



CITY COUNCIL MEETING AGENDA

May 02, 2022 at 7:00 PM

City Hall Council Chambers & Remote Video Conferencing

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City Recorder - Wilsonville City Hall

29799 SW Town Center Loop East, Wilsonville, OR 97070

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

EXECUTIVE SESSION [5:00 PM]

ORS 192.660(2)(h) Legal Counsel/Litigation

ADJOURN [5:25 PM]

Break to switch Zoom accounts [10 min.]

REVIEW OF AGENDA AND ITEMS ON CONSENT [5:35 PM]

COUNCILORS' CONCERNS [5:40 PM]

PRE-COUNCIL WORK SESSION [5:45 PM]

- A. [Frog Pond East and South Master Plan \(Pauly\) \[30 min.\]](#)
- B. [Airport Good-Neighbor Policies \(Bateschell\) \[25 min.\]](#)
- C. Guaranteed Maximum Price (GMP) for Willamette River Water Treatment Plant (WRWTP) Expansion (Nacrelli) [10 min.]

ADJOURN [6:50 PM]

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, May 2, 2022 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10:00 a.m. on April 19, 2022. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

CALL TO ORDER [7:00 PM]

1. Roll Call
2. Pledge of Allegiance
3. Motion to approve the following order of the agenda.

MAYOR'S BUSINESS [7:05 PM]

4. [Upcoming Meetings](#)

COMMUNICATIONS [7:15 PM]

5. Metro Update (*Councilor Rosenthal*)
6. Stump Grinding Community Enhancement Program Update (*Schull*)

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS [7:45 PM]

*This is an opportunity for visitors to address the City Council on items **not** on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.*

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS [7:55 PM]

7. Council President Akervall
8. Councilor Lehan
9. Councilor West
10. Councilor Linville

CONSENT AGENDA [8:15 PM]

11. [Minutes of the April 18, 2022 City Council Meeting. \(Veliz\)](#)

12. [Resolution No. 2970](#)

[A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Amendment To The Construction Manager/General Contractor\(CM/GC\) Contract With Kiewit Infrastructure West Co. For A Guaranteed Maximum Price To Construct The Willamette River Water Treatment Plant Expansion Project \(Capital Improvement Project 1144\). \(Nacrelli\)](#)

NEW BUSINESS [8:20 PM]

13. [Resolution No. 2971](#)

[A Resolution Of The City Of Wilsonville Establishing The Wilsonville Vertical Housing Development Zone \(VHDZ\) Program And Local Criteria. \(Rybold/Lorenzen\)](#)

CONTINUING BUSINESS [8:35 PM]

14. [Ordinance No. 859 - 2nd Reading](#)

[An Ordinance Of The City Of Wilsonville Annexing Approximately 13.24 Acres Of Property Located Between SW Boeckman Road and SW Frog Pond Lane at 7070 SW Frog Pond Lane and 7151 SW Boeckman Road; The Land Is More Particularly Described As Tax Lot 1501, Section 12D, And Tax Lot 4500, Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Kathy Ludwig, Amy Thurmond, Gregory Cromwell, Matthew Hall, Matthew Kirkendall, Gary Moon, Jaelene Moon, Kurt Moon, Laurel Moon, Petitioners. \(Luxhoj\)](#)

[Ordinance No. 860 - 2nd Reading](#)

[An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre \(RRFF-5\) Zone To The Residential Neighborhood \(RN\) Zone On Approximately 4.06 Acres, And To The Public Facility \(PF\) Zone On Approximately 9.18 Acres Located Between SW Boeckman Road and SW Frog Pond Lane At 7070 SW Frog Pond Lane and 7151 SW Boeckman Road; The Land Is More Particularly Described As Tax Lot 1501, Section 12D, And Tax Lot 4500, Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant. \(Luxhoj\)](#)

15. [Ordinance No. 861 - 2nd Reading](#)

[An Ordinance Of The City Of Wilsonville Annexing Approximately 10.46 Acres Of Property Located West Of SW Stafford Road North Of SW Frog Pond Lane at 6725 SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 401 And 402, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Sheri Miller, James Mehus, Jeremiah Kreilich, Brian Powell, Petitioners. \(Luxhoj\)](#)

Ordinance No. 862 - 2nd Reading

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 10.46 Acres Located West Of SW Stafford Road North Of SW Frog Pond Lane at 6725 SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 401 And 402, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant. (Luxhoj)

PUBLIC HEARING [8:45 PM]

16. **Ordinance No. 863 - 1st Reading (Quasi-Judicial Hearing)**

An Ordinance Of The City of Wilsonville Annexing Approximately 8.72 Acres of Property Generally Located Between SW Garden Acres Road And SW Grahams Ferry Road Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lot 100 and A Portion Of SW Grahams Ferry Road Right-Of-Way, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Gary S. Rychlick As Trustee Of The Eileen Rychlick Trust, Gary S. And Susan M. Rychlick, As Individuals, Petitioners. (Luxhoj)

Ordinance No. 864 - 1st Reading (Quasi-Judicial Hearing)

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Washington County Future Development - 20 Acre (FD-20) Zone To The Planned Development Industrial - Regionally Significant Industrial Area (PDI-RSIA) Zone On Approximately 8.17 Acres Generally Located Between SW Garden Acres Road and SW Grahams Ferry Road; The Land Is More Particularly Described As Tax Lot 100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. BTC III Grahams Ferry IC LLC, Applicant. (Luxhoj)

CITY MANAGER'S BUSINESS [9:00 PM]

LEGAL BUSINESS [9:05 PM]

ADJOURN [9:10 PM]

Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The city will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting the City Recorder at CityRecorder@ci.wilsonville.or.us or 503-570-1506: assistive listening devices (ALD), sign language interpreter, bilingual interpreter. Those who need accessibility assistance can contact the city by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comun quese al 503-570-1506.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: May 2, 2022		Subject: Frog Pond East and South Master Plan	
		Staff Member: Daniel Pauly, Planning Manager	
		Department: Community Development, Planning Division	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable	
		Comments: The alternatives and recommendations have been reviewed by and received positive support from the Planning Commission during work sessions	
Staff Recommendation: Provide input regarding the neighborhood commercial center and key concepts to base land use and urban design alternatives on for Frog Pond East and South.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Expand home ownership	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond Area Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Provide feedback and input on components of the master planning for Frog Pond East and South, specifically regarding a neighborhood commercial center and key concepts to base on land use and urban design alternatives.

EXECUTIVE SUMMARY:

Following designation of the subject land as an urban reserve in 2010, the City adopted the Frog Pond Area Plan in 2015 to set the stage for additional planning and eventual development to meet identified local housing needs. Besides the urban reserve area, the Frog Pond Area Plan also established a vision for growth for undeveloped land already within the City's Urban Growth Boundary (UGB) now known as Frog Pond West. In 2017, a Master Plan and implementing zoning code was adopted for Frog Pond West. The Master Plan provided the necessary regulatory framework for the residential neighborhood currently under development north of Boeckman Road and west of Stafford Road.

In 2018, Metro expanded the UGB to include the subject land. As part of the Metro Ordinance adopting the UGB expansion, Metro required Wilsonville to complete master planning to make the area development ready, from a regulatory standpoint, by December 2022. Similar to past master planning efforts, such as Villebois and Frog Pond West, this master planning effort will identify the types and locations of the homes, other land uses, parks, open spaces, streets, trails and neighborhood amenities to be built over the next 10-20 years. To support implementation of the plan, the process also identifies water, sewer, stormwater, and transportation infrastructure needs and funding sources.

The City Council held their first work session on the master plan in October focusing on overall project scope and the outreach plan. A second work session in January asked for initial feedback on the needs and opportunities for affordable housing and housing variety. A third work session in March continued the topic of housing needs for more detailed feedback and direction as well as briefly introduced the neighborhood commercial evaluation. This fourth work session will further discuss the neighborhood commercial center as well as discuss recommended design concepts for development of land use and urban design alternatives, including incorporation of concepts from the previous housing discussion.

Following public outreach, during the next couple of months, to gather input on different alternatives, the project team will bring recommended land use and urban design alternative(s) to the Planning Commission in June and subsequently to City Council in July. The recommended land use and urban design alternative will then be the basis of infrastructure and public realm planning to occur over the summer, and other master planning work during the fall.

Neighborhood Commercial

The Frog Pond Area Plan presented the idea of a neighborhood commercial center in Frog Pond East. Part of the scope of the Frog Pond East and South Master Plan is to further evaluate a neighborhood commercial center. Building on the initial information presented at the last work session, the evaluation includes: an overview of information from the Frog Pond Area Plan, input from stakeholders, retail market trends, demographic data that would be relevant for retail in Frog Pond, a retail market analysis, discussion of potential types of retail, site location considerations, and case studies and precedents (Attachment 1). The memo concludes with a recommended development program of "hybrid main street" approach with up to 44,000 square feet of flexible retail/office space on up to 4 acres of land. During their April 13 meeting, the

Planning Commission supported this recommendation. The Planning Commission expressed how the proposed location allowed for the necessary high visibility for retail while helping create a desirable gathering space.

Neighborhood Commercial Discussion Questions:

1. Based on the analysis and Planning Commission feedback does the City Council support the recommended development program described on pages 25-26 of Attachment 1?
2. What additional feedback does the City Council have on the recommended development program?

Recommended Design Concepts for Master Plan Alternatives

Over the next couple of months the project team will be gathering public input on a number of options and ideas to help decision makers arrive at a preferred alternative for the land use and urban design patterns in Frog Pond East and South. There are a number of base assumption design concepts the project team plans on reflecting in each alternative. In this work session the project team seeks the City Council's feedback on the base assumption design concepts below, and further described in Attachment 2. The project team has based the base assumption design concepts on input received to date, both during the 2015 Frog Pond Area Plan process and the East and South Master Plan process; data and information gathered to date, and professional practices in the field of land use planning and urban design. During their April 13 work session, the Planning Commission expressed unanimous support for the design concepts. Additional considerations expressed by the Planning Commission are keeping the Grange building as close to the current location as possible if it needs to be moved for road construction and being mindful of potential health concerns from the high-voltage power lines.

Housing Variety Throughout: All alternatives will include an approach to creating a wide variety of housing types in the East and South Neighborhoods. This concept focuses on mixing and integrating different housing types throughout each subdistrict and block rather than having separate areas for separate housing types. This includes single-family, middle housing, and multi-family. For all housing types there remains a focus on removing barriers to ownership, especially for lower-cost home ownership consistent with City Council's Goal.

Affordable Housing Integration: At least one alternative will include affordable housing fully consistent with affordable housing "targets" described by ECONorthwest and guided by the Planning Commission and City Council during previous work sessions. Other alternatives may include various types and amounts of affordable housing, considering the housing forms described in the Affordable Housing Analysis previously reviewed by City Council.

Transect of Densities: The Area Plan shows densities transitioning from higher densities nearer to Stafford Road and the neighborhood commercial to lower densities to the east and south. This concept will continue to be shown in the alternatives, however, in the context of middle housing rules and the design concept of variety, it will be more of an urban design concept than an actual numerical density transect. For example, different densities may be determined by typical height of buildings and length of building frontage.

Neighborhood Commercial Center: Alternatives will show a neighborhood commercial center based on Leland Consulting Group’s recommendation and Planning Commission and City Council feedback regarding location and style of development (i.e. main street style versus corner cluster).

Street Connectivity: Key street connectivity from the Area Plan will be shown in the alternatives, including a connection from Frog Pond Lane to 60th Avenue and Brisband Street to 63rd Avenue, though orientations will vary (i.e. curvilinear vs straight with sharper turns).

Bike and Pedestrian Connectivity: The framework concepts for pedestrian and bicycle connectivity from the Area Plan will be in the alternatives, including off-street trails.

Natural Areas: The roles of natural areas as preservation of nature, amenities for residents, focal points for urban design, and barriers to connectivity will be incorporated in the alternatives.

Preservation of Important Trees: Trees have been inventoried to identify important trees for priority in preservation. Preservation of these important trees will be incorporated into alternative designs.

Active Parks: Meridian Creek Middle School has existing sports fields and the City owns land south of Advance Road between 60th and 63rd Avenue for a future park. An additional neighborhood park space is assumed in Frog Pond East. These parks are important amenities in considering alternatives for adjacent land uses and urban design.

BPA Easement Corridor: The BPA powerline easement corridor is a major feature of Frog Pond East. Interaction with the easement corridor, from both an urban design perspective and use perspective is important. In addition to including a major trail connection through the corridor, consideration will be given to providing views into the corridor between towers and placing uses near the corridor that could benefit from parking areas or other amenities placed in the corridor.

Civic Amenity Focused on Historic Grange: The Area Plan shows preservation of the historic grange as a civic amenity. Street improvements may require moving the grange building, but the plan is to preserve it even if moved. This concept will be carried forward through the alternatives.

Use of Subdistricts: A geography called a subdistrict will be a tool used for neighborhood planning. Each subdistrict, while having a variety of housing types, is expected to have a cohesive look and feel centered on a gathering spot or focal point.

The subdistrict concept for Frog Pond East and South builds off concepts used in Frog Pond West and Villebois planning. In Frog Pond West, subdistricts are used to identify the different residential lot sizes and are primarily used for zoning implementation rather than urban design. Villebois used a system of sub-geographies called Specific Area Plans (SAPs). While also used for zoning implementation like Frog Pond West subdistricts, Villebois SAPs had an important urban

design and housing variety aspect. They were centered on walkable distances focused around gathering spaces and included a variety of housing types in each. With an urban design focus and planned housing variety, the subdistricts for Frog Pond East and South will be more similar to Villebois SAPs than Frog Pond West subdistricts. However, the size of each subdistrict will generally be smaller than Villebois SAPs, similar to the size of Frog Pond West subdistricts. There is not a fixed size of subdistricts. Rather, subdistrict size can vary and is determined based on the context and placemaking opportunities.

The project team has set example boundaries for the subdistricts as shown on page 16 of Attachment 2. Considerations used to draft the boundaries include items that influence the sequence of development and connectivity: property ownership and lot lines, natural features like riparian corridors, existing and planned collector and arterial streets, existing destination buildings like the Grange and Meridian Creek Middle School, walkable distance and power line easements.

Design Concepts Discussion Questions:

1. Does the City Council support the base assumption design concepts recommended by the project team, and supported by the Planning Commission, for integration into land use and urban design alternatives?
 - Housing Variety Throughout
 - Affordable Housing Integration
 - Transect of Densities
 - Neighborhood Commercial Center
 - Street Connectivity
 - Bicycle and Pedestrian Connectivity
 - Natural Areas
 - Preservation of Important Trees
 - Active Parks and Open Space
 - BPA Easement Corridor
 - Civic Amenity Focused on Historic Grange
 - Use of Subdistricts

2. Are there other considerations the project team should use to help determine subdistrict boundaries?

EXPECTED RESULTS:

Feedback and input on components of the master planning for Frog Pond East and South, specifically regarding a neighborhood commercial center and key concepts to base on land use and urban design alternatives.

TIMELINE:

This is the fourth in a series of work sessions for the City Council. The next work session is planned for June. Most components of the project must be adopted by December 2022.

CURRENT YEAR BUDGET IMPACTS:

The main consultant contract is for \$350,000 funded through a Metro grant. Work began during FY 20/21. Unused portions have been rolled over and the City anticipates spending \$154,000 by the end of FY 21/22. The remaining \$196,000 is planned to be budgeted during FY 22/23 to conclude the project. Staff is in the process of incorporating an additional \$162,000 in State grants into the contract and work program for additional affordable housing analysis and work related to infrastructure funding and SDCs. Staff, with City Council's support, submitted the grant requests to further enhance the depth of the affordable housing and infrastructure project components.

COMMUNITY INVOLVEMENT PROCESS:

The project has a community engagement plan which lays out a robust public engagement program that will include meaningful and impactful involvement of people who identify with historically marginalized communities. In addition, City staff continues work with consultants and the DEI committee to establish a framework for broad community involvement.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Furthering of the City's Equitable Housing Strategic Plan and Council's goal of affordable home ownership, while creating Wilsonville next great neighborhoods.

ALTERNATIVES:

The City Council may provide a range of alternatives for the project team to consider. The alternatives being presented are those recommended by the project team and supported by the Planning Commission.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Frog Pond East and South Neighborhood Commercial Area Evaluation Draft (March 28, 2022)
2. Frog Pond East and South Recommended Community Design Concepts (dated April 1, 2022)

Frog Pond East Master Plan

Commercial Area Evaluation DRAFT

Date March 28, 2022
To APG
From Chris Zahas and Sam Brookham, Leland Consulting Group

Introduction

This commercial area evaluation is one component of the Frog Pond East and South Master Plan, which the City of Wilsonville has initiated in order to create the regulatory framework and implementation strategies for the future development of the area.

The real estate market is of critical importance to the future of the entire Frog Pond Area since this new community will be shaped by both the private sector (e.g., landowners, developers, new residents, retail tenants) and the public sector (through planning, regulation, provision of infrastructure, annexation, and other actions).

Leland Consulting Group (LCG), the authors of this report, is part of a consultant team led by MIG | APG, which has been engaged by the City of Wilsonville to develop the Master Plan.

This memorandum includes:

- A summary of key takeaways from broker, developer, and public input
- An analysis of the commercial development market including commercial supply and demand, and opportunities for commercial tenant types, square footage, acreage, parking demands, etc.
- Summaries of case studies of comparable commercial centers with relevant comparisons to the subject site based on the surrounding population, employment, traffic counts, and other metrics that drive commercial development.
- A draft commercial land use program, including location, acres of land required, square feet of development, potential configuration, and considerations regarding visibility, access, connectivity, and the relationship to the surrounding neighborhoods.

The vision for future Frog Pond commercial is for a small commercial node that provides neighborhood amenities for local residents. It is not envisioned as a major commercial center or employment center.

Background and Trends

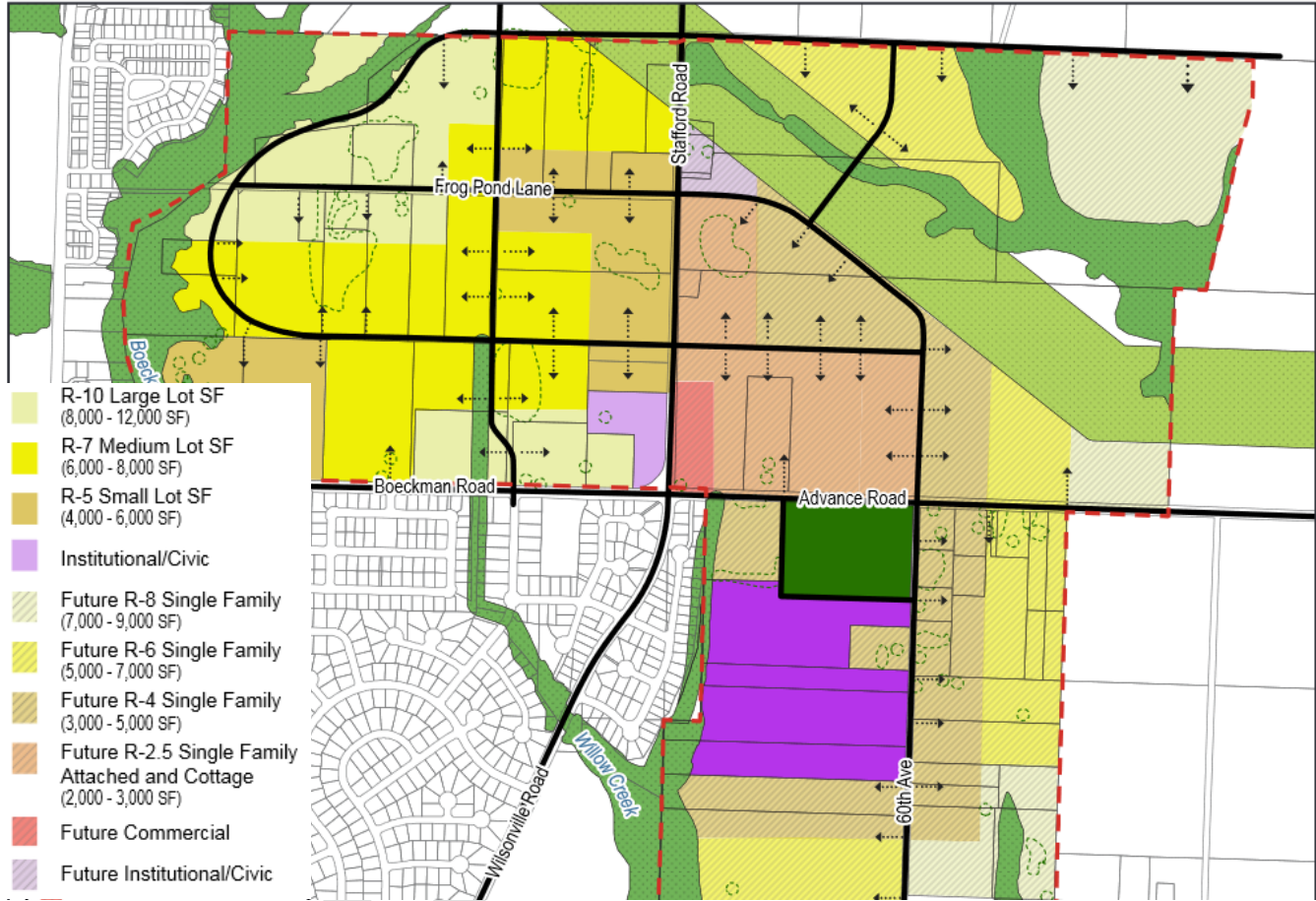
2015 Area Plan Overview

This memorandum builds on the analytical work conducted for the 2015 Frog Pond Area Plan. That plan outlines a vision for the neighborhood commercial center, describing it as a place that provides local goods and services with easy access to the local neighborhoods, with high quality and pedestrian-oriented design, and serves as a gathering place for the community. The focus should be on establishing a retail/commercial hub development that provides some goods and services for local residents, while also creating a center, sense of place, and social hub for the area.

The 2015 work included a market study to evaluate the demand and rationale for neighborhood-scale retail in Frog Pond. The study found that Frog Pond could potentially support an unanchored neighborhood retail center of approximately 38,000 square feet requiring about 3.5 acres of land at full project build-out in approximately 2035. Tenants would likely include retail, small office, and neighborhood services such as a daycare center.

The following map from the 2015 Area Plan shows the proposed location for the commercial area at the northeast corner of the Boeckman/Advance Road and Stafford/Wilsonville Road intersection. This area is central to all three new Frog Pond neighborhoods, is accessible to existing Wilsonville residents, is currently served by transit, is highly visible, has some of the highest pass-by traffic, and is complementary to the planned community park and school.

Figure 1. Frog Pond Area Plan – Land Use Framework



Source: Frog Pond Area Plan (2015)

Stakeholder Engagement

LCG conducted several interviews with retail developers and brokers to understand the opportunities and constraints of the Frog Pond location for future retail, as well as to determine any particular unmet community needs that could be satisfied in Frog Pond East and South. The takeaways and themed notes from these outreach efforts are summarized below. It is important to note that these notes reflect the developers’ and brokers’ opinions and are not recommendations by LCG.

Current Wilsonville Market. Developers generally agree that Wilsonville is an attractive market, primarily due to its demographics and balance of population and jobs. However, they also agree that there is limited excess demand given

the saturated nature of the retail market in the region. The old rule of thumb for commercial developments: if there are full shopping centers in the area, it is time to build another; the Wilsonville retail market is currently close to fully leased up and performing well.

Project Examples. Several retail precedents were discussed to explore opportunities and recommendations for Frog Pond. These included East Padden Square in Vancouver, WA, a master-planned 200-acre greenfield development in Ridgefield, WA, and Cascade Summit in West Linn, OR.

- The Ridgefield master-planned development shares many similarities with Frog Pond in terms of its size, development program, and location on the edge of the urban growth boundary, although the retail component will be visible and accessible from I-5. Killian Pacific is planning to build a core retail center—potentially grocery-anchored—surrounded by a limited amount of mixed-use, dependent on development feasibility nearer the time of construction. This area in Ridgefield has been undergoing planning for many years and was originally conceived as big box retail, but it is indicative of market trends that the program has changed so dramatically.
- Cascade Summit Town Square in West Linn is a larger neighborhood center on the edge of the UGB anchored by a 48,000 square foot Safeway store. It was developed as part of the residential master plan, which allowed the developer and property owner to offer below-market lease rates in order to fill the retail spaces before they might otherwise have been attractive to tenants. Additionally, the center includes a substantial portion of non-retail tenants, including West Linn City Hall, USPS, an animal hospital, banks, and a Montessori daycare center.
- East Padden Square is a pharmacy-anchored neighborhood center on the urban edge of Vancouver, WA. It includes a 14,000 square foot Walgreens and a 12,000 square foot multitenant building. While nearby households and jobs were important to the developer, access, visibility, and a lack of nearby competition were the driving forces behind their decision to locate the center. Average daily traffic counts are 15,000 to 18,000—much higher than those currently and projected in Frog Pond. A grocery store was originally planned for the center, but it never took hold.

Frog Pond Locational Assessment. Two approaches were discussed with developers: a traditional retail center and a main street approach. Developers provided the following insights:

- Retail survives by having drive-by visibility; main streets need to be planned and designed in a way that maximizes visibility while being accessible and oriented to the customer base that makes up the majority. For Frog Pond, this is likely to remain an auto-oriented area, so the front door (main access) of retailers need to be oriented to the parking lot. This configuration works better for conventional retail centers.
- Average daily traffic counts (ADT) of up to 10,000 will be unlikely to attract national tenants and may not be enough to sustain long-term leases. Developers typically look for ADTs of nearer 20,000. Developers recognize that people like to shop both in their immediate neighborhood and on their way home.
- Proximity to the Frog Pond elementary school is not a determinant of success for future commercial space.
- Developing apartments and other higher-density residential uses (e.g., townhomes) next to a commercial area will improve its chances of success by creating more demand, encouraging walkability, and making it “feel larger.”
- Over the next 10 to 15 years, a center no more than four acres in size appears realistic. Over a longer time frame as other UGB areas are built out, there may be opportunities for more commercial development.

Parking. Developers generally recommend a parking ratio of no less than four (4.0) parking spaces per 1,000 square feet of gross leasable space. For smaller centers and centers with a higher percentage of restaurants (that generally have higher parking demands than most retailers), the ratio should be more like five to six spaces per 1,000 square feet. This allows for necessary overflow capacity for peak parking demand. Shared parking agreements and on-street parking can help mitigate the impact that parking might have on the “neighborhood feel” of commercial areas.

Main Street Retail. Successful main street retail is difficult to successfully achieve, especially in suburban locations and where it is planned on minor streets. Jurisdictions often require the main doors fronting the street (i.e., on Stafford Road or Brisband Road/Frog Pond Lane with only on-street parking in front), which is detrimental to tenancing the commercial spaces. In suburban locations where about 90% of the customer base arrives by car, tenants want to locate where the most customers park. Creating the main street may need Wilsonville to require no more than 60% window glazing on the street frontages and permit entries oriented towards the customer parking.

Developers claim that when they are required by jurisdictions to provide doors along the street frontages, they advocate for limiting the number of doors on the structure and recommend only at either end of the structure to allow the corner tenant another option if they can take advantage of it. The reality is that the tenants create the street frontage as the back-of-house in the tenant layout plans, so the street sides contain storage rooms, bathrooms, utility rooms, etc.

A true main street would require all of the doors and 70% to 80% glazing on the street frontages, but for Frog Pond this would likely result in a situation where the developer would not be able to secure leases, and therefore not be able to obtain financing to build the structures. So the project never happens or it fails after the shell building is constructed.

Likely Development Challenges.

- A retail center below 50,000 square feet may not attract significant developer attention (especially larger developers), but a larger center will not likely be supported by demand.
- Financial conditions are currently the primary barrier to new investment. New retail construction currently requires rents near \$40 per square foot per year. Developers think Frog Pond will likely achieve rents between \$20 to \$25 per square foot, so retail development may need to be subsidized to be feasible. Potential solutions include SDC waivers and below-market land costs (if acquired by the city). While mixed-use development will likely face similar feasibility challenges because of the higher construction costs, efforts should be made to encourage it over the long term. Additionally, ensure the retail component is protected in the mixed-use zones; otherwise, it will be cast aside by the strength of the residential market.
- Frog Pond commercial tenants will likely be convenience-based, including restaurants, convenience stores, salons, sandwich shops, and gas stations. Services and health-based offices may comprise a significant share of the tenant mix.
- A grocery store will be challenging in Frog Pond. Grocers typically want to have access to at least 10,000 people (meaning there is such excessive demand that 10,000 people could be attracted to a new store), and many will not consider building a new grocery store without 8,000 households within a one-mile radius. Further, Wilsonville is saturated with high-quality grocery tenants. A grocery store may be feasible once construction begins in the residential components in the other UGB areas to the north.
- A master-planned development where the primary homebuilder takes on the responsibility of the commercial will likely result in more commercial space in a quicker timeframe.

Retail Market Trends

This section provides an overview of retail market trends and explores the potential impact on future Frog Pond commercial development. Some trends have been gradual, like the shifting consumer focus from malls to neighborhood-centric shopping, while some have been more rapid, as with the growing market capture of eCommerce (accelerated by the COVID-19 pandemic). Specific trends and the related impacts are summarized in the table below.

Table 1. Commercial Trends and Impacts

Commercial Trend	Impact on Future Frog Pond Commercial
Growing eCommerce market share, especially for specialty products and merchandise.	⬇️ Less overall demand for brick-and-mortar stores; limited opportunities for general merchandise.
The COVID-19 Pandemic is the “great retail reset,” with retail experiencing years’ worth of change in just months, including dramatic changes to people’s daily habits and professional and personal routines and significant impacts on real estate development patterns.	⬇️ The pandemic will likely accelerate the trends towards less retail and office space per capita, and boost demand for suburban residential locations. The era of unpredictability and risk (only one top 10 retailers from 1980 is still in the top 10)
The shift toward enjoying experiences more than purchasing goods (commodity vs. specialty) will continue to move retail stores toward selling experiences rather than selling goods.	📍 Potential to provide more diverse and compelling tenant mixes, health-based retail, and food and beverage.
Growing demand for convenience-based retail (e.g., neighborhood-based grocery-anchored centers with essential services), walkability, and 20-minute neighborhoods.	📍 Frog Pond may be able to provide walkable access to a mix of commercial goods and services, employment opportunities, and other amenities.
Shifting consumer focus from malls and high-street retail to more mixed-use centers and “neighborhood-centric” shopping	📍 “Hyper-local” retail orientation; more diverse and compelling tenant mixes with retailers operating smaller portfolios than before
Ageing demographics driving demand for smaller health-based commercial spaces.	📍 Medical-related commercial spaces (including offices) comprise a growing share of the commercial tenant mix.

Source: LCG

Retail is typically built in a series of standard formats, and while these vary somewhat, they maintain general consistency in terms of anchor tenants, size (square footage), trade area, and other features. Several types of retail centers are summarized in the table below. The 2015 Area Plan described the most appropriate types of retail for Frog Pond as a corner store, convenience center, or neighborhood center.

Table 2. Types of Retail Centers

Retail Center Type	Gross Retail Area (sf)	Dwellings Necessary to Support	Average Trade Area	Anchor Tenants
Corner Store	1,500 – 3,000	1,000	Neighborhood	Corner store
Convenience Center	10,000 – 30,000	2,000	1 mile radius	Specialty food <u>or</u> pharmacy
Neighborhood Center	60,000 – 90,000	6,000 – 8,000	2 mile radius	Supermarket <u>and</u> pharmacy
Community Center	100,000 – 400,000	20,000 +	5 mile radius	Junior department store

Sources: Urban Land Institute, Leland Consulting Group.

Parking Trends

Parking demand and need depends on a commercial area's tenant mix, its size, its location and how people are likely to travel to it, and the surrounding uses.

The Institute of Transportation Engineers (ITE) Parking Generation Manual compiles peak parking demand rates, typically by gross leasable area (GLA), for various land uses for weekdays and Saturdays. Using data collected from more than 140 surveys at all types of shopping centers ranging in size from 25,000 to 1,400,000 square feet of GLA, ITE found that the average peak parking rate was 3.23 and 3.97 vehicles per 1,000 square feet on weekdays and Saturdays, respectively.

The Urban Land Institute (ULI) has also investigated the impact of many variables including shopping center size, types of uses (retail or non-retail), and shopping center location. The ULI recommendations for providing adequate parking at shopping centers are four (4.0) spaces per 1,000 square feet of GLA for centers between 25,000 and 400,000 square feet.

This ratio may be impacted by a higher-than-average percentage of offices or restaurants.

- Commercial areas with more food service and drinking establishments (i.e., restaurants and bars) tend to have higher parking demand. Small centers and unanchored commercial areas tend to have a greater percentage of restaurants and, therefore, tend to require more parking. Smaller centers may also need more parking to accommodate peak demand.
- Commercial areas with professional, medical, and financial offices typically have slightly lower parking demand (3/1,000 sq. ft.).

Stakeholder interviews suggest a parking ratio of 5 spaces per 1,000 square feet of gross leasable commercial space (GLA), especially for a smaller (i.e., 30,000 to 50,000 square feet) suburban center where most people are likely to drive to and from it.

It should be noted that commercial centers are notoriously overparked and more futuristic trends in automation may diminish demand for traditional parking and increase demand for pick up and drop off zones. By 2035, new technologies, changing consumer behavior, or other factors may greatly impact parking demand and needs.

Demographic Context

Demographics are fundamental to estimating the market demand for commercial real estate. The types of commercial goods forecasted to be in demand in the future in Wilsonville and Frog Pond will depend on the types of people and households who live there both today and in the future.

Some highlights from the previous demographic analysis and relevant updates based on the most recent available data are described in the table below.

Table 3. Demographic Updates to the 2015 Area Plan

	2015 Area Plan (2014 Data)	2021 Data
Age	Wilsonville has a higher percentage of young adult residents (aged 24 to 34) and older residents (aged 65+) than the market area or region. Conversely, a slightly smaller percentage of Wilsonville's population is middle-aged (aged 35 to 64) than the market area or region.	Wilsonville's age demographics have remained similar relative to the region; however, the market area has a much higher percentage of young adult residents (aged 24 to 34), a lower percentage of older residents (aged 65+) than the City and region, and a similar percentage of middle-aged residents (aged 35 to 64) than the market area and region.
Family Households	Fifty-nine percent of Wilsonville's households are "family households"—those with two or more related family members living together—compared with 68 and 64 percent in the market area and region, respectively.	Fifty-nine percent of Wilsonville's households are "family households", compared with 64 and 63 percent in the market area and region, respectively. The biggest change has occurred within the market area, where the percentage of non-family households has been increasing.
Household Size	Wilsonville has a larger share (68%) of one and two-person households than the market area or region.	Wilsonville still has a larger share (68%) of one- and two-person households than the market area (65%) or region (62%).

Source: LCG, ESRI Business Analyst

The following tables summarize demographic, economic, and socio-economic conditions for a series of comparative areas, including 0.5-, 1-, and 2- mile radii, the primary trade area, and the City of Wilsonville. Households in the immediate area are generally more renter-oriented, and younger than the broader Wilsonville market and metro region. While these conditions are generally attractive to retailers, as Frog Pond builds out, households will likely become larger, wealthier, and more owner-occupied.

Table 4. Comparative Demographic Characteristics

	0.5 miles	1 mile	2 miles	PTA	Wilsonville	Metro	USA
Household Size	3.07	2.44	2.25	2.59	2.30	2.53	2.58
% Renter	57.2%	63.8%	60.1%	60.6%	45.6%	37.2%	35.3%
Median Age	33.0	33.8	35.8	33.0	37.4	38.7	38.8
% w Bachelor's + (25+ y/o)	41.4%	47.8%	48.1%	45.0%	48.1%	41.3%	33.6%
Household Income	\$69,954	\$69,228	\$70,246	\$72,578	\$73,923	\$78,432	\$64,730
% HHs Earning <\$35K	12.5%	16.7%	19.7%	12.7%	20.9%	19.7%	26.4%
Per Capita Income	\$38,458	\$41,153	\$41,669	\$39,833	\$43,928	\$40,131	\$35,106

Source: ESRI Business Analyst (Derived from ACS Census Data)

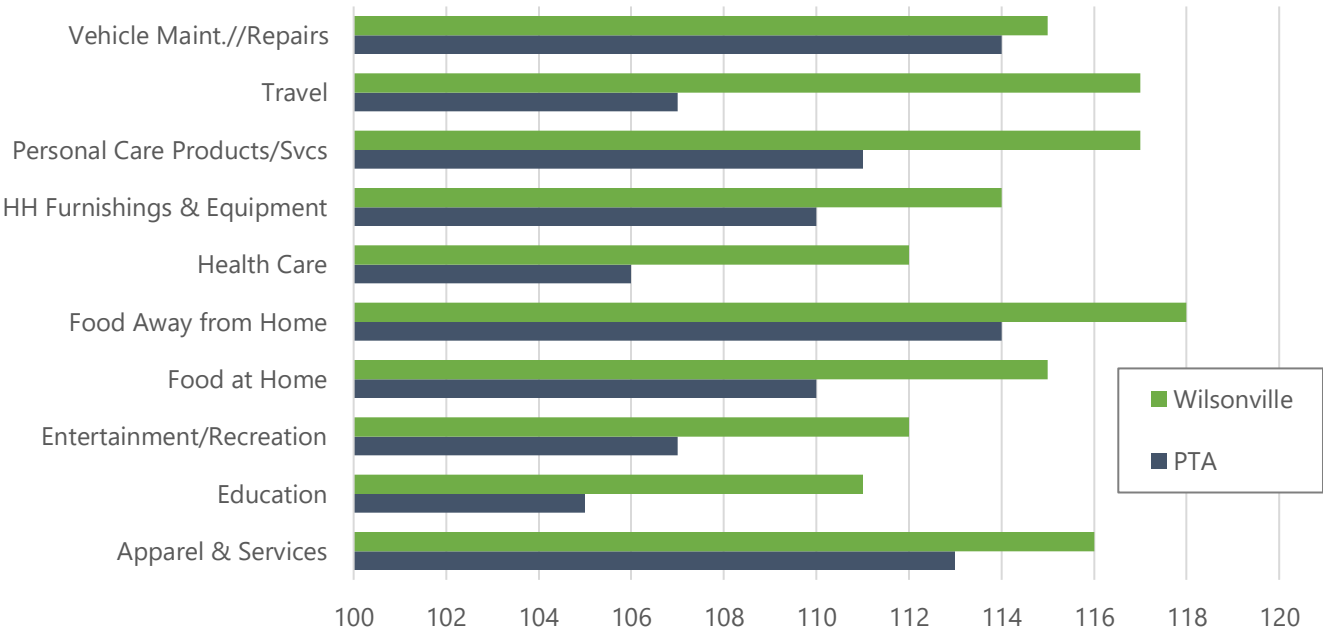
Table 5. Comparative Age Data

Age	0.5 miles	1 mile	2 miles	PTA	Wilsonville	Metro	USA
<18	22.2%	22.8%	21.6%	22.9%	20.0%	21.5%	21.7%
18-34	31.2%	29.1%	27.2%	30.4%	26.4%	23.1%	23.2%
35-44	14.1%	14.5%	14.4%	14.5%	14.1%	14.1%	12.8%
45-54	11.0%	11.7%	11.7%	11.4%	11.4%	12.5%	12.1%
55-64	11.5%	11.2%	11.6%	11.1%	11.6%	12.7%	13.0%
65+	10.0%	10.7%	13.5%	9.7%	16.5%	16.1%	17.2%

Source: ESRI Business Analyst (Derived from ACS Census Data)

Households in both the primary trade area and the City of Wilsonville have a higher spending index across all retail categories than the average U.S. household (an index of 100 indicates the average). Every index point above 100 indicates a one percent increase beyond the average. Retail categories with the highest spending index that could translate to commercial square footage include personal care projects/services, food away from home (i.e., restaurants), food at home (i.e., grocery), and apparel and services.

Figure 2. Spending Index by Retail Category



Source: ESRI Business Analyst (Derived from ACS Census Data)

Existing and Future Customer Base

Household growth is a key driver of demand for commercial development. Wilsonville is projected to continue growing quickly. The previous analysis highlighted that the number of households in Wilsonville is projected to grow at a rate of 1.8 percent annually between 2010 and 2035—faster than many of the nearby cities and the region overall. Updated forecasts from Metro (summarized below for Wilsonville and some of the neighboring cities) show slightly more conservative growth estimates through 2030 and significantly slower growth estimates through 2045.

Table 6. Updated Demographic Forecasts for Wilsonville and the Metro Region

Jurisdiction	2020	2030	2045	10-Yr Annual % Growth	25-Yr Annual % Growth
Wilsonville	25,945	29,756	30,566	1.4%	0.7%
Tualatin	27,278	27,598	27,565	0.1%	0.0%
Tigard	54,591	63,813	71,611	1.6%	1.1%
Sherwood	19,747	20,118	20,662	0.2%	0.2%
Canby	17,161	19,582	19,681	1.3%	0.5%
West Linn	26,060	26,579	26,990	0.2%	0.1%
Oregon City	36,457	42,665	49,009	1.6%	1.2%
Clackamas County	428,614	493,892	593,665	1.4%	1.3%
Washington County	622,082	718,412	809,312	1.5%	1.1%

Source: Metro 2045 distributed population and household forecasts, adopted Feb. 25, 2021, URL

Wilsonville is projected to grow by about 3,800 households between 2020 and 2030. Much of this growth is expected in peripheral growth areas like Frog Pond and will be the primary driver of commercial demand. Growth in other parts of the City is unlikely to make a significant difference to the development prospects of the future Frog Pond commercial area given the likelihood of the land use mix and program being neighborhood-serving and locally-focused. Frog Pond residential counts are described below.

As the following summary table shows, there are currently approximately 2,250 dwellings within one mile of the main intersection (Stafford, Advance, Boeckman, Wilsonville Rd) in Frog Pond, including about 1,250 single-family households and 1,000 apartments.

The 2015 Area Plan includes plans for 610 households in the West Neighborhood, about 200 of which are currently built or close to completion (including the 2,250 current units described above), and 1,322 units in the East and South Neighborhoods.

Upon the expected buildout of Frog Pond residential development in 2035, the number of households within one mile of Frog Pond (the area including the household customer base most likely to support future Frog Pond commercial development) is likely to total (and may exceed) 4,000 dwelling units. To put this number in context, retail developers will often claim 8,000 households within one mile are needed to support a grocery store.

Table 7. Estimated Household Counts

	West	South / East	One-mile Total
Currently Built	200	0	2,250
Total Projected/Planned	610	1,322+	4,000+

Source: ESRI, Frog Pond Area Plan

LCG understands that the total number of dwelling units planned for the may East and South neighborhoods may increase slightly depending on the housing density. Additional multifamily projects and/or mixed-use development may increase the planned total to 1,600 or more, enhancing commercial prospects. In addition to increasing the overall demand for new retail, residents of higher-density departments are less likely to have cars than those living in lower-density, single-family homes and more likely to walk to nearby amenities and services. LCG, therefore, recommends planning higher density residential development near commercial.

Case studies/Precedents

This section includes brief case studies summarizing different projects whose stories have some relevance to the study areas. All of the projects are greenfield projects (built on land that was mostly previously undeveloped); were built within a surrounding suburban context; were thoughtfully planned with an emphasis on quality of place and community; and were intended as neighborhood commercial centers surrounded by housing, quality streets, open spaces, and other features. While each is unique in its own way, each also has unique and context-specific takeaways for the City to consider for the implementation of commercial development in Frog Pond.

A summary table of several is provided on the following page. LCG selected six commercial developments to study based on stakeholder interview input, industry expertise, and background research. Three of these are smaller, unanchored commercial centers, one is a commercial main street, and two are larger anchored centers with main street elements (provided primarily as points of comparison). The arrows for the rows identifying the housing units and jobs within one mile of each area and the traffic counts on nearby streets indicate whether the numbers are less than (red downward arrow), roughly equal to (blue sideways arrow), or more than (green upwards arrow) the households, jobs, and traffic counts projected for Frog Pond by 2035. A full narrative case study of Northwest Crossing in Bend, Oregon is provided following the summary table.

Specific takeaways from LCG's case study research include:

- Many developers seek to build and lease commercial and employment space within several years of land acquisition; for them, having some vacant land after 20 years of development represents an opportunity cost—the land could have been zoned for another use (typically housing) and been rented or sold in earlier years. Likewise, renters and homeowners could have had homes to live in. However, from a policy point of view, if a city or other authority is seeking to ensure adequate land for commercial and employment development, and associated jobs, this can be seen as a success.
- Creating a strong sense of place is possible with a small amount of commercial development when it is carefully and deliberately built.
- A commercial main street is one important amenity that can make the rest of the community more desirable. While commercial space needs exposure to high-traffic arterials, pedestrian-oriented places should be created on main streets that are perpendicular to the arterials. It is often not comfortable for pedestrians to walk and talk or dine outside, along arterial roads, so creating a pedestrian-friendly environment is easier on perpendicular streets.
- Commercial development takes time in less traditional locations (i.e., those without large populations and traffic counts). Housing was faster to build out at NorthWest Crossing—commercial and employment followed.
- Northwest Crossing emphasizes the placemaking benefits of linking retail with open space. As a master-planned development, the developer could afford to choose this orientation and link the two spaces. Notably, none of the smaller unanchored centers documented below include a larger open space other than seating immediately outside of the storefronts. Larger commercial developments can flexibly design the site to accommodate smaller public gathering and open spaces that provide a community amenity and serves its tenants. A well-designed site that encourages the movement of people on foot between parks/open space and retail development will likely require either a master developer that sees value in this approach or a deliberate decision by the City to acquire and preserve land for these uses.

le 8. Case Study Summary

	Forest Heights	Village on Scholls	East Padden Square	Northwest Crossing	Central Village	Cascade Summit Town Square
General Location	NW Metro (UGB edge)	Tigard (SW UGB edge)	Vancouver (NE edge of City)	Bend (western edge of City)	West Linn, Highway 43	West Linn, Salamo Road (adjacent to preserved land)
Type	Unanchored convenience center	Unanchored convenience center	Pharmacy anchored n'hood center	Main Street Commercial	Grocery anchored n'hood center	Grocery anchored n'hood center
Tenant Mix	Natural Market, café, salon, cleaners, pizzeria, coffee shop	Café, restaurants, professional offices, Salon	Pharmacy, dental office, H&R Block, fast-casual and sit down restaurants	Bars, salons, restaurants, book store, medical/ prof. offices, bike shop, boutique clothing,	Retailers, restaurants, medical and professional services office space, West Linn Public Library	Safeway, offices, City Hall, banks, liquor store, gym, USPS, other misc., Montessori School
% Non-Retail	15%	50%	15%	26%	15%	30%
Year Built	1994	2008	2006	2006-2021 (ongoing)	2007	2000
1-mi Hsg. Units	4,600 ↻	6,000 🟢	4,000 ↻	2,700 🟡	3,700 ↻	4,100 ↻
1 mile Jobs	1,030 ↻	1,150 ↻	1,200 ↻	2,270 🟢	5,160 🟢	1,530 ↻
Traffic Counts	5,000 🟡	18,900 🟢	19,000 🟢	9,000 ↻	17,000 🟢	8-10,000 ↻
Site Acreage	1.6	2.9	3.2	6.0 (2 acres recently developed)	7.9	12.6
Building Sq Ft	24,000	32,000	31,000	84,600 (33,000 recently added)	104,715	131,660
Floor Area Ratio	0.34	0.25	0.22	0.28	0.30	0.24

Source: LCG

Northwest Crossing, Bend

Northwest Crossing is a 500-acre master-planned neighborhood in Bend, Oregon, located about 1.5 miles west of downtown. It is composed of a wide variety of housing types (single-family, cottages, townhomes, and apartments), over

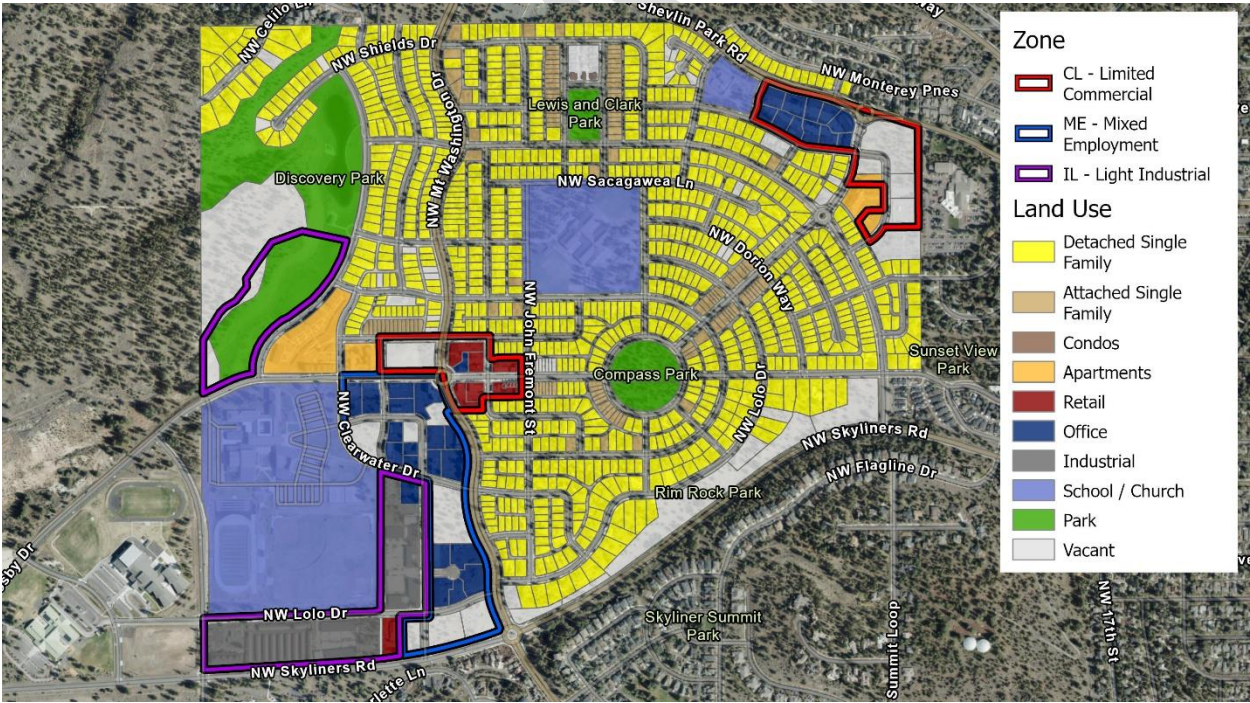
80 businesses representing a range of sectors (retail, medical, professional services, manufacturing), and a highly walkable network of streets and trails.

NorthWest Crossing is one of the best models of a successful neighborhood node or main street development within a master-planned community in the Pacific Northwest. It creates a great sense of place within a small core commercial area (less than 5 acres), and its design shows how a pedestrian-oriented main street can coexist with adjacent high traffic arterials. LCG recommends that Frog Pond consider this model of neighborhood node-scale commercial development, with an emphasis on food, lifestyle, personal and professional services, and other commercial activities that serve as an amenity to residents and create a sense of place.

Commercial uses primarily center along 400 feet of Northwest Crossing Drive (spilling east from Washington Drive). This commercial heart of the town center is approximately three to five acres, depending on the extent to which surrounding roads, sidewalks, and parking lots are included in the count. There is a small amount of retail, yet the project creates a powerful sense of place, with both residents and visitors going out of their way to gather, shop, and stroll on the “main street.” The street is connected to Compass Park, 500 feet to the east.

Northwest Crossing Drive and the park both host a range of events around the year including Saturday Farmers Market, music, tree lighting, movies, and various festivals. Together, the commercial space, park, street network, range of housing, and other features create something distinctive and elusive—community and sense of place. While these attributes may seem conceptual, they drive financial returns, particularly through very strong home sales throughout the community’s twenty-year history, including during the recession, when home sales in other parts of Bend suffered.

Figure 3. Northwest Crossing Land Use Map



Northwest Crossing has had relative success in attracting significant employment development. Capitalizing on Bend’s quality of life characteristics, concentration in outdoor recreation and “maker” industries, and emerging start-up culture, Northwest Crossing has been able to attract several small manufacturing and mid-size headquarters to its employment area. In total, about 16 acres of office development and 15 acres of industrial development have been built. This makes it one of the most successful greenfield communities in Oregon in terms of attracting employment uses.

NorthWest Crossing was led by master developer Brooks Resources, who purchased the entire 500 acres in the 1990s, used a phased buildout approach for the residential component, and was willing to be very patient on the development of commercial and employment sites. LCG cannot say at this point whether this will be the case at Frog Pond. Most of the land, including the proposed site of the commercial center, is currently held in numerous disparate ownerships and no master developer is known. One reason that a master developer is significant is that they are more likely to “over-invest” in amenities such as commercial centers, because, at least in theory, a desirable commercial center will make the entire neighborhood more attractive and desirable and enable the master developer to “internalize” the greater revenue generated by faster home sales and more valuable homes—even if the commercial center is expensive to develop and has a low return on investment. When a property is controlled by many owners, each owner has far less incentive to view commercial and employment areas as loss leaders that drive the success of the overall community.

Market Analysis

A retail market analysis provides quantitative information about the opportunities for new retail space based on existing and future supply and demand. This section describes the competitive retail environment facing future commercial in Frog Pond and the households expected to drive most of the demand for new space.

The 2015 Area Plan described the most appropriate types of retail for Frog Pond as a corner store, convenience center, or neighborhood center. This analysis reevaluates these assumptions and identifies the most appropriate retail format and size for Frog Pond based on new data and updated information.

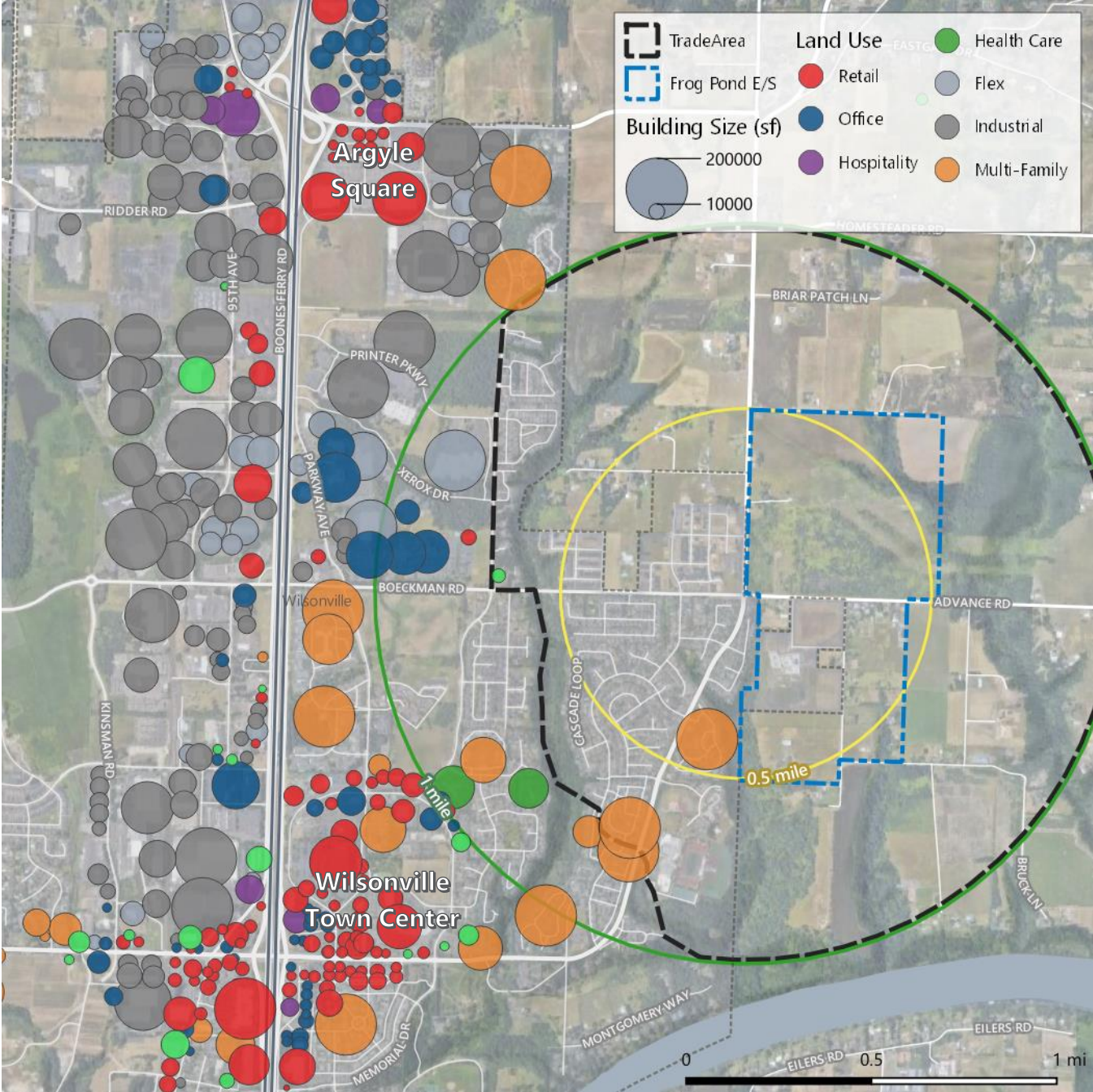
Primary Trade Area

The primary trade area is the geographic region from which 50 to 80 percent of total demand and sales are expected. Identifying and analyzing this trade area is critical to understanding the demand for retail commercial space and the potential market capture of the Frog Pond area.

The size of the trade area differs based on the type of commercial space. The size of the trade area generally correlates with the size of the commercial center or store and the total square footage occupied by its tenants. For example, tenants offering neighborhood goods and services and food and beverage are typically more locally-focused, occupy smaller store footprints, and have a much smaller trade area than general merchandisers and other larger-format stores that have a more regional draw.

The following map shows the Frog Pond primary trade area in relation to existing commercial and multifamily developments.

Figure 4. Frog Pond Primary Trade Area



Source: LCG

The primary trade area for Frog Pond will likely be within one mile of the future commercial area, consistent with the typical trade area for a convenience center. Future commercial in Frog Pond is unlikely to draw many customers from beyond one mile away unless it becomes a destination that can attract visitors with a unique retail experience. The boundary shifts inward in places that are impacted by:

- Physical and environmental barriers, particularly to the west and south along the wetland/vegetative corridor. New households west of this corridor will more likely be consumers of commercial to the west,

- The proximity of large retail centers, including Argyle Square, Wilsonville Town Center, and others, and
- Major arterials offer quick access to these well-established commercial concentrations.

This trade area excludes approximately 680 dwelling units that are within one mile of the center (330 single-family homes and 350 apartments). These households—and households further afield—will also support Future Frog Pond commercial, but proximity to more established retail in and around the Wilsonville Town Center will likely be a more significant draw.

Commercial Supply and Competition

This section summarizes the existing and future retailers that are likely to compete for customers with future Frog Pond commercial. Given its location on the eastern edge of Wilsonville, commercial demand and development prospects are most likely impacted by commercial spaces located east of I-5. These spaces include those within the Wilsonville Town Center and the Argyle Square regional shopping center at Elligsen Road; both commercial centers offer a wide variety of goods and services. One benefit that both of these centers have over Frog Pond, as shown in the table below, is the very high traffic, visibility, and access that comes with their location near I-5, and along major high volume arterial roads.

Each of the centers is relatively high-performing despite the challenges facing the retail sector due to ecommerce and the COVID-19 pandemic. Vacancies at Argyle Square continue to be very low (<5%), rents average more than \$30 per square foot, and annual rent growth has exceeded three percent for the past decade. Rents at the Wilsonville Town Center are slightly lower on average at \$25 per square foot, reflecting the older building stock.

The Wilsonville Town Center (WTC) is the focus of a recent master plan that envisions widespread changes over the planning horizon for the Frog Pond Master Plan. Plans include a more pedestrian-oriented environment, additional commercial development, a shift to more experiential retail, mixed-use development, and a greater intensity of uses. Frog Pond Commercial will compete with WTC for experiential retail, including neighborhood goods and services and food and beverage.

Retailers at Frog Pond will need to consider these retail centers and establish an effective role and niche to compete effectively.

Table 9. Property Characteristics of Competing Commercial Centers (East of I-5)

Average/Total	Wilsonville Town Center	Argyle Square Regional Center
Center Type	Community Center	Regional Center
Major Tenants	Safeway, Goodwill, Dollar Tree, Ace Hardware, Regal Cinema, Clackamas Community College	Target, Costco, PetSmart, Office Depot
Leasable Space (SF)	1,091,000 (664,000 sf retail buildings)	370,000
Site Area (SF)	6,332,544	1,850,267
FAR	0.17	0.20
Total Vacant SF	157,000 (includes 146,500 sf building formerly occupied by Fry's Electronics)/	10,500
Avg. Vacancy Percent	15% total / 24% retail only	<1%
Avg. Traffic Counts	27,000	15,000
Households w/in 1 mi	4,711	1,005
Planned Development	1+ million square feet	Nothing planned

Source: ESRI, LCG

Demand for New Commercial Space

The demand for commercial space, and ultimately land that needs to be planned for future development is a function of many interrelated factors. Each commercial real estate sector—including office, retail, industrial, hospitality, and healthcare—consider certain factors more important than others, as summarized below.

Table 10. Factors Influencing Demand and Development Prospects

Factor & Description	Sector Impacted	Frog Pond Considerations
Spending Leakage. Leakage occurs when locals spend a larger amount of money on goods than the number of sales reported by local businesses. Retail leakage implies that locals are traveling outside of the local market area to buy retail goods and can indicate unsatisfied demand within the PTA.	Retail, medical and professional office, lodging	There is leakage across all retail categories; Frog Pond may recapture spending leakage in neighborhood retail, goods and services. Leakage for the primary trade area is shown in the chart that follows.
Existing and Future Consumer Base. Consumers include shoppers, workers, tenants, and other users. A fast-growing area will create demand for services and development quicker than slow-growing areas because of the needs of new households. High-growth areas will attract development interest.	Retail, office, industrial, lodging	Frog Pond is impacted by household growth primarily, with at least 4,000 units expected by 2035.
Purchasing Power of Base. Households with higher incomes generally have more disposable incomes and, therefore, consume more goods and services and generate demand for more commercial development. Households with certain demographic profiles tend to spend more in certain categories than others. Retailers are interested in targeting clusters of households that fit the goods and services on offer.	Retail	The "Spending Index" for households living in Wilsonville is higher than the metro and U.S. average, indicating strong purchasing power. This index is expected to be similar for the trade area as Frog Pond builds out.
Local Demographics. Characteristics of residents and workers, such as education, household composition, age, and income, play a factor in consumer behavior, employment demands and trends, and hotel use.	Retail, office, industrial, lodging	Frog Pond and the surrounding areas appear to have attracted younger, educated, wealthy families. These demographics support neighborhood-serving retail and other specialized uses, such as daycare.
Unique Differentiators. Placemaking and walkability can create unique destinations that people want to live, work, and play in. These places pull people from outside the typical trade area and generate more development interest than traditional locations.	Retail, office, lodging	In lieu of major differentiators, Frog Pond can drive interest and pull customers to the area by encouraging higher density development near commercial uses, on-street parking, connections to open spaces, and promoting neighborhood-centric tenant mixes.
Access and Visibility. While neither of these characteristics generates demand in itself, highly accessible and visibility areas will be more likely to attract development interest because of the ability to draw from a wider market area and capture passing traffic (auto, pedestrian, tourism, etc.).	Retail, office, industrial, lodging	Stafford Road carries the most traffic, with northbound evening commuters providing opportunities for Frog Pond East. Traffic on Brisband Road and Frog Pond Lane and other east-west connections may arise later.

Source: LCG

As noted above, there is leakage in all retail categories—a positive indicator for commercial prospects. In theory, the total sum of the leakage across all categories could be met with more than 175,000 square feet of new retail development. In reality, only a small fraction of existing leakage might be recaptured within the PTA in the form of new development. This is because most of the retail “gravity” is to the west, with several large centers that draw customers from a much larger trade area because of the substantial range of goods and services on offer. New commercial in the Frog Pond area can expect to see the highest capture rates among neighborhood goods and services (e.g., the categories of food and beverage, health and personal care, and building materials/garden equipment) and low recapture rates in the categories of general merchandisers (such as Target, Walmart), clothing, sporting goods, furniture, and electronics.

