

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, October 7, 2013. Mayor Knapp called the meeting to order at 7:12 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Sandra King, City Recorder
Nancy Kraushaar, Community Development Director
Delora Kerber, Public Works Director
Joanne Ossanna, Finance Director
Chris Neamtzu, Planning Director
Mark Ottenad, Government Affairs Director
Dan Pauly, Associate Planner
Eric Mende, Engineering
Lt. Rhodes, Police Chief

Motion: Councilor Starr moved to approve the order of the agenda with the inclusion of the Tourism Development Strategy introduction added under Communications. Councilor Goddard seconded the motion.

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

A. Upcoming Meetings

Mayor Knapp noted the meetings he attended on behalf of the City of Wilsonville, including the League of Oregon Cities conference, the Westside Economic Alliance summit regarding infrastructure development; Clackamas County Cities Association; a dedication of the Piazza in Villebois; and the Washington County Coordinating Committee.

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COMMUNICATIONS

- A. Tourism Development Strategy, Bill Baker, Total Destination Marketing. Mr. Ottenad introduced Mr. Baker who will coordinate and facilitate the development of the City's tourism development plan to grow the City's tourism sector.

Mr. Baker explained who the members of his team would be, and that his firm specializes in tourism planning and destination branding for smaller cities. While working with the Tourism Task Force Mr. Baker planned to hold workshops, conduct online surveys; ask open ended questions to solicit input from the community.

Councilor Fitzgerald indicated she would be chairing the Tourism Task Force and she was looking forward to working with Mr. Baker

- B. Quarterly WWTP Report

Mr. Mende prepared the following quarterly update describing the progress and performance for the DBO Contractor - CH2M HILL - as of September 2013. The update focused on schedule, budget, and construction related activities. Overall, the project remains on budget, and ahead of schedule.

SCHEDULE

CH2M HILL is approximately two months ahead of schedule compared to the contractually required March 2014 Acceptance Date. This has not changed since the June quarterly report. The current critical path includes completion of the ultraviolet (UV) disinfection channel and completion of the secondary clarifier.

Construction is approximately 88 percent complete with all major structures either completed or under construction. Equipment installation is ongoing. It is expected that construction and Acceptance Testing will be completed by the end of the year.

The Owner's Representative will continue to conduct detailed monthly reviews of the updated Design-Build Work schedule compared to the baseline schedule and alert the City to any schedule issues that may affect CH2M HILL's ability to meet the Scheduled Acceptance Date.

BUDGET

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Including the invoice dated August 25, 2013, CH2M HILL will have been paid \$30,620,177.91, representing approximately 85 percent of the current \$35,885,604.37 Design-Build contract value. A summary of the current and original Design Build price is shown below:

Table 1. Summary of Design-Build Price

| | |
|-------------------------------------|---------------------|
| Original Design-Build Price | \$35,707,414.00 |
| Change Order Amount (total to date) | \$178,190.37 (0.5%) |
| Current Design-Build Price | \$35,885,604.37 |

Contract change orders to date have been minimal; the total costs for change orders are 0.5 percent of the original Fixed Design-Build contract price, and are less than 10 percent of the \$2 million in contingency funds allocated to the project.

CONTRACT ADMINISTRATION MEMORANDA (CAMs), CHANGE ORDERS (COs), AND DBO AGREEMENT AMENDMENTS (DAAs)

There are three mechanisms used for changes or clarifications to the DBO Agreement related to the Design-Build Work. A DBO Agreement Amendment (DAA) is a written amendment to the DBO Agreement.

A Change Order (CO) is a type of DAA which specifically is a written order issued by the City and agreed to in writing by CH2M HILL making a Design and Construction Requirement Change, whether made at Company request, due to Uncontrollable Circumstances, as a result of a term or condition imposed by a Governmental Body, or at the direction of the City. COs are used to make a Fixed Design-Build Price Adjustment, an adjustment to the Scheduled Acceptance Date or other change to the Technical Specifications relating to the Design-Build Work.

A Contract Administration Memorandum (CAM) is the principal formal tool for the administration of routine matters arising under the DBO Agreement between the parties that do not require a DBO Agreement Amendment.

To date, one DAA and 18 COs have been processed for the project, most of which have been at zero cost. The City executed one CO this quarter related to the discovery of multiple locations inside of the two existing aeration basins where degradation of concrete had occurred to the point where rebar was exposed. The City directed CH2M HILL to take the necessary steps to repair the existing concrete walls and exposed rebar such that further degradation and corrosion is mitigated; the cost associated with this CO is a lump sum of \$14,143.39.

CH2M HILL has alerted the City that they are working on seven additional Change Order Requests (CORs) for City review which will generally address:

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1. Regulated Site Condition – Asbestos removal. CH2M HILL notified the City on November 20, 2012, of a Regulated Site Condition because asbestos cement pipe was found among the debris from the demolition of the existing filters. This was discussed at the November Monthly Construction Meeting, and per Appendix 5, subsection 5.4.5, disposal of this pipe is considered extra work and subject to Cost Substantiation per Article XVII, Section 17.10 of the DBO Agreement. A Change Order was not processed at that time due to the expectation of other asbestos items being discovered during continuing demolition efforts. Construction progress was not impeded, asbestos materials were bagged and stockpiled on site, and CH2M HILL will contract with a licensed asbestos contractor to perform the disposal following final demolition of the biosolids collection building in October. CH2M HILL is preparing a COR for costs associated with disposal of the asbestos cement pipe and other asbestos materials for City review.
2. Replacement of the Maintenance Building Roof – At the June 27, 2013 Monthly Construction Meeting, CH2M HILL stated that the condition of the existing roof on the Maintenance Building warrants replacement and it would be cost effective to include this roof replacement as part of the Design-Build Work. The City agrees that the roof should be replaced and it is cost effective to do so while the roofing contractor is still on site, and has asked CH2M HILL to provide a fixed price cost proposal for City approval as part of a COR for a City-directed Change Order.
3. Replace Process Building Cap Flashing and Mortar – CH2M HILL discovered that cap flashing at the existing Process Building was allowing water to seep into the concrete masonry unit (CMU) blocks down to the bond beam and cause mortar decay. CH2M HILL and the City agreed that new cap flashing and repair mortar was required, and CH2M HILL is performing the repairs. CH2M HILL submitted a COR for the associated costs for the City's consideration on August 6, 2013. The COR indicated that the improvements are a Capital Modification due to Uncontrollable Circumstances, but the City disagrees and has asked for further justification. CH2M HILL submitted further justification on September 18, 2013, which the City is currently reviewing.
4. NFPA 70E - Arc Flash Requirements - A Change-In-Law occurred in 2012 for electrical arc flash protection requirements. The change to the 2012 Building Code imposed more stringent requirements on CH2M HILL such that CH2M HILL is now required to provide special training and gear to operate Motor Control Center (MCC) main breaker switches in the Process Gallery and the Dewatering and Drying Building or, alternatively, to provide for remote operation of the main breaker switches. CH2M HILL submitted a COR for the associated costs for the City's consideration on August 5, 2013. The City requested some additional information before the COR can be approved.

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5. Virtual Private Network (VPN) connection to Public Works Building and Installation of Repeater on Cell Tower – CH2M HILL has requested that the City accept an internet VPN connection at the Public Works offices for monitoring the SCADA system, rather than a wireless system as required in the DBO Agreement (Appendix 4, Section 4.4.16). After a demonstration installation at Public Works by CH2M HILL, and confirmation of security protocols with the City IT department, the City stated it would be amenable to this change if CH2M HILL would also install a repeater on the cell tower to improve communications with the lift stations. CH2M HILL is preparing a COR for the associated costs and changes for the City's consideration.
6. Emergency Outfall Repair – The City issued a directive to CH2M HILL on August 30, 2013, with instructions for CH2M HILL to design and construct emergency repair work on the existing WWTP outfall. CH2M HILL will work with the appropriate permitting agencies. If CH2M HILL is not able to develop a cost estimate for City approval for the design and construction before the construction is completed, the City will pay for the work via Cost Substantiation per Article XVII, Section 17.10 of the DBO Agreement.
7. Acceptance Testing Language – CH2M HILL submitted a COR at the end of June with proposed language changes to the DBO Agreement related to the Acceptance Testing. The City provided a formal response to the COR and provided a copy of the related CO to CH2M HILL on September 16, 2013 summarizing the changes to Appendix 8 of the DBO Agreement to which the parties have agreed that provide additional clarity on the Acceptance Testing requirements. This Change Order will not have an associated cost.

To date, 29 CAMs have been processed for the project. No new CAMs were executed this quarter.

An important outstanding issue that the City and CH2M HILL are currently working on is related to the Temperature TMDL (Total Maximum Daily Load) for the Wilsonville WWTP discharge into the Willamette River. The DBO Agreement and the current NPDES permit require that CH2M HILL meet specific Excess Thermal Load (ETL) criteria following Acceptance and continuing through the end of the Contract Term. In order to meet the ETL criteria, CH2M HILL's initial proposed design included one cooling tower at the Drying and Dewatering Building and three effluent cooling towers.

Recent court decisions related to temperature TMDLs at the State level are expected to lead DEQ to reconsider the current waste load allocation (WLA) for the WWTP. It is unknown when these issues will be resolved. As a result of the uncertainties related to DEQ's guidance and the future efficacy of cooling towers, CH2M HILL engaged in discussions with Fresh Water Trust (FWT)

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to re-explore the possibility of using thermal credits in lieu of effluent cooling tower(s). To facilitate this alternative method of compliance, the City requested, and DEQ agreed to process an NPDES Permit modification to allow the use of thermal credits, which does not currently exist within the Permit. The required 30-day public comment period related to the permit modification ended on September 13, 2013, but an extension was requested to September 27, 2013. The City does not expect any difficulties obtaining the modification.

CH2M HILL will remain liable for achieving ETL compliance under a thermal credit scenario. However, since the City will be a third party beneficiary of the Thermal Credit Contract between FWT and CH2M HILL, the City has reviewed and provided comments on the proposed contract. The City is also developing a CO and CAM to address the related changes to the Design and Construction Requirements and any other DBO Agreement requirements that will result from these discussions. There will be no cost associated with the proposed CO and CAM.

DESIGN

CH2M HILL continues to update the design drawings as major equipment and systems are procured and as yard piping is installed.

PERMITTING

No permits were issued by the City during the quarter. All of the permit applications that will be required for construction have been submitted by CH2M HILL and authorized/issued by the City.

