

**ORDINANCE NO. 572**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM PUBLIC FACILITY (PF) ZONE TO VILLAGE (V) ZONE ON APPROXIMATELY 25.28 ACRES WITHIN VILLEBOIS VILLAGE IN THE SOUTHEASTERN PORTION OF TAX LOT 2900, SECTION 15, T3S, R1W, CLACKAMAS COUNTY, OREGON, COSTA PACIFIC COMMUNITIES, MASTER PLANNER AND AGENT FOR WEST HILLS DEVELOPMENT, APPLICANT.**

WHEREAS, Villebois LLC has requested a Zone Map Amendment of certain property described in Attachment 2 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 7, 2004 (Attachment 4), 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 13, 2004, 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 20, 2004 (Attachment 3); and

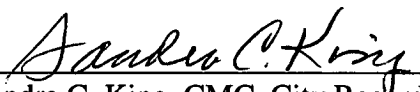
WHEREAS, on September 20, 2004, the Wilsonville City Council held a public hearing regarding the above described matter, considered the record before the Development Review Board and staff reports, took testimony, and, upon deliberation, has concluded that the proposed Zone Map Amendment meets the applicable 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 Attachments 3 and 4, which are attached hereto and incorporated herein as if fully set forth.

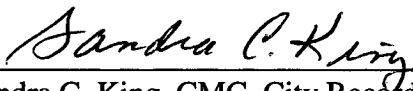
Section 2. Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order 04DB13, attached hereto, from *Public Facility (PF)* zone to *Village (V)* zone on the southeastern portion of Tax Lot 2900, Section 15, T3S, R1W, Clackamas County, Oregon, depicted on the attached map (Attachment 1), Clackamas County, Wilsonville, Oregon.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 20th day of September 2004, commencing at the hour of 7 P.M. at the Wilsonville Community Center, and scheduled for second reading on October 4, 2004 at a regular meeting of the City Council commencing at the hour of 7.P.M., at the Wilsonville Community Center.

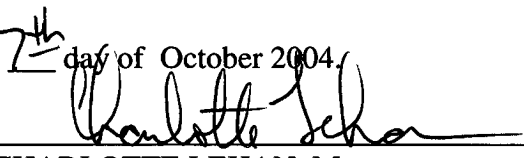
  
Sandra C. King, CMC, City Recorder

ENACTED by the City Council on the 4<sup>th</sup> day of October, 2004, by the following votes:

Yes: 4            No: 0

  
Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this 7<sup>th</sup> day of October 2004.

  
CHARLOTTE LEHAN, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra C. King, City Recorder, CMC

SUMMARY OF VOTES:

Mayor Lehan	Yes
Council President Kirk	Yes
Councilor Holt	Yes
Councilor Scott-Tabb	Excused
Councilor Knapp	Yes

Attachments:

- Attachment 1 - Map depicting zone change
- Attachment 2 - Legal Description
- Attachment 3 - Staff Report to City Council
- Attachment 4 - DRB Recommendation to City Council and adopted Staff Report
- Zoning Order 04DB13

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

In the Matter of the Application of )  
**Villebois LLC** )  
for a Rezoning of Land and Amendment of ) **ZONING ORDER 04DB13**  
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)*.

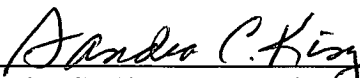
The Council having heard and considered all matters relevant to the application, including the Development Review Board record and recommendation, finds that the application should be approved, and it is therefore,

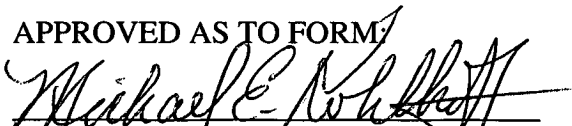
ORDERED that approximately 25.28 acres of Tax Lot 2900 in Section 15, T3S R1W, Wilsonville, Clackamas County, Oregon, more particularly described in Attachment 1 to this order, is hereby rezoned *to Village (V)*, and such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

DATED this 7<sup>th</sup> day of October 2004.

  
CHARLOTTE LEHAN, Mayor

ATTEST:

  
Sandra C. King, CMC, City Recorder

APPROVED AS TO FORM:  
  
Michael E. Konlhoff, City Attorney

SEPTEMBER 20, 2004

LEGAL DESCRIPTION  
ZONE MAP AMENDMENT  
CITY OF WILSONVILLE CASE FILE NO. 04DB13  
TRACT 2

JOB NO. 394-007

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON AND BEING A PORTION OF PARCEL 2, PARTITION PLAT 2003-090, CLACKAMAS COUNTY SURVEY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

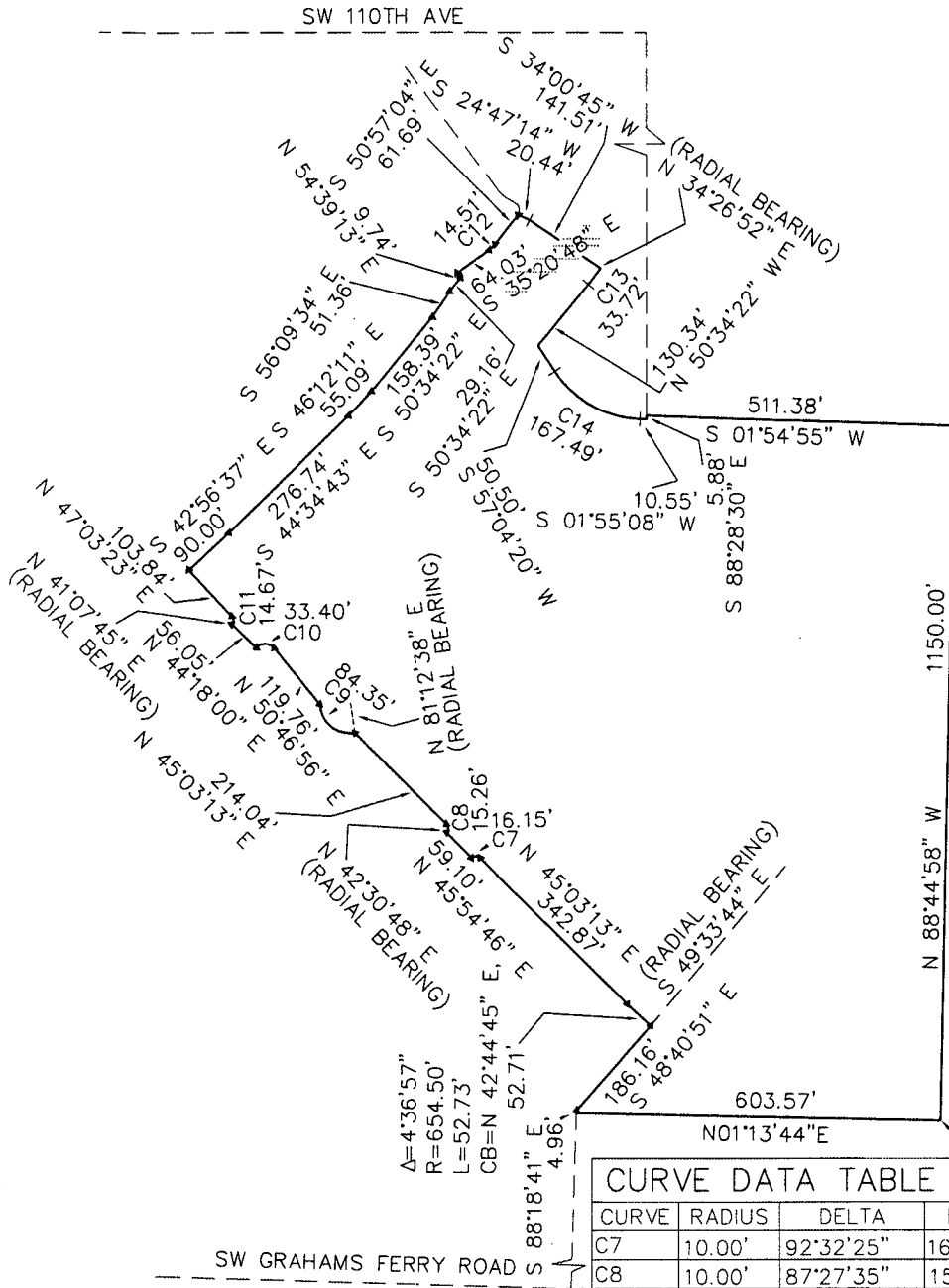
BEGINNING AT A 5/8" IRON ROD, MARKING THE SOUTHWEST CORNER OF PARCEL 2, PARTITION PLAT 2003-090, CLACKAMAS COUNTY SURVEY RECORDS; THENCE ALONG THE WEST LINE OF SAID PARCEL 2, NORTH 01°13'44" EAST, 603.57 FEET TO A 5/8" IRON ROD MARKING THE NORTHWEST CORNER OF SAID PARCEL; THENCE ALONG THE NORTH LINE OF SAID PARCEL, SOUTH 88°18'41" EAST, 4.96 FEET; THENCE LEAVING SAID LINE SOUTH 48°40'51" EAST, 186.16 FEET; THENCE ALONG THE ARC OF A NON-TANGENT 654.50 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 49°33'44" EAST, CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 04°36'57", 52.73 FEET (THE CHORD OF WHICH BEARS NORTH 42°44'45" EAST, 52.71 FEET); THENCE NORTH 45°03'13" EAST, 342.87 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 92°32'25", 16.15 FEET (THE CHORD OF WHICH BEARS NORTH 01°12'59" WEST, 14.45 FEET); THENCE NORTH 45°54'46" EAST, 59.10 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT 10.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 42°30'48" EAST, CONCAVE NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 87°27'35", 15.26 FEET (THE CHORD OF WHICH BEARS NORTH 88°47'01" EAST, 13.83 FEET); THENCE NORTH 45°03'13" EAST, 214.04 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT 50.00 FOOT RADIUS CURVE THE RADIUS POINT OF WHICH BEARS NORTH 81°12'38"

EAST, CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 96°39'47", 84.35 FEET (THE CHORD OF WHICH BEARS NORTH 39°32'32" EAST, 74.70 FEET); THENCE NORTH 50°46'56" EAST, 119.76 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 19.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 100°43'51", 33.40 FEET (THE CHORD OF WHICH BEARS NORTH 00°25'01" EAST, 29.26 FEET); THENCE NORTH 44°18'00" EAST 56.05 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT, 10.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 41°07'45" EAST, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 84°04'23", 14.67 FEET (THE CHORD OF WHICH BEARS NORTH 89°05'33" EAST, 13.39 FEET); THENCE NORTH 47°03'23" EAST, 103.84 FEET; THENCE SOUTH 42°56'37" EAST, 90.00 FEET; THENCE SOUTH 44°34'43" EAST, 276.74 FEET; THENCE SOUTH 46°12'11" EAST, 55.09 FEET; THENCE SOUTH 50°34'22" EAST, 158.39 FEET; THENCE SOUTH 56°09'34" EAST, 51.36 FEET; THENCE SOUTH 50°34'22" EAST, 29.16 FEET; THENCE NORTH 54°39'13" EAST, 9.74 FEET; THENCE SOUTH 35°20'48" EAST, 64.03 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 53.26 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 15°36'16", 14.51 FEET (THE CHORD OF WHICH BEARS SOUTH 43°08'55" EAST, 14.46 FEET); THENCE SOUTH 50°57'04" EAST, 61.69 FEET; THENCE SOUTH 24°47'14" WEST, 20.44 FEET; THENCE SOUTH 34°00'45" WEST, 141.51 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT, 388.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 34°26'52" EAST, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 04°58'46", 33.72 FEET (THE CHORD OF WHICH BEARS NORTH 53°03'45" WEST, 33.71 FEET); THENCE NORTH 50°34'22" WEST, 130.34 FEET; THENCE SOUTH 57°04'20" WEST 50.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 174.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 55°09'12", 167.49 FEET (THE CHORD OF WHICH BEARS SOUTH 29°29'44" WEST, 161.10 FEET); THENCE SOUTH 01°55'08" WEST, 10.55 FEET; THENCE SOUTH 88°28'30" EAST, 5.88 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "DEHAAS &

ASSOC, INC.” MARKING AN ANGLE POINT ON THE WEST LINE OF PARCEL 2, PARTITION PLAT 2003-090 CLACKAMAS COUNTY SURVEY RECORDS; THENCE SOUTH 01°54’55” WEST, 511.38 FEET TO A 5/8” IRON ROD WITH YELLOW PLASTIC CAP MARKED “DEHAAS & ASSOC.” MARKING THE SOUTHEAST CORNER OF SAID PARCEL 2; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 2, NORTH 88°44’58” WEST, 1150.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 25.28 ACRES MORE OR LESS.

BASIS OF BEARINGS PER PARTITION PLAT NO. 2003-090 CLACKAMAS COUNTY SURVEY RECORDS.




CURVE DATA TABLE

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C7	10.00'	92°32'25"	16.15'	N 01°12'59" W	14.45'
C8	10.00'	87°27'35"	15.26'	N 88°47'01" E	13.83'
C9	50.00'	96°39'47"	84.35'	N 39°32'32" E	74.70'
C10	19.00'	100°43'51"	33.40'	N 00°25'01" E	29.26'
C11	10.00'	84°04'23"	14.67'	N 89°05'33" E	13.39'
C12	53.26'	15°36'16"	14.51'	S 43°08'55" E	14.46'
C13	388.00'	04°58'46"	33.72'	N 53°03'45" W	33.71'
C14	174.00'	55°09'12"	167.49'	S 29°29'44" W	161.10'

$\Delta = 4'36.57"$   
 $R = 654.50'$   
 $L = 52.73'$   
 $CB = N 42'44'45" E$   
 $4.96'$

N. Proj. 394-007 View MSC. EXHIBIT SYSTEM CHANGE PLANNING & DEVELOPMENT SERVICES SURVEYING SHEET 6 of 11 Sep 20, 2004 1:43pm rlm

DRAWN BY: RLM      DATE: 9/20/04  
 REVIEWED BY: AFC      DATE: 9-16-04  
 PROJECT NO.: 394-007  
 SCALE: 1" = 300'  
ZONE CHANGE EXHIBIT



**ALPHA ENGINEERING INC.**  
 PLANNING • DEVELOPMENT SERVICES • SURVEYING

OFFICE 503-452-8003 • FAX 503-452-8043  
 PLAZA WEST • SUITE 230 • 9600 SW OAK • PORTLAND, OR 97223



**PLANNING DIVISION**  
**STAFF REPORT & RECOMMENDATION**

**DATE:** September 20, 2004

**TO:** Honorable Mayor and City Councilors

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

**SUBJECT: Planning File No. 04DB13 – Zone Map Amendment**

**APPLICANT:** Costa Pacific Communities (Master Planner), agent for Villebois, LLC;  
West Hills Development (Developer)

**OWNER:** State of Oregon, Department of Administrative Services Note: Since the application was submitted, ownership of the subject property was conveyed to Villebois LLC who subsequently conveyed ownership to Arbor Villebois LLC.

**DESCRIPTION OF ACTION:**

The City Council is being asked to review a proposal to amend the Wilsonville Zoning Map for approximately 25.03 acres that carry the Comprehensive Plan Map designation of '*Residential-Village*'. The request was submitted concurrently with a Preliminary Development Permit application (part of File no. 04DB12) for only residential development for a portion of Specific Area Plan – South (File no. 03DB21) of Villebois Village. A Zoning Map Amendment would initiate the development permitting process for this area of Villebois Village.

**SUMMARY:**

On September 13, 2004, Development Review Board-Panel A recommended approval of the proposed Zone Map Amendment from the Public Facility (PF) zone to the Village (V) zone in Villebois. Panel A also approved Application 04DB12, Requests A – C, which includes:

- A. Specific Area Plan-South Amendment.** Approved a seventh phase of development with some internal adjustment of phasing boundaries. The phasing plan also included a subdivision plat-naming scheme.
- B Preliminary Development Plan #2 (PDP#2).** Approved Villebois Phases Nos. 2 and 3 of SAP-South (as proposed above). PDP #2 comprises 121 residential lots including approximately 4.64 acres park and open space areas.
- C. Approved a Tree Removal Plan** leading to the issuance of a Type C Tree Removal Permit and,

Ordinance 572  
Attachment 3

**D. Approval of Tentative Subdivision Plat (04DB14)**

**The proposed PDP#2 (04DB12) and the proposed Tentative Subdivision Plat (04DB14) are contingent upon City Council approval of the proposed Zone Map Amendment (04DB13). General background documents for the above approvals are included in the City Council packet.**

The Development Review Board voted 3-0 to recommend approval of the proposed Zone Map Amendment. The findings and conclusions in Exhibit 'C' (*original staff report with proposed findings and conditions of approval*) support the Development Review Board decision for approval.

The Development Review Board adopted staff recommendations and findings included as Exhibit A of proposed Ordinance No. 572, imposing no new conditions.

**RECOMMENDATION:**

After conducting a duly advertised public hearing, that the City Council act favorably on the Development Review Board recommendation of September 13, 2004 to approve the propose Zone Map Amendment and that the City of Wilsonville Official Zoning Map be revised as shown in Attachment 2. Appropriate Council action would be adoption of proposed Ordinance No. 572. City Council's final decision, however, is predicated on a final approval determination for Preliminary Development Plan (PDP#2) for Villebois Phases 2 & 3 (part of File #04DB12) and the Tentative Plat (04DB14).

**DISCUSSION/BACKGROUND:**

- The applicant, West Hills Development proposes the development of a 121-lot residential planned development subdivision, along with associated site improvements, for the property generally located west of 110<sup>th</sup> Avenue and adjacent north of the Wilsonville Tract. Total development site area is approximately 25.03 acres within Specific Area Plan – South.
- The proposed lot dimensions for the "Large Lots" and for the "Row House" Lots do not conform to the lot diagrams in the Villebois Architectural Pattern Book. The applicant will be submitting a separate application to the Development Review Board to modify the Villebois Architectural Pattern Book to accommodate the housing products/lot dimensions being proposed. Thus, the approvals for 04DB12 and 04DB14 are contingent upon DRB approval of the Pattern Book revisions and by the City Council approval of the Zone Map Amendment.
- No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ).

- The proposed Zone Map Amendment meets the Planning and Land Development Ordinance and with the goals, policies, and implementation measures of Wilsonville Comprehensive Plan and with the Villebois Master Plan.
- Primary facilities, i.e., roadways, water and sanitary sewer, are or shortly will be available and are of adequate size to serve the subject territory. Thus, adequate facilities can be provided.
- The public interest is best served by granting the Zone Map Amendment at this time since there is a high demand single-family and multi-family housing.

See the Planning Division Staff Report, Exhibit A, of proposed Ordinance No. 572 for additional detail and findings of fact.

September 15, 2004



30000 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax  
(503) 682-0843 TDD

**DEVELOPMENT REVIEW BOARD PANEL A –  
RECOMMENDATION TO CITY COUNCIL**

**Project Name:** Villebois Village – Specific Area Plan (SAP) South  
Planned Development Plan (PDP) No. 2 – Zone Map Amendment

**Case File No.** 04DB13

**Applicant/Owner:** Costa Pacific Communities, Master Planner and Agent for Villebois,  
LLC./ West Hills Development, Applicant

**Proposed Action:** Approval of a Zone Map Amendment to rezone 25.03 acres of a portion  
of Tax Lot 2900 from *Public Facilities* to *Village Zone* for residential  
development for SAP South, PDP 2, Phases 2 and 3.

**Property Description:** Portion of Tax Lot 2900, Section 15, T3S-R1W, Clackamas County,  
Oregon

**Location:** Villebois Village, west of SW 110<sup>th</sup> Avenue. PDP No. 2 would apply to  
approximately 25.03 acres within SAP South

On September 13, 2004 at the meeting of the Development Review Board Panel A, the following  
decision was made on the above-referenced proposed development application.

- Recommends that the Council approve a Zone Map Amendment on 25.03 acres from  
*Public Facilities* to *Village Zone* for residential development.
- This is scheduled for public hearing before the City Council on September 20, 2004.
- The DRB adopted staff report and recommendation is attached.

For further information, please contact the Wilsonville Planning Division located at the  
Community Development Building, 8445 SW Elligsen Road, Wilsonville, Oregon, 97070 or  
write to Wilsonville Planning Division, 30000 SW Town Center Loop E, Wilsonville Oregon  
97070 or telephone at 503-682-4960.

**Attachments:** Adopted Resolution 04DB13 including

- Exhibit A, Adopted Staff Report,
- Exhibit B: Vicinity Map and
- Exhibit C. Legal Description, and
- motion to approve

Ordinance 572  
Attachment 4



**DEVELOPMENT REVIEW BOARD PANEL A  
RESOLUTION NO. 04DB13  
Villebois Village  
SPECIFIC AREA PLAN – SOUTH  
Planned Development Plan No. 2  
Zone Map Amendment  
RECOMMENDATION TO CITY COUNCIL**

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONE MAP AMENDMENT TO REZONE APPROXIMATELY 25.03 ACRES OF A PORTION OF TAX LOT 2900 FROM 'PUBLIC FACILITIES' (PF) ZONE TO 'VILLAGE' ZONE FOR RESIDENTIAL DEVELOPMENT FOR THE SECOND AND THIRD PHASES OF SPECIFIC AREA PLAN-SOUTH OF VILLEBOIS VILLAGE. THE PROPERTY IS LOCATED ON A PORTION OF TAX LOT 2900, SECTION 15, T3S-R1W, CLACKAMAS COUNTY, OREGON. COSTA PACIFIC COMMUNITIES, MASTER PLANNER AND AGENT FOR WEST HILLS DEVELOPMENT, 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 reports on the above-captioned subject dated September 7<sup>th</sup>, 2004, and

WHEREAS, said planning exhibits and staff reports were duly considered by the Development Review Board at regularly scheduled meeting conducted on September 13, 2004, 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 attached hereto as Exhibit B with findings and recommendations contained therein, and recommends that the City Council approve a Zone Map Amendment from *Public Facilities (PF) Zone to Village Zone* for residential development for the second and third phases of Specific Area Plan-South of Villebois Village as depicted on attached Exhibit A

ADOPTED by Panel A of the Development Review Board of the City of Wilsonville at a regular meeting thereof this 13th day of September 2004, and filed with the Planning Secretary on September 15 2004.

  
\_\_\_\_\_  
Diane Seeley, Chair Panel A  
Wilsonville Development Review Board

Attest:   
Sharon Acker, Administrative Assistant

**WILSONVILLE PLANNING DIVISION**  
**Wilsonville Development Review Board**  
**STAFF REPORT**  
**ADOPTED 9/13/04**

**HEARING DATE:** September 13, 2004

**DATE OF REPORT:** September 7, 2004

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**APPLICATION NO.:** 04DB13

**APPLICANT:** Costa Pacific Communities (Master Planner), agent for Villebois, LLC; West Hills Development (Developer)

**OWNER:** State of Oregon, Department of Administrative Services **Note: Since the application was submitted, ownership of the subject property was conveyed to Villebois LLC who subsequently conveyed ownership to Arbor Villebois LLC. (See Attachment 1)**

**REQUEST:** Review of a proposed Zone Map Amendment to change the *Public Facility (PF)* zone on approximately 25.03 acres within Villebois Village to the *Village* zone. (See Attachment 2) Proposed uses are those permitted under Wilsonville Code 4.125.

**LOCATION:** Approximately 25.03 acres within Specific Area Plan – South, generally located in the southwestern portion of Villebois Village, west of SW 110<sup>th</sup> Avenue. The entire site is located within the Wilsonville City Limits

**LEGAL DESCRIPTION:** Tax Lot 2903, Clackamas Co. Oregon; Township 3 South, Range 1 West, Section 15 depicted on the attached map (Attachment 2)

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

**ZONING DESIGNATIONS:** Wilsonville Zone Map Classification: *Public*

*Facility*

**STAFF REVIEWERS:** Barbara Coles, Blaise Edmonds, Sandi Young,

**REVIEW CRITERIA:**

Comprehensive Plan Land Use and Development Compact Urban Development  
Implementation Measures 4.1.6.a, c, d

Planning & Land Development Ordinance

Section 4.029 - Zoning Consistent with the Comprehensive Plan; Section 4.110 - Zoning  
– Zones (.01) Base Zones (F, H); Section 4.125 - Village (V) Zone (.01); Application  
(.02) Permitted Uses, (.18) Village Zone Development Process (B)(2); Section 4.136 PF  
– Public Facility Zone (.01) Purpose; Section 4.197 Zone Changes and Amendments to  
This Code – Procedures (.02) Review Criteria (A-G); Section 4.140 by reference

**DESCRIPTION OF ACTION:**

The Development Review Board is being asked to review a proposal to amend the  
Wilsonville Zoning Map for approximately 25.03 acres that carry the Comprehensive  
Plan Map designation of 'Residential-Village'. The request is being submitted  
concurrently with a Preliminary Development Permit application (part of File no.  
04DB12) for only residential development for a portion of Specific Area Plan – South  
(File no. 03DB21) of Villebois Village. A Zoning Map Amendment would initiate the  
development permitting process for this area of Villebois Village.

**BACKGROUND:**

The Development Review Board is being asked to review concurrent applications  
proposing development of Phases 2 and 3 of SAP-South. The applicant is submitting  
requests for:

- A Preliminary Development Plan for Villebois Phases 2 and 3 of SAP-South (File No. 04DB12)
- A proposal to add a seventh phase and amending boundaries for phases 2 and 3
- A Tree Removal Plan with request for a Type C tree removal permit
- A Zone Map Amendment to *Village* zone (File No. 04DB13), and
- A Tentative Plat for a subdivision (File No. 04DB14).

The Specific Area Plans are advanced engineering and planning documents, which coordinate the development of 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*. PDPs must be consistent with the SAP in which they would be applied. Phasing is 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.

The Development Review Board's action on the Zone Map Amendment request will be a recommendation to City Council. Approvals by the Board of File No. 04DB12 (SAP-South Amendment, PDP for Phases 2&3, Tree Removal Plan), and File No.04DB14 (Tentative Plat) are contingent upon City Council approval of the requested Zone Map Amendment.

Final Development Plans will be submitted, subsequent to positive action on the applications listed above, which will include all the descriptions, locations, specifications, dedications, provisions, etc. concerning the proposed development.

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**ANALYSIS AND FINDINGS OF FACT:**

Staff has reviewed the Applicant's analysis of compliance with the applicable criteria (Section VA of the submittal). The analysis adequately demonstrates compliance with the City's Comprehensive Plan and the Planning & Land Development Ordinance. In General, Staff adopts the Applicant's responses as Findings of Fact with additional comments as noted.

**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 Map Amendment (File No. 04DB13) and that the City of Wilsonville Official Zoning Map be revised as shown in Attachment 2. City Council's final decision, however, is predicated on receiving a recommendation from the Board and a determination that the Preliminary Development Plan for Villebois Nos. 2 & 3 (part of File No. 04DB12) can be adopted as conditioned through the hearing process.

Staff further recommends that conditions be placed on concurrent File Nos. 04DB12 and 04DB14 indicating that the Board's actions on these applications are contingent upon City Council's action on the Zone Map Amendment request.

**ATTACHMENT 3**  
**ANALYSIS AND FINDINGS OF FACT**  
**ZONE MAP AMENDMENT**

**A. 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.**

**FINDING A-1:** This application is being submitted and reviewed concurrently with a Preliminary Development Plan for a portion of SAP-South (approved by File No. 03DB21).

**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:** This application proposes a zone change to “Village” for the subject property area, which carries the Residential-Village 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.**

**FINDING A-3:** The property that is the subject of this zone change application is not in the central core area. Rather, it provides residential uses (121 lots) and parks and open space areas on approximately 25.03 acres within the southwestern portion of Villebois west of SW 110<sup>th</sup> Avenue. Table A on page 4 of the Introductory Narrative (located in Section IA) lists the proposed range of residential units (five 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. 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, as determined by File No. 03DB21, approving the SAP – South.

## **B. 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.**

**FINDING B-1:** This zone change application is being requested concurrently with a PDP application and Tentative Plat for the site in conformance with the code. The PDP application material can be seen in Section III of this application notebook and the Tentative Plat application material can be seen in Section IV of this application notebook.

### **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”. This 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 Preliminary Development Plan, which emphasizes residential uses. Residential uses are not allowed in the “Public Facility” zone, therefore, the “Village” zoning designation is most appropriate for the subject property to implement the *Villebois Village Concept Plan*.

### **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.**

**FINDING B-3:** The subject property lies within the area designated “Residential – Village” on the Comprehensive Plan Map. This request is for a zone change to “Village”.

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

**FINDING B-4:** The proposed uses listed in the associated application for a Preliminary Development Plan (See Section III of this application notebook) are consistent with the land uses permitted under the *Village* zone. The PDP, located in Section III of this application notebook, 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." 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...**

**FINDING B-5:** The application for a zone change is being made concurrently with an application for PDP (Preliminary Development Plan) approval (See Section III of this application notebook).

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

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

**FINDING B-6:** The subject property is currently zoned PF. The property's most recent use was supporting the F.H. Dammasch State Hospital.

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

- (.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:**
- A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140; and**

**FINDING B-7:** 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**

**FINDING B-8:** 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, it’s application to these areas is consistent with the Comprehensive Plan, which describes the “Village” zone as implementing the Residential – Village Comprehensive Plan Map designation.

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

**FINDING B-9:** 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, it’s application to these areas is consistent with the Comprehensive Plan, which describes the “Village” zone as implementing the Residential – Village Comprehensive Plan Map designation.

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

**FINDING B-10:** The PDP report and the PDP drawings demonstrate that the existing primary public facilities are available and can be provided in conjunction with the project. Section IIIC of this application notebook includes supporting utility and drainage reports and Section IIID will include Traffic Impact Analysis Prepared by DKS and Associates. This report will be submitted following initial submittal of this application notebook.

- 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-11:** An SROZ area is adjacent to proposed No.'s 2 & 3. Appropriate measures have been taken to reduce conflicts between the proposed development and this SROZ area. See Section III E for details regarding this SROZ area.

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

- G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.**

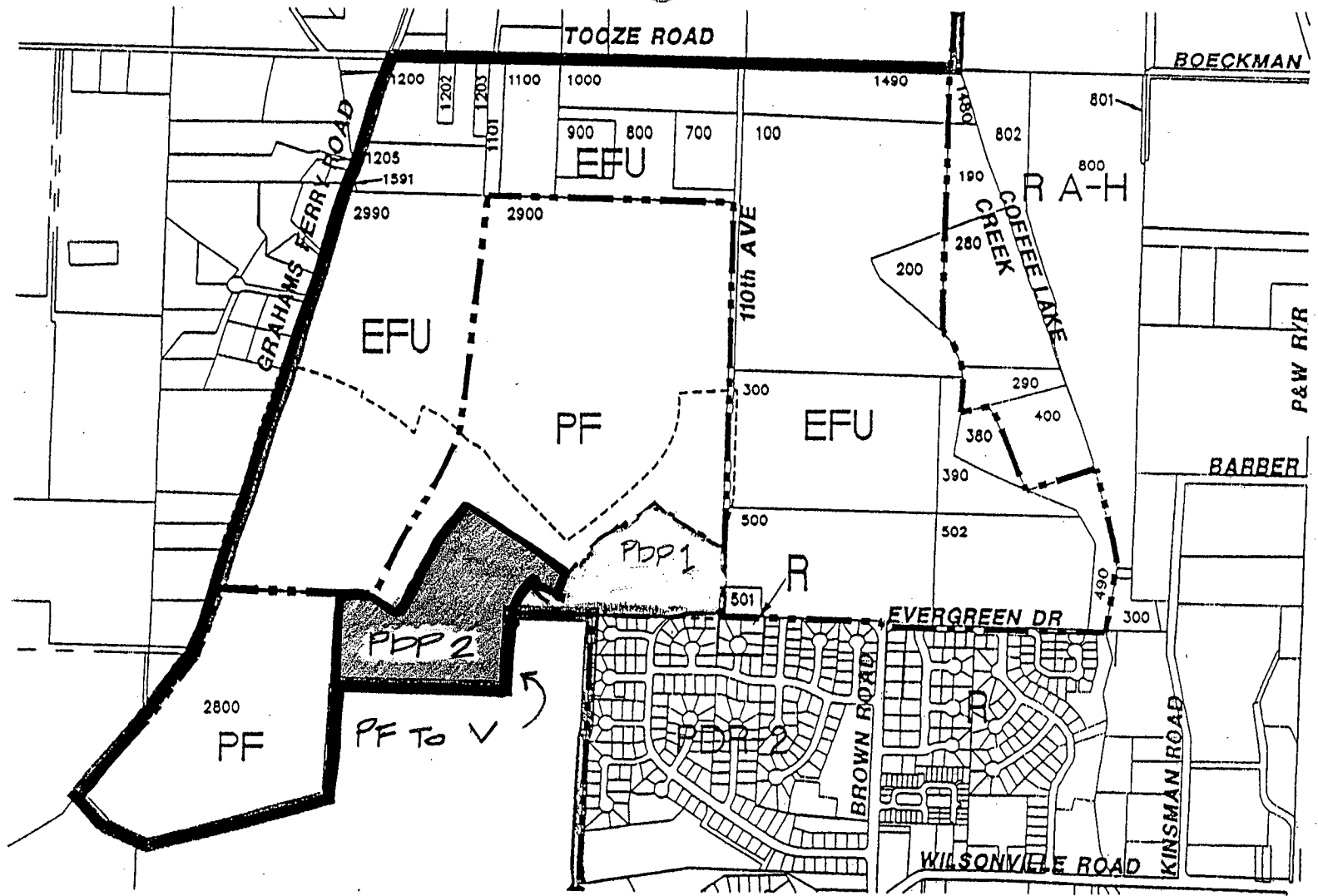
**FINDING B-13:** The proposed development can be developed in compliance with the applicable development standards, as demonstrated by this report.

**ATTACHMENTS (See 04DB12):**






- Attachment 1: Change of ownership documents
- Attachment 2: Proposed Amendment to the City of Wilsonville's Zoning Map
- Attachment 3: Analysis and Findings of Fact for File No. 04DB13

**EXHIBITS:**

- Exhibit A: Staff Report
- Exhibit B: Proposed Zone Map



**LEGEND**

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



1" = 1000'

VICINITY  
MAP

Attachment 1

EXHIBIT B  
FILE NO. 04DB13  
PROPOSED ZONE MAP  
AMENDMENT

Exhibit B  
 04DB13  
 10



**EXHIBIT "A"**  
**Legal Description**

**TRACT 2**

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON AND BEING A PORTION OF PARCEL 2, PARTITION PLAT 2003-090, CLACKAMAS COUNTY SURVEY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD, MARKING THE SOUTHWEST CORNER OF PARCEL 2, PARTITION PLAT 2003-090, CLACKAMAS COUNTY SURVEY RECORDS, THENCE ALONG THE WEST LINE OF SAID PARCEL 2, NORTH 01°13'44" EAST, 603.57 FEET TO A 5/8" IRON ROD MARKING THE NORTHWEST CORNER OF SAID PARCEL; THENCE ALONG THE NORTH LINE OF SAID PARCEL, SOUTH 88°18'41" EAST, 4.96 FEET; THENCE LEAVING SAID LINE SOUTH 48°40'51" EAST, 186.16 FEET; THENCE ALONG THE ARC OF A NON-TANGENT 654.50 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 49°33'44" EAST, CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 04°36'57", 52.73 FEET (THE CHORD OF WHICH BEARS NORTH 42°44'45" EAST, 52.71 FEET); THENCE NORTH 45°03'13" EAST, 342.87 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 92°32'25", 16.15 FEET (THE CHORD OF WHICH BEARS NORTH 01°12'59" WEST, 14.45 FEET); THENCE NORTH 45°54'46" EAST, 59.10 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT 10.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 42°30'48" EAST, CONCAVE NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 87°27'35", 15.26 FEET (THE CHORD OF WHICH BEARS NORTH 88°47'01" EAST, 13.83 FEET); THENCE NORTH 45°03'13" EAST, 214.04 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT 50.00 FOOT RADIUS CURVE THE RADIUS POINT OF WHICH BEARS NORTH 81°12'38" EAST, CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 96°39'47", 84.35 FEET (THE CHORD OF WHICH BEARS NORTH 39°32'32" EAST, 74.70 FEET); THENCE NORTH 50°46'56" EAST, 119.76 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 19.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 100°43'51", 33.40 FEET (THE CHORD OF WHICH BEARS NORTH 00°25'01" EAST, 29.26 FEET); THENCE NORTH 44°18'00" EAST 56.05 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT, 10.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 41°07'45" EAST, CONCAVE NORTHEASTERLY, 14.67 FEET (THE CHORD OF WHICH BEARS NORTH 89°05'33" EAST, 13.39 FEET); THENCE NORTH 47°03'23" EAST, 103.84 FEET; THENCE SOUTH 42°56'37" EAST, 90.00 FEET; THENCE SOUTH 44°34'43" EAST, 276.74 FEET; THENCE SOUTH 46°12'11" EAST, 55.09 FEET; THENCE SOUTH 50°34'22" EAST, 158.39 FEET; THENCE SOUTH 56°09'34" EAST, 51.36 FEET; THENCE SOUTH 50°34'22" EAST, 29.16 FEET; THENCE NORTH 54°39'13" EAST, 9.74 FEET; THENCE SOUTH 35°20'48" EAST, 64.03 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 53.26 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 15°36'16", 14.51 FEET (THE CHORD OF WHICH BEARS SOUTH 43°08'55" EAST, 14.46 FEET); THENCE SOUTH 50°57'04" EAST, 61.69 FEET; THENCE SOUTH 24°47'14" WEST, 20.44 FEET; THENCE SOUTH 34°00'45" WEST, 141.51 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT, 388.00 FOOT

(Continued)

3

Exhibit C  
04DB13

13

**Exhibit "A"**  
**Legal Description**

RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH  $34^{\circ}26'52''$  EAST, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF  $04^{\circ}58'46''$ , 33.72 FEET (THE CHORD OF WHICH BEARS NORTH  $53^{\circ}03'45''$  WEST, 33.71 FEET); THENCE NORTH  $50^{\circ}34'22''$  WEST, 130.34 FEET; THENCE SOUTH  $57^{\circ}04'20''$  WEST 50.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 174.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF  $55^{\circ}09'12''$ , 167.49 FEET (THE CHORD OF WHICH BEARS SOUTH  $29^{\circ}29'44''$  WEST, 161.10 FEET); THENCE SOUTH  $01^{\circ}55'08''$  WEST, 10.55 FEET; THENCE SOUTH  $88^{\circ}28'30''$  EAST, 5.88 FEET TO A  $5/8''$  IRON ROD WITH YELLOW PLASTIC CAP MARKED "DEHAAS & ASSOC, INC." MARKING AN ANGLE POINT ON THE WEST LINE OF PARCEL 2, PARTITION PLAT 2003-090 CLACKAMAS COUNTY SURVEY RECORDS; THENCE SOUTH  $01^{\circ}54'55''$  WEST, 511.38 FEET TO A  $5/8''$  IRON ROD WITH YELLOW PLASTIC CAP MARKED "DEHAAS & ASSOC." MARKING THE SOUTHEAST CORNER OF SAID PARCEL 2; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 2, NORTH  $88^{\circ}44'58''$  WEST, 1150.00 FEET TO THE POINT OF BEGINNING.

**TRACT 3**

A TRACT OF LAND SITUATED IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON AND BEING A PORTION OF PARCELS 2 AND 3 OF PARTITION PLAT NO. 2003-090, CLACKAMAS COUNTY SURVEY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL 3, PARTITION PLAT NO. 2003-090, CLACKAMAS COUNTY SURVEY RECORDS; THENCE ALONG THE EAST LINE OF SAID PARCEL 3, BEING THE WEST RIGHT-OF-WAY LINE OF S.W. 110TH AVENUE (C.R. 355) (BEING 20.00 FEET WESTERLY AT RIGHT ANGLE MEASURE FROM THE CENTERLINE OF SW 110TH AVENUE), SOUTH  $01^{\circ}35'01''$  WEST, 365.97 FEET TO A POINT ON THE NORTH LINE OF S.W. CAMELOT STREET; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. CAMELOT NORTH  $88^{\circ}24'58''$  WEST, 9.98 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT, 30.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH  $88^{\circ}26'26''$  WEST, CONCAVE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF  $90^{\circ}00'36''$ , 47.13 FEET (THE CHORD OF WHICH BEARS SOUTH  $46^{\circ}33'52''$  WEST, 42.43 FEET; THENCE NORTH  $88^{\circ}27'37''$  WEST, 126.42 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 305.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY THROUGH A CENTRAL ANGLE OF  $25^{\circ}37'34''$ , 136.41 (THE CHORD OF WHICH BEARS SOUTH  $78^{\circ}43'37''$  WEST, 135.28 FEET); THENCE LEAVING SAID RIGHT-OF-WAY LINE ALONG THE SOUTH LINE OF SAID PARCEL 3, NORTH  $88^{\circ}27'37''$  WEST, 555.76 FEET; THENCE NORTH  $88^{\circ}28'30''$  WEST, 563.24 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 3; THENCE ALONG THE WESTERLY EXTENSION OF SAID SOUTH PARCEL LINE NORTH  $88^{\circ}28'30''$  WEST, 5.88 FEET; THENCE LEAVING SAID WESTERLY EXTENSION, NORTH  $01^{\circ}55'08''$  EAST, 10.55 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 174.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF  $55^{\circ}09'12''$ , 167.49 FEET (THE CHORD OF WHICH BEARS NORTH  $29^{\circ}29'44''$  EAST, 161.10 FEET); THENCE NORTH  $57^{\circ}04'20''$  EAST, 50.50 FEET; THENCE SOUTH

(Continued)

Exhibit "A"  
Legal Description

50°34'22" EAST, 130.34 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 388.00 RADIUS CURVE, CONCAVE NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 04°58'46", 33.72 FEET (THE CHORD OF WHICH BEARS SOUTH 53°03'42" EAST, 33.71 FEET); THENCE NORTH 34°00'45" EAST, 141.51 FEET; THENCE NORTH 24°47'14" EAST, 20.44 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT, 15.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 28°53'56" EAST, CONCAVE NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 89°37'33", 23.46 FEET (THE CHORD OF WHICH BEARS NORTH 74°05'10" EAST, 21.14 FEET); THENCE NORTH 29°21'54" EAST, 18.90 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT 59.21 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 53°54'59" EAST, CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 15°36'15", 16.13 FEET (THE CHORD OF WHICH BEARS NORTH 43°53'09" EAST, 16.08 FEET); THENCE NORTH 52°35'51" EAST, 254.62 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 51°58'47", 13.61 FEET (THE CHORD OF WHICH BEARS NORTH 26°36'29" EAST, 13.15 FEET); THENCE SOUTH 89°22'56" EAST, 20.00 FEET; THENCE NORTH 52°35'51" EAST, 72.17 FEET; THENCE NORTH 39°14'51" WEST, 83.38 FEET; THENCE NORTH 47°47'39" EAST, 62.17 FEET; THENCE SOUTH 42°56'37" EAST, 64.00 FEET; THENCE NORTH 47°03'23" EAST, 74.00 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 90°00'00", 23.56 FEET (THE CHORD OF WHICH BEARS NORTH 02°03'23" EAST, 21.21 FEET); THENCE NORTH 47°03'23" EAST, 20.00 FEET; THENCE SOUTH 42°56'37" EAST, 124.58 FEET; THENCE NORTH 47°03'23" EAST, 64.00 FEET; THENCE NORTH 42°56'37" WEST, 10.61 FEET; THENCE NORTH 47°03'23" EAST, 161.00 FEET; THENCE SOUTH 42°56'37" EAST, 77.33 FEET; THENCE SOUTH 36°03'01" EAST, 34.39 FEET; THENCE SOUTH 58°04'02" EAST, 11.50 FEET; THENCE SOUTH 58°04'03" EAST, 140.81 FEET; THENCE SOUTH 36°49'30" EAST, 25.36 FEET; THENCE NORTH 74°25'05" EAST, 24.85 FEET; THENCE SOUTH 57°43'14" EAST, 65.85 FEET; THENCE SOUTH 47°36'45" EAST, 55.69 FEET; THENCE SOUTH 70°00'14" EAST, 89.21 FEET TO THE POINT OF BEGINNING.

**B. 04DB13. West Hills Development, Master Planner and Agent for Villebois, LLC.**

Applicant requests approval of a Zone Map Amendment to rezone the *Public Facilities (PF) Zone* on approximately 25.03 acres of a portion of Tax Lot 2900 to the *Village Zone*. Proposed uses are those permitted under W.C. 4.125. *Note: The DRB's action on this item will be a recommendation to City Council for final action. A City Council hearing date has been scheduled for Monday, September 20, 2004 to hear this item.* Staff: Edmonds/Cole

**Motion:**

Bryan Smith moved to approve Resolution 04DB13; Gina Sienia seconded the motion, which passed unanimously 3-0.

**C. 04DB14: West Hills Development, Master Planner and Agent for Villebois, LLC.**

Applicant requests approval of a Tentative Subdivision Plat for 121 lots for PDP #2, Phases 2 and 3. Staff: Edmonds/Cole

**Motion:**

Bryan Smith moved to adopt Resolution 04DB14; Gina Sienia seconded the motion which passed unanimously 3-0.

**A. 04DB12. West Hills Development, Master Planner and Agent for Villebois, LLC.**  
Applicant requests approval of Preliminary Development Plan (PDP) #2, Phases 2 and 3, of Specific Area Plan (SAP) South. This request also includes an amendment to the boundaries of the approved phases within SAP South, and a Type C Tree Preservation Plan for the project.  
Staff: Edmonds/Cole

**Motion:**

Albert Levit moved to adopt the staff report (revised and distributed at the beginning of this meeting) with the following changes:

Page 6 of 17: PF13: Delete the word "public" in reference to "public" water.

Page 8 of 17: PF22: Delete condition in its entirety.

Page 14 of 17: Building Condition #6. Amend as read into the record by Assistant Attorney, Paul Lee:

- 6. WATER TOWERS: The existing two water towers shall remain operational, or another approach acceptable to the Building Official to provide for fire flow serving both the Living Enrichment Center and the existing buildings on the property, shall be implemented by the time the new public water system is installed and approved. A demolition permit from the City of Wilsonville is required for removal of the towers.

The board accepts the proposal for the realignment of the streets without the alleyway – the east/west alleyway in the lower part of the drawing, as submitted in the application. (For the record, identified as Exhibit O: Approved:9.13.04 Case File 04DB12 – Large form board showing colored drawing labeled Villebois No's 2&3 Preliminary Development Plan, Tentative Plat/Site Plan Revised July 30, 2004.)

Page 15 of 17, Item 4. Amend as read into the record:

- 4. Pursuant to the Stormwater Master Plan's Implementation Measure 9.4.1.1, access should be provided for the entire perimeter of the water quality treatment and quantity control facilities, or as approved by the City Engineer. At a minimum, at least one access shall be provided for maintenance and inspection.

Gina Sienna seconded the motion; which passed 2-1.

Vote:

Sienna:	Aye
Levit	Aye
Smith	Nay

**Motion:**

Albert Levit moved to adopt Resolution 04DB12 for West Hills Development- Master Planner and Agent for Villebois. LLC with noted changes.; Gina Sienia seconded the motion which passed 2-1.

Vote:

Sienna:	Aye
Levit:	Aye
Smith:	Nay