

**ORDINANCE NO. 648**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CITY PUBLIC FACILITY (PF) AND CLACKAMAS COUNTY EXCLUSIVE FARM USE (EFU) ZONE TO THE VILLAGE (V) ZONE AND ADOPTING A ZONING ORDER ON APPROXIMATELY 23.48 ACRES IN WEST PORTION OF VILLEBOIS VILLAGE ON TAX LOT 2996 AND PORTIONS OF TAX LOTS 2906 and 2908, SECTION 15, T3S-R1W, CLACKAMAS COUNTY, OREGON. WEST HILLS DEVELOPMENT (DEVELOPER)/ VILLEBOIS LLC APPLICANT.**

WHEREAS, On April 14, 2008, Panel A of the Development Review Board reviewed a Zone Map Amendment (File No. DB07-0089); Preliminary Development Plan – Phase 1 (File No. DB07-0087); Tentative Subdivision Plat (File No. DB07-0088); Final Development Plan (File No. DB07-0090) and Type ‘C’ Tree Plan (File No. DB08-0004).

WHEREAS, the DRB recommended approval of the proposed zone change, and of the above described case file, with no conditions, and,

WHEREAS, on April 14, 2008, the DRB Panel A, after proper legal notification, conducted a public hearing to review the items, reviewing the materials submitted by the applicant and after reviewing the record, the materials, taking public testimony, and after deliberation, adopted Resolution Number 128, recommending approval to council of the zone change, with no conditions, and

WHEREAS, after proper legal notification the City Council scheduled a public hearing on the matter, and

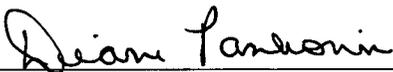
WHEREAS, the Council opened the public hearing, took testimony and evidence from interested parties on the above-referenced zone change application, and upon consideration of the entire record herein, determines that the application meets applicable approval criteria.

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

Section 1. Finding. The City Council adopts as findings and conclusions the forgoing recitals and the staff report in this matter dated April 14, 2008, labeled Exhibit A1, 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 DB07-0089, attached hereto, Wilsonville Zone Map classification: *Public Facility (PF)* and Clackamas County Zone Map classification: *Exclusive Farm Use (EFU)*. Rezone the subject property to the *Village (V)* zone on Tax Lot 2996 and portions of Tax Lots 2906 and 2908, Section 15, T3S-R1W, Clackamas County, Oregon, as depicted on the attached map (Attachment 1), Clackamas County, Wilsonville, Oregon and described in attached legal description (Attachment 2).

SUBMITTED to the Wilsonville city Council and read for the first time at a regular meeting thereof on the 5<sup>th</sup> day of May 2008, and scheduled for second reading at a regular meeting thereof on the 19<sup>th</sup> day of May 2008, commencing at the hour of 7 p.m. at the Wilsonville City Hall.

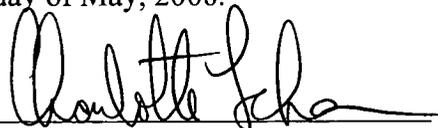
  
\_\_\_\_\_  
Diane Pankonin, Recorder Pro Tem

ENACTED by the City Council on the 19<sup>th</sup> day of May, 2008, by the following votes:

Yes:-5- No: -0-

  
\_\_\_\_\_  
Diane Pankonin, Recorder Pro Tem

DATED and signed by the Mayor this 22<sup>nd</sup> day of May, 2008.

  
\_\_\_\_\_  
CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Knapp	Yes
Councilor Ripple	Yes
Councilor Kirk	Yes
Councilor Núñez	Yes

Attachments:

- Zoning Order DB07-0089
- Attachment 1: Map depicting zone change
- Attachment 2: Legal Description
- Planning Division Staff Report (to Council)
- Exhibit A1 - DRB Panel A Amended and Adopted Staff Report dated April 14, 2008.  
Including DRB approved Plan Set

**BEFORE THE CITY COUNCIL OF  
CITY OF WILSONVILLE, OREGON**

In the Matter of the Application of  
**West Hills Development/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 DB07-0089**

The above-entitled matter is before the Council to consider the application of West Hills Development, 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 Lot 2996 and portions of Tax Lots 2906 and 2908 in Section 15, T3S-R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the City Zoning Map as *Public Facility (PF)* and on the Clackamas County Zoning Map as *Exclusive Farm Use (EFU)*.

