



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: January 27, 2016
Jurisdiction: City of Wilsonville
Local file no.: DB15-0063 (together
DLCD file no.: 005-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 01/25/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 005-15 {24125}
Received: 1/25/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Wilsonville

Local file no.: **DB15-0063 (together with DB15-0064 thru DB15-0067)**

Date of adoption: 1/21/2016 Date sent: 1/25/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 11/9/2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Acreage on notice did not included adjacent right-of-way, which was also rezoned. Private property rezoned is 2.25 acres. Area rezoned, including adjacent right-of-way to match up with previous rezoning is 3.20 acres.

Local contact (name and title): Daniel Pauly, Associate Planner

Phone: 503-682-4960

E-mail: pauly@ci.wilsonville.or.us

Street address: 29799 SW Town Center Loop East

City: Wilsonville

Zip: 97070

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from PF	to V	Acres: 2.25
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 3S1W15AC03200

List affected state or federal agencies, local governments and special districts: See attached list

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.



PLANNING DIVISION

FAX: (503) 682-7025

(503) 570-1575

swhite@ci.wilsonville.or.us

Delivery via Email

Letter of Transmittal

TO: Attention: Plan Amendment Specialist

FROM: Shelley White

Department of Land Conservation & Development

Administrative Assistant

635 Capitol Street NE, Suite 150

DATE: January 25, 2016

Salem, Oregon 97301-2540

WE ARE TRANSMITTING THE FOLLOWING:

DB15-0063 (together with DB15-0064 thru DB15-0067) – **Villebois Phase 8 Central Zone Map Amendment**

- DLCD Notice of Adoption Form 2 for DB15-0063 (together with DB15-0064 thru DB15-0067) with the following attachments:
 - Wilsonville City Council Notice of Decision, Ordinance 779
 - Ordinance 779 and supporting documents (Zone Map Amendment)
 - List of affected agencies

Please address questions and comments regarding this notice to:

Dan Pauly
Associate Planner
City of Wilsonville
503-570-1536
pauly@ci.wilsonville.or.us



29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone 503-682-0411
Fax 503-682-1015
TDD 503-682-0843
Web www.ci.wilsonville.or.us

**WILSONVILLE CITY COUNCIL
NOTICE OF DECISION
ORDINANCE NO. 779**

FILE NO: ORDINANCE NO. 779

APPLICANT: POLYGON WLH LLC

After conducting a public hearing on January 21, 2016 the City Council voted to adopt Ordinance No. 779 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as Ordinance No. 779 entitled, "AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FACILITIES (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.

And placed on file in the city records at the Wilsonville City Hall the 22nd day of January, 2016, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No. 779 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at king@ci.wilsonville.or.us

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

ORDINANCE NO. 779

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FACILITIES (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:

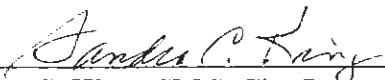
Section 1. Findings. The City Council adopts, as findings and conclusions, the foregoing recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.

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 21st day of January, 2016, by the following votes:

Yes:-5- No:-0-


Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this 22nd day of January, 2016.


Tim Knapp, MAYOR

SUMMARY OF VOTES:

Mayor Knapp	Yes
Councilor President Starr	Yes
Councilor Stevens	Yes
Councilor Fitzgerald	Yes
Councilor Lehan	Yes

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

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) **ZONING ORDER DB15-0063**
of the City of Wilsonville)
Zoning Map Incorporated in Section 4.102)
of the Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of 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).

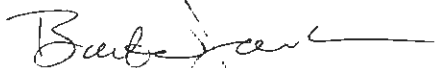
The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

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.
22,

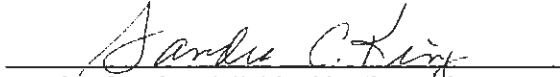

TIM KNAPP, MAYOR

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



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.

Containing 3.20 acres, more or less.

