

ORDINANCE NO. 886

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 5.00 ACRES OF PROPERTY LOCATED AT 7252 SW FROG POND LANE FOR DEVELOPMENT OF A 17-LOT RESIDENTIAL SUBDIVISION.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by Brian Matteoni for Sullivan Homes LLC – Owner/Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code; and

WHEREAS, the subject site is located at 7252 SW Frog Pond Lane, on Tax Lots 1200 and 1300, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon; and

WHEREAS, a petition submitted to the City requests annexation of certain real property legally described and depicted in Exhibit A; and

WHEREAS, Brian Matteoni, representing 100 percent of the property ownership within the annexation area, signed the petition; and

WHEREAS, Wesley Goode, representing a majority of the electors located within the annexation area, signed the petition; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of all owners of land and a majority of electors within the territory and enables the City Council to dispense with submitting the questions of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and has been master planned as part of the Frog Pond West Neighborhood; and

WHEREAS, the land to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, the Development Review Board Panel 'A' considered the annexation and after a duly advertised public hearing held on January 8, 2024, unanimously recommended City Council approve the annexation; and

WHEREAS, on January 18, 2024, the City Council held a public hearing as required by Metro Code 3.09.050; and

WHEREAS, reports were prepared and considered as required by law; and because the annexation is not contested by any party, the City Council chooses not to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings and conclusions, and the Development Review Board's recommendation to City Council.

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

- Section 1. Findings. The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.
- Section 2. Determination. The findings and conclusions incorporated in Exhibit C are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.
- Section 3. Effective Date. This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED by the Wilsonville City Council and read for the first time at a regular meeting thereof this 18th day of January, 2024, and scheduled the second reading on the 22nd day of February, 2024, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 22nd day of February, 2024, by the following votes:

Yes: 5 No: 0

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 22nd day of February, 2024.

DocuSigned by:
Julie Fitzgerald
8A974AF3ADE042E...

JULIE FITZGERALD MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Berry	Yes
Councilor Dunwell	Yes
Councilor Linville	Yes

EXHIBITS:

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings
- D. Development Review Board Panel 'A' Resolution No. 425 Recommending Approval of Annexation



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #6175

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

City of Wilsonville Annexation Description

A tract of land located in the Southeast One-Quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the northeast corner of the plat "Morgan Farm No. 2", Plat No. 4610, Clackamas County Plat Records, also being on the north right-of-way line of SW Brisband Street (11.00 feet from centerline) and the City of Wilsonville city limits line; thence along said north right-of-way line and said city limits line, North 88°36'03" West 30.96 feet to the southwest corner of Document Number 2021-041768, Clackamas County Deed Records; thence leaving said city limits line along the west line of said Deed, North 01°38'13" East 858.15 feet to the northwest corner of said Deed, also being on the south right-of-way line of SW Frog Pond Lane (16.50 feet from centerline) and said city limits line; thence along said south right-of-way line and said city limits line, South 88°35'24" East 254.01 feet to the northeast corner of said Deed; thence leaving said city limits line along the east line of said Deed, South 01°38'13" West 858.11 feet to the south line of said Deed and said city limits line; thence along said south line and said city limits line, North 88°36'03" West 223.05 feet to the Point of Beginning.

The above described tract of land contains 5.00 acres, more or less.

The Basis of Bearings for this description are based on Survey Number 2022-119, Clackamas County Survey Records.