Figure 5. Spending Gap Analysis, Primary Trade Area, Current Spending Leakage



Source: LCG

Demand Analysis

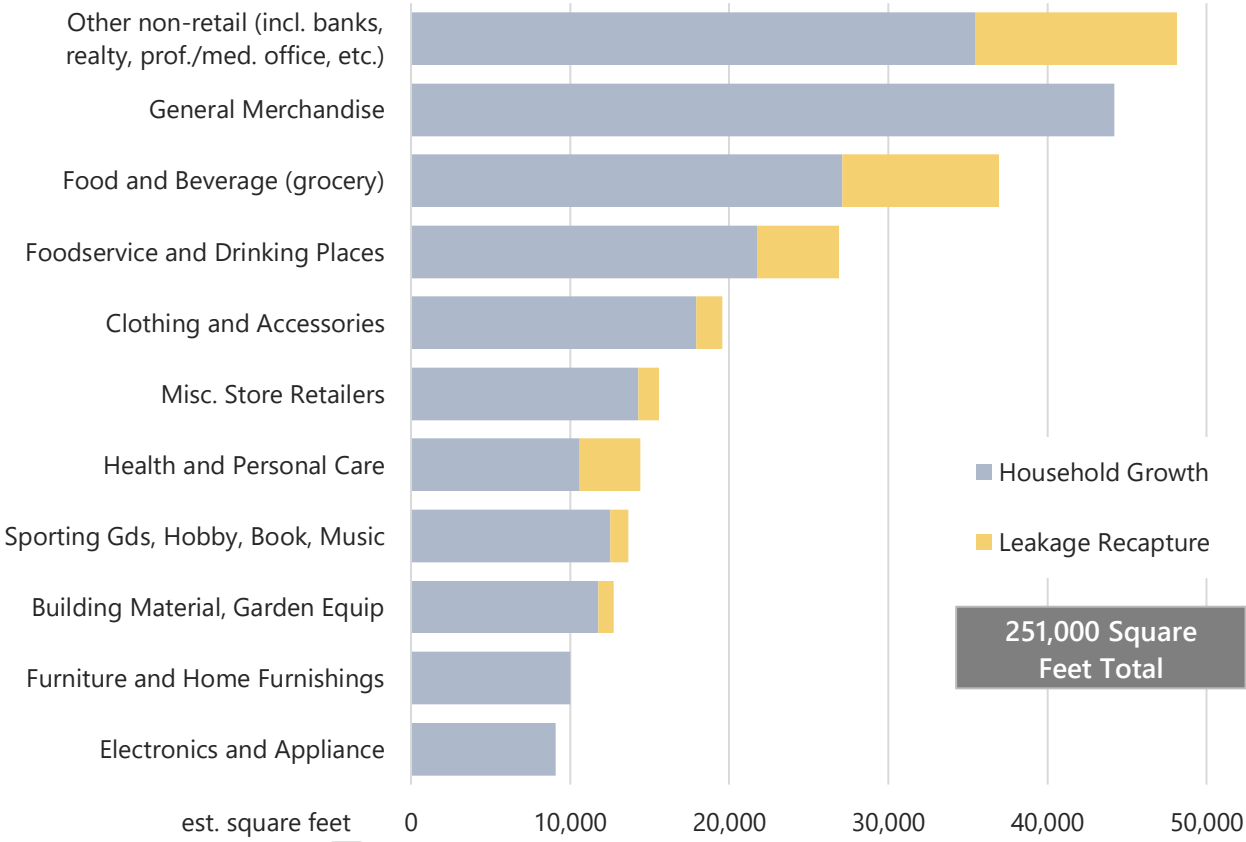
Commercial demand is calculated by applying the following key metrics to existing and future households within the primary trade area.

- **Expenditures by household.** Household expenditures are collected through a survey by a U.S. Bureau of Labor Statistics (BLS) and reported as average and summed expenditures by subcategory.
- **Market Capture.** Capture Rates are the percentage likelihood that the expenditures will be assumed by the development. Analysts assign capture rates as a factor of competition, location, and other market factors.
- **Leakage Recapture.** As noted above, a fraction of existing leakage might be recaptured within the PTA in the form of new development
- **Sales per Square Foot.** Sales per square foot are otherwise known as productivity and enable a calculation of supportable square footage at the product. Each region, neighborhood, and development has a different set of sales figures.

LCG evaluated retail demand using these metrics through 2035 when the Frog Pond area is expected to be near completion. Demand is driven by existing and future households within the primary trade area, as well as spending from drive-by shoppers. Taking into account the existing stock of about 2,250 households and the approximately 1,800 new households likely to ultimately reside at Frog Pond, there will likely be more than 4,000 households in the primary market area at full project build-out in 2035.

Based on these household counts, and the metrics identified above, demand for new retail space from existing and future households totals 226,000 square feet through 2035. Demand does not translate to viable square feet of development, however, and the market capture varies for each retail category. The majority of households will continue to shop in areas outside of the primary trade area and other existing and new retail developments will capture a significant share of total commercial demand. Among these areas is the Wilsonville Town Center—the closest retail concentration—that may add more than one million square feet of new development over the next 20+ years and draw customers from the Frog Pond area.

Figure 6. Primary Trade Area Retail Demand by 2035, Net New Square Feet



Source: LCG

Projected Demand and Potential Market Capture

This section outlines the possible site program for Frog Pond based on the market capture of the demand totals described above. LCG estimates the market potential for between 31,000 and 56,000 square feet of new commercial space. This would require between 2.8 and 5.1 acres of land at a standard floor area ratio (FAR) of 0.25 (consistent with the case studies documented in the following section). The higher threshold largely depends on the area’s ability to attract a pharmacy or medium-sized grocer, which may not be feasible within the planning horizon.

The following table details the estimated range of gross leasable space (in square feet) for various retail types based on LCG's demand analysis. Future Frog Pond commercial is expected to comprise primarily of food and beverage stores (including grocery, specialty markets, delicatessens, butchers, etc.), health and personal care (including salons, pharmacy, fitness centers), foodservice and drinking places (restaurants, cafes, bars), and other non-retail stores ((banking, realty, financial and medical offices, educational tenants, etc.). As the case studies show, non-retail tenants typically account for between 15 and 30 percent of gross leasable space in commercial areas. This is captured in the table below in the "Other" retail category type.

Table 11. Primary Trade Area Retail Demand and Supportable Retail Area: 2035

Retail Category Type	Future Growth in Demand (Retail Potential) \$	2035 New Demand from HH Growth (s.f.)	Leakage Recap- ture (s.f.)	Total New 20- yr Demand (s.f.)	Capture Rate (low)	Capture Rate (high)	Net New Demand Square Feet (low)	Net New Demand Square Feet (high)
Furniture & Home Furnishings	\$2,254,435	10,020	0	10,020	0%	0%	0	0
Electronics & Appliance	\$2,270,950	9,084	0	9,084	0%	0%	0	0
Bldg. Material, Garden	\$4,115,742	11,759	994	12,761	10%	15%	1,300	1,900
Food/Beverage (grocery)	\$11,519,008	27,104	9,837	36,941	15%	50%	5,500	18,500
Health & Personal Care	\$3,969,016	10,584	3,841	14,425	35%	50%	5,000	7,200
Clothing & Accessories	\$3,584,158	17,921	1,626	19,547	5%	10%	1,000	2,000
Sporting Gds, Hobby, Book, Music	\$2,504,784	12,524	1,136	13,660	10%	15%	1,400	2,000
General Merchandise	\$12,151,776	44,188	0	44,188	0%	0%	0	0
Misc. Store Retailers	\$3,213,690	14,283	1,296	15,579	10%	15%	1,600	2,300
Foodservice & Drinking	\$7,612,294	21,749	5,166	26,930	20%	28%	5,400	7,500
Other non-retail (banks, prof./med. office, etc.)	\$5,319,585	35,464	12,683	48,153	20%	30%	9,600	14,400
Total	\$58,515,438	214,680	36,580	251,288	12%	22%	30,800	55,800
Acreage Required							2.8	5.1

Sources: ESRI Business Analyst, LCG

The feasibility of this commercial development will also depend on what if any retail is developed in other locations. For example, a new retail center located to the west of the Frog Pond Area on Boeckman Road would absorb demand from Frog Pond and potentially preclude new development in the study area. However, this analysis assumes that no new retail is built within a one-mile radius of Frog Pond East.

With projected 4,000 households within one mile of the main intersection, Frog Pond will likely support a convenience center at the lower range (around 30,000 square feet), but a larger retail center at the upper range (around 50,000 square feet) may be challenging.

Within two miles, there are *currently* about 6,000 housing units and additional growth in this area will exceed the average number of dwellings necessary to support a neighborhood center. However, such a large trade area is unlikely in this case given this area includes more than 2.0 million square feet of existing competitive retail space.

Site Location Considerations

This section includes a discussion of potential locations for future commercial development and the advantages and disadvantages of each.

When selecting commercial development sites, several core characteristics attract commercial developers and brokers to certain locations, including access and visibility, traffic counts, and the customer base. The previous pages have described Frog Pond's general competitiveness as a commercial location; this section now provides an overview of the potential internal locations for this commercial development within Frog Pond East and South.

Potential locations are limited to the east side of Stafford Road. Stafford is and will remain the primary route through Frog Pond (with 6,000 average daily traffic counts) and is therefore visible and accessible to the greatest number of people in the area. It should be noted that retail developers typically want ADTs of more than 15,000 for most commercial centers, and while the City's Transportation System Plan forecasts that ADTs on Stafford will reach approximately 10,000 by 2035, reaching the upper 50,000 square feet threshold may not be feasible given these and other challenges. Over a long-term planning horizon (20+ years), other areas in the region will develop, including those to the immediate north, and employment will grow, driving up densities and ADTs to levels that are more likely to support a larger commercial center.

Along the Stafford Corridor, there are three potential locations for commercial development. The first, at the northeast corner of the existing main intersection of Stafford and Advance roads, has been documented in detail and remains an opportunity site. The second potential location is at the planned extension of Brisband Road along Stafford Road. This extension will likely be the primary alternative route through Frog Pond, bringing more customers and traffic past this potential location. Similarly, the third location is at the planned extension of Frog Pond Lane adjacent near the Frogpond Grange. More details about the pros and cons of each location are provided in the table below.

Table 12. Location and Development Type (Main Street Retail Versus Commercial Centers) Options: Advantages and Disadvantages

Location	Likely Commercial Type / Location	Advantages	Disadvantages
1. NE Corner of Advance/ Stafford Intersection	Commercial center with access from both Stafford and Advance roads. Large central parking lot.	<p>Most “developer-friendly” option.</p> <p>Best opportunity for a pharmacy on the corner.</p> <p>Likely to develop the quickest.</p> <p>Tried and tested development type.</p> <p>Anchor tenant opportunity.</p>	<p>Least pedestrian-oriented location and development type.</p> <p>Few opportunities to tie into land uses to the south and west.</p> <p>May have the least community support.</p> <p>Commercial centers can age quickly and feel outdated.</p>
2. Brisband Road	“Main Street” with commercial space on the north and south sides of Brisband Road, as well as space fronting Stafford Road. Parking is likely located on street and behind buildings.	<p>Most balanced option (market-driven versus experience/amenity-based).</p> <p>May have the most traffic once Frog Pond residential is complete.</p> <p>Main street retail feels “fresher” for longer, maintaining vibrancy.</p> <p>May have the most community support.</p> <p>Long-term potential to develop a flexible mixed-use program that fully surrounds the commercial area: program may also increase in size with the Elligsen UGB area housing growth to the north.</p>	<p>Typically unanchored; may take longer to build and fill with tenants.</p> <p>May require public subsidy given the greater development complexity, especially if mixed-use (upper stories are not required).</p> <p>Challenging tenant/parking configuration.</p> <p>Power easement through connection may be critical to bringing more local customers to the site.</p>
2. Frog Pond Lane Extension	“Main Street” with commercial space on one or both sides of Frog Pond Lane, as well as space fronting Stafford Road. Parking is likely located on street and behind buildings.	<p>Opportunities to tie into existing community asset at the Frogpond Grange.</p> <p>Main street retail feels “fresher” for longer, maintaining vibrancy.</p> <p>May have the most community support.</p> <p>Long-term potential to develop a flexible mixed-use program that partially surrounds the commercial area: program may also increase in size with the Elligsen UGB area housing growth to the north.</p> <p>More central to both future Frog Pond and Elligsen UGB area households, albeit over a much longer timeframe.</p>	<p>Same as Option 2.</p> <p>North side development may be challenging given the existing location of the Grange.</p> <p>Not centrally location: one-sided market area (most of new residential construction will be constructed to the south) may limit customer base/tenanting opportunities.</p>

Source: LCG

Location number two (and three, to a lesser extent) offers the opportunity to develop a main street retail development type that likely offers the greatest community benefit and experience. However, if the City of Wilsonville chooses to

pursue the Main Street approach, it should be aware of the potential challenges, including parking complexities, site design, building orientation, access, and whether the development will include upper story offices or residential units. If the City and its development partners can address these challenges, a commercial main street can make the rest of the community more desirable. Main streets require slow vehicle speeds, sidewalks, street parking, retail on both sides of the streets, and the streets should ideally go somewhere rather than into an inner neighborhood. Sisters, Oregon is one such example.

Phasing

Retail development in edge locations such as Frog Pond is challenging and requires the right mix of pass-by traffic and visibility, a dearth of strong competition in the primary market area, and an adequate population. This also underscores the adage that “retail follows rooftops” and gets developed only when there is sufficient housing to support it. A larger development program may provide more neighborhood amenities, but it will also take longer to develop and land may sit vacant and undeveloped for many years.

Retail developers may decide to wait until after 2035 to build significant retail, when additional Urban Reserve Areas such as the Elligsen Urban Reserve Area to the north may enter the UGB (although the build-out of these areas will likely take more than 20 years).

Ultimately, the City of Wilsonville will need to decide whether it wants to see commercial development in the shortest timeframe possible or hold the land until a larger program might be feasible or a master developer is interested in developing the site. Alternatively, the City could plan for commercial development in the future Elligsen Urban Reserve as it will have greater access to more households, thereby—at least theoretically—supporting a larger development program.

Recommended Development Program

The primary goal of this memo is to recommend a commercial development program that includes site acreage, development square feet, likely tenant mix, parking demands, access requirements, and other considerations.

The market analysis for the 2015 Area Plan found that Frog Pond could potentially support an unanchored neighborhood retail center of approximately 38,000 square feet requiring about 3.5 acres of land at full project build-out in approximately 2035. Tenants would likely include retail, small office, and neighborhood services such as a daycare center.

This updated market analysis finds that a slightly larger development program of **44,000 square feet on 4.0 acres of land** may be feasible. If the City can attract a pharmacy or medium-sized grocer (a full-service grocery store is not likely), this program could be 56,000 square feet on 5.1 acres of land, so flexibility should be incorporated into the plan in order for the City to be able to respond to opportunities as they arise. A summary of LCG’s recommended development program is as follows.

Bldg. Square Feet	Up to 44,000 square feet
Site Acreage	Up to 4.0 acres
Tenant Mix	Commercial development today is flexible and accommodates a wide range of activities, including food and beverage, retail, general commercial, professional services/office, healthcare, fitness, daycare, banks, and more. Specific retail tenants may include cafes and restaurants, a specialty food product store, a pharmacy, and other miscellaneous stores like laundromats, salons, hobby/boutique stores, and medical, professional, and financial offices.

There are few region-wide examples of developers building commercial centers that are smaller than 30,000 square feet and may wait until a center between 30,000 and 55,000 square feet or larger is feasible, especially if the retail market again shifts dramatically in the next decade. Another approach is to encourage a greater percentage of non-retail uses to create a larger and potentially more profitable center. Some of these non-retail tenants include medical/health services (dental offices, veterinary clinics), financial services (banks, real estate brokerage, insurance offices), realtors, personal care (salons, fitness centers), and household services (childcare facilities, education, coworking spaces).

Development Type

"Hybrid" Main Street, with buildings on both sides of the planned Brisband Street or Frog Pond Lane extension on the east side of Stafford Road. Buildings can be split up (see Northwest Crossing) to address parking challenges. The corners present an opportunity to attract a pharmacy or larger anchor tenant.

The main street approach, if done correctly, creates an authentic experience that promotes placemaking, creates a community amenity, and can have a positive impact on the surrounding residential uses and other commercial spaces (e.g., driving rent premiums and increasing values, improving the attractiveness of the area for new residents and customers, etc.).

In keeping with other regional centers, initial construction is most likely to be at a 0.25 to 0.30 floor-area ratio (FAR).

Parking

Parking ratios of 4.0 to 5.0 per thousand square feet of gross leasable commercial space are common. Most parking in the near term will be at the surface level, though shared parking and on-street parking can reduce the need for large fields of surface parking. A higher percentage of food and beverage-based tenants will create more demand for parking, while a higher percentage of non-retail tenants will likely create less demand.

Location

From a pure market perspective, the northeast corner of the Stafford Road and Advance Road intersection makes the most sense. This location requires the least new infrastructure and can be built out independently of the rest of Frog Pond.

However, Main Street retail provides the greatest experience and offers an opportunity for the commercial area to be prosperous over a longer timeframe. Main street retail feels "fresher" for longer than conventional retail centers and would be more accessible to a greater number of people traveling by car, foot, and bike.

A pharmacy or similar small anchor tenant may be possible in either location but would want to locate on street corners, yet with a setback for their customer parking.

Other Recommendations

Plan for higher-density residential, including apartments, townhomes, and live/work spaces, surrounding the commercial center. Most case studies of successful commercial areas are surrounded by higher-density housing.

Many desirable communities and commercial centers are mixed-use, and allow housing, live-work, educational, and institutional, within or adjacent to the centers. In the near term, horizontal mixed-use is possible and can create a great sense of place. Opportunities for vertical mixed-use in the near term may be very limited or nonexistent, though possible in the long term (10+ years). While the market for live-work space is modest, stakeholders may want to encourage or incentivize it.

Recognize the constraints imposed by market and development economics related to height, density, and vertical mixed-use.



RECOMMENDED COMMUNITY DESIGN CONCEPTS

TO: Planning Commission
FROM: Project Team
DATE: April 1, 2022

OVERVIEW

The purpose of this memorandum is to introduce community design concepts and potential “subdistricts” for the Frog Pond East and South Master Plan. As used here, subdistricts are subareas of the East and South Neighborhoods that will have cohesive building form, public realm features, or other characteristics that give them a particular identity. The subdistricts are an urban design tool to support ongoing community dialogue and Master Plan layout.

This memorandum is the first of several steps in creating Master Plan alternatives. Those steps are:

1. Planning Commission review of this material and guidance (April 13th meeting)
2. Community outreach through workshops and focus groups in (April and May)
3. Preparation of alternatives based on community input (late May)
4. Planning Commission review of alternatives and a recommended alternative (June 6th meeting)

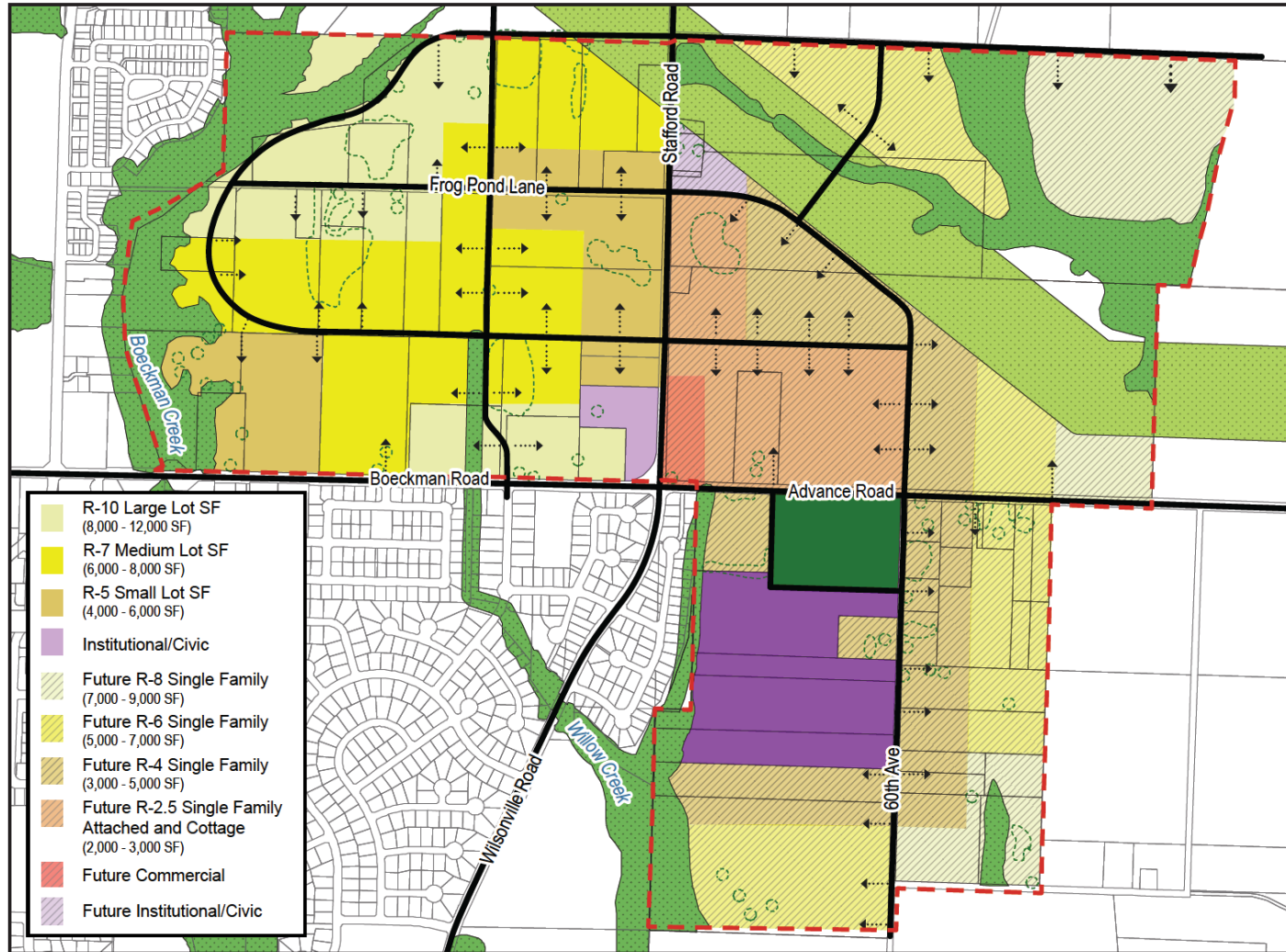
THE FROG POND AREA PLAN “FRAMEWORKS”- A STARTING PLACE

The Frog Pond East and South Master Plan builds is an outgrowth and refinement of the Frog Pond Area Plan, which was adopted by the City of Wilsonville in 2015. At its core, the Frog Pond Area Plan is a vision and plan for three walkable neighborhoods. The plan uses the term “frameworks” to emphasize its role in defining key design concepts, with few site-specific details. The Area Plan is not a regulatory document; it is a starting point reflecting previous community discussion and decision-making in the Frog Pond area. The current planning effort is expected to involve both reaffirmation of some of the Area Plan’s concepts as well as new ideas. Framework-level design concepts in the East and South Neighborhoods include:

Land Use – The plan transitions from higher densities (townhomes and smaller lots) nearer to Stafford Road to lower densities to the east and south. A variety of medium- and smaller-lot housing types were envisioned, grouped into a simplified zoning scheme of three zones. A neighborhood commercial center, serving all three Frog Pond neighborhoods is illustrated in the SW corner of the East Neighborhood. The Frog Pond Grange is noted as a Institutional/Civic node.



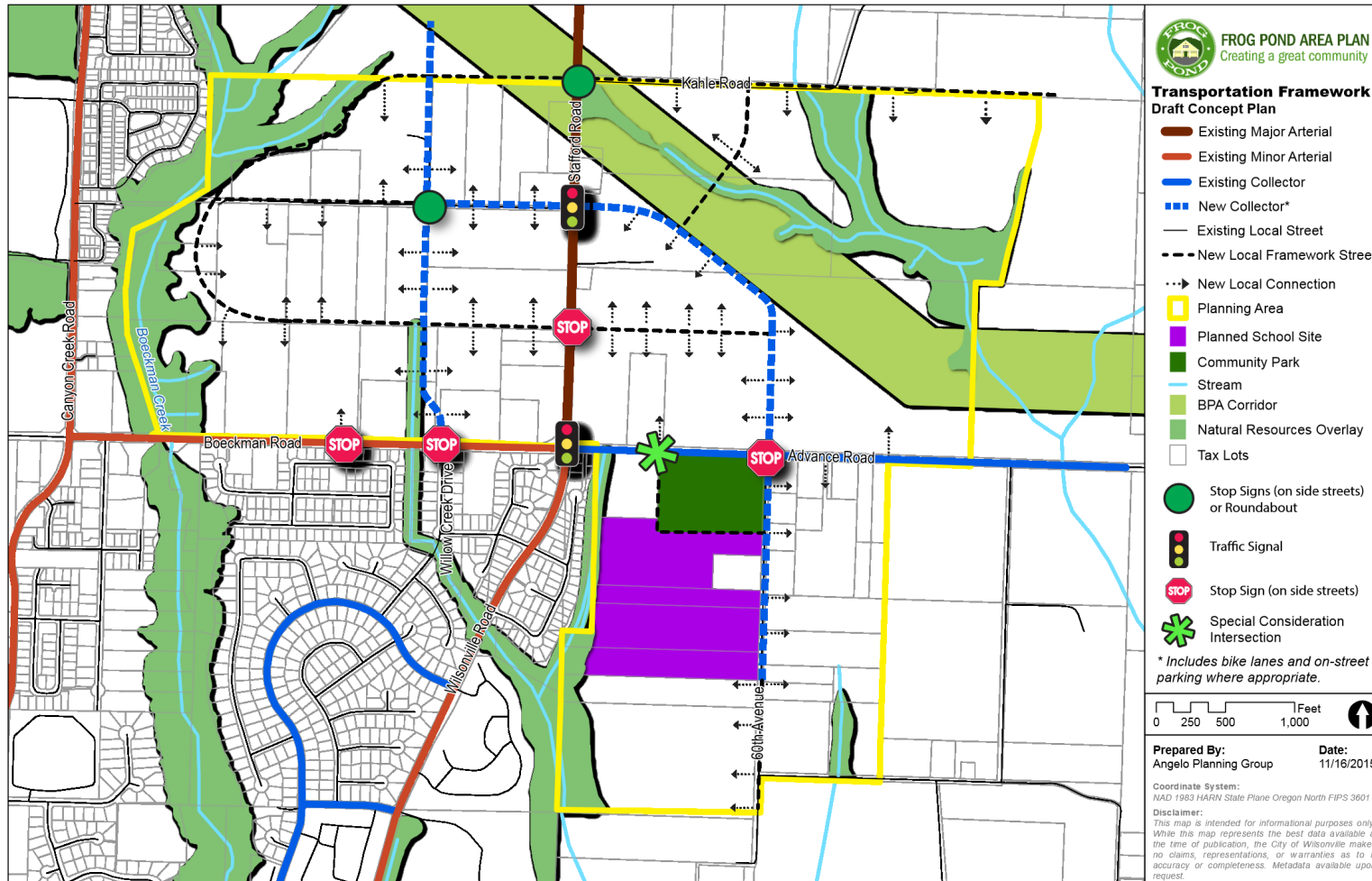
Figure 1. Area Plan Land Use Framework Map





Transportation – Key framework-level connections include: Frog Pond Lane to 60th Avenue; a new east-west street, now called SW Brisband Street, connecting the West and East Neighborhoods; a connection to SW Kahle Road; and an access street, now called SW Hazel Street, to Meridian Creek Middle School that will connect to SW 60th Avenue. Intersection types are shown and a pedestrian tunnel under SW Advance Road was studied.

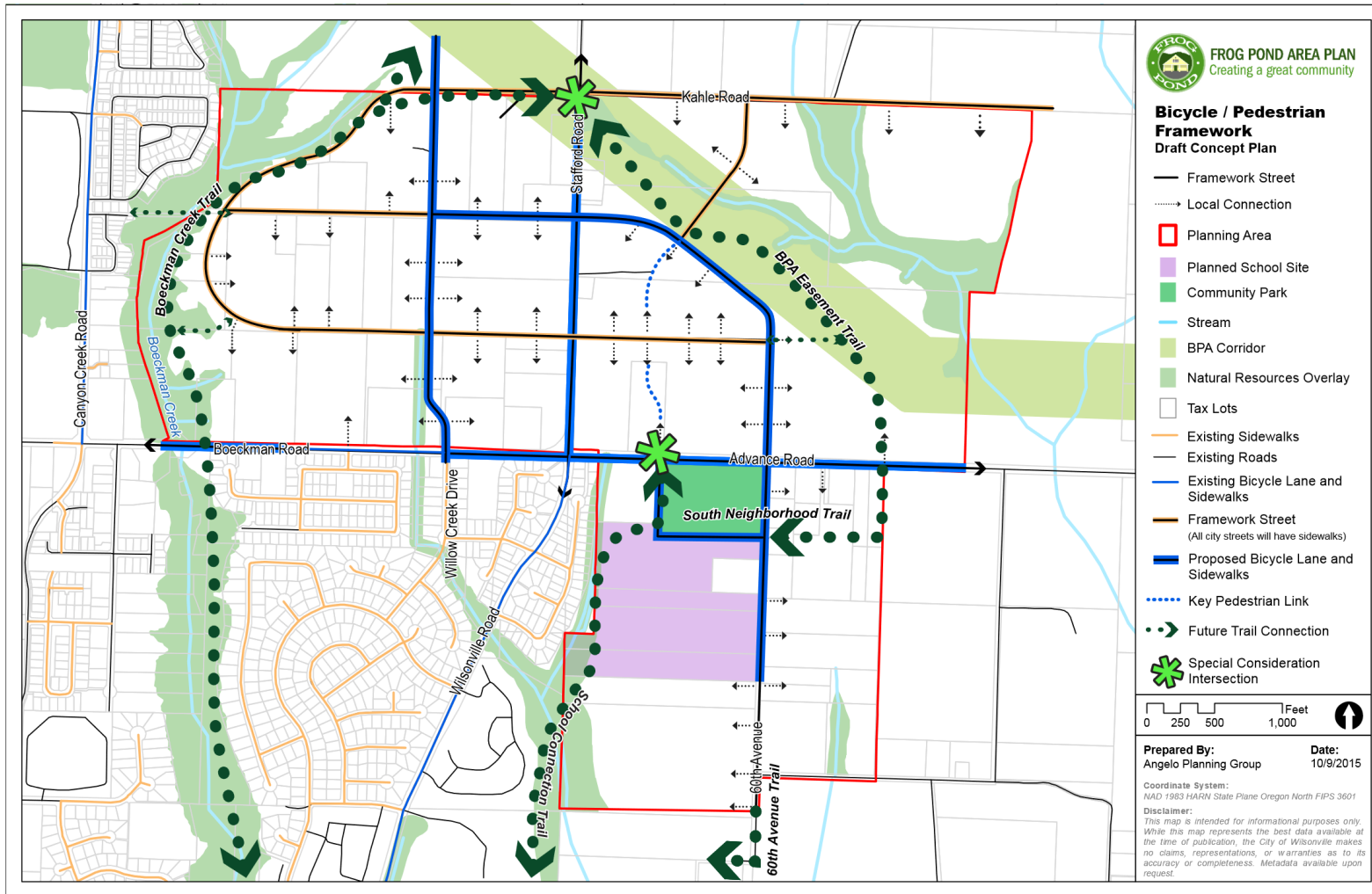
Figure 2. Area Plan Transportation Framework





Bicycle/Pedestrian Framework – The emphasis of this framework plan is the trail loop from Boeckman Creek to the BPA Easement to the South Neighborhood and Wilsonville High School. On-street and off-street connections are also shown.

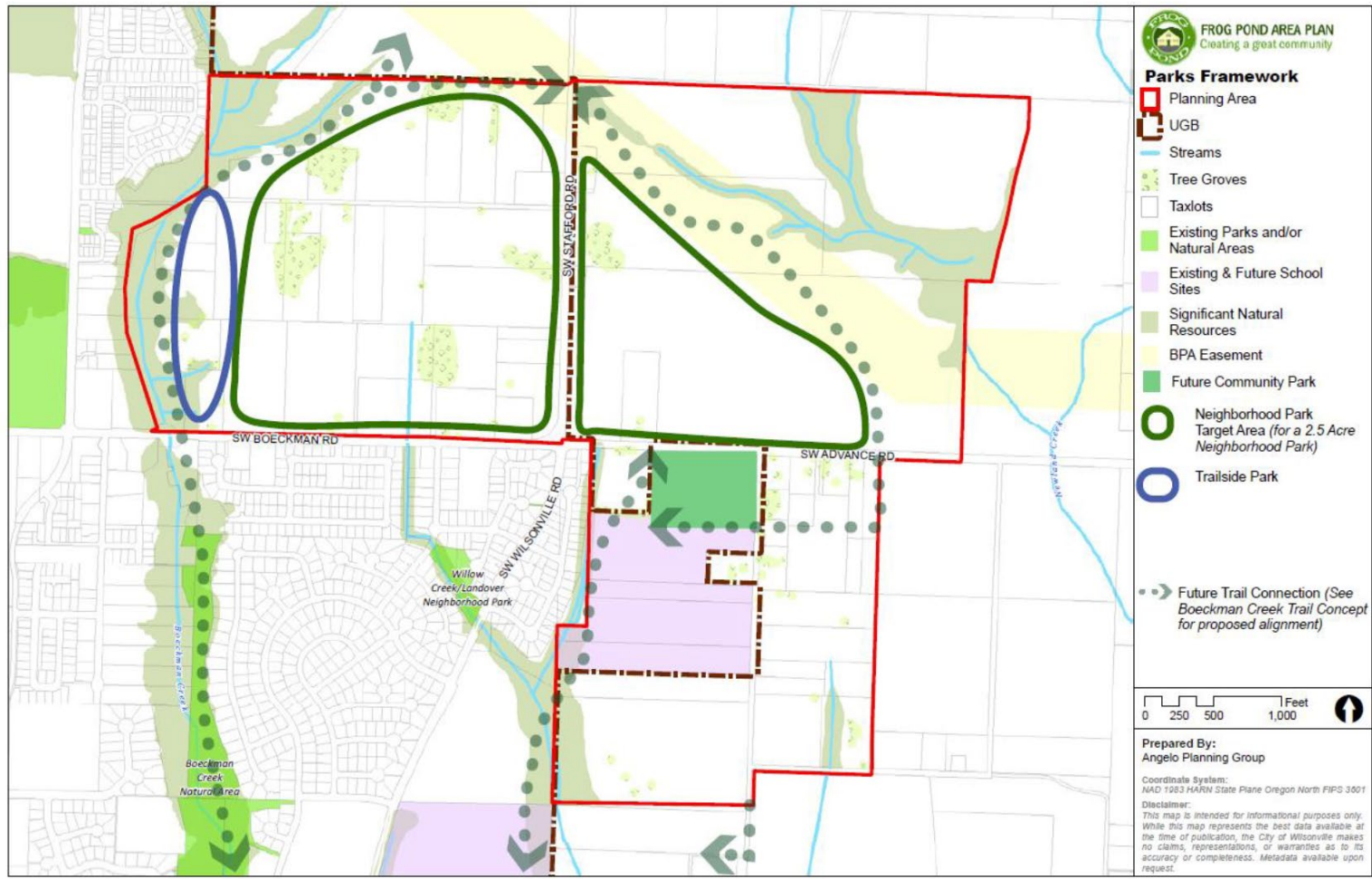
Figure 3. Bicycle and Pedestrian Framework





Parks Framework – The Parks Framework recommends one new neighborhood park in the East Neighborhood. The South Neighborhood’s community park and school grounds serve that area. The parks are envisioned to be connected with a robust trail network.

Figure 4. Area Plan Parks Framework





COMMUNITY DESIGN CONCEPTS

The maps and diagrams on the following pages provide information and conceptual community design concepts that have emerged from discussions and worksessions to date. They include:

- The context around the planning area, both rural and urban
- On-site conditions
- Concepts for community design that identify:
 - Potential “places” within the East and South Neighborhoods
 - Conceptual ways to connect destinations
 - Alignments of framework streets and trails
 - A potential mixed-use center and other centers and nodes
 - Subdistricts

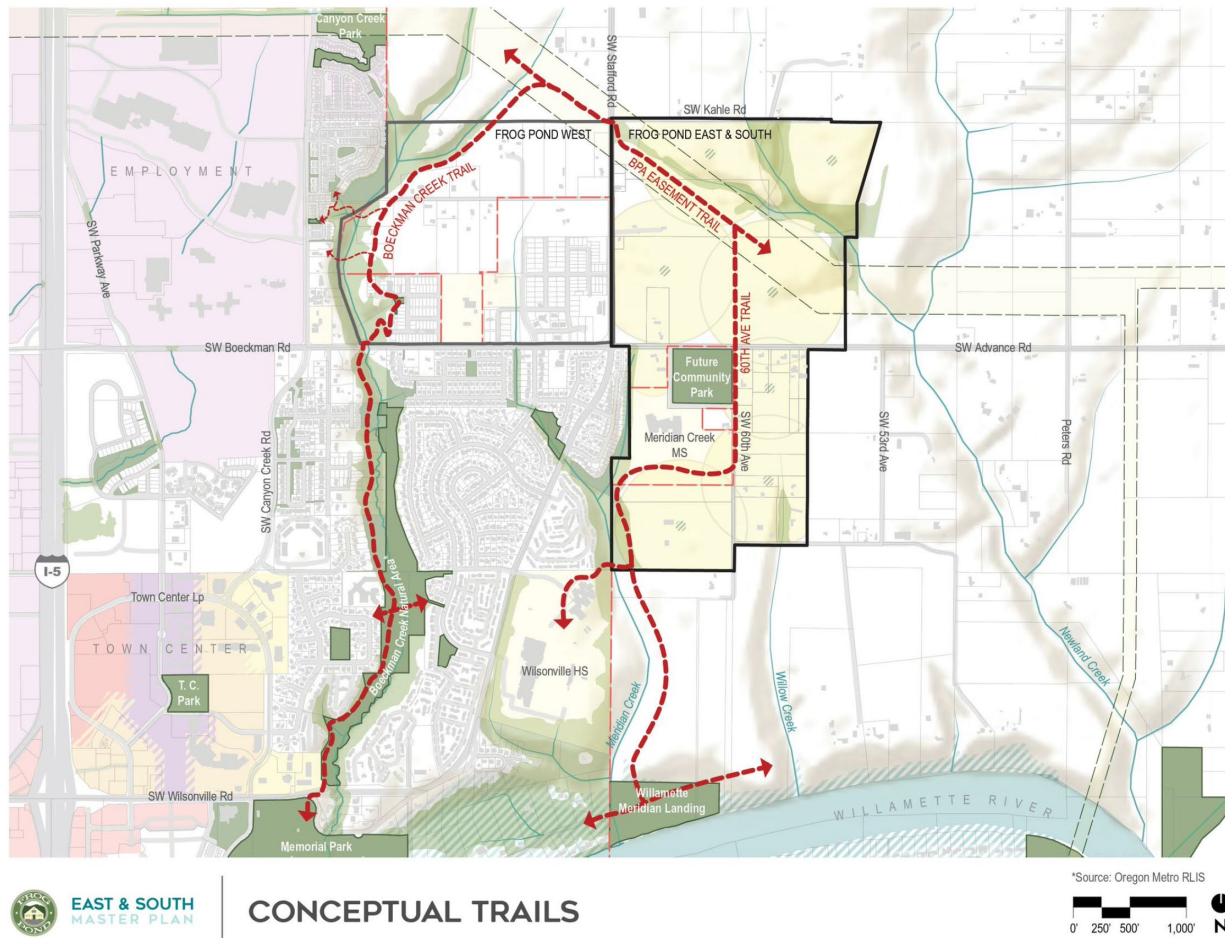
The above concepts will be used to locate plan streets, trails, walkable and connected neighborhoods, housing variety, a neighborhood commercial center and other elements of the plan.

Figure 5. Study Area





Figure 6. Conceptual Trails

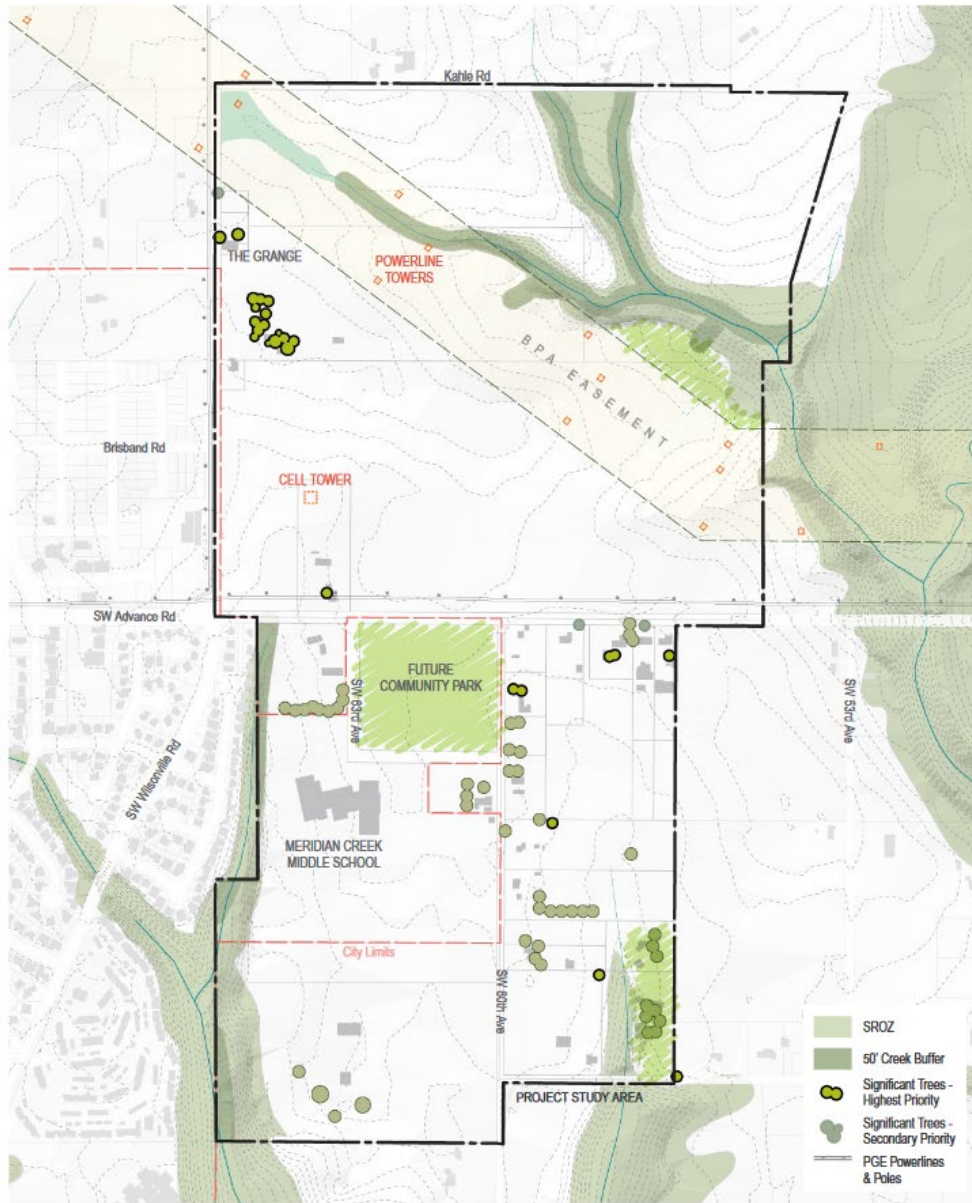


Key points about Frog Pond East and South’s context include:

- **Rural edge** – The planning area is adjacent lands designated “rural reserves” and “undesigned” by Metro. There will be a rural and agricultural edge to the East and South Neighborhoods for many decades to come.
- **Proximity to natural and city open space** – The nearby open spaces – Newland Creek, Meridian Creek, the BPA easement (see below), a future neighborhood park, a future community park, Meridian Creek Middle School – are great amenities. Future residents in the East and South neighborhoods will always be “just a block or two” from the nearest open space.
- **A significant barrier and/or opportunity of the BPA Easement** – On the plus side, the BPA easement is open area and can be used for recreation, community gardens, parking and other uses. Negatives include the towers, electrical “buzz”, and limitations for planting and structures.
- **Connectivity to adjacent areas of Wilsonville** – Street connectivity to adjacent parts of Wilsonville is extremely limited. The Frog Pond area is very reliant on SW Boeckman Road, SW Wilsonville Road, and SW Stafford Road. Existing and new trails, shown on the above map, will help supplement the street network and increase connectivity by foot and bike.
- **Potential for internal connectivity** – There is excellent potential for safe, direct and convenient street and path connectivity within and between the three Frog Pond neighborhoods.



Figure 7. Base Map



Key points from the Base Map include:

- Total acreage = 255 acres
- 31 parcels, 20 existing homes
- Unbuildable areas include developed sites, natural resources, the BPA Easement, and existing right-of-way. After deducting for developed areas and future streets, the net buildable area is estimated to be 138.5 acres (54% of the total area).
- Significant trees have been inventoried (supplemental work is in-progress)



Figure 8. Special Places



SPECIAL PLACES

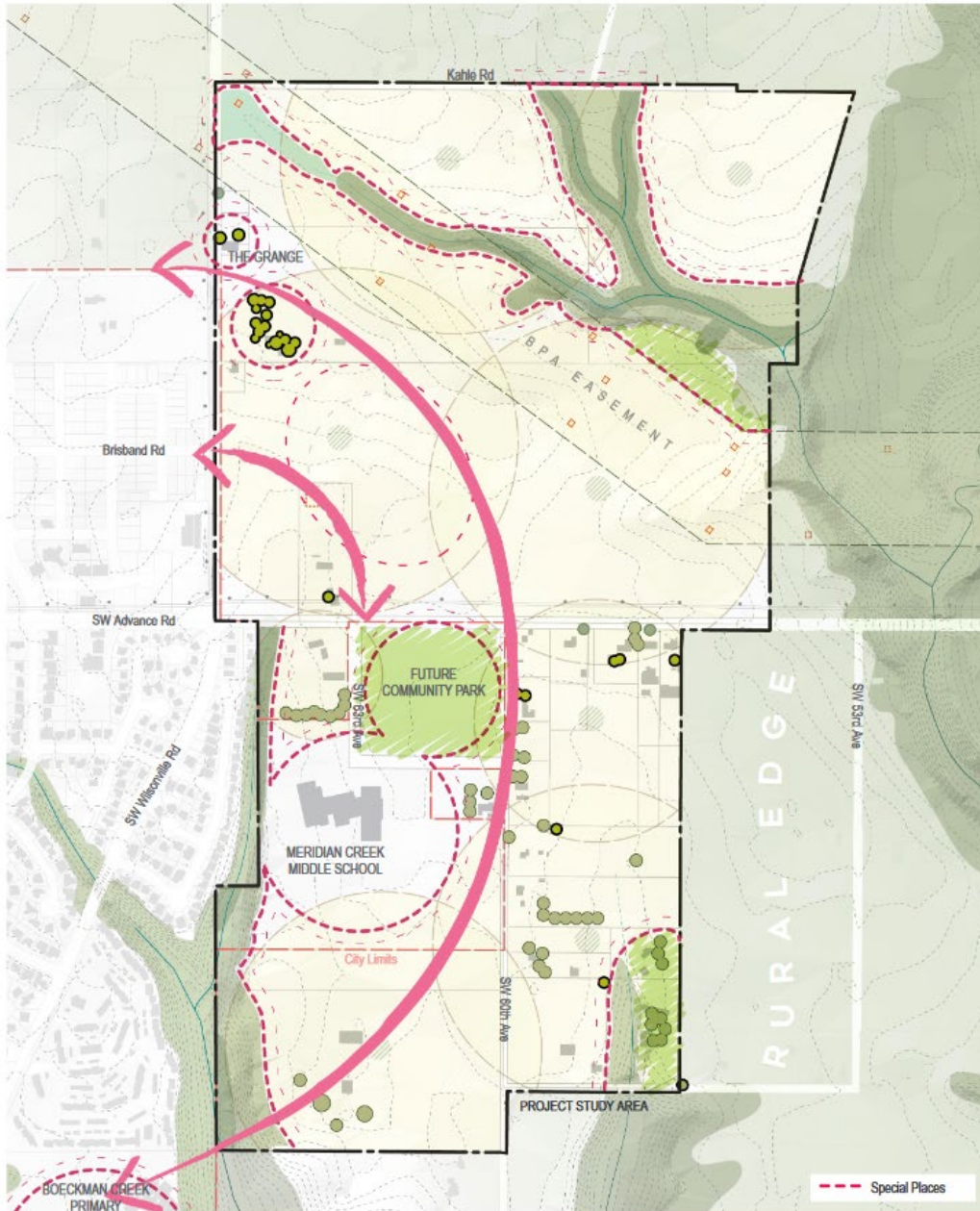


This diagram shows “Special Places” within the planning area, which are existing and future locations that are potential community destinations or key visual amenities, or both. They include:

- The Frog Pond Grange
- Newland Creek and Meridian Creek
- Significant tree groves
- A future neighborhood park in the East Neighborhood
- Meridian Creek Middle School and the future community park
- Boeckman Creek Primary School and Wilsonville High School (just off the map)



Figure 9. Connecting Destinations



This conceptual diagram illustrates the area’s potential for connected neighborhood destinations, including the Special Places. The Master Plan is an opportunity to organize and coordinate land use, transportation, and open space to support these connections.

The diagrams on the following pages show ideas for creating connected destinations with framework-level streets and trails.



Figure 10. Connections - Idea 1

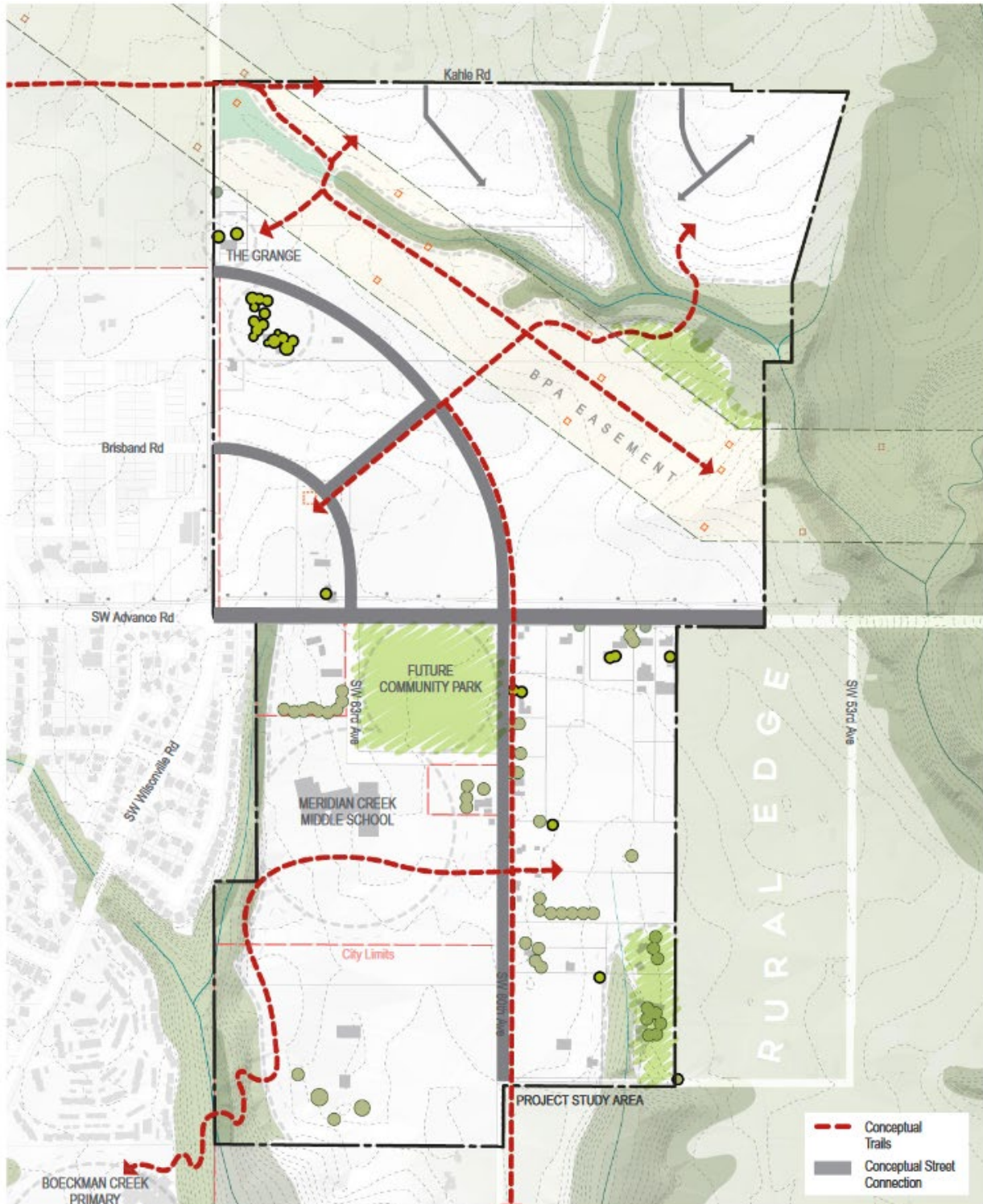




Figure 11. Connections - Idea 2

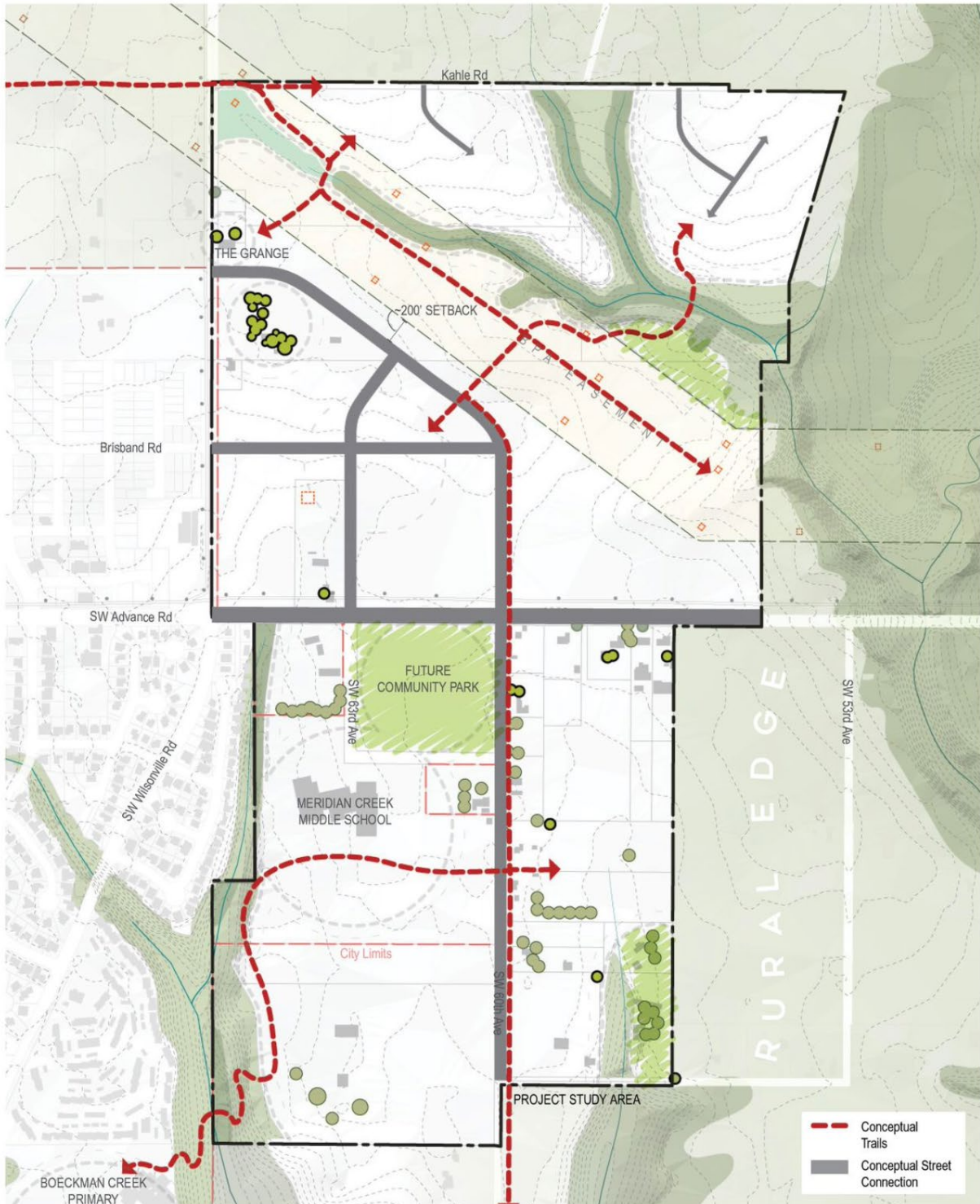




Figure 12. Conceptual Centers



This diagram illustrates the idea of centers within the planning area. There are three types shown, each with their unique scale and role within the plan:

- Mixed Use Center – A potential 3- to 5-acre commercial center with shops, restaurants, local services and community gathering spaces. Residential uses would be allowed within mixed-use buildings. Whether mixed use will be vertically or horizontally located is yet to be determined.
- Frog Pond Grange – A location for a civic or community use.
- Small neighborhood nodes – These are yet to be fully defined, but the concept is to have small open spaces between the Special Places. They might be a signature tree, a viewpoint, a storm water facility, or a small open space that is part of a development.

Note that the diagram includes a potential loop for SMART transit service.



Figure 13. Conceptual Centers - 2



This diagram has the same hierarchy of centers but places the Mixed-Use Center just south of the Grange.



Figure 14. Conceptual Centers - 3



This diagram has the same hierarchy of centers but places the Mixed-Use Center along the extension of SW Brisband Street. It would be developed as a “Main Street”: wide sidewalks, pedestrian scale lighting and benches, parking located behind or to the side of shops, buildings oriented to the street, public art, etc.



Figure 15. Conceptual Subdistricts



CONCEPTUAL SUB-DISTRICTS



This diagram shows “subdistricts” - subareas of the East and South Neighborhoods that will have cohesive building form, public realm features, or other characteristics that give them identity. The subdistricts will be used in the next step of the design process to evaluate the types and locations for various residential uses.



ASSUMPTIONS FOR THE ALTERNATIVES

Based on the community design concepts and conceptual sub-districts presented, the project team recommends a set of guiding assumptions for the Master Plan alternatives. The assumptions will be shared with the community and integrated into the workshops and outreach discussions in April and May. Using the community's feedback, the assumptions will be illustrated in the plans brought back for Planning Commission review in June. The project team looks for the Planning Commission's support or further guidance on these assumptions.

The suggested land use assumptions are:

1. **One neighborhood commercial center** – All alternatives will include a neighborhood commercial center generally consistent with the guidance from Leland Consulting Group and the Planning Commission. Participants may of course suggest new and innovative ideas to be considered for the center.
2. **Affordable housing** –
 - a. At least one alternative will include affordable housing fully consistent with affordable housing “targets” described by ECONorthwest and guided by the Planning Commission.
 - b. Other alternatives may include various types and amounts of affordable housing, considering the housing forms described in the Affordable Housing Analysis.
3. **Variety** – All alternatives will include an approach to creating a wide variety of housing types in the East and South Neighborhoods.
4. **Density Transect** – The density transect from the Area Plan will continue to be shown. However, in the context of middle housing rules and the variety assumption above, it will be more of an urban design concept than an actual numerical density transect.
5. **Neighborhood Park** – All alternatives will include at least one neighborhood park in the East neighborhood.
6. **Framework streets, trails, and open space** – The alternatives will illustrate the framework streets, trails, and open spaces intended for their plans.

Using the community feedback, the team will prepare plan alternatives, a recommended alternative and supporting information for housing mix, amount, and density as part of the reporting in June. Density will be estimated based on assumptions for the implemented housing types, recognizing that the City's middle housing regulations provide flexibility in what can ultimately be developed.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: May 2, 2022		Subject: Airport Good-Neighbor Policies	
		Staff Member: Miranda Bateschell, Planning Director	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: Review and provide feedback on the discussion questions related to potential Comprehensive Plan Policies pertaining to the Aurora Airport.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Goal 7: Protect Wilsonville’s environment and increase access to sustainable lifestyle choices	<input checked="" type="checkbox"/> Adopted Master Plan(s): Wilsonville Comprehensive Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

The project team will present an update, including community feedback, and seek input from the Council on draft airport good-neighbor policies to add to the Wilsonville Comprehensive Plan.

EXECUTIVE SUMMARY:

The Aurora Airport is located in Marion County and is approximately 1.6 miles south of the Wilsonville City Limits. The airport flight path is over Wilsonville with the closest neighborhood impacted by the Airport being Charbonneau. Its current operations and planned future growth have both positive and negative impacts to residents and businesses in the City. While the City of Wilsonville does not have direct jurisdiction of lands outside of the city limits or urban growth boundary, such as the Aurora Airport site, state law requires intergovernmental coordination between state agencies and affected jurisdictions on land use issues. As far back as 1991, the City's Urban Growth Management Agreement with Clackamas County included reference to the airport as an area of interest to the City.

Beginning in 2009, as part of a previous airport master planning process, Clackamas County and the City of Wilsonville made joint requests to participate with other impacted jurisdictions via an intergovernmental agreement (IGA) to plan for growth and development at the airport. Both entities were included on the Planning Advisory Committee, which could make recommendations but had no authority. A similar, new airport master planning process is underway now, and the City of Wilsonville is once again participating on a Planning Advisory Committee. Based on prior actions of the Oregon Department of Aviation, the new airport master plan could propose a runway expansion to accommodate more and larger aircraft.

As an affected jurisdiction, it is important to articulate the relevant land use issues in local adopted policy for purposes of intergovernmental coordination and standing in state law. The Clackamas County Comprehensive Plan includes policies specifically addressing the Aurora Airport, while the City of Wilsonville Comprehensive Plan does not. Recent land use proceedings have noted the lack of applicable airport-related policies in the Wilsonville Comprehensive Plan.

This Comprehensive Plan update project aims to address the potential positive and negative impacts of the Airport's current operations and planned future growth for Wilsonville residents and businesses, identify other interrelationships between the Aurora Airport and City of Wilsonville, and adopt Comprehensive Plan policies to memorialize and address the highest priority issues. Adopted policies provide clear direction for policy-makers and staff to advocate on behalf of the City when taking part in regional planning efforts related to the Airport.

The City has contracted with planning professionals at Harper Houf Peterson Righellis Inc (HHPRI) who have experience in this specific type of planning work. The attached memo (Attachment 1) provides a project update, a brief summary of feedback received to-date, a description of how the team approached the draft policies included in the packet, and a summary of feedback from the Planning Commission's work session on April 13, 2022. Full survey results are in the survey response report from *Let's Talk, Wilsonville!* (Attachment 2), and the draft Comprehensive Plan policies for Council consideration are in Attachment 3.

Discussion Questions

The team welcomes Council feedback, and specifically seeks input on the following:

- Do the draft Comprehensive Plan policies reflect the community and stakeholder input?
- Do they reflect the breadth of concerns or are key policy objectives missing?
- Should the policies address the potential impacts from further development near the airport as well as the impacts from airport operations?
- Do the proposed boundaries for Area of Special Concern O align with the issues being addressed or are there alternatives you want the project team to assess?

EXPECTED RESULTS:

Work sessions with the Planning Commission and City Council will provide guidance on draft airport good-neighbor policies. The key outcome expected at the end of this project is the adoption of Comprehensive Plan policies to memorialize and address the highest priority issues pertaining to the interrelationships between Aurora Airport and the City of Wilsonville.

TIMELINE:

The team is finalizing outreach. Work sessions with the Commission and Council will follow in Spring and Summer 2022 focused on the draft policies.

CURRENT YEAR BUDGET IMPACTS:

The project budget is \$38,760 for FY 2021-22 covered by the Community Development general professional services fund as this project was not anticipated when the budget was adopted.

COMMUNITY INVOLVEMENT PROCESS:

Community outreach for the project includes surveys, interviews, and open houses, and will be conducted primarily online and remotely due to the COVID-19 pandemic. The team received input from the Commission and Council on key stakeholders to engage during this process.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Comprehensive Plan policies will provide the City with clear, adopted policy priorities as they relate to the Aurora Airport. This will clarify City interests and hopefully, provide more opportunity for the City to participate in formal Airport planning efforts.

ALTERNATIVES:

The Council can provide a range of policy alternatives for the project team to consider.

CITY MANAGER COMMENT:

ATTACHMENTS:

1. City of Wilsonville-Aurora Airport Good-Neighbor Policies Project Update Memo #2 (April 15, 2022)
2. Survey Response Report: Airport Good-Neighbor Policies (March 14, 2022)
3. Preliminary Draft City of Wilsonville Airport Good-Neighbor Comprehensive Plan Policies (March 28, 2022)

MEMORANDUM

City of Wilsonville – Aurora Airport Good-Neighbor Policies



Date: April 18, 2022
To: Miranda Bateschell, City of Wilsonville
From: Brad Kilby and Chris Green, HHPR
Subject: **City of Wilsonville-Aurora Airport Good-Neighbor Policies
 Project Update Memo #2
 Summary of Community Engagement and Draft Policy Concepts**
Attachments: Survey Response Report
 Preliminary Draft Objectives for Proposed Area of Special Concern

Harper Houf Peterson Righellis (HHPR) is working with the City of Wilsonville on a planning process to develop goals and policies addressing the relationship between Aurora Airport operations, impacts, and benefits and the Wilsonville community. Since the initial project work sessions with the City Council and Planning Commission, HHPR has proceeded with the following steps in the planning process:

- Community outreach about airport-related planning topics, including interviews with key stakeholders, a survey, and online open houses;
- Additional research about the approaches used by other communities in adopting good-neighbor policies related to nearby airports; and
- Development of draft policies and objectives in order for the City to adopt the area in the vicinity of the Aurora Airport as an Area of Special Concern in the Wilsonville Comprehensive Plan.

This memorandum summarizes the recent phases of community engagement and the recommendation to adopt the Airport Good-Neighbor Policies within a mapped “Area of Special Concern.”

