February 26, 2019

Angela Grajewski
Polygon WLH LLC
703 Broadway Street, Suite 510
Vancouver WA 98660

Re: Case File AR19-0004

Dear Angela:

Enclosed you will find the Administrative Review and Decision on your request for minor revisions to the approvals for the Clermont subdivision in Villebois. Please be advised that the decision is not final and effective until the appeal period, as spelled out on the attached Notice of Decision page, has passed. Enclosed is a sign-off sheet accepting Conditions of Approval for you to sign and return. Please call us if you have any questions.

Sincerely,

cc
via email: Pacific Community Design, Inc.

February 26, 2019

## Notice of Administrative Decision

| Project Name: | Class II Review of Reduced Number of Lots, Increased Park Area, <br> Updated Trail Alignment, and Related Modifications |
| :--- | :--- |

Case File No.: AR19-0004
Owners: Allen Chang, Polygon at Villebois III LLC
Applicant: Polygon WLH, LLC
Applicant's Rep.: Pacific Community Design, Inc.
Location: North side of Berlin Avenue east of Orleans Avenue. The property described as Tax Lots 543, 7400, and 7500, Section 15AB, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

Request: Minor reduction in the number of lots (2), increasing the park area (by 0.3 acres), and the realignment of a planned mid-block pedestrian crossing. The action also modifies other related plans, such as landscaping.

On February 26, 2019 an administrative decision was rendered, granting approval with conditions on the above-referenced applications:

The written decision is on file in the planning division. A copy of the applications, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at $\$ .25$ per page at the Wilsonville Planning Division, 29799 SW Town Center Loop E., Wilsonville OR, 97070.

Section 4.022(.01) of the Wilsonville Code provides that this decision may be appealed by any person who is entitled to written notice or who is adversely aggrieved. Appeal is processed under Wilsonville Code 4.022.

Note: Any appeal must be filed with the City Recorder within fourteen (14) calendar days of the notice of the decision. The notice of appeal shall be in writing and indicate the specific issue(s) being appealed and the reason(s) therefore. Should you require further information, please contact Daniel Pauly AICP, Senior Planner, with the City Planning Division at 503-682-4960. Last day to appeal: 4:00 P.M. on March 12. 2019

For more information, contact the Wilsonville Planning Division at 503-682-4960

Planning Division Staff Report Administrative Decision

Villebois Phase 5 North: Removal of 2 Lots, increased Park Area, and Updated Trail Alignment

## Date of Report/Decision: February 26, 2019

Application No.: AR19-0004 Class II Review of Reduced Number of Lots, Increased Park Area, Updated Trail Alignment, and Related Modifications

Request Summary: The City of Wilsonville's Planning Director, Pursuant to Section 4.030 and 4.035 Wilsonville Code, is approving a minor reduction in the number of lots (2), increasing the park area, and the realignment of a planned mid-block pedestrian crossing. The action also modifies other related plans, such as landscaping.

Location: North side of Berlin Avenue east of Orleans Avenue. The property described as Tax Lots 543, 7400, and 7500, Section 15AB, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

Owners: Allen Chang, Polygon at Villebois III LLC
Applicant: Polygon WLH, LLC
Applicant's Rep.: Pacific Community Design, Inc.
Zone Map Classification: V (Village)
Staff Reviewers: Daniel Pauly AICP, Senior Planner
Action Taken: Approve with conditions the requested minor modification to the PDP, FDP, and Tentative Plat and related applications.

## 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 $4.035(.04)$ | Site Development Permit Application |


| 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 4.154 | Bicycle, Pedestrian, and Transit Facilities |
| Section 4.167 | Access, Ingress, and Egress |
| Section 4.171 | Protection of Natural Features and Other Resources |
| Section 4.175 | Public Safety and Crime Prevention |
| Section 4.176 | Landscaping, Screening, and Buffering |
| Section 4.177 | Street Improvement Standards |
| Sections 4.200 through 4.220 | Land Divisions |
| Sections 4.236 through 4.270 | Land Division Standards |
| Sections 4.300 through 4.320 | Underground Utilities |
| Sections 4.400 through 4.440 as applicable | Site Design Review |
| Sections 4.600 through $4.640 .20 ~ a s ~$ <br> applicable | Tree Preservation and Protection |

Vicinity Map


## Background/ Summary:

Pursuant to direction from the Wilsonville City Council, and after neighborhood outreach to confirm the preferred alignment of a pathway, the applicant proposes removing two singlefamily lots from the approved subdivision to better preserve mature Douglas-fir trees and reorient a mid-block crossing to align with the preserved trees and a path connection to the south. The proposal reduces the number of lots in the subdivision from 89 to 87 . This will result in 195

Medium/Standard/Large lots in SAP North, which would have resulted in a $9 \%$ increase for the Clermont approval. The final SAP North Unit Count is as follows:

|  | Currently <br> Approved <br> Count in SAP N | Proposed Unit <br> Count in SAP N | \% Change |
| :--- | :---: | :---: | :---: |
| Medium/Standard/ <br> Large/Estate | 179 | 195 | $9 \%$ |
| Small Detached/ Small <br> Cottage/ Row Homes/ <br> Neighborhood Apt. | 246 | 271 | $10 \%$ |
| Total | 425 | 466 | $9 \%$ |

## Master Exhibit List:

The entry of the following exhibits into the public record confirms consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File AR190004. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

A1. Staff report and findings (this document)
B1. Application Forms
B2. Applicant's Narrative
B3. Applicant's Submitted Drawings
B4. Updated FDP Drawings for entire PDP reflecting changes

## Findings of Fact:

1. The statutory 120-day time limit applies to this application. The City received the application on January 30, 2019. The applicant submitted additional information on February 7, 2019 making the application complete. The City must render a final decision for the request, including any appeals, by June 7, 2019.
2. Surrounding land uses are as follows:

| Compass Direction | Zone: | Existing Use: |
| :---: | :--- | :--- |
| North: | V | Vacant |
| East: | V | Residential |
| South: | V | Residential |
| West: | V | Vacant |

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
04 PC 02 - 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)
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:

DB07-0054 et seq - SAP-North
DB07-0087 et seq - PDP-1N, Arbor at Villebois
DB11-0024 et seq - PDP-1N Modification, SAP North Amendment Polygon NW
DB12-0066 et seq - PDP-1N Modification, SAP North Amendment Polygon NW
DB13-0020 et seq-PDP-2N, SAP North Amendment Polygon NW
DB14-0009 et seq - PDP-3N, SAP North Amendment Polygon NW
DB15-0084 et seq - PDP 4N, SAP North Amendment Polygon NW
DB18-0049 et seq - PDP 5N, SAP North Amendment, etc. Polygon NW
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
The City's processing of the application is in accordance with the applicable general procedures of this Section.

## Who May Initiate Application

The owners of all property included in the application signed the application forms. Polygon Northwest initiated the application with their approval.

Pre-Application Conference
Subsection 4.010 (.02)
Following a request from the applicant, the City held a pre-application conference for the proposal (PA18-0004) in accordance with this subsection.

## Lien Payment before Application Approval

Subsection 4.011 (.02) B.
No applicable liens exist for the subject property. The application can thus move forward.

## General Site Development Permit Submission Requirements <br> Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

Zoning-Generally
Section 4.110
This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

## Request

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

## Protection of Significant Trees

Subsection 4.125 (.14) A. 2. f.

1. The applicant provides tree protection information. A primary reason for the proposed modification is better tree protection.

## Land Area Tabulation

Subsection 4.125 (.18) G. 2. d.
2. Following is a tabulation of land area devoted to the various uses and a calculation of net residential density with the proposed modifications which change 0.3 acres of land from "Lots and Alleys" to "Parks and Open Space" and reduces the number of lots by 2 from 89 to 87 :

| Approx. Gross Acreage | 26.65 Acres |
| :--- | :--- |
| Parks and Open Space | 8.93 Acres |
| Public Streets | 7.71 Acres |
| Lots and Alleys | 10.01 Acres |
| Net Residential Density: 87 lots $/ 10.01$ Acres = 8.69 units per net acre |  |

## SAP Refinements to Villebois Village Master Plan

## Refinement 1 Street Network

Refinements to the Master Plan
Subsection 4.125 (.18) F. 1. a.
3. The proposed minor modifications must be consistent with the Master Plan refinements approved by the Development Review Board for Clermont. The reduction of 2 lots results in what would be a $9 \%$ change for Clermont in large/medium/standard lots from previous SAP North approvals. The addition of 0.3 acres of parks and open space does not negatively affect any park refinement findings as the refinement language focuses on removal, and the proposal is for addition.

## Protection of Natural Features \& Other Resources

## General Terrain Preparation and Protection of Trees and Wooded Areas

 Subsection 4.171 (.02) and (.04)4. The City worked carefully with the applicant to ensure the proposed developments is designed, constructed and maintained with maximum regard to natural terrain features and topography, including the many mature healthy trees and steep terrain of the subject site. The modification further protects and preserves existing trees.

Lot Size and Shape
Subsection 4.237 (.05)
5. Proposed lot sizes, widths, shapes and orientations, continue to be appropriate for the proposed development and are in conformance with the Village Zone requirements discussed in the previous SAP and PDP approved for the property.

## Standards for Tree Removal, Relocation or Replacement, Residential

## Limitation on Tree Removal

Subsection 4.610.10 (.01) H.
6. The proposed tree removal is either necessary for construction or is due to the health and condition of the trees. The modified plan removes fewer trees than originally approved for removal by the Development Review Board.

## Design Standards Applying to the Village Zone

Protection of Significant Trees
Subsection 4.125 (.14) A. 2. f.
7. The applicant proposes protecting significant trees and the proposed modification protects additional trees.

## Action Taken and Conditions of Approval:

THEREFORE, based on Staff analysis and the above findings 1-7 above, the Planning Director hereby approves the application as requested, subject to the following Conditions of Approval:

AR19-0004
PD 1. All construction, site development, and landscaping of the parks shall be carried out in substantial accord with the approved plans. This action only modifies area of the block bounded by Berlin Avenue to the south, Orleans Ave to the west, Palermo Street to the northwest, Stockholm Avenue to the northeast, and a pedestrian path aligned with the eastern edge of Cherbourg Lane to the east impacted by the removal of the two lots and realignment of the pathway.

Case File \#:AR19-0004

## Approved:



Daniel Pauly, Senior Planner for
Date
Miranda Bateschell, Planning Director

Section 4.022(.01) of the Wilsonville Code provides that this decision may be appealed by the Applicant and party entitled to notice or adversely affected or aggrieved or called up for review by the Development Review Board. The notice of appeal shall indicate the nature of the action or interpretation that is being appealed or called up. The appeal shall regard a determination of the appropriateness of the action or interpretation of the Code requirements involved in the decision.

Note: The decision of the Planning Director may be appealed by an affected party or by three (3) Board members in accordance with Section 4.017 except that the review shall be of the record supplemented by oral commentary relevant to the record presented on behalf of the Applicant and the Planning Director. Any appeal must be filed with the City Recorder within fourteen (14) calendar days of the notice of the decision. The notice of appeal shall be in writing and indicate the specific issue(s) being appealed and the reason(s) therefore. Should you require further information, please contact Daniel Pauly AICP, Senior Planner, with the City Planning Division at 503-682-4960. Last day to appeal: 4:00 P.M. on March 12, 2019.

For more information, contact the Wilsonville Planning Division at 503-682-4960.

| Case File \# | $\underline{\text { AR19-0004 }}$ |
| :--- | :--- |
| Project Name: | Class II Review of Reduced Number of Lots, Increased Park Area, |
|  | Updated Trail Alignment, and Related Modifications (Clermont) |

The Conditions of Approval have been received and accepted by:

Signature

Title Date

Signature

Title Date

This decision is not effective unless this form is signed and returned to the planning office as required by WC Section 4.140(.09)(L).

Adherence to Approved Plan and Modification Thereof: The Applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a development.

Please sign and return to:
Shelley White
Planning Administrative Assistant
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville OR 97070

# Planning Division Development Permit Application 

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Pre-Application Meeting Date:
Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

## Applicant:

Name: Jason Baker/Angela Grajuinski Company: Polygon WLH, LLC.
Mailing Address: 703 Broadway Street, Suite 510
City, State, Zip: Vancouver, WA 98660
Phone: 360-695-7700
Fax: $\qquad$ Phone
E-mail:
Stacy@pacific-community.com

Property Owner's Signature:

Printed Name: $\qquad$ Date:

Applicant's Signature: (if different from Property owner)


E-mail: $\qquad$

## Authorized Representative:

Name: $\frac{\text { Stacy Connery, AICP (Applicant's Representative) }}{\text { Pacific Community Design, Inc. }}$ Company:-
Mailing Address: 12564 SW Main Street City, State, Zip: Tigard, Oregon 97223
Phone: $\frac{503-941-9484}{\text { E-mail: }}$ Stax:

Site Location and Description:
Project Address if Available: $\qquad$ Suite/Unit $\qquad$
Project Location: Within Villebois, South of and adjacent to Tooze Road
Tax Map \#(s): 31W15AB
Tax Lot \#(s): $7200,7300,7400,7500,7600$

## Request:

Class II Administrative Review to modify the tentative plat for Clermont. Lot 65 will be removed and lot 84 will be adjusted to fit a linear park, preserving multiple "important" trees.

## Project Type: Class I $\square$ Class II X Class III $\square$

- Residential
- Commercial
- Industrial
- Other:


## Application Type(s):

- Annexation
- Appeal
- Final Plat
- Plan Amendment
- Request for Special Meeting
- SROZ/SRIR Review
- Type C Tree Removal Plan
- Villebois SAP
- Zone Map Amendment
- Major Partition
- Planned Development
- Request for Time Extension
- Staff Interpretation
- Tree Permit (B or C)
- Villebois PDP
- Waiver(s)
- Comp Plan Map Amend
- Minor Partition
- Preliminary Plat
- Signs
- Stage I Master Plan
- Temporary Use
- Villebois FDP
- Conditional Use
- Parks Plan Review
- Request to Modify Conditions
- Site Design Review
- Stage II Final Plan
- Variance
- Other (describe) Administrative Review

31W15AB Tax Lot 7200, 7300, 7400, 7500, 7600
Victor C. Chang
28201 SW 110th Avenue, Wilsonville, OR 97070
x

Allen Y. Chang
28201 SW 110th Avenue, Wilsonville, OR 97070


31W15AA16400
Sparrow Creek, LLC.
x
31W15AB00543, 31W15AB08010
Polygon at Villebois III, LLC.
11624 SE $5^{\text {th }}$ St, Ste \#200, Bellevue, WA 98005
x $\qquad$

$$
\text { Project Name = Villebois Phase } 5 \text { North "Clermont" }
$$

## Chang Property Owners List - Development Application

31W15AB Tax Lot 7200, 7300, 7400, 7500, 7600
Victor C. Chang
28201 SW 110th Avenue, Wilsonville, OR 97070


Allen Y . Chang
28201 SW 110th Avenue, Wilsonville, OR 97070
(x) $\qquad$
31W15AA16400
Sparrow Creek, LLC.
x
31W15AB00543, 31W15AB08010
Polygon at Villebois III, LLC.
11624 SE $5^{\text {UI }}$ St, Ste \#200, Bellevue, WA 98005

X $\qquad$

## MEMORANDUM

DATE: J anuary 30, 2019
TO: $\quad$ Dan Pauly, City of Wilsonville
CC: Pam Verdadero, Polygon WLH, LLC
FROM: Stacy Connery
RE: Class II Administrative Review - Clermont Linear Green (Tract 'W')
The applicant is requesting a Class II Administrative Review for the reconfiguration of the Linear Green (Tract 'W') north of SW Berlin Avenue and the removal of two lots (Lots 64 and 65) as discussed on the December $3^{\text {rd }}$ City Council meeting. Attached is the proposed reconfiguration which has been chosen after city coordination with interested neighbors. The Linear Green tract will be approximately 0.56 acres in size and will replace lots 64 and 65.

The following updates the density refinement table for the loss of two (2) lots.

|  | Currently <br> Approved <br> Count in SAP N | Proposed Unit <br> Count in SAP N | \%Change |
| :--- | :---: | :---: | :---: |
| Medium/ Standard/ <br> Large/ Estate | 179 | 195 | $9 \%$ |
| Small Detached/ Small <br> Cottage/ Row Homes/ <br> Neighborhood Apt. | 246 | 271 | $10 \%$ |
| Total | 425 | 466 | $9 \%$ |

This reconfiguration results in the addition of approximately 0.29 acres of parks and open space to the plan and an additional tree retention of 5 Important Trees and 5 Good trees within the Linear Green tract. Trees on lots as identified on the attached exhibit will be retained within tree protection easements. The attached exhibit also identifies that lots surrounding this Linear Green tract will be single-level homes. Further elevation of tree conditions on Lot 84 in relation to home construction will be evaluated by an arborist to determine whether a single-level home can be constructed on this lot without negatively impacting the trees.

## Attachments

A. Proposed Lot Configuration Exhibit

Vilebois


* single-level housing \&) City of Wilsonville