6/26/2023

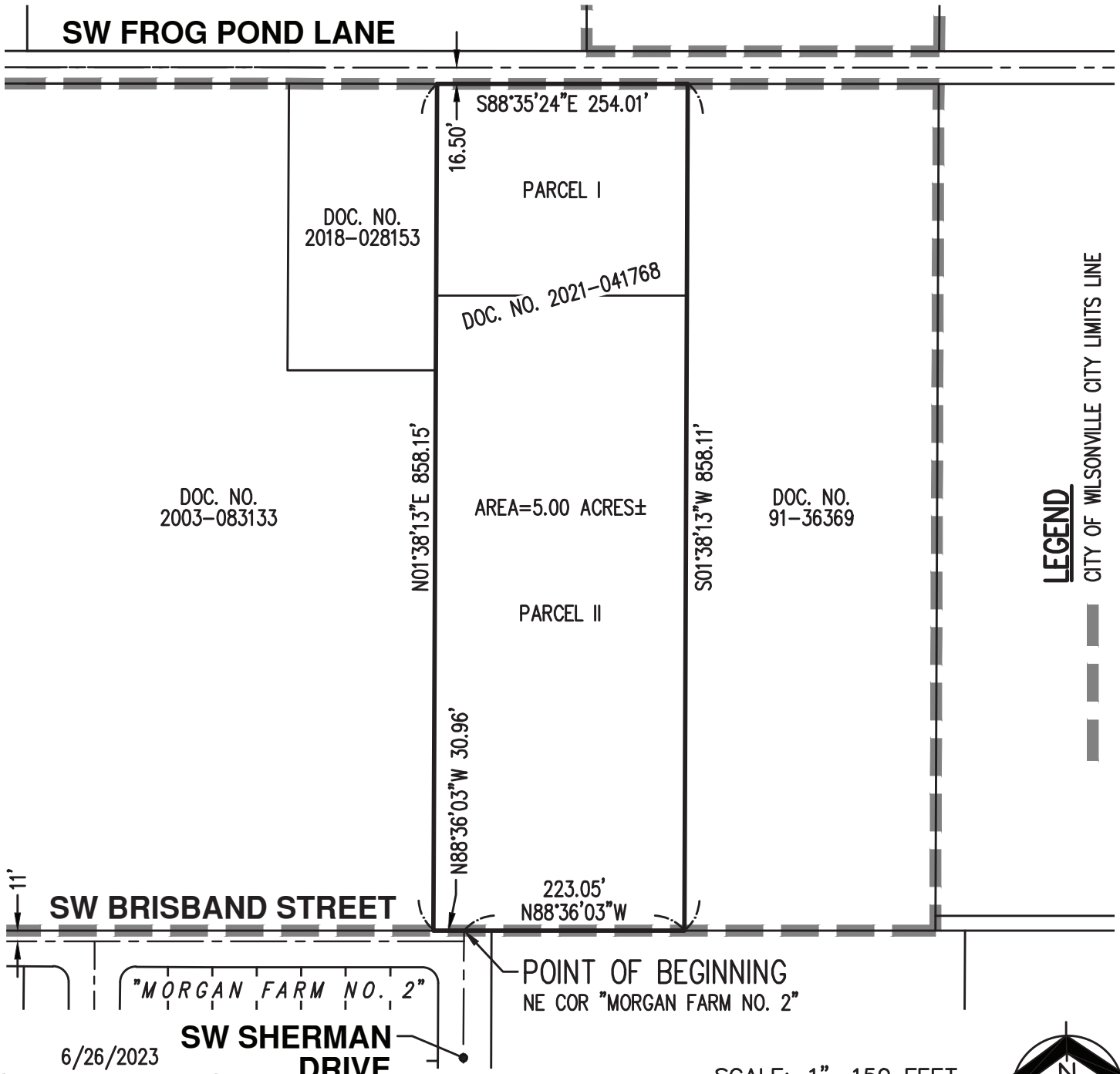
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

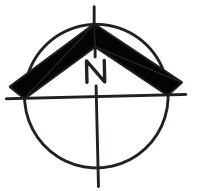
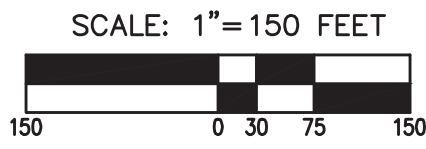
RENEWS: 6/30/23

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON



LEGEND
CITY OF WILSONVILLE CITY LIMITS LINE



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael S. Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS
RENEWES: 6/30/25