Community Engagement and Feedback

HHPR and the City of Wilsonville have used a variety of approaches and platforms to engage interested stakeholders and the community-at-large in the planning process to develop the Airport Good-Neighbor Policies. Due to the COVID-19 pandemic, community outreach for the project has taken place remotely, through the *Boones Ferry Messenger* print newsletter, City webpage and social media, and a variety of online tools linked from the project page at the *Let’s Talk, Wilsonville!* (LTW) virtual engagement platform.

Overall, the engagement process has identified issues within two overarching categories: concerns about aviation and other airport operations, and concerns about the potential for further development on the airport grounds and beyond.

Online Survey

Between February 13 and March 14, a survey was available on the LTW project page, with 98 responses. The survey was promoted via the March 2022 *Boones Ferry Messenger*, a press release, on the LTW home



page and City's social media platforms, and by the project team at online open houses and other events. Almost all responses were from Wilsonville residents, with 65 percent identifying as living near the airport. Roughly one in four respondents used the airport for work, air travel, cargo transport, flight school, or as pilots. Priority areas for airport-related policies were distributed fairly evenly, but neighborhood compatibility issues such as noise and pollution received the highest average ranking from respondents. The survey also collected open-ended, qualitative responses from many participants, elaborating on positive and negative airport impacts and policy priorities. A full report of survey results is included as Attachment A.

Stakeholder Interviews

During the outreach process, HHPR has conducted phone interviews with stakeholders from government agencies, local neighborhood groups, economic development, agriculture, and local businesses. Not surprisingly, feedback from stakeholders in interviews has varied according to each respondent's position within the ongoing discussions about future airport plans.

Respondents without a direct connection to the airport or local aviation all expressed concern about future expansion of airport operations, and the potential for farmlands adjacent to the airport to be lost to development or impacted by adjacent development in the airport vicinity. These respondents also raised issues with present operations, especially traffic and road access impacting farm operations, and environmental and public health threats raised by inadequate waste disposal at the airport site.

Respondents from businesses located on or adjacent to the airport tended to view future expansion of airport operations or development around the airport as less certain, due to the existing site boundary of the airport and surrounding EFU-zoned land. For airport-based stakeholders, an exception to the more static vision of future airport operations is the role of the airport in the event of an emergency such as a major earthquake, in which first responders and emergency relief supplies would use Aurora State Airport as a hub to reach the general area, then fan out to communities in the vicinity. These respondents also described the potential benefits of the airport as a resource for corporate travel for Wilsonville-based companies, and they identified Wilsonville as the closest business center for purchasing supplies, employee meals, and professional services for their companies.

Online Community Conversations

The project team held online Community Conversations using Zoom Webinar on March 9 and 10. The March 9 meeting was held at 12 noon and the March 10 meeting was held at 6 pm to accommodate different schedules of community members interested in attending. Each meeting included a presentation by HHPR land use planners introducing project goals, background about the airport and land use planning, and opportunities to stay involved in the process. Attendees had the opportunity through live polling and question-and-answer sessions to provide feedback during the meetings.

A total of five attendees joined the Community Conversations, and shared concerns mostly related to airport noise and potential industrial development near the airport.

Approach to Draft Policies

The full text of draft proposed policies is included as Attachment B.

Areas of Special Concern

Existing policies in the Comprehensive Plan relevant to airport good-neighbor planning and policies include those in Urban Growth Management, Public Services and Facilities, Fire Safety and Emergency Management, Transportation, Economic Development, and Environmental Resources and Community Design. These existing policies apply across land within the Wilsonville city limits and Urban Growth Boundary (UGB). The Comprehensive Plan also includes Section F, which identifies fourteen Areas of Special Concern (Areas A-N), and adopts special considerations specific to each of these areas that apply in addition to the general policy language of the Plan. Some Areas of Special Concern are outside of the city limits or were outside of the city limits when originally adopted. When planning or development actions are proposed in one of these areas, it triggers review of the proposal against the relevant Comprehensive Plan Area of Special Concern to ensure it complies with the Plan and the specific considerations for that area.

Due to the location of the Aurora State Airport outside of the city limits and UGB, objectives that are specific to aviation and agriculture beyond what is in the existing policy sections of the Plan, and issues specific to the French Prairie geography, the consultant team recommends that the Airport Good-Neighbor Policies be adopted into the Comprehensive Plan as a new Area of Special Concern.

Proposed New Area of Special Concern “O”

The proposed Area of Special Concern (shown in purple on the map below) would include both the Aurora State Airport and Charbonneau, but also the portions of the French Prairie agricultural region between I-5 and the Pudding River. A focus on this larger geographic area allows policy objectives to address issues related to land use, infrastructure, and protection of agriculture in the adjacent area, as well as impacts from airport operations. Other potential boundary options include:

- S Barlow Road as eastern boundary
- Highway 551 as western boundary
- Match boundary to FAR Part 77 Impact Area Map (see map on page 5)
- Limit to area of potential growth or development activities of airport and associated industries

If the priority is on addressing airport operations, the boundaries could focus on land within FAR Part 77 Boundaries for the airport, or areas of Wilsonville within common flight paths. The Area of Special Concern could also be limited to the airport site and adjacent properties with the potential for development relying on through-the-fence access. This would still address development concerns, but focus more closely on the airport itself, rather than the larger French Prairie district.

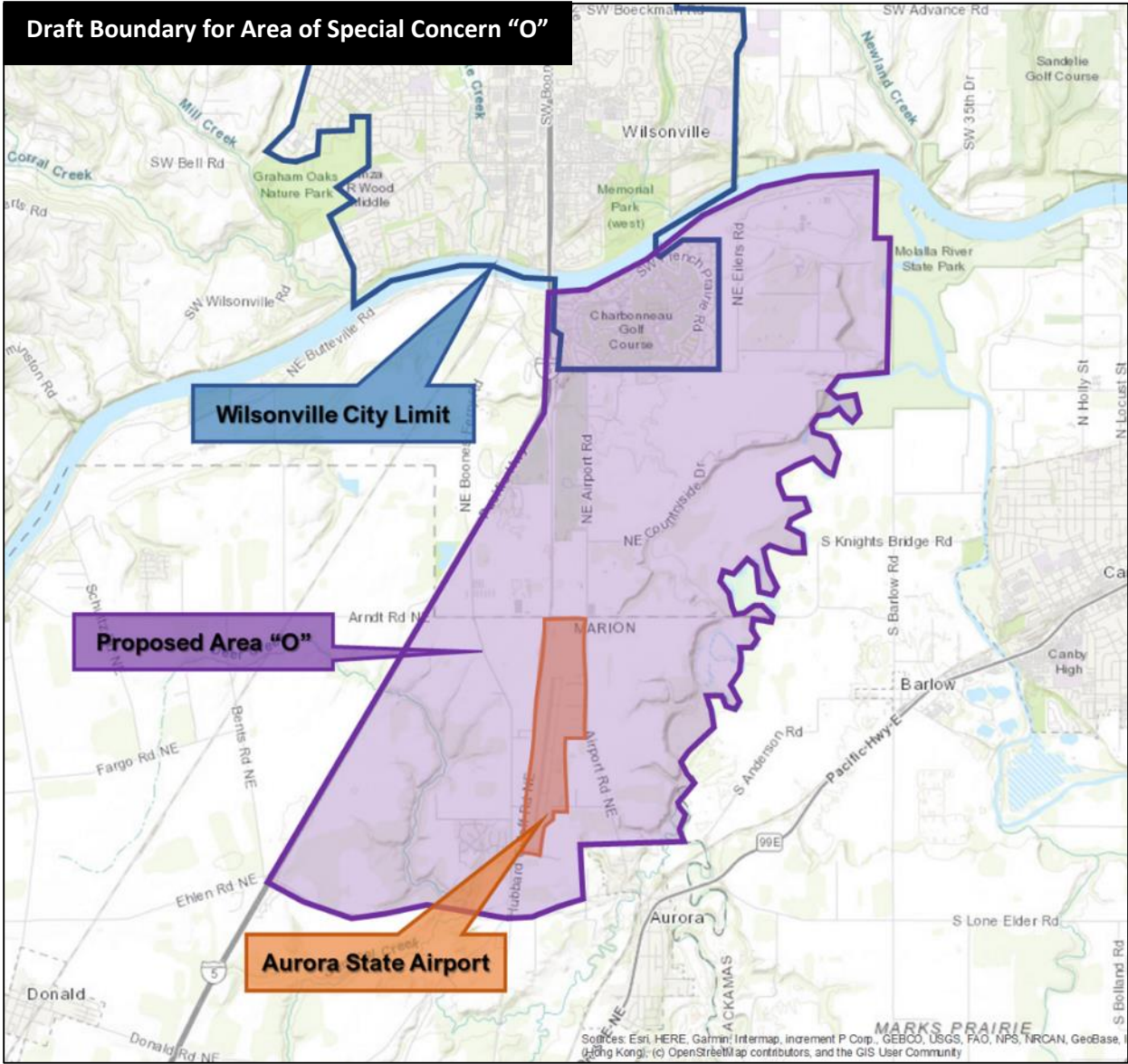
Key Objectives

Objectives for the proposed “Area O” were drafted with the following considerations in mind:

- Reflect feedback received from stakeholders and the Wilsonville community through the public engagement process
- To the extent possible, address future airport operations as well as land use and development-related concerns for the region in and around the airport
- Balance flexibility to address a range of possible situations with enough clear direction to guide the city in future regional conversations about the future of the airport and surrounding area



- Respect the multiple jurisdictions and regional coordination necessary for planning in the vicinity of a significant transportation facility, prime agricultural region, and boundary of the Portland Metropolitan Area
- Maintain consistency with existing policy direction in the Comprehensive Plan and Oregon’s Statewide Planning Goals



An area centered on the French Prairie and Aurora Airport, generally located:

- East of the I-5 freeway
- West of the Pudding River (coinciding with the Clackamas-Marion County line)
- South of the Willamette River (including Charbonneau)
- North of Ehlen Road, just south of the airport boundary



- Do they reflect the breadth of concerns or are key policy objectives missing?
- Should Comprehensive Plan policies address potential impacts from further development near the airport as well as impacts from airport operations?
- Do the proposed boundaries for Area of Special Concern O align with the issues being addressed or are there alternatives you want the project team to assess?

DRAFT



Survey

SURVEY RESPONSE REPORT

13 February 2022 - 14 March 2022

PROJECT NAME:

Airport Good-Neighbor Policies



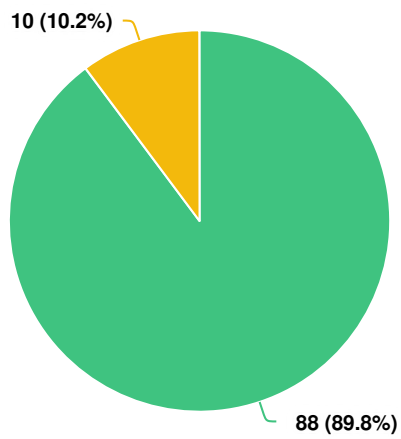
This survey was open for one month on Let's Talk, Wilsonville! Notification of the survey was provided in local media outlets. This introduction was provided to survey takers:

Located just 1.6 miles south of Wilsonville city limits, the Aurora Airport is a neighbor of great regional significance. It is important for City staff to learn how our community interacts with the aviation facility. Public input will directly inform the City's work to prioritize the outcomes most important to Wilsonville, and to record those priorities as policy directives in the City's Comprehensive Plan.

Feedback gathered from the survey and open house events will help us better understand what matters most to our community, so that we may advocate for the community's interests. Please take 3-5 minutes to share your perspective and inform the planning process.

REGISTRATION QUESTIONS

Q1 Do you own or rent at your primary residence?

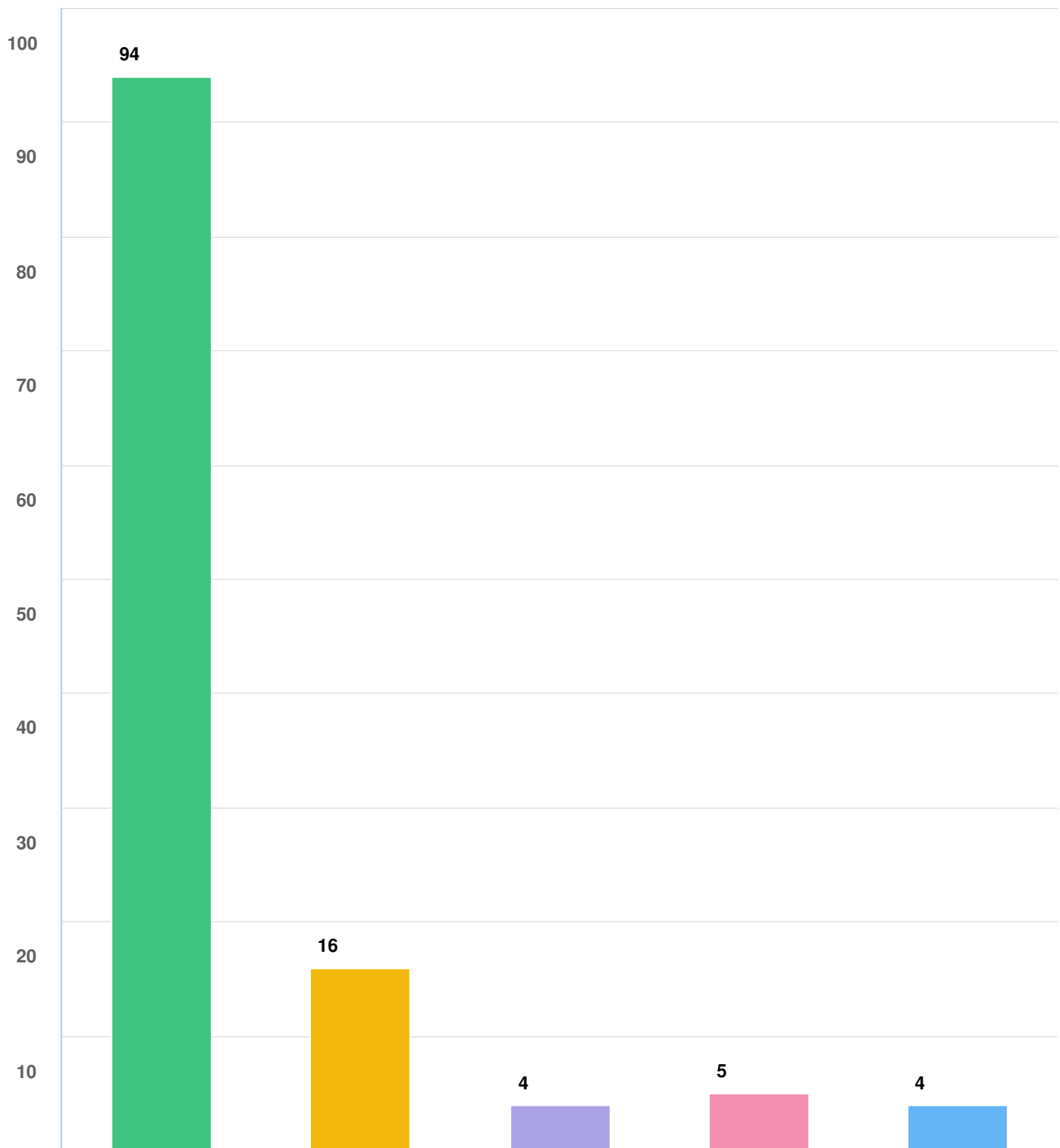


Question options

- Own
- Rent

Mandatory Question (98 response(s))
Question type: Radio Button Question

Q2 What is your connection to Wilsonville? (Choose all that apply)

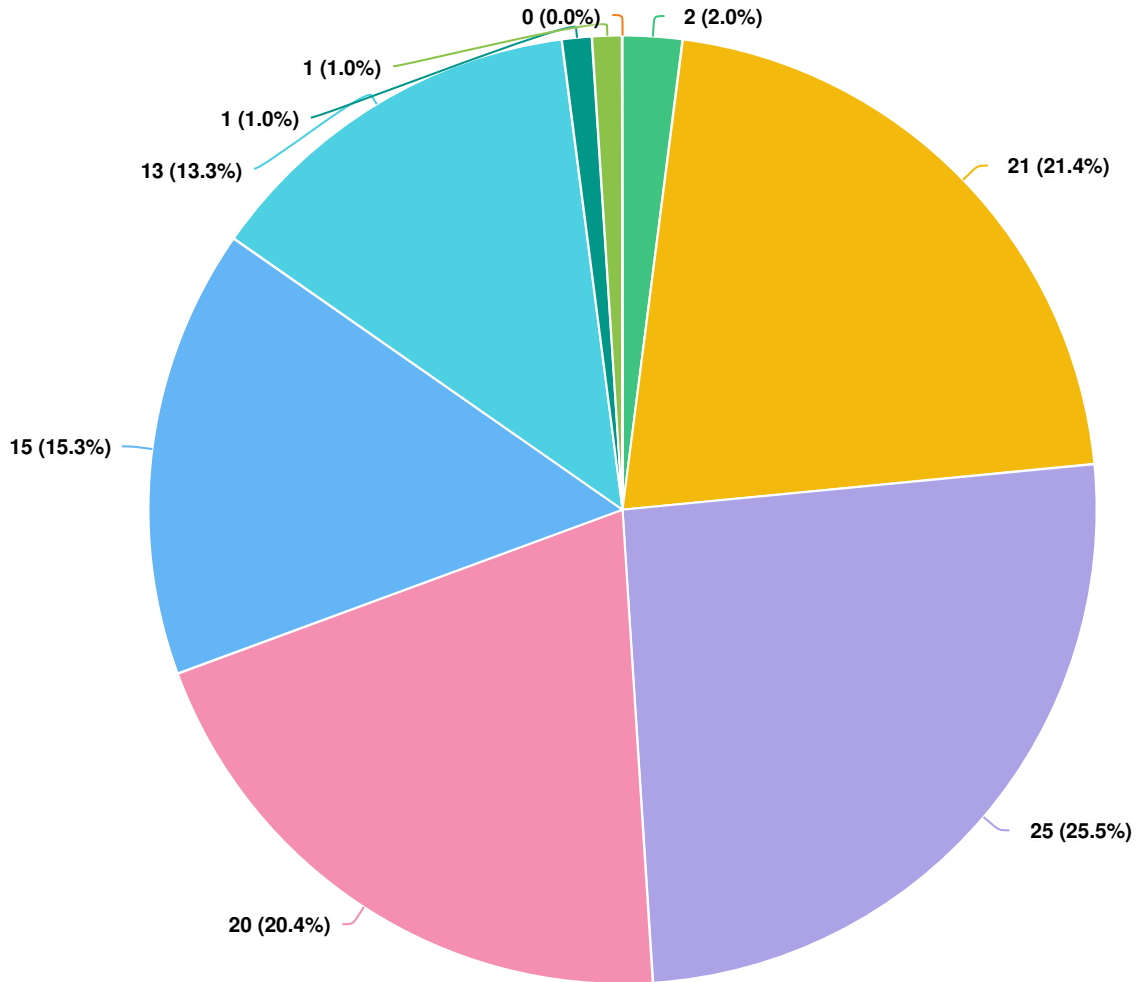


Question options

- I live in Wilsonville
- I work in Wilsonville
- I own a business in Wilsonville
- I visit Wilsonville
- I own a secondary residence in Wilsonville

Mandatory Question (98 response(s))
Question type: Checkbox Question

Q3 In what decade were you born?

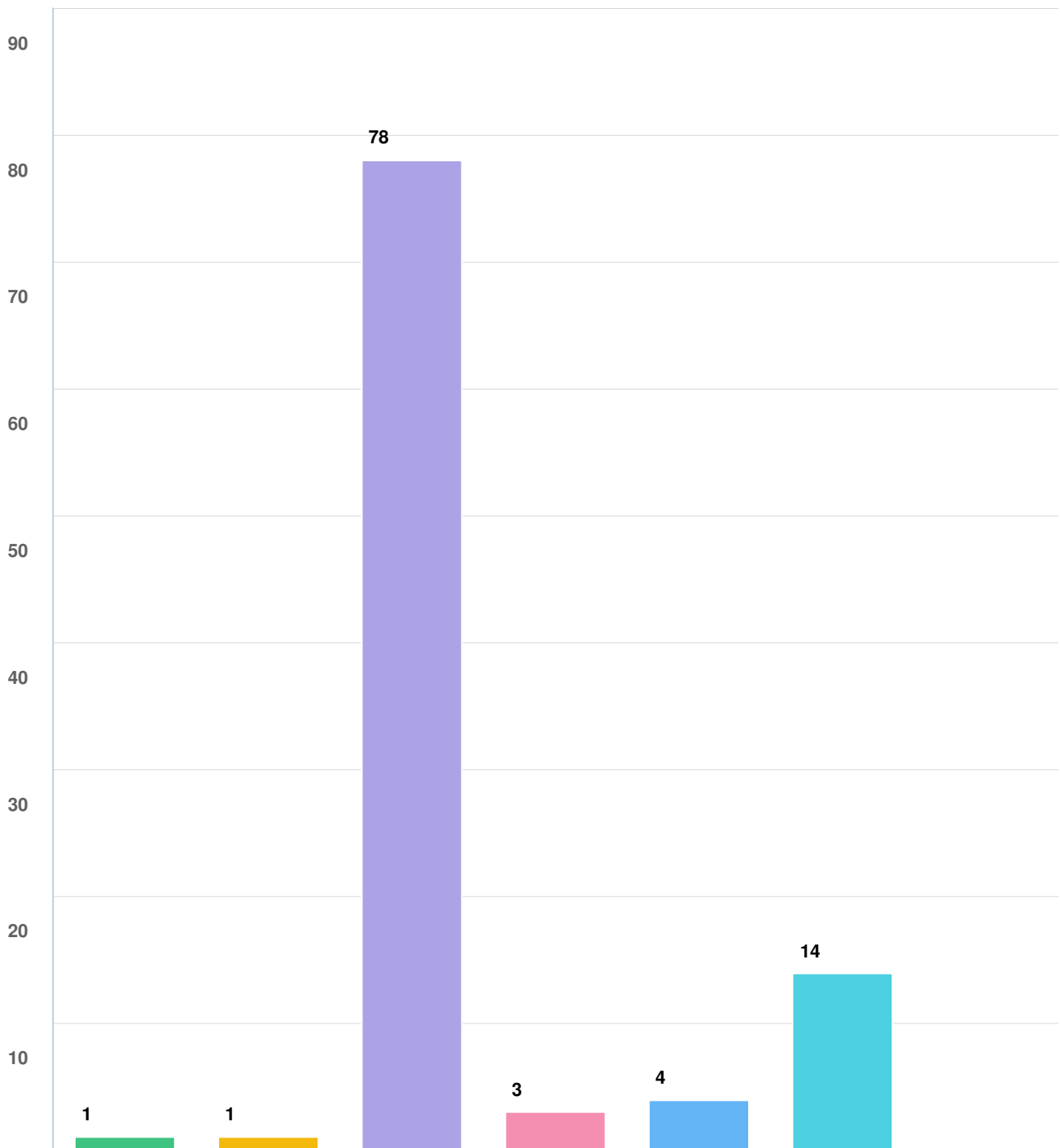


Question options

- Before 1940
- 1940-1949
- 1950-1959
- 1960-1969
- 1970-1979
- 1980-1989
- 1990-1999
- 2000-2009
- 2010-2019

Mandatory Question (98 response(s))
Question type: Dropdown Question

Q4 Which ethnic or racial group do you identify yourself? (Choose all that apply)

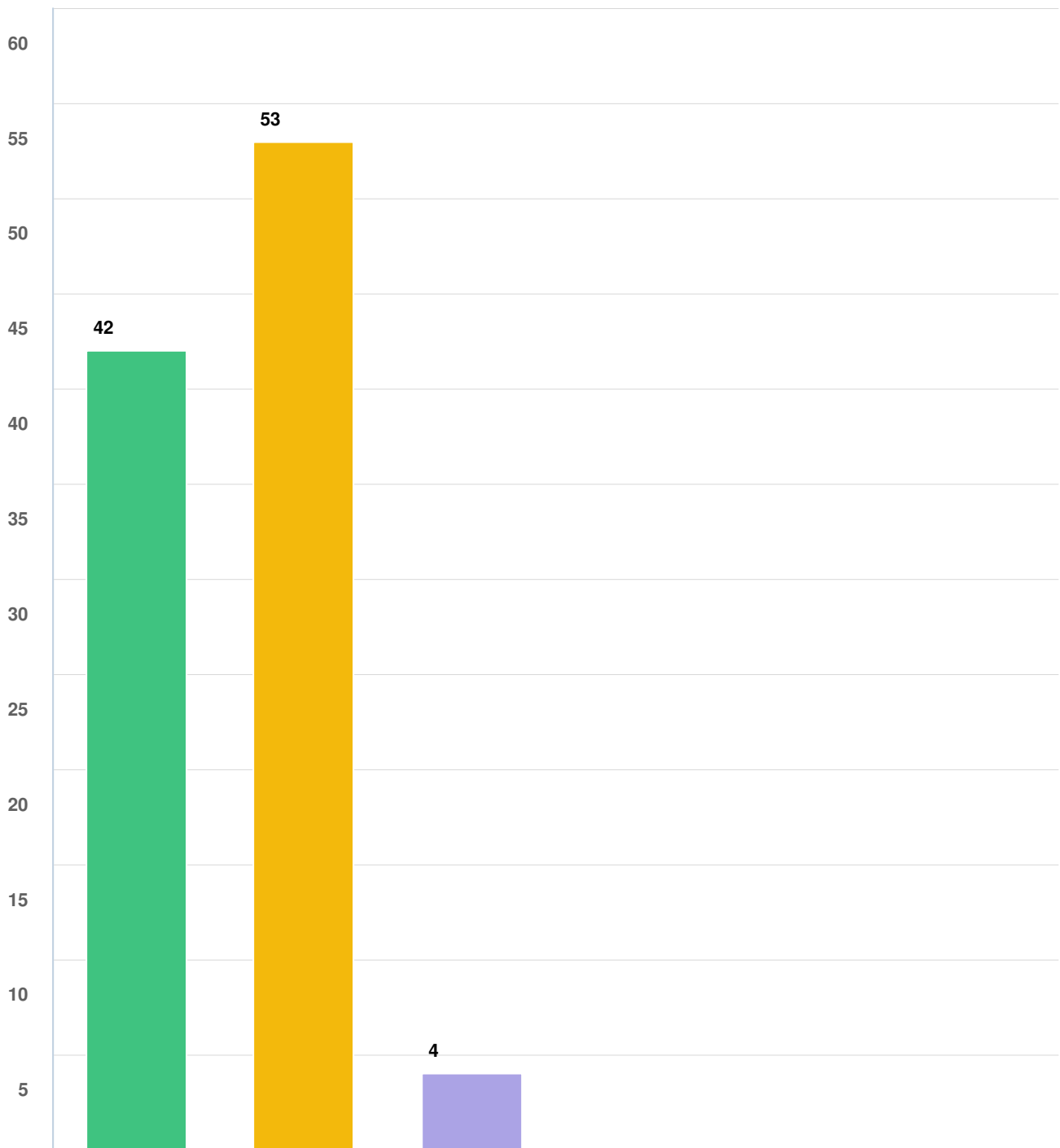


Question options

- African American/Black
- Asian or Asian American
- Caucasian/White
- Multi-racial
- Native American
- Prefer not to answer
- Hispanic/Latino

Mandatory Question (98 response(s))
Question type: Checkbox Question

Q5 Please indicate your gender. (Choose all that apply)



Question options

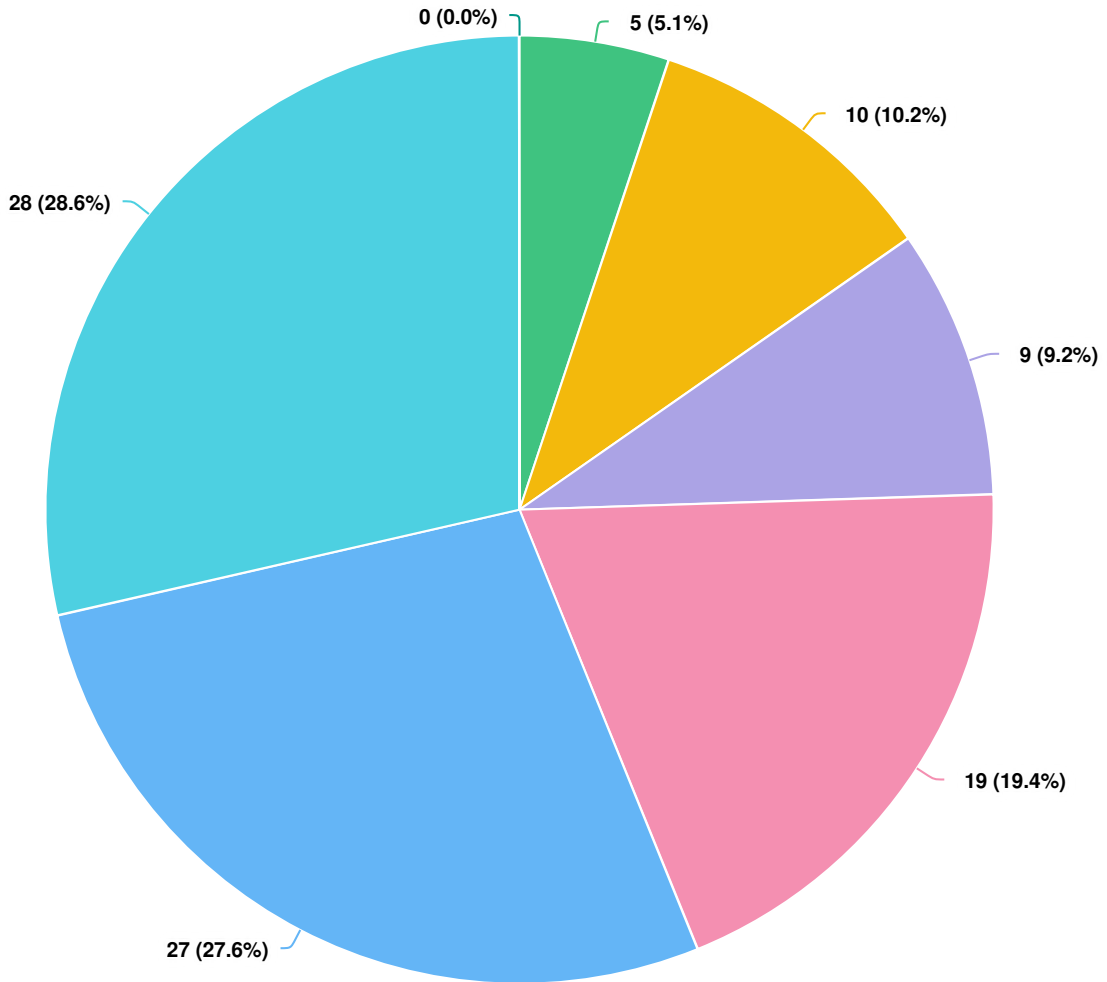
- Female
- Male
- Prefer not to answer
- Transgender
- Non-binary

If you prefer to self-identify, check box and please do so below:

Mandatory Question (98 response(s))

Question type: Checkbox Question

Q7 What is your household income? Please choose only one of the following:

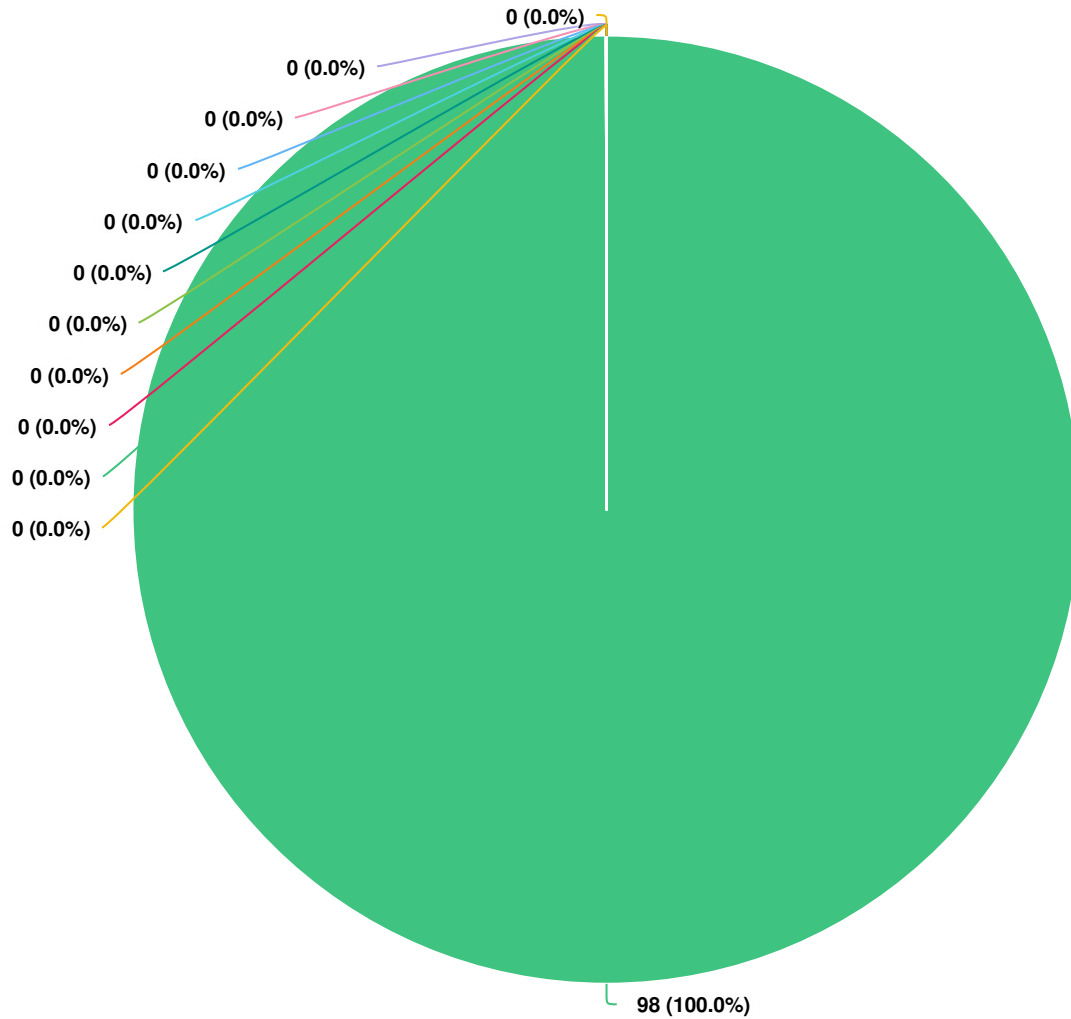


Question options

- \$25,000 - \$49,999
- \$50,000 - \$74,999
- \$75,000 - \$99,999
- \$100,000 - \$149,999
- \$150,000 or more
- Prefer not to answer
- Less than \$25,000

Mandatory Question (98 response(s))
Question type: Dropdown Question

Q8 What is the primary language spoken in your home?



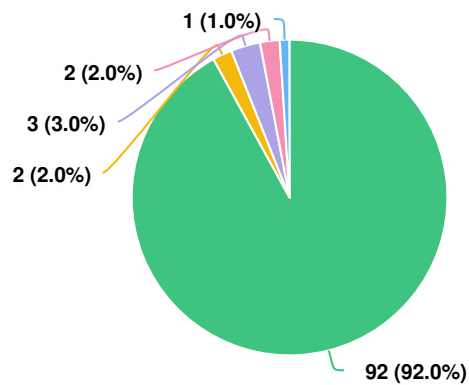
Question options

- English
- Spanish
- Chinese
- Arabic
- Russian
- Japanese
- Korean
- Chuukese/trukese
- Hindi
- Telugu
- Vietnamese
- Other, please specify:

Mandatory Question (98 response(s))
Question type: Dropdown Question

SURVEY QUESTIONS

Q1 What is your association with the City of Wilsonville?

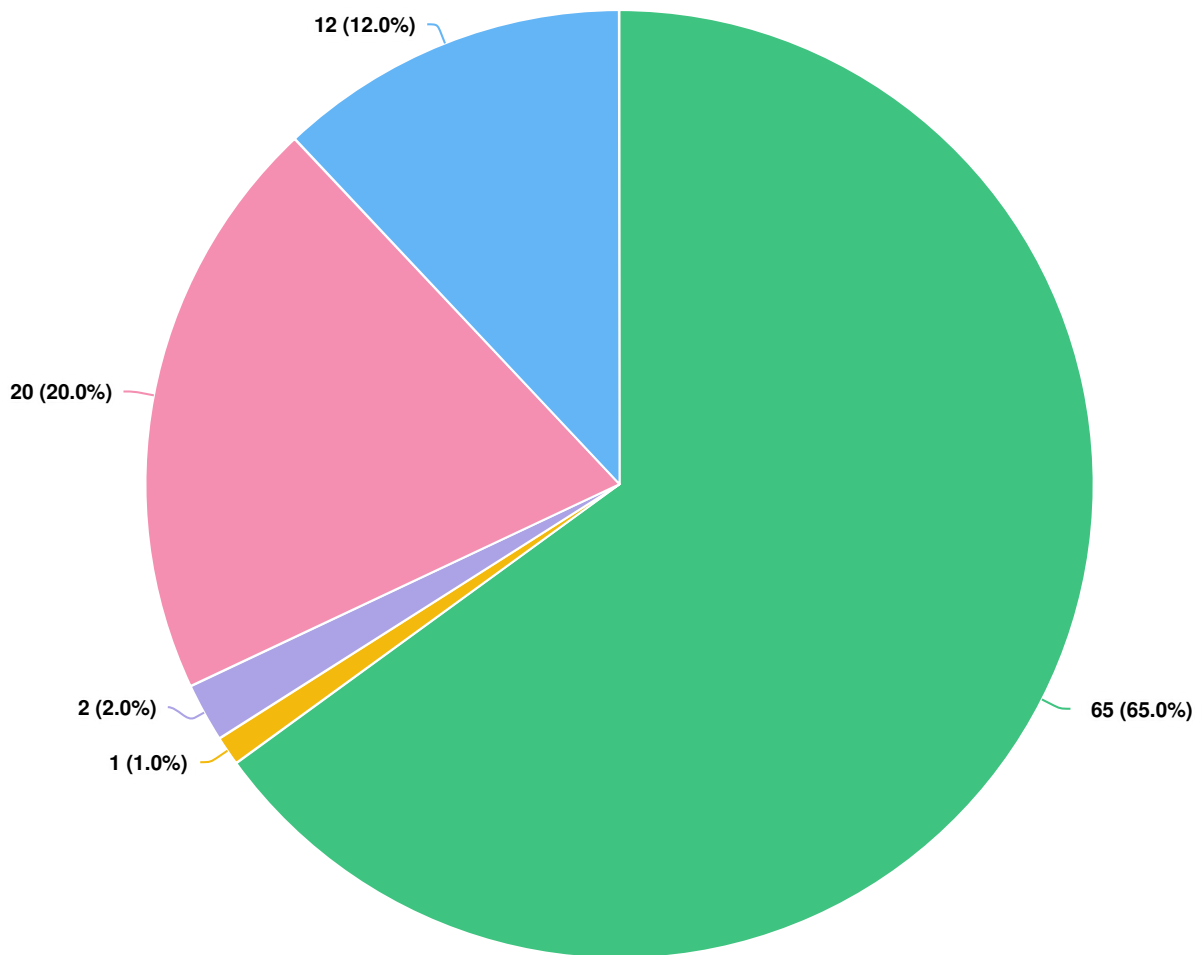


Question options

- Live in Wilsonville
- Live near the City of Wilsonville
- Work in Wilsonville
- Visit Wilsonville
- Other (please specify)

Optional question (100 response(s), 0 skipped)
Question type: Radio Button Question

Q2 What is your association with Aurora State Airport?

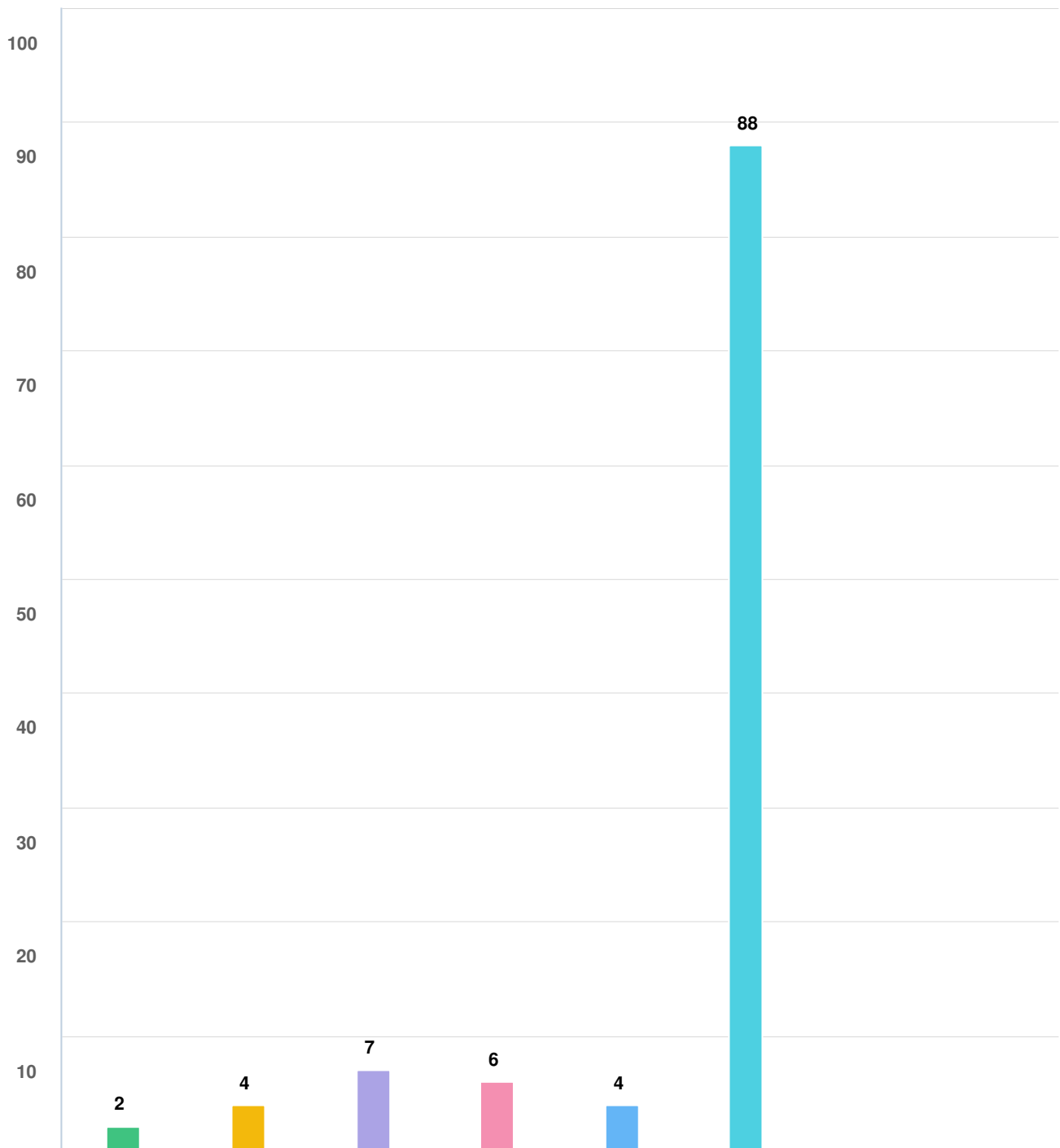


Question options

- Live near airport
- Work near airport
- Work at airport
- None
- Other (please specify)

Optional question (100 response(s), 0 skipped)
Question type: Radio Button Question

Q3 How do you use the Aurora State Airport? (check all that apply)

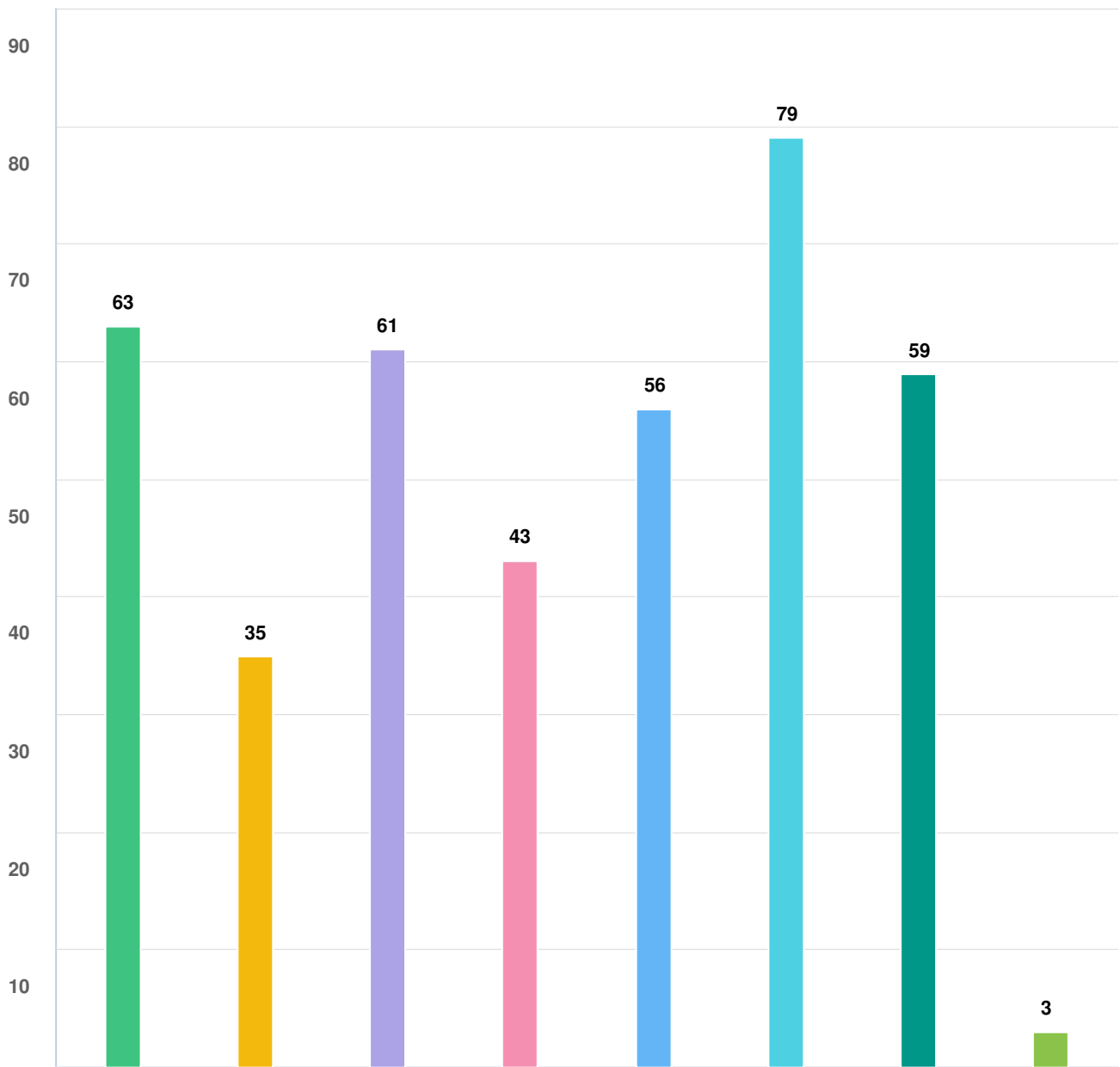


Question options

- Employed by airport or at airport (private business)
- Non-business air travel
- Pilot
- Recreation
- Education (e.g., flight school)
- I do not use the airport
- Business - Cargo
- Business - Travel

Optional question (100 response(s), 0 skipped)
 Question type: *Checkbox Question*

Q4 Check all the policy issues that may relate to the airport that are of importance to you:



Question options

- Fire safety and emergency management (use of the airport by emergency service providers, air traffic safety)
- Air transportation ● Surface transportation (congestion, traffic, highway and local roads)
- Economic development (jobs, attracting visitors to Wilsonville businesses, business support services)
- Environmental Resources (pollution, encroachment) ● Neighborhood Compatibility Issues (noise, pollution)
- Urban Growth Boundaries (urban development, land use, conflicts with farm operations, loss of farmland)
- Other (please specify)

*Optional question (99 response(s), 1 skipped)
Question type: Checkbox Question*

Q5 Of the issues you selected above, rank the issues based on the level of importance to you (1 being most important, and 8 being least important):

OPTIONS	AVG. RANK
Neighborhood Compatibility Issues (noise, pollution)	1.97
Surface transportation (congestion, traffic, highway and local roads)	3.44
Fire safety and emergency management (use of the airport by emergency service providers, air traffic safety)	3.57
Environmental Resources (pollution, encroachment)	3.63
Urban Growth Boundaries (urban development, land use, conflicts with farm operations, loss of farmland)	3.68
Economic development (jobs, attracting visitors to Wilsonville businesses, business support services)	4.06
Air transportation	5.02
Other	6.87

*Optional question (99 response(s), 1 skipped)
Question type: Ranking Question*

Q6 Please add any comments here about how you prioritized the topics in the previous question.

Screen Name Redacted

2/28/2022 07:55 PM

Interesting way to load these statements to get a pre-determined outcome. The City of WILSONVILLE needs to start working in partnership with the airport not throwing Molotov cocktails at every opportunity for airport expansion. Would love to know the exact dollar amount spent with our tax payer dollars on fighting any airport growth over the past 20 years.

Screen Name Redacted

2/28/2022 08:11 PM

N/A

Screen Name Redacted

2/28/2022 08:27 PM

The airport is an incredibly valuable resource that provides a lot of jobs, convenience of air transportation close to Wilsonville/Aurora/Canby, and has an extremely minimal impact on surface transportation and local neighborhoods.

Screen Name Redacted

2/28/2022 08:31 PM

The increase of acid rain and potential water pollution from fuel seriously concern me. This is a sensitive area that should not be damaged by unmanaged economic growth.

Screen Name Redacted

2/28/2022 08:32 PM

I am concerned about increased noise, pollution, and traffic from flights. I love living near the local farms and do not want any more farmland lost to development.

Screen Name Redacted

2/28/2022 08:39 PM

Noise from planes flying overhead is a concern

Screen Name Redacted

2/28/2022 09:07 PM

I think the airport is a vital economic engine to our community, and the current restrictions at the airport have limited some companies with larger needs at the airport from coming to Wilsonville.

Screen Name Redacted

2/28/2022 09:12 PM

My primary concern is with noise from planes taking off and to a lesser extent circling the area. My biggest concern is jet planes that make a lot of noise. I would not want more and/or bigger jet planes taking off from the airport. I'm less bothered by the small planes circling around the area.

Screen Name Redacted

2/28/2022 09:23 PM

my home is within a flight path of this airport

Screen Name Redacted

2/28/2022 09:31 PM

Changing the quality and tranquility of Wilsonville.

Screen Name Redacted

2/28/2022 09:34 PM

My father worked for an airline, so I grew up around airports for most of my life. I have also lived under the approach to major airports. One of the schools I attended was sandwiched between a civilian, and two military bases. We students and the teachers suffered headaches from the pollution and noise. As aircraft take off and land they spew toxic fumes that pollute the air and aggravate health issues like asthma. The sound pollution does cause lost of hearing. It affects humans, animal, birds and even fish. I have seen first hand how aircraft flying over Wilsonville Grade School and Boeckmen Elementary effected students when they were doing school projects outside and in their classrooms. Aircraft need to follow I-5 in as their approach and as they take off. If that can't be done, then the airport needs to relocate or realign the runways.

Screen Name Redacted

2/28/2022 09:37 PM

Continuing and increasing fly over noise negatively impacts our community (Charbonneau).

Screen Name Redacted

2/28/2022 09:54 PM

I am mostly worried about plane crashes, noise & increased traffic on Boone Bridge & Miley Road.

Screen Name Redacted

2/28/2022 09:57 PM

We are Wilsonville and we should focus on how to improve the lives of Wilsonville citizens, the Airport is not in our jurisdiction so our leaders should understand that we are guests in this discussion instead this survey and our leader have the audacity to think they have authority here... typical entitled politicians wasting tax payer money.

Screen Name Redacted

2/28/2022 11:00 PM

I feel that the city has been focused on the negatives around the airport and not the positives. My rankings highlight the importance that the airport plays, while recognizing that noise is a concern.

Screen Name Redacted

3/01/2022 06:31 AM

The airport is already highly regulated.

Screen Name Redacted

3/01/2022 06:41 AM

Already too much noise at all hours (especially late at night). Want QUIET hours and NO jets. Okay for fewer noise restrictions/hours for

emergency use (firefighting, air ambulance, etc.). No need to extend the runway to accommodate larger planes and jets (for the rich with toys or for corporations) -- those should go to PDX or Hillsboro; expansion now impacts livability plus would eventually impact future growth of neighborhoods.

Screen Name Redacted

3/01/2022 07:14 AM

The "get off my lawn" old folks in Charbonneau should not be blocking the airport expansion because of perceived increases in noise. They moved to an area directly in the airport's flight path. It's too late for buyer's remorse. All of the issues listed above provide cover for the anti-airport expansion folks in Charbonneau.

Screen Name Redacted

3/01/2022 08:19 AM

Air traffic, noise and increased congestion in an already bottle necked area could significantly degrade the quality of living in Wilsonville and surrounding areas. This area was not originally laid out with the type of population density and through traffic we are currently seeing, let alone adding even more.

Screen Name Redacted

3/01/2022 08:58 AM

The airport has been there forever. People moving into the area know the airport is there, and know of the noise, etc.

Screen Name Redacted

3/01/2022 09:02 AM

it's all about the negative impacts of noise and potential traffic

Screen Name Redacted

3/01/2022 10:30 AM

Impact on Wilsonville infrastructure and services (water, sewer, etc.), including costs.

Screen Name Redacted

3/01/2022 11:14 AM

Increasing overflight noise at Charbonneau over the past few years, particularly at night and on weekends and holidays are a significant concern. Private/corporate jets are detrimental to the environment and carbon control and global warming - if anything their use should be Increased size of the airport will result in more traffic on local roads and highways that are not designed for it.

Screen Name Redacted

3/01/2022 12:37 PM

My house is located in Charbonneau . Currently the planes usually fly over it and the noise is loud. I am concerned about the traffic congestion on Airplane Road to enter Miley road during the morning commute.

Screen Name Redacted

3/01/2022 12:46 PM

The first 4 are most important to me and what I see as real issues. I see my 5th choice as opening the door for future disregard for the

UGB and more development on agricultural land. I can't help but think that those who have been pushing for that development don't also have a hand in this airport expansion project. I think the airport should be used for small planes, not jets and can't see how it would attract visitors to Wilsonville.

Screen Name Redacted
3/01/2022 07:52 PM

Just want to make sure that the potential expansion of the airport is legal and transparent

Screen Name Redacted
3/02/2022 11:52 AM

If the airport is expanded it really needs a curfew. It is very obnoxious to have fairly large jets flying a few hundred feet over our home at all times of the night. I have been awoken at 2 am because of this!

Screen Name Redacted
3/02/2022 01:24 PM

Emergency use should be obvious. For the rest, it's walking the fine line between development and people who're already there.

Screen Name Redacted
3/02/2022 03:23 PM

I live right over the flight path. I already hate living near I5. Having to live under the landing of airplanes is making this place hellish.

Screen Name Redacted
3/02/2022 05:04 PM

We live in Morey's Landing. There is already quite a bit of airplane noise. I strongly, strongly oppose expansion of the airport.

Screen Name Redacted
3/02/2022 09:21 PM

We live in Charbonneau. Not only are we concerned about the noise and frequency of flights, and larger airplanes, but also of our investments in our homes. With a larger airport, property values could go down.

Screen Name Redacted
3/03/2022 07:54 AM

Wilsonville already has traffic issues, especially at the Boone Bridge. We need to solve that as part of anything that could increase area traffic. Farmland is also a very important part of continuing to source food/plants/trees/etc. locally. Good paying jobs and a good place to live - we don't want people in our community to be living in poverty.

Screen Name Redacted
3/03/2022 04:41 PM

Jet noise from airport is extremely loud, startling and alarming. Airport reached by narrow country roads where drivers go too fast.

Screen Name Redacted
3/03/2022 07:57 PM

Scuttlebutt from Charbonneau hoa board is decision-makers are deaf to neighbors concerns. Decisions are already made.

Screen Name Redacted

3/03/2022 08:35 PM

Airport noise is a serious problem and must be addressed before or during any master planning.

Screen Name Redacted

3/04/2022 07:04 AM

Current congested road problems would be exacerbated, noise especially during nighttime hours would continue to increase,

Screen Name Redacted

3/05/2022 01:17 PM

Since moving into Charbonneau 15 years ago, we have seen and heard increasing noise from aircraft landing and taking off, especially an increase in corporate jets. (We did see a decrease during the pandemic but it is back to a noticeable level of noise in 2022.) We are very concerned about the air pollution caused by all this jet travel in and out of the Aurora Airport. Expanding the airport will only add to these problems. Traffic on local streets in the vicinity of the airport will also increase dramatically with any expansion. I am also a strong supporter of Oregon's Land Use Planning and do not want to see valuable agricultural land taken out of production.

Screen Name Redacted

3/05/2022 01:20 PM

Most concerned about negative impact of airport expansion on land use, environment, urban expansion, and traffic

Screen Name Redacted

3/05/2022 01:44 PM

A you can see all my answers relate to me, my family and friends and how it will effect us.

Screen Name Redacted

3/05/2022 03:05 PM

Again, every question is slanted towards the negative. Considering the amount of money (which the City refuses to disclose) that you have pissed away fighting the airport, we already know how City officials feel about the subject. Why ask us now?

Screen Name Redacted

3/05/2022 06:14 PM

Air and noise pollution due to the growth of this airport; flight patterns and amount of air traffic that impact livability of the citizens of Wilsonville

Screen Name Redacted

3/05/2022 06:35 PM

I've lived in this house for about 30 years and the aircraft keep getting bigger and louder. They fly right over my house and when I'm in the yard we often have to stop talking until the noise of the plane is over. It wasn't like this when we built the house and gets louder all the time.

Screen Name Redacted

3/06/2022 11:41 AM

I am very concerned about the impact this airport will have on air, water, and noise pollution from aircraft of small to large (commercial) sizes. I'm concerned the airport will impose on the utilities of

Wilsonville. The traffic is already congested on I5 going south.

Screen Name Redacted

3/07/2022 10:45 AM

Noise pollution is very important to me. We live in the air traffic flight path and especially the helicopter noise.

Screen Name Redacted

3/07/2022 02:17 PM

There has been increased frequency of planes flying over our neighborhood in Charbonneau at all hours. The noise is a huge disruption to the peace and quiet of the neighborhood. It is a special place due to its location away from the hustle and bustle of town. The flyovers are a huge distraction to what makes Charbonneau "special." I do not want my home values impacted negatively by the noise, pollution and activity of a busy airport!

Screen Name Redacted

3/07/2022 04:48 PM

We live in Charbonneau and are concerned that increased air traffic will degrade the quality of life here.

Screen Name Redacted

3/07/2022 09:02 PM

Noise and pollution are my greatest concerns.

Screen Name Redacted

3/08/2022 07:55 AM

It concerns me that the airport is in an unincorporated area yet wants to grow. I am against growing the aurora airport for noise reasons. Amazon just built a massive warehouse in Woodburn and wants to use Aurora for air cargo...but only if the runway is elongated. Please don't pave more of the Willamette Valleys most fertile land only to benefit Amazon and the unincorporated Aurora airport.

Screen Name Redacted

3/08/2022 12:02 PM

I work at the Aurora Airport and am a pilot but I don't believe the runway needs to be lengthened.

Screen Name Redacted

3/08/2022 06:56 PM

Noise pollution caused by low attitude jets under full throttle happens too often. At work in Wilsonville our vehicle was covered once in blue toilet fluid from a jet toilet "dump", which was reported to the FAA. People at work who ran at lunch said it was not uncommon to see and smell blue toilet dumps during their run.

Screen Name Redacted

3/09/2022 09:42 AM

I live near the Wilsonville library. It is in this place that the corporate jets lower the gears and hit the breaks. Spewing noise and pollution all over my home/outside area. I am certain that if the EPA did a study, the air in my neighborhood would fail or show pollutions at unacceptable levels. I can see the faces of people in the corporate jet. They just clear the trees in Memorial Park. They wake me at 2 am.

The windows rattle in my home. I expect to sell if this issue is not resolved. It is not HEALTHY to have this happening.

Screen Name Redacted

3/09/2022 02:53 PM

Neighborhood compatibility was my #1 issue since the noise has become increasingly worse over time. Larger and noisier planes are flying directly over our home at all hours. This is especially disturbing during the middle of the night. There is little regard by many of the pilots.

Screen Name Redacted

3/09/2022 06:51 PM

Quality of life. There is always a possibility of an airplane crash on landing and takeoff. There is already a considerable amount of air traffic noise plus the noise generated on I5. Wilsonville is a traffic nightmare. If the airport is going to expand, the I5 bridge should be widened in both north and south directions.

Screen Name Redacted

3/10/2022 09:31 AM

One of the main reasons for moving to Wilsonville was the close proximity to Aurora state airport. It is also comforting to know that life flight operates out of a Aurora state airport. Noise pollution is not a factor nor is it any more of a nuisance than i5 or the 40 mph speed limit right behind my house. The 40 mph zone on parkway ave leads to more constant noise than any air traffic.

Screen Name Redacted

3/11/2022 09:26 PM

Because I back up to Miley Road, air traffic and noise is my main concern. I drive to North Marion schools everyday and the traffic is bad enough around the airport that they having to widen the road. I'm all for creating jobs but Wilsonville is already crowded enough as it is. I've lived here over 20. I hate to think of what land is left turned into concrete.

Screen Name Redacted

3/12/2022 12:13 PM

We already have seen an increase in airplanes flying overhead, which are quite loud, since we purchased our home. 'm not interested in continuing to live here if the air traffic and subsequent noise (and other pollution) increases.

Screen Name Redacted

3/13/2022 11:10 AM

Concern for noise pollution and drop in property values around airports.

Screen Name Redacted

3/13/2022 09:59 PM

We live basically under the flight path and have noticed an increase in the number of flights/number of jet planes/noise pollution over the past few years. We would consider relocating to another town to avoid the noise pollution altogether if it continues to trend in the

wrong direction.

Screen Name Redacted

3/14/2022 12:54 PM

I live in Charbonneau, and currently planes that use the airport fly over our community -- even though they are supposed to go around it. The noise is tolerable in my part of Charbonneau, but I know that other sections of the community experience significant noise. I don't understand why this airport should be expanded. To what end? Who will benefit? I am concerned that we will have more planes flying over Charbonneau -- and they are quite low at take off and landing -- if the airport is expanded.

Optional question (59 response(s), 41 skipped)

Question type: Essay Question

Q7 | Are there any specific places located near Wilsonville and the Aurora Airport that you think should be considered in this project (for example, nearby neighborhoods, transportation routes, or natural areas, etc.)?

Screen Name Redacted

2/28/2022 07:55 PM

No

Screen Name Redacted

2/28/2022 08:11 PM

No

Screen Name Redacted

2/28/2022 08:27 PM

Would be helpful to extend the runway to the south to allow aircraft to be at a higher altitude when crossing over noise sensitive areas such as Charbonneau and Wilsonville.

Screen Name Redacted

2/28/2022 08:31 PM

The increase in traffic will impact the local roads around the airport as well as increase traffic on I5 that is already overloaded in this area. The roads are already dangerous enough without having larger aircraft flying in increasing numbers over our residential areas.

Screen Name Redacted

2/28/2022 08:45 PM

Transportation routes. I-5 so congested already.

Screen Name Redacted

2/28/2022 08:51 PM

I live under the flight path and for personal comfort, would like to see limits on operations during late evening/early morning hours.

Screen Name Redacted

As far as I can tell, the project at the airport is contained to the current

2/28/2022 09:07 PM airport property, so the businesses and neighbors directly surrounding the airport are most important to give input

Screen Name Redacted 2/28/2022 09:12 PM I'm in Morey's Landing northwest across the river from the airport. Even that far away it is still loud when jets take off.

Screen Name Redacted 2/28/2022 09:23 PM transportation routes

Screen Name Redacted 2/28/2022 09:31 PM The Willamette river and all the creeks/rivers that feed the Willamette.

Screen Name Redacted 2/28/2022 09:34 PM The Aurora Airport began as a rural airport. Many of planes were used for spraying the fields with herbicides and insecticides. Many such airports have had to move as cities borders expanded. Hillsboro didn't. When I worked out there I heard a lot of complaints about noise and the smell of fuel as the planes take off and land.

Screen Name Redacted 2/28/2022 09:37 PM Change flight patterns to avoid residential areas.

Screen Name Redacted 2/28/2022 09:44 PM Charbonneau

Screen Name Redacted 2/28/2022 09:54 PM CHARBONNEAU!! Also Langdon Farms.

Screen Name Redacted 2/28/2022 09:57 PM We could continue to try to annex to the south and control what is built and how it is built, otherwise we should continue to work on traffic mitigation efforts.

Screen Name Redacted 2/28/2022 11:00 PM Neighborhoods that align with the runway and up to 30 degrees on each side. Those are the areas most likely to see the 'straight in' traffic when airplanes takeoff or land to the north.