CONSTRUCTION PROGRESS

Construction activities this quarter have included:

- Continued hauling sludge to Salem for processing to Class B standards.
- Continued use of temporary carbon scrubber for odor control.
- Complete slope stabilizations, site grading, storm drain piping and swale preparation.
- Demolition of existing Headworks.
- Construction of sidewalk behind Headworks and Dewatering and Drying Building.
- Initiated landscaping work including installation of reuse irrigation piping.
- Ongoing site electrical work and migration of new equipment to the new SCADA system for operations.
- Ongoing masonry work, roof decking, mechanical and electrical equipment installation, and hydraulic testing of Headworks.
- Completed modifications to aeration basin No. 1.
- Completed installation of new turbo blowers in the blower building and initiated startup and testing.
- Completed concrete re-work at UV disinfection channel and completed leak test.

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- Initiated installation of UV equipment.
- Completed leak test of secondary clarifier.
- Conducted secondary treatment hydraulic test.
- Flow control structure commissioned and operational.
- Installation of equipment, fire sprinkler piping, conductors, HVAC and foul air equipment in progress for the dewatering and drying building, as well as installation of building metals including doors, windows and stair railings.
- Large equipment including centrifuges, sludge hopper and biosolids dryer installed.
- Truck scale and louver installation at Dewatering and Drying Building.
- Acclimation of biofilter media.
- Installed centrifuge feed pump No. 1 and No. 2.
- Continued migration of new SCADA control to new systems at the operations building; conduct fiber optic test.

Attachment A contains selected construction photos for July, August and September. The Attachment also includes progressive photos of the overall site from June 2012 through August 2013.

OTHER CONSTRUCTION-RELATED ACTIVITIES

CH2M HILL, the City and the Owner's Representative continue to meet at the Monthly Construction Meetings to discuss CH2M HILL's progress and any outstanding issues. Weekly Construction Check-in Meetings with the City and CH2M HILL and the Owner's Representative are held as needed. The Owner's Representative maintains a full time on-site inspector and an independent testing service to monitor and track construction progress and compliance with the contract requirements. In general, CH2M HILL and their subcontractors are doing an excellent job.

CH2M HILL conducts daily and monthly safety meetings with employees and subcontractors in accordance with their project specific safety plan. CH2M HILL's Monthly Progress Report includes a Health and Safety update every month. CH2M HILL also updates the record drawings and record BIM model in general accordance with the DBO Agreement.

The required submittals completed by CH2M HILL during this quarter and reviewed by City and Owner's Representative included:

- Progress Payment Requisitions with Design-Build Work schedule updates.
- Major equipment submittals.
- Final Odor Control Acceptance Test Plan.
- Final 30-Day Acceptance Test Plan.
- Draft Class A Biosolids Performance Test Plan.

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- Final Draft Operations & Maintenance Manual.

To satisfy the DBO Agreement requirements of Article XI and Appendix 8 regarding Acceptance Testing of the new facilities, significant activities currently underway include the development by CH2M HILL of Acceptance Testing plans for the liquid stream treatment train, the odor control system, and the biosolids handling equipment. As required by the DBO Agreement, in order for CH2M HILL to conduct Acceptance Tests on the Wastewater System Capital Improvements, they have submitted and the City has approved the final Acceptance Test Plans for the hydraulic test, the odor control system test and the 30-Day Acceptance Test on the liquid treatment train.

CH2M HILL submitted a draft Class A Biosolids Performance Test Plan as well. The City and Owner's Representative reviewed and provided comments at the beginning of September.

ODOR CONTROL

No odor complaints from Wilsonville residents were reported this quarter. CH2M HILL continued to monitor the temporary odor control system and tested the carbon media frequently to better anticipate when it will become ineffective. CH2M HILL replaced the odor scrubber media as needed based on the test results obtained by CH2M HILL and is storing additional odor scrubber media on site so that it can be readily replaced when the media in the temporary odor control system becomes ineffective.

The new biofilter was completed this quarter and the media was installed. The new biofilter media was then fed foul air to acclimate the media and prepare it for full treatment efficiency. During this acclimation period there was a risk of odor excursions. CH2M HILL provided notification to residents prior to this testing. No odor excursions were reported during this acclimation period.

CH2M HILL continued processing sludge offsite (to meet Class "B" standards) by transporting sludge to the Salem Water Pollution Control Facility in order to help reduce odors during construction.

OPERATIONS

The WWTP has operated within permit parameters this quarter. CH2M HILL has done an excellent job of continuously operating the WWTP in accordance with contract and permit requirements throughout construction.

OTHER CURRENT ISSUES

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CH2M HILL has begun performing various Hydraulic Tests which are pre-requisites to the 30-Day Acceptance Test of the liquid stream treatment equipment. The 30-Day Acceptance Test is expected to occur in November and December of this year. The Class A Biosolids Performance Test may occur simultaneously with the 30-Day Acceptance Test, or slightly later.

ANTICIPATED ACTIVITIES FOR NEXT QUARTER

- HSSE Safety Training for anyone who plans to be on the WWTP site during construction.
- Development of additional COs and CAMs that arise.
- Further refinements to CH2M HILL's construction schedule and sequencing.
- Updates to CH2M HILL's Construction Plan, including Odor Control Plan update.
- Continue hauling sludge to Salem for processing to Class "B" standards.
- Complete equipment installation, electrical work and yard piping installation.
- UV equipment commissioning.
- Continue landscaping and irrigation and planting.
- Headworks equipment testing.
- Complete architectural finishes, seam roof, and miscellaneous metals at Secondary Process Facility.
- Start-up and commissioning of secondary clarifier No. 3, centrifuge and biosolids dryer.
- Complete hydraulic testing.
- Complete odor control system Acceptance Test.
- Achieve Substantial Completion.
- Complete 30-day Acceptance Test on liquid treatment train; achieve Acceptance.
- Finalize Class A Biosolids Performance Test and conduct test.
- Continue to complete preliminary punch list items.
- Erosion control and slope stabilization maintenance.
- Monthly Construction Meetings.

ONGOING PROJECT SUCCESS

- Design completed on schedule and budget.
- Construction is ahead of schedule.
- Minimal change orders through design and 88 percent construction.
- Strong partnering relationships among team members.
- Successful continuous operation of the WWTP throughout construction in accordance with contract and permit requirements.

B. Wilsonville Community Sharing (staff – Ossanna)

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Richard Truitt, Sheryl Kelley and Eric Postma provided a report on the activities of Wilsonville Community Sharing (WCS).

Mr. Truitt introduced WCS Board Secretary Sheryl Kelly, and recently appointed new board members Wes Morris, Larry Edwards, and Claudia Rodin; staff members Lani Snyder, and Leigh Crosby. Eric Postma provided legal services to WCS by assisting in the rewriting of the organizations bylaws. Mr. Truitt provided background information and the history of WCS to Council. The grants received from the City have enabled WCS to provide a variety of assistance programs to the less fortunate members of the Wilsonville community.

In response to questions from Councilors, Mr. Truitt explained the WCS Board holds a monthly meeting which is open to the public, and an annual membership meeting. The WCS Board is in compliance with their bylaws. The terms of the Board members will be staggered; three members will serve one year terms, while the other two will serve two year terms. Should a member of the Board resign, there is a nomination and appointment process set out in the bylaws.

Mr. Truitt stated while forty percent of their annual funding comes from the City grant and renter utility assistance program WCS also receives financial contributions from variety of supporters, churches, businesses and residents and also depends on volunteers to assist in the food bank.

Mr. Kohlhoff added there had been some controversy in the community regarding the vacancies on the WCS Board and how the old bylaws were written. The city delayed funding the WCS grant until a Board was appointed. MR. Kohlhoff asked Mr. Postma to explain the process WCS took to achieve order on their Board.

Mr. Postma said the previous bylaws gave quite a bit of power to the membership in order to vote for any issue. He generally did not have concerns with the activities that have taken place with WCS because of the way the structure was set up that allowed for membership voting. The bylaw changes have changed the structure by allowing some members to go through the membership capacity to make a vote to set up a new board of five members. He worked with WCS throughout that process to make sure the old bylaws were followed to reach a point where a board could be reconstituted and new bylaws written. Mr. Postma was satisfied the WCS has a board that was rightfully sitting and able to take action; they did take action to add the new members and to change the bylaws to provide a more stable structure for continued voting and future activity. He made sure WCS followed a process of legitimizing board activity from the past; creating a new board; and making sure bylaws are in place for the future, that put WCS in a position where they can act as a board.

C. Curfew

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Wilsonville Police Chief James Rhodes spoke about the specific use of curfew violation by the Department to address an acute crime problem this summer which raised some public concern since the actions differed from past activity. The criminal activity caused thousands of dollars of damage in the community, and included arson, criminal mischief, fireworks, and minor in possession of alcohol. The crimes included setting garbage cans and portapotty's afire, shooting cars with bb guns, throwing rocks at moving cars, and stretching saran wrap or wire across the roadway between trees which would result in severe injury of a motorist or cyclist. They occurred after 11 p.m. and before 7 a.m. by juveniles who were typically given a warning; after the uptick in crime the juveniles violating curfew were taken home to their parents. However, this was not an effective measure in some cases.

After mapping out the locations of the activity, the department increased its enforcement of the curfew law in those neighborhoods where the activity was occurring. Juveniles with no legitimate reason to be out at that time in the areas where the crimes were occurring were picked up and taken to the juvenile detention center for mandatory detention in Oregon City. Parents were called and required to come and pick up their child.

Chief Rhodes said the department's enforcement action is strategic, appropriate, targeted, and reasonable, but this is not always communicated to the community, and the public perceives this is a change in departmental behavior. Moving forward the Chief will reach out to schools with information on curfew, what it means, the hours, what a violation is and the exceptions; including a column in the *Boones Ferry Messenger* and articles in the *Wilsonville Spokesman*. His goal is to communicate with the community should it be necessary to change how things were done in the past so the departments' actions do not seem unexpected.

Councilor Goddard indicated he had heard from parents who perceived the enforcement was less than a reasonable, targeted and appropriate enforcement, and there were examples that did not reflect well on the police department. He suggested making better use of the School Resource Officer and increase communication to students.

Mayor Knapp asked if there was a diversion panel for minors.

Chief Rhodes pointed out the crimes were criminal mischief, not minor in possession (MIP). Clackamas County has many resources available and counseling for parents and students to help in corrective behavior strategies. The crimes were committed in targeted areas, at specific times and it came to the point where warnings and taking the child back to their parent was not working, which resulted in the child being introduced into the juvenile system where the parents could be introduced to resources, counseling, diversion programs and education.

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CITIZEN INPUT & 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.

Ron Dusek, 2875 Maryhurst Drive, West Linn, OR an attorney representing Ralph Elligsen, presented a written statement to the Council which has been included in the record. Mr. Dusek was asking the Council for help and support in rezoning Mr. Elligsen's 33 acre property at the north end of town from the Metro designation of Regionally Significant Industrial to commercial.