CITY OF WILSONVILLE ANNEXATION MAP

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

EXHIBIT
B

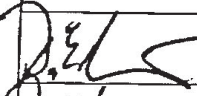


DRWN: WCB
CHKD: MSK
AKS JOB:
6175

ORDINANCE NO. 886 EXHIBIT B

PETITION FOR ANNEXATION

We, the undersigned owner(s) of the property described in **Exhibit A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Wilsonville:

NOTE: This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

SIGNATURE	PRINTED NAME	I AM A:*			PROPERTY ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	1/4 SEC	T	R		
	BRIAN MATTIONI	X			7252 SW Frog Pond Lane Wilsonville, OR 97070	1200	12	3S	1W	323	
	BRIAN MATTIONI	X			No Situs	1300	12	3S	1W	323	
	WESLEY GOODE		X		7252 SW Frog Pond Lane Wilsonville, OR 97070	1200	12	3S	1W	323	08/31/22

* PO - Property Owner
 RV - Registered Voter
 OV - Property Owner & Registered Voter



Metro District Annexation
**Certification of Property Ownership of at Least
One-half of the Land Area**

I hereby certify that the proposed petition for inclusion within the **Metro District Boundary** contains the names of property owners¹ of at least one-half of the land area within the annexation area, as shown on the last complete assessment roll.

Name: TERMY DONOVAN
Title: GIS CARTOGRAPHER 2
Department: ART
County: CLACKAMAS
Date: 12/1/22



¹ A landowner means any person shown as the owner of land on the last available assessment roll. However, where such person no longer holds the title of the property, then the term refers to any person entitled to be shown as the owner of that land on the next assessment roll. This could also include a written agreement of sale, which specifies a purchaser to the exclusion of the seller or a public agency owning land.

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for annexation contains the names of the owners¹ (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

NAME: TERRY DONOVAN
TITLE: GIS CARTOGRAPHER 2
DEPARTMENT: ~~CLACKAMAS~~ ART
COUNTY OF: CLACKAMAS
DATE: 12/1/22



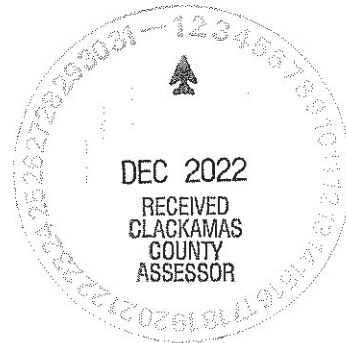
¹ "Owner" means the legal owner of record or, where there is a recorded a land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.



Metro District Annexation
Certification of Legal Description and Map

I hereby certify that the description of the property included within the attached petition has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map.

Name: TERLY DONOVAN
Title: GIS CARTOGRAPHER 2
Department: ART
County: CLACKAMAS
Date: 12/1/22



CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 31W12D) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

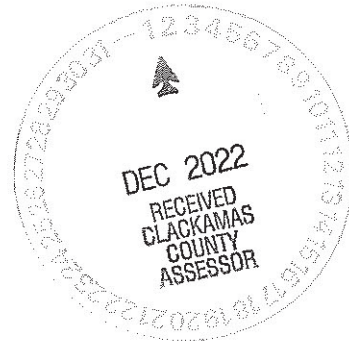
NAME: TERRY DONOVAN

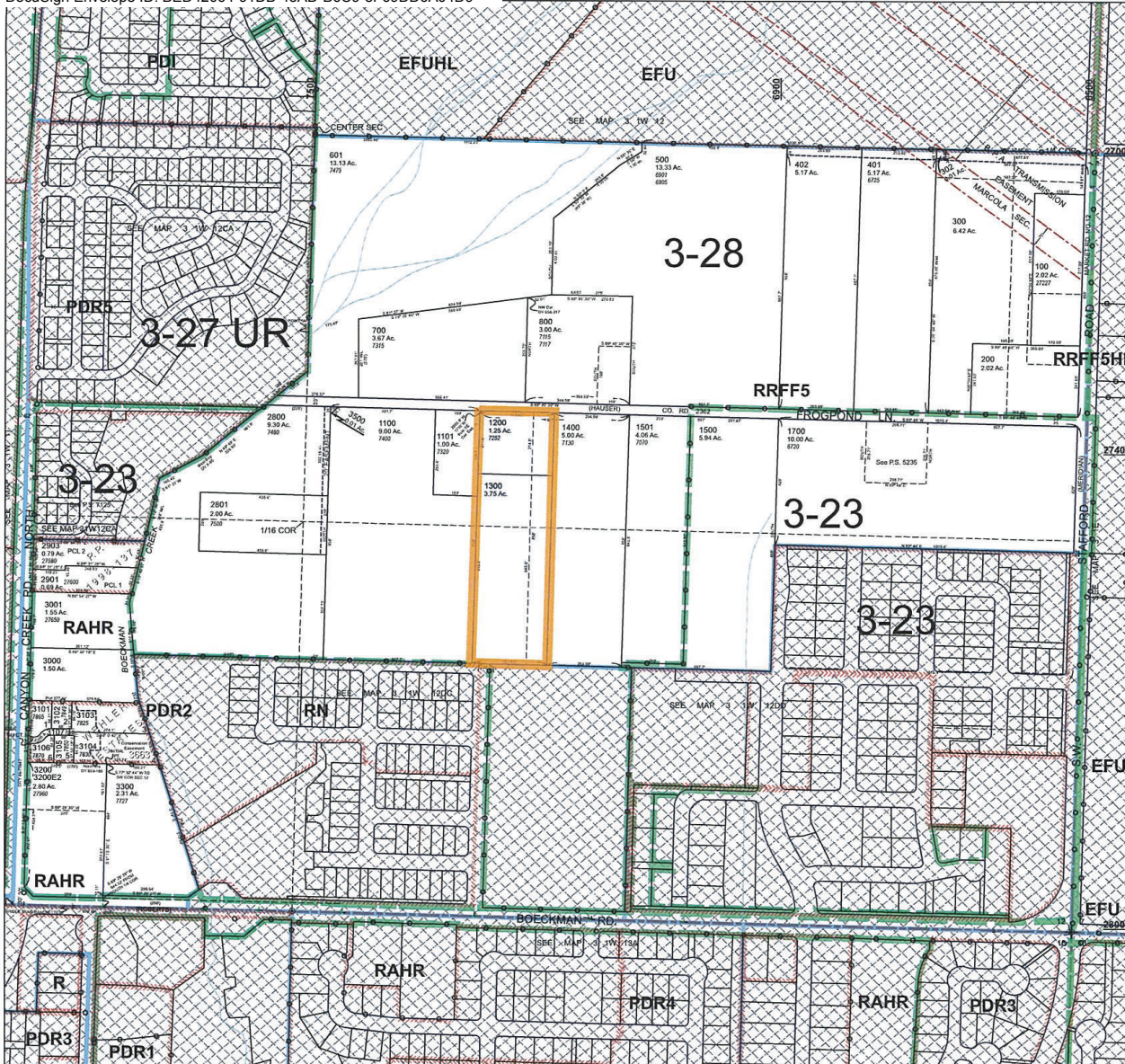
TITLE: GIS CARTOGRAPHER 2

DEPARTMENT: A&T

COUNTY OF: CLACKAMAS

DATE: 12/1/22



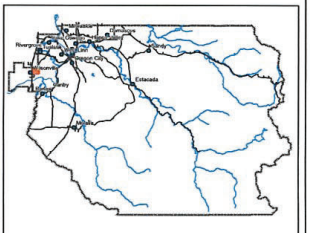


3 1 W 12D
WILSONVILLE
S.E. 1/4 SEC.12 T.3S. R.1W. W.M.
CLACKAMAS COUNTY
1" = 200'

Cancelled Taxlots

- 2300
- 2300
- 3500E3
- 1902
- 1903
- 2000
- 2001
- 2100
- 2201
- 2202
- 2400
- 2400
- 2700
- 201
- 301
- 400
- 600
- 1000
- 803
- 804
- 605
- 500
- 1000
- 1000
- 1900
- 1001
- 2000E1
- 2500
- 2500
- 2900S1
- 2902
- 3100
- 3200E1
- 3001
- 3300E1
- 3400
- 1600

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- D/LC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

3 1 W 12D
WILSONVILLE

7/4/2021



Ordinance No. 886 Exhibit C
Annexation Findings

Frog Pond Cottage Park Place 17-Lot Subdivision

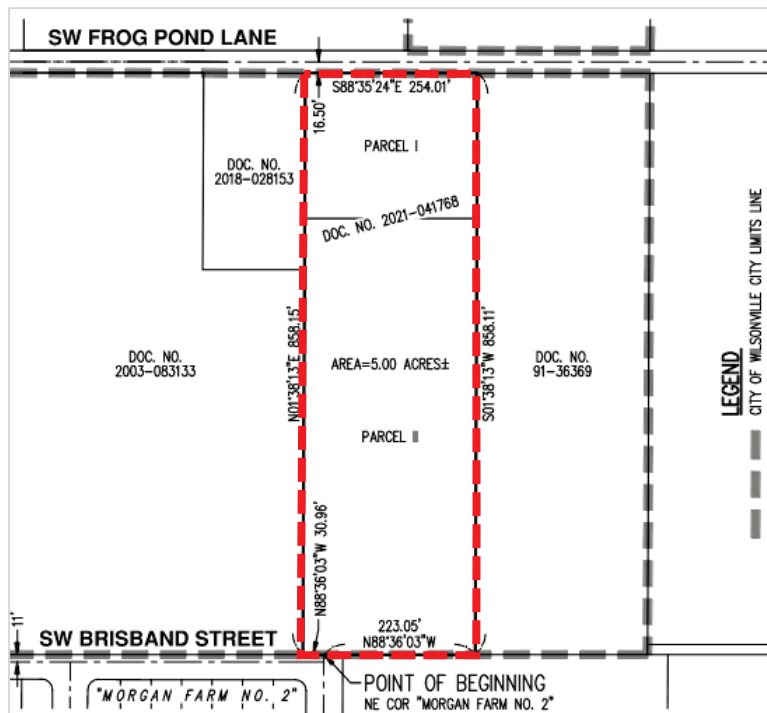
City Council
Quasi-Judicial Public Hearing

Hearing Date:	January 18, 2024
Date of Report:	January 2, 2024
Application No.:	ANNX23-0001 Annexation
Request/Summary:	City Council approval of a quasi-judicial annexation of approximately 5.00 acres for a 17-lot residential subdivision concurrently with proposed development consistent with the Frog Pond West Master Plan.
Location:	7252 SW Frog Pond Lane. The property is specifically known as Tax Lots 1200 and 1300, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
Owner/Applicant:	Sullivan Homes LLC (Contact: Brian Matteoni)
Petitioners:	Brian Matteoni and Wesley Goode
Applicant's Representative:	AKS Engineering & Forestry, LLC (Contact: Glen Southerland, AICP)
Comprehensive Plan Designation:	Residential Neighborhood
Zone Map Classification (Current):	Rural Residential Farm Forest 5-Acre (RRFF-5)
Zone Map Classification (Proposed):	Residential Neighborhood (RN)
Staff Reviewer:	Cindy Luxhoj AICP, Associate Planner
Staff Recommendation:	<u>Approve</u> the requested annexation.

Applicable Review Criteria:

Development Code:	
Section 4.700	Annexation
Comprehensive Plan and Sub-elements:	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
Coffee Creek Master Plan	
Regional and State Law and Planning Documents:	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

Vicinity Map



Background / Summary:

The subject property has long been rural/semi-rural, adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that: "The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community's hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville."

As a follow up to the Area Plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB. To guide development and implement the vision of the Area Plan, the Master Plan includes details on land use (including residential types and unit count ranges), residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs. The Master Plan also lays out the infrastructure financing plan.

