

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Development Review Board – Panel A  
Minutes–November 10, 2014 6:30 PM**

<p style="text-align: center;"><b>Approved</b> December 8, 2014</p>
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**I. Call to Order**

Chair Mary Fierros Bower called the meeting to order at 6:30 p.m.

**II. Chair’s Remarks**

The Conduct of Hearing and Statement of Public Notice were read into the record.

**III. Roll Call**

Present for roll call were: Mary Fierros Bower, Simon Springall, and Kristin Akervall. Lenka Keith and Ken Ruud were absent. Councilor Liaison Julie Fitzgerald was not present.

Staff present: Blaise Edmonds, Barbara Jacobson, Daniel Pauly, Kristin Retherford, Nancy Kraushaar and Linda Straessle.

**VI. Citizens’ Input.** This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

**IV. City Council Liaison Report**

In Councilor Fitzgerald’s absence, Blaise Edmonds, Manager of Current Planning, reported the following City Council actions:

- An Ordinance amending dog control regulations was adopted so that the City’s animal control regulations to reflect Clackamas County changes, especially in regards to barking dogs.
- An Ordinance amending the City Code’s Chapter 8 to add a Stormwater section was adopted
- City Council authorized the acquisition of a house located at the Boeckman Road “dip” in order to widen Boeckman Road and improve bicycle and pedestrian pathways.
- Council renewed City Attorney Mike Kohlhoff’s employment contract for one year.

**VI. Consent Agenda:**

- A.** Approval of minutes of the September 8, 2014 DRB Panel A meeting  
The September 8, 2014 DRB Panel A meeting minutes were approved as submitted.

**VII. Public Hearing:**

- A. Resolution No. 292. City Property Annexation and Zone Map Amendment: City of Wilsonville – applicant.** The applicant is requesting approval of an Annexation and Zone Map Amendment from Rural Residential Farm Forest 5-Acre (RRFF-5) to Village (V) for City owned properties along Tooze Road and Grahams Ferry Road near the northwest corner of Villebois. The subject site located on Tax Lots 1100, 1101 and 1503 (formerly 1591) of Section 15, T3S, R1W, Clackamas County, Oregon. Staff: Daniel Pauly

Case Files: DB14-0064 – Annexation  
DB14-0065 – Zone Map Amendment

The DRB action on the Annexation and Zone Map Amendment is a recommendation to the City Council.

**Chair Fierros Bower** called the public hearing to order at 6:37 pm and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

**Chair Fierros Bower** called for the Staff Report and recommendation.

**Daniel Pauly, Associate Planner**, stated that this application pertains to two properties in an area that the Board may be familiar with as they recently reviewed an 84-lot subdivision immediately adjacent these properties where they recommended to City Council the approval of an annexation and zone change for that subdivision application.

Using a PowerPoint presentation, Mr. Pauly described the properties under review tonight:

- The smaller of the two properties is a triangular piece along Grahams Ferry Road, adjacent the Calais at Villebois Subdivision.
  - \* Polygon was unable to buy the property when they made the Calais at Villebois application due to questions surrounding the ownership of the property. Since then, the City bought the property as part of the plans to widen Grahams Ferry Road.
  - \* The annexation and rezoning requests of this property is “cleaning up” the situation created with that previous annexation and zone change where the previous property ownership was in question.
- The larger property, also owned by the City, was originally purchased for a school site prior to moving the Lowrie Primary School site to the eastern part of Villebois.
- No one is living on the properties. It is all owned by one property owner, the City of Wilsonville, and we have permission from that property owner to annex it.

**Mr. Pauly** reviewed the annexation proposal:

- State Statute and City Ordinance allows the annexation process to go through a streamlined annexation procedure without election. It still requires an Ordinance to be adopted by City Council after a DRB recommendation.
  - \* There is a Petition for Annexation as required by State Statute.
  - \* There are few criteria for this proposal, all of which are met.
- Using a map shown via the PowerPoint, Mr. Pauly pointed out where the properties are in respects to the Villebois Village Master Plan.
  - \* There are areas that are included in the Villebois Village Master Plan but will still be outside the city after this annexation including a Rural-Residential parcel between the larger, rectangular property and Calais at Villebois.

The City Staff recommendation is for a DRB recommendation to City Council for annexation.

**Mr. Pauly** reviewed the Zone Map Amendment proposal:

- It makes sense to rezone the property concurrently with the annexation so that there is not county zoning on property within the City.
- The City’s Comprehensive Plan already designates this property as “Residential Village”; so the rezoning is in accordance with the Comprehensive Plan.