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 23.48 acres of Tax Lot 2996 and portions of Tax Lots 2906 and 2908, 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

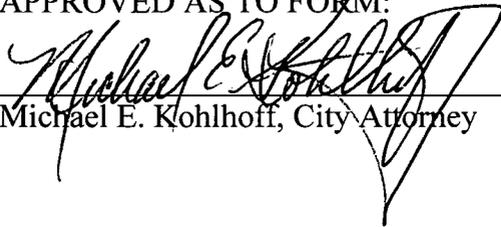
declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 19th day of May, 2008.



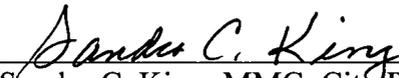
CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM:



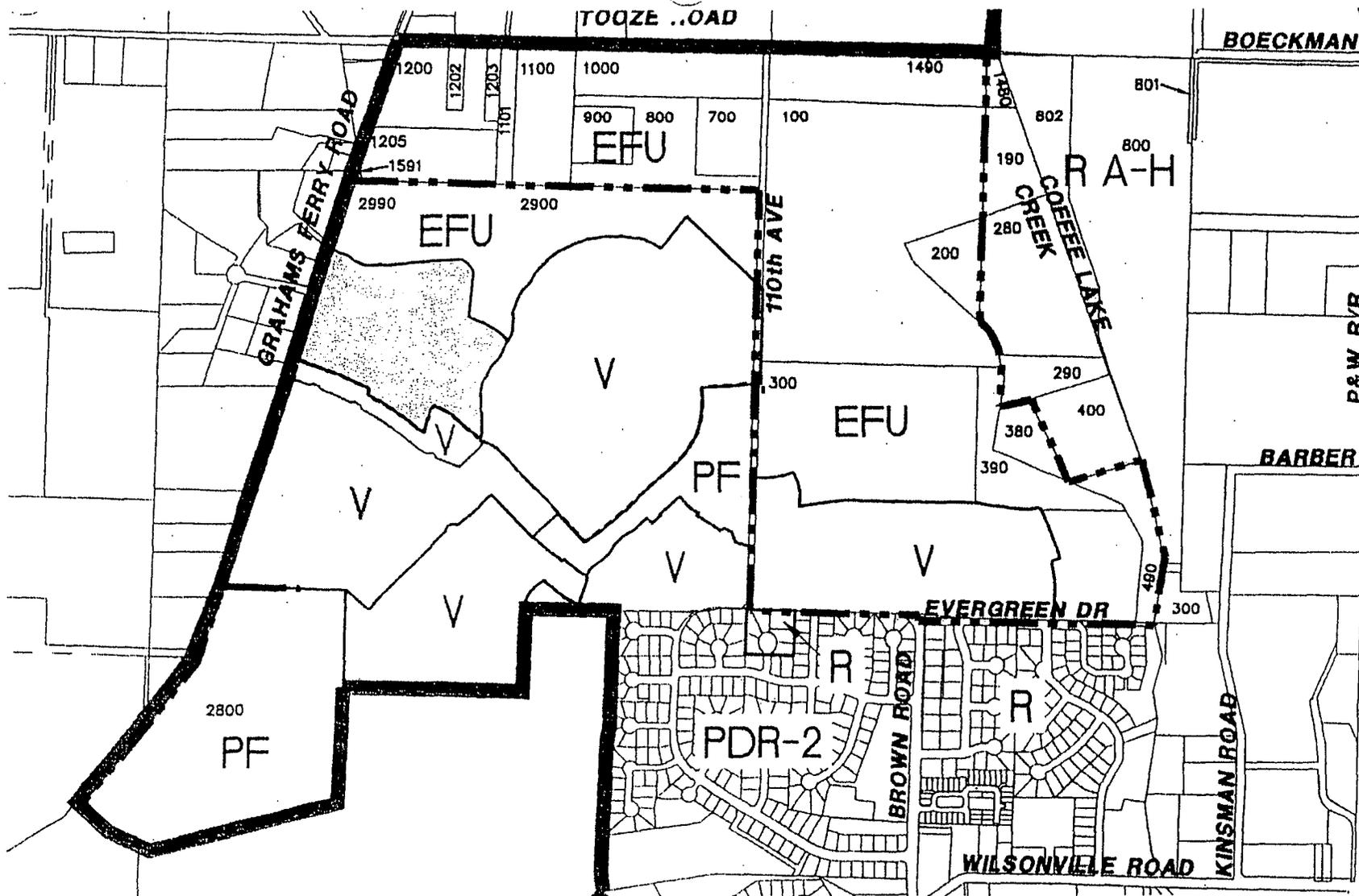
Michael E. Kohlhoff, City Attorney

ATTEST:



Sandra C. King, MMC, City Recorder

Attachment 1: Map depicting zone change  
Attachment 2: Legal Description



**LEGEND**

-  SUBJECT AREA - PROPOSED VILLAGE (V) ZONE (Approximately 23.48 AC )
-  ZONE LINE
-  SAP SOUTH BOUNDARY
-  EXISTING UGB
-  EXISTING CITY BOUNDARY
- PF** EXISTING ZONING DESIGNATION



1" = 1000'

**PROPOSED ZONE MAP AMENDMENT**

Attachment 2: Legal Description  
(Forthcoming)

**EXHIBIT "A"**  
**ARBOR VILLEBOIS**  
**SAP NORTH – PHASE 1**  
**DESCRIPTION**  
**May 28, 2008**  
**Page 1 of 2**

A tract of land located in the northwest one-quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, being a portion of Parcel 5, Partition Plat No. 2005-063, Clackamas County Survey Records, described as follows:

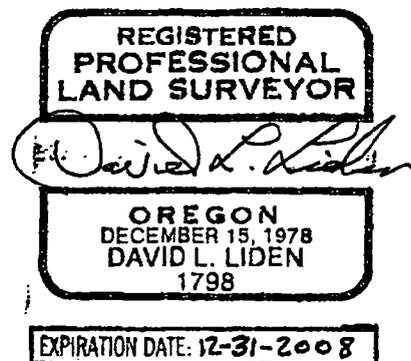
**Beginning** at a point on the easterly right-of-way line of S.W. Grahams Ferry Road (County Road No. 13), said point bearing N.17°14'42"E. along said easterly right-of-way line, 113.74 feet from the northwest corner of "Arbor Villebois No. 4", a duly recorded plat in Clackamas County; thence N.17°14'42"E. along said easterly right-of-way line, 675.70 feet; thence leaving said right-of-way line S.72°29'33"E., 128.86 feet; thence N.78°43'40"E., 38.94 feet; thence N.59°27'30"E., 17.54 feet; thence N.63°37'58"E., 39.50 feet; thence along the arc of a 51.50 foot radius non-tangent curvature left (the radius point bears N.63°37'58"E.) through a central angle of 55°02'48", 49.48 feet (chord bears