The proposed 17-lot subdivision is the twelfth development proposal in Frog Pond West. It will connect to the previously approved Frog Pond Overlook subdivision to the north, and the Morgan Farm subdivision and primary school site to the south, resulting in one cohesive neighborhood consistent with the Frog Pond West Master Plan.

All property owners and a majority of electors located within the annexation area have consented in writing to the annexation.

Conclusion and Conditions of Approval:

Staff recommends the City Council annex the subject property with the following condition:

Request: Annexation (ANNX23-0001)

PDA 1.	<u>Prior to Issuance of any Public Works Permits by the City within the Annexation Area:</u> The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter into the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.
PDA 2.	<u>Prior to Final Filing of the Annexation:</u> The applicant either shall provide the City with a plan to remove and properly dispose of the hazard Trees #10718, #10744, and #10749, or enter into an agreement with the City to carry out the removal and disposal at the applicant's expense. See Finding A9.

Findings of Fact:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms and initiated the application.

Request: Annexation (ANNX23-0001)

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

Comprehensive Plan-Annexation and Boundary Changes

Consistent with Future Planned Public Services Implementation Measure 2.2.1.a.

A1. The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. Sullivan Homes LLC and the City will enter into a Development and Annexation Agreement detailing provision and development of public services as required by Conditions of Approval.

Demonstrated Need for Immediate Urban Growth Implementation Measure 2.2.1.a.

A2. Metro brought the subject area into the Urban Growth Boundary (UGB) in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards Implementation Measure 2.2.1.e.

A3. This review applies all applicable Metro and State rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services Implementation Measure 2.2.1.e. 1.

- A4. The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposes site development with concurrent applications for Stage 1 and Stage 2 Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the subject site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years Implementation Measure 2.2.1.e. 2.

- A5. The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.

Wilsonville Development Code-Annexation

Authority to Review Quasi-Judicial Annexation Requests Subsections 4.030 (.01) A. 11., 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6. Review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

Procedure for Review, Etc. Subsections 4.700 (.01). and (.04)

- A7. The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, and a narrative describing conformance with applicable criteria. City Council, upon recommendation from the DRB, will declare the subject property annexed.

Adoption of Development Agreement with Annexation Subsection 4.700 (.05)

- A8. Subject to requirements in this subsection and the Frog Pond West Master Plan, Conditions of Approval require the necessary parties enter into a Development and Annexation Agreement with the City covering the annexed land.

Wilsonville Code-Public Health and Welfare-Nuisances

Creating a Hazard Subsection 6.208 (1) (c)

- A9. Subsection 6.208 (1) (c) of the Wilsonville Code states, in part, that no person shall create a hazard by maintaining filth, rubbish, waste material, and any other substance which may

endanger or injure neighboring property, passersby, or the health, safety or welfare of the public. With respect to the subject property, 55 trees are proposed to be removed, including Tree #10718, an on-site Oregon white oak that has been confirmed to be infested by Mediterranean oak borer (MOB), and Trees #10744 and #10749, also Oregon white oaks, that are suspected of MOB infestation. If these trees are not removed from the subject property and disposed of appropriately, they can be considered to create a hazard that may endanger or injure neighboring property, were the MOB in the trees to infest other Oregon white oaks in Frog Pond West. Further, failure to remove the infested trees may produce dead and decaying trees and limbs that may affect the health, safety and welfare of the public in proximity to the trees. The City places particular value on Oregon white oaks, native yews, and other species of historic significance to the City and Willamette Valley, and prioritizes their protection and preservation. For these reasons, a Condition of Approval requires that prior to final filing of the annexation, the applicant either will provide the City with a plan to remove and properly dispose of the hazard Trees #10718, #10744 and #10749, or enter into an agreement with the City to carry out the removal and disposal at the applicant's expense.

Metro Code

Local Government Boundary Changes Chapter 3.09

A10. The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, and is consistent with both the Comprehensive Plan and the Frog Pond West Master Plan.

Oregon Revised Statutes (ORS)

Authority and Procedure for Annexation ORS 222.111

A11. The request meets the applicable requirements in State statute including the facts that the subject property is within the UGB and is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and all property owners and a majority of electors within the annexed area consent in writing to the annexation.

Procedure Without Election by City Electors ORS 222.120

A12. The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and the request meets the applicable requirements in State statute including the facts that all property owners and a majority of electors within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

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

A13. All property owners and a majority of electors within the annexed area have provided their consent in writing. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map amendment request and other quasi-judicial land use applications.

Oregon Statewide Planning Goals

Planning Goals – Generally

Goals 1, 2, 5, 6, 8, 9, 11, 12, 13, 14

A14. The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both of which have been found to meet the Statewide Planning Goals.

Housing

Goal 10

A15. The proposed Comprehensive Plan map amendments will continue to allow the City to meet its housing goals and obligations reflected in the Comprehensive Plan. Specifically:

- The City has an existing Housing Needs Analysis and Buildable Lands Inventory adopted in 2014 collectively known as the Wilsonville Residential Land Study. The key conclusions of this study are that Wilsonville: (1) may not have a 20-year supply of residential land and (2) the City's residential policies meet Statewide Planning Goal 10 requirements.
- Under the Metro forecast, Wilsonville is very close to having enough residential land to accommodate expected growth. Wilsonville could run out of residential land by 2032.
- If Wilsonville grows faster than the Metro forecast, based on historic City growth rates, the City will run out of residential land before 2030.
- Getting residential land ready for development is a complex process that involves decisions by Metro, City decision makers, landowners, the Wilsonville community, and others. The City has completed the master planning process for the Frog Pond East and South neighborhoods to ensure that additional residential land is available within the City. The City also adopted a new plan and development standards for more multi-family units in the Wilsonville Town Center. Finally, the City provides infill opportunities, allowing properties with existing development at more rural densities to be re-zoned for more housing, which this application falls under.
- Wilsonville is meeting Statewide Planning Goal 10 requirements to "provide the opportunity for at least 50 percent of new residential units to be attached single

family housing or multiple family housing” and to “provide for an overall density of 8 or more dwelling units per net buildable acre.”

- Wilsonville uses a two-map system, with a Comprehensive Plan Map designating a density for all residential land and Zone Map with zoning to implement the Comprehensive Plan designation. Rezoning the subject property to a higher density zone consistent with the Comprehensive Plan will ensure related Zone Map Amendment and development approvals support the Comprehensive Plan and Goal 10.
- The proposal increases density allowed and development capacity within the existing urban growth boundary and improving the capacity identified in the 2014 study. The type of housing is anticipated to be a mix of attached and detached units, and the approval will allow middle housing consistent with House Bill 2001 and newly implemented City code to allow middle housing types.
- The proposal directly impacts approximately 1.0% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 5.00 of 477 acres).

ORDINANCE NO. 886 EXHIBIT D

DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 425

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) OF APPROXIMATELY 5.00 ACRES, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE REMOVAL PLAN, MIDDLE HOUSING LAND DIVISION, AND WAIVER FOR A 17-LOT RESIDENTIAL SUBDIVISION.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by Brian Matteoni for Sullivan Home, LLC – Owner/Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at 7252 SW Frog Pond Lane on Tax Lots 1200 and 1300, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated December 28, 2023, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on January 8, 2024, 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 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 December 28, 2023, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB23-0004 Frog Pond Cottage Park Place: Annexation (ANNX23-0001), Zone Map Amendment (ZONE23-0001), Stage 1 Preliminary Plan (STG123-0002), Stage 2 Final Plan (STG223-0003), Site Design Review of Parks and Open Space (SDR23-0003), Tentative Subdivision Plat (SUBD23-0001), Type C Tree Removal Plan (TPLN23-0002), Middle Housing Land Division (MHL23-0003), and Waiver (WAIV23-0005).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 8th day of January, 2024, and filed with the Planning Administrative Assistant on Jan. 9, 2024. 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)*.

ORDINANCE NO. 886 EXHIBIT D


Clark Hildum, Acting Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant