

RESOLUTION NO. 3111

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO ENTER INTO A NON-STATUTORY DEVELOPMENT AGREEMENT WITH DELTA LOGISTICS, INC.

WHEREAS, on October 15, 2007, City Council adopted the Coffee Creek Master Plan; and

WHEREAS, on May 8, 2023, the Development Review Board approved a warehouse/manufacturing development at 9710 SW Day Road within the Coffee Creek industrial area (the "Property") to be developed by Delta Logistics, Inc. ("Developer"), and the City docket number for the approved development application is DB22-0007 ("Approved Development"); and

WHEREAS, a condition of approval (PFA 7) for the Approved Development requires Developer to place existing overhead utilities crossing SW Day Road underground ("Utility Undergrounding"), which Utility Undergrounding is eligible for transportation system development charge credits; and

WHEREAS, another condition of approval (PFA 14) requires Developer to enter into a development agreement with the City wherein Developer agrees that if it applies to do a development west of the significant resource overlay zone on the Property, Developer will provide adequate right-of-way/easement/improvements reflective of its proportionate share of its impact; and

WHEREAS, the parties have negotiated a non-statutory development agreement to memorialize the requirements in PFA 7 and PFA 14, which agreement is attached hereto as Exhibit A.

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

Section 1. The City Council authorizes the City Manager to enter into and execute on behalf of the City of Wilsonville a Non-Statutory Development Agreement with Delta Logistics, Inc., which agreement must be substantially similar to Exhibit A attached hereto.

Section 2. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4th day of January, 2024, 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 Berry

Councilor Dunwell

EXHIBIT:

A. Non-Statutory Development Agreement