S.53°53'26"E., 47.60 feet) to a point of compound curvature; thence along the arc of a 770.00 foot radius curve left through a central angle of 19°29'28", 261.94 feet (chord bears N.88°50'26"E., 260.68 feet) to a point of reverse curvature; thence along the arc of a 510.00 foot radius curve right through a central angle of 7°14'19", 64.43 feet (chord bears N.82°42'52"E., 64.39 feet); thence N. 86°20'01"E., 301.18 feet; thence along the arc of a 101.00 foot radius curve right through a central angle of 98°57'15", 174.43 feet (chord bears S.44°11'22"E., 153.55 feet); thence S.05°17'16"W., 138.59 feet; thence along the arc of a 2967.00 foot radius curve right through a central angle of 02°41'26", 139.33 feet (chord bears S.06°37'59"W., 139.32 feet) to a point of reverse curvature; thence along the arc of a 10.00 foot radius curve left through a central angle of 78°05'34", 13.63 feet (chord bears S.31°04'05"E., 12.60 feet) to a point of reverse curvature; thence along the arc of a 838.00 foot radius curve right through a central angle of 11°45'57", 172.09 feet (chord bears S.64°13'54"E., 171.78 feet) to a point of compound curvature; thence along the arc of a 688.00 foot radius curve right through a central angle of 07°08'20", 85.72 feet (chord bears S.54°46'45"E., 85.67 feet); thence S.38°44'48"W., 76.00 feet; Thence along the arc of a 612.00 non-tangent curve right (the radius point of which bears S.38°44'48"W.) through a central angle of 02°46'35", 29.65 feet (chord bears S.49°51'55"E., 29.65 feet) to a point of compound curvature; thence along the arc of a 10.00 foot radius curve to the right, through a central angle of 83°46'55", 14.62 feet (chord bears S.06°35'10"E., 13.35 feet) to a point of compound curvature; thence along the arc 482.00 foot radius curve right, through a central angle of 05°31'31", 46.48 feet (chord bears S.38°04'05"W., 46.46 feet); thence S.41°10'50"W., 73.62 feet; thence along the arc of a 318.00 foot radius curve left

