

ORDINANCE NO. 559

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM PUBLIC FACILITY (PF) ZONE TO VILLAGE (V) ZONE ON APPROXIMATELY 13.55 ACRES WITHIN VILLEBOIS VILLAGE IN THE SOUTHEASTERN PORTION OF TAX LOT 2900, SECTION 15, T3S, R1W, CLACKAMAS COUNTY, OREGON, AND DECLARING AN EMERGENCY, VILLEBOIS LLC, APPLICANT.

WHEREAS, Villebois LLC has requested a Zone Map Amendment of certain property described in Attachment 1 of this ordinance; and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated September 1, 2003, wherein it reported that the request is consistent with and meets requirements for approval of a Zone Map Amendment; and

WHEREAS, the Development Review Board Panel 'A' held a public hearing on this request on September 8, 2003, and after taking testimony, gave full consideration to the matter and recommended approval of the request; and

WHEREAS, the Wilsonville Planning Staff prepared a supplemental staff report to City Council dated September 11, 2003; and

WHEREAS, on September 29, 2003, the Wilsonville City Council held a public hearing regarding the above described matter, considered the record before the Development Review Board and staff reports, took testimony, and, upon deliberation, has concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the city's land development code,

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

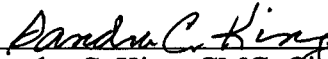
Section 1. Findings. The City Council adopts as findings and conclusions the forgoing recitals and the staff reports in this matter labeled Exhibit A and B, which Exhibits are attached hereto and incorporated herein as if fully set forth.

Section 2. Approval. Approval of the Zone change is conditioned upon Villebois LLC and the City entering into the Agreement regarding fees and charges authorized by Resolution No. 1850.


Section 3. Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order 03DB22, attached hereto, from *Public Facility (PF)* zone to *Village (V)* zone on the southeastern portion of Tax Lot 2900, Section 15, T3S, R1W, Clackamas County, Oregon, depicted on the attached map (Attachment 1), Clackamas County, Wilsonville, Oregon.

Section 4. Effective Date. The City Council hereby determines that the State of Oregon's timeline for land acquisition by the master planner, time sensitive acquisition and construction financing commitments, public benefits resulting from application of this legislation to pending applications and potential development within the remaining construction season, and the legal necessity that this Zone Change be effective prior to necessary development approvals, operate to make time of the essence. As such, an emergency exists and it is in the public interest that this Ordinance shall take effect immediately upon final reading and passage by the Council.

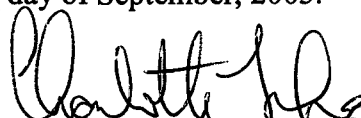
SUBMITTED to the Wilsonville City Council and read the first and second time at a special meeting thereof on the 29th day of September, 2003, commencing at the hour of 7 p.m. at the Wilsonville Community Center, 7965 SW Wilsonville Road, Wilsonville, OR.


Sandra C. King, CMC, City Recorder

ENACTED by the City Council on the 29th day of September, 2003, by the following votes: Yes: -5- No: -0-


Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this 30th day of September, 2003.


CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Scott-Tabb	Yes
Councilor Kirk	Yes
Councilor Holt	Yes

Attachments:

Attachment 1 – Map depicting zone change
Exhibit A – DRB Panel A Staff Report
Exhibit B – City Council Staff Report
Zoning Order 03DB22

BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON

In the Matter of the Application of)
Villebois LLC)
for a Rezoning of Land and Amendment of) **ZONING ORDER 03DB22**
the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

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

It appears to the Council that the property, which is the subject of this application, is described as follows: a portion of Tax Lot 2900 in Section 15, T3S R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the official Zoning Map as *Public Facility (PF)*.

The Council having heard and considered all matters relevant to the application, including the Development Review Board record and recommendation, finds that the application should be approved, and it is therefore,


ORDERED that approximately 13.55 acres of Tax Lot 2900 in Section 15, T3S R1W, Wilsonville, Clackamas County, Oregon, more particularly described in Attachment 1 to this order, is hereby rezoned to *Village (V)*, and such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order. Approval of the Zone Change is conditioned upon Villebois LLC and the City entering into the Agreement regarding fees and charges authorized by Resolution No. 1850.

