



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> February 6, 2023		<b>Subject: Resolution No. 2997</b> Authorizing the City Manager to Enter into an Amendment to the Development Agreement with Taylor Morrison Northwest, LLC for Completion of Improvements associated with Regional Park 5.  <b>Staff Member:</b> Amy Pepper, PE, Development Engineering Manager  <b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> 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  <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Villebois Village Master Plan.	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

A City of Wilsonville Resolution amending the Development Agreement with Taylor Morrison Northwest, LLC for completion improvements associated with Regional Park 5 (RP 5) in Villebois.

**EXECUTIVE SUMMARY:**

The Clermont subdivision is the final residential subdivision located within the Villebois Village Master Plan area, approved for the construction of 87 new single-family homes. There are two regional parks (Regional Parks 5 and 6) located within the Clermont subdivision that are part of a public-private partnership between the City and Developer. The Development Review Board approval included a condition of approval to complete the park improvements prior to the release of the 45<sup>th</sup> building permit, unless weather or other circumstances prevented the completion of the improvements.

Taylor Morrison is currently working on constructing the improvements associated with Regional Parks 5 and 6. Regional Park 6 is on track to be complete in quarter 1 of 2023. In forecasting timelines for completion of the improvements, Taylor Morrison recognized that certain improvements, specifically application of the acrylic coating on the tennis courts at Regional Park 5, require certain moderate weather conditions that are not attainable in the winter.

On January 6, 2023, Taylor Morrison submitted a written request for the City to consider a modification to the existing Development Agreement to allow for the release of more than 45 building permits so that the acrylic coating can be applied under the manufacturer's recommended weather conditions (Attachment 1). Taylor Morrison has made significant progress in construction of the required park improvements. Regional Parks 5 and 6 will be completed and inspected, with the exception of the tennis court surfacing, by City staff prior to the 45<sup>th</sup> building permit being issued.

Staff reviewed the request and recommends modifying the Development Agreement to allow for issuance of up to 86 of the 87 permits and acceptance of a financial guarantee valued at 150% of the cost of installation of the acrylic coating.

**EXPECTED RESULTS:**

Allowing the issuance of up to 86 home permits results in a continued public-private partnership encouraging completion of public infrastructure and construction of new housing in a thoughtful manner.

**TIMELINE:**

The improvements associated with Regional Park 5 are anticipated to be completed by the summer of 2023.

**CURRENT YEAR BUDGET IMPACTS:**

The proposed amendment does not have any budget impacts for the City.

**COMMUNITY INVOLVEMENT PROCESS:**

The Clermont Development Preliminary Development Plan (PDP) 5 of Specific Area Plan North of Villebois ("PDP-5N") went through a quasi-judicial land use process under Planning Files DB18-0049-54, including a public hearing before the Development Review Board Panel B on November 26, 2018 and a public hearing for a zone map amendment before the City Council January 7, 2019.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Amending the Development Agreement to allow for completion of acrylic court surfacing components not able to be constructed in certain weather conditions provides for the build out of City infrastructure needs in conjunction with new home construction in a timely and cost-effective manner.

**ALTERNATIVES:**

Alternatively, the Council can deny the amendment and require the Developer to abide by the existing Development Agreement, which requires withholding of building permits after the 45<sup>th</sup> house until the improvements at Regional Parks 5 and 6 are complete, inspected and approved by the City. Although not favorable, this could cause the Developer to install the tennis court surfacing in conditions not recommended by the manufacturer and create potential long term maintenance issues. Staff does not recommend this course of action.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Taylor Morrison Northwest, LLC Request for Amendment
2. Resolution No. 2997
  - A. Amendment to Development Agreement between City of Wilsonville and Taylor Morrison Northwest, LLC.