## EXHIBIT "A"

**ARBOR VILLEBOIS  
SAP NORTH – PHASE 1  
DESCRIPTION  
May 28, 2008  
Page 2 of 2**

through a central angle of  $58^{\circ}02'17''$ , 322.12 feet (chord bears  $S.12^{\circ}09'41''W.$ , 308.52 feet) to a point of reverse curvature, thence along the arc of a 242.00 foot radius curve right, through a central angle of  $39^{\circ}55'33''$ , 168.63 feet (chord bears  $S.03^{\circ}06'27''W.$ , 165.24 feet); thence  $N.52^{\circ}56'02''W.$ , 271.33 feet; thence  $N.73^{\circ}56'38''W.$ , 133.74 feet; thence  $S.16^{\circ}03'22''W.$ , 48.55 feet; thence along the arc of a 1877.79 foot radius curve right through a central angle of  $01^{\circ}09'24''$ , 37.91 feet (chord bears  $S.16^{\circ}38'05''W.$ , 37.91 feet) to a point of compound curvature; thence along the arc of a 23.00 foot radius curve right through a central angle of  $105^{\circ}44'45''$ , 42.45 feet (chord bears  $S.70^{\circ}05'03''W.$ , 36.68 feet) to a point of compound curvature; thence along the arc of a 389.63 foot radius curve right through a central angle of  $7^{\circ}43'26''$ , 52.52 feet (chord bears  $N.53^{\circ}10'54''W.$ , 52.48 feet); thence along the arc of a 507.50 foot radius non-tangent curve left (the radius point of which bears  $N.64^{\circ}41'00''W.$ ) through a central angle of  $2^{\circ}11'47''$ , 19.46 feet (chord bears  $N.24^{\circ}13'06''E.$ , 19.45 feet); thence  $N.66^{\circ}52'57''W.$ , 55.00 feet; thence along the arc of a 2347.69 foot radius non-tangent curve left (the radius point of which bears  $S.36^{\circ}48'37''W.$ ) through a central angle of  $06^{\circ}27'32''$ , 264.65 feet (chord bears  $N.56^{\circ}25'09''W.$ , 264.51 feet); thence  $N.43^{\circ}51'37''W.$ , 59.00 feet; thence  $S.46^{\circ}12'13''W.$ , 9.29 feet; thence along the arc of a 1674.51 foot radius non-tangent curve left (the radius point of which bears  $S.26^{\circ}27'02''W.$ ) through a central angle of  $08^{\circ}41'53''$ , 254.21 feet (chord bears  $N.67^{\circ}53'56''W.$ , 253.96 feet); thence  $N.72^{\circ}14'52''W.$ , 17.65 feet; thence  $N.17^{\circ}45'08''E.$ , 8.85 feet; thence  $N.72^{\circ}14'52''W.$ , 177.17 feet; thence  $N.82^{\circ}30'04''W.$ , 35.67 feet to the **Point of Beginning**.