Mayor Knapp asked how the Council could be brought up to speed on the details, choices and options to do something with the request.

Mr. Cosgrove commented if the Council was interested in supporting Mr. Elligsen's request at Metro, staff could prepare a white paper that talks about the history of the site, what the constraints are in terms of unwinding a regional zoning designation overlay on the property, and what the consequences would be in doing that. If you are changing from an industrial designation to a commercial designation it will intensify the use of the site, and there will be impacts regarding the site should Council support the request.

Mayor Knapp thought the Council should have the information before making any decision on whether or not to support Mr. Elligsen's request, and make an appropriate judgment.

Mr. Cosgrove thought the information could be gathered together by the second meeting in November.

Councilor Goddard noted there was a request on the agenda to take what is currently designated as "future study area" and address an amendment that would change that to allow for planning of residential development without a lot of specifics or certainty about the lot sizes, size of the homes. It's just a change in the planning designation to allow additional planning to go forward for a specific use. How would this request be any different?

Mr. Cosgrove answered the difference was significant in that the comprehensive plan designation for that property is for residential. Mr. Dusek is asking for an 'unwinding' of a regional significant overlay as industrial and changing that to commercial, which has implications in doing so. The property is designated industrial in the City's Comprehensive Plan.

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Councilor Goddard wanted to know if the Regional Significant Overlay was before concept planning for Basalt Creek and Coffee Creek industrial areas started and thought that may be relevant.

Councilor Fitzgerald would like to see the white paper to see the information and discuss it.

Councilor Starr thought there were two issues: the first is assisting with the removal of the Metro regional designation; and second see if the Council wanted to rezone the property from industrial to commercial. Assuming Council supported changing the designation is there any estimate on how long Metro would take to change the designation.

Mayor Knapp summarized the Council was supportive of City staff preparing background information to begin a discussion; however, he did not promise anything.

Jay Puppo, 10863 SW Merlin CT, Wilsonville, commented although he supported the mission of Wilsonville Community Sharing he was concerned about the Board management and the decision making process.

Marilyn Watson, 3701 SW Homesteader Rd, expressed concern with the WCS Board actions and their plans for expansion at their current location without access to public transportation. Ms. Watson was worried the site selection process was done while WCS was not in compliance with their own bylaws.

Toni Avery, 8560 SW Wilson Lane, wife of Richard Truitt, Wilsonville Community Sharing Board President. Ms. Avery expressed her confidence with the procedure used by the Board in their expansion process and she supported the work of WCS.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – Park & Recreation Advisory Board, Chamber/City Leadership, liaison reported he joined the Mayor at the last Chamber/City Leadership meeting where a positive discussion occurred regarding tourism, city events, and attracting/retaining businesses. The Councilor announced the dates of the upcoming Parks and Recreation Board meeting. He invited the public to participate in the Household Hazardous Waste Collection. The Budget Committee would be meeting in November in preparation of the coming budget adoption in April 2014.

Councilor Goddard – Library Board, Chamber Board, and Clackamas County Business Alliance liaison stated he attended the Westside Alliance forum with the Mayor; the LOC conference and

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the Clackamas County Business Alliance tour of the Blue Heron site in Oregon City. The Councilor announced the fall leaf drop off event at City Hall.

Councilor Fitzgerald – Planning Commission; Committee for Citizen Involvement; and Library Board liaison, reported the URA Strategic Planning Task Force and Open House was scheduled for October 17th; the Council would be holding a joint meeting with the city of Tualatin on October 29th to discuss the Basalt Creek planning process. She noted the October Planning Commission meeting would be cancelled. Councilor Fitzgerald reported the Library Board is engaged in a strategic planning process for the future of the Library and directions it should take. As the chair of the Tourism Development Strategy Task Force, Councilor Fitzgerald noted two community work shops have been scheduled for October 16th, and October 23rd to outline the purpose and goals for the Tourism Development Task Force.

Councilor Stevens – Development Review Panels A and B; Wilsonville Seniors liaison noted the cancellation of the DRB Panel A meetings for October and November. She recounted the decisions made by Panel B of the DRB at their last meeting. The Councilor attended the LOC conference and found the discussions with other elected officials informative. She noted SMART is hosting an on-line open house asking for feedback on SMART routes in town and the Wilsonville to Portland route, and what transit services they would like to see in the future.

CONSENT AGENDA

The titles of the Consent Agenda items were read into the record by Mr. Kohlhoff.

- A. Minutes of the September 5, and September 16, 2013 Council Meetings.

Motion: Councilor Starr moved to approve the Consent Agenda. Councilor Stevens seconded the motion.

Vote: Motion carried 5-0.

NEW BUSINESS

- A. **Resolution No. 2439**
A Resolution Of The City Of Wilsonville Authorizing Community Services Support Grant To Wilsonville Community Sharing.

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The title of Resolution No. 2439 was read into the record by the City Attorney. He noted an update was provided during Work Session by the Finance Director. Staff has carefully gone over the past reports, and the city has kept careful track of the City's funding of the operational expenses. The results show the use of City funds has been appropriate and legally where they ought to be. There may be controversy in the community on the style of leadership and the location of their future building site, this grant goes to operations only, and is restricted from being used for capital and building. The grant states the City can conduct a financial review of WCS operational finances and books. The grant is for a period of three years with CIP adjustments.

Ms. Ossanna prepared following staff report included in the packet.

Wilsonville Community Sharing, an Oregon non-profit corporation, has been providing community outreach services, including but not limited to staffing, food, utility assistance, prescription help, rent and housing support, and referral to other services beyond that which Wilsonville Community Sharing can meet for those in need.

The City of Wilsonville has supported the administrative and operational services of Wilsonville Community Sharing through grant support over the last 15 years. The City has provided this grant support ("Grant") through the annual City budget process and funding the Grant through budget adoption, but has not provided any formal grant contract. The Grant has grown over the years and is currently budgeted for the City's 2013/2014 fiscal year at \$29,929.

The term of the Grant is three (3) years, commencing July 1, 2013 and terminating June 30, 2016, subject to the terms and provisions of this Grant Agreement and Wilsonville Community Sharing providing the community services. The grant increases by the increase in the Consumer Price Index, all items, Portland-Salem Metropolitan Area (CPI) each year on July 1st

Wilsonville Community Sharing will provided detailed quarterly and annual financial statements that include information on services and activities and Grant expenditures. The City of Wilsonville Finance Department will administer and oversee the grant, which will include reviewing the quarterly and annual financial reports provided by Wilsonville Community Sharing to ensure the grant funds are properly spent based on the grant document.

The provision of a grant contract is not a public contract under the public contracting statutes and therefore, can be awarded directly by the City Council at the Council's discretion. Wilsonville Community Sharing has recently been operating without a duly constituted Board of Directors, which it will rectify by the October 7, 2013 Council meeting. The award of the grant must be predicated on proof of a duly constituted Board presented to the City at or before the October 7, 2013 meeting.

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This grant has a very positive impact to the community, since Wilsonville Community Sharing provides community outreach services, including but not limited to staffing, food, utility assistance, prescription help, rent and housing support, and referral to other services beyond that which Wilsonville Community Sharing can meet for those in need.

Councilor Fitzgerald asked if the grant had been annually awarded in previous years.

Ms. Ossanna explained the grant was an annual grant paid out quarterly. Prior to this the grant was awarded in an informal process, it was approved through the Budget process, but it was not a formalized grant document. What staff is proposing is to formalize the process and include safeguards should the City have concerns; the City will have the ability to review WCS financial information.

Motion: Councilor Starr moved to approve Resolution No. 2439 for the fourth quarter of 2013. Councilor Fitzgerald seconded the motion.

Councilor Starr recognized what the City Attorney said, but due to the nature of public funds and the questions raised in the community he wanted more time to think through, gather more information, and understand before voting for a three-year grant term.

Should the motion pass, Councilor Stevens wanted to insure Council came back at the end of the quarter because this is a very important program serving the needs of people in the community.

Mr. Kohlhoff pointed out the end of the quarter will be during the Holidays and if the funding stops at the end of December and suggested extending the term to the end of the fiscal year with Council having the ability to review if necessary.

Mayor Knapp agreed noting WCS has a newly established board who may need a few months to coalesce around a direction. Having the funding end June 30, 2014 would provide time to allow the Board to perform and to improve the public's confidence.

Councilor Starr concurred with amending the motion to go through June 30, 2014. Councilor Fitzgerald endorsed the amendment to the motion.

Amended Motion: Councilor Starr moved to approve Resolution No. 2439 but provide the funding to the end of the fiscal year, June 30, 2014. Councilor Fitzgerald seconded the motion

Mayor Knapp indicated the amendment to the motion would change the proposal.

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Councilor Fitzgerald commented the Council has no jurisdiction over the way an organization runs in any specific way; but she appreciated the Council taking time to make sure the funds are awarded to a stable organization.

The Resolution provides security measures for the City. The Councilor was hesitant to take a detailed role in judging what is going on or become overly involved. She asked if there was a way to find 'best practices' standards for running boards, and for the WCS Board to provide a statement on how they would run their organization in accordance with recommendations from the Center for Non Profit Management.

Councilor Goddard thought Councilors should keep in mind the part of the community the WCS is serving and who these dollars are intended to serve. Councilor Goddard supported Mr. Kohlhoff's comments about extending the term to the end of the fiscal year to reduce uncertainty when the need is highest. The City Attorney and Finance Director have noted WCS has provided detailed financial reports and staff is comfortable the dollars are being spent to serve the WCS mission. The grant contains a number of termination clauses so at any time should the Council be uncomfortable with the spending or whether or not we wanted to provide those funds to WCS the City has the ability to with fifteen days' notice.

Mayor Knapp understood the Council, Staff, and citizens who spoke supported the mission of Wilsonville Community Sharing and its importance to the community, and he noted there were some unresolved concerns at this time. The Mayor was hopeful the new Board will find a way to bring the community on board especially if there is a capital fund raising campaign to acquire or build a facility for the WCS services.

Councilor Goddard was unclear about what the Council was requesting WCS to do.

Mr. Kohlhoff explained it was open ended; the organization was not something the Council was in control of; there have been suggestions about good practices, they have two more board members to select, the WCS has shown good effort in the last few weeks with staff. He offered to do some follow through with WCS and to report back to Council.

Councilor Fitzgerald was uncomfortable leaving the matter with the Council having to read things and make decisions about something, if we decide to make this one year grant, that should be a decision in itself, and then the resolution allows good stewardship of that grant, and provides security to the city on how to manage that grant, make sure it's being used well, make sure the people who are deserving of the funds get them, and they the Council will be in another granting cycle, it would be then in the WCS court, their own public relations endeavors they may decide to do to come to the Council again for another application. But it seems like that would

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be another new situation in itself. I don't want to leave the situation that they are waiting for Council to make some sort of judgment beyond making the grant or not.