Screen Name Redacted 3/01/2022 06:31 AM All the above, but not to the point that normal safe airport operations are hindered by individual that do not like the idea that they live near an airport

Screen Name Redacted All roads would be impacted by any expansion, and they are very

3/01/2022 06:41 AM	busy already. Charbonneau is directly under the flight path and any student or impaired pilot could easily crash into a residential area.
Screen Name Redacted 3/01/2022 08:19 AM	Parrot Mountain/Ladd Hill area
Screen Name Redacted 3/01/2022 08:58 AM	I think the city of wilsonville has overstepped their boundaries with the airport. Our politicians should be worried about other things, including the homeless situation which is encroaching our area.
Screen Name Redacted 3/01/2022 09:02 AM	Charbonneau neighborhood and Airport Rd. Intersection at Airport Rd and Miley Rd
Screen Name Redacted 3/01/2022 10:30 AM	Most of Wilsonville (especially east of I-5) is under the airport approach and will be impacted by the size, frequency, and routing of air traffic.
Screen Name Redacted 3/01/2022 11:14 AM	Miley Road and the Charbonneau exit from I-5 transportation routes and the extra impact on Canby exit on I-5. The planned community of Charbonneau and nearby farm lands.
Screen Name Redacted 3/01/2022 11:26 AM	Charbonneau
Screen Name Redacted 3/01/2022 12:37 PM	yes- Charbonneau neighborhood is already impacted with noise from landings and take offs. The traffic pattern should restrict commercial vehicles from taking Airplane Road and increase the infrastructure at the signal light by the helicopter company so trucks take the road which connects with the closest access to I5
Screen Name Redacted 3/01/2022 12:46 PM	Charbonneau - the planes fly right over it and often are very low.
Screen Name Redacted 3/01/2022 02:33 PM	The entire region
Screen Name Redacted 3/01/2022 07:52 PM	Charbonneau district and Miley Road

<p>Screen Name Redacted 3/02/2022 11:11 AM</p>	<p>Nearby neighborhoods that the noise levels will impact.</p>
<p>Screen Name Redacted 3/02/2022 01:24 PM</p>	<p>Those affected by potential ground traffic changes and those affected by noise (adjacent to airport and along approach/departure paths).</p>
<p>Screen Name Redacted 3/02/2022 03:23 PM</p>	<p>A place out of the way where regular people live and try to sleep.</p>
<p>Screen Name Redacted 3/02/2022 05:04 PM</p>	<p>The noise in neighborhoods and Memorial Park should be considered.</p>
<p>Screen Name Redacted 3/02/2022 09:21 PM</p>	<p>All of these areas are of consideration. Farm land is important, as well.</p>
<p>Screen Name Redacted 3/02/2022 09:21 PM</p>	<p>Canby Ferry</p>
<p>Screen Name Redacted 3/03/2022 07:54 AM</p>	<p>The Boone Bridge and nearby neighborhoods should be a priority in considering the project.</p>
<p>Screen Name Redacted 3/03/2022 10:30 AM</p>	<p>As a Charbonneau resident I am deeply concerned about the current flight path which is directly over the Charbonneau community. Charbonneau contains 1600 homes and houses 3500 people, all of whom are directly beneath the current flight path. The noise created by the jet aircraft is terribly annoying, and it is just a matter of time until there may be a tragic accident possibly involving the Charbonneau neighborhood. If it were not for the noise and the danger of possible aircraft crashing, I would not be adverse to the airport expansion. I do believe the airport expansion would be a valuable asset to the city of Aurora, and would also attract many new jobs and boost the local economy. But the inherent dangers this would cause are probably not worth the effort. The next issue would be the expansion of all the support industry that goes along with the airport expansion. The infrastructure needed to support the expansion would be expensive and the traffic increase would require new roads as well as the widening of existing roads. The truck traffic would be increased considerably and would be unbearable under our current conditions.</p>
<p>Screen Name Redacted 3/03/2022 04:41 PM</p>	<p>Charbonneau and adjacent farmlands</p>

<p>Screen Name Redacted 3/03/2022 07:57 PM</p>	<p>Charbonneau hoa's</p>
<p>Screen Name Redacted 3/03/2022 08:35 PM</p>	<p>Charbonneau</p>
<p>Screen Name Redacted 3/04/2022 07:04 AM</p>	<p>Continual loss of green space with potential industrial development would increase noise and air pollution, decreasing the livability of the area. Traffic is already congested.</p>
<p>Screen Name Redacted 3/05/2022 01:17 PM</p>	<p>I think that Charbonneau needs to be highly considered but all of the southern side of Wilsonville near the river is impacted by jet aircraft landings and takeoffs</p>
<p>Screen Name Redacted 3/05/2022 01:44 PM</p>	<p>Transportation routes and the use of large trucks.</p>
<p>Screen Name Redacted 3/05/2022 03:05 PM</p>	<p>I'm sure you have recruited them all.</p>
<p>Screen Name Redacted 3/05/2022 04:08 PM</p>	<p>None</p>
<p>Screen Name Redacted 3/05/2022 06:14 PM</p>	<p>Neighborhoods that are under the flight path. Arterial roadways have not changed nor improved to make the added auto traffic in and out of this airport (ie. no turn lanes on airport road).</p>
<p>Screen Name Redacted 3/05/2022 06:35 PM</p>	<p>Charbonneau - bigger, louder planes</p>
<p>Screen Name Redacted 3/06/2022 03:05 PM</p>	<p>Pedestrian / Bike bridge across the Willamette River and if the design will impact flight patterns.</p>
<p>Screen Name Redacted 3/07/2022 10:45 AM</p>	<p>nearby neighborhoods are especially important.</p>
<p>Screen Name Redacted 3/07/2022 02:17 PM</p>	<p>Charbonneau and all nearby neighborhoods that value the peace and quiet of country living. The intersection of Miley Road and Airport Road is always an accident waiting to happen. Traffic routes and</p>

infrastructure would all need to be evaluated to adequately support any changes.

Screen Name Redacted

3/07/2022 04:48 PM

Access to and from I-5. The Charbonneau area.

Screen Name Redacted

3/07/2022 09:02 PM

Yes, residents living close to or within the flight paths.

Screen Name Redacted

3/08/2022 07:55 AM

Charboneau and Villebois. Both are high density and we get fly over traffic all the time.

Screen Name Redacted

3/08/2022 06:56 PM

Consider impact to Charbonneau

Screen Name Redacted

3/09/2022 09:42 AM

Let them fly to Salem which was designed for large corporate jets of this size.

Screen Name Redacted

3/09/2022 02:03 PM

Impacts on Charbonneau and on the Boone Bridge

Screen Name Redacted

3/09/2022 02:53 PM

Please also consider the neighborhoods in NE Prairie View Drive, NE Lawnview Circle and Charbonneau.

Screen Name Redacted

3/09/2022 06:51 PM

Wilsonville and the airport need to seriously consider the comments that are coming from Charbonneau.

Screen Name Redacted

3/10/2022 09:31 AM

This question is a bit unclear. In the survey description, it only describes the cities comprehensive plan and not an actual project nor the specifics.

Screen Name Redacted

3/11/2022 01:09 PM

Charbonneau

Screen Name Redacted

3/11/2022 04:16 PM

Almost all Wilsonville neighborhoods will be impacted by any expansion particularly for even larger aircraft. The noise at times now is awful from the Jets that fly in and out. In summer, we sleep with windows open and jets wake us up during the middle of the night.

Screen Name Redacted All of the above

3/11/2022 09:26 PM

Screen Name Redacted

3/14/2022 12:54 PM

Yes, please consider Charbonneau. An airport expansion will increase our community's noise level, depreciate our homes, and generally ruin our area.

Screen Name Redacted

3/14/2022 03:10 PM

Please consider impact and meditation needs for Charbonneau separate from Wilsonville's. Charbonneau is in Wilsonville's city limits but is closer to the airport. Please keep me informed of

Optional question (63 response(s), 37 skipped)

Question type: Essay Question

Q8 | Are there any other issues that are especially important that we should consider? Please provide any explanation or detail that you think would be helpful in considering this issue.

Screen Name Redacted

2/28/2022 07:47 PM

Thank you for continuing to require any expansion at the Aurora Airport comply with applicable land use law.

Screen Name Redacted

2/28/2022 07:55 PM

Love transparency on funds for fighting airport expansion.

Screen Name Redacted

2/28/2022 08:11 PM

No

Screen Name Redacted

2/28/2022 08:27 PM

I have not appreciated how the city of Wilsonville seems to be so much against anything related to the Aurora Airport. The airport is an incredibly valuable close-by resource that should be embraced and expansion encouraged. Their will never be commercial airlines flying into/out of Aurora, yet the city seems to act like that is the case. There are so many jobs there, so many folks learning to fly there, so many small businesses operating their that are paying tax revenue to the state and thereby cities. It seems folks nowadays hate the wealthy that own a private jet...yet that individual likely owns a business that employees a lot of local residents, pays for services from local businesses, and buys fuel (again business and tax dollars)... I don't understand what the problem is. As a resident of Wilsonville for the past 10 years, I fully support the Aurora airport, and any growth associated with it.

Screen Name Redacted

2/28/2022 08:45 PM

Nursery & farming finished or impacted.

Screen Name Redacted

2/28/2022 08:51 PM

Primary concern is noise pollution and effect expansion would have on open space south of the river, and increased traffic on the bridge should expansion spur more industrial development. I think the city of Wilsonville should actively stay engaged in expansion efforts and I support their legal intervention to make sure Wilsonville residents' concerns are addressed.

Screen Name Redacted

2/28/2022 09:07 PM

I wonder if there are other items of importance (developing the Town Center for example) that could be of better use of the city's time and energy than the airport which already has strong input and influence from its neighbors

Screen Name Redacted

2/28/2022 09:31 PM

Increase in carcinogens, noise pollution, fire danger, crashes, congestion.

Screen Name Redacted

2/28/2022 09:34 PM

I have discussed that above. If the airport stays then work needs to be done to realign the runway. It has been done at other airports who have face the same problem. If they can do it, it can be done here, too. The city and community of Wilsonville existed long before the airport was built. The City is grandfathered in, the airport came later.

Screen Name Redacted

2/28/2022 09:37 PM

Continuing and increasing fly over noise negatively impacts our community (Charbonneau

Screen Name Redacted

2/28/2022 09:57 PM

A thriving small airport near us should be something we support and help grow to encourage development of living wage jobs and city sustained growth.

Screen Name Redacted

2/28/2022 11:00 PM

I am concerned with some of the statements from the city over the last two years around traffic caused by a potential airport expansion, while minimizing the traffic impacts caused by continued residential and commercial development within Wilsonville. If we are against traffic caused by the airport, why shouldn't we be consistent and be against traffic caused by development within Wilsonville?

Screen Name Redacted

3/01/2022 06:11 AM

Does this airport need to exist? What are the issues related to it being removed from service?

Screen Name Redacted
3/01/2022 06:31 AM
The Airport provides jobs, home owners, and is an overall benefit to the City of Wilsonville.

Screen Name Redacted
3/01/2022 06:41 AM
Even major heavily-traveled airports near residential areas have restricted hours. This is a SMALL airport and we should keep it that way. At a minimum, there should be restrictions imposed on both hours and flight paths (with some exceptions for firefighters or air ambulance).

Screen Name Redacted
3/01/2022 08:09 AM
The airport is a significant regional facility and due consideration should be given to this significance

Screen Name Redacted
3/01/2022 10:30 AM
The city should be a full participant in decisions regarding airport issues that affect the city and its population.

Screen Name Redacted
3/01/2022 11:14 AM
If the airport grows it will generate more pressure to expand business, and industrial use and traffic in a farm use area. The state making a significant investment into a project that likely wont survive a major investment - those dollars should be invested in upgrading/strengthening other major airports in the state - as identified by the FAA.

Screen Name Redacted
3/01/2022 11:26 AM
Noise and traffic are a high concern

Screen Name Redacted
3/01/2022 12:37 PM
Already pointed out the noise pollution and the increase traffic congestion

Screen Name Redacted
3/01/2022 12:46 PM
Nothing else.

Screen Name Redacted
3/01/2022 01:44 PM
The airport expansion has been in the plan for many years. Neighborhoods have grown but that does not mean the airport shouldn't be able to expand

Screen Name Redacted
3/01/2022 02:33 PM
Livability in Aurora, Wilsonville, and the the surrounding area is more important than the expansion of the airport.

Screen Name Redacted

3/02/2022 11:11 AM

Keep our air quality in mind.

Screen Name Redacted

3/02/2022 01:24 PM

This has been going on for a long time; much of it driven by someone who's now running for governor - even to the point of trying to reshape Wilsonville City Council to a more favorable position (succeeded on term limits, failed on candidate slate). It'd be nice to trust the process(es), but integrity hasn't been a strong suit on this issue.

Screen Name Redacted

3/02/2022 03:23 PM

Quality of life is more important than economic development, bottom line.

Screen Name Redacted

3/02/2022 09:21 PM

Ground Transportation Flyover - Bypass

Screen Name Redacted

3/03/2022 10:30 AM

I have already voiced my objections to the airport expansion, but I think we should also consider that property values near and around the Aurora Airport may also be adversely affected.

Screen Name Redacted

3/03/2022 08:35 PM

The airport must develop a noise abatement plan under DEQ Noise Rules OAR 340-035-0045 to limit and control airport noise impacts.

Screen Name Redacted

3/04/2022 07:04 AM

Any develop to the airport must be part of a larger well thought out plan to the greater area considering roadways, homes, greenspace, noise and air pollution, farms, and the congestion and age of the I-5 bridge.

Screen Name Redacted

3/05/2022 01:17 PM

Based on all the reservations I have about expansion to the Aurora State Airport, I feel very strongly that a complete Environmental Impact Study needs to be part of the new Master Planning process.

Screen Name Redacted

3/05/2022 03:05 PM

Issue? You mean like how much taxpayer money have you spent fighting anything that the airport does in the past (at least)15 years? It's amazing that you do a budget every year and yet cannot tell someone how much you spend for lobbying, legal and Legislative fight you are engaged in.

Screen Name Redacted

3/05/2022 04:08 PM

Yes. I believe the airport is a necessity and can aid in bringing the community together vs separations.

Screen Name Redacted
3/05/2022 06:14 PM
Air traffic noise impacts the livability of citizens in the wilsonville area. Noise impacts conversations when enjoying family and friends outdoors, air noise Has woke up several family members in the night, and consideration of other locations for air traffic should be considered when looking at long-term planning.

Screen Name Redacted
3/06/2022 11:41 AM
The noise of low-flying aircraft can be especially alarming when seen and heard in our residential areas.

Screen Name Redacted
3/07/2022 08:19 AM
Noise, altitude of aircraft over Wilsonville. Noise

Screen Name Redacted
3/07/2022 10:45 AM
Nothing additional

Screen Name Redacted
3/08/2022 07:55 AM
We have some of the best soil in the world. Please don't pave over it

Screen Name Redacted
3/08/2022 06:56 PM
Minimum elevations and flight plans should be defined and enforced.

Screen Name Redacted
3/09/2022 09:42 AM
The original Aurora airport was not designed for large corporate jets. This is just more corporate greed SPEWING WASTE on those of us that DO NOT HAVE A VOICE.

Screen Name Redacted
3/09/2022 02:53 PM
No nighttime landings or takeoffs.

Screen Name Redacted
3/10/2022 09:31 AM
Again this question is unclear. I'm not sure if there is an "issue" at hand. In my opinion, there is no issue with the Aurora State Airport.

Screen Name Redacted
3/11/2022 04:16 PM
LIVABILITY !!!!! PLEASE DON'T DESTROY WILSONVILLE . BIGGER JETS CAN LAND AT A LARGER AIRPORT.....SALEM IS NOT FAR AWAY !!!!!

Screen Name Redacted
3/13/2022 09:59 PM
If additional air traffic is going to be permitted, it could be helpful if the time frame in which flights would be allowed could be limited to reasonable hours (eg: No large jets after 10pm and before 6am or something along those lines)

Screen Name Redacted

3/14/2022 12:54 PM

Again, I fail to see the need to expand this airport. Wouldn't it make more sense to expand the airport in Salem? I understand that it is inadequate. Are you considering expansion of Aurora to accommodate private, corporate jets? Pl weigh that against the wishes of nearby residents. I also question the need for expansion based on economic growth in the Canby and Aurora areas. After all, Amazon is building a huge facility. Isn't that sufficient? Also, please consider what expansion will mean for I5. There is already a bottleneck on the interstate around Wilsonville which narrows to three lanes north of the city. Increased development of the airport will undoubtedly make this situation worse. Are there plans to add lanes to the interstate in the airport is expanded? I doubt it. It is time to invoke the medical oath, "due no harm."

Screen Name Redacted

3/14/2022 03:10 PM

Please keep me informed of any processes meetings etc via email.

[REDACTED]

Optional question (46 response(s), 54 skipped)

Question type: Essay Question

Public input will directly inform the City's work to prioritize the outcomes most important to Wilsonville, and to record those priorities as policy directives in the City's Comprehensive Plan. Survey results are being shared with the Planning Commission and City Council to inform these policy decisions at their work sessions on:

Planning Commission work session:
April 14 at 6 p.m. online and at Wilsonville City Hall

City Council work session:
May 2 at 5 p.m. online and at Wilsonville City Hall

AREA O

Airport Compatibility Objectives

1. Based on guidance from Oregon Department of Aviation and the Federal Aviation Administration (FAA), identify the appropriate airport influence area within the City and Area O.
 - a. With consideration of historic development patterns, Oregon Statewide Land Use Planning Goals, City priorities, and FAA guidelines, evaluate the compatibility of new development and proposed land use changes associated with the aviation activities at Aurora State Airport.
 - b. Evaluate proposals for changes to the type and intensity of aviation activities at the Aurora State Airport for compatibility with the City's existing and future land uses recognizing that the airport is near the City of Wilsonville but within Marion County's jurisdiction.
 - c. Formally consult with Oregon Department of Aviation and aviation stakeholders prior to amending comprehensive plans or development regulations that may affect properties within the airport influence area.
 - d. Develop a process to notify property owners within the airport influence area that their property is located near a public use airport and may experience impacts from airport operations.
2. Formally consult and participate in the airport master planning process and other regional planning related to Area O.
 - a. Work collaboratively with Aurora State Airport and FAA on measures to improve safety for air traffic over the city and promote FAA-registered flight patterns and FAA flight behavior regulations, in order to protect the interests of Area O residents living near airports.
 - b. Discourage the siting of uses that attract birds, create visual hazards, discharge any particulate matter into the air that could alter atmospheric conditions, emit transmissions that would interfere with aviation communications or otherwise obstruct or conflict with aircraft patterns within airport influence areas.
3. Advocate to maintain Metro Rural Reserve 4J and EFU-zoned land in Marion County between the City of Wilsonville and the Aurora State Airport. Evaluate and respond to public and private development and infrastructure projects in Area O to ensure that rural development patterns and agricultural activities are protected in Rural Reserves and EFU-designated lands.

Public Facilities and Services Objectives

1. Advocate for connection of the Aurora State Airport to municipal services (including public water, sewer, and stormwater systems) from the City of Aurora or another nearby provider.

2. Support the role of the Aurora State Airport as a hub in emergency management plans and as an operational base for emergency service providers.

Environmental Resources and Community Design Objectives

1. Coordinate with Aurora Airport Management, Oregon Department of Aviation, Oregon Department of Environmental Quality and other related agencies and organizations to reduce impacts of aviation on noise-sensitive areas.
2. Support enforcement of noise standards developed by Department of Environmental Quality and other federal, state, and local agencies.
3. Support a Part 150 Study to develop Noise Exposure Maps defining the existing and future noise exposure boundaries surrounding the airport. Funding to conduct a Part 150 study and recommended noise mitigation measures may be eligible for federal funding from the FAA.
4. Encourage Aurora Airport Master Plan policies to adopt a Wildlife Hazard Management Plan and avoid impacts to the Pacific Flyway bird migratory route.

Economic Development Objectives

1. Support mutually beneficial relationships between agricultural uses in the French Prairie, aviation activities at Aurora State Airport, and firms in Wilsonville providing goods and services to these industries by preserving efficient, region-wide mobility within Area O.
2. Support the Aurora State Airport as an air transportation resource for Wilsonville-based firms by preserving direct, efficient access across Area O between Wilsonville and the airport.

CITY COUNCIL ROLLING SCHEDULE

Board and Commission Meetings

Items known as of 04/20/22

May

Date	Day	Time	Event	Location
5/2	Monday	7:00 p.m.	City Council Meeting	Council Chambers
5/3	Tuesday	5:00 p.m.	Municipal Traffic Court	City Hall
5/9	Monday	6:30 p.m.	DRB Panel A - CANCELLED	Council Chambers
5/10	Tuesday	6:00 p.m.	Diversity, Equity and Inclusion (DEI) Committee	Virtual
5/10	Tuesday	6:00 p.m.	Kitakata Sister City Advisory Board	Virtual
5/11	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
5/12	Thursday	4:00 p.m.	Parks and Recreation Advisory Board	Virtual
5/14	Saturday	TBD	Wilsonville Council/ Boards Retreat	Community Center
5/16	Monday	7:00 p.m.	City Council Meeting	Council Chambers
5/17	Tuesday	5:00 p.m.	Municipal Traffic Court	City Hall
5/18	Wednesday	6:00 p.m.	Budget Committee Meeting	Virtual
5/19	Wednesday	6:00 p.m.	Budget Committee Meeting	Virtual
5/23	Monday	6:30 p.m.	DRB Panel B	Council Chambers
5/24	Wednesday	6:00 p.m.	Budget Committee Meeting (If Needed)	Virtual
5/25	Thursday	6:30 p.m.	Library Board Meeting	Library

Community Events:

- 5/3** Quilters from 9:00 a.m. – 11:45 a.m. at the Tauchman House
- 5/3** Toddler and Baby Time from 10:30 a.m. – 11:00 a.m. online
- 5/4** Storytime from 10:30 a.m. – 11:00 a.m. at Stein-Boozier Barn
- 5/4** Pinochle/Cribbage from 1:00 p.m. – 4:00 p.m. at the Community Center
- 5/5** Ladies Afternoon Out from 1:00 p.m. – 4:00 p.m. at the Community Center
- 5/6** Bridge Group 1:00 p.m. - 4:00 a.m. at the Community Center
- 5/7** Soccer Shots from 9:00 a.m. – 12:10 p.m. at Memorial Park
- 5/9** Bridge Group 1:00 p.m. - 4:00 a.m. at the Community Center
- 5/10** Quilters from 9:00 a.m. – 11:45 a.m. at the Tauchman House
- 5/10** Toddler and Baby Time from 10:30 a.m. – 11:00 a.m. online
- 5/11** Pinochle/Cribbage from 1:00 p.m. – 4:00 p.m. at the Community Center
- 5/12** Ladies Afternoon Out from 1:00 p.m. – 4:00 p.m. at the Community Center
- 5/13** Bridge Group 1:00 p.m. - 4:00 a.m. at the Community Center
- 5/14** Soccer Shots from 9:00 a.m. – 12:10 p.m. at Memorial Park
- 5/14** Bulky Waste Day from 9:00 a.m. – 1:00 p.m. at Republic Services
- 5/17** Quilters from 9:00 a.m. – 11:45 a.m. at the Tauchman House
- 5/17** Toddler and Baby Time from 10:30 a.m. – 11:00 a.m. online
- 5/18** Pinochle/Cribbage from 1:00 p.m. – 4:00 p.m. at the Community Center
- 5/19** Ladies Afternoon Out from 1:00 p.m. – 4:00 p.m. at the Community Center
- 5/21** Soccer Shots from 9:00 a.m. – 12:10 p.m. at Memorial Park
- 5/24** Quilters from 9:00 a.m. – 11:45 a.m. at the Tauchman House
- 5/25** Pinochle/Cribbage from 1:00 p.m. – 4:00 p.m. at the Community Center
- 5/30** City Offices, Library & SMART Closed in Observance of Memorial Day
- 5/31** Quilters from 9:00 a.m. – 11:45 a.m. at the Tauchman House

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.



CITY COUNCIL MEETING MINUTES

April 18, 2022 at 7:00 PM

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, April 18, 2022. The Mayor called the meeting to order at 7:00 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

Mayor Julie Fitzgerald
Council President Kristin Akervall
Councilor Ben West
Councilor Joann Linville

ABSENT

Councilor Charlotte Lehan

STAFF PRESENT

Bryan Cosgrove, City Manager
Philip Bradford, Associate Planner
Ryan Adams, Assistant City Attorney
Kerry Rappold, Natural Resources Manager
Matt Palmer, Associate Engineer
Cindy Luxhoj, Associate Planner
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Zoe Mombert, Assistant to the City Manager
Dwight Brashear, Transit Director
Kelsey Lewis, Grants & Programs Manager

3. Motion to approve the following order of the agenda.

Motion: Moved to approve the order of the agenda.

Motion made by Councilor West, Seconded by Council President Akervall.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor then reported on the following events that occurred since the City Council last met:

Greater Portland Inc. (GPI) Economic Development Trip

- The Mayor reported that she along with Council President Akervall, Economic Development Manager Matt Lorenzen, attended the Greater Portland Inc. economic development trip to Nashville, Tennessee.
- GPI selected Nashville to visit as it has a number of things in common with the Portland area.
- The Mayor shared that Matt Lorenzen, Economic Development Manager had written a report on the GPI Economic Development trip.

Charbonneau Activity Center Grand Opening

- The Mayor and Councilor Linville participated in the grand opening dedication event at Charbonneau's new Community Center.
- It was explained that the Charbonneau neighborhood has many groups that meet, book groups, card groups, artistic trainings, all types of activities for which a new building was needed.
- The Mayor announced that it was Charbonneau's 50th anniversary.

C4, Washington County Mayors, Washington County Coordinating Committee

- The Mayor briefed City Council on the meetings she attended for Clackamas County and Washington County.
- The Mayor mentioned the presentation she had heard at the Clackamas County Coordinating Committee (C4) meeting was the best she had heard yet on housing and the houseless.

Aurora State Airport Master Planning Process Advisory Council

- The Mayor along with Councilor Lehan attended the meeting of the Aurora State Airport Master Planning Process Advisory Council.

- City of Wilsonville submitted a letter to the Aviation Board. The letter expresses concern about a number of points including inconsistency of data, the way the process is being handled, and other points that have not yet been addressed, such as why the Department of Agriculture is not involved in the process. The letter was copied to several state and federal elected officials. The letter had been provided to City Council and would be posted on the City's website.

The Mayor announced the following upcoming events:

Spring Fling – Environmental Awareness Week

- Environmental Awareness Week runs April 25, 2022 through April 30, 2022.
- During this week, the City is hosting a Spring Fling event, which includes many activities such as tree-pruning classes, pollinator education, a native plant giveaway, and more.
- The week concludes with the community's annual W.E.R.K. Day volunteer projects on Saturday, April 30, 2022 at Memorial Park.

Electric Tool Exchange/Gas Tool Disposal Event

- Reminded everyone that the "PGE Electric Tool-Exchange" Event is scheduled for April 30, 2022 in the Wilsonville campus parking lot of Clackamas Community College.
- Anyone is able to participate in this event; however, it is geared towards area residents.
- The event allows community members to:
 - Dispose of old gas-powered lawn mowers, string trimmers, blowers and chainsaws free of charge.
 - Order and pay in advance for new electric-powered lawn mowers, string trimmers, blowers and chainsaws for pick-up at event.
 - Examine and see demonstrations of the various power tools.
 - Community members should register in advance for the April 30, 2022 "Electric Tool-Exchange" Event in Wilsonville.
 - A similar event is being held on April 24, 2022 in Lake Oswego.

Building Safety Month Proclamation

- City Council packet contains a proclamation declaring May 2022 as "Building Safety Month" with a theme of "Safety for All: Building Codes in Action."
- The City Council encouraged efforts by residents, developers and construction workers to improve the City's built environment. These efforts include getting permits for residential and commercial construction or remodeling projects, as well as improving the overall safety of the spaces where we live, work, and play.

City Council Meeting

- The next City Council meeting is scheduled for Monday, May 2, 2022 at 7:00 p.m.

5. Community Tourism Grant Recommendations

The Mayor introduced the 2022 Community Tourism Grant Program Award Recommendations.

The Mayor explained that traditionally, this grant program has helped to fund programs and events that promote local business and tourism, as well as benefit the Wilsonville community.

Recently, based on the Arts, Culture, and Heritage Strategy, the City Council took action to modify this program. Starting next year, the newly empaneled Arts, Culture, and Heritage Commission will oversee the grant program.

The grant program has been modified to reflect its actual use, which has been primarily to help underwrite community cultural events and programs that benefit tourism development efforts.

Brian Stevenson of the Parks and Recreation Department briefly updated City Council on the grant program.

Staff disclosed the Tourism Promotion Committee voted unanimously to recommend the following:

1. Wilsonville Arts & Culture Council's tourism grant request for \$8,000 for Wilsonville Arts & Culture's Art Festival and Summer Performance Series.
2. Rotary's tourism grant request for \$5,000 for Wilsonville Rotary Foundation's Summer Concert Series as recommended by the Tourism Promotion committee.

Hearing no questions the Mayor asked City Council for a motion.

Motion: Moved to award Wilsonville Arts & Culture Council's tourism grant request for \$8,000 for Wilsonville Arts & Culture's Art Festival and Summer Performance Series and award Rotary's tourism grant request for \$5,000 for Wilsonville Rotary Foundation's Summer Concert Series as recommended by the Tourism Promotion Committee.

Motion made by Council President Akervall, Seconded by Councilor West.

Councilor West shared his excitement for these events to return.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

COMMUNICATIONS

6. Oregon Transportation Association System Innovation Award

Kelly Ross, Executive Director of Oregon Transit Association (OTA) along with Kerrie Franey, Planner for Oregon Department of Transportation (ODOT) awarded South Metro Area Regional Transit (SMART) with the 2021 System Innovation Award. This award acknowledges SMART's innovative collaboration with ODOT to develop the "Bus-on-Shoulder" pilot project, which allows SMART buses to travel on the freeway shoulder over a segment of I-5.

7. Earth Day

Staff displayed a PowerPoint with details of Spring Fling 2022, an upcoming weeklong series of City sponsored events to celebrate Earth Day.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

There was none.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

8. Council President Akervall

Councilor Akervall mentioned the following upcoming events:

- City's Earth Day weeklong event.
- Encouraged the audience to sign up for W.E.R.K. Day.
 - Participants receive a hat.
- Volunteer Appreciation event on April 20, 2022.
 - Thanked the many City volunteers.
- Willamette Intake Facilities (WIF) Commission board meeting on April 25, 2022.

Councilor Akervall commented on the Greater Portland Inc. (GPI) Economic Development trip to Nashville, Tennessee she took along with the Mayor and Economic Development Manager.

9. Councilor Lehan - Excused

10. Councilor West

Councilor West mentioned he also planned to attend the Willamette Intake Facilities (WIF) Commission board meeting on April 25, 2022.

Councilor West shared he attended the Rotary Heart of Gold dinner along with the Mayor and Councilor Linville. He announced the 2022 Wilsonville First Citizen was awarded to Lisa Krecklow. He congratulated and appreciated Lisa for all her volunteer work.

The audience was encouraged to connect with the Rotary and participate in their many events.

11. Councilor Linville

Councilor Linville informed she met with Bridget Dazey, Executive Director for Clackamas County Workforce Partnership. Furthermore, she was invited to attend the Clackamas County Workforce Partnership board of directors and executive committee meetings. Councilor Linville explained the recommendation from Clackamas County Workforce Partnership is after a meeting or two that jointly a decision would be made if she could become an ex officio of the board. Currently, there is no spot on the board for an elected official.

Recalled, she and the Mayor attended the ribbon cutting at the new Charbonneau Activity Center.

Councilor Linville mentioned she planned to attend the Clackamas County Coordinating Committee (C4) Metro Subcommittee meeting on April 20, 2022.

CONSENT AGENDA

The Assistant City Attorney read the titles of the Consent Agenda items into the record.

12. **Resolution No. 2967**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Renewal Of The Personal Services Agreement With Scott Edwards Architecture, LLP For The Architectural Services During Construction For The Public Works Complex Project (Capital Improvement Project #8113).

13. **Resolution No. 2969**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Blackline, Inc. For The 2022 Slurry Seal Project (Capital Improvement Project 4014).

14. Minutes of the April 4, 2022 City Council Meeting.

Motion: Moved to approve the Consent Agenda.

Motion made by Council President Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

NEW BUSINESS

15. OTAK, Inc. Settlement Agreement

The Assistant City Attorney informed City Council of the settlement agreement with OTAK, Inc. It was explained the agreement is a very narrow release of one issue. The issue of the discrepancy was between the steel that was needed and the steel that was put into the bid documents. The settlement amount is for \$50,000 and is exclusive to only this issue. It releases no other claims the City may have going forward or could have in the past. Legal recommendation would be to approve it at this time.

There were no questions.

Motion: Moved to approve the Settlement Agreement and issue release as presented between the City of Wilsonville and OTAK, Inc.

Motion made by Council President Akervall, Seconded by Councilor West.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

CONTINUING BUSINESS

The Assistant City Attorney read the title of Ordinance Nos. 857 and 858 into the record on second reading.

The Mayor provided the second reading script.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

There was no further input from staff or applicant.

16. Ordinance No. 857

An Ordinance Of The City Of Wilsonville Annexing Approximately 12.95 Acres Of Property Located To The North Of SW Frog Pond Lane Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lot 500, And A Portion Of SW Frog Pond Lane Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Darrell R. Lauer, Sandi L. Lauer, Petitioners.

Motion: Moved to adopt Ordinance No. 857 on second reading.

Motion made by Council President Akervall, Seconded by Councilor Linville.

The Mayor read the appeal rights statement into the record.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

17. Ordinance No. 858

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 12.80 Acres To The North Of SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lot 500, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Venture Properties, Inc., Applicant.

Motion: Moved to adopt Ordinance No. 858 on second reading.

Motion made by Council President Akervall, Seconded by Councilor West.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

The Mayor read the appeal rights statement into the record.

PUBLIC HEARING

The Assistant City Attorney read the title of Ordinance Nos. 859 and 860 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 7:48 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Cindy Luxhoj, Associate Planner provided the staff report and PowerPoint, which has been made a part of the record.

Councilor Linville asked a clarifying question regarding the acreage of the annexation and zone map amendment.

The Assistant City Attorney stated there was no legal objection.

Staff informed there was no applicant presentation.

The Mayor invited public testimony, seeing none the Mayor requested a motion to close the public hearing on Ordinance Nos. 859 and 860.

Motion: Moved to close the public hearing.

Motion made by Councilor West, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

The Mayor declared the public hearing closed at 7:58 p.m.

The Mayor then requested a motion on Ordinance No. 859.

18. **Ordinance No. 859**

An Ordinance Of The City Of Wilsonville Annexing Approximately 13.24 Acres Of Property Located Between SW Boeckman Road and SW Frog Pond Lane at 7070 SW Frog Pond Lane and 7151 SW Boeckman Road; The Land Is More Particularly Described As Tax Lot 1501, Section 12D, And Tax Lot 4500, Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Kathy Ludwig, Amy Thurmond, Gregory Cromwell, Matthew Hall, Matthew Kirkendall, Gary Moon, Jaelene Moon, Kurt Moon, Laurel Moon, Petitioners.

Motion: Moved to adopt Ordinance No. 859 on first reading.

Motion made by Councilor Linville, Seconded by Council President Akervall.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

Ordinance No. 860

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 4.06 Acres, And To The Public Facility (PF) Zone On Approximately 9.18 Acres Located Between SW Boeckman Road and SW Frog Pond Lane At 7070 SW Frog Pond Lane and 7151 SW Boeckman Road; The Land Is More Particularly Described As Tax Lot 1501, Section 12D, And Tax Lot 4500, Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant.

Motion: Moved to adopt Ordinance No. 860 on first reading.

Motion made by Councilor West, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

The Assistant City Attorney read the title of Ordinance Nos. 861 and 862 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:01 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Cindy Luxhoj, Associate Planner provided the staff report and PowerPoint, which has been made a part of the record.

The Assistant City Attorney stated there was no legal objection.

Staff informed there was no applicant presentation.

The Mayor invited public testimony, seeing none the Mayor requested a motion to close the public hearing on Ordinance Nos. 861 and 862.

Motion: Moved to close the public hearing.

Motion made by Councilor Linville, Seconded by Councilor West.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

The Mayor declared the public hearing closed at 8:47 p.m.

The Mayor then requested a motion on Ordinance No. 861.

19. **Ordinance No. 861**

An Ordinance Of The City Of Wilsonville Annexing Approximately 10.46 Acres Of Property Located West Of SW Stafford Road North Of SW Frog Pond Lane at 6725 SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 401 And 402, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Sheri Miller, James Mehus, Jeremiah Kreilich, Brian Powell, Petitioners.

Motion: Moved to adopt Ordinance No. 861 on first reading.

Motion made by Councilor West, Seconded by Council President Akervall.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

Ordinance No. 862

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 10.46 Acres Located West Of SW Stafford Road North Of SW Frog Pond Lane at 6725 SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 401 And 402, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant.

Motion: Moved to adopt Ordinance No. 862 on first reading.

Motion made by Council President Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor West, Councilor Linville

Vote: Motion carried 4-0.

CITY MANAGER'S BUSINESS

No Report.

LEGAL BUSINESS

No Report.

ADJOURN

The Mayor adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder, CMC

ATTEST:

Julie Fitzgerald, Mayor

DRAFT



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: May 2, 2022		Subject: Resolution No. 2970 A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Amendment To The Construction Manager/ General Contractor (CM/GC) Contract With Kiewit Infrastructure West Co. For A Guaranteed Maximum Price To Construct The Willamette River Water Treatment Plant Expansion Project (Capital Improvement Project 1144) Staff Member: Mike Nacrelli, Senior Civil Engineer Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends Council adopt the Consent Agenda.			
Recommended Language for Motion: I move to approve the Consent Agenda.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Willamette River Water Treatment Plant Master Plan Update 2017	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

A City of Wilsonville Resolution approving an Amendment to the Construction Manager/ General Contractor (CM/GC) Agreement with Kiewit Infrastructure West Co. (Kiewit) for a Guaranteed Maximum Price (GMP) of \$25,317,288 to construct the Willamette River Water Treatment Plant (WRWTP) Expansion (CIP #1144) project (Project).

EXECUTIVE SUMMARY:

The WRWTP is scheduled for expansion from 15 Million Gallons per Day (MGD) to 20 MGD design capacity necessary to meet projected demand as both Wilsonville and the City of Sherwood continue to grow. The 2017 WRWTP Master Plan Update identifies the improvements necessary for this expansion.

Due to the complexity of constructing the WRWTP expansion while keeping the facility operational, use of a Construction Manager/General Contractor (CM/GC) alternative contracting method was approved by Council (Resolution No. 2801) on March 16, 2020. This contracting method allows the City to select a general contractor on a qualifications basis to join the design team and collaborate throughout the design process, adding construction expertise to inform design decisions and allowing for more innovative solutions. As the project nears final design, the CM/GC provides the City with a Guaranteed Maximum Price (GMP) to construct the project.

Prior to soliciting for the CM/GC, Wilsonville entered into an Intergovernmental Agreement (IGA) with the City of Sherwood in July 2021 outlining Project construction and funding responsibilities. On August 16, 2021, Council adopted Resolution No. 2917 authorizing the award of a CM/GC contract with Kiewit for the Project.

Now that design of the Project is nearly complete, the City has negotiated a GMP with the CM/GC for construction of the WRWTP expansion. Recent world events have caused significant escalation in construction prices, resulting in a GMP to construct the Project greater than anticipated. In order to meet the terms of the IGA with Sherwood, the project team engaged in a process to value engineer the Project, prioritizing the most critical elements of the Project and to identify items that can be deferred to a later date. Priority was given to elements that provide the needed 20 MGD capacity and seismic enhancements critical to maintaining operation of the WRWTP after a major earthquake event.

As a result of this process, the GMP Amendment lists “Additive Alternate” Project elements that are not presently included in the GMP but can potentially be added to the scope if additional funding becomes available during the course of the Project. These deferred items consist primarily of seismic bracing of above ground chemical piping and electrical conduits, as well as replacement of pumps in the Washwater Equalization Basin. It was determined that these lower priority items can be completed in the future without impacting operation of the WRWTP and are independent of the improvements included with the Project.

EXPECTED RESULTS:

The expanded WRWTP will provide sufficient capacity to accommodate growth in the City of Wilsonville for the next 10 years, including more seismically resilient facilities, and replacement of outdated equipment.

TIMELINE:

Construction will commence in May 2022, with completion anticipated in 2024.

CURRENT YEAR BUDGET IMPACTS:

The FY2021-22 year-end estimate is \$4,200,000 for design and construction of the Water Treatment Plant 20 MGD Expansion project (CIP 1144) funded through a combination of water utility fees, water system development charges and contributions from the City of Sherwood. The proposed FY2022-23 budget includes an additional \$25,895,740 to complete the Project. The proposed GMP of \$25,317,288, which includes the previously authorized expenditures for preconstruction services and procurement of ozone generation systems, is within the budgeted amount. The Project is anticipated in the City's five-year capital improvement plan and will carry into the next fiscal year.

COMMUNITY INVOLVEMENT PROCESS:

The scope and schedule of WRWTP expansion projects were identified and adopted as part of the 2017 WRWTP Master Plan Update. Adoption of the updated master plan included significant coordination and cooperation between the partner jurisdictions, including City of Wilsonville, City of Sherwood, City of Hillsboro, Tualatin Valley Water District, and the Willamette Water Supply Program. A webpage and virtual open house were provided where the entire master plan document could be viewed, and public comment and questions submitted. Public hearings before the Wilsonville Planning Commission and City Council were held as part of approval of the 2017 WRWTP Master Plan Update adopting ordinance (Ordinance No. 815).

In addition, the required Class II Site Design Review application was submitted to the City's Planning Department. The review process included a notification and request for comments mailed to all residents within 200 feet of the Project, along with Public Notices posted at various locations throughout the City. Project staff will continue to provide periodic updates on the progress of construction on the City's web site and in the Boones Ferry Messenger.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The Project will provide needed capacity expansion at the WRWTP to accommodate planned development in the cities of Wilsonville and Sherwood for the next 10 years. The Project includes opportunistic improvements to seismically improve the WRWTP and replace aging and outdated equipment while the expansion work is underway, reducing future maintenance needs, costs, and impacts to the plant.

ALTERNATIVES:

The Project work included assessment of a number of design alternatives for the expansion of the WRWTP. Each alternative was assessed on the basis of cost, design life, regulatory compliance, support of planned future expansion, equipment reliability, and a number of other considerations, resulting in a well-planned, high-quality expansion of the City's water treatment infrastructure.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 2970
 - a. Willamette River Water Treatment Plant Expansion CM/GC GMP Amendment

RESOLUTION NO. 2970**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC) CONTRACT WITH KIEWIT INFRASTRUCTURE WEST CO. FOR A GUARANTEED MAXIMUM PRICE TO CONSTRUCT THE WILLAMETTE RIVER WATER TREATMENT PLANT EXPANSION PROJECT (CAPITAL IMPROVEMENT PROJECT #1144)**

WHEREAS, the City has planned and budgeted for CM/GC services for Capital Improvement Project #1144, known as the Willamette River Water Treatment Plant (WRWTP) Expansion project (the Project); and

WHEREAS, City Council approved Resolution No. 2801 on March 16, 2020 authorizing the use of a CM/GC alternative contracting method for construction of the Project; and

WHEREAS, the City entered into an intergovernmental agreement (Resolution No. 2907) with the City of Sherwood to share in the cost of the design and construction of the Project; and

WHEREAS, the City solicited proposals from qualified firms for the Project that duly followed State of Oregon Public Contracting Rules and the City of Wilsonville Municipal Code; and

WHEREAS, Kiewit Infrastructure West Co. (Kiewit) was selected as the most qualified consultant, was awarded a contract for CM/GC services (Resolution No. 2917), and has performed services to the satisfaction of the City to date; and

WHEREAS, City Council approved Resolution No. 2936 on October 18, 2021 authorizing an amendment to the CM/GC contract for an early work package to procure ozone generators for the Project; and

WHEREAS, the City and Kiewit have negotiated a Guaranteed Maximum Price for construction of the Project in accordance with the CM/GC contract; and

WHEREAS, the City desires to amend the CM/GC contract with Kiewit to construct the Project.

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

1. The procurement process for the Project duly followed Oregon Public Contracting Rules, and Kiewit has provided a responsive and responsible proposal of a Guaranteed Maximum Price for construction.
2. The City Council, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, a CM/GC Contract Amendment with Kiewit for a Guaranteed Maximum Price of \$25,317,288 to construct the Project, which is substantially similar to Exhibit A attached hereto.
3. In order to allow future minor contract amendments, if needed, to occur without having to come back to City Council, the authorized CM/GC contract total is hereby adjusted up to \$25,317,288, allowing for continued Contracting Agency approval of contract amendments that exceed this adjusted amount by fifteen percent (15%) in accordance with City Code requirements.
4. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2nd day of May 2022, and filed with the Wilsonville City Recorder this date.

Julie Fitzgerald, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

ATTACHMENT:

- A. Willamette River Water Treatment Plant Expansion CM/GC Guaranteed Maximum Price Amendment

The Owner and CM/GC amend the Contract as set forth below. Capitalized terms not otherwise used in this Amendment shall have the meanings given in the Contract. Except as amended, the Contract remains in full force and effect.

1. GMP. The parties agree that the GMP for the Project is \$25,317,288.00, consisting of the Preconstruction Fee, the cost for the Work and the CM/GC Fee (stated as a fixed dollar lump sum amount), as follows. Additive alternative bid items are described in the drawings and in specification section 01 00 60 Summary of Work. The GMP includes additive alternate bid items 7, 9, 11, and 12.

Preconstruction Fee:	<u>\$ 198,328.00</u>
Cost for the Work:	<u>\$ 23,816,196.00</u>
CM/GC Fee (Fixed Dollar Amount):	<u>\$ 1,302,764.00</u>
GMP (the Contract Sum/Total of above categories):	
	<u>\$ 25,317,288.00</u>

For purposes of determining the GMP, the cost for the Work which includes the CM/GC's Contingency, prior amendments related to Ozone Procurement, the Fixed Cost for GC Work, and the costs of all components and systems required for a complete, fully functional Project.

2. Basis of GMP. The GMP is based on the GMP Supporting Documents attached as Attachments A-I. Attachments A and B are incorporated by reference herein, and not attached due to size.
 - A. Attachment A – Willamette River Water Treatment Plant Expansion, WRWTP Issued for Construction Specifications (1271 pages) and Drawings (203 pages), dated March 4, 2022, Prepared for City of Wilsonville, Prepared by Stantec Consulting Services, Inc.
 - B. Attachment B – Willamette River Water Treatment Plant Expansion, WRWTP Addendum 1 Specification (7 pages, attached) and Drawings (61 pages), dated April 27, 2022, Prepared for City of Wilsonville, Prepared by Stantec Consulting Services, Inc.
 - C. Attachment C – A list of the clarifications, exclusions and assumptions made by the CM/GC in the preparation of the GMP proposal to supplement the information contained in the Plans and Specifications.
 - D. Attachment D – The proposed GMP, including a statement of the cost organized by major elements of work, trade categories, allowances, contingency, and other items and the associated fees that comprise the GMP in a format mutually agreed to with the total Contract Sum as modified being, notwithstanding anything to the contrary in the Contract (including references to “Cost of the Work” which will no longer apply), paid on a lump sum basis in accordance with the mutually agreed Schedule of Values which will be based upon Attachment D.
 - E. Attachment E – A detailed Critical Path Diagram Schedule illustrating the sequence of construction and duration of work activities included in the GMP and a schedule of the Construction Documents issuance dates upon which the date of Substantial Completion is based. Based on this schedule, revised Notice to Proceed date is anticipated to be issued on or about May 9, 2022. Substantial Completion, Project Close out and Commissioning will be complete by May 1, 2024.
 - F. Attachment F – Risk and contingency analysis.
 - G. Attachment G – The CM/GC organization chart assumed for the GMP.
 - H. Attachment H – Labor, equipment, materials, and subcontract rates included in the GMP.
 - I. Attachment I – Maintenance and Operation Plan

- J. Attachment J – WRWTP – Staff Durations and Cost Analysis with names, positions, and durations identified under “Potential Reduced Scope” grouping.
- 3. Bonds. CM/GC shall obtain new payment and performance bonds, or increase the amount of the performance and payment bonds previously provided in connection with this CM/GC Contract, as required by Section G of the General Conditions, so that each new bond, or with respect to increases in existing bonds, the sum amount of each existing bond and the increase in the amount of each such existing bond, shall equal or exceed the GMP, prior to supplying any labor or materials for prosecution of the Work under this GMP Amendment.
- 4. Tax Compliance. By signature of this Contract, the undersigned certifies under penalty of perjury that the undersigned is authorized to act on behalf of CM/GC and that CM/GC is, to the best of the undersigned knowledge, not in violation of any Oregon Tax Laws. For purposes of this certification, “Oregon Tax Laws” means a state tax imposed by ORS 401.792 to 401.816 and ORS chapters 118, 314, 316, 317, 318, 320, 321, and 323; the elderly rental assistance program under ORS 310.630 to 310.706, and local taxes administered by the Department of Revenue under ORS 305.620 and, finally, the City of Wilsonville business license fee under Wilsonville Code.
- 5. In Article 5.1, replace “December 2021” with “May 9, 2022”.
- 6. In Article 6.4.7: replace “Cost of the Work” with “Cost for the Work”; insert “additive and deductive” between “unforeseen” and “costs”; replace “are approved for use in advance by Owner” with “require specific written approval by Owner in advance of use by the CM/GC”.

THIS GMP AMENDMENT TO CM/GC CONTRACT is executed in two (2) original copies of which one is to be delivered to the CM/GC, and the remainder to Owner.

CM/GC:

OWNER:

CM/GC

CITY OF WILSONVILLE

By: _____

By: _____

Print Name: _____

Print Name: _____

As Its: _____

As Its: _____

Employer I.D. No. _____

APPROVED AS TO FORM:

Ryan Adams, Assistant City Attorney
City of Wilsonville, Oregon

SECTION 01 10 00 - SUMMARY OF WORK**PART 1 -- GENERAL**

1.1 THE SUMMARY

- A. The project is the Willamette River Water Treatment Plant Expansion / Upgrade CIP #1144. Roles are: OWNER—the City of Wilsonville; CM/GC or CONTRACTOR – Kiewit Infrastructure West Co.; ENGINEER – Stantec Consulting Services Inc.
- B. The WORK to be performed under this Contract shall consist of furnishing plant, tools, equipment, materials, supplies, and manufactured articles, and furnishing all labor, transportation, and services, including fuel, power, water, and essential communications, and performing all work or other operations required for the fulfillment of the Contract in strict accordance with the Contract Documents. The WORK shall be complete, and all work, materials, and services not expressly indicated or called for in the Contract Documents which may be necessary for the complete and proper construction of the WORK in good faith shall be provided by the CONTRACTOR as though originally so indicated, at no increase in cost to the OWNER.

1.2 WORK COVERED BY CONTRACT DOCUMENTS

- A. The WORK of this Contract comprises the construction of a 20 million gallon per day water filtration plant expansion, including raw water pump replacement, finished water pumps, ozone system equipment replacement, chemical storage facility improvements, an electrical switchgear building, a standby generator with diesel fuel tank, seismic retrofits to existing facilities, installation of baffles within clearwell, site work, residuals handling / pumping improvements, integration of control systems, and appurtenant work, as an expansion of existing treatment facilities. Portions of the WORK involve the installation of equipment and materials to be furnished by the OWNER.
- B. The WORK is located at the OWNER's Willamette River Water Treatment Plant, 10350 SW Arrowhead Creek Lane, Wilsonville, Oregon 97070.
- C. The CONTRACTOR shall procure, furnish and install all equipment in accordance with the Contract Documents.
- D. Work performed by the CONTRACTOR will also include, but is not limited to, the following:
 - 1. The CONTRACTOR will be responsible for ensuring that all protection devices in each MCC have been set and tested appropriately.
 - 2. The CONTRACTOR shall obtain and comply with all necessary permits for the work. The OWNER will be responsible for any required permit fees.
 - a. The following is a summary of the permits:
 - 1) OWNER initiated and CONTRACTOR obtained permits: Apply for and obtain the permits listed in the following table:

OWNER Initiated and Transferred to CONTRACTOR Permits		
Permitting Authority	Name of Permit	Permittee
City of Wilsonville	Structural Permit	Contractor
City of Wilsonville	Mechanical Permit	Contractor
City of Wilsonville	Electrical Permit	Contractor

2) OWNER initiated and CONTRACTOR obtained permits: Some permit applications have been initiated by the OWNER during design and will be provided to the CONTRACTOR to assist the CONTRACTOR in securing those permits. OWNER does not guarantee the accuracy of the permit applications, requirements, and/or fees. Apply for and obtain the permits listed the following table:

OWNER Obtained and Transferred to CONTRACTOR Permits		
Permitting Authority	Name of Permit	Permittee
City of Wilsonville Building Department	Building Permit	Contractor
Oregon Department of Environmental Quality (DEQ)	1200-C	Contractor

3) OWNER obtained permits:

OWNER Obtained and Transferred to CONTRACTOR Permits		
Permitting Authority	Name of Permit	Permittee
Oregon Department of Environmental Water Quality	Water Quality Certification	Owner
City of Wilsonville	Site Design Review	Owner

- b. Complete the permit applications and submit to the permitting agency. Coordinate with the OWNER as necessary to clarify permit requirements. Unless the permitted activity is specifically limited, permits obtained cover the entire WORK.
- c. The absence of information does not relieve the CONTRACTOR of responsibility for determining and verifying the extent of permits required and for obtaining permits.
- d. Furnish copies of all permits obtained by the CONTRACTOR to the OWNER through the formal submittal process.
- e. Inform the OWNER of any conflicts between permits and contract documents.
- f. Copies of permits obtained by the OWNER will be provided to the CONTRACTOR.
- g. CONTRACTOR shall maintain a notebook of all permits on the construction site.

- h. All permits shall be closed out upon completion of the WORK.

1.3 CONTRACT METHOD

- A. The WORK hereunder (WRWTP Expansion / Upgrade Project) will be constructed under the Construction Manager / General Contractor (CM/GC) contract between City of Wilsonville and Kiewit Infrastructure West Co. dated September 13th, 2021. The CM/GC shall develop and work within the Guaranteed Maximum Price (GMP). Through amendment number 1 (October 20th, 2021) and amendment number 2 (December 6, 2021).

1.4 WORK BY OTHERS

- A. Where 2 or more contracts are being performed at one time on the same Site or adjacent land in such manner that work under one contract may interfere with work under another, the OWNER will determine the sequence and order of the Work in either or both contracts. When the Site of one contract is the necessary or convenient means of access for performance of work under another, the OWNER may grant privilege of access or other reasonable privilege to the contractor so desiring, to the extent, amount, and in manner and at time that the OWNER may determine. No OWNER determination of method or time or sequence or order of the work or access privilege shall be the basis for a claim for delay or damage except under provisions of the General Conditions for temporary suspensions of the work. The CONTRACTOR shall conduct its operations so as to cause a minimum of interference with the work of such other contractors, and shall cooperate fully with such contractors to allow continued safe access to their respective portions of the Site, as required to perform work under their respective contracts.
- B. Interference With Work On Utilities: The CONTRACTOR shall cooperate fully with all utility forces of the OWNER or forces of other public or private agencies engaged in the relocation, altering, or otherwise rearranging of any facilities which interfere with the progress of the WORK, and shall schedule the WORK so as to minimize interference with said relocation, altering, or other rearranging of facilities.

1.5 WORK SEQUENCE

- A. Refer to 01 14 00 Construction Constraints.

1.6 ADDITIVE ALTERNATE BID ITEMS

- A. Additive alternate construction scope items are described below and throughout the drawings. All construction scope not specifically identified as an additive alternate is in the base project and is inherently included in the compensation amount. Additive alternate construction scope items are not included in the base project unless specifically identified in the CM/GC Contract and Amendments with an agreed to compensation amount. If the CM/GC Contractor and the OWNER agree in the future to include an additive alternate construction scope item into the project, those parties shall agree on the compensation amount and schedule, and then execute a contract amendment indicating such.

1. Additive Alternate Bid Item 1 – Raw Water Pump #4 (2-P-4): Demolition of Existing Raw Water Pump #4, VFD, Associated Piping, Valves, Conduits, Conductors Appurtenances, and Concrete Pump Base; New Raw Water Pump #4 (Installation only), VFD (2-P-4 VFD) (installation only), Seismic Bracing, Associated Piping,

- Valves, Appurtenances, Conduit, Conductors, and Concrete Pump Base; Exclusive of Additive Alternate Bid Item 11 (Drawings: I-009, 2I-601, 2DD101, 2D-101, 2D-301, 2D-501, ED-602, E-606, E-608, 2ED101, 2E-101, and Specification Section: 26 29 23, 43 24 13)
2. Additive Alternate Bid Item 2 – Workshop in Existing Generator Room: Conversion of Room to Workshop Space (Drawings: 9A-101, 9A-102, 9A-201, and Specification Sections: 06 20 00, 08 51 13, and 08 81 00)
 3. Additive Alternate Bid Item 3 – Finished Water Pump #5 (9-P-5): Finished Water Pump #5: Demolition of Existing Concrete Pump Base; New Finished Water Pump #5 (installation only), VFD (9-P-5 VFD) (installation only), Associated Piping, Valves, Appurtenances, Conduit, Conductors, and Concrete Pump Base; Exclusive of Additive Alternate Bid Item 12 (Drawings: I-009, 9I-601, 9DD101, 9D-101, 9D-301, E-605, E-609, 9E-101, 9E-102 and Specification Section: 26 29 23, 43 24 13)
 4. Additive Alternate Bid Item 4 – Washwater Equalization Basin Seismic Improvements: Slabs at Washwater Equalization Basin; Ladder relocation; Railing modifications (Drawings: 8S-101, 8S-301, 8S-302 and Specification Section: N/A)
 5. Additive Alternate Bid Item 5 – Washwater Equalization Basin Pumps: Demolition of Existing Washwater Equalization Pumps 1 (8-P-1), 2 (8-P-2), 3 (8-P-3) and VFDs; New Washwater Equalization Pumps 1, 2, and 3 and VFDs (Drawings: I-009, 8I-601, 8DD101, 8D-101, 8D-301, ED-603, E-604, E-608, 8ED101, 8E-101 and Specification Section: 26 29 23, 43 24 13)
 6. Additive Alternate Bid Item 6 – Shelf Spare Solids Mixing Pump: Purchase of shelf spare solids mixing pump (Drawings: N/A, Specification Section: 43 23 36)
 7. Additive Alternate Bid Item 7 – Chemical Room Curb Removal: Demolition of curbs and associated restoration in Chemical Room as indicated on the drawings (Drawings: 13SD101, Specification Section: N/A)
 8. Additive Alternate Bid Item 8 – Seismic Bracing for Pipe Hangers in Chemical and Ozone Rooms: Seismic bracing for piping hangers in Chemical and Ozone Room (Drawings: 13S-102, 13S-301, 13S-302, 19S-102, 19S-301, Specification Section: N/A)
 9. Additive Alternate Bid Item 9 – Standby Generator, Diesel Fuel Tank, and Fuel Tank Canopy: Installation of Standby Generator, Diesel Fuel Tank, associated piping, appurtenances, and Fuel Tank Canopy; Demolition of Existing Generator; Concrete infill walls at FWPS; Does not include foundation slabs or electrical conduit stub ups (Drawings: 9S-102, 22S-101, 22S-301, I-009, I-604, I-605, 22I-601, 22I-602, 22D-101, 22D-301, 22D-501, 22D-502, ED-101, ED-602, E-101, E-602, E-607, E-613, 9ED101 Specification Section: 13 34 21, 26 32 14, 33 52 10, 33 56 13, 33 56 16)
 10. Additive Alternate Bid Item 10 – Finished Water Pump Station Cable Tray Bracing and Roof Seismic Improvements (Drawings: 9S-103, 9S-302, 9S-303, 9S-304 and Specification Section: NA)
 11. Additive Alternate Bid Item 11 – Procurement only of Raw Water Pump #4 and VFD (2-P-4 VFD) (Drawings: I-009, 2I-601, 2DD101, 2D-101, 2D-301, 2D-501, ED-602, E-606, E-608, 2ED101, 2E-101; Specification Section: 26 29 23, 43 24 13)

12. Additive Alternate Bid Item 12 – Procurement only of Finished Water Pump #5 and VFD (9-P-5 VFD) (Drawings: I-009, 9I-601, 9DD101, 9D-101, 9D-301, E-605, E-609, 9E-101, 9E-102; Specification Section: 26 29 23, 43 24 13)

1.7 CONTRACTOR USE OF SITE

- A. The CONTRACTOR's use of the Site shall be limited to its construction operations, including on-Site storage of materials, on-Site fabrication facilities, and field offices.
- B. The CONTRACTOR'S work shall be limited to the hours of 7:00 am to 5:00 pm on Monday through Friday excluding legal holidays including New Year's Day; Martin Luther King Jr.'s Birthday; President's Day; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving; and Christmas. Other WORK shall be coordinated and authorized by the OWNER.

1.8 OUTAGE PLAN AND REQUESTS

- A. The CONTRACTOR shall not remove from service, de-energize, or modify settings for any existing operating tank pipeline, valve, channel, equipment, structure, road, or any other facility without permission from the ENGINEER.
1. Outages and service connections shall be performed during the low flow season (September 15 to June 15), unless specifically allowed by the OWNER to occur during the high flow season.
 2. Outage duration to be coordinated with the OWNER.
 3. Plant outages may be permitted on successive days provided they are limited to one 10-1/2 hour no-flow period as defined below; so that the WRWTP can recover the Wilsonville treated water storage volume overnight.
 4. Allowable "No-Flow" Period: each daily plant outage consists of a work shift of 8 hours plus 2-1/2 hours of plant shutdown and restart time = total no-flow "outage" period of 10-1/2 hours.
 5. Any work on the Washwater Equalization Basin shall be performed during the low flow season as defined above.
- B. Where the WORK requires modifications to existing facilities or construction of new facilities and connection of new facilities to existing facilities, the CONTRACTOR shall submit a detailed outage plan and schedule for the OWNER'S approval a minimum of 2 weeks in advance of the time that such outage is planned.
- C. A completed System Outage Request form (blank furnished by the OWNER) shall accompany each outage plan. The outage plans shall be coordinated with the construction schedule and shall meet the restrictions and conditions of the Contract Documents. The outage plan shall describe the CONTRACTOR's method for preventing bypassing of other treatment units; the length of time required to complete said operation; any necessary temporary power, controls, instrumentation or alarms required to maintain control, monitoring, and alarms for the treatment plant processes; and the manpower, plant, and equipment which the CONTRACTOR will furnish for proper operation of associated treatment units. All costs for preparing and implementing the outage plans shall be at no increase in cost to the OWNER.

- D. The OWNER shall be notified in writing at least one week in advance of the required outage if the schedule for performing the work has changed or if revisions to the outage plan are required.
- E. The CONTRACTOR shall provide written confirmation of the shutdown date and time 2 working days prior to the actual shutdown.

1.9 OWNER USE OF THE SITE

- A. The OWNER may utilize all or part of the existing Site and facilities during the entire period of construction for the conduct of the OWNER's normal operations. The CONTRACTOR shall cooperate and coordinate with the OWNER to facilitate the OWNER's operations and to minimize interference with the CONTRACTOR's operations at the same time. In any event, the OWNER shall be allowed access to the Site during the period of construction.

1.10 PARTIAL UTILIZATION OF THE WORK BY OWNER

- A. The OWNER will take partial utilization of the WORK prior to the award of Substantial Completion.
 - 1. If the warranty period begins at an earlier date, then the warranty period shall be automatically extended to 1-year following Substantial Completion.

1.11 PROJECT MEETINGS

- A. Preconstruction Conference
 - 1. Prior to the commencement of WORK at the Site, a preconstruction conference will be held at a mutually agreed time and place. The conference shall be attended by the CONTRACTOR'S Project Manager, its superintendent, and its subcontractors as the CONTRACTOR deems appropriate. Other attendees will be:
 - a. ENGINEER and the Resident Project Representative.
 - b. Representatives of OWNER.
 - c. Others as requested by CONTRACTOR, OWNER, or ENGINEER.
 - d. The CONTRACTOR shall bring the preconstruction conference submittals in accordance with Section 01 33 00 - Contractor Submittals.
 - e. Key Subcontractors – Electrical Contractor or others as requested by the Owner.
 - 2. The purpose of the conference is to designate responsible personnel and establish a working relationship. Matters requiring coordination will be discussed and procedures for handling such matters established. The complete agenda will be furnished to the CONTRACTOR prior to the meeting date. However, the CONTRACTOR should be prepared to discuss all of the items listed below.
 - a. Status of CONTRACTOR's insurance and bonds.
 - b. CONTRACTOR's tentative schedules.

- c. Transmittal, review, and distribution of CONTRACTOR's submittals.
 - d. Processing applications for payment.
 - e. Maintaining record documents.
 - f. Critical work sequencing.
 - g. Field decisions and Change Orders.
 - h. Use of Site, office and storage areas, security, housekeeping, and OWNER's needs.
 - i. Major equipment deliveries and priorities.
 - j. CONTRACTOR's assignments for safety and first aid.
 - k. Daily Report Form which the OWNER will furnish.
 - l. Submittal Transmittal Form which the ENGINEER will furnish.
3. The OWNER will preside at the preconstruction conference and will arrange for keeping and distributing the minutes to all persons in attendance.
 4. The CONTRACTOR and its subcontractors should plan on the conference taking no less than 1 full working days.

B. Progress Meetings

1. The OWNER will schedule and hold regular on-Site progress meetings at least weekly and at other times as requested by CONTRACTOR or as required by progress of the WORK. The CONTRACTOR, ENGINEER, and all subcontractors active on the Site shall attend each meeting. CONTRACTOR may at its discretion request attendance by representatives of its suppliers, manufacturers, and other subcontractors.
2. The OWNER will preside at the progress meetings and will arrange for keeping and distributing the minutes. The purpose of the meetings is to review the progress of the WORK, maintain coordination of efforts, discuss changes in scheduling, and resolve other problems which may develop. During each meeting, the CONTRACTOR shall present any issues that may impact its progress with a view to resolve these issues expeditiously.

PART 2 -- PRODUCTS (NOT USED)

PART 3 -- EXECUTION (NOT USED)

END OF SECTION

1. BASIS OF ESTIMATE

The 100% Design Cost Estimate is based on the following documents:

1. Willamette River Water Treatment Plant Expansion Project – Issued for Construction March 2022 Project Number 2002003112 (2022.03.04) – made available on the Stantec SharePoint on March 11, 2022
2. Willamette River Water Treatment Plant Expansion Project – Issued for Construction Specifications and Drawings dated March 4, 2022 – made available on the Stantec SharePoint on March 11, 2022
3. WRWTP 90% Estimate Request for Information (RFI Log) – dated February 23, 2022

2. GENERAL ASSUMPTIONS

The 100% Design Cost Estimate is based on the following general assumptions:

1. Work is performed on an 8-hour per day, 5-day per week basis unless otherwise noted within this document.
2. Work is planned to be performed in accordance with the Construction Schedule included in this Deliverable.
3. Construction Schedule assumes a Notice to Proceed (NTP) of June 7, 2022.
4. All Permits required for construction to be on-hand no later than June 7, 2022.
5. No hazardous materials (i.e. Regulated Site Conditions) present on site.
6. No impact or lost time due to Willamette River Water Treatment Plant (WRWTP) operations beyond what has been included in the Specifications.
7. No Pre-Construction Services cost has been included in the Cost Estimate.
8. AIS is not required for the Project.
9. OWNER to apply and pay for the Public Works Construction Permit
10. Alternate plant access to be provided during Summer 2022 shutdown of Arrowhead Creek Lane

3. BASE PRICING CONDITIONS

The 100% Design Cost Estimate is based on the following base pricing assumptions:

1. Craft wages have been based on current local trade agreements unless specialized craft noted.
2. Construction equipment cost has been based on rates determined or developed from the Equipment Watch Rental Rate Bluebook.
3. Where applicable, subcontractor and supplier pricing has been included in the cost estimate.

4. Escalation of labor and construction equipment have been included in the Cost Estimate through March 2024. Escalation of subcontractors and materials are identified in the CM/GC risk and contingency matrix.
5. Cost of bonding and tax have been included in the cost estimate as noted. Performance and Payment Bond Rate of 0.60%, General Liability Insurance Rate of 0.15%, Builder's Risk Insurance Rate of 0.59%, and Gross Receipts Tax Rate of 0.57%
6. No impact or discrete cost associated with COVID-19 has been included in the cost estimate beyond Exhibit 1 of the CM/GC Contract.
7. CM/GC risk and contingency has been evaluated separately and is included in this Deliverable – (Attachment 5).
8. CM/GC's price includes contingency for reasonable efforts to recover lost time resulting from Avoidable Delays as defined in the City of Wilsonville General Conditions D.2.2. CM/GC may be entitled to additional Contract Time or compensation in the event of Unavoidable Delays as defined in the City of Wilsonville General Conditions Section D.2.3. Unavoidable Delays to be handled by the Owner's Contingency.
9. CM/GC's contingency covers the items included in the attached risk and contingency matrix – Attachment 5. Unforeseen conditions, changes in commodities above the levels listed in the risk and contingency matrix, or Unavoidable Delays remain part of the Owner's Contingency.
10. Groundwater to be handled and/or disposed of is considered non-contaminated with conventional treatment methods for suspended solids and discharge to the WRWTP.
11. All usage, without limitation, and consumption cost associated with electrical power, water, and sewer will be provided to the CM/GC at no cost.
12. CM/GC's Cost Estimate only includes the work shown in the 100% Design Documents. The Designer is solely responsible for designing a fully functional plant, capable of being legally occupied and fully used to its intended purposes.
13. Cost Estimate assumes all required consumables as part of start-up including chemicals, polymer, nitrogen, etc., are provided by the Owner. An estimated cost of \$70,000 has been included in the Cost Estimate for the fuel required as part of the initial fill.
14. An estimated cost of \$52,224 has been included in the Cost Estimate for the services of a security guard at the main gate.
15. An estimated cost of \$20,000 has been included in the Cost Estimate for the seismic design of pipe supports.
16. No cost has been included in the Cost Estimate for Permits.
17. No cost has been assumed for the relocation of existing utilities in the Cost Estimate beyond what has been specified in the 100% Design Drawings.
18. No cost has been included for the project-specific supplemental pollution liability Policy

4. SCOPE AREA ASSUMPTIONS AND CLARIFICATIONS (Area 1 through 10)

The 100% Design Cost Estimate is based on the following assumptions and clarifications for each scope area:

1. Underground expansion joints as shown in Detail E-908 to be type PVC only, metallic specified to be provided for Detail E-905 installation only
2. Network switches are provided by the City of Wilsonville.
3. Removal of Transformer T2 and Substation 17-SWBD-A to occur after new Transformers, and 480V equipment are powered up in new SWGR Building. New 480V equipment will take over power in Raw Water Pump Station and Finished Water Pump Station prior to swap out of T2 & 17-SWBD-A with new Marshalling cabinet. This is to minimize the amount of time the spliced circuits are on temporary power.
4. All conduits in existing Chemical Building are to be PVC/CTD GRC with Stainless Steel supports per Specifications. All other above ground conduits are GRC or Liquid Tight as needed for flexibility.
5. No additional cost has been included for piping for the future storage tanks.
6. No additional fire protection is included in the Cost Estimate.
7. The Ozone Equipment System pricing, schedule and start-up procedures are based on amounts from Amendment 2 issued by the City of Wilsonville.
8. No additional cost has been included for sealants of existing utility trench covers
9. No additional cost has been included for replacing the unistrut within the utility trench
10. KIWC assumes there is no concrete cap required over the direct buried chemical piping

General Conditions

GC.1 Cost of the performance and payment bond and two-year warranty bond are included in the cost estimate.

GC.2 Staffing costs are based on Construction Schedule included in this Deliverable using escalated 2021 rates established in the CM/GC Proposal.

GC.3 Cost estimate includes quality control staff only. All 3rd party inspection and testing for Quality Control and Quality Assurance is by others.

Cost Breakdown Structure (CBS) Register
 KIEWIT CORPORATION
 Wilsonville WRWTP Expansion - 100% Design
 4/25/2022

Pay Item	Description	Quantity	UOM	Manhours	Total Cost
	Wilsonville Willamette River Water Treatment Plant (100% Design)	1.00	Lump Sum	27,158	25,118,960
1	Raw Water Pump Station	1.00	Lump Sum	0	213,881
1.2	MECHANICAL	1.00	Lump Sum	0	213,881
1.2.2	Mechanical Equipment	1.00	Lump Sum	0	213,881
2	Finished Water Pump Station	1.00	Lump Sum	0	248,881
2.2	MECHANICAL	1.00	Lump Sum	0	248,881
2.2.2	Mechanical Equipment	1.00	Lump Sum	0	248,881
3	Ozone Contactors/ Ozone Generators	1.00	Lump Sum	3,661	763,030
3.1	STRUCTURES	1.00	Lump Sum	626	110,214
3.1.1	Ozone Contactors/ Generators Structures Demo	1.00	Lump Sum	142	8,002
3.1.2	Ozone Contactors/ Generators Concrete	13.00	Lump Sum	252	26,912
3.1.3	Structures Duration Based Equipment	4.00	Lump Sum	0	22,512
3.1.4	Roof Hatch	1.00	Lump Sum	232	52,788
3.2	MECHANICAL	1.00	Lump Sum	3,035	619,987
3.2.1	Mechanical Pipe	1.00	Lump Sum	2,443	483,514
3.2.2	Mechanical Equipment	1.00	Lump Sum	593	41,995
3.2.3	Mechanical Duration Based Equipment	1.00	Lump Sum	0	94,478
3.3	Man-hour ST&S by Discipline/D-Group	3,661.00	Lump Sum	0	32,829
3.3.1	50 - Structures Demolition Man-hour ST&S	294.00	Lump Sum	0	1,764
3.3.2	50 - Mechanical Demolition Man-hour ST&S	269.00	Lump Sum	0	1,345
3.3.3	61 - Concrete Work Man-hour ST&S	332.00	Lump Sum	0	2,822
3.3.4	70 - Piping Man-hour ST&S	2,352.00	Lump Sum	0	22,344
3.3.5	71 - Mechanical Equipment Man-hour ST&S	414.00	Lump Sum	0	4,554
4	Clearwell	1.00	Lump Sum	858	489,784
4.1	CIVIL	1.00	Lump Sum	797	128,688
4.1.1	Concrete Sidewalk Removal	3.00	Lump Sum	5	432
4.1.2	Structure Excavation (2' down wall)	39.00	Lump Sum	12	1,244
4.1.3	Structure Backfill (2' down wall)	39.00	Lump Sum	21	2,684
4.1.4	Topsoil Strip to Stockpile (2' Thick)	973.00	Lump Sum	243	23,352
4.1.5	Topsoil Stockpile to Place (18" Thick)	798.00	Lump Sum	239	25,645
4.1.6	Topsoil Loadout	175.00	Lump Sum	40	7,558
4.1.7	Install EPS Foam (6" Thick)	13,133.00	Lump Sum	105	7,701
4.1.8	Install Geofabric Liner	13,133.00	Lump Sum	131	9,627
4.1.9	PM's	1.00	Lump Sum	0	39,817
4.1.10	SUB- Haul & Dispose (9CY/LD,1.5 Hr RT)	243.00	Lump Sum	0	10,627
4.2	STRUCTURES	1.00	Lump Sum	61	358,269
4.2.1	Demo Curb	1.00	Lump Sum	33	1,860
4.2.2	Pourback Sidewalk and Curb	4.00	Lump Sum	28	191,652
4.2.3	Structures Duration Based Equipment	4.00	Lump Sum	0	14,726
4.2.4	SUB- Diver	1.00	Lump Sum	0	150,032
4.4	Man-hour ST&S by Discipline/D-Group	844.00	Lump Sum	0	2,827
4.4.1	50 - Structures Demolition Man-hour ST&S	33.00	Lump Sum	0	198
4.4.2	51 - Excavation and Grading Work Man-hour ST&S	797.00	Lump Sum	0	2,391
4.4.3	61 - Concrete Work Man-hour ST&S	28.00	Lump Sum	0	238
5	Filters & Washwater EQ Basin	1.00	Lump Sum	1,380	532,897
5.2	MECHANICAL	1.00	Lump Sum	1,380	525,327
5.2.1	Mechanical Pipe	1.00	Lump Sum	1,380	467,148
5.2.3	Direct Estimated STS	1.00	Lump Sum	0	26,686
5.2.4	Mechanical Duration Based Equipment	1.00	Lump Sum	0	31,493
5.3	Man-hour ST&S by Discipline/D-Group	1,380.00	Lump Sum	0	7,571
5.3.1	50 - Mechanical Demolition Man-hour ST&S	1,231.00	Lump Sum	0	6,155
5.3.4	70 - Piping Man-hour ST&S	149.00	Lump Sum	0	1,416
6	Solids Holding Tank and Dewatering Building	1.00	Lump Sum	686	161,232
6.2	STRUCTURES	1.00	Lump Sum	617	112,398

6.2.1	Solids Dewatering BLDG Structures Demo	1.00	Lump Sum	254	14,313
6.2.2	Solids Dewatering BLDG Concrete	22.00	Lump Sum	363	67,762
6.2.3	Solids Dewatering Architectural	1.00	Lump Sum	0	2,000
6.2.4	Structures Duration Based Equipment	10.00	Lump Sum	0	28,323
6.3	MECHANICAL	1.00	Lump Sum	69	43,568
6.3.1	Mechanical Pipe	1.00	Lump Sum	69	32,877
6.3.2	Mechanical Duration Based Equipment	1.00	Lump Sum	0	10,691
6.4	Man-hour ST&S by Discipline/D-Group	513.00	Lump Sum	0	5,265
6.4.1	50 - Structures Demolition Man-hour ST&S	254.00	Lump Sum	0	1,524
6.4.2	61 - Concrete Work Man-hour ST&S	363.00	Lump Sum	0	3,086
6.4.3	70 - Piping Man-hour ST&S	69.00	Lump Sum	0	656
7	Chemical Systems	1.00	Lump Sum	5,443	1,190,593
7.1	CIVIL	1.00	Lump Sum	699	163,569
7.1.1	Direct Bury Containment Pipe Trench (430 LF of Trench)	430.00	Lump Sum	528	77,325
7.1.2	Pre-Cast Chemical Pullbox (4 EA)	4.00	Lump Sum	171	86,244
7.2	STRUCTURES	1.00	Lump Sum	108	19,663
7.2.1	Chemical Storage/ Metering Structures Demo	1.00	Lump Sum	61	3,409
7.2.2	Chemical Storage/ Metering Concrete	2.00	Lump Sum	47	4,997
7.2.4	Structures Duration Based Equipment	3.00	Lump Sum	0	11,256
7.3	MECHANICAL	1.00	Lump Sum	4,637	963,282
7.3.1	Mechanical Pipe	1.00	Lump Sum	4,592	674,965
7.3.2	Mechanical Equipment	1.00	Lump Sum	45	137,292
7.3.3	Direct Estimated STS	1.00	Lump Sum	0	12,149
7.3.4	Mechanical Duration Based Equipment	1.00	Lump Sum	0	138,876
7.4	Man-hour ST&S by Discipline/D-Group	5,655.00	Lump Sum	0	44,079
7.4.1	50 - Structures Demolition Man-hour ST&S	61.00	Lump Sum	0	366
7.4.2	50 - Mechanical Demolition Man-hour ST&S	589.00	Lump Sum	0	2,936
7.4.3	51 - Excavation and Grading Work Man-hour ST&S	742.00	Lump Sum	0	2,226
7.4.4	61 - Concrete Work Man-hour ST&S	47.00	Lump Sum	0	400
7.4.6	70 - Piping Man-hour ST&S	4,016.00	Lump Sum	0	38,152
8	Electrical	1.00	Lump Sum	1,080	9,079,233
8.1	CIVIL	1.00	Lump Sum	396	74,558
8.1.1	Transformer Pad (2 ea, Including Substation Extension)	1.00	Lump Sum	39	6,839
8.1.2	Generator/ Fuel Tank Pad	1.00	Lump Sum	197	37,550
8.1.4	Switchgear Building	1.00	Lump Sum	149	28,724
8.1.5	Light Poles (4 EA, 15' Tall)	4.00	Lump Sum	12	1,445
8.2	STRUCTURES	1.00	Lump Sum	684	839,991
8.2.1	Existing Generator Room Structures Demo	1.00	Lump Sum	20	1,136
8.2.2	Concrete	208.00	Lump Sum	653	130,928
8.2.4	Building/ Architectural	1.00	Lump Sum	11	688,287
8.2.5	Structures Duration Based Equipment	10.00	Lump Sum	0	19,639
8.3	ELECTRICAL	1.00	Lump Sum	0	8,157,546
8.4	Man-hour ST&S by Discipline/D-Group	1,553.00	Lump Sum	0	7,139
8.4.1	50 - Structures Demolition Man-hour ST&S	20.00	Lump Sum	0	120
8.4.2	51 - Excavation and Grading Work Man-hour ST&S	396.00	Lump Sum	0	1,188
8.4.3	61 - Concrete Work Man-hour ST&S	686.00	Lump Sum	0	5,831
9	I&C	1.00	Lump Sum	0	928,382
9.1	ELECTRICAL	1.00	Lump Sum	0	928,382
10	Sitework	1.00	Lump Sum	5,050	2,020,933
10.1	CIVIL	1.00	Lump Sum	2,249	736,483
10.1.1	Contractor Staging Area	1.00	Lump Sum	128	37,439
10.1.2	Temporary Site Environmental (Total Job Weeks)	40.00	Lump Sum	764	79,839
10.1.3	Removals/Demolition	1.00	Lump Sum	337	121,517
10.1.4	Lox Area	1.00	Lump Sum	57	8,479
10.1.5	Rain Garden	1.00	Lump Sum	83	20,901
10.1.6	Site Drainage	1.00	Lump Sum	30	11,241
10.1.7	Subgrade Prep / Finish	2,249.00	Lump Sum	269	30,174
10.1.8	L/R/F Agg Base	684.00	Lump Sum	396	106,031
10.1.9	Subcontracts	1.00	Lump Sum	0	292,454

10.1.10	Chemical Feed Line (Relocate)	230.00	Lump Sum	186	28,407
10.2	STRUCTURES	1.00	Lump Sum	110	31,448
10.2.1	LOX Fill Station Slab	33.00	Lump Sum	108	7,142
10.2.2	Rebar Installation Sub Support	2.24	Lump Sum	2	171
10.2.3	Concrete Direct Estimated ST&S	33.00	Lump Sum	0	2,239
10.2.4	Concrete Bulk Commodities	33.00	Lump Sum	0	4,861
10.2.5	Concrete Subcontracts	33.00	Lump Sum	0	7,216
10.2.6	Structures Duration Based Equipment	2.00	Lump Sum	0	9,820
10.3	MECHANICAL	1.00	Lump Sum	691	448,928
10.3.1	Mechanical Pipe	1.00	Lump Sum	610	70,881
10.3.2	Mechanical Equipment	1.00	Lump Sum	81	343,058
10.3.3	Direct Estimated STS	1.00	Lump Sum	0	11,833
10.3.4	Mechanical Duration Based Equipment	1.00	Lump Sum	0	23,156
10.4	SITE SUPPORT	1.00	Lump Sum	2,000	789,687
10.4.1	60kW Generator	104.00	Lump Sum	0	149,094
10.4.2	Security Guard (40hr/wk x \$32/hr = \$1,280/wk)	40.00	Lump Sum	0	52,224
10.4.3	Craft Labor Support	1.00	Lump Sum	0	215,750
10.4.5	Site Services Crew	25.00	Lump Sum	2,000	372,619
10.5	Man-hour ST&S by Discipline/D-Group	3,052.00	Lump Sum	0	14,387
10.5.1	51 - Excavation and Grading Work Man-hour ST&S	2,249.00	Lump Sum	0	6,747
10.5.2	61 - Concrete Work Man-hour ST&S	110.00	Lump Sum	0	935
10.5.3	70 - Piping Man-hour ST&S	612.00	Lump Sum	0	5,814
10.5.4	71 - Mechanical Equipment Man-hour ST&S	81.00	Lump Sum	0	891
11	CMGC Contingency	1.00	Allowance	0	1,390,705
11.1	Contingency	1.00	Allowance	0	1,390,705
11.1.1	Project Risk	1.00	Allowance	0	1,390,705
12	Article 8 - Additional Cost of Work	1.00	Lump Sum	9,000	2,428,085
12.1	Commercial Cost	1.00	Lump Sum	0	342,300
12.1.3	Bonds	1.00	Lump Sum	0	148,800
12.1.4	Insurance	1.00	Lump Sum	0	183,500
12.1.10	Legal Expense	1.00	Lump Sum	0	10,000
12.2	Job Related Overhead	283.00	Lump Sum	7,800	1,507,656
12.2.1	Project Management	283.00	Lump Sum	7,800	1,482,768
12.2.2	Staff Expenses	408.00	Lump Sum	0	24,888
12.3	Operational Support	1.00	Lump Sum	1,200	396,829
12.3.1	Operational Support and Compliance	72.00	Lump Sum	1,200	312,908
12.3.2	Temporary Work	1.00	Lump Sum	0	92,225
12.4	Engineering	1.00	Lump Sum	0	40,000
12.4.1	SUB-Temp. Construction Design	1.00	Lump Sum	0	20,000
12.4.2	Specialty Third Party Consultants	1.00	Lump Sum	0	20,000
12.5	Gross Receipt Tax (0.57%)	141.30	Lump Sum	0	141,300
14	GC Work Fee	1.00	Lump Sum	0	2,069,477
15	Fee	1.00	Lump Sum	0	1,302,764
16	Amendment to Ozone Procurement	1.00	Lump Sum	0	2,299,083
16.1	Ozone Generation System (All components)	1.00	PLS	0.00	\$2,299,083.39

NOTES:

- Cost of Work = Item 1 - Item 10, and 12

Wilsonville - WRWTP 100% Estimate		Kiewit Basic Layout					2022																												2023												2024			
Activity ID	Activity Name	Start	Finish	Original Duration	Free Float	Total Float	Oct	N	D	Jan	F	Mar	Apr	M	Jun	Jul	A	S	Oct	N	D	Jan	F	M	Apr	M	Jun	Jul	A	S	Oct	N	D	Jan	F	Mar	Apr													
Wilsonville - WRWTP 100% Estimate		30-Sep-21	08-May-24	656	0	0																																												
Contract Milestones		07-Jun-22	08-May-24	485	0	0																																												
M1000	Notice to Proceed ()	07-Jun-22*		0	0	0	◆ Notice to Proceed ()																																											
M1010	Substantial Completion()		26-Mar-24	0	30	30	◆ Su																																											
M1020	Final Completion ()		08-May-24	0	0	0																																												
Pre-Construction		30-Sep-21	31-Oct-23	526	0	130	31-Oct-23, Pre-Construct																																											
M1030	60% Estimate Submittal (September 30, 2021)	30-Sep-21*		0	8	8	60% Estimate Submittal (September 30, 2021)																																											
M1040	60% Design Review Meeting		12-Oct-21*	0	648	0	◆ 60% Design Review Meeting																																											
M1050	Receive 90% Drawings	04-Jan-22*		0	0	0	◆ Receive 90% Drawings																																											
M1060	Prepare 90% Estimate	04-Jan-22	17-Feb-22	33	2	2	Prepare 90% Estimate																																											
M1070	90% Estimate Submittal (February 21, 2022)		21-Feb-22*	0	0	0	◆ 90% Estimate Submittal (February 21, 2022)																																											
M1080	Final GMP Submittal (April 15, 2022)		18-Apr-22*	0	0	0	◆ Final GMP Submittal (April 15, 2022)																																											
M1090	Prepare Final GMP	22-Feb-22	04-Apr-22	30	8	8	Prepare Final GMP																																											
Submittals		15-Oct-21	28-Sep-22	240	0	405	28-Sep-22, Submittals																																											
P1100	Preconstruction Submittals	18-Apr-22	06-Jun-22	35	485	485	Preconstruction Submittals																																											
P1110	Ozone Submittals - Prepare/Submit	15-Oct-21	24-Feb-22	90	0	245	Ozone Submittals - Prepare/Submit																																											
P1120	Ozone Submittals - Review	25-Feb-22	07-Apr-22	30	0	245	Ozone Submittals - Review																																											
P1130	Ozone Resubmittals - Prepare/Submit	08-Apr-22	16-Aug-22	90	0	245	Ozone Resubmittals - Prepare/Submit																																											
P1150	Ozone Resubmittals - Review/Approve	17-Aug-22	28-Sep-22	30	10	245	Ozone Resubmittals - Review/Approve																																											
Permits		18-Apr-22	01-Jun-22	32	0	3	01-Jun-22, Permits																																											
P1000	CoW - Public Works Construction Permit	18-Apr-22	01-Jun-22	32	3	3	CoW - Public Works Construction Permit																																											
P1010	CoW - Structural Permit	18-Apr-22	01-Jun-22	32	3	3	CoW - Structural Permit																																											
P1020	CoW - Grading Permit	18-Apr-22	01-Jun-22	32	3	3	CoW - Grading Permit																																											
P1030	CoW - Mechanical Permit	18-Apr-22	01-Jun-22	32	3	3	CoW - Mechanical Permit																																											
P1040	CoW - Building Permit (OWNER)	18-Apr-22	01-Jun-22	32	3	3	CoW - Building Permit (OWNER)																																											
P1050	DEQ - 1200-C (OWNER)	18-Apr-22	01-Jun-22	32	3	3	DEQ - 1200-C (OWNER)																																											
P1060	DEQ - Water Quality Certification (OWNER)	18-Apr-22	01-Jun-22	32	3	3	DEQ - Water Quality Certification (OWNER)																																											
P1070	CoW - Site Design Review (OWNER)	18-Apr-22	01-Jun-22	32	3	3	CoW - Site Design Review (OWNER)																																											
Procurement		15-Oct-21	31-Oct-23	515	0	130	31-Oct-23, Procurement																																											
Pr1000	Procure Ozone Generation Equipment	15-Oct-21*	12-Oct-22	250	0	0	Procure Ozone Generation Equipment																																											
Pr1020	Procure Structural Steel	17-Aug-22	09-Nov-22	60	0	247	Procure Structural Steel																																											
Pr1030	Procure Piping and Valves	17-Aug-22	23-Nov-22	70	0	215	Procure Piping and Valves																																											
Pr1040	Procure Misc Bldg Materials	17-Aug-22	14-Sep-22	20	415	415	Procure Misc Bldg Materials																																											
Pr1050	Procure Marine Items	17-Aug-22	08-Feb-23	120	0	280	Procure Marine Items																																											
Pr1060	Procure Landscaping Material	17-Aug-22	14-Aug-23	250	0	155	Procure Landscaping Material																																											
Pr1080	Procure Switchgear Bldg Material	17-Aug-22	04-May-23	180	0	173	Procure Switchgear Bldg Material																																											
Pr1090	Procure Misc Electrical Material	29-Sep-22	29-Mar-23	125	0	0	Procure Misc Electrical Material																																											
Pr1110	Procure Misc Chemical Piping	17-Aug-22	11-Jan-23	100	0	192	Procure Misc Chemical Piping																																											
Pr1120	Procure Transformers	13-Jul-22	31-Oct-23	330	0	40	Procure Transformers																																											
Pr1130	Procure Pumps/Motors	28-Dec-22	10-Jul-23	135	210	210	Procure Pumps/Motors																																											
Construction		18-Apr-22	26-Mar-24	490	0	30	26																																											
A1000	Site Mobilization	07-Jun-22	13-Jun-22	5	20	320	Site Mobilization																																											
Prepare/Submit Submittals		18-Apr-22	28-Sep-22	115	0	355	28-Sep-22, Prepare/Submit Submittals																																											
PS1180	PS - Structural Steel Submittals	07-Jun-22	05-Jul-22	20	0	247	PS - Structural Steel Submittals																																											
PS1190	PS - Piping and Valves Submittals	07-Jun-22	05-Jul-22	20	0	215	PS - Piping and Valves Submittals																																											

■ Actual Work
 ■ Critical Remaining Work
 Summary
■ Remaining Work
 ◆ Milestone

ATTACHMENT F

Wilsonville WRWTP Project
CM/GC Pre-Construction Services

Attachment 5
CM/GC Risk and Contingency Analysis

100% Design C

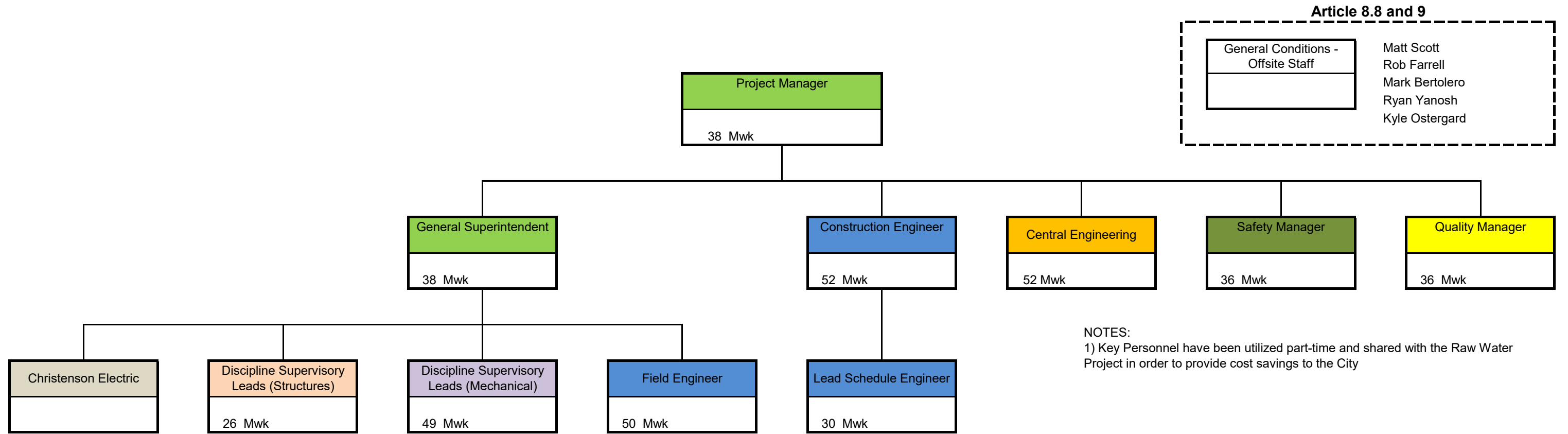
Item 12.

Item #	Basis	Risk Description	Impact Calculation	Notes	Total Risk (\$)	Probability	Contingency (\$)
Basis of Risk and Contingency							
1		Labor and equipment productivity rates	4 Bidding climate for subcontract work				
2		Labor, equipment, and material cost and pricing data	5 Occurrence of events likely to impact the cost of work performed				
3		Commodity prices					
Area 1 - Raw Water Pump Station					\$ 40,082		\$ 24,062
1.1	1	Productivity	Total labor and equipment cost \$25K. Productivity impact at 20%.	Productivity loss.	\$ 5,000	0%	\$ -
1.2	4	Subcontract Pricing	Total subcontract cost \$12K. Cost impact at 25%.	Actual pricing based on GMP design and market conditions.	\$ 3,000	0%	\$ -
1.3	3	Commodity Pricing	Total material cost \$213K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 32,082	75%	\$ 24,062
Area 2 - Finished Water Pump Station					\$ 52,732		\$ 27,999
2.1	1	Productivity	Total labor and equipment cost \$77K. Productivity impact at 20%.	Productivity loss.	\$ 15,400	0%	\$ -
2.2	3	Commodity Pricing	Total material cost \$248K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 37,332	75%	\$ 27,999
Area 3 - Ozone Contractors / Ozone Generators					\$ 130,828		\$ 48,280
3.1	1	Productivity	Total labor and equipment cost \$439K. Productivity impact at 20%.	Productivity loss.	\$ 87,784	25%	\$ 21,946
3.2	4	Subcontract Pricing	Total subcontract cost \$47K. Cost impact at 25%.	Actual pricing based on GMP design and market conditions.	\$ 11,899	25%	\$ 2,975
3.2	3	Commodity Pricing	Total material cost \$208k. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 31,145	75%	\$ 23,359
Area 4 - Clearwell					\$ 92,068		\$ 26,055
4.1	1	Productivity	Total labor and equipment cost \$96K. Productivity impact at 20%.	Actual pricing based on GMP design and market conditions.	\$ 24,160	25%	\$ 6,040
4.2	4	Subcontract Pricing	Total subcontract cost \$344K. Cost impact at 25%.	Actual pricing based on GMP design and market conditions.	\$ 85,991	25%	\$ 21,498
4.3	3	Commodity Pricing	Total material cost \$41K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 6,077	75%	\$ 4,558
Area 5 - Washwater EQ Basin					\$ 85,880		\$ 45,584
5.1	1	Productivity	Total labor and equipment cost \$173K. Productivity impact at 20%.	Productivity loss.	\$ 34,652	25%	\$ 8,663
5.2	4	Subcontract Pricing	Total subcontract cost \$12K. Cost impact at 25%.	Actual pricing based on GMP design and market conditions.	\$ 3,000	25%	\$ 750
5.3	3	Commodity Pricing	Total material cost \$321K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 48,227	75%	\$ 36,171
Area 6 - Solids Holding Tank and Dewatering Building					\$ 41,162		\$ 18,711
6.1	1	Productivity	Total labor and equipment cost \$84K. Productivity impact at 20%.	Productivity loss.	\$ 16,828	25%	\$ 4,207
6.2	4	Subcontract Pricing	Total subcontract cost \$17K. Cost impact at 25%.	Actual pricing based on GMP design and market conditions.	\$ 4,250	25%	\$ 1,063
6.3	3	Commodity Pricing	Total material cost \$43K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 6,484	50%	\$ 3,242
6.4	5	Relocation of Existing Utilities	Relocation of existing utilities off the walls to allow access to perform the work.	2 days x 3 workers x 8 hours/day + \$10,000 Equipment/Access	\$ 13,600	75%	\$ 10,200
Area 7 - Chemical Systems					\$ 221,453		\$ 75,500
7.1	1	Productivity	Total labor and equipment cost 679K. Productivity impact at 20%.	Productivity loss.	\$ 135,930	25%	\$ 33,982
7.2	4	Subcontract Pricing	Total subcontract cost \$181K. Cost impact at 25%.	Actual pricing based on GMP design and market conditions.	\$ 45,250	25%	\$ 11,313

Item #	Basis	Risk Description	Impact Calculation	Notes	Total Risk (\$)	Probability	Contingency (\$)
Basis of Risk and Contingency							
	1	Labor and equipment productivity rates	4 Bidding climate for subcontract work				
	2	Labor, equipment, and material cost and pricing data	5 Occurrence of events likely to impact the cost of work performed				
	3	Commodity prices					
7.3	3	Commodity Pricing	Total material cost \$268K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 40,274	75%	\$ 30,205
Area 8 - Electrical					\$ 919,022		\$ 99,482
8.1	1	Productivity	Total labor and equipment cost \$109K. Productivity impact at 20%.	Productivity loss.	\$ 21,933	25%	\$ 5,483
8.2	4	Subcontract Pricing	Total subcontract cost \$8.9M. Cost impact at 10%.	Actual pricing based on GMP design and market conditions.	\$ 890,489	10%	\$ 89,049
8.3	3	Commodity Pricing	Total material cost \$44K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 6,600	75%	\$ 4,950
Area 9 - I&C					\$ 92,838		\$ 9,284
9.1	4	Subcontract Pricing	Total subcontract cost \$928K. Cost impact at 10%.	Actual pricing based on GMP design and market conditions.	\$ 92,838	10%	\$ 9,284
Area 10 - Sitework					\$ 345,041		\$ 118,708
10.1	1	Productivity	Total labor and equipment cost \$886K. Productivity impact at 20%.	Productivity loss.	\$ 177,291	25%	\$ 44,323
10.2	4	Subcontract Pricing	Total subcontract cost \$411K. Cost impact at 25%.	Actual pricing based on GMP design and market conditions.	\$ 102,853	25%	\$ 25,713
10.3	3	Commodity Pricing	Total material cost \$432K. Cost impact at 15%.	Actual pricing based on GMP design and market conditions.	\$ 64,896	75%	\$ 48,672
General					\$ 811,000		\$ 759,223
G.1	5	Relocation of Existing Utilities	Relocation of existing above ground utilities around site to allow access to the work	Carry \$100,000 for the duration of the Project	\$ 100,000	50%	\$ 50,000
G.2	5	Cancellation of RWF 1.0 Phase 2 Project	Cancellation of the next phase of the Raw Water Facilities Project	KIWC unable to take advantage of cost savings due to concurrent Projects (staff, equipment, site services)	\$ -	0%	\$ -
G.3	5	100% Design Development	Development of Design from 90% to 100%	Cost increases associated with the development of design from 90% to 100%. Costs above 150k would be owner contingency.	\$ 300,000	0%	\$ -
G.4	3	Electrical Switchgear Escalation	Escalation if PO not issued by 5/18	Gear cost will increase by \$361k if not released by 5/18	\$ 361,000	100%	\$ 361,000
G.5	5	Insurance Loss Deductible	Potential Deductible for Insurance Claim	Potential for losses that do not meet deductible threshold.	\$ 50,000	50%	\$ 25,000
G.6	5	Supervision for additive alternate scopes of work	N/A	Reduction of Article 8 staff markup and escalation	\$ 323,223	100%	\$ 323,223
		SUBTOTAL			\$ 2,832,106		\$ 1,252,887
General Conditions					\$ 84,963		\$ 37,587
GC.1		GC - Lump Sum			\$ 84,963		\$ 37,587
GC.2		GC - Reimbursable GCs			\$ -		\$ -
Fee					\$ 226,568		\$ 100,231
		Fee			\$ 226,568		\$ 100,231

Item #	Basis	Risk Description	Impact Calculation	Notes	Total Risk (\$)	Probability	Contingency (\$)
Basis of Risk and Contingency							
1	Labor and equipment productivity rates		4	Bidding climate for subcontract work			
2	Labor, equipment, and material cost and pricing data		5	Occurrence of events likely to impact the cost of work performed			
3	Commodity prices						
		TOTAL			\$ 3,143,637		\$ 1,390,705
<p>*While the CM/GC Contingency was determined based upon certain CM/GC assumed risks and the probability of such risks occurring, use of the CM/GC Contingency is not limited to such risks or to the amounts associated with such risks.</p>							

Wilsonville WRWTP Organization Chart - 100% Design



NOTES:
1) Key Personnel have been utilized part-time and shared with the Raw Water Project in order to provide cost savings to the City

Required CMGC Key Personnel

**Exhibit 5
CM/GC KEY PERSONNEL**

The following shall be considered Key Personnel and shall not be replaced during the project without the written permission of Owner, which shall not be unreasonably withheld according to Article 4.6 of the CM/GC Contract.

1. Construction Manager
2. General Superintendent,
3. Construction Engineer
4. Field Engineer
5. Accountant
6. Chief Engineer
7. Lead Estimator
8. Lead Scheduler
9. Procurement Lead
10. Area or Discipline Construction Supervisory Leads

Key personnel shall be defined as those with roles similar to those described above regardless of specific title.



**Willamette River Water Treatment Plant Expansion - 100% Design
Craft Labor Rates**

Labor Classification	Hourly Rate (Straight Time)				
	Base Rate	Insurance	Payroll Taxes	Contributions (Union benefits)	Total
Laborer Foreman	\$35.73	\$2.18	\$3.66	\$16.53	\$58.10
Laborer Journeyman Group 1	\$33.48	\$2.04	\$3.43	\$16.53	\$55.48
Operator Foreman (Group 3)	\$51.02	\$3.11	\$5.23	\$16.38	\$75.73
Operator 1 (Crane < 200-Tn & > 200' Boom)	\$51.65	\$3.15	\$5.29	\$16.38	\$76.47
Operator 2 (Excavator>65-Tn, Loader>60-Tn)	\$49.74	\$3.03	\$5.10	\$16.38	\$74.24
Operator 3 (Dozer>35-Tn, Excavator>40-Tn, Loader>30-Tn)	\$48.59	\$2.96	\$4.98	\$16.38	\$72.91
Operator 4 (Backhoe, Excavator>10-Tn)	\$45.26	\$2.76	\$4.64	\$16.38	\$69.03
Cement Mason Foreman	\$40.66	\$2.48	\$4.16	\$20.12	\$67.42
Cement Mason Journeyman	\$38.72	\$2.36	\$3.97	\$20.12	\$65.16
Cement Mason Apprentice 4	\$30.36	\$1.85	\$3.11	\$18.59	\$53.91
Ironworker Foreman	\$43.56	\$2.65	\$4.46	\$30.05	\$80.72
Ironworker Journeyman	\$40.56	\$2.47	\$4.15	\$30.05	\$77.23
Ironworker Apprentice 80%	\$34.48	\$2.10	\$3.53	\$30.05	\$70.16
Carpenter Foreman	\$47.30	\$2.88	\$4.85	\$18.61	\$73.64
Carpenter Journeyman	\$43.80	\$2.67	\$4.49	\$18.61	\$69.56
Carpenter Apprentice 80%	\$37.23	\$2.27	\$3.81	\$18.61	\$61.92
Pipe Foreman	\$59.28	\$3.61	\$6.07	\$35.30	\$104.26
Pipe Journeyman	\$50.68	\$3.09	\$5.19	\$35.30	\$94.26
Pipe Apprentice 6	\$45.61	\$2.78	\$4.67	\$33.68	\$86.74
Millwright Foreman	\$51.58	\$3.14	\$5.28	\$19.01	\$79.01
Millwright Journeyman	\$46.89	\$2.86	\$4.80	\$19.01	\$73.56



**Willamette River Water Treatment Plant Expansion - 100% Design
Equipment Rates**

See Note (1)

Equipment Classification	Blue Book Equipment Classification	Monthly Base Rate	Hours Per Month	Hourly Ownership Rate (based on Monthly Rate)	Hourly Operating Rate	Total Blue Book Hourly Rate (FHWA)	Add 7.7% Escalation (2023)
Sedan	FORD FUSION	\$ 747.64	176	\$ 4.25	\$ 14.43	\$ 18.68	\$ 20.12
1/2 Ton Pickup	FORD F-150	\$ 1,207.70	176	\$ 6.86	\$ 30.34	\$ 37.20	\$ 40.06
3/4 Ton Pickup	4X2 3/4 430 CREW GAS	\$ 1,170.00	176	\$ 6.65	\$ 40.56	\$ 47.21	\$ 50.85
Small Mechanic Truck	4X2 35KGVW DSL	\$ 2,690.00	176	\$ 15.28	\$ 53.50	\$ 68.78	\$ 74.08
Water Buffalo	1200-3000 Gallon	\$ 1,290.00	176	\$ 7.33	\$ 6.12	\$ 13.45	\$ 14.49
JD-210, Case 580 - Box Blades	Deere 210L	\$ 6,980.00	176	\$ 39.66	\$ 33.95	\$ 73.61	\$ 79.28
Mid Size Loader Backhoe (Cat 446D 4X4)	Caterpillar 446D	\$ 9,490.00	176	\$ 53.92	\$ 52.74	\$ 106.66	\$ 114.87
36-39 Metric Ton (CAT 330, 336) Excavator (Dirt)	Caterpillar 335F L CR	\$ 20,825.00	176	\$ 118.32	\$ 71.48	\$ 189.80	\$ 204.41
40 - 48" Single Drum / Smooth / Vibro	Caterpillar CS34	\$ 6,175.00	176	\$ 35.09	\$ 37.99	\$ 73.08	\$ 78.71
Walk Behind Roller (2-Drum) (RAMMEX)	BOMAG BMP8500	\$ 8,515.00	176	\$ 48.38	\$ 21.43	\$ 69.81	\$ 75.19
185 CFM Air Compressor - Diesel	Ingersoll Rand P185WJD	\$ 1,895.00	176	\$ 10.77	\$ 22.57	\$ 33.34	\$ 35.91
400 - 450 Amp Diesel Welder	Miller BIG BLUE 400 CC/CV	\$ 805.00	176	\$ 4.57	\$ 9.05	\$ 13.62	\$ 14.67
50 - 74 KW Generator	Multiquip DCA 70SSIU2	\$ 875.00	176	\$ 4.97	\$ 28.31	\$ 33.28	\$ 35.84
Skid Steer - Track	Caterpillar 259D3	\$ 6,770.00	176	\$ 38.47	\$ 29.82	\$ 68.29	\$ 73.55
Electric Scissor Lift	Genie GS-3232	\$ 2,005.00	176	\$ 11.39	\$ 8.84	\$ 20.23	\$ 21.79
60' Manlift	JLG 600AJ	\$ 8,705.00	176	\$ 49.46	\$ 27.73	\$ 77.19	\$ 83.13
>10,000 lb. Extendable	Caterpillar TL1255D	\$ 18,470.00	176	\$ 104.94	\$ 75.78	\$ 180.72	\$ 194.64

(1) Utilize the escalated 2023 rates

MAINTENANCE AND OPERATION PLAN

Wilsonville WRWTP Expansion/Upgrade
Project Design, Bidding Phase, and
Services During Construction
Maintenance and Operation Plan



PREPARED FOR

City of Wilsonville

WRWTP 90% MOPO – March 9, 2022

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LIST OF ABBREVIATIONS AND ACRONYMS

ATS	automatic transfer switch
City	City of Wilsonville
CM/GC	Construction Manager / General Contractor
COW	City of Wilsonville
DIP	ductile iron pipe
ft	feet
GAC	granular activated carbon
gpm	gallons per minute
HOA	hand-off-auto
Hp	horsepower
in	inches
IOM	installation, operation, and maintenance
Kiewit/KIWC	Kiewit Infrastructure West Co. (in the role of CM/GC)
kV	kilovolts
Kw	kilowatt
LCP	local control panel
LOR	local-off-remote
LOX	liquid oxygen
MCLs	maximum contaminant levels
MG	million gallons
MGD	million gallons per day
MW	megawatt
O&M	operation and maintenance
OSS	Ozone System Supplier
PLC	programmable logic controller
ppd	pounds per day
psf	pounds per square foot
PVC	polyvinyl chloride
rpm	revolutions per minute
RWPS	Raw Water Pump Station
SCADA	Supervisory Control and Data Acquisition
SCH	schedule
Stantec	Stantec Consulting Services Inc.
v	volt
VFD	variable frequency drive
Wilsonville	City of Wilsonville
WRWTP	Willamette River Water Treatment Plant
WTP	water treatment plant
WWSP	Willamette Water Supply Program

1.0 INTRODUCTION

Willamette River Water Treatment Plant (WRWTP) and the City of Wilsonville (City or Wilsonville), referred to as Owner, have contracted with Stantec to perform design, bidding phase services, and services during construction of the WRWTP, under the management and control of the City of Wilsonville. The WRWTP comprises the complete drinking water infrastructure system consisting of but is not limited to the following components: raw water pump station, raw water transmission pipeline, water treatment plant, finished water pump station, finished water transmission pipelines, terminal storage reservoir(s), associated controls, and appurtenances.

Stantec is providing professional engineering services for the design of the City of Wilsonville's WRWTP Expansion Upgrade. Similarly, Kiewit Infrastructure West Co. (Kiewit) is providing services under the WRWTP Expansion/Upgrade Project Construction Manager / General Contractor (CM/GC) contract.

1.1 Maintenance and Operation Plan

KIWC has prepared this draft Maintenance and Operation Plan and submitted it with the 90% design deliverables. The purpose of the Plan is to develop a plan for maintenance of interim pipe and equipment, operation of the facilities in the future, and maintaining the continuous operation of the WRWTP during construction. After the 90% design process is completed, the Plan will be updated and maintained by Kiewit upon review of comments from Stantec and the City of Wilsonville.

The Plan is organized to address the following key maintenance and operation information:

- WRWTP Expansion Upgrade Operations.
- Maintenance.
- Interim WRWTP Operations during Construction.
- Subsurface Utility Engineering.
- Existing Controls.

1.2 WRWTP Maintenance Workshops

In support of the preparation of this Maintenance and Operation Plan, a workshop will be scheduled with a focus on the construction activities involving WRWTP outages identified to-date; planned relocation of existing utilities; tie-ins; and understanding existing operations and controls at the WRWTP. The workshop meeting notes will be distributed to the attendees and incorporated herein by reference.

Subsequent workshops will focus on the review of this draft Maintenance and Operation Plan as well as additional topics of interest to the workshop participants. Ultimately, this Plan will be updated after each workshop and then finalized and carried forward to the WRWTP Expansion/Upgrade Project construction phase.

2.0 WRWTP EXPANSION/UPGRADE OPERATIONS

This section describes the method of operations for the key WRWTP operating facilities.

2.1 WRWTP Pumps, Motors, & Equipment

This WRWTP Expansion/Upgrade Project will expand the plant’s maximum capacity from 15 to 20 MGD as well as make upgrades that will optimize performance and extend the useful life of the plant facilities. Long-term planning for a future expansion to 30 MGD is also being addressed. The WRWTP 2017 Water Master Plan (WMP) established a “road map” to expand plant capacity to 20 MGD to meet increasing water demand from the Cities of Wilsonville and Sherwood. The WMP also identified improvements to life-safety, seismic, electrical and operations and maintenance (O&M) at the WTP.

2.1.1 WRWTP Pump Configurations

Table 2-1 shows the design requirements for the various future pump upgrades; this information will be updated with actual nameplate information during construction.

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Table 2-1 WRWTP Pump Design Requirements

PARAMETER	VERTICAL TURBINE PUMPS			DIAPHRAGM PUMP	VERTICAL SOLIDS-HANDLING PUMP
	RWPS	WWEQ	FWPS	Sludge Thickening	Chemical Building
Location					
Number of Units	1	3	1	1	1
Unit Designation	VFD				Constant
Control	Variable Speed				Constant Speed
Capacity, MGD	5.04	0.72	4.99	.000924	0.86
Total Head (ft)					
Design, TDH	107	25	312	-	12
Minimum Head	-	-	-	25	30
Shutoff, Maximum	-	45	475	-	19
Capacity @ rated head, gpm	3500	500	3472	0.64	600
Discharge Size, in	12	6	12	0.5	5
Efficiency, %	80	77	82	-	65
Pump Speed, rpm	1800			1750	-
Minimum NPSHA, ft	55	30	35	25	30
Elevation, MSL, ft	120	140	130	130	125
River, 100 YR Flood, EL, ft	90.1				

The listed pumps have the following designations and configurations:

Raw Water Pump Station

- Install a new 5 MGD pump and motor to replace the existing 4 MGD pump.

Finished Water Pump Station

- Install one new pump (5 MGD) and motor and new VFD, in the “empty” slot.

Residuals Handling Systems

- Replace the existing 500 gpm/5 Hp Washwater Recycle (WWR) pumps and motors with new 500 gpm pumps inside the Pump Room atop the Define Basin.

- Replace the two existing Variable Frequency Drives (VFDs) with new VFDs and install a 3rd VFD inside the Pump Room.

2.1.2 Chemical Systems

- Install second dry polymer batching system.
- Replace existing chemical feed lines from storage tanks to injection points.
- Install containment pans for chemical feed lines routed above doorways.
- Provide seismic bracing for chemical feed lines.
- Add wye and basket strainers to all pump suction lines.
- Add ventilation lines back to tank on sodium hypochlorite system.
- Add solenoid valves to prevent chemical dosing after power interruption.

2.1.3 Filter Valve Actuators

There are four carbon filters in the plant. Each filter has five motor operated valves for controlling water flow through the filter. Three of the five valves on each filter have high utilization and are being replaced. The existing filter valve actuators are controlled via a Modbus serial network. The valve/actuators that are being replaced will be removed from the Modbus network and controlled by an Ethernet IP based control network.

2.2 Startup and Commissioning Plan

The information presented in this startup and commissioning plan is organized to discuss the following topics that are specific to the WRWTP facilities:

- Overview of the startup and commissioning process:
 - Schedules for manufacturers' equipment certifications.
 - Schedules for submitting final O&M Manuals.
 - Schedule for training the Owner's personnel.
 - Description of temporary facilities and schedule for installation and decommissioning them.
 - List of Owner and Contractor-furnished supplies.
 - Detailed schedule of operations to achieve successful pre-commissioning and commissioning.
 - Checklists and data forms for each item of equipment
 - Address coordination with the Owner's staff.
 - Designate a representative of the Contractor who has the authority to act in matters relating to startup and has experience in testing water treatment plants. The Plan shall also designate the roles and responsibilities of any Subcontractors that may be involved in startup activities.
 - Safety, startup, and testing procedures and proposed inspection and certification forms and records.
 - Interconnection of new facilities to existing facilities:

1. Date and time frame of proposed shutdown or interconnection, including sequence of events and activities to be conducted.
 2. A detailed description of sequences and activities for the planned shutdown and interconnection.
 3. Staff, equipment, and materials that will be at the Site before commencing the shutdown.
 4. Other provisions so that interconnection, testing, and startup will be completed within the planned time.
 - Hydrostatic testing of water-holding structures and pipelines and other potable water equipment.
- WRWTP-specific startup and commissioning requirements to address the following:
 - WRWTP Pumps, Motors and VFD's.
 - Electrical/Power Supply Systems (Table 2-2)
 - Ozone Equipment
 - Support Systems.

Startup and Commissioning Plans will be fully developed during the Construction Phase of the Project.

Table 2-2 Christenson Electric, Inc. WRWTP Electrical Sequencing

SEQUENCE	ACTIVITY
1.)	ALL SITE EXCAVATION COMPLETED – including site light pole bases and conduits (exception of Line side of T3 to stop outside of PGE substation “MS” for future connection after removal of existing “17-SWGR-A”)
2.)	New Switchgear building, new pads for 3MVA xfmrs, new generator, and new generator fuel tank installed
3.)	Receive and set the new switchgear “23-SWGR-B” 5,000amp 480v in the new switchgear building
4.)	Receive and set the (2) new 3MVA transformers “XFMR T3” & “XFMR T4”
5.)	Receive and set the new “GEN A” 2,000KW 480V generator and fuel tank
6.)	Pull feeders for line and load of XFMR T4, and load of XFMR T3.
7.)	Schedule & shutdown of PGE main breaker for installation of new 15KV switch. Lockout new switch.

8.)	Prep and energize XFMR T4 to single end feed new switchgear 23-SWGR-B in new switchgear building. Lockout main in 23-SWGR-B.
9.)	Install Distribution panels in Raw Water Pump Station
10.)	Install Distribution panels in Finished Water Pump Station
11.)	Finish overhead conduits to Finish Water Pump Station and pull feeders to new distribution panels
12.)	Pull feeders to new distribution panels in Raw Water Pump Station
13.)	Energize and test new distribution panels in both Raw Water Pump Station and Finished Water Pump Stations
14.)	Extend new loads to existing equipment per drawings in both Pump Stations.
15.)	Schedule/coordinate and complete swap over of individual loads in both pump stations from existing feeds to new distribution panels per drawings. Shutdown of most loads are redundant equipment and will not affect plant capacity.
16.)	Extend loads from new distribution in Finished Water Pump Stations to existing MCC “15-MCC-A” and switchboard “15-SWBD-B”.
17.)	Coordinate/schedule and complete shutdown and swap over of these loads to new distribution panel in Finished Water Pump Station.
18.)	All other power and controls for all locations in plant can progress towards completion, including setting of light poles and energize lights. Ozone generation timeline will depend upon ozone generator skid installation schedule, by others
19.)	Schedule shutdown of 17-SWGR-A & 4MCC-A, disconnect feed from “17-SWGR-A”, and temporarily power 4-MCC-A via portable generator.
20.)	Pull out and dispose of feeders between 4-MCC-A and 17-SWGR-A. Reroute empty conduit near 17-SWGR-A into new 30x60x30 Handhole per drawing E-101 Note D. Re-energize 17-SWGR-A. Pull in new feeders – unspliced – from new 23-SWGR-A to existing 4-MCC-A.
21.)	Schedule shutdown of 14-MCC-A. Disconnect temporary generator, terminate new feeders at 4-MCC-A. Test, and energize through 23-SWGR-A. Relocate temporary generator to 6-MCC-A
22.)	Schedule shutdown of 17-SWGR-A & 6MCC-A, disconnect feed from “17-SWGR-A”, and temporarily power 6-MCC-A via portable generator.
23.)	Pull out and dispose of feeders between 6-MCC-A and 17-SWGR-A. Reroute empty conduit near 17-SWGR-A into new 30x60x30 Handhole per drawing E-101 Note D. Re-energize 17-SWGR-A. Pull in new feeders – unspliced – from new 23-SWGR-A to existing 6-MCC-A.

24.)	Schedule shutdown of 6-MCC-A. Disconnect temporary generator, terminate new feeders at 6-MCC-A. Test, and energize through 23-SWGR-A. Relocate temporary generator to 8-MCC-A
25.)	Schedule shutdown of 17-SWGR-A & 8MCC-A, disconnect feed from “17-SWGR-A”, and temporarily power 8-MCC-A via portable generator.
26.)	Pull out and dispose of feeders between 8-MCC-A and 17-SWGR-A. Reroute empty conduit near 17-SWGR-A into new 30x60x30 Handhole per drawing E-101 Note D. Re-energize 17-SWGR-A. Pull in new feeders – unspliced – from new 23-SWGR-B to existing 8-MCC-A.
27.)	Schedule shutdown of 8-MCC-A. Disconnect temporary generator, terminate new feeders at 8-MCC-A. Test, and energize through 23-SWGR-B. Relocate temporary generator to 13-DP-A
28.)	Schedule shutdown of 17-SWGR-A & 13-DP-A, disconnect feed from “17-SWGR-A”, and temporarily power 13-DP-A via portable generator.
29.)	Pull out and dispose of feeders between 13-DP-A and 17-SWGR-A. Reroute empty conduits near 17-SWGR-A into new 30x60x30 Handhole per drawing E-101 Note D. Pull in new feeders – unspliced – from new 23-SWGR-B to existing 13-DP-A.
30.)	Schedule shutdown of 13-DP-A. Disconnect temporary generator, terminate new feeders at 13-DP-A. Test, and energize through 23-SWGR-B. Remove temporary generator from site.
31.)	Schedule shutdown of switch at Utility Substation MS for 17-SWGR-A
32.)	Remove existing 15kv feeders between PGE substation MS and 17-SWGR-A.
33.)	Coordinate/schedule removal of existing outdoor gear “17-SWGR-A”
34.)	Tie in underground conduit for line side of XFMR T3 to 15KV switch #2 outside new 15kv switch. Pull in new 15KV feeders to XFMR T3 from PGE Switch #2. This will not require shutdown as switch will be/can be locked out.
35.)	Prep/test/energize XFMR T3 through to side A of switchgear “23-SWGR-B” in new switchgear building. Isolate Tie in switchgear and energize 23-SWGR-B via both transformers as double end fed per drawings.

3.0 MAINTENANCE

This section discusses maintenance activities associated with the WRWTP Expansion/Upgrade Project.

3.1 Coordination with WRWTP

Routine preventative maintenance activities, including specific details on lubrication and maintenance of corrosion protection of the equipment and ancillary components, and other considerations are discussed in the sub-sections below. Operation and maintenance (O&M) manuals will be submitted alongside each equipment installation prior to start-up.

3.1.1 Raw/Finished Water Pumps and Motors

The raw/finished water pumps and motors are maintained by plant staff with outside assistance if corrective maintenance is required. Coordination to replace the pumps/motors is required so the pumping capacity can always meet the design capacity at the plant.

3.1.2 Washwater Pumps

All the existing washwater pumps will be replaced. To complete this work, two pumps with VFDs must be operational. To initiate the construction sequence, it is recommended to replace the fixed-speed pump with a VFD-controlled pump first.

3.1.3 Ozone Systems

A minimum of one ozone generator shall always be operational. The Master Ozone Control Panel and Ozone Generator shall be installed, tested, and started up prior to the demolition of the existing ozone generators. Shutdown of the ozone contactors shall be limited to twelve hours and shall be used to provide the necessary isolation to complete the work. A minimum of one ozone destruct unit shall be always operational. Furthermore, the LOX tank shutoff valve replacement will require a short duration shutdown.

The Ozone System Supplier (OSS) will provide training for designated Owner personnel in the operation and maintenance of the ozone system, including all components provided under this Contract.

3.1.4 Electrical

A new diesel-powered generator, fuel storage tank and switchgear will be installed. The switchgear will have dual utility power feeds and a tie breaker to allow feeding the entire plant via one utility feed. Additionally, the diesel generator can feed the entire system. The coordination of the feeders, tie breaker, and generator feed shall be controlled by the power control panel located in the switchgear building. This control panel shall be provided and programmed by the switchgear/generator equipment vendor.

3.1.5 Chemical Systems

A new caustic soda pump (13-FD-2) is being added to the chemical delivery area. Pumps 1 and 3 are existing pumps, so there will be three total pumps in the caustic soda delivery system. When the plant was built, a spare caustic soda pump was built into the system, because of this there are existing controls and programming to accommodate the new pump.

A new solenoid valve is being added to the discharge line of each caustic soda pump. These modifications will allow positive shutoff of chemical delivery. The integrator shall program the SCADA and control system to open each solenoid valve when the associated pump is running.

Kiewit will submit printed instructions relating to proper maintenance, including lubrication, and parts lists indicating the various parts by name, number, and diagram where necessary.

3.2 Long Term Maintenance

The long-term maintenance activities associated with the vertical turbine pumps and key mechanical and electrical equipment are presented below.

3.2.1 Vertical Turbine Pumps

The WRWTP vertical turbine pumps are designed for river water systems and the design includes an enclosing tube so that any sand or silt in the pumped media does not interact with the lineshaft bearings. All routine inspections and maintenance tasks as recommended by the pump manufacturer shall be followed per the recommended schedule. Typical maintenance for these pumps is outlined below.

- For the vertical pumps, it is recommended that a maintenance plan and schedule is adopted, in line with these user instructions, to include the following:
 - Auxiliary systems like the bearing lubrication system installed to provide potable quality water to lubricate the lineshaft bearings must be monitored to ensure they function correctly. Bearing lubrication system discharge pressure and flow should be checked weekly to ensure adequate pressure and flow are provided to the enclosed lineshaft bearings. The quality of the water also needs to be monitored weekly.
 - At the stuffing box, the gland packings must be adjusted correctly to give visible leakage and concentric alignment of the gland follower to prevent excessive temperature of the packing or follower.
 - Check for any leaks from gaskets and seals. The correct functioning of the shaft seal must be checked regularly.
 - Check that the duty condition is in the safe operating range for the pump.
 - Check vibration, noise level and surface temperature at the bearings to confirm satisfactory operation.
 - Check dirt and dust is removed from areas around close clearances, bearing housings and motors.
 - Check coupling alignment and re-align if necessary.
- Routine daily/weekly inspections and maintenance include, but not limited to, the following:
 - Operating behavior like noise, vibration and bearing temperatures are to be checked.
 - Observe for any abnormal fluid or lubricant leaks (static and dynamic seals).
 - Check that shaft seal leaks are within acceptable limits.

- Inspection every 6 months includes checking of: the foundation bolts for security of attachment and corrosion; pump operation hours to determine if motor bearing lubricant needs replacement; shaft coupling for correct alignment and worn driving elements.
- Once properly set at initial installation, impellers typically will not require re-adjustment.

3.2.2 Electrical Facilities

The design of the WRWTP electrical distribution system is such that no single point of failure can completely disable the electrical system. This design feature also means that any electrical component can be effectively de-energized and isolated to perform maintenance while the operation of the facility is not substantially affected. The maintenance of the major pieces of electrical equipment are broken down as follows:

- 2 MW 480 Volt generator – Maintenance on this equipment will require monthly testing at full load.
- Two 12 kV/480 Volt Transformers – Maintenance on this equipment will require switching of the appropriate circuit breakers to isolate the specific piece of equipment to undergo maintenance. Each of the two transformers are 100% redundant and can be isolated so that no effective pumping operational capacity is lost.
- 480 Volt Switchgear – Maintenance on this equipment will require switching of the appropriate circuit breakers to isolate the specific piece of equipment to undergo maintenance.
- 4,160 Volt Switchgear – Maintenance on this equipment will require switching of the appropriate circuit breakers to isolate the specific piece of equipment to undergo maintenance. Each bus and device in the switchgear can be isolated, however isolation of one of the switchgear busses will result in a reduction of effective pumping operational capacity by 50%.

For the smaller non-critical and/or non-redundant electrical or electro-mechanical equipment, the maintenance of such equipment can be done at any time with minimal impact. If there is an impact to the operation of the facility, maintenance activity will be executed at a time so the impact to the facility operation is minimized.

3.2.3 Other Facilities/Systems

SUEZ Water Technologies was selected as the Ozone System Supplier (OSS). The OSS shall furnish materials, equipment, and engineering services necessary for a complete ozone system. The furnished and installed ozone system improvements, as provided by the OSS, shall be warranted against defects in work quality and material for a minimum period of five years from the date of Substantial Completion. The Ozone System Warranty shall cover all parts, labor, and services to correct the defect, and shall cover all items provided by the OSS.

Detailed Outage Plans and Schedules will be developed during Construction Phase.

4.1.1 Outage Considerations

KIWC anticipates several construction interferences which would impact the operation of the WRWTP, and a list of potentially impacted areas and their activities is documented below.

Clearwell

- The clearwell cannot be drained for this work, so installation must be completed with divers and while the FW pumps are not operating – multiple plant shutdowns will be required.

Electrical/Power Supply System

- Install a new 2 MW/480v standby generator with belly fuel tank.
- Install a new electrical bldg. equipped with 480v switchgear for future 30 MGD buildout.
- Remove existing 1 MW backup generator and turn this room into a workshop.
- Remove/demo the existing 480v switchgear and enclosure.
- Numerous plant shutdowns will be required to complete this work, and careful coordination with plant staff is required.

Ozonation System

- Replace the two existing 300 ppd generators with two new 300 ppd generators.
- Provide/install a new ozone generation control system to allow variable gas flow or constant gas flow.
- Install a new cooling water system.
- Install a new nitrogen boost system.
- Replace the existing ozone off-gas destruct units with new units.
- Add new Gaseous Oxygen (GOX) auto-shutoff valves.
- Numerous plant shutdowns will be required to complete this work, and careful coordination with plant staff is required.

Filter Valve Actuators

- Replace existing highly utilized filter valves with new valves.
- Remove filter valve actuators from Modbus serial network and control by Ethernet IP based control network.

Chemical Systems

- Various upgrades including seismic.

- Extension of chemical piping utilidor system.

Table 4-2 addresses the following activities rated as High-Risk Level and a more developed construction sequencing plan will be provided in the future.

Table 4-2 High-Risk Level Construction Activities

AREA	DESIGN ELEMENTS
Raw Water Pump Station	<ul style="list-style-type: none"> ▪ Replace Raw Water Pump 4 with larger pump and new variable frequency drive (VFD).
Finished Water Pump Station	<ul style="list-style-type: none"> ▪ Install one new finished water pump with VFD.
Ozone Contactors / Ozone Generators	<ul style="list-style-type: none"> ▪ Replace and resize existing ozone destruct unit skirts. ▪ Install new emergency liquid oxygen (LOX) shutoff valve. ▪ Replace nitrogen boost compressed air system with liquid nitrogen system. ▪ Replace dewpoint instrument with actual dewpoint sensor arrangement. ▪ Replace manual valve on nitrogen boost system with mass flow controller. ▪ Replace two existing ozone generators, replace open-loop cooling water system with closed-loop system, and replace pneumatic valve actuators with electric actuators. ▪ Install emergency shutoff at two exits.
Clearwell	<ul style="list-style-type: none"> ▪ Install flexible baffle system in clearwell.
Solids Dewatering Building	<ul style="list-style-type: none"> ▪ Seismic retrofits
Electrical	<ul style="list-style-type: none"> ▪ New 480v switchgear housed in new CMU block building. Demolish existing 480v switchgear and enclosure. ▪ New 4,160v switchgear ▪ Two 12Kv/480v outdoor transformer ▪ 2 MW 480v generator installed in weatherproof, noise attenuating enclosure coupled with an automatic transfer switch and horizontal above ground diesel storage tank. ▪ Arcflash study

Instrumentation & Control	<ul style="list-style-type: none"> ▪ SCADA upgrades to support other improvements.
Civil	<ul style="list-style-type: none"> ▪ Extend chemical piping utilidor to southern end of plant.

4.2 Relocation of Existing Utilities

Relocation of utilities may be required where there are conflicts between new construction and existing utilities. Currently, the utilities listed in Table 4-3 are planned for relocation.

Table 4-3 Relocation of Existing Utilities

UTILITY	DESCRIPTION OF RELOCATION	REMARKS
Existing Streetlights	Relocate 2 streetlights at the upper site.	Wilsonville will eventually replace the existing streetlights.
WWSP Chemical/Fiber Optic Line	Relocate/replace chemical piping utilidor system	Potentially tie-into previous contract’s work
Existing Irrigation System(s)	Relocate/replace irrigation where encountered.	Existing irrigation at Clearwell area

As the WRWTP Expansion/Upgrade design progresses, the need to relocate additional existing utilities may be identified and, if so, will be listed in Table 4-3 above and identified in Table 5-1.

4.3 Parts and Materials Needed in Advance of Plant Shutdowns

Partial and full shutdowns are critical and, as such, having the material on-site that is required for the outage work will be imperative. During the outage planning, the materials will be identified and ordered. No outage will start without the Contractor, Owner and Plant going through the parts on-site and verifying that all the parts are accounted for. A surplus of critical parts (bolts, nuts, gaskets, etc.) will also be on-site to limit the potential of not being able to complete the outage work.

5.0 SUBSURFACE UTILITY ENGINEERING

The subsurface utility locates were performed during preconstruction. Table 5-1 displays all identified utilities in the WRWTP plant and offsite areas where potential construction exists. Twenty (20) potholes were selected for subsurface utility engineering (SUE) to be performed.

Any additional recommend utilities to be potholed or surveyed will be identified for the CM/GC team to perform during construction.

Table 5-1 Pothole Results of Existing Utilities

WRWTP Expansion/Upgrade Project			
Existing Utilities - Pothole Results			
Pothole Number	Utility/Pipe Material	Size (in)	Top Elevation (ft)
1	DIP		137.85
2	SCH 40 PVC	2	137.8
	SCH 40 PVC	1.5	137.75
3	Concrete Encased	6	138.1
4	DIP	12	136.9
	Chem Lines		137.2
5	Chem Lines		137.2
6	Chem Lines	1.5	136.8
	Gas Line	2	136.8
7	Gas Line	2	136.6
	PVC	6	136.6
	SCH 40 PVC	1.5	136.6
	SCH 40 PVC	2	136.6
8	Plant Overflow	24	136.6
9	SCH 40 PVC	1.25	137.6
	SCH 40 PVC	1	136.8
	SCH 40 PVC	1.25	136.75
10	SCH 40 PVC	1	137.6
11	Concrete Encased Water Line		135.7
	Storm	10	135.4
12	SCH 40 PVC	1.5	137
	Concrete Encased Water Line		136.5
13	x6 Chem Lines	1	137.8
	SCH 40 PVC	2	137.8
14	PVC	6	137.9
15	Plant Overflow	24	128.4
16	DIP	12	130.4
17	Plant Overflow	24	136.6
18	Electrical Conduit	8	120.8
19	Storm	10	123.25
20	DIP		121.6

6.0 EXISTING CONTROLS

This section provides a summary of operation and control of the WRWTP for reference purposes.

6.1 Overview

The WRWTP has a permitted capacity of 15 million gallons per day (MGD). The process units include:

- Raw water intake screens with air burst system.
- Raw water intake piping.
- Caisson / wetwell and pumping station.
- Two Actiflo process trains.
- Two parallel ozone contact chambers with destruct units.
- Four deep bed granular activated carbon (GAC) / sand filters with backwash pumps (2) and air scour.
- An equalization basin.
- Solids thickener basin.
- Two sludge processing centrifuges with screw conveyors.
- High service pumping.
- The active chemical feed systems include the following:
 - Caustic soda for pH adjustment
 - Cationic polymer as a coagulant aid
 - Anionic polymer for sludge processing
 - Filter aid polymer
 - Liquid aluminum sulfate (alum) as a primary coagulant
 - Polyphosphate for corrosion control
 - Calcium thiosulfate for deozonation
 - Sodium hypochlorite for algae control and disinfection.

Since 2013, plant staffing has been a 24/7 operation. Six days per week one operator is on duty per shift. One day per week there is an overlap with two operators per shift which provides flexibility with plant performance and maintenance activities. One staff person is also designated as an O&M Tech-III Lead and monitors the plant operations and performs a variety of maintenance tasks; but also fills in as an operator when needed.

The storage capacity at the treatment plant is designed with a 2.9 million-gallon (MG) clearwell. The Wilsonville distribution system is composed of three pressure zones with storage tanks. Tank B1 has a storage capacity of 2.2 MG, Tank B2 is 3.0 MG, and Tank C1 is 2.0 MG. These storage volumes will be needed when calculating shutdown durations, along with input from the City/plant staff for anticipated distribution demands. Additionally, the system water demands also includes the City of Sherwood. Daily, Sherwood provides plant staff with a water demand request and re-notifies if a change is required. Plant staff is not able to monitor Sherwood's system. The contract conditions allow for a maximum delivery rate of up to 5.0 MGD.

6.2 Existing Control Strategy

The process controls at the WRWTP have several control options available; however, most of the equipment and chemical feed systems are controlled in the Remote Manual and/or Remote Auto modes. A brief description of each type of control mode is provided below.

- **Local Manual** – Control in this mode provides a means to operate the equipment by manual selection at the local control panel (LCP). This control feature normally includes an **On/Off, Start/Stop, or Open/Close** selector switch. In most cases, this mode is only used to test the equipment.
- **Local Automatic** – Control in this mode provides a means to operate the equipment by automatic selection at the LCP. This control feature normally includes a **Hand-Off-Auto (HOA)** selector switch. Equipment operated in this mode is normally programmed by the equipment manufacturer and SCADA is used to monitor the process.
- **Remote Manual** – Control in this mode provides a means to adjust the equipment status or set-point, through the SCADA system, using manually initiated commands. The equipment control feature normally includes a **Local-Off-Remote (LOR)** selector switch at the LCP and the switch is set in the Remote position.
- **Remote Automatic** – Control in this mode provides a means for automatically changing equipment status or set-point based on measured process parameters, calculated values, or operator set-points through the SCADA system. The equipment control feature normally includes a **Local-Off-Remote (LOR)** selector switch at the LCP and the switch is set in the Remote position.

6.3 WRWTP Operations Staff Interviews

The plant staffing and system storage was discussed earlier in this section. Veolia staff provided Kiewit with the daily production amounts for 2017 and 2018. Figure 6-1 represents the 2017 minimum, maximum, and average daily production per month while Figure 6-2 shows the same values for 2018 but only from January through August. As the figures illustrate, the 2018 production values are slightly higher because of the dry conditions. Understanding these figures provides insight to the system water demands and will assist with the coordination of the construction activities and the preparation of contingency plans for unexpected outages during these activities.

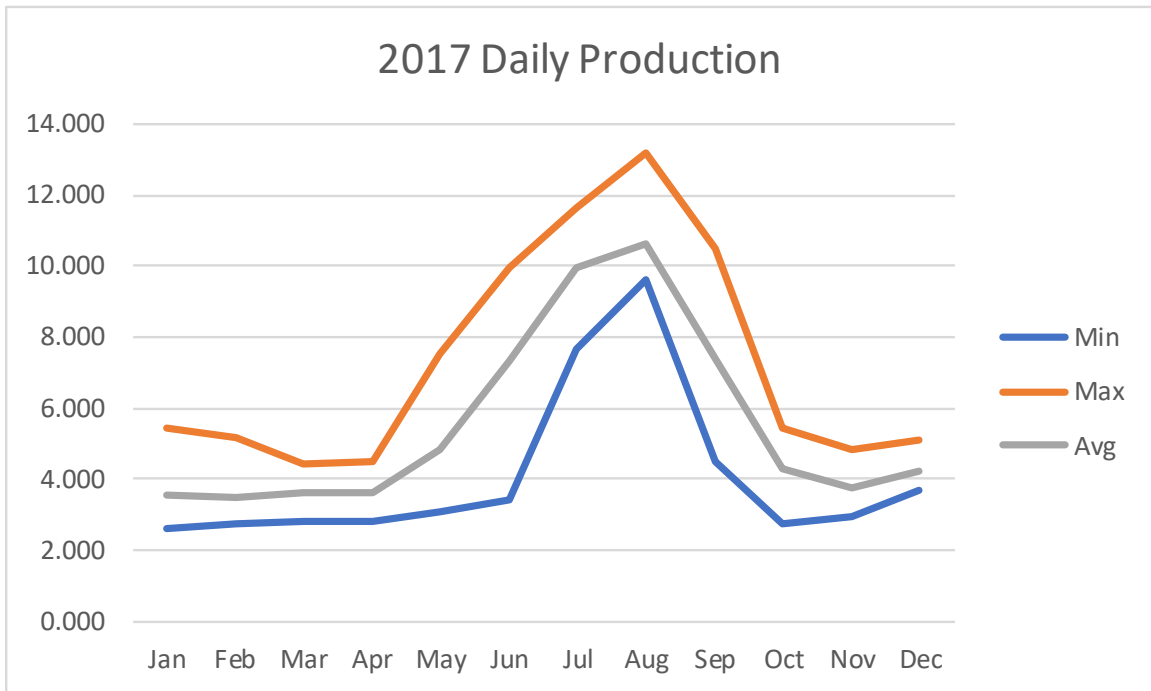


Figure 6-1 2017 WRWTP Daily Production

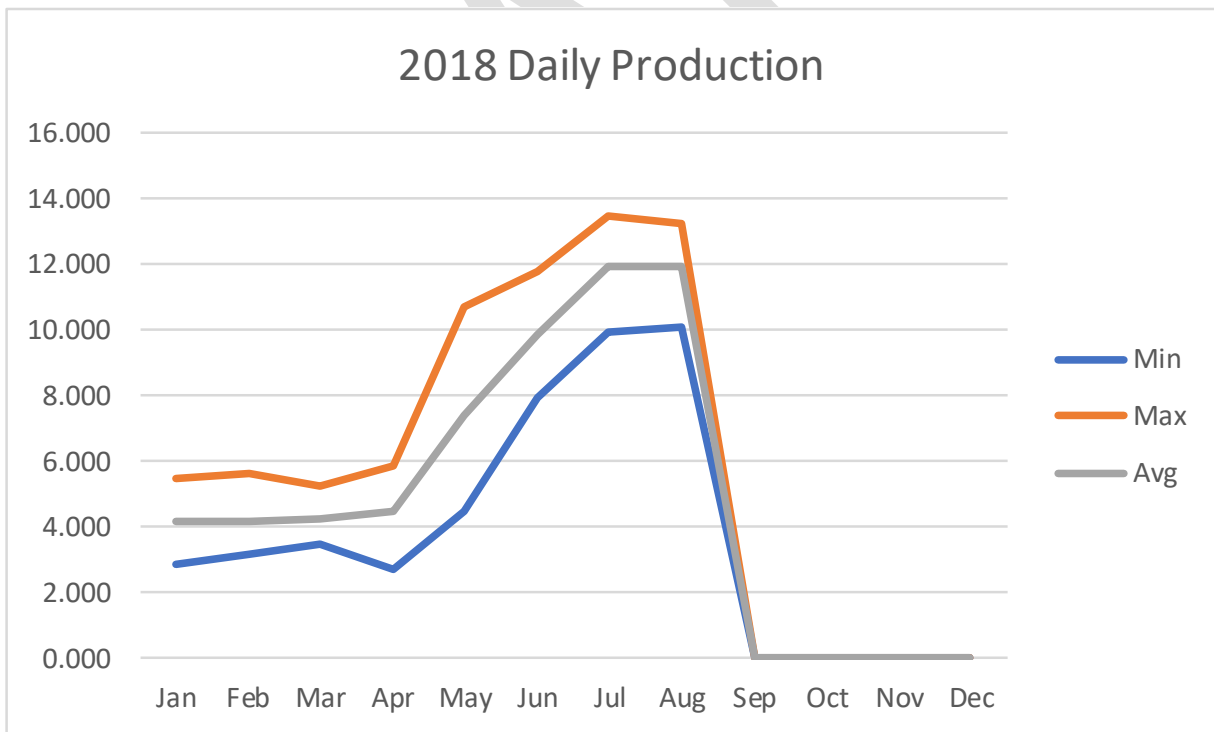


Figure 6-2 2018 WRWTP Partial Daily Production

6.3.1 Lessons Learned

- Kiewit would like to collaborate with COW and Veolia to determine how we can continuously improve from previous lessons learned.

6.3.2 Level of Redundancy

The WRWTP is designed with redundant pumps and motors and chemical feed metering pumps. The plant operator controls these systems by setting the appropriate Lead/Lag and/or Duty/Standby selections. Table 6-1 shows the number of process units per system. The Actiflo and ozone trains are designed at capacity flow rates but if a train is out of service the plant capacity is reduced in half, approximately 7.5 MGD but based on loading rates and disinfection contact time. Additionally, the filters are permitted at 6 gpm/ft² (approximately 4 MGD) which requires all filters to be online at capacity flow rates. Some examples of single points of failure at the plant include the raw water intake piping, raw water discharge/influent piping, high service pump discharge piping, chemical injection piping, and ethernet conduits. A failure of one or more of these systems could result in a plant shutdown. The SCADA system does include redundant programmable logic controllers (PLCs).

6.3.3 Plant Shutdown / Startup

The plant shutdown and startup durations were previously reviewed with Veolia staff. A summary of the durations is highlighted below.

- **Plant Shutdown.** Plant staff indicated that it would take 10 minutes or so to shut down the plant flow which also includes increment adjustments when at the higher production rates. After the raw water flow is offline, it will take another 30 minutes or so to verify the plant processes, chemical feed systems, and water flow to process instruments. The ozone generator will purge for approximately 5 minutes, the operator will shut down the ozone destruct system after the purge process or later, and the high service pumps can be taken offline or continue to run for an operator-controlled duration.
- **Plant Startup.** Plant staff indicated that it could take from 1 to 2 hours to restart the system. If the shutdown duration is less than 4 hours, the restart could be quicker than 1 hour. Shutdown durations in the 4 to 8-hour range will take around 1 hour. Shutdown durations longer than 8 hours is usually around the 2-hour range. Pumping finished water into the distribution system does not start until all water quality parameters meet the contract conditions. Startup may also require incremental flow increases after acceptable water quality. The plant operator sets the plant flow rates based on storage levels and system demands.

6.3.4 Backup Power

The WRWTP is equipped with a 1-megawatt backup generator. The generator can operate one 4 MGD raw water pump, one 4 MGD finished water pump, and one ozone generator. When backup power is used at the plant, the Actiflo treatment process is reduced to one treatment train, one ozone contactor, one or two filters and the chemical/ancillary systems. The generator has an open loop transition with an automatic transfer switch (ATS). Backup power is not available to the centrifuge dewatering process. The backup generator is tested under load monthly.

7.0 CONTACT LIST

Table 7-1 List of Contacts

Affiliation	Position	Name	Number	Email
Kiewit	Project Executive	Mark Bertolero	(707) 439-7300	Mark.Bertolero@kiewit.com
	Project Manager	Matthew Gardner	(916) 240-1667	Matthew.Gardner@kiewit.com
	General Superintendent	Brent Simmons	(707) 207-1015	Brent.Simmons@kiewit.com
	Senior Project Engineer	Christopher Walsh	(925) 200-5232	ChristopherT.Walsh@kiewit.com
	Civil Site Engineer	Austin Meartz	(971) 710-2483	Austin.Meartz@kiewit.com
	Health & Safety Manager	William Lewis	(707) 416-6682	William.Lewis2@kiewit.com
	QA/QC Lead	Ahmed Mouada	(707) 372-4288	Ahmed.Mouada@kiewit.com
	Mechanical Superintendent	*	*	*
	Startup/Commissioning Superintendent	*	*	*
	Field Engineer	*	*	*
City of Wilsonville	Senior Civil Engineer	Mike Nacrelli, P.E.	*	*
Christenson Electric, Inc.	Electrical Superintendent	Chad Privratsky, C.E.I.	*	*
	Electrical Foreman	Garland Dotson, C.E.I.	*	*
Veolia	WRWTP Manager	Kim Reid	(503) 826-2633	*

* - denotes positions/details that will be updated as the Construction Phase progresses

	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24
Submittals	X	X	X	X	X	X	X																	
Permits	X	X																						
Procurement	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
Area 1 - Raw Water Pump Station																								
Area 2 - Finished Water Pump Station																								
Area 3 - Ozone Contractors/Ozone Generators							X	X	X	X	X	X												
Area 4 - Clearwell																								
Area 5 - Washwater EQ Basin				X	X	X	X	X	X	X	X	X	X	X										
Area 6 - Solids Handling Tank and Dewatering Building				X	X	X	X	X																
Area 7 - Chemical Systems																					X	X	X	X
Area 8/9 - Electrical and I&C																								
Area 10 - Sitework	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Project Closeout and Commissioning																							X	X
Total Work Areas per Month	4	4	3	5	6	7	8	7	6	7	7	6	6	4	3	3	3	3	3	3	2	3	2	1

	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	2022 MWKs	2023 MWKs	2024 MWKs	Total MWKs	Total % of Duration	C.O.W. %	GC %	GC \$
Project Manager	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	30%	20%	20%	20%	20%	20%	20%	20%	20%	20%	10%	17	17	3	38	36%	0%	100%	\$ 398,823
General Superintendent	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	30%	20%	20%	20%	20%	20%	20%	20%	20%	20%	10%	17	17	3	38	36%	50%	50%	\$ 176,751
Construction Engineer	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	40%	30%	30%	30%	30%	30%	30%	30%	50%	50%	50%	21	23	9	52	50%	25%	75%	\$ 339,049
Safety Manager	30%	30%	30%	30%	30%	30%	30%	50%	50%	50%	50%	50%	50%	30%	30%	30%	30%	30%	30%	30%	30%	30%	30%	30%	11	20	5	36	35%	40%	60%	\$ 179,706
Quality Manager	30%	30%	30%	30%	30%	30%	30%	50%	50%	50%	50%	50%	50%	30%	30%	30%	30%	30%	30%	30%	30%	30%	30%	30%	11	20	5	36	35%	40%	60%	\$ 179,706
Discipline Supervisory Lead - Structures	10%	10%	10%	25%	25%	50%	50%	50%	50%	50%	40%	40%	40%	30%	30%	20%	20%	20%	10%	5%	5%	0%	0%	0%	10	16	0	26	25%	80%	20%	\$ 45,777
Discipline Supervisory Lead - Mechanical	30%	30%	30%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	15	26	9	49	47%	80%	20%	\$ 86,168
Central Engineering	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	17	26	9	52	50%	100%	0%	\$ -
Field Engineer	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	0%	50%	50%	50%	50%	50%	50%	50%	50%	17	24	9	50	48%	100%	0%	\$ -
Lead Schedule Engineer	100%	100%	50%	50%	50%	50%	25%	25%	25%	25%	25%	25%	25%	25%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	19	9	2	30	29%	0%	100%	\$ 173,461
Total Staff	4.60	4.60	4.10	4.45	4.45	4.70	4.45	4.85	4.85	4.85	4.75	4.75	4.75	3.65	3.20	2.60	3.10	3.10	3.10	3.00	3.15	3.15	3.10	2.90	157	198	53	408		51.5%	48.5%	\$ 1,579,440

	60% Design	90% Design	100% Design Reduced Scope
1 Raw Water Pump Station	\$ 183,903	\$ 367,682	\$ 213,881
2 Finished Water Pump Station	\$ 525,657	\$ 409,227	\$ 248,881
3 Ozone Contactors / Generators	\$ 2,822,983	\$ 2,982,409	\$ 3,062,113
4 Clearwell	\$ 161,476	\$ 482,207	\$ 489,784
5 Washwater EQ Basin	\$ 264,428	\$ 898,384	\$ 532,897
6 SHT and DW Building	\$ 214,116	\$ 155,242	\$ 161,232
7 Chemical Systems	\$ 887,234	\$ 1,533,262	\$ 1,190,593
8 Electrical	\$ 7,741,256	\$ 9,281,951	\$ 9,079,233
9 I&C	\$ 382,152	\$ 799,152	\$ 928,382
10 Sitework	\$ 1,649,986	\$ 2,074,926	\$ 2,020,933
11 CMGC Contingency	\$ 1,073,425	\$ 749,617	\$ 1,390,705
12 Article 8 - Additional Cost of Work	\$ 3,070,333	\$ 3,108,858	\$ 2,428,085
13 GC Work Fee	\$ 2,238,000	\$ 2,378,926	\$ 2,069,477
14 Fee	\$ 1,518,000	\$ 1,644,000	\$ 1,302,764
	\$ 22,732,949	\$ 26,865,843	\$ 25,118,960



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: May 2, 2022		Subject: Resolution No. 2971 Vertical Housing Development Zones (VHDZ)	
		Staff Members: Kimberly Rybold, AICP, Senior Planner and Matt Lorenzen, Economic Development Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments:	
Staff Recommendation: Staff recommends that Council adopt Resolution No. 2971, establishing a Vertical Housing Development Zone program in the City of Wilsonville.			
Recommended Language for Motion: I move to approve Resolution 2971.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Equitable Housing Strategic Plan Implementation	<input checked="" type="checkbox"/> Adopted Master Plan(s): Villebois Village Master Plan, Town Center Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Adoption of a Vertical Housing Development Zone (VHDZ) program to incentivize the development of multi-story, mixed-use projects in Villebois Village Center and Town Center.

EXECUTIVE SUMMARY:

A Vertical Housing Development Zone (VHDZ) offers a partial property tax exemption on building improvement value for mixed-use developments that include housing with non-residential use on the ground floor. The amount of tax exemption increases based on the number of residential floors above the ground floor of the project. The partial abatement lasts for a period of 10 years, beginning with the first tax year in which, as of the assessment date, the project is occupied or ready for occupancy following its approval by the City. On a market-rate project, the partial abatement applies only to vertical improvements—that is, no portion of the assessed value of the land under an eligible project is exempted from any amount or percentage of taxation. Additional assessed value associated with land may be exempted where the project has an affordable housing component.

Two recent planning processes, the Town Center Plan and Equitable Housing Strategic Plan (EHSP), identified the use of VHDZ as a tool to incentivize multi-story, mixed-use development in specific locations in Wilsonville. The 2019 Town Center Plan included a short-term implementation action (ED.10 – Consider Adopting a VHDZ) to explore locations in Town Center where this may be a suitable tool to help achieve the Plan’s goals by stimulating targeted construction of vertical mixed-use buildings. The 2020 Equitable Housing Strategic Plan included VHDZ as one of the tax abatements to explore (Action 1D: Create Housing Tax Abatement Programs to Achieve Housing Diversity and Affordability) to promote the development of housing with access to services and amenities in the Villebois Village Center and Town Center. In support of these recommendations, City Council’s 2021-23 Goals direct staff to continue implementation of the ESHP, including exploration of VHDZ.

Over the course of the past year, the project team held five work sessions with Council to answer questions about how VHDZ could promote the development of mixed-use buildings in Town Center and Villebois Village Center, gather input on specific boundary alignment, and discuss local criteria that aim to create active ground floors. Based upon input received at these work sessions, the proposed boundary in the Villebois Village Center is limited to the two remaining undeveloped tax lots where mixed-use development is anticipated. In Town Center, the proposed boundary focuses on the areas generally within the Main Street subdistrict (MSD), where active ground floor uses are focused in the Town Center Plan. Maps and a listing of tax lots located within the proposed VHDZ area are included in Attachment 1, Exhibit A.

Oregon Revised Statute (ORS) 307.844 allows for cities adopting VHDZ programs to include additional local criteria beyond minimum state eligibility requirements, provided they do not conflict with these requirements. To reflect Council’s direction that eligible projects provide ground floor spaces that are accessible to the public, the local criteria included as part of the proposed VHDZ program (Attachment 1, Exhibit A) require projects to meet applicable design requirements for commercial and/or mixed-use buildings, provide direct street entrances, include at least one tenant space per building, and, if live/work units are included, meet minimum standards regarding the location of the non-residential portion of the unit. These criteria, along with the minimum state requirements, will be used to determine a project’s eligibility for the tax abatement.

Since the last work session on February 24, the project team completed all necessary requirements of ORS 307.844 prior to adoption of a VHDZ program. The state statute requires cities to consider the potential for displacement of households within a proposed VHDZ prior to designating the zone. As noted in the Displacement Risk Memo (Attachment 2), there are no residential units currently within the proposed VHDZ boundaries; therefore there is no risk of direct physical displacement as a result of adopting a VHDZ program. The memo also assesses displacement risks to adjacent properties, concluding that there are no major displacement risks due to the age and renovation status of nearby residential units.

The state statute also requires cities to send notification of proposed zone designation to affected taxing districts whose revenues may be impacted by the establishment of a VHDZ. On March 2, 2022, the City sent this notice, which described the location of the proposed zones, discussed the nature of the tax abatement, and provided information about the process by which a local taxing district may elect to option out of the tax abatement. Notification that a taxing district wished to opt out must have been received within 30 days of when the notice was received, and no taxing districts provided a notice to the City that they would opt out within the 30-day timeframe. No sooner than 60 days from the date of the taxing district notice, the City may adopt a resolution adopting VHDZ. Therefore, the City is able to adopt a VHDZ program at this meeting.

The tentative process for fielding an application and project certification is as follows:

1. **Eligibility Determination:** Applicant contacts Community Development staff to discuss basic program parameters and eligibility criteria.
2. **Application:** Applicant submits \$1,000 application fee, completes and submits Application for Certification with supporting documents.
3. **Pre-certification:** Staff review Application for Certification and supporting documents to confirm project meets both state and local VHDZ threshold criteria.
4. **Conditional Confirmation:** If staff determine project meets threshold criteria, a conditional confirmation letter will be issued detailing the potential property tax exemption and next steps.
5. **Construction:** Applicant proceeds with construction of their project as planned.
6. **Final Certification:** Following completion of project construction, applicant submits an updated Application for Certification form reflecting any updated project information; an updated site plan and architectural pages that show the final “as built” square footages; and Certificate of Occupancy, sent within 10 days of receipt. City staff will use this to reconfirm project meets threshold criteria.
7. **County Tax Assessor notified:** Once all of the above steps are completed, Staff will inform the County Tax Assessor’s office in writing that the project is occupied (or ready for occupancy) and has been certified by the City, providing any documentation required by the Assessor’s offices.
8. **Abatement period begins:** Abatement begins in the first tax year in which, as of the assessment date, a vertical housing development project is occupied or ready for occupancy following certification, and for the next nine consecutive tax years.

EXPECTED RESULTS:

City Council will establish a locally tailored VHDZ program that will provide an incentive for the construction of mixed use development in Town Center and Villebois Village Center.

TIMELINE:

The program will be effective upon adoption of this resolution. Upon adoption of the VHDZ program, staff will notify the Clackamas County Assessor of the designation of the zone consistent with state statute requirements. Staff will be prepared with necessary forms and any other administrative items to field an application for processing on or before July 1, 2022.

CURRENT YEAR BUDGET IMPACTS:

Total project scope for the development of the VHDZ program is approximately \$45,000. Funding for consultant services will be partially funded by professional services funds from the Planning Division budget, supplemented by funding from CIP project #3004 for Town Center related VHDZ work. The amended budget for FY2021-22 includes approximately \$280,000 for Town Center Implementation. Staff time will be required to administer the VHDZ program. The proposed application fee is intended to cover a portion of the costs associated with staff time review.

COMMUNITY INVOLVEMENT PROCESS:

The Town Center Plan included a robust and inclusive public outreach process where VHDZ was identified as an implementation action. The priorities identified in the Equitable Housing Strategic Plan, including tax abatements for housing, were generated through a community input process that included focus groups, surveys, and Task Force input. Any mixed-use development qualifying for VHDZ will go through the typical City development review process before the Development Review Board, which allows for public comment from residents, neighbors and property owners. Adoption of the City's VHDZ program is occurring through a public process that welcomes input from citizens and taxing districts.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Adoption of VHDZ will provide a targeted incentive for active and publicly accessible ground-floor uses to support the community's vision for more vibrant, walkable, mixed-use places as called for in the Villebois Village Master Plan and Town Center Plan. Ultimately, adoption of VHDZ can create long-term community wealth through the construction of mixed-use buildings that will be fully taxed after the partial abatement ends.

ALTERNATIVES:

City Council can request modifications to the proposed Wilsonville VHDZ program and the attached implementing resolution, limited to local project eligibility criteria, zone boundaries, and administrative processes and fees, or choose to not adopt a VHDZ program. State threshold criteria (ORS 307.841 to 307.867) cannot be amended.

CITY MANAGER COMMENT:

ATTACHMENTS:

1. Resolution No. 2971
 - A. Wilsonville Vertical Housing Development Zone—Local Criteria
 - B. Displacement Analysis

RESOLUTION NO. 2971**A RESOLUTION OF THE CITY OF WILSONVILLE ESTABLISHING THE WILSONVILLE VERTICAL HOUSING DEVELOPMENT ZONE (VHDZ) PROGRAM AND LOCAL CRITERIA.**

WHEREAS, Goal 10 of Oregon’s Statewide Planning Goals and Guidelines directs local jurisdictions to “encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density”; and

WHEREAS, the Oregon Legislature created the Vertical Housing Development Zone program in 2003 to increase the supply of housing by encouraging and incentivizing mixed-use, multi-story development projects throughout the State; and

WHEREAS, in the Oregon Legislature adopted and the Governor signed SB 310 (2017), codified as ORS 307.841 to 307.867, pertaining to the Vertical Housing Development Zone program; and

WHEREAS, SB 310 (2017) transfers Vertical Housing Development Zone program administration and oversight from the Oregon Housing and Community Services Department to local governments; and

WHEREAS, in 2019 the City of Wilsonville (“City”) approved Ordinance No. 835 adopting the Town Center Plan; and

WHEREAS, the Town Center Plan includes exploration of VHDZ as an economic development strategy to offer a financial incentive for the targeted construction of vertical mixed-use buildings consistent with Plan goals making construction of these buildings more financially feasible; and

WHEREAS, in 2020 the City adopted Resolution No. 2820 approving the Wilsonville Equitable Housing Strategic Plan (EHSP), which seeks to improve equitable access to a range of housing in Wilsonville; and

WHEREAS, a policy objective of the EHSP is to create “Targeted housing opportunities in areas with access to services and public transit”; and

WHEREAS, Implementation Action 1D of the EHSP is to “Create Housing Tax Abatement Programs to Achieve Housing Diversity and Affordability” which includes VHDZ as a tool to help

make construction of mixed-use buildings, which provide services in close proximity to housing, more financially feasible; and

WHEREAS, City Council's 2021-2023 Goals include continued implementation of the EHSP, with a focus on financial incentives including VHDZ; and

WHEREAS, the Villebois Village Center and Town Center are the City's primary areas planned for mixed-use development; and

WHEREAS, City Council has provided direction regarding local VHDZ program implementation, zone boundaries, and administrative rules during five work sessions throughout 2021 and early 2022; and

WHEREAS, the VHDZ boundaries and local criteria identified in **Exhibit A** seek to implement City Council's direction to incentivize the creation of publicly accessible, active ground floor spaces in the City's mixed-use centers; and

WHEREAS, the City sent written notice of the City's intention to designate a VHDZ program to the local special districts having taxing authority within the proposed VHDZ boundaries, as required by Oregon Revised Statutes; and

WHEREAS, the City has not received notice of an intent or decision to opt out of the VHDZ program from any affected taxing district within the statutorily allowed timeframe; and

WHEREAS; the City has considered the potential for displacement of households within the proposed vertical housing development zone boundaries, as required by ORS 307.844(5), and such consideration has been memorialized in the Displacement Analysis memo in **Exhibit B**.

NOW THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Wilsonville City Council hereby establishes the Wilsonville Vertical Housing Development Zone (VHDZ) Program, intended to incentivize the development of multi-story mixed-use projects in targeted areas of the City.
2. The VHDZ program, including but not limited to boundaries, application processes, project eligibility determination, and project certification, shall be administered under locally applicable rules as articulated in **Exhibit A**, in addition to baseline statewide rules found in ORS 307.841 to 307.867.

3. At the time of application, the City will collect a \$1,000 application fee as allowed by ORS 308.857(10) to offset the cost of administering the application and certification process.
4. The Wilsonville City Council directs staff to further develop additional administrative rules as may be deemed necessary, and which are aligned with previous Council direction, in order to effectively implement and administer the VHDZ program.
5. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2nd day of May, 2022, and filed with the Wilsonville City Recorder this date.

Julie Fitzgerald, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Lehan

Councilor West

Exhibits:

- A. Wilsonville Vertical Housing Development Zone—Local Criteria
- B. Displacement Analysis

RESOLUTION NO. 2971

Page 3 of 3



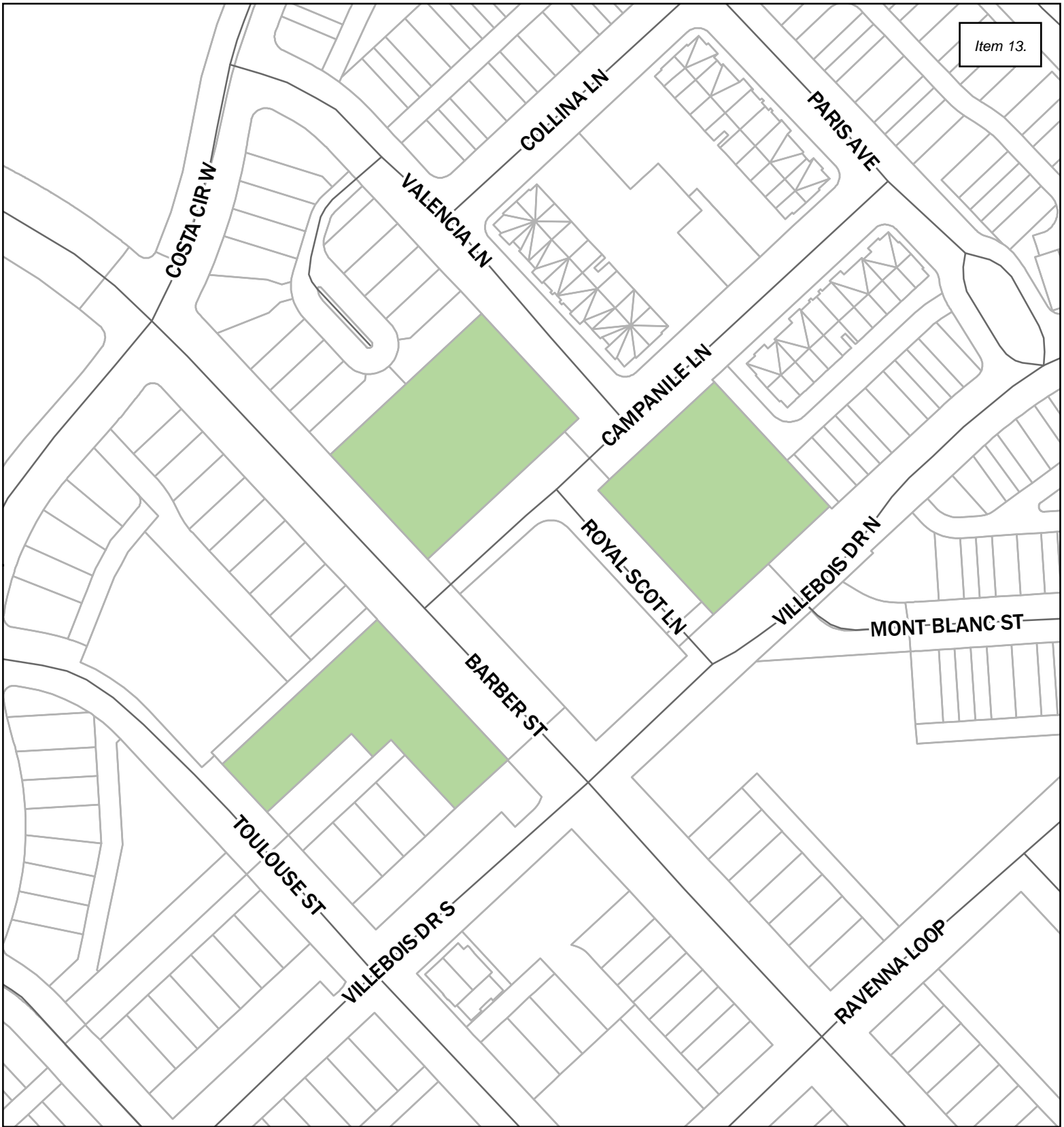
Wilsonville Vertical Housing Development Zone—Local Criteria

For a project to be certified for VHDZ, it must be located within the identified boundaries as shown on the attached maps and meet the following requirements:



(1) In addition to the project certification requirements under ORS 307.858 related to ground floor nonresidential use, the following criteria apply to ground floor interior spaces intended to qualify as nonresidential use:

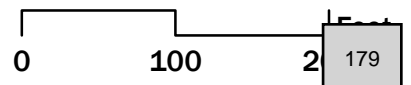
- **Direct street access required:** Each space must have a direct entrance to/from the primary public street.
- **Commercial/mixed-use design required for ground floor:** The ground floor must meet all applicable design standards for commercial/mixed-use ground floor spaces and any applicable architectural standards related to commercial/mixed use buildings and storefront design.
- **Design of live/work space:** The nonresidential area of ground-floor spaces that meet building code requirements for live/work units may qualify as a nonresidential use, provided the following criteria are met:
 - The nonresidential area is adjacent to and accessible from the entrance to the primary public street.
 - The nonresidential area is or can be separated from the residential area (e.g., with walls, half-walls, different levels, etc.).
- **Commercial or community-serving space required:** Each building must include at least one (1) nonresidential space that fronts the primary public street and meets one of the following criteria:
 - Commercial space designed for use by an entity engaged in the exchange of goods or services with the public, excluding live/work space.
 - Community-serving space that provides access and benefits to the broader community beyond building residents and their guests.

(2) The project must demonstrate consistency with the applicable goals, policies, and/or objectives in adopted Master Plans for the project site, to the City's satisfaction.



Vertical Housing Development Zone Villebois Village Center

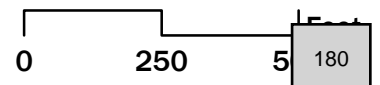
-  VHDZ Area
-  Tax Lots





Vertical Housing Development Zone Town Center

- VHDZ Area
- Tax Lots



Map Date - February 2022

Vertical Housing Development Zone (VHDZ) Tax Lots

*Note – Tax lot listing as of April 2022. If any of these parcels are subject to a partition or subdivision application, the entirety of the parent tax lot will remain within the VHDZ.

Villebois Village Center

Taxlot ID	Property Address		
31W15AC02100	NO SITUS	WILSONVILLE	97070
31W15AC02800	NO SITUS	WILSONVILLE	97070

Town Center

Taxlot ID	Property Address		
31W13CB00700	29020 SW TOWN CENTER LOOP E	WILSONVILLE	97070
31W13CB00800	29028 SW TOWN CENTER LOOP E	WILSONVILLE	97070
31W13CB00900	29029 SW TOWN CENTER LOOP E	WILSONVILLE	97070
31W13CC00400	8229 SW WILSONVILLE RD	WILSONVILLE	97070
31W13CC00600	8275 SW WILSONVILLE RD	WILSONVILLE	97070
31W14D 00107	29025 SW TOWN CENTER LOOP W	WILSONVILLE	97070
31W14D 00109	NO SITUS	WILSONVILLE	97070
31W14D 00220	29400 SW TOWN CENTER LOOP W	WILSONVILLE	97070
31W14D 00221	29585 SW PARK PL	WILSONVILLE	97070
31W14D 00223	29300 SW TOWN CENTER LOOP W	WILSONVILLE	97070
31W14D 00230	29100 SW TOWN CENTER LOOP W	WILSONVILLE	97070
31W14D 00302	29660 SW TOWN CENTER LOOP W	WILSONVILLE	97070
31W14D 00405	29682 SW TOWN CENTER LOOP W	WILSONVILLE	97070
31W14D 00411	29690 SW TOWN CENTER LOOP W	WILSONVILLE	97070

DATE: April 11, 2022
 TO: Kim Rybold and Matt Lorenzen, City of Wilsonville
 FROM: Oscar Saucedo-Andrade and Becky Hewitt, ECONorthwest
 SUBJECT: City of Wilsonville VHDZ Displacement Risk Analysis

Introduction

The City of Wilsonville plans to adopt two Vertical Housing Development Zones (VHDZ's) in the Villebois Village Center and the Wilsonville Town Center, as shown in Exhibit 1 and Exhibit 2. VHDZ is a property tax abatement tool aimed at incentivizing multistory mixed-use development within designated areas of a city.

To implement VHDZ, cities are required by Oregon Statute to consider the potential for displacement of households within a proposed VHDZ area. The City of Wilsonville asked ECONorthwest to evaluate displacement risks associated with designating VHDZs within the Villebois Village Center and the Wilsonville Town Center. This memorandum summarizes findings of ECONorthwest's displacement risk analysis for the two proposed VHDZ areas.

Exhibit 1. Proposed VHDZ Eligible Tax Lots in Villebois Village Center

Source: City of Wilsonville

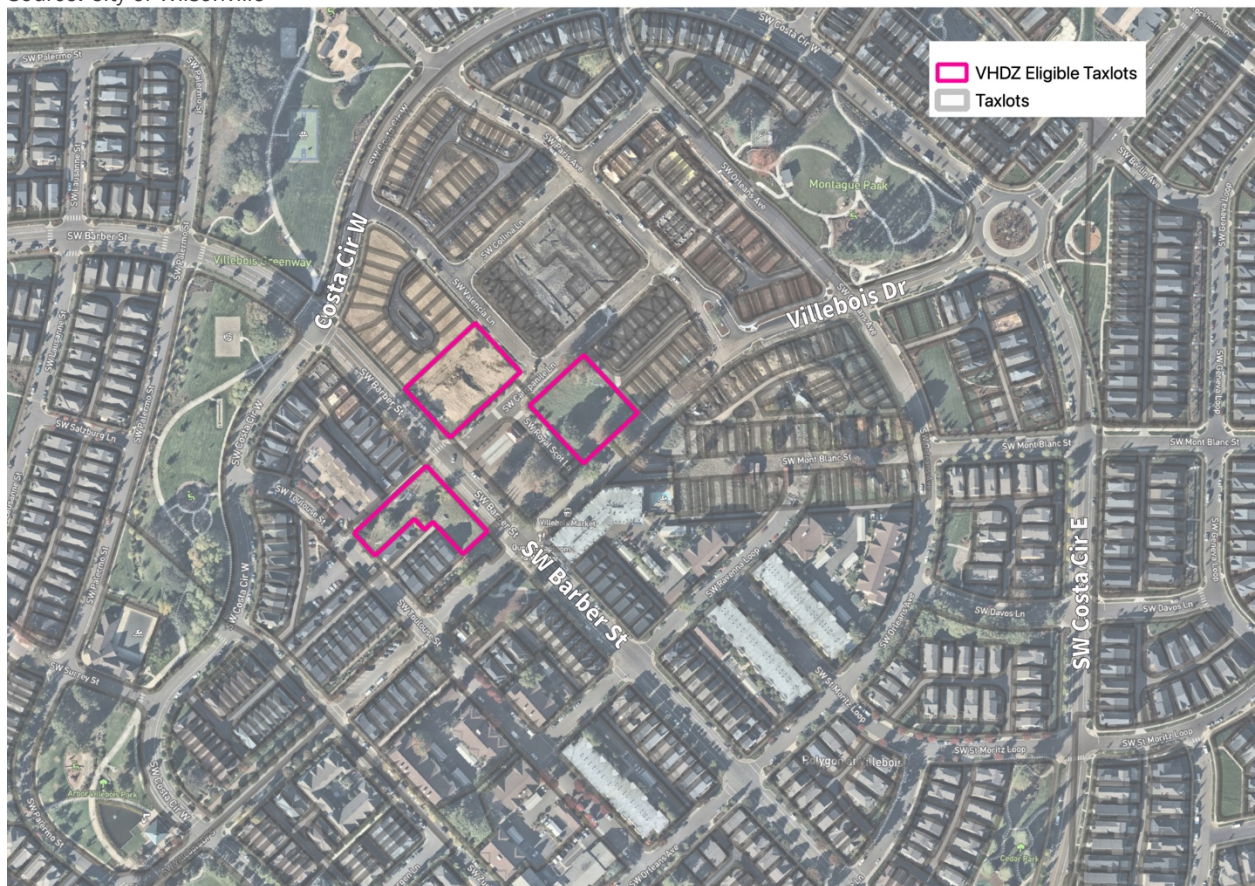
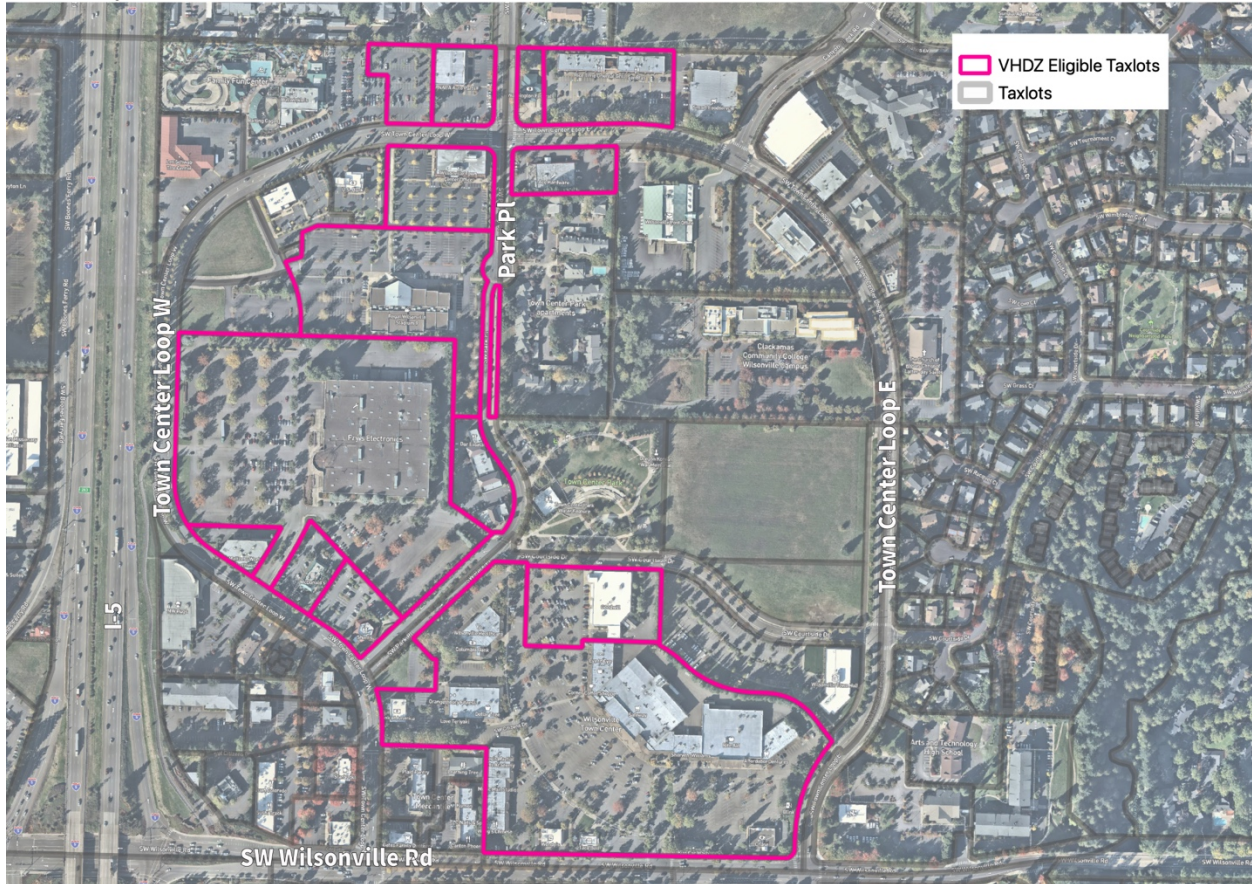


Exhibit 2. Proposed VHDZ Eligible Tax Lots in Town Center

Source: City of Wilsonville



Summary of Key Findings

In brief, we find that there is no risk of displacement directly from adoption of VHDZ for the boundaries proposed for the Villebois Village Center or Town Center, and little or no impact to displacement risk for residents of adjacent rental housing. The analysis supporting this conclusion is documented in the following sections.

Displacement Risk Evaluation

Approach

What do we mean by displacement, and who is at risk?

Displacement occurs when a household is forced to relocate due to circumstances beyond household-specific disruptions. Risk of displacement primarily derives from the intersection of two interrelated factors: (1) changes in market conditions that result in rising rents and/or increasing redevelopment potential, and (2) household characteristics that lead to increased susceptibility to changing market conditions.

Our analysis of displacement focuses on households that rent because they are more directly affected by changing market conditions than those that own their property, because they are subject to the decisions of the property owner about redevelopment, remodels, rent increases, etc. Property owners in Oregon are largely insulated from the financial effects of market changes due to the property taxation system, which decouples market value from taxable value, meaning that rising property values only impact the owners' property taxes in very limited circumstances. While Oregon state law limits the amount a landlord can raise residential rents annually for most older market-rate rental housing, these increases can still reach about 10 percent per year.¹

Among households who rent, those who face disadvantages or discrimination in the real estate market tend to be at greater risk of displacement and to experience more harm if they are forced to move. These include low-income and cost-burdened households (spending more than 30% of their income on rent), people without college degrees, people of color, people who do not speak English, immigrants and refugees, seniors, and people with disabilities:

- Low-income, cost-burdened renters are at greatest risk of being forced to move due to rising rents, since they have little ability to absorb further rent increases, and may already be facing trade-offs between paying rent and covering their household's other basic needs.
- Adults without college degrees have less ability to increase their income to cover higher housing costs and may have to work multiple low-wage jobs to make ends meet.
- People of color—particularly people who are Black, Indigenous, and/or Latinx—tend to face greater housing discrimination and may have a harder time finding other housing if they are forced to move.
- Seniors and people with disabilities may have specific housing needs (e.g., accessibility features) that may make it harder to find another suitable place to live if they are forced to move.
- People who do not speak English, immigrants, and refugees may have more difficulty asserting their rights as tenants if the landlord is seeking to make them move.

Rent increases or redevelopment of rental housing that are likely to affect populations who may be more vulnerable to or impacted by displacement is a greater cause for concern.

About the Analysis

Our analysis focuses exclusively on residential displacement, as this is the focus of the statutory requirement. Our first step is to identify existing unregulated rental housing in and near the proposed VHDZ. (Regulated affordable housing is unlikely to be affected by changing market conditions or to be redeveloped with market-rate development.) If unregulated rental housing

¹ ORS 90.600 and related provisions in ORS 90.323; rent stabilization provisions were added in 2019 by Senate Bill 608. See this summary from Oregon Law Center for details: <https://www.oregonhousingalliance.org/wp-content/uploads/2019/03/Oregon-Law-Center-Detailed-Outline-SB-608-cites-and-page-numbers-Final.pdf>.

is present in or near the VHDZ, we evaluate several potential sources of displacement risk for residents of that housing, as described below.

- **Direct Physical Displacement Risk (Redevelopment):** Whether / how many rental properties in the potential VHDZ area might be at risk of redevelopment directly supported by VHDZ, potentially causing physical displacement of current residents.

 - **Rationale:** VHDZ provides an incentive that can increase the feasibility of mixed-use development. If a VHDZ redevelopment project occurs on a site with existing rental housing, current renters could be displaced.
 - **How we evaluate risk:** The potential for physical displacement directly caused by VHDZ is limited to properties eligible for VHDZ—located within the VHDZ area and zoned for mixed-use. Older single-family homes (or duplex/triplex/fourplexes) with low property values and larger lots are at higher risk, particularly if they are part of a group of adjacent properties under common ownership. Manufactured home parks may also be at risk of redevelopment, despite some state protections. If there are vacant properties or properties that could be easier to redevelop nearby, existing housing may be less likely to redevelop. If existing rental housing appears to be relatively redevelopable based on age and property value, it may also provide lower rents and be more likely to serve lower-income households who are more vulnerable to displacement.
- **Indirect Physical Displacement Risk (Redevelopment) in Adjacent Areas:** Whether / to what extent successful mixed-use development resulting from VHDZ could increase redevelopment potential for any adjacent sites with existing rental housing.

 - **Rationale:** It is possible that new mixed-use development resulting from VHDZ could demonstrate the potential of an emerging market area or create an amenity that would increase demand for housing or commercial space nearby, potentially spurring other redevelopment projects over the long-term.
 - **How we evaluate risk:** Whether this is likely to be an issue depends on whether there is adjacent rental housing zoned to allow more intensive uses and how redevelopable those properties are compared to other property in the area (based on availability of vacant land and the factors noted above).
- **Economic Displacement Risk (Rent Increases):** Whether / to what extent successful mixed-use development resulting from VHDZ could increase the likelihood of rent increases at nearby rental properties, which could cause economic displacement of current residents.

 - **Rationale:** Economic displacement can occur when rents increase above what existing residents can afford to pay. Public and private investments can make an area more appealing to households and businesses that can afford higher rents, which can potentially encourage owners of existing rental properties to increase rents for existing tenants when renewing leases (or those paying month-to-month), in addition to trying to appeal to tenants willing to pay more when spaces are

vacated for other reasons. The impact of VHDZ on rents at adjacent properties is difficult to isolate—VHDZ is often used in areas where other public and private investments are happening within the same time period. Further, adding new housing supply to absorb demand from higher-income households can help reduce market pressure on older rental properties in the aggregate, though this may not protect housing in that immediate area. However, to provide a comprehensive assessment of displacement risk, we consider whether there are properties adjacent to the proposed VHDZ that could potentially be affected by an increase in desirability from a successful mixed-use project in the area.

- **How we evaluate risk:** We evaluate a range of factors for market-rate apartments or other rental housing that is potentially impacted, including property age, size, and condition or current rents (if known).
 - Newer rental housing (less than 15 years old) is not covered by Oregon’s rent regulations.² Rents for newer apartments tend to track the market overall, but also tend to start out with rents that are closer to the top of the market. While rising rents could affect current residents, those able to afford rents at a relatively high-end property may be able to absorb the rent increase, and are more likely to be able to find other housing they can afford if they cannot absorb the rent increase.
 - Older, large apartment developments with more amenities tend to be professionally managed and upgraded over time as units turn over, which decreases the risk that tenants will be displaced due to property-wide upgrades. However, rents at these properties are also more likely to track the market over time, meaning that tenants may experience rent increases (within the limits set by state law) as the market changes. If these properties are allowed to become dated, they can experience bigger rent increases when upgrades are made.
 - Older, smaller apartment developments with few amenities are less likely to be professionally managed and upgraded over time. They can become deteriorated and potentially need major upgrades that would require tenants to move out. They can be targets for “repositioning” through cosmetic improvements and/or changes to the marketing strategy that are often associated with more dramatic rent increases, but tend to be slower to raise rents in the absence of upgrades. In many communities, they are among the most affordable unregulated housing (if they have not been recently remodeled), and may serve lower-income households who are more vulnerable to displacement.

² ORS 90.600 and related provisions in ORS 90.323; rent stabilization provisions were added in 2019 by Senate Bill 608. See this summary from Oregon Law Center for details: <https://www.oregonhousingalliance.org/wp-content/uploads/2019/03/Oregon-Law-Center-Detailed-Outline-SB-608-cites-and-page-numbers-Final.pdf>.

If we find that VHDZ could potentially increase the likelihood of redevelopment or rent increases for existing rental housing broadly within an area, we consider surrounding area demographics to evaluate how great a concern the redevelopment or rent increases may be.

Displacement Risk Assessment for Villebois Village Center

Direct Physical Displacement Risk within the Villebois Village Center

Because the VHDZ area in the Villebois Village Center is currently vacant and has no existing housing, physical displacement due to redevelopment is not a concern within the potential VHDZ in Villebois.

Indirect Physical Displacement Risk in Adjacent Areas of Villebois Village Center

The Villebois Village Center is a relatively new master planned community with a diversity of housing types. Because of this new development and high-valued homes, existing housing near the proposed VHDZ area is unlikely to redevelop.

Economic Displacement Risk (Rent Increases) in Villebois Village Center

Exhibit 4 below shows the presence of regulated affordable housing and market-rate apartments near the proposed VHDZ area. There are 4 multifamily rental properties which include market-rate apartments and regulated affordable housing within a quarter mile of the proposed VHDZ area. A breakdown of the count of units by housing type is listed in Exhibit 3, below:

Exhibit 3. Multifamily Properties within a Quarter Mile of the Villebois Proposed VHDZ Area

Source: ECONorthwest using data from Metro's Regional Land Information System (RLIS) and Google research for current names

Property Name	Housing Type	Number of Units	Built Year
Domaine at Villebois Apartments	Market-rate Apartments	274	2008
The Charleston Apartments	Regulated Affordable	52	2011
Rain Garden Apartments	Regulated Affordable	30	2009
Renaissance Court	Regulated Affordable	21	2009

The regulated affordable housing is not a concern for market-driven rent increases. The one market-rate apartment is a newer, large property with many amenities³ where existing renters are likely to be less impacted by any rent increases specifically driven by new mixed-use development in the surrounding area.

Some of the single-family homes, townhouses, and condominium units in the area may also be rented out by the individual owners. However, given that all the housing in the area is

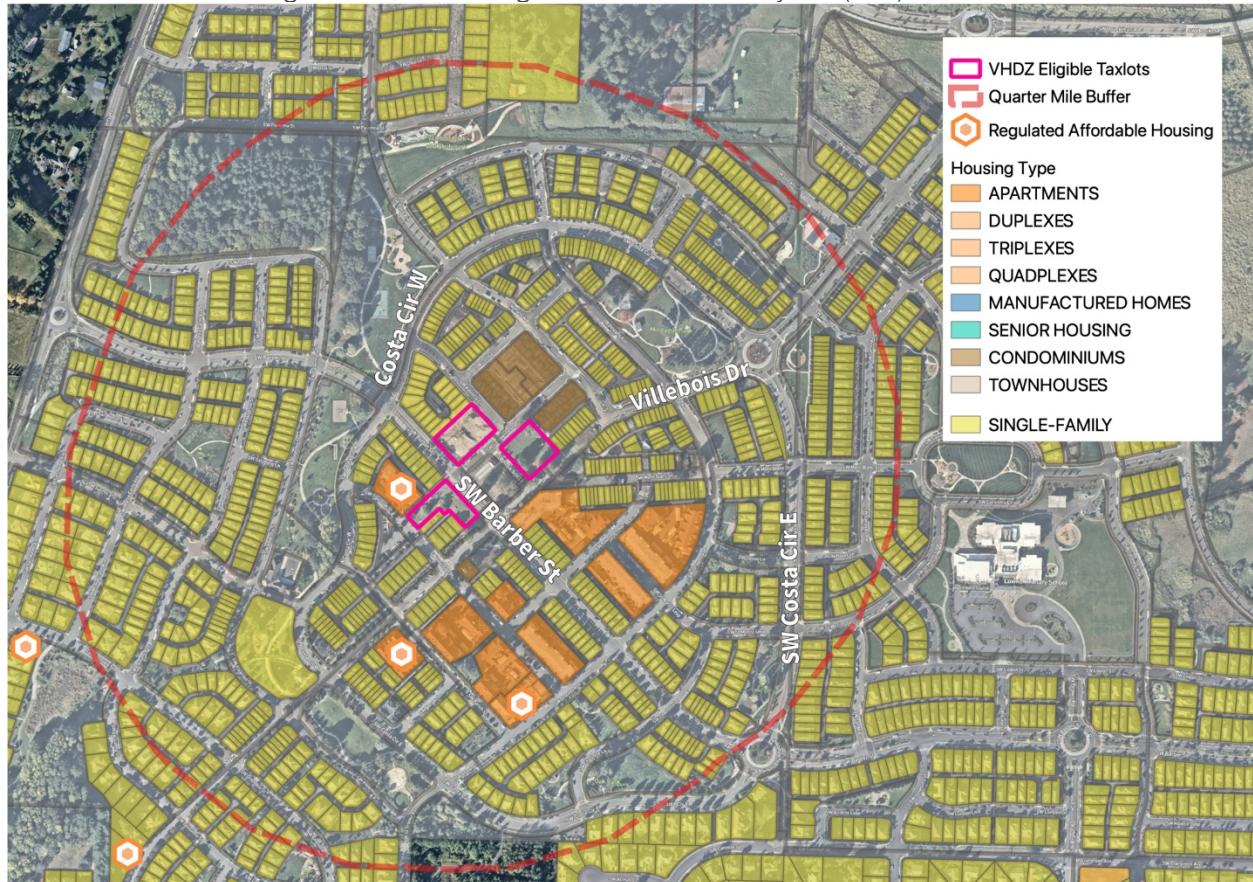
³ <https://domaineatvillebois.mgproperties.com/>

relatively new, there are unlikely to be units that are providing low-cost rental housing in the area.

In addition, the Village Center was always planned to include mixed-use development. Development that would result from VHDZ is not likely to radically change the market conditions in the adjacent area, though bringing additional amenities and businesses to the area could make the existing housing somewhat more desirable.

Exhibit 4. Existing Housing in the Villebois Village Center

Source: ECONorthwest using data from Metro's Regional Land Information System (RLIS)



Displacement Risk Assessment for Town Center

Direct Physical Displacement Risk within the Town Center

There is no existing housing within the proposed Town Center VHDZ area. As a result, no renters are at risk of displacement due to redevelopment directly supported by VHDZ.

Indirect Physical Displacement Risk in Adjacent Areas of the Town Center

While the adjacent land to the proposed VHDZ areas allows for both medium- to high-density residential development (based on current zoning), our analysis found that the existing older, single-family housing likely to be rentals are at no risk for redevelopment. This is mostly due to these rental properties being on small lot sizes that limit redevelopment potential of larger multifamily housing. Exhibit 5 shows that there are three multifamily rental residential

properties abutting the proposed VHDZ area. A closer inspection of these properties indicate that major investments have been made in recent years to remodel each property in order to achieve top of the market rents. Given that these properties have received major upgrades it is very unlikely for these rental multifamily properties to redevelop into another use, as they were repositioned to perform better, and it would be financially challenging to replace a high performing residential use with another residential or commercial use. In all, when evaluating the potential redevelopment risk of the area’s existing rental housing, we found that there is little to no risk of these properties redeveloping and displacing current residents.

Economic Displacement Risk (Rent Increases) in Town Center

In earlier sections of this memo, we have identified that older, unregulated multifamily housing can sometimes be at risk of rent increases when major public investments and new development has occurred within an area. Exhibit 5 shows the presence of seven multifamily apartment properties within a quarter mile of the proposed VHDZ area. All of these properties are market-rate housing except for two properties which are rent regulated affordable housing. Exhibit 6 provides additional detail about these properties.

Exhibit 5. Existing Housing in the Town Center

Source: ECONorthwest using data from Metro’s Regional Land Information System (RLIS)

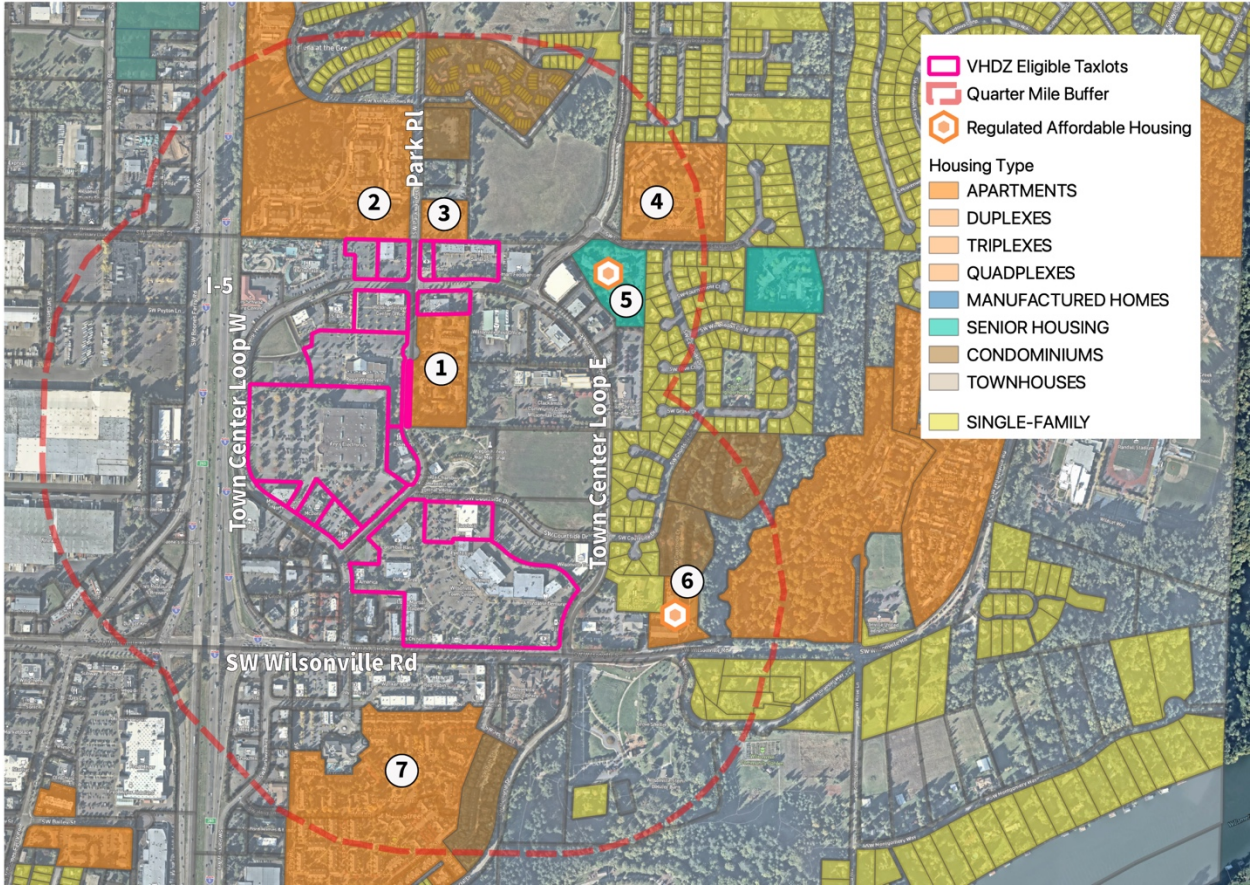


Exhibit 6. Multifamily Properties within a Quarter Mile of the Town Center Proposed VHDZ Area

Source: ECONorthwest using data from Metro's Regional Land Information System (RLIS) and CoStar

Map Number	Property Name	Housing Type	Number of Units	Built Year	Renovated Year
1	Town Center Park Apartments	Market-Rate Apartments	111	1990	2021
2	Jory Trail Apartments	Market-Rate Apartments	324	2012	—
3	The Park at 28 Apartments	Market-Rate Apartments	24	1977	2020
4	Sundial Apartments	Market-Rate Apartments	120	1990	—
5	Brookdale Wilsonville	Regulated Affordable	84	1996	—
6	Creekside Woods Apartment	Regulated Affordable	84	2010	—
7	Village at Main Street Apartments	Market-Rate Apartments	466	1998	—

While there are many market-rate apartment units in the area, displacement risks are relatively low:

- Jory Trail Apartments, just north of the proposed VHDZ, is a newer property where rents will track the market, but are likely already near the top of the market.
- According to CoStar, the Park at 28 Apartments (also immediately north of the proposed VHDZ) and the Town Center Park Apartments (located within the Town Center abutting several properties within the proposed VHDZ), were recently renovated in 2020 and 2021. Major investments into these properties suggest that they have been upgraded to current market conditions and rents may already have increased.
- The Village at Main Street (located south of the proposed VHDZ) and Sundial Apartments (located northeast of the proposed VHDZ) are larger properties with amenities built in the 1990s. The available data does not indicate major recent property upgrades, but they do not appear to be seriously deteriorated. There is some chance that these properties would be affected by new development in the VHDZ—possibly encouraging upgrades to the apartments or encouraging property managers to raise rents more quickly than they otherwise would. However, because they are larger properties, upgrades and rent increases may occur more incrementally over time as units turn over.

Given that the market-rate apartments closest to the proposed VHDZ area are fairly new and/or have been recently renovated, rents are likely already at or near the top of the market. While rents there could increase further if VHDZ helps to transform the Town Center, they do not pose a major concern from a displacement perspective because it is unlikely that they are serving many low-income households who are especially vulnerable to displacement. The

properties that could possibly be affected more by new mixed-use development are not directly adjacent to the proposed VHDZ, which could moderate any potential increase in displacement risk there, and are larger properties where impacts may occur incrementally over time.

Findings and Conclusion

Our analysis shows that:

- **VHDZ in the Villebois Village Center poses no risk of direct physical displacement** as the area is vacant and contains no residential uses where residents could be displaced by future redevelopment.
- **VHDZ in the Villebois Village Center is unlikely to increase displacement risk for residents of adjacent rental housing** due to rising rents or increasing redevelopment potential since the existing housing in the area is fairly new and any rent increases are unlikely to impact households who are especially vulnerable to displacement.
- **VHDZ in the Town Center poses no risk of direct physical displacement** as the area contains no residential uses where residents could be displaced by future redevelopment.
- **VHDZ in the Town Center could have a modest impact on displacement risk for residents of adjacent apartments** due to rising rents. However, the nearest market-rate apartments are fairly new or recently renovated, suggesting rents are likely already near the top of the market, and other nearby apartments are larger developments where upgrades and rent increases may occur more incrementally over time.



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: May 2, 2022		Subject: Ordinance Nos. 859 and 860 – 2nd Reading Annexation and Zone Map Amendment for Frog Pond Estates subdivision in Frog Pond West	
		Staff Member: Cindy Luxhoj AICP, Associate Planner	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: April 18, 2022 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: April 18, 2022 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: May 2, 2022 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: Following their review at the March 28, 2022 meeting, the Development Review Board, Panel B, unanimously recommended approval of an Annexation and a Zone Map Amendment for the subject property. The DRB also approved with conditions, contingent on the Annexation and Zone Map Amendment, a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Tentative Subdivision Plat, and Type C Tree Removal.	
Staff Recommendation: Staff recommends City Council adopt Ordinance Nos. 859 and 860 on second reading.			
Recommended Language for Motion: In two separate motions, I move to adopt Ordinance Nos. 859 and 860 on second reading.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:		<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond West	<input type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Approve, modify, or deny Ordinance Nos. 859 and 860 to annex 13.24 acres and rezone approximately 13.24 acres west of SW Stafford Road between SW Boeckman Road and SW Frog Pond Lane within the Frog Pond West Master Plan area, enabling development of a 17-lot subdivision.

EXECUTIVE SUMMARY:

The proposed subdivision is the seventh development proposal in Frog Pond West and will connect to the previously approved Frog Pond Ridge subdivision, blending together as one cohesive neighborhood consistent with the Frog Pond West Master Plan. Concurrent with the adoption of the Frog Pond West Maser Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The requested zone map amendment proposes applying the Residential Neighborhood (RN) Zone to the Frog Pond Estates subdivision consistent with this intention.

This application also includes annexation and rezoning of property owned by the West Linn-Wilsonville School District, and dedication of a portion of the property as right-of-way to be developed as part of the Frog Pond Estates subdivision. The undedicated portion of the school district property is planned for a future primary school.

EXPECTED RESULTS:

Adoption of Ordinance Nos. 859 and 860 will bring this portion of the Frog Pond West Master Plan area into the City and zone it for development consistent with the Master Plan.

TIMELINE:

The Annexation and Zone Map Amendment will be in effect 30 days after ordinance adoption on second reading and upon filing the annexation records with the Secretary of State as provided by ORS 222.180.

CURRENT YEAR BUDGET IMPACTS:

The project will result in income and expenditures consistent with the infrastructure financing plan of the Frog Pond West Master Plan.

COMMUNITY INVOLVEMENT PROCESS: Staff sent the required public hearing notices. In addition, significant public involvement occurred during development and approval of the Frog Pond Area Plan and Frog Pond West Master Plan, with which the proposed actions are consistent.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Annexation and development of the subject land will provide additional housing choices and continued development of quality neighborhoods.

ALTERNATIVES:

The alternatives are to modify, approve, or deny the annexation and zone map amendment requests.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

Attachment 1 – Ordinance No. 859:

Exhibit A – Legal Description and Sketch Depicting Land/Territory to be Annexed

Exhibit B – Petition for Annexation

Exhibit C – Annexation Findings

Exhibit D – Development Review Board Panel B Resolution No. 401 Recommending Approval of Annexation

Attachment 2 – Ordinance No. 860:

Exhibit A – Zoning Order DB21-0066 Including Legal Description and Sketch Depicting Zone Map Amendment

Exhibit B – Zone Map Amendment Findings

Exhibit C – Development Review Board Panel B Resolution No. 401 Recommending Approval of Zone Map Amendment

ORDINANCE NO. 859

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 13.24 ACRES OF PROPERTY LOCATED BETWEEN SW BOECKMAN ROAD AND SW FROG POND LANE AT 7070 SW FROG POND LANE AND 7151 SW BOECKMAN ROAD; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 1501, SECTION 12D, AND TAX LOT 4500, SECTION 12DC, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. KATHY LUDWIG, AMY THURMOND, GREGORY CROMWELL, MATTHEW HALL, MATTHEW KIRKENDALL, GARY MOON, JAELENE MOON, KURT MOON, LAUREL MOON, PETITIONERS.

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

WHEREAS, Kathy Ludwig, an authorized signer for West Linn-Wilsonville School District, and Amy Thurmond, together representing 100 percent of the property ownership within the annexation area signed the petition; and

WHEREAS, Gregory Cromwell, Matthew Hall, Matthew Kirkendall, Gary Moon, Jaelene Moon, Kurt Moon, and Laurel Moon, together representing a majority of the electors 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, Panel B of the Development Review Board considered the annexation and after a duly advertised public hearing held on March 28, 2022, unanimously recommended City Council approve the annexation; and

WHEREAS, on April 18, 2022, 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, conclusions, and the Development Review Board’s recommendation to City Council.

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

1. FINDINGS.

The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.

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.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days for the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 18th day of April 2022, and scheduled the second reading on the 2nd day of May 2022, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 2nd day of May 2022, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 2nd day of May, 2022.

JULIE FITZGERALD, MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBITS:

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings
- D. Development Review Board Panel B Resolution No. 401 Recommending Approval of Annexation

EXHIBIT A
LEGAL DESCRIPTION
FROG POND ESTATES ANNEXATION

February 10, 2022 (Otak #20141)

That property described in Quitclaim Deed to Amy Thurmond recorded March 5, 1999 as Document No. 99-022102, Clackamas County Records, in the southeast quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the northeast corner of said Thurmond property from which a 5/8 inch iron rod with no cap was found bearing South 01°39'15" West a distance of 0.09 feet, said POINT OF BEGINNING also being a point on the south right of way line of 33.00 foot wide S.W. Frog Pond Lane, North 01°40'13" East a distance of 1715.96 feet and North 88°35'30" West a distance of 1343.53 feet from the southeast corner of said Section 12;

thence along said south right of way line, North 88°35'30" West a distance of 209.57 feet to the northeast corner of that property described in Statutory Warranty Deed to Paul V. and Susan M. Wuebkenberg recorded July 24, 1991 as Document No. 91-036369, Clackamas County Records;

thence along the east line of said Wuebkenberg property, South 01°40'13" West a distance of 842.32 feet to the northwest corner of the strip of land in the southerly portion of that property described as Parcel 4 in Special Warranty Deed to Venture Properties, Inc recorded June 1, 2021 as Document No. 2021-053929, Clackamas County Records;

thence along the north line of said strip of land, South 88°31'31" East a distance of 209.81 feet to a 5/8 inch iron rod found at the southeast corner of said Thurmond property, also being an angle point in said Venture Properties, Inc. property;

thence along the west line of the northerly portion of said Venture Properties, Inc. property;

North 01°39'15" East a distance of 842.56 feet to the POINT OF BEGINNING.

Contains 4.06 acres, more or less.

DOC. NO. 2018-036152

(C.R. NO. 2362)

S.W. FROG POND LANE

33.00'

33.00'

N88°35'30"W
209.57'

N88°35'30"W 1343.53'

POINT OF BEGINNING

5/8" IRON ROD WITH
NO CAP FOUND
S01°39'15"W 0.09'
OF CORNER / P.O.B.

DOC. NO.
91-036369

S01°40'13"W 842.32'

THURMOND
DOC. NO.
99-022102

PARCEL 4
DOC. NO.
2021-053929

N01°39'15"E 842.56'

S.W. WILLOW CREEK DRIVE

S.W. STAFFORD ROAD
(MARKET ROAD NO. 12)

209.81'
S88°31'31"E

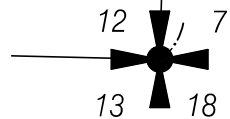
FOUND 5/8" IRON
ROD WITH NO CAP

S.W. BRISBAND STREET

N01°40'13"E 1715.96'



SCALE: 1"=200'



Otak

808 SW 3rd Ave., Ste. 800
Portland, Oregon 97204
Phone: (503) 287-6825
www.otak.com
project: 20141

EXHIBIT A

PAGE 2 OF 2

FROG POND ESTATES ANNEXATION AREA
IN THE SOUTHEAST QUARTER, SECTION 12, TOWNSHIP 3 SOUTH,
RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

FEBRUARY 10, 2022

EXHIBIT A
LEGAL DESCRIPTION
SCHOOL DISTRICT PROPERTY ANNEXATION
November 1, 2021 (Otak #20141)

A portion of that property described as Parcel I in Warranty Deed to Clackamas County School District 3, West Linn-Wilsonville School District 3JT recorded May 24, 1999 as Document No. 99-052396, Clackamas County Records, in the southeast quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, described as follows:

BEGINNING at a 5/8 inch iron rod with yellow plastic cap marked "OTAK INC" found on the north right of way line of S.W. Boeckman Road (County Road 80) North 01°24'30" East a distance of 30.00 feet from a point on the centerline of said S.W. Boeckman Road, said centerline also being the south line of said southeast quarter, said point being North 88°35'30" West a distance of 1518.77 feet from the southeast corner of said Section 12, said POINT OF BEGINNING also being the southwest corner of Partition Plat No. 2019-047, Clackamas County Records;

thence along the west line of said Partition Plat, North 01°39'45" East a distance of 828.00 feet to a 5/8 inch iron rod with yellow plastic cap marked "DEA" found at the northwest corner of said Partition Plat, also being on the south line of that property described as Parcel 4 in Special Warranty Deed to Venture Properties, Inc. recorded as Document No. 2021-053929, Clackamas County Records;

thence along said south line and the south lines of those properties described in Document No. 91-036369 and Document No. 2021-041768, both of Clackamas County Records, North 88°35'30" West a distance of 483.16 feet to a point on the east right of way line of S.W. Sherman Drive as dedicated in Document No. 2019-010342, Clackamas County Records, said east right of way line being a line parallel with and 28.00 feet easterly of the east line of MORGAN FARM, recorded as Plat No. 4566, Clackamas County Records;

thence along said east right of way line, South 01°39'45" West a distance of 828.00 feet to a point on said north right of way line;

thence along said south right of way line, South 88°35'30" East a distance of 483.16 feet to the POINT OF BEGINNING.

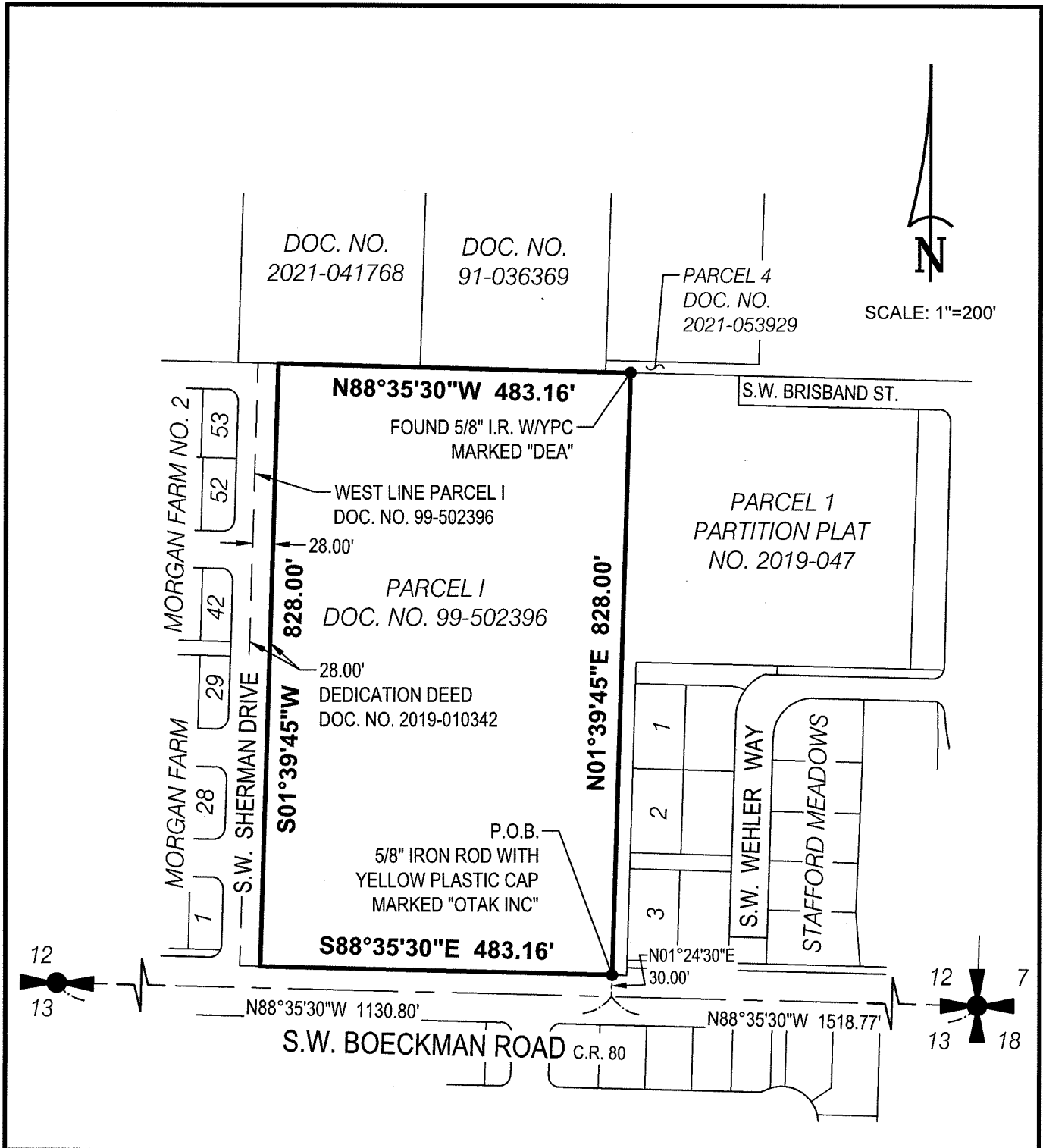
Contains 9.18 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2021.11.02 07:10:20-07'00'

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWS: JUNE 30, 2022



Otak

808 SW 3rd Ave., Ste. 800
 Portland, Oregon 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 20141

EXHIBIT A PAGE 2 OF 2

SCHOOL DISTRICT PROPERTY ANNEXATION
 IN THE SOUTHEAST QUARTER, SECTION 12, TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, WILLAMETTE MERIDIAN
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

NOVEMBER 1, 2021

**CERTIFICATION OF PROPERTY OWNERSHIP OF
100% OF LAND AREA**

I hereby certify that the attached petition 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 Carlton Smith
TITLE GIS Cartographer 3
DEPARTMENT Tax Assessors Office
COUNTY OF Clackamas
DATE 11/4/2021

¹ Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of 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.

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.

NAME Jennifer Wessels

TITLE Elections Specialist, Sr.

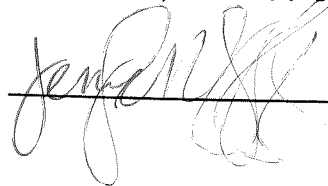
DEPARTMENT Clerk - Elections

COUNTY OF Clackamas

DATE 11-4-21



**CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK**

BY: 

**CERTIFICATION OF PROPERTY OWNERSHIP OF
100% OF LAND AREA**

I hereby certify that the attached petition 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 Carlton Smith
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DEPARTMENT Tax Assessors Office
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TITLE Elections Specialist, Sr.
DEPARTMENT Clerk - Elections
COUNTY OF Clackamas
DATE 11-4-2021



CERTIFIED COPY OF THE ORIGINAL
HERRY HALL, COUNTY CLERK

BY: [Handwritten Signature]



Ordinance No. 859 Exhibit C
Annexation Findings

Frog Pond Estates 17-Lot Subdivision

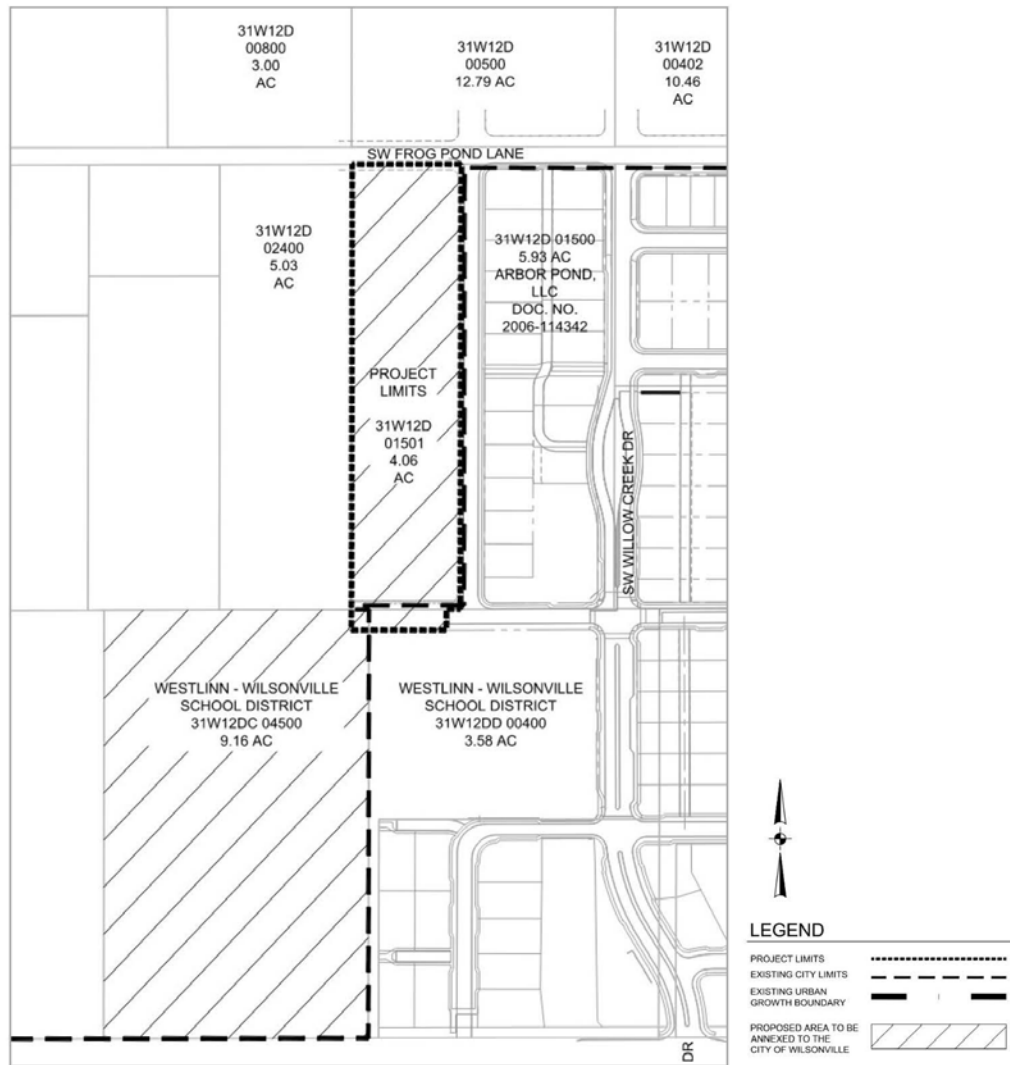
City Council
Quasi-Judicial Public Hearing

Hearing Date:	April 18, 2022
Date of Report:	April 5, 2022
Application No.:	DB21-0065 Annexation
Request/Summary:	City Council approval of quasi-judicial annexation of approximately 13.24 acres for a 17-lot residential subdivision and future school site, concurrently with proposed development of the residential subdivision consistent with the Frog Pond West Master Plan.
Location:	7070 SW Frog Pond Lane and 7151 SW Boeckman Road. The properties are specifically known as TLID 1501, Section 12D, and TLID 4500, Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon
Owners:	Amy Thurmond (TLID 1501, 7070 SW Frog Pond Lane) West Linn-Wilsonville School District (TLID 4500, 7151 SW Boeckman Road)
Electors:	Gregory Cromwell, Matthew Hall, Matthew Kirkendall (TLID 1501, 7070 SW Frog Pond Lane) Gary Moon, Jaelene Moon, Kurt Moon, Laurel Moon (TLID 4500, 7151 SW Boeckman Road)
Applicant:	West Hills Land Development LLC (Contact: Dan Grimberg)
Applicant's Rep.:	OTAK, Inc. (Contact: Li Alligood AICP)
Comprehensive Plan Designations:	Residential Neighborhood and Public
Zone Map Classification:	TLID 1501 – Current: Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Proposed: Residential Neighborhood (RN) TLID 4500 – Current: RRFF-5 Proposed: Public Facility (PF)
Staff Reviewer:	Cindy Luxhoj AICP, Associate Planner
Staff/DRB Recommendation:	<u>Approve</u> the requested annexation.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.700	Annexation
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<u>Regional and State Law and Planning Documents</u>	
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 area 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 (UGB) 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.

The proposed 17-lot subdivision is the seventh development proposal in Frog Pond West. The subdivision will connect to the previously approved Frog Pond Ridge subdivision, blending together as one cohesive neighborhood consistent with the Frog Pond West Master Plan.

All property owners and a majority of electors in 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: DB21-0065 Annexation

<p>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.</p>

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. West Hills Land Development LLC initiated the application with their approval.

Request: DB21-0065 Annexation

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. West Hills Land Development LLC and the City will enter into a Development and Annexation Agreement for land within the Frog Pond Estates subdivision 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 I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Frog Pond Estates 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.** The 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 within the Frog Pond Estates subdivision.

Metro Code

Local Government Boundary Changes Chapter 3.09

- A9.** 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

- A10.** 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

- A11.** 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

- A12.** 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

- A13.** 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

A14. 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 started the master planning process for 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 UGB and improving the capacity identified in the 2014 study. The type of housing is anticipated to be single-family; however, 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 0.9% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 4.30 of 477 acres).

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 401**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RFFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) AND PUBLIC FACILITY (PF) OF APPROXIMATELY 13.22 ACRES BETWEEN SW BOECKMAN ROAD AND SW FROG POND LANE FOR A 17-LOT RESIDENTIAL SUBDIVISION AND FUTURE SCHOOL SITE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT AND TYPE C TREE PLAN FOR THE RESIDENTIAL SUBDIVISION. THE SUBJECT SITE IS LOCATED AT 7070 SW FROG POND LANE, AND 7035 AND 7151 SW BOECKMAN ROAD ON TAX LOT 1501 AND A PORTION OF TAX LOT 1500, SECTION 12D, A PORTION OF TAX LOT 400, SECTION 12DD AND TAX LOT 4500, SECTION 12DC, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. OTAK, INC. – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT, LLC – APPLICANT AND AMY THURMOND, VENTURE PROPERTIES, AND WEST LINN-WILSONVILLE SCHOOL DISTRICT – OWNERS.

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 March 21, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on March 28, 2022, 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 March 21, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB21-0065 through DB21-0071; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, and Class C Tree Plan.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 28th day of March, 2022 and filed with the Planning Administrative Assistant on

March 29, 2022. 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)*.

Nicole Hendrix
Nicole Hendrix, Acting Chair – Panel B
Wilsonville Development Review Board

Attest:

Shelley White
Shelley White, Planning Administrative Assistant

ORDINANCE NO. 860

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) ZONE TO THE RESIDENTIAL NEIGHBORHOOD (RN) ZONE ON APPROXIMATELY 4.06 ACRES, AND TO THE PUBLIC FACILITY (PF) ZONE ON APPROXIMATELY 9.18 ACRES LOCATED BETWEEN SW BOECKMAN ROAD AND SW FROG POND LANE AT 7070 SW FROG POND LANE AND 7151 SW BOECKMAN ROAD; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 1501, SECTION 12D, AND TAX LOT 4500, SECTION 12DC, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. WEST HILLS LAND DEVELOPMENT LLC, APPLICANT.

WHEREAS, certain real property within the Frog Pond West Master Plan is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of “Residential Neighborhood” and “Public” rather than maintain the current Clackamas County zoning designation; and

WHEREAS, concurrent with the adoption of the Frog Pond West Master Plan and designating the subject property as “Residential Neighborhood” and “Public” in the Comprehensive Plan Map, the City added a new zoning district Residential Neighborhood (RN) intended for application to the Master Plan area; and

WHEREAS, schools are considered quasi-public uses that serve and benefit the community and application of the Public Facility (PF) zone is consistent with the recommendations of the Frog Pond West Master Plan; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on March 28, 2022; and

WHEREAS, the Development Review Board Panel 'B' held a duly advertised public hearing on the application for a Zone Map Amendment on March 28, 2022, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 401 which recommends City Council approval of the Zone Map Amendment request (Case File DB21-0066), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on April 18, 2022, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code.

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

1. FINDINGS.

The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB21-0066, attached hereto as Exhibit A, from the Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone to the Residential Neighborhood (RN) and Public Facility (PF) Zones.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 18th day of April, 2022, and scheduled the second reading on the 2nd day of May, 2022,

commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 2nd day of May 2022, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 2nd day of May, 2022.

JULIE FITZGERALD, MAYOR

SUMMARY OF VOTES:

- Mayor Fitzgerald
- Council President Akervall
- Councilor Lehan
- Councilor West
- Councilor Linville

EXHIBITS:

- A. Zoning Order DB21-0066 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings
- C. Development Review Board Panel B Resolution No. 401 Recommending Approval of Zone Map Amendment

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

In the Matter of the Application of)
West Hills Land Development LLC)
for a Rezoning of Land and Amendment) **ZONING ORDER DB21-0066**
of the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of DB21-0066, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Clackamas County zoning map Rural Residential Farm Forest 5-Acre (RRFF-5).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 13.24 acres located between SW Boeckman Road and SW Frog Pond Lane at 7070 SW Frog Pond Lane and 7151 SW Boeckman Road comprising Tax Lot 1501 of Section 12D and Tax Lot 4500 of Section 12DC, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Residential Neighborhood (RN) and Public Facility (PF), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 2nd day of May, 2022.

JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

Amanda Guile-Hinman, City Attorney

ATTEST:

Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned

EXHIBIT A
LEGAL DESCRIPTION
FROG POND ESTATES ANNEXATION

February 10, 2022 (Otak #20141)

That property described in Quitclaim Deed to Amy Thurmond recorded March 5, 1999 as Document No. 99-022102, Clackamas County Records, in the southeast quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the northeast corner of said Thurmond property from which a 5/8 inch iron rod with no cap was found bearing South 01°39'15" West a distance of 0.09 feet, said POINT OF BEGINNING also being a point on the south right of way line of 33.00 foot wide S.W. Frog Pond Lane, North 01°40'13" East a distance of 1715.96 feet and North 88°35'30" West a distance of 1343.53 feet from the southeast corner of said Section 12;

thence along said south right of way line, North 88°35'30" West a distance of 209.57 feet to the northeast corner of that property described in Statutory Warranty Deed to Paul V. and Susan M. Woebkenberg recorded July 24, 1991 as Document No. 91-036369, Clackamas County Records;

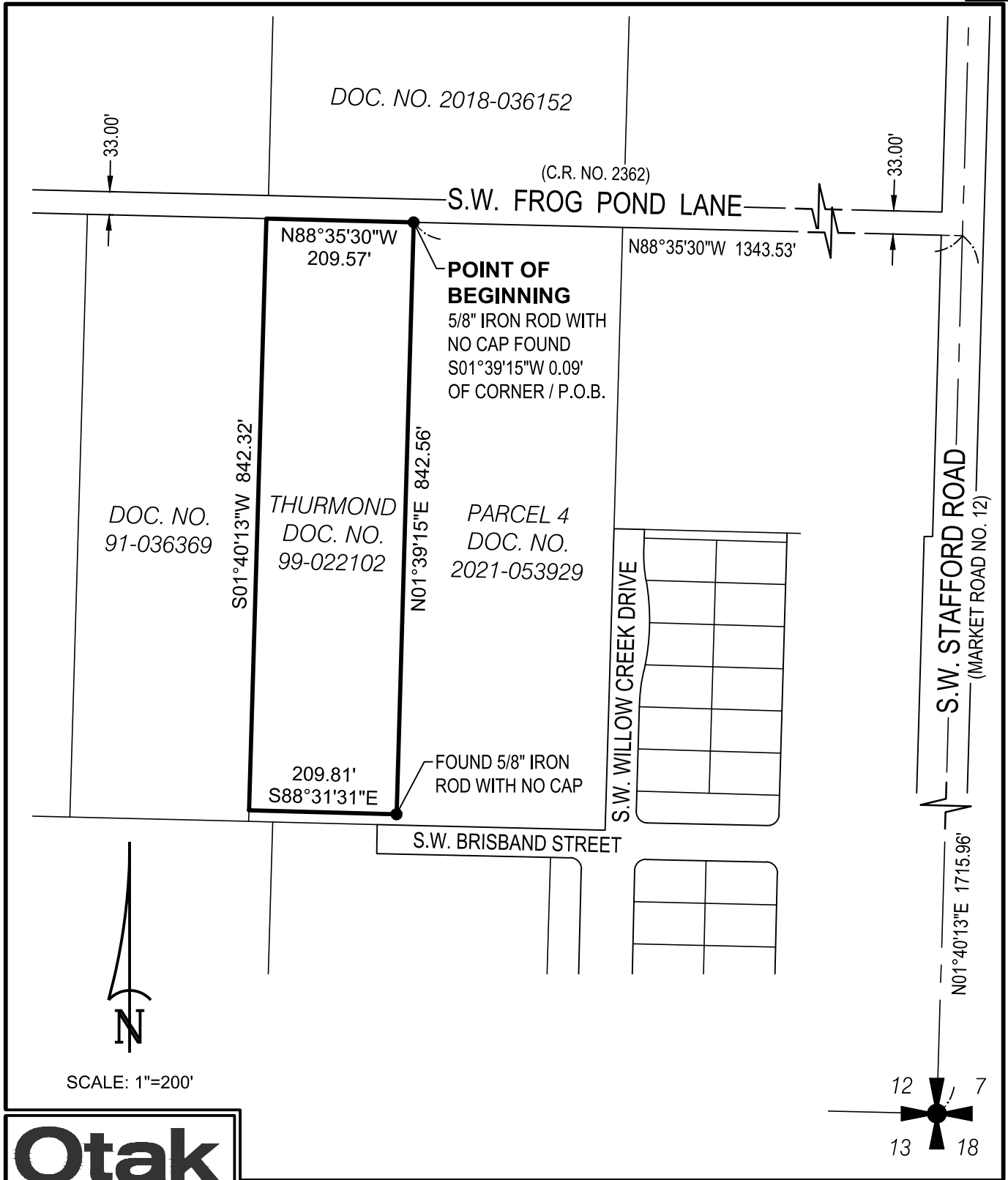
thence along the east line of said Woebkenberg property, South 01°40'13" West a distance of 842.32 feet to the northwest corner of the strip of land in the southerly portion of that property described as Parcel 4 in Special Warranty Deed to Venture Properties, Inc recorded June 1, 2021 as Document No. 2021-053929, Clackamas County Records;

thence along the north line of said strip of land, South 88°31'31" East a distance of 209.81 feet to a 5/8 inch iron rod found at the southeast corner of said Thurmond property, also being an angle point in said Venture Properties, Inc. property;

thence along the west line of the northerly portion of said Venture Properties, Inc. property;

North 01°39'15" East a distance of 842.56 feet to the POINT OF BEGINNING.

Contains 4.06 acres, more or less.



Otak



808 SW 3rd Ave., Ste. 800
 Portland, Oregon 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 20141

EXHIBIT A

PAGE 2 OF 2

FROG POND ESTATES ANNEXATION AREA
 IN THE SOUTHEAST QUARTER, SECTION 12, TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, WILLAMETTE MERIDIAN
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

FEBRUARY 10, 2022

EXHIBIT A
LEGAL DESCRIPTION
SCHOOL DISTRICT PROPERTY ANNEXATION

November 1, 2021 (Otak #20141)

A portion of that property described as Parcel I in Warranty Deed to Clackamas County School District 3, West Linn-Wilsonville School District 3JT recorded May 24, 1999 as Document No. 99-052396, Clackamas County Records, in the southeast quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, described as follows:

BEGINNING at a 5/8 inch iron rod with yellow plastic cap marked "OTAK INC" found on the north right of way line of S.W. Boeckman Road (County Road 80) North 01°24'30" East a distance of 30.00 feet from a point on the centerline of said S.W. Boeckman Road, said centerline also being the south line of said southeast quarter, said point being North 88°35'30" West a distance of 1518.77 feet from the southeast corner of said Section 12, said POINT OF BEGINNING also being the southwest corner of Partition Plat No. 2019-047, Clackamas County Records;

thence along the west line of said Partition Plat, North 01°39'45" East a distance of 828.00 feet to a 5/8 inch iron rod with yellow plastic cap marked "DEA" found at the northwest corner of said Partition Plat, also being on the south line of that property described as Parcel 4 in Special Warranty Deed to Venture Properties, Inc. recorded as Document No. 2021-053929, Clackamas County Records;

thence along said south line and the south lines of those properties described in Document No. 91-036369 and Document No. 2021-041768, both of Clackamas County Records, North 88°35'30" West a distance of 483.16 feet to a point on the east right of way line of S.W. Sherman Drive as dedicated in Document No. 2019-010342, Clackamas County Records, said east right of way line being a line parallel with and 28.00 feet easterly of the east line of MORGAN FARM, recorded as Plat No. 4566, Clackamas County Records;

thence along said east right of way line, South 01°39'45" West a distance of 828.00 feet to a point on said north right of way line;

thence along said south right of way line, South 88°35'30" East a distance of 483.16 feet to the POINT OF BEGINNING.

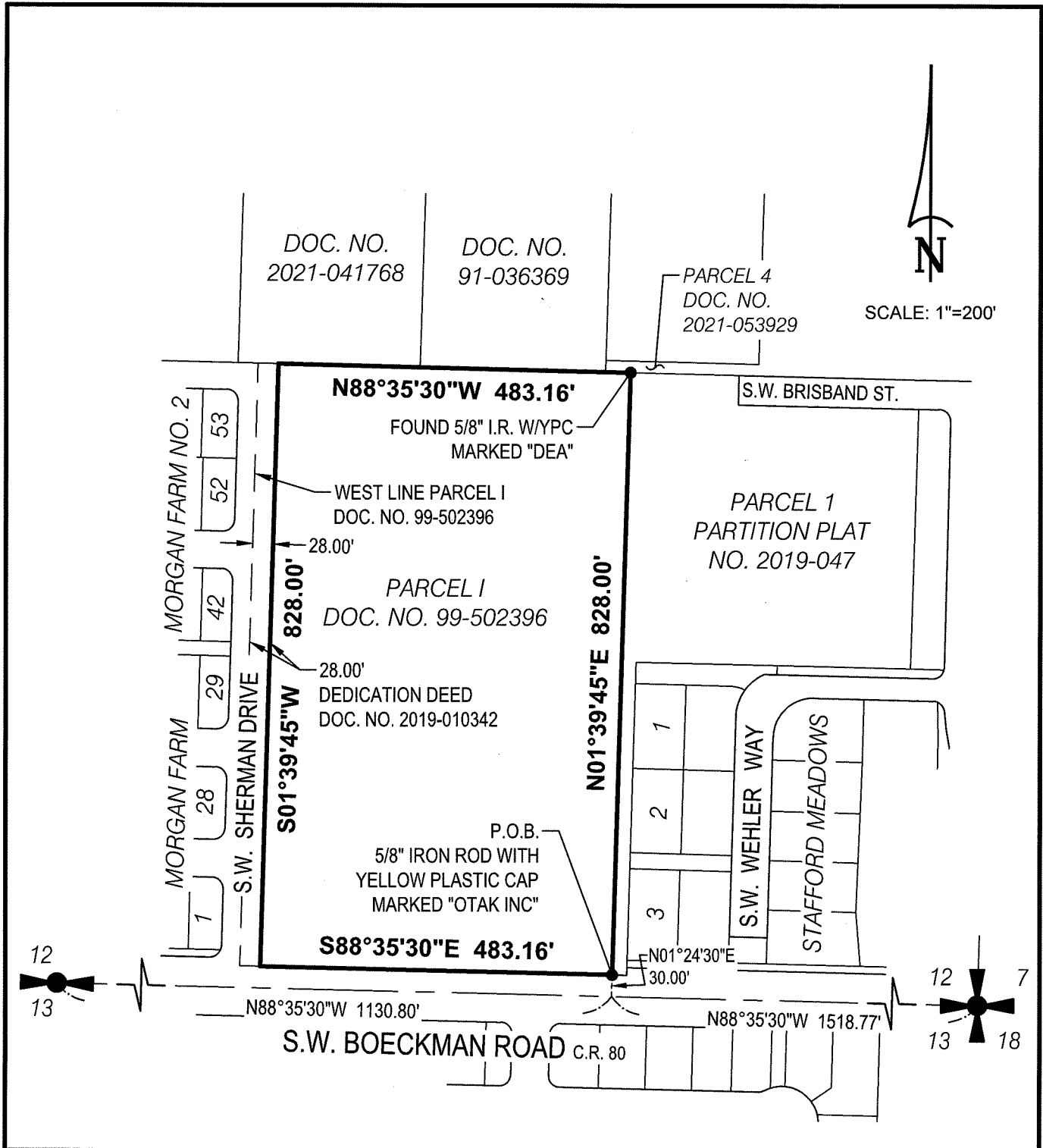
Contains 9.18 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2021.11.02 07:10:20-07'00'

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWES: JUNE 30, 2022



Otak

808 SW 3rd Ave., Ste. 800
 Portland, Oregon 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 20141

EXHIBIT A PAGE 2 OF 2

SCHOOL DISTRICT PROPERTY ANNEXATION
 IN THE SOUTHEAST QUARTER, SECTION 12, TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, WILLAMETTE MERIDIAN
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

NOVEMBER 1, 2021



Ordinance No. 860 Exhibit B
Zone Map Amendment Findings

Frog Pond Estates 17-Lot Subdivision

City Council
Quasi-Judicial Public Hearing

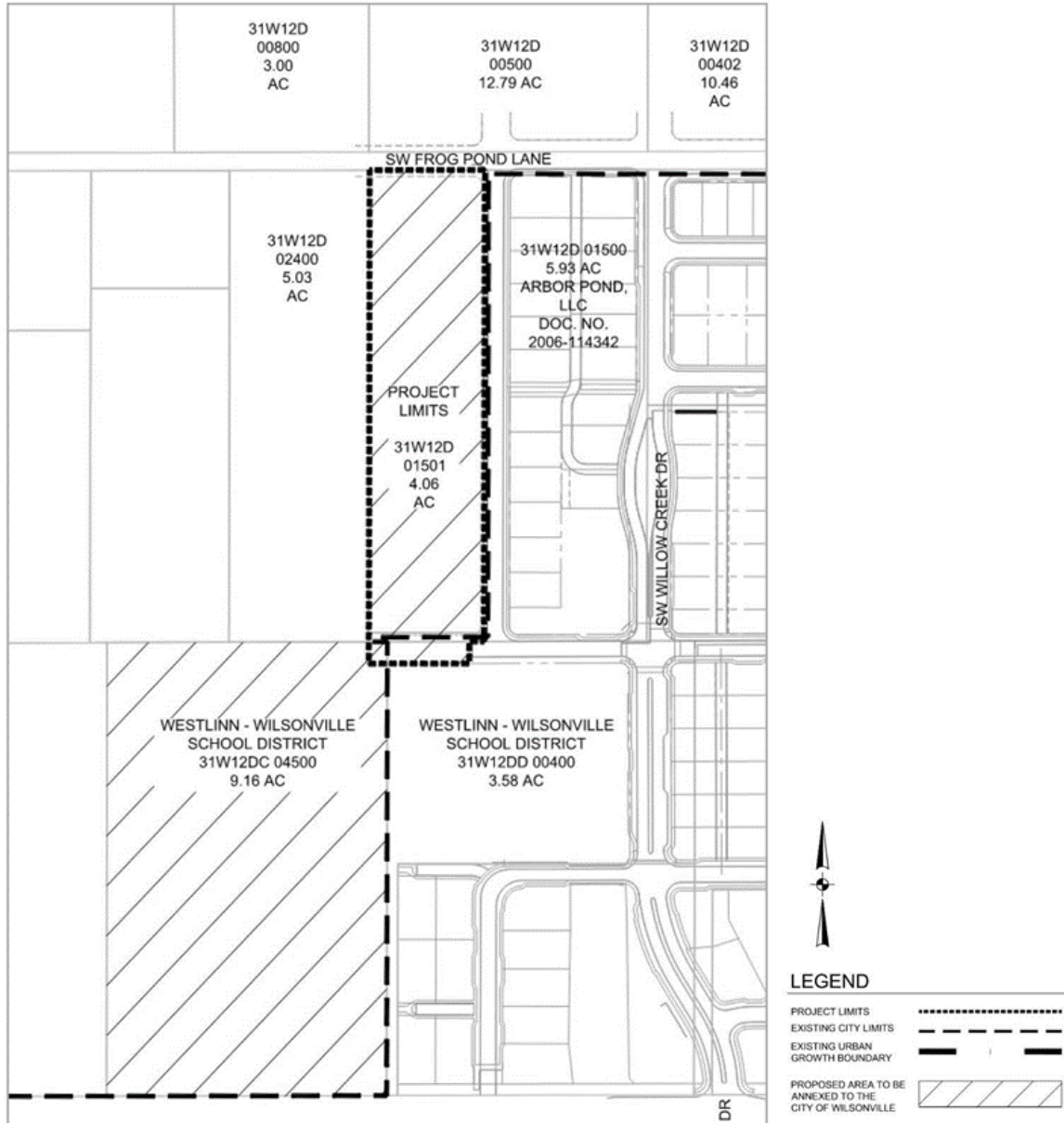
Hearing Date:	April 18, 2022
Date of Report:	April 5, 2022

Application No.:	DB21-0066 Zone Map Amendment
Request:	The request before the City Council is a Zone Map Amendment for approximately 13.24 acres.
Location:	7070 SW Frog Pond Lane and 7151 SW Boeckman Road. The properties are specifically known as TLID 1501, Section 12D, and TLID 4500, Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
Owners:	Amy Thurmond (TLID 1501, 7070 SW Frog Pond Lane) West Linn-Wilsonville School District (TLID 4500, 7151 SW Boeckman Road)
Applicant:	West Hills Land Development LLC (Contact: Dan Grimberg)
Applicant’s Rep.:	OTAK, Inc. (Contact: Li Alligood AICP)
Comprehensive Plan Designations:	Residential Neighborhood and Public
Zone Map Classification:	TLID 1501 – Current: Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Proposed: Residential Neighborhood (RN)
	TLID 4500 – Current: RRFF-5 Proposed: Public Facility (PF)
Staff Reviewer:	Cindy Luxhoj AICP, Associate Planner
Staff/DRB Recommendation:	<u>Adopt</u> the requested Zone Map Amendment.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.110	Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.197	Zone Changes
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<u>Regional and State Law and Planning Documents</u>	
Statewide Planning Goals	

Vicinity Map



Summary:

Zone Map Amendment (DB21-0066)

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN Zone to the residential portion of the annexed area consistent with this intention. The application proposes applying the Public Facility (PF) Zone to the future school site.

Conclusion and Conditions of Approval:

Staff and the Development Review Board recommend approval with the following condition:

Request: DB21-0066 Zone Map Amendment

This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB21-0065).

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. West Hills Land Development LLC initiated the application with their approval.

Request: DB21-0066 Zone Map Amendment

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

Comprehensive Plan

"Residential Neighborhood" on Comprehensive Plan Map, Purpose of "Residential Neighborhood" Designation
Policy 4.1.7.a.

B1. The subject area has Comprehensive Plan Map Designations of "Residential Neighborhood" and "Public" enabling implementation of the Frog Pond West Master Plan adopted for the subject area.

"Residential Neighborhood" Zone Applied Consistent with Comprehensive Plan Implementation Measure 4.1.7.c.

B2. The applicant requests the portion of the subject area within the Frog Pond Estates subdivision receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of "Residential Neighborhood". The designation enables development of the residential portion of the site consistent with the purpose of this designation as set forth in the legislatively adopted Frog Pond West Master Plan, resulting in an attractive, cohesive and connected residential neighborhood with high quality architecture and community design, transportation choices, and preserved and enhanced natural resources.

The applicant requests the portion of the subject area within the future school site receive the zoning designation of Public Facility (PF), as required for areas within Comprehensive Plan Map Designation of “Public”, consistent with the Master Plan recommendation.

Safe, Convenient, Healthful, and Attractive Places to Live
Implementation Measure 4.1.4.c.

- B3.** The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density
Implementation Measure 4.1.4.u.

- B4.** The portion of the subject area within the Frog Pond Estates subdivision will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities.

Development Code

Zoning Consistent with Comprehensive Plan
Section 4.029

- B5.** The applicant requests a zone change concurrently with a Stage I Preliminary Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designations of RN and PF are consistent with the Comprehensive Plan “Residential Neighborhood” and “Public” designations. See also Finding B2 above.

Base Zones
Subsection 4.110 (.01)

- B6.** The requested zoning designations of RN and PF are among the base zones identified in this subsection.

Residential Neighborhood (RN) Zone

Purpose of the Residential Neighborhood (RN) Zone
Subsection 4.127 (.01)

- B7.** The request to apply the RN Zone on lands designated “Residential Neighborhood” on the Comprehensive Plan Map enables a planned development process implementing the “Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

Permitted Uses in the Residential Neighborhood (RN) Zone
 Subsection 4.127 (.02)

B8. Concurrent with the zone map amendment request the applicant requests approval of a 17-lot residential subdivision. Single-family dwelling units, Duplex, Triplex, Quadplex, Cluster Housing, Cohousing, Cluster Housing (Frog Pond West Master Plan), open space, and public and private parks are among the permitted uses in the RN Zone.

Residential Neighborhood (RN) Zone Sub-districts and Residential Density
 Subsection 4.127 (.05) and (.06)

B9. The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use lot count, the proposed Stage I area includes portions of medium lot Sub-district 4 and large lot Sub-district 7. The following table summarizes how the proposed residential lots in each Sub-district are generally consistent with the Master Plan recommendations. While the applicant proposes 12 lots in Sub-district 4, which is the maximum number allowed, 5 lots are proposed in Sub-district 7, exceeding the proportional density calculation for this part of the site by one (1) lot.

Sub-district and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established lot range for Sub-district	Lot Range for Site	Proposed Lots	Total lots within Sub-district - Approved and Proposed
4 – R-7	2.7	10.8%	86-107	9-12	12	21 Approved 12 Proposed 33 Total
7 – R-10	1.4	13.9%	24-30	3-4	5	0 Approved 5 Proposed 5 Total
Total	6			12-16	17	

The proportional density allocation does not account for site-specific characteristics that influence the ability of a specific property to accommodate residential lots meeting minimum dimensional standards. The portion of the subject property within Sub-district 7 able to accommodate lot area (90.9%) is much greater than in other subareas. Minimal right-of-way dedication is required because the section of SW Frog Pond Lane adjacent to the site is a local street, which allows driveway access, private street B is primarily located in Sub-district 4, and the majority of SW Columbine Avenue bordering the site on the east is being constructed as part of the Frog Pond Ridge subdivision. As a result, no alleys are required or proposed to provide access to the proposed lots in Sub-district 7. Therefore, the proposed site area within Sub-district 7 easily accommodates five lots that meet or exceed all dimensional standards, including minimum lot size requirements. The proposed development of 5 lots in this portion of Sub-district 7 exceeds minimum lot development standards while preserving significant trees and allowing for compliant future

development within the master plan area. The configuration of lots as proposed will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

Public Facility (PF) Zone

Purpose of the Public Facility (PF) Zone

Subsection 4.136 (.01)

B10. The request to apply the Public Facility (PF) Zone on the future school property is consistent with the purpose of this zone, as the existing and future uses are public and quasi-public uses that serve and benefit the community.

Permitted Uses in the Public Facility (PF) Zone

Subsection 4.136 (.02)

B11. Public schools are among the permitted uses in the PF zone.

Dimensional Standards

Subsection 4.136 (.04)

B12. All dimensional standards of the PF zone will be met. The frontage of the tax lot exceeds the minimum requirement of 75 feet.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 401**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RFFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) AND PUBLIC FACILITY (PF) OF APPROXIMATELY 13.22 ACRES BETWEEN SW BOECKMAN ROAD AND SW FROG POND LANE FOR A 17-LOT RESIDENTIAL SUBDIVISION AND FUTURE SCHOOL SITE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT AND TYPE C TREE PLAN FOR THE RESIDENTIAL SUBDIVISION. THE SUBJECT SITE IS LOCATED AT 7070 SW FROG POND LANE, AND 7035 AND 7151 SW BOECKMAN ROAD ON TAX LOT 1501 AND A PORTION OF TAX LOT 1500, SECTION 12D, A PORTION OF TAX LOT 400, SECTION 12DD AND TAX LOT 4500, SECTION 12DC, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. OTAK, INC. – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT, LLC – APPLICANT AND AMY THURMOND, VENTURE PROPERTIES, AND WEST LINN-WILSONVILLE SCHOOL DISTRICT – OWNERS.

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 March 21, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on March 28, 2022, 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 March 21, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB21-0065 through DB21-0071; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, and Class C Tree Plan.

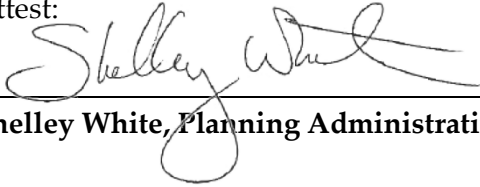
ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 28th day of March, 2022 and filed with the Planning Administrative Assistant on

March 29, 2022. 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)*.

Nicole Hendrix

Nicole Hendrix, Acting Chair – Panel B
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: May 2, 2022		Subject: Ordinance Nos. 861 and 862 – 2nd Reading Annexation and Zone Map Amendment for Frog Pond Oaks subdivision in Frog Pond West	
		Staff Member: Cindy Luxhoj AICP, Associate Planner	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: April 18, 2022 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: April 18, 2022 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: May 2, 2022 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: Following their review at the April 11, 2022 meeting, the Development Review Board, Panel A, unanimously recommended approval of an Annexation and a Zone Map Amendment for the subject property. The DRB also approved with conditions, contingent on the Annexation and Zone Map Amendment, a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Tentative Subdivision Plat, Type C Tree Removal, Waiver, and Abbreviated SROZ Map Verification.	
Staff Recommendation: Staff recommends that the City Council adopt Ordinance Nos. 861 and 862 on second reading.			
Recommended Language for Motion: In two separate motions, I move to adopt Ordinance Nos. 861 and 862 on second reading.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond West	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Approve, modify, or deny Ordinance Nos. 861 and 862 to annex 10.46 acres and rezone approximately 10.46 acres on the north side of SW Frog Pond Lane within the Frog Pond West Master Plan area, enabling development of a 41-lot subdivision.

EXECUTIVE SUMMARY:

The proposed subdivision is the eighth development proposal in Frog Pond West and will connect to the previously approved Frog Pond Vista and Frog Pond Crossing subdivisions, blending together as one cohesive neighborhood consistent with the Frog Pond West Master Plan. Concurrent with the adoption of the Frog Pond West Maser Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The requested zone map amendment proposes applying the Residential Neighborhood (RN) Zone to the Frog Pond Oaks subdivision consistent with this intention.

EXPECTED RESULTS:

Adoption of Ordinance Nos. 861 and 862 will bring this portion of the Frog Pond West Master Plan area into the City and zone it for development consistent with the Master Plan.

TIMELINE: The Annexation and Zone Map Amendment will be in effect 30 days after ordinance adoption on second reading and upon filing the annexation records with the Secretary of State as provided by ORS 222.180.

CURRENT YEAR BUDGET IMPACTS:

The project will result in income and expenditures consistent with the infrastructure financing plan of the Frog Pond West Master Plan.

COMMUNITY INVOLVEMENT PROCESS:

Staff sent the required public hearing notices. In addition, significant public involvement occurred during development and approval of the Frog Pond Area Plan and Frog Pond West Master Plan, with which the proposed actions are consistent.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Annexation and development of the subject land will provide additional housing choices and continued development of quality neighborhoods.

ALTERNATIVES:

The alternatives are to modify, approve, or deny the annexation and zone map amendment requests.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

Attachment 1 – Ordinance No. 861:

Exhibit A – Legal Description and Sketch Depicting Land/Territory to be Annexed

Exhibit B – Petition for Annexation

Exhibit C – Annexation Findings

Exhibit D – Development Review Board Panel A Resolution No. 402 Recommending Approval of Annexation

Attachment 2 – Ordinance No. 862:

Exhibit A – Zoning Order DB21-0073 Including Legal Description and Sketch Depicting
Zone Map Amendment

Exhibit B – Zone Map Amendment Findings

Exhibit C – Development Review Board Panel A Resolution No. 402 Recommending
Approval of Zone Map Amendment

ORDINANCE NO. 861

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 10.46 ACRES OF PROPERTY LOCATED WEST OF SW STAFFORD ROAD NORTH OF SW FROG POND LANE AT 6725 SW FROG POND LANE; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 401 AND 402, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. SHERI MILLER, JAMES MEHUS, JEREMIAH KREILICH, BRIAN POWELL, PETITIONERS.

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

WHEREAS, Sheri Miller and James Mehus, together representing 100 percent of the property ownership within the annexation area signed the petition; and;

WHEREAS, Sheri Miller, Jeremiah Kreilich, and Brian Powell, together representing a majority of the electors 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, Panel A of the Development Review Board considered the annexation and after a duly advertised public hearing held on April 11, 2022, unanimously recommended City Council approve the annexation; and

WHEREAS, on April 18, 2022, 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, conclusions, and the Development Review Board's recommendation to City Council.

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

1. FINDINGS.

The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.

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.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days for the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 18th day of April 2022, and scheduled the second reading on the 2nd day of May 2022, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 2nd day of May 2022, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 2nd day of May, 2022.

JULIE FITZGERALD, MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBITS:

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings
- D. Development Review Board Panel B Resolution No. 402 Recommending Approval of Annexation

EXHIBIT A
LEGAL DESCRIPTION
FROG POND OAKS ANNEXATION

October 5, 2021 (Otak #20141)

That property described in Quitclaim Deed to Sheri L. Miller recorded June 1, 2017 as Document No. 2017-036685, Clackamas County Records, in the southeast quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, further described as follows:

BEGINNING at the southeast corner of said Miller property from which a 5/8 inch iron rod with no cap was found bearing North 01°39'46" East a distance of 0.11 feet, said POINT OF BEGINNING also being a point on the north right of way line of S.W. Frog Pond Lane, North 01°40'13" East a distance of 1748.96 feet and North 88°35'30" West a distance of 537.57 feet from the southeast corner of said Section 12;

thence along the west lines of those properties described in Special Warranty Deed to Paul C. and Janene C. Chaney recorded January 16, 2001 as Document No. 2001-002679, and in Deed to Andrew J. Paris, Jr. et ux recorded April 5, 1972 as Document No. 72-002195, both of Clackamas County Records, North 01°39'46" East a distance of 898.20 feet to a point on the south line of Parcel II of Partition Plat No. 1991-43;

thence along said south line of Parcel II, North 88°46'45" West a distance of 507.70 feet to the northeast corner of that property described in Statutory Warranty Deed to Darrell R. and Sandi L. Lauer recorded June 13, 2018 as Document No. 2018-036152, Clackamas County Records;

thence along the east line of said Lauer property, South 01°40'13" West a distance of 896.54 feet to a point on said north right of way line;

thence along said north right of way line, South 88°35'30" East a distance of 507.81 feet to the POINT OF BEGINNING.

Contains 10.46 acres, more or less.

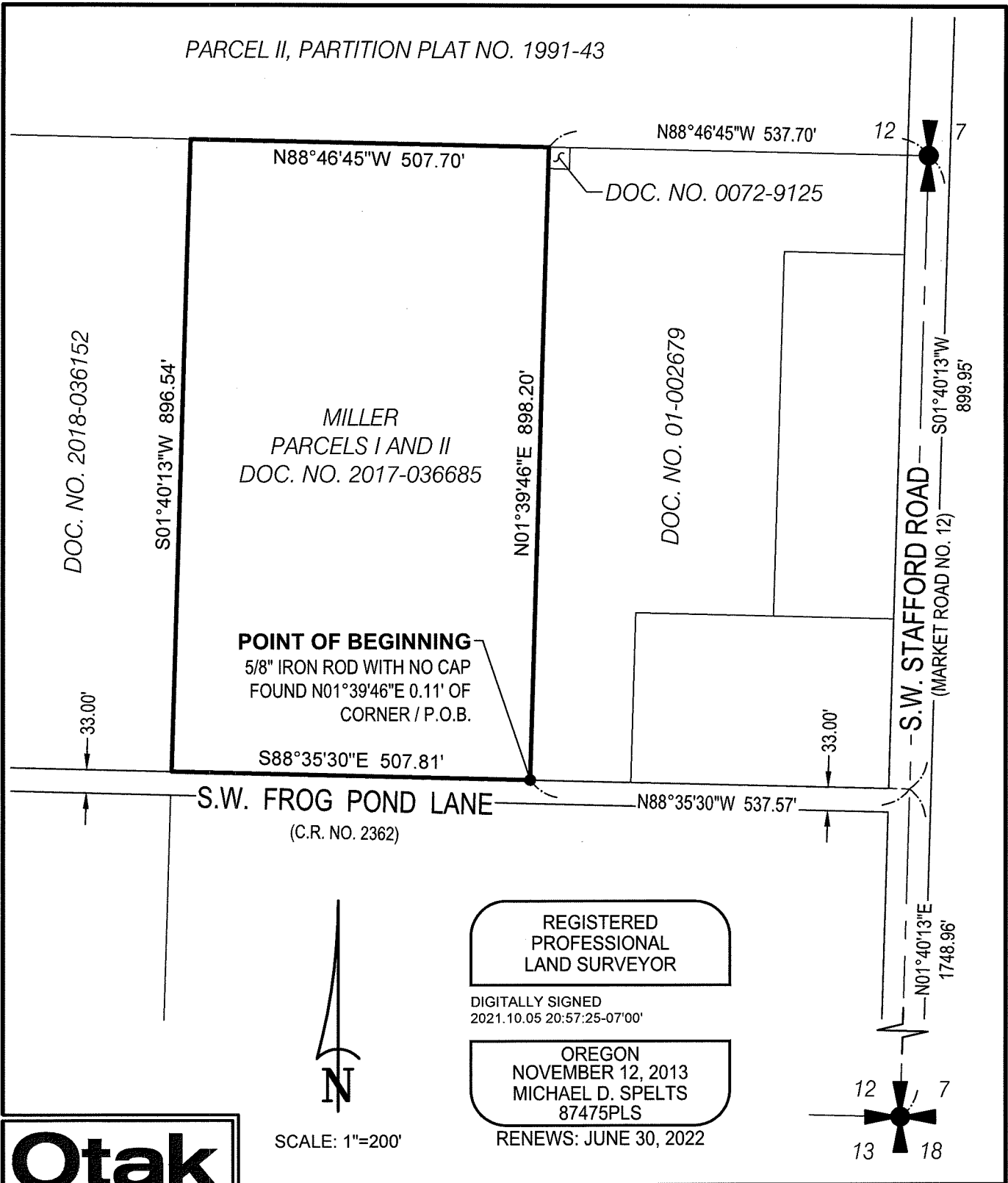
REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2021.10.05 20:57:43-07'00'

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWS: JUNE 30, 2022

PARCEL II, PARTITION PLAT NO. 1991-43



Otak

808 SW 3rd Ave., Ste. 800
 Portland, Oregon 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 20141

EXHIBIT A PAGE 2 OF 2

FROG POND OAKS ANNEXATION AREA
 IN THE SOUTHEAST QUARTER, SECTION 12, TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, WILLAMETTE MERIDIAN
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

OCTOBER 5, 2021

**CERTIFICATION OF PROPERTY OWNERSHIP OF
100% OF LAND AREA**

I hereby certify that the attached petition 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 JOSHUA BOLL
TITLE GIS CARTOGRAPHER II
DEPARTMENT ASSESSMENT
COUNTY OF CLACKAMAS
DATE 10/25/21



¹ Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of 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.

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.

NAME Jenny Clark
TITLE deputy clerk
DEPARTMENT Clackamas County Elections
COUNTY OF Clackamas
DATE December 6, 2021





Ordinance No. 861 Exhibit C
Annexation Findings

Frog Pond Oaks 41-Lot Subdivision

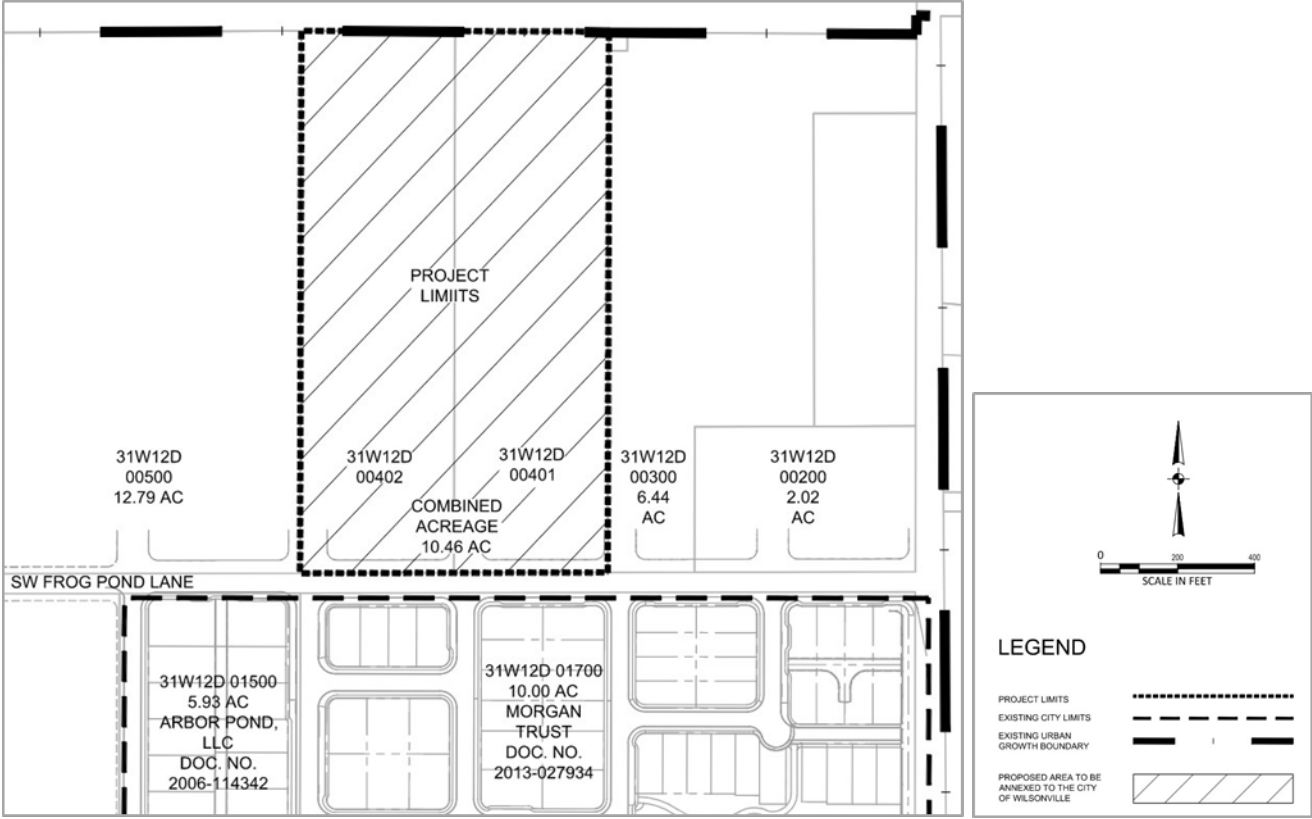
City Council
Quasi-Judicial Public Hearing

Hearing Date:	April 18, 2022
Date of Report:	April 5, 2022
Application No.:	DB21-0072 Annexation
Request/Summary:	City Council approval of quasi-judicial annexation of approximately 10.46 acres for a 41-lot residential subdivision concurrently with proposed development consistent with the Frog Pond West Master Plan.
Location:	6725 SW Frog Pond Lane. The property is specifically known as TLID 401 and 402, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
Owners/Electors/ Petitioners:	Sheri Miller, James Mehus, Jeremish Kreilich, Brian Powell
Applicant:	West Hills Land Development LLC (Contact: Dan Grimberg)
Applicant's Rep.:	OTAK, Inc. (Contact: Li Alligood AICP)
Comprehensive Plan Designations:	Residential Neighborhood
Zone Map Classification (Current):	Rural Residential Farm Forest 5-Acre (RRFF-5)
Zone Map Classification (Proposed Concurrent with Annexation):	Residential Neighborhood (RN)
Staff Reviewer:	Cindy Luxhoj AICP, Associate Planner
Staff/DRB Recommendation:	<u>Approve</u> the requested annexation.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.700	Annexation
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<u>Regional and State Law and Planning Documents</u>	
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 area 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 (UGB) 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.

The proposed 41-lot subdivision is the eighth development proposal in Frog Pond West. The subdivision will connect to the previously approved Frog Pond Crossing and Frog Pond Vista subdivisions, blending together as one cohesive neighborhood consistent with the Frog Pond West Master Plan.

All property owners and a majority of electors in 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: DB21-0072 Annexation

PDA 1. Prior to issuance of any Public Works permits by the City within the annexation area: 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.

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. West Hills Land Development LLC initiated the application with their approval.

Request: DB21-0072 Annexation

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. West Hills Land Development 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 I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Frog Pond Oaks 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.** The 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.

Metro Code

Local Government Boundary Changes Chapter 3.09

- A9.** 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

- A10.** 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

- A11.** 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

- A12.** 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

- A13.** 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

A14. 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 started the master planning process for 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 UGB and improving the capacity identified in the 2014 study. The type of housing is anticipated to be single-family; however, 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 2.2% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 10.46 of 477 acres).

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 402**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) OF APPROXIMATELY 10.46 ACRES, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, WAIVER AND ABBREVIATED SROZ MAP VERIFICATION FOR A 41-LOT RESIDENTIAL SUBDIVISION. THE SUBJECT SITE IS LOCATED AT 6725 SW FROG POND LANE ON TAX LOTS 401 AND 402, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. OTAK, INC. – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT, LLC – APPLICANT AND SHERI MILLER AND JAMES MEHUS – OWNERS.

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 the staff report on the above-captioned subject dated April 4, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on April 11, 2022, 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 April 4, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:


DB21-0072 through DB21-0079, and SI21-0005; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Class C Tree Plan, Waiver, and Abbreviated SROZ Map Verification.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 11th day of April, 2022 and filed with the Planning Administrative Assistant on April 12, 2022. 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)*.



Jean Swadlenka, Chair – Panel A
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant

ORDINANCE NO. 862

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) ZONE TO THE RESIDENTIAL NEIGHBORHOOD (RN) ZONE ON APPROXIMATELY 10.46 ACRES LOCATED WEST OF SW STAFFORD ROAD NORTH OF SW FROG POND LANE AT 6725 SW FROG POND LANE; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 401 AND 402, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. WEST HILLS LAND DEVELOPMENT LLC, APPLICANT.

WHEREAS, certain real property within the Frog Pond West Master Plan is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of "Residential Neighborhood" rather than maintain the current Clackamas County zoning designation; and

WHEREAS, concurrent with the adoption of the Frog Pond West Master Plan and designating the subject property as "Residential Neighborhood" in the Comprehensive Plan Map, the City added a new zoning district Residential Neighborhood (RN) intended for application to the Master Plan area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on April 11, 2022; and

WHEREAS, the Development Review Board Panel 'A' held a duly advertised public hearing on the application for a Zone Map Amendment on April 11, 2022, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 402 which recommends City Council approval of the Zone Map Amendment request (Case File DB21-0073), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on April 18, 2022, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code.

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

1. FINDINGS.

The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB21-0073, attached hereto as Exhibit A, from the Clackamas County Rural Residential Farm Forest 5 (RRFF-5) Zone to the Residential Neighborhood (RN) Zone.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 18th day of April, 2022, and scheduled the second reading on the 2nd day of May, 2022, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 2nd day of May 2022, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 2nd day of May, 2022.

JULIE FITZGERALD, MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBITS:

- A. Zoning Order DB21-0073 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings
- C. Development Review Board Panel A Resolution No. 402 Recommending Approval of Zone Map Amendment

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

In the Matter of the Application of)
West Hills Land Development LLC)
for a Rezoning of Land and Amendment) **ZONING ORDER DB21-0073**
of the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of DB21-0073, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Clackamas County zoning map Rural Residential Farm Forest 5-Acre (RRFF-5).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 10.46 acres located north of SW Frog Pond Lane at 6725 SW Frog Pond Lane comprising Tax Lots 401 and 402 of Section 12D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Residential Neighborhood (RN), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 2nd day of May, 2022.

JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

Amanda Guile-Hinman, City Attorney

ATTEST:

Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned

EXHIBIT A
LEGAL DESCRIPTION
FROG POND OAKS ANNEXATION

October 5, 2021 (Otak #20141)

That property described in Quitclaim Deed to Sheri L. Miller recorded June 1, 2017 as Document No. 2017-036685, Clackamas County Records, in the southeast quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, further described as follows:

BEGINNING at the southeast corner of said Miller property from which a 5/8 inch iron rod with no cap was found bearing North 01°39'46" East a distance of 0.11 feet, said POINT OF BEGINNING also being a point on the north right of way line of S.W. Frog Pond Lane, North 01°40'13" East a distance of 1748.96 feet and North 88°35'30" West a distance of 537.57 feet from the southeast corner of said Section 12;

thence along the west lines of those properties described in Special Warranty Deed to Paul C. and Janene C. Chaney recorded January 16, 2001 as Document No. 2001-002679, and in Deed to Andrew J. Paris, Jr. et ux recorded April 5, 1972 as Document No. 72-002195, both of Clackamas County Records, North 01°39'46" East a distance of 898.20 feet to a point on the south line of Parcel II of Partition Plat No. 1991-43;

thence along said south line of Parcel II, North 88°46'45" West a distance of 507.70 feet to the northeast corner of that property described in Statutory Warranty Deed to Darrell R. and Sandi L. Lauer recorded June 13, 2018 as Document No. 2018-036152, Clackamas County Records;

thence along the east line of said Lauer property, South 01°40'13" West a distance of 896.54 feet to a point on said north right of way line;

thence along said north right of way line, South 88°35'30" East a distance of 507.81 feet to the POINT OF BEGINNING.

Contains 10.46 acres, more or less.

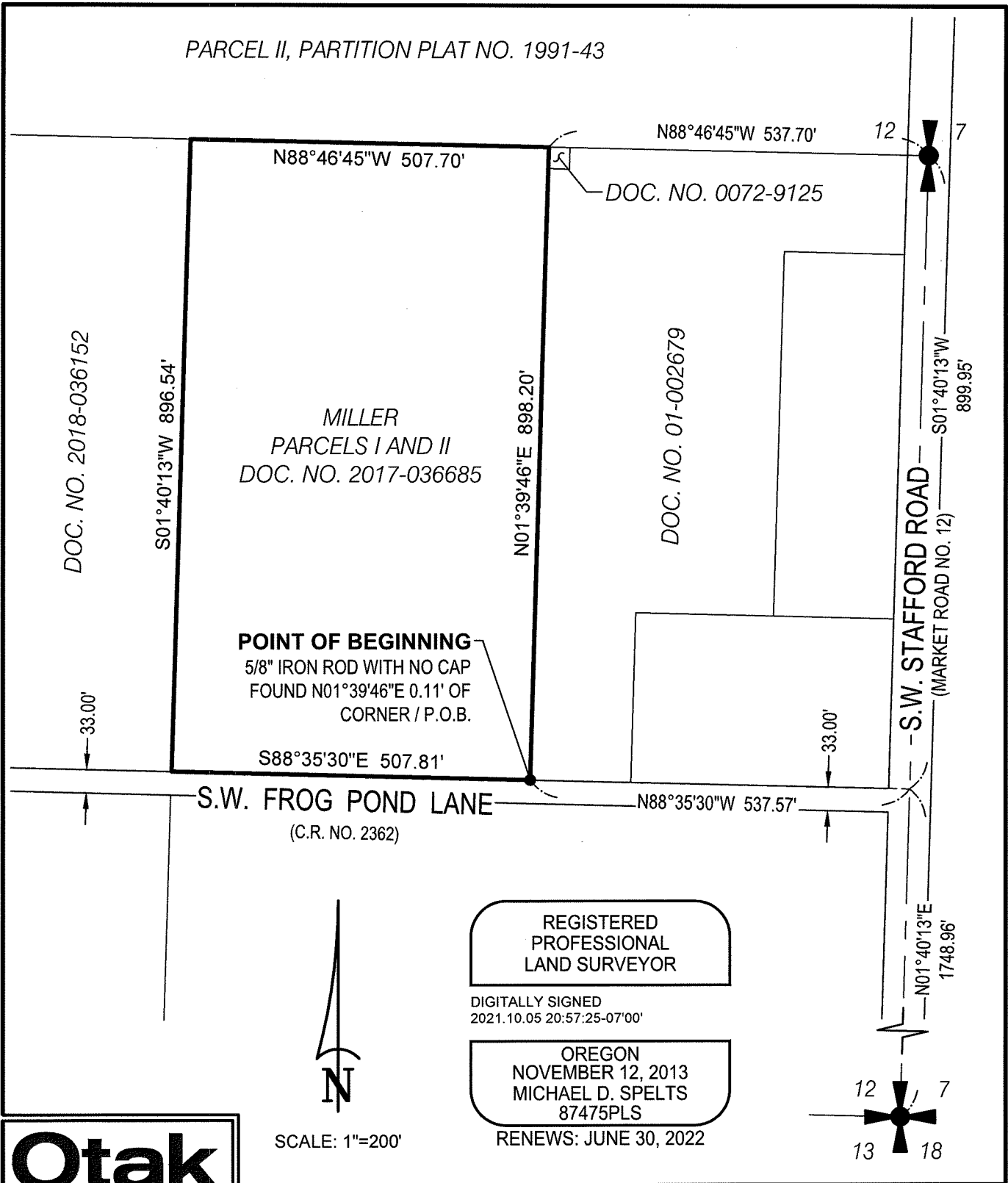
REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2021.10.05 20:57:43-07'00'

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWES: JUNE 30, 2022

PARCEL II, PARTITION PLAT NO. 1991-43



Otak

 808 SW 3rd Ave., Ste. 800
 Portland, Oregon 97204
 Phone: (503) 287-6825
 www.otak.com
 project: 20141

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

DIGITALLY SIGNED
 2021.10.05 20:57:25-07'00'

OREGON
 NOVEMBER 12, 2013
 MICHAEL D. SPELTS
 87475PLS

RENEWS: JUNE 30, 2022

EXHIBIT A PAGE 2 OF 2

FROG POND OAKS ANNEXATION AREA
 IN THE SOUTHEAST QUARTER, SECTION 12, TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, WILLAMETTE MERIDIAN
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

OCTOBER 5, 2021



Ordinance No. 862 Exhibit B
Zone Map Amendment Findings

Frog Pond Oaks 41-Lot Subdivision

City Council
Quasi-Judicial Public Hearing

Hearing Date: April 18, 2022
Date of Report: April 5, 2022

Application No.: DB21-0073 Zone Map Amendment

Request: The request before the City Council is a Zone Map Amendment for approximately 10.46 acres.

Location: 6725 SW Frog Pond Lane. The property is specifically known as TLID 401 and 402, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

Owners: Sheri Miller and James Mehus

Applicant: West Hills Land Development LLC (Contact: Dan Grimberg)

Applicant's Rep.: OTAK, Inc. (Contact: Li Alligood AICP)

Comprehensive Plan Designations: Residential Neighborhood

Zone Map Classification (Current): Rural Residential Farm Forest 5-Acre (RRFF-5)

Zone Map Classification (Proposed Concurrent with Annexation): Residential Neighborhood (RN)

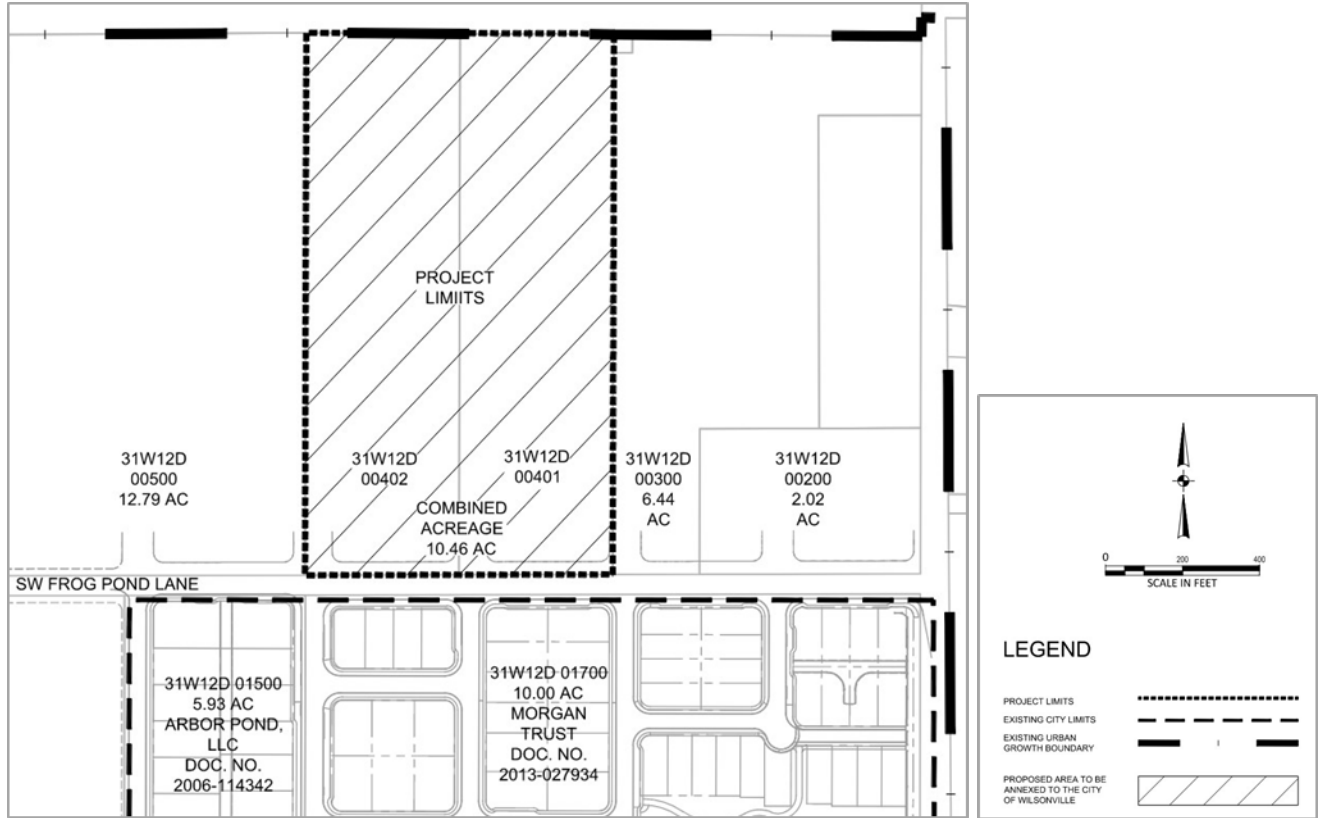
Staff Reviewer: Cindy Luxhoj AICP, Associate Planner

Staff/DRB Recommendation: Adopt the requested Zone Map Amendment.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.110	Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.197	Zone Changes
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<u>Regional and State Law and Planning Documents</u>	
Statewide Planning Goals	

Vicinity Map



Summary:

Zone Map Amendment (DB21-0073)

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN Zone to the annexed area consistent with this intention.

Conclusion and Conditions of Approval:

Staff and the Development Review Board recommend approval with the following condition:

Request: DB21-0073 Zone Map Amendment

This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB21-0072).

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. West Hills Land Development LLC initiated the application with their approval.

Request: DB21-0073 Zone Map Amendment

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

Comprehensive Plan

"Residential Neighborhood" on Comprehensive Plan Map, Purpose of "Residential Neighborhood" Designation
Policy 4.1.7.a.

B1. The subject area has Comprehensive Plan Map Designation of "Residential Neighborhood" enabling implementation of the Frog Pond West Master Plan adopted for the subject area.

"Residential Neighborhood" Zone Applied Consistent with Comprehensive Plan
Implementation Measure 4.1.7.c.

B2. The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of "Residential Neighborhood".

Safe, Convenient, Healthful, and Attractive Places to Live
Implementation Measure 4.1.4.c.

B3. The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density

Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities.

Development Code

Zoning Consistent with Comprehensive Plan

Section 4.029

- B5.** The applicant requests a zone change concurrently with a Stage I Preliminary Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of RN is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

Base Zones

Subsection 4.110 (.01)

- B6.** The requested zoning designation of RN is among the base zones identified in this subsection.

Residential Neighborhood (RN) Zone

Purpose of the Residential Neighborhood (RN) Zone

Subsection 4.127 (.01)

- B7.** The request to apply the RN Zone on lands designated “Residential Neighborhood” on the Comprehensive Plan Map enables a planned development process implementing the “Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

Permitted Uses in the Residential Neighborhood (RN) Zone

Subsection 4.127 (.02)

- B8.** Concurrent with the zone map amendment request the applicant requests approval of a 41-lot residential subdivision. Single-family dwelling units, Duplex, Triplex, Quadplex, Cluster Housing, Cohousing, Cluster Housing (Frog Pond West Master Plan), open space, and public and private parks are among the permitted uses in the RN Zone.

Residential Neighborhood (RN) Zone Sub-districts and Residential Density

Subsection 4.127 (.05) and (.06)

- B9.** The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use lot count, the proposed Stage I area includes portions of medium lot Sub-district 11 and small lot Sub-district 10. The following table summarizes how the proposed residential lots in each Sub-district are generally consistent with the Master Plan

recommendations. While the applicant proposes 29 lots in Sub-district 11, which is one (1) more than the minimum number in the range for this part of the subdivision, 12 lots are proposed in Sub-district 10, which falls short of the proportional density requirement by three (3) lots.

Sub-district and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established lot range for Sub-district	Lot Range for Site	Proposed Lots	Total lots within Sub-district - Approved and Proposed
10 – R-5	2.8	50.2%	30-38	15-19	12	5 Approved 12 Proposed 17 Total
11 – R-7	7.7	60.3%	46-58	28-35	29	24 Approved 29 Proposed 53 Total
Total	10.5			41-54	41	

The City may allow a reduction in the minimum density for a sub-district when it is demonstrated that the reduction is necessary due to topography, protection of trees, wetlands and other natural resources, constraints posed by existing development, infrastructure needs, provision of non-residential uses and similar physical conditions.

Three (3) fewer lots than the minimum density are proposed due to a combination of factors related to topography, infrastructure needs, and provision of non-residential uses. As described by the applicant, due to the overall site's topography and drainage pattern, two large stormwater tracts proposed to be located in Sub-district 10 to manage stormwater from both Sub-districts 11 and 10. Although low impact development approach (LIDA) facilities are proposed on the extension of SW Windflower Street (Public Street C), SW Trillium Street (Public Street D), SW Frog Pond Lane, and SW Willow Creek Drive, adding additional LIDA facilities to the site will not mitigate the need for, or reduce the size of the two stormwater facilities proposed in Tracts A and B.

As further described by the applicant, due to the street alignments and extensions required by the Frog Pond West Master Plan, the proposed lots in Sub-district 10 are limited in configuration and location. Proposed Lots 1-6, bounded by SW Windflower Street (Public Street C), SW Frog Pond Lane, SW Willow Creek Drive, and SW Larkspur Terrace in the SW corner of the sub-district, are all larger than minimum lot size requirements. An additional lot abutting SW Windflower Street (Public Street C) could meet the minimum 35-ft. width and 60-ft. depth requirement, but could not meet the minimum 4,000 sq. ft. lot area standard. The total area of this block, minus Tract A, is approximately 28,000 sq. ft. Assessing area alone, there is space to create one (1) additional lot, which would be seven (7) lots. However, given the constraints of the required street system, and placement of a stormwater management facility, only six (6) lots can practically fit, while meeting

minimum lot standards. As a result, the lots, as proposed, are larger than the minimum standard of Sub-district 10, but still smaller than those proposed in the medium lot Sub-district 11/R-7 portion of the site.

The proposed development of 12 lots, rather than the minimum of 15 lots, in this portion of Sub-district 10 exceeds the minimum lot development standards while preserving significant trees, providing adequate stormwater management infrastructure, and allowing for compliant future development within the Master Plan area. The configuration of lots proposed will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 402**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) OF APPROXIMATELY 10.46 ACRES, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, WAIVER AND ABBREVIATED SROZ MAP VERIFICATION FOR A 41-LOT RESIDENTIAL SUBDIVISION. THE SUBJECT SITE IS LOCATED AT 6725 SW FROG POND LANE ON TAX LOTS 401 AND 402, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. OTAK, INC. – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT, LLC – APPLICANT AND SHERI MILLER AND JAMES MEHUS – OWNERS.

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 the staff report on the above-captioned subject dated April 4, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on April 11, 2022, 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 April 4, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:


DB21-0072 through DB21-0079, and SI21-0005; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Class C Tree Plan, Waiver, and Abbreviated SROZ Map Verification.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 11th day of April, 2022 and filed with the Planning Administrative Assistant on April 12, 2022. 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)*.



Jean Swadlenka, Chair – Panel A
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant



CITY COUNCIL MEETING STAFF REPORT

<p>Meeting Date: May 2, 2022</p>	<p>Subject: Ordinance Nos. 863 and 864 – 1st Reading Annexation and Zone Map Amendment for Black Creek Group Industrial Project</p> <p>Staff Member: Cindy Luxhoj, AICP, Associate Planner</p> <p>Department: Community Development</p>
<p>Action Required</p>	<p>Advisory Board/Commission Recommendation</p>
<p><input checked="" type="checkbox"/> Motion</p> <p><input checked="" type="checkbox"/> Public Hearing Date: May 2, 2022</p> <p><input checked="" type="checkbox"/> Ordinance 1st Reading Date: May 2, 2022</p> <p><input checked="" type="checkbox"/> Ordinance 2nd Reading Date: May 16, 2022</p> <p><input type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Council Direction</p> <p><input type="checkbox"/> Consent Agenda</p>	<p><input type="checkbox"/> Approval</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> None Forwarded</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>Comments: The Coffee Creek Industrial Design Overlay District allows City Council adoption of the Annexation and Zone Map Amendment concurrent with or up to 120 days prior to the Development Review Board (DRB) applications (hearing scheduled for May 23, 2022).</p>
<p>Staff Recommendation: Staff recommends that Council adopt Ordinance Nos. 863 and 864 on first reading.</p>	
<p>Recommended Language for Motion: In two separate motions, I move to adopt Ordinance Nos. 863 and 864 on first reading.</p>	
<p>Project / Issue Relates To:</p>	
<p><input type="checkbox"/> Council Goals/Priorities:</p>	<p><input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan</p> <p><input type="checkbox"/> Not Applicable</p>

ISSUE BEFORE COUNCIL:

Approve, modify, or deny Ordinance Nos. 863 and 864 to annex approximately 8.72 acres and rezone approximately 8.17 acres generally located between SW Garden Acres Road and SW Grahams Ferry Road in the Coffee Creek Industrial Area.

EXECUTIVE SUMMARY:

The City adopted the Coffee Creek Industrial Form-based Code and Pattern Book in February 2018, establishing clear and objective development standards for street design and connectivity, site design and circulation, building form and massing, and building design and architecture to substantially minimize judgment about compliance. As part of this adoption, the City modified procedures governing City Council review of annexation and Zone Map amendments in Coffee Creek, allowing for City Council review of these requests without prior review or recommendation by the Development Review Board. This modification allows for the concurrent processing of the annexation and Zone Map amendment requests with the other related development permit applications.

The applicant, BTC III Grahams Ferry IC LLC, a developer specializing in industrial real estate and warehouse/manufacturing development, wishes to construct the Black Creek Group Industrial project. The 148,279 square foot speculative warehouse/manufacturing facility contains accessory office space and is designed to accommodate a single tenant or two tenants. The applicant wishes to annex the 8.17-acre property and 0.55 acre of the adjacent SW Grahams Ferry Road right-of-way into Wilsonville and apply the City zoning designation of Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) to the property. This zoning designation is consistent with the site’s Comprehensive Plan designation of “Industrial” and Metro’s designation of the Coffee Creek Industrial Area as a Regionally Significant Industrial Area in Title 4 of the Urban Growth Management Functional Plan.

The Development Review Board will hold a public hearing on the application since the request includes waivers to the Form-based Code standards. The hearing is scheduled for May 23, 2022, for the proposed Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Waivers, Class 3 Sign Permit, and Type C Tree Removal Plan applications. The provisions of Section 4.022 (.03) allow for City Council call-up of any final action taken by the Development Review Board and remain in effect for projects within Coffee Creek. The annexation and Zone Map amendment ordinances will expire 120 days from Council adoption if the Stage II Final Plan application is not approved by the Development Review Board.

EXPECTED RESULTS:

Adoption of Ordinance Nos. 863 and 864 will bring this portion of the Coffee Creek Industrial Area into the City and zone the property for industrial development consistent with the Master Plan.

TIMELINE:

The Annexation and Zone Map Amendment will be in effect 30 days after the ordinances are

adopted, pending approval of the Stage II Final Plan by the Development Review Board, and upon filing the annexation records with the Secretary of State as provided by ORS 222.180.

CURRENT YEAR BUDGET IMPACTS:

None.

COMMUNITY INVOLVEMENT PROCESS:

Staff sent the required public hearing notices and has made materials regarding the application readily available to the public.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

The annexation and development of the subject land will provide additional industrial development consistent with the goals of the Coffee Creek Master Plan.

ALTERNATIVES:

The Council may modify or deny the ordinances.

CITY MANAGER COMMENT:

ATTACHMENTS:

Attachment 1 – Ordinance No. 863:

- Exhibit A – Legal Description and Sketch Depicting Land/Territory to be Annexed
- Exhibit B – Petition for Annexation
- Exhibit C – Annexation Findings

Attachment 2 – Ordinance No. 864:

- Exhibit A – Zoning Order DB21-0084 Including Legal Description and Sketch Depicting Zone Map Amendment
- Exhibit B – Zone Map Amendment Findings

ORDINANCE NO. 863

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 8.72 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN SW GARDEN ACRES ROAD AND SW GRAHAMS FERRY ROAD INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 100 AND A PORTION OF SW GRAHAMS FERRY ROAD RIGHT-OF-WAY, SECTION 3D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. GARY S. RYCHLICK AS TRUSTEE OF THE EILEEN RYCHLICK TRUST, GARY S. AND SUSAN M. RYCHLICK, AS INDIVIDUALS, PETITIONERS.

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

WHEREAS, Gary S. Rychlick as Trustee of the Eileen Rychlick Trust, and Gary S. and Susan M. Rychlick, as individuals, together representing 100 percent of the property ownership within the annexation area signed the petition; and

WHEREAS, Gary S. Rychlick, representing a majority of the electors 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 question 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 Coffee Creek Industrial Area; and

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

WHEREAS, pursuant to Section 4.700 of the Development Code the City Council shall review quasi-judicial annexation requests in the Coffee Creek Industrial Design Overlay District without prior review or recommendation by the Development Review Board where concurrent with a quasi-judicial zone map amendment request as specified in Section 4.197 (.02) A; and

WHEREAS, pursuant to Section 4.700 of the Development Code this annexation ordinance expires 120 days from its effective date unless a Stage II Final Plan for the subject area is approved by the City; and

WHEREAS, on May 2, 2022, 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.

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

1. FINDINGS.

The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.

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. Upon confirmation of a Stage II Final Plan approval, the annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 2nd day of May, 2022, and scheduled the second reading on the 16th day of May, 2022 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 16th day of May, 2022 by the following votes:

Yes: ___ No: ___

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 16th day of May, 2022.

JULIE FITZGERALD, Mayor

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Exhibits:

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings



6950 SW Hampton St., Ste. 170
Tigard, OR 97223-8330
Ph.: (503) 941-9585
Fax: (503) 941-9640
www.weddlesurveying.com

December 3, 2021

Job No. 6155

LEGAL DESCRIPTION - ANNEXATION



Michael Rennick



RENEWS: DECEMBER 31, 2022

EXHIBIT "A"

A tract of land for City Annexation purposes located in the SE 1/4 of Section 3, Township 3 South, Range 1 West, W.M., Washington County, Oregon, described as follows:

Being that tract of land described as Parcel I in Warranty Deed to the Eileen Rychlick Trust recorded 12/10/1998 as Document No. 98139844, a 50% interest of which was conveyed to Gary S. Rychlick and Susan M. Rychlick, in Warranty Deed recorded March 11, 2019 as Document No. 2019-013886, Washington County Deed Records, more particularly described as follows:

Beginning at the intersection of the Westerly right-of-way line of S.W. Garden Acres Road (20.00 feet from centerline) and the Southerly right-of-way line of S.W. Cahalin Road (20.00 feet from centerline), thence along said Southerly right-of-way line, North 88°18'06" West, 462.94 feet to a point on the Easterly right-of-way line of S.W. Grahams Ferry Road, 20.00 feet from centerline;

Thence leaving said Southerly right-of-way line along said Easterly right-of-way line, South 25°27'26" West, 604.87 feet to a point on the Northerly line of that tract of land described in Statutory Warranty Deed to JDF Properties, LLC, recorded July 1, 2019 as Document No. 2019-042152, said County Records;

Thence leaving said Easterly right-of-way line along said Northerly line and the Northerly line of that tract of land described in Statutory Warranty Deed to C & L Lang, LLC, recorded December 26, 2018 as Document No. 2018-086143, said County Records, South 81°17'56" East, 715.97 feet to the Westerly right-of-way line of said S.W. Garden Acres Road, 20.00 feet from centerline;

Thence along said Westerly right-of-way line, North 01°20'28" East, 640.91 feet to the Point of Beginning. Containing therein 8.166 acres, more or less.

TOGETHER WITH that portion of the full width right-of-way of SW Graham's Ferry Road abutting the Westerly line of the above described tract of land.

The Basis of Bearing for this description is per Survey No. 34147, Washington County Survey Records.

EXHIBIT "B"

A TRACT OF LAND LOCATED IN
THE SE 1/4 OF SECTION 3
T.3S., R.1W., W.M.
WASHINGTON COUNTY, OREGON

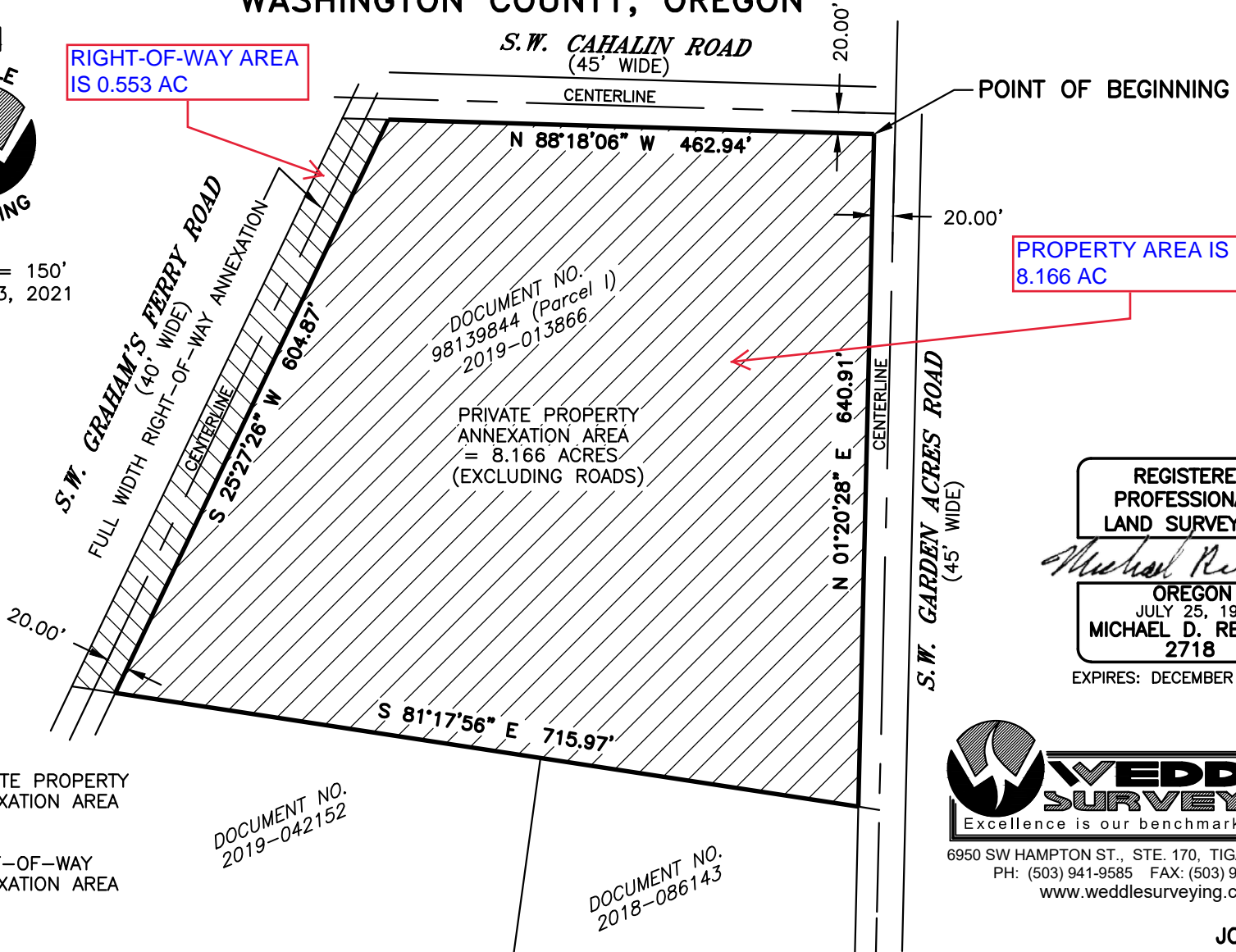
TOTAL ANNEXATION AREA IS 8.166 AC
(PROPERTY) PLUS 0.553 AC (ROAD)
= 8.719 ACRES



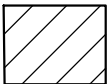

SCALE: 1" = 150'
DECEMBER 3, 2021

RIGHT-OF-WAY AREA
IS 0.553 AC

PROPERTY AREA IS
8.166 AC



LEGEND

-  PRIVATE PROPERTY ANNEXATION AREA
-  RIGHT-OF-WAY ANNEXATION AREA

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
MICHAEL D. RENNICK
2718

EXPIRES: DECEMBER 31, 2022



6950 SW HAMPTON ST., STE. 170, TIGARD, OR 97223
PH: (503) 941-9585 FAX: (503) 941-9640
www.weddlesurveying.com

JOB NO. 6154

CERTIFICATION OF PROPERTY OWNERSHIP
FOR PETITION TO ANNEX TERRITORY INTO CITY OF WILSONVILLE

25190, 25020 SW Grahams Ferry Rd, Washington County, OR 97140
Address (See attached Legal Description)

3S103D 000100
Tax Map/Lot Numbers

I certify that Washington County Assessment records indicate that the territory proposed for annexation to the City of Wilsonville, as described in the attached legal description and map, is owned* by the following entities:

Lillian E. Rychlick as Trustee of the Eileen Rychlick Trust dated September 21, 1998 as to an undivided 50% interest and Gary S. Rychlick and Susan M. Rychlick as to an undivided 50% interest

*Owner means the owner of the title to real property or the contract purchaser of the real property.

TED FOSTER
Printed Name

GIS TECH
Title


Signature

12/10/21
Date

CARTOGRAPHY
Department

Washington County, Oregon
County

ANNEXATION CERTIFIED

BY 

DEC 10 2021

**WASHINGTON COUNTY A & T
CARTOGRAPHY**



Ordinance No. 863 Exhibit C
Annexation Findings

Black Creek Group Industrial Project

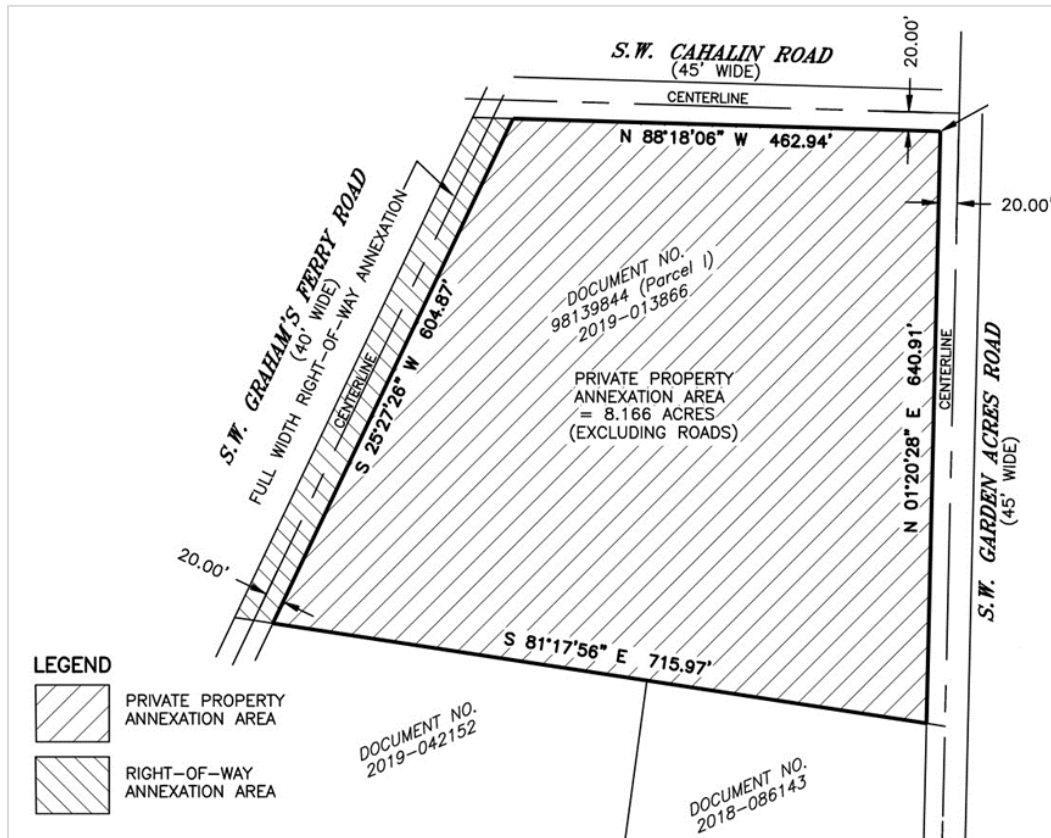
City Council
Quasi-Judicial Public Hearing

Hearing Date:	May 2, 2022
Date of Report:	April 25, 2022
<hr/>	
Application Nos.:	DB21-0083 Annexation
Request/Summary:	City Council Approval of a quasi-judicial annexation of approximately 8.72 acres.
Location:	25020 and 25190 SW Grahams Ferry Road. The property is specifically known as Tax Lot 100 and a portion of SW Grahams Ferry Road right-of-way, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon
Owners/Petitioners:	Gary S. Rychlick as Trustee of the Eileen Rychlick Trust, and Gary S. and Susan M. Rychlick as individuals
Applicant:	BTC III Grahams Ferry IC LLC (Contact: Chris Sanford)
Applicant's Representative:	Mackenzie (Contact: Lee Leighton, AICP)
Comprehensive Plan Designation:	Industrial
Zone Map Classification (Current):	FD-20 (Future Development – 20 Acre)
Zone Map Classification (Proposed):	PDI-RSIA (Planned Development Industrial – Regionally Significant Industrial Area)
Staff Reviewer:	Cindy Luxhoj AICP, Associate Planner
Staff Recommendation:	<u>Approve</u> the requested annexation.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.700	Annexation
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
Coffee Creek Master Plan	
<u>Regional and State Law and Planning Documents:</u>	
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 area has long been rural/semi-rural adjacent to the growing City of Wilsonville. Metro added the 216 +/- gross acre area now known as the Coffee Creek Industrial Area to the Urban Growth Boundary in 2002 to accommodate future industrial growth. To guide development of the area, the City of Wilsonville adopted the Coffee Creek Industrial Master Plan in 2007. In 2018, the City adopted the Coffee Creek Industrial Area Form-based Code and accompanying Pattern Book for future development in Coffee Creek. Annexation of the 8.17-acre subject property and approximately 0.55 acre of adjacent SW Grahams Ferry Road right-of-way will enable development consistent with the Coffee Creek Master Plan.

All property owners and a majority of electors in 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: DB21-0083 Annexation

PDA 1. The annexation ordinance will expire in 120 days without approval of a Stage II Final Plan for the subject property.

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. BTC III Grahams Ferry IC LLC initiated the application with their approval.

Request A: DB21-0083 Annexation

Comprehensive Plan

Allowed Annexation
Implementation Measure 2.2.1.a.

A1. The land proposed for annexation is located within the UGB and within the Coffee Creek Master Plan area. This area has been identified for industrial development and the applicant proposes to construct public services including roadway improvements, necessary infrastructure, and utility services to the site in accordance with City of Wilsonville standards.

Annexation Review Standards
Implementation Measure 2.2.1.e.

A2. Metro and the City of Wilsonville have identified the Coffee Creek area for industrial and employment land uses. The City has undertaken years of planning work to adopt zoning and other regulations to guide and direct such annexation, development, and land use. The

applicant responds to applicable approval standards, guidelines, and criteria to demonstrate that the proposal is consistent with all the applicable Metro and State policies, plans, and regulations. The project will be developed with public facilities and services as identified in the City's Capital Improvement Plan, and which are adequate to serve the site. The project type and use matches the goals and objectives of the City within the Coffee Creek Industrial Area.

Development Code

Authority to Review Annexation

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

- A3.** The subject annexation request has been determined to be quasi-judicial and is being reviewed by the City Council consistent with these subsections.

Annexation

Section 4.700

- A4.** The applicant has met all submittal requirements and procedures described in this Section including submission of a petition, legal descriptions describing the land to be annexed, an analysis of the relationship with the Comprehensive Plan, state statutes, Statewide Planning Goals, and Metro plans.

Annexations in the Coffee Creek Industrial Design Overlay District

Subsection 4.700 (.02) A.

- A5.** The subject property is located within the Coffee Creek Industrial Design Overlay District and the applicant requests an annexation concurrently with a quasi-judicial Zone Map Amendment consistent with the requirements of Subsection 4.197 (.02) A. The annexation will be reviewed by City Council without prior review or recommendation by the Development Review Board. The ordinance adopting the annexation request states that the annexation expires 120 days after adoption unless a Stage II Final Plan receives final approval for the area subject to annexation. A Public Hearing is currently scheduled for May 23, 2022, for the Stage II Final Plan to be reviewed by the Development Review Board.

Metro Code

Local Government Boundary Changes

Chapter 3.09

- A6.** A public hearing was scheduled within 45 days of completeness. Notice has been mailed and posted on the property 20 days prior to the hearing and includes the required information. The decision will be mailed to Metro and other required parties. A petition has been submitted including property owner information, jurisdictional information, and a legal description of the property.

Oregon Revised Statutes

Authority and Procedure for Annexation ORS 222.111

- A7. The owners of the property have initiated the annexation. An election is not required pursuant to ORS 222.120.

Procedure Without Election by City Electors ORS 222.120

- A8. The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and 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 of Land and Majority of Electors ORS 222.125

- A9. All property owners and a majority of electors within the territory proposed to be annexed have provided their consent in writing. However, a public hearing process is being followed 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

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

- A10. The area requested to be annexed will be developed consistent with the City's Comprehensive Plan and the Coffee Creek Master Plan, both of which have been found to meet the Statewide Planning Goals.

ORDINANCE NO. 864

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE WASHINGTON COUNTY FUTURE DEVELOPMENT – 20 ACRE (FD-20) ZONE TO THE PLANNED DEVELOPMENT INDUSTRIAL – REGIONALLY SIGNIFICANT INDUSTRIAL AREA (PDI-RSIA) ZONE ON APPROXIMATELY 8.17 ACRES GENERALLY LOCATED BETWEEN SW GARDEN ACRES ROAD AND SW GRAHAMS FERRY ROAD; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 100, SECTION 3D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. BTC III GRAHAMS FERRY IC LLC, APPLICANT.

WHEREAS, certain real property within the Coffee Creek Industrial Area is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the property zoned consistent with the Wilsonville Comprehensive Plan Map designation of “Industrial” and the Metro Title 4 Map Designation of Regionally Significant Industrial Area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the property is located within the Coffee Creek Industrial Area for which the City adopted the Coffee Creek Master Plan on October 15, 2007, and the Coffee Creek Industrial Design Overlay District on February 22, 2018, intended for application to the Master Plan area; and

WHEREAS, pursuant to Section 4.197 of the Development Code the City Council shall review quasi-judicial Zone Map Amendments in the Coffee Creek Industrial Design Overlay District without prior review or recommendation by the Development Review Board where only one option exists for a Zone Map Amendment consistent with the Comprehensive Plan Map; and

WHEREAS, pursuant to Section 4.197 of the Development Code this Zone Map Amendment ordinance expires 120 days from its effective date unless a Stage II Final Plan for the subject area is approved by the City; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for City Council, finding that the application met the

requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, included as Exhibit B; and

WHEREAS, on May 2, 2022, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record, including the City Council staff report; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code.

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

1. FINDINGS.

The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB21-0084, attached hereto as Exhibit A, from the Washington County Future Development - 20 Acre (FD-20) Zone to the Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) Zone.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 2nd day of May, 2022, and scheduled the second reading on the 16th day of May, 2022, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 16th day of May, 2022, by the following votes:

Yes: ___ No: ___

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 16th day of May, 2022.

JULIE FITZGERALD, Mayor

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Exhibits:

- A. Zoning Order DB21-0084 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings

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

In the Matter of the Application of)
BTC III Grahams Ferry IC LLC)
for a Rezoning of Land and Amendment) **ZONING ORDER DB21-0084**
of the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of DB21-0084, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Washington County zoning map Future Development – 20 Acre (FD-20).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 8.17 acres generally located between SW Garden Acres Road and SW Grahams Ferry Road comprising Tax Lot 100, of Section 3D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order. This Zone Map Amendment expires 120 days from adoption unless a Stage II Final Plan for the subject area is approved by the City.

Dated: This 16th day of May, 2022.

JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

Amanda Guile-Hinman, City Attorney

ATTEST:

Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned



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www.weddlesurveying.com

December 3, 2021

Job No. 6155

LEGAL DESCRIPTION - ANNEXATION

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
MICHAEL D. RENNICK
2718

RENEWS: DECEMBER 31, 2022

EXHIBIT "A"

A tract of land for City Annexation purposes located in the SE 1/4 of Section 3, Township 3 South, Range 1 West, W.M., Washington County, Oregon, described as follows:

Being that tract of land described as Parcel I in Warranty Deed to the Eileen Rychlick Trust recorded 12/10/1998 as Document No. 98139844, a 50% interest of which was conveyed to Gary S. Rychlick and Susan M. Rychlick, in Warranty Deed recorded March 11, 2019 as Document No. 2019-013886, Washington County Deed Records, more particularly described as follows:

Beginning at the intersection of the Westerly right-of-way line of S.W. Garden Acres Road (20.00 feet from centerline) and the Southerly right-of-way line of S.W. Cahalin Road (20.00 feet from centerline), thence along said Southerly right-of-way line, North 88°18'06" West, 462.94 feet to a point on the Easterly right-of-way line of S.W. Grahams Ferry Road, 20.00 feet from centerline;

Thence leaving said Southerly right-of-way line along said Easterly right-of-way line, South 25°27'26" West, 604.87 feet to a point on the Northerly line of that tract of land described in Statutory Warranty Deed to JDF Properties, LLC, recorded July 1, 2019 as Document No. 2019-042152, said County Records;

Thence leaving said Easterly right-of-way line along said Northerly line and the Northerly line of that tract of land described in Statutory Warranty Deed to C & L Lang, LLC, recorded December 26, 2018 as Document No. 2018-086143, said County Records, South 81°17'56" East, 715.97 feet to the Westerly right-of-way line of said S.W. Garden Acres Road, 20.00 feet from centerline;

Thence along said Westerly right-of-way line, North 01°20'28" East, 640.91 feet to the Point of Beginning. Containing therein 8.166 acres, more or less.

TOGETHER WITH that portion of the full width right-of-way of SW Graham's Ferry Road abutting the Westerly line of the above described tract of land.

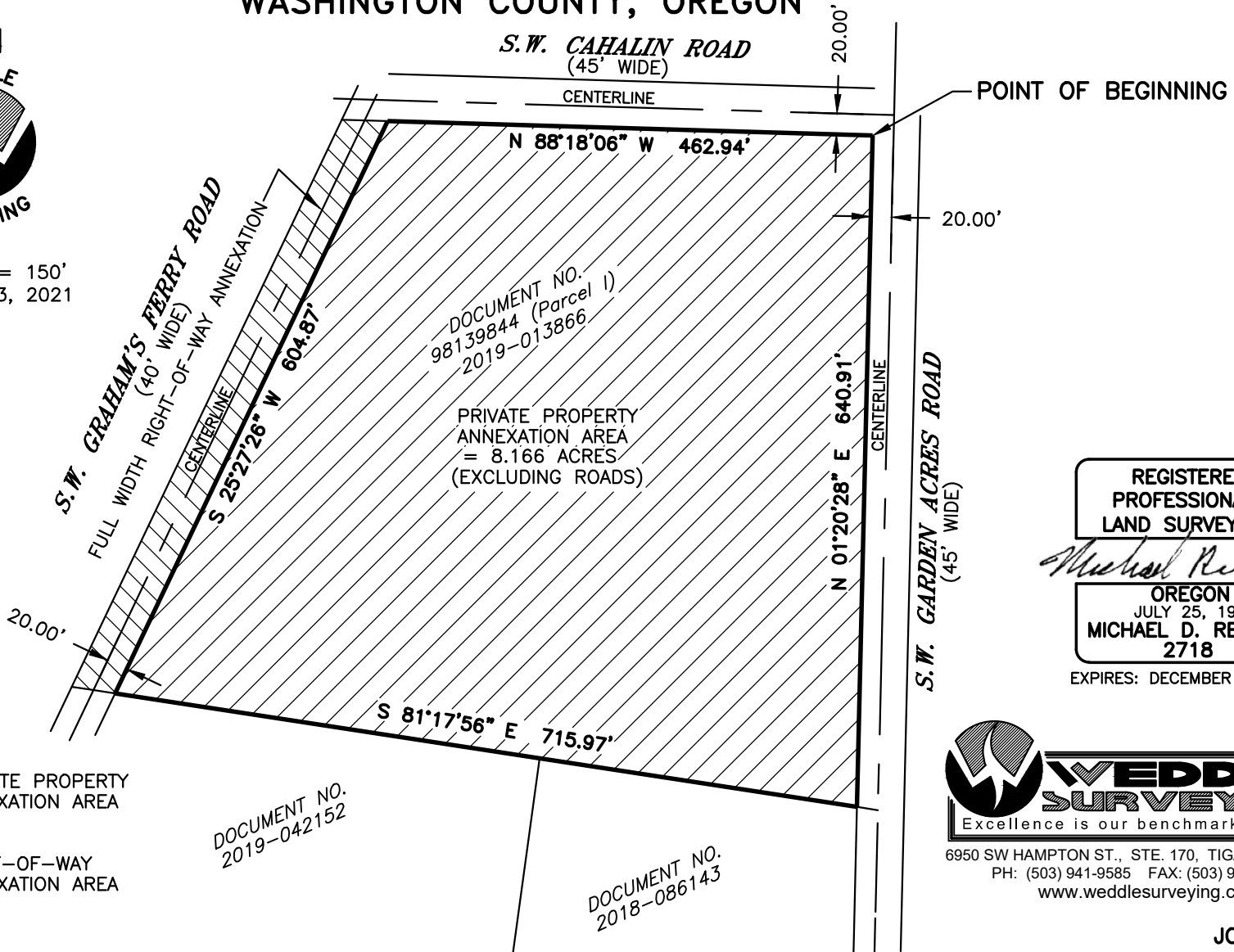
The Basis of Bearing for this description is per Survey No. 34147, Washington County Survey Records.

EXHIBIT "B"

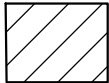

A TRACT OF LAND LOCATED IN
THE SE 1/4 OF SECTION 3
T.3S., R.1W., W.M.
WASHINGTON COUNTY, OREGON



SCALE: 1" = 150'
DECEMBER 3, 2021



LEGEND

-  PRIVATE PROPERTY ANNEXATION AREA
-  RIGHT-OF-WAY ANNEXATION AREA

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
MICHAEL D. RENNICK
2718

EXPIRES: DECEMBER 31, 2022



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JOB NO. 6154



Ordinance No. 864 Exhibit B
Zone Map Amendment Findings

Black Creek Group Industrial Project

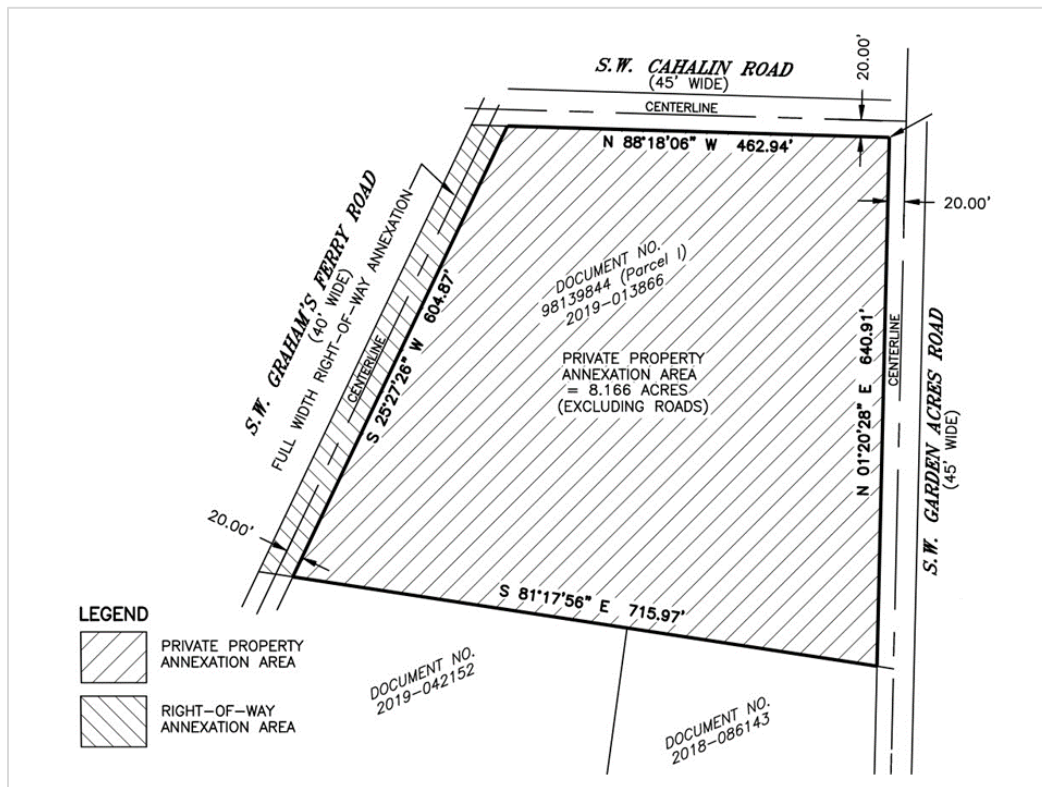
City Council
Quasi-Judicial Public Hearing

Hearing Date:	May 2, 2022
Date of Report:	April 25, 2022
<hr/>	
Application Nos.:	DB21-0084 Zone Map Amendment
Request/Summary:	City Council Approval of a quasi-judicial zone map amendment of approximately 8.17 acres.
Location:	25020 and 25190 SW Grahams Ferry Road. The property is specifically known as Tax Lot 100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon
Owner:	Gary S. Rychlick as Trustee of the Eileen Rychlick Trust, and Gary S. and Susan M. Rychlick as individuals
Applicant:	BTC III Grahams Ferry IC LLC (Contact: Chris Sanford)
Applicant's Representative:	Mackenzie (Contact: Lee Leighton, AICP)
Comprehensive Plan Designation:	Industrial
Zone Map Classification (Current):	FD-20 (Future Development – 20 Acre)
Zone Map Classification (Proposed):	PDI-RSIA (Planned Development Industrial – Regionally Significant Industrial Area)
Staff Reviewer:	Cindy Luxhoj AICP, Associate Planner
Staff Recommendation:	<u>Adopt</u> the requested Zone Map Amendment.

Applicable Review Criteria:

Development Code:	
Section 4.110	Zones
Section 4.134	Coffee Creek Industrial Design Overlay District
Section 4.135.5	Planned Development Industrial – Regionally Significant Industrial Area Zone
Section 4.197	Zone Changes
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	
Statewide Planning Goals	

Vicinity Map



Summary:

The applicant, BTC III Grahams Ferry IC LLC, requests a zoning designation consistent with the proposed Comprehensive Plan Map designation of "Industrial". In addition to the Comprehensive Plan Map designation of "Industrial", Metro's Title 4, Industrial and Other Employment Areas Map shows the property as a "Regionally Significant Industrial Area." Consistent with this designation the applicant proposes the property be zoned as Planned Development Industrial - Regionally Significant Industrial Area (PDI-RSIA).

Conclusion and Conditions of Approval:

Staff recommends approval with the following conditions:

Request: DB21-0084 Zone Map Amendment

PDB 1.	This action is contingent upon annexation of the subject property to the City of Wilsonville (DB21-0083).
PDB 2.	The Zoning Order adopting this zone map amendment will expire in 120 days without approval of a Stage II Final Plan for the subject property.

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. BTC III Grahams Ferry IC LLC initiated the application with their approval.

Request: DB21-0084 Zone Map Amendment

Development Code

Zoning Consistent with Comprehensive Plan Section 4.029

- B1.** The applicant is applying for a zone change concurrently with a Stage I Master Plan for the entirety of the subject property and Stage II Final Plan for a planned development on the property. The property is designated "Industrial" by the Comprehensive The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of Planned Development Industrial - Regionally Significant Industrial Area (PDI-RSIA) is consistent with the Comprehensive Plan "Industrial" Designation. Metro's Title 4, Industrial and Other Employment Areas Map shows the property as a "Regionally Significant Industrial Area".

Base Zones Subsection 4.110 (.01)

- B2.** The requested zoning designation of Planned Development Industrial - Regionally Significant Industrial Area "PDI-RSIA" is among the base zones identified in this subsection.

Overlay Zones
Subsection 4.110 (.02)

- B3.** The Coffee Creek Industrial Design Overlay District applies to properties zoned PDI-RSIA in the Coffee Creek Industrial Area and will apply to the subject property upon rezoning.

Standards for Planned Development Industrial-Regionally Significant Industrial Area Zone

Purpose of PDI-RSIA
Subsection 4.135.5 (.01)

- B4.** The zoning will allow only industrial uses consistent with the purpose stated in this subsection.

Uses Typically Permitted
Subsection 4.135.5 (.03)

- B5.** The proposed zoning will allow only uses consistent with the list established in this subsection.

Zone Map Amendment Criteria

Zone Change Procedures
Subsection 4.197 (.02) A. 1.-3.

- B6.** The request for a zone map amendment has been submitted as set forth in the applicable code sections. The property is located within the Coffee Creek Industrial Design Overlay district and will be reviewed by City Council without prior review or recommendation by the Development Review Board. The Zoning Order adopting this zone map amendment will expire in 120 days without approval of the Stage II Final Plan. Expiration is not anticipated as a public hearing is scheduled for May 23, 2022, before the Development Review Board to approve the Stage II final plan and other development related approvals.

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

- B7.** The proposed zone map amendment is consistent with the Comprehensive Map designation of "Industrial".

Public Facility Concurrency
Subsection 4.197 (.02) C. 4. and 8.

- B8.** As part of Stage II Final Plan reviews, concurrency standards are or will be applied to projects in the area being rezoned. Based on existing nearby utilities and utility master plans, the transportation master plan, and the Coffee Creek Master Plan, necessary facilities are or can be made available for development of the subject property consistent with the proposed zoning.

Impact on SROZ Areas

Subsection 4.197 (.02) E.

B9. No Significant Resource Overlay Zone (SROZ) is within the area to be rezoned.

Development within 2 Years

Subsection 4.197 (.02) F.

B10. Concurrently submitted land use approvals for the Black Creek Group Industrial project expire after two (2) years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years, allowing related land use approvals to expire, the zone change shall remain in effect. The applicant indicates they will begin development within two (2) years.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) G.

B11. As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.