



**Wilsonville City Hall
Development Review Board Panel B**

Monday, July 24, 2017 - 7:30 P.M.

I. Call To Order:

II. Chairman's Remarks:

III. Roll Call:

Aaron Woods Richard Martens Shawn O'Neil Samuel Scull Samy Nada

IV. Citizen's Input:

V. Consent Agenda:

VI. Public Hearing:

A. Resolution No. 338

Annexation of 63rd Avenue Right-of-Way: West Linn-Wilsonville School District-Owner/Applicant. The applicant is requesting approval of an Annexation of 2,206 square feet of territory on the south side of Advance Road at SW 63rd Avenue. The subject property is specifically known as an eastern portion of Tax Lot 2100 of Section 18, Township 3 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon. Staff: Kimberly Rybold

Case Files: DB17-0019 Annexation

The DRB action on the Annexation is a recommendation to the City Council

Documents:

[DB17-0019 Staff Report . Exhibits.pdf](#)

VII. Board Member Communications:

A. Results of the July 10, 2017 DRB Panel A meeting

Documents:

[DRB-A July 10 2017 Results.pdf](#)

B. Recent City Council Action Minutes

Documents:

VIII. Staff Communications:

IX. Adjournment

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. The City will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting.

- Qualified sign language interpreters for persons with speech or hearing impairments.
- Qualified bilingual interpreters.
- To obtain such services, please call the Planning Assistant at 503 682-4960

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, JULY 24, 2017

7:30 PM

VI. Public Hearing:

- A. **Resolution No. 338. Annexation of 63rd Avenue Right-of-Way: West Linn-Wilsonville School District–Owner/Applicant.** The applicant is requesting approval of an Annexation of 2,206 square feet of territory on the south side of Advance Road at SW 63rd Avenue. The subject property is specifically known as an eastern portion of Tax Lot 2100 of Section 18, Township 3 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon.
Staff: Kimberly Rybold

Case Files: DB17-0019 Annexation

The DRB action on the Annexation is a recommendation to the City Council

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 338**

A RESOLUTION OF THE CITY OF WILSONVILLE RECOMMENDING APPROVAL TO THE CITY COUNCIL OF AN ANNEXATION OF APPROXIMATELY 2,206 SQUARE FEET OF TERRITORY ON THE SOUTH SIDE OF ADVANCE ROAD AT SW 63RD AVENUE. THE PROPERTY IS SPECIFICALLY KNOWN AS AN EASTERN PORTION OF TAX LOT 2100, OF SECTION 18, T3S, R1E, WILLAMETTE MERDIAN, CLACKAMAS COUNTY, WEST LINN-WILSONVILLE SCHOOL DISTRICT – OWNER/APPLICANT.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated July 17, 2017, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on July 24, 2017, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject annexation and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated July 17, 2017, attached hereto as Exhibit A1, with findings contained therein, and authorizes the Planning Director to recommend to the City Council approval of the Annexation request in case-file DB17-0019.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 24th day of July, 2017 and filed with the Planning Administrative Assistant on _____. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.

Shawn O'Neil, Chair - Panel B
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

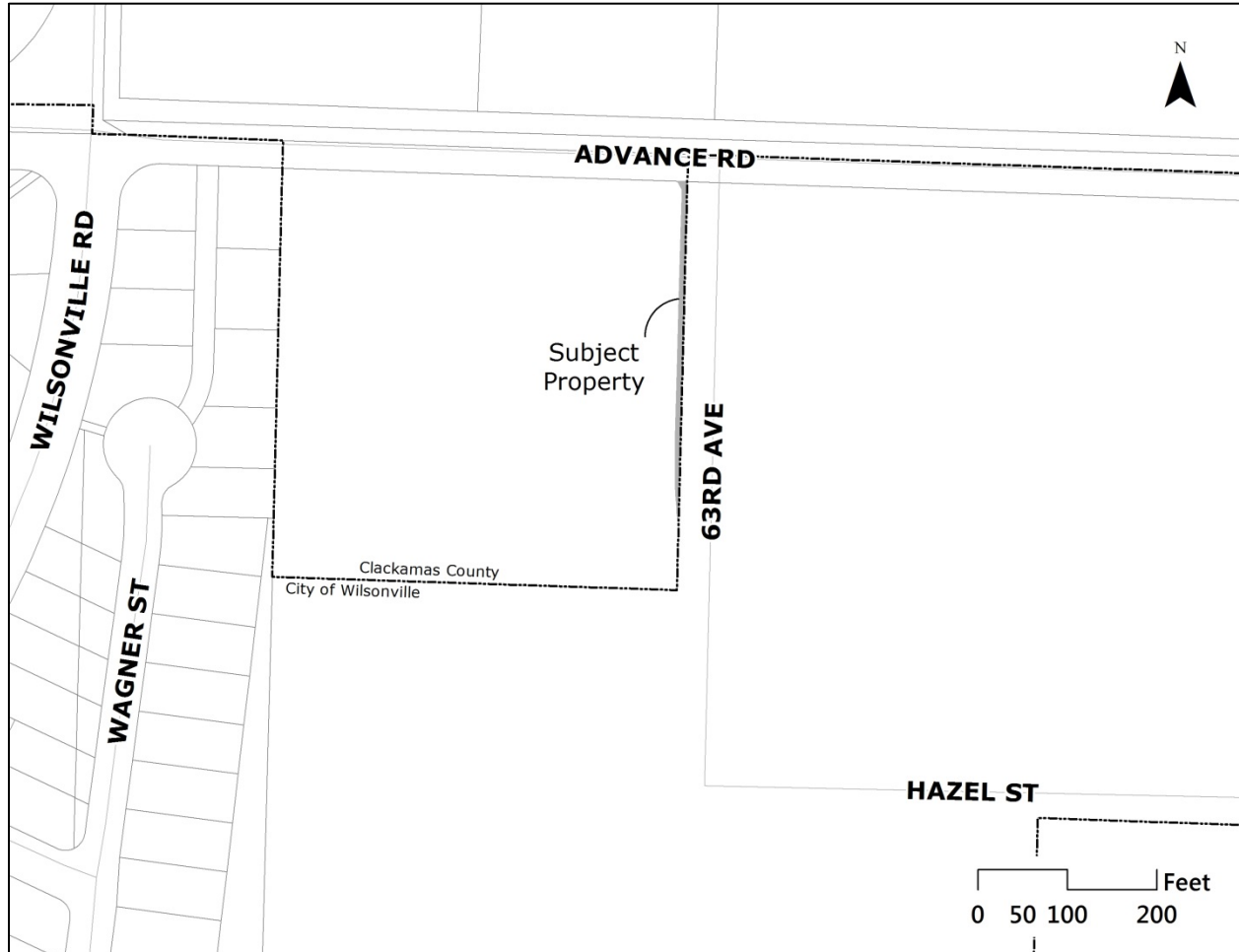


Exhibit A1
Planning Division Staff Report
Annexation of 63rd Avenue Right-of-Way

Development Review Board Panel 'B'
Quasi-Judicial Public Hearing

Hearing Date:	July 24, 2017
Date of Report:	July 17, 2017
Application No.:	DB17-0019 Annexation
Request/Summary:	The Development Review Board is being asked to review a Quasi-judicial Annexation request.
Location:	South side of SW Advance Road at SW 63 rd Avenue. The property is specifically known as an eastern portion of Tax Lot 2100, Section 18, Township 3 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon.
Owner/Applicant:	Tim Woodley West Linn-Wilsonville School District
Applicant's Representative:	Keith Liden Bainbridge
Comprehensive Plan Designation:	Agriculture (Clackamas County)
Zone Map Classification:	EFU (Exclusive Farm Use, Clackamas County)
Staff Reviewers:	Kimberly Rybold, AICP, Associate Planner
Staff Recommendation:	<u>Recommend approval</u> of Annexation to City Council.