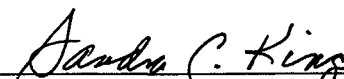
Dated: This 30th day of September 2002.

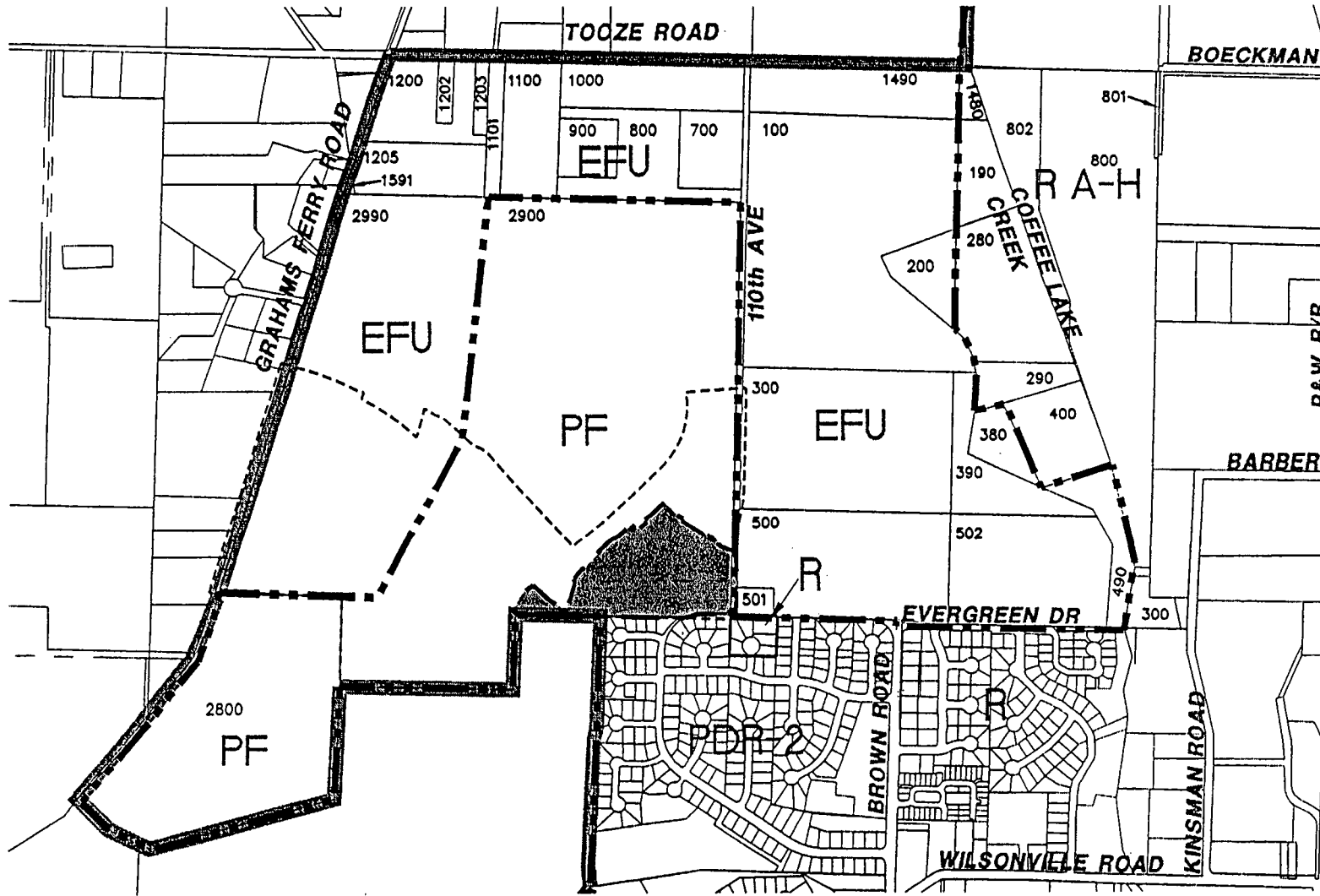

CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM:

