

ORDINANCE NO. 611

AN ORDINANCE APPROVING A ZONE MAP AMENDMENT FOR ARBOR VILLEBOIS NO. 4 OF SAP SOUTH, ADOPTING ZONING ORDER DB05-0077 AND APPROVING ON REMAND PRELIMINARY DEVELOPMENT PLAN 4 FOR SAP SOUTH, A TENTATIVE SUBDIVISION PLAT, A FINAL DEVELOPMENT PLAN, REFINEMENTS TO LOT DIMENSIONS, A TYPE C TREE REMOVAL PLAN, AND AN AMENDMENT TO THE SAP SOUTH PHASING. THE SITE IS LOCATED IN SAP SOUTH OF VILLEBOIS VILLAGE ON TAX LOTS 2900 AND 2905, SECTION 15, T3S-R1W, CLACKAMAS COUNTY, OREGON. WEST HILLS DEVELOPMENT / VILLEBOIS LLC, APPLICANTS

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), (DB05-0077) and other land use applications, including a tree removal plan (DB05-0076), amendments to the SAP South Phasing Plan, (AR05-0055) and certain lot area, frontage and depth refinements (AR05-0050, 51 and 52), 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, following a hearing on the matter, remanded the entire package of land use applications to the DRB to 1) develop a fuller record relative to the planning and design of West Park and the water, storm water and rainwater systems, 2) address specified issues concerning "usable areas" for parks, particularly ponds E-1 and E-2, rain/storm water park area conflicts, tree retention, open space area compliance and rainwater plan content, and 3) make a recommendation for the entire package of applications to council, and,

WHEREAS, on April 10, 2006, the DRB Panel A, after proper legal notification, conducted a public hearing to review the remanded items, reviewing the new materials submitted by the applicant and after reviewing the record, the new materials, taking public testimony, and after deliberation, adopted Resolution No. 60, recommending approval, with conditions, of all the applications, and

WHEREAS, after proper legal notification, the City Council scheduled a public hearing on the matter, but continued the hearing in light of issues concerning the Parks element of the Villebois Master Plan regarding the uses planned for Ponds E-1 and E-2, (reconfigured as Palermo Park), and

WHEREAS, upon resolution of the Villebois Master Plan issues concerning this portion of SAP South, the council opened the continued hearing, took testimony and evidence from interested parties on the above-referenced applications, and upon consideration of the entire record herein, determines that the applications conditionally meet applicable approval criteria,

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

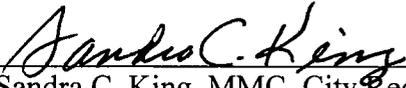
Section 1. Findings. The City Council adopts as findings and conclusions the forgoing recitals and the staff reports in this matter dated April 10, 2006 and May 15, 2006, labeled Exhibit C and Exhibit A, and the Memorandum regarding parks submitted by the Long Range Planning Manager dated May 5, 2006, labeled Exhibit B, which Exhibits are attached hereto and incorporated herein as if fully set forth.

Section 2. Zoning Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order DB05-0077, attached hereto, from *Exclusive Farm Use (EFU)* zone and *Public Facility (PF)* zone to *Village (V)* zone on Tax Lots 2900 and 2905, Section 15, T3S-R1W, Clackamas County, Oregon, as depicted on the attached map (Attachment 1), Clackamas County, Wilsonville, Oregon and described in attached description (Attachment 2).

Section 3. Order on Remand. The City Council hereby approves the above-referenced Preliminary Development Plan-4 for SAP South, the Final Development Plan, a tentative subdivision plat, a Type C Tree Removal Plan, lot dimension refinements and an amendment to the SAP South Phasing Plan, subject to those conditions, as amended by council, specified in the Attached Staff reports and DRB resolution.

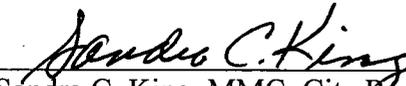
SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 15th day of May 2006, commencing at the hour of 7 P.M. at the

Wilsonville, Community Center, and scheduled for second reading on June 5, 2006, at a regular meeting of council commencing at the hour of 7 P.M. at the Wilsonville Community Center.

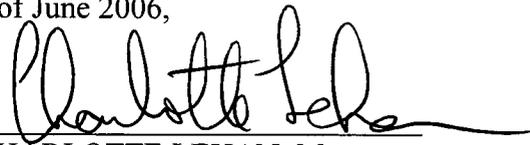

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 5th day of June, 2006, by the following votes:

Yes: -4- No: -0-


Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 6th day of June 2006,


CHARLOTTE LEHAN, Mayor

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Knapp	Yes
Councilor Ripple	Excused
Councilor Kirk	Yes
Councilor Holt	Yes

Attachments:

- Exhibit A – Staff report dated May 15, 2006
- Exhibit B – Memorandum from Chris Neamtzu dated May 5, 2006
- Exhibit C – Staff report dated April 10, 2006
- Attachment 1: Area map
- Attachment 2: Legal description

BEFORE THE CITY COUNCIL OF
CITY OF WILSONVILLE, OREGON

In the Matter of the Application of
**West Hills Development and
Villebois LLC** for a Rezoning of Land
And amendment of the City of Wilsonville
Zoning Map incorporated in Section
4.102 Wilsonville Code.

ZONING ORDER DB05-0077

The above-entitled matter is before the Council to consider the application of West Hills Development and 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: Tax Lots 2900 and 2905 in Section 15, T3S-R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the Clackamas County Zoning Map as *Exclusive Farm Use (EFU)* and on the official Zoning Map as *Public Facility (PF)*.

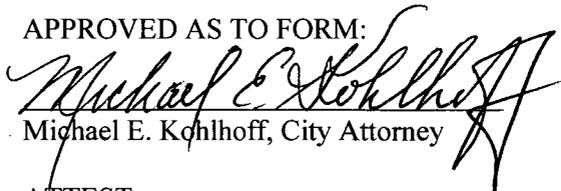
The Council having heard and considered all matters relevant to the application, including the Development Review Board record and recommendation, finds that the application should be approved, and it is therefore,

ORDERED that approximately 36.61 acres of Tax Lots 2900 and 2905, in Section 15, T3S-R1W, Wilsonville, Clackamas County, Oregon, more particularly shown in proposed zone map amendment map, Attachment 1 and described in Attachment 2 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.

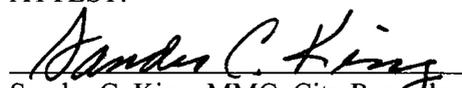
Dated: This 5th day of June 2006.


CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM:


Michael E. Kohlhoff, City Attorney

ATTEST:


Sandra C. King, MMC, City Recorder

Attachment 1: Area Map

Attachment 2: Legal Description

ARBOR VILLEBOIS NO. 4 LEGAL DESCRIPTION
May 1, 2006

A tract of land located in the northwest and southwest one-quarters of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, being a portion of Parcel 4, Partition Plat No. 2005-063, Clackamas County Survey Records, and described as follows:

Beginning at a point on the northeasterly line of "Arbor Villebois No. 2", Plat No. 3988, Clackamas County Plat Records, said point also being the most northerly corner of Tract 'O', said "Arbor Villebois No. 2"; thence tracing the boundary of said "Arbor Villebois No. 2" along the following courses: N.46°12'11"W., 55.09 feet; N.44°34'43"W., 276.74 feet; and N.42°56'37"W., 88.87 feet; thence leaving the boundary of said "Arbor Villebois No. 2" S.47°03'23"W., 50.89 feet; thence N.42°56'37"W., 1.13 feet to a point on the boundary of said "Arbor Villebois No. 2"; thence tracing the boundary of said "Arbor Villebois No. 2" along the following courses: S.47°03'23"W., 52.95 feet to the point of curve right of a 10.00 foot radius curve; along the arc of said curve right through a central angle of 84°04'22", 14.67 feet (chord bears S.89°05'33"W., 13.39 feet); and S.44°18'00"W., 56.05 feet to the most northerly corner of Tract 'CC', said "Arbor Villebois No. 2"; thence tracing the boundary of said Tract 'CC' along the following courses: S.48°46'39"E., 17.76 feet to a point of non-tangent curvature; southwesterly along the arc of a 24.00 foot radius curve right (the radius point of which bears S.41°07'41"W.) through a central angle of 99°39'15", 41.74 feet (chord bears S.00°57'19"W., 36.68 feet); S.50°46'56"W., 80.54 feet to the point of curve right of a 35.00 foot radius curve; along the arc of said curve right through a central angle of 52°22'55", 32.00 feet (chord bears S.76°58'23"W., 30.90 feet) to the point of curve left of a 50.00 foot radius curve; and along the arc of said curve left on the boundary of said Tract 'CC' and the boundary of said "Arbor Villebois No. 2" through a central angle of 32°20'42", 48.23 feet (chord bears S.86°59'30"W., 27.85 feet) to the point of curve right of a 35.00 foot radius curve; thence tracing the boundary of said "Arbor Villebois No. 2" along the following courses: along the arc of said curve right through a central angle of 55°37'06", 33.98 feet (chord bears N.81°22'18"W., 32.66 feet); S.32°11'51"W., 40.61 feet to a point of non-tangent curvature; southeasterly along the arc of a 28.50 foot radius curve right (the radius point of which bears S.36°26'15"W.) through a central angle of 98°36'58", 49.05 feet (chord bears S.04°15'16"E., 43.22 feet); S.45°03'13"W., 188.98 feet to the point of curve right of a 10.00 foot radius curve; along the arc of said curve right through a central angle of 87°27'36", 15.26 feet (chord bears S.88°47'01"W., 13.83 feet); S.45°54'46"W., 59.10 feet to a point of non-tangent curvature; and southeasterly along the arc of a 10.00 foot radius curve right (the radius point of which bears S.42°30'49"W.) through a central angle of 92°32'24", 16.15 feet (chord bears S.01°12'59"E., 14.45 feet) to the most northerly corner of "Arbor Villebois No. 3", Plat No. 4002, Clackamas County Plat Records; thence tracing the boundary of said "Arbor Villebois No. 3" along the following courses: S.45°03'13"W., 342.87 feet to the point of curve left of a 654.50 foot radius curve; along the arc of said curve left through a central angle of 4°36'57", 52.73 feet (chord bears S.42°44'45"W., 52.71 feet); N.48°40'51"W., 186.16 feet; and N.88°18'41"W. along the boundary of said "Arbor Villebois No. 3 and the southerly line of Parcel 4, Partition Plat No. 2005-063, Clackamas County Plat Records, 809.75 feet to the easterly right-of-way line of S.W. Grahams Ferry Road,

County Road No. 13; thence N.17°45'14"E. along said easterly right-of-way line, 1408.37 feet; thence continuing along said easterly right-of-way line N.17°14'42"E., 15.39 feet to the northwest corner of that tract of land as described in Fee No. 2005-089363, Clackamas County Records; thence tracing the northerly line of said Fee No. 2005-089363 tract along the following courses: S.72°45'18"E., 9.00 feet to a point of non-tangent curvature; thence southeasterly along the arc of a 5.00 foot radius curve left (the radius point of which bears S.72°20'53"E.) through a central angle of 89°51'54", 7.84 feet (chord bears S.27°16'50"E., 7.06 feet); S.71°50'12"E., 126.83 feet to a point of non-tangent curvature; northeasterly along the arc of a 15.00 foot radius curve left (the radius point of which bears N.19°27'59"E.) through a central angle of 91°42'50", 24.01 feet (chord bears N.63°36'33"E., 21.53 feet); N.17°45'08"E., 12.03 feet; S.72°14'52"E., 55.00 feet; S.17°45'08"W., 16.34 feet to the point of curve left of a 15.00 foot radius curve; along the arc of said curve left through a central angle of 85°54'02", 22.49 feet (chord bears S.25°11'53"E., 20.44 feet) to the point of curve right of a 2029.50 foot radius curve; along the arc of said curve right through a central angle of 5°43'21", 202.71 feet (chord bears S.65°17'14"E., 202.62 feet) to the point of curve left of a 15.00 foot radius curve; along the arc of said curve left through a central angle of 97°11'25", 25.44 feet (chord bears N.68°58'45"E., 22.50 feet); N.20°23'02"E., 6.84 feet; S.69°36'58"E., 59.00 feet; S.20°23'02"W., 20.06 feet to the point of curve left of a 15.00 foot radius curve; along the arc of said curve left through a central angle of 80°17'16", 21.02 feet (chord bears S.19°45'36"E., 19.34 feet) to the point of curve right of a 2029.50 foot radius curve; thence along the arc of said curve right through a central angle of 12°20'06", 436.93 feet (chord bears S.53°44'11"E., 436.08 feet) to the point of curve left of a 155.50 foot radius curve; along the arc of said curve left through a central angle of 22°05'16", 59.95 feet (chord bears S.58°36'46"E., 59.58 feet); S.69°39'24"E., 10.21 feet to the point of curve left of a 15.00 foot radius curve; along the arc of said curve left through a central angle of 87°41'26", 22.96 feet (chord bears N.66°29'53"E., 20.78 feet) to the point of curve left of a 1972.50 foot radius curve; along the arc of said curve left through a central angle of 0°06'35", 3.78 feet (chord bears N.22°35'53"E., 3.78 feet); S.67°27'24"E., 40.50 feet to a point of non-tangent curvature; southeasterly along the arc of a 29.00 foot radius curve left (the radius point of which bears S.67°27'24"E.) through a central angle of 92°12'00", 46.67 feet (chord bears S.23°33'24"E., 41.79 feet); S.69°39'24"E., 124.61 feet to the point of curve left of a 29.00 foot radius curve; along the arc of said curve left through a central angle of 73°13'30", 37.06 feet (chord bears N.73°43'51"E., 34.59 feet) to the point of curve right of a 203.00 foot radius curve; along the arc of said curve right through a central angle of 9°48'26", 34.75 feet (chord bears N.42°01'19"E., 34.70 feet); N.46°55'32"E., 72.02 feet to the point of curve left of a 242.00 foot radius curve; along the arc of said curve left through a central angle of 18°10'22", 76.76 feet (chord bears N.37°50'21"E., 76.43 feet); S.61°14'49"E., 60.27 feet to the point of curve right of a 185.00 foot radius curve; along the arc of said curve right through a central angle of 18°18'12", 59.10 feet (chord bears S.52°05'43"E., 58.85 feet); S.42°56'37"E., 562.74 feet; S.47°03'23"W., 27.50 feet to a point of non-tangent curvature; thence northwesterly along the arc of a 10.00 foot radius curve left (the radius point of which bears S.47°03'23"W.) through a central angle of 90°00'00", 15.71 feet (chord bears N.87°56'37"W., 14.14 feet); and S.47°03'23"W., 158.48 feet to the Point of Beginning.

Contains 36.320 acres, more or less.

PLANNING DIVISION
STAFF REPORT & RECOMMENDATION
Quasi-Judicial Public Hearing

DATE: May 15, 2006

TO: Honorable Mayor and City Councilors

FROM: Blaise Edmonds, Manager of Current Planning
Villebois, LLC; West Hills Development (Developer), Villebois Village – PDP-4S Remand. The Applicant is seeking approval for development of Arbor Villebois, Preliminary Development Plan (PDP) No. 4 of Specific Area Plan (SAP) South.

BACKGROUND:

On April 10, 2006, the Development Review Board - Panel A, considered new evidence from West Hills Development/Otak, Inc., that responded to Resolution 1963-Council remand of the Preliminary Development Plan (PDP) 4-South and including the following applications:

1. **DB05-0075:** Preliminary Development Plan, includes 181 residential units
2. **DB05-0076:** Type C Tree Removal Plan
3. **DB05-0077:** Zone Map Amendment for approximately 36.61 acres that carry the Comprehensive Plan Map designation of “Residential Village”. It is currently split between two zoning classifications. The eastern part is zoned Public Facilities (PF) and the western side is Clackamas County Exclusive Farm Use (EFU). A Zoning Map Amendment would initiate the development permitting process for this area of Villebois Village. The DRB’s action will be a recommendation to the City Council for final approval.
4. **DB05-0078:** Final Development Plan .
5. **DB05-0079:** Tentative Plat
6. **AR05-0050:** Refinement: Lots 223, 224, 227, 238 and 270: Lot frontage and width
7. **AR05-0051:** Refinement: Lot 189: Lot area
8. **AR05-0052:** Refinement: Lot 279: Lot depth
9. **AR05-0055:** Amend Phasing Plan for Specific Area Plan South

Note: Approval of Items 2, 4, 5, 6, 7, 8 and 9 are contingent upon City Council’s approval of Items 1 and 3.

The DRB recommended approval to the City Council of the proposed Zone Map Amendment (File No. DB-2005-06-00077) to change the City *Public Facility (PF)* zone and Clackamas County *Exclusive Farm Use (EFU)* on approximately 36.61 acres within Villebois Village to the *Village (V)* zone. The findings and conclusions in Exhibit ‘C’ support the Development Review Board decision for approval. The above described applications for Arbor Villebois No. 4 are subject to the Zone Map Amendment.

SUMMARY:

The remand issues from Resolution No. 1963 those were included in the Development Review Board review:

- 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.*

Response: Ordinance No. 609 adopted an amended Chapter 3 – Parks and Open Space/Off street Trails and Pathways and Chapter 4 – Utilities of the Villebois Village Master Plan satisfying items 1 and 2. The Neighborhood Center is proposed in the Greenway segment to the north of West Park within a later phase of SAP South, and therefore is not included in PDP # 4. Community mail box locations and associated on-street parking are proposed on the Mailbox Location Map of the submittal materials. The design of the mailbox kiosks needs to be included in each respective SAP Community Elements Book. The resolution of the shared use of the former ponds E1 and E2 allows park use for much of the year. It has been determined that the E1/E2 areas can be counted in usable park areas. The proposed design for West Park includes a transit stop, restrooms, a decorative pond and adjacent seating area and a covered picnic area. There is lawn area to the north of the pond, and native trees have been preserved. Two areas are designed for play structures. Findings 6, 7, 52, and 53 of DRB05-0075 illustrate compliance with the 25% 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.*

Response: Plan Sheet 13, Tree Preservation/Protection Plan, located in Section II-B, depicts existing trees within the subject area and identifies trees to be retained and to be removed. Application DB05-0076 includes a request for approval of a Tree Removal Plan. This request can be found in Section V of the application notebook, and has been modified as shown on Sheet

13. In this section can be found a Tree Report prepared by Walt Knapp addressing existing trees within the subject area as well as a Supporting Compliance Report. This information demonstrates that the subject Preliminary Development Plan is designed to incorporate existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater into the plan where feasible. Existing trees within a right-of-way are preserved when suitably located, healthy, and proposed grading would allow. Trees and woodland areas that are retained, as identified in the Tree Preservation/Protection Plan, will be protected during site preparation and construction in accordance with City Public Works design specifications and Section 4.171(.04).

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.*

Response: Findings 6, 7, 52, and 53 of DRB05-0075 illustrate compliance with the 25% open space requirement.

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.*

Response: In DRB Resolution 59, adopted March 13, 2006, West Hills Development has received approval of modifications to the Rainwater Management Program and Plan. The proposed PDP application has been modified to reflect those recent amendments. Findings 101, 102, and 103 of DB05-0075 illustrate compliance with the rainwater requirements.

Zone Map Amendment. Wilsonville's Planning and Development Ordinance, Section 4.125 (Village (V) Zone) (.01) states, "...The Village Zone is the principal implementing tool for the Residential Village Comprehensive Plan designation...". Therefore, the applicability of the *Village* zone criteria to these applications is contingent upon a Zone Map Amendment (DB05-0077) for the subject area, changing the existing designations of *Exclusive Farm Use and Public Facility zones* to the *Village Zone*. Consequently, the DRB recommendations for approval of the above described applications are contingent on the approval of the Zone Map Amendment by the City Council.

Staff reports were included in the DRB record and the DRB made amendments to the following Applications: (Note: additional language in *bold italic text*.)

- **DB05-0075:** Preliminary Development Plan
 - * Strike Condition of Approval PF1.
Strike PF33 on page 11 of 63 and replace with the amended language of PF33 on page 5 of 5 from the DRB-A September 12, 2005 meeting, to read, "**The applicant shall implement a Transportation Demand Management ("TDM") program acceptable to City staff in order to reduce the number of vehicle trips to and from the site. The TDM program must be approved by City staff prior to issuance of a certificate of occupancy for single family dwellings on the project but shall not be required prior to grading or approval of public facilities plans. The applicant shall execute an agreement including the program requirements as submitted by the Applicant in Exhibit P.**"
 - * Strike Condition of Approval PF77.
- **DB05-0078:** Final Development Plan
 - * Add **DRB10: "In West Park, the two trees on east/west orientation, directly east of the play ground will be shifted south to create additional usable space."**
 - * Add **DRB11: "An additional trash receptacle shall be provided at the east end of Tract ZZ. (Sheet L2.02)"**

RECOMMENDATION:

The City Council act favorably on the Development Review Board recommendation of April, 10, 2006 to approve the Zone Map Amendment request. Appropriate Council action would be adoption of proposed Zone Map Amendment Ordinance.

Exhibit B – Memorandum from Chris Neamtzu dated May 5, 2006

Exhibit C – Staff report dated April 10, 2006