

**RESOLUTION NO. 1967**

**A RESOLUTION REGARDING THE APPROVAL OF THE FINAL PLAT FOR VILLEBOIS SAP SOUTH, PHASE 2**

WHEREAS, Phase 2 of SAP South received Development Review Board approval of the Preliminary Development Plan (PDP) in September 2004, and

WHEREAS, the City Council reviewed the action of the Development Review Board on the PDP as part of the hearing on the zone change, and required the addition of alleys in the block containing Lots 137 to 150, and

WHEREAS, the Council required no further changes that would affect the platting of streets or lots, and

WHEREAS, the application for the PDP for Phase 2 was submitted prior to the amendment of WC 4.125 allowing the submittal of the Final Development Plan (FDP) together with application for approval of the Preliminary Development Plan, and

WHEREAS, the FDP is the Villebois equivalent of Site Design Review for developments outside Villebois, and approval of an FDP is required prior to approval of a final plat for phases within Villebois, but Site Design Review is not required prior to final plat for any other subdivision in Wilsonville, and

WHEREAS, extended discussions about the amount of open space and usable park area vs use of portions of the same lands for stormwater/rainwater detention facilities in Villebois have delayed the application for the FDP for Phase 2, and

WHEREAS, resolution of these issues is complicated by the continuing coordination necessary between Costa Pacific Communities, West Hills Development, the City of Wilsonville and the various consultants employed by these entities, and

WHEREAS, the applicant, West Hills Development, has worked with the City on various designs for stormwater/rainwater facilities within Phase 2 that might also serve as park amenities, but design conflicts have not be resolved, and

WHEREAS, West Hills Development has sold all available lots in Phase I, and has no product to offer due to the delay caused by these issues resulting in an unforeseen delay in the recording of the final plat for Phase 2, and

WHEREAS, West Hills Development is in need of plat approval to sell lots or it may incur serious economic consequences because of these delays unique to the Villebois development, and

WHEREAS, application for approval of an FDP excepting Tract B, a portion of the Villebois Greenway, was submitted on October 14, 2005, and

WHEREAS, the procedural rationale tying the FDP to plat approval is not relevant where, as here, lot sales and development is not dependent on the elements of the FDP. FDP review applies to landscaping of public or common spaces, street trees, street lights, and parks design. Site circulation has been thoroughly reviewed by both the DRB and the City Council during review of the PDP. Approval of these elements is necessary for full development to be completed, but is not necessary for platting and sale of lots, since none of these decisions are anticipated to modify location of streets, alleys or lots.

NOW THEREFORE, the City Council of the City of Wilsonville does hereby resolve that:

Section 1: Findings:

The City Council adopts as Findings of Fact the findings and interpretations above in this Resolution together with that Staff Report in this matter, incorporated herein as if fully set forth.


Section 2: Direction

1. Staff is authorized to approve the Final Plat for Phase 2, SAP South (with tract B simply being designated as such) prior to DRB review and approval of the FDP, now scheduled for November 12, 2005.
2. West Hills Development shall submit an application for the FDP for Tract B and any associated revisions on or before January 1, 2006.
3. West Hills Development shall provide a bond or other form of security acceptable to the City in an amount at least 150% of the estimated costs for improvements under both the FDP scheduled for hearing on November 12, 2005 and that to be submitted prior to January 1, 2006.

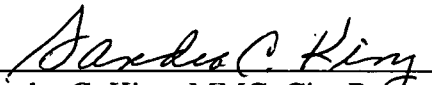
Section 3: Effective Date:

This Resolution is effective upon adoption.

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

  
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CHARLOTTE LEHAN, MAYOR

ATTEST:

  
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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