ATTEST:


Michael E. Kohlhoff, City Attorney


Sandra C. King, CMC, City Recorder



LEGEND

- SUBJECT AREA - PROPOSED VILLAGE ZONE (13.55 AC)
- SUBJECT AREA BOUNDARY
- SAP SOUTH BOUNDARY
- EXISTING UGB
- EXISTING CITY BOUNDARY
- PF** EXISTING ZONING DESIGNATION



1" = 1000'



ALPHA ENGINEERING INC.
8/28/2003

**WILSONVILLE PLANNING DIVISION
Wilsonville Development Review Board
STAFF REPORT**

HEARING DATE: September 8, 2003

DATE OF REPORT: September 1, 2003

APPLICATION NO.: 03DB22

APPLICANT: Costa Pacific Communities (Master Planner), agent for Villebois, LLC

OWNER: State of Oregon, Department of Administrative Services; Villebois, LLC (contract purchaser)

REQUEST: Recommendation of approval to the City Council of a Zone Map Amendment to change the *Public Facility (PF)* zone on approximately 13.55 acres within Villebois Village to the *Village* zone. Proposed uses are those permitted under Wilsonville Code 4.125 (Village Zone).

LOCATION: Approximately 13.55 acres generally bounded on the east by 110th Avenue, on the south by the Park at Merryfield #4 Subdivision, and on the west and north by the remainder of the Villebois Village Specific Area Plan – South. The entire site is located within the Wilsonville City Limits

LEGAL DESCRIPTION: Southeastern portion of Tax Lot 2900, Section 15, T3S, R1W, Clackamas County, Oregon, depicted on the attached map (Attachment 1)

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

ZONING DESIGNATION: Wilsonville Zone Map Classifications: *Public Facility*

STAFF REVIEWERS:

Barbara Coles, Maggie Collins, Paul Cathcart, Paul Lee, Eldon Johansen

CRITERIA:

City of Wilsonville

Comprehensive Plan

Land Use and Development

Compact Urban Development

Implementation Measures 4.1.6.a, c, and d

Planning & Land Development Ordinance

Sections 4.029, 4.110(.01)(H), 4.125(.18)(B)(2), 4.136(.01), 4.197(.02)

DESCRIPTION OF ACTION:

The Development Review Board is being asked to review a proposal to amend the Wilsonville Zoning Map for approximately 13.55 acres that carry the Comprehensive Plan Map designation of 'Residential-Village'. The request is being submitted concurrently with a Preliminary Development Permit application (File No. 03DB23) for only residential development for the first phase of Specific Area Plan – South (File No. 03DB21) of Villebois Village.

ATTACHMENTS & EXHIBITS:

See last page of this report. Oversize exhibits and attachments are available for review in the Planning Division.

BACKGROUND:

A. History

The Wilsonville City Council adopted *Villebois Village Concept Plan* by Ordinance No. 553 on June 2, 2003. This action culminates a process begun in 1995 to address a continuing interest by the City in the use and development of the former Dammasch Hospital site and surrounding properties by developing a land use concept for the 198 acres of the Dammasch State Hospital complex and for an additional 332 acres of surrounding properties within the Metro Urban Growth Boundary.

Also on June 2, 2003, the City Council adopted Ordinance No. 554, which added text and policy to the Comprehensive Plan about the *Villebois Village Concept Plan* area (File No. 02PC07A), and Ordinance No. 555, which amended the Comprehensive Plan Map to place approximately 481 acres of this area under a "Residential-Village" designation

(File No. 02PC07C), in anticipation of future development as identified in the *Concept Plan*.

On August 18, 2003, the Wilsonville City Council adopted Ordinance No. 556, the *Villebois Village Master Plan* (File No. 02PC07B) following a recommendation by the Planning Commission and review by interested citizens of Wilsonville, affected property owners, Wilsonville Staff, affected jurisdictions and other stakeholders. The *Master Plan* identified the infrastructure expansion that is necessary for the development proposed by the *Concept Plan* to occur.