Councilor Starr called for the question.

Mayor Knapp restated the motion as, "to approve Resolution 2439 with an adjustment of the term of the agreement to end June 30, 2014."

Vote: Motion carried 5-0.

PUBLIC HEARING

A. **Ordinance No. 724** – first reading

An Ordinance Of The City Of Wilsonville Amending The Villebois Village Master Plan For The "Future Study Area" Establishing The General Land Use Framework In Terms Of Type Or Types Of Uses, Open Space Considerations, Circulation And Utilities

Mr. Kohlhoff read the title of Ordinance No. 724 into the record for first reading.

Mayor Knapp called the hearing to order at 9:19 p.m.

Dan Pauly, Associate Planner, presented the staff report.

For clarity Mr. Pauly's staff report is included here.

"Following their review at the July 10th, August 14th and September 11th meetings, the Planning Commission recommended adoption of the proposed Villebois Village Master Plan amendment by a vote of 6-1.

The currently adopted Villebois Village Master Plan (Master Plan) designates an approximately 43 acre site southwest of Arbor Villebois along Grahams Ferry Road as a "Future Study Area." The purpose of this amendment is to enable review of development of the area currently designated as "Future Study Area". The Council should consider the amendment within the context of the Master Plan as a whole, rather than weighing evidence and testimony specific to details of Polygon's potential future development of the area. Any future specific development proposal for the area will be reviewed by the City's Development Review Board through the quasi-judicial process. Any related zone change would come before the Council, in its quasi-judicial role, at a future date.

The Wilsonville Comprehensive Plan Map designates the Villebois Village, including the Future Study Area, as Area of Special Concern B, which refers to the Villebois Village Master Plan, which was adopted under Ordinance 554 in 2003.

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The current Villebois Village Master Plan designates the southwest corner as *Future Study Area*. In order to allow for consideration of any development in the Future Study Area, the Master Plan must be amended. Any such amendment is intended to provide the general land use framework in terms of types of uses, open space considerations, circulation and utilities.

This general framework is then subject to refinement down to specific and detailed development plans through the subsequent application and approval steps established in the Villebois Planning Process.

Discussion Topic:

Neighborhood Form/Density: The preliminary lot type mix is comparable to other areas on the edges of Villebois with a similar pattern of lots, including: the adjacent area of Arbor Villebois, the area adjacent to the Tooze Rd./Grahams Ferry Rd. intersection, and the southeast corner adjacent to existing neighborhoods. All these areas have large or standard lots on the outer edge, with a mixture of lot types ranging from small to large on the immediate interior of the outer edge. Nothing in the Master Plan indicates density less than these edge areas in the Villebois Village. The requirement for product diversity and rules of adjacency included in the Architectural Pattern Books will continue to apply to all development in the Village, thus further maintaining diversity as subsequent development occurs. It is important to note the Future Study Area is unique in that over fifty percent of the area is within the City's Significant Resource Overlay Zone (SROZ).

The applicant proposes to amend the Villebois Village Master Plan to set the stage to develop the Future Study Area with single family detached homes. The proposed Villebois Village Master Plan amendment does not represent a specific plan for a residential development but rather enables future development applications to be submitted and reviewed by the Development Review Board for density, lot layout and design (including compliance with pattern book requirements), homes, parks and open space, streets and other facilities. The review of such subsequent specific development applications requires a public hearing and allows for public discussion of all of the foregoing aspects of a proposed development.

If a Master Plan amendment is adopted by City Council, more detailed plans for development of the Future Study Area can be submitted by a property owner/developer for review by the City's Development Review Board. These applications could be brought forward toward the end of the year.

Polygon paid an application fee for the City to process the current legislative application. If the Villebois Village Master Plan amendment is adopted, additional quasi-judicial application fees and potentially engineering plan review fees would be collected during the current budget year. SDCs and building permit fees would likely be paid in future budget years.

On May 31, 2013, the applicant submitted an application for a Villebois Village Master Plan amendment to the City. The Planning Commission held a work session on July 10, 2013. Polygon conducted neighborhood meetings with surrounding residents on July 11, 2013 and July 24, 2013. The Planning Commission held a public hearing on August 14, 2013 and continued it to September 11, 2013. The Council will conduct another public hearing on October 7, 2013. If the Master Plan amendment is approved, and the applicant chooses to develop the property, they will be required to submit a specific

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development application to the Development Review Board and another public hearing and opportunity for public input and involvement will occur.

At the Planning Commission, the vast majority of the public testimony was related to development details that were not part of the submitted application. The Council should focus its review on the goals and policies contained in the Comprehensive Plan and the Villebois Village Master Plan opposed to criteria contained in the Development Code related to traffic, architecture and natural resource impacts.

Ordinance No. 724 would be an initial step to reviewing development that would result in:

- Continued build-out of the Villebois Master Plan
- Additional residential detached single-family houses.
- Construction jobs for several years.
- Development of a number of private parks and extensive open space and trail areas open to the public connected to Graham Oaks Nature Park and existing Villebois development.
- Continued improvement of a property that had fallen into disrepair.

The subject Villebois Village Master Plan amendment is an application from a private applicant. The Council can either adopt the amendment as proposed, or deny the application for the amendment. The Council's ability to change the applicant's proposal is limited."

End of staff report.

The following is a transcript.

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| Mr. Pauly | <p>Thank you Mr. Kohlhoff. Good evening Mayor and Councilors.</p> <p>So tonight I'm here to explain what this Villebois Village Master Plan for what is current called the "future study area". The future study area, there is really no history of what is going to be studied, as far as my research shows was a name showing that there needed to be additional work done on this in the future.</p> <p>The applicant in this case is Polygon Northwest who has an option to purchase the property. The application is signed by Bo Oswald, representing the current property owner.</p> <p>I wanted to begin this evening to give a brief overview of the Villebois review process, especially as it relates here, which is a fairly unique situation.</p> <p>First of all we have the Concept Plan and the Master Plan which are policy documents adopted through the legislative process, with review by the Planning Commission, who forwarded a recommendation to the City</p> |
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| | <p>Council.</p> <p>Subsequent to that we have the Specific Area Plan (SAP), the Preliminary Development Plan (PDP) and the final development plan, which all go through the quasi-judicial process by the Development Review Board, which is contingent on the City Council approval of the zone change at a later date.</p> <p>Tonight we are focused on the second step, the master plan, where the review criteria, and this is important to keep in mind, a lot of testimony has gotten away from this, the review criteria focuses on the plan as a whole, rather than a specific area. That said, the same review criteria that we are looking at for the Master Plan as a whole this evening will come back and be used as review criteria again for the SAP when we are looking at a specific area with the Development Review Board.</p> <p>The major thing to note is there are still a lot of public processes beyond this point. Really, we are getting towards the middle of the beginning right now, in this process. So in essence, the action before the Council is to finish “opening the door”, or “setting the table”, to allow what we would typically do to review a development in Villebois.</p> <p>A timeline of what has happened recently with public involvement and balancing public involvement with giving due diligence to processing a request from the development community:</p> <ul style="list-style-type: none">• In early 2013 staff started meeting with the applicant, including what we call a “pre-application” meeting. We gave them a lot of feedback about what we’ve heard from Council and the neighbors about this area.• They subsequently submitted an application in May. After some staff review we scheduled a Planning Commission work session in early July, also in July there were a couple of neighborhood meetings hosted by Polygon which staff was not at, but the Polygon notes are in the record.• In August and September the Planning Commission held public hearings, the result of which was a recommendation to Council to approve the amendment. <p>The other thing to note is the language in the Master Plan which states in relation to this future study area that the developer of the future study area, will be the one responsible for obtaining any Master Plan or ordinance amendments which may be necessitated by their</p> |
| Mayor Knapp | Mr. Pauly, I’m remiss, and have been reminded by the City Recorder |

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| | <p>because I have not formally opened the public hearing, and all of your report needs to be part of the formal public hearing.</p> <p>Therefore, I will interrupt you for a moment and I will call to order Wilsonville City Council public hearing on Ordinance No. 724, “An Ordinance Of The City Of Wilsonville Amending The Villebois Village Master Plan For The “Future Study Area” Establishing The General Land Use Framework, Open Spaces, Circulation And Utilities”.</p> <p>Ladies and Gentlemen, the City Council will be taking public testimony tonight at the public hearing. The hearing will be conducted in the following manner:</p> <ol style="list-style-type: none">1. City Staff will present their report, including that portion already given.2. Testimony by proponents, opponents, and those neither in favor or against the proposed ordinance. <p>If you wish to testify, please complete a “Speaker” card on the table at the entrance to this room and give it to the City Recorder.</p> <p>When called, come forward to the microphone, state your name and address and make your statement.</p> <p>I request from those providing testimony not to repeat testimony that has already been given to the Council. Simply indicating you agree with the previous speaker’s testimony is sufficient.</p> <p>Mr. Pauly please continue.</p> |
| Mr. Kohlhoff | Let me just remark that his earlier comments be made a part of the public testimony. |
| Mr. Pauly | <p>The Planning Commission recommended approval and with that I want to give some numbers of the public input that we received thus far:</p> <ul style="list-style-type: none">- We had 6 nearby homeowners that testified at the Planning Commission- Approximately 25 individuals emailed either the staff, Planning Commission or Council- There is also a petition delivered August 9, 2013 that was an online petition where people clicked and put in their names, with 207 |

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| | <p>electronic signatures and 7 attached comments.</p> <p>And in relation to that I'd add that really the petition has either been addressed or it will be addressed through the DRB process again, kind of that scope of this current process clarified which, understandably, is difficult to understand especially where the applicant, for reasons that are understandable went before the neighborhood out there to present some more details of their plans in order to get early feedback as they develop their plans. That did cause some confusion, I mean it is understandable.</p> <p>And certainly has been discussed, the Planning Commission, anybody that has participated thus far we've addressed we are going to keep them on notification lists as we move into the Development Review Board. And anybody that signed or clicked on that petition that we don't have their contact information, we encourage them to get that to us so that we can keep them informed.</p> <p>I wanted to mention that really overall the proposed plan is a reasonable request balancing a lot of different interest and incorporating feedback from both city staff and the neighborhoods is consistent with the Comprehensive Plan. I'll note this is not an area that is not already a part of Villebois. It already has the Comprehensive Plan designation as a residential village, which is implemented by the Village Zone. Again, the Comp Plan designation is residential village, and it is consistent with the current Villebois Village Master Plan as well as city and regional regulations.</p> <p>The applicant I will note, has expressed a continued willingness to incorporate additional ideas from staff and the neighborhood as they get into the more detailed plans.</p> <p>So with that I wanted to briefly go through eight topic areas that the amendment covers to give Council and those listening a better idea of what really the scope is that we are dealing with.</p> <p>The first is Land Use. And we'll talk about Streets, Connectivity, Park, Trails and Open Space, Utilities – specifically a sewer lift station; what is called Specific Area Plan boundaries, Storm Water and rain Water, Transportation related changes recommended by the transportation consultants, and also some other General Housekeeping items.</p> |
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Land Use:

As I mentioned this area was previously designated Residential Village in the Comprehensive Plan, So this really says what of those uses allowed in the Village Zone are going to be put here? Which in this case is the larger of the two types of single family categories talked about in Wilsonville's Village Zone, which are medium and above.