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

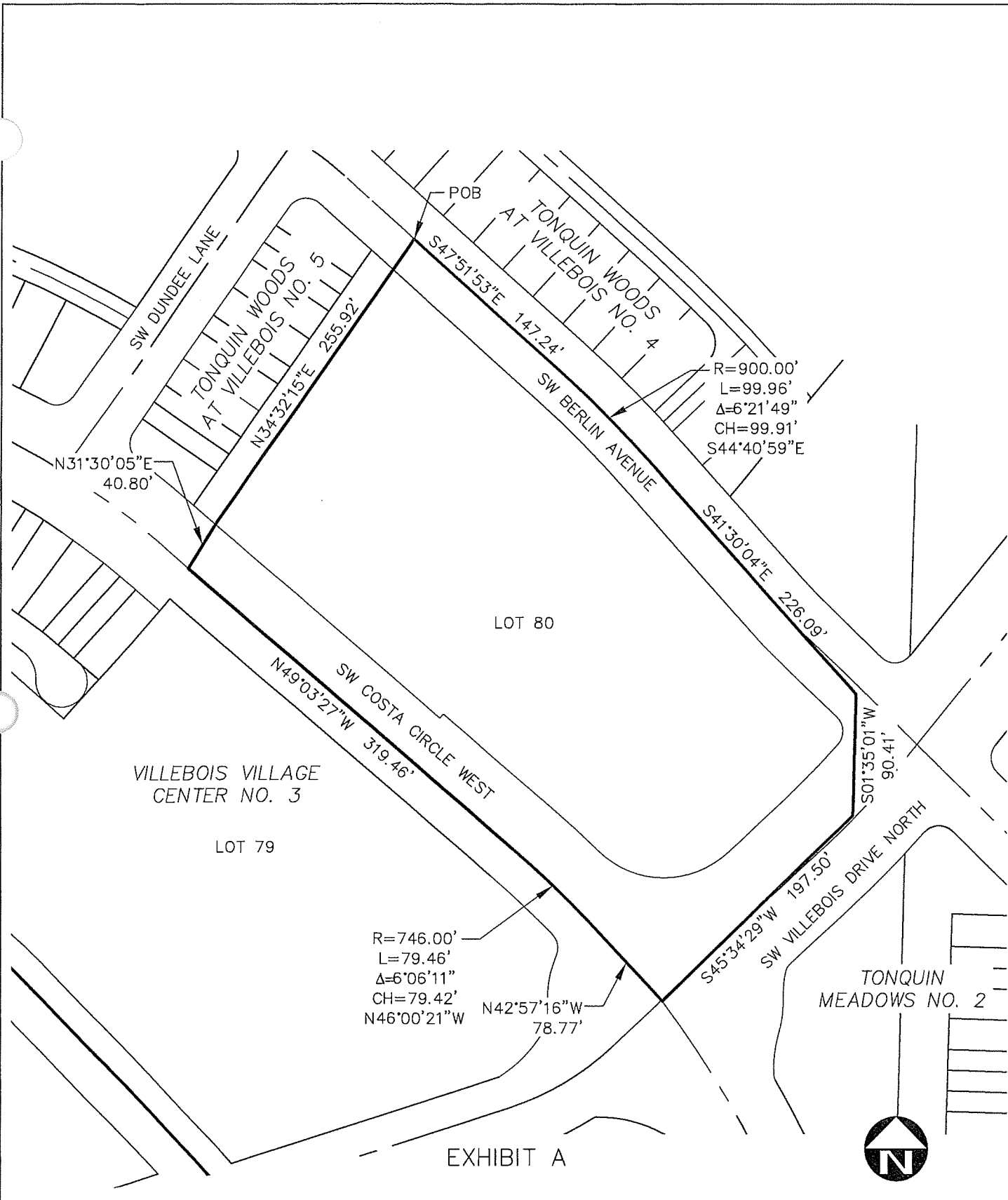
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2017