On August 13, 2003, the Planning Commission also recommended to the City Council the adoption of an amendment to the City's Code, Chapter 4, the Planning and Land Development Code, to add a 'Village Zone' (File No. 02PC08) as the base zone for land designated 'Residential - Village' on the City's Comprehensive Map. The *Village Zone* is the implementing tool for this Plan designation and is proposed to be administered in accordance with the goals and concepts of the adopted *Villebois Village Concept Plan* and *Villebois Village Master Plan*.

B. The DRB Review and Adoption Process

The Development Review Board is being asked to review and approve concurrent applications leading to permitting of a section within the first phase of the development for Villebois Village. The applicant is submitting:

- A Specific Area Plan (SAP-South) and map refinement to the City's Significant Resource Overlay Zone (File No. 03DB021) for 94.68 acres within Villebois,
 - A Preliminary Development Plan (PDP) with concurrent Zone Change request for 13.55 acres of the SAP-South area (Files No. 03DB23 and 03DB22, respectively),
 - A Preliminary Subdivision Plat for 60 lots covered by the PDP (File No. 03DB24), and
 - A Partition Plat for Tax Lot 2900 (File no. 03DB25).

The Specific Area Plans are advanced engineering and planning documents which coordinate proposed residential and/or commercial land uses with grading, drainage, streets, utilities, and related infrastructure throughout the *Villebois Village Master Plan* area. Each Specific Area Plan will conform to the goals, concepts, and standards of the *Master Plan*.

Final Development Plans will be reviewed subsequent to positive action on the applications listed above. These will include a final map and text containing all the descriptions, locations, specifications, dedications, provisions and information concerning the proposed development. Villebois is proposed to be developed over a period of seven to 12 years. Phasing will be determined by several factors, including

response to market analysis and market conditions, availability and capacity of existing utilities and infrastructure, and timing of road improvement approval and funding.

C. Outstanding Issues

The Development Review Board's action on the zone change request will be a recommendation to City Council. Approval by the Board of the PDP, Subdivision, and Partition requests is contingent upon City Council Approval of the requested zone change.

ANALYSIS AND FINDINGS OF FACT: See Attachment B

CONCLUSIONS AND RECOMMENDATIONS:

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 recommend to the City Council approval of the application for zone change (File No. 03DB22); and that the City of Wilsonville Official Zoning Map subsequently be revised per Attachment 1. Staff further recommends that conditions be placed on concurrent File Nos. 03DB21, 03DB23, 03DB24, and 03DB25 indicating that the Board's actions on these applications rely on a positive City Council action on this zone change and zone map amendment request.

RESPONSES RECEIVED: No responses have been received at this time.

ATTACHMENTS AND EXHIBITS:

- Attachment A: Proposed Amendment to the City of Wilsonville's Zoning Map
- Attachment B: Analysis and Findings of Fact for File No. (03DB22)
- Applicant's Submittal Documents from Preliminary Development Plan Submittal Documents Notebook dated August 19, 2003
 - Page 4 of the Narrative
 - Pages 2-15 (V zone) & 21-22 (Zone Change criteria) of Supporting Compliance Report (Exhibit B)
 - Exhibit D – Supporting Utility & Drainage Reports
 - Exhibit E – Traffic Impact Analysis

ATTACHMENT B

ZONE CHANGE ANALYSIS AND FINDINGS OF FACT

A. CITY OF WILSONVILLE COMPREHENSIVE PLAN

Staff finds that Implementation Measures 4.1.6.a, c, and d of the new section entitled 'Compact Urban Development' (File No. 02PC07(A), Ordinance No. 554) apply. This section adds to the existing zoning ordinance (Chapter 4) provisions to implement the *Villebois Village Master Plan*. These new provisions, the Village (V) zone (Section 4.125 of the Code), apply to lands designated 'Residential Village' on the Comprehensive Plan Map.

Compact Urban Development

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.