Of the 43 acre site 12.4 acres are designated for development of lots and alleys. There is language both in the ordinance as well as in the text of the proposed Master Plan that talks about it being similar to other edges of Villebois.

Streets and Connectivity:

What the proposed amendment does in terms of streets and connectivity is that it identifies about 7 acres for streets and sidewalks. It also includes connections to Grahams Ferry Road as well as connection to Villebois Drive South, which is consistent with the master plan. Villebois Drive South, if you look in the current master plan, is actually colored and was built to a slightly wider width as access to this property. Plus the connectivity is consistent with the transportation systems plan and requirements in the development code.

The other thing to note as you can see by the blue lines is a lot of connectivity from a pedestrian standpoint through the natural areas on trails both through the Graham Oaks Natural Area that is adjacent, as well as Arbor Villebois which is an adjacent development.

Parks, Trails and Open Space:

Is a major component to the master plan. Probably the most detail exists in the master plan. What the proposed amendment does here is to show over half the site or about 23 of the 43 acres has open space which will be privately owned and maintained with public access. Also it preliminary identifies additional areas for parks and open space, including the red spot in the middle of the property on this map, a pocket park, which will serve as a neighborhood gathering area. There are also plans for a playgrounds both a more formal playground as well as a nature play in a natural clearing that exists in the woods.

Again all of these programs are preliminary and subject to significant changes as a more detailed review goes through the Development Review

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Board, which is the same process that has been followed throughout Villebois history.

Sewer Lift Station :

Overall utilities which are again a major component of the Master Plan were sized to include water and sewer to serve this site. The one thing that needs to be updated is replacing a private pump station with a public sanitary lift station. There is also additional information included about some design requirements from the city from the engineering division about how that is going to work.

The architecture of that is going to be later incorporated into the Community Elements Book so it should blend in with the surroundings well.

Specific Area Plans (SAP):

Villebois is divided into what is called Specific Area Plans (SAP). As proposed this would be part of the South SAP which would require development on the site to use the same architecture community design guidelines including lot size requirements as Arbor Villebois.

Storm Water & Rain Water Facilities:

Are talked about extensively in the Villebois Village Master Plan and those same design elements are extended into this area.

DKS Recommendation:

There has not been a detailed traffic analysis yet, this is more an overview of transportation policy in the Master Plan. There are some conditions reinforcing principles about the spacing of streets and suggesting additional connections from the nature trail to the surrounding neighborhood, emphasizing the importance of the north-south route along Villebois Drive, and additional information about pedestrian-bike crossings.

General Housekeeping:

General and editorial changes include updating the dates. The most substantial of these are the places in the Master Plan which talks about the Living Enrichment Center and the history there and the Future Study Area.

What is proposed is to retain and acknowledge the history of the site, and the proposal for a residential land use consistent with the Comprehensive Plan.

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| | <p>It would be helpful to go back to the Land Use plan slide because there may be questions.</p> <p>With that I'm happy to answer any questions that the council may have at this point.</p> |
| Mayor Knapp | Council do you have questions for Mr. Pauly? |
| Councilor Goddard | There are references in here to lot sizes, standard, large, medium, can you refresh our memory on the ranges of lot sizes for each of those designations that are included in this. |
| Mr. Pauly | <p>Sure. The other thing is that it is not just lot size, again keep in mind I can present this information, but we are not really reviewing this and we are not reviewing development specific details of this area, we are still looking at the Master Plan as a whole.</p> <p>There is a number of things to look at when you are looking at lot size that maybe different from other, again the Architectural Pattern Book discusses the lot size and really defines it, but also when it defines each of the lot sizes for the different lot types, it also defines a minimum width and depth, which also has an effect on what you see from the street.</p> <p>In Villebois the lot coverage is a lot higher, so you tend to have a greater portion of the lot covered with the house, with the abundance of open space around it functioning as a shared open space.</p> <p>The minimum lot size for the Medium lot size is 2900 square feet, but the depth that has been historically developed by Polygon – they do tend to be the developer out here again this doesn't necessarily say who the developer is in the action you are taking tonight. They are the applicant and this would be in place if for some reason they walked away and another developer came forward, this would still be the Master Plan. With what they have done in the past, their Medium lot size with the minimum lot width would actually be larger than what the pattern book says.</p> <p>Medium is 2900-4500, so there is a broad range of square feet.</p> |
| Councilor Starr | What are the dimensions? Is there a minimum dimension as far as width? |
| Mr. Pauly | <p>The minimum dimension is 41 feet wide.</p> <p>Again these are the same standards that have been used for Arbor Villebois as well as a couple phases of Polygon in SAP South.</p> |

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| | <p>The Standard lot size is 4500-6500 square feet, and a minimum lot width of 50 feet as shown in the Pattern Book.</p> <p>The Large lot types are 5400-8400 square feet, with a lot width of 60 feet.</p> <p>The Estate lots have not been defined; but the understanding was when the applicant comes in to do the subsequent approvals, if this is approved, they would add an Estate Lot. This would leave that option open to them in South SAP since currently there are no Estate lots in SAP South. They would need to add that page under the Pattern Book which is available through the process.</p> |
| Councilor Goddard | <p>I think that answered my question.</p> <p>One other question, in terms of for the developable area, or at least the area that we show here in some color other than green, and the number of units that you are anticipating here, how many units per acre does that work out to be?</p> |
| Mr. Pauly | <p>It depends on how, are you talking net, gross, are you taking out the SROZ because over half of the site is Significant Resource Overlay Zone.</p> |
| Councilor Goddard | <p>Take out the SROZ, just for the developable acres</p> |
| Mr. Pauly | <p>Mr. Gast has those figures, they have not been part of my review per se at this point, and I don't recall them off the top of my head.</p> |
| Councilor Goddard | <p>I'll save that question for the applicant then.</p> |
| Mayor Knapp | <p>Councilor Fitzgerald</p> |
| Councilor Fitzgerald | <p>Thank you. I wanted clarification on the number, just reading some of the Planning Commission minutes and maybe things have become more simplified as we move forward to this ordinance.</p> <p>In the third paragraph, what I am looking for is the number of lot sizes that are considered to be options for this amendment. So in the third paragraph it says, "approving the proposal for single family lots within medium to estate land use category".</p> <p>There has been discussions about the four lot sizes, and I wondered if you could clarify if what we are approving tonight is setting a minimum lot size. What is a minimum size lot we are talking about, is it Small or Medium?</p> |

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| Mr. Pauly | <p>Medium. The four lot types talked about within this aggregate land use category, which I can explain a bit more what that means in terms of the City Code, is we have Medium, Standard, Large, and Estate. Those are the four subcategories.</p> <p>This applies to some other areas in Villebois to a greater extent; it was desirable when this was laid out, and with some subsequent changes that there is some flexibility. At the Master Plan level you are not locked into putting a standard lot right at that corner, when you don't have your full design information. It is built so there is substantial flexibility to change around anything within the same category.</p> <p>During the DRB process that can be changed around, as long as it stays within that category.</p> |
| Councilor Fitzgerald | <p>You mean the number of Medium lots and so forth, or you mean you could be flexible as to whether you use Medium, Standard, Large or Estate?</p> |
| Mr. Pauly | <p>Right. However, there is specific language in the Code called a "refinement", which happens during the subsequent processes as we get more details and it goes through different levels of filters. In that it is allowed to be changed within that same land use category. There are a couple of things we look at, first of all quantitative and qualitative criteria when the DRB looks at those.</p> <p>The reason I bring this up is one of the qualitative things is clear in both the ordinance and Code, this remains in that larger land use category and also reflects the land use pattern that we see at the other edges of Villebois.</p> |
| Mayor Knapp | <p>Anything else Councilor Fitzgerald? Councilor Starr.</p> |
| Councilor Starr | <p>Thank you.</p> <p>I'm still struggling with what exactly we are supposed to do here from a standpoint of the way this ordinance is written, versus generically being okay with everything because more detail is yet to come. "Whereas the City Council is approving the proposal for single family lots within the Medium to Estate land use category identified in Wilsonville Code" but we have no idea what Estate is as far as size. That makes me feel strange. And then if I could follow Councilor Fitzgerald's questioning maybe a little bit further down the road, I guess I'm struggling with I know there is Medium, Standard, Large, and Estate but I don't know how many Medium, the minimums for each of those.</p> |

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| | I feel like I could be approving something if I vote for this, and then we could have one Estate and 120 Mediums or something, and that's not what I'm looking for. I am looking for some parameters here or is it just the way it is in the process and we are just kind of loose right now. |
| Mr. Pauly | Sure. To your second question about that refinement process and the qualitative criteria, it needs to be similar to other edges of Villebois. This would preclude it from being all Mediums and would push it towards having those, especially on the very edges, the Standard and Large on the edges. |
| Councilor Starr | And that is as close as we get for right now? |
| Mr. Pauly | It pushes it into a category is the desire from a policy standpoint. Before it was anytime we wanted to move one lot here or one lot here, to come back to Council, but allow that to be refined as a part of that further process. And certainly I think from what has been told to the public at this point and to Council and Planning Commission if a subsequent applicant comes in with something much different from this, which would be a tough sell to the DRB. I would not say staff would support something like that either because, it's been made clear to us through the Planning Commission process what the desire is. From the beginning we have asked for larger lots and this is an increase in the number of large lots, eliminating any small lots from what was originally presented to us. so really going into that direction that we've heard both from the council in terms of the need for single family housing as well as what we have heard from the desires of the surrounding neighbors. |
| Councilor Starr | I guess just to say this at the Council meeting now, we said this during the work session, confusing as it may be, the Medium, Standard, and Large lot in Villebois is not the same as what someone might consider in the rest of Wilsonville. Take it and multiply it by a percentage because it is a smaller size, and people just need to understand that a Morey's Landing lot that is an average size lot may be considered an Estate or bigger than Estate in Villebois. So there is the rub that everything is smaller. |
| Mr. Pauly | That's why I think the tack we've taken is really make it, use the same standards that are used in the adjacent residential development. That's really what we are doing here. The same standards that were used on the other side of the woods in Arbor Villebois. |
| Mayor Knapp | Councilor Goddard. |
| Councilor Goddard | <p>I just had a couple more questions.</p> <p>The first one is that there is reference in here to replacing a pump station with a public lift station. Could you explain what is driving that need and who is going to pay the cost of that lift station?</p> |

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| Mr. Pauly | Steve Adams has the information but it would be built by the developer. |
| Mr. Adams | What's driving the need for a public lift station? |
| Councilor Goddard | The replacement of pump station with a public lift station and who is going to bear the cost. |
| Mr. Adams | <p>The developer will bear the cost of putting it in. The city will inherit the long term maintenance of it because it has to be public, the way the Code is written multiple lots have to be serviced by a public lift station. The only time that we can get around that is like Jory Trail where they developed all of the apartment buildings with a single lot, so that is a private lift station.</p> <p>Everything else in the city that has multiple lots has to be on a public lift station.</p> |
| Councilor Goddard | And it's just the geography that is requiring the pumping? |
| Mr. Adams | Yes. It is gravity below anything we can service out in that area. The LEC had a private lift station for its development that was put in in the 1950's or '60s. They had their own sanitary treatment plant out there a long time ago, that got switched into a lift station. The lift station out there is nothing we would want to take over, so it has to be abandoned and rebuilt from scratch. |
| Councilor Goddard | <p>Thank you.</p> <p>I guess the other was that there was some question why the Future Study Area was named that, and having followed this process back from my Planning Commission days until now, I think part of it was a question of timing. I think if we look at Figure 4 in the attachments, clearly there was a concept of staging and that there are three phases identified in early phase, middle phase, and later phases in the 5-9 plus years. I'm curious why when we still have a fair amount of vacant property in what is characterized as the early and middle phases, why are we entertaining this later phase planning area now?</p> |
| Mr. Pauly | <p>First of all, there is a good portion of the blue later phases that is already being developed or prepared for development.</p> <p>In terms of the middle phases, besides maybe a little bit in the Village Center that may overlap, really all of that has been approved for development. A vast majority of maybe a little tiny bit in the Village Center hasn't been approved, or under construction.</p> <p>In terms of the early phases, it is either under construction or Legend owns it and is building at a pace that makes sense for them.</p> |

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| | <p>We have already planned pretty much all the tan and green on that page and a good chunk of the blue.</p> |
| Councilor Goddard | <p>So it's just a question of when it gets developed, the approvals are there, when the market drives the demand.</p> |
| Mr. Pauly | <p>A log of the green especially on the east side is what we reviewed late last year, and I believe Polygon has that phased to begin construction in the next couple of years.</p> |
| Mayor Knapp | <p>Other questions?</p> <p>I've been around the City a little while and my recollection, though it is not real detailed, is that at the time we were doing Villebois Master Plans the LEC operation was in charge of this property and they were somewhat ambivalent because they wanted to be a church, but they also didn't want to be left out and sometime late in the process they petitioned the city, or came forward to Planning and said we think our property should be part of the Villebois Master Plan even though they didn't really know what that might imply in the long run because they didn't know what they might evolve into or how they might want to use it.</p> <p>So they requested to be included, if I remember correctly, and the description given to that area was fairly generalized, kind of a generic description that would allow it to be developed in various ways, but there was no interest in anything more specific at that point.</p> <p>Here we are years later and we have that very generalized "Future Study Area" designation which no place else in Villebois has, but that's how it came by it and I was on the DRB when we started with the Villebois Village Master Plan and a stack of books literally that tall trying to define how to go forward. That whole idea about the Master Plan was to have a process to move things forward in an orderly way and yield a desired outcome. The whole process was designed so there are incremental steps. What I see happening now is a private property owner saying "I would like to utilize the steps that have been defined and move this forward so that we as property owners can participate in the rest of the Villebois project".</p> <p>I don't recall there was any assumption that there had to be any certain sequence to development, only that each piece had to move through the specified steps during the development.</p> |

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| | Am I remembering approximately clear or? |
| Mr. Pauly | <p>You have a great memory.</p> <p>In terms of the phasing, it is more related to utilities. If they can show they can do the utilities then we haven't held back development because it's not in one color or the other on that.</p> <p>Your recollection of the history is accurate. There is some details in there, which if you look at the record pulled from the record of the minutes of that time of what they thought they may do.</p> |
| Mayor Knapp | Other questions for staff? If now, |
| Mr. Kohlhoff | <p>I had a housekeeping matter.</p> <p>We received an additional letter dated October 7, 2013 from Bob Walliker, homeowner, Villebois Neighborhood, Wilsonville, and I want to make sure it is part of the record, and that it is designated as an exhibit. It was on the table.</p> |
| Ms. King | No, that was the only copy. |
| Mayor Knapp | I have a speaker card from Mr. Walliker, is he here tonight. He is here to night so he will speak for himself here momentarily when we call for him. |
| Mr. Kohlhoff | I'll circulate the letter. |
| Mayor Knapp | <p>Thank you.</p> <p>Does the applicant want to make any statement at this time, or shall we move directly, does the applicant have any input they would like to provide, or would you like to wait to hear public testimony.</p> |
| Mr. Kohlhoff | I think the process is the applicant goes. |
| Mayor Knapp | Would the applicant please come forward and present anything they would like to have in front of us. |
| Fred Gast Polygon NW 109 E. 13 th St Vancouver, WA 98660 | <p>It's a different process, we're used to quasi-judicial which means that we get to present and then rebut. In this case we are basically just stating our case.</p> <p>First of all I do want to thank staff and the Planning Commission and everyone who participated in this process thus far.</p> |

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| | <p>This is a prescriptive path, although it is not always as clear as you would like it to be. That said, that is kind of going hand in hand with Villebois. Villebois is a unique, special entity that many people in the city really have an affinity for.</p> <p>The first thing I wanted to say is thank you to those folks for participating in this process, one that will be ongoing.</p> <p>The simplistic part of this session and the map is up there to help explain this. What we are trying to do at this stage of the process is identify which bucket of land use do we want to apply to the property. And that is probably stated in its most simplistic terms.</p> <p>What we are really looking is that this property is always supposed to be a part of Villebois, it's got a designation in the Comp Plan that it is to be residential should it be redeveloped, which is where we are today.</p> <p>And what we've come forward with in this proposal that really tries to balance the special aspects of the property, the fact that this property is in context with Villebois, so lot sizes, house sizes, all those things are different than what you would find in most communities.</p> <p>From that perspective we are trying to get feedback from the community, it has been in front of you folks several times. And I've heard the same thing, have you thought about a larger lots. In the context of Villebois yes, we have thought about larger lots. In previous discussions we were speaking specifically about, we have the smaller homes, we have cottages, we have small homes, we have some mediums. But there was always desire on our part and that we've expressed to you to have larger lots, again in context of Villebois. Which is why when given the choice of is it a combination of buckets, the small lot bucket which includes town homes, cottages, smaller single family homes; or do we go specifically with the larger bucket . so you could have in both cases an else other corners of Villebois it's a combination of all of the above. You've had small lots, town homes, medium homes, some larger homes, some standard homes, but those are in the minority and that speaks to the question of why would we want to be developing this property now, it is to add to the suite of products of homes that are offered at Villebois.</p> <p>Looking at the map, will give you a few indications. Here's an extreme</p> |
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corner of Villebois, it's got red, red signifies small lots. There's a great preponderance of that in that corner of the property. Difficult to see the colors but they also include town homes, up in that corner, some mediums which are in orange, some standard certainly.

The southeast corner of the property is similar. Smalls as well as standards and mediums along the edges of the property.

What we have done with this special property is actually gone to just one bucket, there are no smalls no townhomes in this area and it is because we have heard from you folks and the market place and our own desire to do more home styles we are contemplating in Villebois. This was a unique opportunity to have just the larger bucket of lots, not both bucks, and that's really what our proposal is this evening. We would like to do more of that medium to estate lots to add to what is already going on in Villebois.

And as you can see, if you look at those colors, in the greater scheme of things that's not the preponderance of what goes into Villebois. And that's because it was designated as a compact urban development, where you are really focusing what you would find in a traditional subdivision which is bigger lots mostly with back yards, is to take the space that's in the back yard, put some ally there instead of back yard, and then take what's left of the back yard and create more open spaces and parks. And that's really what we have here. If you look at it from a traditional perspective from a gross acreage basis the site is generally targeted to be 2.65 homes per acre. That's pretty low density and that is because of the amount of great significant natural area there. Really what you see in color while being in that bigger bucket is really targeted to the areas which are primarily already developed saving most of the site for open space and natural area.

Which gets into unique a feature which is why again we think it is a great site that's targeted for larger lots and from medium to estate. And that really encompasses what our proposal is.

What we're really trying to define today is what is the development footprint? It's the larger bucket of single family residential homes, so again getting out of that smaller or town home or cottage style homes. And let's designate and identify those natural open areas and other open spaces for the site, and that gives us a development footprint, a direction of what style of home we are driving to and where those open spaces are and building it into

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| | <p>the context of Villebois. That's really the principles that we are looking for today with this proposal. Again, that is in keeping with the Villebois land use process, which is not something you would normally see. It is something which has created a very vibrant community that we're happy to be part of.</p> <p>I'll be happy to answer any questions.</p> |
| Mayor Knapp | Council, any questions for Mr. Gast? |
| Councilor Fitzgerald | You might be getting to this later, but you reminded me of something I had a question on. You mentioned the alleys, and it's probably too early to think about this but I do want to point out the importance of having longer driveways so that people can park a car back there so that you have fewer cars on the street thereby maintaining that look. Is it too early to ask about how that could play? |
| Mr. Gast | <p>I think that what you are pointing out in neighborhoods where you have alleys and you have the setbacks, cars are important to get cars off the street. Most alley loaded communities, whether they are in Villebois or elsewhere, have very little opportunities given for the driveway. Because you have basically taken your driveway and made it an alley so that you could get the sight lines on the street itself, front porches, and those kinds of things.</p> <p>So it's a tradeoff. I think what we are trying to introduce here is an addition to alley loaded homes to have some more 'traditional' front loaded driveways so that you would have a wider home which allows for a front loaded home so you have driveway opportunities. And that's something there isn't a lot of left really in Villebois. That's more of what you would find in a standard home or a large lot home again where there is more width in the driveway. We expect to have a greater propensity of that here than in any other place in Villebois.</p> |
| Councilor Fitzgerald | Front porches. What about them? |
| Mr. Gast | <p>We love them, yes. Front porches, its interesting, even when you take a standard single family lot, and you have it wide enough, which is why the standard in the large lots are conducive to both the front loaded garage with the driveway and a front porch is that you have width in the home to do both and to do so very well.</p> <p>One of the traps that we've all fallen into is to go front loaded and skinny lot, now you don't have very much front porch at all, you have a lot of garage</p> |

