

RESOLUTION NO. 1963

A RESOLUTION REMANDING TO THE DEVELOPMENT REVIEW BOARD THE TENTATIVE SUBDIVISION PLAT AND PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR ARBOR VILLEBOIS PDP #4 OF SAP SOUTH, CONTINUING THESE MATTERS AND THE ASSOCIATED ZONE CHANGE AND DIRECTING THAT, FOLLOWING DRB DECISIONS ON REMAND, THESE DECISIONS SHALL COME BACK FOR COUNCIL REVIEW

WHEREAS, On September 12, 2005, Panel A of the Development Review Board reviewed proposed Zone Map Amendment (File No. DB- 2005-06-00077), Preliminary Development Plan, (PDP #4, DB-2005-06-00075), Tentative Subdivision Plat (DB-2005-06-00079), Final Development Plan (FDP), and other land use applications, including a tree removal plan and certain lot area, frontage and depth refinements, and,

WHEREAS, The DRB recommended approval of the proposed zone change, PDP and tentative plat approval, with conditions, and continued the FDP for resolution of unresolved issues regarding rainwater and park planning, and,

WHEREAS, On September 19, 2005, pursuant to WC 4.022 and 4.033, the Council called up the PDP and Tentative Plat approval, and,

WHEREAS, the record reveals that details concerning the planning and design of West Park and the water, storm water and rainwater systems are insufficient for Council review at this time, and that further, these details are necessary for full review and decision making by the DRB, and,

WHEREAS, administrative economies justify completion of the decision making by the DRB and a single review of the PDP, subdivision, zone change, and any other associated use actions by the Council,

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

Section 1. Findings

The City Council hereby adopts as finding of fact that Staff Report in this matter, incorporated herein as if fully set forth.

Section 2. Remand and Continuance.

The City Council hereby continues its review of PDP #4S, the Tentative Plat approval and the proposed zone change, and remands to the Development Review Board the PDP and subdivision matters for further decision making.

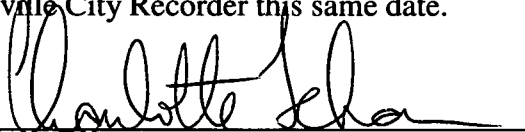
Section 3. Direction.

- 1) In the context of such further decision making, Council would draw the parties' attention to those policies and points related in Attachment A of this resolution.
- 2) Following decision making by the DRB on the PDP, FDP, subdivision and companion land use matters, staff is directed to re-notice a public hearing before Council on the entire package of land use decisions.

Section 4. Effective date.

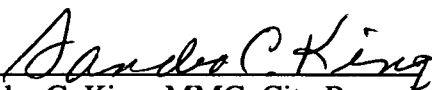
This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 17th day of October, 2005, and filed with the Wilsonville City Recorder this same date.



CHARLOTTE LEHAN, MAYOR

ATTEST:



Sandra C. King, MMC, City Recorder

SUMMARY of Votes:

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

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Villebois PDP -4 Call-up
ATTACHMENT A

1. The detailed design of West Park, together with the location and detailed design of the Neighborhood Center, community mailbox location and parking access and traffic circulation associated with such uses must be approved as part of the PDP/FDP. The design must provide "usable area" within the park adequate serve the residents of the PDP. "Usable area" is intended to mean areas such as tot lots, swimming and wading pools, grass areas for picnics and recreational play, and other like space. "Usable area" does not include areas for, or parking and access to, Neighborhood Centers, postal facilities, storm water/rainwater elements, and other like uses and facilities. However, the square footage of community centers serving SAP South shall be included in the calculations for usable park area. The twenty-five percent (25%) open space requirement for SAPS found in Wilsonville code Section 4.125(.08) must be met, but may include the square footage of the community centers.
2. Should the DRB-adopted Rainwater Management Program and Plan show that rain/storm water facilities and usable park areas are proposed to occupy the same space, either the rain/storm water facilities or the usable park areas must be enlarged or relocated such there is no loss in usable park area. A community center described in Item 1 may be counted as a part of the usable park space portion of the open space requirement.
3. Project design must require maximum retention of existing trees six inches or more DBH in the "important" and "good" categories, giving special consideration to the native species of trees and trees with historical importance, subject to Wilsonville Code (WC) 4.610.10.
4. W.C.4.125 (.08) requirements for 25% open space area within SAPS must be met through a combination of open space provided in Phases 1-4, or evidence presented that the remaining required amounts can be provided in Phases 5 and 6 of SAP South. The Council notes that the approved SAP S includes 94.68 gross acres including 15 acres of parks and open space. The 25% standard is applied to the gross acreage less streets and alleys. The calculation for this standard has been submitted, but the City and Applicant agreed it needs to be revised and submitted within 10 days of the adoption of Resolution 1963. Ponds E-1 and E-2, or portions thereof, may be included in parks/open calculations if, in the judgment of the Community Development Director, the design of these ponds provides usable green area for informal recreational activities during most of the year.
5. The existing Rain Water Plan includes many features that attempt to address alternative methods for the treatment/disposal of storm water that will result from the construction of additional hard surface areas. Due to the existing ground

conditions encountered within the development, many of these alternative features will be difficult if not impossible to construct and the Applicant is making a request to modify the approved Rain Water Plan. To complete a Staff review of the proposed modifications, and to assure that the initial intent of the Rain Water Plan and Park/Open Space uses are matched as closely as possible, several issues need further study or clarification:

The applicant shall provide for interim improvements in the legacy Creek outfall to prevent further degradation until the permanent improvements are designed and constructed by Costa Pacific Communities. Such interim improvements shall be subject to the Wilsonville City Engineer's and Metro's acceptance.

- a) Provide a plan that contains a variety of rain water management components, minimum of (3) components for each PDP. Too much emphasis has been placed on a single component, the bio-retention cell.
- b) Ponds D, E-1, and E-2 are too deep when measured from the adjacent streets or existing topography. Provide a plan addressing maintaining usable area available for the required complementary parks/open space uses that have been severely reduced by construction of the current ponds in any approved area.
- c) The existing ponds, independent of existing topography, need to be a maximum of 4-feet in depth and designed to meet the approval of the City Engineer.
- d) The issue raised by DEQ of possible UIC permitting needs to be addressed and an appropriate plan prepared.
- e) An appropriate operation and maintenance plan need to be submitted, formalized and agreed to prior to final plat recordation.