FINDING A-1: This application is being submitted and reviewed concurrently with a Preliminary Development Plan (File No. 03DB23) for a portion of SAP-South (File No. 03DB21). **A final Finding of compliance with this Implementation Measure will be determined by the evaluation of relevant regulatory compliance, and subsequent conclusions and actions of the Development Review Board on the Preliminary Development Plan.**

Implementation Measure 4.1.6.c – The “Village” Zone District shall be applied in all areas that carry the Residential – Village Plan Map designation.

FINDING A-2: The application proposes a zone change to 'Village' for the subject property area which carries the *Residential-Village* Plan Map designation. **Staff finds that the application is in conformance with this Implementation Measure.**

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.

FINDING A-3: The property that is the subject of this zone change application is not in the central core area. Rather, it is described by the applicant on page 4 of the PDP application narrative as providing residential uses (60 lots) and parks and open space areas on approximately 13.55 acres within the southern portion of Villebois west of SW

110th Avenue. Table A on page 4 lists the proposed range of residential units (six types) which are interspersed to provide a diverse mix of housing that increases in density from the southern edge of the PDP toward the Village Center, north of the subject property. Staff has determined (See Attachment B of the SAP-South staff report) that the proposed residential land use and housing types in this area are generally consistent with those portrayed in the *Villebois Village Master Plan*, which this regulation is intended to implement. **Staff finds that the application is in conformance with this Implementation Measure.**

B. CITY OF WILSONVILLE PLANNING & LAND DEVELOPMENT ORDINANCE

This section addresses the applicable Code review criteria that include Section 4.125 – *Village (V) Zone*, which the Planning Commission recently recommended to the City Council for adoption. The *Village Zone* text prescribes standards, processes, and design guidelines and principles to be applied within the Villebois Village area of the City of Wilsonville. Property designated ‘*Residential-Village*’ on the Wilsonville Comprehensive Plan Map and intended for residential development may be developed only under V Zone regulations. Staff finds that the following sections apply: Sections 4.029, 4.110(.01)(H), 4.125(.18)(B)(2), 4.136(.01), 4.197(.02).

Section 4.029 Zoning to be Consistent with 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.

FINDING B-1: Staff finds that the application will comply with this section of the Wilsonville Code upon demonstration of compliance by the Preliminary Development Plan.

Section 4.110 Zoning – Zones

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

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

FINDING B-2: The subject property is within the city limits of Wilsonville and is currently zoned ‘*Public Facility*’. The request is for a zone change to ‘*Village*’. Both Base Zones are permitted within the area designated ‘*Residential-Village*’ on the Comprehensive Plan Map. However, the zone change request is being reviewed concurrently with a Specific Area Plan and Preliminary Development Plan which emphasize residential uses. **Staff finds that Residential uses are not permitted under**

'Public Facility' zoning per section 4.136 of the Code but are permitted under section 4.125 'Village'. Therefore, 'Village' is the appropriate zoning for the subject property to implement the Villebois Village Concept Plan.

Section 4.125 Village

(.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.

FINDING B-3: The subject property lies within the area designated 'Residential-Village' on the Comprehensive Plan Map. **Staff finds that this zone is applicable to the subject property.**

(.02) Permitted Uses

FINDING B-4: The proposed uses listed in the associated application for a Preliminary Development Plan (see File No. 03DB23) are consistent with the land uses permitted under the *Village* zone. The PDP, in Exhibit B, Section I - *Village Zone* states, "The proposed Preliminary Development Plan will create lots intended for the use of a variety of single-family detached dwellings and row houses, as well as park and open space areas. All proposed uses within the subject Preliminary Development Plan are permitted pursuant to subsection (.02) [of Section 4.125 of the Code]." **Staff finds that single family dwellings, row houses, and parks are permitted under Section 4.125(.02)(A)(D) and H) and that the Village zone is appropriate for the proposed uses.**

(.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....

FINDING B-5 The application for a zone change is being made concurrently with an application for PDP (Preliminary Development Plan) approval (File No. 03DB23). **Staff finds that the application complies with this section of the Wilsonville Code.**

Section 4.136 PF – Public Facility Zone

(.01) Purpose: The PF zone is intended to be applied to existing public lands and facilities; including quasi-public lands and facilities which serve and benefit the community and its citizens. Typical uses permitted in the PF Zone are schools, churches, public buildings, hospitals, parks and public utilities. Not all of the uses permitted in this zone are expected to be publicly owned.

FINDING B-6 The subject property currently is zoned PF. Its most recent land use was supporting the F. H. Dammasch State Hospital. **Staff finds that this zone is applicable to the subject property. (See also FINDING B-2.)**

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

FINDING B-7: Section 4.140 – Planned Development Regulations, 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 an 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.

Staff finds that with the approval of the application, the appropriate zoning will be established for the proposed development. This application is being submitted and reviewed concurrently with a Preliminary Development Plan (File No. 03DB23) for a portion of SAP-South. If this request receives a recommendation for approval from the Development Review Board, the recommendation should reflect a requirement that concurrent applications (File No. 03DB21, 03DB23, 03DB24, and 03DB25) shall be subject to City Council action on File No. 02DB22.

(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

FINDING B-8: Findings in Section A of this attachment demonstrate consistency with the Comprehensive Plan map designation and compliance with the applicable elements of the Comprehensive Plan. **Staff finds that the application complies with this section.**

(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

FINDING B-9: The applicant states in Exhibit B of the PDP application (page 21, item C) that, "Comprehensive Plan Implementation Measure 4.1.6.c states 'the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.' Since, the Village zone must be applied to areas designated Residential Village on the Comprehensive Plan Map, and is the only zone that may be applied to these areas, its application to these areas is consistent with the Comprehensive Plan, which describes the Village zone as implementing the Residential-Village Comprehensive Plan Map designation." **Staff finds that the subject property is not zoned Residential on the Comprehensive Plan Map but rather Residential – Village. This subsection does not apply to the subject application.**

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

(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

FINDING B-10: This application is being submitted and reviewed concurrently with a Preliminary Development Plan (File No. 03DB23) for a portion of SAP-South. **Full compliance with this Implementation Measure will be determined by the evaluation of relevant regulations, and subsequent conclusions and actions of the Development Review Board on the Preliminary Development Plan. (File No. 03DB23)**

FINDING B-11: The applicant states in Exhibit B, page 22 of the PDP application that, "The proposed development does not include any identified SROZ areas, identified natural hazards, or identified geologic hazards." The City's Significant Resource Overlay Zone Map does not

identify resources on the subject property. On page 19, the applicant states that there are no earth movement hazard areas, soil hazard areas, or any areas impacted by a 100-year flood plain. **Staff finds that this subsection does not apply to the subject application.**

(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

FINDING B-12: Exhibit B, page 22, of the PDP application states that, "The applicant is committed to a development schedule demonstrating that the development of the subject property is reasonably expected to commence within two (2) years of the initial approval of the zone change." **Staff finds that the application complies with this section of the Wilsonville Code.**

(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.

FINDING B-13: Staff is recommending conditions of approval that bring the proposed development into compliance with all applicable development standards. Please refer to the staff report for the Preliminary Development Plan (File No. 03DB23). **Staff finds that the application complies with this section of the Wilsonville Code.**

WILSONVILLE PLANNING DIVISION
Wilsonville City Council
STAFF REPORT

HEARING DATE: September 29, 2003

DATE OF REPORT: September 11, 2003

APPLICATION NO.: 03DB22

APPLICANT: Costa Pacific Communities (Master Planner), agent for Villebois, LLC

OWNER: State of Oregon, Department of Administrative Services; Villebois, LLC (contract purchaser)

REQUEST: Recommendation of approval to the City Council of a Zone Map Amendment to change the *Public Facility (PF)* zone on approximately 13.55 acres within Villebois Village to the *Village* zone. Proposed uses are those permitted under Wilsonville Code 4.125 (Village Zone).

LOCATION: Approximately 13.55 acres generally bounded on the east by 110th Avenue, on the south by the Park at Merryfield #4 Subdivision, and on the west and north by the remainder of the Villebois Village Specific Area Plan – South. The entire site is located within the Wilsonville City Limits

LEGAL DESCRIPTION: Southeastern portion of Tax Lot 2900, Section 15, T3S, R1W, Clackamas County, Oregon, depicted on the attached map (Attachment 1)

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

ZONING DESIGNATION: Wilsonville Zone Map Classifications: *Public Facility*

STAFF REVIEWERS: Maggie Collins, Paul Lee

CRITERIA:

City of Wilsonville

Comprehensive Plan

Land Use and Development

Compact Urban Development

Implementation Measures 4.1.6.a, c, and d

Planning & Land Development Ordinance

Sections 4.029, 4.110(.01)(H), 4.125(.18)(B)(2),
4.136(.01), 4.197(.02)

DESCRIPTION OF ACTION:

Adopt the recommendation outlined in Resolution No. 03DB22 by Development Review Board Panel A to amend the Wilsonville Zoning Map for approximately 13.55 acres that carry the Comprehensive Plan Map designation of 'Residential-Village' (Ordinance No. 559). The request has been submitted concurrently with a Preliminary Development Permit application (File No. 03DB23) for only residential development for the first phase of Specific Area Plan – South (File No. 03DB21) of Villebois Village.

BACKGROUND:

See Exhibit B to Ordinance No. 559.

The Development Review Board held a public hearing and reviewed the following applications on September 8, 2003:

- A Specific Area Plan (SAP-South) and map refinement to the City's Significant Resource Overly Zone (File No. 03DB021) for 94.68 acres within Villebois;
- A Preliminary Development Plan (PDP) and a Zone Change request for 13.55 acres of the SAP-South area (Files No. 03DB23 and 03DB22);
- A Preliminary Subdivision Plat for 60 lots covered by the PDP (File No. 03DB24); and
- A Partition Plat for Tax Lot 2900 (File No. 03DB25).

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Final Development Plans will be reviewed subsequent to positive action on the applications listed above. These will include a final map and text containing all the descriptions, locations, specifications, dedications, provisions and information concerning the proposed development. Villebois is proposed to be developed over a period of seven to 12 years. Phasing will be determined by several factors, including response to market analysis and market conditions, availability and capacity of existing utilities and infrastructure, and timing of road improvement approval and funding.

Approval by the Development Review Board of the PDP, Subdivision, and Partition requests is contingent upon City Council approval of the requested zone change.

ANALYSIS AND FINDINGS OF FACT: See Exhibit B to Ordinance No. 559.

CONCLUSIONS AND RECOMMENDATION:

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 City Council approve the application for zone change, Planning File No. 03DB22, by adoption of Ordinance No. 559; and that the City of Wilsonville Official Zoning Map subsequently be revised per Attachment 1.

RESPONSES RECEIVED: No communications have been received at this time.

ATTACHMENTS AND EXHIBITS:

- Attachment 1 Proposed Zone Map Amendment to the City of Wilsonville's Zoning Map

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

In the Matter of the Application of)
Villebois LLC)
for a Rezoning of Land and Amendment of) **ZONING ORDER 03DB22**
the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
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The above-entitled matter is before the Council to consider the application of Villebois LLC, for a Zone Map Amendment and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

It appears to the Council that the property, which is the subject of this application, is described as follows: a portion of Tax Lot 2900 in Section 15, T3S R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the official Zoning Map as *Public Facility (PF)*.

The Council having heard and considered all matters relevant to the application, including the Development Review Board record and recommendation, finds that the application should be approved, and it is therefore,

ORDERED that approximately 13.55 acres of Tax Lot 2900 in Section 15, T3S R1W, Wilsonville, Clackamas County, Oregon, more particularly described in Attachment 1 to this order, is hereby rezoned to *Village (V)*, and such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 29th day of September 2002.