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| | <p>door. What we're trying to get to with the standard and larger lots is to get some of the width to have both a front porch which is very appealing and very important to a community like Villebois.</p> |
| Councilor Goddard | <p>You mentioned the units per acre, on a gross basis. If you take out the SROZ area how many units per acre does it work for the net?</p> |
| Mr. Gast | <p>As a comparison, if you just look at our development footprint, that will be developed in we think about 9-10 units per acre, but more likely 9 units per acre from the net perspective.</p> <p>Similar comparisons, this would be a little higher, this is probably a 10-12, this is probably 12-14 just based on the product type itself, similar footprint area. These are somewhere around 10 and just under 9 here.</p> <p>What we've tried to do is have similar land uses and home types to what you find on the perimeter of Villebois and then take out what you typically find which is the smalls and or cottages or towns.</p> |
| Councilor Goddard | <p>It is a little interesting, I think as you look at the perimeter along Grahams Ferry, I mean we talk about sort of a smooth transition from urban to rural, I think it's anything but. I mean you look on one side of the street and you've got 2 units per acre,</p> |
| Mr. Gast | <p>All along this line?</p> |
| Councilor Goddard | <p>Yeah, then you've got 10 units per acre across the street. I don't know about you, but that doesn't feel like a smooth transition to me.</p> <p>We've all gone through this exercise many, many times in these kinds of discussions, at the end of the day, it can be all about the vision and all about the marketing, but developers have squeezed more housing units into this piece of property than anywhere else in this city of Wilsonville and probably higher density than what we see in a lot of other communities.</p> <p>In my mind I think the jury is still out in 10 or 15 years, whether this is still going to have the appeal that maybe it does to you today to the rest of our community. There are places here where we've got alleys and alleys are cool, but I'll tell you they're not the alley I grew up in. I mean, I don't know how anybody can get a pickup truck into one of these garages. It's hard enough to get a Honda CRV into one of these garages.</p> <p>And so for many I think it probably suits them and I think that's great that we've got that option available to folks, but I think I'm a little challenged to continue to move down the path of these higher densities. So clearly my bias</p> |

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| | <p>is to create more neighborhoods like the one that some of us want to continue to live in, and at some point with all these housing units in Villebois it's not, I think that the lot where the swing set doesn't hit the fence is going to be the scarce property to find in our community and we're going to be trying to find ways to build those and maybe running out of space to do so. I appreciate what you are trying to do here, I just am struggling to find the right balance with what you perceive is the need and what some of us perceive as a need.</p> |
| Councilor Fitzgerald | <p>I do have to respond to that because I live there. It is different. People have different interests, I just had my five year old grandson visiting and we spend an hour and a half walking around going to all the different parks. There are so many different things to climb on. So it's a different way to do things.</p> <p>We have a back yard too. It's a little different way of doing things, there are lots of playgrounds, no shortage.</p> |
| Mayor Knapp | <p>Other questions for the applicant? We shall take public testimony then, thank you.</p> <p>I do have just one speaker card, Mr. Bob Walliker, we have been passing your memo around during the discussion.</p> |
| Bob Walliker 29164 SW San Remo Ct | <p>Mr. Mayor and Council members. Thank you for the opportunity to be here. I'll try to keep this very brief, as close to 3 minutes as I can.</p> <p>Basically, I'm here on behalf of my Wilsonville neighbors in Villebois which is where I live and after the two meetings with Polygon developers there were concerns about the effect of 113 homes at Grant Point Villebois within the 23 acre area. And there were many concerns about traffic and all kinds of different concerns, and that's why you got that petition with the 207 signatures on it.</p> <p>Basically, I'm here to talk about the environmental concerns, because I've taken the environmental concerns, all the emails and conversations and tried to put it in to this document that I gave to you. This is a riparian corridor for Red Tail Hawks, Great Horned Owls, many other bird species and even including deer as far as wildlife. The city of Wilsonville is the city of trees, 3 years ago with the assistance of your Natural Resource Manager and PGE we put up raptor pole. In fact some of you came out to dedicate that.</p> <p>Next door to this area that is going to be developed you have Graham Oaks, 250 acres of Metro area where these birds hang out and go hunting, but they need somewhere to roost, somewhere for protection.</p> |

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| | <p>All I'm saying is my neighbors would like, and I know there is going to be a balance here, it's not that they are against this, I don't think; I think they are very concerned about how it's done. Keeping the balance, I'm sure there is going to be an impact study to see how it's going to be affecting this natural resource we have. I've been here for five here, we love Wilsonville, it's a great place to go and see the wildlife and walk on the Tonquin trail, and that's a real plus.</p> <p>One of the things we have to remember there is another resource - a habitat. There is a fellow I have to mention to you who works for OSU extension service his name is Weston Miller he has come out and consulted with us, I've talked to him, he is willing to help the developer, he helps HOAs that's his job. He's a state employee, he's come out and walked the area, he hasn't gone on this property, he is there to help find the balance that we are nervous about right now.</p> |
| Mayor Knapp | Are there any other members of the public that would like to comment on this item? Seeing none would the applicant like to rebut or comment on anything additional. |
| Mr. Gast | <p>If you are going to give me an opportunity to say something I will. We've been working with the neighbors at Villebois not just on this issue but on many issues for many years, so we take their comments very seriously. Were likely not to agree on everything, but we will certainly respond to whatever their concerns or issues might be. We will continue to have dialogue with them on a go forward basis to refine our plan, that's the way we operate and I don't think that there is anyone around that would say otherwise. We will be happy to continue to have dialogue with them.</p> <p>Those issues are important to us. That's why we have allotted our development to the footprint of what's already been built and we hold firm to SROZ to a significant degree and want to continue to make that a part of Villebois so they can come on the property whenever they like and participate in the unique resources.</p> <p>I don't think we necessarily have a disagreement there, it is balancing the different interest to try to get to the best result and we appreciate they are willing to play an active role in the process.</p> |
| Mayor Knapp | Councilor Fitzgerald |
| Councilor | I have another question. |

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| Fitzgerald | <p>I have heard a little bit about this but I didn't get much detail about it. There is a natural playground, there is a standard playground, and there is a I'm not coming up for the right description for it. But this is just in your concept, is it possible Mr. Gast you could describe this even though we realize we are not approving any kind of specific detail.</p> |
| Mr. Gast | <p>Yes. The idea is that since it is such a unique property it gives us a lot of opportunities to do something that hasn't been done yet in Villebois and it's what we call "nature play".</p> <p>We have a lot of very manicured open spaces and parks that you've alluded to, which are great, but we have an opportunity here to make a park with a closer connection to the natural open spaces. So we have trails, a gathering places in mind, we have basically in nature play you use more of a natural element, so instead of slides you have logs, or climbing stones or other things that get kids out into nature as opposed to on a swing set. That's what we are referring to, not that we wouldn't have that also, but we have a unique opportunity to go farther.</p> |
| Mayor Knapp | <p>If there is no other testimony I will close the public hearing (at 10:17 p.m.) and ask this Council what their preference is. We should normally have a motion before proceeding into discussion.</p> |
| Councilor Stevens | <p>Motion: I'll move to approve Ordinance No. 724 on first reading.</p> |
| Mayor Knapp | <p>Is there a second?</p> |
| Councilor Fitzgerald | <p>Second.</p> |
| Mayor Knapp | <p>It is moved and seconded that we approve Ordinance No. 724 on first reading. Discussion.</p> |
| Councilor Stevens | <p>Since I made the motion. I think it is important that we take the work the Planning Commission has done to this point and give some credence to that. They reviewed this on July 10th, August 14th and then again on September 11th. It has been a well vetted process and they made a motion to recommend to the Wilsonville City Council that we do move forward with this project.</p> <p>I think when we ask our citizens to participate and volunteer on those kinds of commissions and boards it is also important that we listen to what they have to say. They did not take this lightly and then also as we move forward, we turn to the Development Review Board to also give them the important task of vetting this thoroughly, making sure it meets the requirements the</p> |

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| | <p>City has set forth and that it is a good development for our town.</p> <p>I also think it is important that we actually do not do something terribly different here, it is important to have this development reflect the Villebois continuity and that we stay within the range of how that community has been developed. If this was on the other side of town, we might be doing something different, but it's right there, it is going to flow very nicely with the rest of the development in that whole area. So to start doing something that is truly different would detract from this development as opposed to adding to it.</p> <p>I also think it is important to also note that there are no apartments, no condos, no attached homes, no townhomes, none of those things that we've talked about before and this will give us the single family homes to start bringing that balance back.</p> <p>We've all heard from homeowners and residents here about the apartment issue but this is all single family homes, which starts down the road to having more balance.</p> <p>As I was listening to the other comments, I recalled when Villebois started getting built and a couple people said to me no families will ever move there, not the way they are doing it. And we've now filled a school. The idea that these are not desirable homes for families and empty nesters and single person homes is just not true, people desire this area. It is a beautiful area and if I was shopping for a home I think I would probably look there.</p> <p>I really support this idea; I also like the idea that so much of it is going to stay open space too. I have gone back there recently and there are a lot of deer, and hawks and there is a great horned owl living there somewhere because I've seen him at night. I don't think this development is going to drive that wildlife out, they have the other area of Graham Oaks, they have the old growth forest there, there are coyotes there to stay.</p> |
| Councilor Goddard | <p>I also appreciate the effort here to be responsive to concerns that some on this council have expressed about continued drive toward Portland area densities, or certainly higher densities than many in our community have been accustomed to.</p> <p>But there are a couple of tests that stand out for me, one is that this request demonstrates an orderly and efficient transition from rural to urban land use,</p> |