- **Mr. Pauly** using the PowerPoint demonstrated what the Zone Map would look like once the annexation and zone change is complete.
- One of the criteria for Zone Map Amendments is that there is development planned within the next two years.
  - \* Part of the smaller, triangular piece will become part of the Grahams Ferry Road right-of-way. The remainder will be “surplused” and is to have fencing and landscaping consistent with either side of what has already been annexed and rezoned; the likely person who would pursue this is the neighboring property owner and, if so, it would be installed at the same time as landscaping and fencing of Calais at Villebois which is under construction. No homes or other buildings would be allowed.
  - \* Also associated with the Calais at Villebois, development has already occurred on a portion of the property previously bought for the school. There is an extension of a roadway to provide circulation into Calais at Villebois on the east side. So that development is already underway so that would qualify under the criteria of building that roadway within 2 years.
  - \* The City, in working with the Calais at Villebois developer and other partners, is expecting to pursue development of the next regional park in the Villebois greenway, a portion of which would be on the larger of these two properties.
    - Mr. Pauly expects that to be within the next two years.
    - The rezoning of this property would enable that to not have to go through county jurisdiction to construct that park, but be able to work on that with the property to the south that is already in the city.
- Also in the Villebois Code, rezoning is typically done as part of a Preliminary Development Plan (PDP). The Specific Area Plan (SAP) is already approved for this area with anticipation of some future SAP amendments as well as a PDP. However the Code does allow rezoning to occur prior to the PDP; it just cannot occur after the PDP approval.

City staff recommends that the DRB support the Zone Map Amendment.

The Board members questioned Mr. Pauly regarding the Staff Report.

**Mr. Springall**, referring to the slide showing the Zone Map Amendment, questioned about the rectangular property.

- Mr. Pauly confirmed that the street and utilities are already being constructed on a portion of the property; it currently says that it is Paris Avenue, but it may end up being Ravenna Loop.
- Mr. Springall stated that when he visited the property, the boundary to the south of the property was confusing as the map in the meeting packet had not been very clear. It is a bit confusing with some of the land already being developed and we are just now annexing it. He was not sure how this process worked. He questioned if it was legal.
  - \* Mr. Pauly explained it is just the streets that are being constructed. Houses cannot be built on the property until it is annexed. The City, through negotiations, granted right-of-way to the developer via a Development Agreement to support the construction of the right-of-way to provide access to future development on the City property.
    - Mr. Springall noted that there had been discussion about a piece of land that was needed for access during the hearing for the Calais at Villebois application. Mr. Pauly confirmed that this was the piece of property that was referred to during that hearing. Without this access there would be only one in/out from this subdivision. This provides a connection to get traffic into the broader Villebois network.

- Using a map on a presentation slide, Mr. Pauly demonstrated the boundaries of the property in question; the northern edge of the forest is roughly where the property line is. The yellow part on the slide's map is the southern edge of the annexed area.
  - Mr. Pauly point out areas that were almost completely constructed and which area had not yet been constructed.
- **Ms. Akervall** referred to the map in the Staff Report, Exhibit A, and asked if Tax Lot 1203 was the parcel with the greenhouse and questioned about the status of the parcel. Mr. Pauly responded that there is a residence and a greenhouse located on the parcel and that it would likely remain outside the city until it is sold and developed at a future time.
- Mr. Pauly stated that there is no additional development planned besides the few things he mentioned about the landscaping and fence in the triangular piece, the road that is being built, and the regional park.
  - \* Any future residential development in here would be subject to SAP amendments, PDPs and FDPs typical of a Villebois process.

**Chair Fierros Bower** asked if Board members had any questions for the Applicant. When they indicated that they did not, she asked if the Applicant had anything to add to the discussion.

**Kristin Retherford, Economic Development Manager**, offered additional testimony regarding the context and timing of the phasing of what is being planned for these two properties.

- The City has recently declared the triangular piece as surplus, after it has been annexed into the city, we will move forward with the conveyance to the adjacent developer where it will be incorporated into the park.
- The City is working with the developer and with the adjacent property to the east side of the larger piece, which has the roadway on the southwestern boundaries under construction, for the dedication of the portion of their property and the City-owned property to form Regional Park 5. That is to be our next phase of development after annexation.
- The City is waiting for land values to rebound. They are getting closer to where they were when the City acquired the property, and expect within the next year or so we will be entertaining offers for the larger 10-acre parcel for residential development. She wanted to tie it all into the bigger picture for you.

**Ms. Akervall** questioned about the two-year rule; does the work on the road and doing the park fulfill or satisfy the two-year development requirement. Ms. Retherford responded that it would with the road construction and park development.

**Chair Fierros Bower** called for public testimony in favor of, opposed, or neutral to the application. Upon no response, she closed the public hearing at 6:55 p.m.

**Mr. Springall** confirmed that the DRB action was to be a recommendation of the annexation and rezone of the two properties. Barbara Jacobson, Assistant City Attorney, instructed that the motion was to approve the Resolution which was a recommendation to the City Council.

**Simon Springall moved to approve Resolution No. 292, recommending the annexation and Zone Map Amendment to the City Council. The motion was seconded by Kristin Akervall and passed unanimously.**

**Chair Fierros Bower** read the rules of appeal into the record.

**VIII. Board Member Communications:**

A. Results of the September 22, 2014 DRB Panel B meeting

**Mr. Pauly** explained that DRB Panel B approved building and directional signs during their last meeting which had a commercial advertising aspect in a residential zone. Otherwise building signs are not allowed in residential zones.

- The “Active Adults at the Grove” has been renamed to “Portera at the Grove.”
- Mr. Edmonds stated that he has been receiving phone calls from people asking about Portera at the Grove; there is a lot of interest in it.

**IX. Staff Communications:**

City Council is looking for new DRB appointees. November 21 is the deadline to apply; there are seven open DRB positions and one Planning Commission position.

**X. Adjournment**

The meeting was adjourned at 7:00 p.m.

Respectfully Submitted

Linda Straessle  
Planning Administrative Assistant