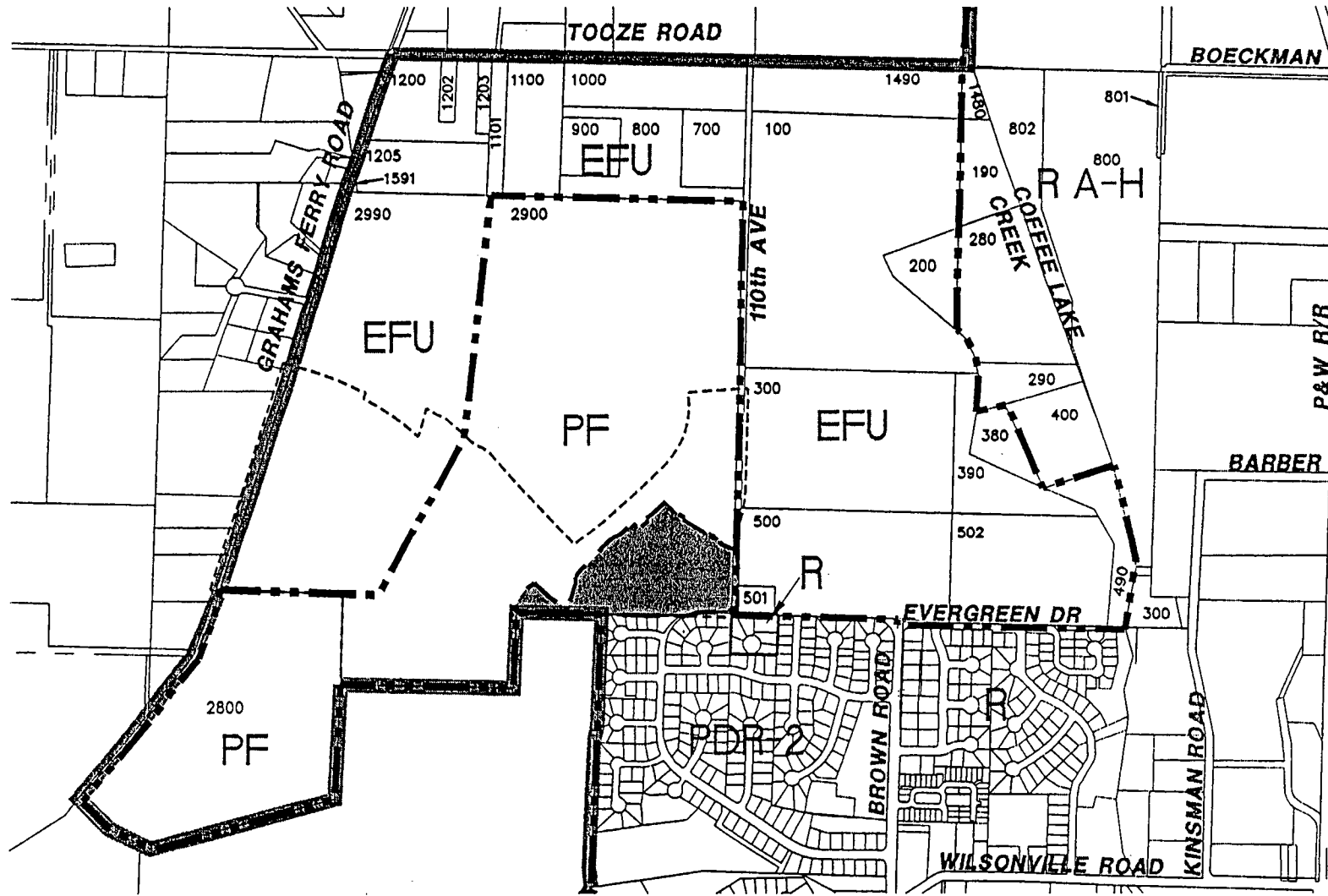
CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM:

ATTEST:

Michael E. Kohlhoff, City Attorney

Sandra C. King, CMC, City Recorder



LEGEND

- SUBJECT AREA - PROPOSED VILLAGE ZONE (13.55 AC)
- SUBJECT AREA BOUNDARY
- SAP SOUTH BOUNDARY
- EXISTING UGB
- EXISTING CITY BOUNDARY
- PF** EXISTING ZONING DESIGNATION



1" = 1000'



ALPHA ENGINEERING INC.
8/28/2003