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| | <p>that is a test that is identified. But I'm not convinced yet that this request accomplishes that particularly along this boundary at Grahams Ferry Road.</p> <p>The other is the test that this request meets an identified public need as well as any other amendment or change that could reasonably be made. I think we've heard about a couple of changes that could possibly be better and meet an identified public need than this one does.</p> <p>I think there is the other concerns that have been expressed about natural areas, about traffic, ingress and egress, and so I guess from what I've heard tonight I don't feel that the applicant has adequately addressed the need for this request, or the concerns that have been expressed from members in our community regarding increased density or transportation issues.</p> |
| Councilor Fitzgerald | <p>I'd like to get some feedback from staff perhaps on some of the language in this.</p> <p>Is it possible to Councilor Goddard you talked about a concern of his, does this meet the test of the gradual change from rural to residential, or if you want to call it urban. Certainly it is surrounded by a lot of green space and they are using the larger lots; I don't know if we could really effectively say that we've already supported what we've built so far, so I don't know that we really can say that we can't consider this to fit in with it.</p> <p>Are there some adjustments that we could make to this to give us more comfort about the lot size. I still hear the question of what is an estate size lot, and what mix are we going to get. I'm looking for guidance on how we can feel comfortable that were getting the larger lot feel within this ordinance.</p> <p>I guess the vaguest part of this is the estate lot, because we've heard the dimension on those other lots. So one, we don't know how big an estate lot is, and the other one is we don't know what the mix of these lots will be.</p> |
| Councilor Goddard, | If I might the ordinance doesn't address estate lots at all. The staff report does, the ordinance doesn't. |
| Mr. Kohlhoff | I thought the recital did, I thought that was pointed out. |
| Councilor Goddard | Maybe we should look at the specific language. As I read the language |
| Mayor Knapp | Let's stay organized and request recognition to speak. I believe I heard Mr. Pauly give a definition of an estate lot size in answer to Mr. Starr's question. Mr. Pauly could you clarify that? |

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| Mr. Pauly | <p>First of all, the fact is that the current Specific Area South does not have any estate lots. I would expect that anything to be added which would be part of the DRB process in reviewing the SAP to be similar to the estate lots in other phases.</p> <p>At this point in Villebois no estate lots have actually been built.</p> |
| Mayor Knapp | <p>Does the plan provide a category of sizing for estate lots in the overall Villebois plan?</p> |
| Mr. Pauly | <p>The Villebois plan does not designate a lot size, that is something that happens on the Specific Area Plan level.</p> |
| Mr. Kohlhoff | <p>An estate lot is intended to be larger than large. And the maximum level of a large lot was 8400 square feet.</p> |
| Mr. Pauly | <p>There could be some overlap. Sometimes there is a couple hundred square feet of overlap between different lot types, but wider than 60, larger than 8,000 plus square feet at least. This is what we would expect through a DRB subsequent pattern book.</p> |
| Mayor Knapp | <p>Given the late hour, I would encourage this panel to make your statements and we need to move to a vote, not have another extended period of discussion.</p> <p>I would like to not keep coming back to the same questions if we could. Councilor Goddard do you have something new?</p> |
| Councilor Goddard | <p>Yes I do.</p> <p>So I heard staff describe the large lot dimensions of a range of 5400-8400, I didn't hear a dimension for the estate size lot.</p> |
| Mr. Cosgrove | <p>That is not defined yet.</p> |
| Councilor Goddard | <p>Is the applicant proposing to build estate size lots in this area or not.</p> |
| Mr. Gast | <p>The answer is that are looking into that as an opportunity. And as such we would be modifying the pattern book so that we would have that aspect of the size potential. There hasn't been any estate lots built yet, we believe there is an opportunity.</p> <p>If it is proven that there is a better opportunity than what we know of today, then we want to have that available to us; which means we would have to modify the pattern book and go for lots that would be greater than 8,000 square feet. Our view of it is an estate lot is a 10,000 square foot lot, and the location of those lots if we were to call them out today would be more on the</p> |

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| | perimeter of the site in keeping with the overall view of Villebois. |
| Councilor Goddard | Can you tell us tonight how many lots of what size you are envisioning for the area? |
| Mr. Gast | <p>Our current plan encompasses 113 lots. But again that's not to say that is the end all to be all, which is going to have to be determined at future review. One hundred thirteen might be too many, and it might be just right. And our view is we came off a number that we started out with 121. Previous site plans for this site had closer to 200, so again following what we've heard from you folks and others, we are moving off of the higher mark and down to a lower mark and we will find a place that we are comfortable with and have a market that we support.</p> <p>We want to have a broad pattern book just in that big bucket area, which is the medium to estate size lots.</p> |
| Councilor Goddard | Which is 2900 to 8400 roughly? |
| Mr. Gast | That's the medium to large. What we're asking is to come back and say we also want to have estate size lots in that pattern book so we have an opportunity to have larger lots, and in our view that's a 10,000 square foot lot. |
| Councilor Goddard | So we don't really know tonight how many lots of what size you |
| Mr. Gast | <p>Again that is not something that we have determined yet, that is part of the subsequent process.</p> <p>What we're looking for is a bucket and a broad width of that higher lot size bucket.</p> |
| Mayor Knapp | Any other questions, comments, discussion? |
| Councilor Starr | Just one. I guess Dan it would be to you. I've heard rumors that HBA was looking at the potential of maybe having a Street Of Dreams in this area. Would the size, do you think that would accommodate, are you familiar with the street Of Dreams? |
| Mr. Pauly | Yes. That is certainly one of those estate lot scenarios that Mr. Gast is referring to. |
| Councilor Starr | I didn't know if estate would accommodate that or not. |
| Mr. Pauly | I mean 100 by 100 lots, that's the scenario. |
| Mayor Knapp | <p>Anything else? If not I would like to take a turn to speak before we vote.</p> <p>I don't think that some of the concerns are appropriately addressed in this</p> |

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particular venue. This is a decision that has been brought forward under the prescribed procedure for Villebois. It is different in some other ways. The applicant has followed the steps that the Villebois plan prescribes for moving land into development. So I don't believe it is a question of whether this is an orderly transition from rural to urban, it's a question of whether it complies with the rules that have been put in place for this geographic area, and staff is telling us that it does.

It happens to sit on the Urban Growth Boundary, and if you look around the metropolitan area frequently there is a difference on one side of the road or another if the Urban Growth Boundary follows a road. Is that ideal in the long run, probably not. Probably the other side of the road should be developed to similar standards at some point in the future. That hasn't happened yet and won't unless the UGB is changed.

The need for housing was the driver for the entire Villebois Master Plan, and this was brought forward under that Master Plan in an entirely consistent way. The Villebois Master Plan contains certain assumptions, certain pattern books, certain layouts and those will need to be followed when the applicant comes forward if and when the applicant comes forward with a particular proposal on how to develop this property. But until it is brought into the category now proposed, he can't do that. It's not an allowable step from where it is now.

I personally am convinced that Villebois will be considered a success for a long time into the future. The people that live there choose to live in the unique environment that is being constructed in Villebois and it is part of a larger vision. That is not to say that it suites every citizens needs or every citizens desires, but it is an option for people that would like to live in Wilsonville in a certain type of environment.

That's not to say that every development in the future in every other geographic location will be the same. I hope it won't because part of the need we have is to offer people choices in where they live and how they live. But this is the vision that has been identified and codified and provided for in the Wilsonville code for this particular geographic area. And it would not be appropriate to veer suddenly to an entirely different concept that did not meet with the overall master plan, the overall vision and the overall provisions of the codes that have been put into place for this geographic area.

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| | <p>So to me it is entirely appropriate to say to a private property owner who is proposing to develop in alignment and consistent compliance with not only the Comprehensive Plan but also the Master Plans that have been placed, in force for this particular geographic area,</p> <p>I cannot conceive of how implementing some different set of requirements, when the processes that have been provided are being followed, would be appropriate at all. To me it is clear that we can and should give this applicant the clearance to move forward and bring a proposal forward through the process that provides full public hearings, vetting, negotiation, working with the public and find where the appropriate balance is. As has been stated balance is always where the question is, and I think that the applicant has demonstrated a willingness to engage the public in a way that some other developers have not done, and you would never know if some other developer would or not. There is no reason in this particular case why a person meeting the standards that have been put forth should not be afforded the approval of the process that they have brought their proposal forward under.</p> <p>It concerns me that this community not be capricious or changing rules when projects are under way. We can have a robust debate about future projects, but this project is defined, and the parameters of this project are defined, and the standards and patterns and all of those things have been defined. This proposal needs to be looked at in the context of those.</p> <p>I feel very strongly that the appropriate direction for this Council to approve this and I will be voting that way.</p> <p>At this point we need to vote on the motion on first reading on approval of Ordinance No. 724.</p> |
| Mr. Kohlhoff | <p>I just have one question.</p> <p>Mr. Pauly do you think that the findings that you've made here, you've got them from the Planning Commission, are sufficient to allow the development of estate lots?</p> |
| Mr. Pauly | <p>Yeah. Because I mean both the master plan, both the ordinance and the text of the master plan talk about the aggregate land use category. And the development code through the refinement process allows that flexibility.</p> |
| Mr. Kohlhoff | <p>Okay, I just want to make sure that we have a record here, because I think Councilor Goddard pointed out that a lot of the language here deals with a</p> |

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| | mix of medium, large and standard lots inside the initial edge with large and standard lots on the outer edge. It does not make any comment about estate lots. |
| Mr. Pauly | I think that is reflective of what's out there today. Not saying that, the edges today don't necessarily have those estate lots. I think making it clear on the record, estate lots are allowed out here. |
| Mayor Knapp | That has now been clarified. |
| Mr. Kohlhoff | Yes. |
| Mayor Knapp | Thank you. |
| Councilor Starr | I just wanted to ask a quick question based on his question. |
| Mayor Knapp | We need to get to a vote here folks. Councilor Starr. |
| Councilor Starr | So the way I understand your question, I mean, we're just opening the door now and down the road really would be the time that we define whether or how many estate lots go in and stuff like that. Right now it's just lets move the thing forward and then |
| Mr. Kohlhoff | Yes, that is correct. I just wanted to make sure the record was correct that estate lots were included as a possibility. |
| Councilor Starr | I just wanted to make sure I understood. Thank you. |
| Mayor Knapp | At this point I will call the question. <u>Vote:</u> Motion carried 4-1. Councilors Goddard voting "No". |

End of transcript.

Motion: Councilor Stevens moved to approve Ordinance No. 724 on first reading. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-1.
Councilors Goddard voting "No".

CONTINUING BUSINESS

- A. **Ordinance No. 723** – second reading
An Ordinance Of The City Of Wilsonville Amending Chapter 6, Of The Wilsonville Code To Provide For Regulating The Use Of Public Property And Facilities By Film And Media Productions Within The City.

Motion: Councilor Goddard moved to approve Ordinance No. 723 with the changes noted on second reading. Councilor Starr seconded the motion.

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Vote: Motion carried 5-0.
Councilor Starr - Yes
Councilor Goddard - Yes
Councilor Fitzgerald - Yes
Councilor Stevens - Yes
Mayor Knapp - Yes

CITY MANAGER'S BUSINESS

Mr. Cosgrove advised he would be sending out the Quarterly Council Goals Report via email to the Councilors. Councilors should call Mr. Cosgrove if they have questions or comments.

LEGAL BUSINESS

There was no report.

ADJOURN

Mayor Knapp adjourned the Council meeting at 10:42 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor