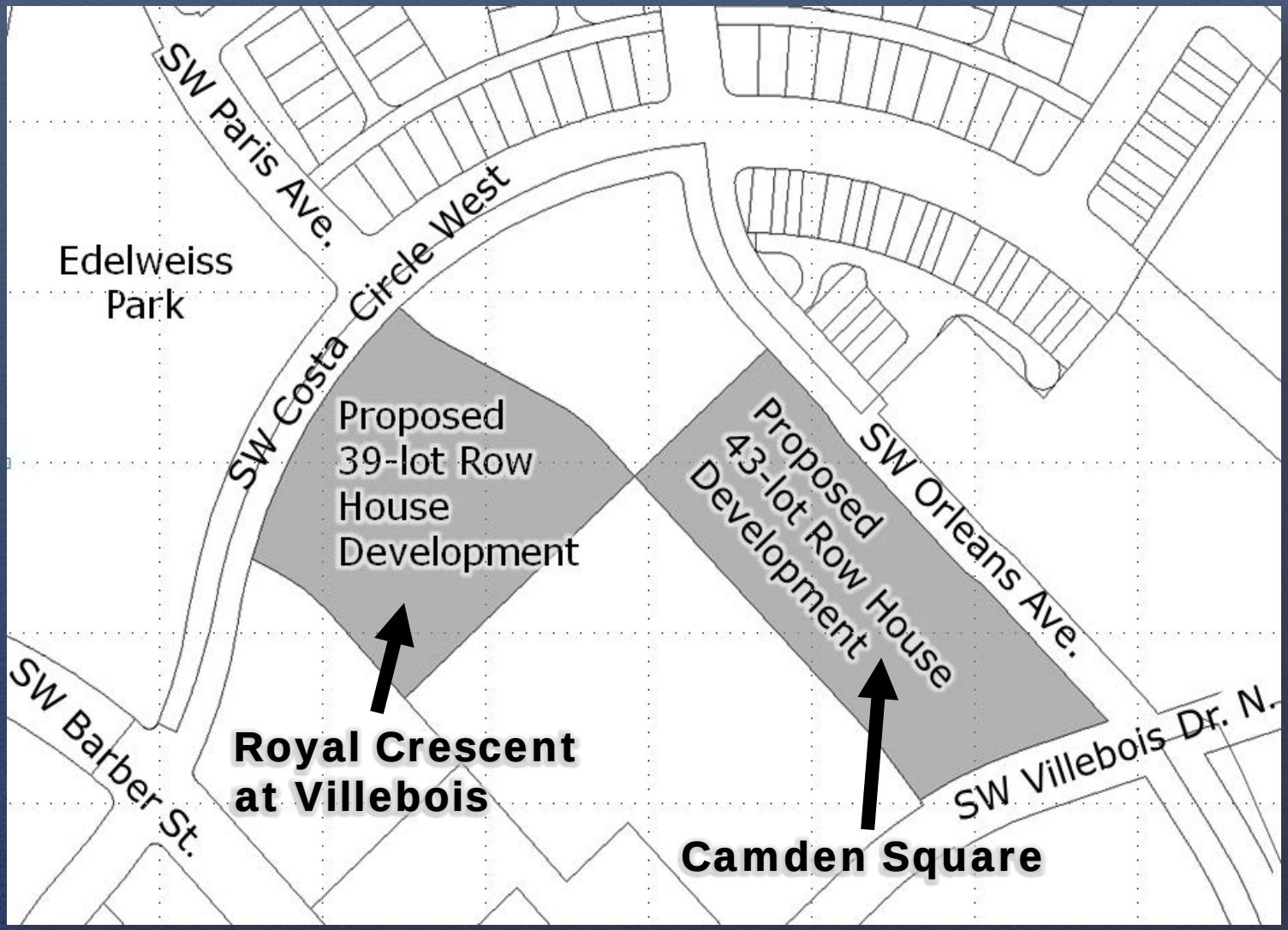
Finding: These criteria are satisfied.

Explanation of Finding: The conditions of approval assure the applicable requirements of this Section will be met.

“Camden Square”
“Royal Crescent at Villebois”
Villebois Central Phase 9

DRB Panel A Public Hearing
December 14, 2015
Presented by: Daniel Pauly AICP, Associate Planner

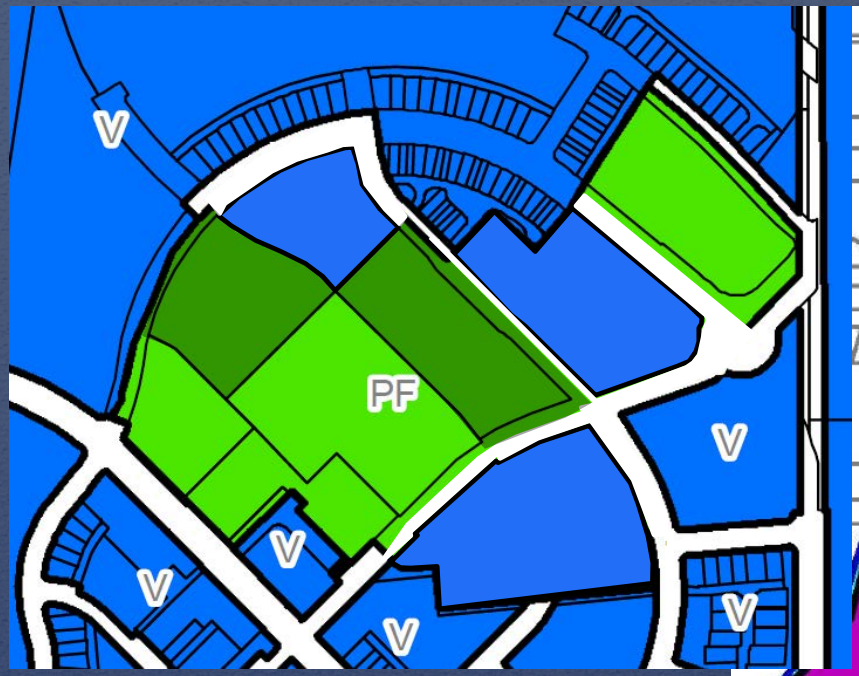
Exhibit A2 DB15-0068 et. al.


SW Paris Ave.
Edelweiss Park
SW Costa Circle West
Proposed 39-lot Row House Development
Proposed 43-lot Row House Development
SW Orleans Ave.
SW Barber St.
Royal Crescent at Villebois
SW Villebois Dr. N.
Camden Square

A. Zone Map Amendment
B. SAP-Central Phasing Amendment
C. Preliminary Development Plan
D. Final Development Plan
E. Tentative Subdivision Plat
F. Type C Tree Plan

The Requests

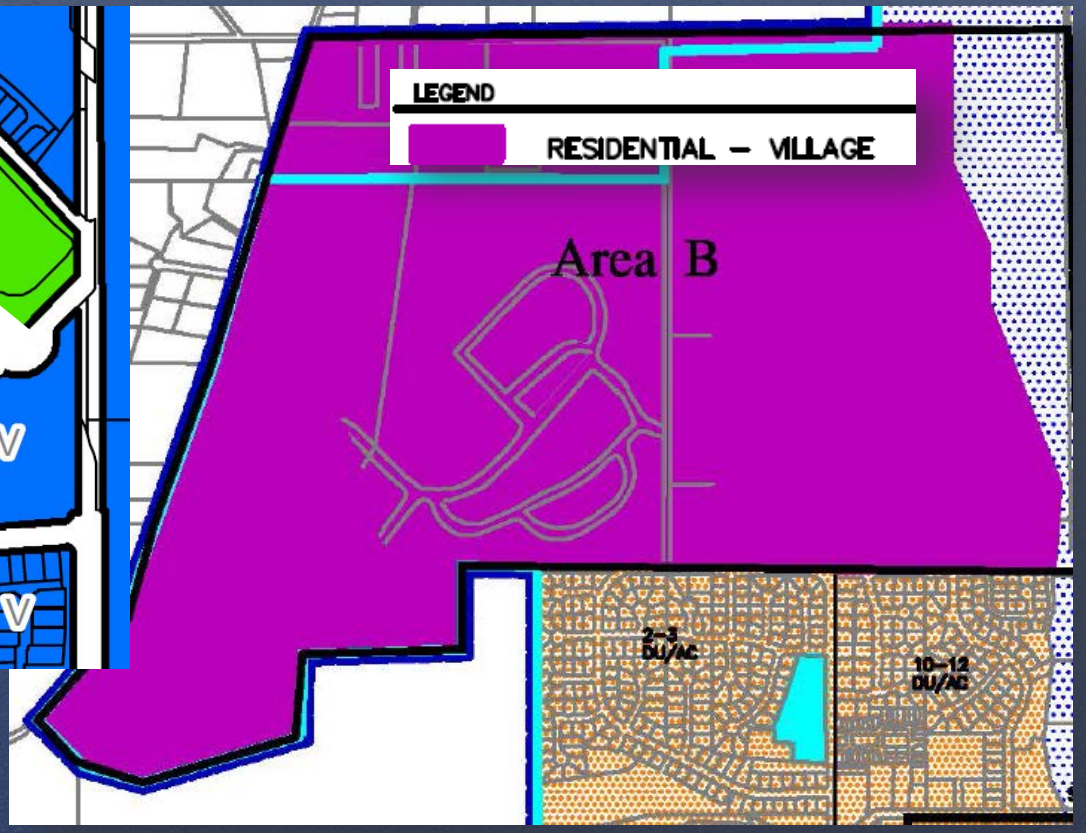
Zone Map Amendment



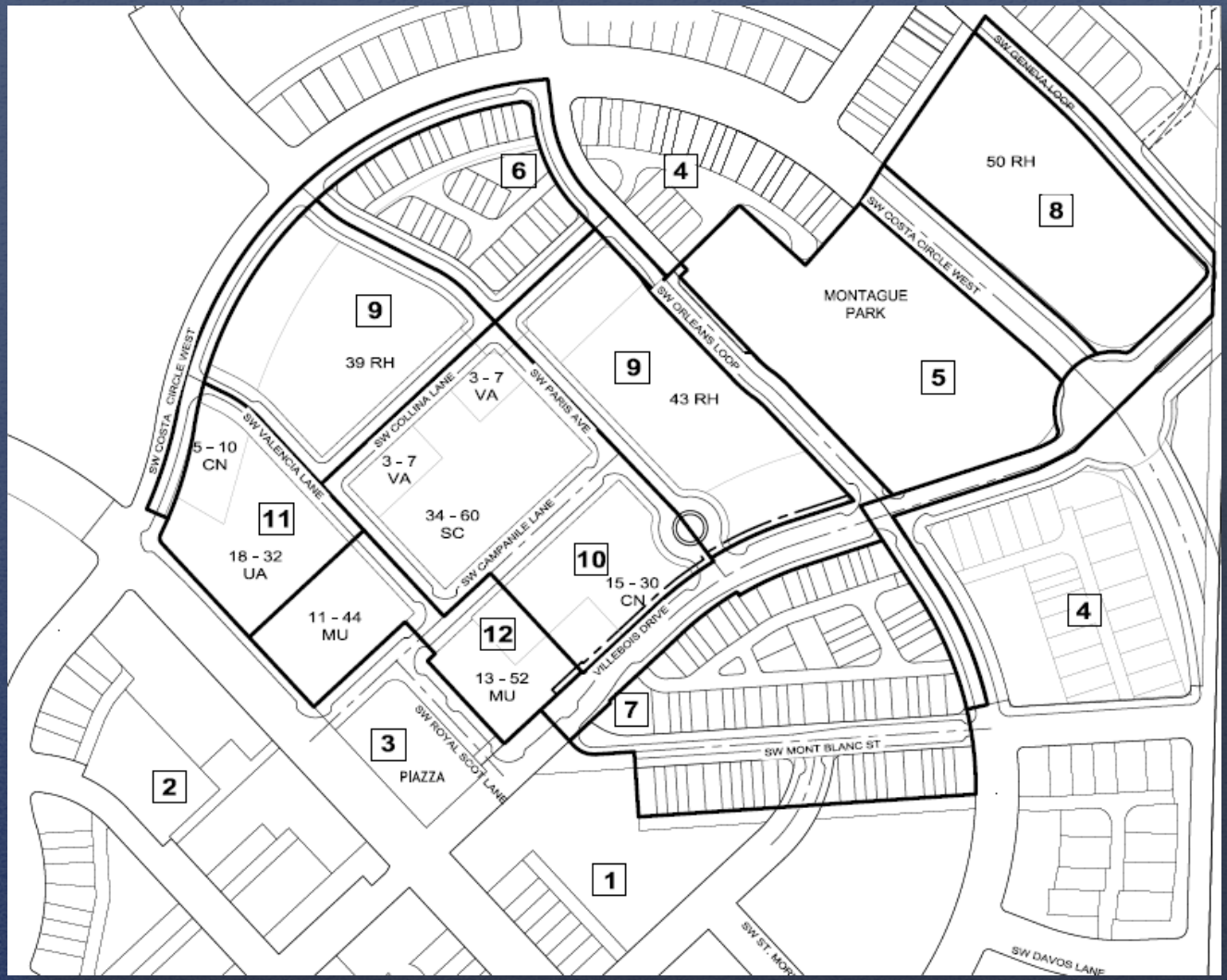
Current Zoning

Public Facilities (PF)

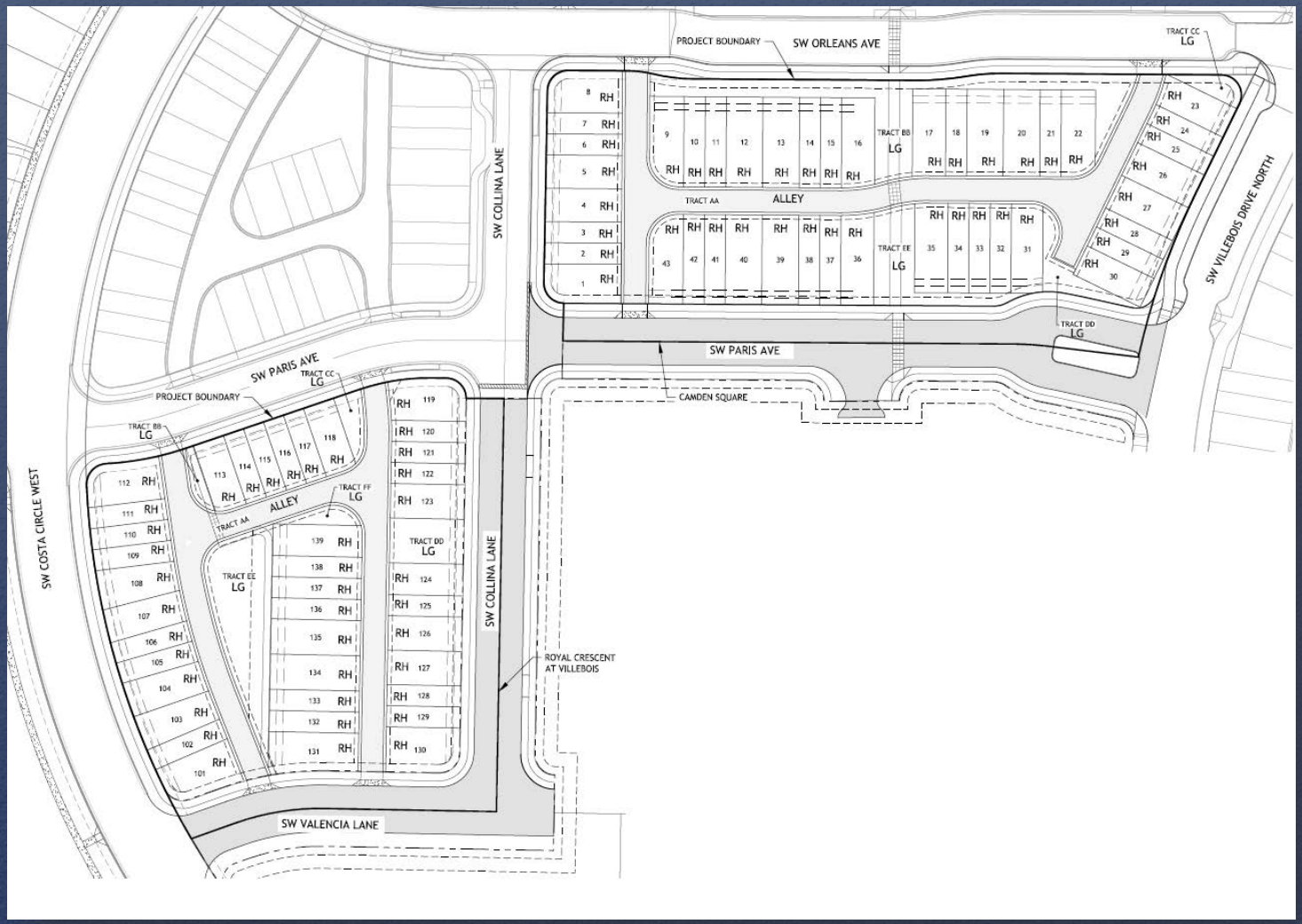
Village (V)



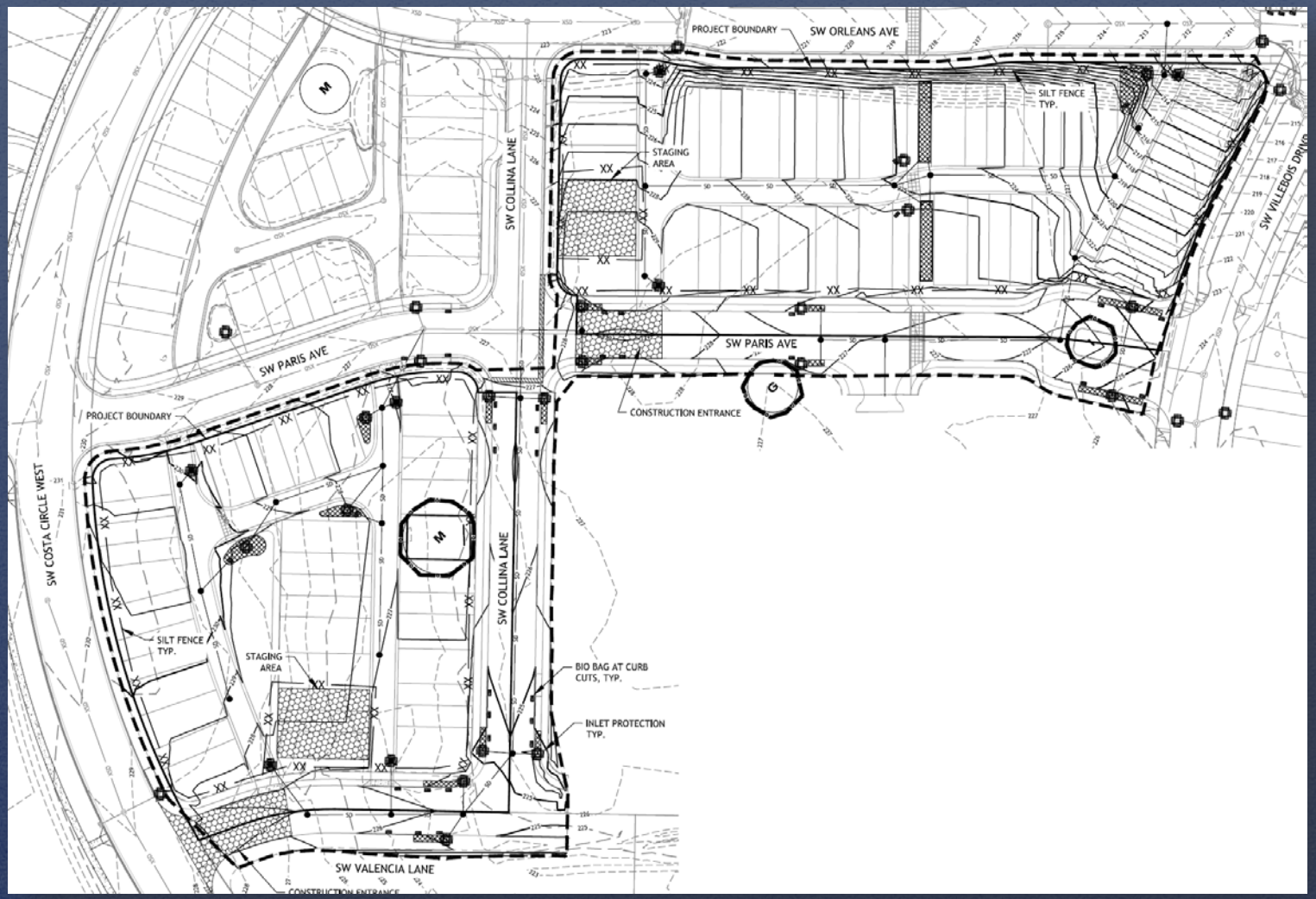
Comprehensive Plan



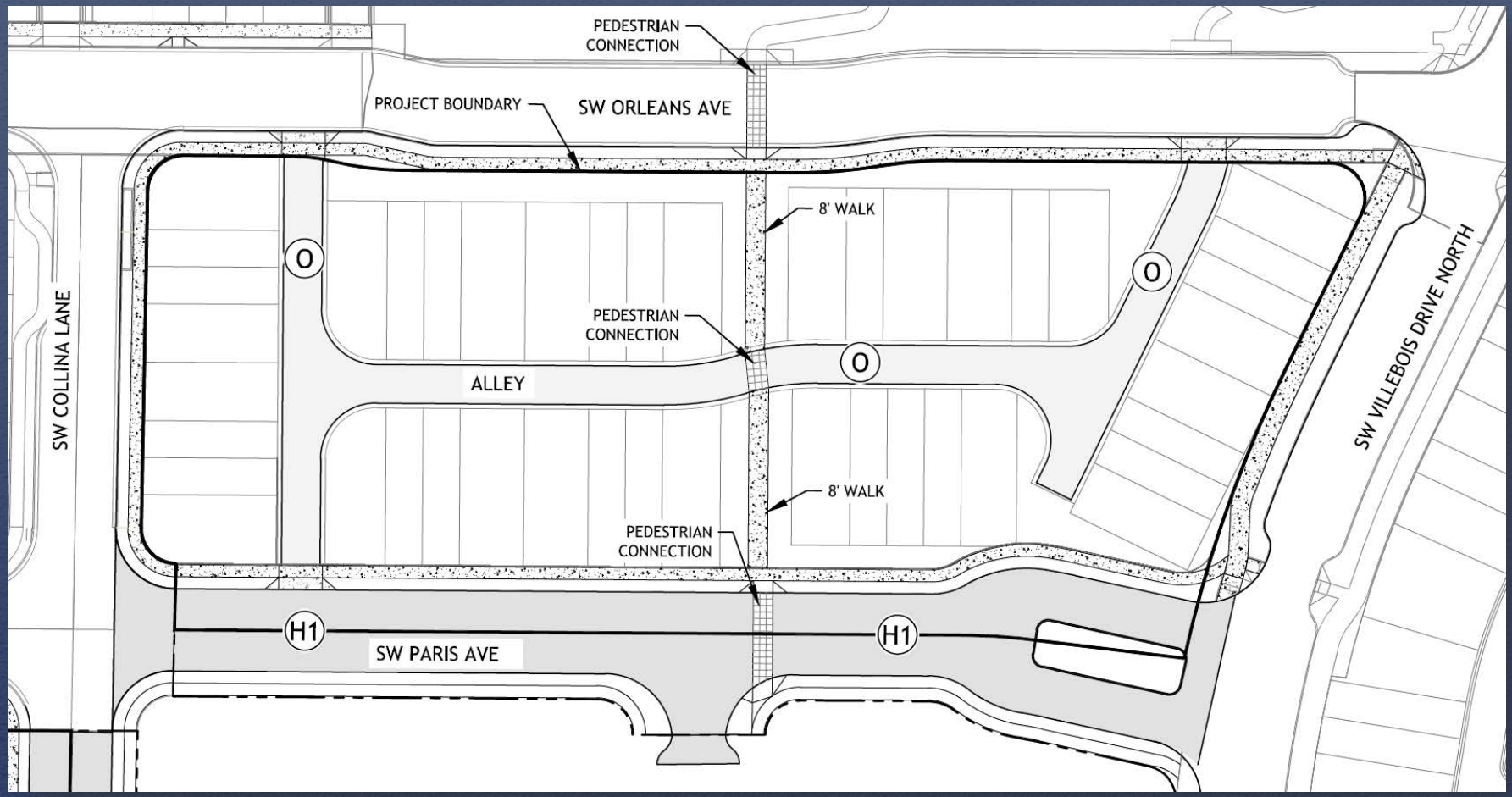
SAP Central Phasing Amendment



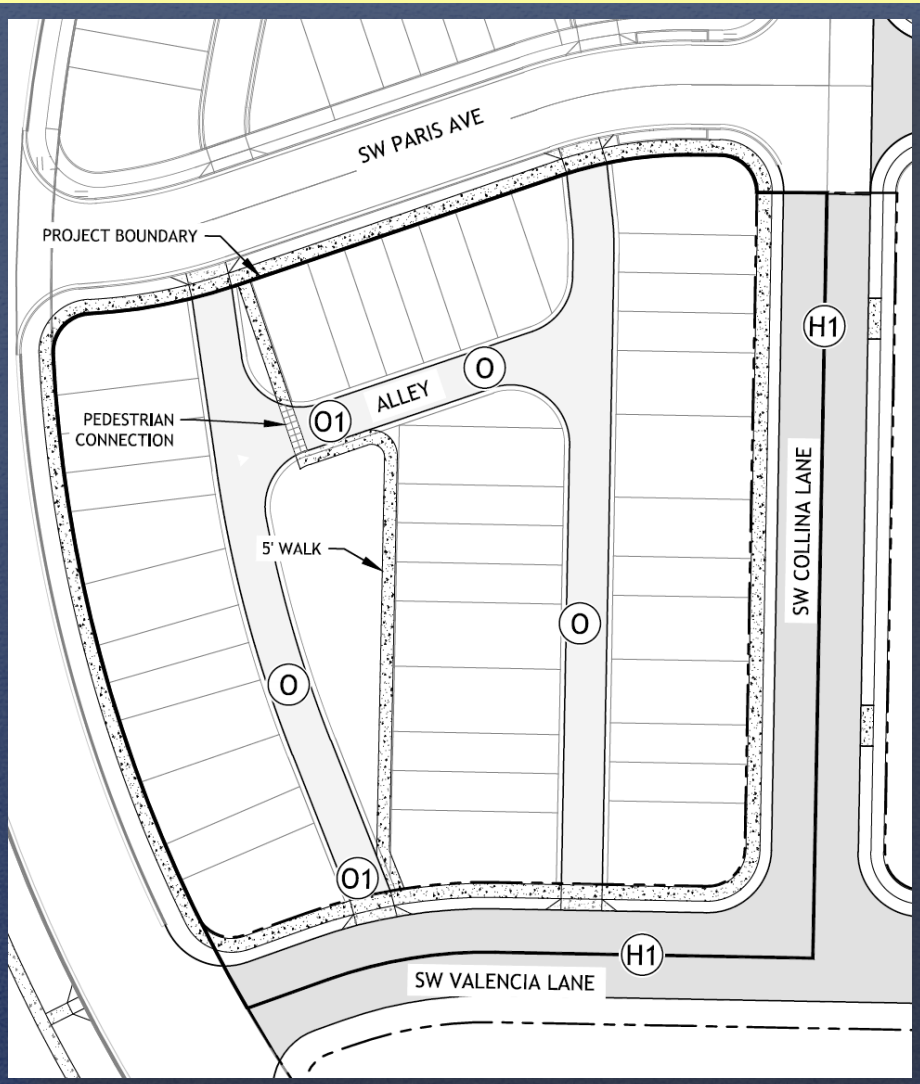
Preliminary Development Plan (PDP)


PROJECT BOUNDARY
SW ORLEANS AVE
SILT FENCE TYP.
STAGING AREA
SW COLLINA LANE
SW VILLEBOIS DRIVE
SW PARIS AVE
CONSTRUCTION ENTRANCE
PROJECT BOUNDARY
SW COSTA CIRCLE WEST
SILT FENCE TYP.
STAGING AREA
SW COLLINA LANE
BIO BAG AT CURB CUTS, TYP.
INLET PROTECTION TYP.
SW VALENCIA LANE
CONSTRUCTION ENTRANCE

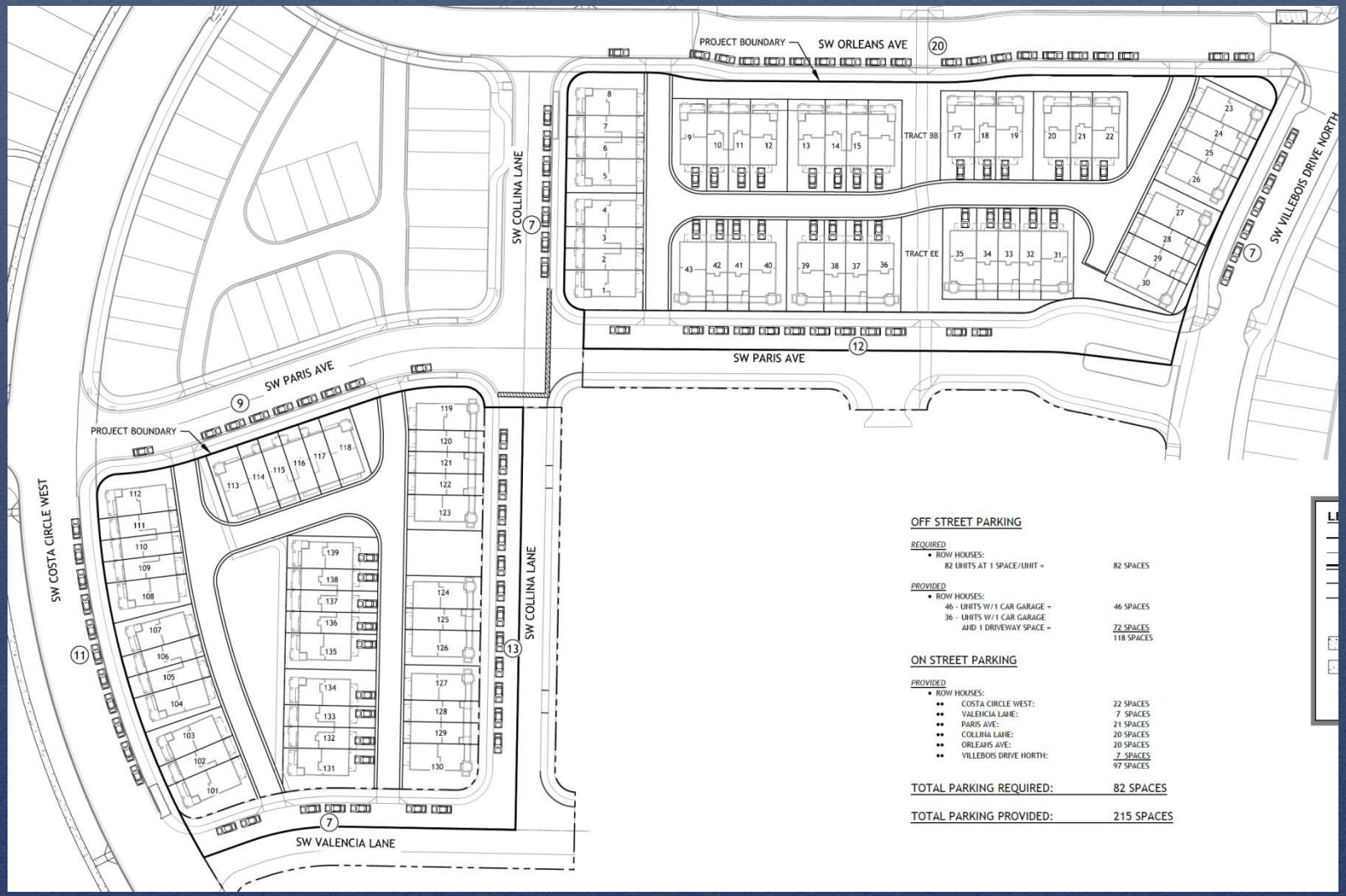
PDP-Grading



PDP-Circulation Camden Square



PDP-Circulation Royal Crescent


PROJECT BOUNDARY
SW ORLEANS AVE
20
SW COLLINA LANE
7
TRACT BB
TRACT EE
SW VILLEBOIS DRIVE NORTH
SW PARIS AVE
12
9
PROJECT BOUNDARY
SW COSTA CIRCLE WEST
11
13
SW COLLINA LANE
7
SW VALENCIA LANE
OFF STREET PARKING
REQUIRED
• ROW HOUSES:
82 UNITS AT 1 SPACE/UNIT = 82 SPACES
PROVIDED
• ROW HOUSES:
46 - UNITS W/1 CAR GARAGE = 46 SPACES
36 - UNITS W/1 CAR GARAGE AND 1 DRIVEWAY SPACE = 72 SPACES
118 SPACES
ON STREET PARKING
PROVIDED
• ROW HOUSES:
•• COSTA CIRCLE WEST: 22 SPACES
•• VALENCIA LANE: 7 SPACES
•• PARIS AVE: 21 SPACES
•• COLLINA LANE: 20 SPACES
•• ORLEANS AVE: 20 SPACES
•• VILLEBOIS DRIVE NORTH: 7 SPACES
97 SPACES
TOTAL PARKING REQUIRED: 82 SPACES
TOTAL PARKING PROVIDED: 215 SPACES

PDP-Parking

134

Unit count for project area in Original SAP Central unit count

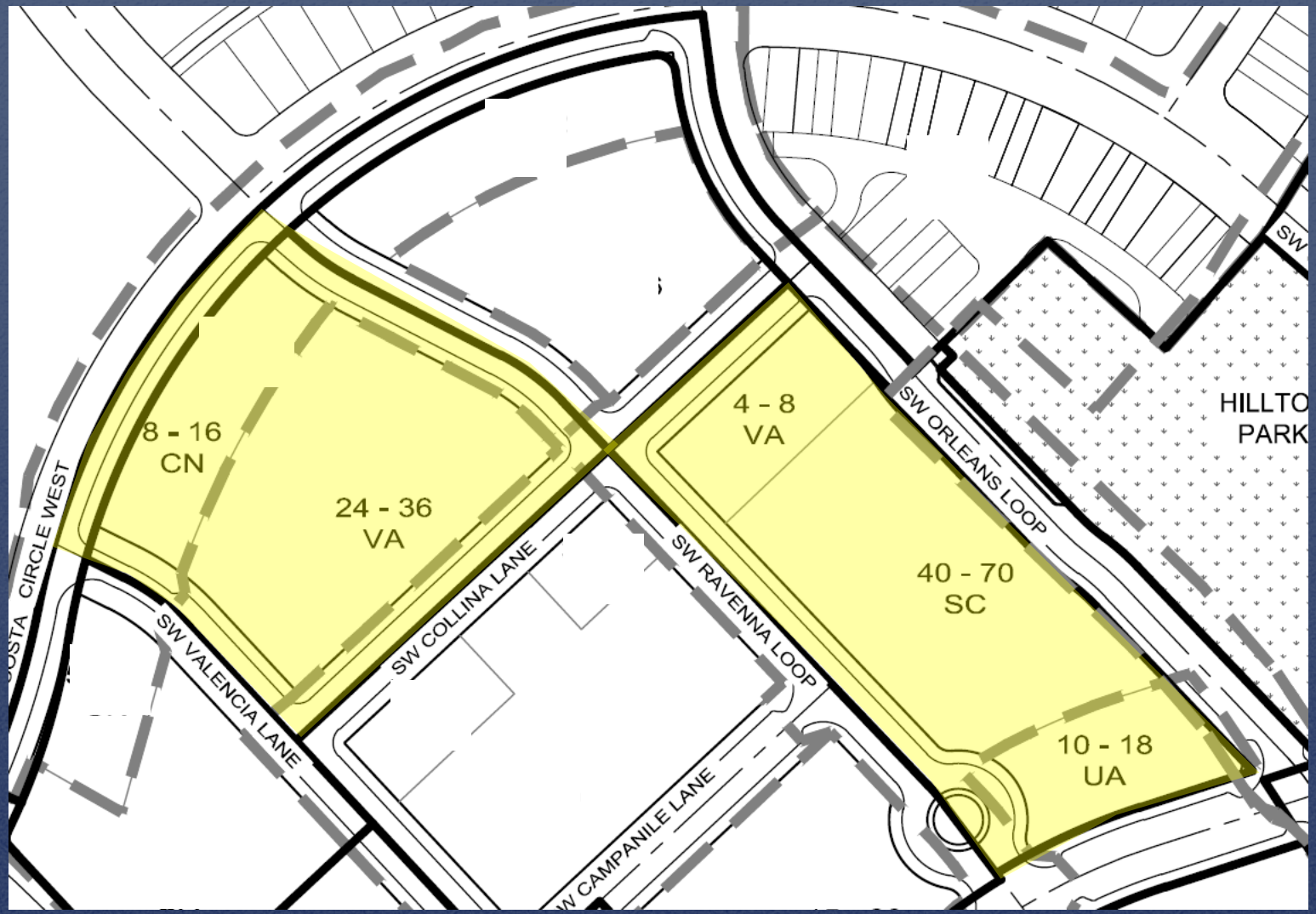
82

Proposed Unit Count

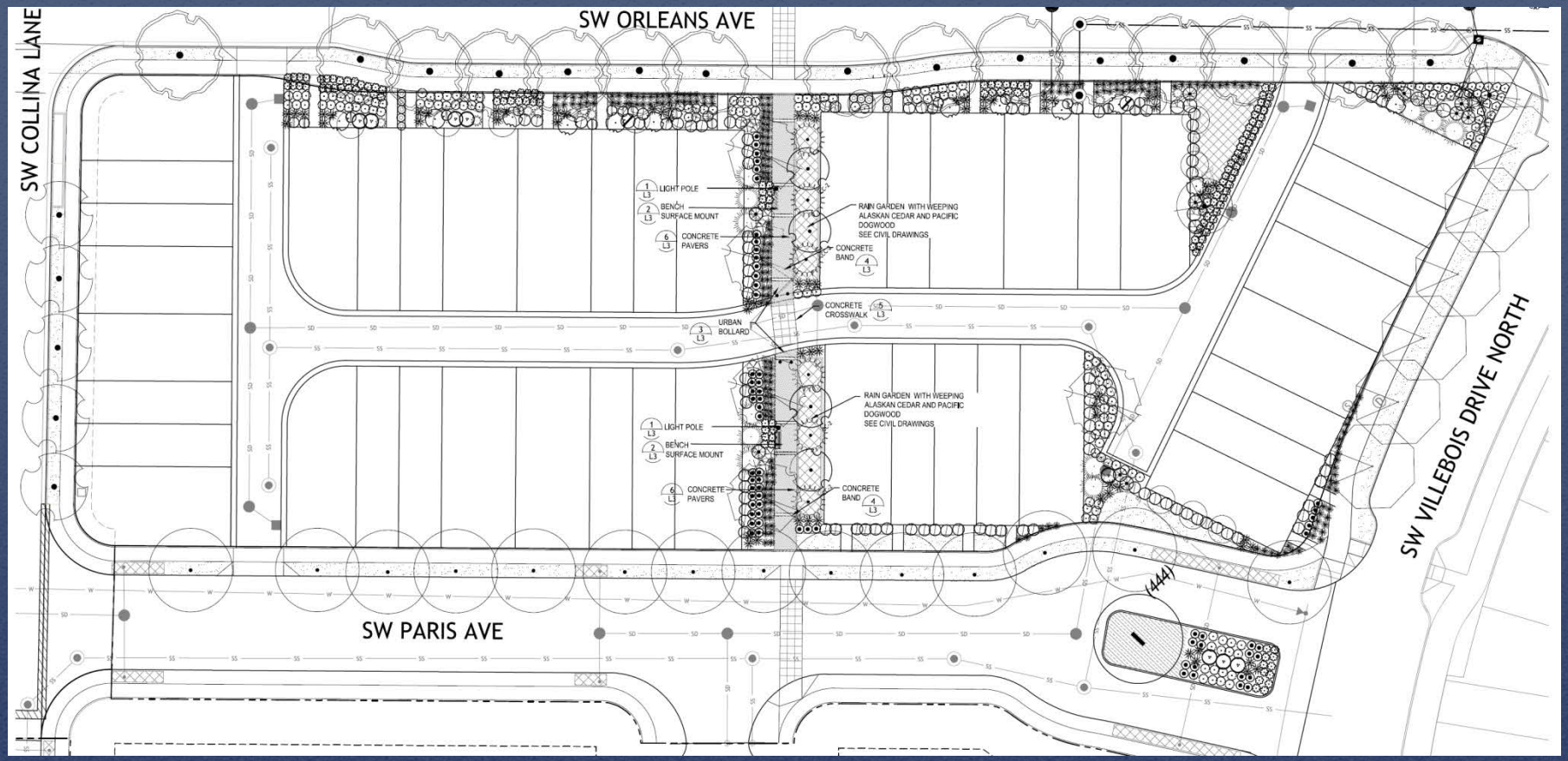
+0.12%

Cumulative change from original SAP Central unit count

PDP-Density and Housing Mix



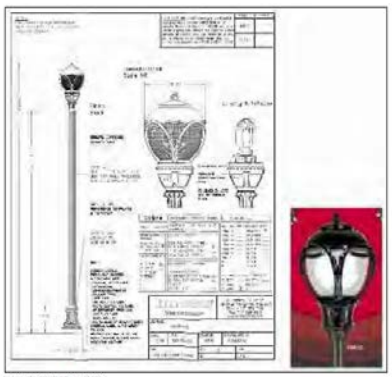
PDP-Density and Housing Mix



Final Development Plan (FDP) Camden Square

Final Development Plan (FDP)
Royal Crescent at Villebois

FDP



MANUFACTURER: HADCO
LUMINARE: HADCO S886TE (SINGLE), S886TN (TWIN)
POLE: 14' DECORATIVE CAST ALUMINUM P-2065-14-A
FOOTING: AB CHANCE - C11242NG4TK W/ROUND MOUNTING PLATE
FINISH: BLACK

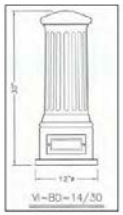
LIGHT POLE 1 L3

SCALE: N.T.S

URBAN / GREENWAY BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: THE PLAINWELL SERIES
MATERIAL: METAL, ALUMINUM SEAT
FINISH: BLACK POWDERCOATED
SIZE: 72" LENGTH

BENCH 2 L3

SCALE: N.T.S



MANUFACTURER: VISCO
MODEL: VI-BO-14L
FINISH: BLACK POWDER COAT
SIZE: 30" H x 12" Dia.

URBAN BOLLARD 3 L3

SCALE: N.T.S

PAVER CONCRETE BAND 4 L3

SCALE: N.T.S

SCORED CONCRETE CROSSWALK 5 L3

SCALE: N.T.S

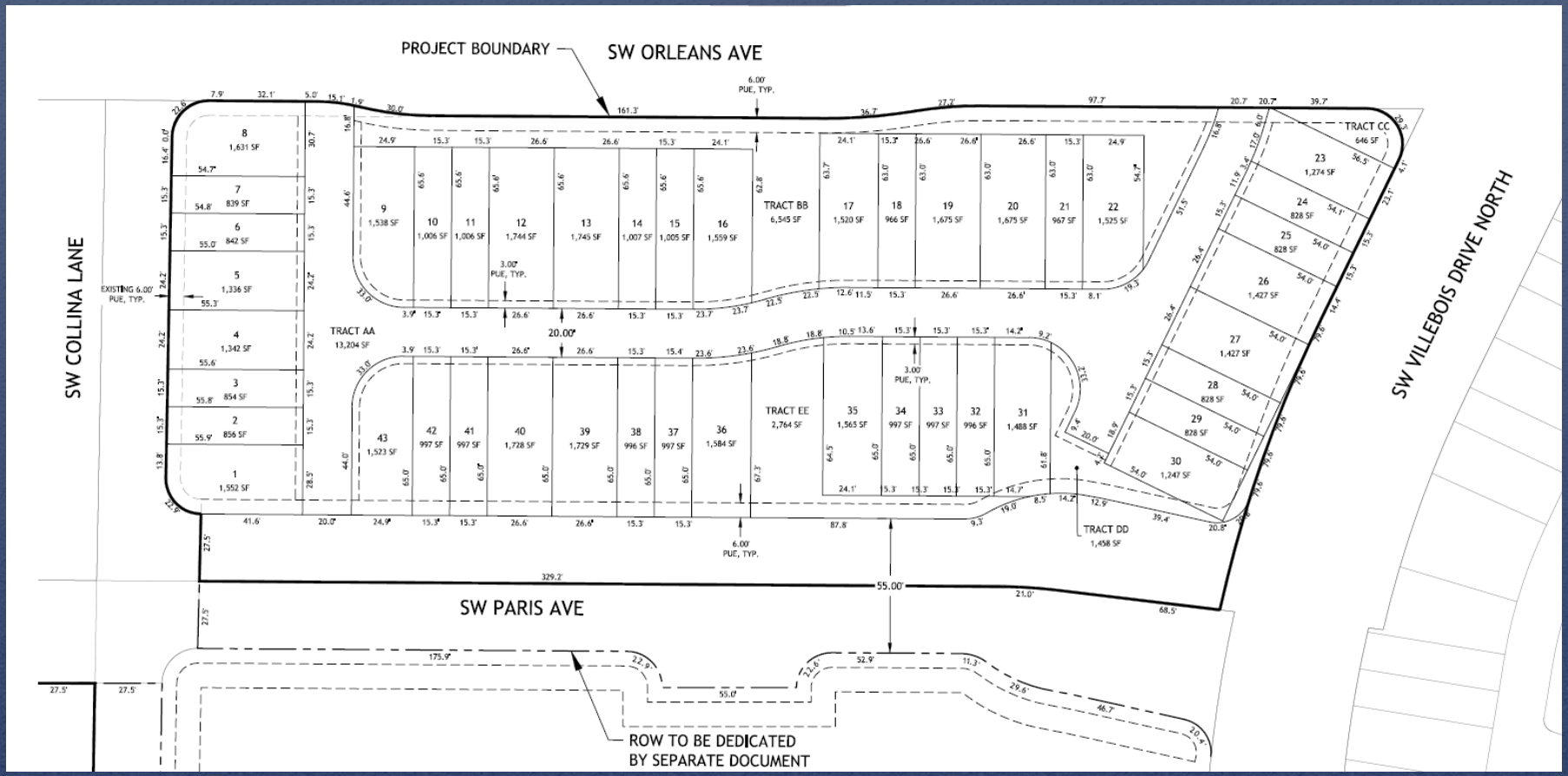
CONCRETE UNIT PAVERS WITH HELL-PROOF POLYMERIC SAND JOINTS
MANUFACTURER: WILLAMETTE GRAYSTONE
MODEL: AQUABRIC PERMEABLE CONCRETE
COLOR: AUTUMN BLEND
FINISH: CENTURY
SIZE: 5" X 10" X 60MM - HARRINGBONE PATTERN

PAVERS 6 L3

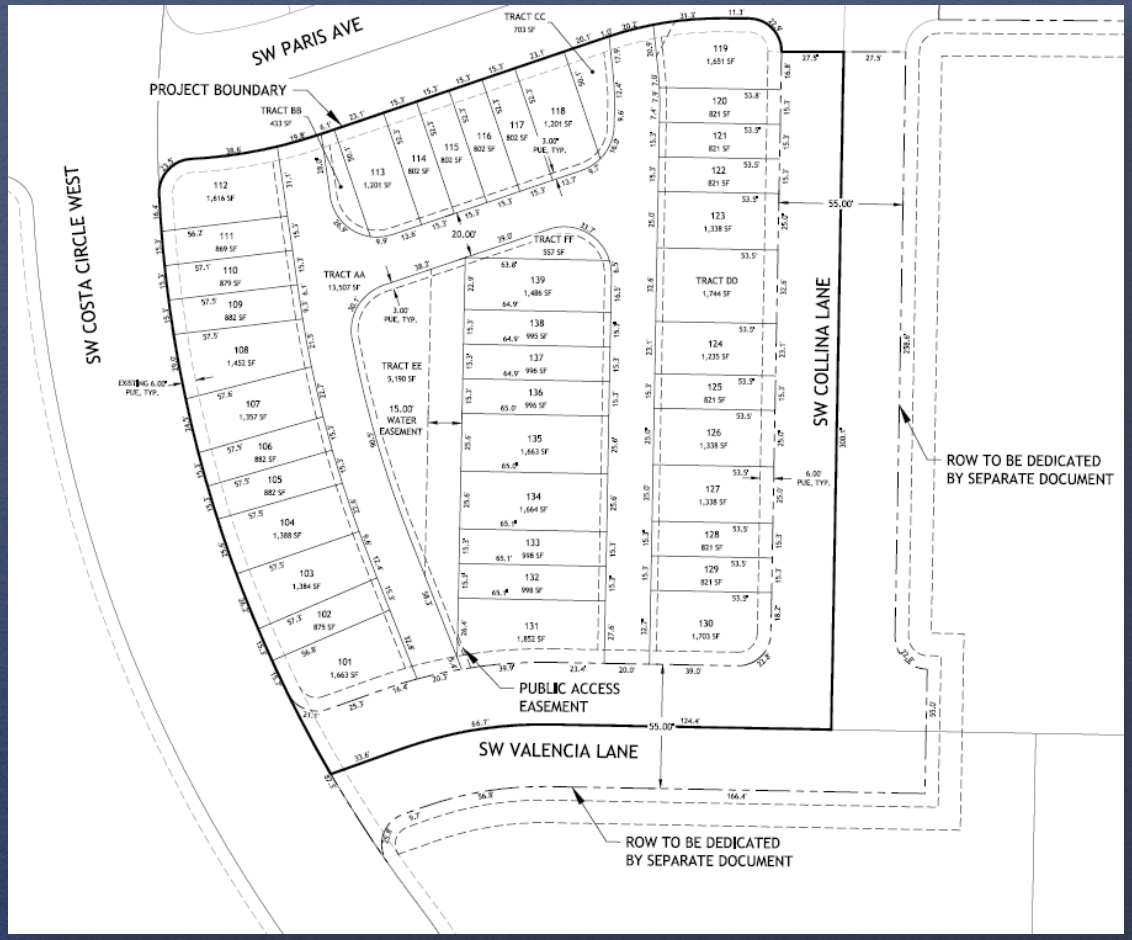
SCALE: N.T.S

FDP Architecture

FDP-Architecture



Tentative Subdivision Plat
Camden Square

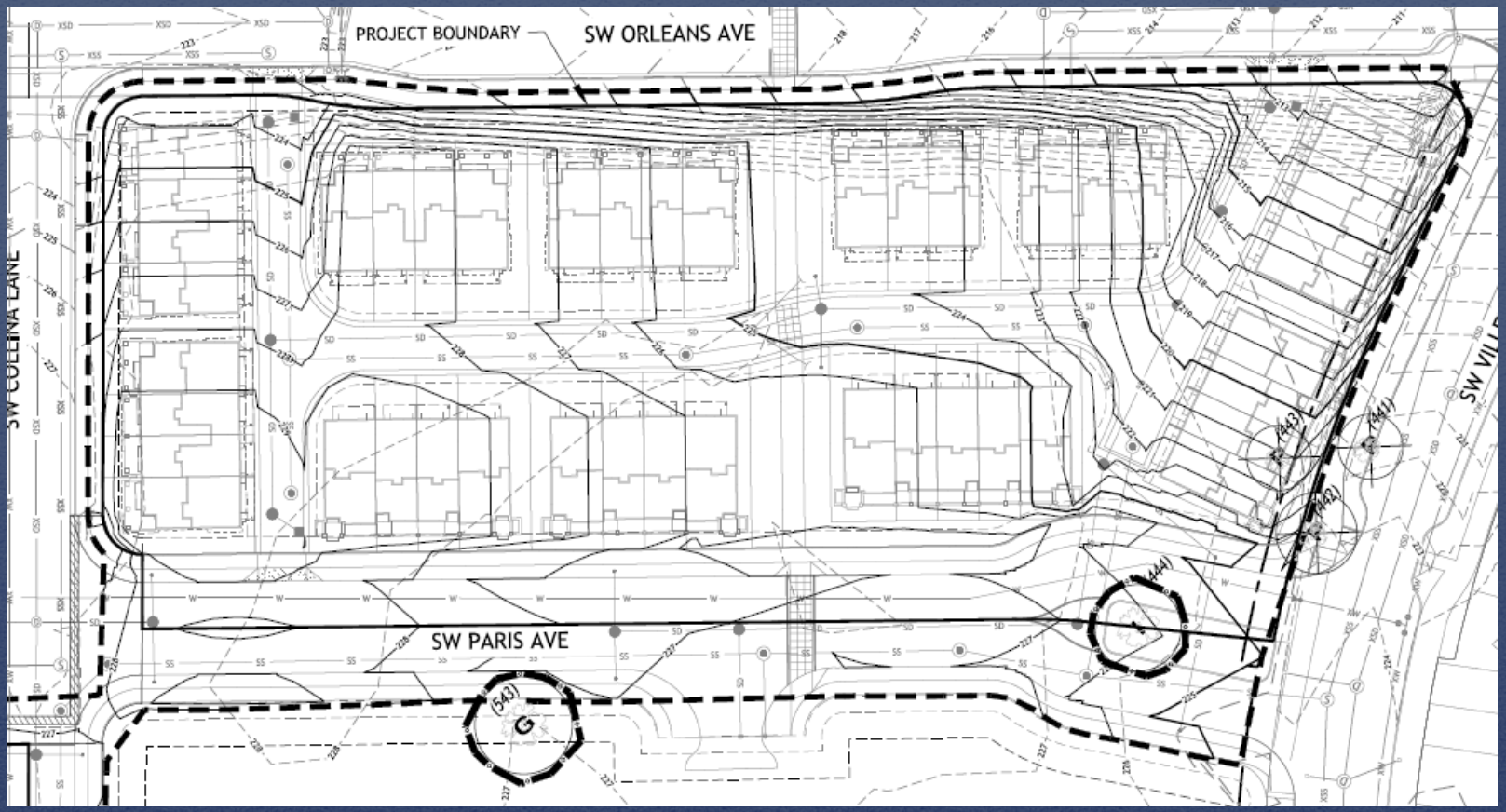


Tentative Subdivision Plat
Royal Crescent at Villebois

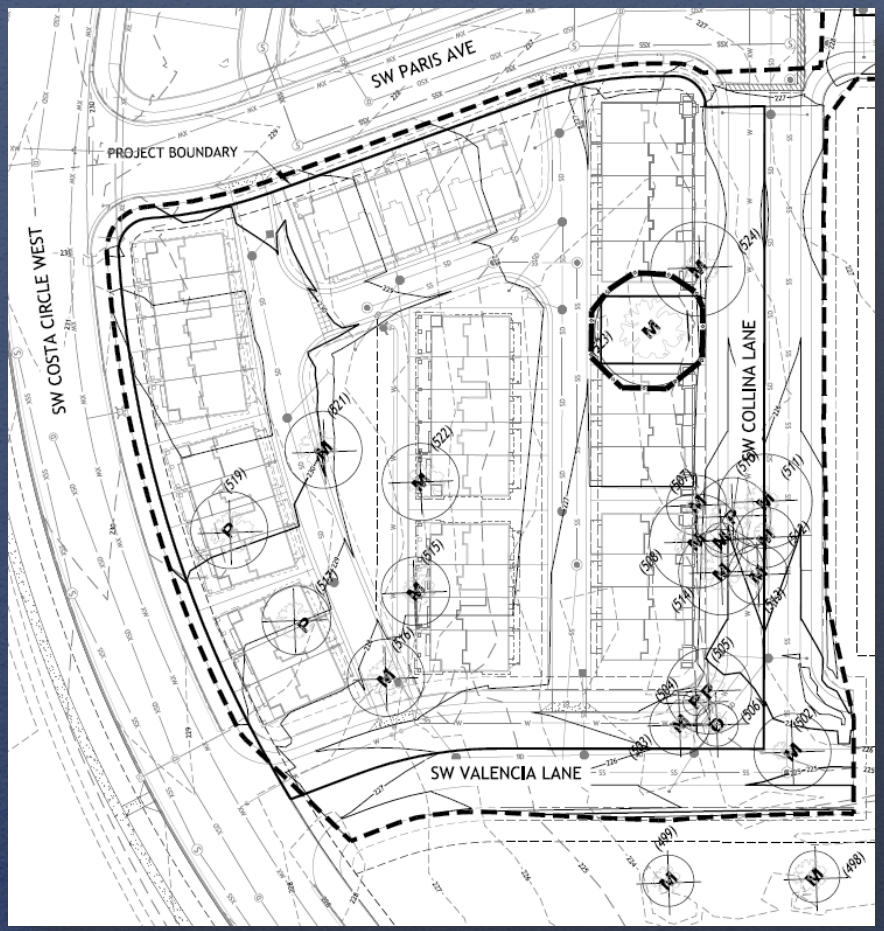
Treatment Recommendation	General Condition Rating					Total
	D	P	M	G	I/P	
Protect Off-Site Tree	0	0	0	1	0	**1** (4%)
Retain	0	0	1	0	1	**2** (8%)
Remove	2	8	13	0	0	**23** (88%)
Total	**2** (7%)	**8** (31%)	**14** (54%)	**1** (4%)	**1** (4%)	**26** (100%)

Common Name	Species Name	Off-site	On-Site	Total	Percent
apple	*Malus* spp.	0	3	**3**	**11%**
European white birch	*Betula pendula*	0	18	**18**	**69%**
Norway maple	*Acer platanoides*	1	0	**1**	**4%**
scarlet oak	*Quercus coccinea*	0	1	**1**	**4%**
southern magnolia	*Magnolia grandiflora*	0	1	**1**	**4%**
sweetgum	*Liquidambar styraciflua*	0	1	**1**	**4%**
western sycamore	*Platanus racemosa*	0	1	**1**	**4%**
Total		**1**	**25**	**26**	**100%**
Percent		**4%**	**96%**	**100%**	

Type C Tree Plan



Type C Tree Plan
Camden Square



Type C Tree Plan
Royal Crescent at Villebois

Questions?

Memorandum: Res. 319 Proposed Revisions to Staff Report

From: Daniel Pauly AICP, Associate Planner
To: Development Review Board
Date: December 14, 2015
Project: Villebois Phase 9 Central: Camden Square and Royal Crescent at Villebois

Staff recommends the following revisions be made to the Staff Report published December 7, 2015

Page 1 of 103

The location description under location is incorrect. It should be corrected to read. "Villebois Village Center between SW Costa Circle West and SW Villebois Drive."

Page 4 of 103

Change the reference to the PDP from 3N to 9C. Also, change the reference at the beginning of the second line from "Brookeside Terrace" to "Camden Square and Royal Crescent at Villebois"

Page 8 of 103

Delete the following language regarding exactions and development agreements as a development agreement is not being planned for this project.

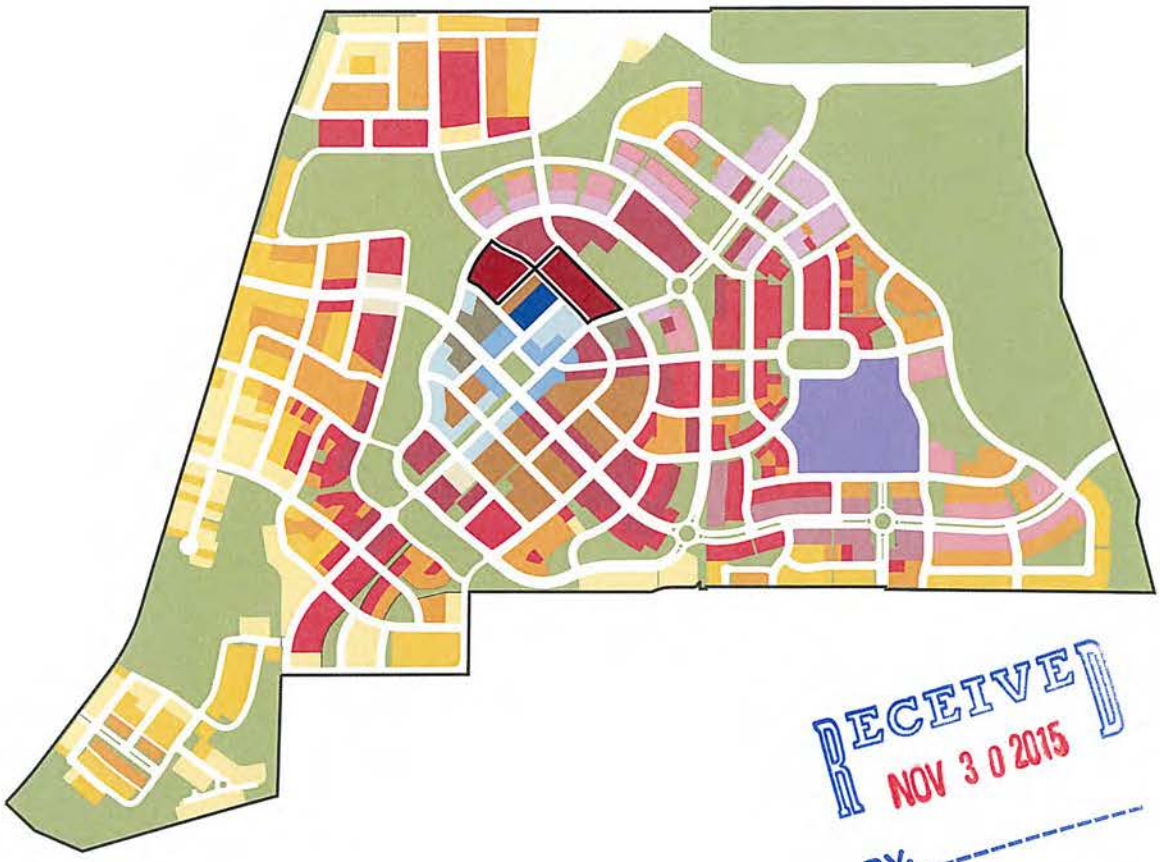
"The Developer is working with the City to reach agreement on the apportionment of fair and equitable exactions for the subject applications through a Development Agreement. Such agreement is subject to approval by the City Council by resolution."

Page 10 of 103

Revised Condition of Approval PDE 9 to read as follows to allow additional flexibility for private parties to work out agreement of how proposed lots will contribute to neighborhood level amenities in the Village Center, particularly the Piazza, Montague Park, and shared mail facilities.

"Applicant shall ensure lots in the proposed Camden Square and Royal Crescent at Villebois plats (Lots 78 and 82 of Villebois Village Center No. 3) contribute a pro rata share of the costs of the administration and maintenance of Piazza Park, Montague Park, and the Village Center shared mail facility adjacent to the Piazza. The pro rata share is anticipated to be substantially the same level of contribution required for administration and maintenance of these facilities from row houses previously included in the Villebois Village Center Master Association. However, the pro rata share amount is subject to further evaluation and agreement by the impacted parties."

City of Wilsonville
EXHIBIT A3 DB15-0068 et seq



RECEIVED
NOV 30 2015
BY:----------

Row Homes – PDP 9C

Preliminary Development Plan, Tentative Plat, Zone Change, Tree Removal Plan & Final Development Plan

The City of Wilsonville, Oregon October 9, 2015

POLYGON NORTHWEST COMPANY

Pacific Community Design

City of Wilsonville
EXHIBIT B1 DB15-0068 et seq

Section I) General Information Plan

IA) Introductory Narrative

INTRODUCTORY NARRATIVE

PHASE 9 - CENTRAL

INCLUDING:
PRELIMINARY DEVELOPMENT PLAN (REFINEMENTS), TENTATIVE PLAT, ZONE CHANGE, TREE REMOVAL PLAN, & FINAL DEVELOPMENT PLAN

SECTION IA

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I. GENERAL INFORMATION

Applicant:	**Polygon WLH, LLC** 109 E. 13th Street Vancouver, WA 98660 Tel: (503) 314-0807 Fax: (360) 693-4442 **Contact: Fred Gast**
Property Owner:	RCS – Villebois Development, LLC 371 Centennial Pkwy Louisville, CO 80027 Tel: (503) 535-1615 Fax: (503) 466-4202 **Contact: Rudy Kadlub**
Design Team:	
Primary Contact:	**Stacy Connery** **Pacific Community Design, Inc.** Tel: (503) 941-9484 Fax: (503) 941-9485 Email: stacy@pacific-community.com
Process Planner/Civil Engineer/Surveyor/ Landscape Architect:	**Pacific Community Design, Inc.** 12564 SW Main Street Tigard, OR 97223 Tel: (503) 941-9484 Fax: (503) 941-9485 **Contact: Stacy Connery, AICP** **Jessie King, PE** **Travis Jansen, PLS/PE** **Kerry Lankford, RLA**
Arborist:	**Morgan Holan** **Morgan Holan & Associates, LLC** 3 Monroe Parkway, Suite P 220 Lake Oswego, OR 97035 Tel: (971) 409-9354
Site and Proposal Information:	
Site:	31W15AC Tax Lot 3000 and 3400
Size:	3.94 gross acres

Comprehensive Plan Designation:	City - Residential – Village (R-V)
Specific Area Plan:	SAP – Central
Proposal:	Preliminary Development Plan (includes refinements) Tentative Plat Zone Change to Village (V) Tree Removal Plan Final Development Plan
Unit Count:	82 Rowhomes
Net Residential Density:	28.18 units/acre
Project Name:	Villebois PDP 9 – Central "Royal Crescent at Villebois" and "Camden Square"

II. REQUEST

This application requests approval of the following five (5) applications for the Phase 9 area of SAP Central.

- Preliminary Development Plan (PDP 9C), including refinements & SAP Phasing Amendment – Section II of Notebook
- Tentative Plat Approval (PDP 9C) – Section III of Notebook
- Zone Change to Village (V) for PDP 9C area – Section IV of Notebook
- Tree Preservation/Removal Plan for PDP 9C area – Section V of Notebook
- Final Development Plan for PDP 9C area – Section VI of Notebook

III. PLANNING CONTEXT

VILLEBOIS VILLAGE MASTER PLAN & SAP CENTRAL

The proposed PDP 9C area is located within the central portion of the *Villebois Village Master Plan* as illustrated on the Notebook Cover. The *Master Plan* and SAP Central show Specialty Condos and Apartment Land Use Types for the subject area. The *Master Plan* and SAP Central do not show any parks and open space areas or pathways on the subject property.

The PDP 9C area is inside the Village Center and is therefore subject to the *Village Center Architectural Standards*. The PDP 9C plan places the London Style Row Homes, which have a more urban and contemporary architectural expression, along the SW Paris Avenue frontage. Additionally, a pedestrian corridor is provided from SW Paris

Avenue through to SW Orleans Avenue to provide an opportunity for a future connection between Montague Park on SW Orleans Avenue and the Piazza when the intervening property that is subject to the Courtyard Address develops.

COURTYARD ADDRESS OVERLAY

PDP 9C also includes the northern end of the Courtyard Address Overlay on SW Paris Avenue. The Courtyard Address was associated with the former Dammasch Hospital buildings and was intended to provide for a connection between the historic buildings and the Piazza, and a pedestrian linkage between the Piazza and Montague Park. The buildings were demolished several years ago. While the former hospital building is no longer present at the Northern end of the Courtyard Address, the rowhomes will maintain an urban feel similar to the multi-family condos and will serve as a transition in density and building massing moving towards the Piazza. The site will also provide a segment of the pedestrian/bike connection between the Piazza to the south and Montague Park to the north. Below are the descriptions provided in the Community Elements Book and the Villebois Community Architecture Standards for the Courtyard Address Overlay:

Villebois Community Elements Book

"The Courtyard Street is an extension of the Plaza and connects the site's historical buildings to the Village Center. This curbless "room" is similar to the Woonerf in that it has many of the aesthetic and functional characteristics. The courtyard is curbless within the right-of-way and has dedicated walking alee on the west side of the street. It is intended that this dedicated pedestrian alee will strengthen the Village Center connection to Hilltop Park. Surfaces will delineate hierarchy of space and should be designed to fit seamlessly with the Plaza surface and furnishings."

Village Center Architectural Standards

"The Courtyard is aligned with the Plaza, connecting the site's historic buildings to their new village context. The space is conceived as a shared-use courtyard between buildings C, D, and the new condos to the southeast. The courtyard contains designated areas for private yards, walkways, and vehicular lanes. Trees in the parking lane will define spaces, and an alee of trees will connect the Plaza and Building D with a shaded pathway."

IV. PROPOSAL DESCRIPTION

Phase 9 of Specific Area Plan Central (also known as PDP 9C) includes approximately 3.94 gross acres. PDP 9C consists of two lots located south of the Costa Circle West and east of SW Orleans Avenue. PDP 9C proposes 82 single family attached Row House units, linear greens, and associated infrastructure improvements.

The proposed Row House units will be American Modern (Craftsman and London) architectural style.

LAND USES

PDP 9C proposes 82 single family attached Row House units. The proposed number and type of units is compatible with adjacent land uses. The table in Section IE of this Notebook lists the residential units broken down by development phase for all of SAP Central. PDP 9C is submitted with the concurrent FDP for architecture and park areas (see Section VI of the Notebook). PDP 1C, PDP 2C, and PDP 4C are approved and built (homes are in process of being built). PDP 3C is the site of the Villebois Piazza, which is approved and built. PDP 5C, the site of Montague Park, is in construction. PDP 6C and PDP 7C received planning approval Summer 2015.

PARKS & OPEN SPACE

The Master Plan and SAP Central do not show any parks within the subject area. PDP 9C proposes the addition of 0.42 acres for linear greens. A concurrent Final Development Plan (FDP) for the park areas is included with this submittal.

UTILITIES

Sanitary Sewer

The sanitary sewer system for Phase 9 Central is shown on the Composite Utility Plan in Section IIB of this Notebook. The Sanitary Sewer Master Plan shows this site draining to both the Tooze Main and the Barber Main via a gravity system portion of the site. The proposed sanitary sewer will be a gravity system that will redirect the entire site to the Tooze main. This main will then discharge to the Kinsman main via the connection installed in 2006. Sanitary sewer service can adequately be provided to this area in compliance with the Villebois Village Master Plan and the City's Wastewater Collection System Master Plan, as demonstrated in the Utility Analysis Memorandum prepared by Jessie King, PE (see Exhibit IIC).

Water

The proposed water system for Phase 9 Central is shown on the Composite Utility Plan in Section IIB of this Notebook. The proposed public water system will be an 8" system with some 6" lines for fire hydrant connections. The system will be looped throughout the development to maximize flows. Water service can adequately be provided to this area in compliance with the Villebois Village Master Plan and the City's Water System Master Plan.

Stormwater

The proposed site drains to the east to the Coffee Lake Creek drainage basin (CLC Basin). The City's Stormwater Master Plan for Coffee Lake Creek specifies that detention will not be required for the portion of Villebois Village that drains to the CLC Basin. Stormwater runoff will be collected by a series of catch basins leading to an underground piping system previously constructed with the PDP 4C infrastructure. As shown within the attached plans (see Section IIB of this Notebook), the system will ultimately connect with the system in PDP 3E where the runoff will drain to an existing regional water quality facility. A Utility Analysis Memorandum prepared by Jessie King, PE (see Exhibit IIC) demonstrates that the proposed system will provide adequate sizing and treatment.

Rainwater

A Rainwater Management Plan is included with the Supporting Utility Reports in Section IIC of this Notebook. Rainwater management within PDP 9C will be provided through street trees and bio-retention cells located in landscape tracts and planter strips in rights-of-way, as shown within the attached plans (Section IIB of this Notebook).

CIRCULATION

The transportation infrastructure proposed for PDP 9 Central will provide convenient neighborhood circulation and a range of transportation options. The *Circulation Plan* (see Exhibit IIB) illustrates the circulation system within this Preliminary Development Plan area.

PHASING

Construction of PDP 9C will be completed in one phase. PDP 9C is planned to be built later in 2016-2017.

The attached plans (see Section IIB) show ultimate improvements that are consistent with the *Master Plan* and SAP Central. PDP 9C will be accessed through SW Orleans Avenue to the east and SW Costa Circle West to the North of the site. ROW for these streets already exists.

V. REFINEMENTS TO SAP CENTRAL

The following sections of this Narrative describe the proposed refinements to SAP Central that are included in the PDP application. Detailed findings regarding the requested refinements can be found in the PDP Supporting Compliance Report in Section IIA of this Notebook.

LAND USES

PDP 9C refines the subject area beyond what was described in SAP Central. The total density shown for the subject area in SAP Central is 24-36 Village Apartments and 40-70 Specialty Condos.

PDP 9C proposes 82 Rowhome units (43 units on Lot 78 & 39 units on Lot 82). The refinement to the Master Plan includes American Modern (Craftsman) and London style rowhome elevations. London elevations are closest to the Piazza and maintain an urban look and feel. Additionally, the proposed refinements result in the addition of linear greens not included on the Master Plan and the retention of existing trees.

Table A below shows the number of units in each land use category currently within SAP Central and the number of units in the SAP with the proposed refinement as well as the percent change in each aggregate land use category. Table B shows the number of units originally shown in SAP Central and the number of units with the proposed refinement, as well as the percent change in each aggregate land use category.

Note: Since PDP 9C is submitted at the same time as PDP 8C, the following analysis includes both requests in the proposed unit counts.

Table A. Comparison of Current and Proposed Unit Counts

	Current Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,012	983	-2.90%
Total	1,012	983	-2.90%

Table B. Comparison of Original SAP Central and Proposed Unit Counts

	Original Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,010	983	-2.67%
Total	1,010	983	-2.67%

NOTE: The Current Unit Count for SAP Central reflects the final approved unit counts for PDP 1C, PDP 2C, PDP 3C, PDP 4C, PDP 5C (Montague Park), PDP 6C, and PDP 7C. Figures also account for recent Modifications to PDP 1C and PDP 2C. This number includes PDP 8C, which is being submitted concurrently.

Both tables show that the proposed refinements do not exceed the 10% standard. This proposal results in a total of 2,587 units within Villebois. This is above the density of 2,300 units required to be obtained across Villebois, meeting the refinement criteria.

None of the conditions of approval for SAP Central are specific to the proposed refinements. As the proposed refinements will not compromise the project's ability to comply with SAP conditions of approval, they will equally meet the conditions of approval of SAP Central.

The proposed refinements will equally or better meet the following Goals, Policies, and Implementation Measures of the *Villebois Village Master Plan* than the SAP Central plan.

- ***Land Use, General Land Use Plan Goal*** *– Villebois Village shall be a complete community that integrates land use, transportation, and natural resource elements to foster a unique sense of place and cohesiveness.*

  The proposed PDP 9C plan better integrates natural resource elements with land uses and transportation through additional park areas for linear greens and retention of existing trees.

- ***Land Use, General Land Use Plan 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.

The proposed PDP 9C plan meets this Land Use Plan Policy by contributing to the range of living choices for attached single-family home ownership. This was 24-36 Village Apartments and 40-70 Specialty Condos. Now, 82 Row Houses are proposed. The replacement of Apartment units and Specialty Condos with Row House units better meets current market demand and city-wide goals of providing for a variety of home ownership options. This proposal maintains the project's path of exceeding the minimum density of 2,300 units across Villebois.

- ***Villebois Village Master Plan, Village Center Policy 1*** *– The Village Center shall be a highly pedestrian-oriented place that is the focus of a mix of residential, shopping, service, and civic and mixed-use buildings.*

  The proposed PDP 9C plan meets this Land Use Plan Policy by increasing park space and providing street frontages that are highly pedestrian oriented with covered front porches on all Row Homes. As described above, PDP 9C contributes to the mix of residential options in the Village Center by providing additional ownership options for single-family homes.

- ***Villebois Village Master Plan, Village Center Policy 2*** *– The Village Center shall encourage multi-modal transportation system opportunities with good access by vehicular, pedestrian, bicycle and transit traffic.*

  The proposed PDP 9C plan encourages multi-modal transportation system opportunities by providing convenient vehicular access through alleys and encouraging pedestrian oriented street frontages by providing for garage access from alleys.

- ***Villebois Village Master Plan, Village Center Implementation Measure 2*** *– Specify a mixture of uses (residential, commercial, retail, civic, and office development) with the implementing Village zone that will support the long-term vitality of the Village Center and enhance the creation of a true urban village at its core. Employment may include uses related to high-tech businesses. The Village Center is intended to provide locations for uses consistent with, but not limited to, the following examples.*

  - *Consumer Goods: bookstore, clothing, florist, jeweler, pet shop, bicycle shop.*
  - *Food & Sundries: bakery, specialty grocery, hardware, laundromat, dry cleaner, gifts.*
  - *General Office: professional offices, non-profit, health services, governmental services, real estate, insurance, travel.*
  - *Service Commercial: bank, day care center, photo processing, telecommunications, upholstery shop.*
  - *Lifestyle & Recreation: hair salon, specialty retail, theater, video/DVD store, art gallery, health club, restaurants, dance studio.*
  - *Hospitality: hotel, bed and breakfast, conference center.*
  - *Light Manufacturing/Research and Development.*

- *Civic/Institutional: meeting hall, library, museum, churches, farmer's market, community center.*
- *Residential: condominiums, apartments, and townhouses*

  The proposed PDP 9C plan is consistent with the Village Center Implementation Measure 2 by providing single-family residential attached row houses. This use is included in the above list of intended Village Center uses. As described above, PDP 9C contributes to the mix of residential options in the Village Center by providing additional ownership options. Additionally, the proposed PDP 9C provides convenient vehicular access through alleys and provides street frontages that are highly pedestrian oriented with front yard courtyards on all Row Homes.

- ***Parks and Open Space/Off-Street Trails and Pathways Goal*** *– The Parks system within Villebois Village shall create a range of experiences for its residents and visitors through an interconnected network of pathways, parks, trails, open space and other public spaces that protect and enhance the site's natural resources and connect Villebois to the larger regional park/open space system.*

  The Villebois Village Master Plan and SAP Central do not show any parks, linear greens, open space or pathways within the proposed PDP area. Linear greens, totaling 0.42 acres in size, are added to this area with the proposed design for PDP 9C. The proposed refinement increases the amount of parks and open space that protect and enhance the site's natural resources (existing trees) and connect Villebois to the larger regional park/open space system.

- ***Parks and Open Space/Off-Street Trails and Pathways Implementation Measure 3****– Parks and open spaces shall be designed to incorporate native vegetation, landforms and hydrology to the fullest extent possible.*

  The proposed PDP 9C plan incorporates native vegetation, landforms and hydrology to the fullest extent possible with the addition of linear greens.

- ***Parks and Open Space/Off-Street Trails and Pathways Implementation Measure 9****– The design of Villebois shall retain the maximum number of existing trees practicable that are six inches or more DBH in the "Important" and "Good" tree rating categories, which are defined in the Community Elements Books. Trees rated "Moderate" shall be evaluated on an individual basis as regards retention. Native species of trees and trees with historical importance shall be given special consideration for retention.*

  The proposed PDP 9C plan integrates natural resource elements through additional park areas for linear greens. As described in the Tree Report attached in Section VB of the Notebook, trees rated as "Important" or "Good" have been retained to the extent feasible for the area.

PARKS & OPEN SPACE

A comparison of the proposed plan for PDP 9C and the original SAP Central plan for this area shows an increase in the areas planned for parks. The addition of linear greens provides enhanced pedestrian connectivity and direct access to green space for more of the homes in the PDP area. The proposed plan distributes green space

through the PDP area. A detailed description and analysis of the parks and open space refinements can be found in the PDP Supporting Compliance Report in Exhibit IIA of the Notebook.

UTILITIES

A comparison of the *Composite Utility Plan* of the proposed PDP (see Section IIB of this Notebook) with the *Utility Plan* in SAP Central (Volume II) shows the proposed refinements for the rainwater treatment facilities. Specifically, the replacement of planter boxes with bio-retention cells.

CIRCULATION

A comparison of the *Circulation Plan* from the proposed PDP 9C (see Exhibit IIB) and the *Circulation Plan* from SAP Central (Volume II) shows that the proposed circulation system is consistent. No refinements are proposed.

VI. PROPOSAL SUMMARY & CONCLUSION

This 'Introductory Narrative,' in conjunction with the referenced sections, describes the proposed Preliminary Development Plan, Tentative Plat, Zone Change, Tree Preservation/Removal Plan, and Final Development Plan. The Supporting Compliance Reports located in Sections II through VII, respectively, support these requests for approval of the subject applications and demonstrate compliance with the applicable standards of the Wilsonville Planning and Land Development Ordinance.

IB) Form/Ownership Documentation

CITY OF WILSONVILLE

29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone: 503.682.4960
Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Pre-Application meeting date:

TO BE COMPLETED BY APPLICANT:
Please PRINT legibly

Planning Division
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Applicant:

Polygon WLH LLC (Fred Gast)

Address: 109 E 13th St. Vancouver, WA 98660

Phone: (503) 314-0807

Fax: (360) 693-4442

E-mail: fred.gast@polygonhomes.com

Authorized Representative:

Pacific Community Design (Stacy Connery)

Address: 12564 SW Main St. Tigard, OR 97223

Phone: (503) 941-9484

Fax: (503) 941-9485

E-mail: stacy@pacific-community.com

Property Owner:

RCS- Villebois Development, LLC

Address: 371 Centennial Pkwy. Louisville, CO

Phone: (503) 535-1615

Fax: (503) 466-4202

E-mail:

Property Owner's Signature:

Printed Name: Date:

Applicant's Signature *(if different from Property Owner)*:

Printed Name: Date:

Site Location and Description:

Project Address if Available: North side of Villebois Drive North, between Costa Circle West and Barber Street Suite/Unit

Project Location: Lot 78 and 82 of Villebois Village Center No. 3

Tax Map #(s): 31W15AC Tax Lot #(s): 3000 and 3400 County: ☐ Washington ☒ Clackamas

Request: PDP 9C (including SAP Refinements, Tentative Plats "Royal Crescent at Villebois" and "Camden Square", Zone Change, Tree Removal, FDP for 82 Rowhome units).

Project Type: **Class I** ☐ **Class II** ☐ **Class III** ☑

☑ Residential ☐ Commercial ☐ Industrial ☐ Other (describe below)

Application Type:

☐ Annexation	☐ Appeal	☐ Comp Plan Map Amend	☐ Conditional Use
☐ Final Plat	☐ Major Partition	☐ Minor Partition	☐ Parks Plan Review
☐ Plan Amendment	☐ Planned Development	☑ Preliminary Plat	☐ Request to Modify Conditions
☐ Request for Special Meeting	☐ Request for Time Extension	☐ Signs	☐ Site Design Review
☐ SROZ/SRIR Review	☐ Staff Interpretation	☐ Stage I Master Plan	☐ Stage II Final Plan
☑ Type C Tree Removal Plan	☐ Tree Removal Permit (B or C)	☐ Temporary Use	☐ Variance
☐ Villebois SAP	☑ Villebois PDP	☑ Villebois FDP	☐ Waiver
☑ Zone Map Amendment	☑ Other (SAP Refinements)		

CITY OF WILSONVILLE

29799 SW Town Center Loop East
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Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Pre-Application meeting date:

TO BE COMPLETED BY APPLICANT:
Please PRINT legibly

Planning Division
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

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Applicant:

Polygon WLH LLC (Fred Gast)

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Phone: (503) 314-0807

Fax: (360) 693-4442

E-mail: fred.gast@polygonhomes.com

Authorized Representative:

Pacific Community Design (Stacy Connery)

Address: 12564 SW Main St. Tigard, OR 97223

Phone: (503) 941-9484

Fax: (503) 941-9485

E-mail: stacy@pacific-community.com

Property Owner:

RCS- Villebois Development, LLC

Address: 371 Centennial Pkwy. Louisville, CO

Phone: (503) 535-1615

Fax: (503) 466-4202

E-mail:

Property Owner's Signature:

Printed Name: Sharon Eshima Date: 9/28/15

Applicant's Signature *(if different from Property Owner):*

Printed Name: Date:

Site Location and Description:

Project Address if Available: North side of Villebois Drive North, between Costa Circle West and Barber Street Suite/Unit

Project Location: Lot 78 and 82 of Villebois Village Center No. 3

Tax Map #(s): 31W15AC Tax Lot #(s): 3000 and 3400 County: ☐ Washington ☒ Clackamas

Request: PDP 9C (including SAP Refinements, Tentative Plats "Royal Crescent at Villebois" and "Camden Square", Zone Change, Tree Removal, FDP for 82 Rowhome units).

Project Type: **Class I** ☐ **Class II** ☐ **Class III** ☑

☑ Residential ☐ Commercial ☐ Industrial ☐ Other (describe below)

Application Type:

☐ Annexation	☐ Appeal	☐ Comp Plan Map Amend	☐ Conditional Use
☐ Final Plat	☐ Major Partition	☐ Minor Partition	☐ Parks Plan Review
☐ Plan Amendment	☐ Planned Development	☑ Preliminary Plat	☐ Request to Modify Conditions
☐ Request for Special Meeting	☐ Request for Time Extension	☐ Signs	☐ Site Design Review
☐ SROZ/SRIR Review	☐ Staff Interpretation	☐ Stage I Master Plan	☐ Stage II Final Plan
☑ Type C Tree Removal Plan	☐ Tree Removal Permit (B or C)	☐ Temporary Use	☐ Variance
☐ Villebois SAP	☑ Villebois PDP	☑ Villebois FDP	☐ Waiver
☑ Zone Map Amendment	☑ Other (SAP Refinements)		

Lawyers Title of Oregon, LLC
Commercial Branch
121 SW Morrison St., Suite 500
Portland, OR 97204
503-220-0015 FAX 877-638-9521

Lawyers Title
121 SW Morrison St., Suite 500
Portland, OR 97204

Date Prepared: September 02, 2015
2nd Revision

PRELIMINARY TITLE REPORT
FOR ISSUING TITLE INSURANCE

Parties: RCS - Villebois Development, LLC a Colorado limited liability company to Polygon WLH LLC, a Delaware limited liability company
File Number: 32F0004824
Property Address:

Lot 77, 78, 80 and 82
Wilsonville, OR 97070

PRIOR REPORT IS REVISED FOR THE FOLLOWING:

Effective date has changes; Several exceptions have been deleted because they of duplication and/or do not affect the subject lots

LAWYERS TITLE OF OREGON, LLC is prepared to issue title insurance, as of the effective date and in the form and amount shown on Schedule A, subject to the conditions, stipulations and exclusions from coverage appearing in the policy form and subject to the exceptions shown on Schedule B. This report is preliminary to the issuance of a policy of title insurance issued by Fidelity National Title Insurance Company and shall become null and void unless a policy is issued and the full premium paid.

This report is for the exclusive use of the person to whom it is addressed. Title insurance is conditioned on recordation of satisfactory instruments that establish the interests of the parties to be insured; until such recordation, the Company may cancel or revise this report for any reason.

If you need assistance with this report, please contact:

Escrow Officer: Peggy Neikirk, 503-553-5664 Fax: 877-638-9521
E-mail: pneikirk@ltic.com

Title Officer: Bob Brandon, Phone: 503-553-5690 Fax: 877-638-9521
E-mail: Bob.Brandon@ltic.com

SCHEDULE A

1. The effective date of this preliminary title report is 8:00 A.M. on

August 28, 2015

2. The policies and endorsements to be insured and the related charges are:

Policy/Endorsement Description	Liability	Charge
ALTA 2006 Standard Owner's Policy (Short Term Rate Applied)	$7,030,000.00	$8,359.00
TOTAL OWNERS POLICY CHARGES		**$8,359.00**
PROPOSED INSURED: Owner's Policy Polygon WHL LLC		
ALTA 2006 Extended Lender's Policy (Simultaneous Issue Rate)		$0.00
TOTAL LOAN POLICY CHARGES		**$0.00**
PROPOSED INSURED: Loan Policy as requested in Lender Documents		
Local Govt. Lien Search Charge		$120.00

3. Title to the land described herein is vested in:

RCS - Villebois Development, LLC, a Colorado limited liability company

The estate or interest in land is:

Fee Simple

4. The land referred to in this report is described as follows:

SEE ATTACHED EXHIBIT "A"

Exhibit "A"

Lots 77, 78, 80, 82, VILLEBOIS VILLAGE CENTER NO. 3, according to the official plat thereof, recorded June 6, 2014, as Recorder's Fee No. 2014-026961, in the City of Wilsonville, Clackamas County, Oregon.

SCHEDULE B

Except for the items properly cleared through closing, the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

STANDARD EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public record; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3. Easements, claims of easements, or encumbrances not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

5. Any lien, or right to lien, for unemployment taxes, workmen's compensation, services, labor, equipment rental or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS:

6. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2015-2016.

7. City Liens, if any, in favor of the City of Wilsonville. None as of July 23, 2015.

8. Rights of the public to any portion of the Land lying within streets, roads and highways.

9. Unrecorded Development Agreement, including the terms and provisions thereof,
   Dated : May 24, 2004
   By and between : Villebois, LLC
   And : City of Wilsonville, the Urban Renewal Agency for Wilsonville
   AND State of Oregon
   disclosed of record by Assignment of Development Agreement,
   Recorded : October 17, 2005
   As : 2005-102816

10. Deleted.

11. Deleted.

12. Deleted.

13. Deleted.

14. Deleted.

15. Deleted.

16. Deleted.

17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
    Granted to : City of Wilsonville
    Purpose : 6 foot Public utility along street
    Recording Date : March 1, 2013
    Recording No. : 2013-014660
    And as shown on the recorded Partition Plat No. 2013-051.
    And as shown on the recorded plat of Villebois Village Center No. 3.

18. Deleted.

19. Deleted.

20. A deed of trust to secure an indebtedness in the amount shown below,
    Amount : $3,576,598.00
    Dated : October 30, 2013
    Trustor/Grantor : RCS - Villebois Development, LLC, a limited liability company
    Trustee : First American Title Company of Oregon
    Beneficiary : Manufacturers and Traders Trust Company d/b/a M&T Bank, a New York banking corporation
    Loan No. : Not disclosed
    Recording Date : October 31, 2013
    Recording No. : 2013-074532
    (Affects additional property)

    A substitution of trustee under said deed of trust which names, as the substituted trustee, the following:
    Trustee : Lawyers Title of Oregon, LLC, an Oregon limited liability company
    Recording Date : July 7, 2014
    Recording No. : 2014-032489

21. A deed of trust to secure an indebtedness in the amount shown below,

Amount	:	$678,770.00
Dated	:	October 30, 2013
Trustor/Grantor	:	RCS - Villebois Development, LLC, a limited liability company
Trustee	:	First American Title Company of Oregon
Beneficiary	:	Manufacturers and Traders Trust Company d/b/a M&T Bank, a New York banking corporation
Loan No.	:	Not disclosed
Recording Date	:	October 31, 2013
Recording No.	:	2013-074533

(Affects additional property)

A substitution of trustee under said deed of trust which names, as the substituted trustee, the following:

Trustee	:	Lawyers Title of Oregon, LLC, an Oregon limited liability company
Recording Date	:	July 7, 2014
Recording No.	:	2014-032491

22. Deleted.

23. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat of Villebois Village Center No. 3.

24. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose	:	Public utility
Affects	:	A 6.00 foot strip along SW Villebois Drive North - see plat for exact location

25. Terms and provisions of Street Dedication Deed for Lot 77, Villebois Village Center No. 3

Recorded	:	August 10, 2015
As	:	2015-053437
By and between	:	RCS - Villebois Development LLC, a Colorado limited liability company to the City of Wilsonville, a municipal corporation of the State of Oregon, and its assigns

26. Terms and provisions of Street Dedication Deed for Lot 78, Villebois Village Center No. 3

Recorded	:	August 10, 2015
As	:	2015-053438
By and between	:	RCS - Villebois Development LLC, a Colorado limited liability company to the City of Wilsonville, a municipal corporation of the State of Oregon, and its assigns

27. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053439
In favor of : City of Wilsonville, a municipal corporation of the State of Oregon
For : A permanent right-of-way and public utility easement affecting Lot 78

28. Terms and provisions of Street Dedication Deed for Lot 82, Villebois Village Center No. 3
Recorded : August 10, 2015
As : 2015-053440
By and between : RCS - Villebois Development LLC, a Colorado limited liability company to the City of Wilsonville, a municipal corporation of the State of Oregon, and its assigns

29. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053441
In favor of : City of Wilsonville, a municipal corporation of the State of Oregon
For : A permanent right-of-way and public utility easement affecting Lot 82

30. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053449
In favor of : Polygon WLH LLC, a Delaware limited liability company
For : A temporary access, utility and construction easement affecting Lots 77, 78 and 82

31. An easement disclosed by instrument,
Recorded : August 10, 2015
As : 2015-053451
In favor of : Polygon WLH LLC, a Delaware limited liability company
For : A temporary construction easement affecting Lots 76, 77 and 78

32. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

33. Personal property taxes, if any.

END OF EXCEPTIONS

NOTES:

A. Paid taxes for the year 2014-15
Original Amount : $11,863.59
Account No. : 05025940; Levy Code: 003-033; Map 31W15AC02900
Affects : Lot 77

Original Amount : $8,054.63
Account No. : 05025941; Levy Code: 003-033; Map 31W15AC03000
Affects : Lot 78

Original Amount : $8,163.46
Account No. : 05025943; Levy Code: 003-033; Map 31W15AC03200
Affects : Lot 80

Original Amount : $7,510.40
Account No. : 05025945; Levy Code: 003-033; Map 31W15AC03400
Affects : Lot 82

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

B. NOTE: We find no Notice of Completion recorded on said Land.

C. Washington County imposes a transfer tax of $1.00 per $1,000 (or fraction thereof) of the selling price in a real estate transfer, unless the county approves an exemption application. Exemption criteria and applications are available at the country's website, see: http://www.co.washington.or.us/AssessmentTaxation/Recording/TransferTaxExemption/index.cfm.

D. NOTE: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

E. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below:

Limited Liability Company: Polygon WLH LLC and RCS-Villebois Development, LLC

a) A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member

b) If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendments thereto with the appropriate filing stamps

c) If the Limited Liability Company is member-managed, a full and complete current list of members certified by the appropriate manager or member

d) If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company, that it was validly formed, is in good standing and authorized to do business in the state of origin

e) If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

F. NOTE: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

G. NOTE: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties : Polygon WLH LLC, a Delaware limited liability company and RCS-Villebois Development, LLC, a Colorado limited liability company

H. NOTE: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

I. If requested to issue an extended coverage ALTA loan policy, the following matters must be addressed:

a) The rights of tenants holding under unrecorded leases or tenancies
b) Any facts which would be disclosed by an accurate survey of the Land
c) Matters disclosed by a statement as to parties in possession and as to any construction, alterations or repairs to the Land within the last 75 days. The Company must be notified in the event that any funds are to be used for construction, alterations or repairs.

NOTE: In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.

NOTE: THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

NOTE: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

LENDER NOTE: Lawyers Title of Oregon, LLC, an Oregon limited liability company is the correct name to use if you are going to use this company as the trustee for a trust deed in this transaction.

NOTICE REGARDING RECORDING CHARGES:

Recording charge (per document) is the following:

COUNTY	FIRST PAGE	EACH ADDITIONAL PAGE
Clackamas	$53.00	$5.00

**NOTE: When possible the company will record electronically. An additional charge of $5.00 applies to each document that is recorded electronically.

**NOTE: A multiple transaction document bears an additional $5.00 charge for each additional transaction. A document that fails to conform to certain formatting and page one requirements bears an additional $20.00 charge.

RECORDING CHARGES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

NOTE REGARDING ARBITRATION: THE POLICY OR POLICIES OF TITLE INSURANCE TO BE ISSUED WILL CONTAIN A CLAUSE PERMITTING ARBITRATION OF CLAIMS AT THE REQUEST OF EITHER THE INSURED OR THE COMPANY. UPON REQUEST, THE COMPANY WILL PROVIDE A COPY OF THIS CLAUSE AND THE CURRENTLY APPLICABLE ARBITRATION RULES. FOR THE APPLICABLE ENDORSEMENT CHARGE, THE COMPANY WILL DELETE THE ARBITRATION CLAUSE IF IT RECEIVES BEFORE CLOSING A WRITTEN REQUEST FOR THE ENDORSEMENT

NOTE: It is our policy in Oregon to identify a reduced title insurance charge on Schedule A when it appears to us that your transaction qualifies for a reduced charge. The reduction usually is computed as a percentage of the Company's basic rate. If a reduced charge appears on Schedule A, it is one of the following:

Short Term Rate: A discount of 25% of the basic rate applies when title insurance has been issued for the property within the previous three years.

Builder–Developer Rate: A discount of 35% of the basic rate may apply when a party to the transaction is a builder or developer and the property is residential.

Contract Fulfillment Rate: A discount of up to 50% of the basic rate may apply to an owner's policy issued upon fulfillment of a previously insured land sale contract.

Leasehold to Owner's Conversion Rate: A previously insured lessee who exercises an option to purchase in the lease may obtain title insurance for the purchase with a 50% credit from the previous policy.

Post-Construction Permanent Loan Rate. A discount of up to 75% of the basic rate may apply to a loan policy for a permanent mortgage when it refinances a previously insured construction loan.

Reorganization Rate: A discount of up to 65% of the basic rate may apply for title insurance to a business entity that is affiliated with a previously insured business entity.

Corporate Employee Transfer Rate: When a corporation transfers an employee from one area to another and the employee's corporation or one rendering employee transfer services acquires the employee's property with title insurance, a discount of up to 50% applies to the resale.

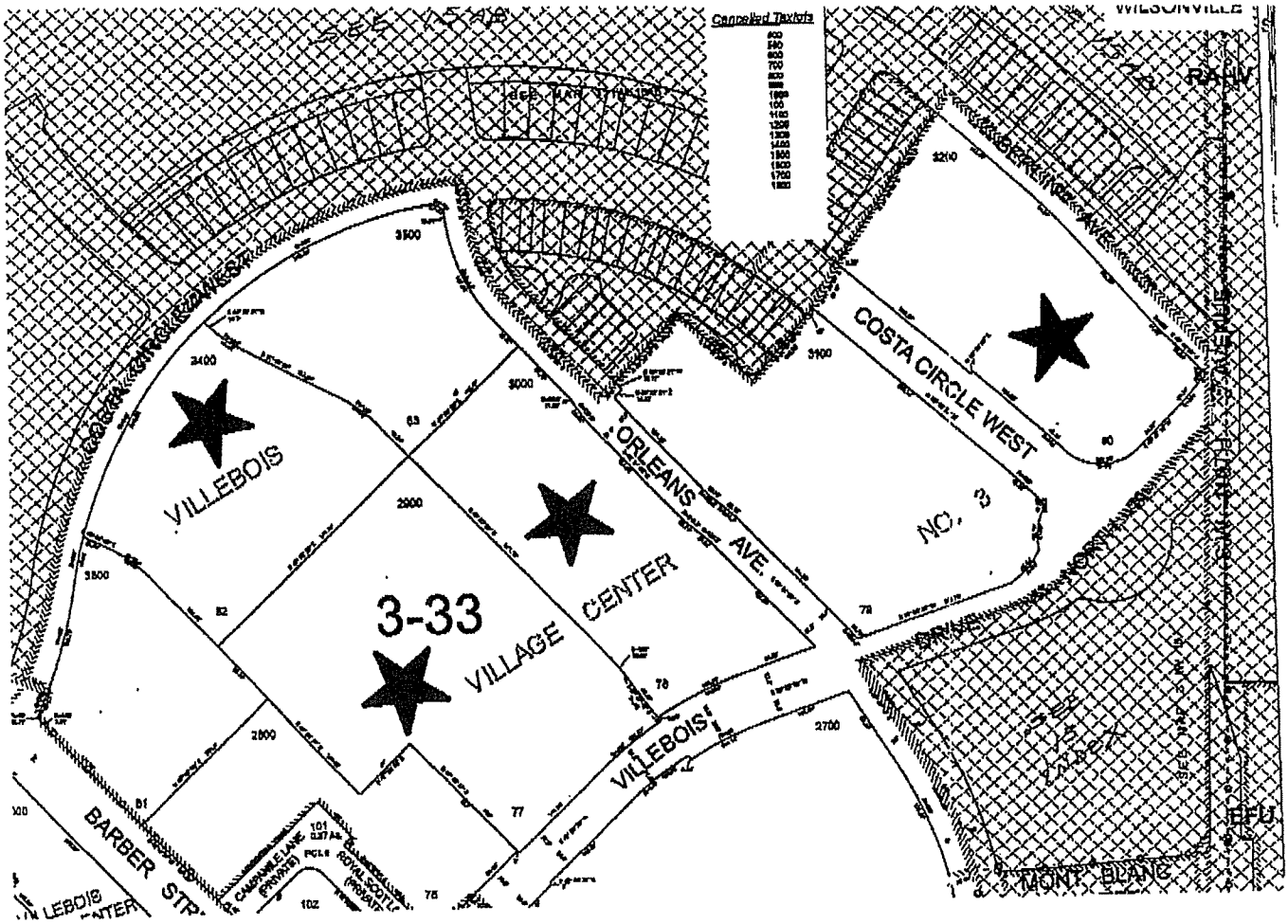
Simultaneous Issue Rate: A special rate may apply when two or more policies are issued simultaneously, such as a loan policy with an owner's policy or two loan policies.

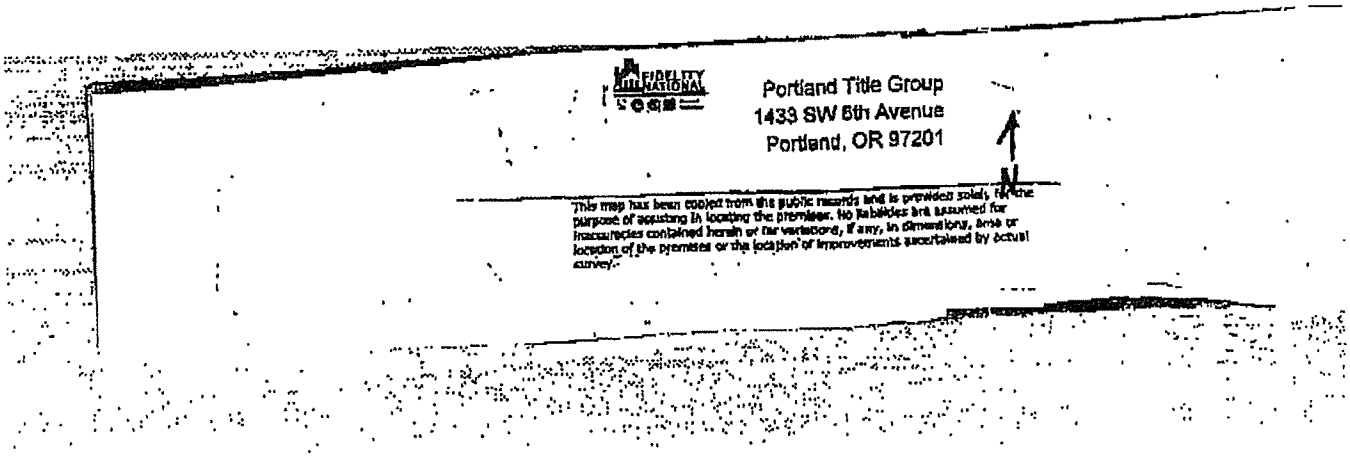
For many real estate transactions, Federal law requires that a settlement statement show the allocation of title insurance charges between title insurer and title insurance agent. For the transaction that is the subject to this report, the allocation is as follows:

i. Lawyers Title of Oregon, LLC (agent): 88%
ii. Fidelity National Title Insurance Company, a California Corporation (Insurer): 12%

IF YOU THINK A REDUCED RATE APPLIES TO YOUR TRANSACTION BUT IT DOES NOT APPEAR ON SCHEDULE A, PLEASE INFORM YOUR ESCROW OFFICER OR TITLE OFFICER. You may contact your escrow officer or title officer at the phone number, email address or mailing address shown on this report.

End of Report
/


Cancelled Taxlots
VILLEBOIS
3-33
VILLAGE CENTER
ORLEANS AVE.
COSTA CIRCLE WEST
NO. 3
VILLEBOIS
BARBER ST.
MONT. BLANC
EFU


FIDELITY NATIONAL TITLE GROUP
Portland Title Group
1433 SW 6th Avenue
Portland, OR 97201
N
This map has been copied from the public records and is provided solely for the purpose of assisting in locating the premises. No liabilities are assumed for inaccuracies contained herein or for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.

IC) Fee Calculation
ID) Mailing List

These items were withheld due to sensitive information.

IE) Updated SAP Central Phasing & Unit Count

Villebois (updated 11/17/15)

Land Use Table

LAND USE	SAP NORTH	SAP SOUTH	SAP EAST	SAP CENTRAL	TOTAL
Estate	22	0	0	0	22
Large	43	104	0	0	147
Standard	20	68	49	0	137
Medium	89	127	112	0	328
subtotal	**174**	**299**	**161**	**0**	**634**
Small Detached	214	158	226	8	606
Small Attached / Cottage	49	0	147	9	205
Rowhouse	0	103	42	340	485
Nbhd Apartments	10	21	0	0	31
Village Apartments	0	0	0	366	366
Condos	0	0	0	33	33
Urban Apartments	0	0	0	83	83
Mixed Use Condos	0	0	0	97	97
Specialty Condos	0	0	0	47	47
subtotal	**273**	**282**	**415**	**983**	**1,953**
TOTAL UNITS	**447**	**581**	**576**	**983**	**2,587**

SAP Central (updated 11/17/15)

	Existing Count	Proposed***									
LAND USE	SAP CENTRAL	PDP 1C*	PDP 2C**	PDP 4C	PDP 6C	7C	8C	9C	10C	11C	12C	Total
Estate	0	0	0	0	0	0	0	0	0	0	0	0
Large	0	0	0	0	0	0	0	0	0	0	0	0
Standard	0	0	0	0	0	0	0	0	0	0	0	0
Medium	0	0	0	0	0	0	0	0	0	0	0	0
subtotal	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Small Detached	8	0	0	8	0	0	0	0	0	0	0	8
Small Attached/Cottage	9	0	0	9	0	0	0	0	0	0	0	9
Rowhouse	203	56	13	40	31	68	50	82	0	0	0	340
Village Apartments	385	304	52	0	0	0	0	0	(6-14)	0	0	356 + (6-14)
Condos	46	3	0	0	0	0	0	0	(15-30)	(5-10)	0	3 + (20-40)
Urban Apartments	130	0	58	0	0	0	0	0	0	(18-32)	0	58 + (18-32)
Mixed Use Condos	104	(8-12)	(24-30)	0	0	0	0	0	0	0	(24-96)	(56-138)
Specialty Condos	127	0	0	0	0	0	0	0	(34-60)	0	0	(34-60)
subtotal	**1,012**	**363+(8-12)**	**123 + (24-30)**	**57**	**31**	**68**	**50**	**82**	**(55-104)**	**(23-42)**	**(24-96)**	**774+ (134-284)**
TOTAL UNITS	**1,012**	**908 - 1058**										

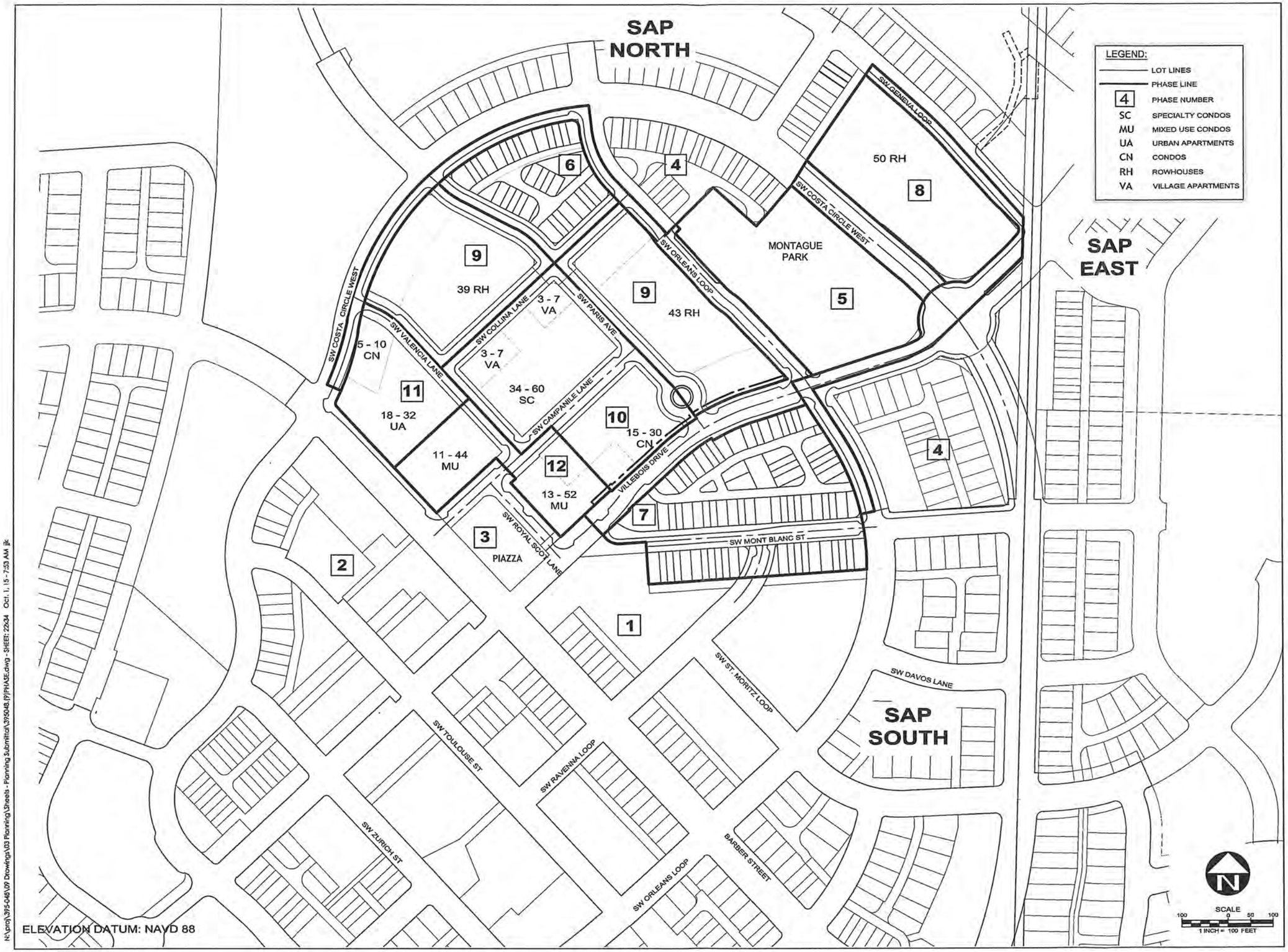
(#-#) indicates range approved with either PDP or SAP, but no building or refined unit count yet defined

* PDP 1C Approved & Built; FDP's Approved for The Alexan - 274 Apts (built), 39 RH w/ Polgyon 2013 MOD (31 built), 3 Carvalho Condos (built), and 30 Rainwater Garden Apts (built) + 2014 PDP Mod to change 30 condos to 18 RH & 8 RH to 7 RH

**PDP 2C Approved & Built; FDP's Approved for The Charlston - 52 Apts (built), 13 RH w/ Polygon MOD (built), Carvalho Carriage Homes - 6 Apts approved 2014 (0 built) + 2014 PDP Mod to change 39 Condo's (Trafalgar Flats) to 49 Urban Apts + 3 Condo's (Carriage Homes) to 3 Urban Apts

***PDP 3C = Piazza & PDP 5C = Montague Park; no residential density (not included in table); PDP 6C & PDP 7C received planning approval in July 2015; PDP 8C & PDP 9C are pending planning approval (each PDP submitted separately)

	Proposed Count
LAND USE	SAP CENTRAL
Estate	0
Large	0
Standard	0
Medium	0
subtotal	**0**
Small Detached	8
Small Attached/Cottage	9
Rowhouse	340
Nbhd Apartments	0
Village Apartments	366
Condos	33
Urban Apartments	83
Mixed Use Condos	97
Specialty Condos	47
subtotal	**983**
TOTAL UNITS	**983**



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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 8C
BROOKESIDE
TERRACE
ROW HOMES

Preliminary
Development
Plan

SAP CENTRAL
PHASING PLAN
UPDATE

1ST SUBMITTAL DATE 10/02/2015

9

Section II) Preliminary Development Plan

IIA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT

PRELIMINARY DEVELOPMENT PLAN 9 - CENTRAL

SECTION IIA

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I. WILSONVILLE PLANNING & LAND DEVELOPMENT ORDINANCE

SECTION 4.125 VILLAGE (V) ZONE

(.02) PERMITTED USES

Examples of principle uses that are typically permitted:

D. Row Houses

H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.

Response: This Preliminary Development Plan (PDP) application proposes to create 82 lots for development of row houses and tracts for linear greens. All proposed uses within the subject PDP are permitted pursuant to this section.

(.05) DEVELOPMENT STANDARDS APPLYING TO ALL DEVELOPMENTS IN THE VILLAGE ZONE

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

A. Block, Alley, Pedestrian and Bicycle Standards:

1. Maximum 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.

Response: Blocks within the proposed PDP plan meet the maximum 1,800-foot block perimeter.

2. Maximum spacing between streets for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions from meeting this standard.

Response: Blocks within the proposed PDP plan meet the maximum 530-foot spacing for local street access.

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

Response: 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.

C. Trailers, travel trailers, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or

calling, or for storage of material, unless approved for such purpose as a temporary use.

Response: No trailers, travel trailers, mobile coaches, or such vehicles will be used for the purpose of conducting a trade or calling or for the storage of material unless approved as a temporary use.

D. Fences:

1. General Provisions:

a. Fencing within the Village Zone shall be in compliance with the Master Fencing Program in the adopted Architectural Pattern Book for the appropriate SAP.

b. When two or more properties with different setbacks abut, the property with the largest front yard setback requirement shall be used to determine the length and height of the shard side yard fence, as required by section 4.125 above.

c. The development Review Board may, in their discretion, require such fencing as deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.

2. Residential:

a. The maximum height of any fence located in the required front yard of a residential development shall not exceed three (3) feet.

b. Fences on residential lots shall not include chain link, barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flake board. Fences in residential areas that protect wetlands, or other sensitive areas, may be chain link.

Response: The SAP Central Master Fencing Plan does not indicate any required community fencing within the subject PDP. The Village Center Architectural Standards (VCAS) indicate that fencing is optional and when provided should be consistent with the architecture. The architectural styles of the proposed row homes are American Modern (Craftsman) and London Row Homes. The Craftsman Row Homes will include covered front porches. The London Row Homes include a fenced courtyard and covered entry at the front elevation of each Row Home.

E. Recreational Area in Multi-Family Residential and Mixed Use Developments.

Response: The proposed PDP includes lots for the development of single family residential homes; therefore this standard does not apply.

F. Fire Protection:

1. All structures shall include a rated fire suppression system (i.e., sprinklers), as approved by the Fire Marshal

Response: All of the homes within the proposed PDP area will include appropriate fire suppression systems. This will be verified with review of future building permit applications.

Table V-1 Development Standards

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [10, 12] (%age)	Max. Bldg. Height (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Commercial Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	5	NR	NR	NR	NA
Hotels - Village Center [14]	NR	NR	NR	1	80	60	NR [3]	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center [14]	NR	NR	NR	1	80	45	5 [4]	15	NR	NR	NR	NA
Row Houses [11] - Village Center [14]	NR	NR	NR	1	80	45	5 [4]	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	1	60	45	8 [4]	15	NR	NR	NR	NA
Row Houses [11]	NR	15	50	1	80	45	8 [5]	15	NR	NR	NR	NA
Duplexes	4,000	45	70	2	60 [16]	35	12 [5, 6]	20 [6]	5	5 [15]	7	8,17,18
Single-Family Dwellings	2,250	35	50	2	60 [16]	35	12 [5, 6]	20 [6]	5	5 [15]	7	8,17

Notes:
NR No Requirement
NA Not Allowed
1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)
2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage
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 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.
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, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.
6 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.
7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.
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 façade 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.
12 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.
13 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.
14 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.
15 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.
16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.
17 Dwellings on lots without alley access shall be at least 36 feet wide.
18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.
19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.
20 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]

Response: The *Tentative Plat* (see Section IIIB in this Notebook) depicts proposed lot sizes and dimensions. All of the lots meet applicable requirements, as addressed below. All of the lots will be developed with single family attached row houses, with no more than ten contiguous units along a street edge. Table V-1 does not indicate a minimum lot size, width or depth for Row Houses in the Village Center. The proposed PDP 9C does not have any lots >8,000 sf, so no maximum lot coverage applies. Row House lots will have a frontage width greater than 80%, except as allowed by footnote 11 of Table V-1. Row Houses will not have building heights greater than 45 ft, and will have front setbacks between 5-10 ft, except as allowed under footnote 4 above. No additional standards from Table V-1 apply.

(.07) GENERAL REGULATIONS – OFF-STREET PARKING, LOADING & BICYCLE PARKING

Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the village zone.

A. General Provisions:

1. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.

2. The Board shall have the authority to grant variances or refinements to these standards in keeping with the purposes and objectives set forth in this zone.

Response: The applicant acknowledges that the provision and maintenance of off-street parking is the continuing obligation of the property owner. There are no variances or refinements to the standards of this section proposed with this application.

B. Minimum and Maximum Off-Street Parking Requirements:

1. Table V-2, Off-Street Parking Requirements, below, shall be used to determine the minimum and maximum parking standards for noted land uses. The number of required parking spaces shown in Table V-2 shall be determined by rounding to the nearest whole parking space…

Table V-2: Off-Street Parking Requirements

Category	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short Term	Bicycle Long Term
Single Family Detached Dwelling Units	1.0 / DU	NR	NR	NR
Row Houses	1.0 / DU	NR	NR	NR

Response: Each of the homes will provide a minimum of a one-car garage in compliance with this standard. Some homes will have space for a car to park in a driveway; as noted on the Parking Plan (See Section IIB).

C. Minimum Off-Street Loading Requirements:

Response: The proposed PDP includes lots for development of single family row homes; therefore no loading areas are required.

D. Bicycle Parking Requirements:

Response: The proposed PDP includes single family row house units. There is no bicycle parking requirement for these unit types, as noted in *Table V-2* above, therefore these standards do not apply.

(.08) OPEN SPACE

Open space shall be provided as follows:

A. 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 front yard areas shall not be counted towards the required open space area. Required rear yard areas and other landscaped areas that are not within required front or side yards may be counted as part of the required open space.

B. 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. See SROZ provisions, Section 4.139.10.

C. 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.

Response: 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 9C includes 0.42 acres of linear greens not shown in the *Villebois Village Master Plan* for this area, thereby increasing open space areas. This proposal provides more open space than originally included in this phase.

(.09) STREET & ACCESS IMPROVEMENT STANDARDS

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

1. General Provisions:

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

Development Plan, or Final Development Plan and the following standards:

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

i. 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.

Response: All street improvements within this PDP will comply with the applicable Public Works Standards. 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*. The street system is illustrated on the *Circulation Plan* (see Section IIB of this Notebook).

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

Response: All streets within this PDP will be developed with curbs, landscape strips, sidewalks, and bikeways or pedestrian pathways as depicted on the *Circulation Plan* (Section IIB of this Notebook) and in accordance with the *Master Plan*.

2. Intersections of streets

a) Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.

b) Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of thirty (30) foot centerline radius and said angle shall not be less than sixty (60) degrees. Any angle less than ninety (90) degrees shall require approval by the City Engineer after consultation with the Fire District.

Response: The plan sheets located in Section IIB of this Notebook demonstrate that all proposed streets will intersect at angles consistent with the above standards (see the *Tentative Plat* in Section IIIB).

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

i. 1000 ft. for major arterials
ii. 600 ft. for minor arterials
iii. 100 ft. for major collector
iv. 50 ft. for minor collector

Response: The plan sheets located in Section IIIB of this Notebook demonstrate that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created (see the *Tentative Plat* in Section IIIB).

d) Curb Extensions:

i. 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 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.**

Response: Curb extensions are shown on the *Circulation Plan* (see Section IIB). Curb extensions will not obstruct bicycle lanes on collector streets, as the subject property is not adjacent to collector streets. The attached drawings illustrate that all street intersections will have a minimum 20 foot wide clear distance between curb extensions on all local residential street intersections.

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

Response: The *Grading & Erosion Control Plan* located in Section IIB, demonstrates that proposed streets can comply with this standard.

4. Centerline Radius Street Curves:

The minimum centerline radius street curves shall be as follows:

a) Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by City Engineer.

b) Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.

c) Local streets: 75 feet

Response: The *Tentative Plat* (see Section IIIB) demonstrates that all streets will comply with the above standards.

5. Rights-of-way:

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

Response: Rights-of-way for adjacent streets have already been dedicated as shown on the plan sheets located in Section IIB of this Notebook.

6. Access drives.

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

b) 16 feet for two-way traffic.

Response: 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.

7. Clear Vision Areas

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

Response: Clear vision areas will be provided and maintained in compliance with the Section 4.177.

8. Vertical clearance:

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

Response: Vertical clearance will be provided and maintained in compliance with the Section 4.177.

9. Interim Improvement Standard:

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

Response: Interim improvements along SW Paris Avenue and SW Collina Lane will provide for adequate street access until the adjacent properties are developed, as shown on the attached Circulation Plan (see Section IIB).

(.10) SIDEWALK AND PATHWAY IMPROVEMENT STANDARDS

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

Response: 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 Section IIB of this notebook).

(.11) LANDSCAPING, SCREENING AND BUFFERING

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

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

Response: The *Street Tree/Lighting Plan* shows the street trees proposed within this PDP. The trees are in conformance with the Community Elements Book.

(.12) MASTER SIGNAGE AND WAYFINDING

Response: The SAP Central *Signage & Wayfinding Plan* does not indicate an identifier within the subject property.

(.14) DESIGN STANDARDS APPLYING TO THE VILLAGE ZONE

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

1. Generally:

a. Flag lots are not permitted.

Response: No flag lots are proposed (see the *Tentative Plat* in Section IIB of this Notebook).

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

Response: No lots without alley access are proposed in this PDP.

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

Response: None of the lots include accessory dwellings; therefore this standard does not apply.

d. For Village Center lots facing two or more streets, two of the facades shall be subject to the minimum frontage width requirement. Where multiple buildings are located on one lot, the facades of all buildings shall be used to calculate the Minimum Building Frontage Width.

Response: All lots in this PDP are in the Village Center. For lots facing two or more streets (Lots 1, 8, 101, 112, 119, 130) the two street-facing facades will meet the minimum frontage width requirement.

2. Building and site design shall include:

a. Proportions and massing of architectural elements consistent with those established in an approved Pattern Book or Village Center Design.

b. Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Pattern Book, Community Elements Book or approved Village Center Architectural Standards.

Response: Compliance with the *Village Center Architectural Standards* is demonstrated with the FDP in Section VI of this Notebook. Compliance with the Community Elements Book is demonstrated later in this report.

c. Protective overhangs or recesses at windows and doors.

d. Raised stoops, terraces or porches at single-family dwellings.

e. Exposed gutters, scuppers, and downspouts.

Response: As shown in the architectural drawings in the FDP (see Section VI of this Notebook), the buildings proposed in the FDP will include protective overhangs and recesses at windows and doors and exposed gutters and downspouts. The row homes each include a covered porch at the front entrance.

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

Response: Significant trees, as identified in the SAP Central Community Elements Book, are protected.

g. A landscape plan in compliance with Section (.11), above.

Response: The FDP plans (see Section VIB) comply with the requirements of Sections 4.125(.07) and (.11).

h. Building elevations of block complexes shall not repeat an elevation found on an adjacent block.

i. Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.

Response: A block complex is defined as "an assemblage of buildings bounded entirely by intersecting streets so as to form a single, comprehensive group." In adjacent block complexes and lots, elevations are not repeated. The row homes for adjacent PDP 6C will use the French Revival and English Revival elevations. To the west, across SW Costa Circle West, are also rowhomes in a variety of architectural styles. To the south of the site, across SW Villebois Drive North, are additional rowhomes in Brownstone and London elevations that will not repeat the Elevations of the Row Homes in PDP 9C. North of the site, across SW Costa Circle West, is Montague Park.

The proposed Row Homes will use the American Modern (Craftsman) elevations. The proposed Row Homes will not repeat the Elevations built on adjacent lots or block complexes. These Row Homes will serve as transitions from the residential neighborhood to the north and west of the site into the Village Center. Densities

increase towards and closer to the core of the Village Center (the mixed use area surrounding the Piazza). Row Homes on the subject block provide for an appropriate transitional density and building massing and height at the outer edge of the Village Center boundary. Additionally, Montague Park offers transitional space from the outer edge of the Village Center leading to the Piazza at the core of the Village Center.

j. A porch shall have no more than three walls.

Response: As shown on the architectural drawings in Section VIB of this Notebook, porches for the proposed Row Homes will not have more than 3 walls.

k. A garage shall provide enclosure for the storage of no more than three vehicles.

Response: As shown on the architectural drawings in Section VIB, each garage will provide storage for no more than three vehicles.

3. Lighting and site furnishings shall be in compliance with the approved Community Elements Book.

Response: The FDP application in Section VI of the Notebook shows site furnishings within the parks. The *Street Tree/Lighting Plan* (see Section IIB) shows proposed street trees and lighting for this Preliminary Development Plan. These plans illustrate that lighting and site furnishings will be provided in compliance with the Community Elements Book.

4. Building systems, as noted in Tables V-3 and V-4 (Permitted Materials and Configurations), below, shall comply with the materials, applications and configurations required therein.

Response: The PDP does not propose any buildings. A concurrent FDP application for the proposed architecture is included in Section VI of this Notebook.

(.18) VILLAGE ZONE DEVELOPMENT PERMIT PROCESS

B. Unique Features and Processes of the Village (V) Zone. To be developed, there are three (3) phases of project approval. Some of these phases may be combined, but generally the approvals move from the conceptual stage through to detailed architectural, landscape and site plan review in stages. All development within the Village zone shall be subject to the following processes:

2. Preliminary Development Plan (PDP) approval by the Development Review Board, as set forth in Section 4.125(.18)(G) through (K) (Stage II equivalent), below. Following SAP approval, an applicant may file applications for Preliminary Development Plan approval (Stage II equivalent) for an approved phase in accordance with the approved SAP, and any conditions attached thereto. Land divisions may also be preliminarily approved at this stage. Except for land within the Central SAP or multi-family dwellings outside the Central SAP, application for a zone change and Final Development Plan (FDP) shall be made concurrently with an

application for PDP approval. The SAP and PDP/FDP may be reviewed simultaneously when a common ownership exists.

Final Development (FDP) approval by the Development Review Board or the Planning Director, as set forth in Sections 4.125(.18)(L) through (P) (Site Design Review equivalent), below, may occur as a separate phase for lands in the Central SAP or multi-family dwellings outside the Central SAP.

Response: The Applicant is requesting approval of a Preliminary Development Plan (PDP). Compliance with Sections 4.125(.18)(G) through (K) is demonstrated in the following sections of this report. This PDP addresses Phase 9 on the amended SAP Central Phasing Plan, as shown in Exhibit IE of this Notebook.

A request for preliminary approval of a tentative subdivision plat is submitted concurrent with this PDP application (see Section III of this Notebook). A request for a zone change to Village (V) zone is also submitted concurrent with this PDP application (see Section IV of this Notebook). A request for Type C Tree Removal is included (in Section V of this Notebook). A Final Development Plan is also submitted concurrent with this PDP (see Section VI of this Notebook).

G. Preliminary Development Plan Approval Process:

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

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

Response: This PDP addresses Phase 9 on the amended SAP Central Phasing Plan, as shown in Exhibit IE of this Notebook.

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

Response: This application is made by Polygon WLH, LLC, who is authorized by the Property Owner to submit the application. The application form can be found in Exhibit IB along with a copy of the vesting deed.

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

Response: The appropriate application form and fee have been filed with this submittal. A copy of the form and fee are included in Sections IB and IC, respectively.

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

Response: The professional coordinator and professional design team are set forth in the Introductory Narrative, located in Section IA of this Notebook.

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

Response: This PDP does not include mixed land uses. The proposed land uses are shown on the *Site/Land Use Plan,* in Section IIB of this Notebook.

f) Include a preliminary land division (concurrently) per Section 4.400, as applicable.

Response: This application includes a request for preliminary land division approval for two (2) subsequent final plats. This request for approval of Tentative Plats can be seen in Section III of this Notebook. This section includes a Supporting Compliance Report, the proposed Tentative Plats, draft CC&R's, a copy of the certification of liens & assessments form, and the subdivision name approval from the County Surveyor's Office.

g) Include a concurrent application for a Zone Map Amendment (i.e., Zone Change) for the subject phase.

Response: This application includes a request for a zone map amendment to zone the subject Preliminary Development Plan area Village (V). This zone change request can be seen in Section IV of this Notebook. This section includes a Supporting Compliance Report, a Zone Change Map, and a legal description & sketch of the proposed zone change area.

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

a) A boundary survey or a certified boundary description by a surveyor licensed in the State of Oregon.

b) Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, (e.g., flood plain, wetlands, forested areas, steep slopes or adjacent to stream banks). Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:

i) One (1) foot contours for slopes of up to five percent (5%);
ii) Two (2) foot contours for slopes from six percent (6%) to twelve (12%);
iii) Five (5) foot contours for slopes from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and

iv) Ten (10) foot contours for slopes exceeding twenty percent (20%).

c) The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the PDP and within 50 feet of the PDP boundary, as required by Section 4.139.

Response: 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 this Notebook). Topographic information in accordance with Section 4.125(.18)G.2.b. is shown on the *Existing Conditions*, located in Section IIB of this Notebook. The site does not include any designated SROZ areas.

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

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

Gross Acreage	3.94 Acres
Parks	0.42 Acres
Public Streets	0.61 Acres
Lots and Alleys	2.91 Acres

Net Residential Density: 82 Lots / 2.91 Acres = 28.18 units per net acre

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

Response: The above information is shown on the *Existing Conditions,* the *Tentative Plat,* and the *Circulation Plan.* The *Tree Preservation Plan* identifies all trees 6 inches and greater diameter at breast height (d.b.h.) on the project site. Tree numbers are identified on the Tree Preservation Plan Sheets which correspond with the Tree Inventory in the Tree Report (see Section VB). The plan sheets mentioned above can be found in Section IIB of this Notebook.

f) Conceptual drawings, illustrations and building elevations for each of the listed housing products and typical non-residential and mixed-use buildings to be

constructed within the Preliminary Development Plan boundary, as identified in the approved SAP, and where required, the approved Village Center Design.

Response: The proposed PDP includes 82 Row House units, which are attached single-family row homes. A concurrent application for the FDP for architecture is included in Section VI. The proposed elevations can be found in Exhibit VIC.

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

Response: Proposed storm drainage facilities, and water and sanitary lines are shown on the *Composite Utility Plan* (see Section IIB in this Notebook).

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

Response: The PDP is proposed to be executed in one phase.

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

Response: The applicant will provide a performance bond or other acceptable security for the capital improvements required by the project.

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

Response: A copy of the Traffic Impact Analysis is provided in Section IID.

H. PDP Application Submittal Requirements:

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

a) The location of water, sewerage and drainage facilities;
b) Conceptual building and landscape plans and elevations, sufficient to indicate the general character of the development;
c) The general type and location of signs;
d) Topographic information as set forth in Section 4.035;

e) A map indicating the types and locations of all proposed uses; and

f) A grading and erosion control plan illustrating existing and proposed contours as prescribed previously in this section.

Response: The proposed PDP generally conforms to the approved SAP Central, with the proposed refinements described in the following sections of this report. As demonstrated above, the PDP application includes all information required by 4.125(.18)(D)(1) and (2), as applicable to a PDP. The *Existing Conditions* shows the existing site features, including topographic features. Proposed lots to be created for development are shown on the *Tentative Plat*. The *Grading and Erosion Control Plan* shows the location of drainage facilities, topographic information, and a grading and erosion control facilities. The *Composite Utility Plan* indicates the proposed location of water and sanitary sewer lines and drainage facilities. The *Site/Land Use Plan* indicates the types and locations of all proposed uses in the Preliminary Development Plan. The plan sheets mentioned above can be found in Section IIB of this Notebook.

Landscape plans for the park areas are located with the FDP application materials in Section VI of the Notebook. No signs are proposed at this time, as the SAP Central *Signage & Wayfinding Plan* does not indicate an identifier within the subject property.

The proposed PDP includes 82 Row House units, which are attached single-family homes. Elevations for the row homes within the PDP are included in Exhibit VIC, along with a concurrent request for FDP approval of the architecture.

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

Response: A copy of the Traffic Impact Analysis is provided in Section IID.

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

Response: 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 Section VI of this Notebook).

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

Response: Copies of legal documents will be provided as appropriate and required by the Development Review Board.

I. PDP Approval Procedures

1. An application for PDP approval shall be reviewed using the following procedures:

a) Notice of a public hearing before the Development Review Board regarding a proposed PDP shall be made in accordance with the procedures contained in Section 4.012.

b) A public hearing shall be held on each such application as provided in Section 4.013.

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

Response: In accordance with the procedures contained in Section 4.012, the City shall provide notice of a public hearing before the Development Review Board on the proposed Preliminary Development Plan. This report, in conjunction with all submitted information, demonstrates that the proposal conforms to the applicable permit criteria set forth in the City's Code.

J. PDP Refinements to Approved Specific Area Plan

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

a) Refinements to the SAP are defined as:

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

Response: The PDP design does not propose any refinements to the street network or functional classification of streets.

ii. Changes to the nature or location of parks types, trails or open space that to not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Preliminary Development Plan.

Response: The *Villebois Village Master Plan* and SAP Central do not show any parks, linear greens, open space or pathways within the proposed PDP area. Linear greens, totaling 0.42 acres, will be added to this area with the proposed design for PDP 9C. The proposed refinement, with the addition of linear greens, increases the open space within the PDP. 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.

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

Response: The PDP design proposes refinements to the rainwater treatment facilities. The proposed development will contain bio-retention cells, instead of the planter boxes previously shown in SAP Central, to treat street and alley runoff and runoff from the Row Home buildings. The proposed rainwater treatment facilities are better suited to the proposed Row Home development and create an amenity within the linear greens.

PDP 9C will treat 83% of the impervious area created on site. With the existing and future treatment facilities located on the remaining portion of SAP Central, SAP Central will treat 68% of the overall impervious area created. Based on this information, the proposed rainwater refinement does not significantly reduce the service or function of rainwater treatment within SAP Central.

iv. 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 the 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.

v. 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.

Response: SAP Central was approved in 2006. Since the approval of SAP Central, seven (7) separate PDP's have been approved or submitted for approval and some modifications of original approvals have also occurred. The following analysis reflects the final and current approved unit counts in PDP 1C, PDP 2C, PDP 3C, and PDP 4C, PDP 5C or Montague Park, PDP 6C, and PDP 7C (Note: PDP 8C is being submitted concurrently).

For purposes of this analysis, it is important to keep in mind that changes to the mix/location of "land uses" are to be evaluated as described by the code – in the aggregate. The code defines one land use group as condos, apartments, row houses, and small detached uses – which will be referred to as the 'smaller land use group' in the following analysis. The recent Planning Director's Interpretation approved under Case File AR12-0021 found small attached uses to be included in this smaller land use group. Recent approvals of PDP 3E and PDP 4E, as well as modifications in PDP 5S and PDP 1N, have approved Small Cottages as a replacement for the Small Attached and Row House uses. The code defines the second land use group as mediums, standards, large and estate uses – which will be referred to as the 'larger land use group' in the following analysis.

PDP 9C refines the subject area beyond what was described in SAP Central. The total density shown for the subject area in SAP Central is 24-36 Village Apartments and 40-70 Specialty Condos.

PDP 9C proposes 82 Row House units (43 units on Lot 78 & 39 units on Lot 82). The proposed refinements result in the addition of linear greens within this PDP and the retention of existing trees.

Table A below shows the number of units in each land use category currently within SAP Central and the number of units in the SAP with the proposed refinement as well as the percent change in each aggregate land use category. Table B shows the number of units originally shown in SAP Central and the number of units with the proposed refinement, as well as the percent change in each aggregate land use category.

Note: Since PDP 9C is submitted at the same time as PDP 8C, the following analysis includes both requests in the proposed unit counts.

Table A. Comparison of Current and Proposed Unit Counts

	Current Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,012	983	-2.90%
Total	1,012	983	-2.90%

Table B. Comparison of Original SAP Central and Proposed Unit Counts

	Original Unit Count in SAP C	Proposed Unit Count in SAP C	% Change
Medium/Standard/ Large/Estate	0	0	0%
Small Detached/ Small Cottage/ Row Homes/ Neighborhood Apt.	1,010	983	-2.67%
Total	1,010	983	-2.67%

NOTE: The Current Unit Count for SAP Central reflects the final approved unit counts for PDP 1C, PDP 2C, PDP 3C, PDP 4C, PDP 5C (Montague Park), PDP 6C, and PDP 7C. Figures also account for recent Modifications to PDP 1C and PDP 2C. This number includes PDP 8C, which is being submitted concurrently.

Both tables show that the proposed refinements do not exceed the 10% standard. This proposal results in a total of 2,587 units within Villebois. This is above the density of 2,300 units required to be obtained across Villebois, meeting the refinement criteria.

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

a. As used herein, "significant" means:

i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above, or,

ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.

Response: The PDP does not include changes that are significant under the above definitions. As the above findings demonstrate, the proposed refinements of providing row homes in place of apartments, less density, and more linear greens do not cause a quantifiable change greater than 10%. Additionally, the proposed refinements do not negatively affect an important, qualitative feature of Villebois as demonstrated in the following responses. The proposed refinements will provide a plan for the subject block that better addresses the transitional nature of its location at the outer edge of the Village Center. The proposed refinements contribute to the range of home ownership options within the Village Center and within Villebois. Additionally, the proposed refinements result in a greater amount of greenspace through the addition of linear greens and tree preservation.

2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:

a) The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies

and Implementation Measures of the Villebois Village Master Plan.

Response: None of the conditions of approval for SAP Central are specific to the proposed refinements. As the proposed refinements will not compromise the project's ability to comply with SAP conditions of approval, they will equally meet the conditions of approval of SAP Central.

The proposed refinements will equally or better meet the following Goals, Policies and Implementation Measures of the *Villebois Village Master Plan* than the SAP Central plan.

- ***Land Use, General Land Use Plan Goal*** – *Villebois Village shall be a complete community that integrates land use, transportation, and natural resource elements to foster a unique sense of place and cohesiveness.*

  The proposed PDP 9C plan better integrates natural resource elements with land uses and transportation through additional park areas for linear greens and retention of existing trees.

- ***Land Use, General Land Use Plan 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.*

  The proposed PDP 9C plan meets this Land Use Plan Policy by contributing to the range of living choices for attached single-family home ownership. This was 24-36 Village Apartments and 40-70 Specialty Condos. Now, 82 Row Houses are proposed. The replacement of Apartment units and Specialty Condos with Row House units better meets current market demand and city-wide goals of providing for a variety of home ownership options. This proposal maintains the project's path of exceeding the minimum density of 2,300 units across Villebois.

- ***Villebois Village Master Plan, Village Center Policy 1*** – *The Village Center shall be a highly pedestrian-oriented place that is the focus of a mix of residential, shopping, service, and civic and mixed-use buildings.*

  The proposed PDP 9C plan meets this Land Use Plan Policy by increasing park space and providing street frontages that are highly pedestrian oriented with covered front porches on all Row Homes. As described above, PDP 9C contributes to the mix of residential options in the Village Center by providing additional ownership options for single-family homes.

- ***Villebois Village Master Plan, Village Center Policy 2*** – *The Village Center shall encourage multi-modal transportation system opportunities with good access by vehicular, pedestrian, bicycle and transit traffic.*

  The proposed PDP 9C plan encourages multi-modal transportation system opportunities by providing convenient vehicular access through alleys and encouraging pedestrian oriented street frontages by providing for garage access from alleys.

- ***Villebois Village Master Plan, Village Center Implementation Measure 2*** – *Specify a mixture of uses (residential, commercial, retail, civic, and office*

development) with the implementing Village zone that will support the long-term vitality of the Village Center and enhance the creation of a true urban village at its core. Employment may include uses related to high-tech businesses. The Village Center is intended to provide locations for uses consistent with, but not limited to, the following examples.

- *Consumer Goods: bookstore, clothing, florist, jeweler, pet shop, bicycle shop.*
- *Food & Sundries: bakery, specialty grocery, hardware, laundromat, dry cleaner, gifts.*
- *General Office: professional offices, non-profit, health services, governmental services, real estate, insurance, travel.*
- *Service Commercial: bank, day care center, photo processing, telecommunications, upholstery shop.*
- *Lifestyle & Recreation: hair salon, specialty retail, theater, video/DVD store, art gallery, health club, restaurants, dance studio.*
- *Hospitality: hotel, bed and breakfast, conference center.*
- *Light Manufacturing/Research and Development.*
- *Civic/Institutional: meeting hall, library, museum, churches, farmer's market, community center.*
- *Residential: condominiums, apartments, and townhouses*

  The proposed PDP 9C plan is consistent with the Village Center Implementation Measure 2 by providing single-family residential attached row houses. This use is included in the above list of intended Village Center uses. As described above, PDP 9C contributes to the mix of residential options in the Village Center by providing additional ownership options. Additionally, the proposed PDP 9C provides convenient vehicular access through alleys and provides street frontages that are highly pedestrian oriented with front yard courtyards on all Row Homes.

- ***Parks and Open Space/Off-Street Trails and Pathways Goal*** *– The Parks system within Villebois Village shall create a range of experiences for its residents and visitors through an interconnected network of pathways, parks, trails, open space and other public spaces that protect and enhance the site's natural resources and connect Villebois to the larger regional park/open space system.*

  The Villebois Village Master Plan and SAP Central do not show any parks, linear greens, open space or pathways within the proposed PDP area. Linear greens, totaling 0.42 acres in size, is added to this area with the proposed design for PDP 9C. The proposed refinement increases the amount of parks and open space that protect and enhance the site's natural resources (existing trees) and connect Villebois to the larger regional park/open space system.

- ***Parks and Open Space/Off-Street Trails and Pathways Implementation Measure 3****– Parks and open spaces shall be designed to incorporate native vegetation, landforms and hydrology to the fullest extent possible.*

The proposed PDP 9C plan incorporates native vegetation, landforms and hydrology to the fullest extent possible with the addition of linear greens.

- ***Parks and Open Space/Off-Street Trails and Pathways Implementation Measure 9****- The design of Villebois shall retain the maximum number of existing trees practicable that are six inches or more DBH in the "Important" and "Good" tree rating categories, which are defined in the Community Elements Books. Trees rated "Moderate" shall be evaluated on an individual basis as regards retention. Native species of trees and trees with historical importance shall be given special consideration for retention.*

  The proposed PDP 9C plan integrates natural resource elements through additional park areas for linear greens. As described in the Tree Report attached in Section VB of the Notebook, there are no trees rated "Important" in the subject area. Although shown as likely to be removed in the Master Plan, Tree 543 is rated as "Good" and will be protected.

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

Response: As described above, the proposed refinements will better meet the goals, policies, and implementation measures of the VVMP and the framework of SAP Central by increasing home ownership options, preserving an additional tree than initially identified in SAP Central, and adding to the amount of parks and open space provided throughout Villebois.

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

Response: The refinements proposed with PDP 9C do not alter streets or utilities. These refinements in and of themselves have no effect on the development potential of an adjoining or subsequent PDP. Therefore, these refinements will not preclude an adjoining or subsequent PDP or SAP from developing consistent with the approved SAP or *Master Plan*.

3. 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.

4. Amendments to the SAP for phasing will be processed as a Class II administrative review proposal.

Response: This application does not include an amendment of SAP Central to modify the SAP phasing plan, since the necessary phasing amendment is included in the PDP 8C application materials. The SAP Central phasing plan is included in Exhibit IE of this Notebook for informational purposes.

K. PDP Approval Criteria

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

1. That the proposed PDP:

a. Is consistent with the standards identified in this section.

Response: This Supporting Compliance Report provides an explanation of how the proposed development is consistent with the standards of the Village zone.

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

Response: This Supporting Compliance Report provides an explanation of how the proposed development is consistent with the applicable standards of the Planning and Land Development Ordinance. A description of how the proposed development complies with Section 4.140(.09)J.1-3 is included in the subsequent pages of this report.

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

Response: The proposed Preliminary Development Plan is consistent with Specific Area Plan – Central, as demonstrated by the plan sheets located in Section IIB and this report, and as refined and described earlier in this report.

d. Is consistent with the approved Pattern Book and, where required, the approved Village Center Architectural Standards

Response: The proposed Row Homes are consistent with the Village Center Architectural Standards (VCAS), as demonstrated with the concurrent FDP application in Section VI. Proposed lots are sized to accommodate the proposed Row Homes consistent with *Table V-1*.

COMMUNITY ELEMENTS BOOK

Lighting Master Plan

Response: This PDP application includes plans for street lighting within PDP 9C as illustrated on the *Street Tree/Lighting Plan*. The proposed lighting is consistent with the Community Elements Book.

Curb Extensions

Response: As shown on the *Circulation Plan*, a pedestrian calming curb extension exists near the southeast corner of the site to facilitate crossing of Villebois Drive. Another also exists on the edge of the Courtyard Address Overlay. The location of this curb extension is consistent with the Curb Extension Concept Plan Diagram in the Community Elements Book.

Street Tree Master Plan

Response: As shown on the *Street Tree/Lighting Plan*, street trees proposed along the streets in the PDP area are consistent with the respective designated street tree lists.

Site Furnishings

Response: No site furnishings are proposed with this PDP application; however, the concurrent FDP application for the proposed linear greens includes details regarding site furnishings in these areas (see Section VI of this Notebook).

Play Structures

Response: No play structures are proposed with this PDP/FDP application.

Tree Protection

Response: The Tree Protection component of the Community Elements Book for SAP – Central (page 15) describes the goal, policies, and implementation measures that were used to promote the protection of existing trees in the design of the PDP area. The *Tree Preservation Plan* shows the trees that are proposed for preservation. A *Tree Protection Plan* has been prepared for this PDP, consistent with Implementation Measures 1 and 2 of the Tree Protection component of the *Community Elements Book*. The *Tree Protection Plans* were based on a Tree Report prepared by Morgan E. Holan, a certified arborist (see Section V of this notebook).

Plant List

Response: The *Community Elements Book* approved with SAP – Central contains a Plant List (pages 16-18) of non-native and native trees, shrubs, and groundcovers, ferns, herbs, vines, perennials, grasses, and bulbs for species to plant throughout Villebois. Within the rights-of-way in this PDP, only street trees and rainwater components are proposed. Additional landscaping details are provided with the FDP application which is submitted concurrent with this PDP (see Section VI of this Notebook).

MASTER SIGNAGE AND WAYFINDING PLAN

Response: No signs are proposed, as the SAP Central *Signage & Wayfinding Plan* does not indicate any identifiers within the subject property.

RAINWATER PROGRAM

Response: A rainwater management plan is included with the supporting utility reports located in Section IIC of this Notebook. Rainwater management within PDP 9C will be provided through street trees and bio-retention cells located in landscape tracts and planter strips in rights-of-way, as shown within the attached plans (Section IIB of this Notebook). The rainwater management plan included in this application includes refinements to the rainwater program for SAP Central.

3. 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.

Response: The PDP is proposed to be executed in one phase.

4. 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 special circumstances prohibit completion, in which case bonding for the improvements shall be permitted.

Response: The parks within PDP 9C will be completed prior to occupancy of 50% of the housing units, as required. Bonding will be provided if special circumstances prohibit completion.

5. In the Central SAP, parks shall be constructed within each PDP as provided above, and that pro-rata portion of the estimated cost of Central SAP parks not within the PDP, calculated on a dwelling unit basis, shall be bonded or otherwise secured to the satisfaction of the city.

Response: The proposed PDP is within SAP Central. The Applicant will provide for that pro-rata portion of the estimated cost of Central SAP parks not within the PDP through bonding or other form of security satisfactory to the City.

6. 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.

Response: This report demonstrates that the proposed Preliminary Development Plan is in conformance with Specific Area Plan – Central, and thus, the *Villebois Village Master Plan* as well as the applicable requirements and standards of the Planning and Land Development Ordinance.

SECTION 4.139 SIGNIFICANT RESOURCE OVERLAY ZONE (SROZ) ORDINANCE

Response: The PDP 9C application does not include any areas within the SROZ. Therefore, Section 4.139 does not apply.

SECTION 4.140 PLANNED DEVELOPMENT REGULATIONS

(.09) FINAL APPROVAL (STAGE TWO)

J. 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:

1. 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.

Response: This Supporting Compliance Report demonstrates 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 the City's Planning and Land Development Ordinance.

2. 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.

Response: 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 application, 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 this Notebook.

a. In determining levels of Service D, the City shall hire a traffic engineer at the applicant's expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:

i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of information of the estimate of the traffic generated and the likely routes of travel; (Amended by Ord 561, adopted 12/15/03.)

ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of

traffic. This analysis shall be conducted for each direction of travel if backup from other intersections will interfere with intersection operations. (Amended by Ord 561, adopted 12/15/03.).

Response: The traffic generated by the PDP and its impact on the existing LOS will be consistent with the SAP – Central application. A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

b. The following are exempt from meeting the Level of Service D criteria standard:

i. A planned development or expansion thereof which generates three (3) new p.m. peak hour traffic trips or less;

ii. A planned development or expansion thereof which provides an essential governmental service.

Response: This PDP does not request an exemption from meeting the Level of Service D; therefore this criterion does not apply to this project.

c. Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant. (Added by Ord 561, adopted 12/15/03.)

Response: The traffic generated by the PDP will be consistent with the SAP – Central application. A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

d. Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations. (Added by Ord 561, adopted 12/15/03.)

Response: The subject PDP is not exempt from subsection 'b' and the system development charges will be provided as required.

e. In no case will development be permitted that creates an aggregate level of traffic at LOS "F". (Added by Ord 561, adopted 12/15/03.)

Response: The traffic generated by the PDP will be consistent with the SAP – Central application. The DKS evaluation for SAP Central showed that the development will not create an aggregate level of traffic at LOS "F". A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

3. 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.

Response: This Supporting Compliance Report, the Utility and Drainage Reports (see Section IIC of this notebook) and the plan sheets (see *Composite Utility Plan* in Section IIB) show that the future residents of PDP-9 Central will be adequately served by the planned facilities and services.

SECTION 4.154. ON-SITE PEDESTRIAN ACCESS AND CIRCULATION

(.02) On-site Pedestrian Access and Circulation

A. The purpose of this section is to implement the pedestrian access and connectivity policies of the Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.

Response: PDP 9C will be in compliance with Section 4.154 and provide for safe, reasonably direct, and convenient pedestrian access and circulation, as described below.

B. Standards. Development shall conform to all the following standards:

1. Continuous Pathway System. A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable.

Response: Pedestrian pathway systems (sidewalks) in PDP 9C extend throughout the development site and connect to adjacent sidewalks. A portion of a major urban bike/pedestrian connection will be built through the middle of "Camden Square" to connect the Piazza to the south and Montague Park to the north.

2. Safe, Direct, and Convenient. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:

Response: The crossing of Paris Avenue is proposed to be located on the east side of the intersection so that it may align with the minor the pathway through Camden Square to Orleans Avenue, thereby making a direct connection between the Piazza to the south of the site and Montague Park to the north.

a. Pedestrian pathways area designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.

Response: Pedestrian pathways will be free from hazards and will provide a reasonably smooth and consistent surface.

b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations that does not involve a significant amount of unnecessary out-of-direction travel.

Response: The pathways will be reasonably direct and will not involve a significant amount of unnecessary out-of-direction travel.

c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.

Response: The pathways connect to the front of each home and are consistent with the Americans with Disabilities Act (ADA) requirements.

d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.).

Response: There are no parking lots within PDP 9C; therefore, this criteria is not applicable.

3. Vehicle/Pathway Separation. Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards.

Response: Pedestrian pathways will be separated from the vehicle lane by a mountable curb.

4. Crosswalks. Where a pathway crosses a parking area or driveway, it shall be clearly marking with a contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast).

Response: Where crosswalks cross alleys, they will be clearly marked with an inlay between asphalt.

5. Pathway Width and Surface. Primary pathways shall be constructed concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA.

Response: Primary pathways will be constructed of concrete, not less than five (5) feet in width. The pedestrian/bike pathway connecting the Piazza to the south of the site and Montague Park to the north, will be more than five (5) feet in width and constructed with concrete pavers, as it is a primary urban connection.

6. All pathways shall be clearly marked with appropriate standard signs.

Response: Pathways will be clearly marked with appropriate standard signs.

(.02) General Terrain Preparation

A. All developments shall be planned designed, constructed and maintained with maximum regard to natural terrain features and topography, especially hillside areas, floodplains, and other significant land forms.

B. All grading, filling and excavating done in connection with any development shall be in accordance with the Uniform Building Code, all development shall be planned, designed, constructed and maintained so as to:

1. Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.

2. Avoid substantial probabilities of: (1) accelerated erosion; (2) pollution, contamination or siltation of lakes, rivers, streams and wetlands; (3) damage to vegetation; (4) injury to wildlife and fish habitats.

3. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and nutrient runoff, and preserve the natural scenic character.

Response: 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.

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

Response: 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.

(.04) Trees and Wooded Areas.

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

1. Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.

2. Existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater shall be incorporated into the development plan and protected wherever feasible.

3. Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.

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

1. Avoiding disturbance of the roots by grading and/or compacting activity.

2. Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.

3. Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.

4. Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.

Response: The *Tree Preservation Plan,* located in Section IIB, 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 this Notebook.

Section V includes the Tree Report prepared by Morgan Holan addressing existing trees and development impacts within the subject area, a tree inventory and tree mitigation details. The information contained in Section V demonstrates that the subject Preliminary Development Plan is designed to incorporate all trees with a diameter at breast height of six inches or greater into the plan where feasible. Trees rated "Important" or "Good" have been retained to the extent feasible within the area addressed by this PDP. Trees that are retained, as identified in the *Tree Preservation Plan*, will be protected during site preparation and construction in accordance with City Public Works design specifications and Section 4.171(.04).

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

A. Due to the restrictions placed on these lands, no residential structures shall be allowed within high voltage powerline easements and rights of way and petroleum pipeline easements, and any development, particularly residential, adjacent to high voltage powerline easements and rights of way and petroleum pipeline easement shall be carefully reviewed.

B. Any proposed non-residential development within high voltage powerline 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.

Response: This Preliminary Development Plan does not contain any high voltage powerline or petroleum pipeline easements or rights of way.

(.06) Hazards to Safety: Purpose:

A. To protect lives and property from natural or human-induced geologic or hydrologic hazards and disasters.

B. To protect lives and property from damage due to soil hazards.

C. To protect lives and property from forest and brush fires.

D. To avoid financial loss resulting from development in hazard areas.

Response: Development of the subject area will occur in a manner that minimizes potential hazards to safety.

(.07) Standards for Earth Movement Hazard Areas:

A. No development or grading shall be allowed in areas of land movement, slump or earth flow, and mud or debris flow, except under one of the following conditions.

Response: Development of the subject area will occur in a manner that minimizes potential hazards to safety. No earth movement hazard areas have been identified within the subject PDP area.

(.08) Standards for Soil Hazard Areas:

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

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

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

(.09) Historic Protection: Purpose:

A. To preserve structures, sites, objects, and areas within the City of Wilsonville having historic, cultural, or archaeological significance.

Response: A Historic/ Cultural Resource Inventory was previously conducted for the property identified as SAP – Central. The inventory shows that the subject PDP does not include any sites, objects, or areas having historic, cultural, or archaeological significance. Therefore, the standards of this section are not applicable.

SECTION 4.172 FLOOD PLAIN REGULATIONS

Response: The site does not include any areas identified as flood plain.

SECTION 4.176 LANDSCAPING, SCREENING & BUFFERING

Response: 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 linear green areas will be reviewed with the concurrent FDP application in Section VI of this Notebook.

SECTION 4.177 STREET IMPROVEMENT STANDARDS

Response: Adjacent street rights-of-way have already been dedicated.

The plan sheets located in Section IIB 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 the fire department. 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 & PATHWAY STANDARDS

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

(.02) Pathways

A. Bicycle facilities shall be provided using a bicycle lane as the preferred facility design. The other facility designs listed will only be used if the bike lane standard cannot be constructed due to physical or financial constraints. The alternative standards are listed in order of preference.

1. Bike lane. This design includes 12-foot minimum travel lanes for autos and paved shoulders, 5-6 feet wide for bikes, that are striped and marked as bicycle lanes. This shall be the basic standard applied to bike lanes on all arterial and collector streets in the City, with the exception of minor residential collectors with less than 1,500 (existing or anticipated) vehicle trips per day.

Response: The PDP plan sheets located in Section IIB (see the *Circulation Plan*) depict cross-sections of the proposed sidewalks and pathways in compliance with the above standards and Specific Area Plan – Central.

SECTION 4.610.40 TYPE C PERMIT

A request for approval of the Tree Removal Plan for PDP 9 - Central can be found in Section V of this Notebook.

II. PROPOSAL SUMMARY & CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the Village Zone and other applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Preliminary Development Plan. Therefore, the applicant requests approval of this application. Concurrent applications for a Tentative Plat, Zone Change, Tree Removal Plan, and Final Development Plan are included in this notebook as Sections III, IV, V, and VI, respectively, pursuant to City requirements.

IIB) Reduced Drawings

PHASE 9 CENTRAL
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE
PRELIMINARY DEVELOPMENT PLAN

TL 3000 & 3400, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

POLYGON WLH, LLC
109 E. 13TH ST.
VANCOUVER, WA 98660
[P] 503-221-1920
CONTACT: FRED GAST

PLANNER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: STACY CONNERY, AICP

CIVIL ENGINEER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: JESSIE KING, PE

SURVEYOR:

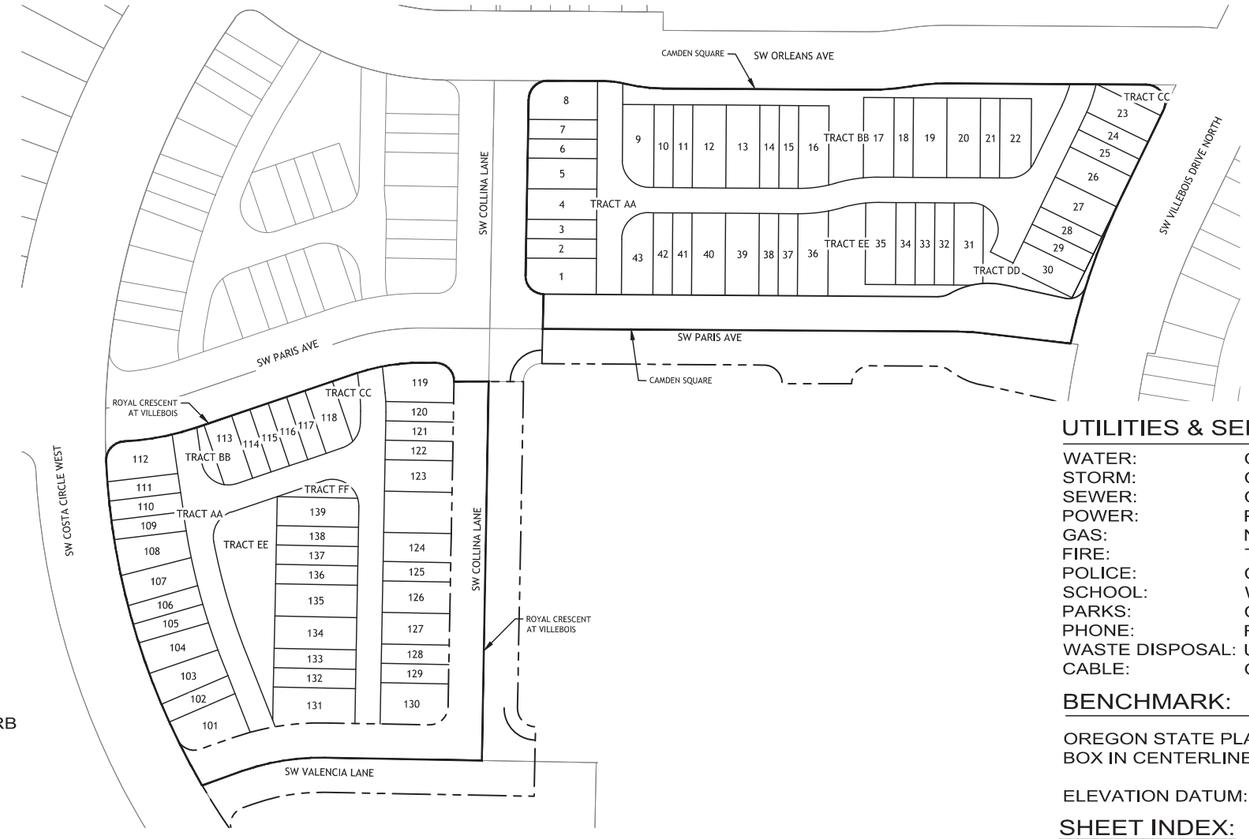
PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: TRAVIS JANSEN, PLS, PE

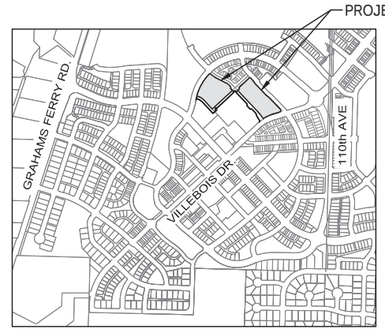
LANDSCAPE ARCHITECT:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: KERRY LANKFORD, RLA, CLARB

GEOTECHNICAL ENGINEER:

GEODESIGN, INC.
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE





VICINITY MAP

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

SHEET INDEX:

1	COVER SHEET
2	EXISTING CONDITIONS
3	SITE / LAND USE PLAN
4	ROYAL CRESCENT PRELIMINARY PLAT
5	CAMDEN SQUARE PRELIMINARY PLAT
6	PRELIMINARY GRADING & EROSION CONTROL PLAN
7	COMPOSITE UTILITY PLAN
8	CIRCULATION PLAN & STREET SECTIONS
9	PARKING PLAN
10	ROYAL CRESCENT TREE PRESERVATION PLAN
11	CAMDEN SQUARE TREE PRESERVATION PLAN
12	STREET TREE PLAN

ELEVATION DATUM: NAVD 88

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

COVER SHEET

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

1

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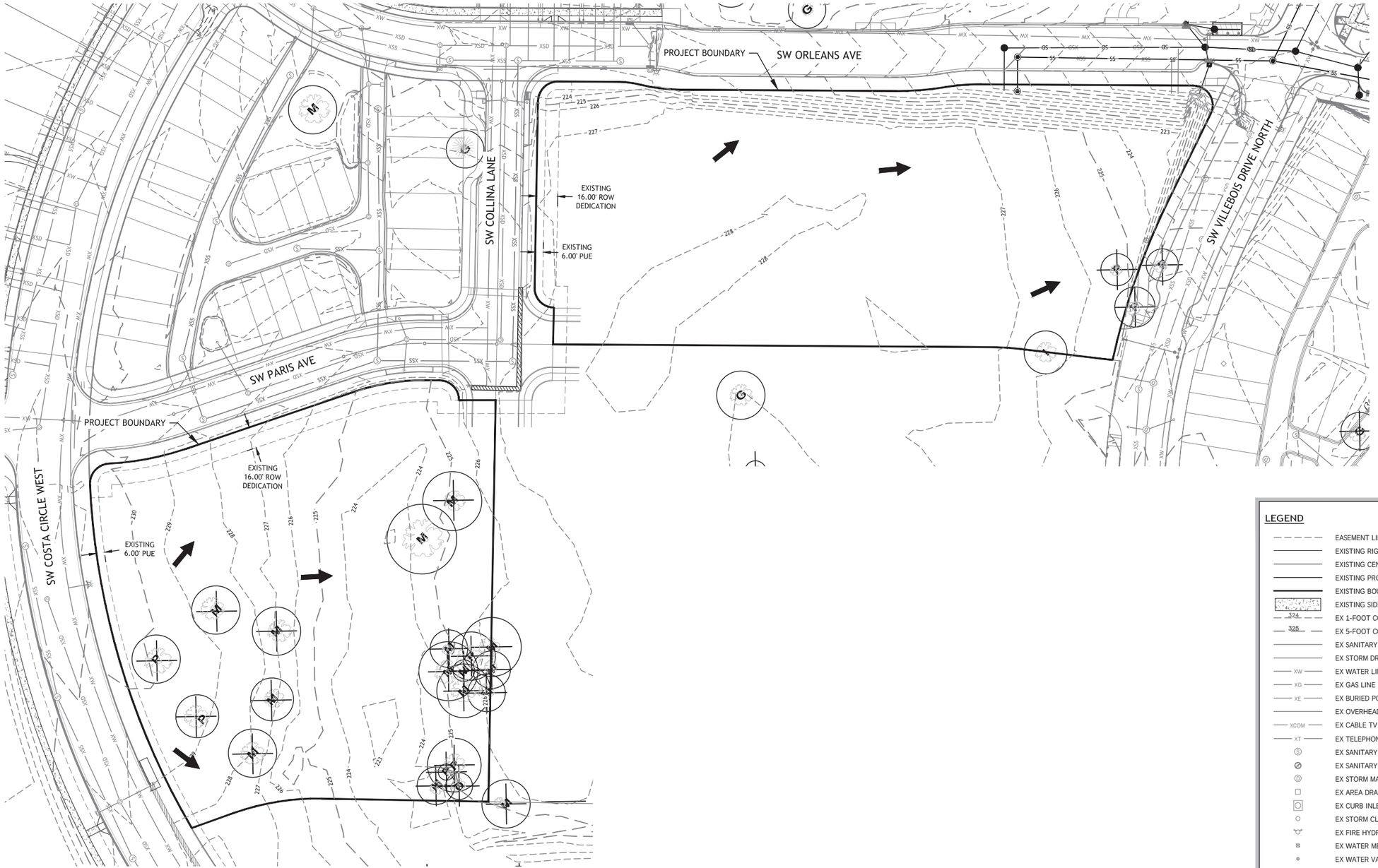

LEGEND

- EASEMENT LINES
- EXISTING RIGHT-OF-WAY
- EXISTING CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING BOUNDARY LINE
- EXISTING SIDEWALK
- EX 1-FOOT CONTOURS
- EX 5-FOOT CONTOURS
- EX SANITARY SEWER
- EX STORM DRAIN
- EX WATER LINE
- EX GAS LINE
- EX BURIED POWER LINE
- EX OVERHEAD POWER LINE
- EX CABLE TV LINE
- EX TELEPHONE LINE
- EX SANITARY MANHOLE
- EX SANITARY CLEANOUT
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- EXISTING FENCE
- EXISTING ELECTRIC VAULT
- EXISTING PAVEMENT
- EX TREES
- DRAINAGE DIRECTION

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

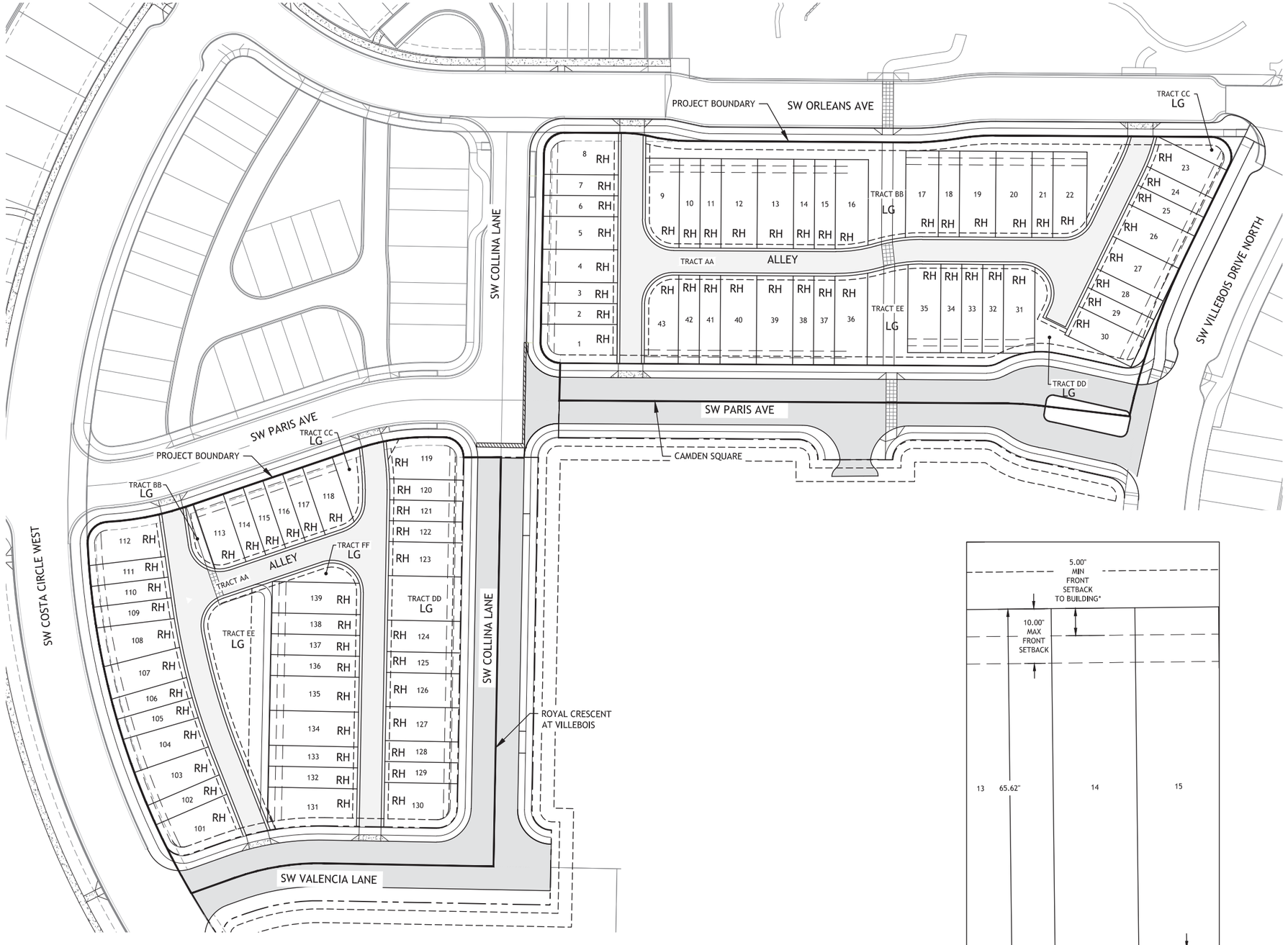
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

EXISTING
CONDITIONS

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

2



ELEVATION DATUM: NAVD 88

LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED CENTERLINE
- EXISTING CENTERLINE
- PROPOSED PUBLIC UTILITY EASEMENT
- PROPOSED BUILDING SETBACK
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PDP BOUNDARY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED A.C. PAVING
- PROPOSED SIDEWALK
- PROPOSED SIDEWALK BY OTHERS
- EXISTING SIDEWALK

LEGEND:

RH	ROW HOUSE LOTS
LG	LINEAR GREEN SPACE

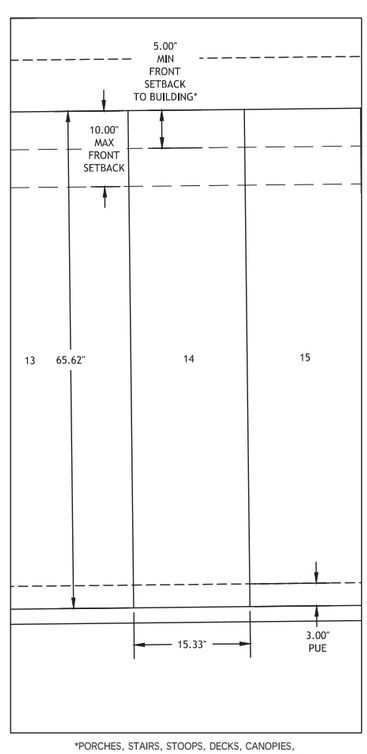
LOT COUNT:

82	ROW HOUSE LOTS
82	TOTAL

LAND AREA TABLE:

TOTAL AREA (1.86+2.08):	3.94 AC
PUBLIC STREETS:	0.61 AC
LINEAR GREEN SPACE:	0.46 AC
LOTS & ALLEYS:	2.87 AC

AVG. DENSITY PER NET ACRE:
82 / 2.87 = 28.57 UNITS / AC



*PORCHES, STAIRS, STOOPS, DECKS, CANOPIES, BALCONIES, BAY WINDOWS, CHIMNEYS, AWNINGS AND OTHER BUILDING PROJECTIONS MAY ENCROACH UP TO THE PUBLIC WAY.

TYPICAL LOT PLAN

SCALE
40 0 20 40
1 INCH = 40 FEET

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REVISIONS
DATE DESCRIPTION

PDP 9C ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

SITE / LAND USE PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

3

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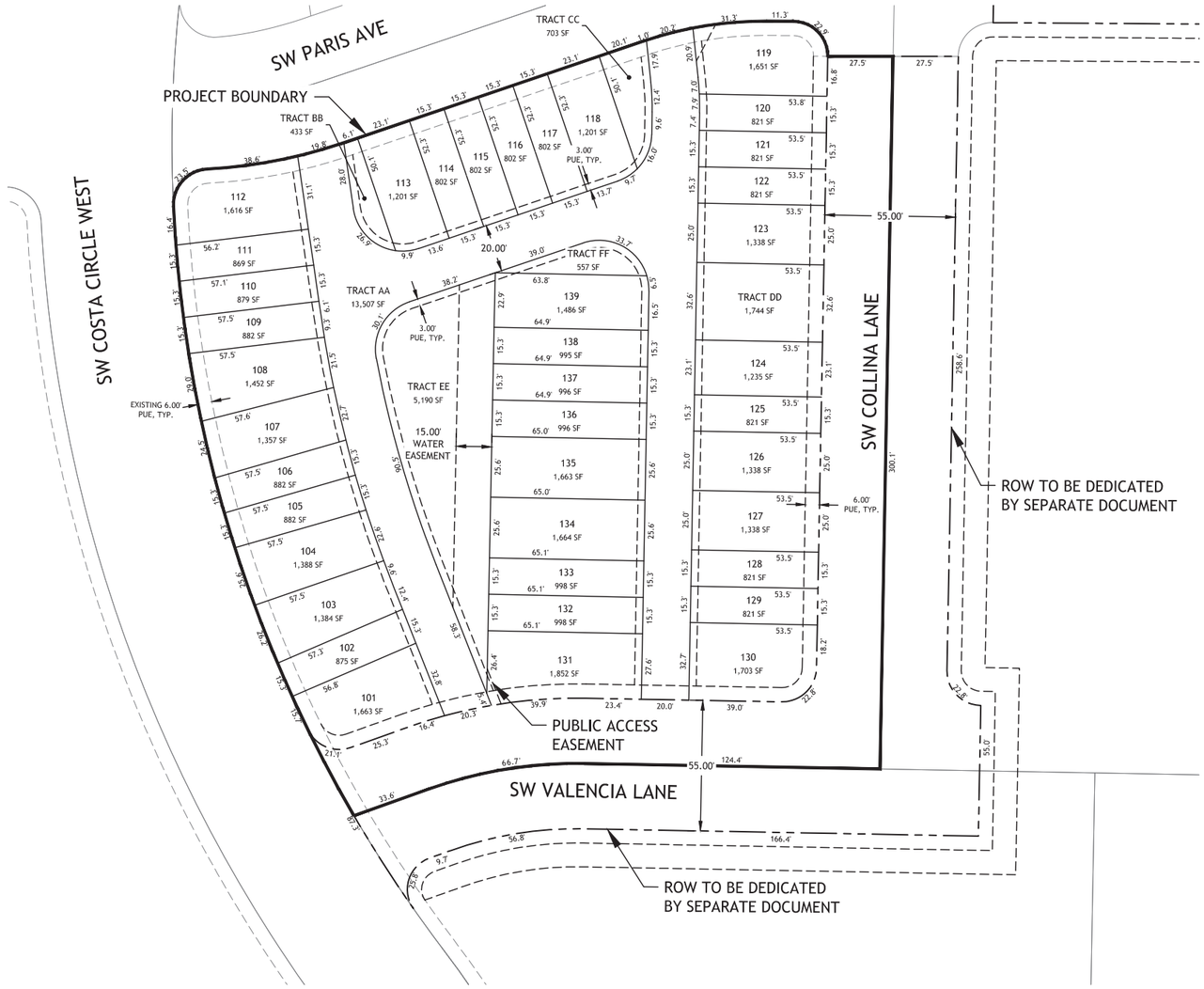

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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REVISIONS
DATE DESCRIPTION

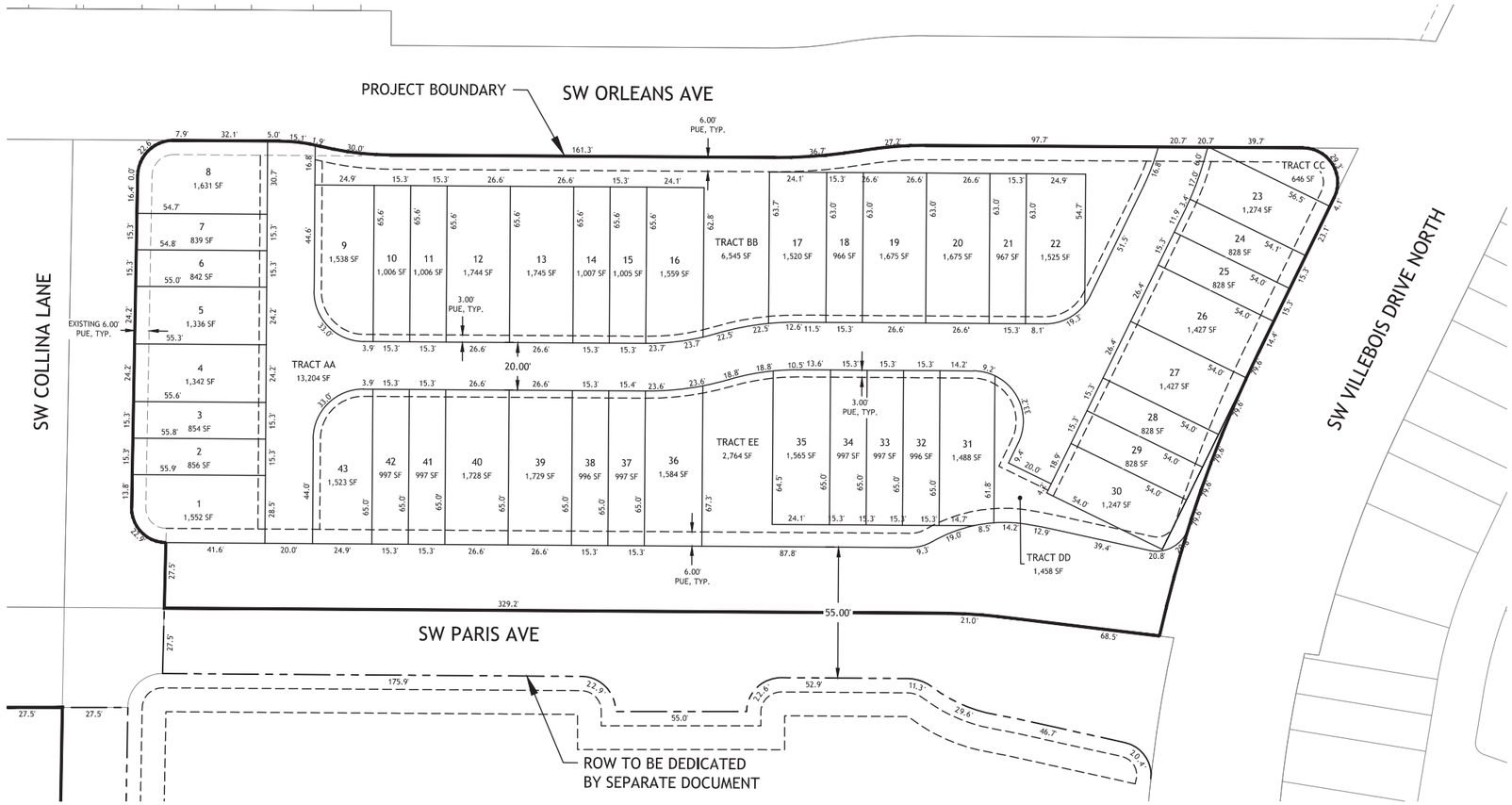
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

ROYAL CRESCENT
PRELIMINARY
PLAT

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

4



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SCALE
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1 INCH = 30 FEET

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DATE DESCRIPTION

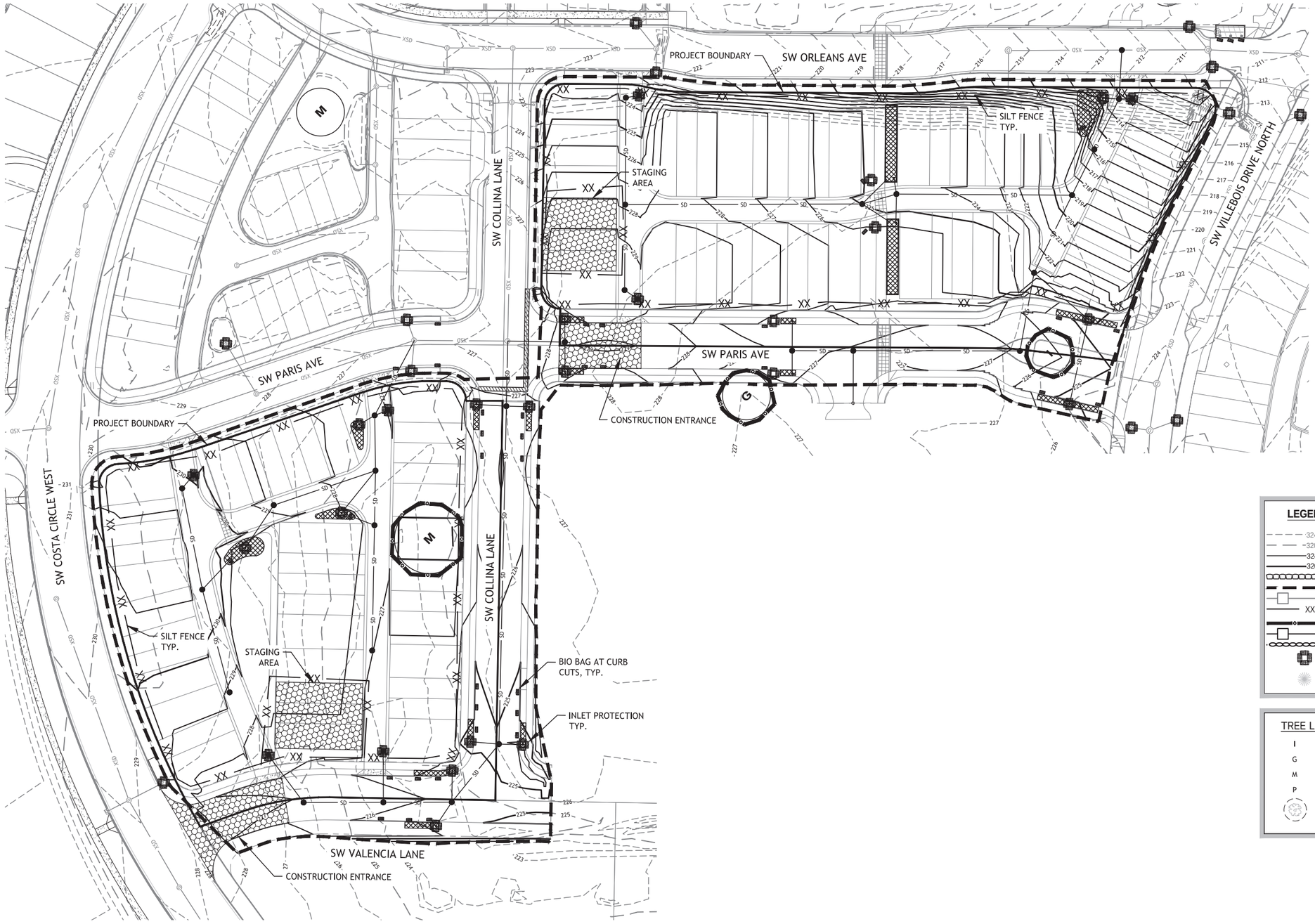
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

CAMDEN SQUARE
PRELIMINARY
PLAT

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

5



LEGEND

324	EX 2-FT CONTOUR
320	EX 10-FT CONTOUR
324	FG 2-FT CONTOUR
320	FG 10-FT CONTOUR
	PROPOSED RETAINING WALL
	GRADING LIMITS
	EXISTING FENCE
XX	SEDIMENT FENCE
	TREE PROTECTION FENCING
	CONSTRUCTION FENCING
	WATTLES
	BIO-BAG PROTECTION
	EX TREES TO REMAIN

TREE LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
	EXISTING TREES TO RETAIN

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

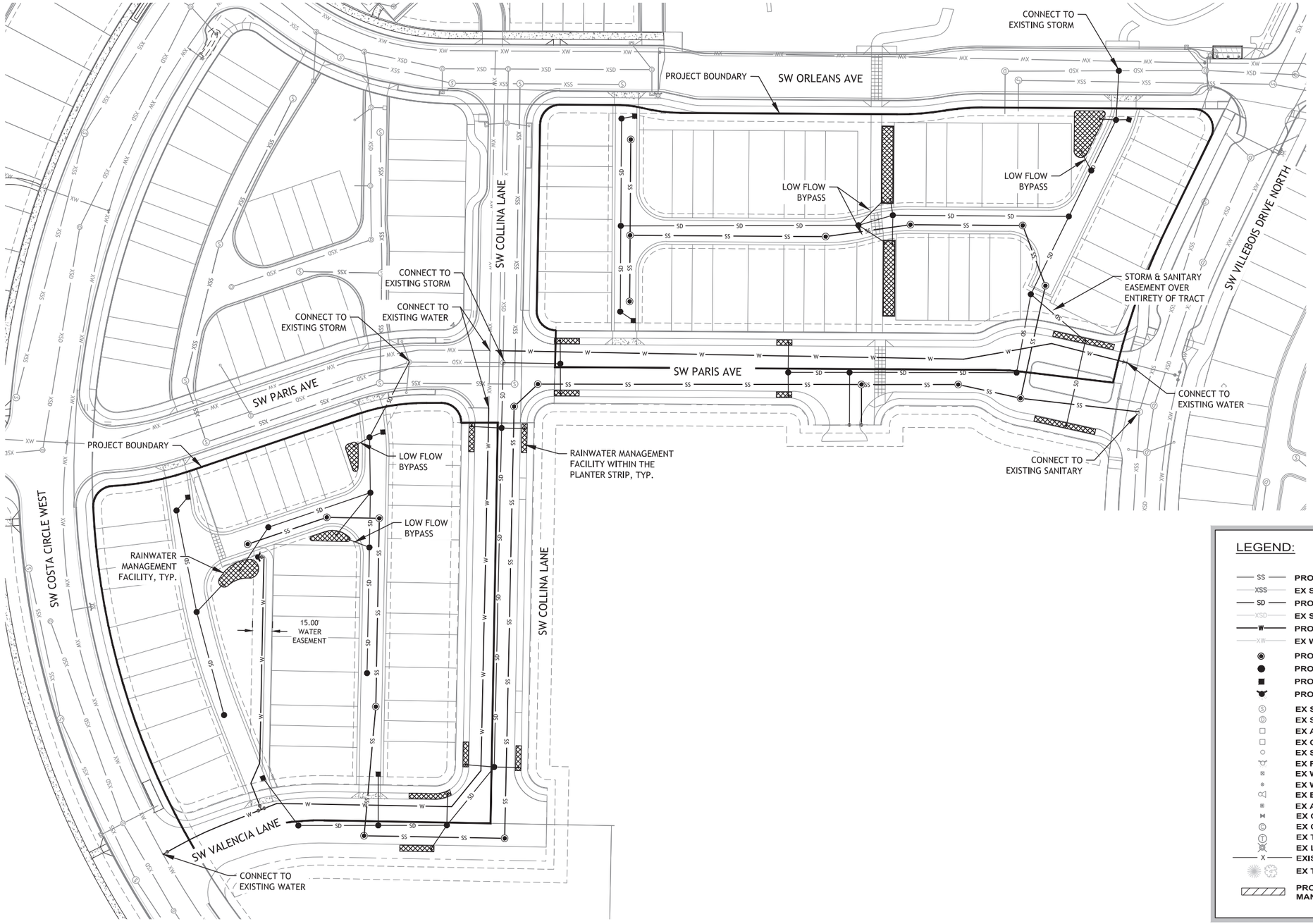
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

GRADING &
EROSION CONTROL
PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

6



LEGEND:

- SS — PROPOSED SANITARY SEWER
- XSS — EX SANITARY SEWER
- SD — PROPOSED STORM DRAIN
- XSD — EX STORM DRAIN
- W — PROPOSED WATER LINE
- XW — EX WATER LINE
- PROPOSED SANITARY MANHOLE
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED FIRE HYDRANT
- EX SANITARY MANHOLE
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- X — EXISTING FENCE
- EX TREES
- PROPOSED RAINWATER MANAGEMENT FACILITY

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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DATE DESCRIPTION

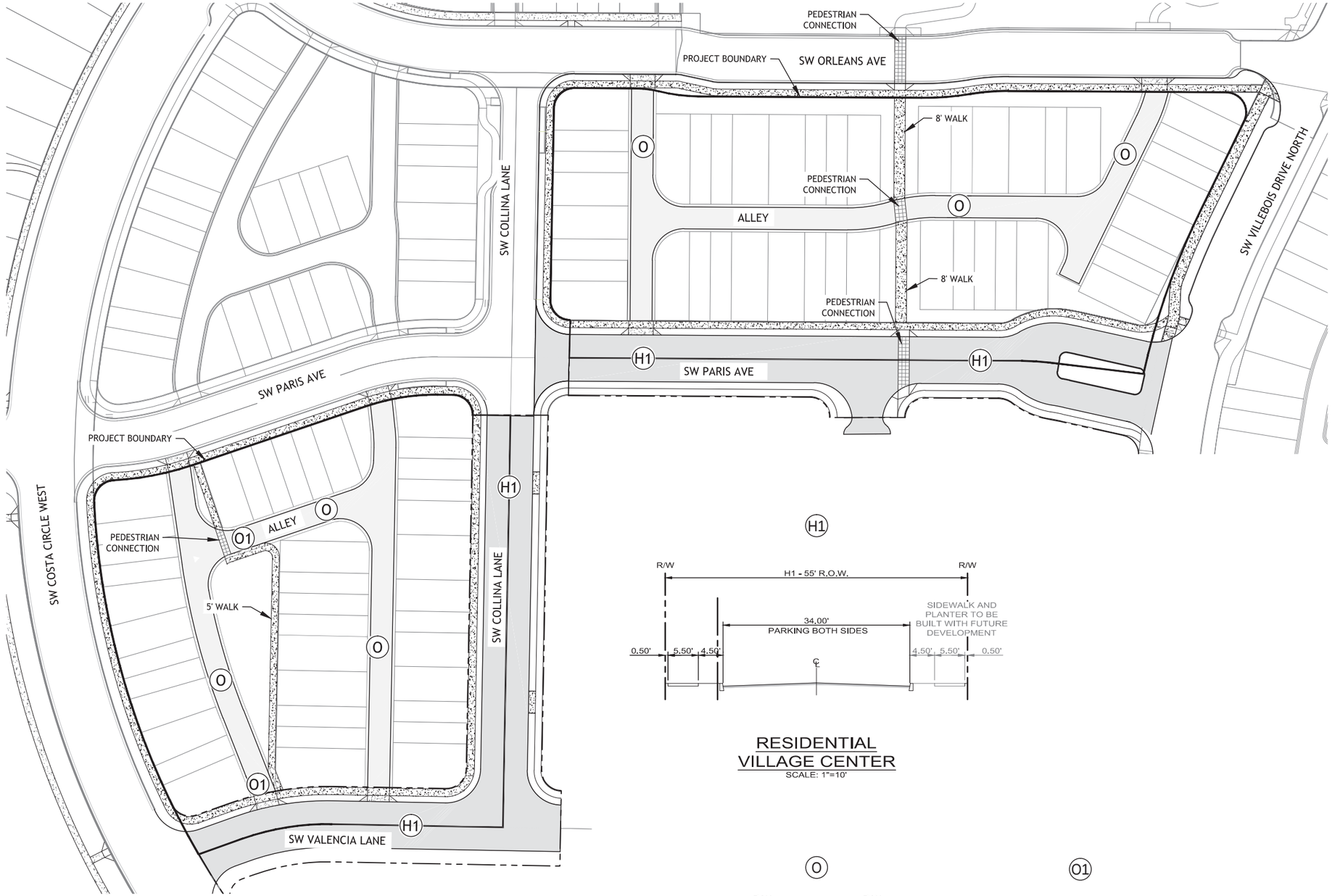
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

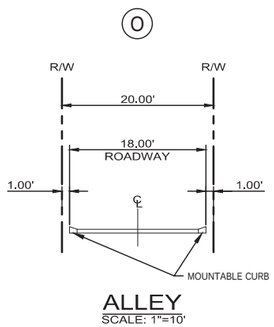
COMPOSITE
UTILITY
PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

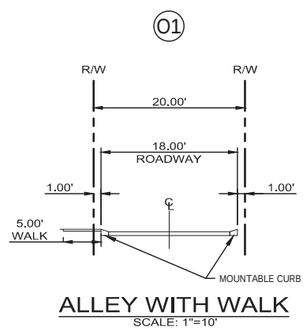
7



RESIDENTIAL VILLAGE CENTER
SCALE: 1"=10'



ALLEY
SCALE: 1"=10'



ALLEY WITH WALK
SCALE: 1"=10'

ELEVATION DATUM: NAVD 88

SCALE
40 0 20 40
1 INCH = 40 FEET

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

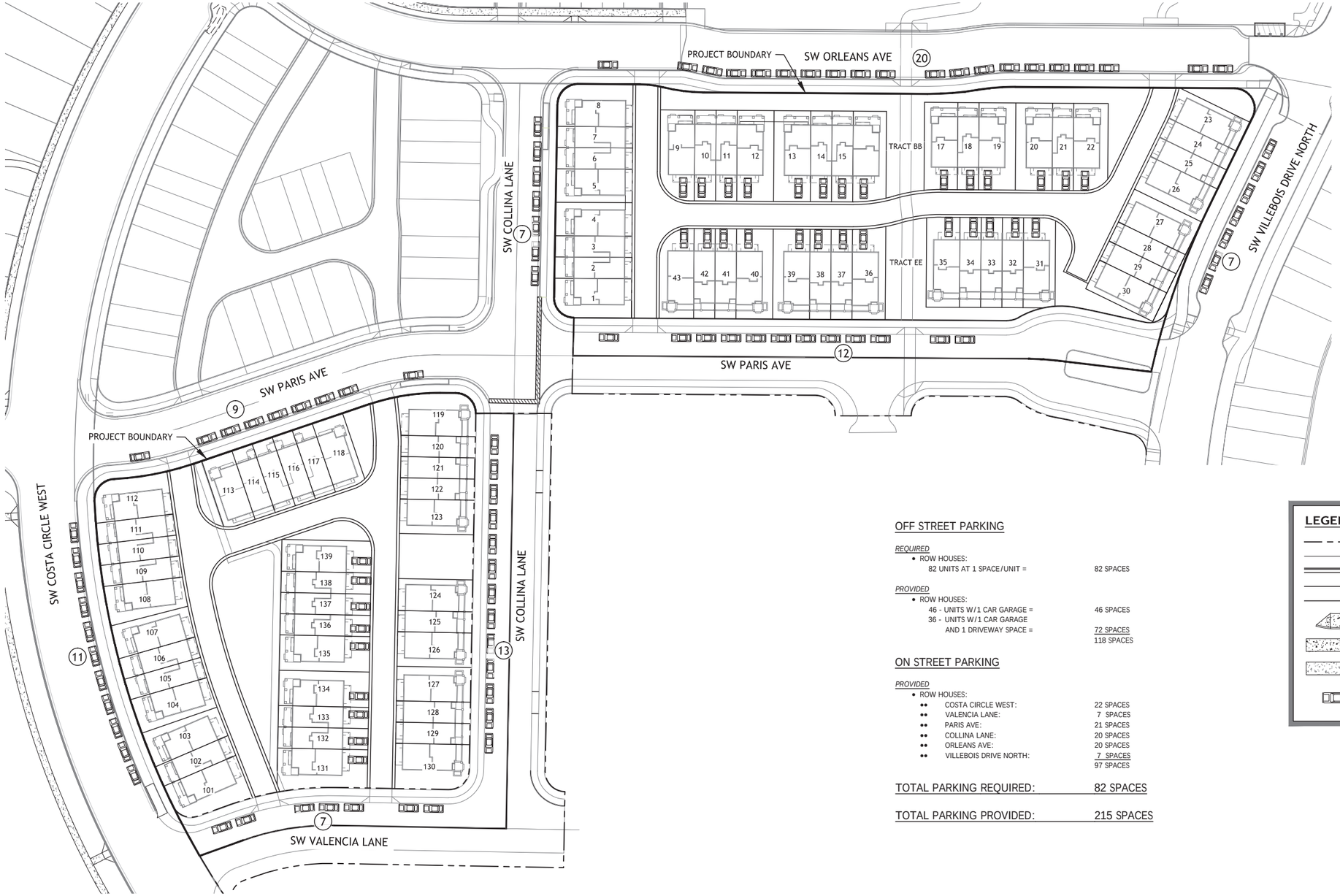
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

CIRCULATION
PLAN &
STREET
SECTIONS

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

8



OFF STREET PARKING

REQUIRED

- ROW HOUSES:
  - 82 UNITS AT 1 SPACE/UNIT = 82 SPACES

PROVIDED

- ROW HOUSES:
  - 46 - UNITS W/1 CAR GARAGE = 46 SPACES
  - 36 - UNITS W/1 CAR GARAGE AND 1 DRIVEWAY SPACE = 72 SPACES
  - 118 SPACES

ON STREET PARKING

PROVIDED

- ROW HOUSES:
  - •• COSTA CIRCLE WEST: 22 SPACES
  - •• VALENCIA LANE: 7 SPACES
  - •• PARIS AVE: 21 SPACES
  - •• COLLINA LANE: 20 SPACES
  - •• ORLEANS AVE: 20 SPACES
  - •• VILLEBOIS DRIVE NORTH: 7 SPACES
  - 97 SPACES

TOTAL PARKING REQUIRED: 82 SPACES

TOTAL PARKING PROVIDED: 215 SPACES

LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- PARKING SPACE

SCALE
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1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

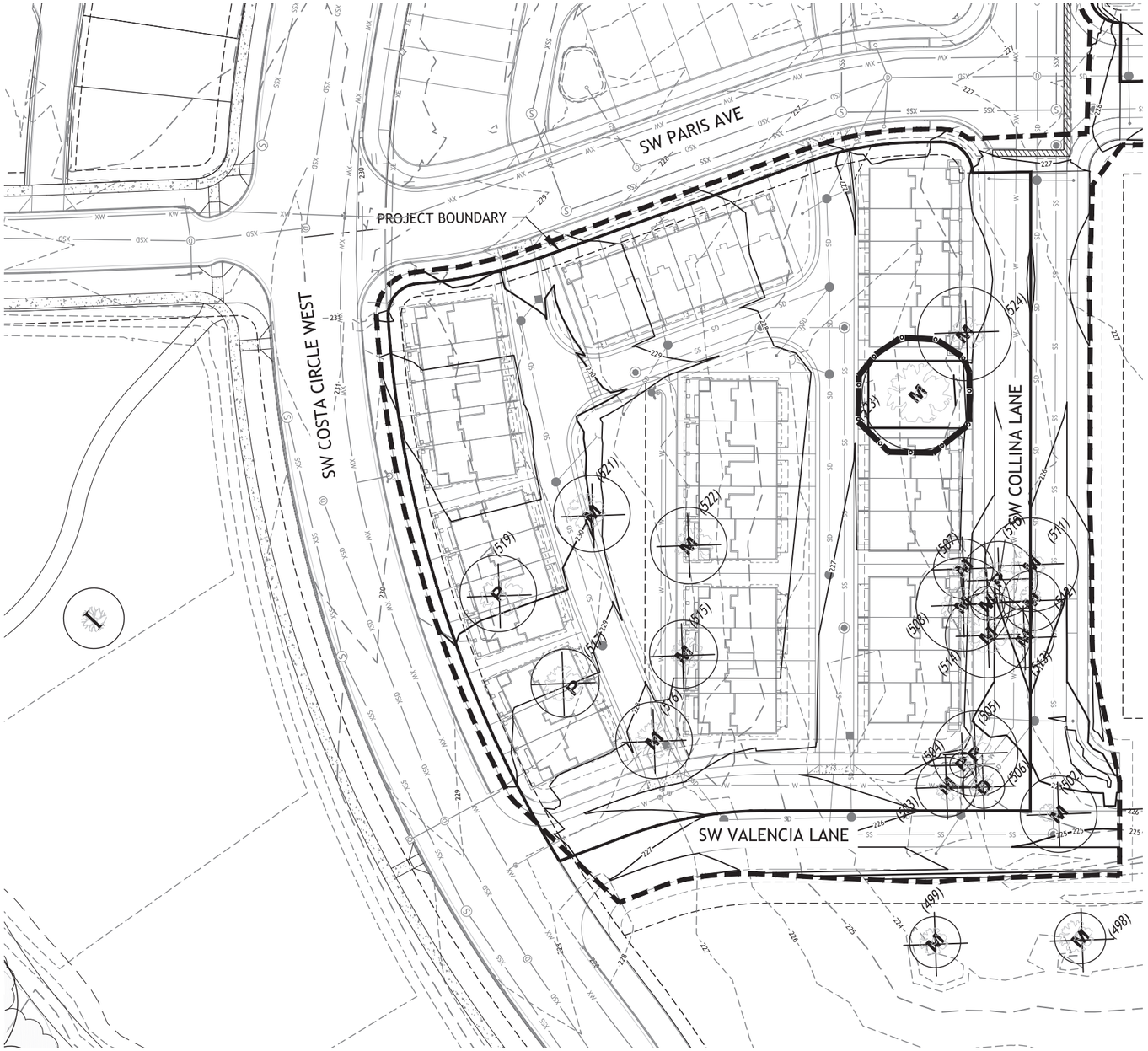
REVISIONS
DATE DESCRIPTION

PDP 9C ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

PARKING PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015



LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
NE	NOT EXAMINED
	EXISTING TREES TO REMAIN
	EXISTING TREES LIKELY TO BE REMOVED
	EXISTING TREES TO BE REMOVED
	TREE PROTECTION FENCING
	GRADING LIMITS

NOTES

ALL CONSTRUCTION AND GRADING WITHIN TREE PROTECTION ZONE IS TO BE COMPLETED UNDER DIRECT SUPERVISION OF PROJECT ARBORIST.
CONTACT: MORGAN HOLEN
PHONE: 503-646-4349

THE INTENT OF THE PLAN IS TO RETAIN AND INCORPORATE THE MAXIMUM QUANTITY OF TREES WITH IMPORTANT, GOOD, AND MODERATE CLASSIFICATIONS. THE FOLLOWING CLASSIFICATION SYSTEM WAS USED:

CLASSIFICATION METHOD:
TREES WERE RATED BASED ON THE FOLLOWING CONSIDERATIONS:
1. HEALTH
2. SPECIES (NATIVES WITH HABITAT AND ECOSYSTEM VALUE)
3. COMPATIBILITY WITH DEVELOPMENT
4. FORM / VISUAL INTEREST / MATURE SIZE

TREES RANKED AS IMPORTANT WERE RATED HIGH IN ALL FOUR AREAS.

TREES IN THE GOOD CATEGORY HAD GOOD HEALTH AND WERE A DESIRABLE SPECIES, BUT HAD IRREGULAR FORM OR LESS COMPATIBILITY WITH DEVELOPMENT.

TREES IN THE MODERATE CATEGORY HAD GOOD TO MODERATE HEALTH AND FORM, BUT WERE A LESS DESIRABLE SPECIES OR MAY BE LESS COMPATIBLE WITH DEVELOPMENT.

TREES IN THE POOR CATEGORY HAD POOR HEALTH AND/OR SUBSTANTIAL DAMAGE.

NOTES:
1. THE INFORMATION PROVIDED WITHIN THE PROJECT BOUNDARY IS BASED ON AN ON-SITE EVALUATION OF THE EXISTING TREES BY ARBORIST MORGAN HOLAN AND WAS PROVIDED IN A TREE REPORT INCLUDED WITH THE APPLICATION MATERIALS.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

N:\proj\395-053\09 Drawings\03 Planning\Sheets - Planning Submittal\395053.(10-11) Tree Preservation Plan.dwg - SHEET: (10)RC TREE PRES Nov. 12, 15 - 2:38 PM jjk

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

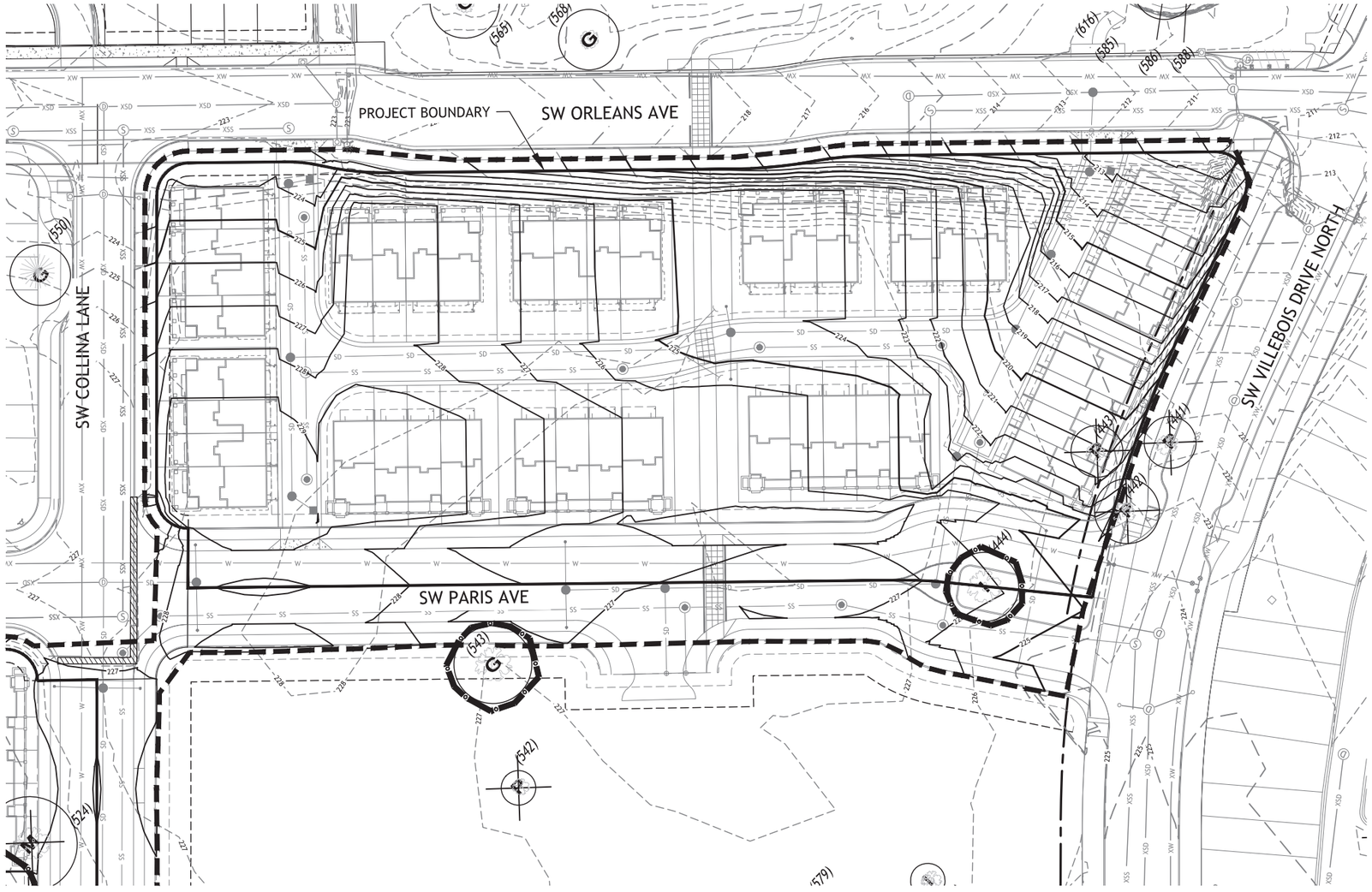
PDP 9C ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

ROYAL CRESCENT TREE PRESERVATION PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

10



LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
NE	NOT EXAMINED
	EXISTING TREES TO REMAIN
	EXISTING TREES LIKELY TO BE REMOVED
	EXISTING TREES TO BE REMOVED
	TREE PROTECTION FENCING
	GRADING LIMITS

NOTES

ALL CONSTRUCTION AND GRADING WITHIN TREE PROTECTION ZONE IS TO BE COMPLETED UNDER DIRECT SUPERVISION OF PROJECT ARBORIST.
CONTACT: MORGAN HOLEN
PHONE: 503-646-4349

THE INTENT OF THE PLAN IS TO RETAIN AND INCORPORATE THE MAXIMUM QUANTITY OF TREES WITH IMPORTANT, GOOD, AND MODERATE CLASSIFICATIONS. THE FOLLOWING CLASSIFICATION SYSTEM WAS USED:

CLASSIFICATION METHOD:
TREES WERE RATED BASED ON THE FOLLOWING CONSIDERATIONS:
1. HEALTH
2. SPECIES (NATIVES WITH HABITAT AND ECOSYSTEM VALUE)
3. COMPATIBILITY WITH DEVELOPMENT
4. FORM / VISUAL INTEREST / MATURE SIZE

TREES RANKED AS IMPORTANT WERE RATED HIGH IN ALL FOUR AREAS.

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TREES IN THE MODERATE CATEGORY HAD GOOD TO MODERATE HEALTH AND FORM, BUT WERE A LESS DESIRABLE SPECIES OR MAY BE LESS COMPATIBLE WITH DEVELOPMENT.

TREES IN THE POOR CATEGORY HAD POOR HEALTH AND/OR SUBSTANTIAL DAMAGE.

NOTES:
1. THE INFORMATION PROVIDED WITHIN THE PROJECT BOUNDARY IS BASED ON AN ON-SITE EVALUATION OF THE EXISTING TREES BY ARBORIST MORGAN HOLAN AND WAS PROVIDED IN A TREE REPORT INCLUDED WITH THE APPLICATION MATERIALS.

ELEVATION DATUM: NAVD 88

SCALE
30 0 15 30
1 INCH = 30 FEET

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

CAMDEN SQUARE TREE PRESERVATION PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

11

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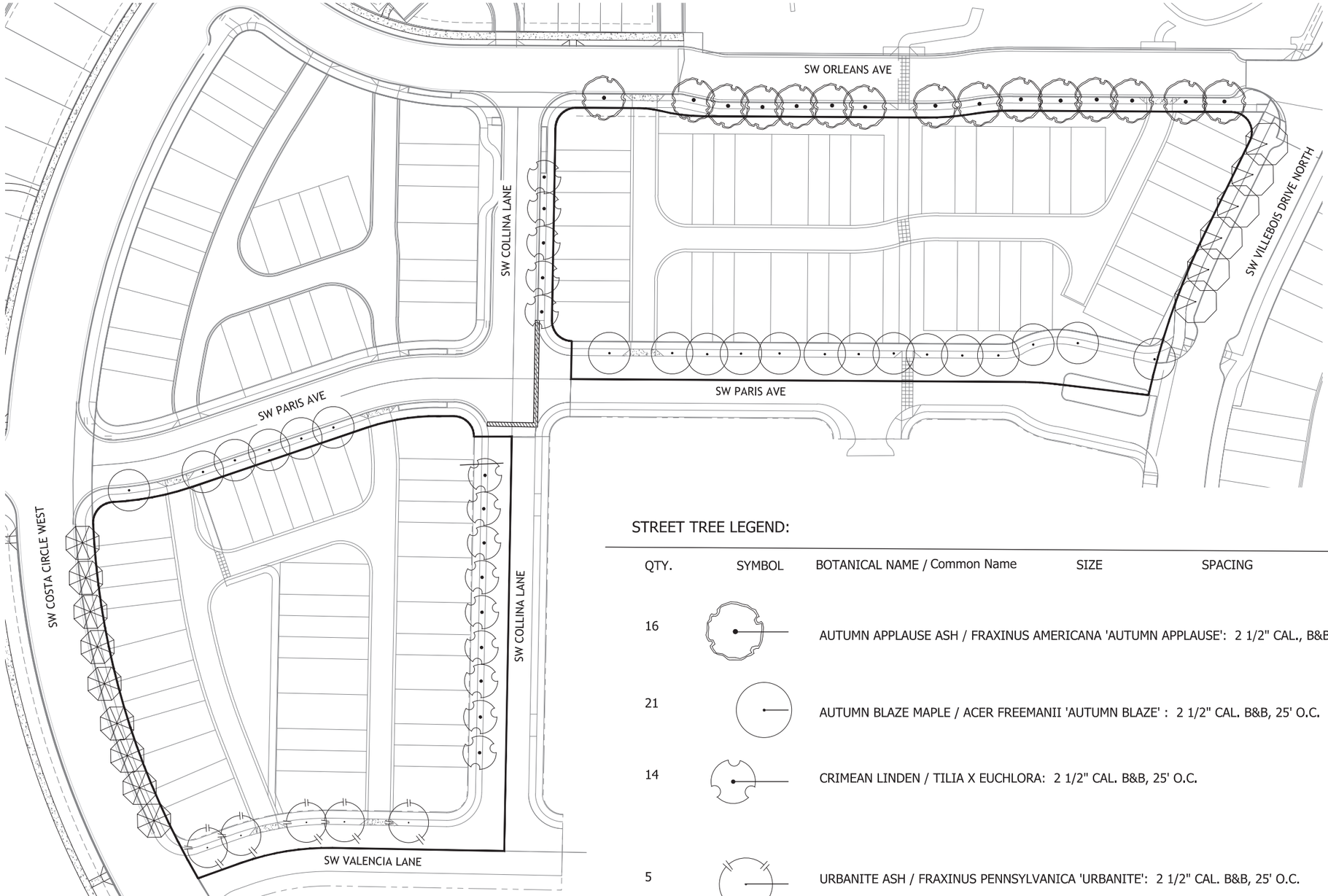

STREET TREE LEGEND:

QTY.	SYMBOL	BOTANICAL NAME / Common Name	SIZE	SPACING
16		AUTUMN APPLAUSE ASH / FRAXINUS AMERICANA 'AUTUMN APPLAUSE':	2 1/2" CAL.,	B&B, 25' O.C.
21		AUTUMN BLAZE MAPLE / ACER FREEMANII 'AUTUMN BLAZE' :	2 1/2" CAL.	B&B, 25' O.C.
14		CRIMEAN LINDEN / TILIA X EUCHLORA:	2 1/2" CAL.	B&B, 25' O.C.
5		URBANITE ASH / FRAXINUS PENNSYLVANICA 'URBANITE':	2 1/2" CAL.	B&B, 25' O.C.
6		EASY STREET MAPLE / ACER PLATANOIDES 'EZESTRE:	2 1/2" CAL.	B&B, 25' O.C.
9		TULIP TREE / LIRIODENDRON TULIPIFERA:	2 1/2" CAL.,	B&B, 25' O.C.

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

STREET
TREE
PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

12

IIC) Utility & Drainage Reports

M E M O R A N D U M

DATE: October 8, 2015

TO: City of Wilsonville

FROM: Jessie King, PE
Pacific Community Design

RE: Royal Crescent at Villebois & Camden Square (PDP 9C) Rainwater Analysis
Job No. 395-053

This memorandum report is to demonstrate that the rainwater management program proposed for the Royal Crescent at Villebois & Camden Square (PDP 9C) development portion of Villebois SAP Central is in compliance with the rainwater master plan submitted with SAP Central.

This portion of Villebois drains to the Coffee Lake Basin, see the developed drainage map Figure A1. The SAP Central rainwater management plan showed rainwater management provided by a series of planter boxes on the lots for commercial building runoff and bioretention cells for street runoff (see Figure A3). Per SAP Central Plan, facilities 21-22, 34, 36-43, 49-52, 54, and 57-60 were sized to treat a total of 160,425 sf of impervious area (110% of the total site area).

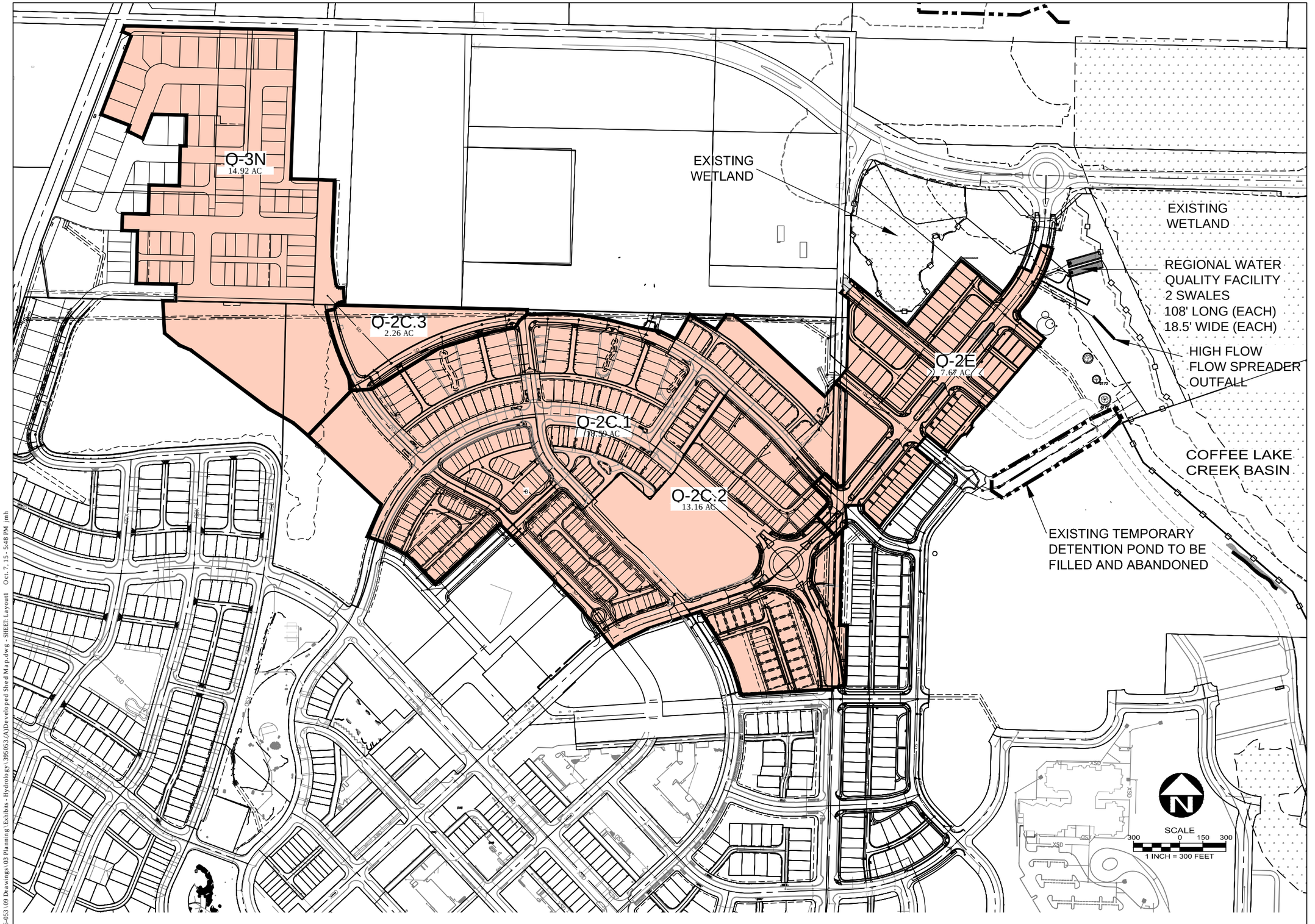
The proposed development will contain a bio-retention cells to treat street and alley runoff and runoff from the row home buildings. Planter boxes were replaced with these facilities to take advantage of the natural open space on site.

PDP 9C will treat 83% of the impervious area created on site. With the existing and future treatment facilities located on the remaining portion of SAP Central, SAP Central will treat 68% of the overall impervious area created. Based on this information the current facilities are adequately sized to provide treatment per the Villebois Village Rainwater Management Plan for SAP Central.

Thank you.

Attachments:

1. Figure A1 – Developed Drainage Map
2. Figure A2 – PDP 9C Rainwater Management Plan
3. Figure A3 – SAP Central Rainwater Management Plan
4. B1 – Composite Curve Number – SAP Central
5. B2 – Percent Impervious – SAP Central
6. B3 – Composite Curve Number – PDP 9C
7. B4 – Percent Impervious – PDP 9C
8. C1 – PDP 9C Rainwater Management Calculations
9. C2 – SAP Central Component Summary



ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

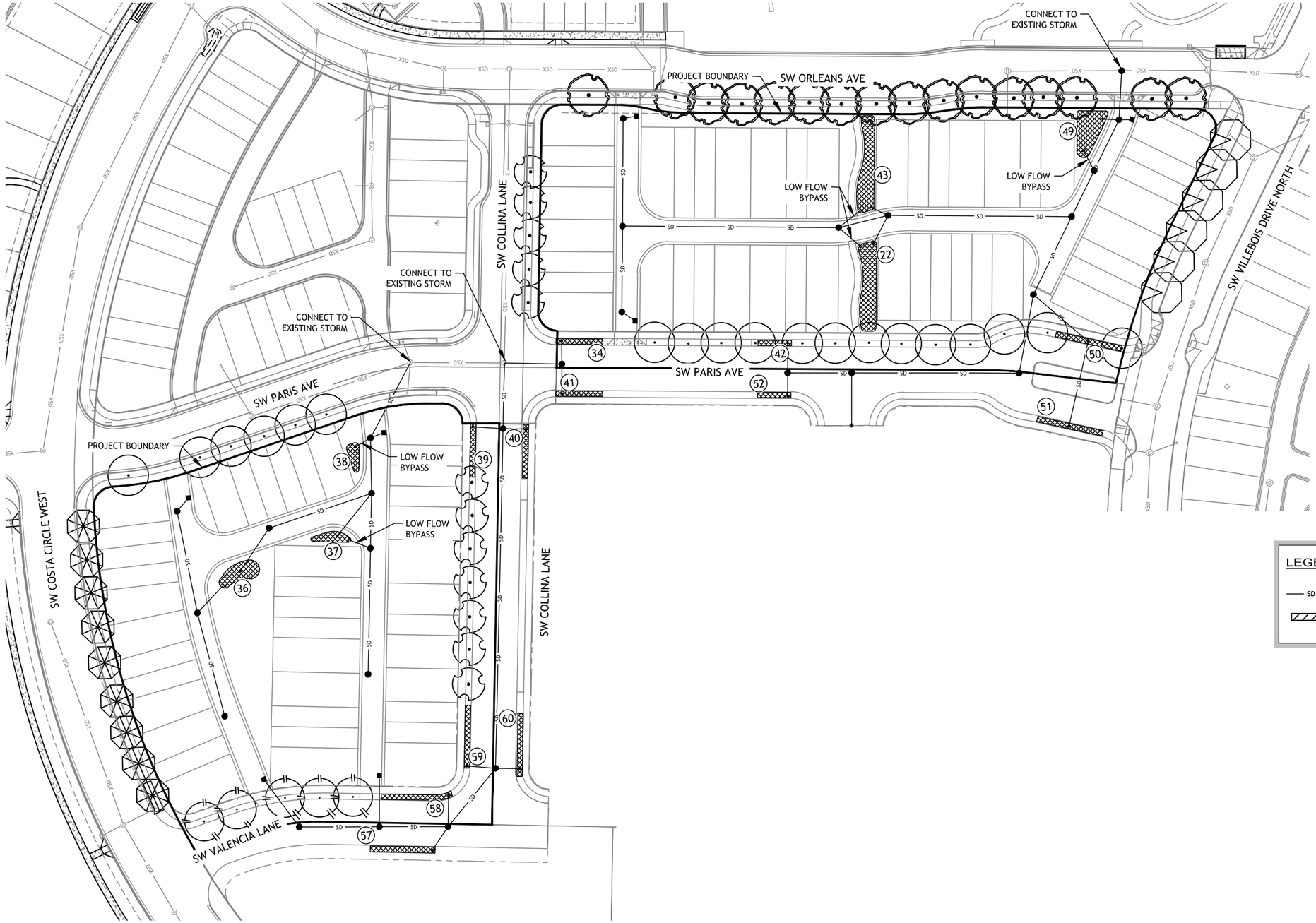
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

DEVELOPED
DRAINAGE
MAP

1ST SUBMITTAL DATE 10/9/2015

A



LEGEND:

SD — PROPOSED STORM DRAIN

PROPOSED RAINWATER MANAGEMENT FACILITY

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

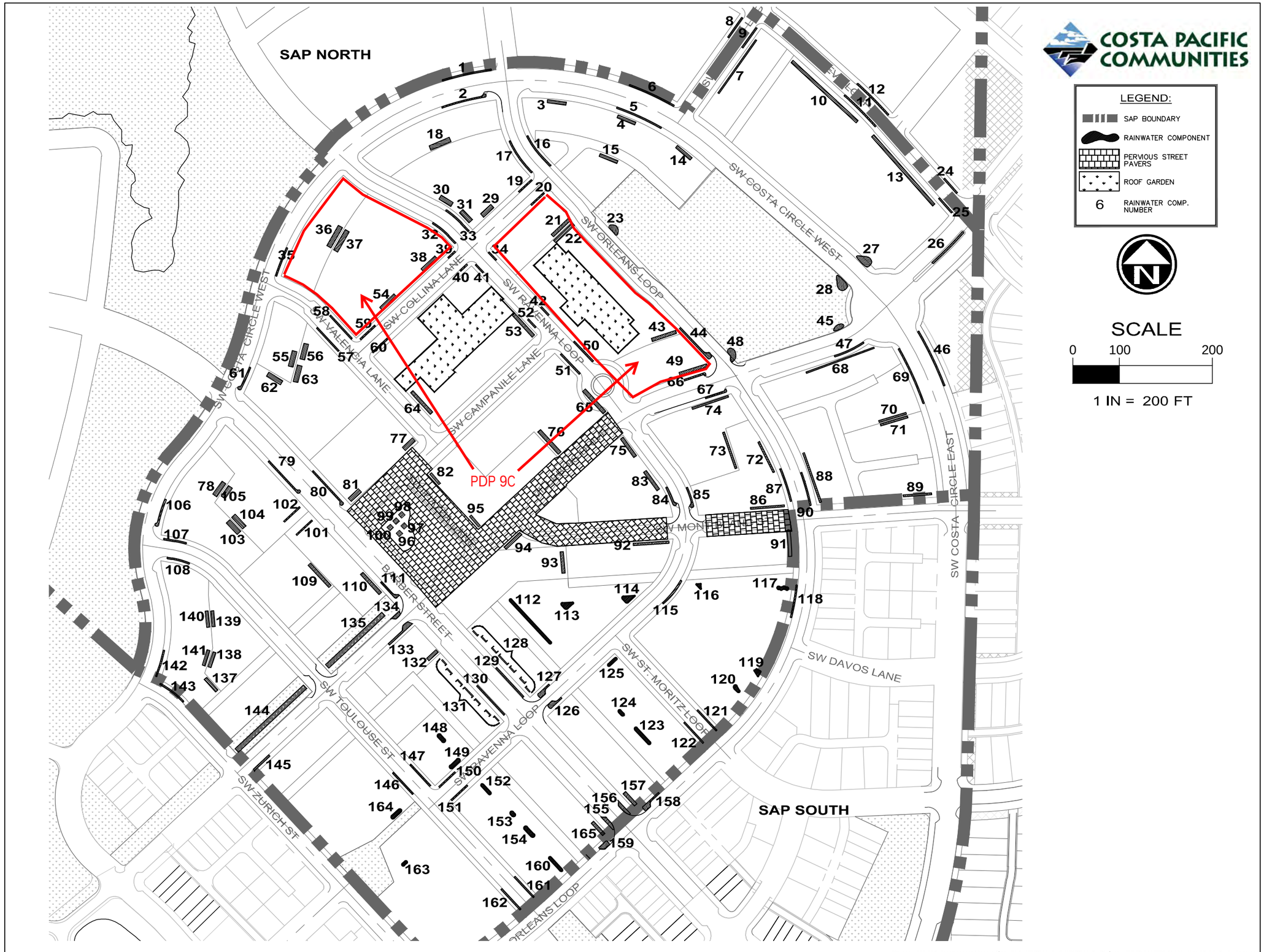
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

RAINWATER
MANAGEMENT
PLAN

1ST SUBMITTAL DATE 10/9/2015

A2



COSTA PACIFIC COMMUNITIES

LEGEND:

- SAP BOUNDARY
- RAINWATER COMPONENT
- PERVIOUS STREET PAVERS
- ROOF GARDEN
- 6 RAINWATER COMP. NUMBER

N

SCALE

0 100 200

1 IN = 200 FT

Villebois

COSTA PACIFIC COMMUNITIES

ALPHA COMMUNITY DEVELOPMENT
FLETCHER FARR AYOTTE
IVERSON ASSOCIATES
PACIFIC HABITAT SERVICES
WALT KNAPP
KITTELSON & ASSOCIATES
MAYER/REED

VILLEBOIS

SAP CENTRAL

Rainwater Management Plan

DATE: February 24, 2006

FIGURE A 3

N:\proj\999-225\Stormwater Master Plan\SAP CENTRAL\SAP CENTRAL_RAIN.dwg - SHEET: MASTER PLAN Oct 07, 2015 - 3:40pm pre

COMPOSITE CURVE NUMBER
SAP CENTRAL

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	2.88	94	67.1%
Street and Alley ROW's	0.91	94.4	21.2%
Open Space Area	0.50	80	11.7%
TOTAL	4.29		

Composite Curve Number per COA = 92.5

FIGURE B1

PERCENT IMPERVIOUS
SAP CENTRAL

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

Total Site Area 4.29 acres 186,876 sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	0
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	112,908
ROW/Alley Impervious Area (80%)	31,712
Total	144,619
% Impervious =	77%

FIGURE B2

COMPOSITE CURVE NUMBER
PDP 9C

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	2.28	90	53.2%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	0.00	94	0.0%
Street and Alley ROW's	1.57	94.4	36.6%
Open Space Area	0.44	80	10.2%
TOTAL	4.29		

Composite Curve Number per COA = 90.6

FIGURE B3

PERCENT IMPERVIOUS
PDP 9C

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

Total Site Area	4.29	acres	186,876	sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	84,536
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	0
ROW/Alley Impervious Area (80%)	54,707
Total	139,243
% Impervious =	75%

FIGURE B4

JOB NUMBER: 395-053
PROJECT: ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE: N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

EXHIBIT C:
RAINWATER COMPLIANCE SUMMARY - SAP CENTRAL

PHASE	DRAINAGE BASIN	BASIN ID	AREA (SF)	% IMPERVIOUS	IMPERVIOUS AREA (SF)	RAINWATER COMPONENT NO.	RAINWATER COMPONENT TYPE	RAINWATER COMPONENT AREA/ NO. OF TREES	SIZING FACTOR	IMPERVIOUS AREA TREATED[1]			% IMPERVIOUS AREA TREATED
										ARROWHEAD CREEK	MILL CREEK	COFFEE LAKE CREEK	
89	COFFEE LAKE CREEK	LOT 78 & 82	186,876	75%	139,243	-	-	-	-	-	-	115195	-
							TREES	67	0.01			6700	
						22	BIO-RETENTION CELL	441	0.03			14700	
						34	BIO-RETENTION CELL	72	0.03			2400	
						36	BIO-RETENTION CELL	360	0.03			11995	
						37	BIO-RETENTION CELL	157	0.03			5233	
						38	BIO-RETENTION CELL	143	0.03			4767	
						39	BIO-RETENTION CELL	85	0.03			2833	
						40	BIO-RETENTION CELL	85	0.03			2833	
						41	BIO-RETENTION CELL	72	0.03			2400	
						42	BIO-RETENTION CELL	44	0.03			1467	
						43	BIO-RETENTION CELL	454	0.03			15133	
						49	BIO-RETENTION CELL	543	0.03			18100	
						50	BIO-RETENTION CELL	186	0.03			6200	
						51	BIO-RETENTION CELL	187	0.03			6233	
						52	BIO-RETENTION CELL	44	0.03			1467	
						57	BIO-RETENTION CELL	113	0.03			3767	
						58	BIO-RETENTION CELL	125	0.03			4167	
						59	BIO-RETENTION CELL	72	0.03			2400	
						60	BIO-RETENTION CELL	72	0.03			2400	
TOTAL PDP 1C			717,433		556,610					369,104			**66%**
TOTAL PDP 2C			230,432		189,922					90,499			**48%**
TOTAL PIAZZA VILLEBOIS			38,768		38,768					26,042			**67%**
TOTAL PHASE 4C			354,143		251,361							165,600	**66%**
TOTAL PHASE 6C			80,884		61,092							37,078	**61%**
TOTAL PHASE 7C			178,700		115,947					39,199		53,100	**80%**
TOTAL PHASE 8C			97,823		60,303							59,617	**99%**
TOTAL PHASE 9C			186,876		139,243							115,195	**83%**
FUTURE SAP CENTRAL PHASES[2]			451,064		393,622					217,069	0	122,477	**86%**
SAP CENTRAL TOTAL			2,336,123		1,806,868					741,913	0	493,450	**68%**

[1]COMPONENT IMPERVIOUS AREA TREATED REFLECTS ACTUAL COMPONENT CATCHMENT AREA AND MAY NOT REFLECT SIZING FACTOR

[2]FUTURE SAP CENTRAL PHASE TOTALS PER APPROVED SAP CENTRAL RAINWATER MANAGEMENT PLAN

alpha
COMMUNITY DEVELOPMENT

JOB: VILLEBOIS SAP CENTRAL
PROJECT: 398-023
FILE: N:/PROJ/999-225/STORM. MASTER/SAP CENTRAL/RAIN.XLS

EXHIBIT C:
SAP CENTRAL RAINWATER MANAGEMENT COMPONENT SUMMARY

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
1	Bioretention Cell	0.03	323	10,767	No Change	323	10,767
2	Bioretention Cell	0.03	310	10,339	No Change	310	10,339
3	Planter Box	0.03	264	8,784	No Change	264	8,784
4	Planter Box	0.03	264	8,784	No Change	264	8,784
5	Bioretention Cell	0.03	314	10,477	No Change	314	10,477
6	Bioretention Cell	0.03	317	10,567	No Change	317	10,567
7	Planter Box	0.03	420	14,000	No Change	420	14,000
8	Bioretention Cell	0.03	156	5,200	No Change	156	5,200
9	Bioretention Cell	0.03	156	5,200	No Change	156	5,200
10	Planter Box	0.03	1,231	41,028	No Change	1,231	41,028
11	Bioretention Cell	0.03	283	9,424	No Change	283	9,424
13	Planter Box	0.03	1,283	42,759	No Change	1,283	42,759
14	Planter Box	0.03	264	8,784	No Change	264	8,784
15	Planter Box	0.03	264	8,784	No Change	264	8,784
16	Bioretention Cell	0.03	245	8,156	No Change	245	8,156
17	Bioretention Cell	0.03	248	8,276	No Change	248	8,276
18	Planter Box	0.03	471	15,689	No Change	471	15,689
19	Bioretention Cell	0.03	113	3,750	No Change	113	3,750
20	Bioretention Cell	0.03	113	3,750	No Change	113	3,750
21	Planter Box	0.03	364	12,138	No Change	364	12,138
22	Planter Box	0.03	385	12,833	No Change	385	12,833
23	Bioretention Cell	0.03	272	9,072	No Change	272	9,072
25	Bioretention Cell	0.03	125	4,150	No Change	125	4,150
26	Bioretention Cell	0.03	374	12,478	No Change	374	12,478
27	Bioretention Cell	0.03	489	16,294	No Change	489	16,294
28	Bioretention Cell	0.03	489	16,294	No Change	489	16,294
29	Planter Box	0.03	300	10,000	No Change	300	10,000
30	Planter Box	0.03	300	10,000	No Change	300	10,000

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
31	Planter Box	0.03	300	10,000	No Change	300	10,000
32	Bioretention Cell	0.03	196	6,544	No Change	196	6,544
33	Bioretention Cell	0.03	199	6,626	No Change	199	6,626
34	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
35	Bioretention Cell	0.03	195	6,484	No Change	195	6,484
36	Planter Box	0.03	500	16,667	No Change	500	16,667
37	Planter Box	0.03	500	16,667	No Change	500	16,667
38	Planter Box	0.03	408	13,599	No Change	408	13,599
39	Bioretention Cell	0.03	60	2,000	No Change	60	2,000
40	Bioretention Cell	0.03	60	2,000	No Change	60	2,000
41	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
42	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
43	Planter Box	0.03	385	12,833	No Change	385	12,833
44	Bioretention Cell	0.03	365	12,150	No Change	365	12,150
45	Bioretention Cell	0.03	202	6,731	No Change	202	6,731
46	Bioretention Cell	0.03	389	12,983	No Change	389	12,983
47	Bioretention Cell	0.03	207	6,903	No Change	207	6,903
48	Bioretention Cell	0.03	331	11,030	No Change	331	11,030
49	Planter Box	0.03	434	14,467	No Change	434	14,467
50	Bioretention Cell	0.03	176	5,883	No Change	176	5,883
51	Bioretention Cell	0.03	176	5,883	No Change	176	5,883
52	Bioretention Cell	0.03	70	2,320	No Change	70	2,320
53	Planter Box	0.03	441	14,700	No Change	441	14,700
54	Planter Box	0.03	419	13,975	No Change	419	13,975
55	Planter Box	0.03	341	11,359	No Change	341	11,359
56	Planter Box	0.03	341	11,359	No Change	341	11,359
57	Bioretention Cell	0.03	204	6,800	No Change	204	6,800
58	Bioretention Cell	0.03	204	6,800	No Change	204	6,800
59	Bioretention Cell	0.03	129	4,300	No Change	129	4,300
60	Bioretention Cell	0.03	129	4,300	No Change	129	4,300
61	Bioretention Cell	0.03	203	6,780	No Change	203	6,780
62	Planter Box	0.03	354	11,784	No Change	354	11,784
63	Planter Box	0.03	364	12,118	No Change	364	12,118
64	Planter Box	0.03	441	14,700	No Change	441	14,700
65	Planter Box	0.03	520	17,333	No Change	520	17,333
66	Bioretention Cell	0.03	153	5,106	No Change	153	5,106
67	Bioretention Cell	0.03	153	5,106	No Change	153	5,106
68	Planter Box	0.03	467	15,553	No Change	467	15,553
69	Bioretention Cell	0.03	387	12,884	No Change	387	12,884

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
70	Planter Box	0.03	244	8,133	No Change	244	8,133
71	Planter Box	0.03	244	8,133	No Change	244	8,133
72	Planter Box	0.03	292	9,733	No Change	292	9,733
73	Planter Box	0.03	328	10,933	No Change	328	10,933
74	Planter Box	0.03	328	10,933	No Change	328	10,933
75	Planter Box	0.03	343	11,433	No Change	343	11,433
76	Planter Box	0.03	520	17,333	No Change	520	17,333
77	Planter Box	0.03	300	10,000	No Change	300	10,000
78	Planter Box	0.03	341	11,359	No Change	341	11,359
79	Bioretention Cell	0.03	313	10,444	No Change	313	10,444
80	Bioretention Cell	0.03	318	10,587	No Change	318	10,587
81	Planter Box	0.03	300	10,000	No Change	300	10,000
82	Planter Box	0.03	150	5,000	No Change	150	5,000
83	Planter Box	0.03	343	11,433	No Change	343	11,433
84	Bioretention Cell	0.03	167	5,568	No Change	167	5,568
85	Bioretention Cell	0.03	160	5,339	No Change	160	5,339
86	Planter Box	0.03	292	9,733	No Change	292	9,733
87	Bioretention Cell	0.03	220	7,334	No Change	220	7,334
88	Planter Box	0.03	448	14,933	No Change	448	14,933
90	Bioretention Cell	0.03	221	7,382	No Change	221	7,382
91	Planter Box	0.03	395	13,154	No Change	395	13,154
92	Planter Box	0.03	385	12,833	No Change	385	12,833
93	Planter Box	0.03	322	10,733	No Change	322	10,733
94	Planter Box	0.03	322	10,733	No Change	322	10,733
95	Planter Box	0.03	150	5,000	No Change	150	5,000
96	Planter Box	0.03	100	3,333	No Change	100	3,333
97	Planter Box	0.03	100	3,333	No Change	100	3,333
98	Planter Box	0.03	100	3,333	No Change	100	3,333
99	Planter Box	0.03	100	3,333	No Change	100	3,333
100	Planter Box	0.03	100	3,333	No Change	100	3,333
101	Bioretention Cell	0.03	137	4,550	No Change	137	4,550
102	Bioretention Cell	0.03	137	4,550	No Change	137	4,550
103	Planter Box	0.03	341	11,359	No Change	341	11,359
104	Planter Box	0.03	341	11,359	No Change	341	11,359
105	Planter Box	0.03	272	9,057	No Change	272	9,057
106	Bioretention Cell	0.03	208	6,933	No Change	208	6,933
107	Bioretention Cell	0.03	147	4,900	No Change	147	4,900
108	Bioretention Cell	0.03	146	4,867	No Change	146	4,867
109	Planter Box	0.03	455	15,167	No Change	455	15,167

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
110	Planter Box	0.03	413	13,767	No Change	413	13,767
111	Bioretention Cell	0.03	178	5,937	No Change	178	5,937
112	Planter Box	0.03	693	23,094	No Change	693	23,094
113	Planter Box	0.03	253	8,421	No Change	253	8,421
114	Planter Box	0.03	263	8,767	No Change	263	8,767
115	Bioretention Cell	0.03	231	7,695	No Change	231	7,695
116	Planter Box	0.03	80	2,677	No Change	80	2,677
117	Planter Box	0.03	155	5,152	No Change	155	5,152
119	Planter Box	0.03	130	4,342	No Change	130	4,342
120	Planter Box	0.03	124	4,142	No Change	124	4,142
121	Bioretention Cell	0.03	180	6,013	No Change	180	6,013
122	Bioretention Cell	0.03	180	6,013	No Change	180	6,013
123	Planter Box	0.03	316	10,525	No Change	316	10,525
124	Planter Box	0.03	97	3,229	No Change	97	3,229
125	Planter Box	0.03	161	5,366	No Change	161	5,366
126	Bioretention Cell	0.03	218	7,260	No Change	218	7,260
127	Bioretention Cell	0.03	218	7,260	No Change	218	7,260
128	Planter Box	0.03	360	12,000	Adjusted to fit architectual style.	349	11,633
129	Bioretention Cell	0.03	156	5,211	Parking to lot access walks added.	78	2,606
130	Bioretention Cell	0.03	256	8,545	Parking to lot access walks added.	128	4,272
131	Planter Box	0.03	360	12,000	Adjusted to fit architectual style.	349	11,633
132	Planter Box	0.03	189	6,300	No Change	189	6,300
133	Bioretention Cell	0.03	328	10,939	Adjutsted to work with sidewalk access.	328	10,933
134	Bioretention Cell	0.03	713	23,752	Adjutsted to work with sidewalk access.	127	4,233
135	Bioretention Cell	0.03	240	7,996	Relocated to off-street area to treat lot runoff and street runoff.	953	31,767
136	Bioretention Cell	0.03	240	7,996	Eliminated, area now treated by component 144.	0	0
137	Planter Box	0.03	250	8,343	No Change	250	8,343
138	Planter Box	0.03	222	7,413	No Change	222	7,413
139	Planter Box	0.03	222	7,413	No Change	222	7,413
140	Planter Box	0.03	236	7,864	No Change	236	7,864
141	Planter Box	0.03	231	7,712	No Change	231	7,712
142	Bioretention Cell	0.03	177	5,901	No Change	177	5,901
143	Bioretention Cell	0.03	190	6,337	No Change	190	6,337
144	Bioretention Cell	0.03	1,017	33,894	Adjusted to treat lot runoff and street runoff.	1,257	41,900
145	Bioretention Cell	0.03	517	17,244	Adjusted to work with sidewalk access.	183	6,100
146	Bioretention Cell	0.03	188	6,280	No Change	188	6,280

Component Number	Rainwater Tool	Sizing Factor	S.F.	S.F. Mitigated - CPC Plan	Reason for Adjustment or Removal of Component	New S.F.	New S.F. Mitigated
147	Bioretention Cell	0.03	188	6,280	No Change	188	6,280
148	Planter Box	0.03	159	5,294	No Change	159	5,294
149	Planter Box	0.03	210	6,987	No Change	210	6,987
150	Bioretention Cell	0.03	140	4,676	No Change	140	4,676
151	Bioretention Cell	0.03	140	4,676	No Change	140	4,676
152	Planter Box	0.03	170	5,665	No Change	170	5,665
153	Planter Box	0.03	92	3,078	No Change	92	3,078
154	Planter Box	0.03	224	7,455	No Change	224	7,455
155	Bioretention Cell	0.03	182	6,071	Adjusted to work with sidewalk access.	182	6,067
156	Bioretention Cell	0.03	182	6,071	Adjutsted to work with sidewalk access.	182	6,067
157	Planter Box	0.03	504	16,800	Adjusted due to inability to mitigate back of building	252	8,400
160	Planter Box	0.03	239	7,970	No Change	239	7,970
161	Bioretention Cell	0.03	180	6,011	No Change	180	6,011
162	Bioretention Cell	0.03	180	6,011	No Change	180	6,011
163	Planter Box	0.03	73	2,418	No Change	73	2,418
164	Planter Box	0.03	206	6,854	No Change	206	6,854
165	Planter Box	0.03	252	8,400	No Change	252	8,400
166	Deciduous Trees	0.01	815	81,500	No Change	815	81,500
167	Evergreen Trees	0.005	0	0	No Change	0	0
168	Permeable Pavers-Mt Blanc	1	20,297	20,297	No Change	20,297	20,297
169	Permeable Pavers-Campanile	1	12,224	12,224	No Change	12,224	12,224
170	Permeable Pavers-Villebois Dr.	1	30,479	30,479	No Change	30,479	30,479
171	Permeable Pavers-Plaza Lane	1	8,736	8,736	No Change	8,736	8,736
172	Permeable Pavers-Plaza	1	25,558	25,558	No Change	25,558	25,558
173	Green Roof	1	5,000	5,000	No Change	5,000	5,000
	Total		147,287	1,656,392		146,600	1,633,483

Total Impervious Area in SAP	1,806,695
Percent Mitigated	91.7%
Percent Adjusted	-1.3%
Cumulative Percent Achieved	90.4%

Future Facilities within Arrowhead Creek Basin

SAP Central Facilties within PDP 9C Area

M E M O R A N D U M

DATE: October 8, 2015

TO: City of Wilsonville

FROM: Jessie King, PE
Pacific Community Design

RE: Royal Crescent at Villebois & Camden Square – PDP 9C
Job No. 395-053

This memorandum report is to address the utility connections for the Royal Crescent at Villebois and Camden Square (PDP 9C) development portion of Villebois SAP Central. This phase is located within the Villebois Village Center, south and west of the Costa Circle West and Orleans Avenueh intersection. This report will be divided into three sections: Water, Sanitary Sewer, and Storm Sewer. Rainwater Management will be discussed in a separate report.

Water

SAP Central defined the land use for this area to be village apartments, urban apartments, and condos with a maximum unit count of 148. The proposed development will contain attached row homes with a total unit count of 82, and therefore complies with design intent of SAP Central.

Sanitary Sewer

This site is located within service area 5, see attached exhibit SS. SAP Central defined the land use for this area to be village apartments, urban apartments, and condos with a maximum unit count of 135. The proposed development includes attached row homes with a total unit count of 82. Based on the reduction in number of units, there is adequate capacity for this development.

Storm Sewer

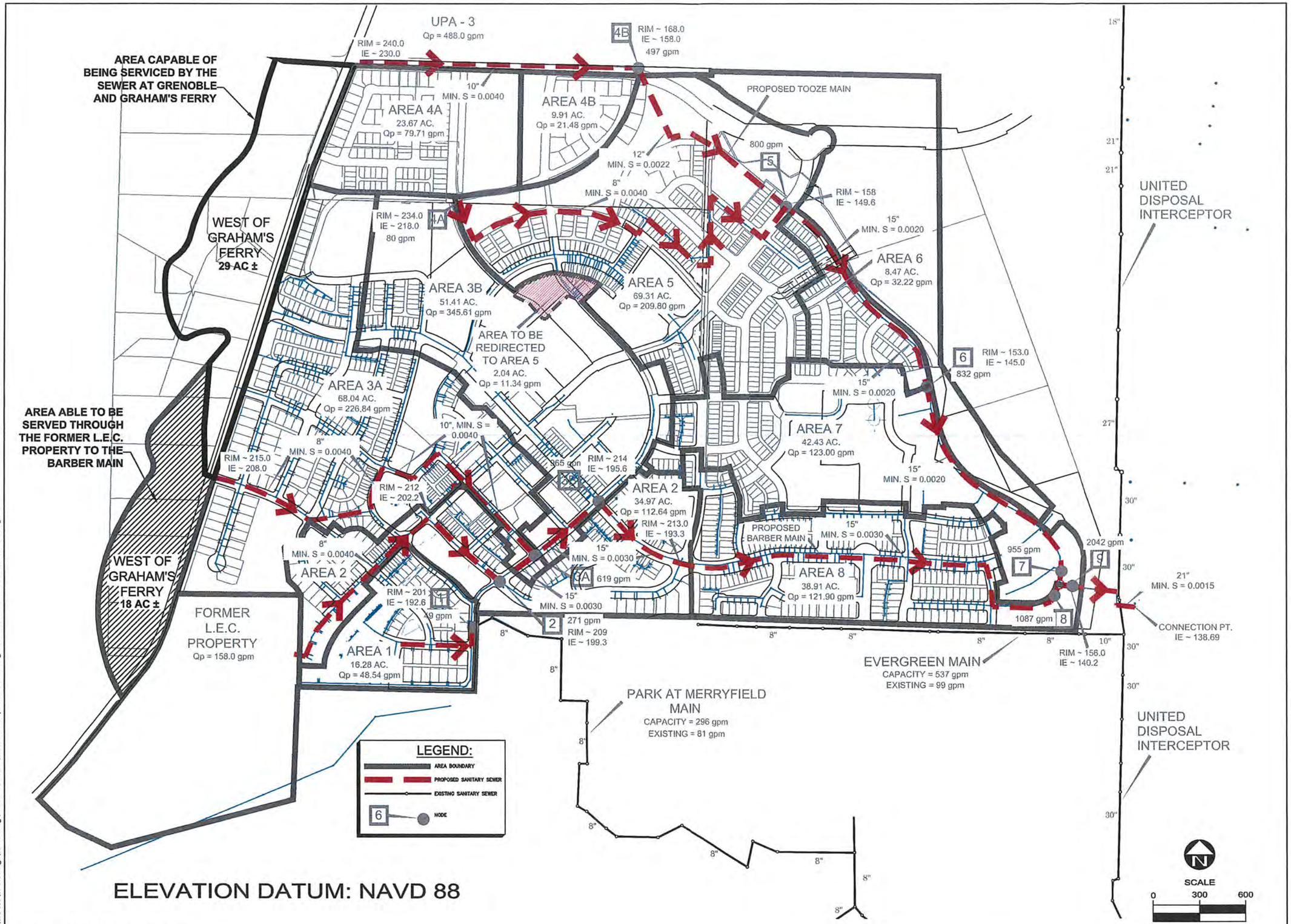
See the developed drainage map, exhibit A. The stormwater report submitted with PDP 2N defined the land use for this area to be 85% impervious, based on the SAP Central land use designation. The water quality facilities within the Coffee Lake Basin were designed to provide treatment for this land use. The proposed layout has an impervious area of 83%. For impervious area calculations refer to exhibits B1-B4.

Based on this information the current facilities are adequately sized to provide treatment per the City of Wilsonville Public Works Standards.

Thank you.

Attachments:

1. SS - Sanitary Sewer Service Area Exhibit
2. A1 – Developed Drainage Map
3. B1 – Composite Curve Number – Lot 78 & 82 (SAP Central)
4. B2 – Percent Impervious – Lot 78 & 82 (SAP Central)
5. B3 – Composite Curve Number – Lot 78 & 82 (PDP 9C)
6. B4 – Percent Impervious – Lot 78 & 82 (PDP 9C)



ELEVATION DATUM: NAVD 88

N:\proj\395-053\09 Drawings\03 Planning\Exhibits - General\395053.Sanitary Sewer Exhibit.dwg - SHEET: SSMP 11x17 Oct. 8, 15 - 8:38 AM jjk

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

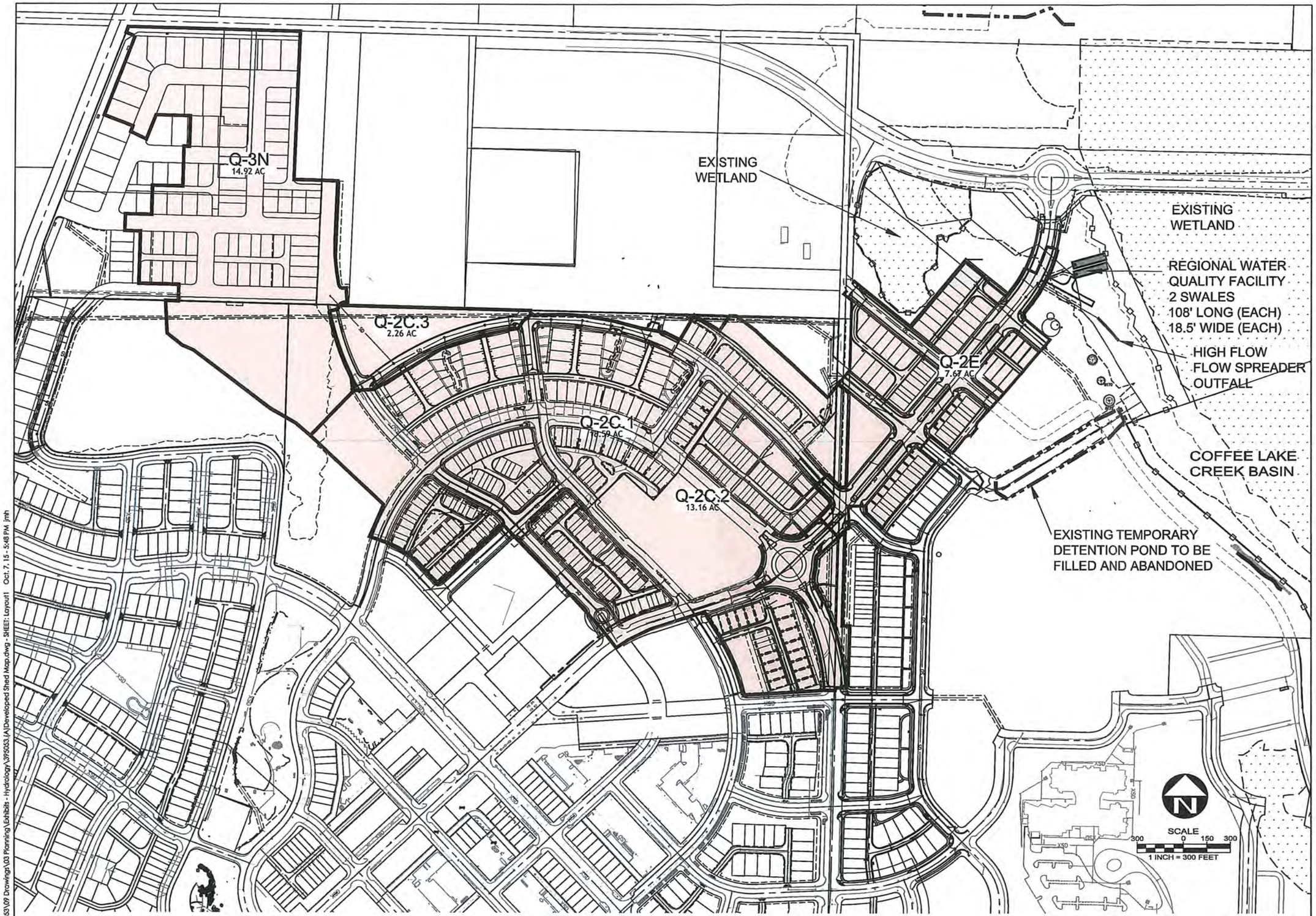
PDP 9C
ROYAL CRESCENT AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary Development Plan

SANITARY SEWER UNITED DISPOSAL

1ST SUBMITTAL DATE 10/9/2015

SS



ELEVATION DATUM: NAVD 88

N:\proj\395-053\09 Drawings\03 Planning\Exhibits - Hydrology\395053_(A)Developed Shed Map.dwg - SHEET: Layout1 Oct. 7, 15 - 5:48 PM jmh

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

DEVELOPED
DRAINAGE
MAP

1ST SUBMITTAL DATE 10/9/2015

A

Pacific Community Design

COMPOSITE CURVE NUMBER
SAP CENTRAL

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	2.88	94	67.1%
Street and Alley ROW's	0.91	94.4	21.2%
Open Space Area	0.50	80	11.7%
TOTAL	4.29		

Composite Curve Number per COA = 92.5

FIGURE B1

PERCENT IMPERVIOUS
SAP CENTRAL

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

Total Site Area	4.29	acres	186,876	sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	0
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	112,908
ROW/Alley Impervious Area (80%)	31,712
Total	144,619
% Impervious =	77%

FIGURE B2

Pacific Community Design

COMPOSITE CURVE NUMBER
PDP 9C

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

CURVE NUMBERS PER SAP CENTRAL C.O.A. PF10

Open Space and landscape areas	80
Commercial areas	94
Impervious Area Streets, Alleys *	98
Residential Development 1/8 acre or less	90
Residential Development 1/4 acre or less	83

* Streets and Alleys are modeled as 80% impervious and 20% pervious. Utilizing a CN of 80 for the pervious area and 98 for the impervious area, the weighted CN for streets and alleys would be 94.4.

ON-SITE	(AC)	CN	% of total
Row House (1/8 acre)	2.28	90	53.2%
Single Family Detached (1/8 acre)	0.00	90	0.0%
Single Family Detached (1/4 acre)	0.00	83	0.0%
Commercial/Multi-Family areas	0.00	94	0.0%
Street and Alley ROW's	1.57	94.4	36.6%
Open Space Area	0.44	80	10.2%
TOTAL	4.29		

Composite Curve Number per COA = 90.6

FIGURE B3

PERCENT IMPERVIOUS
PDP 9C

JOB NUMBER:	395-053
PROJECT:	ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE - PDP 9C
FILE:	N:/PROJ/395-053/05-REPORTS/RAINWATER ANALYSIS/395053.RAINWATER ANALYSIS.XLSX

Total Site Area 4.29 acres 186,876 sf

ON-SITE	Imp. Area (sf)
Row House Lot Impervious Area (85%)	84,536
Single Family Lot Impervious Area (60%)	0
Commercial Lot Impervious Area (90%)	0
ROW/Alley Impervious Area (80%)	54,707
Total	139,243
% Impervious =	75%

FIGURE B4

IID) Traffic Analysis

MEMORANDUM

DKS
117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

DATE: November 5, 2015

TO: Steve Adams, P.E., City of Wilsonville

FROM: Scott Mansur, P.E., PTOE
Jordin Ketelsen, EIT

SUBJECT: **Villebois Urban Village SAP Central 9C Transportation Study (Lots 78 and 82)** P15018-015

This memorandum documents trip generation estimates and a site plan review for the proposed PDP 9C development of 82 rowhouses (43 on Lot 78 and 39 on Lot 82). These lots are located west of Villebois Drive, north Barber Street, and south of Costa Circle West. The purpose of this memorandum is to compare the proposed land use development of Villebois Urban Village Specific Area Plan (SAP) Central (dated March 3rd, 2015) to previously analyzed SAP Central land use numbers and ensure the current proposal was adequately analyzed as part of a prior traffic impact study and that additional intersection capacity analysis will not be needed.

Villebois Land Use

When the Future Study Area was added to the *Villebois Village Master Plan*,[1] DKS performed updated traffic impact analysis for the entire Villebois area. Table 1 shows the residential land use estimates that were the basis of the updated traffic impact analysis.[2]

Table 1: Villebois Village Residential Land Uses Analyzed in Prior Traffic Impact Study (October 2013)

SAP	Single Family Units	Condo/Townhouse Units	Apartment Units	Total Residential Units
East	534	42	-	576
Central[a]	49	459	501	1,009
North	423	31	10	464
South	357	103	21	481

[a] SAP Central also included 33,000 square feet of retail space.

[1] The most recent version of the *Villebois Village Master Plan* was adopted October 7, 2013, and included the addition of the "future study area".

[2] *Villebois Future Study Area Transportation Impact Analysis*, DKS Associates, October 21, 2013, page 5.

SAP Central Residential Land Use/Trip Generation

As shown previously in Table 1, the most recent traffic impact analysis performed for Villebois assumed that SAP Central would include 49 single family units, 459 condo/townhouse units, and 501 apartment units for a total of 1,009 residential units. Now, the current SAP Central proposal (dated September 15, 2015) includes 75 single family units, 459 condo/townhouse units, and 449 apartment units for a total of 983 residential units.[3] Table 2 shows the p.m. peak hour trip generation estimates for both land use breakdowns along with the net change.[4] As shown, the currently planned residential land uses are estimated to generate 593 (389 in, 204 out) p.m. peak hour trips for SAP Central, which is a net decrease of -5 total (-3 in, -2 out) trips.

Table 2: SAP Central Trip Generation Comparison

Land Use (ITE Code)	Size	Average Trip Generation Rate	Number of New Trips (P.M. Peak)		
			In	Out	Total
Basis of Traffic Impact Analysis (October 2013)					
Single Family Units (210)	49 units	1.01 trips/unit	31	18	49
Condo/Townhome (230)	459 units	0.52 trips/unit	159	79	238
Apartments (220)	501 units	0.62 trips/unit	202	109	311
		Total Trips	**392**	**206**	**598**
Current Plans (September 2015)					
Single Family Units (210)	75 units	1.01 trips/unit	48	28	76
Condo/Townhome (230)	459 units	0.52 trips/unit	160	79	239
Apartments (220)	449 units	0.62 trips/unit	181	97	278
		Total Trips	**389**	**204**	**593**
		Net New Trips	***-3***	***-2***	***-5***

[3] Single Family unit number provided by Stacy Connery, Pacific Community Design, October 23 2015.

[4] Retail land use quantities and trip generation estimates were not included in the analysis because no changes are being proposed.

SAP Central PDP 9C Lots 78 and 82 Trip Generation

SAP Central is broken into approximately 14 Planned Development Phases (PDPs). Table 3 shows the estimated trip generation for PDP 9C based on the currently proposed 43 rowhouses for Lot 78 and 39 proposed rowhouses for Lot 82. As shown, the 82 proposed residential units planned would generate approximately 43 (19 in, 14 out) p.m. peak hour trips.

Table 3: SAP Central PDP 7C Lot 75 Trip Generation

Land Use (ITE Code)	Number of Units	Average Trip Generation Rate	Number of New Trips (P.M. Peak)		
			In	Out	Total
***Lot 78* - Condo/Townhome (230)**	43	0.52 trips/unit	15	7	22
***Lot 82* - Condo/Townhome (230)**	39	0.52 trips/unit	14	7	21
		Total	**19**	**14**	**43**

Site Plan Review

The applicant's preliminary site plan was provided with the Traffic Study Request letter and is attached to the appendix.[5] It was reviewed to evaluate site access for vehicles and pedestrians as well as evaluate parking.

Site Access

The roadways of Villebois Drive, Orleans Avenue, Costa Circle West and several other small intersecting streets are planned to be extended surrounding the proposed sites. Access to the internal alley network of the site will be provided onto Orleans Avenue (two access points), Paris Avenue (three access points), and Valencia Avenue (one access point).

Pedestrian Access

The site plan shows proposed sidewalks surrounding the rowhouses on all frontages as well as the internal alley ways adjacent to the rowhouses. Additionally, the site plan shows a path through lot 78 with proposed pedestrian connections to the planned and permitted Orleans Avenue. This pedestrian connection is especially significant since it also connects to the proposed Montague Park to the north of the site and via Campanile Lane to the Piazza south of the site which will be key pedestrian generators for the area. The site plan shows an internal alley way that dead ends on the southeast corner of lot 78. A pedestrian connection from the end of the alley to the sidewalk is recommended.

Parking

In total, the 82 rowhouse units require 1 space per dwelling unit. Therefore, the single car garages provided with each rowhouse will be sufficient to the parking demand and code requirements. Additionally, the site plan shows approximately 1,700 feet of available on-street parking on Costa Circle West, Orleans Avenue, Paris

[5] Site plan provided in email from Steve Adams, City of Wilsonville, April 15, 2015.

Avenue, Valencia Lane, and Collina Lane adjacent to the proposed site. This will provide space for 60 vehicles based on 28 feet per vehicle.

Summary

Key findings for the proposed Villebois Urban Village SAP Central PDP 9C Lots 78 and 82 development of 82 rowhouses in Wilsonville, Oregon are as follows:

- The proposed SAP Central is expected to generate -5 total (-3 in, -2 out) p.m. peak hour trips more than the original approved trip generation estimates.
- The proposed development of 82 rowhouses within PDP 9C are estimated to generate 26 (17 in, 9 out) p.m. peak hour trips.
- The site plan shows an internal alley way that dead ends on the southeast corner of lot 78. A pedestrian connection from the end of the alley to the sidewalk is recommended.
- The required parking spaces (82) are provided by the single car garages in each unit and on-street parking available on the adjacent roadways.

Please let us know if you have any questions.

Task 2: Site Plan Review
DKS will review the prior and current site plans and will make an assessment of pedestrian and bicycle needs, vehicular access and circulation, connectivity, safety, and alignment of streets and alleys. The transportation review will include a detailed discussion of any site plan issues as well as recommended mitigations with associated graphics if necessary.

Task 3: Documentation and Response to Comments
A report of our findings will be submitted to the City of Wilsonville within three weeks of authorization and receiving the final site plan from the project sponsor (if it differs from the site plan provided with the traffic study request).

We have allocated a nominal budget (2 hours of staff effort) toward response to comments from City staff and/or the project sponsor's representatives following the completion of this report. Additional work beyond the tasks outlined in this scope, attendance at any meetings, or further effort in responding to comments would require a subsequent mutual agreement between DKS, City staff and the project sponsor.

Task 4: Project-Related Meetings (Contingency)
We have not included any project-related meetings in this scope of services. Additional meetings could be attended if authorized, at a cost of approximately $500 per meeting.

BUDGET AND AUTHORIZATION

In consideration of the performance of these services, DKS Associates will be compensated the fixed price amount of $1,350 for Tasks 1 to 3. This fixed price amount is based upon the scope of services and level of effort presented above.

DKS will invoice monthly based upon our estimate of progress (percent complete). Payments are due on a net 30-day basis. A service charge of 1¼ percent per month compounded will be assessed on billings not paid when due. If payment of our invoices is not made within 45 days of the due date, DKS reserves the right to cease work on this project until such time as payment is received. In the event of any litigation between the parties to this agreement arising from this agreement, the prevailing party shall be reimbursed for its reasonable attorney's fees and costs.

Should the services not be authorized in thirty (30) days; or should changes occur in the scope or level of effort; or should the completion date extend beyond December 31, 2015, due to circumstances beyond DKS's control; we reserve the right to revise the scope, budget, and schedule to reflect then current conditions. Such revisions will be effected through amendments to this agreement.

If this agreement is acceptable, please have a duly authorized official of your company sign below and return one original for our files. That signature will constitute formal authorization to proceed with the services according to the terms outlined.

Please give me or Jordin Ketelsen a call if you have any questions.

Sincerely,
DKS Associates

Scott M. Mansur, P.E.
Office Manager

Approved by:
City of Wilsonville

By: Steve R. Adams, P.E. Date 10/2/15
Development Engineering Manager

By: Development Applicant Date

IIE) Tree Report

Morgan Holen
& ASSOCIATES, LLC
Consulting Arborists and Urban Forest Management

971.409.9354
3 Monroe Parkway, Suite P 220
Lake Oswego, Oregon 97035
morgan.holen@comcast.net

PDP 9C Royal Crescent at Villebois & Camden Square – Wilsonville, Oregon
Tree Maintenance and Protection Plan
October 7, 2015

MHA15067

Purpose

This Tree Maintenance and Protection Plan for the PDP 9C Royal Crescent at Villebois and Camden Square project located in Wilsonville, Oregon, is provided pursuant to City of Wilsonville Development Code, Section 4.610.40. This arborist report describes the existing trees located on the project site, as well as recommendations for tree removal, retention, mitigation, and protection. This report is based on observations made by International Society of Arboriculture (ISA) Certified Arborist and Qualified Tree Risk Assessor Morgan Holen (PN-6145A) during a site visit conducted on September 27, 2015.

Scope of Work and Limitations

Morgan Holen & Associates, LLC, was contracted by Polygon Northwest Company to visually assess existing trees measuring six inches in diameter and larger in terms of general condition and suitability for preservation with development, and to develop a tree maintenance and protection plan for the project. The site is planned for residential development. A site plan was provided by Pacific Community Design illustrating the location of trees and tree survey point numbers, and potential construction impacts.

Visual Tree Assessment (VTA[1]) was performed on individual trees located across the site. Trees were evaluated in terms species, size, general condition, and potential construction impacts, and treatment recommendations include retain, remove, or protect off-site tree. Following the inventory fieldwork, we coordinated with Pacific Community Design to discuss and finalize treatment recommendations based on the proposed site plan.

The client may choose to accept or disregard the recommendations contained herein, or seek additional advice. Neither this author nor Morgan Holen & Associates, LLC, have assumed any responsibility for liability associated with the trees on or adjacent to this site.

General Description

The PDP 9C Royal Crescent at Villebois and Camden Square project includes lot 78 located in the northwest corner of the intersection between SW Orleans Avenue and SW Villebois Drive North and lot 82 located south of SW Costa Circle West. The existing site is undeveloped, but includes areas previously occupied by the Dammasch State Hospital which was demolished in 2007. Trees are scattered across the site and include some trees that likely regenerated naturally over time and others that were planted as landscape trees surrounding the Hospital building. In all, 26 trees measuring 6-inches and larger in diameter were inventoried including seven different species. Table 1 provides a summary of the count of trees by species. A complete description of individual trees is provided in the enclosed tree data.

[1] Visual Tree Assessment (VTA): The standard process of visual tree inspection whereby the inspector visually assesses the tree from a distance and up close, looking for defect symptoms and evaluating overall condition and vitality.

Table 1. Count of Trees by Species – PDP 9C, Wilsonville, Oregon.

Common Name	Species Name	Off-site	On-Site	Total	Percent
apple	*Malus* spp.	0	3	**3**	**11%**
European white birch	*Betula pendula*	0	18	**18**	**69%**
Norway maple	*Acer platanoides*	1	0	**1**	**4%**
scarlet oak	*Quercus coccinea*	0	1	**1**	**4%**
southern magnolia	*Magnolia grandiflora*	0	1	**1**	**4%**
sweetgum	*Liquidambar styraciflua*	0	1	**1**	**4%**
western sycamore	*Platanus racemosa*	0	1	**1**	**4%**
Total		**1**	**25**	**26**	**100%**
Percent		**4%**	**96%**	**100%**	

Tree Plan Recommendations
As described in the enclosed tree data, individual trees were assigned a general condition rating as defined by the Villebois Specific Area Plan Community Elements Book:

D: Dead Condition

P: Poor Condition

M: Moderate Condition

G: Good Condition

I: Important Condition

The one off-site tree (located on lot 77) is an invasive Norway maple (*Acer platanoides*) in generally good condition, but with minor branch dieback and suspected verticillium wilt infection. A new street is planned for construction just north of this tree and adequate protection is possible with a minor encroachment beneath the dripline. The project arborist should monitor work within the tree protection zone.

The 25 on-site trees include a mix of species in variable condition. Invasive European white birch (*Betula pendula*) accounts for 69-percent of the inventoried trees and include two dead trees, five trees in poor condition, and 11 trees in moderate condition. This species is fast growing and short-lived, stressed by drought, and susceptible to bronze birch borer infestation. These trees all have structural defects and/or dieback and are not suitable for preservation with site development.

The three apple (*Malus* spp.) trees are in poor condition and have decay. The one western sycamore (*Platanus racemose*) is in moderate condition with dieback and suspected anthracnose infection and the one sweetgum (*Liquidambar styraciflua*) is also in moderate condition with moderate structure, crown asymmetry, and some dieback. These trees are recommended for removal because of condition and for the purposes of construction.

The two remaining trees are both recommended for retention, including a 34-inch diameter scarlet oak (*Quercus coccinea*) and a southern magnolia (*Magnolia grandiflora*) with codominant stems measuring 12- and 18-inches in diameter each. Both trees have been neglected and unmaintained since the hospital demolition.

The scarlet oak has moderate structure with codominant leaders, dead and broken branches, and some crown decay. Complete VTA was inhibited by invasive vegetation surrounding the base and dense branching throughout the crown. The site plan provides adequate protection for this tree with minor encroachment into the tree protection zone; the project arborist should monitor work within the tree protection zone. In addition, we recommend removal of the invasive vegetation surrounding the base of the tree followed by re-assessment to ensure that the lower trunk does not exhibit any significant defects and pruning to remove dead and defective branches and improve the overall aesthetics of the crown. Pruning should be performed by a Qualified Tree Service.

The southern magnolia was originally classified as an important tree, but this tree appears in severe decline with top dieback, a thin crown, and chlorotic foliage; it was re-classified as being in poor condition, but is still noted as being important. This tree was growing against the hospital and was well protected during the building demolition work. Because it was growing against the building, it developed a one-sided crown to the southeast, but it appears to have filled in some since the demolition and crown symmetry is improving. The site plan shows this tree within a landscape island in the middle of SW Paris Avenue. In order to provide adequate protection for this tree, it will be critical to avoid excavation and build the street and curb up from the existing grade. In addition, the overall health and sustainability of this tree is highly questionable and treatment is required. We recommend coordinating the Bartlett Tree Experts to perform a soil analysis, provide root invigoration treatments to reduce soil compaction and add organic matter and supplemental nutrients as needed, and prune the tree to remove dead wood. These treatments should begin as soon as possible. It will take at least one growing season to determine how the tree will respond to these treatments, but they are worthwhile for this important tree and we give it a better than 50-percent chance that the condition of this tree can improve. Please let us know if we can help coordinate the recommended treatments with Bartlett.

Table 2 provides a summary of the count of trees by general condition rating and treatment recommendation.

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

	General Condition Rating					
Treatment Recommendation	**D**	**P**	**M**	**G**	**I/P**	**Total**
Protect Off-Site Tree	0	0	0	1	0	**1** (4%)
Retain	0	0	1	0	1	**2** (8%)
Remove	2	8	13	0	0	**23** (88%)
Total	**2** (7%)	**8** (31%)	**14** (54%)	**1** (4%)	**1** (4%)	**26** (100%)

Mitigation Requirements

All 26 inventoried trees are 6-inches or larger in diameter, including one off-site tree and two on-site trees planned for retention with protection during construction and 23 on-site trees planned for removal. Removal of these 23 trees requires mitigation per Section 4.620.00; removed trees shall be replaced on a basis of one tree planted for each tree removed. Therefore, 23 trees measuring at least 2-inch in diameter shall be planted as mitigation for tree removal.

Tree Protection Standards

Trees designated for retention will need special consideration to assure their protection during construction. We recommend a preconstruction meeting with the owner, contractors, and project arborist to review tree protection measures and address questions or concerns on site. Tree protection measures include:

- **Fencing.** Trees to remain on site shall be protected by installation of tree protection fencing to prevent injury to tree trunks or roots, or soil compaction within the root protection area, which generally coincides with tree driplines. Fences shall be 6-foot high steel on concrete blocks or orange plastic construction fencing on metal stakes. The project arborist shall determine the exact location and type of tree protection fencing. Trees located more than 30-feet from construction activity shall not require fencing.

- **Tree Protection Zone.** Without authorization from the Project Arborist, none of the following shall occur beneath the dripline of any protected tree:

  1. Grade change or cut and fill;
  2. New impervious surfaces;
  3. Utility or drainage field placement;
  4. Staging or storage of materials and equipment; or
  5. Vehicle maneuvering.

  Root protection zones may be entered for tasks like surveying, measuring, and, sampling. Fences must be closed upon completion of these tasks.

- **Pruning.** Pruning may be needed to provide for overhead clearance and to remove dead and defective branches for safety. The project arborist can help identify where pruning is necessary once trees recommended for removal have been removed and the site is staked and prepared for construction. Tree removal and pruning shall be performed by a Qualified Tree Service.

- **Excavation.** Excavation beneath the dripline of protected trees shall be avoided if alternatives are feasible. Otherwise, the project arborist shall provide on-site consultation during all excavation activities beneath the dripline of protected trees. Excavation immediately adjacent to roots larger than 2-inches in diameter within the root protection zone of retained trees shall be by hand or other non-invasive techniques to ensure that roots are not damaged. Where feasible, major roots shall be protected by tunneling or other means to avoid destruction or damage. Exceptions can be made if, in the opinion of the project arborist, unacceptable damage will not occur to the tree. Where soil grade changes affect the root protection area, the grade line should be meandered wherever practicable. This will require on-site coordination to ensure a reasonable balance between engineering, construction, and the need for tree protection.

- **Surfacing.** If surfacing is proposed beneath the dripline of protected trees, coordinate with the project arborist to provide recommendations for adjustments to protection fencing and to monitor construction in the tree protection zone. Avoid excavation and use a modified profile to build up from existing grade (Figure 1). The profile includes a layer of permeable geotextile fabric on the ground surface and crushed rock to raise the grade as needed. Surfacing may include asphalt, concrete, or other materials. If excavation is necessary, work shall be performed under arborist supervision.

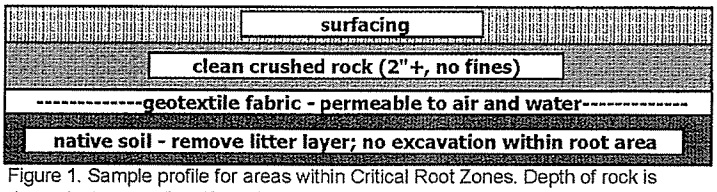


Figure 1. Sample profile for areas within Critical Root Zones. Depth of rock is dependent on grading. Technique based on best management practices.

- **Landscaping.** Following construction and where landscaping is desired, apply approximately 3-inches of mulch beneath the dripline of protected trees, but not directly against tree trunks. Shrubs and ground covers may be planted within tree protection areas. If irrigation is used, use drip irrigation only beneath the driplines of protected trees.
- **Quality Assurance.** The project arborist should supervise proper execution of this plan during construction activities that could encroach on retained trees. Tree protection site inspection monitoring reports should be provided to the Client and City on a regular basis throughout construction.

Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the PDP 9C Royal Crescent at Villebois & Camden Square project. Please contact us if you have questions or need any additional information.

Thank you,
Morgan Holen & Associates, LLC

Morgan E. Holen, Owner
ISA Certified Arborist, PN-6145A
ISA Tree Risk Assessment Qualified
Forest Biologist

Enclosures: Villebois PDP 9C - Tree Data 9-27-15

Point No.	Tree No.	Common Name	Species Name	DBH*	C-Rad^	Cond#	Comments	Treatment
70141	441	apple	*Malus* spp.	2x6	12	P	advanced basal decay	remove
70140	442	apple	*Malus* spp.	3x6	15	P	trunk decay	remove
70142	443	apple	*Malus* spp.	3x5	12	P	crown decay	remove
70139	444	southern magnolia	*Magnolia grandiflora*	12,18	16	I/P	severe decline, top dieback, thin crown, chlorotic foliage, asymmetrical crown to southeast	retain; prune to remove dead wood & perform root invigoration treatments
70103	502	Western sycamore	*Platanus racemosa*	12	18	M	some dieback, suspect anthracnose	remove
70104	503	European white birch	*Betula pendula*	12	14	M	invasive species, forked leaders, branch dieback	remove
70105	504	European white birch	*Betula pendula*	6	6	P	invasive species, broken top, mostly dead	remove
70106	505	European white birch	*Betula pendula*	22	20	P	invasive species, dead top	remove
70107	506	European white birch	*Betula pendula*	14	0	D	invasive species, windsnap, snag, decay	remove
70116	507	European white birch	*Betula pendula*	10	14	M	invasive species, poor structure, one-sided crown	remove
70115	508	European white birch	*Betula pendula*	26	22	M	invasive species, some top dieback, branch dieback	remove
	509	European white birch	*Betula pendula*	6	0	D	invasive species, windsnap, snag	remove
70117	510	European white birch	*Betula pendula*	22	18	P	invasive species, top and branch dieback, broken branches, branch decay	remove
70118	511	European white birch	*Betula pendula*	19	22	M	invasive species, branch dieback	remove
70119	512	European white birch	*Betula pendula*	11	14	M	invasive species, poor structure, one-sided crown	remove
70120	513	European white birch	*Betula pendula*	14	14	M	invasive species, branch dieback, surrounded by blackberries	remove
70114	514	European white birch	*Betula pendula*	22	20	M	invasive species, branch dieback	remove
70011	515	European white birch	*Betula pendula*	17	16	M	invasive species, top and branch dieback, 30-degree self-correcting lean to south	remove
70113	516	European white birch	*Betula pendula*	18	18	M	invasive species, some branch dieback	remove
70113	517	European white birch	*Betula pendula*	20	16	P	invasive species, broken branches, mostly dead	remove

Point No.	Tree No.	Common Name	Species Name	DBH*	C-Rad^	Cond#	Comments	Treatment
70108	519	European white birch	*Betula pendula*	23	18	P	invasive species, dead top, 18-degree self-correcting lean to south	remove
70109	521	European white birch	*Betula pendula*	20	18	M	invasive species, branch dieback	remove
70110	522	European white birch	*Betula pendula*	20	18	M	invasive species, branch dieback	remove
70134	523	scarlet oak	*Quercus coccinea*	34	26	M	moderate structure, codominant leaders, dead and broken branches, some crown decay	retain; prune
70135	524	sweetgum	*Liquidambar styraciflua*	18	22	M	moderate structure, crown asymmetry, minor dieback	remove
70133	543	Norway maple	*Acer platanoides*	19	18	G	invasive species, minor branch dieback, suspect verticillium wilt, surrounded by blackberries	protect off-site tree

*DBH: Diameter at Breast Height (measured 4.5-feet above ground level in inches); trees with multiple trunks splitting below DBH are measured separately and individual trunk

^C-Rad: Crown Radius, the distance from the center of the tree to the edge of the dripline (measured in feet).

#Condition Rating: I-Important; G-Good; M-Moderate; P-Poor; or D-Dead.

Section III) Tentative Plat

IIIA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT

TENTATIVE PLAT

PDP 9 - CENTRAL

SECTION IIIA

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I. WILSONVILLE PLANNING & LAND DEVELOPMENT ORDINANCE

SECTION 4.125. VILLAGE (V) ZONE

(.02) PERMITTED USES

Examples of principle uses that are typically permitted:

D. Row Houses

H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.

Response: The proposed Tentative Plats will create lots for development of single family row houses and tracts for linear greens. All proposed uses within the subject area are permitted pursuant to this section.

(.05) DEVELOPMENT STANDARDS APPLYING TO ALL DEVELOPMENTS IN THE VILLAGE ZONE

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

A. Block, Alley, Pedestrian and Bicycle Standards:

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

Response: These standards are addressed within the PDP Compliance Report (see Section IIA).

2. Maximum spacing between streets for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions from meeting this standard.

Response: These standards are addressed within the PDP Compliance Report (see Section IIA).

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

Response: These standards are addressed within the PDP Compliance Report (see Section IIA).

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

Response: 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.

Table V-1 Development Standards

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [10, 12] (%age)	Max. Bldg. Height [9] (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Commercial Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	5	NR	NR	NR	NA
Hotels - Village Center [14]	NR	NR	NR	1	80	60	NR [3]	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center [11]	NR	NR	NR	1	90	60	NR [3]	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center [11]	NR	NR	NR	1	80	45	5 [4]	15	NR	NR	NR	NA
Row Houses [11] - Village Center [14]	NR	NR	NR	1	80	45	5 [4]	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	1	60	45	8 [4]	15	NR	NR	NR	NA
Row Houses [11]	NR	15	50	1	80	45	8 [5]	15	NR	NR	NR	NA
Duplexes	4,000	45	70	[2]	60 [16]	35	12 [5,6]	20 [6]	5	5 [15]	[7]	[8,17,18]
Single-Family Dwellings	2,250	35	50	[2]	60 [16]	35	12 [5,6]	20 [6]	5	5 [15]	[7]	[8,17]

Notes: NR No Requirement

NA Not Allowed

1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)

2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage
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 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.

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, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.

6 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.

7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.

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 façade 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.

12 See Definitions, 9.125.01, for measurement of Minimum Frontage Width.

13 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.

14 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.

15 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.

16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.

17 Dwellings on lots without alley access shall be at least 36 feet wide.

18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.

19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.

20 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]

Response: The *Tentative Plat* (see Section IIB in this Notebook) depicts proposed lot sizes and dimensions. All of the lots meet applicable requirements, as addressed below. All of the lots will be developed with single family attached row houses, with no more than ten contiguous units along a street edge. Table V-1 does not indicate a minimum lot size, width or depth for Row Houses in the Village Center. The proposed PDP 9C does not have any lots >8,000 sf, so no maximum lot coverage applies. Row House lots will have a frontage width greater than 80%, except as allowed by footnote 11 of Table V-1. Row Houses will not have building heights greater than 45 ft, and will have front setbacks between 5-10 ft, except as allowed under footnote 4 above. No additional standards from Table V-1 apply. There is a concurrent final development plan application for the proposed architecture in Section VI.

(.07) GENERAL REGULATIONS – OFF-STREET PARKING, LOADING & BICYCLE PARKING

Table V-2: Off-Street Parking Requirements

Category	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short Term	Bicycle Long Term
Row Houses	1.0 / DU	NR	NR	NR

Response: Each of the Row Houses will provide a minimum of a one-car garage in compliance with this standard. Some homes will have space for a car to park in a driveway; as noted on the Parking Plan (See Section IIB).

(.08) OPEN SPACE

Open space shall be provided as follows:

A. 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 front yard areas shall not be counted towards the required open space area. Required rear yard areas and other landscaped areas that are not within required front or side yards may be counted as part of the required open space.

B. 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. See SROZ provisions, Section 4.139.10.

C. 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.

Response: 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 *Master Plan*. PDP 9C includes the addition of tracts for linear greens not shown in the *Villebois Village Master Plan*, thereby increasing the amount park space. The

additional linear greens are described in more detail in the PDP and FDP compliance report (see Section IIA and VIA).

(.09) STREET & ACCESS IMPROVEMENT STANDARDS

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

1. General Provisions:

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

Response: The street alignments and access improvements within this PDP are generally consistent with those approved in the *Villebois Village Master Plan* and SAP Central, as refined by the PDP application (see the PDP Supporting Compliance Report for further description of refinements to the street network – Section IIA of Notebook).

i. 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.

Response: All street improvements within this Preliminary Development Plan will comply with the applicable Public Works Standards. The street system within this Preliminary Development Plan is designed to provide for the continuation of streets within Villebois and to adjoining properties or subdivisions according to the *Master Plan*. The street system is illustrated on the *Circulation Plan* located in Section IIB of this Notebook.

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

Response: All streets within this Preliminary Development Plan will be developed with curbs, landscape strips, sidewalks, and bikeways or pedestrian pathways as depicted on the *Circulation Plan* (Section IIB of this Notebook) and in accordance with the *Master Plan*.

2. Intersections of streets

a. Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.

b. Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of thirty (30) foot centerline radius and said angle shall not be less than sixty (60) degrees. Any angle less than ninety (90) degrees shall

require approval by the City Engineer after consultation with the Fire District.

Response: The plan sheets located in Section IIB of this Notebook demonstrate that all proposed streets will intersect at angles consistent with the above standards (see the *Tentative Plat)*.

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

i. 1000 ft. for major arterials

ii. 600 ft. for minor arterials

iii. 100 ft. for major collector

iv. 50 ft. for minor collector

Response: The plan sheets located in Section IIB of this Notebook demonstrate that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created (see the *Tentative Plat* in Section IIIB).

d. Curb Extensions:

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

ii. Not obstruct bicycle lanes on collector streets.

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

Response: Curb extensions are shown on the *Circulation Plan* (see Section IIB). Curb extensions will not obstruct bicycle lanes on collector streets as the subject site is not adjacent to collector streets. The attached drawings illustrate that all street intersections will have a minimum 20 foot wide clear distance between curb extensions on all local residential street intersections.

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

Response: The *Grading & Erosion Control Plan* located in Section IIB, demonstrates that proposed streets can comply with this standard.

4. Centerline Radius Street Curves:

The minimum centerline radius street curves shall be as follows:

a. Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by City Engineer.

b. Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.

c. Local streets: 75 feet

Response: The *Tentative Plat* (see Section IIIB) demonstrates that all streets will comply with the above standards.

5. Rights-of-way:

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

Response: Rights-of-way for adjacent streets have already been dedicated as shown on the plan sheets located in Section IIB of this Notebook.

6. Access drives.

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

b. 16 feet for two-way traffic.

Response: Access drives (alleys) will be paved at least 16-feet within a 20-foot tract, as shown on the *Circulation Plan* in Section IIB of this Notebook. In accordance with Section 4.177, all access drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions

7. Clear Vision Areas

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

Response: Clear vision areas will be provided and maintained in compliance with the Section 4.177.

8. Vertical clearance:

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

Response: Vertical clearance will be provided and maintained in compliance with the Section 4.177.

9. Interim Improvement Standard:

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

Response: Interim improvements along SW Paris Avenue and SW Collina Lane will provide for adequate street access until the adjacent properties are developed, as shown on the attached Circulation Plan (see Section IIB).

(.18) VILLAGE ZONE DEVELOPMENT PERMIT PROCESS

G. Preliminary Development Plan Approval Process:

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

f) Include a preliminary land division (concurrently) per Section 4.400, as applicable.

Response: This application includes a request for preliminary land division approval. This request for approval of Tentative Plats can be seen in Section III of this Notebook. This section includes a Supporting Compliance Report, the proposed Tentative Plats, draft CC&R's, a copy of the certification of liens & assessments form, and the subdivision name approval from the County Surveyor's Office.

SECTION 4.177. STREET IMPROVEMENT STANDARDS

Response: Adjacent street rights-of-way have already been dedicated.

The drawings located in Section IIB demonstrate that all proposed access drives (alleys) within the Preliminary Development Plan area will have a minimum improvement width of 16 feet and will provide two-way travel. All access drives (alleys) will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions.

Clear vision areas 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).

LAND DIVISIONS

SECTION 4.210. APPLICATION PROCEDURE

A. Preparation of Tentative Plat. The Planning Staff shall provide information regarding procedures and general information having a direct influence on the proposed development, such as elements of the Comprehensive Plan, existing and proposed streets, road and public utilities. 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 each surveyor or engineer shall be furnished as part of the submittal.

Response: Tentative Plats have been prepared by an Oregon licensed professional engineer as required. The Tentative Plats can be seen in Section IIIB of this Notebook. Improvement plans can be seen in Section IIB of this application Notebook. The Introductory Narrative located in Section IA includes a listing of the services provided by each design team member.

B. Tentative Plat Submission. The purpose of the Tentative Plat is to present a study of the proposed subdivision to the Planning

Department and Development Review Board and to receive approval recommendations for revisions before preparation of a final Plat. 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:

1. **Site development application form completed and signed by the owner of the land or a letter of authorization signed by the owner. A preliminary title report or other proof of ownership is to be included with the application form.**
2. **Application fees as established by resolution of the City Council.**

Response: Copies of the application form and the application fee are included in Sections IB and IC, respectively, of this Notebook.

3. **Ten (10) copies and one (1) sepia or suitable reproducible tracing of the Tentative Plat shall be submitted with the application. Paper size shall be eighteen inch (18") by twenty-four inch (24"), or such other size as may be specified by the City Engineer.**

Response: The balance of the 10 copies of the Tentative Plats (see Section IIIB) will be provided when the application is determined complete; three (3) of which have been provided with initial submittal.

4. **Name of the subdivision. No subdivision shall duplicate or resemble the name of any other subdivision in Clackamas or Washington County. Names may be checked through the county offices.**

Response: The proposed names are "Royal Crescent" and "Camden Square" (see Section IIIE for documentation of subdivision name approval from the Clackamas County Surveyor's Office).

5. **Names, address, and telephone numbers of the owners and applicants, and engineer or surveyor.**

Response: The names, addresses and telephone numbers of the owner, applicant, engineer and surveyor are listed in the Introductory Narrative, which can be seen in Section IA of this Notebook, and are listed on the *Cover Sheet* (see Section IIB of Notebook).

6. **Date, north point and scale drawing.**
7. **Location of the subject property by Section, Township, and Range.**
8. **Legal road access to subject property shall be indicated as City, County, or other public roads.**
9. **Vicinity map showing the relationship to the nearest major highway or street.**

10. Lots: Dimensions of all lots, minimum lot size, average lot size, and proposed lot and block numbers.

11. Gross acreage in proposed plat.

Response: The above information is provided on the plan sheets located in Section IIB of this Notebook. The location of the subject property by Section, Township and Range and the gross acreage of the proposed plats are also listed in the Introductory Narrative, located in Section IA of this Notebook, and are listed on the *Cover Sheet* (see Section IIB of Notebook).

12. Proposed uses of the property, including sits, if any, for multi-family dwellings, shopping centers, churches, industries, parks, and playgrounds or other public or semi-public uses.

Response: The proposed plats do not include any multi-family dwelling sites, shopping centers, churches, or industries. Park areas are indicated on the plan sheets located in Section IIB. Proposed uses within the subject park areas are detailed on the FDP Plans included in Section VIB of this Notebook.

13. Improvements: Statement of the improvements to be made or installed including streets, sidewalks, lighting, tree planting, and times such improvements are to be made or completed.

Response: Proposed improvements are shown on the plan sheets in Section IIB. The *Circulation Plan* shows proposed streets and sidewalks. The *Street Tree/Lighting Plan* shows proposed street trees and proposed street lights.

14. Trees. Locations, types, sizes, and general conditions of all existing trees, as required in Section 4.600.

Response: The requirements of Section 4.600 can be seen in Section V of this Notebook. The *Tree Preservation Plan* (see Section IIB) shows existing tree locations, types, sizes and general conditions, pursuant to the requirements of Section 4.600.

15. Utilities such as electrical, gas, telephone, on and abutting the tract.

Response: The *Composite Utility Plan* shows existing and proposed utilities. These sheets can be seen in Section IIB of this Notebook.

16. Easements: Approximate width, location, and purpose of all existing and proposed easements on, and known easements abutting the tract.

17. Deed Restrictions: Outline of proposed deed restrictions, if any.

18. Written Statement: Information which is not practical to be shown on the maps may be shown in separate statements accompanying the Tentative Plat.

19. If the subdivision is to be a "Planned Development," a copy of the proposed Home Owners Association By-Laws must be submitted at the time of submission of the application. The Tentative Plat shall be considered as the Stage I Preliminary Plan. The proposed By-Laws must address the maintenance of any parks, common areas, or facilities.

Response: The *Existing Conditions* plan, located in Section IIB, shows the approximate width, location, and purpose of all existing easements. The *Tentative Plat,* located in Section IIIB, shows proposed easements. No deed restrictions are proposed at this time. A draft of the CC&R's is included in Section IIIC of this Notebook.

20. Any plat bordering a stream or river shall indicate areas subject to flooding and shall comply with the provisions of Section 4.172.

Response: The proposed plat areas do not border a stream or river.

21. Proposed use or treatment of any property designated as open space by the City of Wilsonville.

Response: The proposed plats do not include any areas designated as open space by the City of Wilsonville.

22. A list of the names and addresses of the owners of all properties within 250 feet of the subject property, printed on self-adhesive mailing labels. The list shall be taken from the latest available property ownership records of the Assessor's Office of the affected county.

Response: The required mailing list has been submitted with this application. A copy is provided in Section ID.

23. A completed "liens and assessments" form, provided by the City Finance Department.

Response: A copy of this form is provided in Exhibit IIID.

24. Locations of all areas designated as a Significant Resource Overlay Zone by the City, as well as any wetlands shall be shown on the tentative plat.

Response: The proposed plats do not include any areas designated as SROZ by the City or any wetlands.

25. Locations of all existing and proposed utilities, including but not limited to domestic water, sanitary sewer, storm drainage, streets, and any private utilities crossing or intended to serve the site. Any plans to phase the construction or use of utilities shall be indicated.

Response: The *Existing Conditions* plan shows all existing utilities. The *Composite Utility Plan* shows all proposed utilities. The *Grading and Erosion Control Plan* show

proposed streets and storm drainage facilities. These plan sheets can be seen in Section IIB of this Notebook.

26. A traffic study, prepared under contract with the City, shall be submitted as part of the tentative plat application process, unless specifically waived by the Community Development Director.

Response: A copy of the Traffic Impact Analysis is attached in Section IID of this Notebook.

C. Action on proposed tentative plat:

1. Consideration of tentative subdivision plat. The Development Review Board shall consider the tentative plat and the reports of City staff and other agencies at a regular Board meeting no more than ninety (90) days after tentative plat application has been accepted as complete by the City. Final action on the proposed tentative plat shall occur within the time limits specified in Section 4.013. The tentative plat shall be approved if the Development Review Board determines that the tentative plat conforms in all respects to the requirements of this Code.

Response: The proposed Tentative Plats located in Section IIIB, are included with this application for review by the Development Review Board.

2. Consideration of tentative partition plat. The Planning Director shall review and consider any proposed land partition plat through the procedures for Administrative Reviews specified in Section 4.030 and 4.035.

Response: This request is for a Tentative Subdivision Plats. This code section does not apply.

3. The Board shall, by resolution, adopt its decision, together with findings and a list of all Conditions of Approval or required changes to be reflected on the Final Plat

Response: Any Conditions of Approval adopted by the Board shall be reflected on the Final Plats.

4. Board may limit content of deed restrictions. In order to promote local, regional and state interests in affordable housing, the Board may limit the content that will be accepted within proposed deed restrictions or covenants. In adopting conditions of approval for a residential subdivision or condominium development, the Board may prohibit such things as mandatory minimum construction costs, minimum unit sizes, prohibitions or manufactures housing, etc.

Response: The applicant recognizes the authority of the Board to limit the content of the deed restrictions or covenants.

5. Effect of Approval. After approval of a tentative plat, the applicant may proceed with final surveying, improvement construction and preparation of the final plat. Approval shall be effective for a period of two (2) years, and if the final plat is not submitted to the Planning Department within such time, the tentative plat shall be submitted again and the entire procedure shall be repeated for consideration of any changes conditions which may exist. Except, however, that the Development Review Board may grant a time extension as provided in Section 4.023.

Response: After approval of the Tentative Plats, final plats will be prepared and submitted to the Planning Department within two years if an extension is not provided.

D. Land division phases to be shown. Where the applicant intends to develop the land in phases, the schedule for 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.

Response: The PDP is proposed to be executed in one phase.

E. Remainder tracts to be shown as lots or parcels. Tentative plats shall clearly show all effected 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.

Response: No remainder tracts are proposed.

SECTION 4.236. GENERAL REQUIREMENTS – STREETS.

(.01) Conformity to the Master Plan Map: 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.

Response: The proposed land division complies with Specific Area Plan – Central and the *Villebois Village Master Plan* with the refinements described in the PDP Supporting Compliance Report (see Section IIA of this Notebook), and thereby conforms to the applicable Master Plans.

(.02) Relation to Adjoining Street System.

A. 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.

B. 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.

C. 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.

Response: The street system proposed in this land division generally conforms to the street system in SAP Central and the *Villebois Village Master Plan* with refinements described in the PDP Supporting Compliance Report (see Section IIA of this Notebook).

(.03) All streets shall conform to the standards set forth in Section 4.177 and the block size requirements of the zone.

Response: Previous sections of this report have demonstrated compliance with the standards of Section 4.177 and the applicable block size requirements.

(.04) Creation of Easements: 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. Also, within a Planned Development, cluster settlements may have easement driveways for any number of dwelling units when approved by the Planning Director or Development Review Board.

Response: Any necessary easements will be identified on the final plats.

(.05) Topography: The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of these regulations.

Response: The *Grading and Erosion Control Plan* (see Section IIB) demonstrates that the layout of streets has given recognition to surrounding topographic conditions.

(.06) Reserve Strips: 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:

A. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or

B. To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards established by the City; or

C. To prevent access to land abutting a street of the land division but not within the tract or parcel of land being divided; or

D. To prevent access to land unsuitable for building development.

Response: Reserve strips will be provided as appropriate.

(.07) Future Expansion of Street: 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.

Response: Streets that will be expanded in the future will occur in compliance with this standard.

(.08) Existing Streets: 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.

Response: Rights-of-way have already been dedicated in accordance with the *Villebois Village Master Plan* and the Transportation System Plan.

(.09) Street Names: 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.

Response: No street names will be used that duplicate or could be confused with the names of existing streets. Street names and numbers will conform to the established name system in the City, as approved by the City Engineer.

SECTION 4.237. GENERAL REQUIREMENTS – OTHER.

(.01) Blocks:

A. 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.

B. Sizes: Blocks shall not exceed the sizes and length 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.

Response: The PDP compliance report demonstrates compliance with the applicable block size requirements (see Section IIA). The street system proposed in this land division conforms to the street system in SAP Central and the *Villebois Village Master Plan* as described in the PDP Supporting Compliance Report (see Section IIA of this Notebook).

(.02) Easements:

A. Utility lines. Easements for 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 the utility lines within and adjacent to the site shall be installed with underground services within the street and to any structures. All utilities shall have appropriate easements for construction and maintenance purposes.

B. 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.

Response: The final plats will include the appropriate easements.

(.03) Pedestrian and bicycle pathways. 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.

A. Pathways shall be required to connect to cul-de-sacs to pass through unusually shaped blocks.

B. 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.

Response: No mid-block pathways are required as the proposed block size does not exceed the length standards of the zone in which it is located. However, a pedestrian connection is provided from SW Paris Avenue to SW Orleans Avenue to allow for a future corridor connecting Montague Park with the Piazza.

(.04) Tree planting. 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 planning 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.

Response: The *Street Tree/Lighting Plan* shows proposed street tree planting. This plan sheet can be seen in Section IIB of this Notebook.

(.05) Lot Size and shape. 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.

A. In areas that are not served by public sewer, an on-site sewage disposal permit is required from the City. If the soil structure is adverse to on-site sewage disposal, no development shall be permitted until sewer service can be provided.

B. Where property is zoned or deeded for business or industrial use, other lot widths and areas may be permitted at the discretion of the Development Review Board. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

C. In approving an application for a Planned Development, the Development Review Board may waive the requirements of this section and lot size, shape, and density shall conform to the Planned Development conditions of approval.

Response: Proposed lot sizes, widths, shapes and orientations are appropriate for the proposed development and are in conformance with the Village Zone requirements as demonstrated by this report.

(.06) Access. The division of land shall be such that each lot shall have a minimum frontage on a public street, as specified in the standards of the relative zoning districts. This minimum frontage requirement shall apply with the following exceptions:

A. A lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than twenty-five (25) feet upon a street, measured on the arc.

B. The Development Review Board may waive lot frontage requirements where in its judgment the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of this regulation or if the Board determines that another standard is appropriate because of the characteristics of the overall development.

Response: The proposed lots comply with the applicable access requirements of the Village Zone as demonstrated in previous sections of this report.

(.07) Through lots. 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. A planting screen easement of at least ten (10) feet, across which there shall be no access, may be required along the line of lots abutting such a traffic artery or other disadvantageous use.

Through lots with planting screens shall have a minimum average depth of one hundred (100) feet. The Development Review Board may require assurance that such screened areas be maintained as specified in Section 4.176.

Response: No through lots are proposed by this application.

(.08) Lot side lines. The side lines of lots, as far as practicable for the purpose of the proposed development, shall run at right angles to the street upon which the lots face.

Response: All side lines of lots will run at right angles to the street upon which the lots face.

(.09) Large lot land divisions. 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.

Response: This request does not include any tracts which may be divided at a future time.

(.10) Building line. 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 setbacks lines are established for the land division, they shall be shown on the final plat.

Response: No building lines are proposed by this application.

(.11) Build-to line. The Planning Director or Development Review Board may establish special 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.

Response: No build-to lines are proposed by this application.

(.12) Land for public purposes. 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.

Response: This land division does not include land to be dedicated for public purposes except for the dedication of street right-of-way.

(.13) Corner lots. Lots on street intersections shall have a corner radius of not less than ten (10) feet.

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

SECTION 4.262. IMPROVEMENTS - REQUIREMENTS.

(.01) Streets. Streets within or partially within the development shall be graded for the entire right-of-way width, constructed and surfaced in accordance with the Transportation Systems Plan and City Public Works Standards. Existing streets which abut the development shall be graded, constructed, reconstructed, surfaced or repaired as determined by the City Engineer.

Response: The *Grading and Erosion Control Plan,* located in Section IIB of this Notebook, shows compliance with this standard.

(.02) Curbs. Curbs shall be constructed in accordance with standards adopted by the City.

Response: Curbs will be constructed in accordance with City standards.

(.03) Sidewalks. Sidewalks shall be constructed in accordance with standards adopted by the City.

Response: Sidewalks will be constructed in accordance with City standards.

(.04) Sanitary sewers. When the development is within two hundred (200) feet of an existing public sewer main, sanitary sewers shall be installed to serve each lot or parcel in accordance with standards adopted by the City. When the development is more than two hundred (200) feet from an existing public sewer main, the City Engineer may approve an alternate sewage disposal system.

Response: The *Composite Utility Plan,* located in Section IIB of this Notebook, illustrate proposed sanitary sewer lines.

(.05) Drainage. Storm drainage, including detention or retention systems, shall be provided as determined by the City Engineer.

Response: The *Grading and Erosion Control Plan,* located in Section IIIB of this Notebook, illustrate the proposed storm drainage facilities. A supporting utility report is provided (see Section IIC) that demonstrates that the proposed storm drainage facilities will meet City standards.

(.06) Underground utility and service facilities. All new utilities shall be subject to the standards of Section 4.300 (Underground Utilities). The developer shall make all necessary arrangements with the serving utility to provide the underground services in conformance with the City's Public Works Standards.

Response: Proposed utilities will be placed underground pursuant to Section 4.300 and City Public Works Standards.

(.07) Streetlight standards. Streetlight standards shall be installed in accordance with regulations adopted by the City.

Response: Proposed streetlights are shown on the *Street Tree/Lighting Plan,* located in Section IIB of this Notebook. Streetlights will be installed in accordance with City standards.

(.08) Street signs. Street name signs shall be installed at all street intersections and dead-end signs at the entrance to all dead-end streets and cul-de-sacs in accordance with standards adopted by the City. Other signs may be required by the City Engineer.

Response: Street name and dead-end signs will be installed in accordance with City standards.

(.09) Monuments. Monuments shall be placed at all lot and block corners, angle points, points of curves in streets, at intermediate points and shall be of such material, size, and length as required by State Law. Any monuments that are disturbed before all improvements are completed by the developer and accepted by the City shall be replaced to conform to the requirements of State Law.

Response: Monuments will be placed at all lot and block corners, angle points, points of curves in streets, at intermediate points and will be of such material, size, and length as required by State Law.

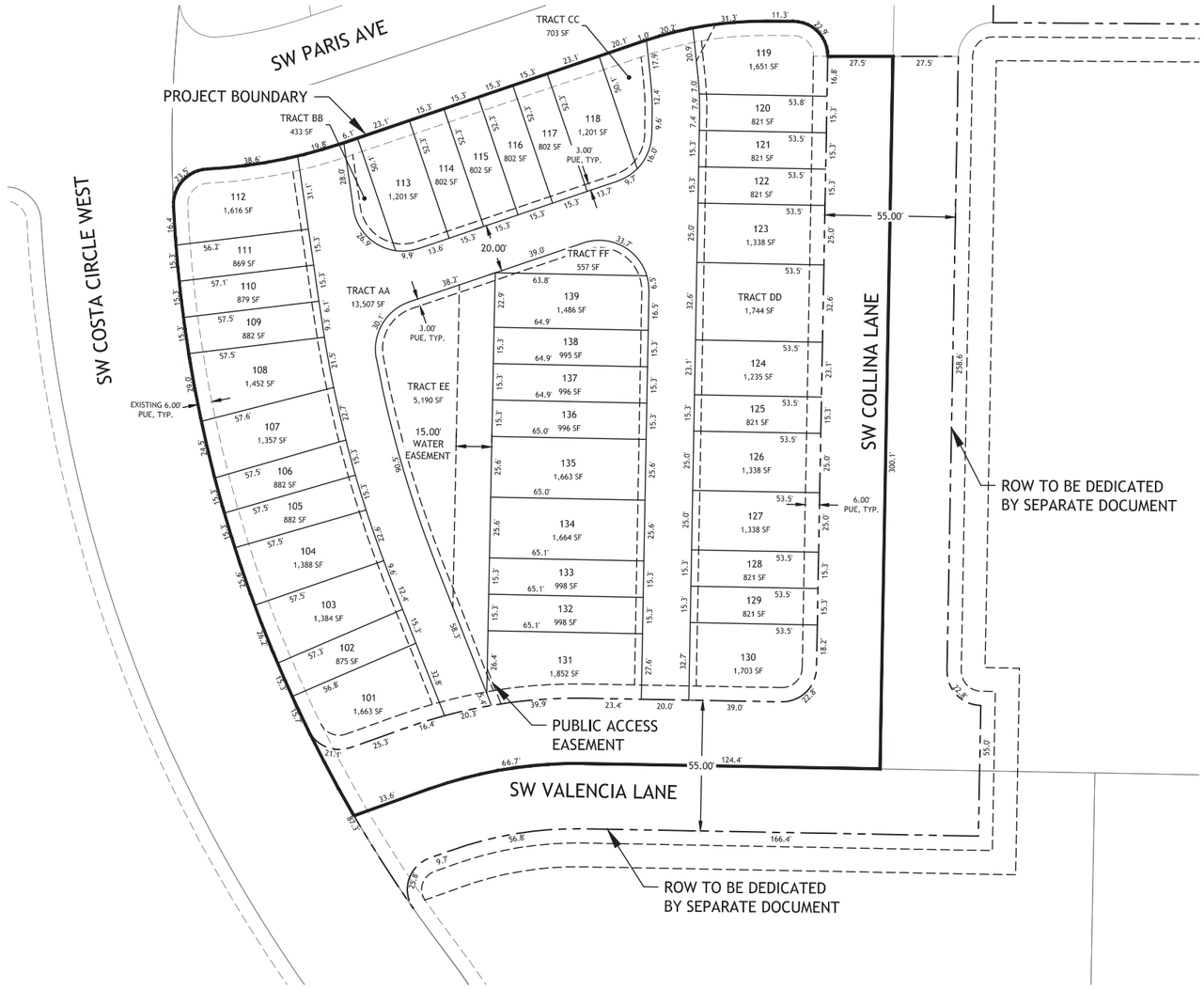
(.10) Water. Water mains and fire hydrants shall be installed to serve each lot in accordance with City standards.

Response: Water mains and fire hydrants will be installed to serve each lot in accordance with City standards (see the *Composite Utility Plan),* located in Section IIB of this Notebook).

II. CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Tentative Subdivision Plats. Therefore, the applicant respectfully requests approval of this application.

IIIB) Tentative Plat



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1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

ROYAL CRESCENT
PRELIMINARY
PLAT

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

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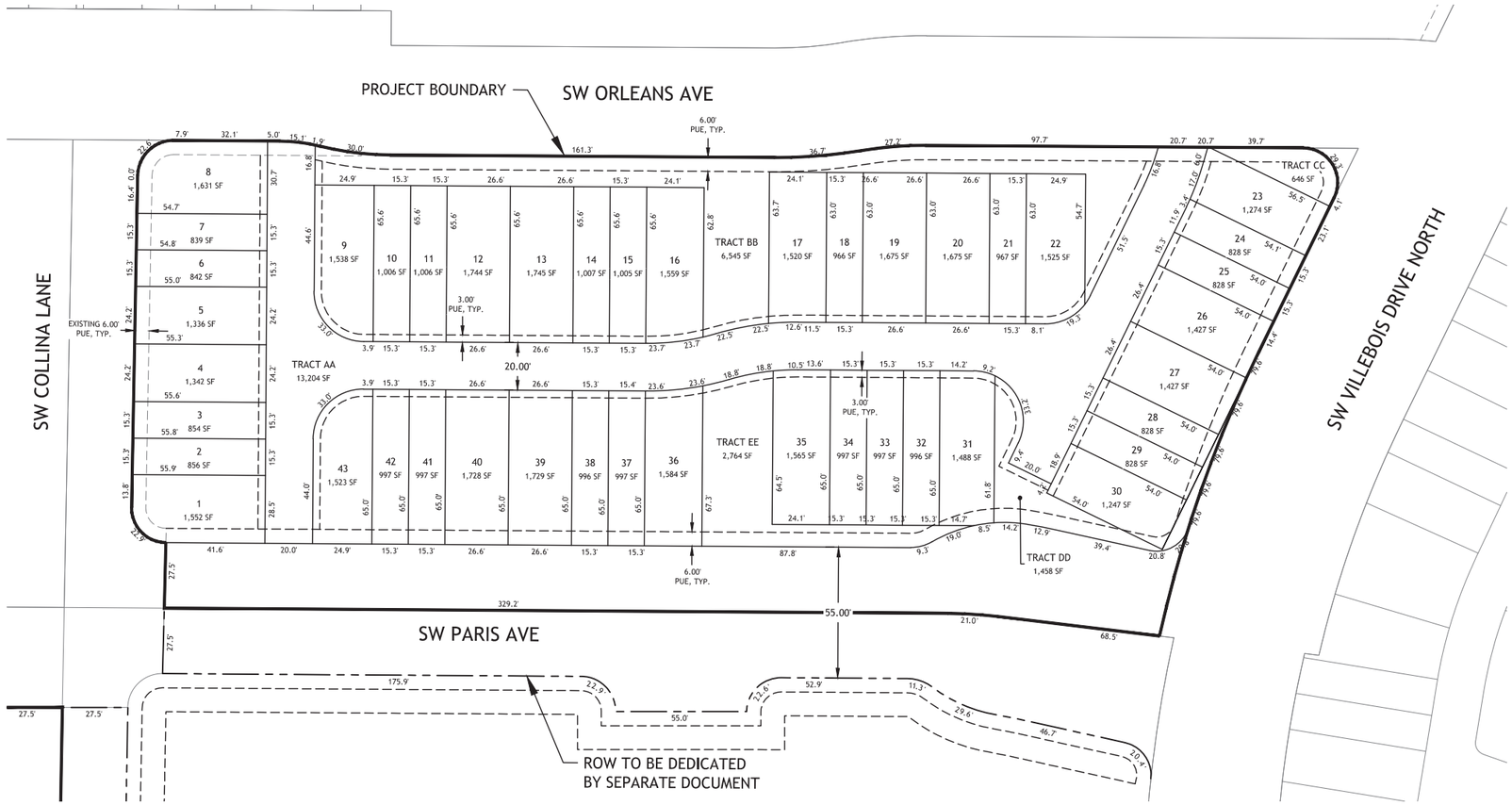

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SCALE
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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

CAMDEN SQUARE
PRELIMINARY
PLAT

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

5

IIIC) DRAFT CC & R’s

PRELIMINARY DRAFT
TO BE MODIFIED

After Recording Return To:
Ball Janik LLP
101 SW Main Street, Suite 1100
Portland, OR 97204-3219
Attn.: Barbara Radler

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR

_____

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR _____ is made and executed on this ___ day of _____ 20___ by _____, a _____.

Declarant is the owner of the real property located in the City of Wilsonville, Clackamas County, Oregon and legally described on the attached Exhibit A. Declarant desires to establish a planned community on the property known as "_____," which shall also be part of the master planned development known as "Villebois," which was established and is governed by the Master Plan approved by the City of Wilsonville.

NOW THEREFORE, Declarant hereby declares that the real property described on the attached Exhibit A shall be held, sold and conveyed subject to the covenants, conditions and restrictions declared below, which shall run with the real property and shall benefit and be binding upon all parties having or acquiring any right, title or interest in the real property or any part thereof.

1. DEFINITIONS

The terms specified below shall have the following meanings when used in this Declaration:

1.1 ACC. "ACC" shall mean the Architectural Control Committee of the Association formed pursuant to Section 12.

1.2 Articles. "Articles" shall mean the Articles of Incorporation of the Association filed with the Corporation Division of the Oregon Secretary of State, as amended from time to time.

1.3 Assessment. "Assessment" shall mean any assessment levied against one or more Owners by the Association for payment of expenses relating to the Property and shall include Regular Assessments, Special Assessments, Limited Assessments and Reserve Assessments as those terms are defined herein.

1.4 Association. "Association" shall mean _____ Homeowners Association, an Oregon nonprofit mutual benefit corporation, formed for the purposes set forth in this Declaration, the Bylaws and the Articles.

1.5 Association Landscaping. "Association Landscaping" shall mean all landscaping and all irrigation systems and utilities pertaining to landscaping located in the Common Areas and the front yard areas of the Lots, including all grass, sod, ground cover, flower and plant beds, planter strips, trees, shrubs, bushes and other plantings located in the front yard areas of the Lots, but excluding all sidewalks, driveways, fencing and other non-landscaping improvements located in the front yard areas of the Lots. The front yard areas of the Lots include those portions of the Lots located between the front of the Homes and any public or private street.

1.6 Board. "Board" shall mean the duly elected Board of Directors of the Association.

1.7 Bylaws. "Bylaws" shall mean the Bylaws of the Association, as amended from time to time. The Bylaws shall be adopted pursuant to ORS 94.625 and recorded in the official records of Clackamas County, Oregon.

1.8 City. "City" shall mean the City of Wilsonville, Oregon.

1.9 Common Areas. "Common Areas" shall mean those portions of the Property legally described on the attached Exhibit B which shall be owned by the Association for the common benefit of the Owners.

1.10 Common Maintenance Areas. "Common Maintenance Areas" shall mean the Common Areas and any other property that the Association is required to maintain pursuant to this Declaration or that the Board deems necessary or appropriate for the Association to maintain for the common benefit of the Owners, including without limitation, those areas described in Section 11.1.

1.11 Declarant. "Declarant" shall mean _____, a _____, and its successors and assigns who are designated as such in writing by Declarant and who consent in writing to the transfer or assumption of any rights or obligations of Declarant under this Declaration or the Bylaws. If less than all of Declarant's rights and obligations under this Declaration or the Bylaws are transferred to a successor or assign, then the successor or assign shall only be deemed a Declarant with respect to those rights or obligations that are specifically assigned or assumed by the successor or assign. One or more persons or entities may be a Declarant.

1.12 Declaration. "Declaration" shall mean this Declaration of Covenants, Conditions and Restrictions for _____, as amended from time to time in accordance with its terms.

1.13 Design Guidelines. "Design Guidelines" shall mean the design guidelines described in Section 13.

1.14 Home. "Home" shall mean a dwelling unit located on a Lot and any associated Improvements.

1.15 Improvement. "Improvement" shall mean every structure or improvement of any kind, including without limitation, buildings, sidewalks, driveways, fences, walls, works of art, trees, hedges, plantings and other landscaping, changes in exterior color or shape, site work (such as, without limitation, excavation, grading and utility improvements), and all other product of construction efforts (such as, without limitation, alterations, renovations and reconstruction) on or with respect to the Property or any portion thereof.

1.16 Limited Assessment. "Limited Assessment" shall mean an assessment levied against an Owner by the Association for costs and expenses incurred by the Association for corrective action performed pursuant to this Declaration that is required as a result of the willful or negligent actions or omissions of the Owner or the Owner's tenants, family members, guests, contractors, or invitees. "Limited Assessment" also includes assessments for a common expense or any part of a common expense that benefits fewer than all of the Lots, as determined in the sole discretion of the Board.

1.17 Lot. "Lot" shall mean each of Lots 1 through 81, inclusive, as depicted on the Plat.

1.18 Master Plan. "Master Plan" shall mean the Master Plan of Villebois approved by the City.

1.19 Member. "Member" shall mean each member of the Association and shall include every Owner of a Lot. There shall be two (2) classes of membership in the Association, Class A and Class B, as described in Section 3.3 below.

1.20 Nonprofit Corporation Act. "Nonprofit Corporation Act" shall mean the Oregon Nonprofit Corporation Act (ORS 65.001 to 65.990), as amended from time to time.

1.21 Operation and Maintenance Agreement. "Operation and Maintenance Agreement" shall mean the Villebois Operation and Maintenance Agreement between the City and Declarant executed in connection with the recordation of the Plat.

1.22 Owner. "Owner" shall mean any person or entity, including Declarant, at any time owning a Lot, including any vendee under a recorded land sale contract to whom possession has passed, but does not include a tenant or holder of a leasehold interest, a person holding only a security interest in a Lot or a vendor under a recorded land sale contract who has surrendered possession.

1.23 Pattern Book. "Pattern Book" shall mean the design requirements for each area within Villebois adopted and applied by the City and which will be a condition to the City's approving building permits.

1.24 Planned Community Act. "Planned Community Act" shall mean the Oregon Planned Community Act (ORS 94.550 to 94.783), as amended from time to time.

1.25 Plat. "Plat" shall mean the Plat of _____ recorded in the official records of Clackamas County, Oregon on _____, 20___ as Document No. _____ and any amendments thereto.

1.26 Property. "Property" shall mean the real property located in the City of Wilsonville, Clackamas County, Oregon and legally described on the attached Exhibit A.

1.27 Regular Assessment. "Regular Assessment" shall mean an assessment by the Association against all Owners to provide for the payment of all estimated normal expenses of the Association for the performance of the Association's duties as provided in this Declaration or the Bylaws.

1.28 Reserve Assessment. "Reserve Assessment" shall mean an assessment by the Association against all Owners to establish and maintain the reserve funds pursuant to Section 6.

1.29 Special Assessment. "Special Assessment" shall mean an assessment against all Owners in the event that the Regular Assessment for any particular year is or will become inadequate to meet the expenses of the Association.

1.30 Special Declarant Rights. "Special Declarant Rights" shall mean those rights reserved for Declarant in Section 15.

1.31 Turnover Meeting. "Turnover Meeting" shall mean the meeting of the Owners called pursuant to the Bylaws for the purpose of turning over control of the Association to the Class A Members.

1.32 Villebois. "Villebois" shall mean all of the property subject to the Master Plan.

2. DECLARATION

2.1 Property Covered. The property that is covered by and is hereby made subject to this Declaration is the Property.

2.2 Purpose. The purpose of this Declaration is to provide for the maintenance, restoration, repair, improvement and upkeep of the Common Maintenance Areas and to set forth other terms and conditions governing the use and enjoyment of the Property.

2.3 Declaration. The Property shall be subject to all of the conditions, covenants, restrictions, and provisions contained in this Declaration, which shall benefit and burden each Lot and all other portions of the Property. Such conditions, covenants, restrictions, and provisions shall be binding on all parties having any right, title or interest in or to the Property, or any part thereof, and each of their respective heirs, personal representatives, successors and assigns. The Property shall be a Class I planned community as defined in the Planned Community Act and shall be subject to all of the terms and provisions of the Planned Community Act. The Property shall be known as "_____."

2.4 Improvements. Declarant does not agree to build any particular Improvements on the Property, but may elect, at Declarant's option, to build any such Improvements. Declarant elects not to limit Declarant's rights to add Improvements not described in this Declaration.

3. THE ASSOCIATION

3.1 Organization. Declarant shall, concurrently with the execution and recording of this Declaration, organize the Association as a nonprofit mutual benefit corporation pursuant to the Nonprofit Corporation Act under the name "_____ Homeowners Association" The Articles shall provide for the Association's perpetual existence, but in the event the Association is at any time dissolved, whether inadvertently or deliberately, it shall automatically be succeeded by an unincorporated association of the same name. All of the property, powers and obligations of the Association existing immediately prior to its dissolution shall thereupon automatically vest in the successor unincorporated association. Such vesting shall thereafter be confirmed as evidenced by appropriate conveyances and assignments by the Association to the successor unincorporated association. To the greatest extent possible, any successor unincorporated association shall be governed by the Articles and Bylaws as if they had been drafted to constitute the governing documents of the unincorporated association.

3.2 Membership. Every Owner of a Lot shall, immediately upon creation of the Association and thereafter during the entire period of such Owner's ownership of a Lot, be a Member of the Association. Such membership shall commence, exist and continue simply by virtue of such ownership, shall expire automatically upon termination of such ownership, and need not be confirmed or evidenced by any certificate or acceptance of membership.

3.3 Voting Rights. The Association shall have the following two (2) classes of voting membership:

3.3.1 Class A Members. Class A Members shall be all Owners other than Declarant (except that beginning on the date on which the Class B membership is converted to Class A membership, and thereafter, Class A Members shall be all Owners, including Declarant). Class A Members shall be entitled to one (1) vote for each Lot owned. When more than one (1) person holds an interest in a Lot, all such persons shall be Members. However, only one (1) vote shall be exercised for the Lot. The vote for the Lot shall be exercised as the Owners of the Lot

determine among themselves. If the Owners of the Lot cannot agree upon how to exercise the vote, then the vote for that Lot shall be disregarded in determining the proportion of votes with respect to the particular matter at issue.

3.3.2 Class B Members. The Class B Member shall be Declarant. The Class B Member shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the election in writing by Declarant to terminate the Class B membership.

3.4 Powers and Obligations. The Association shall have, exercise and perform all of the following powers, duties and obligations:

3.4.1 Declaration. The powers, duties and obligations granted to the Association by this Declaration, including, without limitation, the authority to levy Assessments against the Owners for the costs of operating and managing the Association and performing the Association's responsibilities under this Declaration and the Bylaws, as well as the operating costs and expenses of the ACC.

3.4.2 Statutory Powers. The powers and obligations of a nonprofit corporation pursuant to the Nonprofit Corporation Act, and of a homeowners association pursuant to ORS 94.630, as either may be amended from time to time, except as provided otherwise by this Declaration or the Bylaws.

3.4.3 General. Any additional or different powers, duties and obligations necessary or desirable for the purpose of carrying out the functions of the Association pursuant to this Declaration and the Bylaws or otherwise promoting the general benefit of the Members. The powers and obligations of the Association may from time to time be amended, repealed, enlarged or restricted by changes to this Declaration made in accordance with the provisions herein, accompanied by changes to the Articles or Bylaws made in accordance with such instruments, as applicable, and with the Planned Community Act and Nonprofit Corporation Act.

3.5 Liability. Neither the Association, members of the Board, officers of the Association nor members of committees established under or pursuant to the Bylaws shall be liable to any Owner for any damage, loss, injury or prejudice suffered or claimed on account of any action or failure to act by the Association or any Board member, officer or committee member, provided that the Association, Board member, officer or committee member acted or failed to act, in good faith, within the scope of his or her authority, and in a manner reasonably believed to be in the best interest of the Association and its Members, with regard to the act or omission at issue.

3.6 Interim Board. Declarant shall have the right to appoint an interim Board consisting of one (1) to three (3) directors, who shall serve as the Board until replaced by Declarant or until their successors have been elected by the Owners at the Turnover Meeting.

3.7 Transitional Advisory Committee. Declarant shall form a transitional advisory committee as provided in the Bylaws to provide for the transition of administrative responsibility for the Association from Declarant to the Class A Members.

3.8 Association Rules and Regulations. The Board from time to time may adopt, modify, or revoke such rules and regulations governing the conduct of persons and the operation and use of the Lots and Common Areas as it may deem necessary or appropriate in order to assure the safe, peaceful and orderly use and enjoyment of the Property, without unduly infringing on the privacy or enjoyment of any Owner or occupant of any part of the Property. A copy of the rules and regulations, upon adoption, and a copy of each amendment, modification or revocation thereof, shall be delivered by the Board promptly to each Owner and shall be binding upon all Owners and occupants of all Lots upon the date of delivery. The method of adoption of such rules shall be as provided in the Bylaws.

4. ALLOCATION OF COMMON PROFITS AND EXPENSES

4.1 Method of Allocation. The common profits of the Association shall be distributed among, and the common expenses of the Association shall be charged to, the Lots on an equal basis, except as provided in Section 5.4 below. The common expenses of the Association may be assessed on a monthly, quarterly or annual basis as determined by the Board.

4.2 No Exception. No Owner may claim exemption from liability for contribution toward the common expenses of the Association by waiving his or her use or enjoyment of the Common Areas or by abandoning his or her Lot. No Owner may claim an offset against such liability for failure of the Association or the Board to perform its obligations.

5. ASSESSMENTS

5.1 Creation of Lien and Personal Obligation of Assessments. Declarant, for each Lot it owns, does hereby covenant, and each Owner of a Lot by acceptance of a conveyance thereof, whether or not so expressed in the conveyance, shall be deemed to covenant to pay to the Association all Assessments or other charges as may be fixed, established and collected from time to time in the manner provided in this Declaration or the Bylaws. Such Assessments and charges, together with any interest, expenses or attorneys' fees imposed pursuant to Section 7.4, shall be a charge on the land and shall be a continuing lien upon the Lot against which the Assessment or charge is made. Assessments, charges and other costs shall also be the personal obligation of the person who was the Owner of the Lot at the time when the Assessment or charge becomes due. Such liens and personal obligations shall be enforced in the manner set forth in Section 7 below.

5.2 Regular Assessments.

5.2.1 Commencement. Regular Assessments for each Lot shall commence upon the sale of the Lot to an Owner other than a Declarant. Regular Assessments shall not be levied against Declarant-owned Lots.

5.2.2 Amount of Regular Assessments. The Regular Assessments shall be based upon an annual budget prepared by the Board with respect to projected expenses of the Association, including, without limitation, the following:

(a) maintenance, repair, replacement, and upkeep of the Common Maintenance Areas;

(b) premiums for all insurance policies that the Association is required or permitted to maintain pursuant to the Bylaws;

(c) any deficits remaining from the previous fiscal year of the Association;

(d) reserves for the major maintenance, repair and replacement of the Common Maintenance Areas and the Improvements located thereon for which the Association has maintenance responsibility and such other reasonable contingency reserves as may be established from time to time at the discretion of the Board;

(e) costs related to the preparation, review and update of the reserve study and maintenance plan described in Section 6; and

(f) such other and further costs, expenses, obligations, and liabilities as the Board, in its discretion, may incur for the management, operation, and maintenance of the Property and the Association in accordance with this Declaration and the Bylaws.

5.2.3 Allocation of Regular Assessments. The Regular Assessments shall be allocated equally among all Lots subject to assessment pursuant to Section 5.2.1.

5.3 Special Assessments. In addition to the Regular Assessments, the Association shall have the authority to levy Special Assessments to satisfy any actual or projected deficiency between the expenses of the Association and the amounts realized through Regular Assessments; provided, however, that prior to the Turnover Meeting, any special assessment for capital improvements or additions shall be approved by not less than fifty percent (50%) of the total voting power of the Association, determined on the basis of one vote per Lot notwithstanding the special voting rights of Declarant under Section 3.3.2 hereof. Special Assessments shall be allocated equally among all Lots. Special Assessments are payable as the Board may from time to time determine, but no sooner than thirty (30) days after mailing notice thereof to the Owners.

5.4 Limited Assessments. The Association shall have the authority levy against any Owner a Limited Assessment equal to the costs and expenses incurred by the Association, including legal fees, for corrective action performed pursuant to this Declaration or the Bylaws that is required as a result of the willful or negligent actions or omissions of the Owner or the Owner's tenants, family members, guests, contractors, or invitees, or for a common expense or any part of a common expense that benefits a particular Lot or Lots rather than all the Lots, as determined in the sole discretion of the Board.

5.5 Reserve Assessments. The Association shall have the authority to levy Reserve Assessments necessary to fund the reserve account created under Section 6. The Reserve Assessments for each Lot shall commence upon the sale of the Lot to an Owner other than a Declarant. Reserve Assessments shall not be levied against Declarant-owned Lots. The Reserve Assessments shall be allocated equally among all Lots subject to assessment pursuant to this Section 5.5.

5.6 Statement of Account. Upon the request of an Owner or an Owner's agent, for the benefit of a prospective purchaser, the Board shall make and deliver a written statement of any unpaid Assessments against the Owner's Lot through the date specified in the statement and the purchaser in that case shall not be liable for any unpaid assessments against the Lot that are not included in the statement provided by the Board. The Association is not required to provide a statement of outstanding Assessments if the Association has commenced litigation by filing a complaint against the Owner and the litigation is pending when the statement would otherwise be due.

6. RESERVE ACCOUNT; RESERVE STUDY AND MAINTENANCE PLAN

6.1 Reserve Account. Declarant shall establish a reserve account in the name of the Association for the major maintenance, repair and replacement, in whole or in part, of the Common Maintenance Areas and any Improvements located in, on, or under the Common Maintenance Areas for which the Association has maintenance responsibility pursuant to this Declaration, including exterior painting, if the Common Maintenance Areas include any exterior painted surfaces, that will normally require major maintenance, repair or replacement in more than one (1) year and fewer than thirty (30) years. The reserve account need not include those items that could reasonably be funded from the maintenance fund or for which one or more Owners are responsible for maintenance or replacement under this Declaration or the Bylaws. The reserve account shall be funded by the Reserve Assessments. The reserve funds shall be kept separate from other funds of the Association and may be used only for maintenance, repair, and replacement of the Common Maintenance Areas for which reserves have been established as specified in this Section 6.1. However, after the Turnover Meeting, the Board may borrow funds from the reserve account to meet high seasonal demands on the regular operating funds or to meet other unexpected increases in expenses. Funds borrowed to meet unexpected increases in expenses under this Section shall be repaid from Regular or Special Assessments if the Board has adopted a resolution, which may be an annual continuing resolution, authorizing the

borrowing of funds. Not later than the adoption of the budget for the following year, the Board shall adopt by resolution a written payment plan providing for repayment of the borrowed funds within a reasonable period. The Board shall administer the reserve fund and may adjust the amount of the Reserve Assessments to reflect changes in current maintenance, repair or replacement costs over time as indicated by the reserve study or update (as discussed in Section 6.2 below), and may provide for other reserve items that the Board, in its discretion, deems appropriate. If, after reviewing the reserve study or reserve study update, the Board determines that the reserve account will be adequately funded for the following year, then the Board may vote to reduce or eliminate funding of the reserve account for that particular year. Additionally, following the Turnover Meeting, on an annual basis, the Board, with the approval of all Owners, may elect not to fund the reserve account for the following year regardless of whether or not the reserve account is fully funded. Any funds established for any of the purposes mentioned in this Section shall be deemed to be a reserve fund notwithstanding that it may not be so designated by the Board. The amount of the reserve fund shall constitute an asset of the Association and shall not be refunded or distributed to any Owner. An Owner may treat his or her outstanding share of the reserve fund as a separate item in a sales contract.

6.2 Reserve Study. The Board shall annually conduct a reserve study, or review and update an existing study, of the Common Maintenance Areas and other reserve items set forth in Section 6.1 to determine the requirements of the reserve fund described in Section 6.1. The reserve study shall: (a) identify all items for which reserves are or will be established; (b) include the estimated remaining useful life of each item as of the date of the reserve study; and (c) include for each item, as applicable, an estimated cost of maintenance, repair and replacement at the end of the item's useful life.

6.3 Maintenance Plan. The Board shall prepare a maintenance plan for the maintenance, repair and replacement of all property for which the Association has maintenance, repair or replacement responsibility under this Declaration, the Bylaws or the Planned Community Act. The maintenance plan shall: (a) describe the maintenance, repair and replacement to be conducted; (b) include a schedule for the maintenance, repair and replacement; (c) be appropriate for the size and complexity of the maintenance, repair and replacement responsibility of the Association; and (d) address issues that include, but are not limited to, warranties and the useful life of the items for which the Association has maintenance, repair and replacement responsibility. The Board shall review and update the maintenance plan as necessary.

7. ENFORCEMENT

7.1 Default in Payment of Assessments; Enforcement of Lien. If an Assessment or any other charge levied under this Declaration or the Bylaws is not paid within ten (10) days after its due date, such Assessment or charge shall become delinquent and shall bear interest from the due date until paid at the rate set forth in Section 7.4 below and, in addition, the

Association may exercise any or all of the following remedies as allowed under the Planned Community Act:

7.1.1 Lien. The Association shall have a lien against each Lot for any Assessment levied against the Lot and any fines or other charges imposed under this Declaration or the Bylaws against the Owner of the Lot from the date on which the Assessment, fine or charge is due. The provisions regarding the attachment, notice, recordation and duration of liens established on real property under ORS 94.709 shall apply to the Association's lien. The lien shall be foreclosed in accordance with the provisions regarding the foreclosure of liens under ORS 94.709 through 94.719. The Association, through its duly authorized agents, may bid on the Lot at a foreclosure sale, and may acquire and hold, lease, mortgage and convey the Lot.

7.1.2 Suit or Action. The Association may bring an action to recover a money judgment for unpaid Assessments, fines and charges under this Declaration without foreclosing or waiving the lien described in Section 7.1.1. Recovery on any such action, however, shall operate to satisfy the lien, or the portion thereof, for which recovery is made.

7.1.3 Fines. In addition to any other remedies available to the Association hereunder and subject to the requirements of ORS 94.630(1)(n), the Association shall have the right to impose reasonable fines upon an Owner who violates the Declaration, Bylaws or any rules and regulations of the Association, in the manner and amount the Board deems appropriate in relation to the violation.

7.1.4 Other Remedies. The Association shall have any other remedy available to it by law or in equity.

7.2 Notification of First Mortgagee. Upon the advance written request of the first mortgagee of any Lot, the Board shall notify the first mortgagee of any default in the performance of the terms of this Declaration by the Lot's Owner that is not cured within sixty (60) days.

7.3 Subordination of Lien to First Mortgages. The Association's lien for the Assessments and other charges provided for in this Declaration shall be subordinate to the lien of any first mortgage or deed of trust of record. The sale or transfer of any Lot shall not affect the Association's lien. However, the sale or transfer of a Lot pursuant to the foreclosure of a first mortgage lien or the execution of a deed in lieu of foreclosure of a first mortgage lien shall extinguish the Association's lien with respect to Assessments and other charges that became due prior to such sale or transfer. No sale, foreclosure or transfer of a Lot shall extinguish the personal obligation of the Owner who owned the Lot at the time the Assessment or other charge became due.

7.4 Interest, Expenses and Attorneys' Fees. Any amount not paid to the Association when due in accordance with this Declaration shall bear interest from the due date until paid at a

rate of twelve percent (12%) per annum, or at such other rate as may be established by the Board, but not to exceed the lawful rate of interest under the laws of the State of Oregon. A late charge may be charged for each delinquent Assessment in an amount established from time to time by resolution of the Board. If the Association files a notice of lien, the lien amount shall also include the recording fees associated with filing the notice, and a fee for preparing the notice of lien established from time to time by resolution of the Board. If the Association brings any suit or action to enforce this Declaration, or to collect any money due hereunder or to foreclose a lien, the defaulting Owner shall pay to the Association all costs and expenses incurred by the Association in connection with such suit or action, including a foreclosure title report, and the prevailing party in such suit or action shall recover such amount as the court may determine to be reasonable as attorneys' fees at trial and upon any appeal or petition for review thereof.

7.5 Nonexclusiveness and Accumulation of Remedies. An election by the Association to pursue any remedy provided in this Section 7 for a violation of this Declaration shall not prevent the concurrent or subsequent exercise of any other remedy permitted hereunder. The remedies provided in this Declaration are not exclusive, but shall be in addition to all other remedies, including actions for damages and suits for injunctions and specific performance, that are available under applicable law to the Association. In addition, any aggrieved Owner may bring an action against another Owner or the Association to recover damages or to enjoin, abate, or remedy any violation of this Declaration by appropriate legal proceedings.

8. PROPERTY RIGHTS AND EASEMENTS

8.1 Owners' Use and Occupancy. Except as otherwise expressly provided in this Declaration, the Bylaws, the Plat or any easement, covenant or any other instrument of record, the Owner of a Lot shall be entitled to the exclusive use and benefit of his or her Lot. Declarant and any representative of the Association authorized by the Association may at any reasonable time, upon reasonable notice to the Owner, enter upon any Lot for the purpose of determining whether or not the use of and/or the Improvements on the Lot are then in compliance with this Declaration, the Bylaws, the Design Guidelines or the rules and regulations of the Association. No such entry shall be deemed to constitute a trespass or otherwise create any right of action in the Owner of the Lot. Declarant or the Association may grant or assign easements over or with respect to any Lot to municipalities or other utilities performing utility services and to communications companies.

8.2 Owners' Easements of Enjoyment. Subject to any restrictions contained in this Declaration, the Bylaws, the Plat, the Operation and Maintenance Agreement or any easement, covenant or other instrument of record, every Owner and the Owner's family members, tenants, guests, and invitees shall have a right and easement of enjoyment in and to the Common Areas, which easement shall be appurtenant to and shall pass with the title to every Lot. Use of the Common Areas shall not result in unreasonable disturbance of the Owners and occupants of the

other Lots and shall be subject to the rules and regulations as may be adopted by the Board from time to time pursuant to Section 3.8.

8.3 Title to Common Areas. Declarant shall convey fee title to the Common Areas to the Association free and clear of liens and encumbrances no later than the Turnover Meeting.

8.4 Extent of Owners' Rights. The rights and use of enjoyment in the Property shall be subject to the following easements and all other provisions of this Declaration:

8.4.1 Association's and Owners' Easements. Declarant reserves for itself and grants to the Association and the Board and their duly authorized agents and representatives for the benefit of the Association and all Owners of Lots within the Property the following easements:

(a) An easement under and upon the Common Areas, for installation and maintenance of power, gas, electric, sewer, water and other utility and communication lines and other utility and communication lines and services installed by Declarant or with the approval of the Board;

(b) An easement under and upon the Common Areas, for construction, maintenance, repair, and use of the Common Areas and any Improvements thereon;

(c) The right to have access to the Common Areas and to all Lots as may be necessary for the installation, maintenance, repair, upkeep or replacement of the Common Maintenance Areas, for determining whether or not the use of and/or the Improvements on a Lot are then in compliance with this Declaration, the Bylaws, the Design Guidelines or the rules and regulations of the Association, or to make emergency repairs thereon necessary for the public safety or to prevent damage to the Common Maintenance Areas or to another Lot or Home. In case of an emergency originating in or threatening any Lot or Home or the Common Maintenance Areas, each Owner hereby grants the right of entry to any person authorized by the Board or the Association, whether or not the Owner is present at the time;

(d) Such easements as are necessary to perform the duties and obligations of the Association set forth in this Declaration, the Bylaws and Articles, as the same may be amended or supplemented;

(e) Each Lot shall have an easement over any adjoining Lot as may be required to perform maintenance, repair or reconstruction of the Home located on the benefited Lot. The Owner of the benefited Lot shall be responsible for restoring any damage to the burdened Lot resulting from such use and shall indemnify and hold harmless the owner of the burdened Lot for, from and against any damage, claim, loss or liability resulting from such use; and

(f) Pursuant to ORS 94.733(3), each Lot, Home and all Common Areas shall have an easement over all adjoining Lots, Homes and the Common Areas for the purpose of accommodating any present or future encroachment as a result of engineering errors, construction, reconstruction, repairs, settlement, shifting, or movement of any portion of the Property, or any other similar cause, and any encroachment due to building overhang or projection. There shall be valid easements for the maintenance of the encroaching Lots, Homes and the Common Areas so long as the encroachments shall exist, and except as otherwise provided, the rights and obligations of Owners shall not be altered in any way by the encroachment, nor shall the encroachment be construed to be encumbrances affecting the marketability of title to any Lot, Home or Common Areas.

8.4.2 Declarant's Easements. So long as Declarant owns any Lot, and in addition to any other easements to which Declarant may be entitled, Declarant reserves an easement over, under and across the Common Areas in order to carry out development, construction, sales and rental activities necessary or convenient for the development of the Property or the sale or rental of Lots and for such other purposes as may be necessary or convenient for discharging Declarant's obligations or for exercising any of Declarant's rights hereunder.

8.4.3 Utility and Other Municipal Easements. Declarant or the Association may (and, to the extent required by law, shall) grant or assign easements to municipalities or other utilities performing utility services and to communications companies, and the Association may grant free access thereon to police, fire, and other public officials and to employees of utility companies and communications companies serving the Property.

8.4.4 Villebois Easements. All Common Area parks and trail systems with the Property may be used and enjoyed by the owners and occupants of other portions of Villebois on the same basis as the Owners. Such use shall be subject to all conditions and restrictions set forth in this Declaration, which may be enforced as provided in this Declaration. Such owners and occupants shall pay, indemnify and hold harmless the Association and all Owners for, from and against any damage, loss, claim or liability arising out of such use.

8.4.5 Transfer of the Common Areas. The Association may not sell, transfer or grant a security interest in any portion of the Common Areas unless the Owners holding at least eighty percent (80%) of the total voting power of the Association, including eighty percent (80%) of the votes not held by Declarant, and the Class B Member, if any, approve the sale, transfer or grant of security interest. A sale, transfer or grant of security interest in any portion of the Common Areas in accordance with this Section 8.4.5 may provide that the Common Areas so conveyed shall be released from any restrictions imposed on such Common Areas by this Declaration or the Bylaws. No such sale, transfer, or grant of security interest may, however, deprive any Lot of such Lot's right of access or support without the written consent of the Owner of such Lot.

8.4.6 Authority to Grant Easements and Other Property Interests in Common Areas. The Association may execute, acknowledge and deliver leases, easements, rights of way, licenses, and other similar interests affecting the Common Areas and consent to vacation of roadways within and adjacent to the Common Areas. Except for those matters described in ORS 94.665(4)(b), which the Board may approve without Owner consent, the granting of any interest pursuant to this Section 8.4.6 must be approved by at least seventy-five percent (75%) of the Owners present at a meeting of the Association or with the consent of at least seventy-five percent (75%) of all Owners solicited by any means the Board determines is reasonable. If a meeting is held to conduct the vote, the meeting notice shall include a statement that the approval of the granting of an interest in the Common Areas will be an item of business on the agenda of the meeting.

8.5 Maintenance and Reconstruction Easements. An easement is hereby reserved in favor of the Association and its successors, assigns, contractors, agents, and employees over and across each Lot, for purposes of accomplishing the repair and restoration of the Common Maintenance Areas pursuant to Section 14.

9. GENERAL PROVISIONS FOR AND RESTRICTIONS ON USE OF LOTS

9.1 Each Lot, including the Home and all other Improvements located thereon, shall be maintained in a clean and attractive condition, in good repair, and in such a manner as not to create a fire hazard.

9.2 No Lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any Lot other than one detached single-family dwelling and a private garage or carport. The Home and any other Improvements on a Lot shall comply with all applicable City height restrictions.

9.3 A greenhouse of noncommercial type, or a garden tool shed or other residential accessory buildings or improvements, may be erected, provided that these types of Improvements are of an acceptable architectural design (as determined by the ACC in accordance with Section 12), shall have the exterior painted and, if such structure is separate from the Home, shall be located within the fenced-in patio or courtyard. Such accessory buildings or improvements shall comply with applicable requirements of the City. All Homes shall provide a garage or carport sufficient to accommodate a minimum of two (2) vehicles.

9.4 All garbage, trash, cuttings, refuse, garbage and refuse containers, oil tanks, clothes lines or other service facilities, stored trailers, and recreational vehicles ("RV's") shall be screened from the view of neighboring Homes and from the Common Areas in a manner approved by the ACC. No RV's shall be visibly parked on a Lot for more than five (5) continuous days in a calendar month. The intent of this provision is to minimize the negative visual impact caused by the visible parking or storage of RV's.

9.5 No noxious or offensive activity shall take place on any Lot, nor shall anything be done or placed on any Lot that interferes with or jeopardizes enjoyment of other Lots or within the Property.

9.6 If any tree, shrub, or other vegetation blocks or substantially obscures the view from any Home, the Owner of the Home may petition the ACC for the trimming, topping, or removal of such tree, shrub, or other vegetation. Upon receipt of such petition, the ACC shall investigate the matter and make a determination in writing whether such view is actually blocked or substantially obscured. If the ACC makes such a determination, the Owner of the offending tree, shrub, or other vegetation shall have ten (10) days from the date the ACC made such determination to elect whether the offending tree, shrub, or other vegetation should be trimmed, topped, or entirely removed. If the offending tree, shrub, or other vegetation is not part of the Association Landscaping, then the Owner of the Lot on which the offending tree, shrub, or other vegetation is located shall bear sole responsibility for the entire cost of such trimming, topping, or removal and shall be solely responsible for obtaining any approvals from the City prior to proceeding with topping or removal.

9.7 The maintenance and replacement (if removed) of trees planted in the rear and side yards of all Lots shall be the responsibility of each Owner; provided, that no tree may be removed without the prior approval of the ACC and any required governmental approvals. Customary trimming and pruning in accordance with professional arboriculture industry standards of trees shall be permitted in the rear and side yards of the Lots without prior approval.

9.8 All fences, walls, hedges, landscaping and other Improvements installed on any Lot shall comply with the City vision clearance requirements and height restrictions. Owners who desire a fence are encouraged to use the same or similar material in style as fencing in the areas near the Property. Prior to construction, design of all fences, hedges or walls must be approved in writing by the ACC.

10. GENERAL RESTRICTIONS ON USE OF PROPERTY

10.1 Common Areas. No person shall construct or reconstruct any Improvements, or alter or refinish any Improvements, make any excavation or fill, make any change in the natural or existing surface drainage, or install a utility line in the Common Areas without the prior written approval of the Board or a duly appointed committee to which the Board has delegated such responsibility and, if required, the City.

10.2 Association Landscaping. No person shall remove, alter, modify or replace any Association Landscaping without the prior written approval of the Board or a duly appointed committee to which the Board has delegated such responsibility and, if required, the City.

11. MAINTENANCE OBLIGATIONS

11.1 Association Maintenance Obligations. The Association shall be responsible for the maintenance, repair, upkeep and replacement of the following Common Maintenance Areas:

(a) Tracts A, C, D, E, G, J and L, as shown on the Plat, including all paved street surfaces, mountable curbs, street signs, lighting, landscaping, irrigation systems and other Improvements located thereon, to be maintained as private streets and/or alleys;

(b) Tracts B, F, H, I, K, M and N, as shown on the Plat, including all landscaping, irrigation systems, sidewalks, lighting and other Improvements located thereon, to be maintained as a recreational areas, parks, open space tracts and/or linear/buffer tracts;

(c) The Association Landscaping;

(d) [Include City-owned park tract to be maintained by Association??];

(e) All entry monument signage for the Property, including any landscaping, lighting and irrigation systems related thereto;

(f) All cluster mailboxes serving the Lots; and

(g) Any other area determined by the Board to be in the interest of the Association to maintain.

The Association shall regularly inspect, maintain, repair and keep the Common Maintenance Areas in good condition and provide for all necessary services and cause all acts to be done which may be necessary or proper to assure the maintenance of the Common Maintenance Areas. The Association shall perform all maintenance obligations set forth in this Declaration or the Bylaws, any maintenance manual provided by Declarant or the maintenance plan described Section 6 above and shall employ all other commonly accepted maintenance practices intended to prolong the life of the materials and construction of Improvements within the Common Maintenance Areas. Additionally, the Association shall be responsible for performing all maintenance required of the "Obligor" under the Operation and Maintenance Agreement.

11.2 Owner's Maintenance Obligations. Except to the extent Association Landscaping is maintained by the Association, each Owner shall maintain his or her Lot and the Improvements located thereon in a clean and attractive condition, in good repair and in such a fashion as not to create a hazard of any kind. Such maintenance shall include, without limitation, painting or staining, repair, replacement and care of roofs, gutters, downspouts, surface water drainage, walks, driveways, landscaping and other exterior Improvements. In addition, each Owner shall keep his or her Lot free of trash and other unsightly materials. The provisions of the preceding sentence include the areas between the property line of any Lot and

the nearest curb, including sidewalks and street trees unless otherwise included in the Association Landscaping.

11.3 Damage or Destruction By Owner. If damage to the Common Maintenance Areas, including any Improvements located thereon, beyond ordinary wear and tear is directly attributable to an Owner or the family members, invitees, licensee, or guest of an Owner, then that Owner shall be responsible for the cost of repairing the damage and the Association may levy a Limited Assessment against the Owner for the repair cost.

12. ARCHITECTURAL CONTROL COMMITTEE

12.1 Creation of Committee. The ACC with the powers and authority described in this Section 12 shall be created as a committee of the Association. The ACC shall have three (3) members, who shall be appointed by Declarant until the Turnover Meeting, after which the ACC members shall be appointed by the Board and shall serve at the pleasure of the Board. Members of the ACC must be Owners. Board members may also serve as ACC members. Appointed members of the ACC shall remain in office until new members are appointed by the Board unless they sooner resign or are disqualified.

12.2 Operations. The members of the ACC shall elect a chairperson, who shall conduct all meetings and shall provide for reasonable notice to each member of the ACC prior to any meeting. The notice shall set forth the time and place of the meeting. Notice may be waived by any member.

12.3 Majority Action. The affirmative vote of a majority of the members of the ACC shall govern its actions and constitute the act of the ACC. A quorum of the ACC shall consist of a majority of the ACC members. The ACC may render its decision only by written instrument setting forth the action taken by the members consenting thereto.

12.4 Review Procedures. If the ACC fails to provide written approval or disapproval of plans and specifications within thirty (30) days after such complete plans and specifications have been submitted, approval of the ACC shall not be required and the related covenants shall be deemed to have been satisfied, unless within twenty (20) days of receipt of the complete plans and specifications, the ACC notifies the Owner of the ACC's intention to extend the approval period by an additional fifteen (15) days to a total of forty-five (45) days after receipt of complete plans and specifications. The ACC shall, from time to time, adopt application forms and rules specifying those requirements necessary to constitute a complete application.

12.5 Approval of Plans by ACC. No Home, building, garage, structure, or other Improvement of any kind or nature, including, without limitation, landscaping, shall be commenced, erected, placed, or altered on any Lot until the construction plans and specifications, and a plan showing the nature, shape, height, materials, and colors, together with detailed plans showing the proposed location of the same on the particular building site and

proposed landscaping has been submitted to and approved in writing by the ACC. All such Improvements and alterations shall be in conformance with the Design Guidelines, the Pattern Book adopted by the City for each area within Villebois and all other applicable governmental laws, ordinances, conditions of approval, rules and regulations. To the extent that the requirements contained in the Pattern Book or in any applicable governmental laws, ordinances, rules and regulations may be in conflict with the Design Guidelines, the more restrictive standard shall apply. Complete plans and specifications for approval by the ACC must include all material required by the rules of the ACC as provided in Section 12.4 above. In no case shall any plans and specifications be accepted for approval that are inconsistent with the requirements of Section 9.2. The ACC may approve or disapprove plans and specifications as submitted or may approve such plans and specifications with specific conditions to such approval.

12.6 Damages Inadequate. Damages are hereby declared to be inadequate compensation for any breach of the covenants, conditions, and restrictions imposed by this Declaration. Declarant, the ACC, or any Owner may, by appropriate proceedings, enjoin, abate, and remedy any such breach and the continuance

12.7 Nuisance. The result of every act of omission or commission or the violation thereof, whether such covenants, conditions, and restrictions are violated in whole or in part, shall constitute a nuisance, and every remedy allowed by law or equity against such nuisance, either public or private, shall be applicable against every such result and may be exercised by Declarant, the ACC, or by any Owner, and may be prohibited or enjoined.

12.8 Non-Waiver. The provisions contained in this Declaration shall inure to the benefit of and be enforceable by Declarant, the ACC, or any Owner, and each of their legal representatives, heirs, successors, and assigns. Failure by Declarant, the ACC or any Owner or their legal representatives, heirs, successors, and assigns to enforce any of the provisions contained herein shall in no event be deemed a waiver of the right to do so thereafter.

12.9 Estoppel Certificate. Within fifteen (15) business days after an Owner delivers a written request to the ACC, the ACC shall provide the Owner with an estoppel certificate executed by a member of the ACC. The estoppel certificate shall state whether or not the Improvements located on the Lot owned by the requesting Owner comply with the provisions of this Declaration. If the estoppel certificate indicates that the Improvements are not in compliance, then it shall identify the specific non-conforming Improvements and set forth with particularity the nature of the noncompliance. Any purchaser in due course from the Owner, and any mortgagee, beneficiary, or secured party having any interest in the Lot and any associated Improvements, may rely on the estoppel certificate with respect to the matters set forth therein, and the estoppel certificate shall be conclusive as between the ACC, all Owners, and such purchaser, mortgagee, beneficiary, or secured party.

12.10 Defenses. The issuance of an estoppel certificate as described in Section 12.9 shall constitute an absolute defense to claims brought against an Owner pursuant to this Section

12 with respect to matters within the purview of the ACC, where the Improvement at issue was in existence at the time of the issuance of the estoppel certificate.

12.11 Liability. The ACC shall use reasonable judgment in accepting or disapproving all plans and specifications submitted to it. Neither the ACC nor any individual ACC member shall be liable to any person for any official act of the ACC in connection with submitted plans and specifications, except to the extent the ACC or any individual ACC member acted with malice or wrongful intent. Approval by the ACC does not necessarily assure approval by any governmental authority. Notwithstanding that the ACC has approved plans and specifications, neither the ACC nor any of its members shall be responsible or liable to any Owner, occupant, builder, developer, or contractor with respect to any loss, liability, claim, or expense which may arise by reason of such approval. Review or analysis of structural, geophysical, engineering, or other similar considerations shall be outside the scope of the ACC's review. Neither the Board, the ACC, or any agent thereof, nor Declarant or any of its members, managers, employees, agents, or consultants, shall be responsible in any way for any defects in any plans or specifications submitted, revised, or approved in accordance with the provisions of this Declaration, nor for any structural or other defects in any work done according to such plans and specifications. The Association shall indemnify, hold harmless, and defend the ACC and its members in any suit or proceeding which may arise by reason of any of the ACC's decisions, provided that the ACC members acted in good faith, within the scope of their authority, and in a manner reasonably believed to be in the best interest of the Association and its Members. The Association shall use reasonable efforts to procure errors and omissions insurance coverage with respect to the ACC members, in accordance with the provisions of the Bylaws.

12.12 Activities of Declarant. This Section 12 shall not apply to the activities of Declarant or its affiliates.

13. DESIGN GUIDELINES

13.1 Paint Requirement. The exterior of any Home erected on a Lot shall be fully completed and painted within one (1) year after construction of the Home has commenced.

13.2 Designs, Materials, and Construction Quality. The external designs and materials of all Homes shall harmonize with each other and shall be reasonably harmonious with those employed on the Homes on other Lots. All auxiliary buildings on a Lot shall be of the same general design and materials as the Home on the Lot. The primary exterior color tone of all buildings shall blend with the natural environment. Bright, unnatural exterior colors are prohibited, except for limited use as trim and accent panels. All Homes, auxiliary buildings, fences, retaining walls, and other Improvements shall comply with the requirements of the Pattern Book and shall be constructed in a good, quality manner in accordance with locally accepted professional building practices.

13.3 Home Size. The ground floor area of each Home, exclusive of one story open porches, garages, and carports, shall not be less than that required by the City Building Code.

13.4 Foundations. All structures erected shall have full, concrete masonry or concrete or wooden piers and piling foundations as approved by the City and designed to accommodate the surrounding terrain. Foundations and exterior walls of all buildings shall be finished in a suitable and customary manner for each such type of building.

13.5 Height Restrictions. All Homes and other Improvements constructed on the Lots shall comply with the applicable City height restrictions. Any height adjustment granted by the City shall be approved by the ACC, unless the ACC determines that the building will unreasonably restrict the view of neighboring Lots.

13.6 Environmental Conditions. Owners shall insure that design and construction of structures in the Property shall properly withstand environmental conditions, including the protection of the flora on the Property.

13.7 Factory Built Homes. All Homes shall be constructed on the Lots. Mobile homes, factory built homes, or manufactured homes shall not be permitted. Notwithstanding the foregoing, panels constructed off-site but assembled on the Lot shall be permitted.

13.8 Additional Design Guidelines. The ACC shall have the authority, but not the obligation, to promulgate and issue, and thereafter to amend from time to time, additional design guidelines supplementing and/or interpreting, but not contradicting, the design guidelines set forth in this Section 13 or elsewhere in this Declaration. Such guidelines shall be supplied in writing to all Owners and shall be fully binding upon all parties as if set forth in this Declaration and shall be applied by the ACC in reviewing and approving or denying proposed improvements or modifications. The ACC shall take into account any proposed building site envelope in order to minimize any impact on neighboring Lots and shall have authority to establish and modify guidelines as necessary or convenient to further this purpose.

13.9 Activities of Declarant. This Section 13 shall not apply to the activities of Declarant or its affiliates.

14. CASUALTY AND CONDEMNATION

14.1 Casualty. The Owner of each Home shall repair, reconstruct, and rebuild the damaged or destroyed portions of his or her Home to substantially the same condition that existed prior to the damage or destruction. In the event of damage to or destruction of the Common Areas or Association Landscaping, the Association shall repair and restore the damaged portion of the Common Areas, unless the holders of at least 75% of the Class A Member voting power of the Association and the Class B Member, if any, agree that the damaged or destroyed portions shall not be repaired or restored. All repair, reconstruction,

rebuilding, or restoration shall begin within six (6) months following the damage or destruction and shall be diligently pursued to completion within twelve (12) months following the damage or destruction, unless work is delayed by causes beyond the reasonable control of the Owner or the Association, as the case may be. If the proceeds of the insurance policies held by the Association are insufficient to fund the full cost of repair and/or restoration of the Common Areas or Association Landscaping, the difference between the amount of such proceeds and such cost shall be charged to all Owners by means of a Special Assessment.

14.2 Condemnation. If any part of the Common Areas are taken by any authority having the power of condemnation or eminent domain (or shall be sold under threat of condemnation), each Owner shall be entitled to notice of such event. The Association shall represent the Owners in negotiations with the condemning authority. The condemnation award shall be applied first to restoration of the Common Areas not taken (unless holders of at least 75% of the Class A Member voting power of the Association and the Class B Member, if any, agree that the remaining Common Areas shall not be restored) and then to such other purposes as the Board may determine in its discretion (including payment to the Owners).

15. SPECIAL DECLARANT RIGHTS

15.1 Declarant shall have the following Special Declarant Rights:

15.1.1 Responsibility and control of the ACC and the Association until the Turnover Meeting, including the right to appoint, remove and replace members of the Board and the ACC.

15.1.2 The right to maintain a sales and management office on the Property.

15.1.3 The right to reserve easement and access rights across the Common Areas for use of future development.

15.1.4 The right to construct Improvements in the Common Areas, whether or not such Improvements are described in this Declaration.

15.1.5 The right to approve amendments to this Declaration and the Bylaws prior to the Turnover Meeting and for a period of ten (10) years thereafter regardless of whether Declarant still owns a Lot.

15.1.6 The right to approve Special Assessments for capital improvements or additions for so long as Declarant owns a Lot.

15.1.7 The right to receive notice of and to attend all Owner meetings and Board meetings for a period of ten (10) years following the Turnover Meeting regardless of whether Declarant still owns a Lot. Meeting notices to Declarant shall be given in the same manner as notices to the Owners; provided, however, that any notice of a Board meeting that is posted at

the Property pursuant to the Bylaws must also be given to Declarant by mail or any other delivery method described in Section 17.4 within the time period prescribed in the Bylaws.

15.1.8 The right to review and make copies of all inspection, maintenance and other records of the Association regardless of whether the Turnover Meeting has occurred or Declarant still owns a Lot.

15.1.9 The rights of Declarant under the Planned Community Act, including but not limited to those under ORS 94.550(21), and all other rights reserved for Declarant elsewhere in this Declaration or in the Bylaws.

16. DISPUTE RESOLUTION.

16.1 Required Procedure. To the fullest extent allowed by law, all claims, controversies, or disputes, whether they are statutory, contractual, tort claims, and/or counterclaims between or among Declarant, Declarant's successors and assigns, the Association, and/or Owner(s) (collectively, the "Parties" and individually, a "Party") which arise out of or are related to the Property, the Lots, the Homes, the Planned Community Act, this Declaration, the Bylaws, the Articles, the Design Guidelines or the rules and regulations of the Association, or which relate to the interpretation or breach of the Planned Community Act, this Declaration or the Bylaws, the Articles, the Design Guidelines or the rules and regulations of the Association (collectively referred to as "Claims") shall be resolved in accordance with the procedures specified herein. Except as otherwise required by the Planned Community Act, the following matters are excluded from this dispute resolution clause and do not constitute Claims: (i) judicial or non-judicial foreclosure or any other action or proceeding to enforce assessments, fines, interest or a trust deed, mortgage, Association lien, or land sale contract; (ii) a forcible entry and detainer action; (iii) actions by the Association or any Owner related to removal of a structure or other condition that violates this Declaration, the Bylaws, the Design Guidelines or any rules and regulations of the Association; (iv) actions for the appointment of a receiver; (v) provisional remedies such as injunctions or the filing of a lis pendens; or (vi) the filing or enforcement of a mechanic's lien. The filing of a notice of pending action (lis pendens) or the application to any court having jurisdiction thereof for the issuance of any provisional process remedy described in Rules 79 through 85 of the Oregon Rules of Civil Procedure (or corresponding federal statutory remedies), including a restraining order, attachment, or appointment of receiver, shall not constitute a waiver of the right to mediate or arbitrate under this Section, nor shall it constitute a breach of the duty to mediate or arbitrate. The proceeds resulting from the exercise of any such remedy shall be held by the Party obtaining such proceeds for disposition as may be determined by an agreement of the Parties pursuant to a mediation or by the arbitration award.

16.2 Negotiated Resolution. The Parties will seek a fair and prompt negotiated resolution of Claims and shall meet at least once to discuss and seek to resolve such Claims, but if this is not successful, all Claims shall be resolved by mediation, in small claims court, or by binding arbitration as set forth in Sections 16.3, 16.4 or 16.5, as applicable.

16.3 Mediation. Prior to mediation of any Claim, the Parties shall endeavor to resolve disputes through the process set forth in Section 16.2 above. All Claims that are not resolved by such process shall be subject to mediation as a condition precedent to arbitration or the filing of a small claims complaint. The request for mediation may be made concurrently with the filing of a demand for arbitration as set forth in Section 16.5 below, but, in such event, mediation shall proceed in advance of arbitration, which shall be stayed pending mediation for a period of sixty (60) days from the date of filing, unless stayed for a longer period by agreement of the parties. All mediation shall be in Clackamas County, Oregon with any dispute resolution program available that is in substantial compliance with the standards and guidelines adopted under ORS 36.175, as it may be amended. The foregoing requirement does not apply to circumstances in which irreparable harm to a Party will occur due to delay or litigation or an administrative proceeding initiated to collect assessments, other than assessments attributable to fines.

16.4 Small Claims. All Claims that have not been resolved by mediation and which are within the jurisdiction of the Small Claims Department of the Circuit Court of the State of Oregon shall be brought and determined there, and all Parties shall be deemed to have waived their right to a jury trial with respect to such Claims.

16.5 Arbitration. Prior to arbitration of any Claim, the Parties shall endeavor to resolve disputes through the processes set forth in Section 16.2, 16.3 and 16.4 above, as applicable. All Claims that have not been resolved by such processes shall be resolved by binding arbitration. Such arbitration shall be conducted by and pursuant to the then effective arbitration rules of Construction Arbitration Services, Inc., or another reputable arbitration service selected by Declarant. If Declarant is not a Party to such dispute, the arbitration service shall be selected by the Board. Any judgment upon the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof.

16.6 No Attorneys' Fees. Unless otherwise specifically provided for in this Declaration, the Bylaws or the Planned Community Act, no party in the arbitration, mediation or other proceeding shall be entitled to recover costs or attorneys' fees in connection therewith. To the fullest extent allowed by law and except for Claims in an amount less than or equal to $7,500, no Claim shall be initiated by the Association without approval from the Owners holding seventy-five percent (75%) of the total voting power of the Association. The foregoing vote requirement shall not be required to institute or respond to the following: (i) actions to collect delinquent Assessments, fines or other charges under the Declaration, these Bylaws or any rules and regulations adopted by the Association; (ii) actions initiated by the Association prior to the Turnover Meeting; (iii) actions challenging ad valorem taxation or condemnation proceedings; (iv) actions initiated against any contractor or vendor hired by the Association or supplier of goods and services to the Association; (v) the defense of claims filed against the Association or the assertion of counterclaims in proceedings instituted against it (except for non-mandatory counterclaims); (vi) actions by the Association to appoint a receiver; or (vi) actions to summarily abate, enjoin and remove a structure or condition that violates this Declaration, the Bylaws, the Design Guidelines or any rules and regulations of the Association.

16.7 Confidentiality. The Parties shall keep all discussions of disputes, all settlements and arbitration awards and decisions confidential and shall not disclose any such information, whether directly or indirectly, to any third parties unless compelled to do so by an order of a court of competent jurisdiction. The Parties agree that if a Party breaches its confidentiality obligation then the other Party or Parties to the dispute shall be entitled to seek and obtain any and all equitable remedies, including injunctive relief and specific performance and each Party hereby waives any claim or defense that the other Party has an adequate remedy at law for any such breach and the Parties agree that the aggrieved Party shall not be required to post any bond or other security in connection with any such equitable relief.

17. MISCELLANEOUS

17.1 Term. The covenants, conditions and restrictions of this Declaration shall run for a term of thirty (30) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years each, unless amended, modified or terminated by a vote of the Owners holding at least seventy-five percent (75%) of the total voting power of the Association.

17.2 Amendment and Repeal.

17.2.1 This Declaration, or any provision thereof, as from time to time in effect with respect to all or any part of the Property, may be amended or repealed by the vote or written consent of Owners holding at least seventy-five percent (75%) of the total voting power of the Association and the written consent of Declarant prior to the Turnover Meeting and for a period of ten (10) years thereafter. To the extent any amendment relates to the preservation or maintenance of the Common Areas, such amendment shall also be approved by the zoning administrator of the City.

17.2.2 Upon approval of an amendment as provided herein, the president and secretary of the Association shall execute an instrument amending this Declaration and certifying that the amendment was adopted in accordance with this Declaration and ORS 94.590, which certification shall be properly acknowledged in the manner of acknowledgment of deeds, and the Board, or other duly appointed and authorized persons, shall record the instrument amending this Declaration.

17.2.3 In no event shall an amendment to this Declaration create, limit or diminish any Special Declarant Rights without Declarant's written consent. Additionally, no amendment to this Declaration shall change the boundaries of a Lot, any uses to which a Lot is restricted, the method for determining liability for common expenses, the method for determining the right to common profits or the method of determining voting rights unless the Owners of the affected Lots unanimously consent to the amendment.

17.3 Regulatory Amendments. Notwithstanding the provisions of Section 17.2, until the Turnover Meeting, Declarant shall have the right to amend this Declaration or the Bylaws without any other Owner approval in order to comply with the requirements of any applicable statute, ordinance, regulation or guideline of the Federal Housing Administration, the Veterans Administration, the Farmers Home Administration of the United States, the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Loan Mortgage Corporation, any department, bureau, board, commission or agency of the United States or the State of Oregon, or any corporation wholly owned, directly or indirectly, by the United States or the State of Oregon that insures, guarantees or provides financing for a planned community or lots in a planned community.

17.4 Notices. Any notices permitted or required to be delivered as provided herein shall be in writing and may be delivered by: (i) messenger service (or hand delivery); (ii) overnight courier service; (iii) regular U.S. Mail; or (iv) electronic mail, facsimile transmission or any other form of electronic communication acceptable to the Board and permissible under the Planned Community Act. Notices delivered by messenger service (or hand delivery), overnight courier service or regular U.S. Mail shall be sent to each Member's mailing address last appearing on the books of the Association. Notices delivered by facsimile or email shall be sent to the Member's email address or facsimile number last appearing on the books of the Association. Notwithstanding the foregoing, electronic mail, facsimile or other form of electronic communication may not be used to give notice of: (i) failure to pay an assessment; (ii) foreclosure of an Association lien under ORS 94.709; or (iii) an action the Association may take against a Member. Additionally, a Member may decline to receive notice by electronic mail, facsimile or other form of electronic communication by giving written notice thereof to the Board. Notices shall be deemed given on the date the notices are sent in accordance with the procedures outlined herein.

17.5 Right of Enforcement. Except as otherwise provided herein, each Owner of a Lot shall have the right to enforce any or all of the provisions of this Declaration. Additionally, the provisions of this Declaration relating to the preservation and maintenance of the Common Areas shall be deemed to be for the benefit of the City as well as the Association and Owners and the City may enforce such provisions by appropriate proceedings at law or in equity, or may cause such maintenance to be performed, the costs of which shall be a lien upon the Property.

17.6 Remedies Cumulative. Each remedy provided herein is cumulative and not exclusive.

17.7 Joint Owners. If two or more persons share the ownership of any Lot, regardless of the form of ownership, the responsibility of such persons to comply with this Declaration shall be a joint and several responsibility and the act or consent of any one or more of the co-Owners shall constitute the act or consent of the entire ownership interest; provided, however, that if the co-Owners disagree among themselves as to the manner in which any vote or right of consent held by them shall be exercised with respect to a pending matter, any co-Owner may deliver

written notice of such disagreement to the Association, and the vote or right of consent involved shall then be disregarded completely in determining the proportion of votes or consents given with respect to such matter.

17.8 Lessees and Other Invitees. Lessees, invitees, contractors, family members and other persons entering the Property under rights derived from an Owner shall comply with all of the provisions of this Declaration restricting or regulating the Owner's use, improvement or enjoyment of such Owner's Lot and other areas within the Property. The Owner shall be responsible for ensuring such compliance and shall be liable for any failure of compliance by such persons in the same manner and to the same extent as if the failure had been committed by the Owner.

17.9 Non-Waiver. The failure to enforce any of the provisions of this Declaration at any time shall not constitute a waiver of the right to subsequently enforce such provision.

17.10 Restrictions Construed Together. All of the provisions of this Declaration shall be liberally construed together to promote and effectuate the general plan and scheme of the Property.

17.11 Restrictions Severable. Each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision.

17.12 Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall each include the masculine, feminine and neuter.

17.13 Captions. All captions and titles used in this Declaration are intended solely for convenience of reference and shall not affect that which is set forth in any of the provisions hereof.

(Remainder of Page Intentionally Left Blank;
Signature Page Follows)

PRELIMINARY DRAFT
TO BE MODIFIED

IN WITNESS WHEREOF, the undersigned has executed this Declaration as of the date first written above.

DECLARANT: _____, a
_____

By:_____

Name:_____

Title:_____

STATE OF _____)
) ss.
County of_____)

The foregoing instrument was acknowledged before me on this ____ day of _____ 20___, by _____, who is the _____ of _____, a _____, on behalf of said_____.

_____
Notary Public for_____
My Commission Expires:_____

PRELIMINARY DRAFT
TO BE MODIFIED

EXHIBIT A

Legal Description of Property

Lots 1 through 81, inclusive, and Tracts A through N, inclusive, of _____, Clackamas County, Oregon, the plat of which was recorded in the official records of Clackamas County, Oregon on _____, 20___ as Document No. _____.

PRELIMINARY DRAFT
TO BE MODIFIED

EXHIBIT B

Legal Description of Common Areas

Tracts A through N, inclusive, _____, Clackamas County, Oregon, the plat of which was recorded in the official records of Clackamas County, Oregon on _____, 20___ as Document No. _____.

IIID) Certification of Assessments & Liens

City of WILSONVILLE In OREGON

29799 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax

CERTIFICATION OF ASSESSMENTS AND LIENS

"It is the policy of the City of Wilsonville that no permits of any kind shall either be issued or application processed for any applicant who owes or for any property for which there is any payment which is past due owing to the City of Wilsonville until such time as said sums owed are paid." (Resolution #796)

Project/Property Address: North side of Villebois Drive North, between Costa Circle West and Barber Street

Aka Tax Lot(s) 3000, 3400 on Map(s) 31W15AC

Applicant: Polygon WLH, LLC

Address: 109 E 13th Street, Vancouver, WA 98660

Property Owner: RCS- Villebois Development, LLC

Address: 371 Centennial Pkwy, Louisville, CO 80027

In reference to the above, the City of Wilsonville records show that the following amount is due to the City:

Principal Amnt Due $ 0 ☐Current ☐Non-Current

Comments:

Dated: 10/06/15

Finance Department: Kath Kohr

(This certification shall be null and void 120 days following the Finance Department date of signature)

IIIE) Subdivision Name Approval

Allie Breyer

From: Fuller, Debbie <DebbieFul@co.clackamas.or.us>
Sent: Monday, September 14, 2015 4:11 PM
To: Allie Breyer
Cc: Stacy Connery
Subject: RE: Plat Name Reservation Requests

Hi Allie,

Your requests for the plat names of "Royal Crescent at Villebois", "Brookside Terrace", and "Camden Square" are all approved.

Thank you.

Debbie Fuller
Office Manager | DTD
Development Services Building
Ph: 503-742-4492 | Fax: 503-742-4481 | Email: debbieful@clackamas.us

Office Hours: Monday – Thurs. 7:30 - 4:30 ~ Friday 8:00 - 3:00
Lobby Hours: Monday - Thurs. 8:00 - 4:00 ~ Friday 8:00 - 3:00

From: Allie Breyer [mailto:allie@pacificcommunity.onmicrosoft.com]
Sent: Monday, September 14, 2015 1:58 PM
To: Fuller, Debbie
Cc: Stacy Connery
Subject: Plat Name Reservation Requests

Hi Debbie,

I attached forms for three plat name requests for Lots 78, 80, and 82 in Villebois.

Let me know if there is anything else you need from me, or if you have any questions.

Thanks,
Allie Breyer
Phone: (503) 941-9484
Pacific Community Design
12564 SW Main Street
Tigard, OR 97223

REQUEST TO RESERVE SUBDIVISION / CONDOMINIUM NAME

Clackamas County Surveyor's Office
150 Beavercreek Road #325
Oregon City, OR 97045
(503) 742-4475 / FAX (503) 742-4481
E-mail address: surveyor@clackamas.us

PLAT NAME REQUESTED:
Royal Crescent at Villebois (Lot 78)

	TWP/RANGE:	**SECTION#:**	**TAX LOT#(s):**
Location of Plat:	3S1W	15AC	3000

I understand that if the above name plat is not pending or recorded within two years, the name will be removed from the reserved list.

RESERVED BY: Pacific Community Design

DATE:	**TELEPHONE:**	**FAX:**
9/14/15	(503) 941-9484	(503) 941 - 9485

EMAIL ADDRESS: travis@pacific-community.com

PLAT SURVEYOR: # 57751

NAME OF DEVELOPER: Polygon WLH, LLC

ADDRESS: 109 E 13th St. Vancouver, WA 98660

DATE:	**TELEPHONE:**	**FAX:**
9/14/15	(503) 314 - 0807	(360) 693 - 4442

EMAIL ADDRESS: Fred.gast@polygonhomes.com

APPROVED BY:	**APPROVAL DATE:**

REQUEST TO RESERVE SUBDIVISION / CONDOMINIUM NAME

Clackamas County Surveyor's Office
150 Beavercreek Road #325
Oregon City, OR 97045
(503) 742-4475 / FAX (503) 742-4481
E-mail address: surveyor@clackamas.us

PLAT NAME REQUESTED:
Camden Square (Lot 82)

	TWP/RANGE:	**SECTION#:**	**TAX LOT#(s):**
Location of Plat:	3S1W	15AC	3400

I understand that if the above name plat is not pending or recorded within two years, the name will be removed from the reserved list.

RESERVED BY: Pacific Community Design

DATE:	**TELEPHONE:**	**FAX:**
9/14/15	(503) 941-9484	(503) 941 - 9485

EMAIL ADDRESS: travis@pacific-community.com

PLAT SURVEYOR: # 57751

NAME OF DEVELOPER: Polygon WLH, LLC

ADDRESS: 109 E 13th St. Vancouver, WA 98660

DATE:	**TELEPHONE:**	**FAX:**
9/14/15	(503) 314 - 0807	(360) 693 - 4442

EMAIL ADDRESS: Fred.gast@polygonhomes.com

APPROVED BY:	**APPROVAL DATE:**

Section IV) Zone Change

IVA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT
ZONE CHANGE
PDP 9 - CENTRAL

SECTION IVA

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I. CITY OF WILSONVILLE COMPREHENSIVE PLAN

COMPACT URBAN DEVELOPMENT – IMPLEMENTATION MEASURES

IMPLEMENTATION MEASURE 4.1.6. A

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

Response: This application is being submitted and reviewed concurrently with a Preliminary Development Plan for Phase 9 of SAP-Central.

IMPLEMENTATION MEASURE 4.1.6.C

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

Response: The application proposes a zone change to "Village" for the subject property area, which includes the "Residential-Village" Comprehensive Plan Map Designation.

IMPLEMENTATION MEASURE 4.1.6.D

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

Response: This application seeks zone change approval from PF - Public Facilities to V – Village Zone on a portion of Villebois located within SAP Central. The areas proposed to be rezoned are 5.03 total acres in size (Lot 78: 2.76 AC and Lot 82: 2.27 AC). The plan for subject property includes single family residential lots and park and open space areas. The 'Introductory Narrative' (see Section IA of Notebook) lists the proposed number and type of residential units, which contribute to a diverse mix of housing. The proposed residential land use and housing type in this area are consistent with those portrayed in the *Villebois Village Master Plan*, which this regulation is intended to implement.

II. CITY OF WILSONVILLE LAND DEVELOPMENT ORDINANCE

SECTION 4.029 ZONING CONSISTENT WITH THE COMPREHENSIVE PLAN

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

Response: This zone change application is being requested concurrent with a PDP application and Tentative Plat for the site in conformance with the code. The PDP application material is located in Section II of this Notebook and the Tentative Plat application material is in Section III.

SECTION 4.110 ZONING – ZONES

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

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

Response: The subject property is within the city limits of Wilsonville. The area has a City of Wilsonville Comprehensive Plan designation of "Residential – Village." The site is currently zoned Public Facilities. This request is for a zone change to "Village," which is permitted within the area designated "Residential – Village" on the Comprehensive Plan Map.

SECTION 4.125 VILLAGE (V) ZONE

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

Response: The subject property lies within the area designated "Residential – Village" on the Comprehensive Plan Map. This request is for a zone change to "V – Village."

(.02) Permitted Uses

Response: The proposed uses listed in the associated application for a Preliminary Development Plan (see Section II of this Notebook) are consistent with the land uses permitted under the Village zone. The PDP, located in Section II of this Notebook, states that the proposed development will create lots for single family residential Row Houses as well as tracts for park areas. These uses are permitted under the Village zone.

(.18) Village Zone Development Permit Process

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

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

Response: The application for a zone change is being made concurrent with an application for PDP approval (see Section II of this Notebook).

SECTION 4.197 ZONE CHANGES AND AMENDMENTS TO THIS CODE – PROCEDURES.

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

A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140; and

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

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

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

This zone change application will establish the appropriate zone for this development and will be governed by the appropriate Zoning Sections.

B. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan Text; and

Response: Comprehensive Plan Implementation Measure 4.1.6.c. states, *"the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."* Since the "Village" zone must be applied to areas designated Residential Village on the Comprehensive Plan Map, its application to these areas is consistent with the Comprehensive Plan.

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

Response: As noted above, Comprehensive Plan Implementation Measure 4.1.6.c. states, *"the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."* Since the Village Zone must be applied to areas designated "Residential Village" on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

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

means to insure that <u>all</u> primary facilities are available and are adequately sized; and

<u>Response:</u> The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available and can be provided in conjunction with the project. Section IIC of this Notebook includes supporting utility and drainage reports. In addition, the applicant will fund the completion of a Traffic Impact Analysis, which is attached as Exhibit IID.

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

<u>Response:</u> The subject site does not include any areas within a Significant Resource Overlay Zone.

F. That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and

<u>Response:</u> The applicant is committed to a schedule demonstrating that the development of the subject property is reasonably expected to commence within two (2) years of the initial approval of the zone change.

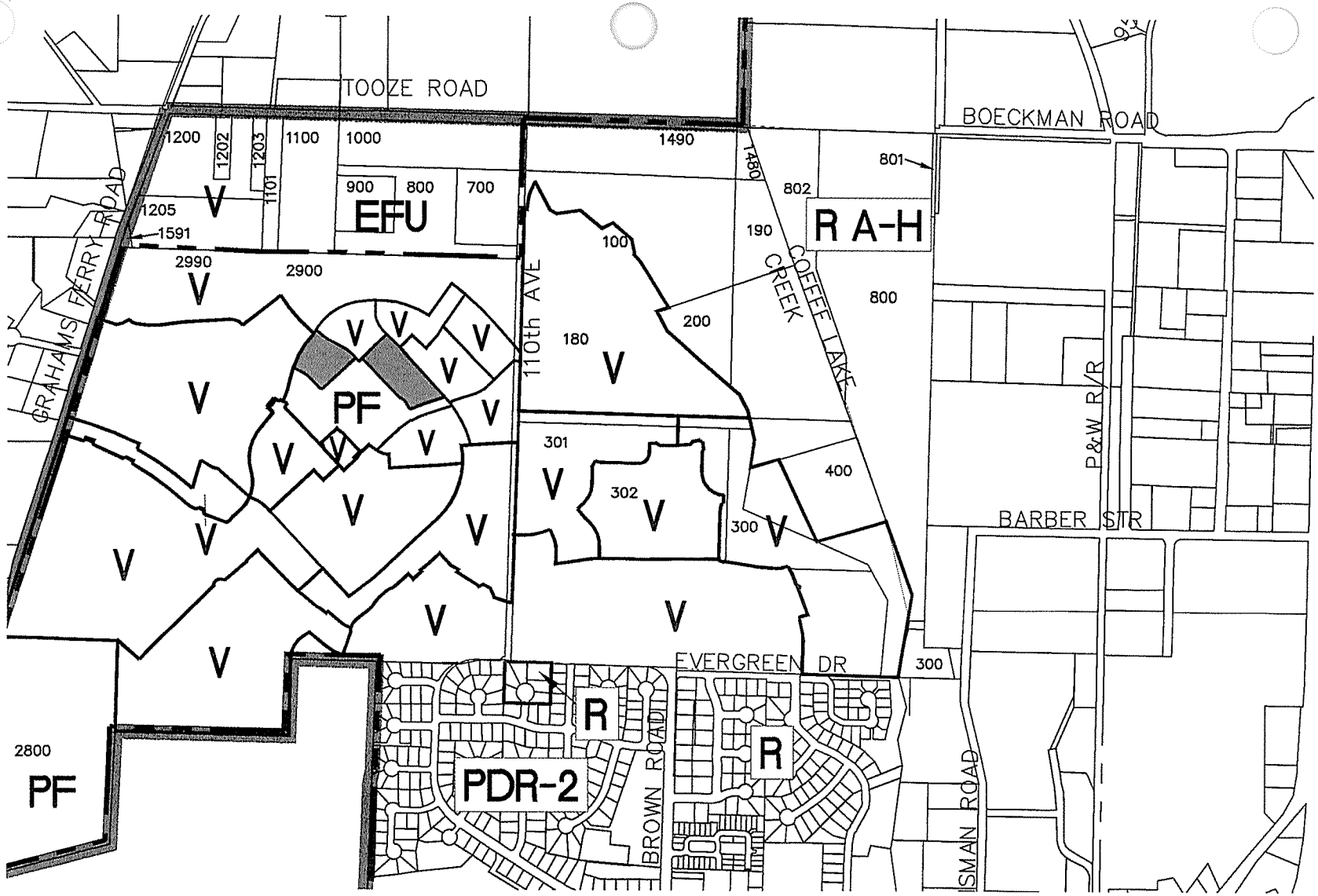
G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.

<u>Response:</u> The proposed development can be developed in compliance with the applicable development standards, as demonstrated by this report and the Preliminary Development Plan (Section II) and Tentative Plat (Section III) applications.

III. PROPOSAL SUMMARY & CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Zone Change. Therefore, the applicant requests approval of this application.

IVB) Zone Change Map



LEGEND

SUBJECT AREA – PROPOSED VILLAGE (V) ZONE (5.03 AC)
(LOT 78 (ROYAL CRESCENT) = 2.76 AC, LOT 82 (CAMDEN SQUARE) = 2.27 AC)

ZONE LINE

EXISTING UGB

EXISTING CITY BOUNDARY

PF EXISTING ZONING DESIGNATION

1" = 1000'

PROPOSED ZONE MAP AMENDMENT

N: \pro\395-053\09 Drawings\03 Planning\Exhibits - General\395053_Zoning Plan Exhibit PDP 9 Central.dwg - SHEET: 8x11 Oct 07, 2015 - 11:25am jjk

IVC) Legal Description & Sketch

Pacific Community Design

EXHIBIT A

September 28, 2015

LEGAL DESCRIPTION Job No. 395-048

Lot 78

A tract of land being Lot 78, plat of "Villebois Village Center No. 3", Clackamas County Plat Records, and public Right-of-Way, in the Northeast Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the most westerly corner of said Lot 78;

thence along the northwesterly line of said Lot 78 and its extension, North 47°03'23" East, a distance of 224.00 feet to a point on the centerline of SW Orleans Avenue;

thence along said centerline, South 43°36'51" East, a distance of 86.44 feet to a point of tangential curvature;

thence continuing along said centerline, along a 100.00 foot radius tangential curve to the right, arc length of 23.54 feet, central angle of 13°29'12", chord distance of 23.48 feet, and chord bearing of South 36°52'15" East to a point of reverse curvature;

thence continuing along said centerline, along a 100.00 foot radius reverse curve to the left, arc length of 23.55 feet, central angle of 13°29'30", chord distance of 23.49 feet, and chord bearing of South 36°52'24" East to a point of tangency;

thence continuing along said centerline, South 43°37'09" East, a distance of 161.26 feet to a point of tangential curvature;

thence continuing along said centerline, along a 185.00 foot radius tangential curve to the left, arc length of 31.96 feet, central angle of 09°53'51", chord distance of 31.92 feet, and chord bearing of South 48°34'05" East to a point of reverse curvature;

thence continuing along said centerline, along a 185.00 foot radius reverse curve to the right, arc length of 31.96 feet, central angle of 09°53'51", chord distance of 31.92 feet, and chord bearing of South 48°34'05" East to a point of tangency;

thence continuing along said centerline, South 43°37'09" East, a distance of 194.08 feet to a point of tangential curvature;

thence continuing along said centerline, along a 188.00 foot radius tangential curve to the right, arc length of 35.00 feet, central angle of 10°39'55", chord distance of 34.94 feet, and chord bearing of South 38°17'12" East to a point of tangency;

12564 SW Main Street, Tigard, OR 97223 ♦ [T] 503-941-9484 [F] 503-941-9485

thence continuing along said centerline, South 32°57'14" East, a distance of 1.49 feet to a point on the centerline of SW Villebois Drive North;

thence along the centerline of SW Villebois Drive North, South 72°02'29" West, a distance of 137.99 feet to a point of tangential curvature;

thence continuing along said centerline, along a 500.50 foot radius tangential curve to the left, arc length of 115.37 feet, central angle of 13°12'28", chord distance of 115.12 feet, and chord bearing of South 65°26'15" West to a point on the extension of the southwesterly line of Lot 78;

thence along said southwesterly line and extension, North 37°07'07" West, a distance of 102.12 feet to a point of tangential curvature;

thence continuing along said southwesterly line, along a 185.00 foot radius tangential curve to the left, arc length of 20.99 feet, central angle of 06°30'02", chord distance of 20.98 feet, and chord bearing of North 40°22'08" West to a point of tangency;

thence continuing along said southwesterly line, North 43°37'09" West, a distance of 371.18 feet to the POINT OF BEGINNING.

Containing 2.76 acres, more or less.

Lot 82

A tract of land being Lot 82, plat of "Villebois Village Center No. 3", Clackamas County Plat Records, and public Right-of-Way, in the Northeast and Northwest Quarters of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the most easterly corner of said Lot 82;

thence along the southeasterly line of said Lot 82, South 47°03'23" West, a distance of 342.14 feet to the most southerly corner of said Lot 82;

thence along the southwesterly line of said Lot 82, North 42°56'37" West, a distance of 124.43 feet to a point of tangential curvature;

thence continuing along said southwesterly line, along a 185.00 foot radius tangential curve to the left, arc length of 66.69 feet, central angle of 20°39'19", chord distance of 66.33 feet, and chord bearing of North 53°16'17" West to a point of tangency;

thence continuing along said southwesterly line and its extension, North 63°35'56" West, a distance of 62.11 feet to a point on the northwesterly plat boundary line of said plat;

thence along said northwesterly plat boundary line, along a 590.00 foot radius non-tangential curve, concave southeasterly, with a radius point bearing South 73°45'52" East, arc length of 319.53 feet, central angle of 31°01'49", chord distance of 315.64 feet, and chord bearing of North 31°45'02" East to a point on the extension of the northeasterly line of Lot 82;

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12564 SW Main Street, Tigard, OR 97223 ♦ [T] 503-941-9484 [F] 503-941-9485

thence along said northeasterly line and its extension, South 48°39'01" East, a distance of 46.86 feet to a point of tangential curvature;

thence continuing along said northeasterly line, along a 185.00 foot radius tangential curve to the left, arc length of 45.41 feet, central angle of 14°03'50", chord distance of 45.30 feet, and chord bearing of South 55°40'56" East to a point of tangency;

thence continuing along said northeasterly line, South 62°42'51" East, a distance of 133.98 feet to a point of tangential curvature;

thence continuing along said northeasterly line, along a 185.00 foot radius tangential curve to the right, arc length of 61.66 feet, central angle of 19°05'42", chord distance of 61.37 feet, and chord bearing of South 53°10'00" East to a point of tangency;

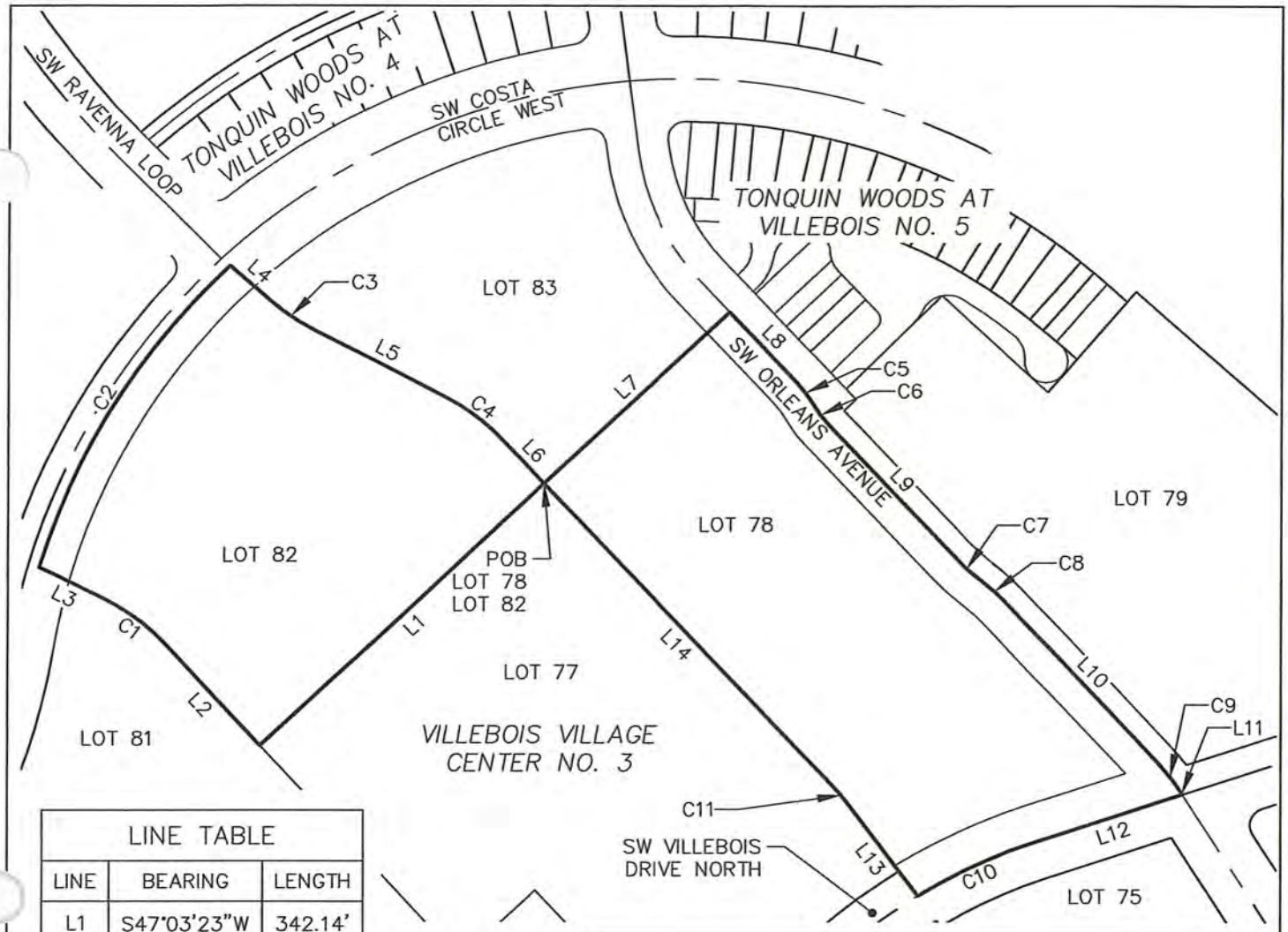
thence continuing along said northeasterly line, South 43°37'09" East, a distance of 53.84 feet to the POINT OF BEGINNING.

Containing 2.27 acres, more or less.

Basis of bearings per "Villebois Village Center No. 3", Clackamas County Plat Records.

RENEWS: 6/30/2017

Pacific Community Design, Inc.
12564 SW Main Street, Tigard, OR 97223 ♦ [T] 503-941-9484 [F] 503-941-9485



LINE TABLE		
LINE	BEARING	LENGTH
L1	S47°03'23"W	342.14'
L2	N42°56'37"W	124.43'
L3	N63°35'56"W	62.11'
L4	S48°39'01"E	46.86'
L5	S62°42'51"E	133.98'
L6	S43°37'09"E	53.84'
L7	N47°03'23"E	224.00'
L8	S43°36'51"E	86.44'
L9	S43°37'09"E	161.26'
L10	S43°37'09"E	194.08'
L11	S32°57'14"E	1.49'
L12	S72°02'29"W	137.99'
L13	N37°07'07"W	102.12'
L14	N43°37'09"W	371.18'

EXHIBIT A

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	185.00'	66.69'	20°39'19"	66.33'	N53°16'17"W
C2	590.00'	319.53'	31°01'49"	315.64'	N31°45'02"E
C3	185.00'	45.41'	14°03'50"	45.30'	S55°40'56"E
C4	185.00'	61.66'	19°05'42"	61.37'	S53°10'00"E
C5	100.00'	23.54'	13°29'12"	23.48'	S36°52'15"E
C6	100.00'	23.55'	13°29'30"	23.49'	S36°52'24"E
C7	185.00'	31.96'	9°53'51"	31.92'	S48°34'05"E
C8	185.00'	31.96'	9°53'51"	31.92'	S48°34'05"E
C9	188.00'	35.00'	10°39'55"	34.94'	S38°17'12"E
C10	500.50'	115.37'	13°12'28"	115.12'	S65°26'15"W
C11	185.00'	20.99'	6°30'02"	20.98'	N40°22'08"W

DRAWN BY: GPS DATE: 9/28/15
REVIEWED BY: TCJ DATE: 9/28/15
PROJECT NO.: 395-048
SCALE: 1"=150'

Pacific Community Design
12564 SW Main St
Tigard, OR 97223
[T] 503-941-9484
[F] 503-941-9485

N:\proj\395-048\Drawings\06 Survey\Legals\395048.Zone Change.dwg - SHEET: Lot 78 & 82 Sep. 28, 15 - 10:22 AM

Section V) Tree Removal Plan

VA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT
TYPE "C" TREE REMOVAL PLAN/PERMIT
PDP 9 – CENTRAL

SECTION VA

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II. CONCLUSION 10

I. WILSONVILLE PLANNING AND LAND DEVELOPMENT ORDINANCE

SECTION 4.610.10. STANDARDS FOR TREE REMOVAL, RELOCATION OR REPLACEMENT

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

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

Response: PDP 9 Central does not include areas within the Significant Resource Overlay Zone (SROZ).

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

Response: The design of this Preliminary Development Plan has taken into account the preservation of trees on site. The *Tree Preservation Plan* in Section VC shows the existing trees to be retained and removed on site.

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

Response: The preservation and conservation of trees on site was carefully considered during the planning for onsite improvements. The *Tree Preservation Plan*, shown in Section VC, depicts the trees that are to be removed and likely to be removed during construction due to homes, site improvements, or due to tree condition.

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

Response: The clearing of land will be limited to areas necessary for the construction of on site improvements. The *Grading and Erosion Control Plan* in Section IIB of the Notebook depicts the extent of grading activities proposed on the site.

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

Response: The Village Center Architectural Standards (VCAS) was developed for the general design of residential structures within SAP – Central. These homes are designed to blend into the landscape as much as feasible. The design of homes within this phase of SAP – Central will be in accordance with the VCAS for SAP - Central. This

is assured through review of compliance with the VCAS with the concurrent FDP application in Section VI.

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

Response: The development in PDP 9C will comply with all applicable statutes and ordinances.

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

Response: No relocation of trees is proposed. Tree replacement will occur in accordance with the necessary provisions from WC 4.620.00 and WC 4.620.10. As shown on in the Tree Report prepared by Morgan Holan, certified arborist (see Section VB), the tree mitigation proposed with the planting of street trees and trees within linear green areas exceeds the required amount of mitigation.

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

1. Necessary for Construction. Where the applicant has shown to the satisfaction of the reviewing authority that removal or transplanting is necessary for the construction of a building, structure or other site improvement and that there is no feasible and reasonable location alternative or design option on-site for a proposed building, structure or other site improvement; or a tree is located too close to an existing or proposed building or structures, or creates unsafe vision clearance.

2. Disease, Damage, or Nuisance, or Hazard. Where the tree is diseased, damaged, or in danger of falling, or presents a hazard as defined in WC 6.208, or is a nuisance as defined in WC 6.200 it seq., or creates unsafe vision clearance as defined in this code.

3. Interference. Where the tree interferes with the healthy growth of other trees, existing utility service or drainage, or utility work in a previously dedicated right-of-way, and it is not feasible to preserve the tree on site.

4. Other. Where the applicant shows that tree removal or transplanting is reasonable under the circumstances.

Response: Morgan Holan, certified arborist, has prepared a Tree Report for PDP 9 Central. This report can be seen in Section VB following this Supporting Compliance Report. This Tree Report calls out trees to be removed and retained within the PDP. The determination to remove trees was based upon an assessment of what trees were necessary to remove due to construction, the health of the tree, and whether or not

they interfered with the health of other trees or utility work. A listing of all the trees to be removed is included in the attached Tree Report (see Section VB).

I. Additional Standards for Type C Permits.

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

Response: The *Tree Preservation Plan* (see Section VC) along with the tree report (see Section VB) provide a tree survey with the location, species and health of each tree in the PDP area.

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

Response: The final subdivision plat will include this information, as necessary.

3. Utilities. The City Engineer shall cause utilities to be located and placed wherever reasonably possible to avoid adverse environmental consequences given the circumstances of existing locations, costs of placement and extensions, the public welfare, terrain, and preservation of natural resources. Mitigation and/or replacement of any removed trees shall be in accordance with the standards of this subchapter.

Response: The *Composite Utility Plans* for the site have been designed to minimize the impact upon the environment to the extent feasible given existing conditions. These plans can be seen in Section IIB of this Notebook. Any trees to be removed due to the placement of utilities will be replaced and/or mitigated in accordance with the provisions in this subchapter.

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

Response: This application requests a Type C Tree Removal Permit, therefore this standard is not applicable.

SECTION 4.610.40. TYPE C PERMIT

(.01) Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of the subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may

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

Response: This application includes a request for approval of a Type "C" Tree Removal Plan for approval by the Development Review Board so that a Tree Removal Permit may be issued. Proposed tree removal is identified on The *Tree Preservation Plan* included in Section VC of this Notebook.

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

A. A plan, including a topographical survey bearing the stamp and signature of a qualified, registered professional containing all the following information:

1. Property Dimensions. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.

2. Tree Survey. The survey must include:

a) An accurate drawing of the site based on accurate survey techniques at a minimum scale of one inch (1") equals one hundred feet (100') and which provides a) the location of all trees having six inches (6") or greater d.b.h. likely to be impacted, b) the spread of canopy of those trees, c) the common and botanical name of those trees, and d) the approximate location and name of any other trees on the property.

b) A description of the health and condition of all trees likely to be impacted on the site property. In addition, for trees in a present or proposed public street or road right-of-way that are described as unhealthy, the description shall include recommended actions to restore such trees to full health. Trees proposed to remain, to be transplanted or to be removed shall be so designated. All trees to remain on the site are to be designated with metal tags that are to remain in place throughout the development. Those tags shall

be numbered, with the numbers keyed to the tree survey map that is provided with the application.

c) Where a stand of twenty (20) or more contiguous trees exist on a site and the applicant does not propose to remove any of those trees, the required tree survey may be simplified to accurately show only the perimeter area of that stand of trees, including its drip line. Only those trees on the perimeter of the stand shall be tagged, as provided in "b", above.

d) All Oregon white oaks, native yews, and any species listed by either the state or federal government as rare or endangered shall be shown in the tree survey.

3. Tree Protection. A statement describing how trees intended to remain will be protected during development, and where protective barriers are necessary, that they will be erected before work starts. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers".

4. Easements and Setbacks. Location and dimension of existing and proposed easements, as well as all setback required by existing zoning requirements.

5. Grade Changes. Designation of grade proposed for the property that may impact trees.

6. Cost of Replacement. A cost estimate for the proposed tree replacement program with a detailed explanation including the number, size, and species.

7. Tree Identification. A statement that all trees being retained will be identified by numbered metal tags, as specified in subsection "A," above in addition to clear identification on construction documents.

Response: The attached plan sheets (see the *Tree Preservation Plan)* located in Section VC) identify the proposed tree removal. The *Tree Preservation Plans* provide information required by Section 4.610.40(.02). Morgan Holan, certified arborist, has also prepared a Tree Report (see Section VB) that provides information required by Section 4.610.40(.02).

SECTION 4.620.00. TREE RELOCATION, MITIGATION, OR REPLACEMENT

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

Response: No relocation of trees is proposed. Tree replacement will occur in accordance with the necessary provisions from WC 4.620.00 and WC 4.620.10. As shown in the Tree Report prepared by Morgan Holan, certified arborist (see Section VB), the tree mitigation proposed with the planting of street trees and trees within park areas exceeds the required amount of mitigation.

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

Response: Trees to be removed will be replaced in accordance with this criterion. The attached Tree Report (see Section VB) prepared by Morgan Holan, certified arborist, includes mitigation analysis for planting replacement trees.

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

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

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

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

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

Response: The attached Tree Report (see Section VB) prepared by Morgan Holan, certified arborist, includes mitigation analysis for planting replacement trees.

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

Response: All trees to be planted will meet the requirements as stated in this criterion.

(.05) Replacement Tree Location.

A. City Review Required. The City shall review tree relocation or replacement plans in order to provide optimum enhancement, preservation, and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced on-site and within the same general area as trees removed

B. Relocation or Replacement Off-Site. When it is not feasible or desirable to relocate or replace trees on-site, relocation or replacement may be made at another location – approved by the city.

Response: Trees will be replaced within the same general area as the trees removed. The attached Tree Report (see Section VB) prepared by Morgan Holan, certified arborist, includes a mitigation analysis for planting replacement trees.

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

Response: All trees removed will be replaced within PDP 9C. The attached Tree Report (see Section VB) prepared by Morgan Holan, certified arborist, includes a mitigation analysis for planting replacement trees.

(.07) Exception. Tree replacement may not be required for applicants in circumstances where the Director determines that there is good cause to not so require. Good cause shall be based on a consideration of preservation of natural resources, including preservation of mature trees and diversity of ages of trees. Other criteria shall include consideration of terrain, difficulty of replacement and impact on adjacent property.

Response: No exception to the tree replacement requirements is requested with this application.

SECTION 4.620.10. TREE PROTECTION DURING CONSTRUCTION

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

A. All trees required to be protected must be clearly labeled as such.

B. Placing Construction Materials Near Tree. No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist.

C. Attachments to Trees During Construction. Notwithstanding the requirement of WC 4.620.10(1)(A), no person shall attach any device or wire to any protected tree unless needed for tree protection.

D. Protective Barrier. Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the developer shall erect and maintain suitable barriers as identified by an arborist to protect remaining trees. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic Tape or similar forms of markers do not constitute "barriers". The most appropriate and protective barrier shall be utilized. Barriers are required for all trees designated to remain, except in the following cases.

1. Rights-of-ways and Easements.

2. Any property area separate from the construction or land clearing area onto which no equipment may venture.

Response: Trees to be retained will be protected to the greatest extent possible during construction. Additional details about tree protection during construction will be provided with the construction drawings.

SECTION 4.620.20. MAINTENANCE AND PROTECTION STANDARDS

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

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

B. Topping is prohibited

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

Response: All pruning activities will comply with ANSI 300 standards. Additional details about the pruning activities proposed for trees during construction will be further addressed in the construction drawings. Any topping necessary will be applied for with the Tree Removal Permit.

SECTION 4.640.00. APPLICATION REVIEW PROCEDURES

(.03) Reviewing Authority

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

Response: This application includes *Tree Preservation Plans*, located in Section VC for review by the Development Review Board. The applicant is requesting that the

Development Review Board approve this plan so that a Tree Removal Permit may be issued.

II. CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable criteria of the City of Wilsonville Land Development Ordinance for the requested review of the Type "C" Tree Removal Plan and Permit. Therefore, the applicant respectfully requests approval of this application.

VB) Tree Report

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PDP 9C Royal Crescent at Villebois & Camden Square – Wilsonville, Oregon
Tree Maintenance and Protection Plan
October 7, 2015

MHA15067

Purpose

This Tree Maintenance and Protection Plan for the PDP 9C Royal Crescent at Villebois and Camden Square project located in Wilsonville, Oregon, is provided pursuant to City of Wilsonville Development Code, Section 4.610.40. This arborist report describes the existing trees located on the project site, as well as recommendations for tree removal, retention, mitigation, and protection. This report is based on observations made by International Society of Arboriculture (ISA) Certified Arborist and Qualified Tree Risk Assessor Morgan Holen (PN-6145A) during a site visit conducted on September 27, 2015.

Scope of Work and Limitations

Morgan Holen & Associates, LLC, was contracted by Polygon Northwest Company to visually assess existing trees measuring six inches in diameter and larger in terms of general condition and suitability for preservation with development, and to develop a tree maintenance and protection plan for the project. The site is planned for residential development. A site plan was provided by Pacific Community Design illustrating the location of trees and tree survey point numbers, and potential construction impacts.

Visual Tree Assessment (VTA[1]) was performed on individual trees located across the site. Trees were evaluated in terms species, size, general condition, and potential construction impacts, and treatment recommendations include retain, remove, or protect off-site tree. Following the inventory fieldwork, we coordinated with Pacific Community Design to discuss and finalize treatment recommendations based on the proposed site plan.

The client may choose to accept or disregard the recommendations contained herein, or seek additional advice. Neither this author nor Morgan Holen & Associates, LLC, have assumed any responsibility for liability associated with the trees on or adjacent to this site.

General Description

The PDP 9C Royal Crescent at Villebois and Camden Square project includes lot 78 located in the northwest corner of the intersection between SW Orleans Avenue and SW Villebois Drive North and lot 82 located south of SW Costa Circle West. The existing site is undeveloped, but includes areas previously occupied by the Dammasch State Hospital which was demolished in 2007. Trees are scattered across the site and include some trees that likely regenerated naturally over time and others that were planted as landscape trees surrounding the Hospital building. In all, 26 trees measuring 6-inches and larger in diameter were inventoried including seven different species. Table 1 provides a summary of the count of trees by species. A complete description of individual trees is provided in the enclosed tree data.

[1] Visual Tree Assessment (VTA): The standard process of visual tree inspection whereby the inspector visually assesses the tree from a distance and up close, looking for defect symptoms and evaluating overall condition and vitality.

Table 1. Count of Trees by Species – PDP 9C, Wilsonville, Oregon.

Common Name	Species Name	Off-site	On-Site	Total	Percent
apple	*Malus* spp.	0	3	**3**	**11%**
European white birch	*Betula pendula*	0	18	**18**	**69%**
Norway maple	*Acer platanoides*	1	0	**1**	**4%**
scarlet oak	*Quercus coccinea*	0	1	**1**	**4%**
southern magnolia	*Magnolia grandiflora*	0	1	**1**	**4%**
sweetgum	*Liquidambar styraciflua*	0	1	**1**	**4%**
western sycamore	*Platanus racemosa*	0	1	**1**	**4%**
Total		**1**	**25**	**26**	**100%**
Percent		**4%**	**96%**	**100%**	

Tree Plan Recommendations

As described in the enclosed tree data, individual trees were assigned a general condition rating as defined by the Villebois Specific Area Plan Community Elements Book:

D: Dead Condition

P: Poor Condition

M: Moderate Condition

G: Good Condition

I: Important Condition

The one off-site tree (located on lot 77) is an invasive Norway maple (*Acer platanoides*) in generally good condition, but with minor branch dieback and suspected verticillium wilt infection. A new street is planned for construction just north of this tree and adequate protection is possible with a minor encroachment beneath the dripline. The project arborist should monitor work within the tree protection zone.

The 25 on-site trees include a mix of species in variable condition. Invasive European white birch (*Betula pendula*) accounts for 69-percent of the inventoried trees and include two dead trees, five trees in poor condition, and 11 trees in moderate condition. This species is fast growing and short-lived, stressed by drought, and susceptible to bronze birch borer infestation. These trees all have structural defects and/or dieback and are not suitable for preservation with site development.

The three apple (*Malus* spp.) trees are in poor condition and have decay. The one western sycamore (*Platanus racemose*) is in moderate condition with dieback and suspected anthracnose infection and the one sweetgum (*Liquidambar styraciflua*) is also in moderate condition with moderate structure, crown asymmetry, and some dieback. These trees are recommended for removal because of condition and for the purposes of construction.

The two remaining trees are both recommended for retention, including a 34-inch diameter scarlet oak (*Quercus coccinea*) and a southern magnolia (*Magnolia grandiflora*) with codominant stems measuring 12- and 18-inches in diameter each. Both trees have been neglected and unmaintained since the hospital demolition.

The scarlet oak has moderate structure with codominant leaders, dead and broken branches, and some crown decay. Complete VTA was inhibited by invasive vegetation surrounding the base and dense branching throughout the crown. The site plan provides adequate protection for this tree with minor encroachment into the tree protection zone; the project arborist should monitor work within the tree protection zone. In addition, we recommend removal of the invasive vegetation surrounding the base of the tree followed by re-assessment to ensure that the lower trunk does not exhibit any significant defects and pruning to remove dead and defective branches and improve the overall aesthetics of the crown. Pruning should be performed by a Qualified Tree Service.

The southern magnolia was originally classified as an important tree, but this tree appears in severe decline with top dieback, a thin crown, and chlorotic foliage; it was re-classified as being in poor condition, but is still noted as being important. This tree was growing against the hospital and was well protected during the building demolition work. Because it was growing against the building, it developed a one-sided crown to the southeast, but it appears to have filled in some since the demolition and crown symmetry is improving. The site plan shows this tree within a landscape island in the middle of SW Paris Avenue. In order to provide adequate protection for this tree, it will be critical to avoid excavation and build the street and curb up from the existing grade. In addition, the overall health and sustainability of this tree is highly questionable and treatment is required. We recommend coordinating the Bartlett Tree Experts to perform a soil analysis, provide root invigoration treatments to reduce soil compaction and add organic matter and supplemental nutrients as needed, and prune the tree to remove dead wood. These treatments should begin as soon as possible. It will take at least one growing season to determine how the tree will respond to these treatments, but they are worthwhile for this important tree and we give it a better than 50-percent chance that the condition of this tree can improve. Please let us know if we can help coordinate the recommended treatments with Bartlett.

Table 2 provides a summary of the count of trees by general condition rating and treatment recommendation.

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

	General Condition Rating					
Treatment Recommendation	**D**	**P**	**M**	**G**	**I/P**	**Total**
Protect Off-Site Tree	0	0	0	1	0	**1** (4%)
Retain	0	0	1	0	1	**2** (8%)
Remove	2	8	13	0	0	**23** (88%)
Total	**2** (7%)	**8** (31%)	**14** (54%)	**1** (4%)	**1** (4%)	**26** (100%)

Mitigation Requirements

All 26 inventoried trees are 6-inches or larger in diameter, including one off-site tree and two on-site trees planned for retention with protection during construction and 23 on-site trees planned for removal. Removal of these 23 trees requires mitigation per Section 4.620.00; removed trees shall be replaced on a basis of one tree planted for each tree removed. Therefore, 23 trees measuring at least 2-inch in diameter shall be planted as mitigation for tree removal.

Tree Protection Standards

Trees designated for retention will need special consideration to assure their protection during construction. We recommend a preconstruction meeting with the owner, contractors, and project arborist to review tree protection measures and address questions or concerns on site. Tree protection measures include:

- **Fencing.** Trees to remain on site shall be protected by installation of tree protection fencing to prevent injury to tree trunks or roots, or soil compaction within the root protection area, which generally coincides with tree driplines. Fences shall be 6-foot high steel on concrete blocks or orange plastic construction fencing on metal stakes. The project arborist shall determine the exact location and type of tree protection fencing. Trees located more than 30-feet from construction activity shall not require fencing.

- **Tree Protection Zone.** Without authorization from the Project Arborist, none of the following shall occur beneath the dripline of any protected tree:

    1. Grade change or cut and fill;
    2. New impervious surfaces;
    3. Utility or drainage field placement;
    4. Staging or storage of materials and equipment; or
    5. Vehicle maneuvering.

  Root protection zones may be entered for tasks like surveying, measuring, and, sampling. Fences must be closed upon completion of these tasks.

- **Pruning.** Pruning may be needed to provide for overhead clearance and to remove dead and defective branches for safety. The project arborist can help identify where pruning is necessary once trees recommended for removal have been removed and the site is staked and prepared for construction. Tree removal and pruning shall be performed by a Qualified Tree Service.

- **Excavation.** Excavation beneath the dripline of protected trees shall be avoided if alternatives are feasible. Otherwise, the project arborist shall provide on-site consultation during all excavation activities beneath the dripline of protected trees. Excavation immediately adjacent to roots larger than 2-inches in diameter within the root protection zone of retained trees shall be by hand or other non-invasive techniques to ensure that roots are not damaged. Where feasible, major roots shall be protected by tunneling or other means to avoid destruction or damage. Exceptions can be made if, in the opinion of the project arborist, unacceptable damage will not occur to the tree. Where soil grade changes affect the root protection area, the grade line should be meandered wherever practicable. This will require on-site coordination to ensure a reasonable balance between engineering, construction, and the need for tree protection.

- **Surfacing.** If surfacing is proposed beneath the dripline of protected trees, coordinate with the project arborist to provide recommendations for adjustments to protection fencing and to monitor construction in the tree protection zone. Avoid excavation and use a modified profile to build up from existing grade (Figure 1). The profile includes a layer of permeable geotextile fabric on the ground surface and crushed rock to raise the grade as needed. Surfacing may include asphalt, concrete, or other materials. If excavation is necessary, work shall be performed under arborist supervision.

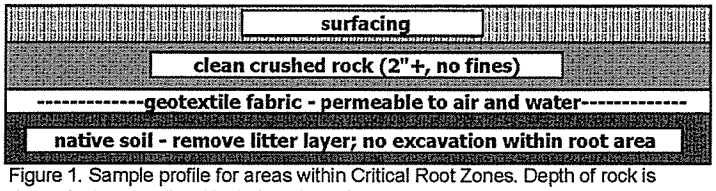


Figure 1. Sample profile for areas within Critical Root Zones. Depth of rock is dependent on grading. Technique based on best management practices.

- **Landscaping.** Following construction and where landscaping is desired, apply approximately 3-inches of mulch beneath the dripline of protected trees, but not directly against tree trunks. Shrubs and ground covers may be planted within tree protection areas. If irrigation is used, use drip irrigation only beneath the driplines of protected trees.
- **Quality Assurance.** The project arborist should supervise proper execution of this plan during construction activities that could encroach on retained trees. Tree protection site inspection monitoring reports should be provided to the Client and City on a regular basis throughout construction.

Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the PDP 9C Royal Crescent at Villebois & Camden Square project. Please contact us if you have questions or need any additional information.

Thank you,
Morgan Holen & Associates, LLC

Morgan E. Holen, Owner
ISA Certified Arborist, PN-6145A
ISA Tree Risk Assessment Qualified
Forest Biologist

Enclosures: Villebois PDP 9C - Tree Data 9-27-15

Point No.	Tree No.	Common Name	Species Name	DBH*	C-Rad^	Cond#	Comments	Treatment
70141	441	apple	*Malus* spp.	2x6	12	P	advanced basal decay	remove
70140	442	apple	*Malus* spp.	3x6	15	P	trunk decay	remove
70142	443	apple	*Malus* spp.	3x5	12	P	crown decay	remove
70139	444	southern magnolia	*Magnolia grandiflora*	12,18	16	I/P	severe decline, top dieback, thin crown, chlorotic foliage, asymmetrical crown to southeast	retain; prune to remove dead wood & perform root invigoration treatments
70103	502	Western sycamore	*Platanus racemosa*	12	18	M	some dieback, suspect anthracnose	remove
70104	503	European white birch	*Betula pendula*	12	14	M	invasive species, forked leaders, branch dieback	remove
70105	504	European white birch	*Betula pendula*	6	6	P	invasive species, broken top, mostly dead	remove
70106	505	European white birch	*Betula pendula*	22	20	P	invasive species, dead top	remove
70107	506	European white birch	*Betula pendula*	14	0	D	invasive species, windsnap, snag, decay	remove
70116	507	European white birch	*Betula pendula*	10	14	M	invasive species, poor structure, one-sided crown	remove
70115	508	European white birch	*Betula pendula*	26	22	M	invasive species, some top dieback, branch dieback	remove
	509	European white birch	*Betula pendula*	6	0	D	invasive species, windsnap, snag	remove
70117	510	European white birch	*Betula pendula*	22	18	P	invasive species, top and branch dieback, broken branches, branch decay	remove
70118	511	European white birch	*Betula pendula*	19	22	M	invasive species, branch dieback	remove
70119	512	European white birch	*Betula pendula*	11	14	M	invasive species, poor structure, one-sided crown	remove
70120	513	European white birch	*Betula pendula*	14	14	M	invasive species, branch dieback, surrounded by blackberries	remove
70114	514	European white birch	*Betula pendula*	22	20	M	invasive species, branch dieback	remove
70011	515	European white birch	*Betula pendula*	17	16	M	invasive species, top and branch dieback, 30-degree self-correcting lean to south	remove
70113	516	European white birch	*Betula pendula*	18	18	M	invasive species, some branch dieback	remove
70113	517	European white birch	*Betula pendula*	20	16	P	invasive species, broken branches, mostly dead	remove

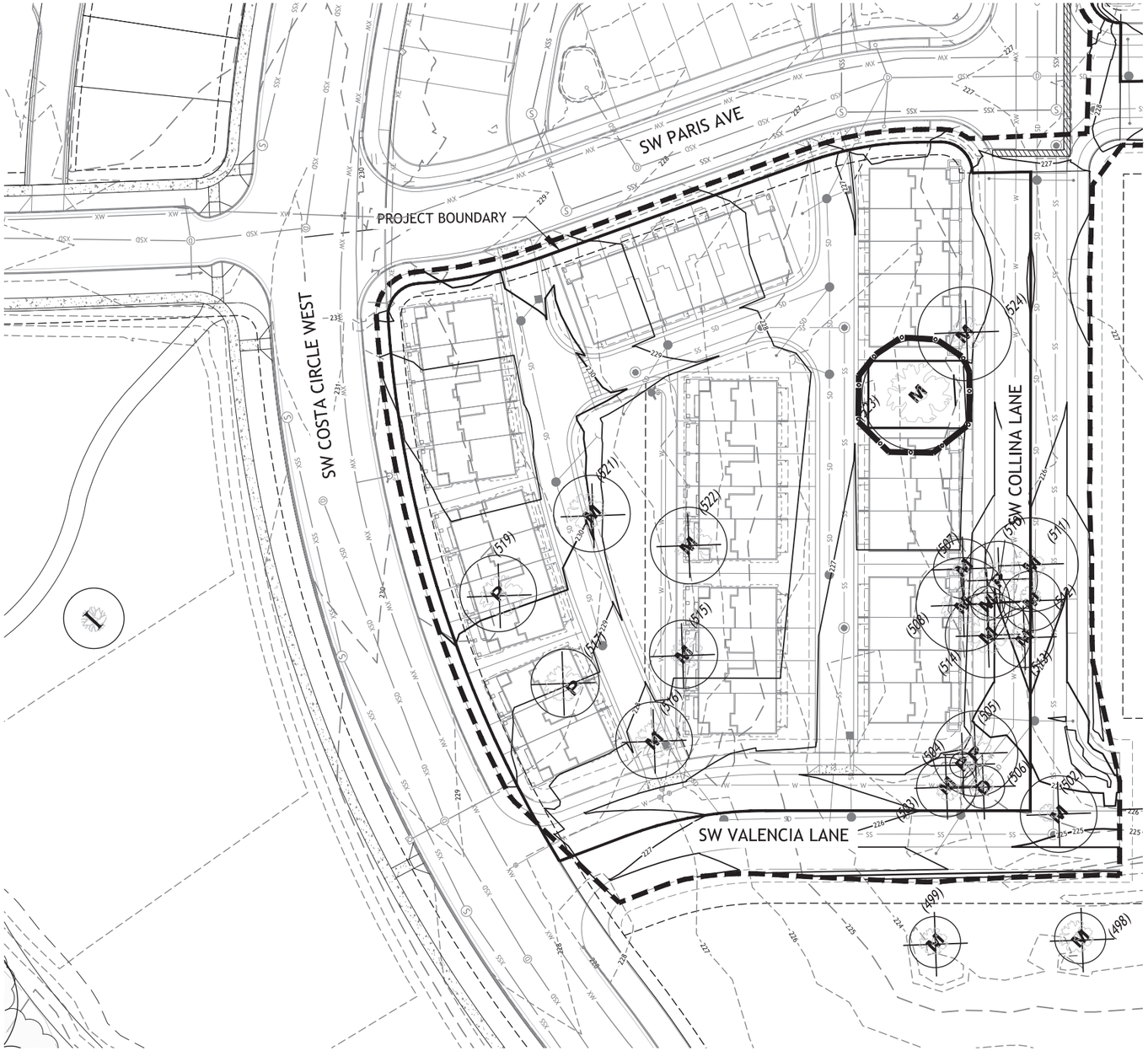
Point No.	Tree No.	Common Name	Species Name	DBH*	C-Rad^	Cond#	Comments	Treatment
70108	519	European white birch	*Betula pendula*	23	18	P	invasive species, dead top, 18-degree self-correcting lean to south	remove
70109	521	European white birch	*Betula pendula*	20	18	M	invasive species, branch dieback	remove
70110	522	European white birch	*Betula pendula*	20	18	M	invasive species, branch dieback	remove
70134	523	scarlet oak	*Quercus coccinea*	34	26	M	moderate structure, codominant leaders, dead and broken branches, some crown decay	retain; prune
70135	524	sweetgum	*Liquidambar styraciflua*	18	22	M	moderate structure, crown asymmetry, minor dieback	remove
70133	543	Norway maple	*Acer platanoides*	19	18	G	invasive species, minor branch dieback, suspect verticillium wilt, surrounded by blackberries	protect off-site tree

*DBH: Diameter at Breast Height (measured 4.5-feet above ground level in inches); trees with multiple trunks splitting below DBH are measured separately and individual trunk

^C-Rad: Crown Radius, the distance from the center of the tree to the edge of the dripline (measured in feet).

#Condition Rating: I-Important; G-Good; M-Moderate; P-Poor; or D-Dead.

VC) Tree Preservation Plan



LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
NE	NOT EXAMINED
	EXISTING TREES TO REMAIN
	EXISTING TREES LIKELY TO BE REMOVED
	EXISTING TREES TO BE REMOVED
	TREE PROTECTION FENCING
	GRADING LIMITS

NOTES

ALL CONSTRUCTION AND GRADING WITHIN TREE PROTECTION ZONE IS TO BE COMPLETED UNDER DIRECT SUPERVISION OF PROJECT ARBORIST.
CONTACT: MORGAN HOLEN
PHONE: 503-646-4349

THE INTENT OF THE PLAN IS TO RETAIN AND INCORPORATE THE MAXIMUM QUANTITY OF TREES WITH IMPORTANT, GOOD, AND MODERATE CLASSIFICATIONS. THE FOLLOWING CLASSIFICATION SYSTEM WAS USED:

CLASSIFICATION METHOD:
TREES WERE RATED BASED ON THE FOLLOWING CONSIDERATIONS:
1. HEALTH
2. SPECIES (NATIVES WITH HABITAT AND ECOSYSTEM VALUE)
3. COMPATIBILITY WITH DEVELOPMENT
4. FORM / VISUAL INTEREST / MATURE SIZE

TREES RANKED AS IMPORTANT WERE RATED HIGH IN ALL FOUR AREAS.

TREES IN THE GOOD CATEGORY HAD GOOD HEALTH AND WERE A DESIRABLE SPECIES, BUT HAD IRREGULAR FORM OR LESS COMPATIBILITY WITH DEVELOPMENT.

TREES IN THE MODERATE CATEGORY HAD GOOD TO MODERATE HEALTH AND FORM, BUT WERE A LESS DESIRABLE SPECIES OR MAY BE LESS COMPATIBLE WITH DEVELOPMENT.

TREES IN THE POOR CATEGORY HAD POOR HEALTH AND/OR SUBSTANTIAL DAMAGE.

NOTES:
1. THE INFORMATION PROVIDED WITHIN THE PROJECT BOUNDARY IS BASED ON AN ON-SITE EVALUATION OF THE EXISTING TREES BY ARBORIST MORGAN HOLAN AND WAS PROVIDED IN A TREE REPORT INCLUDED WITH THE APPLICATION MATERIALS.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

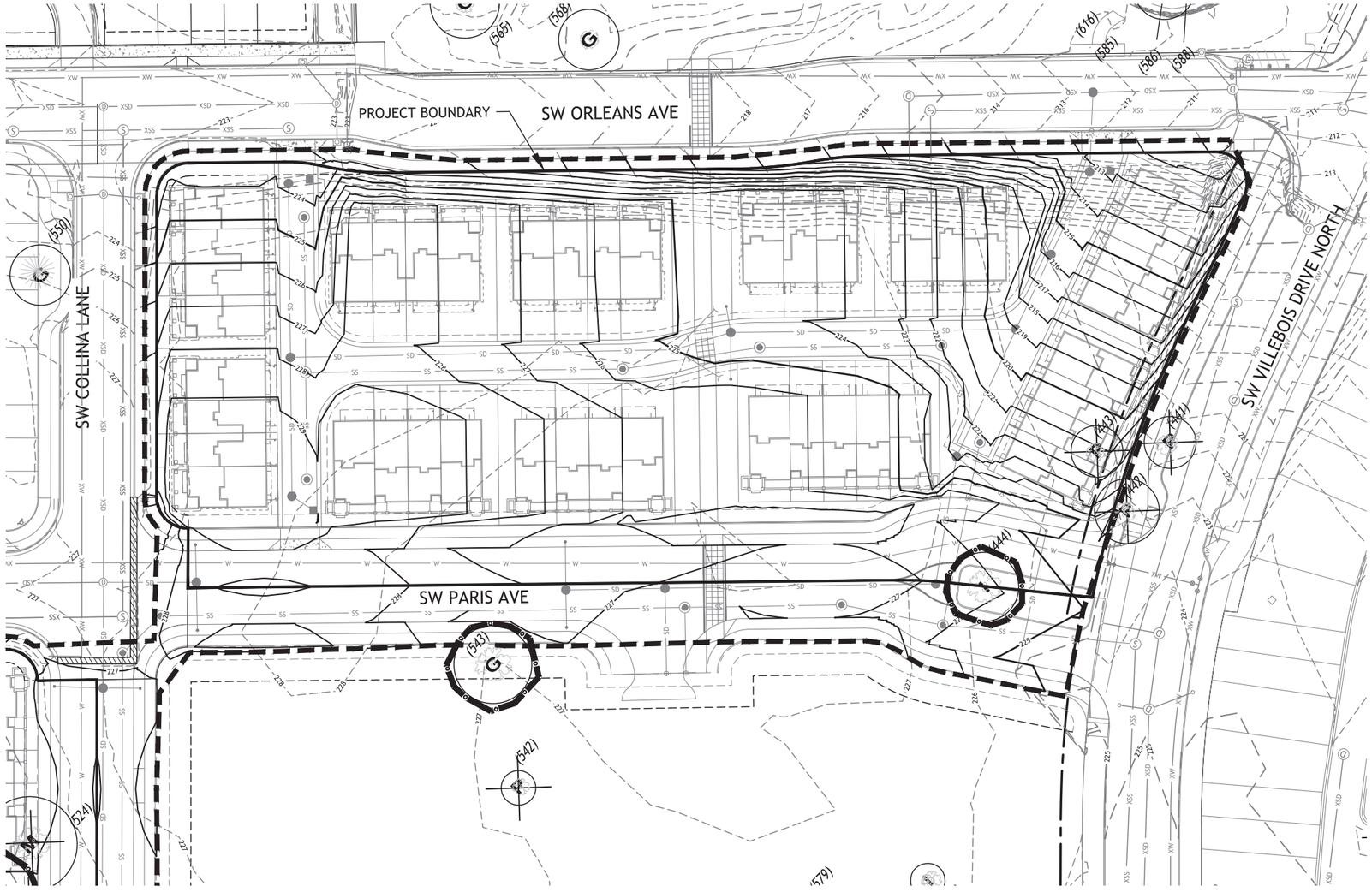
PDP 9C ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

ROYAL CRESCENT TREE PRESERVATION PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

10



LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
NE	NOT EXAMINED
	EXISTING TREES TO REMAIN
	EXISTING TREES LIKELY TO BE REMOVED
	EXISTING TREES TO BE REMOVED
	TREE PROTECTION FENCING
	GRADING LIMITS

NOTES

ALL CONSTRUCTION AND GRADING WITHIN TREE PROTECTION ZONE IS TO BE COMPLETED UNDER DIRECT SUPERVISION OF PROJECT ARBORIST.
CONTACT: MORGAN HOLEN
PHONE: 503-646-4349

THE INTENT OF THE PLAN IS TO RETAIN AND INCORPORATE THE MAXIMUM QUANTITY OF TREES WITH IMPORTANT, GOOD, AND MODERATE CLASSIFICATIONS. THE FOLLOWING CLASSIFICATION SYSTEM WAS USED:

CLASSIFICATION METHOD:
TREES WERE RATED BASED ON THE FOLLOWING CONSIDERATIONS:
1. HEALTH
2. SPECIES (NATIVES WITH HABITAT AND ECOSYSTEM VALUE)
3. COMPATIBILITY WITH DEVELOPMENT
4. FORM / VISUAL INTEREST / MATURE SIZE

TREES RANKED AS IMPORTANT WERE RATED HIGH IN ALL FOUR AREAS.

TREES IN THE GOOD CATEGORY HAD GOOD HEALTH AND WERE A DESIRABLE SPECIES, BUT HAD IRREGULAR FORM OR LESS COMPATIBILITY WITH DEVELOPMENT.

TREES IN THE MODERATE CATEGORY HAD GOOD TO MODERATE HEALTH AND FORM, BUT WERE A LESS DESIRABLE SPECIES OR MAY BE LESS COMPATIBLE WITH DEVELOPMENT.

TREES IN THE POOR CATEGORY HAD POOR HEALTH AND/OR SUBSTANTIAL DAMAGE.

NOTES:
1. THE INFORMATION PROVIDED WITHIN THE PROJECT BOUNDARY IS BASED ON AN ON-SITE EVALUATION OF THE EXISTING TREES BY ARBORIST MORGAN HOLAN AND WAS PROVIDED IN A TREE REPORT INCLUDED WITH THE APPLICATION MATERIALS.

ELEVATION DATUM: NAVD 88

SCALE
30 0 15 30
1 INCH = 30 FEET

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

CAMDEN SQUARE TREE PRESERVATION PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

11

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Section VI) Final Development Plan

VIA) Supporting Compliance Report

SUPPORTING COMPLIANCE REPORT

FINAL DEVELOPMENT PLAN 9 – CENTRAL

SECTION VIA

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I. WILSONVILLE PLANNING & LAND DEVELOPMENT ORDINANCE

SECTION 4.125. VILLAGE (V) ZONE

(.02) Permitted Uses

Examples of principle uses that typically permitted:

D. Row Houses

H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.

Table V-1 Development Standards

Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width [10,12] (%age)	Max. Bldg. Height [9] (ft.)	Setbacks [10, 13, 20] Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Commercial Buildings - Village Center [14]	NR	NR	NR	1	90	60	NR [3]	5	NR	NR	NR	NA
Hotels - Village Center [14]	NR	NR	NR	1	80	60	NR [3]	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center [11]	NR	NR	NR	1	90	60	NR [3]	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center [11]	NR	NR	NR	1	80	45	5 [4]	15	NR	NR	NR	NA
Row Houses [11] - Village Center [14]	NR	NR	NR	1	80	45	5 [4]	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	1	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	1	60	45	8 [4]	15	NR	NR	NR	NA
Row Houses [11]	NR	15	50	1	80	45	8 [5]	15	NR	NR	NR	NA
Duplexes	4,000	45	70	2	60 [16]	35	12 [5,6]	20 [6]	5	5 [15]	7	8,17,18
Single-Family Dwellings	2,250	35	50	2	60 [16]	35	12 [5,6]	20 [6]	5	5 [15]	7	8,17

Notes: NR No Requirement

NA Not Allowed

1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)

2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage
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 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.

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, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.

6 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.

7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.

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 façade 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 dedicated 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 frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.

12 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.

13 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.

14 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.

15 On Small Lots and Large Lots with frontage 50 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.

16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.

17 Dwellings on lots without alley access shall be at least 36 feet wide.

18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.

19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.

20 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]

Response: This Preliminary Development Plan (PDP) application proposes to create 82 lots for development of row houses, as well as linear greens. Architecture for the proposed row homes is shown on the Elevations and Floorplans in Section VIC of this notebook and described in Section II of this compliance report. The lots consist of American Modern (Craftsman) style and London Rowhomes and are designed for attached single family residences. Row homes are permitted within the subject PDP are permitted pursuant to this section. The linear green proposed within PDP 9C are permitted uses. These are non-commercial park areas to be owned and operated by the homeowners association.

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

Response: The proposed row homes within PDP 9C include off-street parking in attached garages and some driveways. Shown on the parking plan (Section IIB), there are 118 spaces for off-street parking, which is more than the minimum required 82 spaces. The proposed park within PDP 9C does not include any off-street parking. This area is not planned to provide park amenities that require off-street parking. The proposed area includes pathways for pedestrians and bicycle travel.

(.08) Open Space.

Response: 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 *Master Plan*. PDP 9C includes the addition of tracts for linear greens not shown in the *Villebois Village Master Plan*, thereby increasing the amount of park space.

(.09) Street and Access Improvement Standards.

Response: The Supporting Compliance Report for the PDP demonstrates that streets and access improvement standards are met (See Section IIA). This code section does not apply to the proposed linear greens, except to assure that vision clearance standards are met in proposed planting schemes for the area. Proposed landscaping is sited to meet vision clearance standards (see Exhibit VIB).

(.10) Sidewalk and Pathway Improvement Standards.

Response: This code section refers directly to code Section 4.176, which is addressed in subsequent sections of this report.

(.11) Landscaping, Screening and Buffering

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

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

Response: The applicable provisions of Section 4.176 are addressed in the subsequent sections of this report. The PDP provides information regarding street trees for the proposed streets (See Section IIB). This FDP application reflects the provision of street trees consistent with that shown in the PDP application.

(.12) Master Signage and Wayfinding

Response: The SAP Central Signage & Wayfinding Plan does not indicate an identifier within the subject property. The attached PDP plans (see Section IIB of this Notebook) and FDP plans are consistent with the SAP Central Signage & Wayfinding Plan.

(.14) Design Standards Applying to the Village Zone

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

2. Building and site design shall include:

b. 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 Design.

Response: The materials proposed for the linear greens and buildings, architecture, and streetscapes of the subject PDP are consistent with the approved *Community Elements Book* and VCAS as shown in the FDP Approval Criteria section of this report. The *Pattern Book* is not applicable to the subject site.

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

Response: Trees 444, 523, and 543 will be retained which is consistent with the Tree Protection component of the *Community Elements Book* and the *Tree Preservation Plan* (see Section IIB of this Notebook). The FDP plans (Exhibit VIB) show retention of existing significant trees.

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

Response: A detailed landscape plan is provided with this FDP application in accordance with the requirements of Section 4.125 (.07) and (.11), 4.176(.09), and 4.440(.01)B (see attached plans in Exhibit VIB).

3. Lighting and site furnishings shall be in compliance with the approved Community Elements Book.

Response: Lighting as identified in the approved *Community Elements Book* for SAP – Central are addressed in the FDP Approval Criteria section of this report. There are no proposed additional site furnishings.

(.18) Village Zone Development Permit Process

L. Final Development Plan Approval Procedures (Equivalent to Site Design Review):

1. Unless an extension has been granted by the Development Review Board as enabled by Section 4.023, within two (2) years after the approval of a PDP, an application for approval of a FDP shall:

a. Be filed with the City Planning Division for the entire FDP, or when submission of the PDP in phases has been authorized by the development Review Board, for a phase in the approved sequence.

b. Be made by the owner of all affected property or the owner's authorized agent.

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

d. Set forth the professional coordinator and professional design team for the project.

Response: This application has been made by the owner and applicant of the affected property and has been filed on the prescribed form and accompanied by the prescribed fee (copies of the application form and fee payment are included in Sections IB and IC, respectively, of this Notebook). The professional coordinator and professional design team for the project are listed in the Introductory Narrative (see Section IA of this Notebook).

M. FDP Application Submittal Requirements:

1. An application for approval of a FDP shall be subject to the provisions of Section 4.034.

Response: Section 4.034(.08), states that "Applications for development approvals within the Village zone shall be reviewed in accordance with the standards and procedures set forth in Section 4.125." The proposed FDP is reviewed in accordance with the standards and procedures set forth in Section 4.125, as demonstrated by this report.

N. FDP Approval Procedures

1. An application for approval of a FDP shall be subject to the provisions of Section 4.421.

Response: The provisions of Section 4.421 are addressed in the following sections of this report.

O. FDP Refinements to an Approved Preliminary Development Plan

Response: This FDP is submitted for review and approval concurrent with the PDP. Thus, the FDP is consistent with the PDP and does not propose any refinements or amendments to the PDP.

P. FDP Approval Criteria

1. An application for approval of a FDP shall be subject to the provisions of Section 4.421.

Response: The provisions of Section 4.421 are addressed in the following sections of this report.

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

Response: This FDP addresses linear greens and proposed architecture within PDP 9C. The attached Elevations & Floor Plans (see Exhibit VIC) demonstrate compliance with the *Village Center Architectural Standards* and the Village Center Design as described in Section II of this report. The FDP is within the Village Center. The FDP is submitted for review and approval concurrent with the PDP; therefore, there are no conditions of a previously approved PDP that apply to this request. Conformance of the proposed FDP with the *Community Elements Book* for SAP – Central is demonstrated as follows.

GENERAL DEVELOPMENT REGULATIONS

SECTION 4.154. ON-SITE PEDESTRIAN ACCESS AND CIRCULATION

(.02) On-site Pedestrian Access and Circulation

A. The purpose of this section is to implement the pedestrian access and connectivity policies of the Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.

Response: PDP 9C will be in compliance with Section 4.154 and provide for safe, reasonably direct, and convenient pedestrian access and circulation, as described below.

B. Standards. Development shall conform to all the following standards:

1. Continuous Pathway System. A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable.

Response: Pedestrian pathway systems (sidewalks) in PDP 9C extend throughout the development site and connect to adjacent sidewalks. A portion of a major urban bike/pedestrian connection will be built through the middle of "Camden Square" to connect the Piazza to the south and Montague Park to the north.

2. Safe, Direct, and Convenient. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:

Response: The crossing of Paris Avenue is proposed to be located on the east side of the intersection so that it may align with the minor the pathway through Camden Square to Orleans Avenue, thereby making a direct connection between the Piazza to the south of the site and Montague Park to the north.

a. Pedestrian pathways area designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.

Response: Pedestrian pathways will be free from hazards and will provide a reasonably smooth and consistent surface.

b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations that does not involve a significant amount of unnecessary out-of-direction travel.

Response: The pathways will be reasonably direct and will not involve a significant amount of unnecessary out-of-direction travel.

c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.

Response: The pathways connect to the front of each home and are consistent with the Americans with Disabilities Act (ADA) requirements.

d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.).

Response: There are no parking lots within PDP 9C; therefore, this criteria is not applicable.

3. Vehicle/Pathway Separation. Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards.

Response: Pedestrian pathways will be separated from the vehicle lane by a mountable curb.

4. Crosswalks. Where a pathway crosses a parking area or driveway, it shall be clearly marking with a contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast).

Response: Where crosswalks cross alleys, they will be clearly marked with an inlay between asphalt.

5. Pathway Width and Surface. Primary pathways shall be constructed concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA.

Response: Primary pathways will be constructed of concrete, not less than five (5) feet in width. The pedestrian/bike pathway connecting the Piazza to the south of the site and Montague Park to the north, will be more than five (5) feet in width and constructed with concrete pavers, as it is a primary urban connection.

6. All pathways shall be clearly marked with appropriate standard signs.

Response: Pathways will be clearly marked with appropriate standard signs.

SECTION 4.156. SIGN REGULATIONS

Response: The SAP Central Signage & Wayfinding Plan does not indicate an identifier within the subject property. The attached PDP plans (see Section IIB of this Notebook) and FDP plans (see Section VIB of this Notebook) are consistent with the SAP Central Signage & Wayfinding Plan.

SECTION 4.176. LANDSCAPING, SCREENING & BUFFERING

(.02) Landscaping and Screening Standards.

Response: As shown on the attached plans (see Exhibit VIB), the park will be landscaped with a mixture of ground cover, lawn areas, shrubs, and trees. Streets and public right-of-way improvements, including street trees, are reviewed with the PDP (see Section II of this Notebook). This FDP consistently reflects street trees shown in the PDP.

(.03) Landscape Area.

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.

Response: The attached plans show that more than 15% of the site will be landscaped.

(.04) Buffering and Screening.

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.

A. All intensive or higher density developments shall be screened and buffered from less intense or lower density developments.

B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. Multi-family developments shall be screened and buffered from single-family areas.

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.

Response: None of the above-listed areas or uses exist within the site/proposed development. Therefore, no buffering or screening is required in relation to the FDP.

(.05) Sight-Obscuring Fence or Planting.

The use for which a sight-obscuring fence or planting is required shall not begin operation until the fence or planting is erected or in place and approved by the City. A temporary occupancy permit may be issued upon a posting of a bond or other security equal to one hundred ten percent (110%) of the cost of such fence or planting and its installation. (See Sections 4.400 to 4.470 for additional requirements.)

Response: No sight-obscuring fence or planting is required in this FDP area.

(.06) Plant Materials.

A. Shrubs and Ground Cover. All required ground cover plants and shrubs must be of sufficient size and number to meet these standards within three (3) years of planting. Non-horticultural plastic sheeting or other impermeable surface shall not be placed under mulch. Surface mulch or bark dust are to be fully raked into soil of appropriate depth, sufficient to control erosion, and are confined to areas around plantings. Areas exhibiting only surface mulch, compost or barkdust are not to be used as substitutes for plants areas.

1. Shrubs. All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.

Response: As shown on the attached plans (see Exhibit VIB) all shrubs will be equal to or better than 2-gallon size with a 10 to 12 inch spread. All shrubs will be well branched and typical of their type as described in current AAN standards.

2. Ground cover. Shall be equal to or better than the following depending on the type of plant materials used: Gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum. No bare root planting shall be permitted. Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. Where wildflower seeds are designated for use as a ground cover, the City may require annual re-seeding as necessary.

Response: As shown on the attached plans (see Exhibit VIB) all ground covers will be at least 4" pots and spaced appropriately. These plants will be installed as required.

3. Turf or lawn in non-residential developments. Shall not be used to cover more than ten percent (10%) of the landscaped area, unless specifically approved based on a finding that, due to site conditions and availability of water, a larger percentage of turf or lawn area is appropriate. Use of lawn fertilizer shall be discouraged. Irrigation drainage runoff from lawns shall be retained within lawn areas.

Response: The subject FDP area is within a residential development; therefore this criterion does not apply.

4. Plant materials under trees or large shrubs. Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.

Response: As shown on the attached plans (see Exhibit VIB) appropriate plant materials will be installed beneath the canopies of trees and large shrubs. Areas that are not appropriate to plant beneath the canopies of existing trees will be mulched with bark.

B. Trees. All trees shall be well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards and shall be balled and burlapped. The trees shall be grouped as follows:

1. Primary trees which define, outline or enclose major spaces, such as Oak, Maple, Linden, and Seedless Ash, shall be a minimum of 2" caliper.

2. Secondary trees which define, outline or enclose interior areas, such as Columnar Red Maple, Flowering Pear, Flame Ash, and Honeylocust, shall be a minimum of 1-3/4" to 2" caliper.

3. Accent trees which, are used to add color, variation and accent to architectural features, such as Flowering Pear and Kousa Dogwood, shall be 1-3/4" minimum caliper.

4. Large conifer trees such as Douglas Fir or Deodar Cedar shall be installed at a minimum height of eight (8) feet.

5. Medium-sized conifers such as Shore Pine, Western Red Cedar or Mountain Hemlock shall be installed at a minimum height of five to six (5 to 6) feet.

Response: As shown on the attached plans (see Exhibit VIB), proposed tree species have been selected from the Villebois Plant List in the *Community Elements Book*. All proposed trees meet the minimum 2" caliper code requirement or the minimum height requirement for conifers as appropriate. All proposed trees will be well-branched, typical of their type as described in current AAN, and balled and burlapped.

C. Where a proposed development includes buildings larger than twenty-four (24) feet in height or greater than 50,000 square feet in footprint area, the Development Review Board may require larger or more mature plant materials:

Response: This standard does not apply to the subject FDP as no buildings are proposed in the park.

D. Street Trees.

Response: Review of streets and rights-of-way, including street trees, occurs with the PDP (see Section II of this Notebook). Street trees shown in the plans for this FDP are consistent with those shown in the PDP application. Compliance with the Street Tree Master Plan is demonstrated in the PDP (Section II of Notebook).

E. Types of Plant Species.

1. Existing landscaping or native vegetation may be used to meet these standards, if protected and maintained during the construction phase of the development and if the plant species do not include any that have been listed by the City as prohibited. The existing native and non-native vegetation to be incorporated into the landscaping shall be identified.

Response: As shown on the attached plans (see Exhibit VIB), there are existing trees in the FDP area to be retained. The existing trees will be protected and maintained during the construction phase and are incorporated into the landscaping as appropriate.

2. Selection of plant materials. Landscape materials shall be selected and sited to produce hardy and drought-tolerant landscaping. Selection shall be based on soil characteristics, maintenance requirements, exposure to sun and wind, slope and contours of the site, and compatibility with other vegetation that will remain on the site. Suggested species lists for street trees, shrubs and groundcovers shall be provided by the City of Wilsonville.

Response: All proposed landscaping materials are selected from the Villebois Plant List in the *Community Elements Book*. Specific materials were selected to best meet the site characteristics of the subject property.

3. Prohibited plant materials. The City may establish a list of plants that are prohibited in landscaped areas. Plants may be prohibited because they are potentially damaging to sidewalks, roads, underground utilities, drainage improvements, or foundations, or because they are known to be invasive to native vegetation.

Response: No plant materials listed as "Prohibited Plant Species" on the Villebois Plant List are included in the proposed landscaping.

F. Tree Credit.

Response: Tree credits are not applicable to this FDP application.

G. Exceeding Standards. Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met.

H. Compliance with Standards. The burden of proof is on the applicant to show that proposed landscaping materials will comply with the purposes and standards of this Section.

Response: The attached plans (see Exhibit VIB) and this report demonstrate that the proposed landscaping complies with the standards of the Wilsonville Development Code and the *Community Elements Book*.

(.07) Installation and Maintenance.

A. Installation. Plant materials shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement.

B. Maintenance. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this Code, or any condition of approval established by a City decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Failure to maintain landscaping as required in this Section shall constitute a violation of this Code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.

C. Irrigation. The intent of this standard is to assure that plants will survive the critical establishment period when they are most vulnerable due to a lack of watering and also to assure that water is not wasted through unnecessary or inefficient irrigation. Approved irrigation system plans shall specify one of the following:

1. A permanent, built-in, irrigation system with an automatic controller. Either a spray or drip irrigation system, or a combination of the two, may be specified.

2. A permanent or temporary system designed by a landscape architect licensed to practice in the State of Oregon, sufficient to assure that the plants will become established and drought-tolerant.

3. Other irrigation system specified by a licensed professional in the field of landscape architecture or irrigation system design.

4. A temporary permit issued for a period of one year, after which an inspection shall be conducted to assure that the plants have become established. Any plants that have died, or that appear to the Planning Director to not be thriving, shall be appropriately replaced within one growing season. An inspection fee and a maintenance bond or other security sufficient to cover all costs of replacing the plant materials shall be provided, to the satisfaction of the Community Development Director. Additionally, the applicant shall provide the City with a written license or easement to enter the property and cause any failing plant materials to be replaced.

Response: Plants will be installed and maintained properly. A permanent-built-in irrigation system with an automatic controller will be installed underground to irrigate the proposed landscaping and to assure that plants survive the establishment period. Additional details about the irrigation system will be provided with construction plans.

D. Protection. All required landscape areas, including all trees and shrubs, shall be protected from potential damage by conflicting uses or activities including vehicle parking and the storage of materials.

Response: The attached planting plans demonstrate that all landscape areas will be protected from potential damage by vehicle travel along streets and alleys.

(.08) Landscaping on Corner Lots.

All landscaping on corner lots shall meet the vision clearance standards of Section 4.177. If high screening would ordinarily be required by this Code, low screening shall be substituted within vision clearance areas. Taller screening may be required outside of the vision clearance area to mitigate for the reduced height within it.

Response: All landscaping at corners will meet the vision clearance standards of Section 4.177.

(.09) Landscape Plans.

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. Landscape plans shall divide

all landscape areas into the following categories based on projected water consumption for irrigation:

A. High water usage areas (+/- two (2) inches per week): small convoluted lawns, lawns under existing trees, annual and perennial flower beds, and temperamental shrubs;

B. Moderate water usage areas (+/- one (1) inch per week): large lawn areas, average water-using shrubs, and trees;

C. Low water usage areas (Less than one (1) inch per week, or gallons per hour): seeded field grass, swales, native plantings, drought-tolerant shrubs, and ornamental grasses or drip irrigated areas.

D. Interim or unique water usage areas: areas with temporary seeding, aquatic plants, erosion control areas, areas with temporary irrigation systems, and areas with special water-saving features or water harvesting irrigation capabilities.

These categories shall be noted in general on the plan and on the plant material list.

Response: The attached plans (see Exhibit VIB) include the required information listed in Section 4.176(.09).

(.10) Completion of Landscaping.

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.

Response: The applicant does not anticipate deferring the installation of plant materials. Should it be necessary to defer installation of plant materials, the applicant will apply for a temporary permit.

(.11) Street Trees Not Typically Part of Site Landscaping.

Street trees are not subject to the requirements of this Section and are not counted toward the required standards of this Section. Except, however, that the Development Review Board may, by granting a waiver or variance, allow for special landscaping within the right-of-way to compensate for a lack of appropriate on-site locations for landscaping. See subsection (.06), above, regarding street trees.

Response: Street trees are not counted toward the required standards of this Section.

(.12) Mitigation and Restoration Plantings.

Response: No additional tree removal is proposed with the FDP; all trees shown as "likely to be removed," will be removed, with the exception of Tree 543. The PDP includes a concurrent Tree Removal Plan (see Section V of this Notebook) which addresses required tree mitigation.

SECTION 4.177. STREET IMPROVEMENT STANDARDS

(.01) Except as specifically approved by the Development Review Board, all street and access improvements shall conform to the Street System Master Plan, together with the following standards:

H. Access drives and lanes.

Response: The proposed parks are accessible from the adjacent street rights-of way and/or pathways as shown on the attached plans. All streets and alleys accommodate 2-way traffic.

I. Corner or clear vision area.

1. A clear vision area 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. No structures, plantings, or other obstructions that would impede visibility between the height of 3- inches and 10 feet shall be allowed within said area. Measurements shall be made from the top of the curb, or, when there is no curb, from the established street center line grade. However, the following items shall be exempt:

a. Light and utility poles with a diameter less than 12 inches.

b. An existing tree, trimmed to the trunk, 10 feet above the curb.

c. Official warning or street sign.

d. Natural contours where the natural elevations are such that there can be no cross-visibility at the intersection and necessary excavation would result in an unreasonable hardship on the property owner or deteriorate the quality of the site.

Response: Landscaping at the corners of the parks will be less than 30 inches in height to assure that visibility is not blocked.

SECTION 4.178. SIDEWALK & PATHWAY STANDARDS

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

Response: All sidewalks and pathways in the subject FDP area are at least 5 feet in width and concrete. The mid-block path is 14-16 feet in width and the sidewalk on Villebois Drive is 5.5 feet in width.

(.03) Pavement surface.

A. All bike paths shall be paved with asphalt to provide a smooth riding surface. Where pathways are adjacent to and accessible from improved public streets, the Public Works Director may require a concrete surface. At a minimum the current AASHTO "Guide for the Development of Bicycle Facilities" and the State "Oregon Bicycle Plan" shall be used to design all bicycle facilities within the City of Wilsonville. Any deviation from the AASHTO, ODOT, and City standards will require approval from the City Engineer prior to implementation of the design.

B. To increase safety, all street crossings shall be marked and should be designed with a change of pavement such as brick or exposed aggregate. All arterial crossings should be signalized.

C. All pathways shall be clearly posted with standard bikeway signs.

D. Pedestrian and equestrian trails may have a gravel or sawdust surface if not intended for all weather use.

Response: There are no bicycle pathways in this FDP area. Details about sidewalks in the public right-of-way were addressed in the PDP application (Section II of this Notebook). No Major or Minor pathways are identified on the subject property.

(.06) Pathway Clearance.

A. Vertical clearance of at least 8 feet 6 inches shall be maintained above the surface of all pathways. The clearance above equestrian trails shall be a minimum of ten feet.

B. All landscaping, signs and other potential obstructions shall be set back at least (1) foot from the edge of the pathway surface. No exposed rock should be permitted within two (2) feet of the path pavement and all exposed earth within two (2) feet of the pavement shall be planted with grass, sod or covered with 2" of barkdust.

Response: As shown on the attached plans, all potential obstructions are at least one foot from the edge of the pathway surfaces, and vertical clearance will be maintained.

SITE DESIGN REVIEW

SECTION 4.400. PURPOSE.

(.01) 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 therefore.

Response: No buildings are proposed within linear greens. No signage is proposed, as the SAP Central Signage & Wayfinding Plan does not indicate an identifier within the subject property. The attached PDP plans (see Section IIB of this Notebook) and FDP plans (see Section VIB of this Notebook) are consistent with the SAP Central Signage & Wayfinding Plan.

The proposed landscaping within the park is designed in compliance with the standards for the rest of Villebois, so the entire development will have a cohesive, harmonious appearance, creating a desirable place of residence and adding to the overall quality of life in the City.

(.02) The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:

A. Assure that Site Development Plans are designed in a manner that insures proper functioning of the site and maintains a high quality visual environment.

Response: The row homes and linear greens in the FDP area has been designed to assure proper functioning of the site and to maintain an aesthetically pleasing environment. The proposed landscaping and park design will add to the quality of the environment as well as the functioning of the site.

B. Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of said development;

Response: The FDP includes landscaping as shown on the attached plans (Exhibit VIB), which will enhance the visual environment of the site. Pedestrian connections to sidewalks, trails, and adjacent residences will be provided to enhance the site's connectivity to surrounding uses.

C. Discourage monotonous, drab, unsightly, dreary and inharmonious developments;

Response: The FDP area will include landscaping as shown on the attached plans (see Exhibit VIB). Landscaping will consist of an appropriate mixture of ground cover, shrubs, and trees selected from the Villebois Plant List to create a harmonious appearance throughout the larger Villebois development. The proposed landscaping will contribute to an interesting and aesthetically appealing development.

D. Conserve the City's natural beauty and visual character and charm by assuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural

terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

Response: The linear greens will incorporate landscaping that makes sense for a Pacific Northwest community, while matching the City's natural beauty and visual character.

E. Protect and enhance the City's appeal and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial purposes;

Response: The design of the proposed row houses, landscaping, and linear greens, along with the pedestrian connections to adjacent residences and streets, will help to maintain the appeal of Villebois as a unique and attractive community in which to live, work, and recreate. Residents of Villebois will stimulate the local economy by opening new businesses and thus creating jobs and by spending money in existing businesses.

F. Stabilize and improve property values and prevent blighted areas and, thus, increase tax revenues;

Response: The proposed linear greens will create neighborhood amenities that will help to maintain property values in this new community. A Home Owners Association will ensure that these areas are properly maintained over time.

G. Insure that adequate public facilities are available to serve development as it occurs and that proper attention is given to site planning and development so as to not adversely impact the orderly, efficient and economic provision of public facilities and services.

Response: The process used to plan for Villebois incorporates a tiered system that originates at the *Villebois Village Master Plan*. The *Master Plan* shows how facilities, including parks and open space, are distributed and available to residents throughout Villebois.

Figure 5 – Parks & Open Space Plan of the *Master Plan* shows that approximately 33% of Villebois will be in parks and open space. Phase 8 Central will contain more areas for parks than originally shown for this area with SAP – Central, as demonstrated in the PDP (see Section II of this Notebook). This FDP is consistent with the PDP, SAP – Central, and the *Villebois Village Master Plan*, and therefore, complies with this criterion.

H. Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services and reduce opportunities for crime through careful consideration of physical design and site layout under defensible space guidelines that clearly define all areas as either public, semi-private, or private, provide clear identity of structures and opportunities for easy surveillance of the site that maximize resident control of behavior -- particularly crime;

Response: The *Villebois Village Master Plan* shows that the community will include a variety of housing options (living) and the Village Center will contain places for

employment (working). This FDP shows a living environment in Phase 9 Central that is enhanced by proximity to park and open space areas. Residents who will surround the parks and open spaces will provide on-going surveillance and control.

I. Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvements;

Response: The design of the Villebois Village has been created to develop a community that is truly unique. The City and Villebois Master Planner, as well as the Applicant, are working in partnership with nearby residents, property owners, and local and regional governments to create a complete, livable, pedestrian-oriented community that will be an asset to the City of Wilsonville and Portland region. This partnership has generated citizen participation in the project and the unique design shall foster civic pride and community spirit amongst the residents of Villebois.

J. Sustain the comfort, health, tranquillity and contentment of residents and attract new residents by reason of the City's favorable environment and, thus, to promote and protect the peace, health and welfare of the City.

Response: The design of the Villebois Village revolves around three guiding principles: connectivity, diversity, and sustainability. These principles are intended to sustain the comfort, health, tranquility, and contentment of Villebois residents, while also promoting and protecting the peace, health and welfare of the City. *Connectivity* refers to creating connections between Villebois neighborhoods and between Villebois and other parts of the City and region for multiple modes of transportation. *Diversity* includes multiple choices of housing styles, housing affordability, recreation, employment, goods and services, and infrastructure for transportation. *Sustainability* involves the protection of natural resources and open space, energy conservation, and storm and rainwater management.

SECTION 4.421. CRITERIA AND APPLICATION OF DESIGN STANDARDS.

(.01) 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. (Even in the Boones Ferry Overlay Zone, a range of architectural styles will be encouraged.)

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

Response: As shown in the attached plans (see Exhibit VIB), proposed plant materials are drawn from the Villebois Plant List, which includes native species, to ensure consistency of general appearance within the Villebois community.

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

Response: Chapter 3 of the *Villebois Village Master Plan* takes into account scenic views, topography, existing vegetation, and other natural features in the design and location of parks and open spaces in the Villebois development. The FDP area does not include any steep slopes, sensitive wildlife habitat areas, wetlands, SROZ areas, or flood plains. The proposed linear greens are in addition to the parks shown in the *Master Plan* and SAP Central. Existing trees within the parks are maintained to the extent possible as reviewed in the concurrent PDP and Tree Removal Plan applications (see Sections II and V, respectively, of this Notebook).

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

Response: No driveways or parking areas are proposed or required with this FDP. The parks included in the FDP are all accessible from adjacent streets and pathways, as shown on the FDP plans (see Reduced Drawings in Section VIB).

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

Response: Surface water drainage is addressed in the PDP application (see Section II of Notebook). The FDP is consistent with grading and drainage shown in the PDP. This system has been carefully designed so as not to adversely affect neighboring properties.

E. Utility Service. Any utility installations above ground shall be located so as to have a harmonious relation to neighboring properties and site. The proposed method of sanitary and storm sewage disposal from all buildings shall be indicated.

Response: The PDP application addresses utility installation (see Section II of Notebook). The FDP is consistent with the PDP.

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

Response: No advertising features are proposed in this FDP.

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

Response: This FDP does not propose any exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures or other accessory areas and structures. Compliance with Section 4.176 is addressed earlier in this report.

(.02) 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.

Response: No accessory buildings or structures are proposed.

(.03) The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.

Response: Compliance with the purpose of Section 4.400 has been addressed earlier in this report.

SECTION 4.440. PROCEDURE.

(.01) Submission of Documents.

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:

A. A site plan, drawn to scale, showing the proposed layout of all structures and other improvements including, where appropriate, driveways, pedestrian walks, landscaped areas, fences, walls, off-street parking and loading areas, and railroad tracks. The site plan shall indicate the location of entrances and exits and direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles. The site plan shall indicate how utility service and drainage are to be provided.

B. **A Landscape Plan, drawn to scale, showing the location and design of landscaped areas, the variety and sizes of trees and plant materials to be planted on the site, the location and design of landscaped areas, the varieties, by scientific and common name, and sizes of trees and plant materials to be retained or planted on the site, other pertinent landscape features, and irrigation systems required to maintain trees and plant materials. An inventory, drawn at the same scale as the Site Plan, of existing trees of 4" caliper or more is required. However, when large areas of trees are proposed to be retained undisturbed, only a survey identifying the location and size of all perimeter trees in the mass in necessary.**

C. **Architectural drawings or sketches, drawn to scale, including floor plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures and other improvements as they will appear on completion of construction. Floor plans shall also be provided in sufficient detail to permit computation of yard requirements based on the relationship of indoor versus outdoor living area, and to evaluate the floor plan's effect on the exterior design of the building through the placement and configuration of windows and doors.**

D. **A Color Board displaying specifications as to type, color, and texture of exterior surfaces of proposed structures. Also, a phased development schedule if the development is constructed in stages.**

E. **A sign plan, drawn to scale, showing the location, size, design, material, color and methods of illumination of all exterior signs.**

F. **The required application fee.**

Response: Section VIB of this notebook includes FDP plans that meet the requirements of Section 4.440 (.01). A copy of the application fee submitted is included in Exhibit IB of this notebook. Architectural Elevations & Floor Plans are included in Section VIC of this notebook.

The SAP Central *Signage & Wayfinding Plan* does not indicate an identifier within the subject property. The attached PDP plans (see Section IIB of this Notebook) and FDP plans (see Section VIB of this Notebook) are consistent with the SAP Central *Signage & Wayfinding Plan*. A copy of the required application fee is included in Exhibit IC.

SECTION 4.450. INSTALLATION OF LANDSCAPING.

(.01) **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.

Response: The applicant understands that they must provide a security to guarantee installation of the proposed landscaping.

(.02) 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.

Response: The applicant understands that changes to the landscape plan included in this application cannot be made without official action of the Planning Director or the Development Review Board.

(.03) 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.

Response: The applicant understands that they are responsible for the ongoing maintenance of the proposed landscaping.

(.04) 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.

Response: This FDP does not include any existing development; therefore this criterion does not apply.

II. COMMUNITY ELEMENTS BOOK

Applicable Requirement	Requirement Met?	Notes
Street Lighting	☒	Lighting shown on attached plans is consistent with Lighting Master Plan.
Curb Extensions	☒	Will be developed with curb extensions shown on Curb Extension Concept Plan.
Street Trees	☒	Location and species of street trees shown on the attached plans are consistent with the Master Plan.
Landscape Elements-Site Furnishings	☒	Furnishings shown on attached plans were selected to maintain the identity and continuity of Villebois.

Tree Protection	☒	All trees previously identified for protection continue to be protected.
Plant List	☒	All plant materials listed on page L1.02 of Exhibit B2 are on the Villebois plant list. No prohibited plants are proposed.
Address Overlay Areas – Courtyard Street Address	☒	Overlay Area designed to be extension of the Plaza. Connects the site's historical buildings to the Village Center.
Courtyard Street Address - Site Furnishings	☒	Site furnishings, such as urban bollards, and street trees help create place where vehicles feel it necessary to slow. Will increase pedestrian and cyclist's safety and offer opportunity for residents to create "social activities," with the creation of a bike/pedestrian path through the site. Will also provide continuity of design elements to unify this space for a future seamless transition from the Plaza.
Courtyard Street Address – Plant Material	☒	Pedestrian Alee through middle of the site will slow traffic, widen the pedestrian walking area and create "social pockets" along residences.
Courtyard Street Address – Surfaces	☒	Surface treatment of the walk is an important element. PDP 9C uses concrete pavers which delineates space, use, and transition. Pedestrian crossings of Paris Avenue and Orleans Avenue are provided with concrete bands.

III. VILLAGE CENTER ARCHITECTURAL STANDARDS

Standards Applying to All Buildings

Standard	Standard Met?	Notes
1.1 Building Types		
1) Buildings outside Address overlays meet development standards of V-Zone per Building Type	☒	Row houses consistent with standards specified for Villebois Central
1.2 Building Height & Roof Form		
Required Standards		
1) Max. Building Height according to Table V-1	☒	Height less than the 45' allowed in Table V-1

2) Addresses have other height limitations	☒	Complies with height limitations for Villebois Drive
3) Building height measured as defined in 4.001.	☒	Building measured correctly
4) Rooftop equipment screened from current and future taller buildings	☒	No rooftop equipment proposed
5) At least 2 roof garden in SAP Central	☐	No rooftop gardens proposed, more appropriate for other building types in SAP Central
Optional Standards:		
6) Buildings encouraged to reach max. allowable height	☐	The applicant has chosen not to build to the maximum height of 45', but the buildings are 3 stories tall, which maximizes height for a Row House.
7) Minimize shading of public and private outdoor areas during mid-day	☒	Have covered front porches (Craftsman) or front courtyard (London) and rear balconies for private areas with sun exposure.
1.3 Horizontal Façade Articulation		
Required		
1) Horizontal Facades articulated into smaller units using two or more of the following: change of materials, change of color, façade planes that are vertical in proportion, bays and recesses, breaks in roof elevation.	☒	Façade planes vertical in proportion and include bays and recesses, and breaks in roof elevation.
2) Incorporate features such as offsets, projections, reveals, and similar elements to preclude large expanses of uninterrupted building surfaces.	☒	The Elevations and Floor Plans in Section VIC show the use of colors and materials, as well as trim or shutters, to break down the scale of the buildings.
Optional		
3) Articulation should extend to the roof	☒	Articulation, including the break between buildings and architectural detail, extends to the roof.
2.1 Vertical Façade Articulation for All Mixed Use Buildings		Building not mixed use
3.1 Exterior Building Materials & Color		
Required		
1) Visually heavier and more massive materials at base when multiple materials used.	☒	Heavier brick material is at the base.

2) Bright, intense colors reserved for accent trim	☒	While a variety of colors are used, they are not intense.
3) Bright colors not used for commercial purposes	☐	N/A. Buildings not mixed use.
4) Concrete block shall be split-faced, ground-faced, or scored when facing street or public way. Discouraged around the plaza.	☒	Concrete block is not being used.
5) Exteriors constructed of durable and maintainable materials with texture, pattern, or lend themselves to quality detailing.	☒	The brick, cement fiber siding, and roof materials are all durable and easy to maintain and allow for detailing.
Optional		
6) Exterior materials have an integral color, patterning, and/or texture	☒	The exterior materials have integral color, patterning, or texture.
7) Sustainable building materials and practices are strongly encouraged	☒	The builder will participate in the Portland General Electric Earth Advantage program.
3.2 Architectural Character		
Required		
1) A definitive, consistent Architectural Character. All primary facades consistent with Architectural Character	☒	The row houses have a consistent London and American Modern (Craftsman) architectural character and create diversity with that character.
2) No mixing of Architectural Styles	☒	The entire building is consistently in the same style.
3) Secondary facades incorporate primary façade features over 25% of wall length	☒	Materials including lap siding as well as windows with trim extend on all facades.
4) All visible sides have a similar level of quality and visual interest	☒	A majority of the detailing and materials wrap around to the street facing side elevations of the building. Materials and details included on the front elevations such as finishes, trim, and window patterns are incorporated into the side elevations.
5) Accessory buildings designed and integrated into primary building	☐	No accessory buildings are proposed
6) Applicants encouraged to consult an architect or architectural historian regarding appropriate elements of architectural style	☒	The buildings have been designed by Milbrandt Architects, Inc., P.S.

7) If not in an address, elevations not repeated on adjacent blocks	☒	The row homes are not within an Address. The row houses do not repeat an elevation found on an adjacent block.
3.3 Ground Level Building Components		
Required		
1) Building setbacks and frontage widths as required by Table V-1	☒	The row houses meet the required setbacks, including the 5' front setback, established by Table V-1
2) Retail orientation towards street	☐	Not applicable
3) Differentiating entrances for mixed use buildings	☐	Not applicable
4) Entries have weatherproof roof covering appropriately sized but at least 4 feet deep and 4 feet wide	☒	Weatherproof covering provided as shown on attached Architectural Plans.
5) Any building lighting, is indirect or shielded	☒	Any lighting would be shielded as shown on attached Architectural Plans.
6) Parking structures screened using at least two of the following: residential or commercial uses, decorative grill work, decorative artwork, vegetation	☐	Not applicable, no parking structure proposed
7) Plaza address mixed-use buildings have canopy or awning	☐	Not applicable
8) Reflective, heavily tinted, or other sight obscuring glass discouraged	☐	Not applicable
9) Landscaping or other screening provided when parking is between buildings and the street	☐	Not applicable
Optional		
10) Create indoor/outdoor relationships	☒	Large windows and porches help create an indoor/outdoor relationship.
11) Canopies and Awnings primary function is weather protection	☐	Not applicable
4.1 Façade Components		
Required		
1) Windows and doors recessed 3 inches for shadowing or incorporate shutters (appear operable and sized for window), railing, and/or visible or substantial trim	☐	Windows and doors have substantial trim which helps create shadowing.

(contrasting material, color, or creates shadowing.)		
2) Balconies extend no more than 36”	☐	Not applicable, none proposed on front elevations.
3) Shutters sized to appear operable at window and door openings	☐	Not applicable; no shutters are proposed.
4) Except in the plaza address, balconies shall be at least 5 feet deep	☒	Second level decks on the rear façade are proposed. No front or side elevation balconies are proposed.
Optional		
4) (*Note: Duplicate numbers in published VCAS*) Individual windows square or vertical in proportion. An assembly of windows have horizontal proportion	☒	All individual windows are square or vertical in proportion.
5) Materials changes occur at a horizontal line or at inside corner of two vertical planes.	☒	Materials change at horizontal lines or corners
6) Every residential unit have outdoor living space.	☒	All units have front porches and rear decks.
7) Expression of rainwater path	☐	Not applicable.
8) Building fronts uneven angles to accommodate shape of street	☐	Not applicable.
9) Wide opening windows	☐	Not applicable.
10) Discourage use of high window sills	☒	High window sills are not used
11) Finishing touches and ornament	☒	The use of finishing touches and ornamentation is provided.
5.1 Fencing		
Required		
1) See all applicable sections of the Village Zone, including but not limited to Section 4.125(.14) Table V-4 Permitted Materials and Configurations and Section 4.125 (.05) D. Fences	☒	Proposed fencing is shown on attached plans and will be constructed of materials consistent with *Table V-3,* which applies to Row Houses.
2) The following fencing requirements apply to all fences and walls located between rights-of-way and building lines.	☒	Proposed fencing will comply.
3) See Address overlay sections for additional requirements.	☒	Located within the Courtyard Overlay. No fencing is required.
4) Except where specifically required by Address overlays,	☒	Shown on attached plans.

fences are optional. Less fencing than the maximum allowable is allowed.		
5) Fencing shall be consistent with the Architectural Character of adjacent buildings, See Architectural Character, this section.	☒	Designed to be consistent with the architectural character of the adjacent Row Houses.
6) Fencing controlling access to a courtyard, outdoor lobby, or other public entries shall be greater than 50% transparent.	☐	Project does not include public entry spaces.
7) Fencing located within the first 2'0" setback from right-of-ways shall be greater than 50% transparent.	☒	Proposed fencing located within the first 2'-0" setback from rights-of-ways will be greater than 50% transparent.
8) Fencing located within interior side yards or separating buildings on the same lot shall be offset 4'0" or greater behind the adjacent front building line.	☐	No fencing is proposed.
9) Posts, pilasters, columns, or bollards may extend an additional 8" above the maximum height of any allowed fencing.	☒	Will not extend more than 8"
10) Fencing may not change height at corners. They must level top surfaces and transition at posts to maintain height as required by changes in grade elevation.	☒	Does not change height at corners
11) Loading facilities, trash enclosures, and ground-level mechanical and utility equipment: These facilities shall be sited at the rear or side of buildings wherever practicable, and shall be screened where visible from the street. Screening shall match the adjacent development in terms of quality of materials and design. Such screening shall minimize light glare and noise levels affecting adjacent residential uses.	☐	Does not include any loading facilities, trash enclosures, or ground-level mechanical and utility equipment.
Optional		

12) Fencing is encouraged to be consistent with building railing at balconies, decks, porches, etc.	☒	Fencing on the front elevations is consistent with the architectural style of the Row Homes. London style row houses do not include building railing at balconies, decks, or porches on front or side elevations.

Intent Applying to Buildings in the Courtyard Address Overlay

Standard	Standard Met?	Notes
1.1 Narrative		
1) Aligned with the Plaza, connecting site's historic buildings to their new village context	☒	Site is within a transition area with more residential areas to the north and more dense units to the south.
2) An alee of trees will connect the Plaza with a shaded pathway	☒	Will maintain original intent of Courtyard Address Overlay to reinforce connection between these two parks. The crossing of Paris Avenue is proposed to be located on the east side of the intersection so that it may align with the minor the pathway through Camden Square to Orleans Avenue, thereby making a direct connection between the Piazza to the south of the site and Montague Park to the north. The crossing uses concrete pavers that are 8 feet wide.
2.1 Building Types		
1) Building Type shall be Multi-Family Dwellings	☒	Hospital building removed years ago. Row houses exterior appearance and use similar to multifamily building. Also function as a transition home type with an urban and contemporary architectural expression.
2.2 Building Height & Roof Form		
1) Strengthen the perception of the Courtyard as a public room	☒	Row homes maintain consistent façade heights and roof forms. Rowhomes are three stories in height, consistent with the transitional nature of the site from two-story homes to taller, more urban apartments and mixed-use buildings closer to the Piazza.
2.3 Horizontal Façade Articulation		
1) Reduce the apparent bulk of long buildings by breaking them down into smaller components. Provide articulation, interest in design, and human scale to the façade.	☒	Site consists of duplex, 3-plex, 4-plex, 5-plex, and 6-plex in the London and American Modern (Craftsman) styles to break up bulk of long buildings.

3.1 Vertical Façade Articulation		
1) Ensure a clear and compatible language between new and existing construction	☒	Area on Courtyard Address Overlay creates differentiation but remains clear and compatible with existing construction.
4.1 Exterior Building Materials		
1) Standard of quality that will be easily maintained and cared for over time. Provide articulation, interest in design, and human scale to the façade	☒	London style architecture promotes a unique and urban feel encouraged in the Courtyard Address Overlay.
4.2 Ground Level Building Components		
1) Appropriate buffer between private zones and the public right-of-way. Encourage interaction. Ensure ground floors reinforce the streetscape character.	☒	There are appropriate buffers between private zones and the public right-of-way through the use of linear greens, private yards, and pedestrian connections. Ground floors reinforce the streetscape character through the use of these buffers and architectural styles.

IV. CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Final Development Plan. Therefore, the applicant requests approval of this application.

VIB) Reduced Plans

PHASE 9 CENTRAL
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE
FINAL DEVELOPMENT PLAN

TL 3000 & 3400, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

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109 E. 13TH ST.
VANCOUVER, WA 98660
[P] 503-221-1920
CONTACT: FRED GAST

PLANNER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: STACY CONNERY, AICP

CIVIL ENGINEER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: JESSIE KING, PE

SURVEYOR:

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LANDSCAPE ARCHITECT:

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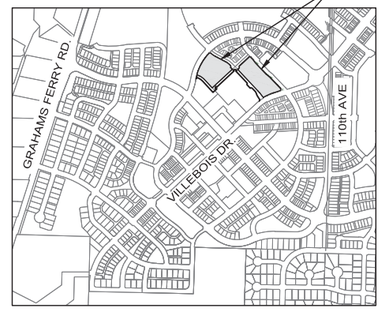
CONTACT: KERRY LANKFORD, RLA, CLARB

GEOTECHNICAL ENGINEER:

GEODESIGN, INC.
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE



VICINITY MAP

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

SHEET INDEX:

1	COVER SHEET
2	SITE PLAN
L1	PLANTING PLAN AND PLANT LEGEND
L2	PLANTING PLAN NOTES AND PLANTING DETAILS
L3	LANDSCAPE DETAILS AND MATERIALS

SCALE
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1 INCH = 60 FEET

ELEVATION DATUM: NAVD 88

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Final Development Plan

COVER SHEET

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

1

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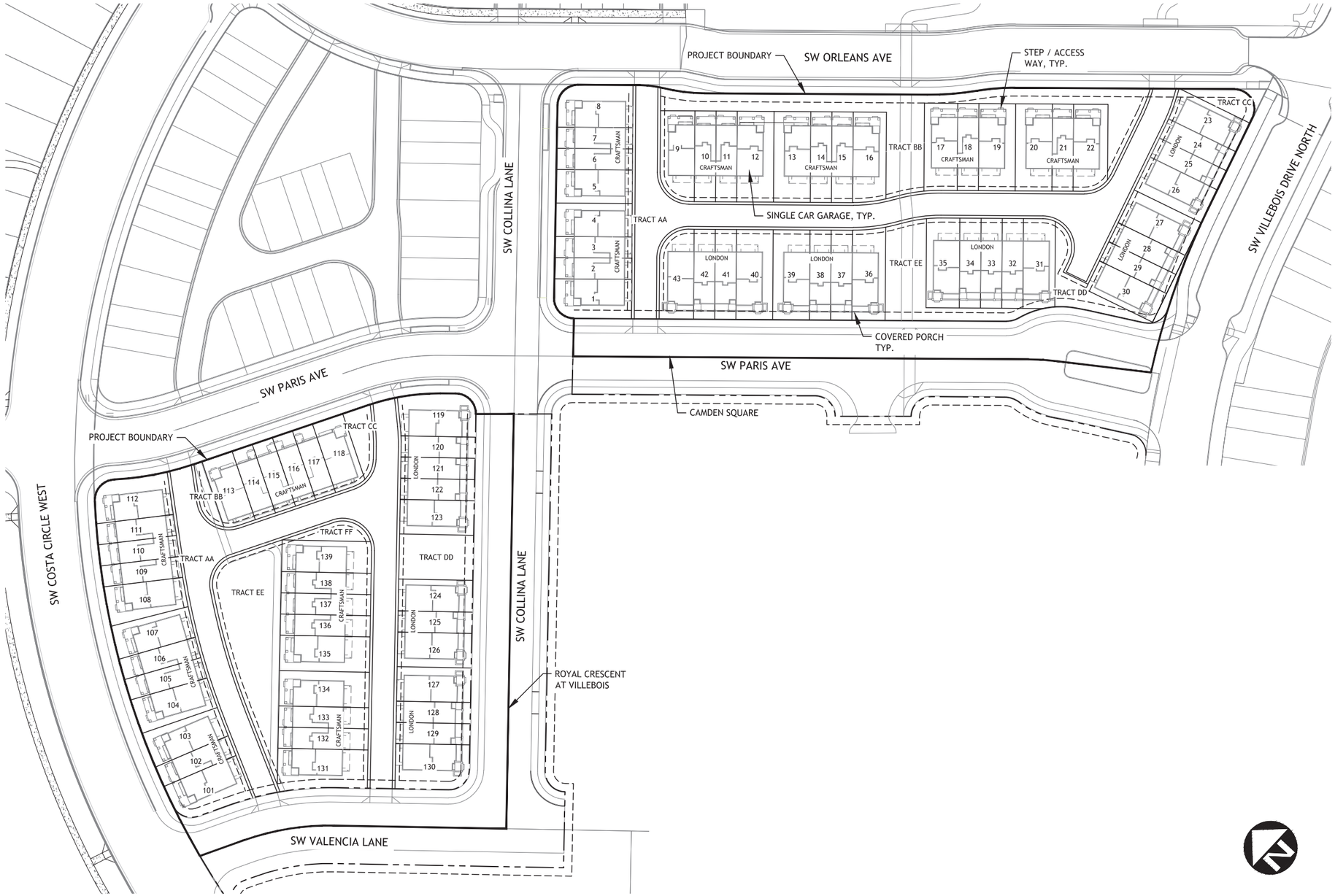

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&
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SITE PLAN

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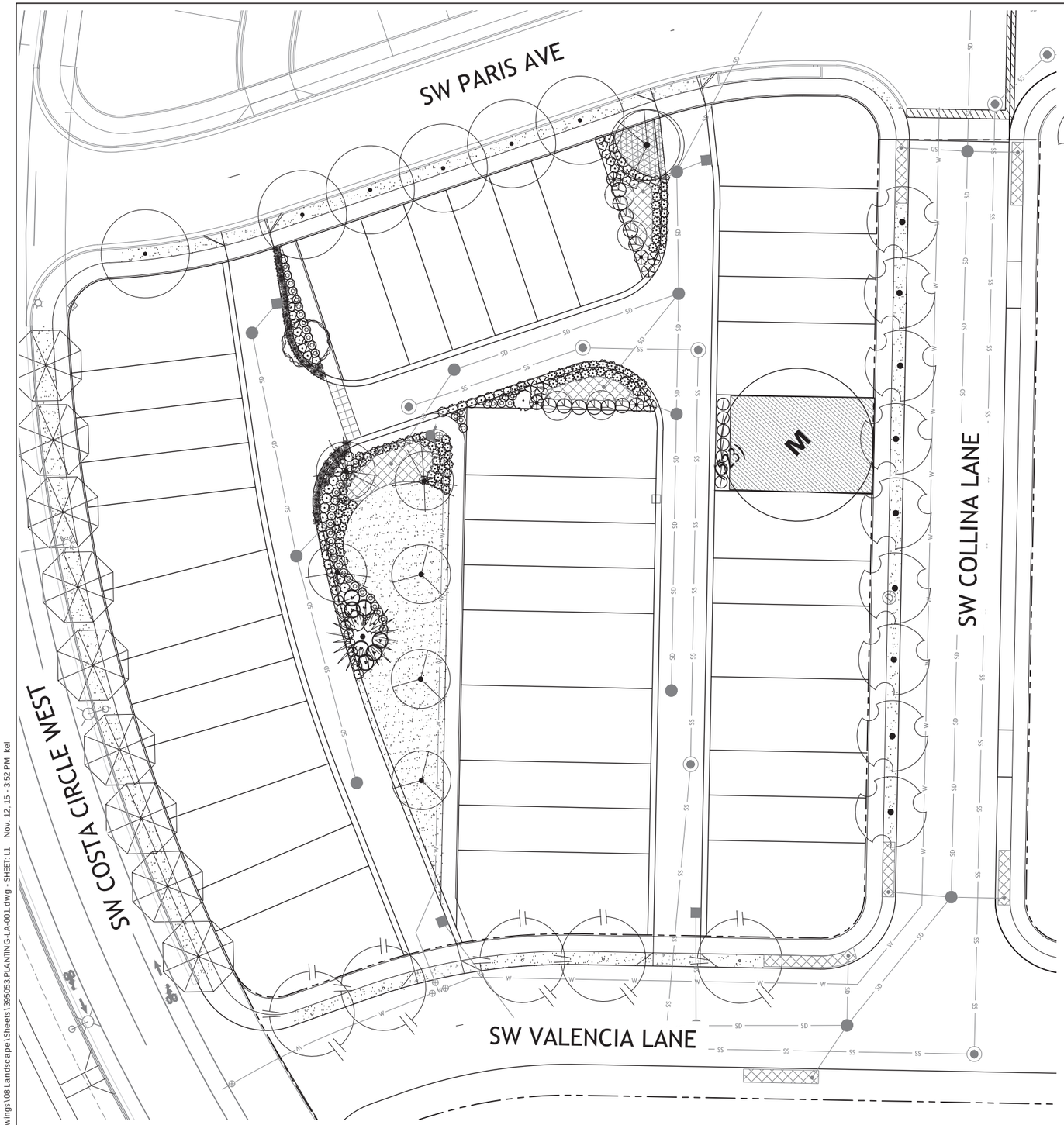

1 **ROYAL CRESCENT OPEN SPACE - PLANTING PLAN**

SCALE
20 0 10 20
1 INCH = 20 FEET

ELEVATION DATUM: NAVD 88

PLANTING LEGEND

STREET TREES

SYMBOL	QUANTITY	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	16	AUTUMN APPLAUSE ASH / FRAXINUS AMERICANA 'AUTUMN APPLAUSE': 2 1/2" CAL., B&B, 25' O.C.
	21	AUTUMN BLAZE MAPLE / ACER FREEMANII 'AUTUMN BLAZE' : 2 1/2" CAL. B&B, 25' O.C.
	14	CRIMEAN LINDEN / TILIA X EUCHLORA: 2 1/2" CAL. B&B, 25' O.C.
	5	URBANITE ASH / FRAXINUS PENNSYLVANICA 'URBANITE': 2 1/2" CAL. B&B, 25' O.C.
	6	EASY STREET MAPLE / ACER PLATANOIDES 'EZESTRE: 2 1/2" CAL. B&B, 25' O.C.
	9	TULIP TREE / LIRIODENDRON TULIPIFERA: 2 1/2" CAL., B&B, 25' O.C.

OPEN SPACE - PLANTING LEGEND

TREES

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	RED SUNSET MAPLE / Acer rubrum 'Franksred': 2 Cal., B&B
	CHINESE KOUSA DOGWOOD / CORNUS KOUSA CHINESIS: 2" CAL.
	TULIP TREE / LIRIODENDRON TULIPIFERA: 2" CAL., B&B
	BLIREIANA PLUM / PRUNUS X BLIREIANA: 2" CAL. B&B
	CHINESE REDBUD / CERCIS CHINENSIS: 2" CAL., B&B
	VINE MAPLE / Acer circinatum: 2" Cal., B&B
	INCENSE CEDAR / CALOCEDRUS DECURRENS: 8'-10' HT., B&B
	COLUMNAR EASTERN WHITE PINE PINUS STROBUS 'FASTIGIATA': 6'-8' HT., AS SHOWN

SHRUBS

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	STARBURST® DOUBLE GOLD EVERGREEN DAYLILY HEMEROCALLIS X 'MONOLD': 2 GAL.
	ANTHONY WATERER SPIREA / SPIREA BUMALDA 'ANTHONY WATERER': 3 GAL.
	'CRIMSON PYGMY' BARBERRY / BERBERIS THUNBERGII 'CRIMSON PYGMY': 3 GAL.
	DAVID VIBURNUM / VIBURNUM DAVIDII: 3 GAL.
	DWARF BURNING BUSH / EUONYMUS ALATA 'COMPACTA': 3 GAL.
	DOUBLFILE VIBURNUM / VIBURNUM P. TOMENTOSUM: 3 GAL.
	FOREST FLAME PIERIS / PIERIS JAPONICA 'FOREST FLAME': 3 GAL.
	ISANTI REDOSER DOGWOOD / CORNUS SERICEA 'ISANTI' : 3 GAL.
	HYDRANGEA MACROPHYLLA 'RED SENSATION' P.P. #18,197: 3 GAL.
	RHODODENDRON 'JEAN MARIE DE MONTEGUE': 3 GAL.
	THUNBERG SPIREA / SPIREA THUNBERGII : 3 GAL.
	MOPS MUGO PINE PINUS MUGO 'MOPS': 3 GAL.

ORNAMENTAL GRASS

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	DWARF FOUNTAIN GRASS PENNISETUM ALOPECUROIDES 'HAMELN': 2 GAL.
	DWARF VARIEGATED MAIDEN GRASS MISCANTHUS SINENSIS 'DIXIELAND': 2 GAL.
	JAPANESE BLOOD GRASS / IMPERATA CYLINDRICA 'RED BARON': 2 GAL.
	VARIEGATED JAPANESE SILVER GRASS MISCANTHUS SINENSIS 'VARIEGATUS': 2 GAL.

LAWN AND GROUNDCOVER

SYMBOL	CODE	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	MULCH	MULCH 3" MIN. DEPTH, MEDIUM TO FINE GROUND DOUGLAS FIR NO IRRIGATION WITHIN THE MULCHED AREAS OR UNDER THE EXISTING TREES TO REMAIN DRIPLINE. DIRECT ANY SURROUNDING IRRIGATION HEAD SPRAY AWAY FROM THE TREE DRIPLINE.
	AZGR	AZTEC GRASS / LIRIOPE MUSCARI 'AZTEC GRASS': 1 GAL., 18" O.C.
	LAWN	PRO-TIME 309 (SUPREME MIX) GRASS SEED BY HOBBS AND HOPKINS, LTD. AT A RATE OF 8 LBS/1000 SQUARE FEET.

NOTE:

1. LANDSCAPE AREAS WILL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY CONTRACTOR. CONTRACTOR WILL PROVIDE MATERIALS AND INSTALL ALL IRRIGATION DOWNSTREAM OF THE WATER METER.
2. DO NOT PROVIDE IRRIGATION WITHIN THE EXISTING TREES TO REMAIN DRIPLINE.

BIORETENTION CELL PLANTING LEGEND

	TREES/SHRUBS
SYMBOL	COMMON NAME / Botanical name: Size and Description
	WEEPING ALASKAN CEDAR / Chamaecyparis nootkatensis 'Pendula' : 7-8' Ht., B&B
	PACIFIC DOGWOOD / Cornus nuttallii: 2" Cal., B&B
	NOOTKA ROSE / Rosa nutkana: #1 CONTAINER
	RED TWIG DOGWOOD / Cornus sericea: #1 CONTAINER
	KELSEY DOGWOOD / Cornus sericea 'Kelseyi': #1 CONTAINER
	SNOWBERRY / Symphorocarpus alba: #1 CONTAINER

"WET/MOIST" AREA PLUGS: (4" PLUGS @ 12" O.C.)

SLOUGH SEDGE / Carex obnupta	34%
SOFT RUSH / Juncus tenius	33%
SMALL FRUITED BULRUSH / Scirpus microcarpus	33%

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Villebois

POLYGON NW COMPANY

Pacific Community Design

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&
CAMDEN SQUARE

Final Development Plan

PLANTING PLAN AND PLANT LEGEND

1ST SUBMITTAL DATE	10/9/2015
2ND SUBMITTAL DATE	11/6/2015

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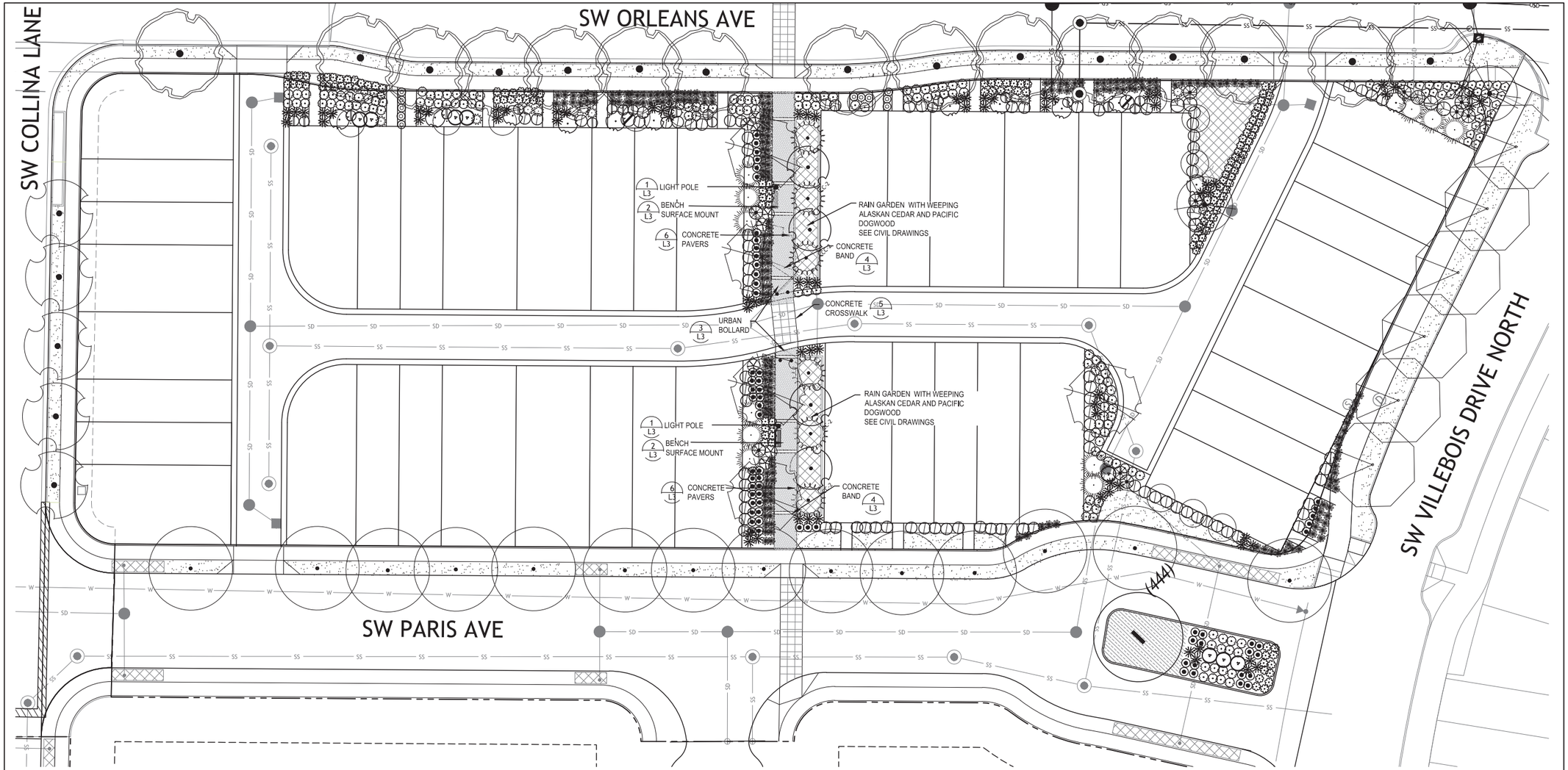

GENERAL NOTES: LANDSCAPE PLAN

1. THE CONTRACTOR SHALL VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL DETERMINE IN THE FIELD THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO ODR.
4. ALL PLANT MASSES TO BE CONTAINED WITHIN A BARK MULCH BED, UNLESS NOTED OTHERWISE.
5. BED EDGE TO BE NO LESS THAN 12" AND NO MORE THAN 18" FROM OUTER EDGE OF PLANT MATERIAL BRANCHING. WHERE GROUND-COVER OCCURS, PLANT TO LIMITS OF AREA AS SHOWN.
6. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
7. CONTRACTOR TO FINE GRADE AND ROCK-HOUND ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUAL SURFACE, FREE OF IRREGULARITIES (BUMPS OR DEPRESSIONS) & EXTRANEOUS MATERIAL OR DEBRIS.
8. QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR OWN TAKE-OFFS AND ARE NOT GUARANTEED AS ACCURATE REPRESENTATIONS OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER LABELED ON THE PLANT TAG AND THE QUANTITY OF GRAPHIC SYMBOLS SHOWN, THE GRAPHIC SYMBOL QUANTITY SHALL GOVERN.
9. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
10. WITH THE EXCEPTION OF THOSE TREES INDICATED ON THE TREE REMOVAL PLAN, CONTRACTOR SHALL NOT REMOVE ANY TREES DURING CONSTRUCTION WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ODR. EXISTING VEGETATION TO REMAIN SHALL BE PROTECTED AS DIRECTED BY THE ODR.
11. WHERE PROPOSED TREE LOCATIONS OCCUR UNDER EXISTING OVERHEAD UTILITIES OR CROWD EXISTING TREES, NOTIFY ODR TO ADJUST TREE LOCATIONS.
12. LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY AFTER THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN NOTIFICATION TO THE ODR. MAINTAIN TREES, SHRUBS, LAWNS AND OTHER PLANTS UNTIL FINAL ACCEPTANCE OR 90 DAYS AFTER NOTIFICATION AND ACCEPTANCE, WHICHEVER IS LONGER.
13. REMOVE EXISTING WEEDS FROM PROJECT SITE PRIOR TO THE ADDITION OF ORGANIC AMENDMENTS AND FERTILIZER. APPLY AMENDMENTS AND FERTILIZER PER THE RECOMMENDATIONS OF THE SOIL ANALYSIS FROM THE SITE.
14. BACK FILL MATERIAL FOR TREE AND SHRUB PLANTING SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL BY VOLUME, BONE MEAL PER MANUFACTURE'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
15. GROUND COVERS AND PERENNIALS SHALL BE PLANTED WITH A MAXIMUM 2 INCH COVER OF BARK MULCH WITH NO FOLIAGE COVERED.
16. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL THAT DO NOT COMPLY WITH THE DRAWINGS AND SPECIFICATIONS MAY BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH PLANT MATERIALS THAT ARE IN COMPLIANCE WITH THE DRAWINGS.
17. ALL PLANT MATERIALS SHALL BE NURSERY GROWN WITH HEALTHY ROOT SYSTEMS AND FULL BRANCHING, DISEASE AND INSECT FREE AND WITHOUT DEFECTS SUCH AS SUN SCALD, ABRASIONS, INJURIES AND DISFIGUREMENT.
18. ALL PLANT MATERIAL SHALL BE INSTALLED AT THE SIZE AND QUANTITY SPECIFIED. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR SUB-STANDARD RESULTS CAUSED BY REDUCTION IN SIZE AND/OR QUANTITY OF PLANT MATERIALS.

ELEVATION DATUM: NAVD 88

1 CAMDEN SQUARE OPEN SPACE - PLANTING PLAN

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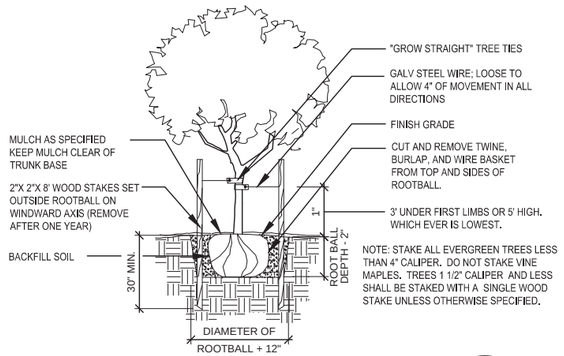
1 INCH = 20 FEET



TREE STAKING DETAIL — 1 / L2

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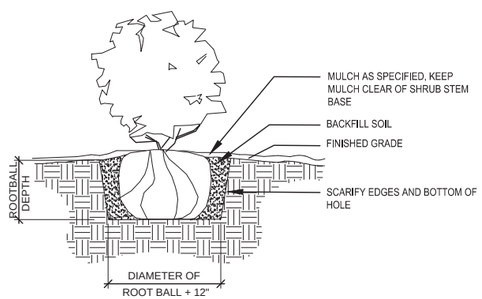


SHRUB PLANTING DETAIL — 2 / L2

SCALE: N.T.S

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS
&
CAMDEN SQUARE

Final Development Plan

PLANTING PLAN NOTES AND PLANTING DETAILS

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

L2

N:\proj\395-053\09 Drawings\08 Landscape\Sheets\395053.PLANTING-LA-002.dwg - SHEET: (X)TEMPLATE Nov. 12, 15 - 3:48 PM kel

NOTES

1.) SEE CIVIL PLANS FOR ROADWAY AND CURB ELEVATIONS
2.) SEE SHEET L3 FOR LANDSCAPE MATERIALS DETAILS.

LEGEND

3 / L3 — URBAN BOLLARD
MANUFACTURER: VISCO
MODEL: VI-BO-14L
FINISH: POWDERCOATED, BLACK
SIZE: 30"H X 12" DIA.

2 / L3 — URBAN / GREENWAY BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: THE PLAINWELL SERIES
FINISH: METAL, ALUMINUM SEAT
METAL BLACK POWERCOATED
SIZE: 72" LENGTH

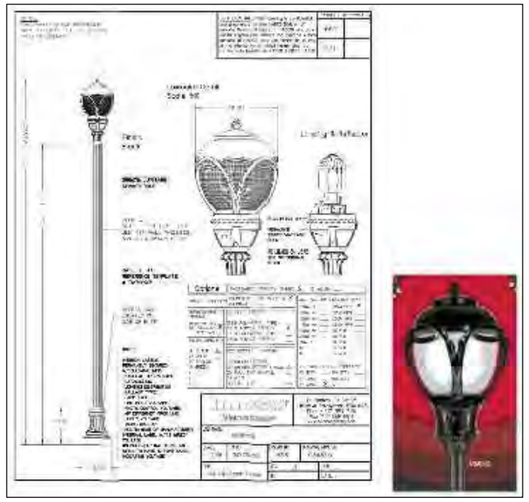
1 / L3 — LIGHT POLE
MANUFACTURER: HADCO
LUMINARE: HADCO S8867E (SINGLE), S8867N (TWIN)
POLE: 14' DECORATIVE CAST ALUMINUM P-065-14-A
FOOTING: AB CHANCE - C11242NG4TK W / ROUND MOUNTING PLATE
FINISH: BLACK

4 / L3 — PAVER CONCRETE BAND

5 / L3 — SCORED CONCRETE CROSSWALK CAST IN PLACE, SCORE AS SHOWN

6 / L3 — PERMEABLE CONCRETE PAVERS AT VEHICULAR STREET AREAS
MANUFACTURER: WILLAMETTE GRAYSTONE
MODEL: AQUABRIC PERMEABLE CONCRETE
COLOR: CHARCOAL
FINISH: CENTURY
SIZE: 5" X 10" X 80MM - HARRINGBONE PATTERN

ELEVATION DATUM: NAVD 88

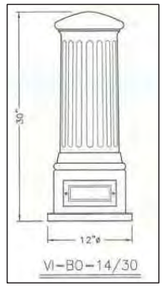


MANUFACTURER: HADCO
LUMINARE: HADCO S8867E (SINGLE), S8867N (TWIN)
POLE: 14' DECORATIVE CAST ALUMINUM P-2065-14-A
FOOTING: AB CHANCE - C11242NG4TK W/ROUND MOUNTING PLATE
FINISH: BLACK

LIGHT POLE — 1 / L3
SCALE: N.T.S

URBAN / GREENWAY BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: THE PLAINWELL SERIES
MATERIAL: METAL, ALUMINUM SEAT
FINISH: BLACK POWDERCOATED
SIZE: 72" LENGTH

BENCH — 2 / L3
SCALE: N.T.S



MANUFACTURER: VISCO
MODEL: VI-BO-14L
FINISH: BLACK POWDER COAT
SIZE: 30" H x 12" Dia.

URBAN BOLLARD — 3 / L3
SCALE: N.T.S

PAVER CONCRETE BAND — 4 / L3
SCALE: N.T.S

SCORED CONCRETE CROSSWALK — 5 / L3
SCALE: N.T.S

CONCRETE UNIT PAVERS WITH HELL-PROOF POLYMERIC SAND JOINTS
MANUFACTURER: WILLAMETTE GRAYSTONE
MODEL: AQUABRIC PERMEABLE CONCRETE
COLOR: AUTUMN BLEND
FINISH: CENTURY
SIZE: 5" X 10" X 60MM - HARRINGBONE PATTERN

PAVERS — 6 / L3
SCALE: N.T.S

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Final Development Plan

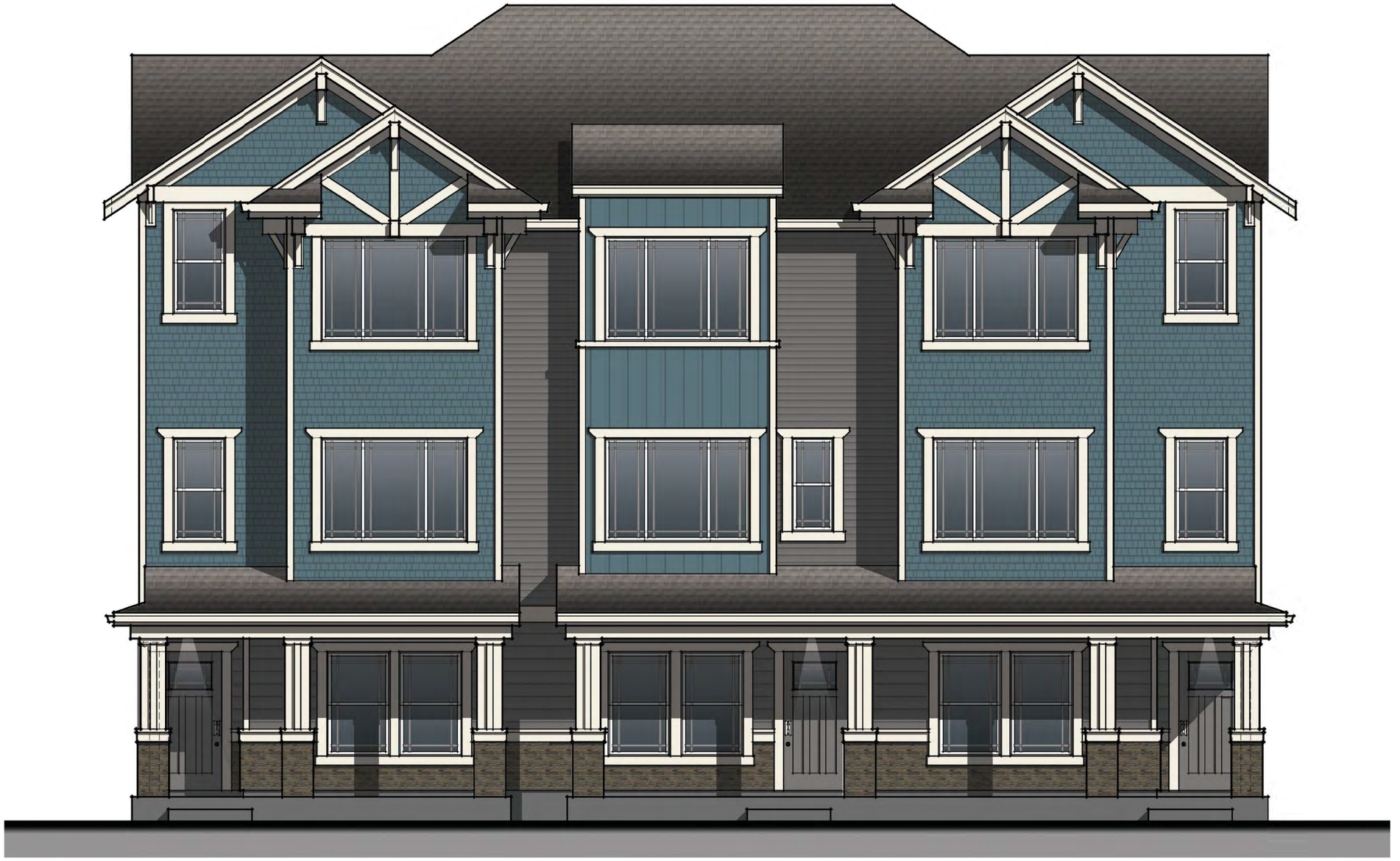
LANDSCAPE DETAILS & MATERIALS

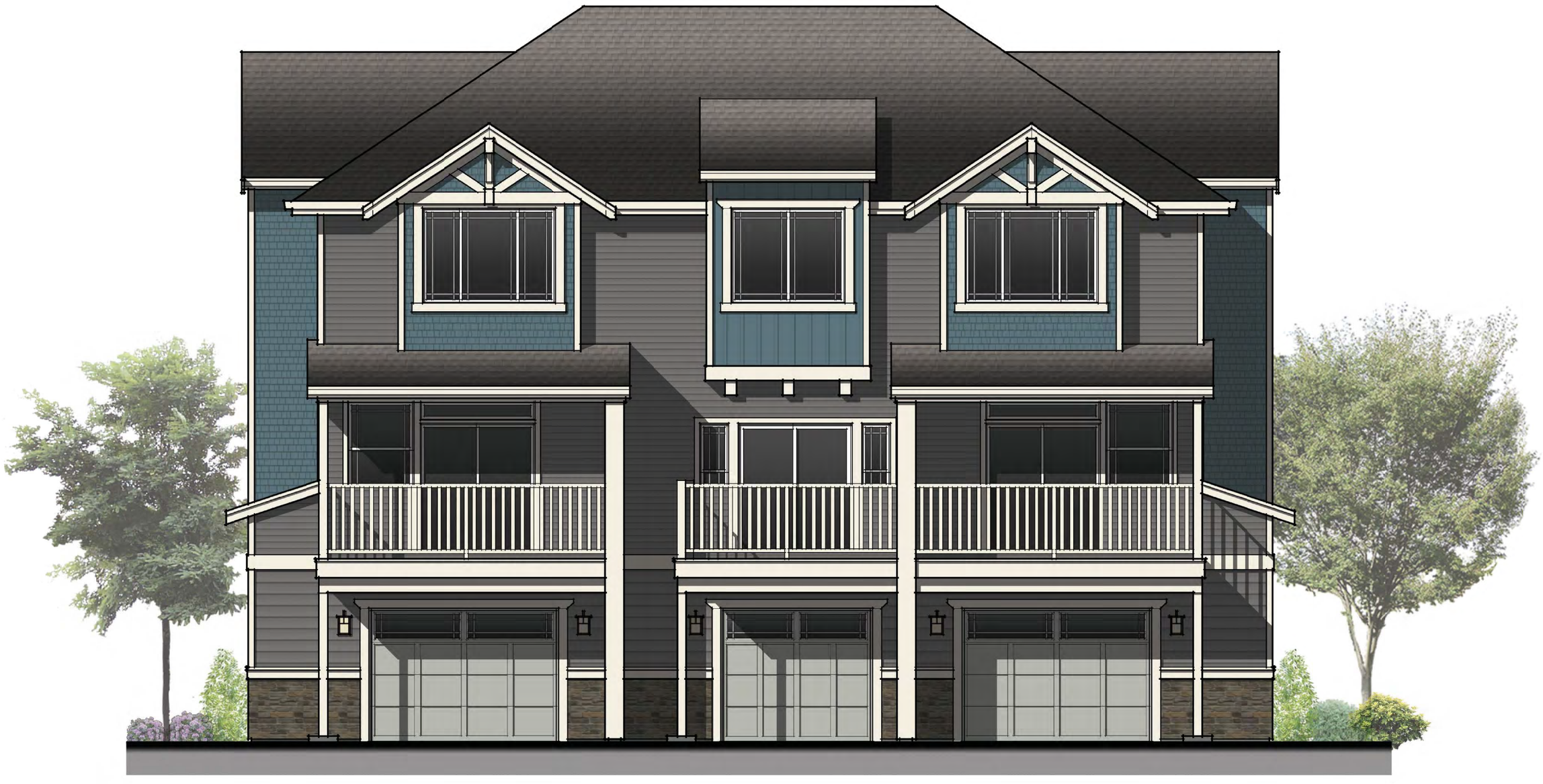
1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

L3

N:\proj\395-053\09 Drawings\08 Landscape\Sheets\395053.DETAILS-001-LA-FDP.dwg - SHEET: L3 Nov. 12, 15 - 3:53 PM kel

VIC) Elevations & Floor Plans





3-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
WESTCHESTER GRAY (2849)

(B) ACCENT 1
FIBER CEMENT SHINGLES
SMOKY BLUE (7604)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
WHITETAIL (7103)

(D) ACCENT 3
DOORS
CHELSEA GRAY (2850)

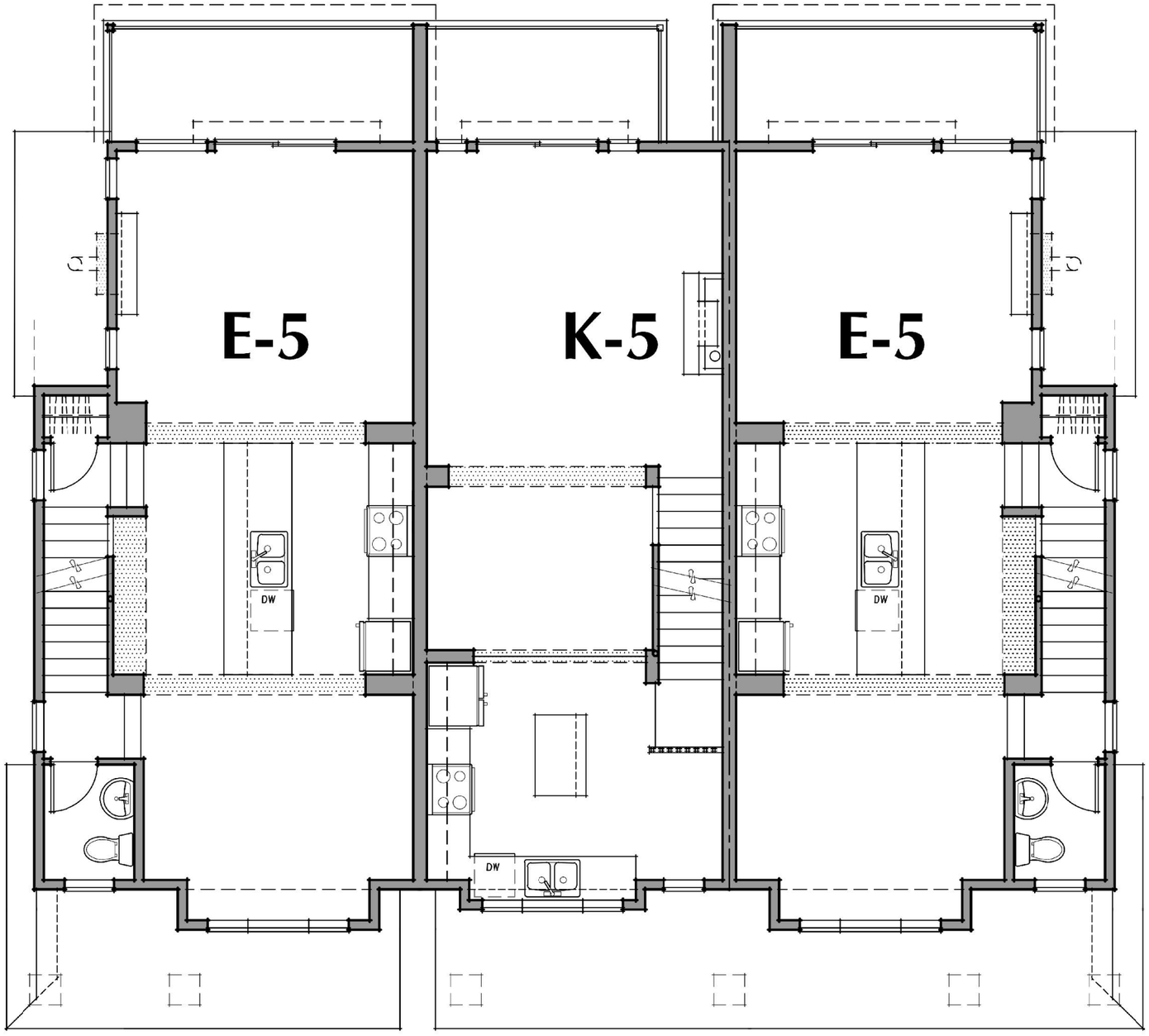
(E) STONE VENEER
CHARCOAL MIST

3-PLEX

3/16" = 1'-0"

SIDE ELEVATION

AMERICAN MODERN

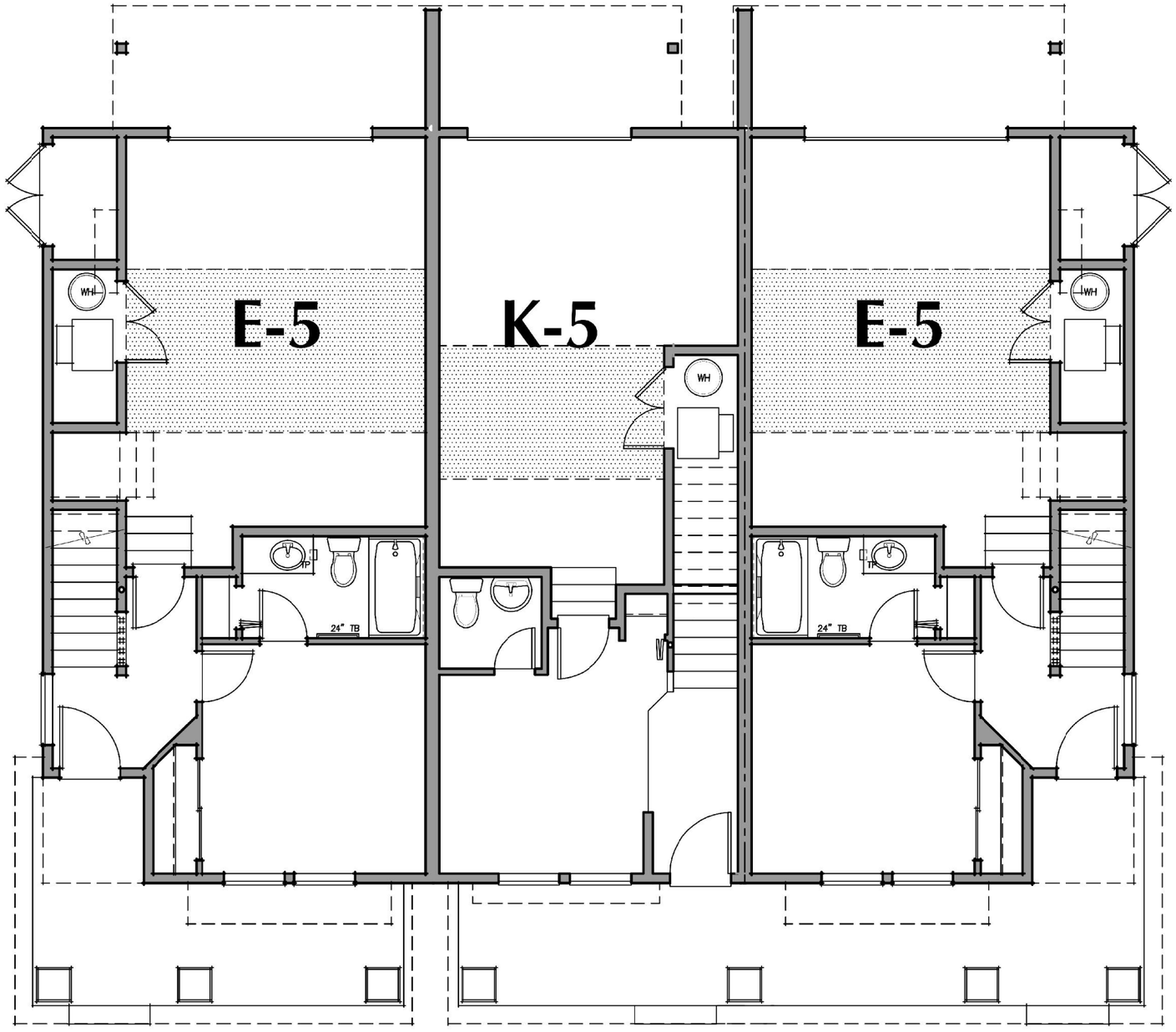


3-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN

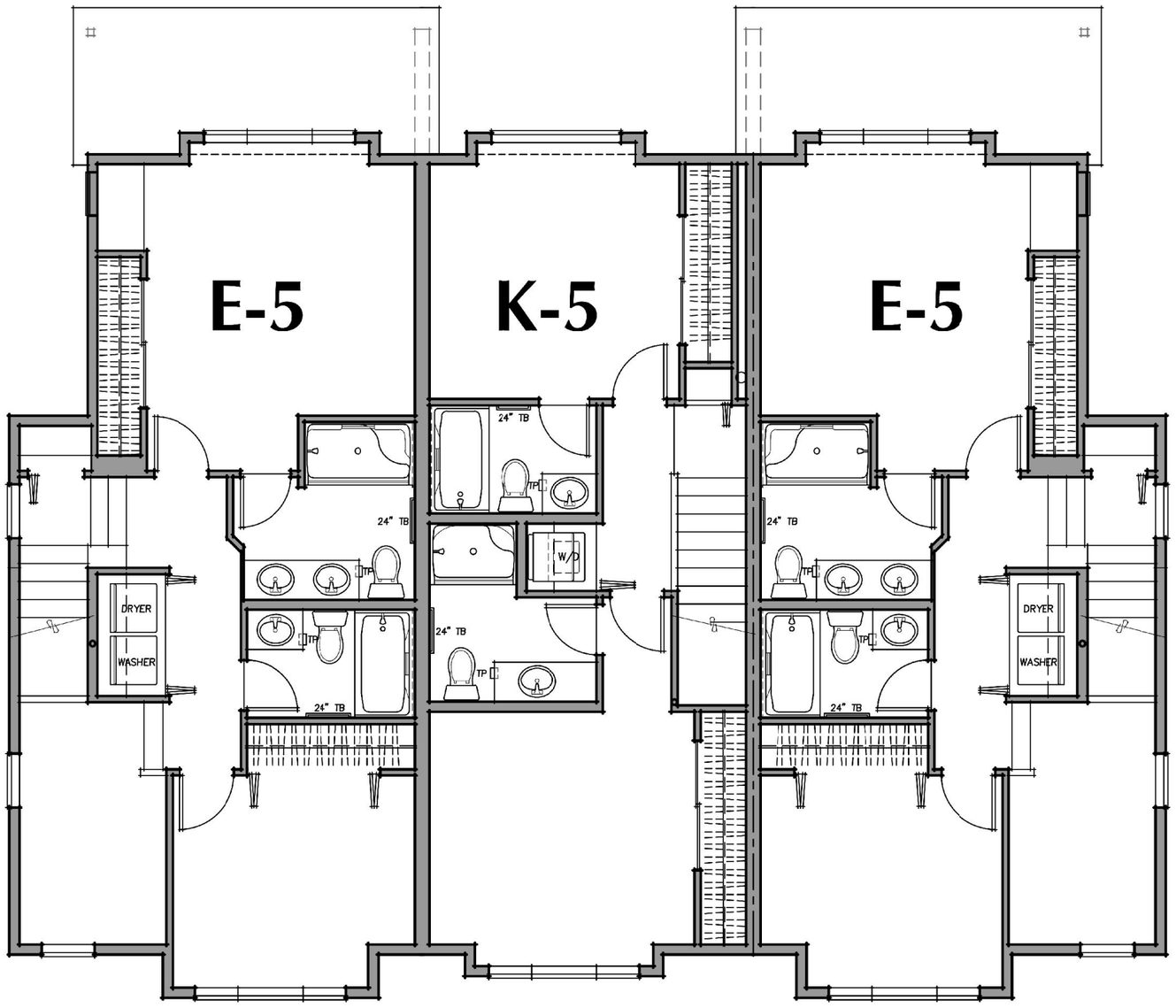


3-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN



3-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN

LONDON 3-PLEX

3/16" = 1'-0"

FRONT ELEVATION

4-PLEX T.U.

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

4-PLEX T.U.

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
GRAY AREA (7052)

(B) ACCENT 1
FIBER CEMENT SHINGLES
GRIZZLE GRAY (7068)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
PEARLY WHITE (7009)

(D) ACCENT 3
DOORS
STAIN: CEDAR

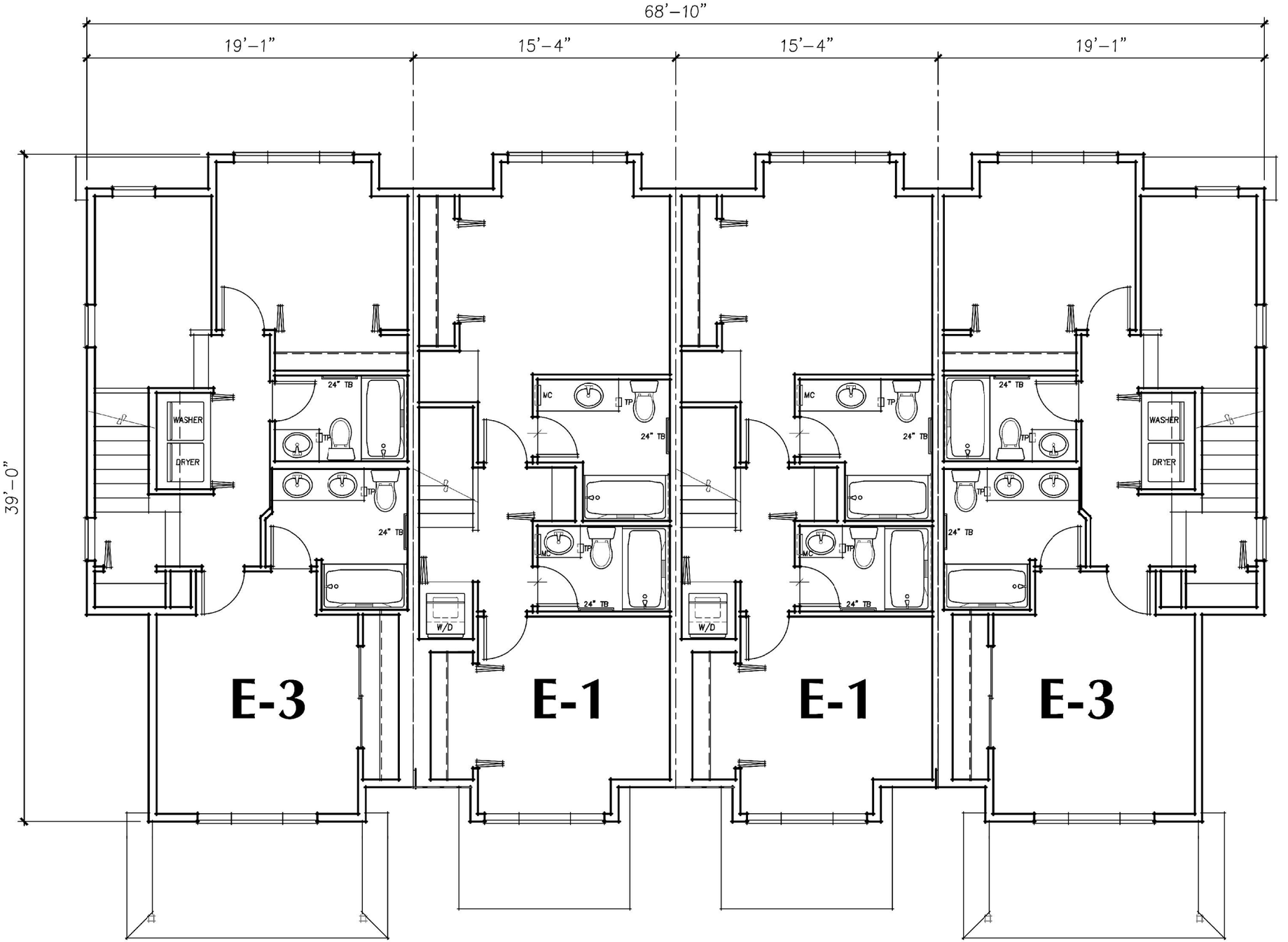
(E) STONE VENEER
CHARCOAL MIST

4-PLEX T.U.

3/16"=1'-0"

SIDE ELEVATION

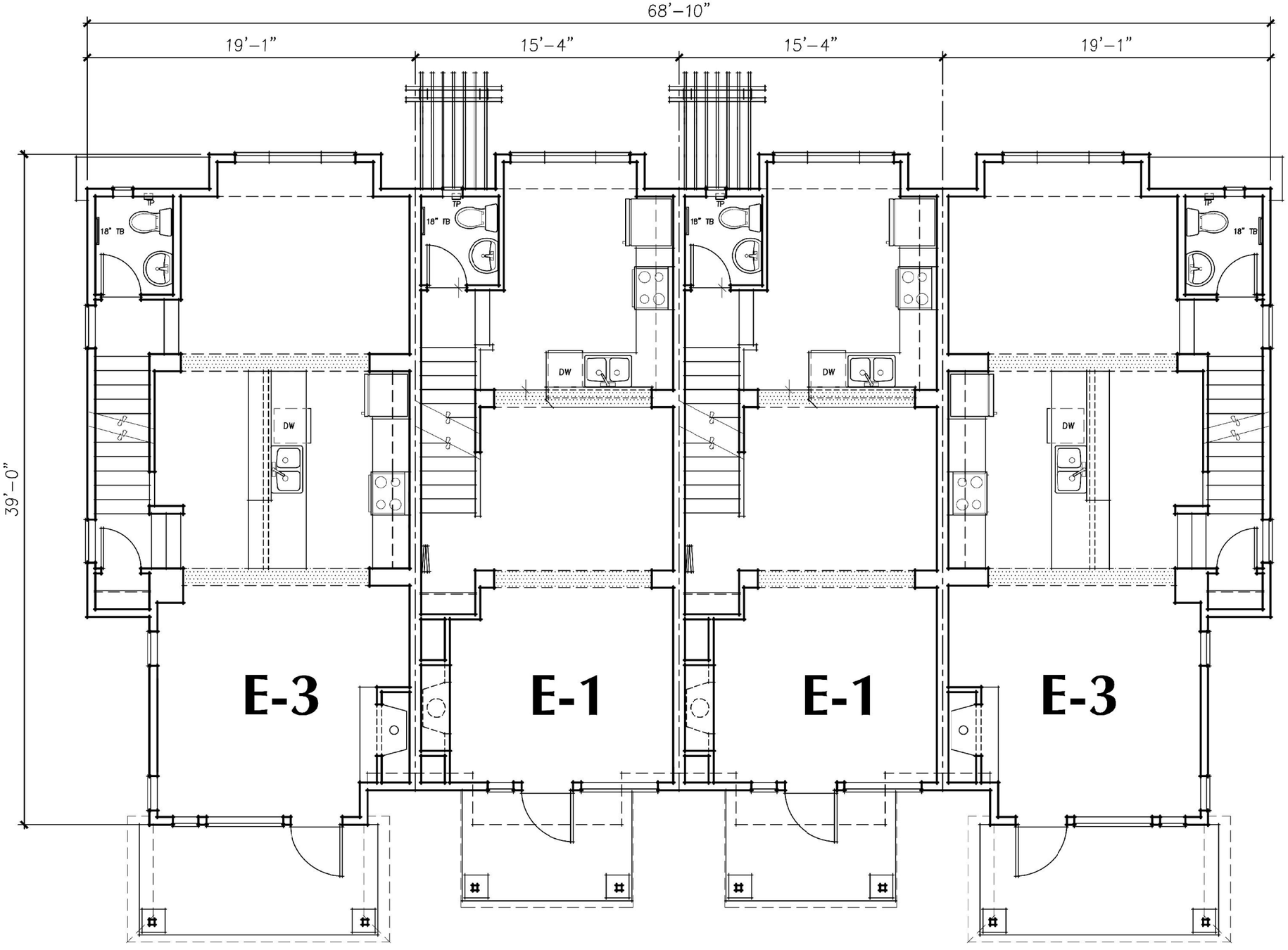
AMERICAN MODERN



4-PLEX T.U.

UPPER FLOOR PLAN

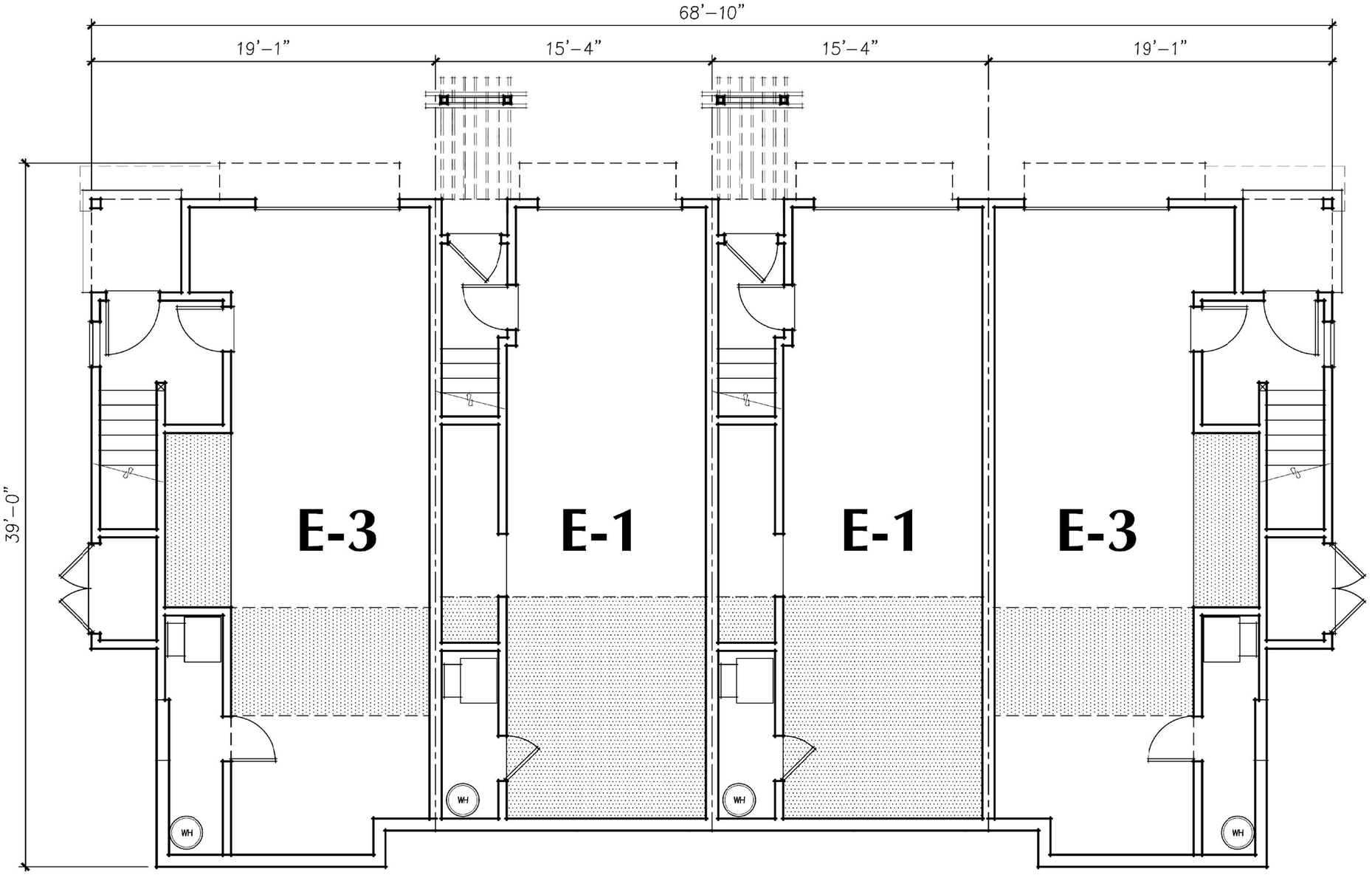
1/8"=1'–0"



4-PLEX T.U.

MIDDLE FLOOR PLAN

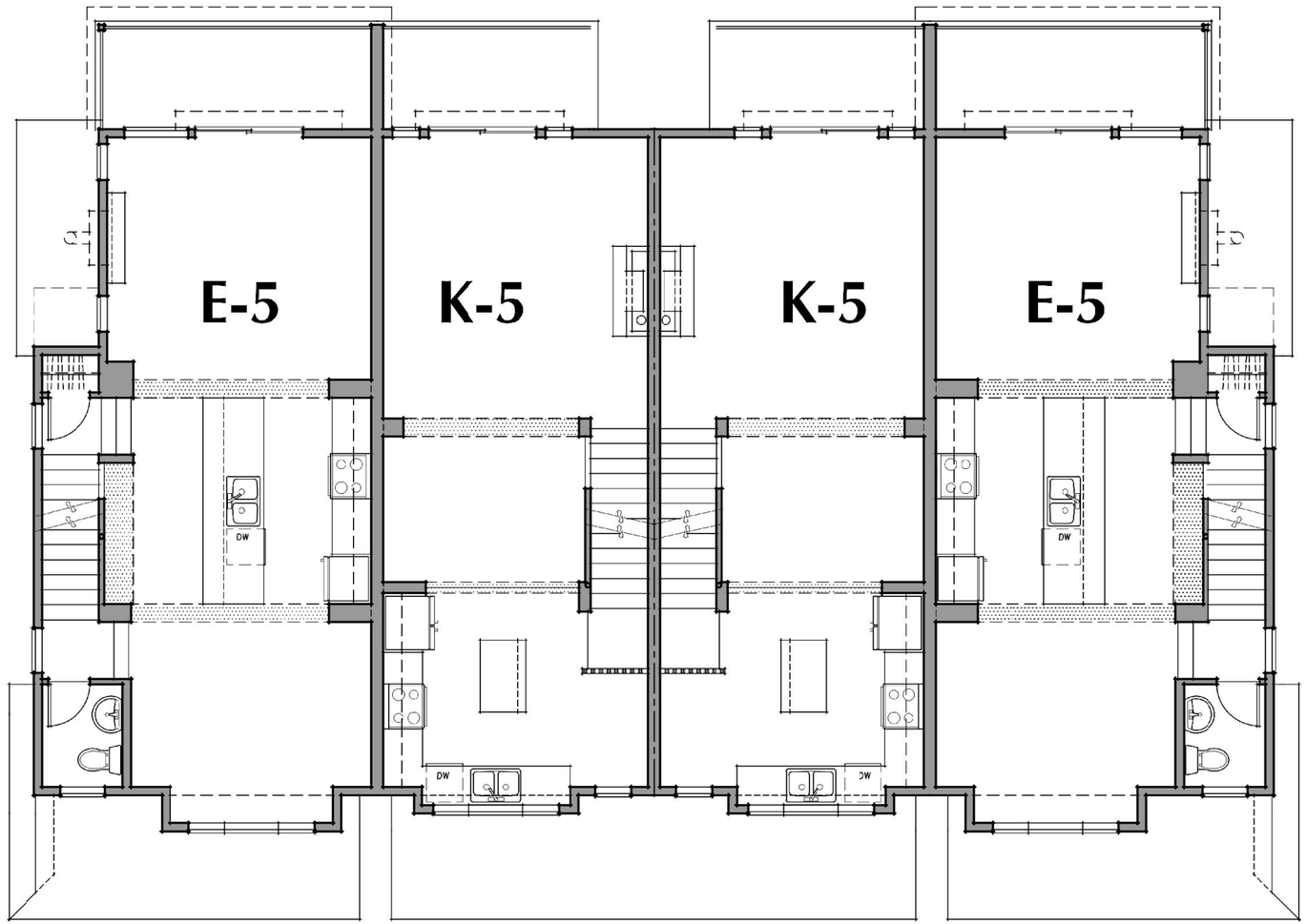
1/8"=1'-0"



4-PLEX T.U.

LOWER FLOOR PLAN

1/8"=1'–0"

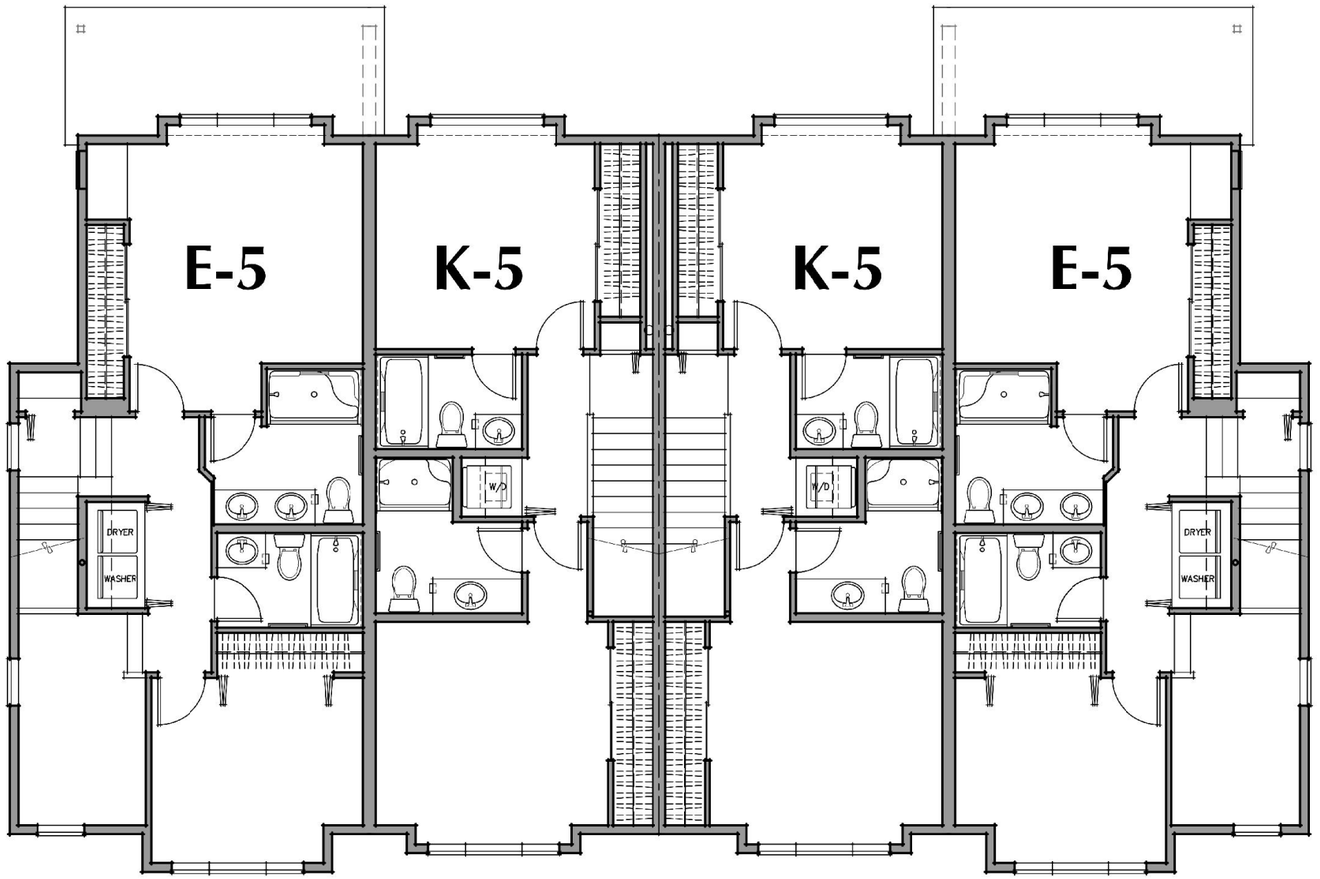


4-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN

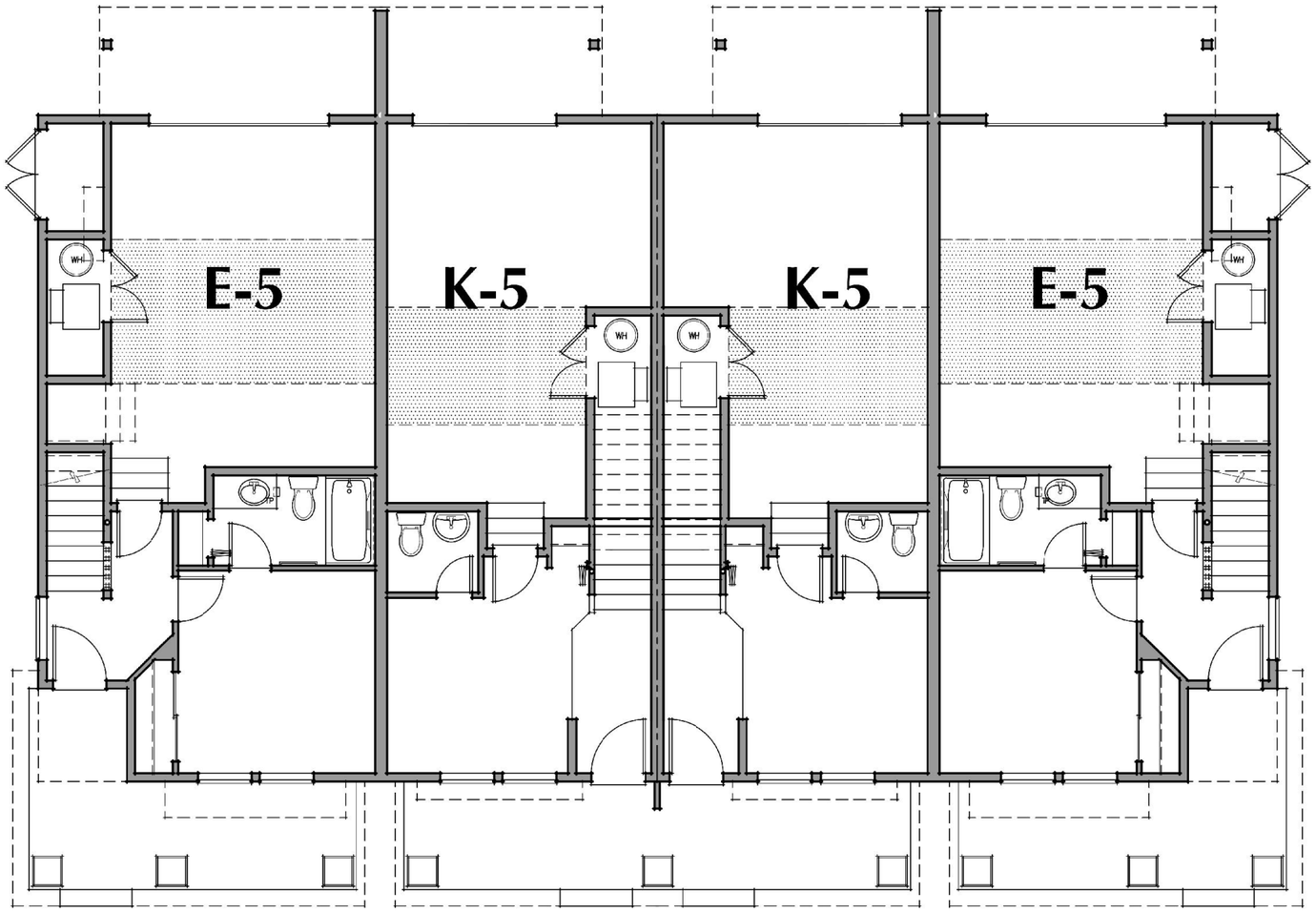


4-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN



4-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN

4-PLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

4-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
ANDRION (6174)

(B) ACCENT 1
FIBER CEMENT SHINGLES
OLIVE GROVE (7734)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
SW PEARLY WHITE (7009)

(D) ACCENT 3
DOORS
GRIZZLE GRAY (7068)

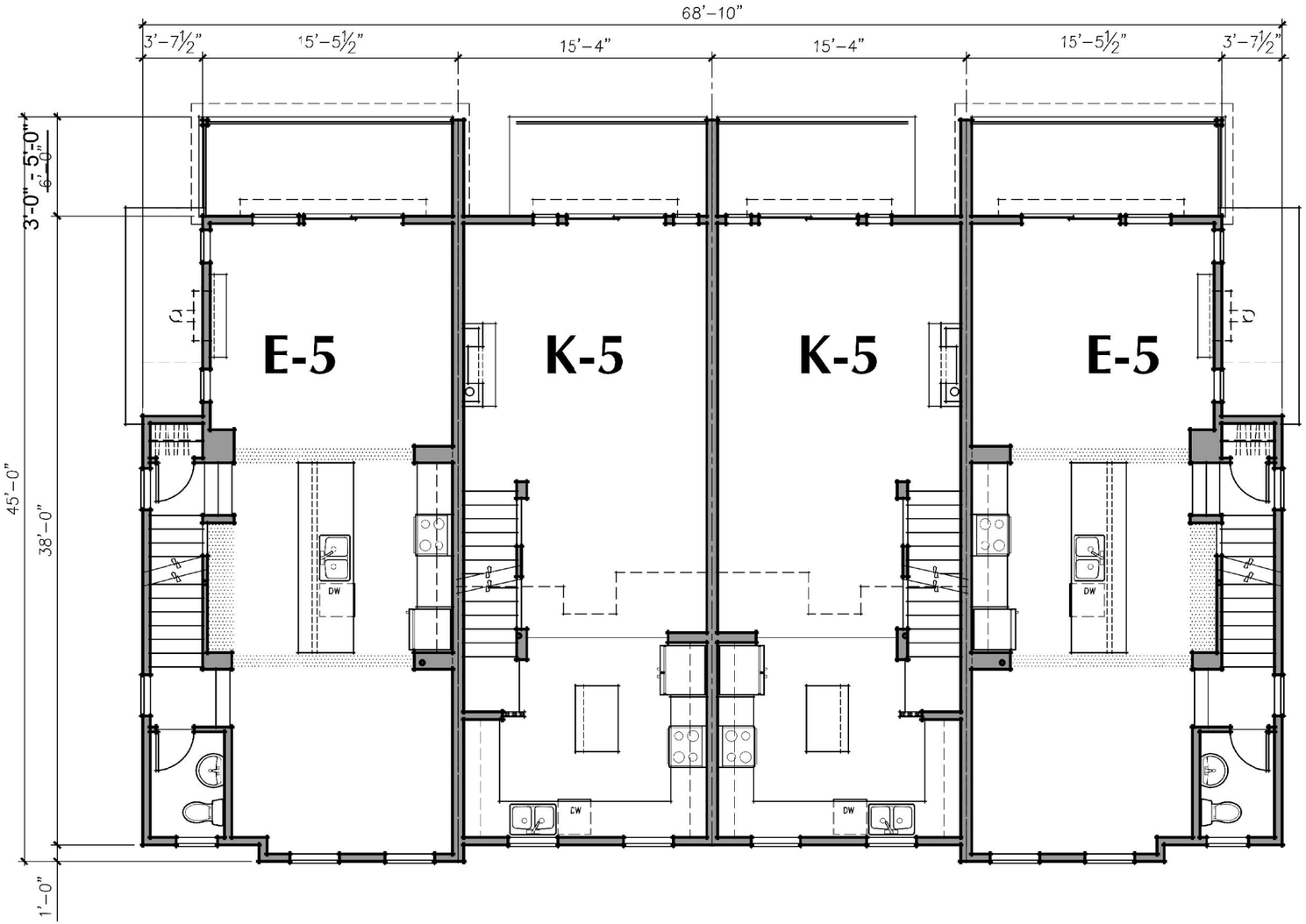
(E) STONE VENEER
CHARCOAL MIST

4-PLEX

3/16" = 1'-0"

RIGHT SIDE ELEVATION

AMERICAN MODERN

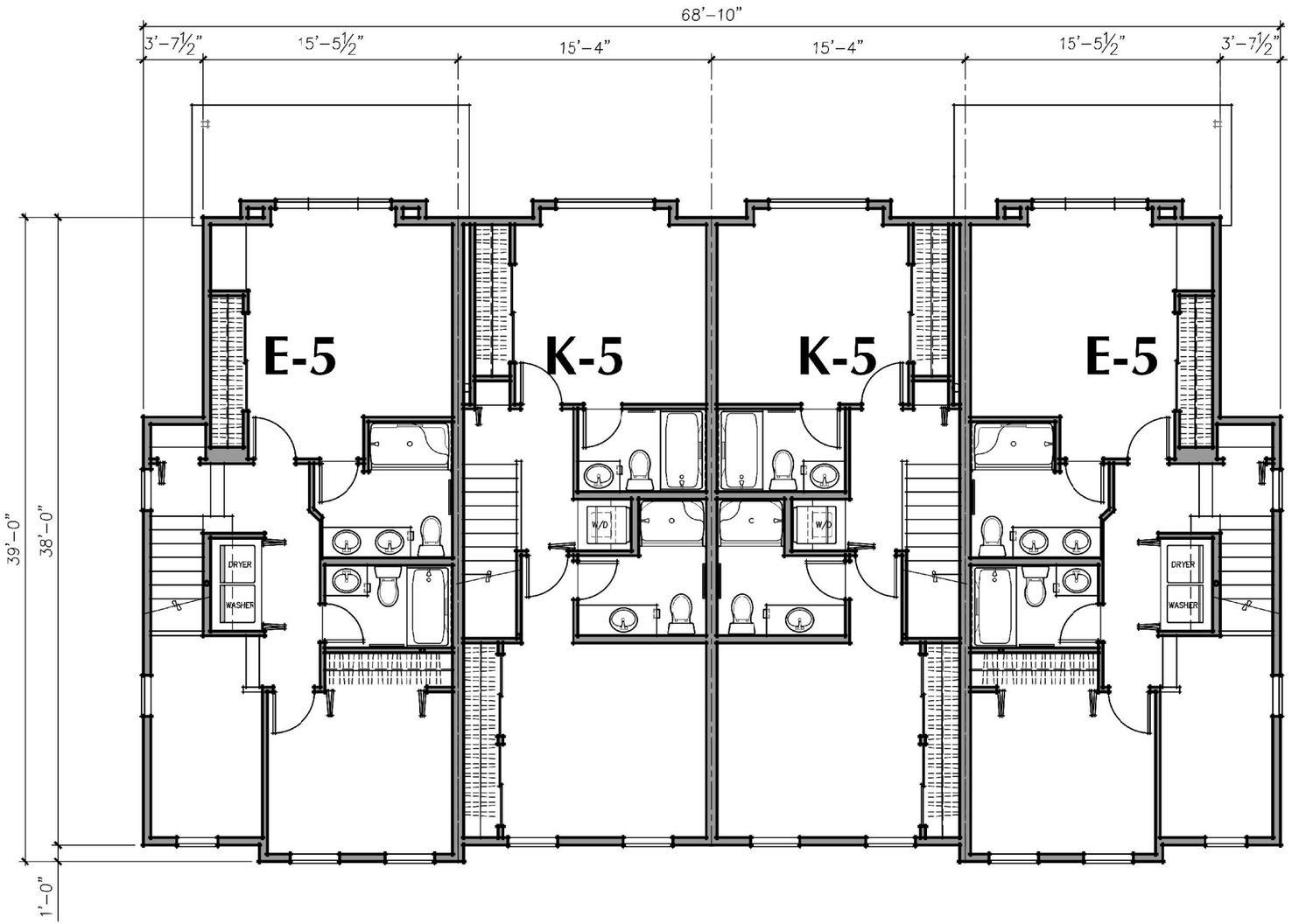


4-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

LONDON ROWHOUSES

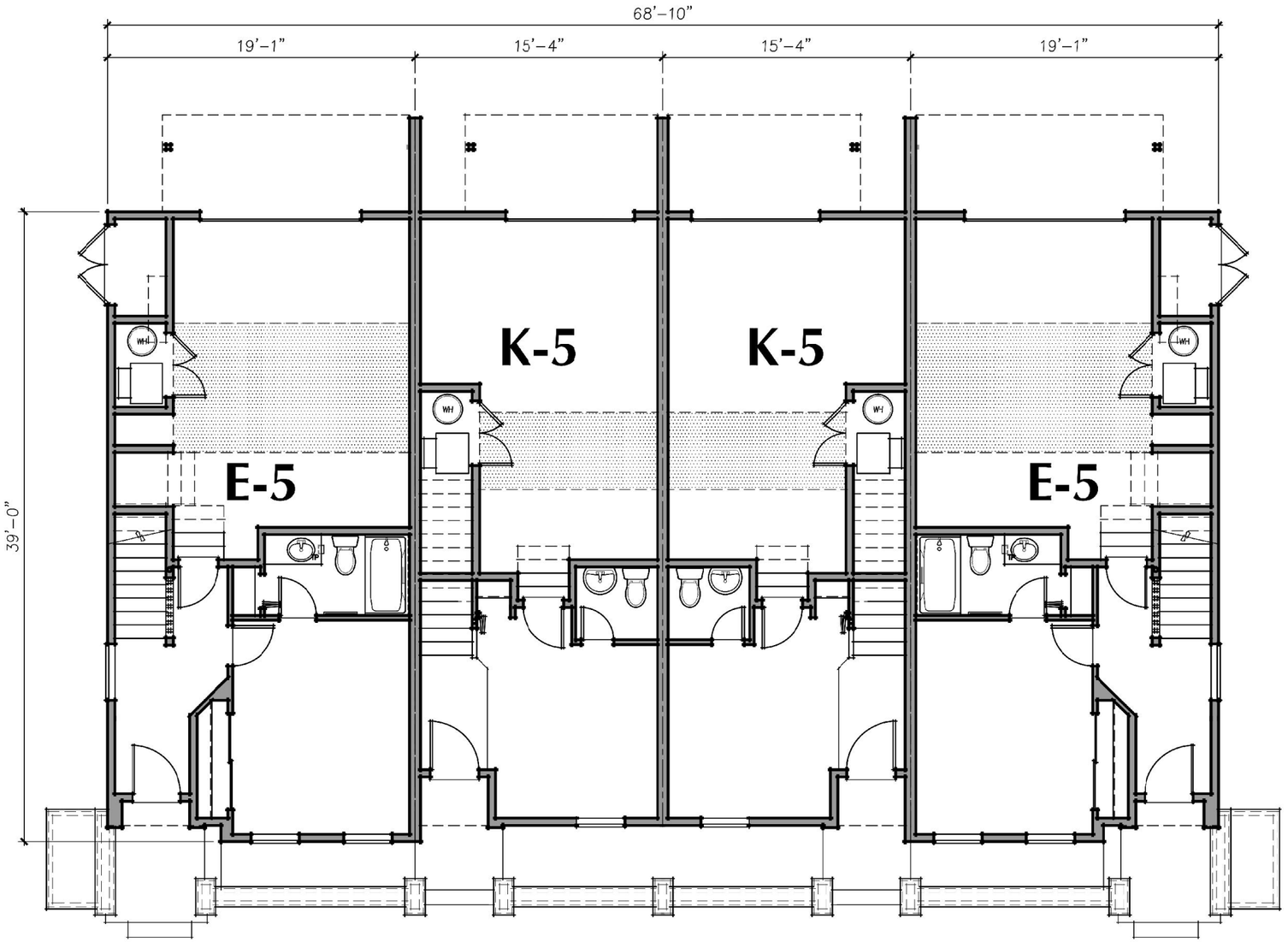


4-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

LONDON ROWHOUSES



4-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

LONDON ROWHOUSES

5-PLEX

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

5-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

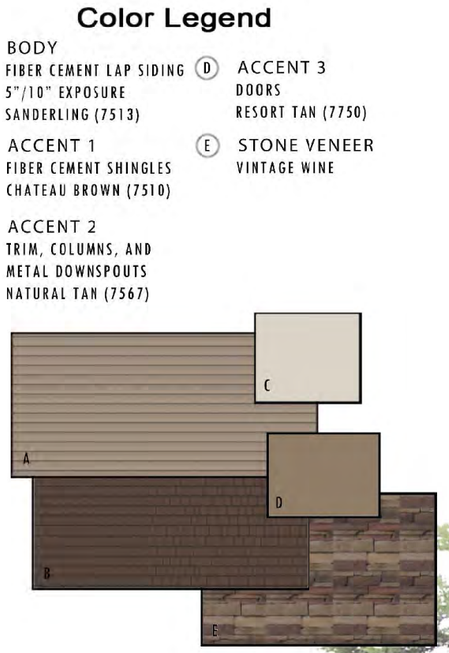
(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
SANDERLING (7513)

(B) ACCENT 1
FIBER CEMENT SHINGLES
CHATEAU BROWN (7510)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
NATURAL TAN (7567)

(D) ACCENT 3
DOORS
RESORT TAN (7750)

(E) STONE VENEER
VINTAGE WINE

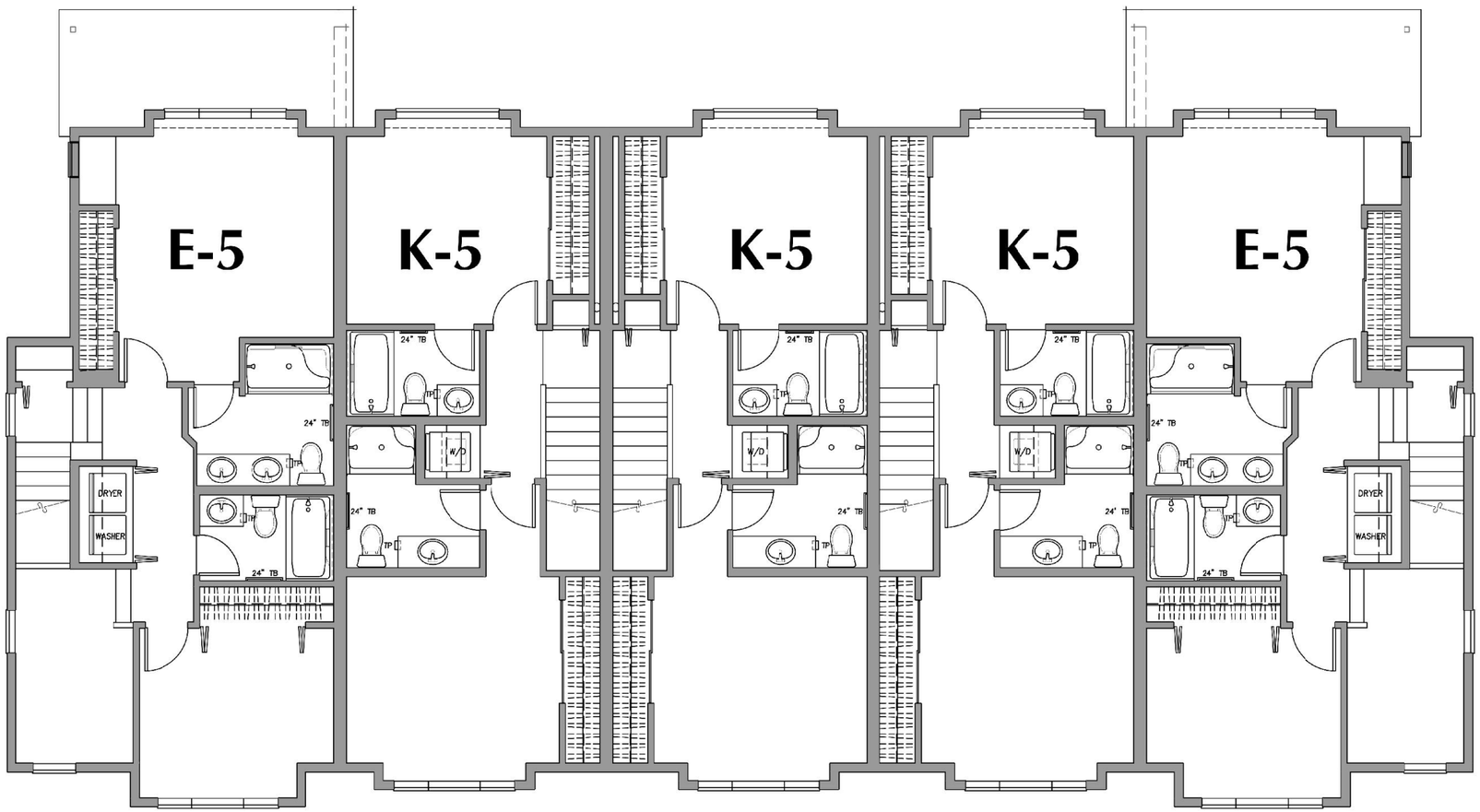


5-PLEX

3/16" = 1'-0"

SIDE ELEVATION

AMERICAN MODERN

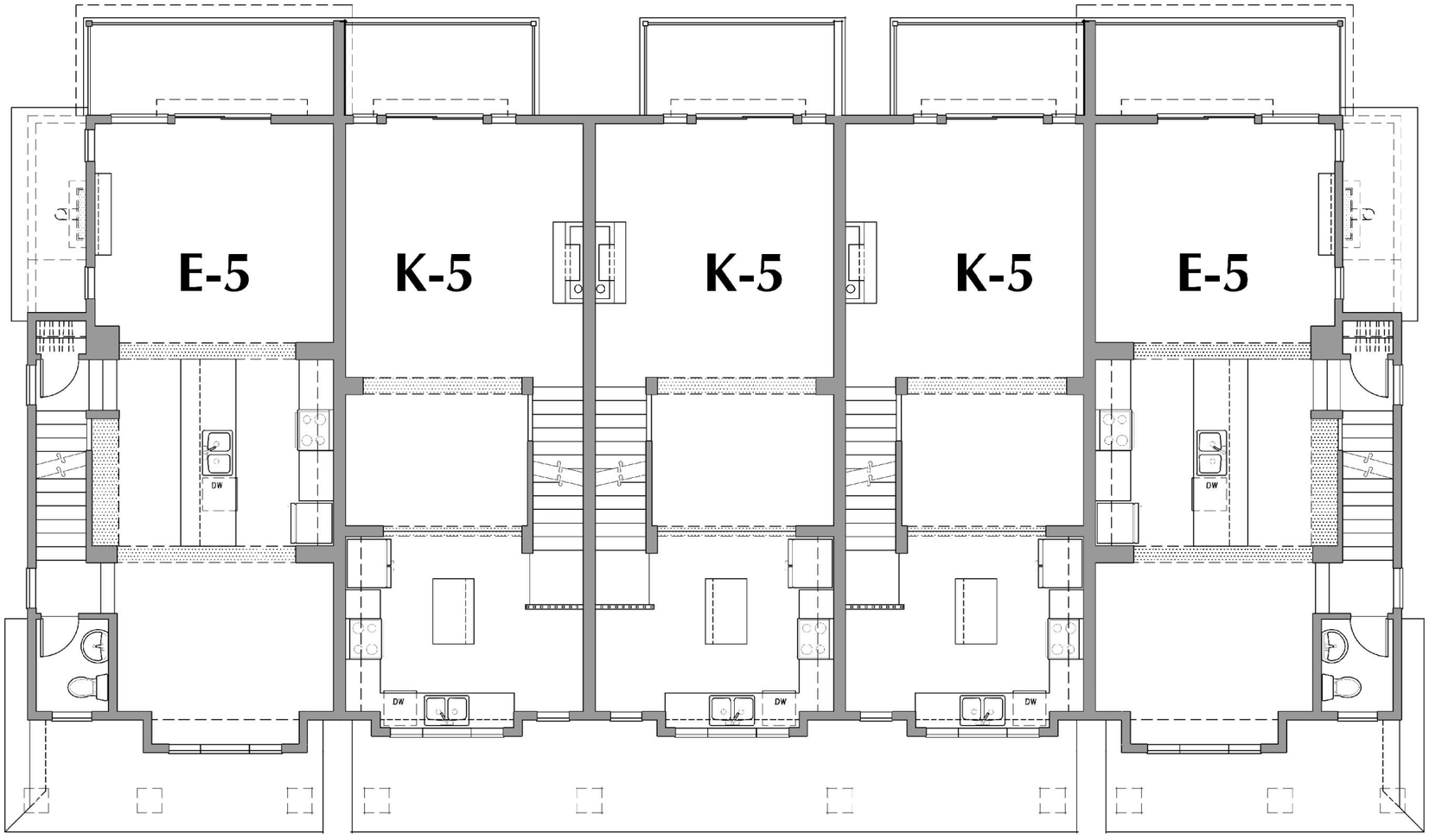


5-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN

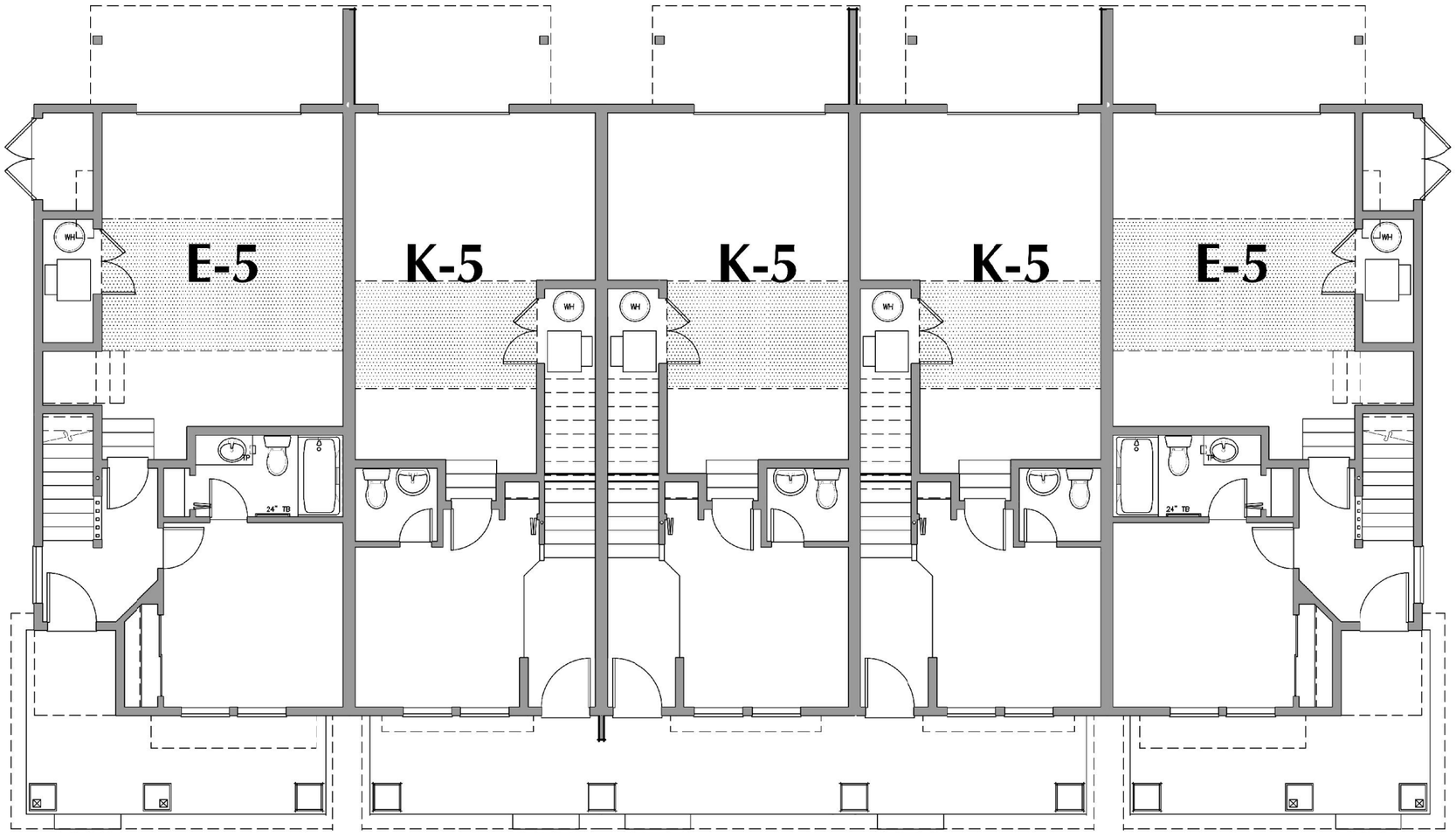


5-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN



5-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN

5-PLEX T.U.

3/16" = 1'-0"

FRONT ELEVATION

AMERICAN MODERN

5-PLEX T.U.

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

Color Legend

(A) BODY
FIBER CEMENT LAP SIDING
5"/10" EXPOSURE
ROYCROFT SUEDE (2842)

(B) ACCENT 1
FIBER CEMENT SHINGLES
SUPERIOR BRONZE (6152)

(C) ACCENT 2
TRIM, COLUMNS, AND
METAL DOWNSPOUTS
PEARLY WHITE (7009)

(D) ACCENT 3
DOORS
PEARLY WHITE (7009)

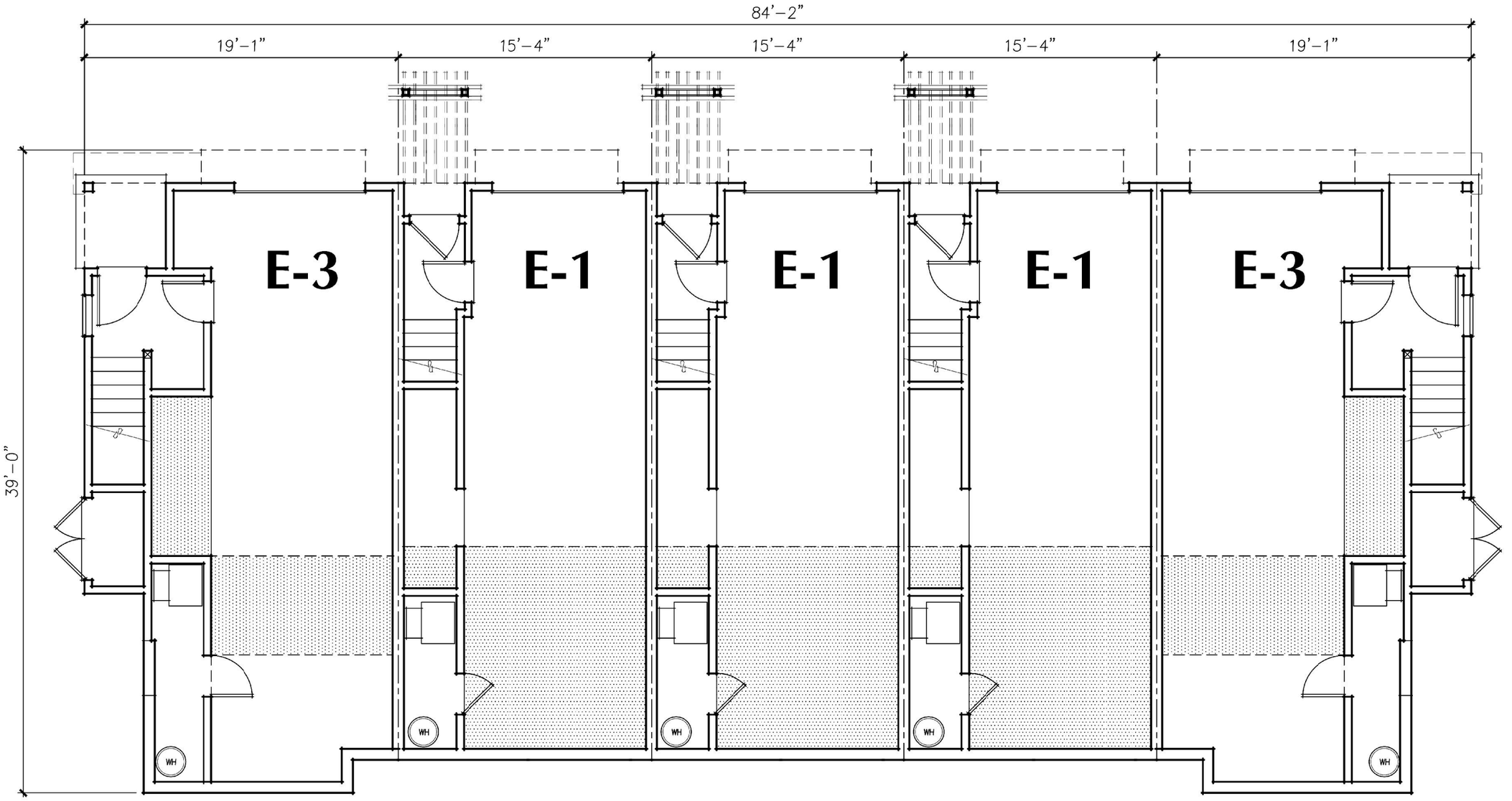
(E) STONE VENEER
CHARCOAL MIST

5-PLEX T.U.

3/16"=1'-0"

SIDE ELEVATION

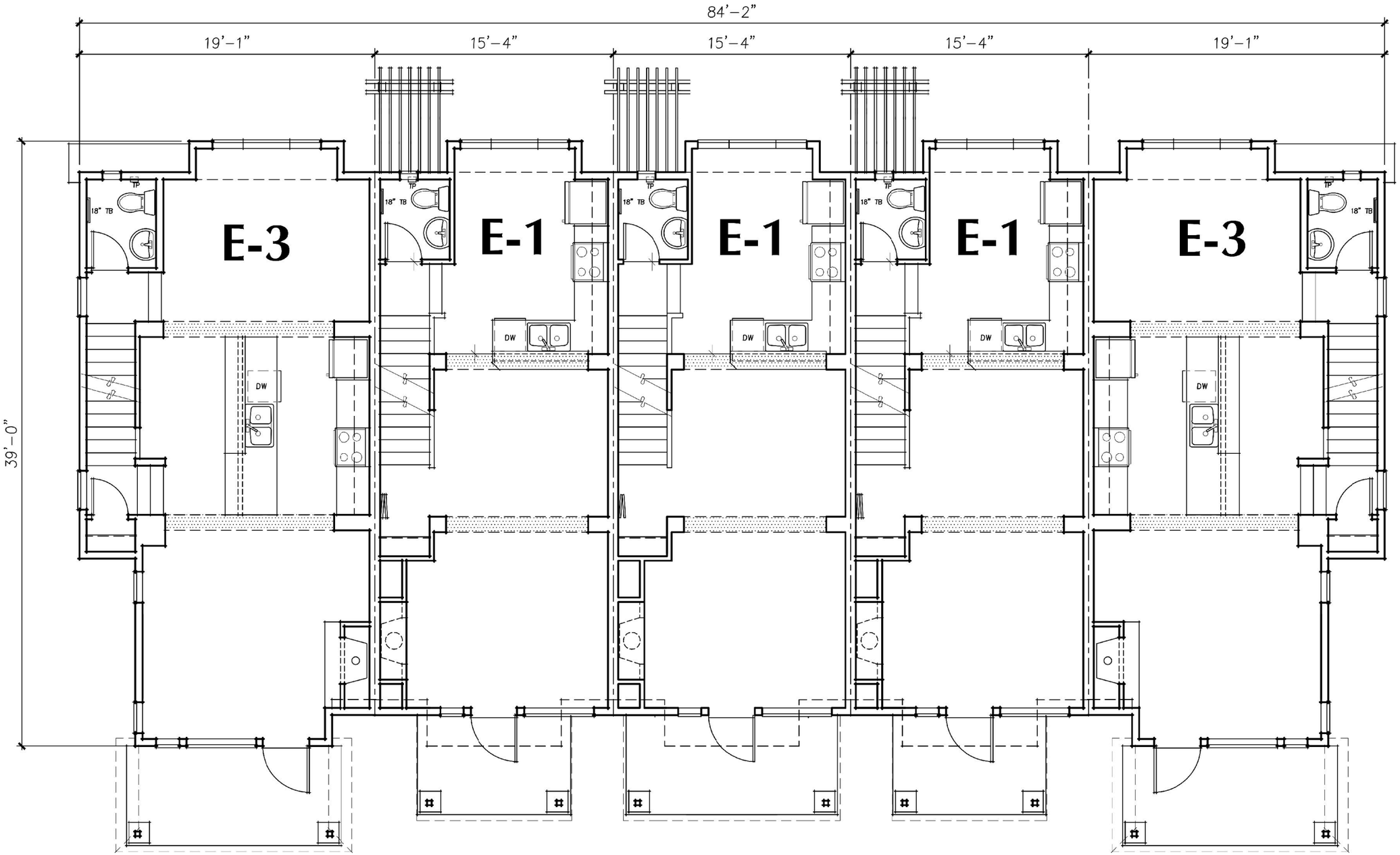
AMERICAN MODERN



5-PLEX T.U.

LOWER FLOOR PLAN

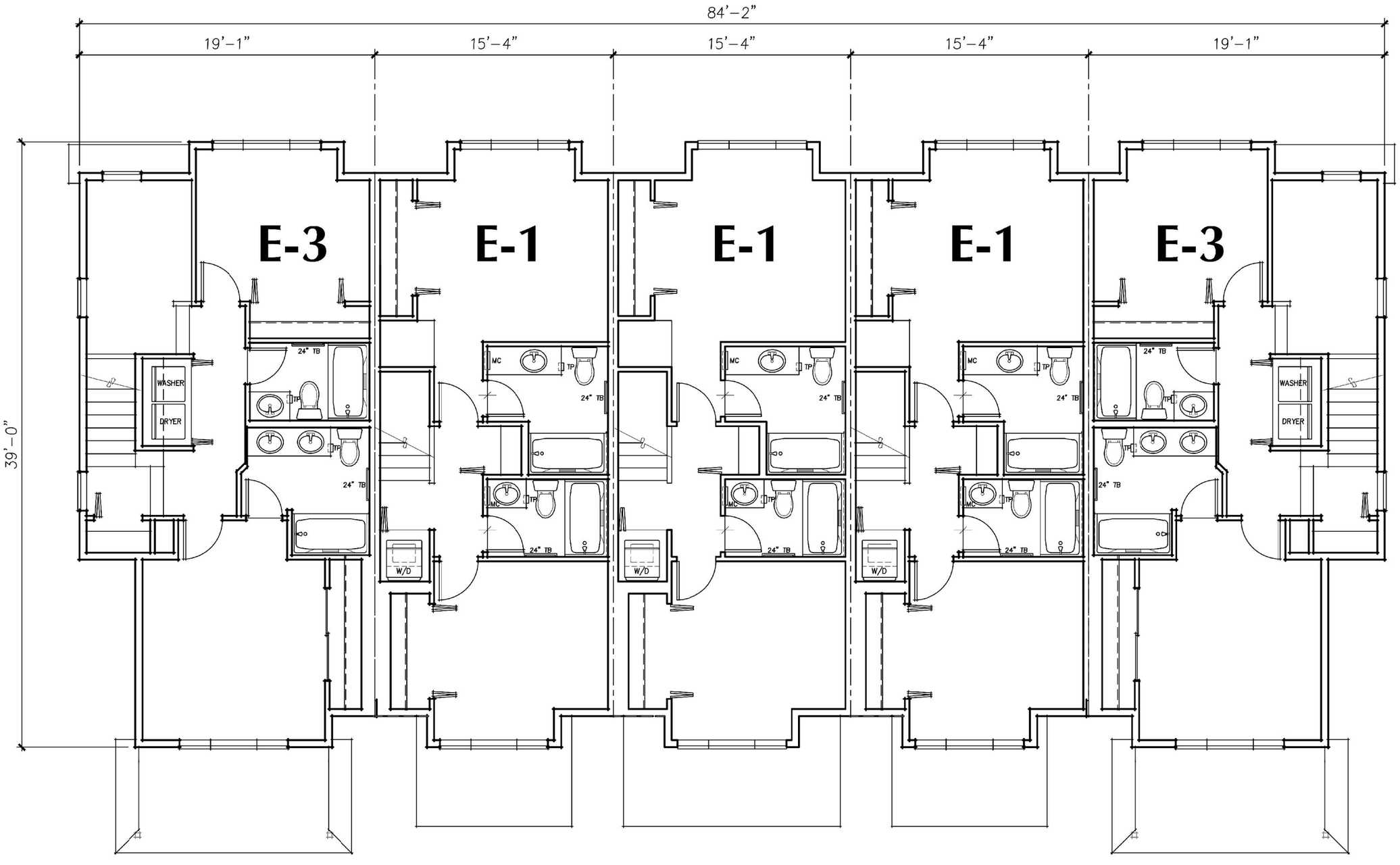
1/8"=1'–0"



5-PLEX T.U.

MIDDLE FLOOR PLAN

1/8"=1'–0"



5-PLEX T.U.

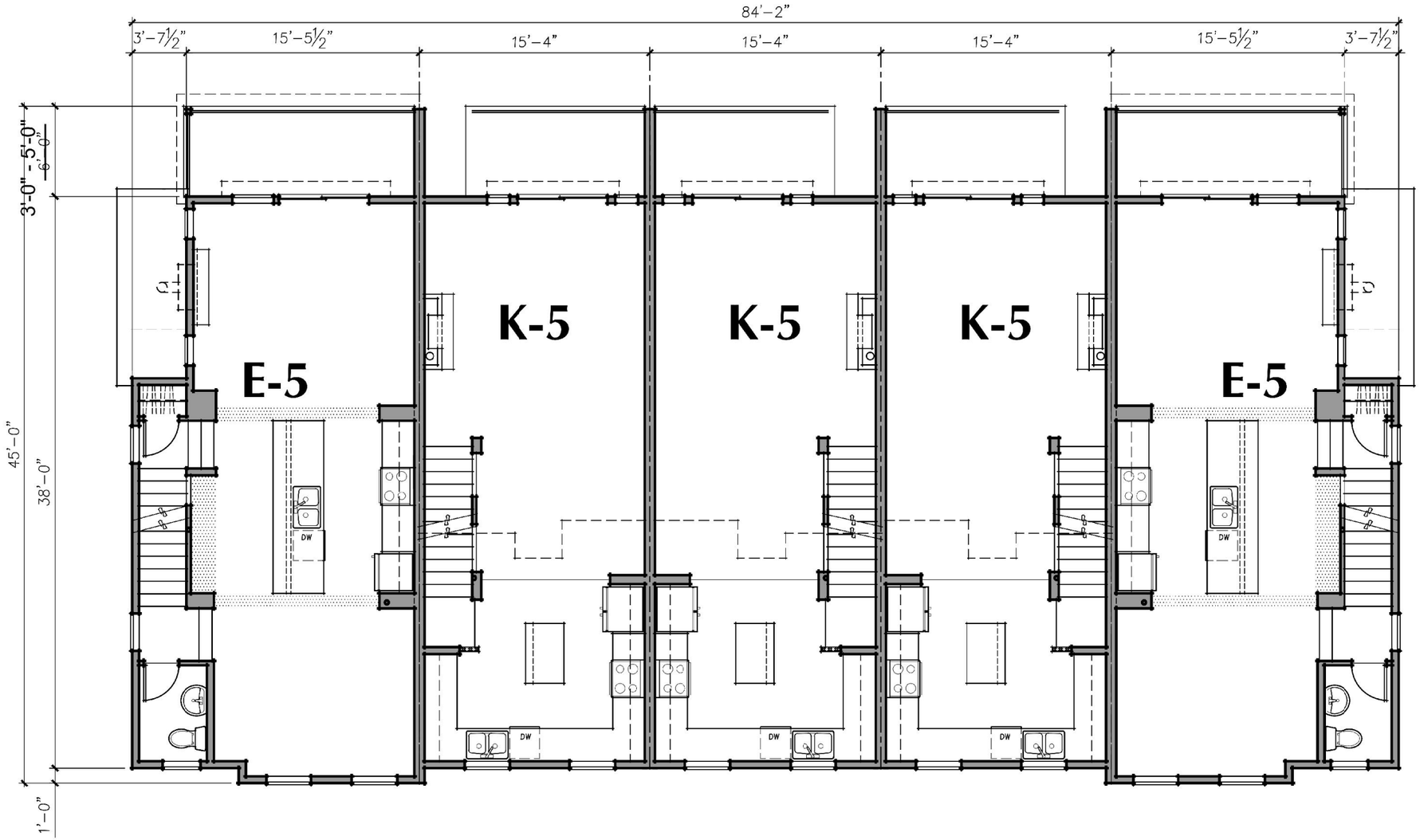
UPPER FLOOR PLAN

1/8"=1'-0"

LONDON 5-PLEX

3/16" = 1'-0"

FRONT ELEVATION

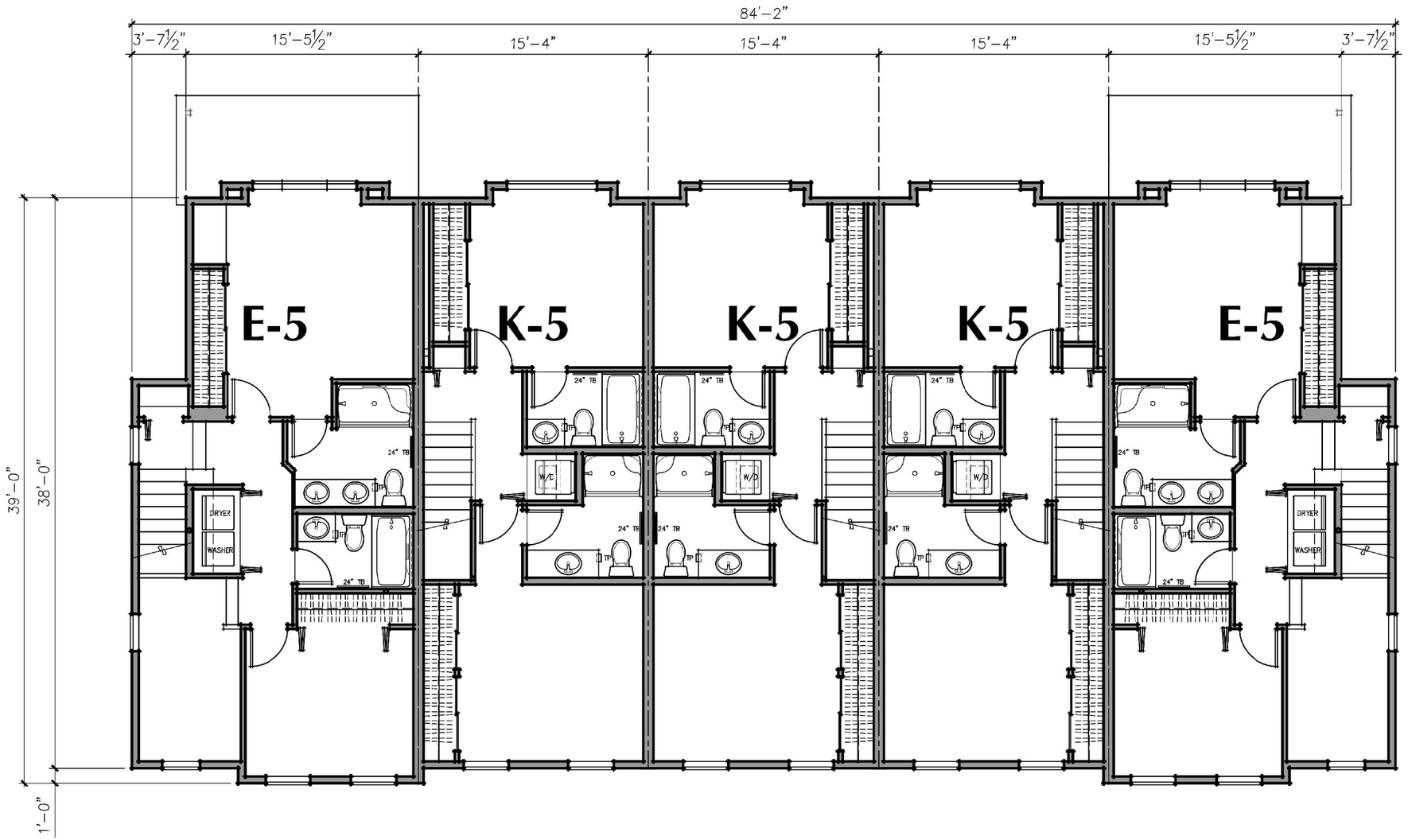


5-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

LONDON ROWHOUSES

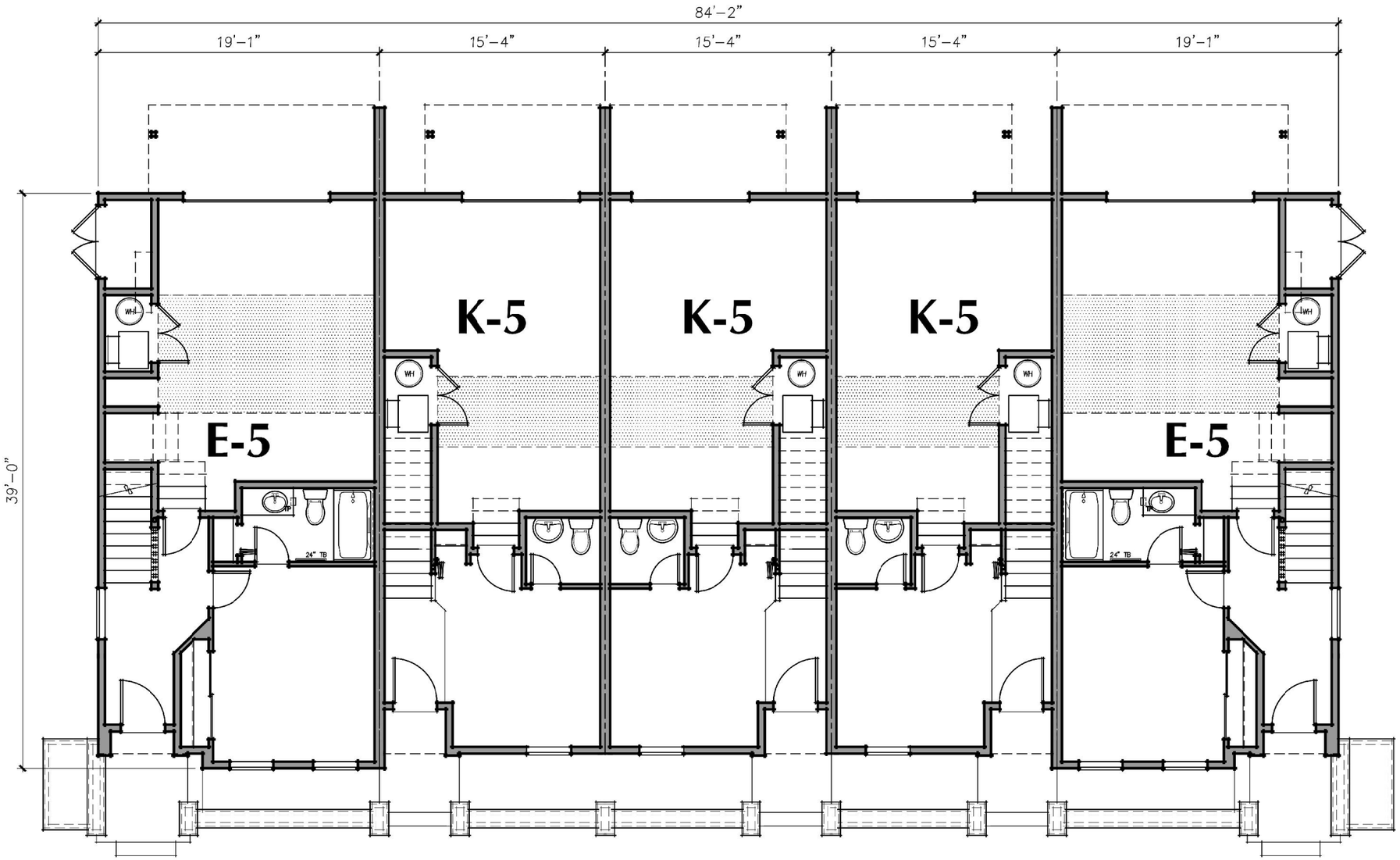


5-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

LONDON ROWHOUSES



5-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

LONDON ROWHOUSES

6-PLEX

3/16" = 1'-0"

FRONT ELEVATION

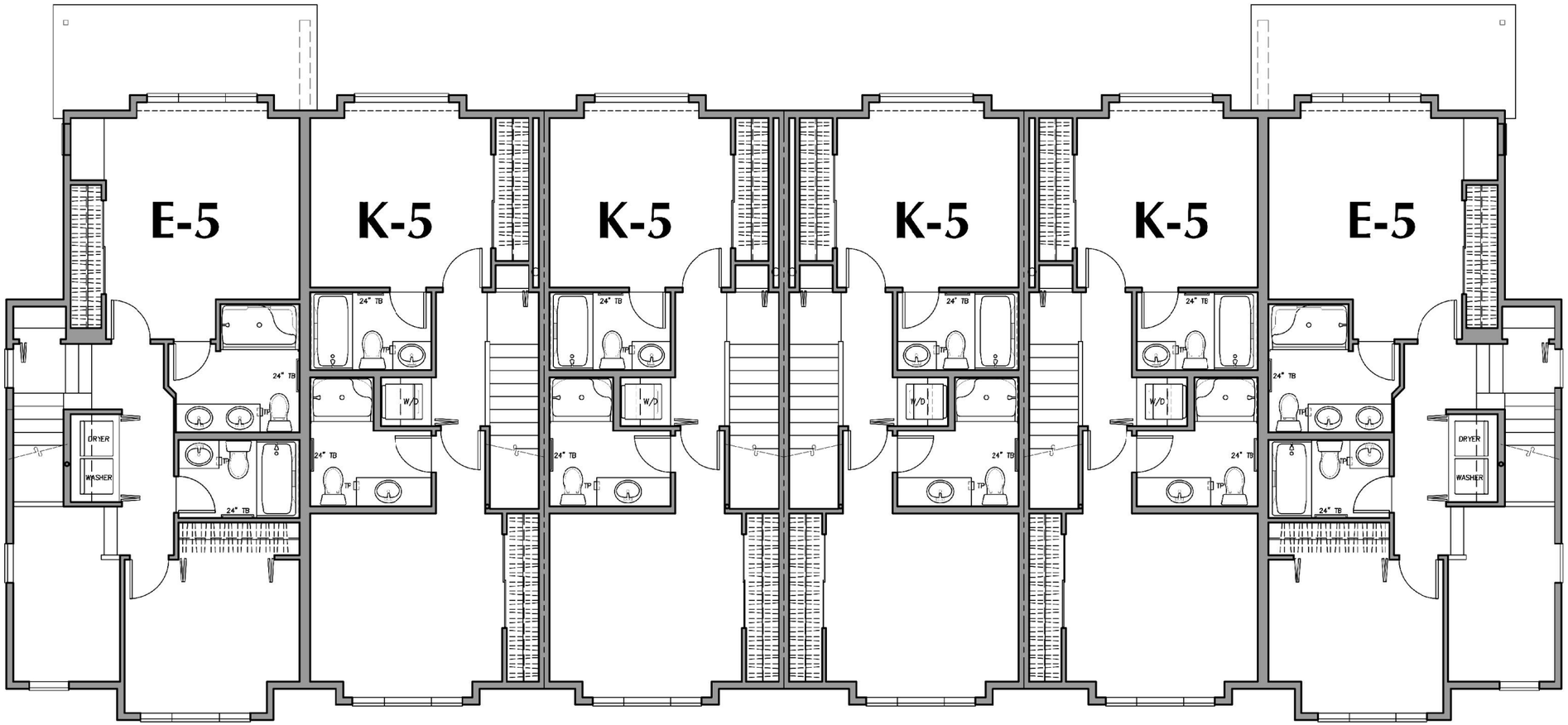
AMERICAN MODERN

6-PLEX

3/16" = 1'-0"

REAR ELEVATION

AMERICAN MODERN

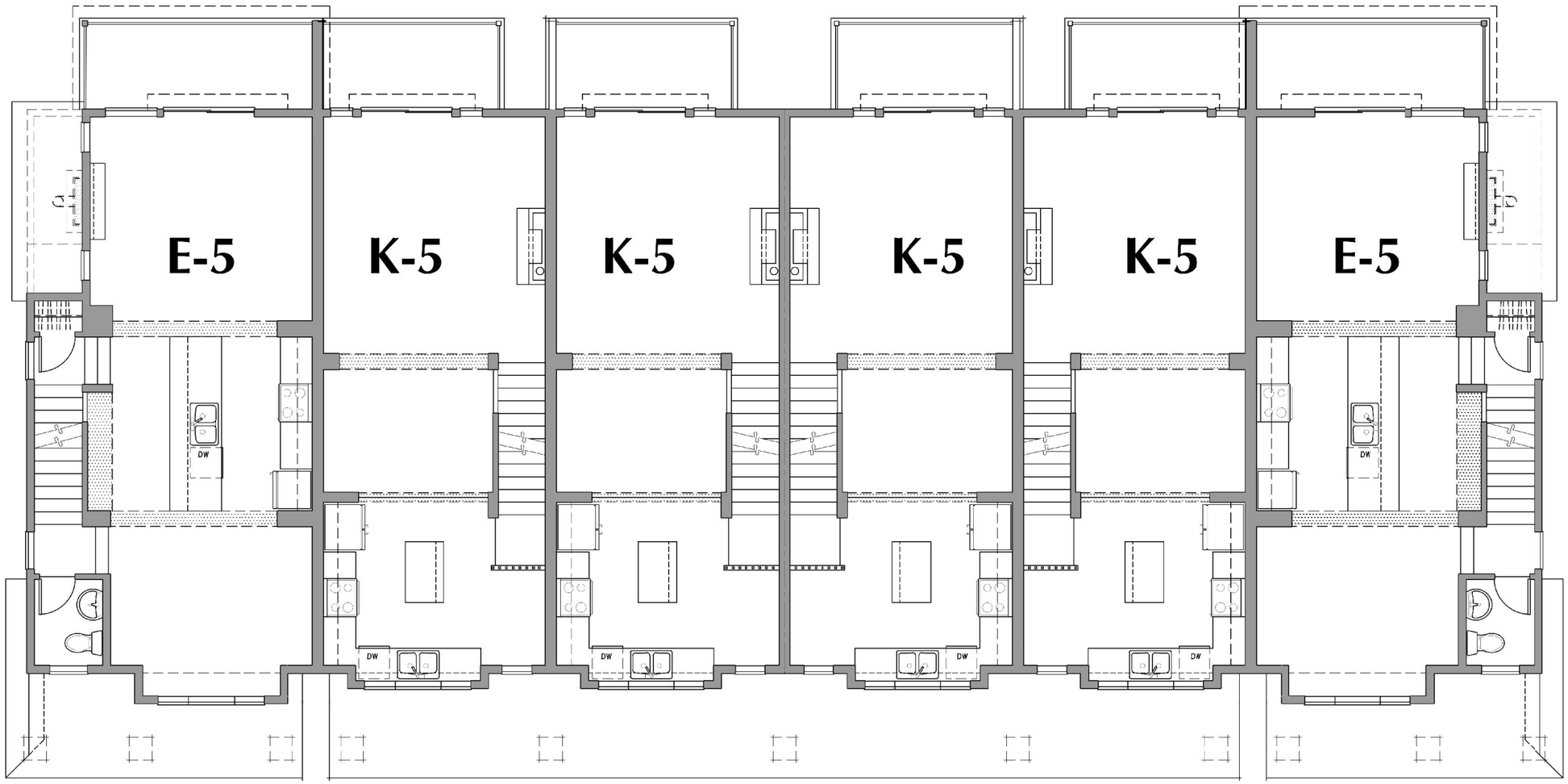


6-PLEX

1/8" = 1'-0"

UPPER LEVEL PLAN

AMERICAN MODERN

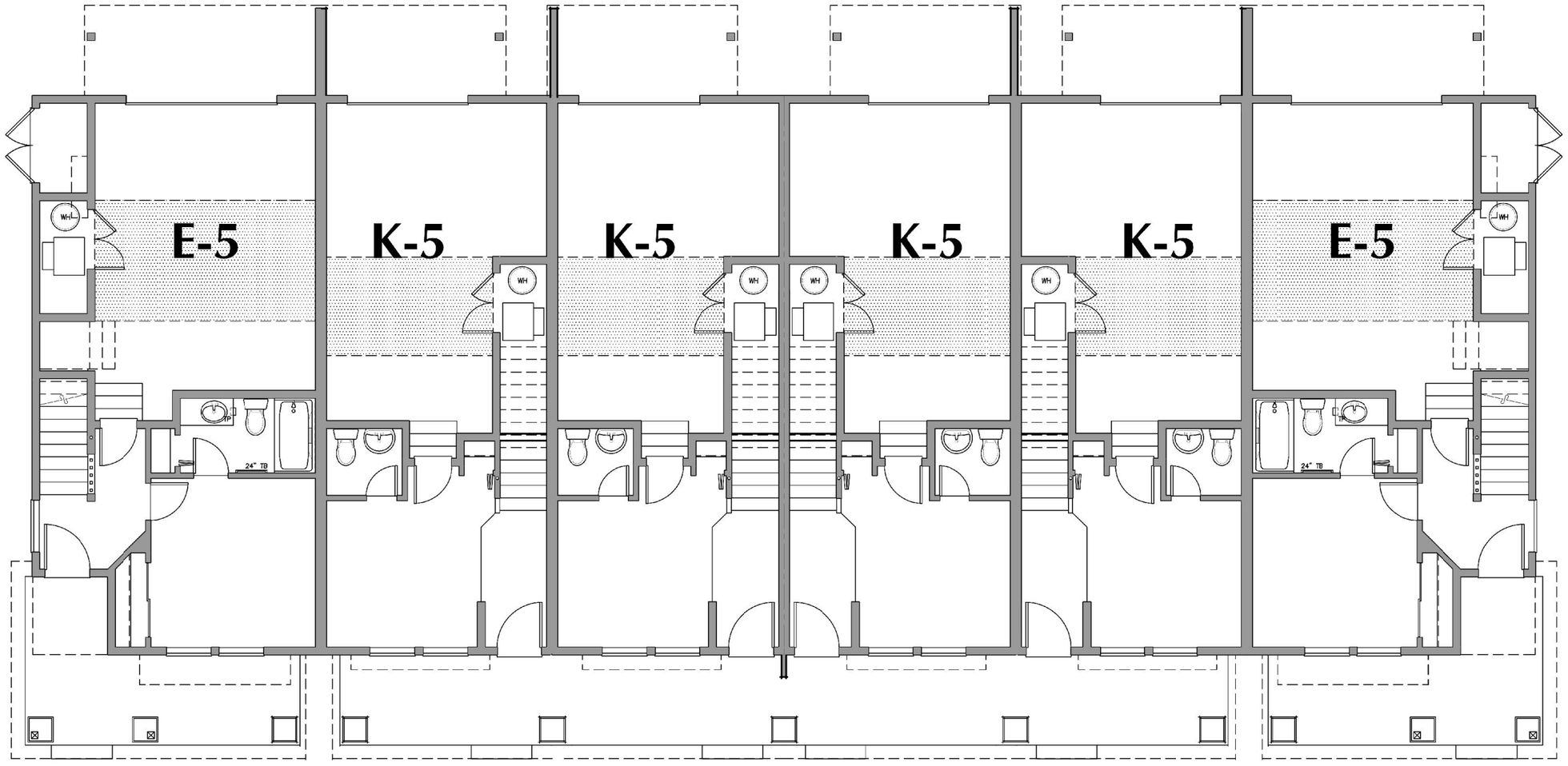


6-PLEX

1/8" = 1'-0"

MIDDLE LEVEL PLAN

AMERICAN MODERN



6-PLEX

1/8" = 1'-0"

LOWER LEVEL PLAN

AMERICAN MODERN

6-PLEX

3/16" = 1'-0"

FRONT ELEVATION

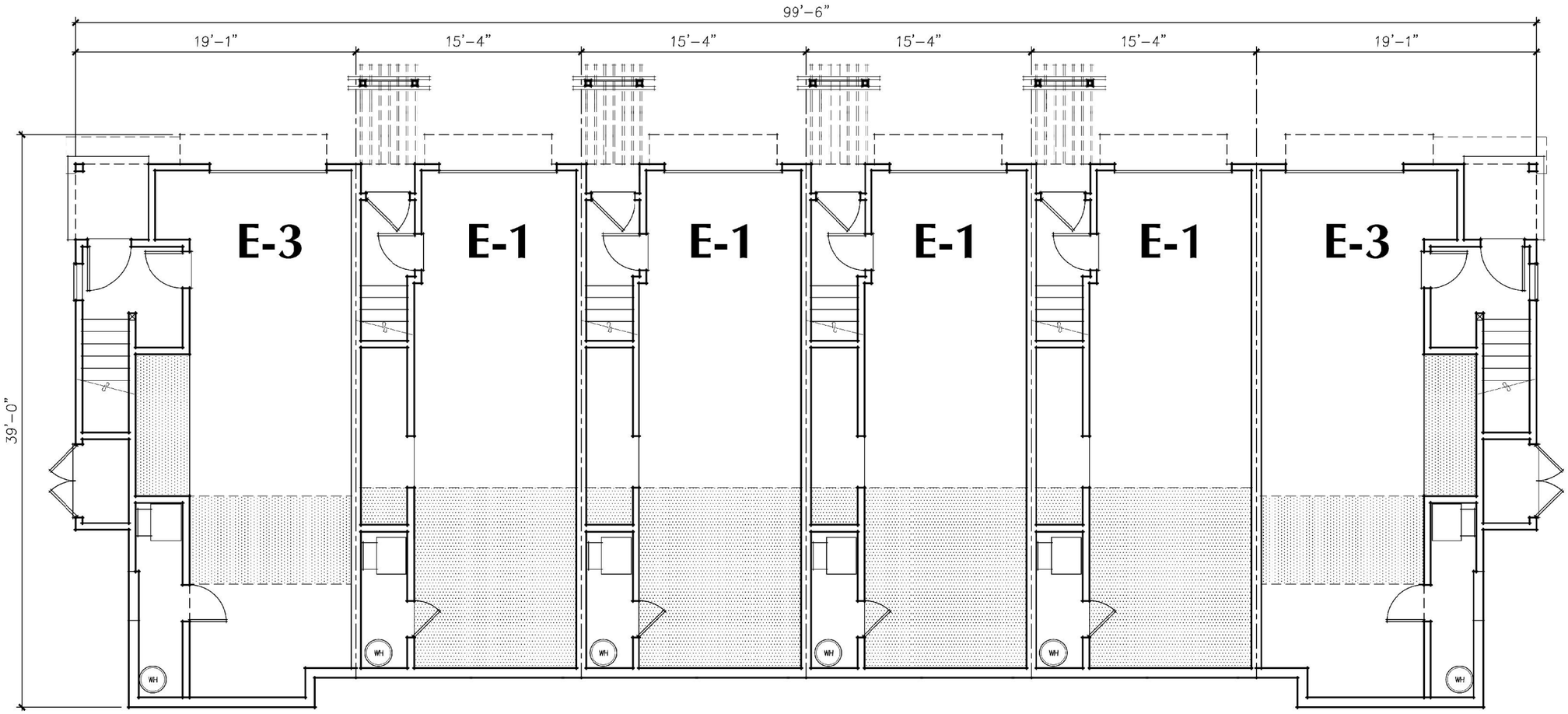
AMERICAN MODERN

6-PLEX

3/16" = 1'-0"

REAR ELEVATION

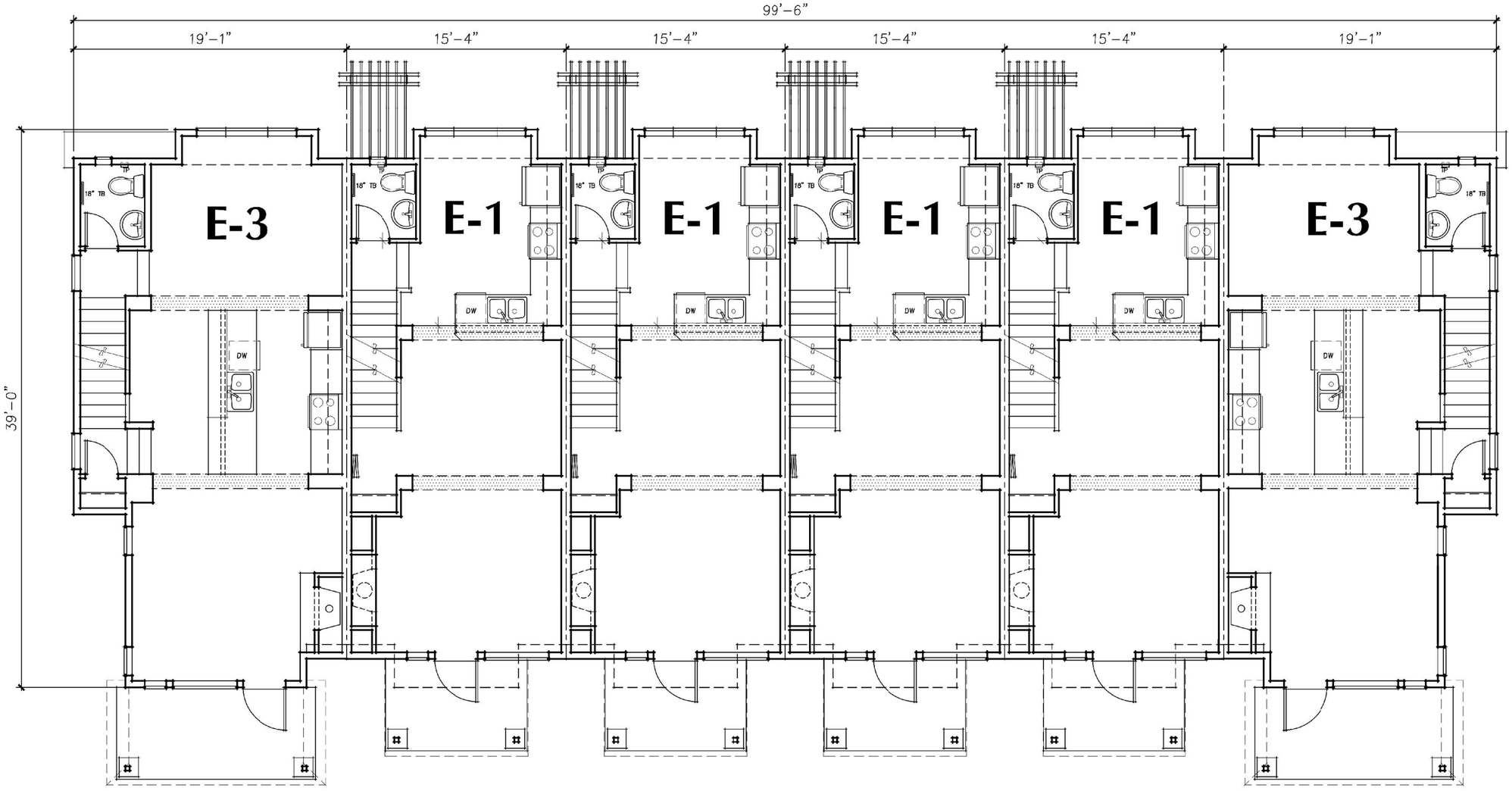
AMERICAN MODERN



6-PLEX T.U.

1/8"=1'-0"

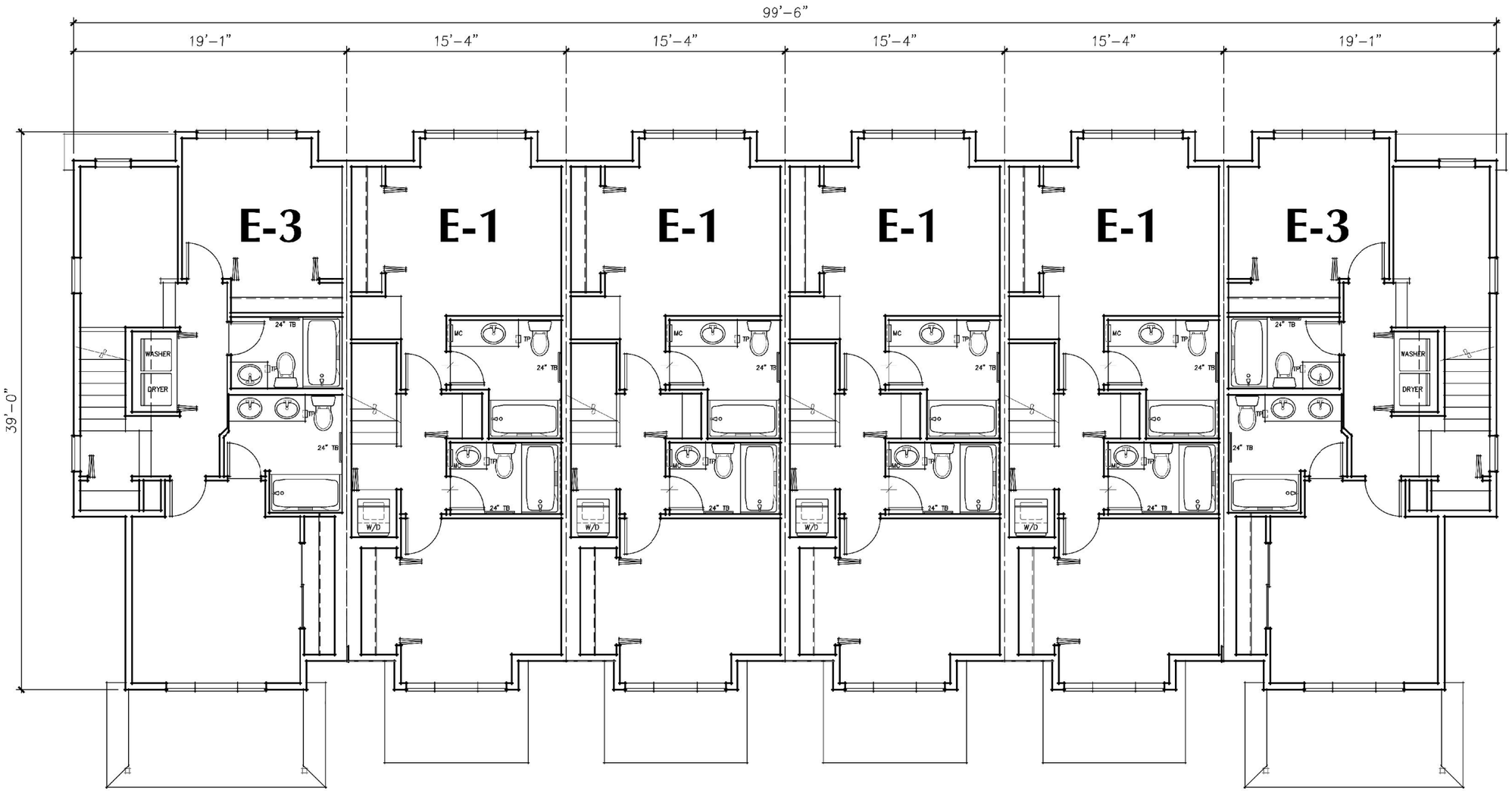
LOWER FLOOR PLAN



6-PLEX T.U.

MIDDLE FLOOR PLAN

1/8"=1'-0"



6-PLEX T.U.

1/8"=1'-0"

UPPER FLOOR PLAN

LONDON 6-PLEX

3/16" = 1'-0"

FRONT ELEVATION

LONDON 6-PLEX

3/16" = 1'-0"

REAR ELEVATION

Color Legend

A **BODY**
STUCCO PANEL SIDING
SW GREEN EARTH (7748)

B **ACCENT 1**
TRIM AND COLUMNS
SW SEDATE GRAY (6169)

C **ACCENT 2**
DOORS
SW CASCADES (7623)

D **BASE**
ARRISCRAFT THIN-CLAD
MONOCHROMATIC LIMESTONE

E **BRICK VENEER**
FOREST BLEND - SMOOTH
OTHER BRICK VENEER (SEE FRONT ELEV.)
(1) ROYAL PLUMB
(2) INCA - SMOOTH
(3) AUTUMN BLEND - SMOOTH

LONDON STYLE

SIDE ELEVATION

3/16" = 1'-0"

VID) Elevations approved by Steve Coyle

Stacy Connery

From: coyle steve [mailto:steve@town-green.com]
Sent: Wednesday, September 16, 2015 12:19 PM
To: Jeremy D Pfarr <jdp@milbrandtarch.com>
Cc: Alexia Fukui <af@milbrandtarch.com>; Edmonds Blaise <edmonds@ci.wilsonville.or.us>
Subject: Re: American Modern Row Houses - Polygon at Villebois (Central Phase 13 and Phase 8)

Jeremy,

I found the American Modern Row House elevations of the Flat Row Houses duplexes, 3-plex, 4-plex, and 5-plex, and Tuckunder Row Houses, 4-plex, 5-plex, and 6-plex, all satisfactory.

Steve

Stephen Coyle AIA, LEED CNU

Town-Green

Design & Development

East: 130 West 79th Street,

Suite 10-D New York, NY 10024

10-755-8551

Gabon: B.P 23765, Libreville, Gabon

+241-0256 0413 scoyle@angt.ga

http://www.town-green.com

www.sustainableandresilient.com

Type	Plan	Style	Date
Revival	**Flat Row House 3-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Flat Row House 4-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Flat Row House 5-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Row House 4-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Row House 5-plex**	**American Modern**	**9/16/15**

This Design is:	Satisfactory	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Type	Plan	Style	Date
Revival	**Row House 6-plex**	**American Modern**	**9/16/15**

This Design is:	**Satisfactory**	Recommendations/Question	Not Satisfactory

Steve Coyle, AIA, LEED – 9/16/15

Stacy Connery

om: coyle steve <steve@town-green.com>
Sent: Saturday, April 18, 2015 3:02 AM
To: Jeremy D Pfarr
Cc: Alexia Fukui; Stacy Connery; Patrick Espinosa; Maggie Gordon (maggie.gordon@PolygonHomes.com); Walther Chris
Subject: Re: 1507 Brownstone Row Houses
Attachments: Villebois Design Review 4-18-15_RH.pdf; ATT00001.htm; Villebois Design Review 4-18-15_RH.doc; ATT00002.htm

Follow Up Flag: FollowUp
Flag Status: Flagged

Jeremy,

I have reviewed the six 1507 Brownstone Row Houses elevations, consisting of the London Duplex, 3-Plex, and 5-Plex, and the Brownstone 3-Plex, 5-Plex, and 6-Plex. I found all six designs satisfactory and consistent with the corresponding style. Attached please find my review in Word and PDF.

Steve

Stephen Coyle AIA, LEED CNU

›wn-Green

East: 130 West 79th Street,

Suite 10-D New York, NY 10024

510-755-8551

Gabon: B.P 23765, Libreville, Gabon

Revival	London 3-Plex	English	4/18/15

This Design is:	Satisfactory	Recommendation	Not Satisfactory

Steve Coyle, AIA, LEED AP – 4/18/15

Revival	London Concept	English	4/15/15

Concept Elevation

3/16" = 1'-0"

STREET ELEVATION
LONDON ROW HOUSES

This Design is:	Satisfactory	Recommendation	Not Satisfactory

Steve Coyle, AIA, LEED AP – 4/15/15

Revival	London 5-Plex	English	4/18/15
This Design is:	**Satisfactory**	Recommendation	Not Satisfactory

Steve Coyle, AIA, LEED AP – 4/18/15

PHASE 9 CENTRAL
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE
PRELIMINARY DEVELOPMENT PLAN

TL 3000 & 3400, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

POLYGON WLH, LLC
109 E. 13TH ST.
VANCOUVER, WA 98660
[P] 503-221-1920
CONTACT: FRED GAST

PLANNER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: STACY CONNERY, AICP

CIVIL ENGINEER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: JESSIE KING, PE

SURVEYOR:

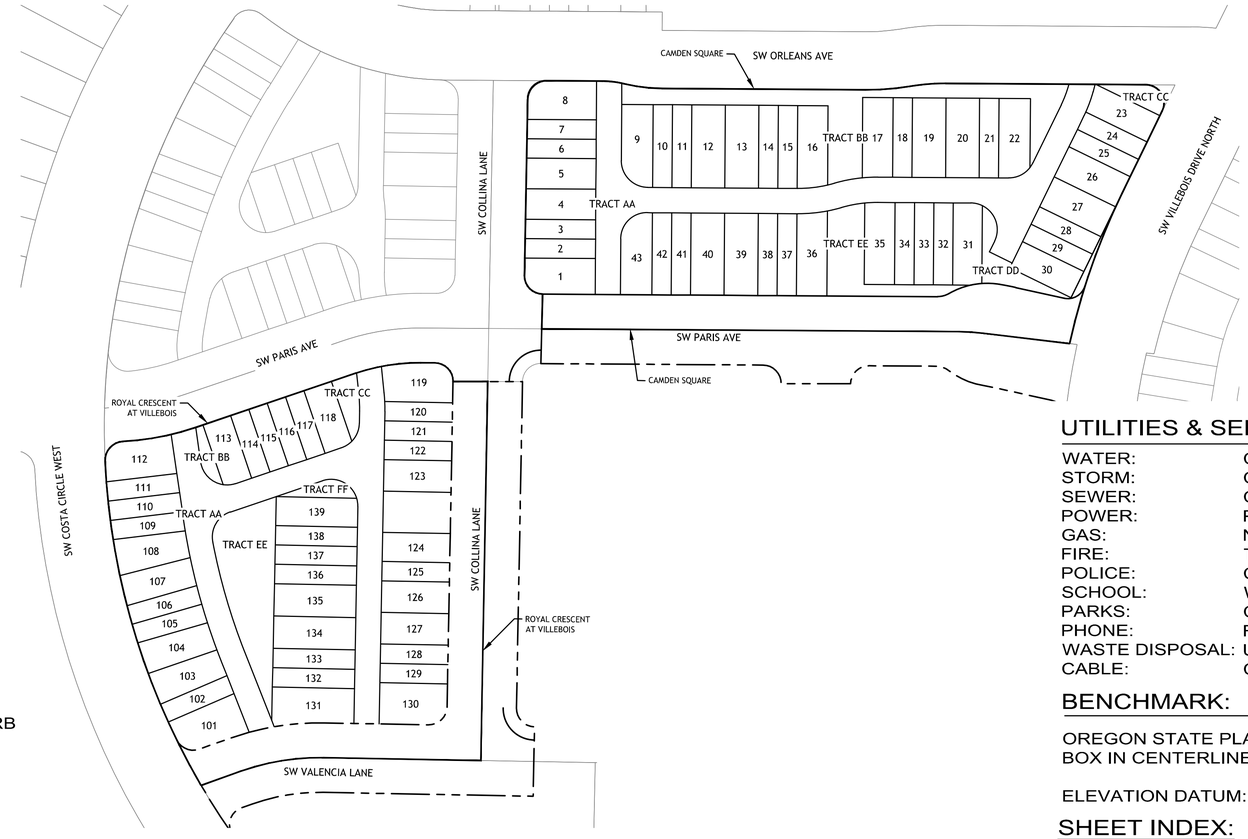
PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: TRAVIS JANSEN, PLS, PE

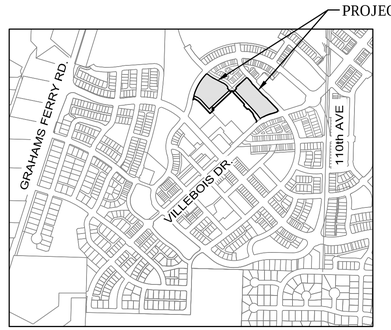
LANDSCAPE ARCHITECT:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: KERRY LANKFORD, RLA, CLARB

GEOTECHNICAL ENGINEER:

GEODESIGN, INC.
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE





VICINITY MAP

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

ELEVATION DATUM: NAVD 88

SHEET INDEX:

1	COVER SHEET
2	EXISTING CONDITIONS
3	SITE / LAND USE PLAN
4	ROYAL CRESCENT PRELIMINARY PLAT
5	CAMDEN SQUARE PRELIMINARY PLAT
6	PRELIMINARY GRADING & EROSION CONTROL PLAN
7	COMPOSITE UTILITY PLAN
8	CIRCULATION PLAN & STREET SECTIONS
9	PARKING PLAN
10	ROYAL CRESCENT TREE PRESERVATION PLAN
11	CAMDEN SQUARE TREE PRESERVATION PLAN
12	STREET TREE PLAN

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

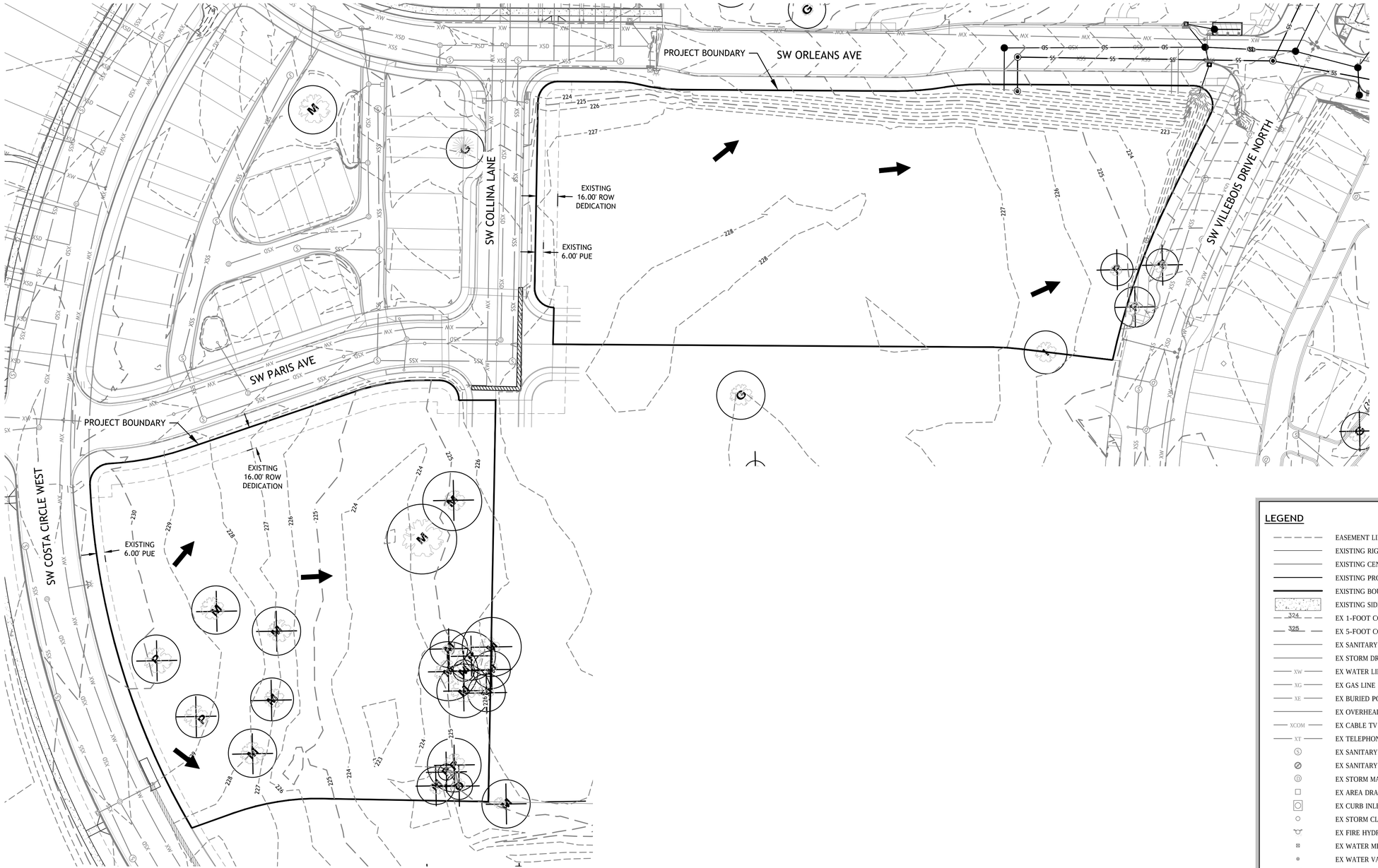
Preliminary
Development
Plan

COVER
SHEET

City of Wilsonville
EXHIBIT B2 DB15-0068 et seq

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

1



LEGEND

- EASEMENT LINES
- EXISTING RIGHT-OF-WAY
- EXISTING CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING BOUNDARY LINE
- EXISTING SIDEWALK
- EX 1-FOOT CONTOURS
- EX 5-FOOT CONTOURS
- EX SANITARY SEWER
- EX STORM DRAIN
- EX WATER LINE
- EX GAS LINE
- EX BURIED POWER LINE
- EX OVERHEAD POWER LINE
- EX CABLE TV LINE
- EX TELEPHONE LINE
- EX SANITARY MANHOLE
- EX SANITARY CLEANOUT
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- EXISTING FENCE
- EXISTING ELECTRIC VAULT
- EXISTING PAVEMENT
- EX TREES
- DRAINAGE DIRECTION

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

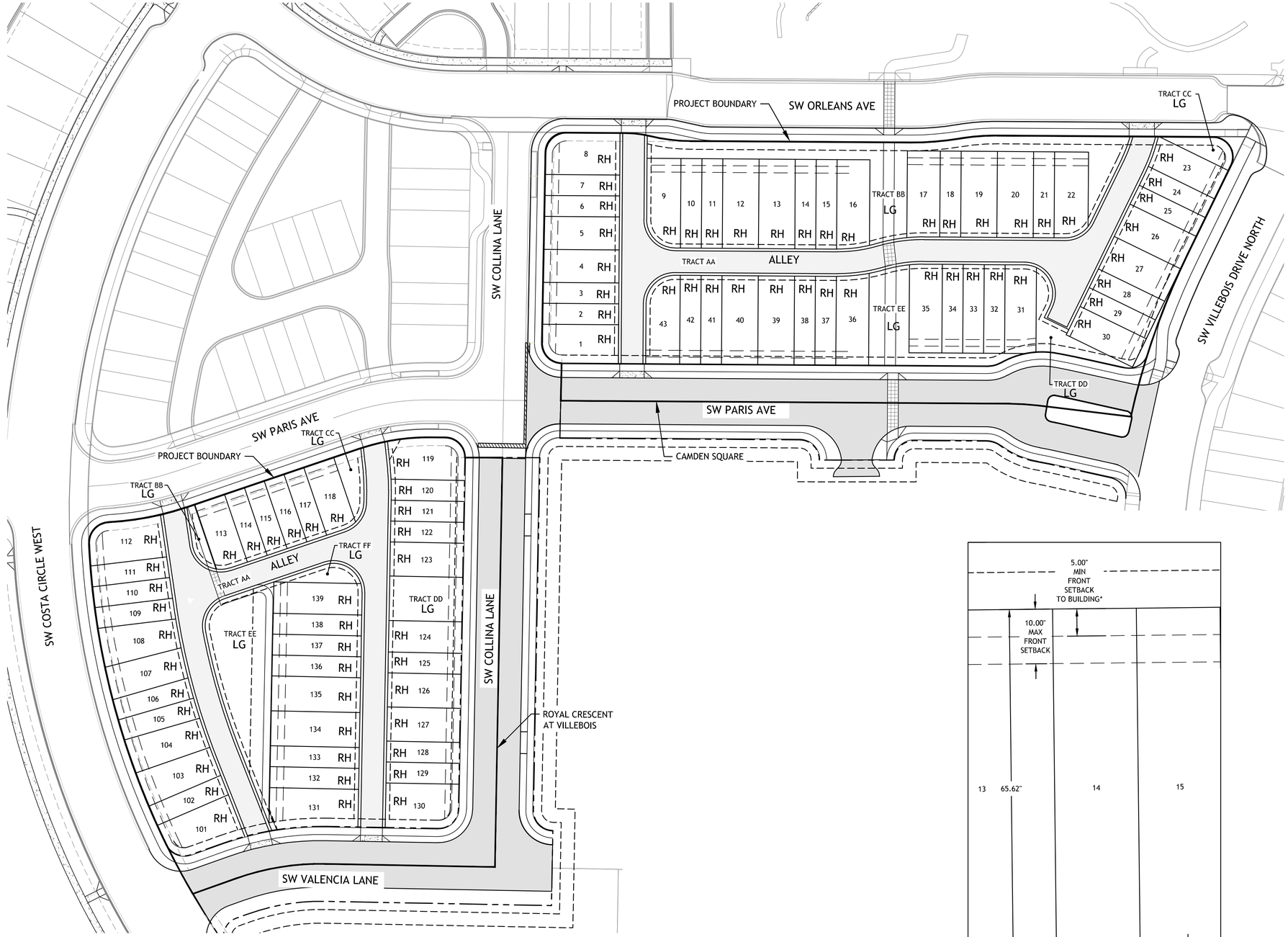
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

EXISTING
CONDITIONS

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

2



LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED CENTERLINE
- EXISTING CENTERLINE
- PROPOSED PUBLIC UTILITY EASEMENT
- PROPOSED BUILDING SETBACK
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PDP BOUNDARY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED A.C. PAVING
- PROPOSED SIDEWALK
- PROPOSED SIDEWALK BY OTHERS
- EXISTING SIDEWALK

LEGEND:

RH	ROW HOUSE LOTS
LG	LINEAR GREEN SPACE

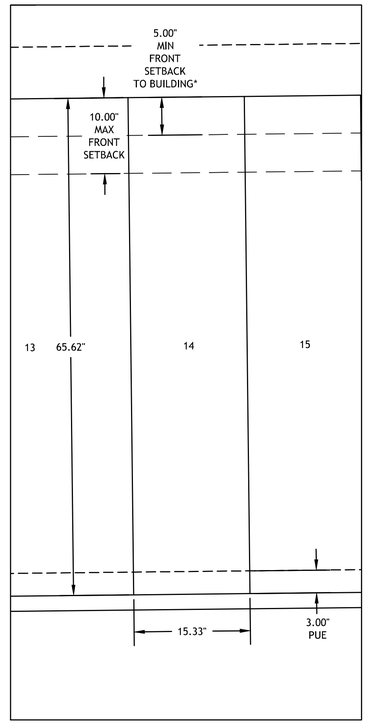
LOT COUNT:

82	ROW HOUSE LOTS
82	TOTAL

LAND AREA TABLE:

TOTAL AREA (1.86+2.08):	3.94 AC
PUBLIC STREETS:	0.61 AC
LINEAR GREEN SPACE:	0.46 AC
LOTS & ALLEYS:	2.87 AC

AVG. DENSITY PER NET ACRE:
82 / 2.87 = 28.57 UNITS / AC



*PORCHES, STAIRS, STOOPS, DECKS, CANOPIES, BALCONIES, BAY WINDOWS, CHIMNEYS, AWNINGS AND OTHER BUILDING PROJECTIONS MAY ENCROACH UP TO THE PUBLIC WAY.

TYPICAL LOT PLAN

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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REVISIONS
DATE DESCRIPTION

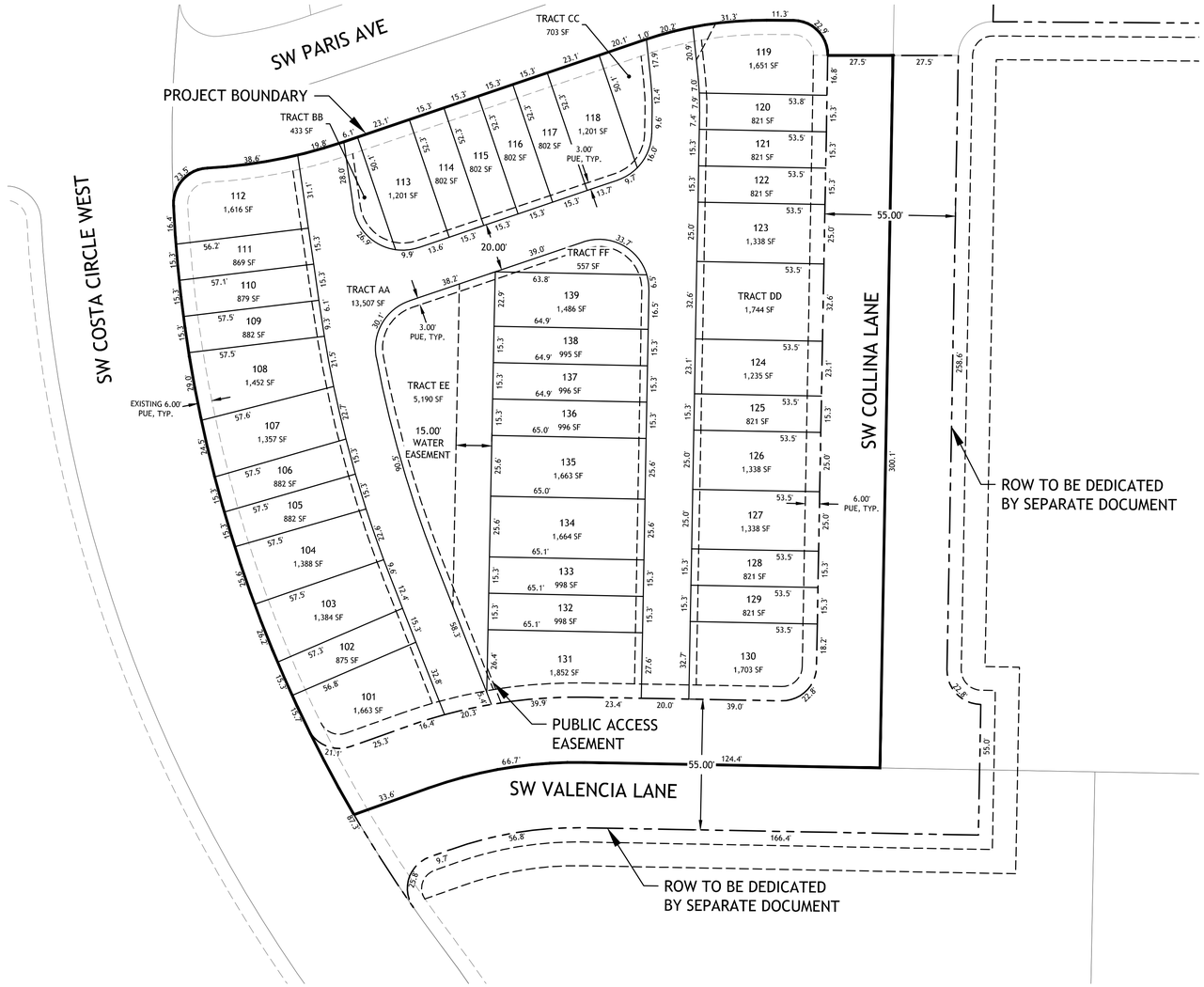
PDP 9C ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

SITE / LAND USE PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

3



SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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DATE DESCRIPTION

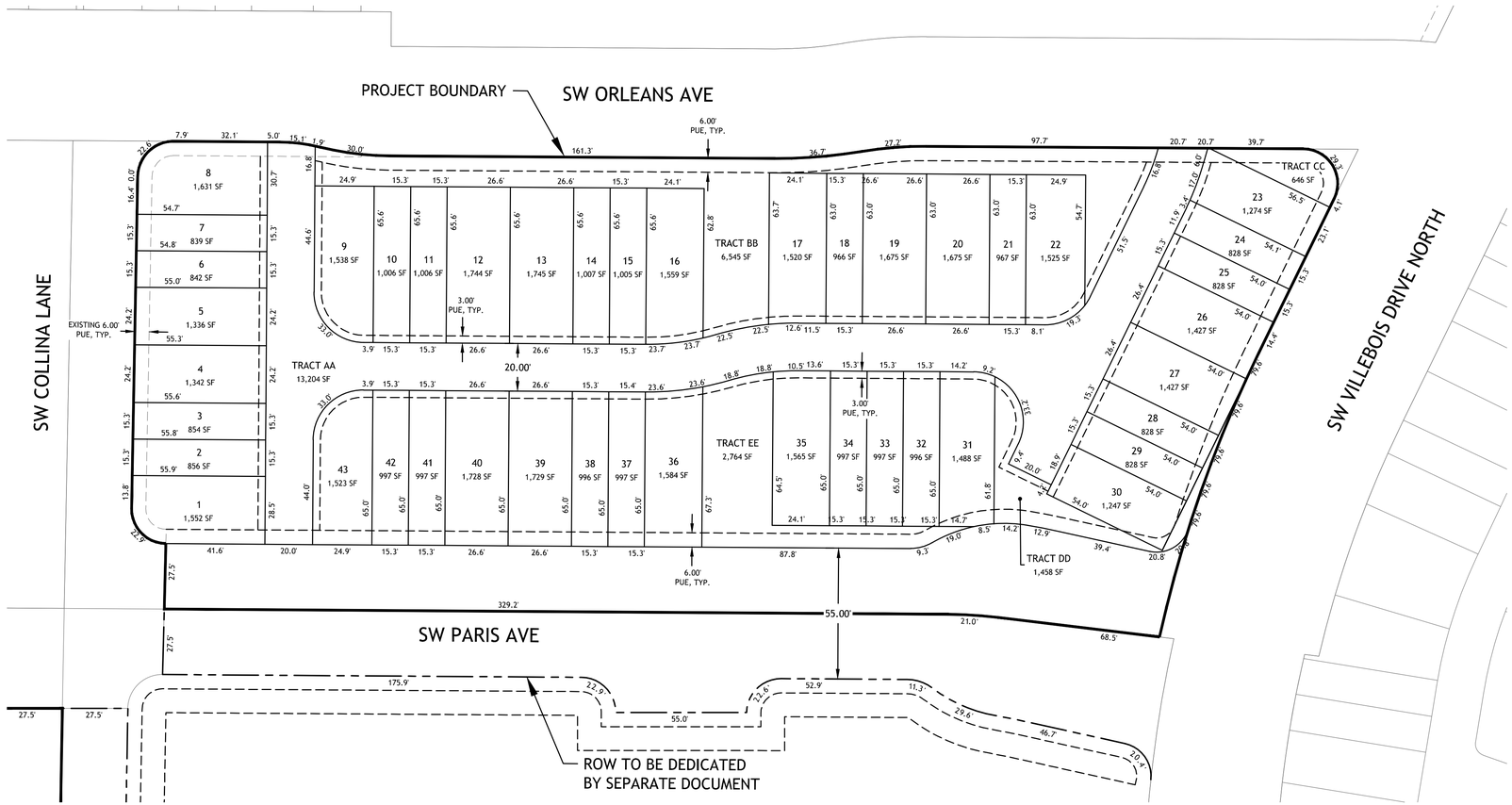
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

ROYAL CRESCENT
PRELIMINARY
PLAT

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

4



ELEVATION DATUM: NAVD 88

SCALE
30 0 15 30
1 INCH = 30 FEET

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DATE DESCRIPTION

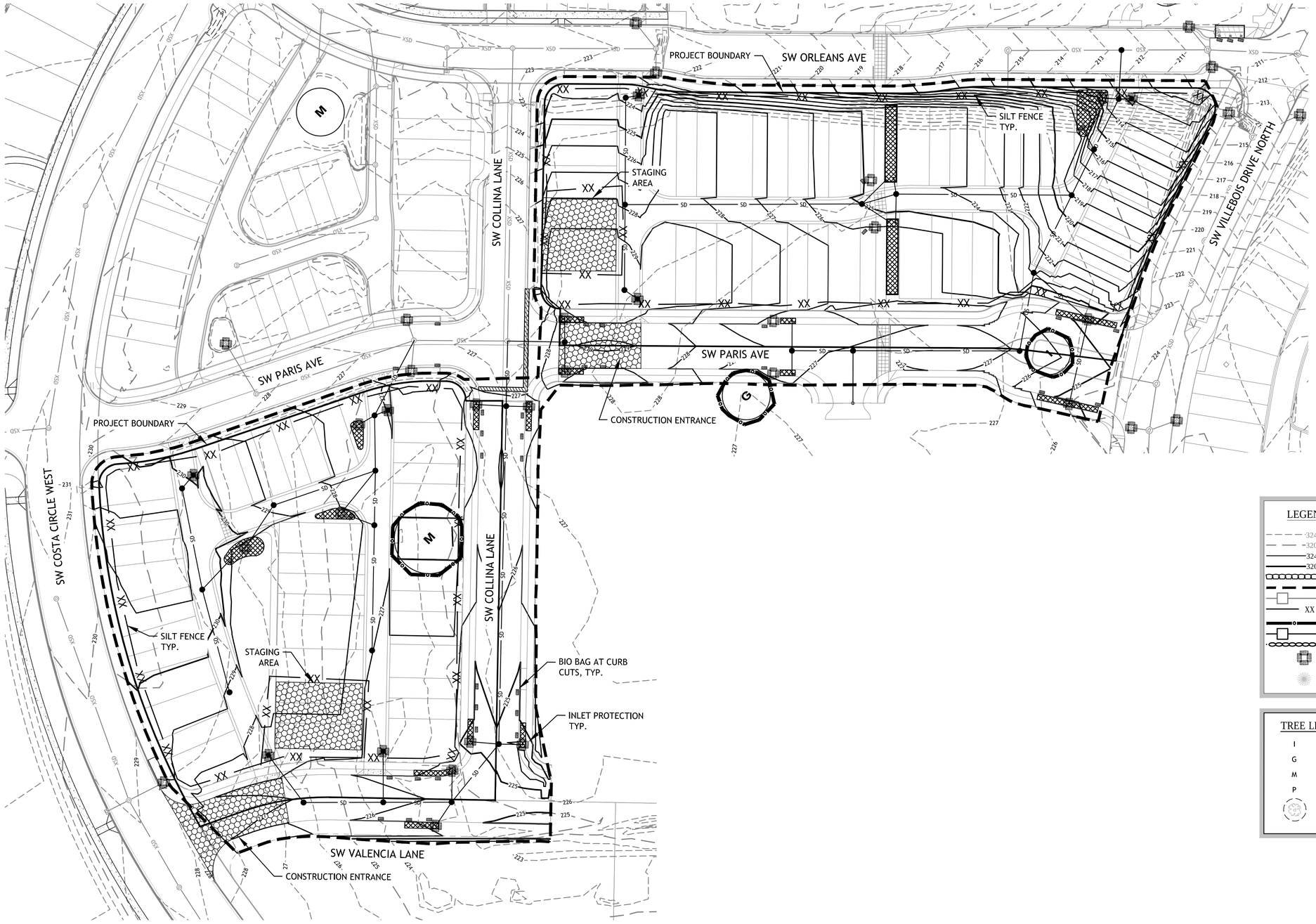
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

CAMDEN SQUARE
PRELIMINARY
PLAT

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

5



LEGEND

- EX 2-FT CONTOUR
- EX 10-FT CONTOUR
- FG 2-FT CONTOUR
- FG 10-FT CONTOUR
- PROPOSED RETAINING WALL
- GRADING LIMITS
- EXISTING FENCE
- SEDIMENT FENCE
- TREE PROTECTION FENCING
- CONSTRUCTION FENCING
- WATTLES
- BIO-BAG PROTECTION
- EX TREES TO REMAIN

TREE LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
	EXISTING TREES TO RETAIN

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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REVISIONS
DATE DESCRIPTION

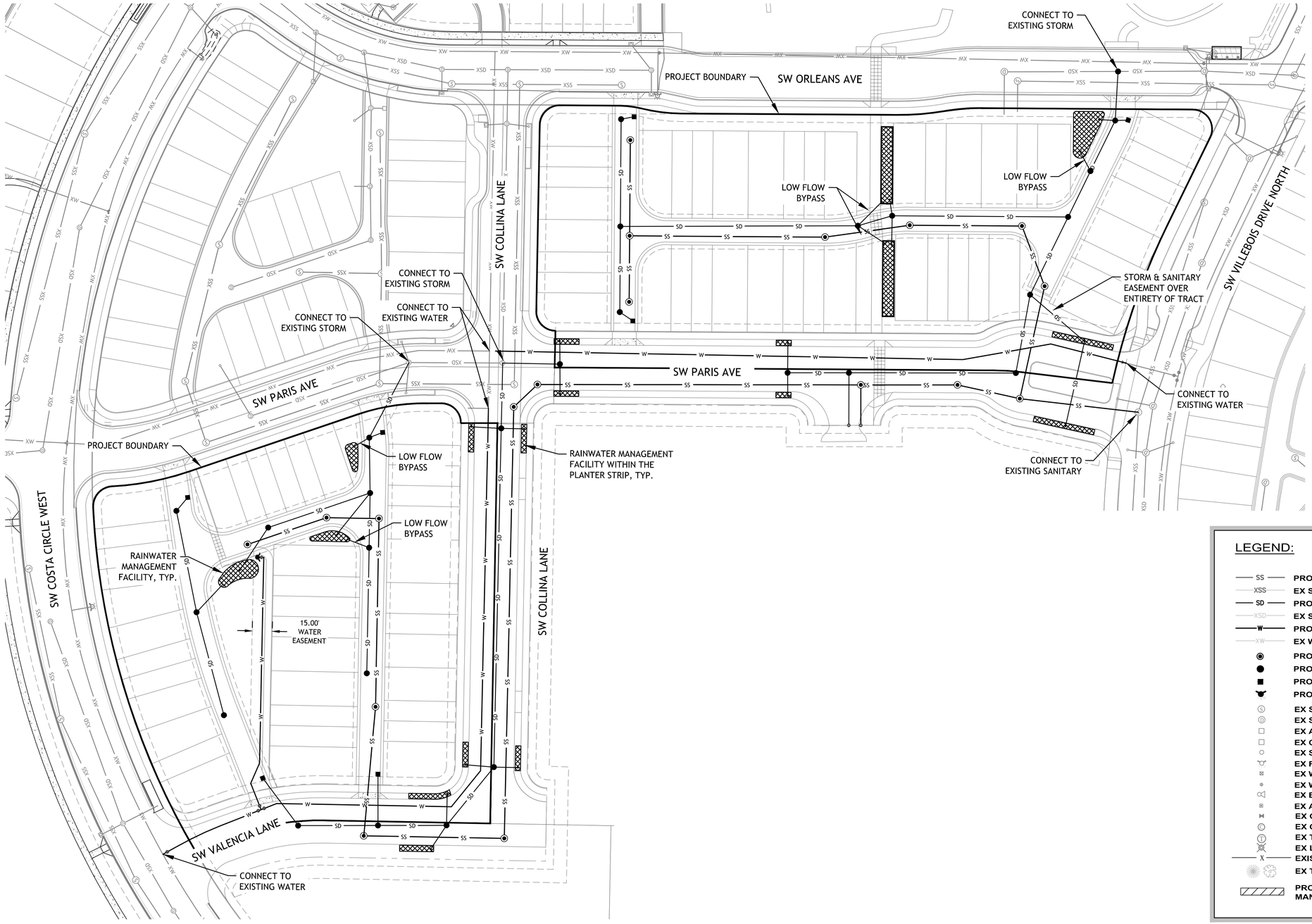
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

GRADING & EROSION CONTROL PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

6



LEGEND:

- PROPOSED SANITARY SEWER
- EX SANITARY SEWER
- PROPOSED STORM DRAIN
- EX STORM DRAIN
- PROPOSED WATER LINE
- EX WATER LINE
- PROPOSED SANITARY MANHOLE
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED FIRE HYDRANT
- EX SANITARY MANHOLE
- EX STORM MANHOLE
- EX AREA DRAIN
- EX CURB INLET
- EX STORM CLEANOUT
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX BLOW-OFF
- EX AIR RELEASE VALVE
- EX GAS VALVE
- EX CABLE RISER
- EX TELEPHONE RISER
- EX LIGHT POLE
- EXISTING FENCE
- EX TREES
- PROPOSED RAINWATER MANAGEMENT FACILITY

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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DATE DESCRIPTION

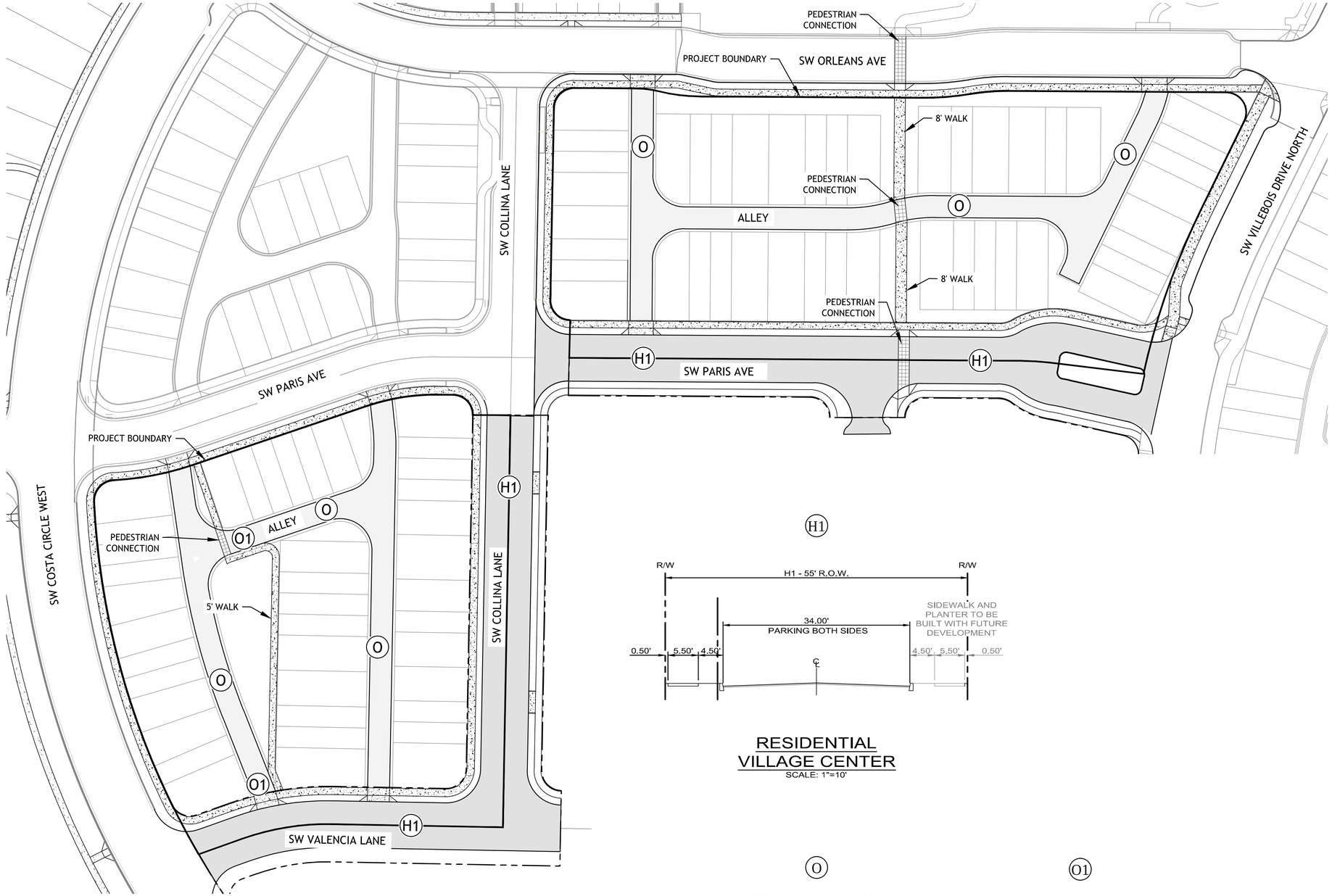
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

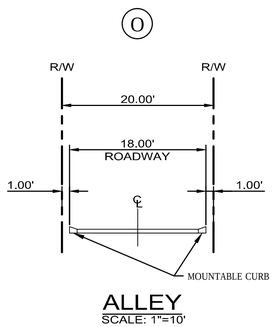
COMPOSITE
UTILITY
PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

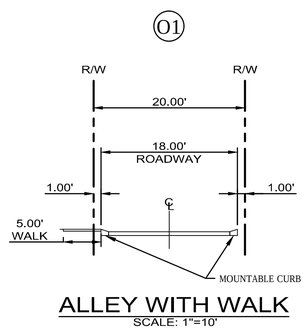
7



RESIDENTIAL VILLAGE CENTER
SCALE: 1"=10'



ALLEY
SCALE: 1"=10'



ALLEY WITH WALK
SCALE: 1"=10'

ELEVATION DATUM: NAVD 88

SCALE
40 0 20 40
1 INCH = 40 FEET

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

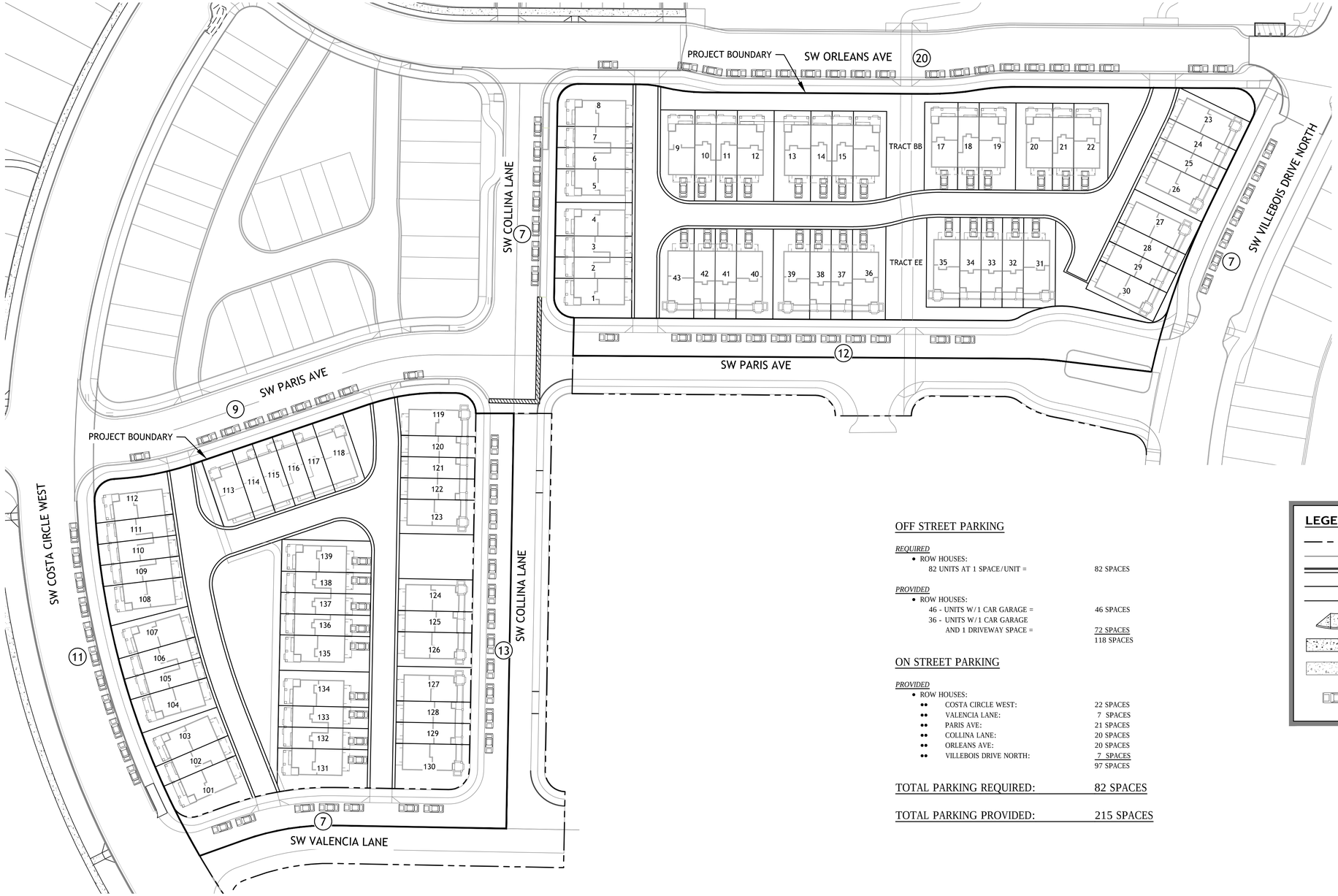
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

CIRCULATION
PLAN &
STREET
SECTIONS

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

8



OFF STREET PARKING

REQUIRED

- ROW HOUSES:
  - 82 UNITS AT 1 SPACE/UNIT = 82 SPACES

PROVIDED

- ROW HOUSES:
  - 46 - UNITS W/1 CAR GARAGE = 46 SPACES
  - 36 - UNITS W/1 CAR GARAGE AND 1 DRIVEWAY SPACE = 72 SPACES
  - 118 SPACES

ON STREET PARKING

PROVIDED

- ROW HOUSES:
  - COSTA CIRCLE WEST: 22 SPACES
  - VALENCIA LANE: 7 SPACES
  - PARIS AVE: 21 SPACES
  - COLLINA LANE: 20 SPACES
  - ORLEANS AVE: 20 SPACES
  - VILLEBOIS DRIVE NORTH: 7 SPACES
  - 97 SPACES

TOTAL PARKING REQUIRED: 82 SPACES

TOTAL PARKING PROVIDED: 215 SPACES

LEGEND

- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB AND GUTTER
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PROPOSED HANDICAP RAMP
- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- PARKING SPACE

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

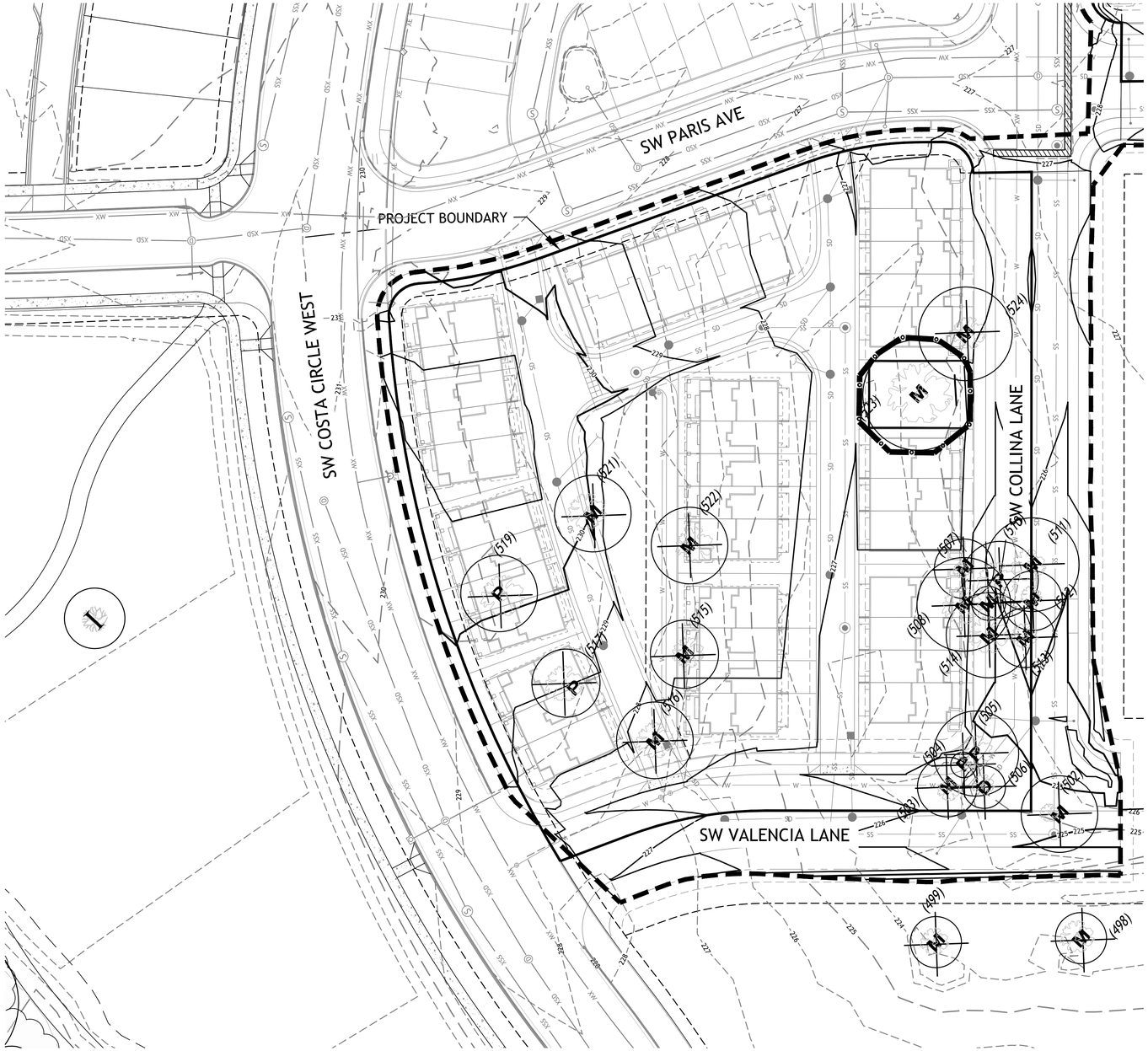
PDP 9C ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Preliminary Development Plan

PARKING PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

9



LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
NE	NOT EXAMINED
	EXISTING TREES TO REMAIN
	EXISTING TREES LIKELY TO BE REMOVED
	EXISTING TREES TO BE REMOVED
	TREE PROTECTION FENCING
	GRADING LIMITS

NOTES

ALL CONSTRUCTION AND GRADING WITHIN TREE PROTECTION ZONE IS TO BE COMPLETED UNDER DIRECT SUPERVISION OF PROJECT ARBORIST.
CONTACT: MORGAN HOLEN
PHONE: 503-646-4349

THE INTENT OF THE PLAN IS TO RETAIN AND INCORPORATE THE MAXIMUM QUANTITY OF TREES WITH IMPORTANT, GOOD, AND MODERATE CLASSIFICATIONS. THE FOLLOWING CLASSIFICATION SYSTEM WAS USED:

CLASSIFICATION METHOD:
TREES WERE RATED BASED ON THE FOLLOWING CONSIDERATIONS:
1. HEALTH
2. SPECIES (NATIVES WITH HABITAT AND ECOSYSTEM VALUE)
3. COMPATIBILITY WITH DEVELOPMENT
4. FORM / VISUAL INTEREST / MATURE SIZE

TREES RANKED AS IMPORTANT WERE RATED HIGH IN ALL FOUR AREAS.

TREES IN THE GOOD CATEGORY HAD GOOD HEALTH AND WERE A DESIRABLE SPECIES, BUT HAD IRREGULAR FORM OR LESS COMPATIBILITY WITH DEVELOPMENT.

TREES IN THE MODERATE CATEGORY HAD GOOD TO MODERATE HEALTH AND FORM, BUT WERE A LESS DESIRABLE SPECIES OR MAY BE LESS COMPATIBLE WITH DEVELOPMENT.

TREES IN THE POOR CATEGORY HAD POOR HEALTH AND/OR SUBSTANTIAL DAMAGE.

NOTES:
1. THE INFORMATION PROVIDED WITHIN THE PROJECT BOUNDARY IS BASED ON AN ON-SITE EVALUATION OF THE EXISTING TREES BY ARBORIST MORGAN HOLAN AND WAS PROVIDED IN A TREE REPORT INCLUDED WITH THE APPLICATION MATERIALS.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

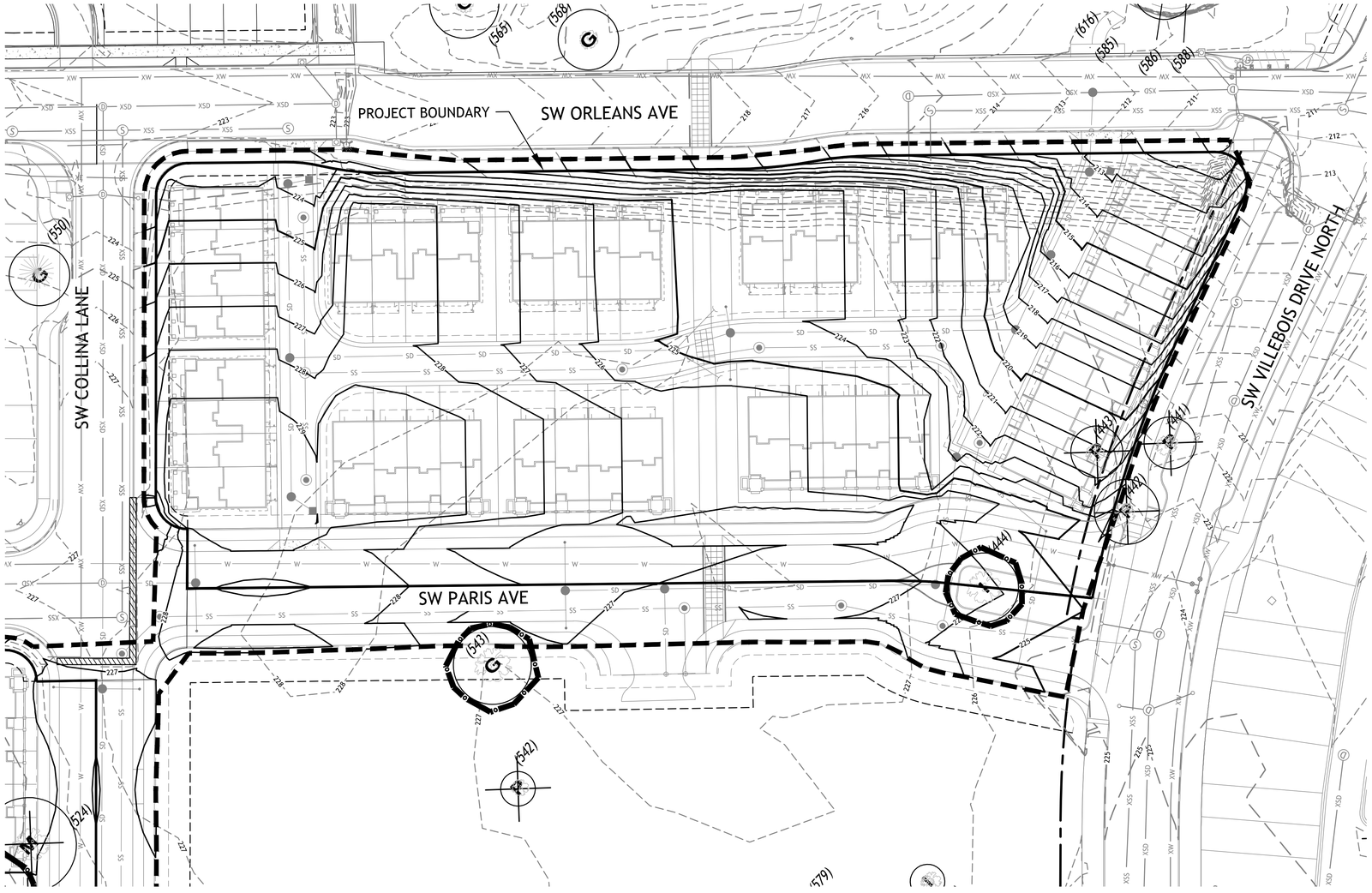
Preliminary Development Plan

ROYAL CRESCENT TREE PRESERVATION PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

10

N:\proj\395-053\09 Drawings\03 Planning\Sheets - Planning Submittal\395053.(10-11) Tree Preservation Plan.dwg - SHEET: (10)RC TREE PRES Nov. 12, 15 - 2:38 PM jlk



LEGEND:

I	IMPORTANT
G	GOOD
M	MODERATE
P	POOR
NE	NOT EXAMINED
	EXISTING TREES TO REMAIN
	EXISTING TREES LIKELY TO BE REMOVED
	EXISTING TREES TO BE REMOVED
	TREE PROTECTION FENCING
	GRADING LIMITS

NOTES

ALL CONSTRUCTION AND GRADING WITHIN TREE PROTECTION ZONE IS TO BE COMPLETED UNDER DIRECT SUPERVISION OF PROJECT ARBORIST.
CONTACT: MORGAN HOLEN
PHONE: 503-646-4349

THE INTENT OF THE PLAN IS TO RETAIN AND INCORPORATE THE MAXIMUM QUANTITY OF TREES WITH IMPORTANT, GOOD, AND MODERATE CLASSIFICATIONS. THE FOLLOWING CLASSIFICATION SYSTEM WAS USED:

CLASSIFICATION METHOD:
TREES WERE RATED BASED ON THE FOLLOWING CONSIDERATIONS:
1. HEALTH
2. SPECIES (NATIVES WITH HABITAT AND ECOSYSTEM VALUE)
3. COMPATIBILITY WITH DEVELOPMENT
4. FORM / VISUAL INTEREST / MATURE SIZE

TREES RANKED AS IMPORTANT WERE RATED HIGH IN ALL FOUR AREAS.

TREES IN THE GOOD CATEGORY HAD GOOD HEALTH AND WERE A DESIRABLE SPECIES, BUT HAD IRREGULAR FORM OR LESS COMPATIBILITY WITH DEVELOPMENT.

TREES IN THE MODERATE CATEGORY HAD GOOD TO MODERATE HEALTH AND FORM, BUT WERE A LESS DESIRABLE SPECIES OR MAY BE LESS COMPATIBLE WITH DEVELOPMENT.

TREES IN THE POOR CATEGORY HAD POOR HEALTH AND/OR SUBSTANTIAL DAMAGE.

NOTES:
1. THE INFORMATION PROVIDED WITHIN THE PROJECT BOUNDARY IS BASED ON AN ON-SITE EVALUATION OF THE EXISTING TREES BY ARBORIST MORGAN HOLAN AND WAS PROVIDED IN A TREE REPORT INCLUDED WITH THE APPLICATION MATERIALS.

SCALE
30 0 15 30
1 INCH = 30 FEET

ELEVATION DATUM: NAVD 88

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DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary Development Plan

CAMDEN SQUARE TREE PRESERVATION PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

11

STREET TREE LEGEND:

QTY.	SYMBOL	BOTANICAL NAME / Common Name	SIZE	SPACING
16		AUTUMN APPLAUSE ASH / FRAXINUS AMERICANA 'AUTUMN APPLAUSE':	2 1/2" CAL.,	B&B, 25' O.C.
21		AUTUMN BLAZE MAPLE / ACER FREEMANII 'AUTUMN BLAZE' :	2 1/2" CAL.	B&B, 25' O.C.
14		CRIMEAN LINDEN / TILIA X EUCHLORA:	2 1/2" CAL.	B&B, 25' O.C.
5		URBANITE ASH / FRAXINUS PENNSYLVANICA 'URBANITE':	2 1/2" CAL.	B&B, 25' O.C.
6		EASY STREET MAPLE / ACER PLATANOIDES 'EZESTRE:	2 1/2" CAL.	B&B, 25' O.C.
9		TULIP TREE / LIRIODENDRON TULIPIFERA:	2 1/2" CAL.,	B&B, 25' O.C.

SCALE
40 0 20 40
1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Preliminary
Development
Plan

STREET
TREE
PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

12

PHASE 9 CENTRAL
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE
FINAL DEVELOPMENT PLAN

TL 3000 & 3400, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 15 W.M.
CITY OF WILSONVILLE, OREGON

APPLICANT:

POLYGON WLH, LLC
109 E. 13TH ST.
VANCOUVER, WA 98660
[P] 503-221-1920
CONTACT: FRED GAST

PLANNER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: STACY CONNERY, AICP

CIVIL ENGINEER:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: JESSIE KING, PE

SURVEYOR:

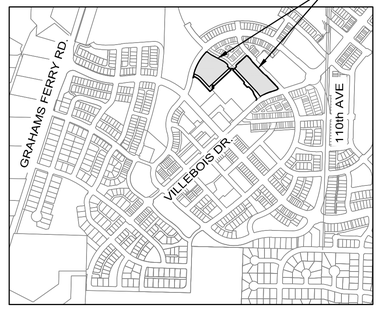
PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: TRAVIS JANSEN, PLS, PE

LANDSCAPE ARCHITECT:

PACIFIC COMMUNITY DESIGN, INC
12564 SW MAIN STREET
TIGARD, OR 97223
[P] 503-941-9484
CONTACT: KERRY LANKFORD, RLA, CLARB

GEOTECHNICAL ENGINEER:

GEODESIGN, INC.
15575 SW SEQUOIA PARKWAY, SUITE 100
PORTLAND, OR 97224
[P] 503-968-8787
CONTACT: SHAWN DIMKE, PE



VICINITY MAP

SCALE
60 0 30 60
1 INCH = 60 FEET

ELEVATION DATUM: NAVD 88

UTILITIES & SERVICES:

WATER:	CITY OF WILSONVILLE
STORM:	CITY OF WILSONVILLE
SEWER:	CITY OF WILSONVILLE
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	TUALATIN VALLEY FIRE & RESCUE
POLICE:	CLACKAMAS COUNTY SHERIFF
SCHOOL:	WEST LINN / WILSONVILLE SCHOOL DISTRICT 3JT
PARKS:	CITY OF WILSONVILLE
PHONE:	FRONTIER
WASTE DISPOSAL:	UNITED DISPOSAL SERVICE
CABLE:	COMCAST

BENCHMARK:

OREGON STATE PLANE COORDINATE 5818 LOCATED IN MONUMENT BOX IN CENTERLINE OF TOOZE ROAD .2 MILES WEST OF 110TH.

ELEVATION DATUM: NAVD 88, ELEVATION = 202.991

SHEET INDEX:

1	COVER SHEET
2	SITE PLAN
L1	PLANTING PLAN AND PLANT LEGEND
L2	PLANTING PLAN NOTES AND PLANTING DETAILS
L3	LANDSCAPE DETAILS AND MATERIALS

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Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT AT VILLEBOIS & CAMDEN SQUARE

Final Development Plan

COVER SHEET

City of Wilsonville
EXHIBIT B3 DB15-0068 et seq

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

1

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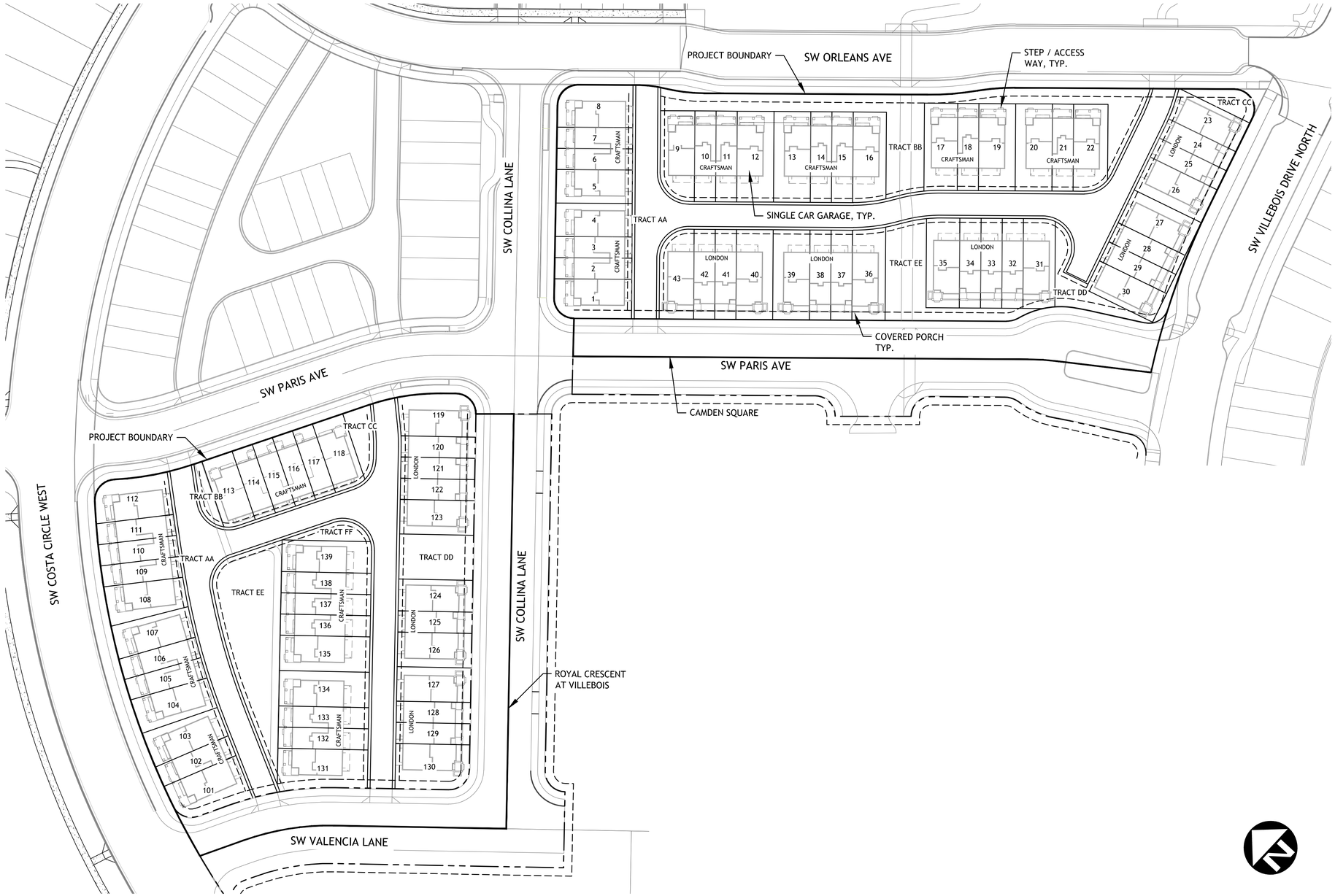

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1 INCH = 40 FEET

ELEVATION DATUM: NAVD 88

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PDP 9C
ROYAL CRESCENT AT VILLEBOIS
& CAMDEN SQUARE

Final Development Plan

SITE PLAN

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

2

1 ROYAL CRESCENT OPEN SPACE - PLANTING PLAN

SCALE
20 0 10 20
1 INCH = 20 FEET

ELEVATION DATUM: NAVD 88

PLANTING LEGEND
STREET TREES

SYMBOL	QUANTITY	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	16	AUTUMN APPLAUSE ASH / FRAXINUS AMERICANA 'AUTUMN APPLAUSE': 2 1/2" CAL., B&B, 25' O.C.
	21	AUTUMN BLAZE MAPLE / ACER FREEMANII 'AUTUMN BLAZE' : 2 1/2" CAL. B&B, 25' O.C.
	14	CRIMEAN LINDEN / TILIA X EUCHLORA: 2 1/2" CAL. B&B, 25' O.C.
	5	URBANITE ASH / FRAXINUS PENNSYLVANICA 'URBANITE': 2 1/2" CAL. B&B, 25' O.C.
	6	EASY STREET MAPLE / ACER PLATANOIDES 'EZESTRE: 2 1/2" CAL. B&B, 25' O.C.
	9	TULIP TREE / LIRIODENDRON TULIPIFERA: 2 1/2" CAL., B&B, 25' O.C.

OPEN SPACE - PLANTING LEGEND
TREES

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	RED SUNSET MAPLE / Acer rubrum 'Franksred': 2 Cal., B&B
	CHINESE KOUSA DOGWOOD / CORNUS KOUSA CHINESIS: 2" CAL.
	TULIP TREE / LIRIODENDRON TULIPIFERA: 2" CAL., B&B
	BLIREIANA PLUM / PRUNUS X BLIREIANA: 2" CAL. B&B
	CHINESE REDBUD / CERCIS CHINENSIS: 2" CAL., B&B
	VINE MAPLE / Acer circinatum: 2" Cal., B&B
	INCENSE CEDAR / CALOCEDRUS DECURRENS: 8'-10' HT., B&B
	COLUMNAR EASTERN WHITE PINE PINUS STROBUS 'FASTIGIATA': 6'-8' HT., AS SHOWN

SHRUBS

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	STARBURST® DOUBLE GOLD EVERGREEN DAYLILY HEMEROCALLIS X 'MONOLD': 2 GAL.
	ANTHONY WATERER SPIREA / SPIREA BUMALDA 'ANTHONY WATERER': 3 GAL.
	'CRIMSON PYGMY' BARBERRY / BERBERIS THUNBERGII 'CRIMSON PYGMY': 3 GAL.
	DAVID VIBURNUM / VIBURNUM DAVIDII: 3 GAL.
	DWARF BURNING BUSH / EUONYMUS ALATA 'COMPACTA': 3 GAL.
	DOUBLFILE VIBURNUM / VIBURNUM P. TOMENTOSUM: 3 GAL.
	FOREST FLAME PIERIS / PIERIS JAPONICA 'FOREST FLAME': 3 GAL.
	ISANTI REDOSER DOGWOOD / CORNUS SERICEA 'ISANTI' : 3 GAL.
	HYDRANGEA MACROPHYLLA 'RED SENSATION' P.P. #18,197: 3 GAL.
	RHODODENDRON 'JEAN MARIE DE MONTEGUE': 3 GAL.
	THUNBERG SPIREA / SPIREA THUNBERGII : 3 GAL.
	MOPS MUGO PINE PINUS MUGO 'MOPS': 3 GAL.

ORNAMENTAL GRASS

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	DWARF FOUNTAIN GRASS PENNISETUM ALOPECUROIDES 'HAMELN': 2 GAL.
	DWARF VARIEGATED MAIDEN GRASS MISCANTHUS SINENSIS 'DIXIELAND': 2 GAL.
	JAPANESE BLOOD GRASS / IMPERATA CYLINDRICA 'RED BARON': 2 GAL.
	VARIEGATED JAPANESE SILVER GRASS MISCANTHUS SINENSIS 'VARIEGATUS': 2 GAL.

LAWN AND GROUNDCOVER

SYMBOL	CODE	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	MULCH	MULCH 3" MIN. DEPTH, MEDIUM TO FINE GROUND DOUGLAS FIR NO IRRIGATION WITHIN THE MULCHED AREAS OR UNDER THE EXISTING TREES TO REMAIN DRIPLINE. DIRECT ANY SURROUNDING IRRIGATION HEAD SPRAY AWAY FROM THE TREE DRIPLINE.
	AZGR	AZTEC GRASS / LIRIOPE MUSCARI 'AZTEC GRASS': 1 GAL., 18" O.C.
	LAWN	PRO-TIME 309 (SUPREME MIX) GRASS SEED BY HOBBS AND HOPKINS, LTD. AT A RATE OF 8 LBS/1000 SQUARE FEET.

NOTE:
1. LANDSCAPE AREAS WILL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY CONTRACTOR. CONTRACTOR WILL PROVIDE MATERIALS AND INSTALL ALL IRRIGATION DOWNSTREAM OF THE WATER METER.
2. DO NOT PROVIDE IRRIGATION WITHIN THE EXISTING TREES TO REMAIN DRIPLINE.

BIORETENTION CELL PLANTING LEGEND

	TREES/SHRUBS	
SYMBOL	COMMON NAME / Botanical name:	Size and Description
	WEEPING ALASKAN CEDAR / Chamaecyparis nootkatensis 'Pendula' : 7-8' Ht., B&B	
	PACIFIC DOGWOOD / Cornus nuttallii:	2" Cal., B&B
	NOOTKA ROSE / Rosa nutkana:	#1 CONTAINER
	RED TWIG DOGWOOD / Cornus sericea:	#1 CONTAINER
	KELSEY DOGWOOD / Cornus sericea 'Kelseyi':	#1 CONTAINER
	SNOWBERRY / Symphorocarpus alba:	#1 CONTAINER
	"WET/MOIST" AREA PLUGS: (4" PLUGS @ 12" O.C.)	
	SLOUGH SEDGE / Carex obnupta	34%
	SOFT RUSH / Juncus tenius	33%
	SMALL FRUITED BULRUSH / Scirpus microcarpus	33%

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DATE DESCRIPTION

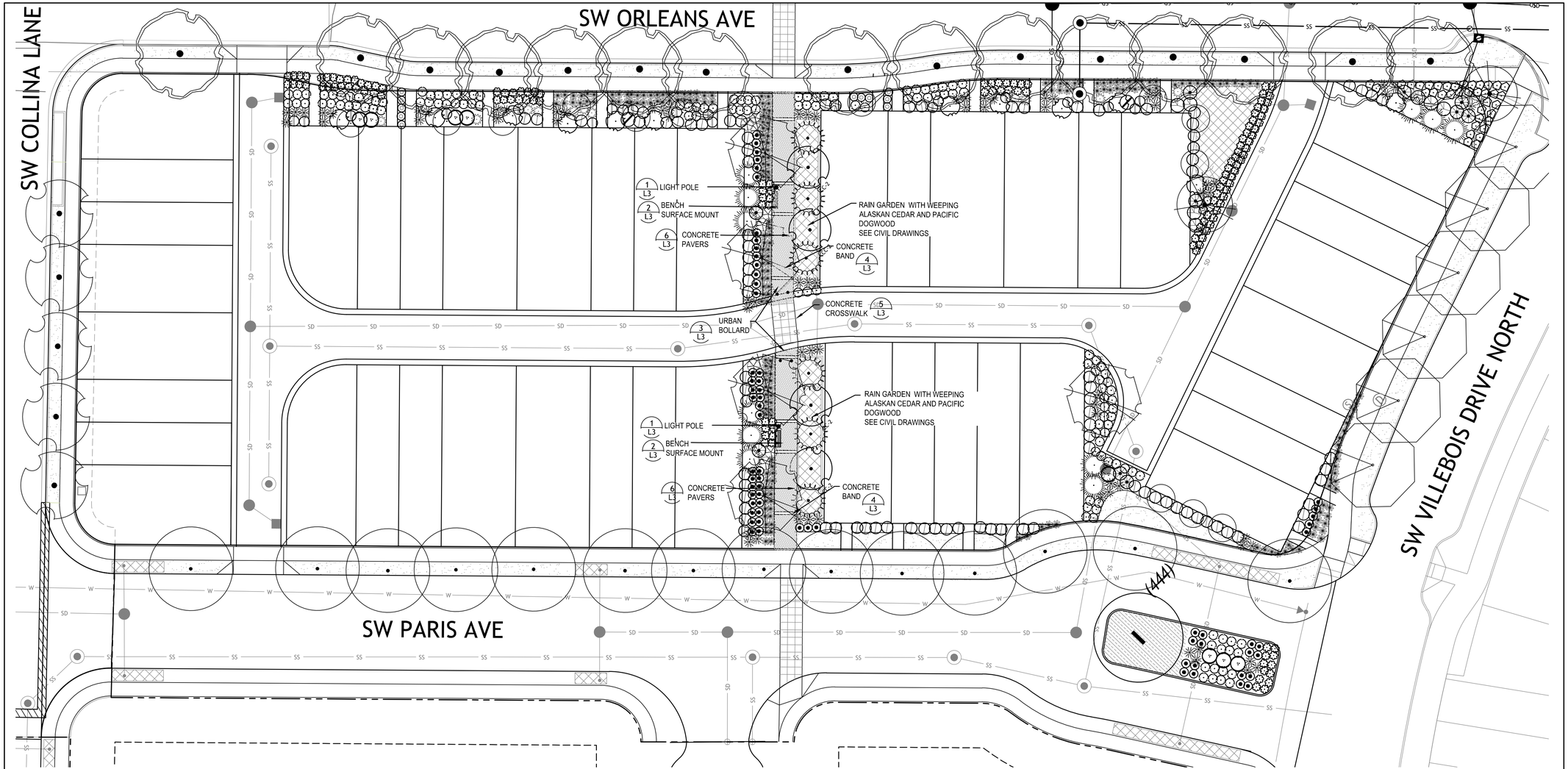
PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Final Development Plan

PLANTING PLAN
AND
PLANT LEGEND

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

L1



GENERAL NOTES: LANDSCAPE PLAN

1. THE CONTRACTOR SHALL VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL DETERMINE IN THE FIELD THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO ODR.
4. ALL PLANT MASSES TO BE CONTAINED WITHIN A BARK MULCH BED, UNLESS NOTED OTHERWISE.
5. BED EDGE TO BE NO LESS THAN 12" AND NO MORE THAN 18" FROM OUTER EDGE OF PLANT MATERIAL BRANCHING. WHERE GROUND-COVER OCCURS, PLANT TO LIMITS OF AREA AS SHOWN.
6. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
7. CONTRACTOR TO FINE GRADE AND ROCK-HOUND ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUAL SURFACE, FREE OF IRREGULARITIES (BUMPS OR DEPRESSIONS) & EXTRANEOUS MATERIAL OR DEBRIS.
8. QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR OWN TAKE-OFFS AND ARE NOT GUARANTEED AS ACCURATE REPRESENTATIONS OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER LABELED ON THE PLANT TAG AND THE QUANTITY OF GRAPHIC SYMBOLS SHOWN, THE GRAPHIC SYMBOL QUANTITY SHALL GOVERN.
9. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
10. WITH THE EXCEPTION OF THOSE TREES INDICATED ON THE TREE REMOVAL PLAN, CONTRACTOR SHALL NOT REMOVE ANY TREES DURING CONSTRUCTION WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ODR. EXISTING VEGETATION TO REMAIN SHALL BE PROTECTED AS DIRECTED BY THE ODR.
11. WHERE PROPOSED TREE LOCATIONS OCCUR UNDER EXISTING OVERHEAD UTILITIES OR CROWD EXISTING TREES, NOTIFY ODR TO ADJUST TREE LOCATIONS.
12. LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY AFTER THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN NOTIFICATION TO THE ODR. MAINTAIN TREES, SHRUBS, LAWNS AND OTHER PLANTS UNTIL FINAL ACCEPTANCE OR 90 DAYS AFTER NOTIFICATION AND ACCEPTANCE, WHICHEVER IS LONGER.
13. REMOVE EXISTING WEEDS FROM PROJECT SITE PRIOR TO THE ADDITION OF ORGANIC AMENDMENTS AND FERTILIZER. APPLY AMENDMENTS AND FERTILIZER PER THE RECOMMENDATIONS OF THE SOIL ANALYSIS FROM THE SITE.
14. BACK FILL MATERIAL FOR TREE AND SHRUB PLANTING SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL BY VOLUME, BONE MEAL PER MANUFACTURE'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
15. GROUND COVERS AND PERENNIALS SHALL BE PLANTED WITH A MAXIMUM 2 INCH COVER OF BARK MULCH WITH NO FOLIAGE COVERED.
16. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL THAT DO NOT COMPLY WITH THE DRAWINGS AND SPECIFICATIONS MAY BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH PLANT MATERIALS THAT ARE IN COMPLIANCE WITH THE DRAWINGS.
17. ALL PLANT MATERIALS SHALL BE NURSERY GROWN WITH HEALTHY ROOT SYSTEMS AND FULL BRANCHING, DISEASE AND INSECT FREE AND WITHOUT DEFECTS SUCH AS SUN SCALD, ABRASIONS, INJURIES AND DISFIGUREMENT.
18. ALL PLANT MATERIAL SHALL BE INSTALLED AT THE SIZE AND QUANTITY SPECIFIED. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR SUB-STANDARD RESULTS CAUSED BY REDUCTION IN SIZE AND/OR QUANTITY OF PLANT MATERIALS.

ELEVATION DATUM: NAVD 88

1 CAMDEN SQUARE OPEN SPACE - PLANTING PLAN

SCALE
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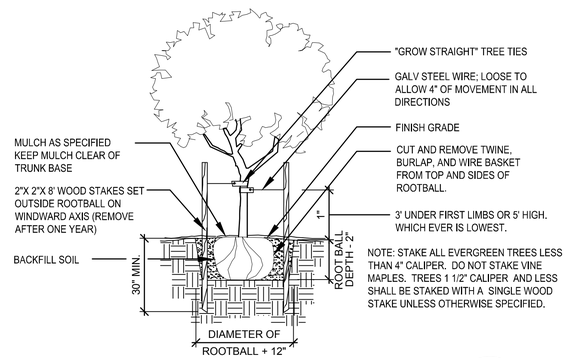
1 INCH = 20 FEET



TREE STAKING DETAIL — 1 / L2

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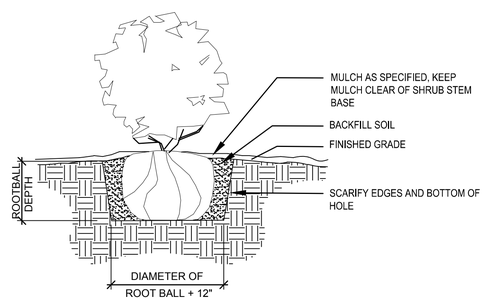

SHRUB PLANTING DETAIL — 2 / L2

SCALE: N.T.S

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Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
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PDP 9C
ROYAL CRESCENT
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&
CAMDEN SQUARE

Final Development Plan

PLANTING PLAN
NOTES AND
PLANTING DETAILS

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

L2

NOTES

1.) SEE CIVIL PLANS FOR ROADWAY AND CURB ELEVATIONS
2.) SEE SHEET L3 FOR LANDSCAPE MATERIALS DETAILS.

LEGEND

3 / L3 — URBAN BOLLARD
MANUFACTURER: VISCO
MODEL: VI-BO-14L
FINISH: POWDERCOATED, BLACK
SIZE: 30"H X 12" DIA.

2 / L3 — URBAN / GREENWAY BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: THE PLAINWELL SERIES
FINISH: METAL, ALUMINUM SEAT
METAL BLACK POWERCOATED
SIZE: 72" LENGTH

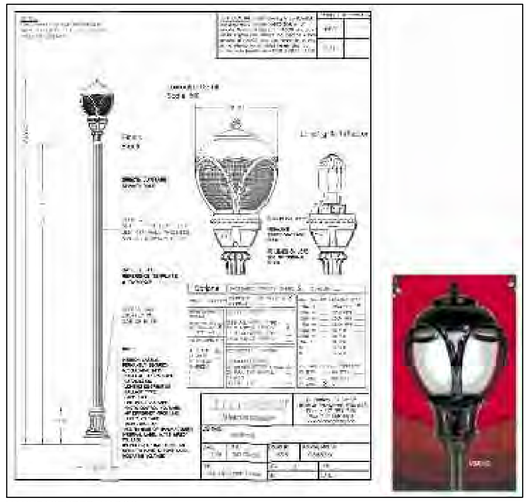
1 / L3 — LIGHT POLE
MANUFACTURER: HADCO
LUMINARE: HADCO S8867E (SINGLE), S8867N (TWIN)
POLE: 14' DECORATIVE CAST ALUMINUM P-065-14-A
FOOTING: AB CHANCE - C11242NG4TK W / ROUND MOUNTING PLATE
FINISH: BLACK

4 / L3 — PAVER CONCRETE BAND

5 / L3 — SCORED CONCRETE CROSSWALK CAST IN PLACE, SCORE AS SHOWN

6 / L3 — PERMEABLE CONCRETE PAVERS AT VEHICULAR STREET AREAS
MANUFACTURER: WILLAMETTE GRAYSTONE
MODEL: AQUABRIC PERMEABLE CONCRETE
COLOR: CHARCOAL
FINISH: CENTURY
SIZE: 5" X 10" X 80MM - HARRINGBONE PATTERN

ELEVATION DATUM: NAVD 88

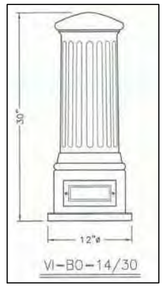


MANUFACTURER: HADCO
LUMINARE: HADCO S8867E (SINGLE), S8867N (TWIN)
POLE: 14' DECORATIVE CAST ALUMINUM P-2065-14-A
FOOTING: AB CHANCE - C11242NG4TK W/ROUND MOUNTING PLATE
FINISH: BLACK

LIGHT POLE — 1 / L3
SCALE: N.T.S

URBAN / GREENWAY BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: THE PLAINWELL SERIES
MATERIAL: METAL, ALUMINUM SEAT
FINISH: BLACK POWDERCOATED
SIZE: 72" LENGTH

BENCH — 2 / L3
SCALE: N.T.S



MANUFACTURER: VISCO
MODEL: VI-BO-14L
FINISH: BLACK POWDER COAT
SIZE: 30" H x 12" Dia.

URBAN BOLLARD — 3 / L3
SCALE: N.T.S

PAVER CONCRETE BAND — 4 / L3
SCALE: N.T.S

SCORED CONCRETE CROSSWALK — 5 / L3
SCALE: N.T.S

CONCRETE UNIT PAVERS WITH HELL-PROOF POLYMERIC SAND JOINTS
MANUFACTURER: WILLAMETTE GRAYSTONE
MODEL: AQUABRIC PERMEABLE CONCRETE
COLOR: AUTUMN BLEND
FINISH: CENTURY
SIZE: 5" X 10" X 60MM - HARRINGBONE PATTERN

PAVERS — 6 / L3
SCALE: N.T.S

Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS
DATE DESCRIPTION

PDP 9C
ROYAL CRESCENT
AT VILLEBOIS
&
CAMDEN SQUARE

Final Development Plan

LANDSCAPE DETAILS & MATERIALS

1ST SUBMITTAL DATE 10/9/2015
2ND SUBMITTAL DATE 11/6/2015

L3

N:\proj\395-053\09 Drawings\08 Landscape\Sheets\395053.DETAILS-001-LA-FDP.dwg - SHEET: L3 Nov. 12, 15 - 3:53 PM kel

Exhibit C1
Public Works Plan Submittal Requirements and Other Engineering Requirements

1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2014.

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

Coverage *(Aggregate, accept where noted)*	**Limit**
Commercial General Liability:	
▪ General Aggregate (per project)	$3,000,000
▪ General Aggregate (per occurrence)	$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

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.

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.

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 PW 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 printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.

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 Works Permit set.
o. Composite franchise utility plan.
p. City of Wilsonville detail drawings.
q. Illumination plan.
r. Striping and signage plan.
s. Landscape plan.

7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.

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.

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.

10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.

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.

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.

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.

14. 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.

15. 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.

16. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.

17. No surcharging of sanitary or storm water manholes is allowed.

18. 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.

19. 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.

20. 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.

21. 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.

22. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

23. 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.

24. 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.

25. 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.

26. 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. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.

27. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.

28. 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 Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.

29. 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).

30. Mylar Record Drawings:

    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.

Rainwater Management Requirements

1. All rainwater management components in private areas shall comply with the plumbing code.
2. Pursuant to the City of Wilsonville Public Works Standards, access shall be provided to all areas of the proposed rainwater management components. At a minimum, at least one access shall be provided for maintenance and inspection.
3. Plantings in rainwater management components located in private areas shall comply with the Plant List in the Rainwater Management Program or Community Elements Plan.
4. The rainwater management components shall comply with the requirements of the Oregon DEQ UIC (Underground Injection Control) Program.

Other Requirements

5. The applicant shall comply with all applicable state and federal requirements for the proposed construction activities (e.g., DEQ NPDES #1200–CN permit).

Public Works Plan Review Comment Form

Plans for Review: Royal Crescent at Vb & Camden Square Vb 9 Central
Return All Comments To: Dan Pauly
Due Date: December 2, 2015

Name	Page No.	Comments	Engineering's Response
Delora Kerber PW Admin		It is imperative that the water service be shown on the plans. Depending on the proposal there could be lots of unnecessary connections or length of connections from the main to the meters.	
Randy Watson Pretreatment			
Jason Labrie Water		Water services to each lot appear to be missing on the plans, with a few exceptions. These need to be included. Show the composite utility plan layer (including water services) beneath the street tree plan so that the required clearances from public utilities can be verified.	
Folz/Havens Sewer			
Gering Cross Connection			
Arnie Gray Roads		No Comments	
Ralph Thorp Trees/Irrigation			
Matt Baker Facilities Maint			
Blankenship/Reeder Park Maint			

City of Wilsonville
EXHIBIT C3 DB15-0068 et seq

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date: January 4, 2016	**Subject: Ordinance No. 781** Annexation of SW Grahams Ferry Road right-of-way, SW Tooze Road right-of-way, and property owned by Allen T. Chang. City of Wilsonville and Allen T. Chang, property owners. **Staff Members:** Blaise Edmonds, Manager of Current Planning **Department:** Planning Division
Action Required	**Development Review Board Recommendation**
☒ Motion ☒ Public Hearing Date: Jan. 4, 2016 ☒ Ordinance 1st Reading Date: Jan. 4, 2016. ☒ Ordinance 2nd Reading Date: Jan. 18, 2016 ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☒ Approval ☐ Denial ☐ None Forwarded ☐ Not Applicable **Comment:** Following their review at the Dec. 14, 2015 meeting, the Development Review Board Panel A recommends approval of annexation.
Staff Recommendation: Staff recommends that the City Council adopt Ordinance No. 781	
Recommended Language for Motion: I move to adopt Ordinance No. 781 on the 1st reading.	
PROJECT / ISSUE RELATES TO: Annexation.	

☐Council Goals/Priorities	☒Adopted Master Plan(s) Villebois Master Plan	☐Not Applicable

ISSUE BEFORE COUNCIL: Approve, modify, or deny Ordinance No.: 781

EXECUTIVE SUMMARY (Applicant):

The need to annex the property described above is two-fold. First, the right-of-way, which was brought into the urban growth boundary together with the Villebois Master Plan Area, is under the jurisdictional control of the City of Wilsonville, but was not annexed concurrently with the Calais annexation, or the annexation of property on Tooze Road owned by the Urban Renewal Agency. In order to spend urban renewal funds on the Tooze Road improvement project, which

includes a portion of Grahams Ferry Road, the Tooze Road and Grahams Ferry Road right-of-way inside the urban growth boundary must be annexed.

Secondly, the Villebois Master Plan includes future parks that will be partially located on the Chang property. One of these parks spans three separate property ownerships, including land owned by Polygon, the Urban Renewal Agency, and the Chang property. The Changs have agreed to provide an easement to allow Polygon to construct the portion of the park that is on their property as well as a public access easement so that a complete park experience can be provided to the public. However, as their property is not currently within the city, the design and construction of this park would fall under the land use approval and permitting of two separate agencies. To facilitate land use approvals, permitting, and construction of this park, it makes sense to annex the Chang property at this time in conjunction with the city's right of way annexation.

The Changs would like to have their property annexed at this time and have indicated they will likely sell it for development within the next two to three years. The rezoning of the property would occur at that time, rather than now. During the interim, the Changs have indicated they would like to maintain their property in a farm and forest deferral tax status.

EXPECTED RESULTS: Adoption of Ordinance No. 781

TIMELINE: Annexation will be in effect 30 days after the ordinance is adopted.

CURRENT YEAR BUDGET IMPACTS: None.

FINANCIAL REVIEW / COMMENTS:
Reviewed by: Date: ,2015

LEGAL REVIEW / COMMENT:
Reviewed by: BJ Date: 12/28/15

Approve ordinance as to form

COMMUNITY INVOLVEMENT PROCESS: The required public hearing notices have been sent.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

Potential Impacts: There are no impacts associated with the proposed annexation.

Benefit: Approval of the proposed ordinance would begin laying the foundation for future residential and regional park development on the Chang property and will allow urban renewal funds to be used for the Tooze Road project.

ALTERNATIVE: Deny the application.

CITY MANAGER COMMENT:

EXHIBITS AND ATTACHMENTS:

Annexation Ordinance No. 781

Attachment 1, Legal Description and Survey Maps

Attachment 2, Map Depicting Annexation

Exhibit A - Annexation Findings, January 4, 2016.

Exhibit B - DRB Resolution No. 320

Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated December 14, 2015 and the application on compact disk.

Exhibit D – December 14, 2015 DRB Minutes

Exhibit E – Petition to annex.

ORDINANCE NO. 781

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING SPECIFIC SEGMENTS OF SW GRAHAMS FERRY ROAD AND SW TOOZE ROAD, AND TERRITORY LOCATED AT THE NORTHERN EDGE OF VILLEBOIS OF THE CITY OF WILSONVILLE, OREGON. THE TERRITORY IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 700, 800, 900 AND 1000, OF SECTION 15, 3S, RANGE 1W, WILLAMETTE MERDIAN, CLACKAMAS COUNTY, CITY OF WILSONVILLE AND ALLEN T. CHANG OWNERS.

RECITALS

WHEREAS, consistent with ORS 222.111 (2) a proposal for annexation was initiated by petition by the City of Wilsonville and owner of real property in the territory to be annexed, a copy of the petition is on file with the City Recorder;

WHEREAS, written consent has been obtained from the City of Wilsonville and the only owner of the territory and the only elector in the territory proposed to be annexed, a copy of which is on file with the City Recorder; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and a copy of the legal description and survey is attached as Attachment 1 and a locational map is attached as Attachment 2, and both are incorporated by reference as if fully set forth herein; and

WHEREAS, the public roads and territory to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of the only owner of the land and a majority of electors within the territory and enables the City Council to dispense with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, Panel A of the Development Review Board considered the annexation and after a duly advertised public hearing held on December 14, 2015 recommended City Council approve the annexation; and

WHEREAS, on January 4, 2016, the City Council held a public hearing as required by Metro Code 3.09.050 and received testimony and exhibits including Exhibit A, Annexation Findings Adopted Staff Report and DRB Recommendation (Exhibit A1), dated

December 7, 2015 and the application on compact disc; and Exhibit D, December 14, 2015 DRB Minutes; and

WHEREAS, reports were prepared and considered as required by law; and notice was duly given, the Council finds that the annexation is not contested by any party, neither before the DRB or at the City Council hearing, therefore, the City Council finds that it is not necessary to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings and conclusions attached hereto by reference as Exhibit C, Development Review Board's recommendation to City Council, which the Council adopts; and

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

Section 1. The above recitals are fully incorporated herein. The roads and territory legally described and surveyed on maps in Attachment 1 and located on a map Attachment 2 is declared annexed to the City of Wilsonville.

Section 2. The findings and conclusions in Exhibit A are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on January 4, 2016 and scheduled the second reading on January 21, 2016 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 Town Center Loop East, Wilsonville, OR.

_____
Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the _____ day of _____, 2016, by the following votes: Yes: _____ No: _____

_____
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this _____ day of _____, 2016.

_____
TIM KNAPP, MAYOR

Summary of Votes:

Mayor Knapp
Councilor Starr
Councilor Lehan
Councilor Stevens
Councilor Fitzgerald

Exhibits and Attachments:

Attachment 1, Legal Description and Survey Map
Attachment 2, Map Depicting Annexation
Exhibit A - Annexation Findings and Condition PFA1, August 4, 2015.
Exhibit B - DRB Resolution No. 309
Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated July 27, 2015 and the application on compact disk.
Exhibit D – July 27, 2015 DRB Minutes

SW GRAHAMS FERRY ROAD, SW TOOZE ROAD
and
ALLEN CHANG PROPERTY
ANNEXATION
INDEX of RECORD

1. City Council (CC) Staff Report for January 4, 2016 Meeting

2. Ordinance No. 781 (Annexation)
    - CC Attachment 1, Legal Description and Survey Map
    - CC Attachment 2, Map Depicting Annexation
3. CC Exhibit A Annexation Findings, January 4, 2016.
4. CC Exhibit B Development Review Board Panel A's Notice of Decision and Resolution No. 320 recommending approval.
5. CC Exhibit C Additional DRB Items for review purposes only *(do not need to be reproduced)*:
    - DRB Exhibit A1: December 14, 2015, Development Review Board packet (Adopted Staff Report & Exhibits), including:
    - Exhibit A2. Staff DRB PowerPoint Presentation
    - Exhibit A3. 1st e-mail dated Dec.11, from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D1.
    - Exhibit A4. 2nd e-mail dated Dec.11, from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D2.
    - Exhibit B1. Applicant's Submittal: Applications, Supporting Compliance Report including annexation narrative, general Information, background Information, applicable review Criteria: Oregon Statewide Planning Goals, Clackamas County Department of Transportation Villebois roads transfers, Annexation Pettition, Resolution No. 1973, Annexation (Exhibit B) metes and bounds legal description and 8 -maps prepared by AKS, Power of Attorney.
    - Exhibit B2. CD of items listed in Exhibit B1.
    - Exhibit B3. Memorandum, Kristin Retherford, dated October 29, 2015.
    - Exhibit C1. E-mail dated Dec. 11, from Mike Ward, City Civil Engineer responding to Toni Tollen questions in Exhibit D1.

    Public Testimony:
    - Exhibit D1. 1st e-mail, Tonie Tollen, dated Dec. 10, 2015
    - Exhibit D2. 2nd e-mail, Tonie Tollen, dated Dec. 11, 2015
6. CC Exhibit D December 14, 2015 DRB Minutes *(to be made available at a later date…)*
7. CC Exhibit E Petition to annex.

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date: January 4, 2016	**Subject: Ordinance No. 781** - Annexation of SW Grahams Ferry Road right-of-way, SW Tooze Road right-of-way, and property owned by Allen T. Chang. City of Wilsonville and Allen T. Chang, property owners. **Staff Members:** Blaise Edmonds, Manager of Current Planning **Department:** Planning Division
Action Required	**Development Review Board Recommendation**
☒ Motion ☒ Public Hearing Date: Jan. 4, 2016 ☒ Ordinance 1st Reading Date: Jan. 4, 2016. ☒ Ordinance 2nd Reading Date: Jan. 18, 2016 ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☒ Approval ☐ Denial ☐ None Forwarded ☐ Not Applicable **Comment:** Following their review at the Dec. 14, 2015 meeting, the Development Review Board Panel A recommends approval of annexation.
Staff Recommendation: Staff recommends that the City Council adopt Ordinance No. 781	
Recommended Language for Motion: I move to adopt Ordinance No. 781 on the 1st reading.	
PROJECT / ISSUE RELATES TO: Annexation.	

☐Council Goals/Priorities	☒Adopted Master Plan(s) Villebois Master Plan	☐Not Applicable

ISSUE BEFORE COUNCIL: Approve, modify, or deny Ordinance No.: 781

EXECUTIVE SUMMARY (Applicant):

The need to annex the property described above is two-fold. First, the right-of-way, which was brought into the urban growth boundary together with the Villebois Master Plan Area, is under the jurisdictional control of the City of Wilsonville, but was not annexed concurrently with the Calais annexation, or the annexation of property on Tooze Road owned by the Urban Renewal Agency. In order to spend urban renewal funds on the Tooze Road improvement project, which

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The Changs would like to have their property annexed at this time and have indicated they will likely sell it for development within the next two to three years. The rezoning of the property would occur at that time, rather than now. During the interim, the Changs have indicated they would like to maintain their property in a farm and forest deferral tax status.

EXPECTED RESULTS: Adoption of Ordinance No. 781

TIMELINE: Annexation will be in effect 30 days after the ordinance is adopted.

CURRENT YEAR BUDGET IMPACTS: None.

FINANCIAL REVIEW / COMMENTS:
Reviewed by: Date: ,2015

LEGAL REVIEW / COMMENT:
Reviewed by: BJ Date: 12/28/15

Approve ordinance as to form

COMMUNITY INVOLVEMENT PROCESS: The required public hearing notices have been sent.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

Potential Impacts: There are no impacts associated with the proposed annexation.

Benefit: Approval of the proposed ordinance would begin laying the foundation for future residential and regional park development on the Chang property and will allow urban renewal funds to be used for the Tooze Road project.

ALTERNATIVE: Deny the application.

CITY MANAGER COMMENT:

EXHIBITS AND ATTACHMENTS:

Annexation Ordinance No. 781

Attachment 1, Legal Description and Survey Maps

Attachment 2, Map Depicting Annexation

Exhibit A - Annexation Findings, January 4, 2016.

Exhibit B - DRB Resolution No. 320

Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated December 14, 2015 and the application on compact disk.

Exhibit D – December 14, 2015 DRB Minutes

Exhibit E – Petition to annex.

ORDINANCE NO. 781

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING SPECIFIC SEGMENTS OF SW GRAHAMS FERRY ROAD AND SW TOOZE ROAD, AND TERRITORY LOCATED AT THE NORTHERN EDGE OF VILLEBOIS OF THE CITY OF WILSONVILLE, OREGON. THE TERRITORY IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 700, 800, 900 AND 1000, OF SECTION 15, 3S, RANGE 1W, WILLAMETTE MERDIAN, CLACKAMAS COUNTY, CITY OF WILSONVILLE AND ALLEN T. CHANG OWNERS.

RECITALS

WHEREAS, consistent with ORS 222.111 (2) a proposal for annexation was initiated by petition by the City of Wilsonville and owner of real property in the territory to be annexed, a copy of the petition is on file with the City Recorder;

WHEREAS, written consent has been obtained from the City of Wilsonville and the only owner of the territory and the only elector in the territory proposed to be annexed, a copy of which is on file with the City Recorder; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and a copy of the legal description and survey is attached as Attachment 1 and a locational map is attached as Attachment 2, and both are incorporated by reference as if fully set forth herein; and

WHEREAS, the public roads and territory to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of the only owner of the land and a majority of electors within the territory and enables the City Council to dispense with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, Panel A of the Development Review Board considered the annexation and after a duly advertised public hearing held on December 14, 2015 recommended City Council approve the annexation; and

WHEREAS, on January 4, 2016, the City Council held a public hearing as required by Metro Code 3.09.050 and received testimony and exhibits including Exhibit A, Annexation Findings Adopted Staff Report and DRB Recommendation (Exhibit A1), dated

December 7, 2015 and the application on compact disc; and Exhibit D, December 14, 2015 DRB Minutes; and

WHEREAS, reports were prepared and considered as required by law; and notice was duly given, the Council finds that the annexation is not contested by any party, neither before the DRB or at the City Council hearing, therefore, the City Council finds that it is not necessary to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings and conclusions attached hereto by reference as Exhibit C, Development Review Board's recommendation to City Council, which the Council adopts; and

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

Section 1. The above recitals are fully incorporated herein. The roads and territory legally described and surveyed on maps in Attachment 1 and located on a map Attachment 2 is declared annexed to the City of Wilsonville.

Section 2. The findings and conclusions and in Exhibit A are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on January 4, 2016 and scheduled the second reading on January 21, 2016 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 Town Center Loop East, Wilsonville, OR.

_____
Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the _____ day of _____, 2016, by the following votes: Yes: _____ No: _____

_____
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this _____ day of _____, 2016.

_____
TIM KNAPP, MAYOR

Summary of Votes:

Mayor Knapp
Councilor Starr
Councilor Lehan
Councilor Stevens
Councilor Fitzgerald

Exhibits and Attachments:

Attachment 1, Legal Description and Survey Map
Attachment 2, Map Depicting Annexation
Exhibit A - Annexation Findings and Condition PFA1, August 4, 2015.
Exhibit B - DRB Resolution No. 309
Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated July 27, 2015 and the application on compact disk.
Exhibit D – July 27, 2015 DRB Minutes

AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152
AKS Job #4658
ENGINEERING & FORESTRY
OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT A

Annexation Legal Description

A tract of land located in the Southwest One-Quarter and the Southeast One-Quarter of Section 10, and in the Northwest One-Quarter and the Northeast One-Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the section corner common to Sections 9, 10, 15, and 16 of Township 3 South, Range 1 West; thence along the south section line of said Section 10, also being the centerline of Westfall Road and the centerline of Tooze Road, South 88°34'12" East 1455.70 feet to the True Point of Beginning at the intersection of the westerly right-of-way line of Grahams Ferry Road (30.00 feet from centerline) and the centerline of Tooze Road; thence North 43°04'17" East 26.76 feet to the intersection of the northerly right-of-way line of Tooze Road (20.00 feet from centerline) and the westerly right-of-way line of Grahams Ferry Road (20.00 feet from centerline); thence North 82°00'11" East 112.95 feet to the intersection of said northerly right-of-way line (38.50 feet from centerline) and the easterly right-of-way line of Grahams Ferry Road (variable width right-of-way), also being the southwesterly corner of Document Number 2006-009149; thence along said northerly right-of-way line, South 88°34'08" East 207.90 feet to the west line of Document Number 2007-020527; thence along said west line, South 05°23'56" West 18.54 feet to the northerly right-of-way line of Tooze Road (20.00 feet from centerline); thence along said northerly right-of-way line South 88°34'12" East 849.19 feet to the southwest corner of Document Number 85-017503; which bears North 01°12'08" East 20.00 feet from the One-Quarter corner common to said Sections 10 and 15; thence continuing along said northerly right-of-way line (20.00 feet from centerline) South 88°35'11" East 1206.14 feet to the northerly extension of the westerly right-of-way line of 110th Avenue (20.00 feet from centerline); thence along said northerly extension and said westerly right-of-way line and the City of Wilsonville city limits, South 01°35'44" West 929.28 feet to the north line of Tract 'C' of the Plat of "Tonquin Meadows"; thence along said north line and the north line of the Plat of "Tonquin Woods at Villebois No. 6" and the City of Wilsonville city limits, North 88°34'12" West 1214.77 feet to the southeast corner of Parcel 1 of Partition Plat Number 1994-182; thence along the east line of said Parcel 1 and the City of Wilsonville city limits, North 02°08'37" East 889.00 feet to the southerly right-of-way line of Tooze Road (20.00 feet from centerline); thence along said southerly right-of-way line and the City of Wilsonville city limits, North 88°34'12" West 569.36 feet to the northwest corner of Document Number 73-30518; thence leaving said right-of-way line and continuing along said city limits line along a line parallel with and 20.00 feet southerly of the centerline of Tooze Road North 88°34'12" West 558.83 feet to an angle point in said city limits, being 30.00 feet from the centerline of Grahams Ferry Road; thence along a line parallel with and 30.00 feet easterly of the centerline of Grahams Ferry Road and along said city limits South 21°00'44" West 753.50 feet to an angle point; thence South 17°14'39" West 15.81 feet to the most northerly corner of Document Number 2014-037149, being a point on the easterly right-of-way line of Grahams Ferry Road (30.00 feet from centerline); thence along said right-of-way line and said city limits line South 17°14'39" West 170.24 feet to the southwest

corner of said Deed and an angle point in the City of Wilsonville city limits; thence along the City of Wilsonville city limits North 88°34'12" West 62.36 feet to the westerly right-of-way line of Grahams Ferry Road (30.00 feet from centerline), also being the southeast corner of Document Number 2013-072076; thence along said westerly right-of-way line North 17°14'39" East 205.02 feet to an angle point; thence North 21°00'44" East 755.35 feet to the True Point of Beginning.

The above described tract of land contains 28.31 acres, more or less.

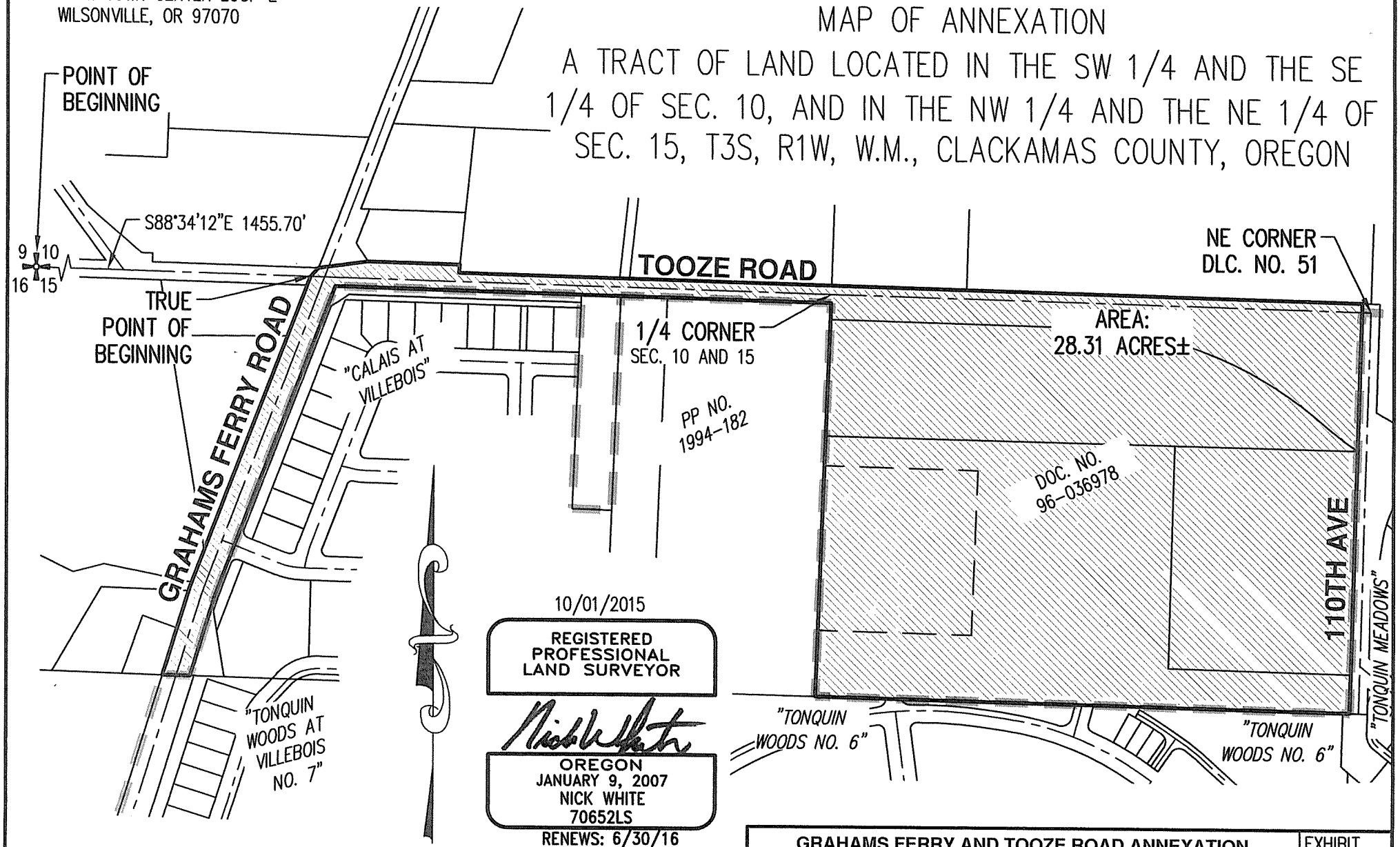
10/01/2015

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

EXHIBIT B

MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON



10/01/2015
REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

SCALE 1" = 300 FEET

300 0 120 180 240 300

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION CITY OF WILSONVILLE	EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	DRWN: MSK CHKD: NSW AKS JOB: 4658

CC Exhibit A

STAFF REPORT
WILSONVILLE PLANNING DIVISION

Annexation: SW Grahams Ferry Road ROW, SW Tooze Road ROW and Allen Chang Property
CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING
STAFF REPORT

HEARING DATE	January 4, 2016
DATE OF REPORT:	December 15, 2015

REQUEST: DB15-0083 Annexation of right-of-way and property into the City of Wilsonville. The area includes SW Grahams Ferry Road right-of-way, SW Tooze Road right-of-way and the Chang property. A development proposal is not part of the request. The proposed annexation is described by the applicant:

"The need to annex the property described above is two-fold. First, the right-of-way, which was brought into the urban growth boundary together with the Villebois Master Plan Area, is under the jurisdictional control of the City of Wilsonville, but was not annexed concurrently with the Calais annexation, or the annexation of property on Tooze Road owned by the Urban Renewal Agency. In order to spend urban renewal funds on the Tooze Road improvement project, which includes a portion of Grahams Ferry Road, the Tooze Road and Grahams Ferry Road right-of-way inside the urban growth boundary must be annexed."

"Secondly, the Villebois Master Plan includes future parks that will be located on the Chang property. One of these parks spans three separate property ownerships, including land owned by Polygon, the Urban Renewal Agency, and the Chang property. The Changs have agreed to provide an easement to allow Polygon to construct the portion of the park that is on their property as well as a public access easement so that a complete park experience can be provided to the public. However, as their property is not currently within the city, the design and construction of this park would fall under the land use approval and permitting of two separate agencies. To facilitate land use approvals, permitting, and construction of this park, it makes sense to annex the Chang property at this time in conjunction with the city's right of way annexation."

"The Changs would like to have their property annexed at this time and have indicated they will likely sell it for development within the next two to three years. The rezoning of the property would occur at that time, rather than now. During the interim, the Changs have indicated they would like to maintain their property in a farm and forest deferral tax status."

LOCATION: Grahams Ferry Road ROW, Tooze Road ROW and Chang property. Described as Tax Lots 700, 800, 900 & 1000, Section 15, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon

OWNERS/PETITIONERS: City of Wilsonville and Allen T. Chang
APPLICANT: Kristin Retherford, Economic Development Manager

COMPREHENSIVE PLAN MAP DESIGNATION: Village

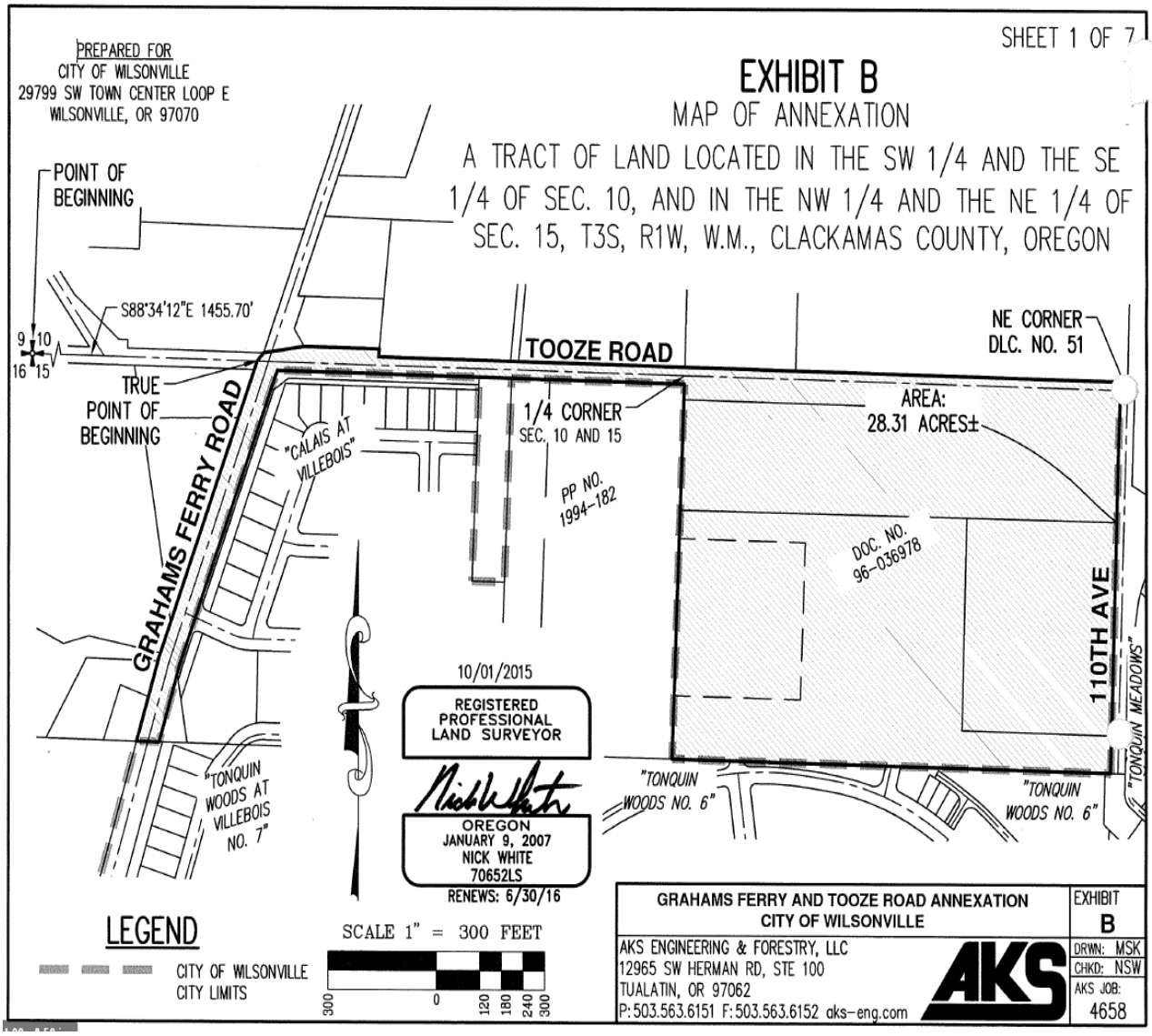
ZONE MAP CLASSIFICATIONS: Village (City), and Rural Residential Farm Forest 5 acre (RRFF-5) (Clackamas County).

STAFF REVIEWERS: Blaise Edmonds, Manager of Current Planning and Steve Adams, Development Engineering Manager.

DEVELOPMENT REVIEW BOARD: Recommends approval of the requested Annexation with no conditions of approval being proposed. The findings adopted by the Development Review Board in review of the above request will be forwarded as a recommendation to the 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 4.031	**Authority of the Development Review Board**
Section 4.033	**Authority of the City Council**
Section 4.700	**Annexation**
OTHER CITY PLANNING DOCUMENTS	
Comprehensive Plan - Annexation and Boundary Changes. **Implementation Measure 2.2.1.A** **Implementation Measure 2.2.1.E** **Implementation Measure 4.1.6.A** **Implementation Measure 4.1.6.C**	**Annexation:**
REGIONAL AND STATE PLANNING DOCUMENTS	
Metro Code Chapter 3.09	**Local Government Boundary Changes**
ORS 222.111	**Authority and Procedures for Annexation**
ORS 222.120	**Procedure without Election by City Electors**
ORS 222.125	**Annexation by Consent of All Land Owners and Majority of Electors**
ORS 222.170	**Effect of Consent to Annexation by Territory**
Statewide Planning Goals	



Vicinity/Site Map

SUMMARY:

A detailed introduction and compliance report in support of the application is provided by the applicant found in Exhibit B1.The applicant's narrative adequately describes the requested application components and compliance findings regarding applicable review criteria.

CONCLUSION:

Staff recommends <u>approval</u> of the requested Annexation, The findings of approval adopted by the Development Review Board in review of the above request will be forwarded as a recommendation to the City Council.

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 DB15-0083.

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the applications as submitted:

A1. Staff Report, findings and recommendation.
A2. Staff PowerPoint presentation.

Applicant's Written and Graphic Materials:

B1. Applications, Supporting Compliance Report including annexation narrative, general Information, background Information, applicable review Criteria: Oregon Statewide Planning Goals, Clackamas County Department of Transportation Villebois roads transfers, Resolution No. 1973, Annexation (Exhibit B) metes and bounds legal description and 8 -maps prepared by AKS, Power of Attorney
B2. CD of items listed in Exhibit B1.
B3. Memorandum, Kristin Retherford, dated October 29, 2015.

Development Review Team
None

Public Testimony
Letters (neither For nor Against):
Letters (In Favor): None submitted,
Letters (Opposed): None submitted.

FINDINGS OF FACT

1. The statutory 120-day time limit applies to this application. The application was received on October 27, 2015. On October 29, 2015, staff conducted a completeness review within the statutorily allowed 30-day review period. The applicant submitted new material on October 29, 2015. On October 30, 2015 staff determined the application to be complete. The City must render a final decision for the request, including any appeals, by January 25, 2016.

2. The subject SW Grahams Ferry Road right-of–way and SW Tooze Road right-of–way were brought into Wilsonville's Urban Growth Boundary (UGB) together with the Villebois Master Plan.

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

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criterion: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.
Finding: This criterion is met.
Explanation of Finding: The application is being processed in accordance with the applicable general procedures of this Section.

Section 4.009 Who May Initiate Application

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."
Finding: This criterion is satisfied.
Explanation of Finding: The application has been submitted by the City of Wilsonville and Allen T. Chang.

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

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

CONCLUSIONARY FINDING: ANNEXATION

Staff has relied upon the applicant's submittal documents and compliance findings and recommends that the Development Review Board adopt the applicant's findings attached hereto as Exhibit B1, as approval findings for the recommended action.

December 15, 2015

DEVELOPMENT REVIEW BOARD PANEL A

DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND RECOMMENDATION TO CITY COUNCIL

Project Name:	Grahams Ferry Road right-of-way, Tooze Road right-of-way and Chang Property Annexation
Case Files:	DB15-0083 Annexation
Owners:	City of Wilsonville Allen Chang
Applicant:	Kristin Retherford, Economic Development Manager
Property Description:	Tax Lot 700, 800, 900 and 1000 in Section 15; T3S R1W; Clackamas County; Wilsonville, Oregon.
Location:	SW Grahams Ferry Road ROW, SW Tooze Road ROW and Chang property.

On December 14, 2015, at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

The DRB has forwarded a recommendation of approval to the City Council.
A Council hearing date is scheduled for Monday, January 4, 2016 to hear this item.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 15th day of December 2015 and is available for public inspection. The decision regarding this requests 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. 320, including adopted staff report with conditions of approval.

DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 320

A RESOLUTION OF THE CITY OF WILSONVILLE RECOMMENDING APPROVAL TO THE CITY COUNCIL OF AN ANNEXATION OF PUBLIC RIGHT-OF-WAY AND TERRITORY LOCATED AT THE NORTHERN EDGE OF VILLEBOIS OF THE CITY OF WILSONVILLE, OREGON. THE PUBLIC RIGHT-OF-WAY AND TERRITORY IS MORE PARTICULARLY DESCRIBED AS SW GRAHAMS FERRY ROAD, SW TOOZE ROAD AND TAX LOTS 700, 800, 900 AND 1000, OF SECTION 15, 3S, RANGE 1W, WILLAMETTE MERDIAN, CLACKAMAS COUNTY, CITY OF WILSONVILLE AND ALLEN T. CHANG OWNERS.

RECITTALS

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 December 7, 2015, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on December 14, 2015, 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 annexation 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 December 7, 2015, attached hereto as Exhibit A1, with findings contained therein, and authorizes the Planning Director to recommend to the City Council approval of the Annexation request in case-file DB15-0083.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14th day of December, 2015 and filed with the Planning Administrative Assistant on December 15, 2015. 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)*.

Kristin Akervall, Vice-Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

DRB Exhibit A1

STAFF REPORT
WILSONVILLE PLANNING DIVISION

Annexation: SW Grahams Ferry Road ROW and SW Tooze Road ROW and the Chang Property

DEVELOPMENT REVIEW BOARD PANEL 'A'
QUASI-JUDICIAL PUBLIC HEARING
STAFF REPORT
(ADOPTED - DECEMBER 14, 2015)

HEARING DATE	December 14, 2015
DATE OF REPORT:	December 7, 2015

~~Strike through~~ = Deleted words
Bold/Italic = New words

REQUEST: DB15-0083 Annexation of right-of-way and property into the City of Wilsonville. The area includes SW Grahams Ferry Road right-of-way, SW Tooze Road right-of-way and the Chang property. A development proposal is not part of the request. The proposed annexation is described by the applicant:

"The need to annex the property described above is two-fold. First, the right-of-way, which was brought into the urban growth boundary together with the Villebois Master Plan Area, is under the jurisdictional control of the City of Wilsonville, but was not annexed concurrently with the Calais annexation, or the annexation of property on Tooze Road owned by the Urban Renewal Agency. In order to spend urban renewal funds on the Tooze Road improvement project, which includes a portion of Grahams Ferry Road, the Tooze Road and Grahams Ferry Road right-of-way inside the urban growth boundary must be annexed. Without annexation, the use of urban renewal to construct these needed improvements would require county-wide vote of the citizens of Clackamas County."

"Secondly, the Villebois Master Plan includes future parks that will be located on the Chang property. One of these parks spans three separate property ownerships, including land owned by Polygon, the Urban Renewal Agency, and the Chang property. The Changs have agreed to provide an easement to allow Polygon to construct the portion of the park that is on their property as well as a public access easement so that a complete park experience can be provided to the public. However, as their property is not currently within the city, the design and construction of this park would fall under the land use approval and permitting of two separate agencies. To facilitate land use approvals, permitting, and construction of this park, it makes sense to annex the Chang property at this time in conjunction with the city's right of way annexation."

"The Changs would like to have their property annexed at this time and have indicated they will likely sell it for development within the next two to three years. The rezoning of the property would occur at that time, rather than now. During the interim, the Changs have indicated they would like to maintain their property in a farm and forest deferral tax status."
LOCATION: SW Grahams Ferry Road ROW, SW Tooze Road ROW and Chang property. Described as Tax Lots 700, 800, 900 & 1000, Section 15, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon

OWNERS/PETITIONERS: City of Wilsonville and Allen T. Chang
APPLICANT: Kristin Retherford, Economic Development Manager

COMPREHENSIVE PLAN MAP DESIGNATION: Village

ZONE MAP CLASSIFICATIONS: Rural Residential Farm Forest 5 acre (RRFF-5) (Clackamas County).

STAFF REVIEWERS: Blaise Edmonds, Manager of Current Planning

~~**STAFF RECOMMENDATION**~~ **ACTION: The DRB** ~~**Recommends**~~ **approved** ~~of~~ the requested Annexation with no conditions ~~of approval being proposed~~. The findings adopted by the Development Review Board in review of the above request will be forwarded as a recommendation to the 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 4.031	**Authority of the Development Review Board**
Section 4.033	**Authority of the City Council**
Section 4.700	**Annexation**
OTHER CITY PLANNING DOCUMENTS	
Comprehensive Plan - Annexation and Boundary Changes. Implementation Measure 2.2.1.A Implementation Measure 2.2.1.E Implementation Measure 4.1.6.A Implementation Measure 4.1.6.C	**Annexation:**
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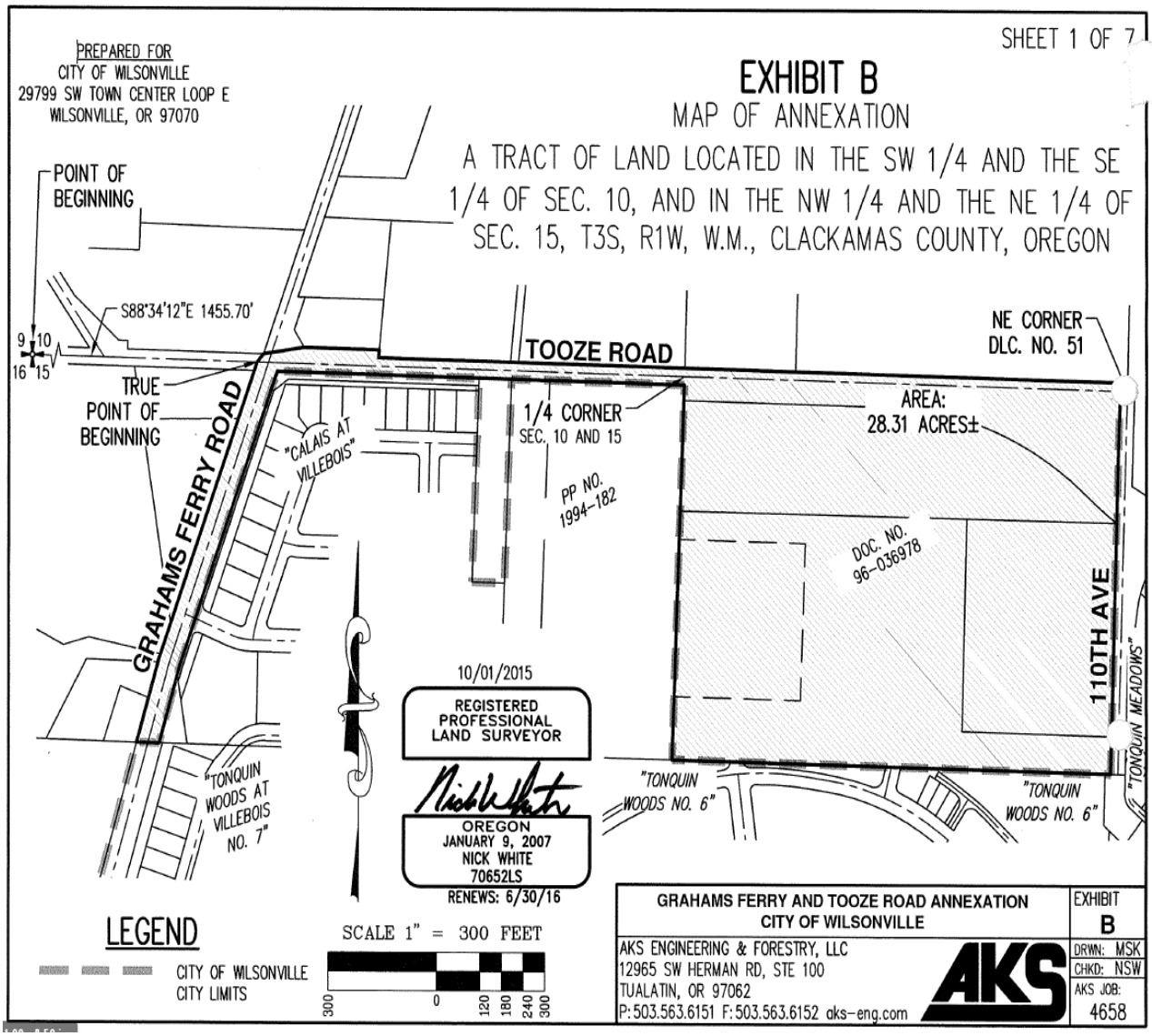
Metro Code Chapter 3.09	**Local Government Boundary Changes**
ORS 222.111	**Authority and Procedures for Annexation**
ORS 222.120	**Procedure without Election by City Electors**
ORS 222.125	**Annexation by Consent of All Land Owners and**

	Majority of Electors
ORS 222.170	**Effect of Consent to Annexation by Territory**
Statewide Planning Goals	



Vicinity/Site Map

SUMMARY:

A detailed introduction and compliance report in support of the application is provided by the applicant found in Exhibit B1.The applicant's narrative adequately describes the requested application components and compliance findings regarding applicable review criteria.

CONCLUSION:

Staff recommends <u>approval</u> of the requested Annexation, The findings of approval adopted by the Development Review Board in review of the above request will be forwarded as a recommendation to the City Council **with no conditions of approval**.

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 DB15-0083.

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the applications as submitted:

A1. Staff Report, findings and recommendation.
A2. Staff PowerPoint presentation.
A3. 1st e-mail dated Dec. 11, from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D1
A4. 2nd e-mail dated Dec. 11, from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D2

<u>Applicant's Written and Graphic Materials:</u>

B1. Applications, Supporting Compliance Report including annexation narrative, general Information, background Information, applicable review Criteria: Oregon Statewide Planning Goals, Clackamas County Department of Transportation Villebois roads transfers, Resolution No. 1973, Annexation (Exhibit B) metes and bounds legal description and 8 -maps prepared by AKS, Power of Attorney
B2. CD of items listed in Exhibit B1.
B3. Memorandum, Kristin Retherford, dated October 29, 2015.

C <u>Development Review Team</u>
C1. E-mail dated Dec. 11, from Mike Ward, City Civil Engineer responding to Toni Tollen questions in Exhibit D1.

D <u>Public Testimony</u>
Letters (neither For nor Against):
D1. 1st e-mail, Tonie Tollen, dated Dec. 10, 2015
D2. 2nd e-mail, Tonie Tollen, dated Dec. 11, 2015
<u>Letters (In Favor)</u>: None submitted
<u>Letters (Opposed)</u>: None submitted

FINDINGS OF FACT

1. The statutory 120-day time limit applies to this application. The application was received on October 27, 2015. On October 29, 2015, staff conducted a completeness review within the statutorily allowed 30-day review period. The applicant submitted new material on October 29, 2015. On October 30, 2015 staff determined the application to be complete. The City must render a final decision for the request, including any appeals, by January 25, 2016.

2. The subject Grahams Ferry Road right-of–way and Tooze Road right-of–way were brought into Wilsonville's Urban Growth Boundary (UGB) together with the Villebois Master Plan.

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

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criterion: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.
Finding: This criterion is met.
Explanation of Finding: The application is being processed in accordance with the applicable general procedures of this Section.

Section 4.009 Who May Initiate Application

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."
Finding: This criterion is satisfied.
Explanation of Finding: The application has been submitted by the City of Wilsonville and Allen T. Chang.

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

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

payments must be made current or the existence of liens will necessitate denial of the application."

Finding: This criterion is satisfied.

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

CONCLUSIONARY FINDINGS: ANNEXATION

Staff has relied upon the applicant's submittal documents and compliance findings and recommends that the Development Review Board adopt the applicant's findings attached hereto as Exhibit B1, as approval findings for the recommended action.

Development Review Board – Panel A

December 14, 2015

ANNEX GRAHAM'S FERRY ROAD ROW, TOOZE ROAD ROW AND THE CHANG PROPERTY NEXT TO VILLEBOIS

Exhibit A2

CIITY GIS MAP

CITY LIMITS

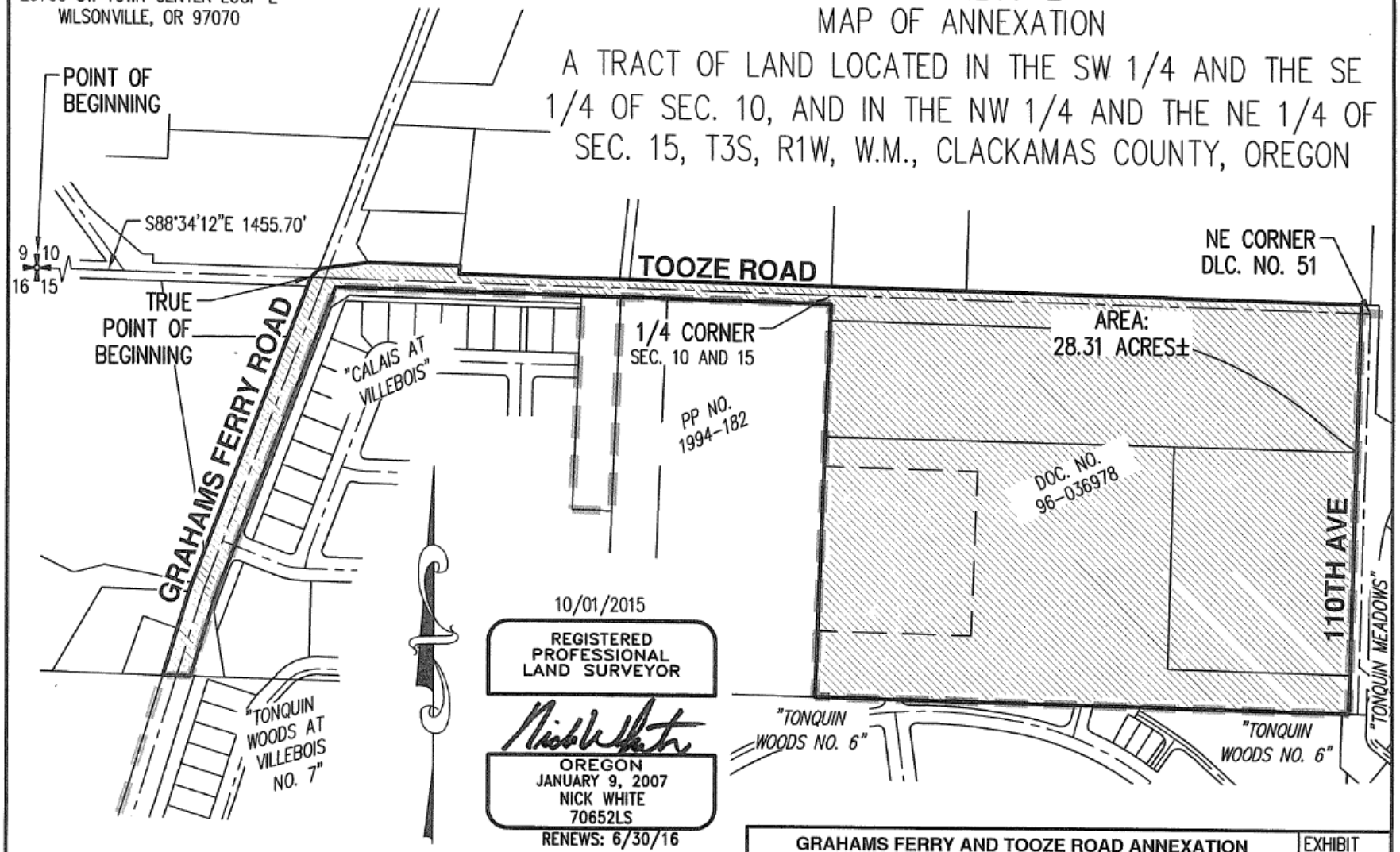
URBAN GROWTH BOUNDARY

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

EXHIBIT B

MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON



10/01/2015
REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

SCALE 1" = 300 FEET

300 0 120 180 240 300

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION CITY OF WILSONVILLE	EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	DRWN: MSK CHKD: NSW AKS JOB: 4658

Petition for Annexation to the City of Wilsonville

Property Owners:

Name: Allen Y. Chang

Signature A Y Chang **Date** 10-26-2015

Property Owned: Taxlots 3S1W15_00700, 3S1W15_00800 (28201 SW 110th Ave.), 3S1W15_00900 (11490 SW Tooze Rd.), 3S1W15_01000

Mailing Address: 3205 Edgemont Road, Lake Oswego OR 97035

Name: Bryan Cosgrove, City Manager, for City of Wilsonville

Signature [signature] **Date** 10/27/15

Property Owned: SW Tooze Road right-of-way, SW Grahams Ferry Road right-of-way

Mailing Address: 29799 SW Town Center Loop East, Wilsonville OR 97070

Electors:

Name: Michele Lurene Grant

Signature Michele Grant **Date** 10/21/15

Registered Address: 11490 SW Tooze Road

Precinct Number: 323

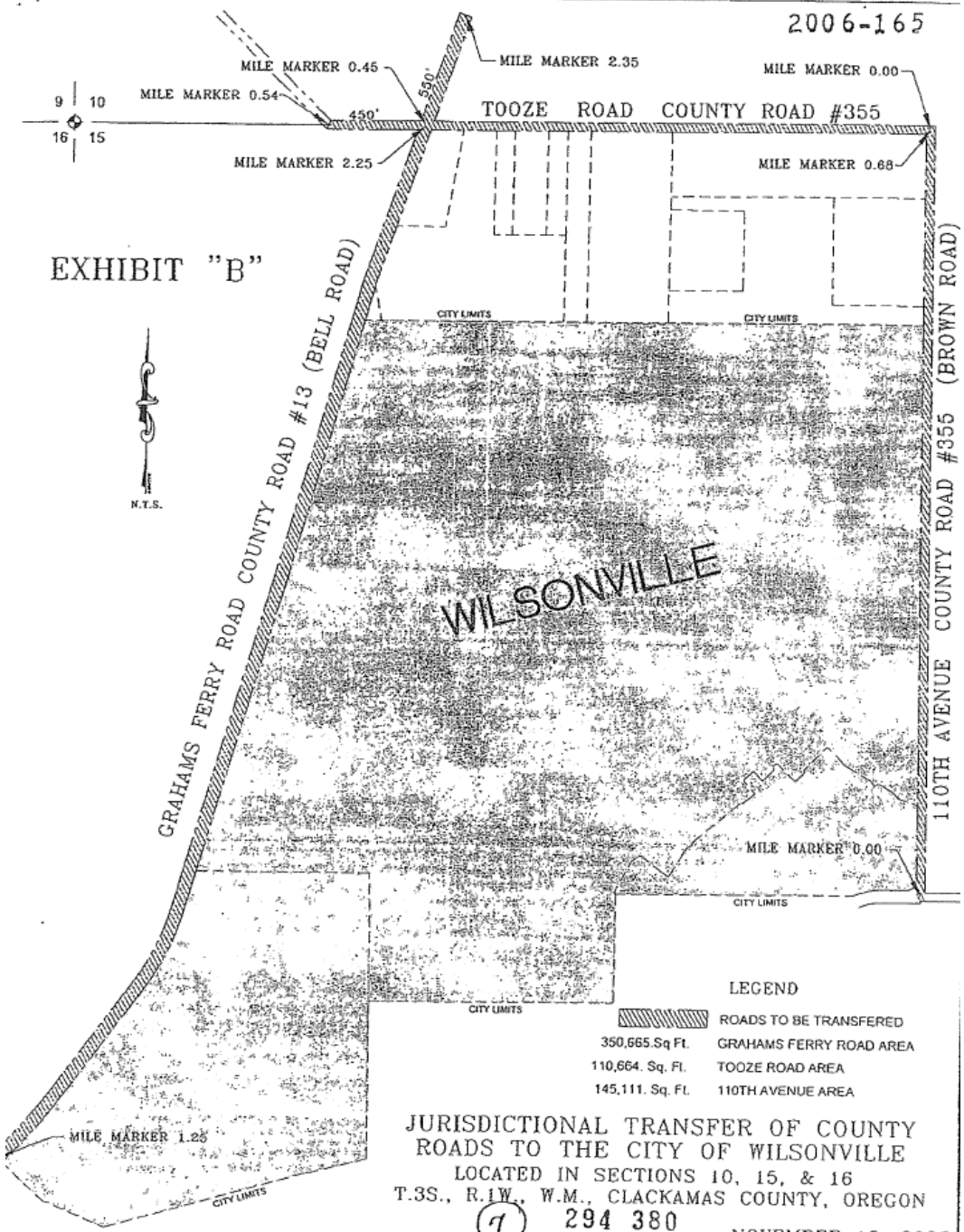
Name: Mirae Jean Grant

Signature Mirae Jean Grant **Date** 10/21/15

Registered Address: 11490 SW Tooze Road

Precinct Number: 323

2006-165



JURISDICTIONAL TRANSFER OF COUNTY ROADS TO THE CITY OF WILSONVILLE
LOCATED IN SECTIONS 10, 15, & 16
T.3S., R.1W., W.M., CLACKAMAS COUNTY, OREGON

7 294 380

NOVEMBER 15, 2005

EXHIBIT B

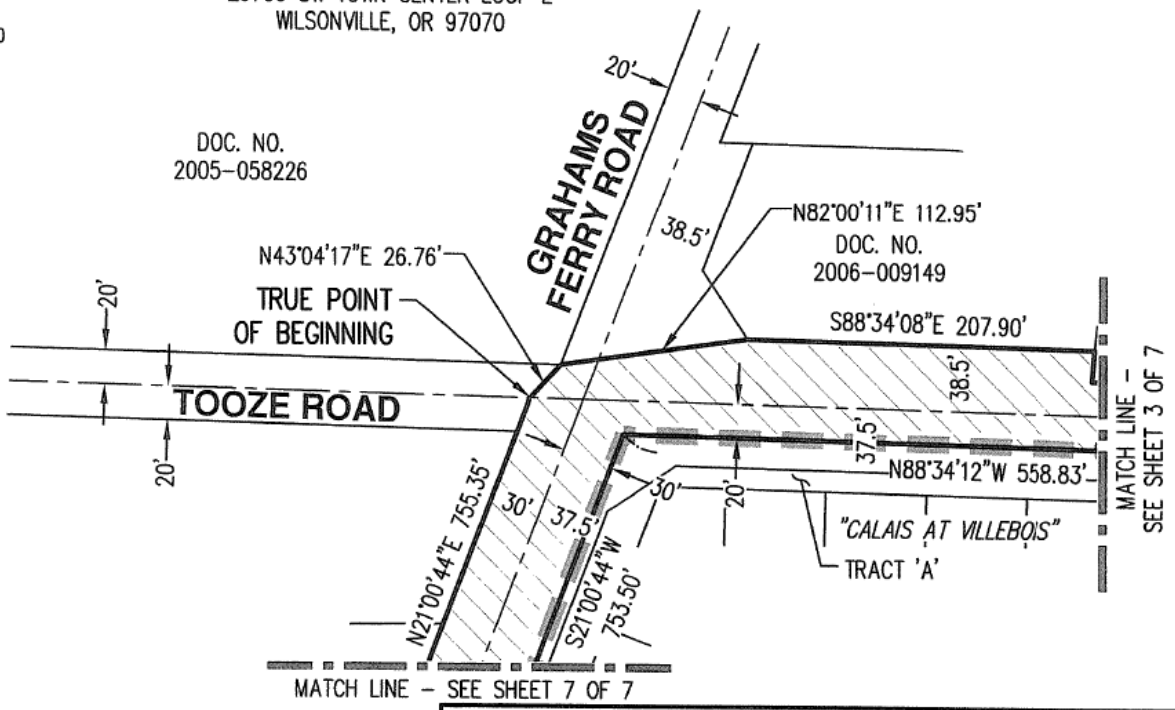
MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON

SCALE 1" = 100 FEET

100 0 40 60 80 100

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070



10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION CITY OF WILSONVILLE	EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	DRWN: MSK CHKD: NSW AKS JOB: 4658

EXHIBIT B

SHEET 3 OF 7

MAP OF ANNEXATION

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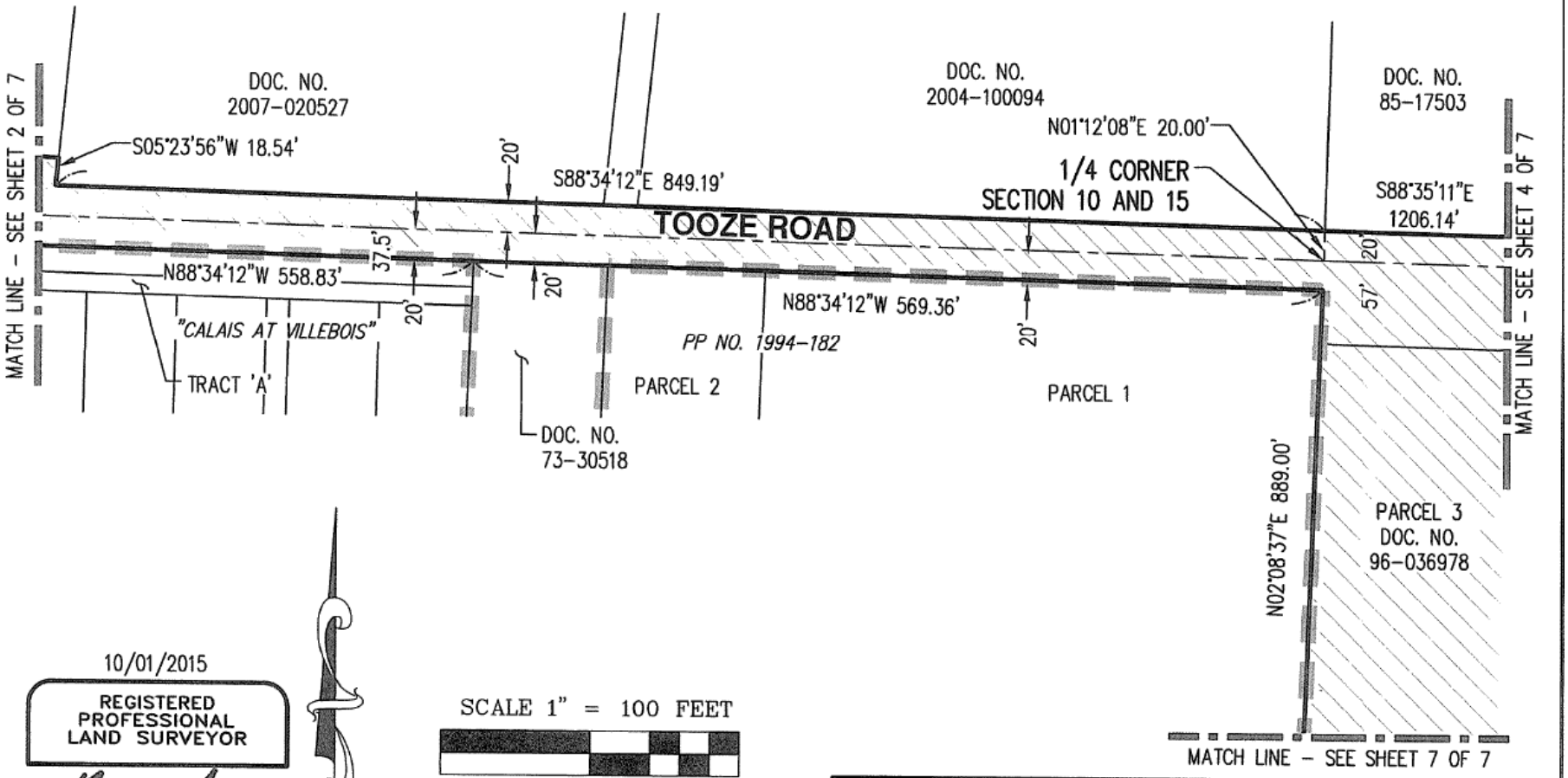
PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070



10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

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LEGEND

CITY OF WILSONVILLE CITY LIMITS

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION
CITY OF WILSONVILLE

EXHIBIT B

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
P: 503.563.6151 F: 503.563.6152 aks-eng.com

DRWN: MSK
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EXHIBIT B

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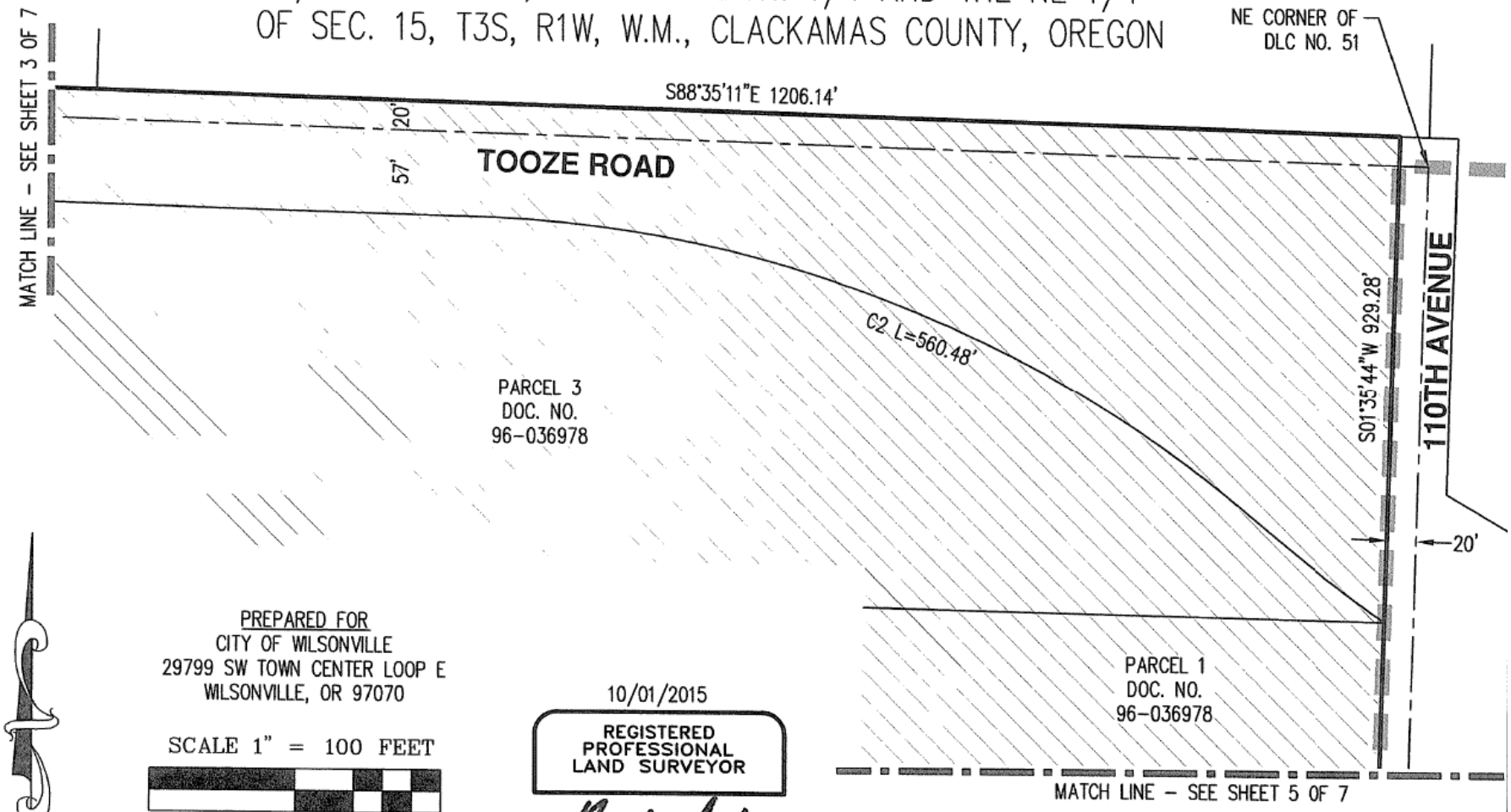

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

SCALE 1" = 100 FEET

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LEGEND

CITY OF WILSONVILLE CITY LIMITS

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CITY OF WILSONVILLE

EXHIBIT B

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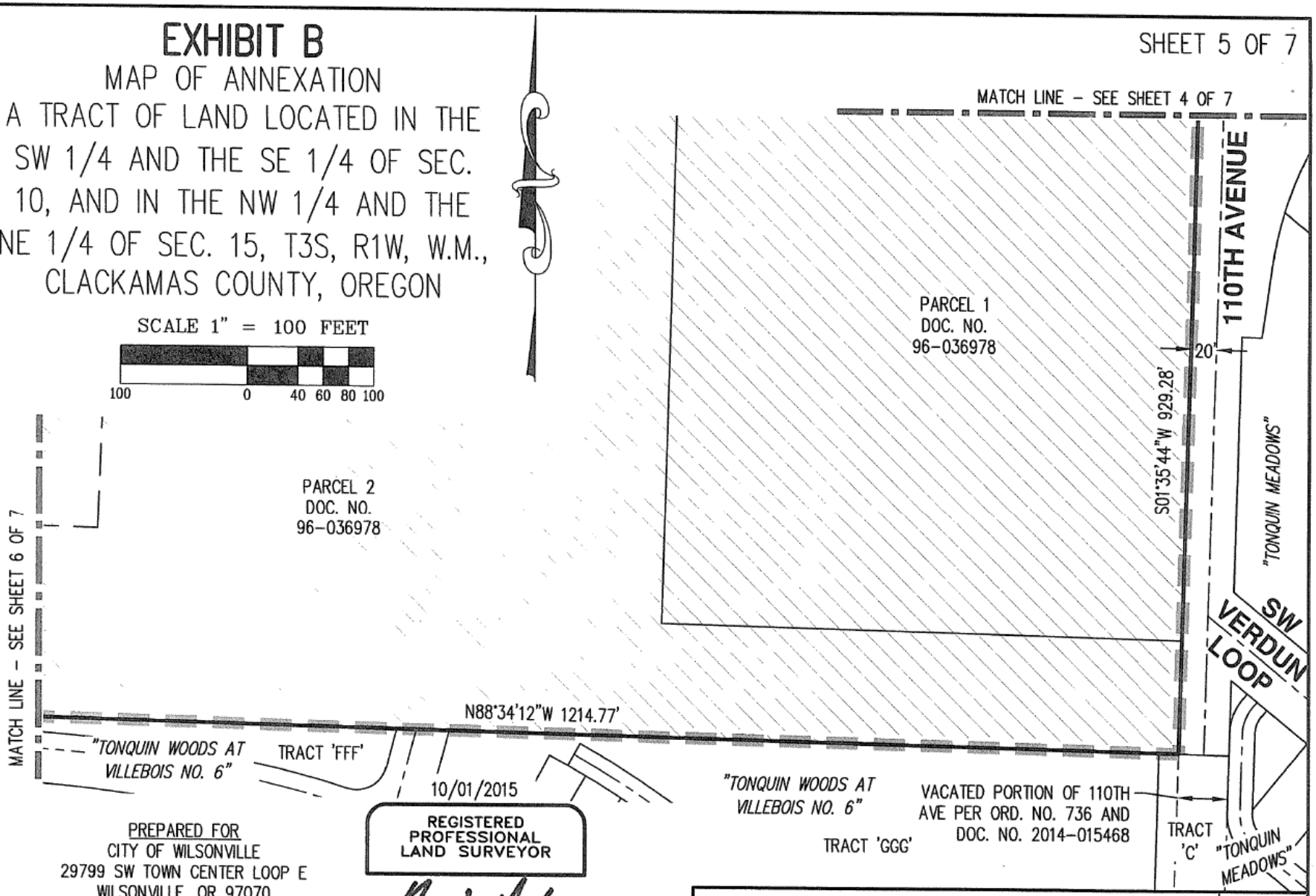

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

LEGEND

CITY OF WILSONVILLE CITY LIMITS

10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

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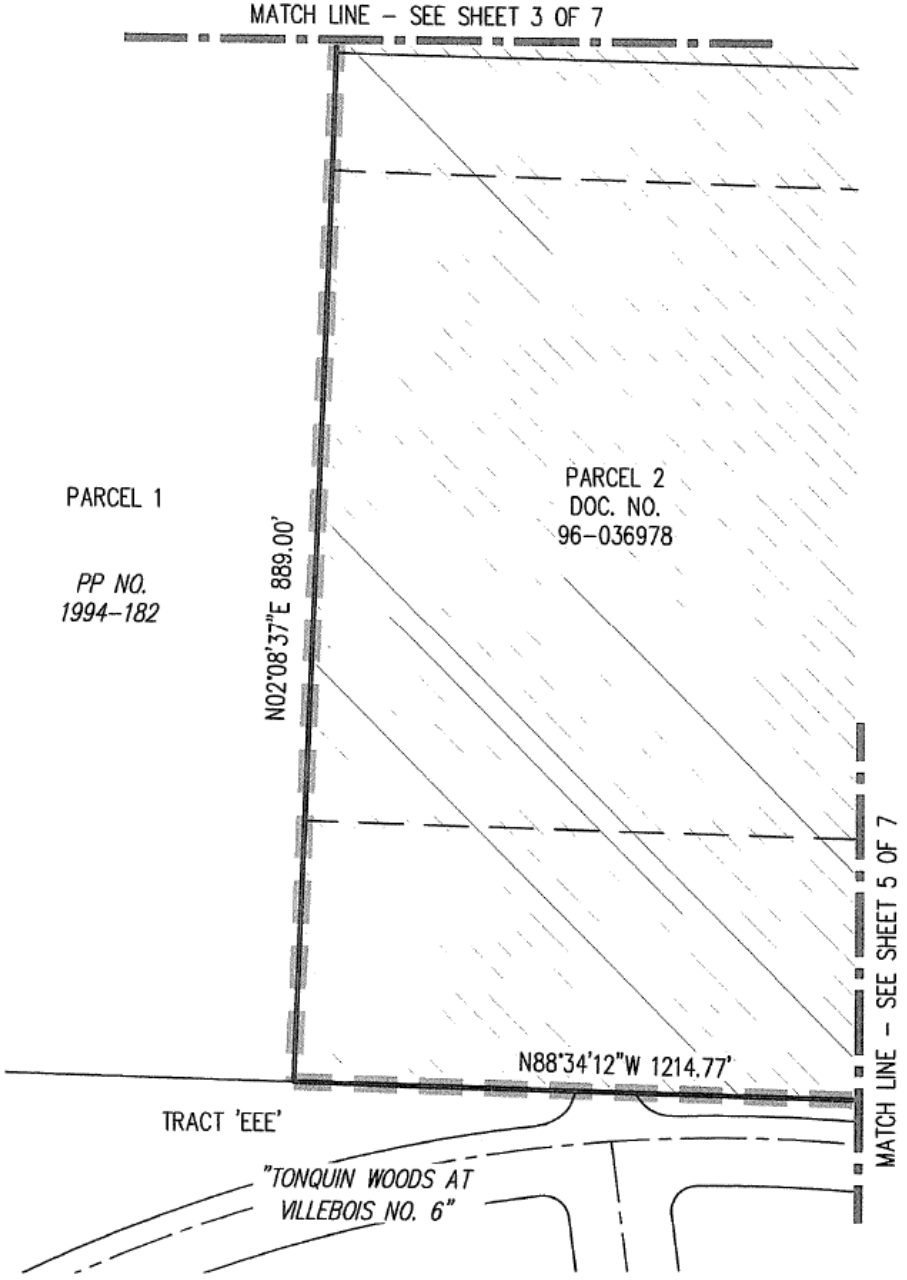

SCALE 1" = 100 FEET

100 0 40 60 80 100

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

LEGEND

CITY OF WILSONVILLE CITY LIMITS

10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
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70652LS

RENEWS: 6/30/16

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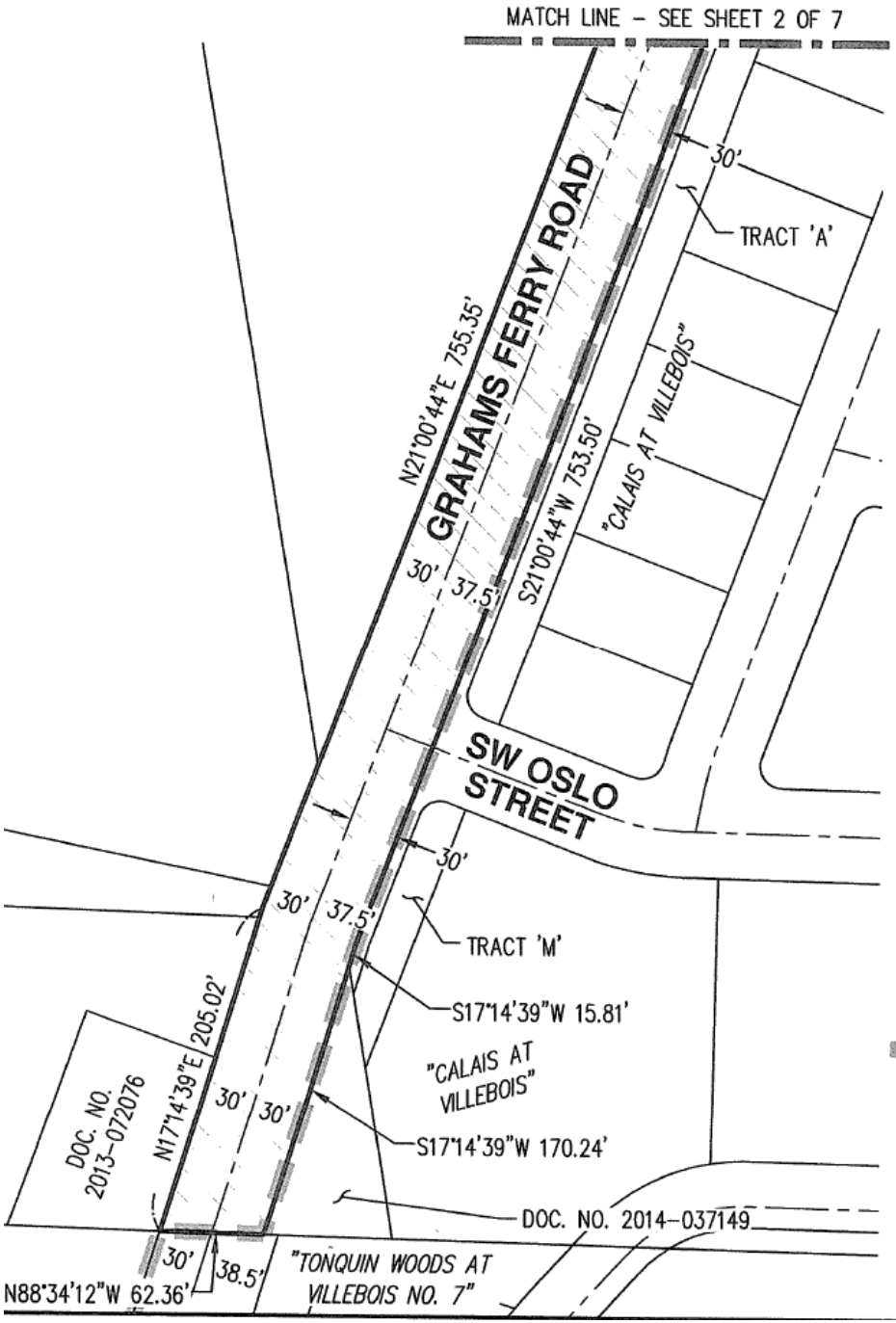

SCALE 1" = 100 FEET

100 0 40 60 80 100

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

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City of Wilsonville
EXHIBIT A3 DB15-0083

Edmonds, Blaise

From: Edmonds, Blaise
Sent: Friday, December 11, 2015 9:10 AM
To: 'Tonie Tollen'
Cc: Cyndi Satterlund; Kathleen and Sean McRae; Retherford, Kristin; Jacobson, Barbara; Kohlhoff, Mike; Pauly, Daniel; Ward, Mike; Adams, Steve
Subject: RE: Annexation of Property and Road

Good morning Tonie, I had a conversation with Kristen Retherford, the applicant representing the City for the annexation, indicated that the proposed annexation of Grahams Ferry and Tooze Road right-of-ways would only include those ROW within the City Urban Growth Boundary (UGB) and not on your property. The current UGB line aligns on the north side of the current ROW. Please see the yellow line – UGB below:

You have numerous other questions that I am relying on staff from the engineering department to respond to before next Monday night DRB meeting.

Thank you,
Blaise Edmonds
Manager of Current Planning
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

503-682-4960 Business
503-682-7025 Fax
edmonds@ci.wilsonville.or.us

DISCLOSURE NOTICE: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

From: Tonie Tollen [mailto:tollenfarm@msn.com]
Sent: Thursday, December 10, 2015 12:51 PM
To: Edmonds, Blaise; Ward, Mike
Cc: Tonie Tollen; Cyndi Satterlund; Kathleen and Sean McRae
Subject: Re: Annexation of Property and Road

December 9, 2015
RE: Annexation of Tooze Road into the city of Wilsonville
Public Hearing Monday December 14, 2015

Comments and Concerns:

My understanding of the future Tooze Road widening was that 17 or 17 1/2 feet on either side of the now existing road was the property of the county, and any additional feet would need to be purchased from the current landowners. Isn't that the law?

It is evident that since the developer has already put sidewalks on the South side of Tooze, that the widening of said road will all come from the North side of the street.
When is this work going to commence?

After talking with Mr. Edmonds on Wednesday, December 9, , I found out that the Urban Growth Boundary includes all or part of Tooze Road. Where is the North boundary of the road as it pertains to those of us effected by the proposed widening of Tooze Road and does that boundary extend all the way to the intersection of Tooze and Westfall?
Where does the urban growth boundary line cross the property of those of us who live on the North side of the street ?
Since the the survey markers found today on my property and that of my neighbor's
property are 38.5 feet in, from the asphalt edge of the existing roadbed on the North side of the road, as noted on the survey markers, how much of our personal property is in jeopardy and what compensation will be given to the land owners?

PLEASE NOTE:
When the city does annex Tooze Road to get the Urban funds they desire to do the widening project, those of us who live here wish to state that we do NOT want the name of our section of Tooze Road to change to Beckman Road.
We all received a letter from the city last spring stating that the city was planning to change the name of Tooze Road from the roundabout to the intersection of Tooze and Westfall to Beckman Road!
All of the neighbors met with Mr. Ward and expressed the desire to have Tooze Road remain Tooze Road. Our final suggestion for where to stop Beckman and begin Tooze was at the intersection of what will be Kinsman road where it joins the bridge. Adjusting the Name change there does not affect anyone's address and is the least expensive. Those of us who have lived on this road a long time and have our farms and business here do not want the expense or disruption that a new road name would create. There is no need for it.
Just move the sign out of the roundabout and back to Kinsman where it makes sense.
It won't disrupt or cost anybody anything that way.
Regarding improvements such as sidewalks and street lights on the North side of Tooze Road,
non of the neighbors feel the need or want them. The division between City and Country can be better defined by the LACK of those items on our side of the street.

What is the long term solution for stopping and controlling traffic at the intersection of Grahams Ferry and Tooze Road? Will it be a traffic light or a roundabout?

A major public safety concern is visibility of oncoming cars from my farm when entering or leaving my driveway.. My address is 11681 S W Tooze Road and oncoming traffic that is approaching from the East cannot be seen. When Tooze road was originally widened, the berm area of the road was going to be leveled off for better visibility and that did not happen.When the road is widened, that issue needs to be addressed, especially with the huge addition to the speed and flow of the current traffic. The impact of the traffic due to the development of Villebois over the last few years has been enormous.

The elevation of Tooze Road between the Anderson property and my farm has created a dike in the field. My concern is that roadbed will increase this effect and cause more flooding.

I would appreciate a response to my questions .

Sincerely,
Tonie Tollen
11681 S W Tooze Road
Wilsonville, Or. 97070
503-682-1604

City of Wilsonville
EXHIBIT A4 DB15-0083

Edmonds, Blaise

From: Edmonds, Blaise
Sent: Friday, December 11, 2015 11:57 AM
To: 'Tonie Tollen'
Cc: Ward, Mike; Adams, Steve
Subject: RE: Annexation of Property and Road

Hi Toni, the yellow line (UGB) is on top of the black line which is your property line. Your property is not within the UGB but you currently have driveway access through it. I am forwarding your new email to city engineering staff for comment about future improvements.

Thank you,
Blaise Edmonds
Manager of Current Planning
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

503-682-4960 Business
503-682-7025 Fax
edmonds@ci.wilsonville.or.us

DISCLOSURE NOTICE: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

From: Tonie Tollen [mailto:tollenfarm@msn.com]
Sent: Friday, December 11, 2015 10:52 AM
To: Edmonds, Blaise
Cc: Cyndi Satterlund; mprigodich@gmail.com; Tonie Tollen; Kathleen and Sean McRae; Don and Doreen Steffick; Debra Bischof
Subject: RE: Annexation of Property and Road

Good morning to you too Blaise,
I see the yellow line on top of/next to the green line and it does go right across my road. The lines don't tell me anything. How many feet do I loose off my driveway with the road widening and other improvements that may be pending?

From: edmonds@ci.wilsonville.or.us
To: tollenfarm@msn.com
CC: cyndis@binderbooks.com; kathleen@reliancenetwork.com; retherford@ci.wilsonville.or.us; jacobson@ci.wilsonville.or.us; kohlhoff@ci.wilsonville.or.us; pauly@ci.wilsonville.or.us; ward@ci.wilsonville.or.us; adams@ci.wilsonville.or.us
Subject: RE: Annexation of Property and Road
Date: Fri, 11 Dec 2015 17:09:32 +0000

Good morning Tonie, I had a conversation with Kristen Retherford, the applicant representing the City for the annexation, indicated that the proposed annexation of Grahams Ferry and Tooze Road right-of-ways would only include those ROW within the City Urban Growth Boundary (UGB) and not on your property. The current UGB line aligns on the north side of the current ROW. Please see the yellow line – UGB below:

You have numerous other questions that I am relying on staff from the engineering department to respond to before next Monday night DRB meeting.

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Sent: Thursday, December 10, 2015 12:51 PM
To: Edmonds, Blaise; Ward, Mike
Cc: Tonie Tollen; Cyndi Satterlund; Kathleen and Sean McRae
Subject: Re: Annexation of Property and Road

December 9, 2015
RE: Annexation of Tooze Road into the city of Wilsonville
Public Hearing Monday December 14, 2015

Comments and Concerns:

CITY OF WILSONVILLE

29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone: 503.682.4960
Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Pre-Application meeting date:

TO BE COMPLETED BY APPLICANT:
Please PRINT legibly

Planning Division
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Applicant:
City of Wilsonville
Address: 29799 SW Town Center Loop E
Phone: 503-682-4960
Fax: 503-682-7025
E-mail: Retherford@ci.wilsonville.or.us

Authorized Representative:
Bryan Cosgrove, City Manager
Address: 29799 SW Town Center Loop E
Phone: 503-682-4960
Fax: 503-682-7025
E-mail: Cosgrove@ci.wilsonville.or.us

Property Owner:
City of Wilsonville
Address: 29799 SW Town Center Loop E
Phone: 503-682-4960
Fax: 503-682-7025
E-mail:

Property Owner's Signature:
Printed Name: Bryan Cosgrove Date: 10/27/15

Applicant's Signature *(if different from Property Owner):*
Printed Name: _____ Date: _____

Site Location and Description:
Project Address if Available: Grahams Ferry Road ROW and Tooze Road ROW, & Chang property Suite/Unit _____
Project Location: Grahams Ferry Rd ROW north to Tooze Rd and Tooze Rd ROW west to Grahams Ferry Rd & Chang Property
Tax Map #(s): 31W15 Tax Lot #(s): 700, 800, 900 & 1000 County: ☐ Washington ☑ Clackamas

Request: Annex road way right of way that is under City jurisdictional control and within the UGB. This is a joint application to be processed together with an application signed by the Chang family to annex property they own on Tooze Road

Project Type: **Class I** ☐ **Class II** ☐ **Class III** ☐

☐ Residential ☐ Commercial ☐ Industrial ☑ Other (describe below)

Application Type:

☑ Annexation	☐ Appeal	☐ Comp Plan Map Amend	☐ Conditional Use
☐ Final Plat	☐ Major Partition	☐ Minor Partition	☐ Parks Plan Review
☐ Plan Amendment	☐ Planned Development	☐ Preliminary Plat	☐ Request to Modify Conditions
☐ Request for Special Meeting	☐ Request for Time Extension	☐ Signs	☐ Site Design Review
☐ SROZ/SRIR Review	☐ Staff Interpretation	☐ Stage I Master Plan	☐ Stage II Final Plan
☐ Type C Tree Removal Plan	☐ Tree Removal Permit (B or C)	☐ Temporary Use	☐ Variance
☐ Villebois SAP	☐ Villebois PDP	☐ Villebois PDP	☐ Waiver
☐ Zone Map Amendment	☐ Other		

City of Wilsonville
EXHIBIT B1 DB15-0083

CITY OF WILSONVILLE

29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone: 503.682.4960
Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Pre-Application meeting date:

TO BE COMPLETED BY APPLICANT:
Please PRINT legibly

Planning Division
Development Permit Application

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Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Applicant:
Allen Chang

Address: 3205 Edgemont Road, Lake Oswego, 97035

Phone: 971-227-9893

Fax:

E-mail: allenchang56@gmail.com

Authorized Representative:
Allen Chang et. al (Power of Attorney for other owners)

Address: 3205 Edgemont Road, Lake Oswego, 97035

Phone: 971-227-9893

Fax:

E-mail: allenchang56@gmail.com

Property Owner:
Allen Chang, Ju-Tsun Chang, Roger Chang, Victor Chang, Fredie Tseng

Address: 3205 Edgemont Road, Lake Oswego, 97035

Phone: 971-227-9893

Fax:

E-mail: allenchang56@gmail.com

Property Owner's Signature:
A Y Chang

Printed Name: Allen Y. Chang Date: 10-12-15

Applicant's Signature *(if different from Property Owner):*
A Y Chang

Printed Name: Allen Y. Chang Date: 10-12-15

POA for other owners.

Site Location and Description:

Project Address if Available: Chang Property, Grahams Ferry Road ROW and Tooze Road ROW Suite/Unit

Project Location: Chang Property & Grahams Ferry Rd ROW north to Tooze Rd and Tooze Rd ROW west to Grahams Ferry Rd

Tax Map #(s): 31W15 Tax Lot #(s): 700, 800, 900 & 1000 County: ☐ Washington ☑ Clackamas

Request: Annex Chang property identified as 31W15, TL 700, 800, 900 & 1000. This is a joint application to be processed together with an application signed by the City of Wilsonville to annex Grahams Ferry Road ROW and Tooze Road ROW

Project Type: **Class I** ☐ **Class II** ☐ **Class III** ☐

☐ Residential ☐ Commercial ☐ Industrial ☑ Other (describe below)

Application Type:

☑ Annexation	☐ Appeal	☐ Comp Plan Map Amend	☐ Conditional Use
☐ Final Plat	☐ Major Partition	☐ Minor Partition	☐ Parks Plan Review
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☐ Request for Special Meeting	☐ Request for Time Extension	☐ Signs	☐ Site Design Review
☐ SROZ/SRIR Review	☐ Staff Interpretation	☐ Stage I Master Plan	☐ Stage II Final Plan
☐ Type C Tree Removal Plan	☐ Tree Removal Permit (B or C)	☐ Temporary Use	☐ Variance
☐ Villebois SAP	☐ Villebois PDP	☐ Villebois PDP	☐ Waiver
☐ Zone Map Amendment	☐ Other		

Petition for Annexation to the City of Wilsonville

Property Owners:

Name:	Allen Y. Chang
Signature	A Y Chg **Date** 10-26-2015
Property Owned:	Taxlots 3S1W15_00700, 3S1W15_00800 (28201 SW 110th Ave.), 3S1W15_00900 (11490 SW Tooze Rd.), 3S1W15_01000
Mailing Address:	3205 Edgemont Road, Lake Oswego OR 97035

Name:	Bryan Cosgrove, City Manager, for City of Wilsonville
Signature	**Date** 10/27/15
Property Owned:	SW Tooze Road right-of-way, SW Grahams Ferry Road right-of-way
Mailing Address:	29799 SW Town Center Loop East, Wilsonville OR 97070

Electors:

Name:	Michele Lurene Grant
Signature	**Date** 10/21/15
Registered Address:	11490 SW Tooze Road
Precinct Number:	323

Name:	Mirae Jean Grant
Signature	**Date** 10/21/15
Registered Address:	11490 SW Tooze Road
Precinct Number:	323

SUPPORTING COMPLIANCE REPORT
ANNEXATION TO CITY OF WILSONVILLE

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I. CITY OF WILSONVILLE COMPREHENSIVE PLAN

URBAN GROWTH MANAGEMENT - IMPLEMENTATION MEASURES

IMPLEMENTATION MEASURE 2.2.1.A.

Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.

Response: The required consistency is fulfilled by being part of the Villebois Village Master Plan, which has been planned for urban growth and services for over a decade.

IMPLEMENTATION MEASURE 2.2.1.E

Changes in the City boundary will require adherence to the annexation procedures prescribed by State law and Metro standards. Amendments to the City limits shall be based on consideration of:

1. **Orderly, economic provision of public facilities and services, i.e., primary urban services are available and adequate to serve additional development or improvements are scheduled through the City's approved Capital Improvements Plan.**

Response: The *Villebois Village Master Plan* set forth implementation measures to ensure the orderly and economic provision of public facilities and services for this area. Therefore, adequate public facilities and services will be available within the subject area.

2. **Availability of sufficient land for the various uses to insure choices in the marketplace for a 3 to 5 year period.**

Response: The availability of sufficient land was demonstrated by the adoption of the *Villebois Village Master Plan*, which plans for the development of the 480-acre Villebois Village area. At the time of *Master Plan* approval, Villebois Village was found to have a wide range of residential choices. Annexation of the subject area to the City will allow development to occur that is consistent with the *Master Plan*.

3. **Statewide Planning Goals.**

Response: Compliance with Statewide Planning Goals is addressed in Section V of this report.

4. **Applicable Metro Plans;**

Response: Compliance with Metro Code 3.09 is addressed in Section III of this report.

5. **Encouragement of development within the City limits before conversion of urbanizable (UGB) areas.**

Response: The site is located within the UGB, but is not currently within city limits. Annexation of the site is necessary to allow build out consistent with the *Villebois Village Master Plan*.

COMPACT URBAN DEVELOPMENT - IMPLEMENTATION MEASURES

IMPLEMENTATION MEASURE 4.1.6.A

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

IMPLEMENTATION MEASURE 4.1.6.C

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

Response: The subject site is included in the "Residential-Village" Comprehensive Plan Map Designation (Area B). This Implementation Measure establishes precedence for the "Village" Zone to be applied to the subject property area at the appropriate time.

II. CITY OF WILSONVILLE LAND DEVELOPMENT ORDINANCE

SECTION 4.008 APPLICATION PROCEDURES - IN GENERAL

(.01) The general application procedures listed in Section 4.008 through 4.024 apply to all land use and development applications governed by Chapter 4 of the Wilsonville Code. These include applications for all of the following types of land use or development approvals:

K. Annexations, pursuant to Section 4.700

Response: The proposed land use action is an annexation. Compliance with Section 4.700 and other applicable sections of the City of Wilsonville Land Development Ordinance are addressed below.

SECTION 4.030 JURISDICTION AND POWERS OF PLANNING DIRECTOR AND COMMUNITY DEVELOPMENT DIRECTOR

(.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:

11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.

Response: The City has determined the proposed annexation is subject to a quasi-judicial process.

SECTION 4.031 AUTHORITY OF THE DEVELOPMENT REVIEW BOARD

(.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:

K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.

(.02) Once an application is determined or deemed to be complete pursuant to Section 4.011, it shall be scheduled for public hearing before the Development Review Board. The City shall provide public notice of the hearing as specified in Section 4.012.

Response: The proposed annexation is subject to a quasi-judicial process. Therefore, it is subject to initial review before the Development Review Board.

SECTION 4.033 AUTHORITY OF CITY COUNCIL

(.01) Upon appeal, the City Council shall have final authority to act on all applications filed pursuant to Chapter 4 of the Wilsonville Code, with the exception of applications for expedited land divisions, as specified in Section 4.232. Additionally, the Council shall have final authority to interpret and enforce the procedures and standards set forth in this Chapter and shall have final decision-making authority on the following:

F. Review of requests for annexations to the City of Wilsonville.

Response: The Applicant understands that the City Council has the final authority to act on this request for annexation to the City of Wilsonville.

SECTION 4.700 PROCEDURES RELATING TO THE PROCESSING OF REQUESTS FOR ANNEXATION AND URBAN GROWTH BOUNDARY AMENDMENTS

(.01) The City of Wilsonville is located within the Portland Metropolitan Area, and is therefore subject to regional government requirements affecting changes to the city limits and changes to the Urban Growth Boundary (UGB) around Wilsonville. The City has the authority to annex properties as prescribed in State law, but the City's role in determining the UGB is primarily advisory to Metro, as provided in Oregon Revised Statutes. The following procedures will be used to aid the City Council in formulating recommendations to those regional entities. [Amended by Ordinance No. 538, 2/21/02.]

A. Proponents of such changes shall provide the Planning Director with all necessary maps and written information to allow for review by city decision-makers. The Planning Director, after consultation with the City Attorney, will determine whether each given request is quasi-judicial or legislative in nature and will make the necessary arrangements for review based upon that determination.

B. Written information submitted with each request shall include an analysis of the relationship between the proposal and the City's Comprehensive Plan, applicable statutes, as well as the Statewide Planning Goals and any officially adopted regional plan that may be applicable.

C. The Planning Director shall review the information submitted by the proponents and will prepare a written report for the review of the City Council and the Planning Commission or Development Review Board. If the Director determines that the information submitted by the proponents does not adequately support the request, this shall be stated in the Director's staff report.

D. If the Development Review Board, Planning Commission, or City Council determine that the information submitted by the proponents does not adequately support the request, the City Council may oppose the request to the regional entity having the final decision making authority.

(.02) Each quasi-judicial request shall be reviewed by the Development Review Board, which shall make a recommendation to the City Council after concluding a public hearing on the proposal.

(.03) Each legislative request shall be reviewed by the Planning Commission, which shall make a recommendation to the City Council after concluding a public hearing on the proposal.

(.04) The City Council shall consider the information in the record of the Development Review Board or Planning Commission and shall, after concluding a public hearing on the request, determine the appropriate course of action. This course of action may be:

A. In the case of a proposed annexation to the City, select from the following as allowed by State law (ORS 222):

1. Take no action;
2. Declare the subject property, or some portion thereof, to be annexed;
3. Set the matter for election of the voters residing within the affected territory; or
4. Set the matter for election of City voters.

(.05) The City Council may adopt a development agreement with owners of property that is proposed for annexation to the City, and such agreement may include an agreement to annex at a future date. A development agreement with an agreement to annex shall be subject to the same procedural requirement as other annexations in terms of staff report preparation, public review, and public hearings.

RESPONSE: The Applicant requests annexation of areas within the City's UGB. Annexation of contiguous property within the UGB is within the authority of the City of Wilsonville as prescribed by State Law. The proposed annexation is consistent with the Comprehensive Plan as the subject site has a Comprehensive Plan designation of Residential - Village and as demonstrated in Section I of this report. Additionally, the site is included in the *Villebois Village Master Plan.*

This report provides a written description of the request and demonstrates compliance with applicable criteria. The attached exhibits include a legal description and sketch, which depict the proposed annexation area. This report includes analysis demonstrating compliance with the City's Comprehensive Plan

(Section I), City of Wilsonville Development Code (Section II), Metro Code Chapter 3.09 (Section III), ORS 222 (Section IV), and Statewide Planning Goals (Section V), as applicable to this request. The City has determined that the proposed annexation is subject to a quasi-judicial review process. Therefore, it is subject to a public hearing before the DRB and City Council.

III. METRO CODE

CHAPTER 3.09 LOCAL GOVERNMENT BOUNDARY CHANGES

3.09.020 DEFINITIONS

I. **"Minor boundary change" means an annexation or withdrawal of territory to or from a city or district or from a county to a city. "Minor boundary change" also means an extra-territorial extension of water or sewer service by a city or a district. "Minor boundary change" does not mean withdrawal of territory from a district under ORS 222.520.**

Response: Annexation is requested from territory within Clackamas County to the City of Wilsonville. Therefore, the proposed annexation is defined as a "minor boundary change" and Metro Code Chapter 3.09 applies to this request.

3.09.040 REQUIREMENTS FOR PETITIONS

A. **A petition for a boundary change must contain the following information:**

1. The jurisdiction of the reviewing entity to act on the petition;

2. A map and legal description of the affected territory in the form prescribed by the reviewing entity;

3. For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk; and

4. For boundary changes under ORS 198.855(3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.

B. **A city, county and Metro may charge a fee to recover its reasonable costs to carry out its duties and responsibilities under this chapter.**

Response: The following items are attached: City of Wilsonville Application Form Signed by the Property Owners, a petition for annexation, a legal description and sketch of the property to be annexed, property ownership and elector information. Compliance with ORS 222.125 is addressed in Section IV of this report. Necessary fees are being paid.

3.09.050 HEARING AND DECISION REQUIREMENTS FOR DECISIONS OTHER THAN EXPEDITED DECISIONS

A. The following requirements for hearings on petitions operate in addition to requirements for boundary changes in ORS Chapters 198, 221 and 222 and the reviewing entity's charter, ordinances or resolutions.

B. Not later than 15 days prior to the date set for a hearing the reviewing entity shall make available to the public a report that addresses the criteria identified in subsection (D) and includes the following information:

1. The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;
2. Whether the proposed boundary change will result from the withdrawal of the affected territory from the legal boundary of any necessary party;
3. The proposed effective date of the boundary change.

B. The person or entity proposing the boundary change has the burden to demonstrate that the proposed boundary change meets the applicable criteria.

C. To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (D) and (E) of Section 3.09.045.

Response: This report includes analysis demonstrating compliance with the City's Comprehensive Plan (Section I), City of Wilsonville Development Code (Section II), Metro Code Chapter 3.09 (Section III), ORS 222 (Section IV), and Statewide Planning Goals (Section V), as applicable to this request. Compliance with subsections (D) and (E) of Section 3.09.045 is addressed below.

3.09.045 EXPEDITED DECISIONS

A. The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

Response: The proposed annexation is subject to a quasi-judicial process as determined by the City. Quasi-judicial annexation applications are subject to public hearing before the Development Review Board and City Council. Therefore, an expedited decision is not applicable to this request. However, in accordance with Metro Code 3.09.050(C), the criteria and factors set forth in subsections (D) and (E) are applicable. Pursuant to Section 3.09.050(C), compliance with subsections (D) and (E) of Section 3.09.045 is addressed below.

D. To approve a boundary change through an expedited process, the city shall:

1. Find that the change is consistent with expressly applicable provisions in:

a. **Any applicable urban service agreement adopted pursuant to ORS 195.065;**

b. **Any applicable annexation plan adopted pursuant to ORS 195.205;**

c. **Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;**

Response: There is not an applicable urban service agreement adopted pursuant to ORS 195.065, annexation plan adopted pursuant to ORS 195.205, or cooperative planning agreement adopted pursuant to 195.020(2).

d. **Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;**

Response: The *Villebois Village Master Plan* includes implementation measures to ensure compliance with the City's public facility master plans and the Transportation Systems Plan. Future development of the area to be annexed will comply with public facility plans as applicable.

e. **Any applicable comprehensive plan;**

Response: Compliance with the City's Comprehensive Plan is addressed in Section I of this report.

f. **Any applicable concept plan; and**

The Villebois Village plan area, including the area to be annexed, is part of the Villebois Village Master Plan which implements the Villebois Concept Plan. The proposed annexation is a necessary step in enabling development consistent with the Concept Plan and the Villebois Village Master Plan.

2. **Consider whether a boundary change would:**

a. **Promote the timely, orderly and economic provision of public facilities and services;**

b. **Affect the quality and quantity of urban services; and**

c. **Eliminate or avoid unnecessary duplication of facilities or services.**

Response: The *Villebois Village Master Plan* includes implementation measures that require the provision of public facilities and services to be adequate, timely, orderly, economic, and not be unnecessarily duplicated. Currently, Specific Area Plan - North provides public services, including: transportation, rainwater management; water; sanitary sewer; fire and police services; recreation, parks and open spaces; education; and transit. Therefore, the boundary change will comply with these standards.

E. **A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.**

Response: The subject site is territory located within the UGB. Therefore, the city may annex the territory in accordance with this Section.

IV. OREGON REVISED STATUTES

ORS 222.111 AUTHORITY AND PROCEDURE FOR ANNEXATION

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 (Authority and procedure for annexation) to 222.180 (Effective date of annexation) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915), the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

Response: The area of proposed annexation is within the UGB and is contiguous to the city. The subject property is entirely within Clackamas County. Therefore, the proposed city boundary includes territories that may be annexed per ORS 222.111.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Response: This proposal for annexation of territory to the City of Wilsonville has been initiated by owners of real property within the territory to be annexed.

(3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.

Response: This standard is not applicable.

(4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district), the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465 (Effective date of withdrawal from domestic water supply district,

water control district or sanitary district), the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district).

Response: The subject properties are not located within a domestic water supply district, water control district, or sanitary district, as named in ORS 222.510. Therefore, this Section does not apply.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120 (Procedure without election by city electors), 222.170 (Effect of consent to annexation by territory) and 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 (Procedure without election by city electors) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Response: The proposed annexation is not subject to an election by electors as all owners of land and 100% of the electors within the territory proposed to be annexed have provided their consent in writing. Compliance with ORS 222.120 is addressed below.

ORS 222.120 PROCEDURE WITHOUT ELECTION BY CITY ELECTORS

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

a. Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

b. Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 (Annexation by consent of all owners of land and majority of electors) or 222.170 (Effect of consent to annexation by territory), prior to the public hearing held under subsection (2) of this section; or

c. Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915).

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district), the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district), the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district).

(6) The ordinance referred to in subsection (4) of this section is subject to referendum.

(7) For the purpose of this section, ORS 222.125 (Annexation by consent of all owners of land and majority of electors) and 222.170 (Effect of consent to annexation by territory), owner or landowner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcels land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

Response: City Charter does not require an election for this request. Per Section 4.700 the proposed annexation is subject to a Class III quasi-judicial review process, which requires a public hearing before the DRB and public hearing(s) before the City Council.

As demonstrated below, this annexation request is submitted in compliance with ORS 222.125 (Annexation by consent of all owners of land and majority of electors). All owners of the land as well as 100% of the electors within the subject area have provided their consent in writing, as demonstrated by the attached petition.

A legal description and sketch of the proposed annexation area is provided.

The territory proposed to be annexed to the City is not located within a sanitary district or water control or water supply district as named in ORS 222.465. Additionally, the site is not located within a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district). Future development of the site will have access to City water, storm, sewer, and parks services. Therefore, ORS 222.465 and ORS 222.510 are not applicable.

ORS 222.125 ANNEXATION BY CONSENT OF ALL OWNERS OF LAND AND MAJORITY OF ELECTORS

The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 (Procedure without election by city electors) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Response: All owners of the land, who are also 100% of the electors within the subject area, have provided their consent in writing, as demonstrated by the attached petition (see Notebook Section IIB).

V. OREGON STATEWIDE PLANNING GOALS

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Response: The City of Wilsonville has an established public notice and hearing process for quasi-judicial applications. Once this annexation request is accepted as complete, the City will begin this public notification and citizen involvement process. Therefore, this request is consistent with Goal 1.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual basis for such decisions and actions.

Response: The City of Wilsonville is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing that plan. Section III of this report demonstrates that the proposed amendment is in compliance with the goals and policies of the City of Wilsonville Comprehensive Plan, as applicable to the proposed annexation.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

Response: Agricultural land is defined in Goal 3 to exclude all land within an acknowledged urban growth boundary. The site is within an acknowledged urban growth boundary. Therefore, Goal 3 is not applicable to this request.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Response: The subject site does not include any lands acknowledged as forest lands. Therefore, Goal 4 is not applicable to this request.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: The City of Wilsonville is already in compliance with Goal 5 as the required inventories and policy implementation occurred with adoption of the Significant Resource Overlay Zone. Villebois Village preserves SROZ areas with the provision of open space areas. In addition, development within Villebois Village is required to comply with SROZ standards. The concurrent application for PDP 3N (see Notebook Section III) demonstrates general compliance with the *Master Plan* and compliance with SROZ standards. Therefore, the proposed annexation is consistent with Goal 5.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 6. Development within Villebois protects water and land resources by providing protection for areas of steep slopes and natural resources and by not encroaching into these areas.

Goal 7: Areas Subject to Natural Hazards

To protect people and property from natural hazards.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 7. No development is located in areas identified as natural hazards within the subject site. Goal 7 is not applicable as no areas subject to natural hazards are included in the proposed annexation area.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Response: The City's Comprehensive Plan has been acknowledged to be in compliance with Goal 8. The Destination Resort provisions of this Goal are not applicable to this request or to the City of Wilsonville. The *Villebois Village Master Plan* provides park and open spaces that total approximately 25% of the gross area of Villebois.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 9. Villebois Village was planned with land uses to be a complete community, including a mixed-use Village Center with residential, office, retail and/or employment uses, surrounded by at least 2,300 residential units.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 10.

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 11. The *Villebois Village Master Plan* includes implementation measures to ensure site development complies with the City's Wastewater Collections System Master Plan, Stormwater Master Plan, Water System Master Plan, and Transportation Systems Plan.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 12. The *Villebois Village Master Plan* includes implementation measures related to transportation to ensure compliance with the City's Transportation Systems Plan.

Goal 13: Energy Conservation

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 13.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 14. Section III of this report demonstrates that the proposed amendments are consistent with the applicable urbanization policies of the City of Wilsonville Comprehensive Plan.

VILLEBOIS ROAD TRANSFER

CLACKAMAS COUNTY

Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

SUNNYBROOK SERVICE CENTER
9101 SE SUNNYBROOK BLVD. | CLACKAMAS, OR 97015

June 20, 2006

City of Wilsonville
Attn: John Michael
30000 SW Town Center Loop E
Wilsonville, OR 97070

John Michael,

Enclosed please find a copy of the recorded transfer of jurisdiction of SW Tooze Road, SW Grahams Ferry Road, and SW 110th Avenue for your records. Thank you for your help in transferring these roads to the City of Wilsonville.

If you have any questions please call me at 503-353-4691.

Thank you,

Theresia Buchholz
DTD Engineering
Clackamas County

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

FILED
MAY 18 2006
Clackamas County Clerk

In the matter of transferring to the City of Wilsonville, jurisdiction over portions/full transfer of SW Tooze Road, County Road No. 0084, D.T.D. No. 30048, SW Grahams Ferry Road, County Road No. 0013, D.T.D. No. 30006, SW 110th Avenue, County Road No. 0084, D.T.D. No. 30047.

Order No. 2006-165

This matter coming before the Board of County Commissioners as a result of a request from the City of Wilsonville, by Resolution Number 1973, dated December 5, 2005, and the preceding negotiation between the City of Wilsonville and Clackamas County Department of Transportation and Development to transfer portions/all of the following roads:

Road Name	Cnty #	DTD #	From	To	Square Feet
SW Tooze Road	0355	30048	0.00	0.54	110,664'
SW Grahams Ferry Road	0013	30006	1.25	2.35	350,665'
and the full transfer of:					
SW 110th Avenue	0355	30047	0.00	0.68	145,111'

and,

It further appearing to the Board that said transfer/s of jurisdiction have been recommended by Campbell M. Gilmour, Director of the Department of Transportation and Development; and,

It further appearing to the Board that pursuant to ORS 373.270, notice of the hearing on this matter was provided by publication in the *Wilsonville Spokesman* on dates April 5th, 12th, 19th, and 26th, 2006; now therefore,

IT IS HEREBY ORDERED that jurisdiction of portions of SW Tooze Road, SW Grahams Ferry Road and the full jurisdiction of SW 110th Avenue shall be transferred, Clackamas County jurisdiction shall cease, and full and absolute jurisdiction of said portions of roadway are transferred to the City of Wilsonville as of the date of this Order; and,

294 375

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the matter of transferring to the City of Wilsonville, jurisdiction over portions/full transfer of SW Tooze Road, County Road No. 0084, D.T.D. No. 30048, SW Grahams Ferry Road, County Road No. 0013, D.T.D. No. 30006, SW 110th Avenue, County Road No. 0084, D.T.D. No. 30047.

Order No. 2006-165
Page 2 of 2

IT IS FURTHER ORDERED that 606,440' square feet, more or less, be removed from the County's Road Inventory; and,

IT IS FURTHER ORDERED that copies of this Order be submitted to the Clackamas County Clerk's office for recording and that copies be subsequently sent without charge to the Clackamas County Surveyor, Tax Assessor, Finance/Fixed Asset Offices, and DTD Engineering.

ADOPTED this 11th day of May, 2006.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

294 376

2006-165

RESOLUTION NO. 1973

A RESOLUTION OF THE CITY OF WILSONVILLE INITIATING ACTION TO TRANSFER JURISDICTION OF CERTAIN COUNTY ROADS OR PORTION THEREOF (SW GRAHAMS FERRY ROAD FROM MILE MARKER 1.25 NORTH TO MILE MARKER 2.35, SW TOOZE ROAD FROM MILE MARKER 0.00 WEST TO MILE MARKER 0.54, AND SW 110TH AVENUE FROM MILE MARKER 0.00 NORTH TO MILE MARKER 0.68) EITHER ABUTTING OR LYING WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF WILSONVILLE TO THE CITY OF WILSONVILLE.

WHEREAS, ORS 373.270(6) provides a mechanism to transfer jurisdiction of County roads abutting or within the City of Wilsonville to the City of Wilsonville; and

WHEREAS, in keeping with ORS 373.270(6) the City of Wilsonville deems it necessary, expedient and for the best interests of the city to acquire jurisdiction over certain county roads identified as a portion of SW Grahams Ferry Road (County Road No. 13), a portion of SW Tooze Road (County Road No. 355), and SW 110th Avenue (County Road No. 355), to the same extent as it has over other public streets and alleys of the City of Wilsonville.

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

1. Based on the above recitals incorporated by reference herein, the City Council of the City of Wilsonville hereby requests that the Commissioners of Clackamas County, Oregon, transfer jurisdiction of those County Roads, described and depicted in Exhibits "A" and "B" attached hereto and incorporated, to the City of Wilsonville; said request to be granted or denied within one year of the date of execution of this resolution by the City of Wilsonville

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof on the 5th day of December, 2005, and filed with the Wilsonville City Recorder this date.

CHARLOTTE LEHAN, Mayor

294 377

ATTEST:

Sandra C. King

Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Holt	Excused
Councilor Ripple	Yes
Councilor Kirk	Yes
Councilor Knapp	Yes

EXHIBIT "A"

1. **SW GRAHAMS FERRY ROAD**
FROM MILE MARKER 1.25 NORTH TO MILE MARKER 2.35

SEE EXHIBIT "B"

A portion of County Road No. 13. Said road being situated partly in the East one-half of Section 16, the West one-half of Section 15, and the West one-half of Section 10, of Township 3 South, Range 1 West, Willamette Meridian.

2. **SW TOOZE ROAD**
FROM MILE MARKER 0.00 WEST TO MILE MARKER 0.54

SEE EXHIBIT "B"

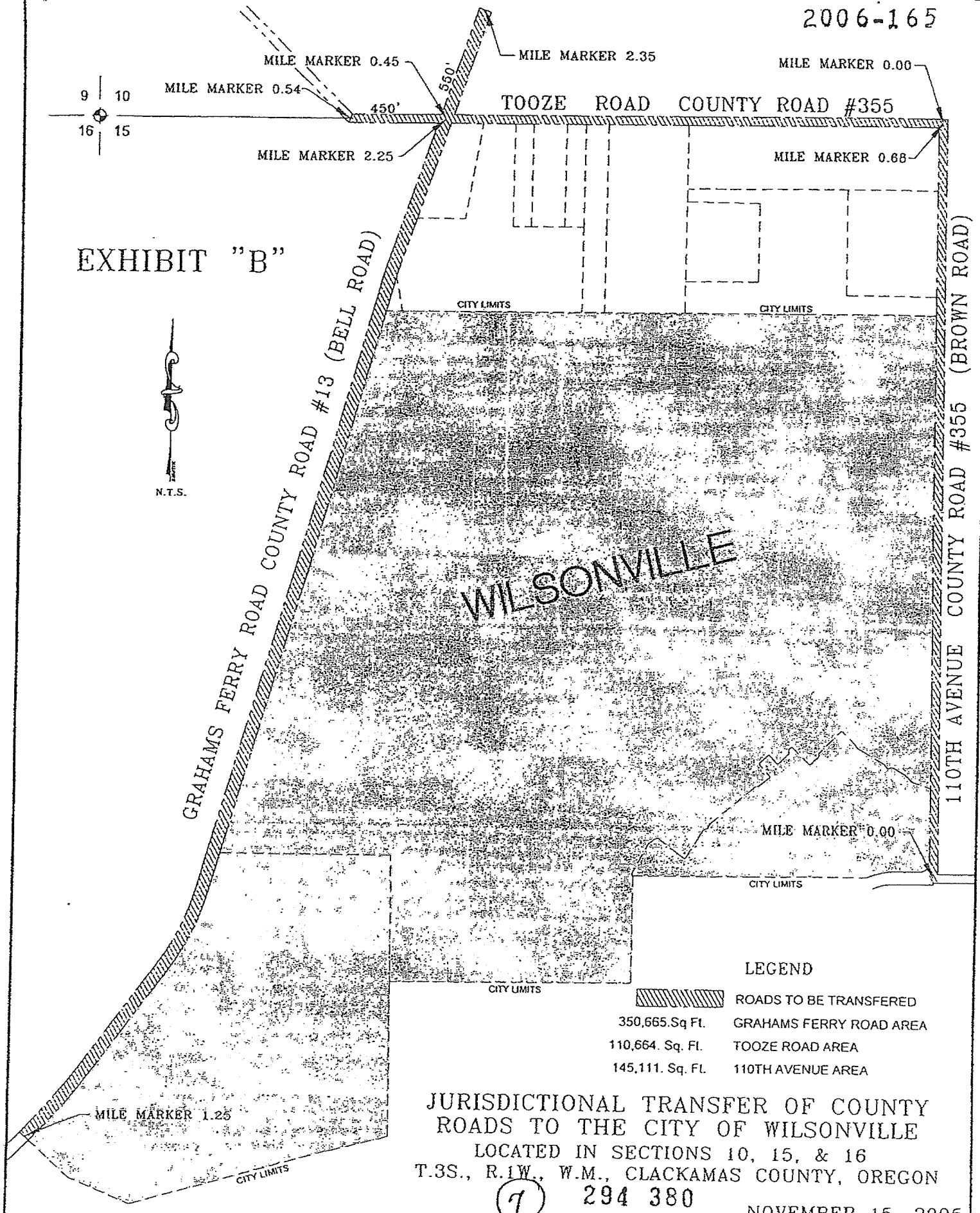
A portion of County Road No. 355. Said road being situated partly in the South one-half of Section 10, and the North one-half of Section 15, of Township 3 South, Range 1 West, Willamette Meridian.

3. **SW 110TH AVENUE**
FROM MILE MARKER 0.00 NORTH TO MILE MARKER 0.68

SEE EXHIBIT "B"

A portion of County Road No. 355. Said road being situated in the East one-half of Section 15, of Township 3 South, Range 1 West, Willamette Meridian.

2006-165



JURISDICTIONAL TRANSFER OF COUNTY ROADS TO THE CITY OF WILSONVILLE

LOCATED IN SECTIONS 10, 15, & 16
T.3S., R.1W., W.M., CLACKAMAS COUNTY, OREGON

7 294 380

NOVEMBER 15, 2005

AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152
AKS Job #4658
ENGINEERING & FORESTRY
OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT A

Annexation Legal Description

A tract of land located in the Southwest One-Quarter and the Southeast One-Quarter of Section 10, and in the Northwest One-Quarter and the Northeast One-Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the section corner common to Sections 9, 10, 15, and 16 of Township 3 South, Range 1 West; thence along the south section line of said Section 10, also being the centerline of Westfall Road and the centerline of Tooze Road, South 88°34'12" East 1455.70 feet to the True Point of Beginning at the intersection of the westerly right-of-way line of Grahams Ferry Road (30.00 feet from centerline) and the centerline of Tooze Road; thence North 43°04'17" East 26.76 feet to the intersection of the northerly right-of-way line of Tooze Road (20.00 feet from centerline) and the westerly right-of-way line of Grahams Ferry Road (20.00 feet from centerline); thence North 82°00'11" East 112.95 feet to the intersection of said northerly right-of-way line (38.50 feet from centerline) and the easterly right-of-way line of Grahams Ferry Road (variable width right-of-way), also being the southwesterly corner of Document Number 2006-009149; thence along said northerly right-of-way line, South 88°34'08" East 207.90 feet to the west line of Document Number 2007-020527; thence along said west line, South 05°23'56" West 18.54 feet to the northerly right-of-way line of Tooze Road (20.00 feet from centerline); thence along said northerly right-of-way line South 88°34'12" East 849.19 feet to the southwest corner of Document Number 85-017503; which bears North 01°12'08" East 20.00 feet from the One-Quarter corner common to said Sections 10 and 15; thence continuing along said northerly right-of-way line (20.00 feet from centerline) South 88°35'11" East 1206.14 feet to the northerly extension of the westerly right-of-way line of 110th Avenue (20.00 feet from centerline); thence along said northerly extension and said westerly right-of-way line and the City of Wilsonville city limits, South 01°35'44" West 929.28 feet to the north line of Tract 'C' of the Plat of "Tonquin Meadows"; thence along said north line and the north line of the Plat of "Tonquin Woods at Villebois No. 6" and the City of Wilsonville city limits, North 88°34'12" West 1214.77 feet to the southeast corner of Parcel 1 of Partition Plat Number 1994-182; thence along the east line of said Parcel 1 and the City of Wilsonville city limits, North 02°08'37" East 889.00 feet to the southerly right-of-way line of Tooze Road (20.00 feet from centerline); thence along said southerly right-of-way line and the City of Wilsonville city limits, North 88°34'12" West 569.36 feet to the northwest corner of Document Number 73-30518; thence leaving said right-of-way line and continuing along said city limits line along a line parallel with and 20.00 feet southerly of the centerline of Tooze Road North 88°34'12" West 558.83 feet to an angle point in said city limits, being 30.00 feet from the centerline of Grahams Ferry Road; thence along a line parallel with and 30.00 feet easterly of the centerline of Grahams Ferry Road and along said city limits South 21°00'44" West 753.50 feet to an angle point; thence South 17°14'39" West 15.81 feet to the most northerly corner of Document Number 2014-037149, being a point on the easterly right-of-way line of Grahams Ferry Road (30.00 feet from centerline); thence along said right-of-way line and said city limits line South 17°14'39" West 170.24 feet to the southwest

corner of said Deed and an angle point in the City of Wilsonville city limits; thence along the City of Wilsonville city limits North 88°34'12" West 62.36 feet to the westerly right-of-way line of Grahams Ferry Road (30.00 feet from centerline), also being the southeast corner of Document Number 2013-072076; thence along said westerly right-of-way line North 17°14'39" East 205.02 feet to an angle point; thence North 21°00'44" East 755.35 feet to the True Point of Beginning.

The above described tract of land contains 28.31 acres, more or less.

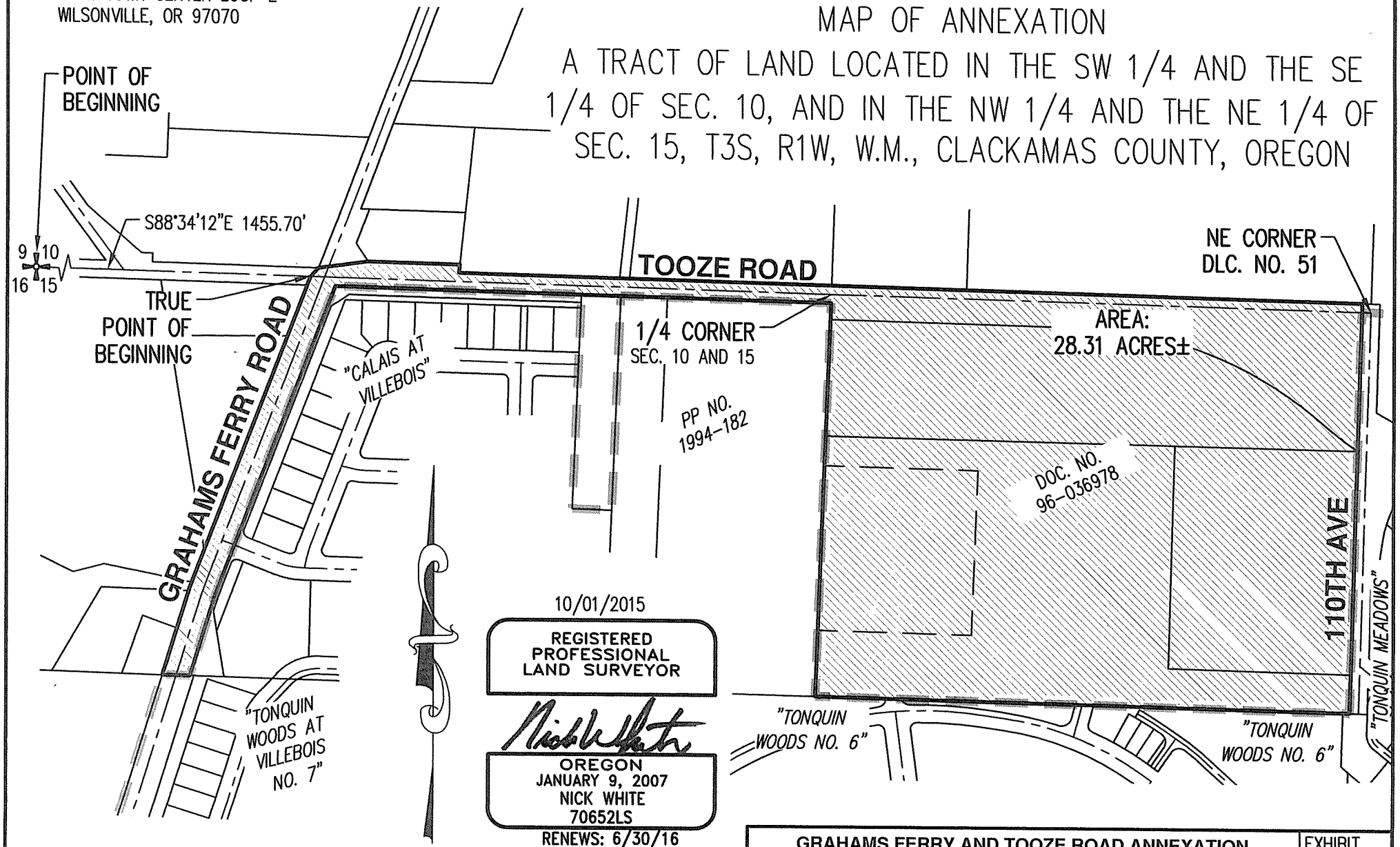
10/01/2015

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

EXHIBIT B

MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON



10/01/2015
REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

SCALE 1" = 300 FEET

300 0 120 180 240 300

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION CITY OF WILSONVILLE	EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	DRWN: MSK CHKD: NSW AKS JOB: 4658

EXHIBIT B

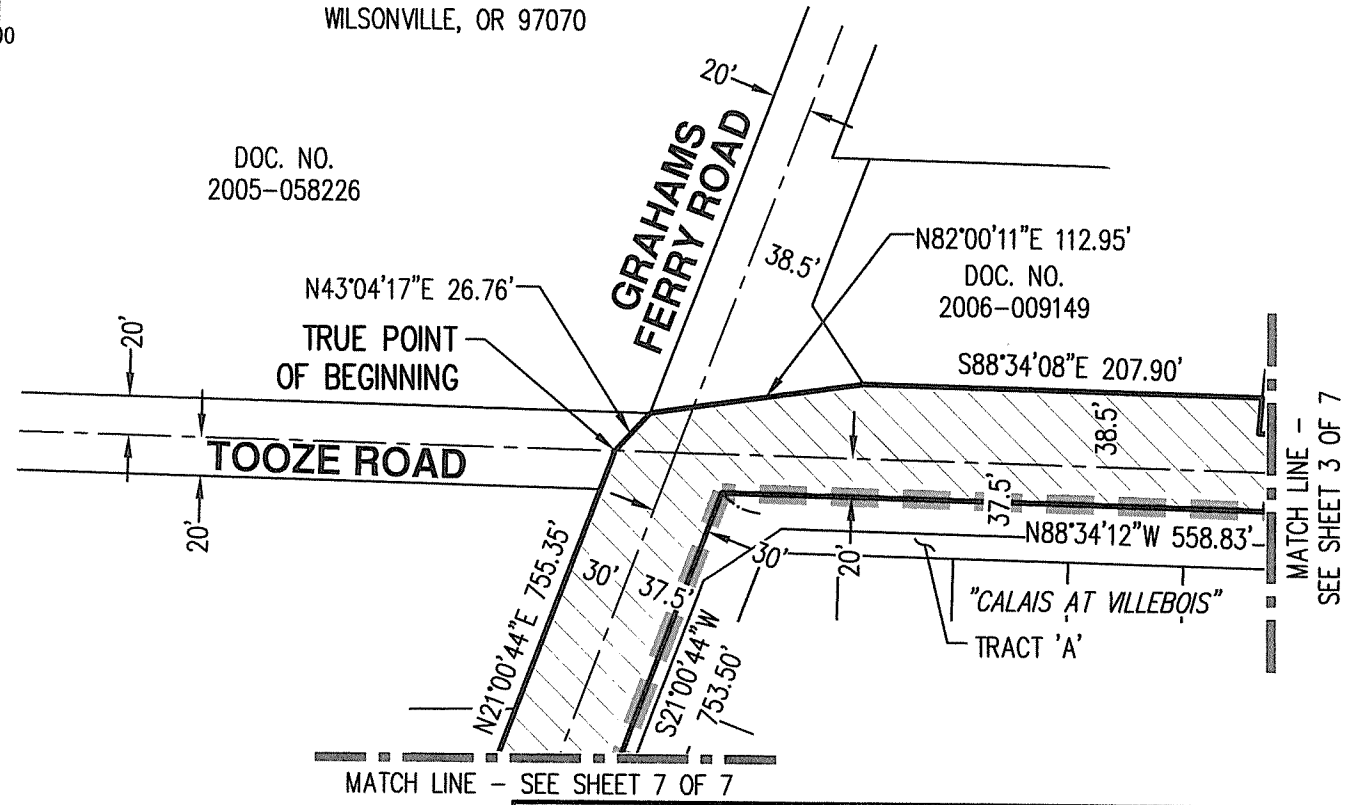
MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON

SCALE 1" = 100 FEET

100 0 40 60 80 100

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070



10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION CITY OF WILSONVILLE	EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	DRWN: MSK CHKD: NSW AKS JOB: 4658

EXHIBIT B

MAP OF ANNEXATION

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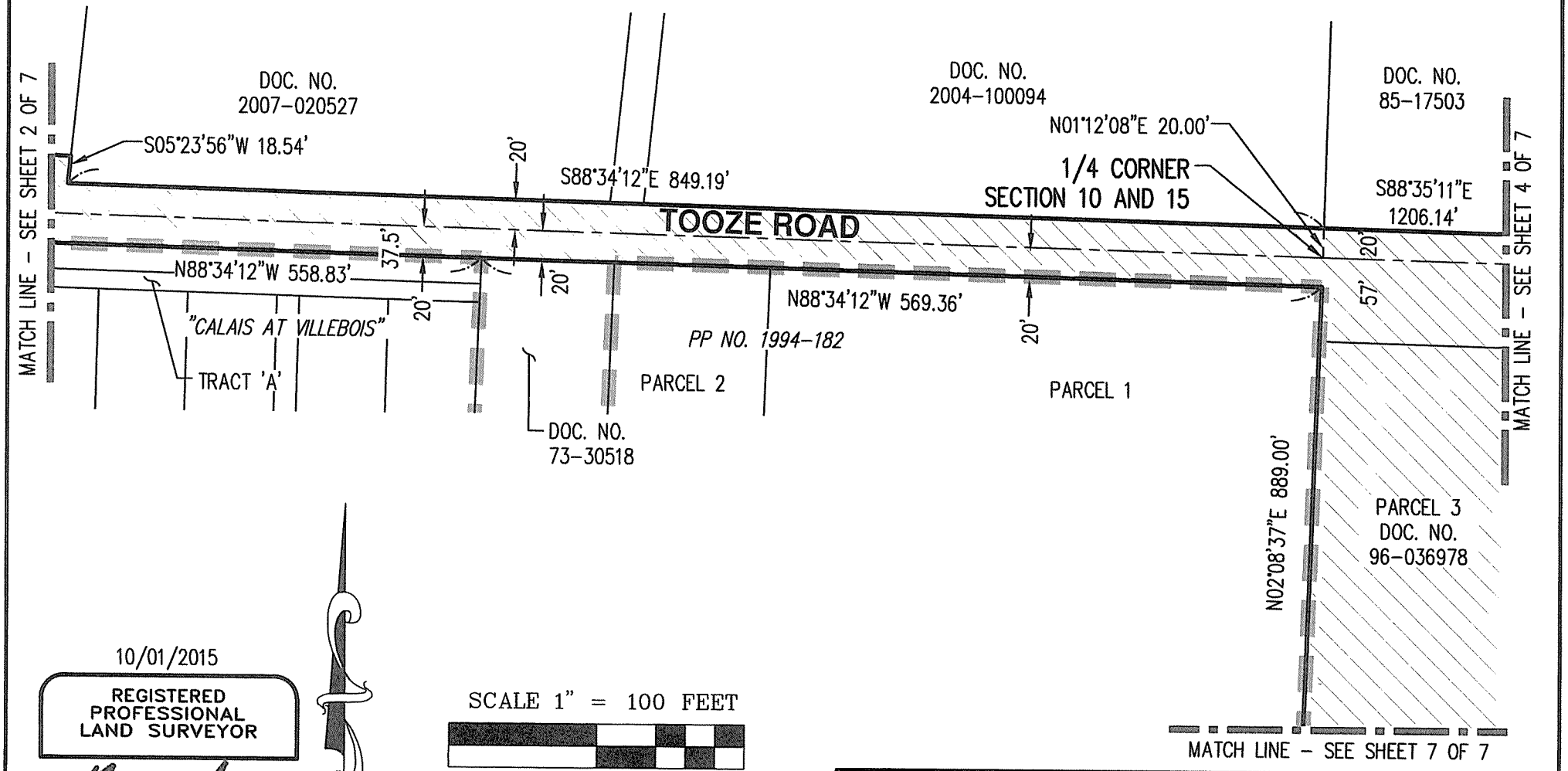
PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070



10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/16

SCALE 1" = 100 FEET

100 0 40 60 80 100

LEGEND

CITY OF WILSONVILLE CITY LIMITS

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION
CITY OF WILSONVILLE

EXHIBIT B

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
P: 503.563.6151 F: 503.563.6152 aks-eng.com

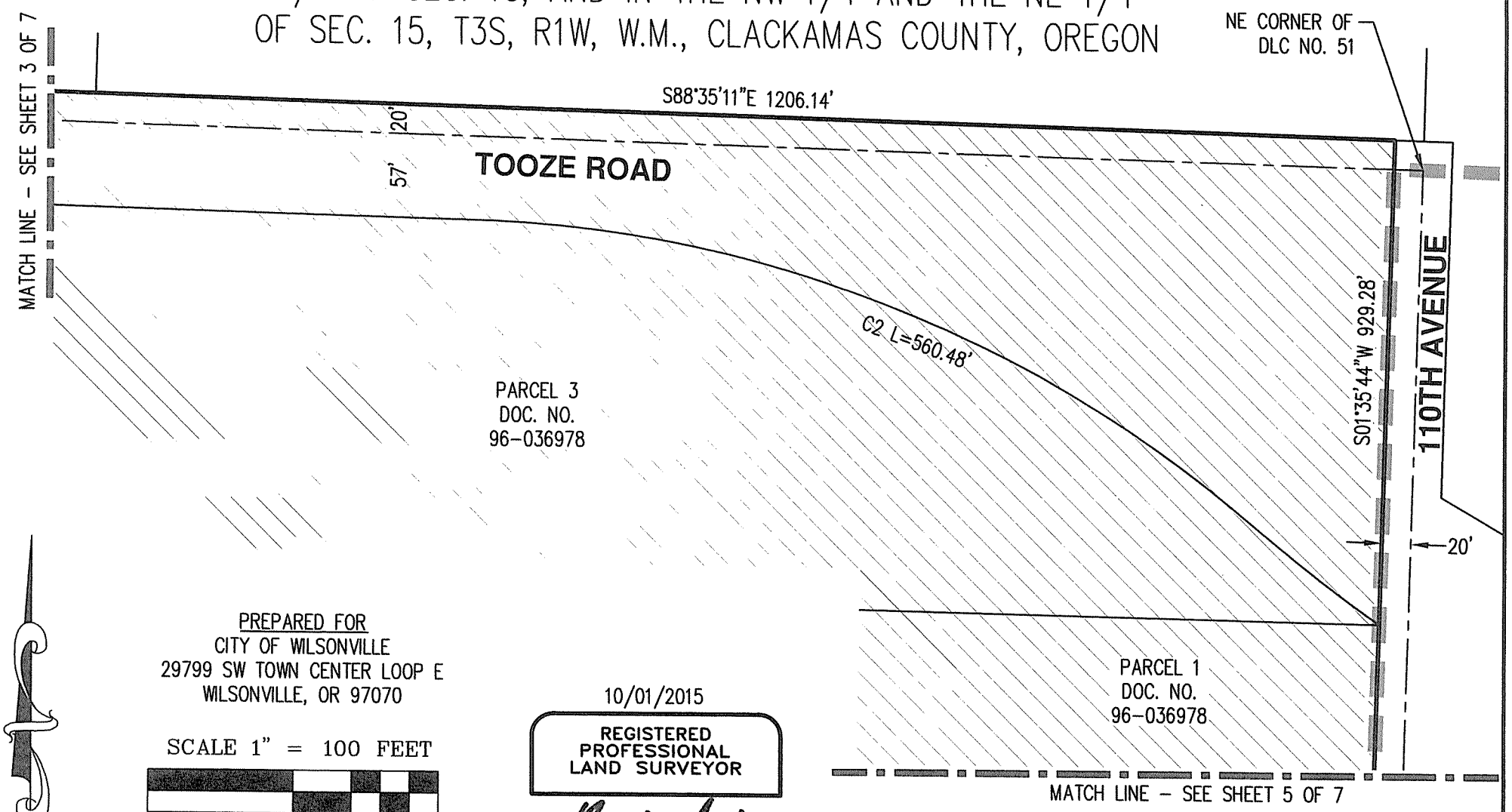
DRWN: MSK
CHKD: NSW
AKS JOB: 4658

EXHIBIT B

SHEET 4 OF 7

MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON



PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

SCALE 1" = 100 FEET

100 0 40 60 80 100

LEGEND

CITY OF WILSONVILLE CITY LIMITS

10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/16

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION
CITY OF WILSONVILLE

EXHIBIT B

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
P: 503.563.6151 F: 503.563.6152 aks-eng.com

DRWN: MSK
CHKD: NSW
AKS JOB: 4658

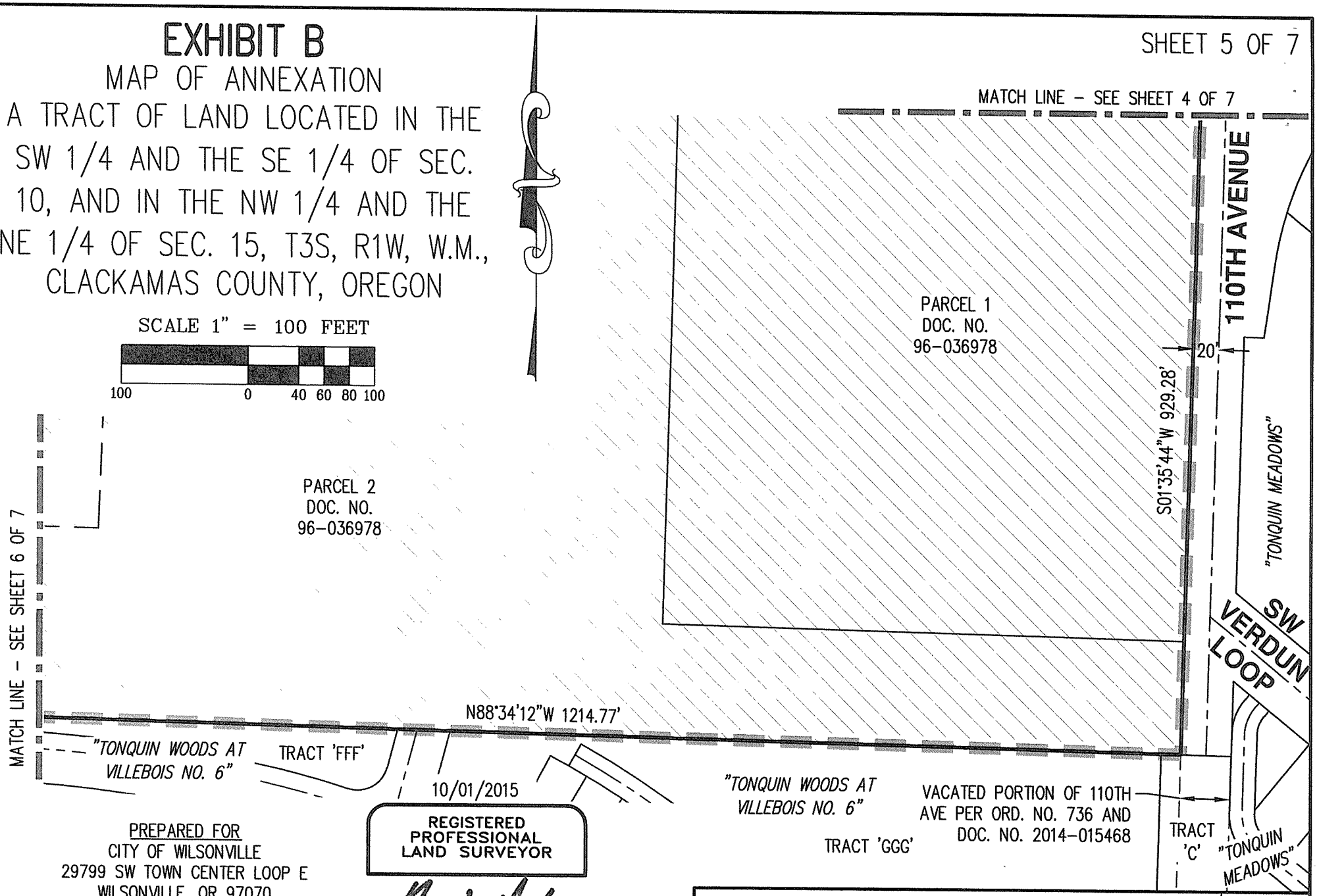
EXHIBIT B

MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON

SCALE 1" = 100 FEET

100 0 40 60 80 100



PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION
CITY OF WILSONVILLE

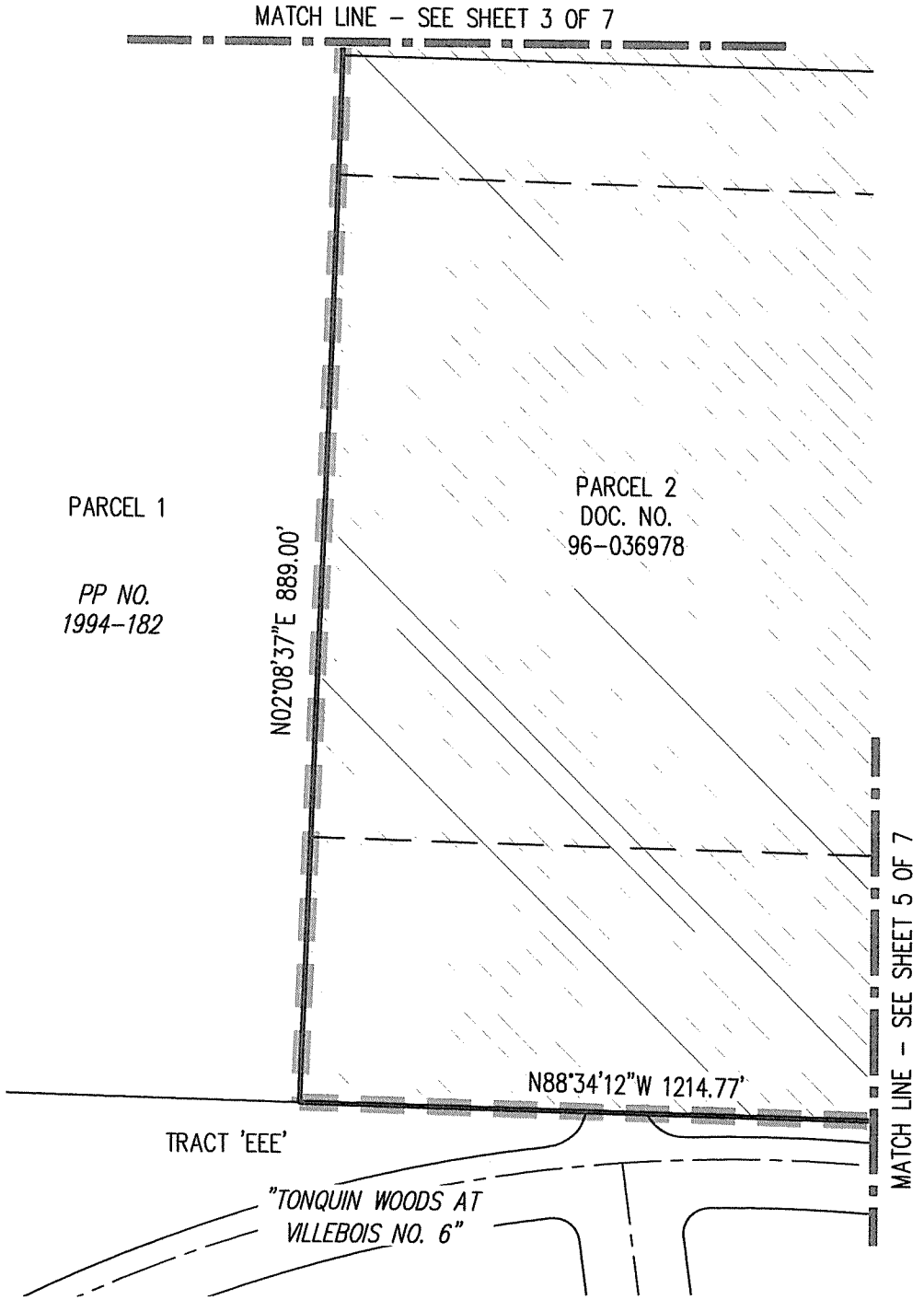
EXHIBIT B

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
P: 503.563.6151 F: 503.563.6152 aks-eng.com

DRWN: MSK
CHKD: NSW
AKS JOB: 4658

EXHIBIT B

MAP OF ANNEXATION
A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON



SCALE 1" = 100 FEET

100 0 40 60 80 100

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

LEGEND

CITY OF WILSONVILLE CITY LIMITS

10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

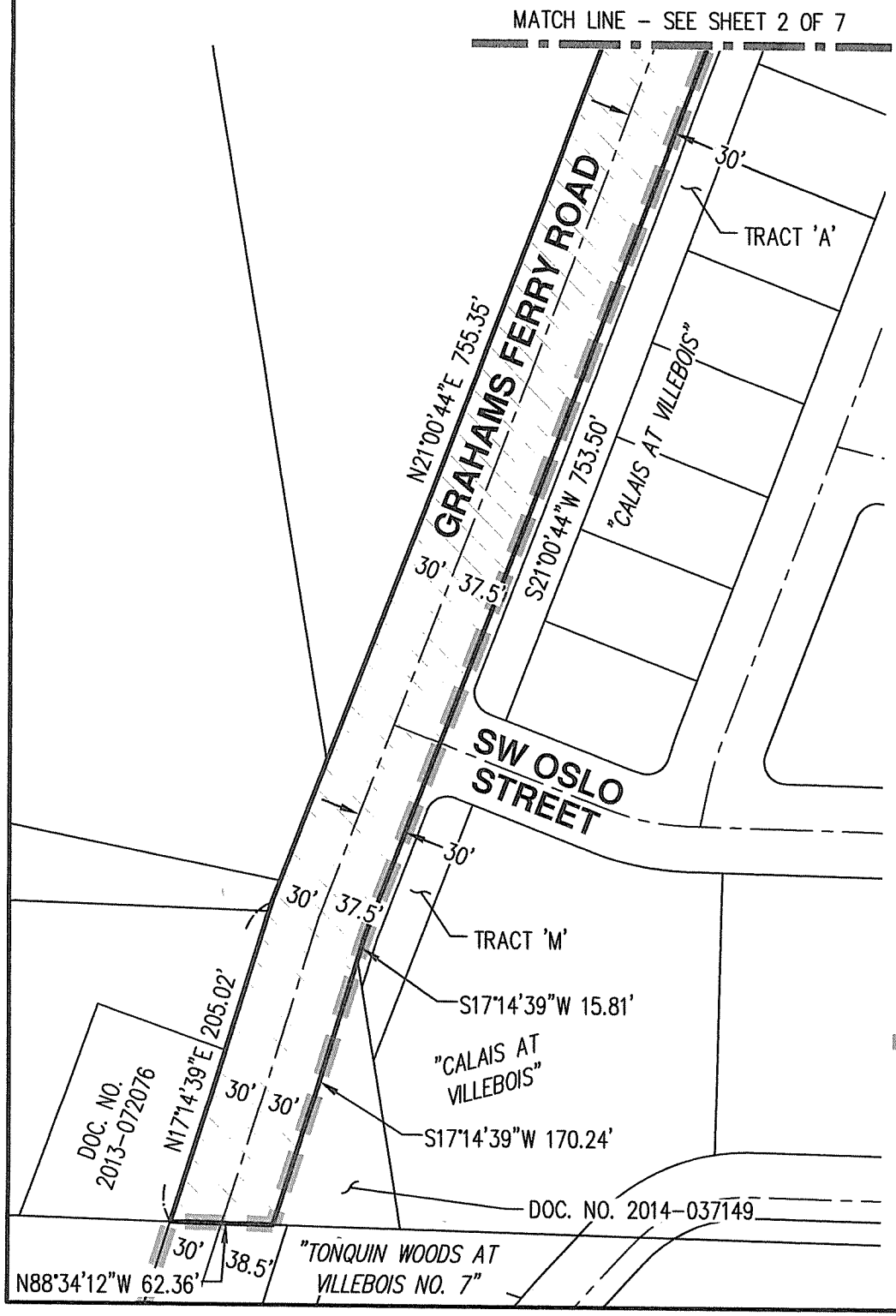
RENEWS: 6/30/16

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION CITY OF WILSONVILLE	EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	DRWN: MSK CHKD: NSW AKS JOB: 4658

EXHIBIT B

MAP OF ANNEXATION

A TRACT OF LAND LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SEC. 10, AND IN THE NW 1/4 AND THE NE 1/4 OF SEC. 15, T3S, R1W, W.M., CLACKAMAS COUNTY, OREGON



SCALE 1" = 100 FEET

100 0 40 60 80 100

PREPARED FOR
CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE, OR 97070

10/01/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/16

LEGEND

CITY OF WILSONVILLE CITY LIMITS

GRAHAMS FERRY AND TOOZE ROAD ANNEXATION CITY OF WILSONVILLE	EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com	DRWN: MSK CHKD: NSW AKS JOB: 4658

RECORDING REQUESTED BY:
Fidelity National Title
Company of Oregon

12817 SE 93rd Avenue
Clackamas, OR 97015

Escrow No.: 45141503348

PRINCIPAL:
Ju-Tsun Chang

ATTORNEY IN FACT:
Allen Y. Chang

AFTER RECORDING RETURN TO:
Ju-Tsun Chang

SPACE ABOVE THIS LINE FOR RECORDER'S USE

POWER OF ATTORNEY

I, Ju-Tsun Chang have made, constituted and appointed, Allen Y. Chang, my true and lawful attorney for me and in my name, place and stead, and for my use and benefit to sell and convey to any party or parties, all or any portion of the following described real property in the County of Clackamas, State of Oregon and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

With all the privileges belonging or pertaining, and for me in my name to make out, execute, acknowledge and deliver property deeds of conveyance of the same.

GIVING AND GRANTING unto my attorney full power and authority to do and perform all and every act and thing requisite and necessary to be done, as fully to all intents and purposes as I might or could do if personally present.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Ju-Tsun Chang

State of ~~OREGON~~ WE Washington

County of Whatcom

This instrument was acknowledged before me on July 1, 20 15

by Ju-Tsun Chang.

Notary Public - State of ~~Oregon~~ WE Washington

HEIDI L ELDER
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
03-02-2017

RECORDING REQUESTED BY:
Fidelity National Title
Company of Oregon

12817 SE 93rd Avenue
Clackamas, OR 97015

Escrow No.: 45141503348

PRINCIPAL:
Roger (Cheng-Sung) Chang

ATTORNEY IN FACT:
Allen Y. Chang

AFTER RECORDING RETURN TO:
Roger (Cheng-Sung) Chang

SPACE ABOVE THIS LINE FOR RECORDER'S USE

POWER OF ATTORNEY

I, Roger (Cheng-Sung) Chang have made, constituted and appointed, Allen Y. Chang, my true and lawful attorney for me and in my name, place and stead, and for my use and benefit to sell and convey to any party or parties, all or any portion of the following described real property in the County of Clackamas, State of Oregon and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

With all the privileges belonging or pertaining, and for me in my name to make out, execute, acknowledge and deliver property deeds of conveyance of the same.

GIVING AND GRANTING unto my attorney full power and authority to do and perform all and every act and thing requisite and necessary to be done, as fully to all intents and purposes as I might or could do if personally present.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Roger (Cheng-Sung) Chang

State of ~~OREGON~~ Washington

County of Whatcom

This instrument was acknowledged before me on July 1, 2015

by Roger (Cheng-Sung) Chang

Notary Public - State of ~~Oregon~~ Washington

HEIDI L ELDER
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
03-02-2017

RECORDING REQUESTED BY:
Fidelity National Title
Company of Oregon

12817 SE 93rd Avenue
Clackamas, OR 97015

Escrow No.: 45141503348

PRINCIPAL:
Victor C Chang

ATTORNEY IN FACT:
Eric. Chang

AFTER RECORDING RETURN TO:
Victor C Chang
3181 Wembley Park RD
Lake Oswego, OR 97034

SPACE ABOVE THIS LINE FOR RECORDER'S USE

POWER OF ATTORNEY

I, Victor C Chang have made, constituted and appointed, Eric Chang, my true and lawful attorney for me and in my name, place and stead, and for my use and benefit to sell and convey to any party or parties, all or any portion of the following described real property in the County of Clackamas, State of Oregon and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

With all the privileges belonging or pertaining, and for me in my name to make out, execute, acknowledge and deliver property deeds of conveyance of the same.

GIVING AND GRANTING unto my attorney full power and authority to do and perform all and every act and thing requisite and necessary to be done, as fully to all intents and purposes as I might or could do if personally present.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Victor C. Chang
Victor C Chang

State of OREGON
County of Clackamas

This instrument was acknowledged before me on 7-14, 20 15
by VICTOR C. CHANG

Cynthia Kerr-Sizer
Notary Public - State of Oregon

OFFICIAL STAMP
CYNTHIA LYNN KERR-SIZER
NOTARY PUBLIC-OREGON
COMMISSION NO. 928038
MY COMMISSION EXPIRES MAY 01, 2018

RECORDING REQUESTED BY:
Fidelity National Title
Company of Oregon

12817 SE 93rd Avenue
Clackamas, OR 97015

Escrow No.: 45141503348

PRINCIPAL:
Fredie C Tseng

ATTORNEY IN FACT:
Allen Y, Chang

AFTER RECORDING RETURN TO:
Fredie C Tseng

SPACE ABOVE THIS LINE FOR RECORDER'S USE

POWER OF ATTORNEY

I, Fredie C Tseng have made, constituted and appointed, Allen Y, Chang, my true and lawful attorney for me and in my name, place and stead, and for my use and benefit to sell and convey to any party or parties, all or any portion of the following described real property in the County of Clackamas, State of Oregon and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

With all the privileges belonging or pertaining, and for me in my name to make out, execute, acknowledge and deliver property deeds of conveyance of the same.

GIVING AND GRANTING unto my attorney full power and authority to do and perform all and every act and thing requisite and necessary to be done, as fully to all intents and purposes as I might or could do if personally present.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Fredie C. Tseng
Fredie C Tseng

~~State of OREGON~~ Taiwan
County of City of Taipei
American Institute in Taiwan, Taipei Office } SS

This instrument was acknowledged before me on 27 AUG. 2015, 20 ____

by Fredie Tseng

Min Bookbinder
Notary Public - ~~State of Oregon~~

Min Bookbinder
Special Notary (PL96-8)
Duly appointed and qualified
My commission expires: June 14, 2017

EXHIBIT A

Pacific Community Design

LEGAL DESCRIPTION
Park Easement
RP5 Park
Map 31W15 Tax Lot 800

An easement within the land described as Parcel 2 in Document No. 96-036978, Clackamas County Deed Records, in the Northeast Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the Southeast corner of Parcel 1 of Partition Plat No. 1994-182, Clackamas County Plat Records;

thence along the easterly line of said Parcel 1, North 02°09'23" East, a distance of 106.96 feet;

thence leaving said easterly line, along a 503.00 foot radius non-tangential curve, concave northwesterly, with a radius point bearing North 21°13'35" West, arc length of 9.95 feet, central angle of 01°08'02", chord distance of 9.95 feet, and chord bearing of North 68°12'24" East;

thence North 67°38'23" East, a distance of 96.98 feet to a point on the southerly line of Tax Lot 900, Map 31W15 dated 6/3/2014, Clackamas County Assessors Map;

thence along said southerly line, South 88°34'09" East, a distance of 66.55 feet;

thence leaving said southerly line, South 07°23'08" East, a distance of 151.79 feet to a point on the northerly plat line of "Tonquin Woods at Villebois No. 6", Clackamas County Plat Records;

thence along said northerly plat line, North 88°34'09" West, a distance of 189.06 feet to the POINT OF BEGINNING.

Containing 24,372 square feet, more or less.

Basis of bearings being plat of "Tonquin Woods at Villebois No. 6", Clackamas County Plat Records.

Property Vested in:

Victor C. Chang, Ju-Tsun Chang, Fredie C. Tseng, Roger (Chen-Sung) Chang, and Allen Y. Chang

Map 31W15 Tax Lot 800

REGISTERED
PROFESSIONAL
LAND SURVEYOR

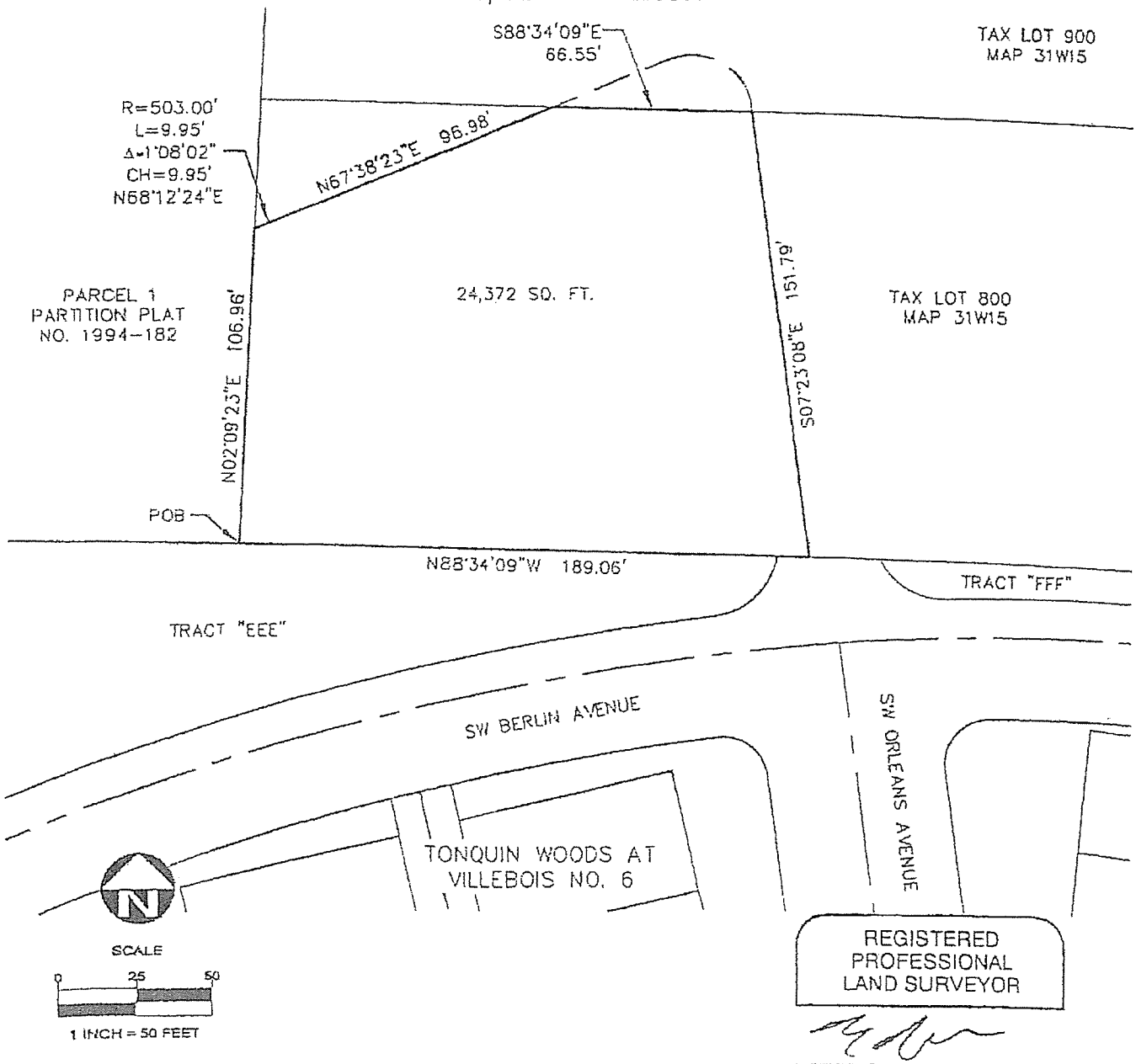
OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

EXHIBIT B

Pacific Community Design

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
Park Easement
RP5 Park
Map 31W15 Tax Lot 800



Property Vested in:

Victor C. Chang, Ju-Tsun Chang, Fredie C. Tseng, Roger (Chen-Sung) Chang, and Allen Y. Chang

Map 31W15 Tax Lot 800

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

EXHIBIT C

Pacific Community Design

LEGAL DESCRIPTION
Park Easement
RP5 Park
Map 31W15 Tax Lot 900

An easement within the land described as Parcel 2 in Document No. 96-036978, Clackamas County Deed Records, in the Northeast Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, State of Oregon, more particularly described as follows:

COMMENCING at the Southeast corner of Parcel 1 of Partition Plat No. 1994-182, Clackamas County Plat Records;

thence along the easterly line of said Parcel 1, North 02°09'23" East, a distance of 106.96 feet;

thence leaving said easterly line, along a 503.00 foot radius non-tangential curve, concave northwesterly, with a radius point bearing North 21°13'35" West, arc length of 9.95 feet, central angle of 01°08'02", chord distance of 9.95 feet, and chord bearing of North 68°12'24" East;

thence North 67°38'23" East, a distance of 96.98 feet to a point on the southerly line of Tax Lot 900, Map 31W15 dated 6/3/2014, Clackamas County Assessors Map, being the POINT OF BEGINNING;

thence leaving said southerly line, North 67°38'23" East, a distance of 42.03 feet;

thence along a 20.00 foot radius tangential curve to the right, arc length of 36.64 feet, central angle of 104°58'29", chord distance of 31.73 feet, and chord bearing of South 59°52'23" East;

thence South 07°23'08" East, a distance of 1.74 feet to a point on said southerly line;

thence along said southerly line, North 88°34'09" West, a distance of 66.55 feet to the POINT OF BEGINNING.

Containing 759 square feet, more or less.

Basis of bearings being plat of "Tonquin Woods at Villebois No. 6", Clackamas County Plat Records.

Property Vested in:

Victor C. Chang, Ju-Tsun Chang, Fredie C. Tseng, Roger (Chen-Sung) Chang, and Allen Y. Chang

Map 31W15 Tax Lot 900

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

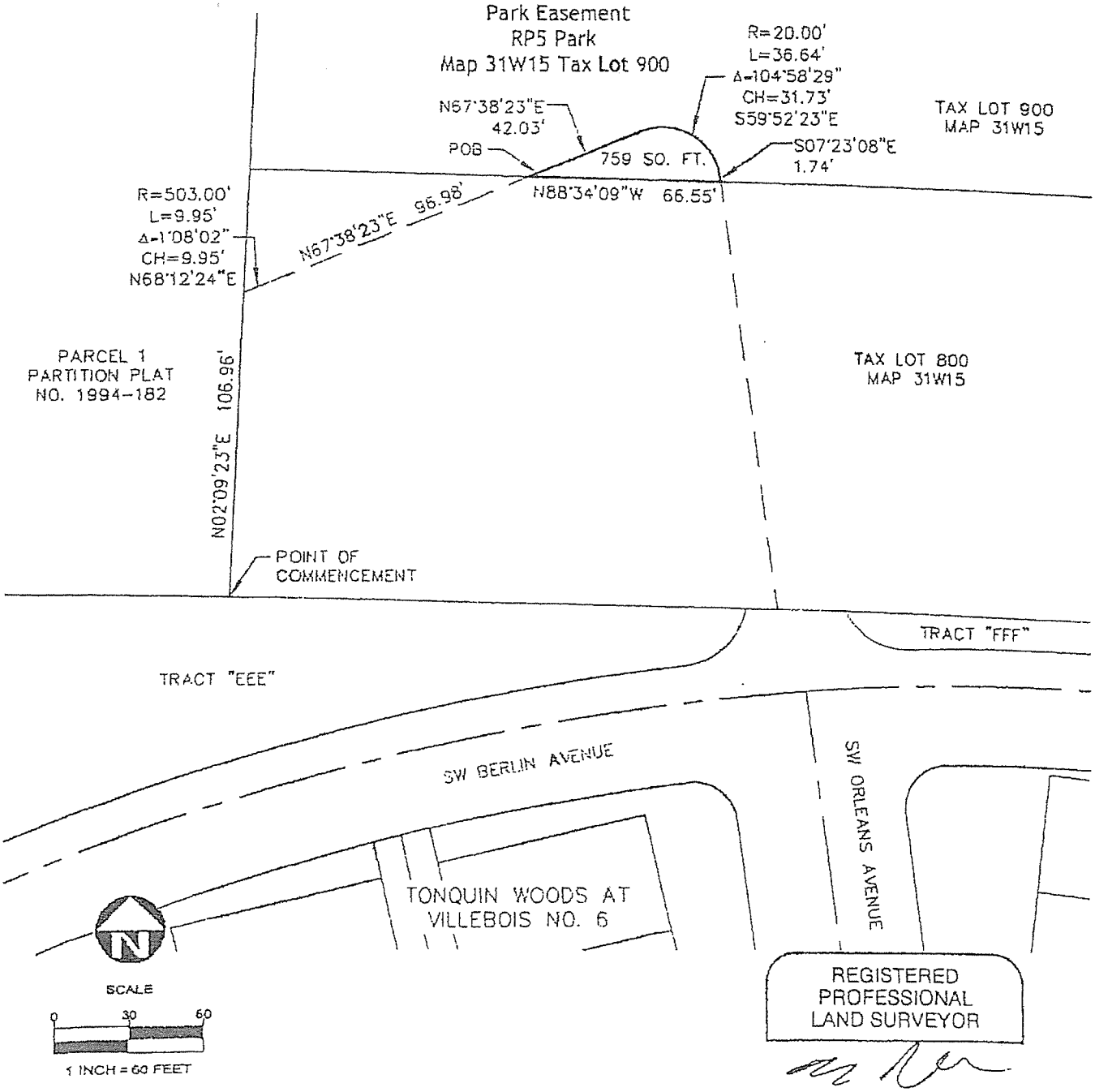
RENEWS: 6/30/2015

EXHIBIT D

Pacific Community Design

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Park Easement
RP5 Park
Map 31W15 Tax Lot 900



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

Property Vested in:

Victor C. Chang, Ju-Tsun Chang, Fredie C. Tseng, Roger (Chen-Sung) Chang, and Allen Y. Chang

Map 31W15 Tax Lot 900

City of WILSONVILLE in OREGON

29799 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax Administration
(503) 682-7025 Fax Community Development

To: Blaise Edmonds
Manager of Current Planning
City of Wilsonville

From: Kristin Retherford
Economic Development Manager
City of Wilsonville

Date: October 29, 2015

Re: DB15-0083 – Proposed annexation of Grahams Ferry Road right-of-way, Tooze Raod right-of-way, and the Chang property (TS3 R1W TL 700, 800, 900 and 1000, Clackamas County)

Dear Blaise,

The need to annex the property described above is two-fold. First, the right-of-way, which was brought into the urban growth boundary together with the Villebois Master Plan Area, is under the jurisdictional control of the City of Wilsonville, but was not annexed concurrently with the Calais annexation, or the annexation of property on Tooze Road owned by the Urban Renewal Agency. In order to spend urban renewal funds on the Tooze Road improvement project, which includes a portion of Grahams Ferry Road, the Tooze Road and Grahams Ferry Road right-of-way inside the urban growth boundary must be annexed. Without annexation, the use of urban renewal to construct these needed improvements would require county-wide vote of the citizens of Clackamas County.

Secondly, the Villebois Master Plan includes future parks that will be located on the Chang property. One of these parks spans three separate property ownerships, including land owned by Polygon, the Urban Renewal Agency, and the Chang property. The Changs have agreed to provide an easement to allow Polygon to construct the portion of the park that is on their property as well as a public access easement so that a complete park experience can be provided to the public. However, as their property is not currently within the city, the design and construction of this park would fall under the land use approval and permitting of two separate agencies. To facilitate land use approvals, permitting, and construction of this park, it makes sense to annex the Chang property at this time in conjunction with the city's right of way annexation.

The Changs would like to have their property annexed at this time and have indicated they will likely sell it for development within the next two to three years. The rezoning of the property would occur at that time, rather than now. During the interim, the Changs have indicated they would like to maintain their property in a farm and forest deferral tax status.

City of Wilsonville
EXHIBIT B3 DB15-0083

City of Wilsonville
EXHIBIT C1 DB15-0083

Edmonds, Blaise

From: Ward, Mike
Sent: Friday, December 11, 2015 2:28 PM
To: Edmonds, Blaise; Tonie Tollen
Cc: Cyndi Satterlund; Kathleen and Sean McRae; Retherford, Kristin; Jacobson, Barbara; Kohlhoff, Mike; Pauly, Daniel; Adams, Steve
Subject: RE: Annexation of Property and Road

Hi Toni,

Some of the questions you pose are complex, and I am happy to meet in person if my email doesn't make the answers clear, but I will do my best.

Where your property line abuts the right of way along Tooze Road, the City is probably most accurately described as the "property owner". In actuality, the City is the road authority as the public right of way does not have an "owner" as much as it has a "controller". While the right of way is not in the city boundary, the authority for the road was transferred by the County to the City some years ago. The road authority is held through to the intersection of Westfall.

Without looking at legal maps (plats, etc) I can't say for certain, but it appears that the right of way in front of your property is 55 feet wide, centered on the centerline of the road. This would place the right of way approximately 27.5' from the yellow stripe of the road. If stakes were placed on your property they were placed there in error and are meaningless. Stakes were placed on the Anderson's property to show the location for where the right of way would need to be acquired by the City at the Anderson's request as they desire to plant a hedge that the City will not need to remove. I understand additional stakes were placed which were not the proposed right of way line, and as the project manager I am unclear why these stakes were placed. In any event, the line is a continuation of the McRae's property line across the Anderson's property. However, I can honestly say I do not know how much right of way the City will need to acquire from you as it depends on the placement of the horizontal curve, which is not finalized. We would not require any more land than a line with the McRae's property line, but it is possible we won't need as much. Once we are aware of how much right of way we will need, City staff will be in contact with you regarding an agreement for the property. This is not my area so I will avoid details which may be inaccurate, but I can say the City does not acquire right of way without just compensation. Regarding the north/south acquisition amounts, the City will not be acquiring additional right of way from the south beyond the wall created by the Polygon development, and we will also not be acquiring additional right of way from the McRae's north of their wall. Those two walls stand as visual indicators of the limits of the improvements. They are also equidistant from the centerline of the road.

Renaming of the road is a different topic altogether that I will be happy to speak with you about separately outside of this email chain. Either in person (I am happy to do a neighborhood meeting at your place again) or in a separate email as this email includes multiple City staff who do not need to be copied on that conversation.

Because the road is a City road, both sides of the street will receive "urban" treatments. Included in the urban treatments is stormwater treatment. The project will be taking all stormwater generated within the right of way and treating it before releasing it to the Coffee Creek wetlands. And while you may not desire them, hopefully the fact that you will also not have to pay for them will be of some consolation.

The plan for the intersection of Tooze and Graham's Ferry is to have a traffic signal. This would be installed with the project. A roundabout involves more taking of property and the City would like to reduce the taking of property as much as possible while meeting standards.

The project plan for the improvements of Tooze will address the concern you have regarding the sight distance to the east at your driveway. Currently there are two vertical curves to the east, which limits the sight distance. The

improvements will create a single vertical curve which will allow for adequate sight distance. We do recognize the concern at your driveway and are endeavoring to fix it.

I am unaware of what previous Tooze Road widening had an impact on the drainage on your property. Can you tell me when this took place? The road seems pretty narrow to my eye.

Thanks,

Mike Ward, PE
Civil Engineer
City of Wilsonville
29799 SW Town Center Loop East
Wilsonville, OR 97070
Direct: 503-570-1546
Fax: 503-682-7025
DISCLOSURE NOTICE: Messages to and from this E-mail address may be subject to the Oregon Public Records Law.

From: Edmonds, Blaise
Sent: Friday, December 11, 2015 9:10 AM
To: Tonie Tollen
Cc: Cyndi Satterlund; Kathleen and Sean McRae; Retherford, Kristin; Jacobson, Barbara; Kohlhoff, Mike; Pauly, Daniel; Ward, Mike; Adams, Steve
Subject: RE: Annexation of Property and Road

Good morning Tonie, I had a conversation with Kristen Retherford, the applicant representing the City for the annexation, indicated that the proposed annexation of Grahams Ferry and Tooze Road right-of-ways would only include those ROW within the City Urban Growth Boundary (UGB) and not on your property. The current UGB line aligns on the north side of the current ROW. Please see the yellow line – UGB below:

City of Wilsonville
EXHIBIT D1 DB15-0083

Edmonds, Blaise

From: Tonie Tollen <tollenfarm@msn.com>
Sent: Thursday, December 10, 2015 12:51 PM
To: Edmonds, Blaise; Ward, Mike
Cc: Tonie Tollen; Cyndi Satterlund; Kathleen and Sean McRae
Subject: Re: Annexation of Property and Road

December 9, 2015
RE: Annexation of Tooze Road into the city of Wilsonville
Public Hearing Monday December 14, 2015

Comments and Concerns:

My understanding of the future Tooze Road widening was that 17 or 17 1/2 feet on either side of the now existing road was the property of the county, and any additional feet would need to be purchased from the current landowners. Isn't that the law?

It is evident that since the developer has already put sidewalks on the South side of Tooze, that the widening of said road will all come from the North side of the street.
When is this work going to commence?

After talking with Mr. Edmonds on Wednesday, December 9, , I found out that the Urban Growth Boundary includes all or part of Tooze Road. Where is the North boundary of the road as it pertains to those of us effected by the proposed widening of Tooze Road and does that boundary extend all the way to the intersection of Tooze and Westfall?
Where does the urban growth boundary line cross the property of those of us who live on the North side of the street ?
Since the the survey markers found today on my property and that of my neighbor's
property are 38.5 feet in, from the asphalt edge of the existing roadbed on the North side of the road, as noted on the survey markers, how much of our personal property is in jeopardy and what compensation will be given to the land owners?

PLEASE NOTE:
When the city does annex Tooze Road to get the Urban funds they desire to do the widening project, those of us who live here wish to state that we do NOT want the name of our section of Tooze Road to change to Beckman Road.
We all received a letter from the city last spring stating that the city was planning to change the name of Tooze Road from the roundabout to the intersection of Tooze and Westfall to Beckman Road!
All of the neighbors met with Mr. Ward and expressed the desire to have Tooze Road remain Tooze Road. Our final suggestion for where to stop Beckman and begin Tooze was at the intersection of what will be Kinsman road where it joins the bridge. Adjusting the Name change there does not affect anyone's address and is the least expensive. Those of us who have lived on this road a long time and have our farms and business here do not want the expense or disruption that a new road name would create. There is no need for it.
Just move the sign out of the roundabout and back to Kinsman where it makes sense.
It won't disrupt or cost anybody anything that way.
Regarding improvements such as sidewalks and street lights on the North side of Tooze Road,
non of the neighbors feel the need or want them. The division between City and Country can be better defined by the LACK of those items on our side of the street.

What is the long term solution for stopping and controlling traffic at the intersection of Grahams Ferry and Tooze Road? Will it be a traffic light or a roundabout?

A major public safety concern is visibility of oncoming cars from my farm when entering or leaving my driveway.. My address is 11681 S W Tooze Road and oncoming traffic that is approaching from the East cannot be seen. When Tooze road was originally widened, the berm area of the road was going to be leveled off for better visibility and that did not happen.When the road is widened, that issue needs to be addressed, especially with the huge addition to the speed and flow of the current traffic. The impact of the traffic due to the development of Villebois over the last few years has been enormous.

The elevation of Tooze Road between the Anderson property and my farm has created a dike in the field. My concern is that roadbed will increase this effect and cause more flooding.

I would appreciate a response to my questions .

Sincerely,
Tonie Tollen
11681 S W Tooze Road
Wilsonville, Or. 97070
503-682-1604

City of Wilsonville
EXHIBIT D2 DB15-0083

Edmonds, Blaise

From: Tonie Tollen <tollenfarm@msn.com>
Sent: Friday, December 11, 2015 10:52 AM
To: Edmonds, Blaise
Cc: Cyndi Satterlund; mprigodich@gmail.com; Tonie Tollen; Kathleen and Sean McRae; Don and Doreen Steffick; Debra Bischof
Subject: RE: Annexation of Property and Road

Good morning to you too Blaise,
I see the yellow line on top of/next to the green line and it does go right across my road. The lines don't tell me anything. How many feet do I loose off my driveway with the road widening and other improvements that may be pending?

From: edmonds@ci.wilsonville.or.us
To: tollenfarm@msn.com
CC: cyndis@binderbooks.com; kathleen@reliancenetwork.com; retherford@ci.wilsonville.or.us; jacobson@ci.wilsonville.or.us; kohlhoff@ci.wilsonville.or.us; pauly@ci.wilsonville.or.us; ward@ci.wilsonville.or.us; adams@ci.wilsonville.or.us
Subject: RE: Annexation of Property and Road
Date: Fri, 11 Dec 2015 17:09:32 +0000

Good morning Tonie, I had a conversation with Kristen Retherford, the applicant representing the City for the annexation, indicated that the proposed annexation of Grahams Ferry and Tooze Road right-of-ways would only include those ROW within the City Urban Growth Boundary (UGB) and not on your property. The current UGB line aligns on the north side of the current ROW. Please see the yellow line – UGB below:

You have numerous other questions that I am relying on staff from the engineering department to respond to before next Monday night DRB meeting.

Thank you,
Blaise Edmonds
Manager of Current Planning
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

503-682-4960 Business
503-682-7025 Fax
edmonds@ci.wilsonville.or.us

DISCLOSURE NOTICE: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

From: Tonie Tollen [mailto:tollenfarm@msn.com]
Sent: Thursday, December 10, 2015 12:51 PM
To: Edmonds, Blaise; Ward, Mike
Cc: Tonie Tollen; Cyndi Satterlund; Kathleen and Sean McRae
Subject: Re: Annexation of Property and Road

December 9, 2015
RE: Annexation of Tooze Road into the city of Wilsonville
Public Hearing Monday December 14, 2015

Comments and Concerns:

Wilsonville City Hall
29799 SW Town Center Loop East
Wilsonville, Oregon

Development Review Board – Panel A
MOTIONS–December 14, 2015 6:30 PM

Resolution No. 320. Grahams Ferry Road right-of-way, Tooze Road right-of-way and Chang Property Annexation: City of Wilsonville and Allen T. Chang – Owners. The applicants are requesting approval of an Annexation of public right-of-way and territory located at the northern edge of Villebois of the city of Wilsonville, Oregon. The public right of way and territory is more particularly described as SW Grahams Ferry Road, SW Tooze Road and Tax Lots 700, 800, 900 and 1000, of Section 15, 3S, Range 1W, Willamette Meridian, Clackamas County. Staff: Blaise Edmonds

Case Files: DB15-0083 Annexation

The DRB action on the Zone Map Amendment is a recommendation to the City Council.

The following exhibits that were entered into the record:

- Exhibit A3: First email dated December 11, 2015 from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D1.
- Exhibit A4: Second email dated December 11, 2015 from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D2.
- Exhibit C1: Email dated December 11, 2015 from Mike Ward, City Civil Engineer responding to Tonie Tollen questions in Exhibit D1.
- Exhibit D1: First email received from Tonie Tollen dated December 10, 2015.
- Exhibit D2: Second email received from Tonie Tollen dated December 11, 2015.

James Frinell moved to approve Resolution No. 320 with the addition of Exhibits A3, A4, C1, D1 and D2. The motion was seconded by Ronald Heberlein and passed unanimously.

Petition for Annexation to the City of Wilsonville

Property Owners:

Name:	Allen Y. Chang
Signature	A Y Chg **Date** 10-26-2015
Property Owned:	Taxlots 3S1W15_00700, 3S1W15_00800 (28201 SW 110th Ave.), 3S1W15_00900 (11490 SW Tooze Rd.), 3S1W15_01000
Mailing Address:	3205 Edgemont Road, Lake Oswego OR 97035

Name:	Bryan Cosgrove, City Manager, for City of Wilsonville
Signature	**Date** 10/27/15
Property Owned:	SW Tooze Road right-of-way, SW Grahams Ferry Road right-of-way
Mailing Address:	29799 SW Town Center Loop East, Wilsonville OR 97070

Electors:

Name:	Michele Lurene Grant
Signature	**Date** 10/21/15
Registered Address:	11490 SW Tooze Road
Precinct Number:	323

Name:	Mirae Jean Grant
Signature	**Date** 10/21/15
Registered Address:	11490 SW Tooze Road
Precinct Number:	323

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date:	**Subject**: 2015 Public Works Standards Update
January 4, 2016	**Staff Member**: Mike Ward, PE, Civil Engineer and Kerry Rappold, Natural Resources Program Manager **Department:** Community Development
Action Required	**Advisory Board/Commission Recommendation**
☐ Motion ☐ Public Hearing Date: ☒ Ordinance 1st Reading Date: ☐ Ordinance 2nd Reading Date: ☐ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☐ Approval ☐ Denial ☐ None Forwarded ☒ Not Applicable **Comments**:
Staff Recommendation: Staff recommends the City Council adopt Ordinance 782.	
Recommended Language for Motion: I move to approve Ordinance No. 782	
Project / Issue Relates To: *[Identify which goal(s), master plans(s) your issue relates to.]*	
☐Council Goals/Priorities	☒Adopted Master Plan(s) Stormwater Master Plan - 2013
☐Not Applicable	

ISSUE BEFORE COUNCIL:
A City of Wilsonville ordinance adopting the City of Wilsonville Public Works Standards – 2015.

EXECUTIVE SUMMARY:
The City of Wilsonville Public Works Standards (Standards) provide design requirements, material specifications, construction procedures, testing standards, and acceptance and

maintenance requirements for construction of public infrastructure, including roadways, pathways, and stormwater, sanitary, and water systems. The Standards are a technical civil engineering document used to present the City's required design and construction information to developers, design engineers, and contractors.

These Standards ensure that the publicly maintained infrastructure is designed and constructed to current industry practices necessary to provide robust and reliable service to Wilsonville residents, while also protecting the general health, welfare, and safety of the public and minimizing maintenance costs and legal liability.

The current adopted Standards were last updated in 2014. Periodic updates to the Standards are needed to reflect changes in industry practice, regulatory requirements, Federal and State laws, technological advances, and City Master Plans. Over the last few months, staff has been working to update and revise the Standards to reflect such changes since the last update.

The resulting revised Standards will be comprised of seven sections:
Section 1 – General Construction Requirements and Administrative Provisions
Section 2 – Transportation Design and Construction Standards
Section 3 – Stormwater and Surface Water Design and Construction Standards with Appendices A and B (Section 3 is bound separately)
Section 4 – Sanitary Sewer Design and Construction Standards
Section 5 – Water System Design and Construction Standards
Section 6 – Trench Excavation and Backfill
Section 7 – Fiber Optic Design and Construction Standards

This Standards update proposes changes in Sections 2, 3, 4, and 5, and a new Section 7 as detailed below.

The Transportation Design and Construction Standards propose requiring Warm Mix Asphalt Concrete (WMAC) in place of Hot Mix Asphalt Concrete. The City has utilized WMAC on several of its capital improvement projects with success. Compaction rates are easier to achieve because the window of workability occurs in a lower temperature range, resulting in a longer period of time before the asphalt is set.

The proposed amendments to the Stormwater and Surface Water Design and Construction Standards (Section 3) address the elimination of the requirement for managing the 25-year storm event, and clarifications and reorganization necessary for implementing the standards adopted in 2014. The rationale for eliminating the 25-year storm event include the lack of flooding in the community due to design standards, the capacity provided by facilities sized according to the new standards adopted in 2014, and the adequacy of the public storm system for conveying the 25-year peak flows.

Minor changes to both Sanitary Sewer and Water Design and Construction Standards are proposed. The Sanitary design changes call out a requirement for odor compliance with City Code. The Water Design changes require ductile iron pipe and fittings to be made in the USA, and propose changes to the painting for fire hydrants.

The majority of the proposed amendments occur as part of the Fiber Optic Design and Construction Standards. The City has been building out a fiber optic network to provide communication between City infrastructure, including water telemetry and control, sanitary pump station communication, building controls, park water feature feedback and computer networking. Through these projects the staff has identified best practices and has incorporated them into Chapter 7. Staff proposes that conduit and vaults for the communication system be constructed with all development along Major and Minor Arterials and Collector Streets.

The proposed 2015 Public Works Standards can be found for review at the following links:

New Section 7: http://www.ci.wilsonville.or.us/DocumentCenter/View/9549

2015 PW Standards Sections 1-6 Showing Changes:
http://www.ci.wilsonville.or.us/DocumentCenter/View/9550

2015 PW Standards Sections 1-6 Final:
http://www.ci.wilsonville.or.us/DocumentCenter/View/9551

2015 PW **Standards Section 3** Showing Changes:
http://www.ci.wilsonville.or.us/DocumentCenter/View/9559

2015 PW **Standards Section 3** Final:
http://www.ci.wilsonville.or.us/DocumentCenter/View/9560

A track changes version that compares the 2014 and 2015 Standards is included for Sections 1 through 6. A track changes version for Section 7 (Conduit) is not available because this section consists of new language. Changes to Section 3 Stormwater and Surface Water Design and Construction Standards are shown separately.

EXPECTED RESULTS:

The City Council will be asked to adopt the amended Public Works Standards by ordinance. This action will allow the updated Public Works Standards to be implemented on new public capital improvement and private development projects within the City.

TIMELINE:

An ordinance adopting the updated Public Works Standards will be presented to City Council for consideration at their January 4, 2016 meeting. If approved, the City Council will hear the second reading at its January 21, 2016 meeting. Thirty-days after adoption, the updated Public Works Standards will be implemented on design of new capital and private development projects within the City.

CURRENT YEAR BUDGET IMPACTS:

The Public Works Standards update was primarily performed in-house by City staff. Costs associated with this effort were primarily limited to staff time. In addition, staff contracted with Brown & Caldwell ($2,400 from the adopted 2014-15 Community Development budget) for technical assistance to complete the update to the stormwater standards. The consultant provided

revised standards that have been incorporated into the proposed amendments.

FINANCIAL REVIEW / COMMENTS:
Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:
Reviewed by: _____ Date: _____

COMMUNITY INVOLVEMENT PROCESS:
Public review and comment will occur as part of the public hearing process associated with City Council consideration of the ordinance adopting the updated Standards.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups):
Adoption of the updated Public Works Standards will ensure that the City's public infrastructure is designed and constructed in accordance with current industry practice, regulatory requirements, State and Federal laws, and City policies. These standards are necessary to provide robust and reliable service to Wilsonville residents and businesses and to protect the general health welfare, and safety of the public while minimizing maintenance costs and legal liability.

ALTERNATIVES: N/A

CITY MANAGER COMMENT:

ATTACHMENTS:
A. Ordinance No. 782

ORDINANCE NO. 782

AN ORDINANCE OF THE CITY OF WILSONVILLE ADOPTING THE CITY OF WILSONVILLE PUBLIC WORKS STANDARDS – 2015

WHEREAS, the City's current Public Works Standards were last updated in 2014 and adopted by Ordinance No. 747 on September 15, 2014; and

WHEREAS, standard engineering practice is to review, revise and update design and construction standards to maintain compliance with the periodic changes to national and state design requirements, guidelines, and specifications; and

WHEREAS, updating the Public Works Standards and being in conformance with national and state guidelines is critical in producing high quality construction, limiting maintenance costs for the City, and limiting the City's exposure to legal liability; and

WHEREAS, the Public Works Standards provide design requirements, material specifications, construction procedures and specifications, testing standards, and acceptance and maintenance requirements for construction of all publicly maintained roadways and pathways, and stormwater, sanitary, and water systems to be used by developers, design engineers, and contractors; and

WHEREAS, the City has been building out a fiber optic network for communication between City infrastructure and facilities for which best practices have been identified for incorporation into Chapter 7 and application to construction projects along Major and Minor Arterials and Collector Streets, and

WHEREAS, the Public Works Standards for designing and constructing public facilities are intended to protect public health, safety, and welfare; and

WHEREAS, it is to the benefit of the City of Wilsonville, developers, design engineers, and contractors to have all specifications and design requirements relating to publicly maintained infrastructure located within a single source of information; and

WHEREAS, after providing due public notice, as required by City Code and State Law, a public hearing was held before the City Council on January 4, 2016, at which time the City Council gathered additional evidence and afforded all interested parties an opportunity to present oral and written testimony concerning the Public Works Standards; and

WHEREAS, the City Council has carefully considered the public record, including all recommendations and testimony, and being fully advised.

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

1. FINDINGS.

   The above-recited findings and those findings and conclusions in the attached staff report, attached hereto as Exhibit A, are hereby adopted as findings of fact and conclusions of law.

2. DETERMINATION.

   Based upon such findings, the City Council hereby adopts the Public Works Standards – 2015, a copy of which is on file with the City Recorder and made part of the record hereof, which shall replace and supersede all prior Public Works Standards previously adopted by Ordinance, resolution or motion.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 4th day of January, 2016, and scheduled for a second reading at a regular meeting of the Council on the 21st day of January, 2016, commencing at the hour of 7:00 P.M. at the Wilsonville City Hall.

_____

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ___ day of ___, 2016 by the following votes:

Yes:___ No: ___

_____

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this _____ day of ____, 2016.

_____

TIM KNAPP, Mayor

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Fitzgerald

Councilor Stevens

Councilor Lehan

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date: January 4, 2016	**Subject: Resolution No. 2561** Resolution Approving and Accepting of Modified Purchase Price for Surplus Property (Tooze Road) **Staff Member:** Michael Kohlhoff **Department:** Legal
Action Required	**Advisory Board/Commission Recommendation**
☒ Motion ☐ Public Hearing Date: ☐ Ordinance 1st Reading Date: ☐ Ordinance 2nd Reading Date: ☒ Resolution ☐ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	☐ Approval ☐ Denial ☐ None Forwarded ☒ Not Applicable **Comments:** An incorrect diagram in bid document led to misunderstanding of location of internal road connection to Tooze Road and affects number of and type of buildable lots. Discovered during buyers due diligence, and negotiated modification retains sale substantially over minimum bid requirement and still best offer.
Staff Recommendation: Approve Resolution No.2561	
Recommended Language for Motion: I move to approve Resolution No. 2561.	
Project / Issue Relates To: *[Identify which goal(s), master plans(s) your issue relates to.]*	
☐Council Goals/Priorities	☐Adopted Master Plan(s) ☒Not Applicable

ISSUE BEFORE COUNCIL: Whether or not to approve the modification.

EXECUTIVE SUMMARY: Staff is recommending the City Council approve a modification of the previously awarded sale to Polygon WLH LLC of the surplus property on Tooze Road from $5,150,000 to $4,950,000. The bid solicitation document contains a diagram illustrating that the internal road connection from Tooze Road was in the middle of the property. In fact, to properly

connect to the designed improvements to Tooze Road, the connection needed to be to the east. In reliance on the diagram, the buyer laid out the number and types of lots under the Villebois Master Plan and, from that development, its valuation and bid. During the due diligence period, the error was discovered, and rather than terminate the agreement, a modification of the due diligence period was negotiated with the view to planning a lesser number of lots and reconfiguring types of lots to create a maximum valuation. This resulted in a change in valuation the buyer was willing to pay to $4,950,000. During the course of the negotiations, different potential lot configurations were reviewed and it became apparent that they could affect the amount of property that might need to be taken on the north side of Tooze Road. It was determined that a lot pattern that could support the $4,950,000 could be developed that would also support the least amount of taking from the north side of Tooze Road. Additionally, a large, old Red Oak tree could be affected. Two plans have been developed in consideration of the Oak tree. Plan A redesigns Barcelona in a manner that keeps the lot pattern that supports the $4,950,000 and ensures that the building footprint does not interfere with the root zone. Conditions of development approval can also be developed that prohibit interference with the root line as additional protection. Plan B provides for an approximate 15 foot vista between lots for viewing the tree, but results in reduction of large lots to standard lots, which would mean a further price reduction of $125,000. Both Plans are attached. The Resolution is based on Plan A, but if the Council prefers Plan B, the Resolution could be amended that night or continued to January 21, 2016.

EXPECTED RESULTS: Completion of the sale and use of the majority of the proceeds to apply to the cost of Tooze Road improvements, provide for tree protection for a very large and beautiful old tree, have the least amount of take of property north of Tooze Road, and develop a well-planned subdivision.

TIMELINE: Resolution adopted on January 4, 2016 (possibly January 21, 2016). Development application calendared for Development Review Board for February 8, 2016 hearing. Sale completed in April, 2016.

CURRENT YEAR BUDGET IMPACTS: Receipt of $4,950,000 unless Plan B preferred.

FINANCIAL REVIEW / COMMENTS:
Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:
Reviewed by: MEK Date: December 28, 2015

Legal prepared Resolution.

COMMUNITY INVOLVEMENT PROCESS: Bid solicitation process, approval, and acceptance of sale price at open Council meeting, Resolution approving and accepting modified sale price at open Council meeting.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups): See Expected Results, above.

ALTERNATIVES: Do not approve Resolution, buyer can rescind waiver of due diligence period and withdraw sales offer, and the City rebids the sale. Do not approve the Resolution, buyer might seek specific performance based on waiver of due diligence and negotiation authority and seek an applicable site plan and pay in the $4,950,000 when due.

CITY MANAGER COMMENT:

ATTACHMENTS:

A. Resolution No. 2561
B. Plan A
C. Plan B

RESOLUTION NO. 2561

A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING AND ACCEPTING MODIFIED SALES PRICE OF SURPLUS LAND

WHEREAS, based on a solicitation for bid amounts for sale of an approximate 10-acre piece of property at a minimum of $4.15 million, the City awarded the sale of the property to Polygon WLH LLC for $5.15 million as the highest responsible bidder based on certain contingencies, including but not limited to a due diligence period; and

WHEREAS, while during the due diligence period the contingencies have been satisfied, it was discovered that the location of the internal road connection as diagrammed on the bid solicitation document would need to be moved, which reduced the number of lots that could be platted which, in turn, affected the value of the property to the bidder; and

WHEREAS, rather than have the bid withdrawn under the terms of the due diligence provision, the parties reached a negotiation modification of the price to $4.95 million and waiver of the due diligence period, the modified price representing an amount substantially (19%) over the minimum bid amount and keeping the sale on track for an April 2016 closing; and

WHEREAS, Polygon WLH LLC has also been able to lay out its lot pattern with its internal road configuration, subject to DRB approval, in a manner that provides a very minimal, if any, lot overlap and without any house footprint overlap of the tree roots of a very large red oak tree that is being preserved;

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

1. The City Council approves and accepts a modification in the sales price offer by Polygon WLH LLC from $5.15 million to $4.95 million, and further finds and concludes that the modified amount is still the highest and best bid amount received for the approximately 10-acre piece of property as more particularly described on Exhibit A, attached hereto and incorporated by reference as if fully set forth herein.
2. Legal staff is directed to provide the appropriate legal documents to carry out the City Council's approval, and the City Manager is authorized to execute such documents. Any actions or preliminary documents heretofore executed in order

to extend the due diligence period and/or obtain a waiver of the due diligence period based on final approval of the City Council are also verified, approved, and accepted.

3. This Resolution becomes effective upon the date of adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this ____ day of _____, 2016, and filed with the Wilsonville City Recorder this date.

_____
Tim Knapp, Mayor

ATTEST:

_____
Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Fitzgerald

Councilor Stevens

Councilor Lehan

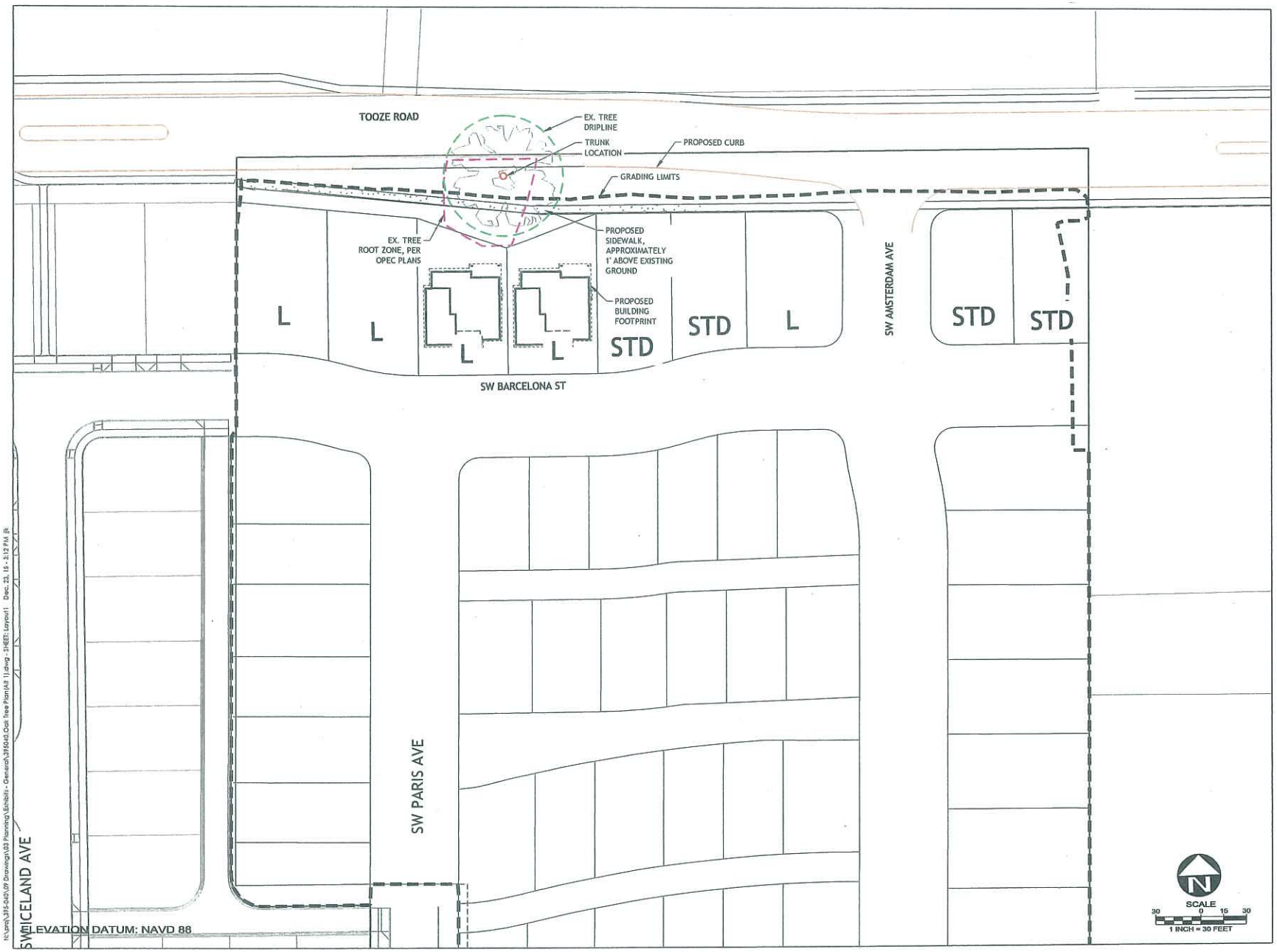
Attachments:

Exhibit A – Property Legal Description

EXHIBIT A

Parcels 1 and 2, PARTITION PLAT NO. 1994-182, in the County of Clackamas and State of Oregon,

EXCEPTING THEREFROM that portion of Parcel 2 conveyed to the City of Wilsonville by Street Dedication Deed recorded on July 28, 2014, as Recorder's Fee No. 2014-03740.



Villebois

POLYGON NW COMPANY

Pacific Community Design

GEODESIGN, INC

REVISIONS

DATE	DESCRIPTION

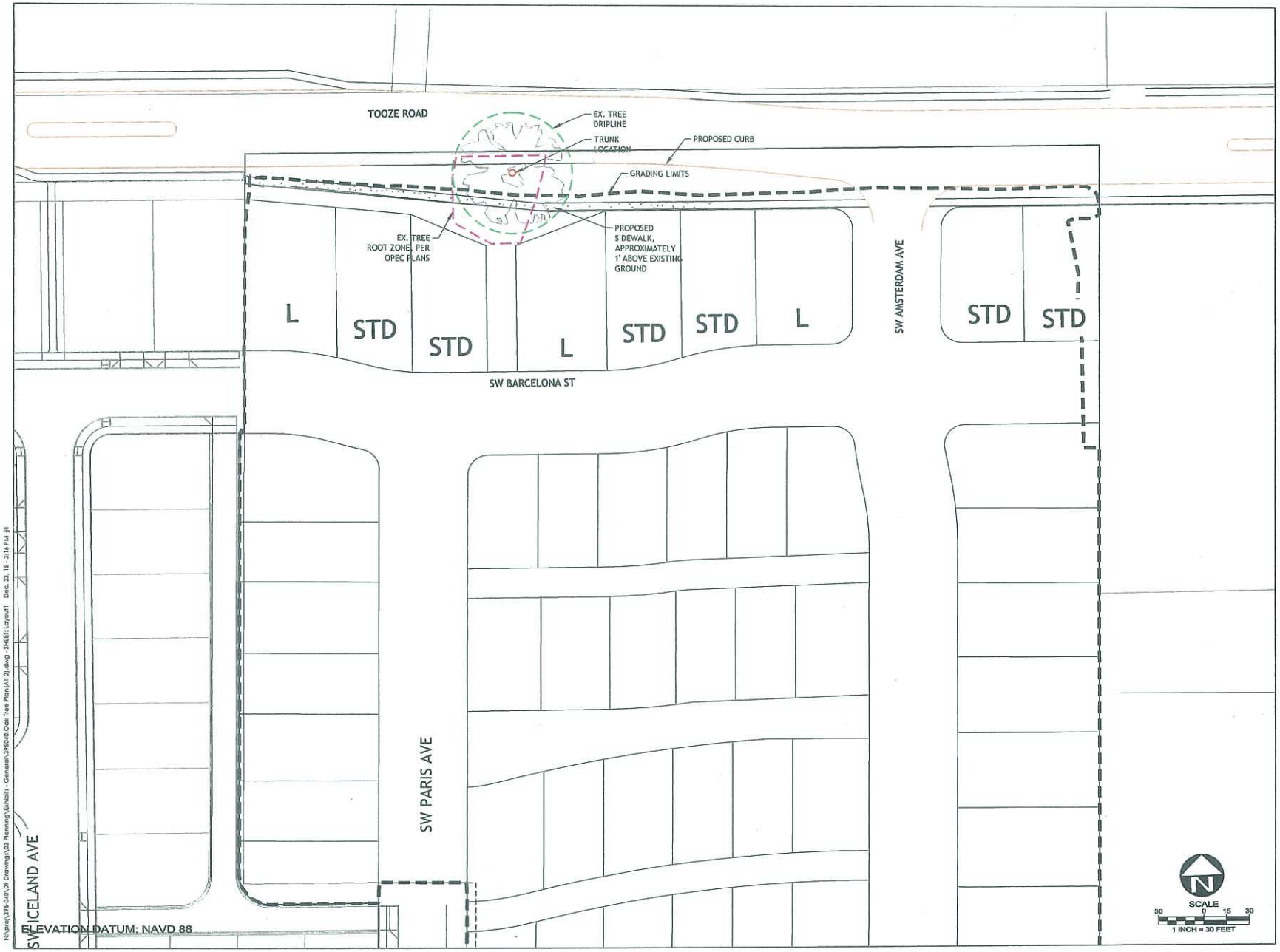
PDP 4N
CALAIS EAST
AT VILLEBOIS

Preliminary Development Plan

OAK TREE PLAN

1ST SUBMITTAL DATE	11/13/2015
2ND SUBMITTAL DATE	12/14/2015

A



N:\proj\395-040\09 Drawings\03 Planning\Exhibits - General\395040 Oak Tree Plan(Alt 2).dwg - SHEET: Layout1 Dec. 23, 15 - 3:16 PM jlk

Villebois

POLYGON NW COMPANY

Pacific Community Design

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PDP 4N
CALAIS EAST
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B

CITY COUNCIL MEETING
STAFF REPORT

Meeting Date: January 4, 2016	**Subject: Resolution No. 2561** Resolution Approving and Accepting of Modified Purchase Price for Surplus Property (Tooze Road) **Staff Member:** Michael Kohlhoff **Department:** Legal
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Recommended Language for Motion: I move to approve Resolution No. 2561.	
Project / Issue Relates To: *[Identify which goal(s), master plans(s) your issue relates to.]*	
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Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:
Reviewed by: MEK Date: December 28, 2015

Legal prepared Resolution.

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ALTERNATIVES: Do not approve Resolution, buyer can rescind waiver of due diligence period and withdraw sales offer, and the City rebids the sale. Do not approve the Resolution, buyer might seek specific performance based on waiver of due diligence and negotiation authority and seek an applicable site plan and pay in the $4,950,000 when due.

CITY MANAGER COMMENT:

ATTACHMENTS:

A. Resolution No. 2561
B. Plan A
C. Plan B

ORDINANCE NO. 778

AN ORDINANCE OF THE CITY OF WILSONVILLE DECLARING A BAN ON MEDICAL MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, RECREATIONAL MARIJUANA PRODUCERS, RECREATIONAL MARIJUANA PROCESSORS, RECREATIONAL MARIJUANA WHOLESALERS, AND RECREATIONAL MARIJUANA RETAILERS; REFERRING ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, the Oregon Medical Marijuana Act, as amended by House Bill 3400 (2015), provides that the Oregon Health Authority will register medical marijuana processing sites and medical marijuana dispensaries; and

WHEREAS, Measure 91, which the voters adopted in November 2014, and as amended by HB 3400 (2015), directs the Oregon Liquor Control Commission to license the production, processing, wholesale, and retail sale of recreational marijuana; and

WHEREAS, Section 134 of HB 3400 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of certain state-registered and state-licensed medical and recreational marijuana businesses in the area subject to the jurisdiction of the city; and

WHEREAS, HB 3400 also directs that a city council that desires to adopt such an ordinance shall also refer the question of whether to prohibit recreational marijuana producers, processors, wholesalers, and retailers, as well as medical marijuana processors and medical marijuana dispensaries, to the voters; and

WHEREAS, the City believes Enrolled House Bill 3400 is not the only source of authority for the City to prohibit the establishment of marijuana facilities, and by enactment of this Ordinance the City expressly preserves all other authority and all other existing Ordinances that also regulate marijuana within the City limits, including the growing of marijuana for sale; and

WHEREAS, the City finds that the public health, safety, and general welfare of the City, its residents, and its visitors necessitates and requires the adoption of this Ordinance prohibiting the establishment and operation of marijuana facilities within City limits, in accordance with the requirements of HB 3400, and for it to take effect immediately upon its adoption;

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

1. The following is added to **Chapter 6** of the Wilsonville City Code under the heading of:

"**PROHIBITION OF MARIJUANA FACILITIES**

6.600 Definitions.

For the purposes of this Section, and in accordance with HB 3400, the following definitions apply:

(1) "Marijuana" means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae, and the seeds of the plant Cannabis family Cannabaceae.

(2) A "Marijuana Facility" includes all of the following:

(a) Marijuana processing sites registered with the Oregon Health Authority;
(b) Medical marijuana dispensaries registered with the Oregon Health Authority;
(c) Marijuana producers licensed by the Oregon Liquor Control Commission;
(d) Marijuana processors licensed by the Oregon Liquor Control Commission;
(e) Marijuana wholesalers licensed by the Oregon Liquor Control Commission.
(f) Marijuana retailers licensed by the Oregon Liquor Control Commission.

6.605 Ban Declared.

As described in Section 134 of House Bill 3400 (2015), the City of Wilsonville hereby prohibits the establishment and operation of all of the above-listed Marijuana Facilities in all areas subject to the jurisdiction of the City.

6.610 Violation.

The City may prosecute a violation of this Section pursuant to Chapter 1 of the Wilsonville Municipal Code or it may pursue any other remedies available to it, including but not limited to an action seeking declaratory relief and/or injunctive relief.

6.615 Remedies.

The establishment, maintenance, or operation of a marijuana facility by a person, business, or any other entity within the City in violation of the requirements of this Section will be subject to any and all enforcement remedies available to the City under law and/or the Wilsonville Municipal Code. A first offense will be enforced as a violation of Wilsonville Municipal Code Chapter 1.013, with a fine not to exceed $500. Thereafter, any further violation may be enforced as a misdemeanor pursuant to Chapter 1.014 of the Wilsonville Municipal Code and/or the filing of an appropriate action and pursuit of an appropriate remedy in a court of competent jurisdiction."

2. Unless otherwise repealed or modified in the interim, this Ordinance shall be referred to the electors of the City of Wilsonville at the next statewide general election on Tuesday, November 8, 2016, in accordance with the requirements of HB 3400.
3. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall be in full force and effect on December 7, 2015.
4. In accordance with HB 3400, the City Recorder is directed to provide a copy of this Ordinance to the Oregon Health Authority and to the Oregon Liquor Control Commission in a form and manner that those entities may require.
5. The City Recorder is directed to add Wilsonville Code Sections 6.600 through 6.615, as approved above, and to make such format, style, and conforming changes to match the format and style of the Public Health and Welfare section of the Wilsonville Code.
6. Except as set forth above, Chapter 6 of the Wilsonville Municipal Code remains in full force and effect, as written.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the 7th day of December, 2015, and scheduled for the second and final reading on January 4, 2016, commencing at the hour of 7 p.m., at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

_____
Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of January, 2016, by the following votes: Yes: _____ No: _____

_____
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this _____ day of January, 2016.

_____
TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Fitzgerald

Councilor Stevens

Councilor Lehan

APPENDIX C

Opt Out by Voter Referral

Cities that are not in a county that voted no on Measure 91 by 55 percent or more, or cities that desire to ban certain marijuana activities after December 24, 2015, may do so only by referral at a statewide general election, meaning an election in November of an even-numbered year. Cities should consult the Secretary of State's referral manual and work with the city recorder or similar official to determine the procedures necessary to refer an ordinance to the voters.

Once adopted, the city must submit the ordinance to the Oregon Health Authority (if banning medical marijuana businesses) and/or the Oregon Liquor Control Commission (if banning recreational marijuana businesses), and those agencies will then stop registering and licensing the prohibited businesses until the next statewide general election. In other words, for cities using the referral process, the council's adoption of an ordinance acts as a moratorium on new facilities until the election. Each agency has a form for submitting the ordinances.

Medical marijuana dispensaries are grandfathered and are able to operate despite a ban if they: (1) have applied to be registered by July 1, 2015 or were registered prior to the date on which the ordinance is adopted by the city council, and (2) successfully completed the land use application process (if applicable). Medical marijuana processors are grandfathered and are able to operate despite a ban if they: (1) were registered under ORS 475.300 to 475.346 and were processing usable marijuana on or before July 1, 2015 or (2) are registered under section 85 of HB 3400 prior to the date on which the ordinance is adopted by the governing body, and (3) have successfully completed a local land use application process (if applicable).

Cities that adopt an ordinance prohibiting the establishment of medical or recreational marijuana businesses are not eligible to receive a distribution of state marijuana tax revenues or to impose a local tax under section 34a of HB 3400.

In addition, it is important to note that once the elections official files the referral with the county election office, the ballot measure is certified to the ballot. At that point, the restrictions on public employees engaging in political activity will apply. Consequently, cities should consult the Secretary of State's manual *Restrictions on Political Campaigning by Public Employees* and their city attorney to ensure that public employees are complying with state elections law in their communications about the pending measure.

****

AN ORDINANCE OF THE CITY OF {NAME} DECLARING A BAN ON {MEDICAL MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, RECREATIONAL MARIJUANA PRODUCERS, RECREATIONAL MARIJUANA PROCESSORS, RECREATIONAL MARIJUANA WHOLESALERS, AND/OR RECREATIONAL MARIJUANA RETAILERS}; REFERRING ORDINANCE; AND DECLARING AN EMERGENCY

Whereas, the Oregon Medical Marijuana Act, as amended by House Bill 3400 (2015) provides that the Oregon Health Authority will register medical marijuana processing sites and medical marijuana dispensaries;

Whereas, Measure 91, which the voters adopted in November 2014, directs the Oregon Liquor Control Commission to license the production, processing, wholesale, and retail sale of recreational marijuana;

Whereas, section 134 of HB 3400 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of certain state-registered and state-licensed marijuana businesses in the area subject to the jurisdiction of the city;

Whereas, the city council wants to refer the question of whether to prohibit{recreational marijuana producers, processors, wholesalers, and/or retailers, as well as medical marijuana processors and/or medical marijuana dispensaries} to the voters of {City};

NOW THEREFORE, BASED ON THE FOREGOING, THE CITY OF {NAME} ORDAINS AS FOLLOWS:

DEFINITIONS.

Marijuana means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae.

Marijuana processing site means an entity registered with the Oregon Health Authority to process marijuana.

Marijuana processor means an entity licensed by the Oregon Liquor Control Commission to process marijuana.

Marijuana producer means an entity licensed by the Oregon Liquor Control Commission to manufacture, plant, cultivate, grow or harvest marijuana.

Marijuana retailer means an entity licensed by the Oregon Liquor Control Commission to sell marijuana items to a consumer in this state.

Marijuana wholesaler means an entity licensed by the Oregon Liquor Control Commission to purchase items in this state for resale to a person other than a consumer.

Medical marijuana dispensary means an entity registered with the Oregon Health Authority to transfer marijuana.

BAN DECLARED. As described in section 134 of House Bill 3400 (2015), the City of {Name} hereby prohibits the establishment {and operation}[10] of the following in the area subject to the jurisdiction of the city {select desired options from the list below}:

(a) Marijuana processing sites;

[10] Include this wording if (1) there are existing recreational licensees operating within the city and (2) the city does not wish to grandfather in those activities.

(b) Medical marijuana dispensaries;
(c) Marijuana producers;
(d) Marijuana processors;
(e) Marijuana wholesalers;
(f) Marijuana retailers.

EXCEPTION. The prohibition set out in this ordinance does not apply to a marijuana processing site or medical marijuana dispensary that meets the conditions set out in subsections 6 or 7 of section 134, section 136, or section 137 of House Bill 3400 (2015).

REFERRAL. This ordinance shall be referred to the electors of the city of {name} at the next statewide general election on {date – Tuesday, November 8, 2016 is the next statewide general election}.

EMERGENCY. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance shall be in full force and effect on {date/passage}.

****

A RESOLUTION APPROVING REFERAL TO THE ELECTORS OF THE CITY OF {NAME} THE QUESTION OF BANNING {MEDICAL MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, RECREATIONAL MARIJUANA PRODUCERS, RECREATIONAL MARIJUANA PROCESSORS, RECREATIONAL MARIJUANA WHOLESALERS, AND/OR RECREATIONAL MARIJUANA RETAILERS} WITHIN THE CITY[11]

Whereas, section 134 of HB 3400 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of certain state-registered and state-licensed marijuana businesses in the area subject to the jurisdiction of the city;

Whereas, the CITY OF {NAME} city council adopted Ordinance {number}, which prohibits the establishment of {list of marijuana activities) in the area subject to the jurisdiction of the city;

NOW, THEREFORE, THE CITY OF {NAME} RESOLVES AS FOLLOWS:

MEASURE. A measure election is hereby called for the purpose of submitting to the electors of the CITY OF {NAME} a measure prohibiting the establishment of certain marijuana activities in the area subject to the jurisdiction of the city, a copy of which is attached hereto as "Exhibit 1," and incorporated herein by reference.[12]

ELECTION CONDUCTED BY MAIL. The measure election shall be held in the CITY OF {NAME} on {date – November 8, 2016 for the next general election}. As required by ORS

[11] Some cities approve the ballot title, question, summary, and explanatory statement by adopting an ordinance, rather than by adopting a separate resolution.
[12] Exhibit 1 should include the question and summary.

254.465, the measure election shall be conducted by mail by the County Clerk of {county name} County, according to the procedures adopted by the Oregon Secretary of State.

DELEGATION. The CITY OF {NAME} authorizes the {City Manager, City Administrator, City Recorder, or other appropriate city official} or the {City Manager, City Administrator, City Recorder, or other appropriate city official} designee, to act on behalf of the city and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

PREPARATION OF BALLOT TITLE. The City Attorney is hereby directed to prepare the ballot title for the measure, and deposit the ballot title with the {city elections officer} within the times set forth by law.[13]

NOTICE OF BALLOT TITLE AND RIGHT TO APPEAL. Upon receiving the ballot title for this measure, the {city elections officer} shall publish in the next available edition of a newspaper of general circulation in the city a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

EXPLANATORY STATEMENT. The explanatory statement for the measure, which is attached hereto as "Exhibit 2," and incorporated herein by reference, is hereby approved.

FILING WITH COUNTY ELECTIONS OFFICE. The {city elections officer} shall deliver the Notice of Measure Election to the county clerk for {name of county} County for inclusion on the ballot for the {date} election.[14]

EFFECTIVE DATE. This resolution is effective upon adoption.

****

As noted, the ballot title, question, summary, and explanatory statement may be approved by the council through ordinance or resolution.

BALLOT TITLE
A caption which reasonably identifies the subject of the measure
10 word limit under ORS 250.035(1)(a)

Prohibits certain marijuana registrants {and/or} licensees in {city}

QUESTION
A question which plainly phrases the chief purpose of the measure so that an affirmative response to the question corresponds to an affirmative vote on the measure

[13] Alternatively, the council may prepare the ballot title and attach it to the resolution for approval. In that case, this section might say, "The ballot title for the measure set forth as Exhibit {number} to this resolution is hereby adopted." A city's local rules may dictate who will prepare the ballot title.
[14] The Notice of Measure Election is a form provided by the Oregon Secretary of State where cities provide the ballot title, question, summary, and explanatory statement. The form can be found on the Secretary of State's website at www.sos.oregon.gov.

20 word limit under ORS 250.035(1)(b)

Shall {city} prohibit {medical marijuana processors, medical marijuana dispensaries, recreational marijuana producers, processors, wholesalers, and retailers} in {city}?

SUMMARY

A concise and impartial statement summarizing the measure and its major effect
175 word limit under ORS 250.035(1)(c)

**Note: This summary may need to be modified depending on which activities a city proposes to ban and whether it will grandfather in existing retail activities. By law, certain medical marijuana businesses can continue operating.*

State law allows operation of registered medical marijuana processors, medical marijuana dispensaries and licensed recreational marijuana producers, processors, wholesalers, and retailers. State law provides that a city council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed activities.

Approval of this measure would prohibit the establishment {and operation}[15] of {medical marijuana processors, medical marijuana dispensaries, recreational marijuana producers, processors, wholesalers, and retailers} within the area subject to the jurisdiction of the city {provided that state law allows for continued operation of medical marijuana processors and medical marijuana dispensaries already registered – or in some cases, that have applied to be registered – and that have successfully completed a local land use application process}.

If this measure is approved, the city will be ineligible to receive distributions of state marijuana tax revenues and will be unable to impose a local tax or fee on the production, processing or sale of marijuana or any product into which marijuana has been incorporated.

****

EXPLANATORY STATEMENT

An impartial, simple and understandable statement explaining the measure and its effect for use in the county voters' pamphlet

500 word limit under ORS 251.345 and OAR 165-022-0040(3)

Approval of this measure would prohibit the establishment {and operation}[16] of certain marijuana activities within the city.

The Oregon Medical Marijuana Act, as amended by the Legislature in 2015, provides that the Oregon Health Authority will register medical marijuana processors and medical marijuana

[15] Include this wording if (1) there are existing recreational licensees operating within the city and (2) the city does not wish to grandfather in those activities.
[16] Include this wording if (1) there are existing recreational licensees operating within the city and (2) the city does not wish to grandfather in those activities.

dispensaries. Medical marijuana processors compound or convert marijuana into concentrates, extracts, edible products, and other products intended for human consumption and use. Medical marijuana dispensaries facilitate the transfer of marijuana and marijuana products between patients, caregivers, processors, and growers. Measure 91, approved by Oregon voters in 2014 and by the Legislature in 2015, provides that the Oregon Liquor Control Commission will license recreational marijuana producers (those who manufacture, plant, cultivate, grow or harvest marijuana), processors, wholesalers, and retailers.

A city council may adopt an ordinance prohibiting the establishment of any of those entities within the city, but the council must refer the ordinance to the voters at a statewide general election. The CITY OF {NAME} city council has adopted an ordinance prohibiting the establishment of {list of marijuana activities to be banned} within the city and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit {medical marijuana processors, medical marijuana dispensaries, and/or recreational marijuana producers, processors, wholesalers, and/or retailers} within the city. Medical marijuana processors and medical marijuana dispensaries that were registered with the state before the city council adopted the ordinance, and medical marijuana dispensaries that had applied to be registered on or before July 1, 2015, can continue operating in the city even if this measure is approved, if those entities have successfully completed a local land use application process.

Approval of this measure has revenue impacts. Currently, ten percent of state marijuana tax revenues will be distributed to cities to assist local law enforcement in performing their duties under Measure 91. If approved, this measure would make the city ineligible to receive distributions of state marijuana tax revenues.

Currently, under the 2015 legislation, a city may impose up to a three percent tax on the sale of marijuana items by a marijuana retailer in the city. However, a city that adopts an ordinance prohibiting the establishment of medical marijuana processors, medical marijuana dispensaries, or recreational marijuana producers, processors, wholesalers, or retailers may not impose a local tax or fee on the production, processing or sale of marijuana or any product into which marijuana has been incorporated. Approval of this measure would therefore prevent a city from imposing a local tax on those activities.

This document is not a substitute for legal advice. City councils considering prohibiting or taxing any marijuana facilities should not rely solely on this sample. Any city council considering any form of regulation of marijuana should consult with its city attorney regarding the advantages, disadvantages, risks and limitations of any given approach.

Legal counsel can also assist a city in preparing an ordinance that is consistent with local procedures, existing ordinances and a city's charter, and advise on what process is needed to adopt the ordinance. The sample provided is intended to be a starting point, not an ending point, for any jurisdiction considering prohibiting or taxing marijuana.

APPENDIX D

Local Tax by Voter Referral

Under HB 3400, cities may impose up to a 3 percent tax on sales of marijuana items made by those with recreational retail licenses by referring an ordinance to the voters at a statewide general election, meaning an election in November of an even-numbered year.[17]

However, sections 133 and 134 of HB 3400, which provide a mechanism for prohibiting the establishment of certain marijuana businesses, state that a city that adopts a prohibition under those sections may not impose a tax or fee on the production, processing or sale or marijuana or any product into which marijuana has been incorporated. As a result, if a city refers a local tax ordinance to the voters at the same election that it refers a prohibition ordinance to the voters, the city will want to consult its attorney regarding the effect of those two ordinances. The sample below includes wording for cities that put both ordinances on that same ballot. However, a city planning to refer both measures to the ballot should work closely with its city attorney on preparing those ordinances and referral documents.

As with any revenue raising measure, it's important that the budget committee approve any proposed taxes as part of its approval of the budget. See the Department of Revenue "Tax Election Ballot Measures" manual for more information.

In addition, it is important to note that once the elections official files the referral with the county election office, the ballot measure is certified to the ballot. At that point, the restrictions on public employees engaging in political activity will apply. Consequently, cities should consult the Secretary of State's manual *Restrictions on Political Campaigning by Public Employees* and their city attorney to ensure that public employees are complying with state elections law in their communications about the pending measure.

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AN ORDINANCE OF THE CITY OF {NAME} IMPOSING A {UP TO THREE} PERCENT TAX {OR FEE} ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER AND REFERRING ORDINANCE[18]

Whereas, section 34a of House Bill 3400 (2015) provides that a city council may adopt an ordinance to be referred to the voters that imposes up to a three percent tax or fee on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city;

[17] Cities that imposed marijuana taxes prior to the effective date of HB 3400 (2015) should talk to their city attorney about the status of those taxes.

[18] No emergency clause is included in this ordinance because a city may not include an emergency clause in an ordinance regarding taxation. *See Advance Resorts v. City of Wheeler*, 141 Or App 166, 178, 917 P2d 61, *rev den*, 324 Or 322 (1996) (holding that a city may not include an emergency clause in an ordinance regarding taxation).

Whereas, the city council wants to impose a tax {or fee} on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city;

NOW THEREFORE, BASED ON THE FOREGOING, THE CITY OF {NAME} ORDAINS AS FOLLOWS:

DEFINITIONS.

Marijuana item has the meaning given that term in Oregon Laws 2015, chapter 614, section 1.

Marijuana retailer means a person who sells marijuana items to a consumer in this state.

Retail sale price means the price paid for a marijuana item, excluding tax, to a marijuana retailer by or on behalf of a consumer of the marijuana item.

TAX IMPOSED. As described in section 34a of House Bill 3400 (2015), the City of {Name} hereby imposes a tax {or fee} of {up to three} percent on the retail sale price of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city.

COLLECTION. The tax shall be collected at the point of sale of a marijuana item by a marijuana retailer at the time at which the retail sale occurs and remitted by each marijuana retailer that engages in the retail sale of marijuana items.[19]

REFERRAL. This ordinance shall be referred to the electors of {city} at the next statewide general election on {date – Tuesday, November 8, 2016 is the next statewide general election}.

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A RESOLUTION APPROVING REFERAL TO THE ELECTORS OF THE CITY OF {NAME} THE QUESTION OF IMPOSING A {UP TO THREE} PERCENT TAX {OR FEE} ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER WITHIN THE CITY[20]

Whereas, section 34a of House Bill 3400 (2015) provides that a city council may adopt an ordinance to be referred to the voters that imposes up to a three percent tax or fee on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city;

Whereas, the city of {name} city council adopted Ordinance {number}, which imposes a tax of {up to three} percent on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city;

NOW, THEREFORE, THE CITY OF {NAME} RESOLVES AS FOLLOWS:

MEASURE. A measure election is hereby called for the purpose of submitting to the electors of the city of {name} a measure imposing a {up to three} percent tax on the sale of marijuana items

[19] Cities may want to include information about where, how, and when the tax must be remitted.
[20] Some cities approve the ballot title, question, summary, and explanatory statement by adopting an ordinance, rather than by adopting a separate resolution.

by a marijuana retailer in the area subject to the jurisdiction of the city, a copy of which is attached hereto as "Exhibit 1," and incorporated herein by reference.[21]

ELECTION CONDUCTED BY MAIL. The measure election shall be held in the city of {name} on {date – November 8, 2016 for the next general election}. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of {county name} County, according to the procedures adopted by the Oregon Secretary of State.

DELEGATION. The city of {name} authorizes the City Manager, or the City Manager's designee, to act on behalf of the city and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

PREPARATION OF BALLOT TITLE. The City Attorney is hereby directed to prepare the ballot title for the measure, and deposit the ballot title with the {city elections officer} within the times set forth by law.[22]

NOTICE OF BALLOT TITLE AND RIGHT TO APPEAL. Upon receiving the ballot title for this measure, the {city elections officer} shall publish in the next available edition of a newspaper of general circulation in the city a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

EXPLANATORY STATEMENT. The explanatory statement for the measure, which is attached hereto as "Exhibit 2," and incorporated herein by reference, is hereby approved.

FILING WITH COUNTY ELECTIONS OFFICE. The {city elections officer} shall deliver the Notice of Measure Election to the county clerk for {name of county} County for inclusion on the ballot for the {date} election.[23]

EFFECTIVE DATE. This resolution is effective upon adoption.

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BALLOT TITLE
A caption which reasonably identifies the subject of the measure
10 word limit under ORS 250.035(1)(a)

Imposes city tax on marijuana retailer's sale of marijuana items

[21] Exhibit 1 should include the question and summary.
[22] Alternatively, the council may prepare the ballot title and attach it to the resolution for approval. In that case, this section might say, "The ballot title for the measure set forth as Exhibit {number} to this resolution is hereby adopted." A city's local rules may dictate who will prepare the ballot title.
[23] The Notice of Measure Election is a form provided by the Oregon Secretary of State where cities provide the ballot title, question, summary, and explanatory statement. The form can be found on the Secretary of State's website at www.sos.oregon.gov.

QUESTION

A question which plainly phrases the chief purpose of the measure so that an affirmative response to the question corresponds to an affirmative vote on the measure

20 word limit under ORS 250.035(1)(b)

Shall City of {name} impose a {up to three percent} tax on the sale in the City of {city} of marijuana items by a marijuana retailer?

SUMMARY

A concise and impartial statement summarizing the measure and its major effect

175 word limit under ORS 250.035(1)(c)

Under state law, a city council may adopt an ordinance to be referred to the voters of the city imposing up to a three percent tax or fee on the sale of marijuana items in the city by a licensed marijuana retailer.

Approval of this measure would impose a {up to three} percent tax on the sale of marijuana items in the city by a licensed marijuana retailer. The tax would be collected at the point of sale and remitted by the marijuana retailer.

{Under state law, a city that adopts an ordinance that prohibits the establishment in the area subject to the jurisdiction of the city of a medical marijuana processor, medical marijuana dispensary, or recreational marijuana producer, processor, wholesaler, or retailer may not impose a tax or fee on the production, processing or sale of marijuana or any product into which marijuana has been incorporated. This measure would become operative only if the measure proposing to prohibit the establishment of any of those marijuana entities does not pass by a majority of votes.}[24]

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EXPLANATORY STATEMENT

An impartial, simple and understandable statement explaining the measure and its effect for use in the county voters' pamphlet

500 word limit under ORS 251.345 and OAR 165-022-0040(3)

Approval of this measure would impose a {up to three} percent tax on the sale of marijuana items by a marijuana retailer within the city. If approved, the revenues from this tax are estimated to be $_____. There are no restrictions on how the city may use the revenues generated by this tax. {However, this measure will become operative only if the ballot measure prohibiting the establishment of certain marijuana registrants and licensees fails.}

[24] Cities that desire to provide voters with the most options may wish to put both a measure banning certain activities and a tax measure before the voters at the same time. Cities that elect to do so should include this wording explaining the effect of the vote.

Under Measure 91, adopted by Oregon voters in November 2014 and amended by the Legislature in 2015, the Oregon Liquor Control Commission must license the retail sale of recreational marijuana. The 2015 Legislation provides that a city council may adopt an ordinance imposing up to a three percent tax on the sale of marijuana items (which include marijuana concentrates, extracts, edibles, and other products intended for human consumption and use) by retail licensees in the city, but the council must refer that ordinance to the voters at a statewide general election. The City of {name} city council has adopted an ordinance imposing a {up to three} percent tax on the sale of marijuana items by a retail licensee in the city, and, as a result, has referred this measure to the voters.

{However, this measure will become operative only if the ballot measure prohibiting the establishment of certain marijuana registrants and licensees fails. Under state law, a city that adopts an ordinance that prohibits the establishment in the area subject to the jurisdiction of the city of a medical marijuana processor, medical marijuana dispensary, or recreational marijuana producer, processor, wholesaler, or retailer may not impose a tax or fee on the production, processing or sale of marijuana or any product into which marijuana has been incorporated. As a result, if the voters pass a prohibition ordinance, this tax measure will not become operative, even if it also receives a majority of votes.}

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Legal counsel can also assist a city in preparing an ordinance that is consistent with local procedures, existing ordinances and a city's charter, and advise on what process is needed to adopt the ordinance.

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Parks and Recreation
November 2015 Report

Nutrition program volunteers - Annual Thanksgiving lunch

Evening Adult Fitness classes rolled on with 17 participants in Body Sculpt and 16 particpants in Pilates Sculpt

Mini Hoopers Basketball is in full swing with 121 1st and 2nd grade boys and girls participating

Active Adults 55+ Program News

The Community Center is enjoying a beautiful holiday plant display thanks to Berkshire Hathaway Home Services. Berkshire Hathaway have realtors that specialize in working with seniors and also have a list of preferred vendors as part of their "Home Concierge" program. The program provides a network of screened vendor partners who offer their expertise and services in a variety of areas including: landscaping and yard maintenance, handyman services, plumbing, painting, and debris removal.

Parks and Recreation

Parks Maintenance Update

Pruned street trees along Memorial Drive

Blew in engineered wood fiber at Park at Merryfield

Decorated Community Tree

Cleaned up down tree at Town Center Park

Continued to clean up leaves throughout park system

Upcoming Events and Programs

* Community Toy Drive: November 2nd - December 16th. Collections accepted at Parks and Rec Admin Building
* Reindeer Romp 5k and Kids Dash: Saturday, December 12th, 8:45am at Town Center Park
* Registration for Fall programs opens on December 14th
* Holiday Fun Fest: Wednesday, December 16th, 4-6pm at the Community Center