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



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



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

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

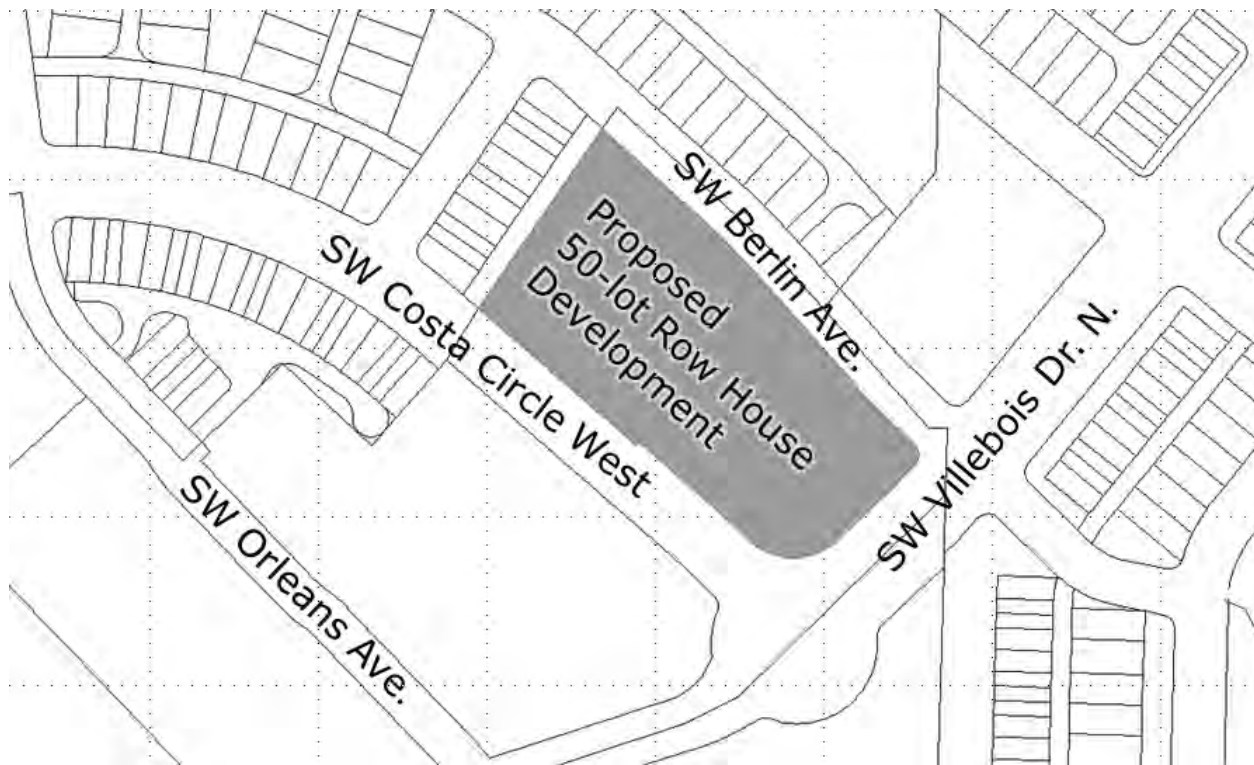
Staff Recommendation: Approve the requested Zone Map Amendment.

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
<u>Other City Planning Documents:</u>	
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 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: 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: **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

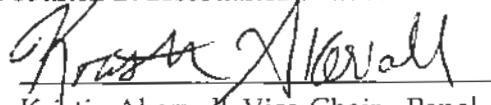
WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

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..

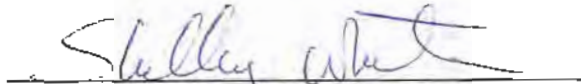
ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14th day of December, 2015 and filed with the Planning Administrative Assistant on Dec 15, 2015. This resolution is final on the 15th calendar day after the

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:



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