Vicinity Map



Background:

The 2,206 square-foot subject property was acquired by the West Linn-Wilsonville School District in order to complete the required improvements for the new SW 63rd Avenue that will provide access to Meridian Creek Middle School, which is currently under construction. A future 10-acre city community park is planned north of the school and on the east side of SW 63rd Avenue. The entire District property, including most of the future SW 63rd Avenue right-of-way, was annexed with a Public Comprehensive Plan designation, and a Public Facilities (PF) Zone designation in 2015 (Ordinance Nos. 773, 774 and 775).

A minor UGB amendment was recently approved by Metro to bring the 2,206 square-foot site into the UGB (Metro UGB Case 17-01 / DLCD File No. 002-17).

Summary:

The proposed annexation would bring an additional 2,206 square feet into the City of Wilsonville to enable the completion of SW 63rd Avenue right-of-way improvements. Ultimately, the right-of-way for SW 63rd Avenue will be dedicated to the City of Wilsonville. Since the subject property will be right-of way in its entirety, Comprehensive Plan Map and Zone Map Amendments are not required.

Conclusion and Conditions of Approval:

Staff has reviewed the Applicant’s analysis of compliance with the applicable criteria. The Staff report adopts the applicant’s responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB17-0019) with no additional conditions.

Master Exhibit List:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case File DB17-0019.

Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff’s Presentation Slides for Public Hearing (to be presented at Public Hearing)

Materials from Applicant

- B1. Signed Application
- B2. Narrative and Other Submitted Documentation

Development Review Team Correspondence

N/A

Other Correspondence

N/A

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on June 23, 2017. On June 30, 2017 staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be complete. The City must render a final decision for the request, including any appeals, by October 28, 2017.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	EFU	Rural residential
East:	PF	63rd Avenue/Future Park
South:	PF	School
West:	EFU	Rural residential

3. Previous Planning Approvals:
Metro Ordinance No. 13-1316 Major UGB Expansion
DB15-0046 Annexation
DB15-0047 Comprehensive Plan Map Amendment
DB15-0048 Zone Map Amendment (Base Zone and SROZ)
DB15-0049 Stage I Preliminary Plan
DB15-0101 et. seq. Stage II Final Plan, Site Design Review, Tentative Partition Plat, Class 3 Sign Permit
Metro Case File 17-01 Minor UGB Expansion
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.

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

Criteria: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.

Response: The application is being processed in accordance with the applicable general procedures of this Section.

Initiating Application Section 4.009

Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."

Response: The application has been submitted on behalf of the property owner, West Linn-Wilsonville School District, and is signed by an authorized representative.

Pre-Application Conference Subsection 4.010 (.02)

Criteria: This section lists the pre-application process.

Response: No pre-application meeting was necessary for the application.

Lien Payment before Approval Subsection 4.011 (.02) B.

Criterion: "City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application."

Response: No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements
Subsection 4.035 (.04) A.

Criteria: “An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.” Listed 1. through 6. j.

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

Request: DB17-0019 Annexation

As described in the Findings below, the applicable criteria for this request are met or will be met by Conditions of Approval.

Comprehensive Plan

Allowed Annexation
Implementation Measure 2.2.1.a.

- 1. Criterion:** “Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.”
Response: As a result of Urban Growth Boundary Minor Adjustment Case No. 13-01, the subject property is within the City UGB. The sole purpose of the proposed annexation is to provide the additional space to fully improve SW 63rd Avenue, and thereby provide appropriate multimodal access for the middle school and future community park.

Annexation Review Standards
Implementation Measure 2.2.1.e.

- 2. Criteria:** “Changes in the City boundary will require adherence to the annexation procedures prescribed by State law and Metro standards. Amendments to the City limits shall be based on consideration of:” Listed 1 through 5.
Response: As further explained below or in other findings supporting this request, this proposal complies with applicable state and regional policies.
 - Pursuant to consideration 1 (orderly, economic provision of public facilities and services), the City has been planning for a future city park, a public middle school, and a primary school for several years. The annexation request is related to providing the necessary transportation access to the new school and future community park.
 - Pursuant to consideration 2 (availability of sufficient land for marketplace choice), the availability of sufficient land for the middle school, park, and street system to serve it are not really a marketplace choice. However, significant analysis was presented to Metro during its consideration of the UGB amendment, which demonstrated that the District property was the best available alternative to accommodate the educational and recreation demands that must be satisfied by the District and City.
 - Consideration 3 (Statewide Planning Goals), is addressed within Finding 9.

- Consideration 4 (Applicable Metro Plans), is addressed within Finding 5.
- Pursuant to consideration 5 (Encouraging Development within City Limits before conversion of urbanizable (UGB) areas), the annexation of the subject 2,206 square-foot site is consistent with this implementation measure because it represents the absolute minimum amount of land area needed to complete the SW 63rd Avenue improvements.

Development Code

Authority to Review Annexation

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, and 4.033 (.01) F.

3. **Criteria:** These subsections prescribe the authority of the Planning Director to determine whether an annexation request is legislative or quasi-judicial, the DRB does the initial review of quasi-judicial annexation, and the City Council takes final local action of quasi-judicial annexation.

Response: The subject annexation request has been determined to be quasi-judicial and is being reviewed by the DRB and City Council consistent with these subsections.

Annexation

Section 4.700

4. **Criteria:** This section defines the criteria and process for annexation review within the City.

Response: All the necessary materials defined by this section have been submitted for review. The annexation is a quasi-judicial action, which satisfies all of the applicable approval criteria as demonstrated herein.

Metro Code

Local Government Boundary Changes

Chapter 3.09

5. **Criteria:** This chapter establishes hearing, notice, and decision requirements as well as review criteria for local government boundary changes in the Metro region.

Response: The subject site is within the Metro UGB, meets the definition of a minor boundary change as an annexation to a city, satisfies the requirements for boundary change petitions as the property owner, there are no electors, a petition with the required information has been submitted, and is annexation is consistent with the Comprehensive Plan and the Wilsonville Development Code.

Oregon Revised Statutes

Authority and Procedure for Annexation ORS 222.111

6. **Criteria:** ORS 222.111 establishes the authority and procedures for annexation by City's within the state of Oregon.

Response: The applicable requirements in state statute are met including the facts that subject property is within the Metro UGB, is contiguous to the City, the request has been initiated by the property owner of the land being annexed, and there are no electors in the area to be annexed.

Procedure Without Election by City Electors ORS 222.120

7. **Criteria:** ORS 222.120 establishes the authority and procedures for annexation by City's within the state of Oregon without an election.

Response: There is no City charter requirement for election for annexation. A public hearing process is being followed as defined in the Development Code, and the applicable requirements in state statute are met including the fact that the single owner of the subject property is the petitioner and thus has consented in writing to annexation. There are no electors or residential dwellings within the territory to be annexed.

Annexation by Consent of All Owners of Land and Majority of Electors ORS 222.125

8. **Criteria:** "The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 (Procedure without election by city electors) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation."

Response: The territory to be annexed is all owned by the West Linn-Wilsonville School District. As the owner, the District has petitioned and consented to annexation in writing. There are no electors or residential dwellings within the territory to be annexed. However, a public hearing process is being followed as prescribed in the Wilsonville Development Code.

Oregon Statewide Planning Goals

Goals 1, 2, 5, 6, 8, 9, 10, 11, 12, 13

9. **Criteria:** The goals include: citizen involvement, land use planning, natural resources and open spaces, air water and land resource quality, recreational needs, economic development, housing, public facilities and services, transportation, and energy conservation.

Response: The area requested to be annexed will be developed consistent with the City's Comprehensive Plan and the Transportation System Plan, both which have been found to meet the statewide planning goals.



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.

29799 SW Town Center Loop E, Wilsonville, OR 97070
Phone: 503.682.4960 Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Applicant:

Name: Tim Woodley
Company: West Linn-Wilsonville Sch. Dist.
Mailing Address: 2755 SW Borland Road
City, State, Zip: Tualatin, OR 97062
Phone: 503.673.7976 Fax: 503.638.9360
E-mail: woodleyt@wlwv.k12.or.us

Authorized Representative:

Name: Keith Liden
Company: Bainbridge
Mailing Address: 1000 SW Broadway, Su. 1700
City, State, Zip: Portland, OR 97205
Phone: 503.757.5501 Fax: NA
E-mail: keith.liden@gmail.com

Property Owner:

Name: Same
Company:
Mailing Address:
City, State, Zip:
Phone: Fax:
E-mail:

Property Owner's Signature:

[Handwritten signature of Tim Woodley]
Printed Name: Date: 6.15.17

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

Printed Name: Date:

Site Location and Description:

Project Address if Available: Suite/Unit
Project Location: 63rd Ave.
Tax Map #(s): 3S 1E 18 Tax Lot #(s): 2000 & 2100 County: Washington Clackamas

Request:

Annexation of 2,206 sq. ft. along the west side of SW 63rd Ave. and a Comprehensive Plan Map and Zone Map Amendment from Clackamas Co. Agriculture/EFU to City Public Lands/PF-Public Facilities.

Project Type: Class I Class II Class III

Residential Commercial Industrial Other: school

Application Type(s):

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

MERIDIAN CREEK MIDDLE SCHOOL
Annexation, Comprehensive Plan Map Amendment, Zone Map
Amendment

June 20, 2017

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ATTACHMENT A - Legal Description

APPLICATION SUMMARY

For approval of the following three related applications:

- Annexation of 2,206 square feet adjacent to SW 63rd Avenue.
- Comprehensive Plan Map Amendment from Clackamas County Agriculture to city of Wilsonville Public Facilities.
- Zone Map Amendment from Clackamas County EFU (Exclusive Farm Use) to city of Wilsonville PF (Public Facilities) zone.

GENERAL INFORMATION

Location

3S 1E Section 18, Tax Lots 2000 and 2100 (see Figure 1).

Comprehensive Plan and Zoning Designations

The Clackamas County Comprehensive Plan designation is Agriculture.
The property is currently zoned Clackamas County EFU.

Property Owner

West Linn-Wilsonville School District
Tim Woodley, Director of Operations
2755 SW Borland Road
Tualatin, OR 97062
Phone: 503.673.7976
E-mail: woodleyt@wlwv.k12.or.us

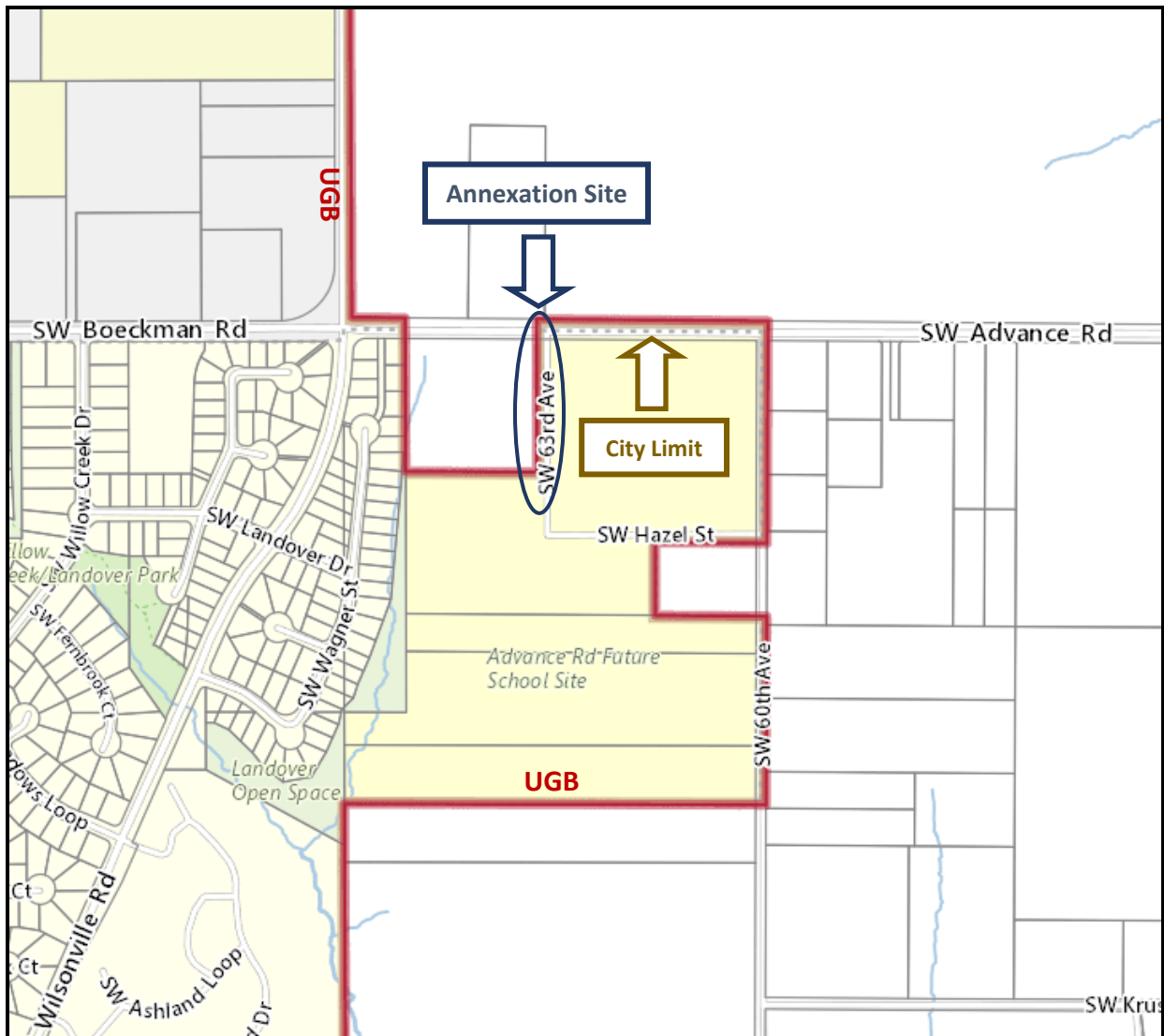
Applicant's Representative

Keith Liden, AICP
Bainbridge
1000 SW Broadway, Suite 1700
Portland, OR 97205
Phone: 503.757.5501
E-mail: keith.liden@gmail.com

Applicant's Surveyor

Mike Rademacher, PLS
Compass Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, OR 97222
Phone: 503.653.9093
E-mail: miker@compass-landsurveyors.com

Figure 1 – Vicinity Map



BACKGROUND INFORMATION

Site Description

The 2,206 square-foot site (referred to as “the site” in this application) was acquired by the West Linn-Wilsonville School District in order to complete the required improvements for the new SW 63rd Avenue that will provide access to Meridian Creek Middle School, which is currently under construction. The entire District property, including most of the future SW 63rd Avenue right-of-way, has been annexed with a Public Comprehensive Plan designation, and a Public Facilities (PF) Zone designation (Ordinance Nos. 773, 774 and 775).

A minor UGB amendment was recently approved by Metro to bring the 2,206 square-foot site into the UGB (Metro UGB Case 17-01 / DLCDC File No. 002-17).

Vicinity Information

The zoning and land use for the properties in the vicinity of the site are EFU to the north and west. There is no significant agricultural use in the immediate vicinity. Meridian Creek Middle School is immediately south of the site. SW 63rd Avenue, a new street to provide access to the school, is presently under construction. A future 10-acre city community park is planned north of the school and on the east side of SW 63rd Avenue.

APPLICATION ELEMENTS

Annexation

The full improvement of SW 63rd Avenue necessitated the acquisition the site for street right-of-way. A minor UGB adjustment to include the site in the UGB was approved by Metro in April 2017, making it possible for the site to be annexed. A legal description for the property to be annexed is provided in Attachment A.

Comprehensive Plan Map Amendment

The site is currently designated Agriculture in the Clackamas County Comprehensive Plan. The school district property is designated Public Lands, and the same designation is sought for the site.

Zone Map Amendment

Consistent with the Comprehensive Plan Map Amendment, the zoning for the site is requested to be changed from Clackamas County EFU (Exclusive Farm Use) to Wilsonville PF – Public Facilities zone.

APPLICABLE CRITERIA - OREGON STATEWIDE PLANNING GOALS

Review Criteria: The Statewide Planning Goals apply to the Annexation, Comprehensive Plan Map Amendment, and Zone Map Amendment portions of this application. The goals are addressed as they pertain to these three application elements.

Goal 1 – Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Response: The City's existing Comprehensive Plan and implementing regulations are in compliance with Goal 1 by providing a comprehensive public process for development and application of all land use regulations. This application proposal will not alter those provisions or the City's regulations and therefore, it will remain in compliance with Goal 1. The formal application review process includes duly noticed public hearings.

Goal 2 – Land Use Planning. To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Response: The City is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing the plan. The Annexation, Comprehensive Plan Map Amendment, and Zone Map Amendment are being processed consistent with the planning policies in the Comprehensive Plan and Wilsonville Planning and Development Code requirements as noted in the findings which follow this section.

Goal 3 – Agricultural Lands. To preserve and maintain agricultural lands.

Response: The area to be rezoned includes land designated for agriculture, but it is not in agricultural use. The annexation and map amendments sought in this application are consistent with the goal because they would facilitate properly designed access for the new Meridian Creek Middle School, which is within the existing UGB and city limits.

Goal 4 – Forest Lands. To conserve forest lands.

Response: The subject property and surrounding area do not include any forest lands, so this goal does not apply.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces. To protect natural resources and conserve scenic and historic areas and open spaces.

Response: The City's Comprehensive Plan, implementing ordinances, and resource inventories comply with this goal. The subject site does not contain known historic or archaeological resources. The significant natural resources and habitats within the Meridian Creek corridor are several hundred feet west of the site. Therefore, this goal is not relevant.

Goal 6 – Air, Water, and Land Resources Quality. To maintain and improve the quality of the air, water and land resources of the state.

Response: The City’s Comprehensive Plan has been acknowledged as being in compliance with Goal 6. The Annexation, Comprehensive Plan Map Amendment, and the Zone Map Amendment will not involve any natural resource land. By enabling full improvement of SW 63rd Avenue, it will help provide for efficient, multi-modal travel between the school, community park, and existing and planned residences in the surrounding area. The sidewalks and bike lanes included in the design will facilitate reduced reliance on automobile travel to and from the site.

Goal 7 - To protect life and property from natural disasters and hazards.

Response: The City’s Comprehensive Plan has been acknowledged as being in compliance with Goal 7. The property is not within the Willamette River flood plain, and no other natural hazards have been identified on the property or immediate vicinity.

Goal 8 – Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Response: Meridian Creek Middle School will include athletic fields and other sports and recreational facilities for public use. The City will ultimately develop a community park on the northern portion of the District property to satisfy recreational needs identified in the Comprehensive Plan. The full improvement of SW 63rd Avenue will provide the primary access to these facilities. The destination resort provisions of this goal are not applicable.

Goal 9 – Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Response: The City’s Comprehensive Plan has been acknowledged as being in compliance with Goal 9. A key component to a thriving economy and opportunities for Oregon residents is a quality education system. The full improvement of SW 63rd Avenue will provide important transportation access to and from the school.

Goal 10 – Housing. To provide for the housing needs of citizens of the state.

Response: This goal is not applicable because housing is not proposed. The adjoining property to the east and south is planned for public park and school use, and no housing potential will be displaced.

Goal 11 – Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The City’s Comprehensive Plan has been acknowledged as being in compliance with Goal 11. The District and City have work closely together over the past several years

to determine how services will be provided to the school/park property and surrounding area. The improvement of SW 63rd Avenue is one of the essential urban facilities necessary serve the new middle school and future community park.

Goal 12 Transportation. To provide and encourage a safe, convenient and economic transportation system.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 12. In addition, a traffic impact analysis was prepared to consider the potential traffic impact and transportation issues related to the proposed middle school, community park, and creation of SW 63rd Avenue. The study concluded that the larger transportation system will be able to successfully accommodate the school, park, and new SW 63rd Avenue.

Goal 13 – Energy Conservation. To conserve energy.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 13. As noted above, the school and park will be located proximate to existing and planned residential neighborhoods. In addition, related transportation improvements described in the traffic impact analysis will encourage walking, bicycling, and transit access to the site, reducing energy consumption. The full improvement of SW 63rd Avenue with sidewalks and bike lanes will help encourage walking and bicycling to and from the school and community park.

Goal 14 – Urbanization. To provide for an orderly and efficient transition from rural to urban land use.

Response: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 14, and the proposed Annexation, Comprehensive Plan Map Amendment, and Zone Map Amendment will represent an extremely minor adjustment of the city limit to enable full improvement of SW 63rd Avenue.

Goal 15 – Willamette River Greenway. To protect conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Response: This goal is not relevant because the site is not within or adjacent to the Willamette River Greenway.

Goals 16 – 19 – Coastal Resources.

Response: The remaining goals pertain to development and resources on the Oregon Coast, and they are not relevant in Wilsonville.

APPLICABLE CRITERIA - ANNEXATION

Comprehensive Plan

Annexation and Urbanization

Implementation Measure 2.2.1.a.

Review Criterion: “Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.”

Response: This is satisfied because the sole purpose of the proposed annexation is to provide the additional space to fully improve SW 63rd Avenue, and thereby provide appropriate multi-modal access for the middle school and future community park.

Implementation Measure 2.2.1.e.

Review Criteria: “Changes in the City boundary will require adherence to the annexation procedures prescribed by State law and Metro standards. Amendments to the City limits shall be based on consideration of:”

Response: As further explained below or in other findings supporting this request, this proposal complies with applicable state and regional policies.

1. Orderly, Economic Provision of Public Facilities and Services: The City has been planning for a future city park, a public middle school, and a primary school for several years. The annexation request is totally related to providing the necessary transportation access to the new school and future community park.

2. Availability of sufficient land for marketplace choice: The availability of sufficient land for the middle school, park, and street system to serve it are not really a marketplace choice. However, significant analysis was presented to Metro during its consideration of the UGB amendment, which demonstrated that the District property was the best available alternative to accommodate the educational and recreation demands that must be satisfied by the District and City.

3. Statewide Planning Goals: Addressed above.

4. Applicable Metro Plans: Address later in this section.

5. Encouraging Development within City Limits before conversion of urbanizable (UGB) areas: The annexation of the subject 2,206 square-foot site is consistent with this implementation measure because it represents the absolute minimum amount of land area needed to complete the SW 63rd Avenue improvements.

Planning and Land Development Ordinance

Subsections 4.030 (.01) A. 11, 4.031 (.01) K, and 4.033 (.01) F. Authority to Review Annexation

Review Criteria: These subsections prescribe the authority of the Planning Director to determine whether an annexation request is legislative or quasi-judicial, the Development Review Board (DRB) does the initial review of quasi-judicial annexation, and the City Council takes final local action of quasi-judicial annexation.

Response: The subject annexation request has been determined to be quasi-judicial and will be reviewed by the DRB and City Council consistent with these subsections.

Section 4.700 Annexation

Review Criteria: This section defines the criteria and process for annexation review within the City.

Response: All the necessary materials defined by this section have been submitted for review. The annexation is a quasi-judicial action, which satisfies all of the applicable approval criteria as demonstrated herein.

Metro Code

Chapter 3.09 Local Government Boundary Changes

Review Criteria: This chapter establishes hearing, notice, and decision requirements as well as review criteria for local government boundary changes in the Metro region.

Response: The subject site is within the Metro UGB, meets the definition of a minor boundary change as an annexation to a city, satisfies the requirements for boundary change petitions as the property owner, there are no electors, has submitted a petition with the required information, and is consistent with the Comprehensive Plan and the Wilsonville Development Code.

Oregon Revised Statutes

ORS 222.111 Authority and Procedure for Annexation

Review Criteria: ORS 222.111 establishes the authority and procedures for annexation by cities within the state of Oregon.

Response: The applicable requirements in state statute are met including the facts that subject property is within the Metro UGB, is contiguous to the City, the request has been initiated by the property owner of the land being annexed, and there are no electors in the area to be annexed.

ORS 222.120 Procedure without Election by City Electors

Review Criteria: ORS 222.120 also allows cities to determine if elections are required for annexation actions.

Response: There is no city charter requirement for election for annexation, a public hearing process is being followed as defined in the Wilsonville Development Code, and the applicable requirements in state statute are met including the facts that the single owner of the subject properties is the petitioner and thus have consented in writing to annexation. There are no electors or residential dwellings within the territory to be annexed.

ORS 222.125 Annexation by Consent of All Owners of Land and Majority of Electors

Review Criteria: “The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 (Procedure without election by city electors) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.”

Response: The territory to be annexed is all owned by the West Linn-Wilsonville School District. As the owner, the District has petitioned and consented to annexation in writing. There are no electors or residential dwellings within the territory to be annexed. However, a public hearing process is being followed as prescribed in the Wilsonville Development Code with concurrent applications for a Comprehensive Plan Map Amendment and Zone Map Amendment.

APPLICABLE CRITERIA – COMPREHENSIVE PLAN MAP AMENDMENT

Comprehensive Plan – Comprehensive Plan Changes

Pages 7 through 10 of the City of Wilsonville’s Comprehensive Plan provide the following procedure for amending the Comprehensive Plan:

Review Criterion: Who May Initiate Plan Amendments

Response: As the sole owner of the subject property, the West Linn-Wilsonville School District made application to modify the Comprehensive Plan map designation from Clackamas County Agriculture to city of Wilsonville Public Lands. Ultimately, the site, along with the remainder of SW 63rd Avenue will be dedicated to the City as a public street.

Review Criterion: Application for Plan Amendment

Response: The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

Review Criterion: Consideration of Plan Amendment

Response: The application was submitted to Planning Division as required, and the City will follow the required review process involving the DRB and the City Council.

Standards for Development Review Board and City Council Approval of Plan Amendments
(page 8 of the Comprehensive Plan):

Review Criterion:

- a. The proposed amendment is in conformity with those portions of the Plan that are not being considered for amendment.

Response: Other than the map amendment for this property, no other plan amendments to the map or narrative are proposed. The proposed map amendment is consistent with the other relevant portions of the plan as indicated herein.

Review Criterion:

- b. The granting of the amendment is in the public interest.

Response: The City and District have committed to providing educational and recreational facilities on the District property to serve the public. Annexing the site to provide full street improvements to serve these facilities is consistent with this commitment.

Review Criterion:

- c. The public interest is best served by granting the amendment at this time.

Response: As noted herein, the annexation is proposed solely to provide multi-modal transportation access to the school and future community park.

Review Criteria:

- d. The following factors have been adequately addressed in the proposed amendment:
 - Suitability of the various areas for particular land uses and improvements;

Response: The site is perfectly suited for the proposed street improvements. It is flat with no trees or sensitive lands.

- Land uses and improvements in the area;

Response: The small amount of land involved in this annexation application will have no appreciable impact on the built environment or adjoining properties.

- Trends in land improvement;

Response: The site will provide adequate street right-of-way width to fully improve SW 63rd Avenue in accordance with current city standards.

- Density of development:

Response: The proposal has no relationship to residential development density.

- Property values;

Response: The small amount of land involved in this annexation application will have no appreciable impact on the built environment or adjoining property values.

- Needs of economic enterprises in the future development of the area;

Response: The small amount of land involved in this annexation application will have no appreciable impact on fulfilling economic development.

- Transportation access:

Response: The site will provide adequate street right-of-way width to fully improve SW 63rd Avenue in accordance with current city standards.

- Natural resources; and public need for healthful, safe and aesthetic surroundings and conditions.

Response: The small amount of land involved in this annexation application will have no appreciable impact on natural resources. It will have a positive impact by creating a safe multi-modal street for all users.

Review Criterion:

- e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

Response: The Metro decision to expand the UGB to include the subject site was based on evidence, which demonstrated the need for this property to

accommodate SW 63rd Avenue. This application to annex the site and change the plan and zoning designations from Clackamas County to appropriate city of Wilsonville designations is completely consistent with the Metro decision.

Wilsonville Development Code – Comprehensive Plan Changes

Subsection 4.198(.01) of the Development Code stipulates, “Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

Approval Criterion A: “That the proposed amendment meets a public need that has been identified;”

Response: The District and City have been working together for several years to prepare this property for a new middle school and community park. Annexation of the site will accommodate full improvement of SW 63rd Avenue consistent with the overall City and District plans for the adjoining property.

Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

Response: With the City and District plan for the park and school in place, the location and level of improvement for SW 63rd Avenue is fixed. This annexation simply allows for its implementation.

Approval Criterion C: “That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;”

Response: The proposal is consistent with the Statewide Planning Goals by virtue of meeting all applicable city planning and zoning requirements.

Approval Criterion D: “That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”

Response: The District is requesting an amendment of the Comprehensive Plan Map for the subject site as referenced herein. As described in this application, the proposal complies with all of the applicable city criteria. The District does not propose to modify or amend any other portion of the Comprehensive Plan.

Review Criterion: Policy 3.1.10 The City of Wilsonville shall continue to coordinate planning for educational facilities with all three local school districts and Clackamas Community College.

Response: Since the adoption of the first West Linn-Wilsonville School District Long Range School Facilities Plan in 1996, the District and City have worked collaboratively to provide quality educational, sports, and recreation opportunities for district and city

residents. This cooperative effort to create a school and community park is the latest example of the excellent coordination between the District and City to maximize community benefits.

Review Criterion: Implementation Measure 3.1.10.a. To provide better continuity throughout the community and realize the maximum benefit to the local tax structure, the City will continue to support the consolidation of the entire City limits into one school district.

Response: This proposal will not lead to consolidation of school services, but as noted above, the high level of cooperation between the District and City has, and will continue to lead to efficient use of tax revenue.

Review Criterion: Implementation Measure 3.1.10.c. The City shall continue to coordinate with the school districts for the planning, scheduling, and construction of needed educational facilities. To minimize unnecessary duplication, the City will also work in concert with the school districts for the provision of recreational facilities and programs.

Response: As noted above, this has clearly been the case between the District and City.

Review Criterion: Implementation Measure 3.1.10.d. The City will encourage private educational services and will work with organizations or individuals proposing such activities in an effort to meet their needs while complying with the appropriate elements of the Comprehensive Plan.

Response: This is not applicable because West Linn-Wilsonville School District is public.

Review Criterion: Implementation Measure 3.1.10.e. It is the basic reasoning of these policies that development within the City should not be regulated based on the availability of school facilities and services. Rather, these services should be planned for and provided to meet the demands created by development. If, however, school facilities and/or services were determined to be severely inadequate and the school districts unable to provide satisfactory improvement, then growth limitations would be appropriate.

Response: This is not applicable because West Linn-Wilsonville School District is providing high quality educational services, and this new middle school will alleviate current and future capacity limitations.

APPLICABLE CRITERIA - ZONE MAP AMENDMENT

Comprehensive Plan

Planning/Zoning Procedures (page Intro-9)

Review Criterion: This section of the Plan states “The Development Code clearly defines the standards that must be met to obtain a Zone Change and/or Site Development Permit.”

Response: As demonstrated below, the proposed Zone Map Amendment is consistent with the relevant Development Code requirements.

Wilsonville Development Code

Section 4.029 Zoning to be Consistent with Comprehensive Plan

Review Criterion: “If a development, other than a short-term temporary use, is proposed on a parcel or lot, which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Response: The applicant is applying for a Zone Map Amendment as one part of this application. The requested PF – Public Facilities Zone will be consistent with the requested Comprehensive Plan designation of Public Lands.

Subsection 4.110 (.01) Base Zones

Review Criterion: This subsection identifies the base zones established for the City, including the PF – Public Facility Zone.

Response: The requested zoning designation of PF - Public Facilities is among the base zones identified in this subsection, and it is appropriate for the school, park, and transportation uses proposed.

Subsection 4.136(.01) Public Facilities (PF) Zone Purpose

Review Criteria: “The PF Zone is intended to be applied to existing public land and facilities; including quasi-public lands and facilities which serve and benefit the community and its citizens. Typical uses permitted in the PF Zone are schools, churches, public buildings, hospitals, parks and public utilities. Not all of the uses permitted in this zone are expected to be publicly owned.”

Response: The site will provide transportation infrastructure to directly serve public land, and therefore the PF Zone designation is appropriate.

Subsection 4.197 (.02) A. Zone Change Procedures

Review Criteria: “That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;”

Response: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

Subsection 4.197 (.02) B. Zone Change: Conformance with Comprehensive Plan Map, etc.

Review Criteria: “That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies, and objectives set forth in the Comprehensive Plan text;”

Response: The proposed zone map amendment is consistent with the proposed Comprehensive Map designation of Public Lands, which is justified based upon the findings above.

Subsection 4.197 (.02) D. Zone Change: Public Facility Concurrency

Review Criteria: “That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

Response: The proposed annexation is completely consistent with this criterion because it will allow for the full improvement of the primary (and at this point the only) access to the school and future park.

Subsection 4.197 (.02) E. Zone Change: Impact on SROZ Areas

Review Criteria: “That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/ or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;”

Response: This is not relevant because the SROZ is several hundred feet to the west.

Subsection 4.197 (.02) F. Zone Change: Development within 2 Years

Review Criterion: “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”

Response: The street improvements are currently underway and will be completed over the next few months.

Subsection 4.197 (.02) G. Zone Change: Development Standards and Conditions of Approval

Review Criteria: “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”

Response: Nothing about the zone change would prevent development on the subject property from complying with applicable development standards.

Subsection 4.197 (.02) H. Zone Change: Development Standards and Conditions of Approval

Review Criteria: “Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. A Traffic Impact Analysis (TIA) shall be prepared pursuant to the requirements in Section 4.133.05(.01).”

Response: As noted above, the sole purpose for the annexation is to provide the additional land area to fully improve SW 63rd Avenue to city standards.

CONCLUSION

The proposed applications represent a small, but necessary action necessary to provide full street improvements for SW 63rd Avenue, consistent with Wilsonville Comprehensive Plan and Development Code criteria. The Annexation, Comprehensive Plan Map Amendment, and Zone Map Amendment applications should be approved to enable the District to complete the street improvements and ultimately dedicate the street and associated street right-of-way, which will include the 2,206 square-foot site, to the City.

ATTACHMENT A
Legal Description



LEGAL DESCRIPTION
RIGHT OF WAY DEDICATION
FAY GYAPONG
WEST LINN-WILSONVILLE SCHOOL DISTRICT

#6729
Exh12.dwg
7/20/16 MAR

EXHIBIT "A"

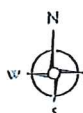
A TRACT OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 13, "LANDOVER", PLAT NO. 3246, CLACKAMAS COUNTY PLAT RECORDS, ALSO BEING A POINT ON THE SOUTH RIGHT OF WAY LINE OF S.W. ADVANCE ROAD (30.00 FEET FROM CENTERLINE); THENCE S.89°39'47"E., 438.70 FEET ALONG THE SOUTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S.89°39'47"E., 12.60 FEET ALONG THE SOUTH RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO FAY A. GYAPONG AS DESCRIBED BY DEED RECORDED AS DOCUMENT NO. 2014-011271, CLACKAMAS COUNTY DEED RECORDS; THENCE S.00°09'47"E., 394.16 FEET ALONG THE EAST LINE OF SAID GYAPONG TRACT; THENCE N.05°38'42"W., 62.81 FEET; THENCE N.00°09'47"W., 317.36 FEET TO A POINT OF CURVATURE; THENCE 16.33 FEET ALONG THE ARC OF A 19.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 49°14'36" (THE CHORD OF WHICH BEARS N.24°47'05"W., 15.83 FEET) TO THE POINT OF BEGINNING, CONTAINING 2,206 SQUARE FEET, MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 16, 1987
MICHAEL A. RADEMACHER
2303

DATE OF SIGNATURE: 5-27-16
EXPIRES: 12/31/2016



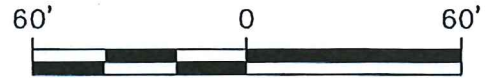
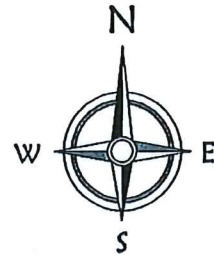
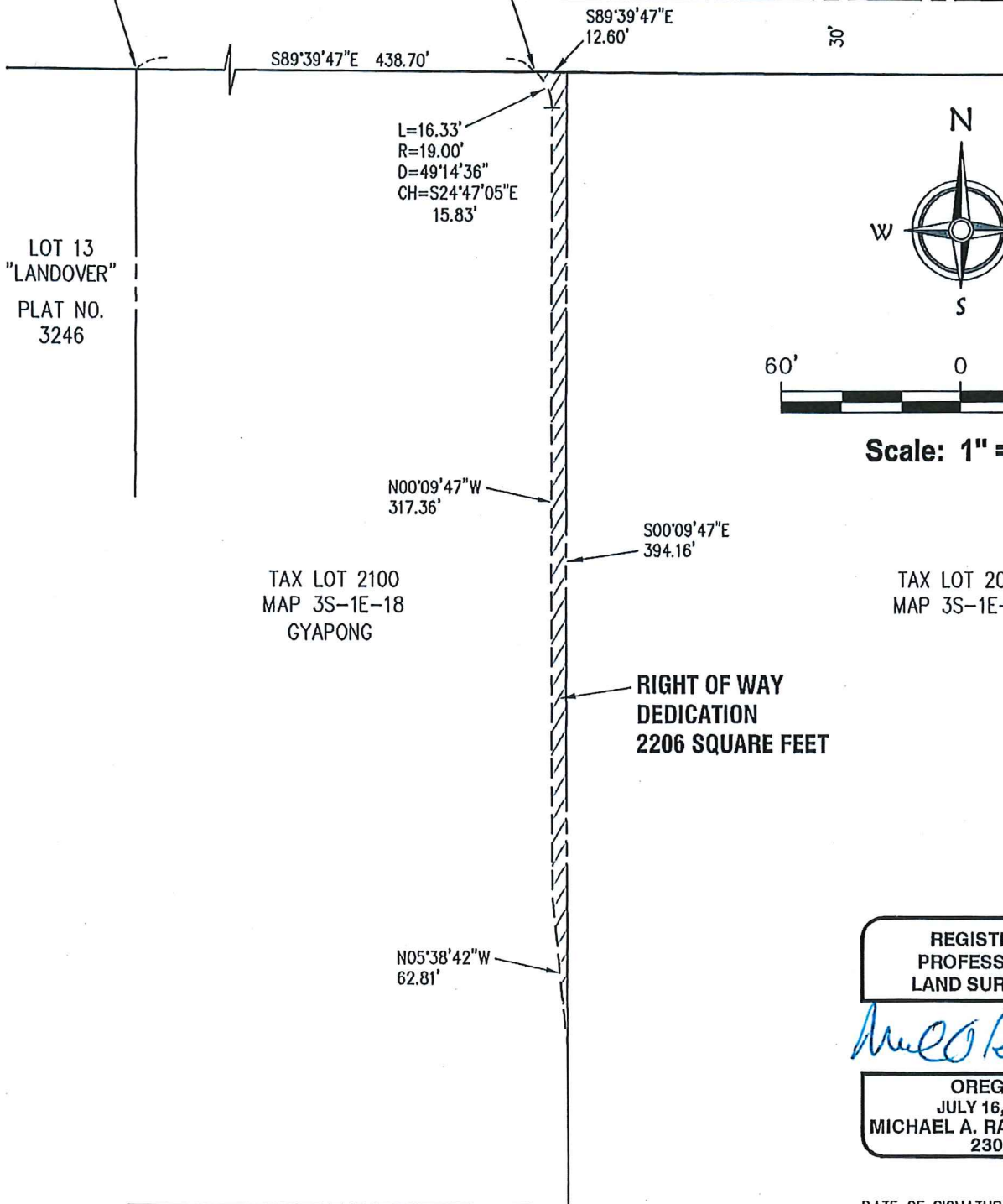
4107 SE International Way, Suite 705, Milwaukie, Oregon 97222
Phone: 503.653.9093 Fax: 503.653.9095 Email: compass@compass-landsurveyors.com

Exhibit B

POINT OF COMMENCEMENT

POINT OF BEGINNING

S.W. ADVANCE ROAD



Scale: 1" = 60'

TAX LOT 2100
MAP 3S-1E-18
GYAPONG

TAX LOT 2000
MAP 3S-1E-18

RIGHT OF WAY
DEDICATION
2206 SQUARE FEET

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael A. Rademacher

OREGON
JULY 16, 1987
MICHAEL A. RADEMACHER
2303

DATE OF SIGNATURE: 5-27-16
EXPIRES: 12/31/2016

6729 Exh12.dwg

COMPASS Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, Oregon 97222 503-653-9093

LOCATED IN THE NW 1/4 SEC. 18, T.3S., R.1E., W.M.
CITY OF WILSONVILLE
CLACKAMAS COUNTY, OREGON

After recording, please return to:

WEST LINN WILSONVILLE SCHOOL DISTRICT
22210 SW Stafford Rd
Tualatin, OR 97062

Until a change is requested all
tax statements shall be sent to:
No Change

RIGHT OF WAY DEDICATION

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned Grantor, Fay A. Gyapong, conveys unto the WEST LINN WILSONVILLE SCHOOL DISTRICT, Grantee, fee title to that certain real property situated in the County of Clackamas and State of Oregon, described on Exhibit "A" and depicted on Exhibit "B" attached hereto and by this reference made a part hereof.

The true and actual consideration for this conveyance is \$4,964.00.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

FIRST AMERICAN 26172597AB

After recording, please return to:

WEST LINN WILSONVILLE SCHOOL DISTRICT
22210 SW Stafford Rd
Tualatin, OR 97062

Until a change is requested all
tax statements shall be sent to:
No Change

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Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

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201752112
FIRST AMERICAN

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, JULY 24, 2017

7:30 PM

VII. Board Member Communications:

A. Results of the July 10, 2017 DRB Panel A meeting

City of Wilsonville

Development Review Board Panel A Meeting Meeting Results

DATE: JULY 10, 2017		
LOCATION: 29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR		
TIME START: 6:30 P.M.		TIME END: 8:36 P.M.

ATTENDANCE LOG

BOARD MEMBERS	STAFF
Ronald Heberlein	Barbara Jacobson
Fred Ruby	Daniel Pauly
James Frinell	Mike Ward
Joann Linville	Kerry Rappold
Jennifer Willard	Brian Stevenson

AGENDA RESULTS

AGENDA	ACTIONS
CITIZENS' INPUT	None.
CONSENT AGENDA	
A. Approval of minutes of the November 14, 2016 DRB Panel A meeting	A. Approved 3-0-2 with Joann Linville and Jennifer Willard abstaining
B. Approval of the minutes of the March 13, 2017 DRB Panel A meeting	B. Approved 4-0-1 with James Frinell abstaining
PUBLIC HEARING	
A. Resolution No. 337. Villebois Regional Parks 7 & 8: Polygon Northwest – Applicant. The applicant is requesting approval of a Final Development Plan with Preliminary Development Plan Refinements and Type C Tree Plan for Regional Parks No. 7 and 8. The properties are located on the eastern edge of Villebois on Tax Lots 102, 192 and 200 of Section 15 and Tax Lots 13300, 13390, 13400, 15100, 29200 and 29290 of Section 15A, T3S, R1W, Clackamas County, Oregon. Staff: Daniel Pauly Case File: DB17-0011 Final Development Plan and Preliminary Development Plan Refinements DB17-0020 Type C Tree Plan	A. Continued to the September 11, 2017 DRB Panel A meeting to allow for further testimony.
BOARD MEMBER COMUNICATIONS	
A. Results of the May 22, 2017 DRB Panel B meeting B. Results of the June 26, 2017 DRB Panel B meeting C. Recent City Council Action Minutes	
STAFF COMMUNICATIONS:	
	Staff Pauly informed the board of the recent electronic reader board applications approved by DRB Panel B for Wilsonville High School and Meridian Creek Middle School. He

also mentioned that the Charbonneau Range Subdivision was under Final Plat Review and that houses would be built soon.

RECORDED BY: S. WHITE

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, JULY 24, 2017

7:30 PM

VII. Board Member Communications:

B. Recent City Council Action Minutes

City Council Meeting Action Minutes June 19, 2017

COUNCILORS	STAFF	STAFF
Mayor Knapp	Bryan Cosgrove	Mark Ottenad
Councilor Starr - Excused	Barbara Jacobson	Jon Gail
Councilor Akervall	Jeanna Troha	Cathy Rodocker
Councilor Stevens	Sandra King	Dwight Brashear
Councilor Lehan	Susan Cole	Chris Neamtzu
	Nancy Kraushaar	Angela Handran
	Delora Kerber	

AGENDA ITEM	ACTIONS
WORK SESSION	
<ul style="list-style-type: none"> • Snow and Ice Control Plan (Kerber) • LED Street Light conversion Update (Kerber) • Frog Pond Infrastructure Funding Plan (Neamtzu) • Food Scraps Recycling Presentation by Clackamas County and Metro (Ottenad) • Wilsonville Community Sharing Support Grant Agreement. (Cole) 	<ul style="list-style-type: none"> • Staff explained the purpose of the proposed plan is to let the public know the City's policy on the clearing of city streets and sidewalks in the event of a snow/ice storm, and what residents' responsibilities are. Once finalized the policy will be posted on the City's website. • An update on the progress towards converting street lights to LED fixtures was given. • Staff presented the Infrastructure Funding Plan for Frog Pond West which is based on analysis of funding options and discussions with developers and property owners. The funding plan will be adopted as part of the final Frog Pond West Master Plan. • After hearing the report Council supported moving forward on the proposal. • A brief synopsis of the purpose of the resolution was presented. The item will be addressed under New Business.
REGULAR MEETING	
<u>Mayor's Business</u>	
<ul style="list-style-type: none"> • Citizen Academy Graduation (staff – Handran) 	<ul style="list-style-type: none"> • Certificates were awarded to the graduates of the third Citizens Academy, Class of 2017.
<u>Communications</u>	
<ul style="list-style-type: none"> • Three Sisters Heritage Tree Nomination (Councilor Lehan) 	<ul style="list-style-type: none"> • After a presentation by students from Ms. Hanlon's 4th Grade Class, the Council moved to designate The Three Sisters White Oak

	Trees on Kinsman Road as Heritage Trees.
<p><u>Consent Agenda</u></p> <ul style="list-style-type: none"> • Resolution No. 2636 - A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Carollo Engineers, Inc. For Master Planning And Design Services. (staff – Mende) • Resolution No. 2637 -A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement And Contract Amendment With Woofter Architecture Pc For Design And Construction Phase Support Services For The Library Improvements Project (CIP #8098) (Staff – Mende) • Resolution No. 2644-A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With VSS International, Inc. For The 2017 Street Maintenance – Slurry Seal Project (Capital Improvement Project #4014). (staff – Ward) 	The Consent Agenda was adopted 4-0.
<p><u>Public Hearing</u></p> <ul style="list-style-type: none"> • A. Resolution No. 2638 -A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2016-17 (staff – Rodocker) • Resolution No. 2639 -A Resolution Declaring The City’s Eligibility To Receive State Shared Revenues. (staff – Cole) • Resolution No. 2640 -A Resolution Declaring The City’s Election To Receive State Shared Revenues (staff – Cole) • Resolution No. 2641-A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.060(2) For Fiscal Year 2017-18 (staff – Cole) • Ordinance No. 806 1st reading-An Ordinance Of The City Of Wilsonville Amending The Text Of The Comprehensive Plan, The Comprehensive Plan Map, The Wilsonville Development Code, And The Significant Resource Overlay Zone Map, And Adopting The Frog Pond West Master Plan As A Sub-Element Of The Comprehensive Plan. (staff – Neamtzu) 	<p>After public hearings were conducted, Resolutions No. 2638, 2639, 2640, and 2641 were adopted 4-0.</p> <p>Council held the public hearing and adopted the ordinance on first reading. The second reading will take place July 17th. Clarifications will be made regarding glazing, the number of lots that would trigger Stafford Rd improvements, fencing behind the brick wall on Boeckman Rd, and use of back alley ways for the lots fronting the school and park property.</p>
<p><u>Continuing Business</u></p> <ul style="list-style-type: none"> • Ordinance No. 805 – 2nd reading-An Ordinance Of The City Of Wilsonville Adopting An Updated Transit Master Plan As A Sub-Element Of The Transportation System Plan, Replacing All Prior Transit Master Plans, And Repealing Ordinance No. 653. (staff – Brashear) 	Ordinance No. 805 was adopted on second reading by a vote of 4-0.

<p><u>New Business</u></p> <ul style="list-style-type: none"> • Resolution No. 2642-A Resolution Of The City Of Wilsonville Authorizing Support Grant Agreement With Wilsonville Community Sharing (Staff – Cole) • Resolution No. 2646-A Resolution Of The City Of Wilsonville Amending Resolution No. 2588 , Support Grant Agreement With Wilsonville Community Sharing For FY 2016-17. (staff – Cole) • Adoption Of Annual Update To Five-Year Action Plan And Annual One-Year Implementation Plan For The Wilsonville Tourism Development Strategy (staff – Ottenad) • Resolution No. 2645-A Resolution Adopting Collective Bargaining Agreement Between The City Of Wilsonville And SEIU Local 503. (staff – Troha) 	<p>Adopted 4-0.</p> <p>Adopted 4-0.</p> <p>Adopted 4-0.</p> <p>Adopted 4-0.</p>
<p><u>City Manager’s Business</u></p>	<p>Mr. Cosgrove presented the gift from Mayor Kim of Osan, Korea to the Mayor. He would be out of the office the remainder of the week.</p>
<p><u>Legal Business</u></p>	<p>Ms. Jacobson distributed copies of an appeal filed on behalf of BL & DJ, LLC and Lanphere Construction and Development, LLC. The matter will be brought to Council July 17th.</p>
<p>Adjourn</p>	<p>10:31 PM</p>
<p>URBAN RENEWAL AGENCY MEETING</p>	
<p><u>Public Hearing</u></p> <p>A. URA Resolution No. 275-A Resolution Of The Urban Renewal Agency Of The City Of Wilsonville Adopting The Budget, Making Appropriations, And Declaring The Intent To Collect Tax Increment For Fiscal Year 2017-18. (staff – Cole)</p> <p>A. URA Resolution No. 273-A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2016-17. (staff – Rodocker)</p>	<p>The Board conducting public hearings on URA Resolutions 275 and 273 and adopted them 4-0.</p>
<p><u>New Business</u></p> <p>URA Resolution No. 274-A Resolution Of The Urban Renewal Agency Of The City Of Wilsonville Authorizing Execution Of A First Amendment To School Facilities Lease With The West Linn/Wilsonville School District For Property Known As The “Town Center School Site” (staff – Jacobson)</p>	<p>Adopted 4-0.</p>
<p><u>Consent Agenda</u></p> <p>Minutes of the March 20, 2017 URA Meeting. (staff – King)</p>	<p>Adopted 4-0.</p>
<p>Adjourn</p>	<p>10:42 PM</p>