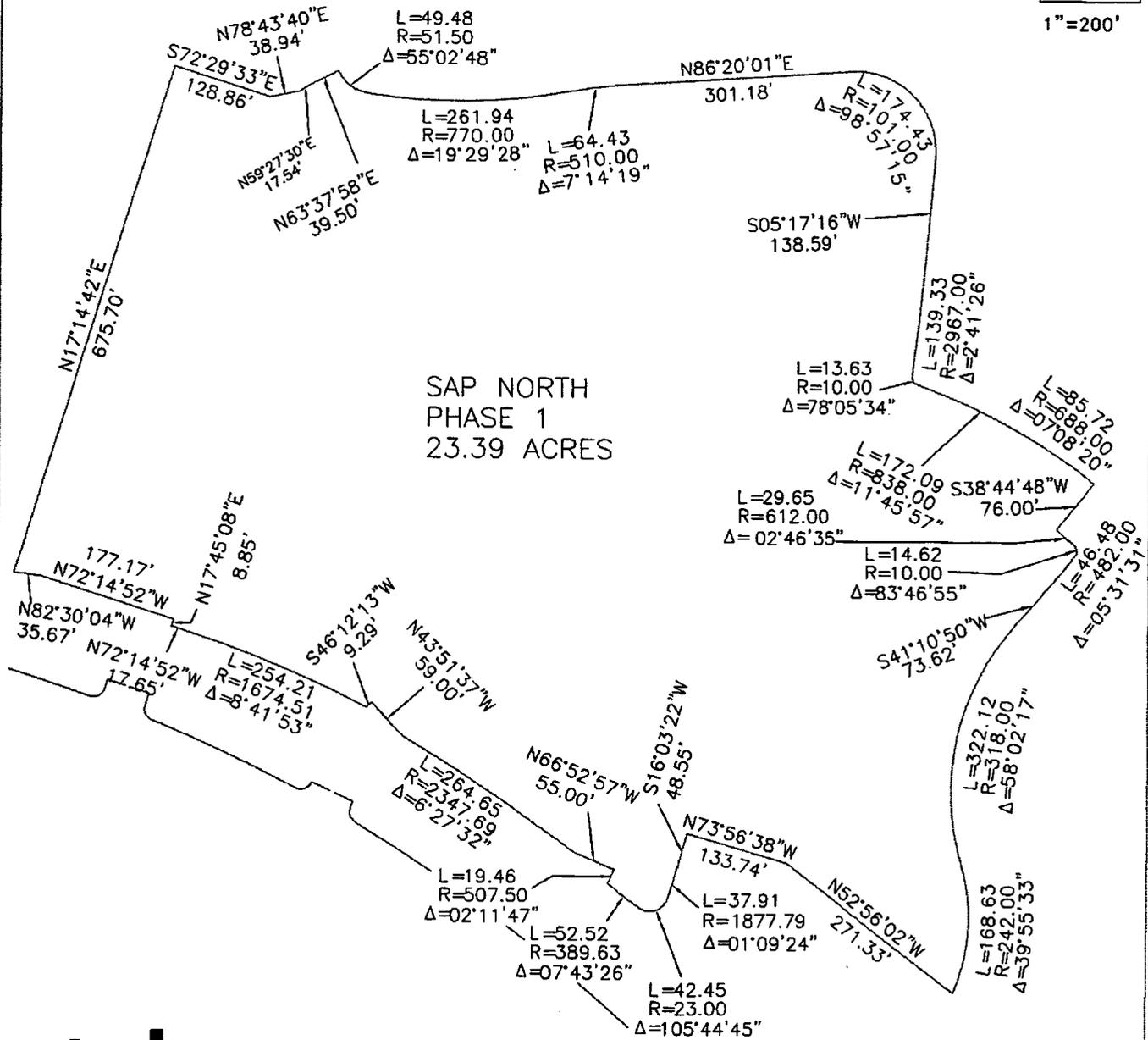
Contains 23.39 acres, more or less.



# EXHIBIT B



1"=200'



**otak**  
incorporated

17355 S.W. BOONES FERRY ROAD  
LAKE OSWEGO, OREGON 97035  
(503)635-3618 FAX (503)635-5395

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EXHIBIT MAP  
ZONE CHANGE BOUNDARY DESCRIPTION  
VILLEBOIS 1 NORTH, PHASE 1  
IN THE N.W. 1/4 SECTION 15, T.3S., R.1W., W.M.  
CITY OF WILLSONVILLE, CLACKAMAS COUNTY, OREGON