

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

Approved
July 10, 2017

**Development Review Board – Panel A
Minutes–November 14, 2016 6:30 PM**

I. Call to Order

Chair Fierros Bower called the meeting to order at 6:31 p.m.

II.

III. Chair’s Remarks

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

IV. Roll Call

Present for roll call were: Mary Fierros Bower, Kristin Akervall, James Frinell, Ronald Heberlein, and Fred Ruby. City Council Liaison Julie Fitzgerald was absent.

Staff present: Daniel Pauly, Barbara Jacobson, Steve Adams, Jennifer Scola, and Kim Rybold

V. Introduction of New Associate Planners Jennifer Scola and Kim Rybold

Daniel Pauly, Senior Planner, introduced Jennifer Scola and Kim Rybold, briefly noting their educational backgrounds and work history with the City.

Jennifer Scola, Associate Planner, said she had been with the City for about two and a half years, having presented to the Board a couple of times, and she looked forward to presenting more frequently. She was born and raised in California and loved living in Oregon, particularly Wilsonville. She began working for the City almost immediately after moving to Wilsonville and it felt like a second home. She graduated from UC Santa Barbara, studying environmental studies as well as urban, regional, and environmental planning. Previously, she had worked for the City of Martinez in the San Francisco Bay area.

Kim Rybold, Associate Planner, said she had received her master’s degree in city and regional planning from Ohio State. Her first planning job was in Dublin, Ohio, which was similar in many ways to Wilsonville, being along the highway with a good balance of employment and residential uses. She also worked in the Washington DC area for about eight years for a much bigger jurisdiction, exposing her to many different types of projects, including smaller, more suburban neighborhood projects, as well as larger mixed-use projects. She and her husband decided it was time for a change and moved to Wilsonville, which had many interesting developments and she looked forward to working with the Board in the future.

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

VII. City Council Liaison Report

No Council Liaison report was given due to Councilor Fitzgerald’s absence.

Barbara Jacobson, City Attorney, noted Councilor Fitzgerald’s term would end at the end of the year, as would her role as DRB liaison. She announced Kristin Akervall had been elected as a new City Councilor, and commended Councilor Fitzgerald for service on the City Council.

Kristin Akervall said she had enjoyed working with everyone and had enjoyed her experience as a DRB member.

VIII. Consent Agenda:

A. Approval of minutes of September 12, 2016 DRB Panel A meeting

Ron Heberlein moved to approve the September 12, 2016 DRB Panel A meeting minutes as presented. James Frinell seconded the motion, which passed 4 to 0 to 1 with Fred Ruby abstaining.

IX. Public Hearing:

A. Resolution No. 334. Charbonneau Range Subdivision: Pahlisch Homes Inc. – Applicant: Charbonneau Golf Club – Owner. The applicant is requesting approval of Stage I Master Plan Revisions, Stage II Final Plan, Site Design Review and Tentative Subdivision Plat for a 40-lot single family subdivision on the property historically used as the Charbonneau driving range. The subject property is located on Tax Lot 325 of Section 25, T3S, R1W, Clackamas County, Oregon. Staff: Daniel Pauly

Case Files: DB16-0039 Stage I Master Plan Revisions
DB16-0040 Stage II Final Plan
DB16-0041 Site Design Review
DB16-0042 Tentative Subdivision Plat

Chair Fierros Bower called the public hearing to order at 6:41 pm and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Daniel Pauly, Senior Planner, announced that the criteria applicable to the application were stated on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

Mr. Pauly presented the Staff report via PowerPoint, noting the project's location and surrounding features, and reviewing the requested applications with these key comments:

- The three lots on the northeast corner of the driving range were not a part of the subject application. The lots had already been subdivided and were currently under construction for new homes.
- Stage I Preliminary Plan Revision. Part of the review involved looked at the relationship between the proposed application and Charbonneau Master Plan documents developed in the 1970s. The original Charbonneau documents envisioned the subject property for housing, but at some point, it was set aside for a driving range (Slide 5). In the original Master Plan documents, the subject site had a similar appearance to the developments to the north, south, and immediately west, so it was intended to be similar. The proposal would further implement the Master Plan by developing compatible housing on land planned for residential development. A combination of attached and detached single-family homes surrounded by the golf course was proposed.
- In the Comprehensive Plan and Zoning Map, Charbonneau was zoned Plan Development Residential (PDR) #3 at 4 to 5 units per acre. The Master Plan called for 2,018 units at 4.79 units per acre. Charbonneau currently had 1,668 units, which was slightly under the density shown in the Comprehensive Plan. Adding the proposed 40 units would result in 1,708 total units and slightly exceed the range of density. In terms of compliance with regional standards, which stated developments should meet 80 percent of the maximum density, a maximum density of five units per acre should be at least four units per acre so the proposal would actually bring Charbonneau as a whole more into conformance with those density standards and with the residential density the City designated for that land.

- Stage II Final Plan. One of the 40 lots would take access directly from Arbor Lake Dr, while the rest would be served from a new looped street off Arbor Lake Dr, called Honor Lp. Most of the 29 lots on the exterior of the loop would back up to the golf course and were planned to be detached, single-family units. Ten of the 11 interior loop units were planned as attached, single-family units grouped in twos. The one odd unit at the end would not be attached.
- Traffic. When considering traffic in a proposed development, the City looked at level of service (LOS), which had a scale of Grades A through F with A being the best and F failing. The City standard was that a development should not push the capacity or performance of intersections during the PM Peak Hours of 4:00 to 6:00 PM during weekdays past LOS D. Generally speaking, all the local streets within Charbonneau, including French Prairie Dr, had capacity to accommodate the proposed development.
 - The three main intersections studied for this application were the two French Prairie Dr/Miley Rd intersections and the Miley Rd/Airport Rd intersection, which was fully controlled by Clackamas County because Airport Rd and Miley Rd were actually outside the city limits.
 - Slide 10 showed the LOS and Volume to Capacity (v/c) for the existing performance of the intersections and the anticipated performance with the addition of the subdivision. The LOS at both French Prairie Dr/Miley Rd intersections would essentially remain the same.
 - Currently, the County's Miley Rd/Airport Rd intersection was failing during the AM Peak Hour. The County had a lower LOS standard, LOS E, and the intersection would get worse during AM Peak Hours with the proposed development. In the AM Peak Hour, traffic gets backed up northbound on Airport Rd waiting for cross traffic to clear in order to turn left on Miley Rd toward I-5.
 - The County's Transportation System Plan (TSP) included plans to signalize the intersection. A condition of approval had been forwarded to the City from the County, requesting that the developer pay a prorated share towards the signalization of the Miley Rd/Airport Rd intersection.
 - The issue regarded the AM Peak Hour and was outside City jurisdiction, so the proposed development did not meet the LOS D at all PM Peak intersections, which was the standard in the City's Development Code.

Ron Heberlein said it appeared the delay would go from 55 seconds to 73 seconds (Slide 10) as a result of adding 40 homes. It seemed like a large increase, given the overall current delay for a small amount of homes in comparison to what was already in Charbonneau.

Steve Adams, Development Engineering Manager, agreed, adding the proposed 40 homes would most likely use only east French Prairie Dr as the distance to Miley Rd was probably a quarter of the distance. The modeling by DKS showed that that additional traffic, timed with the current cross traffic, would create that kind of delay. He did not have the modeling in front of him, but trusted DKS, and Clackamas County did not question it, either.

Mr. Heberlein asked if the timing for the Clackamas County improvements had been defined.

Mr. Adams answered no. Clackamas County participated in developing and reviewing the traffic scope of services. While the rest of the city could be accessed via City streets, Charbonneau was unique in that it was the only subdivision in the city that fronted a County-owned road, which brought Clackamas County into the equation. The AM Peak Hours was added to the study because the County required both an AM Peak and PM Peak, and a passing LOS E on both.

- Prior to the release of the traffic report, he did not believe Clackamas County had realized the intersection had reached a failing point. The County knew that traffic was getting worse due to the commute and possibly citizen complaints, but the study confirmed it was failing. In their Master Plan, the County had the improvement at a high level estimate of \$500,000, but no one had done a detailed

estimate. Per the County, the signalization was not currently scheduled, but he did not know how many years out the County looked.

- To meet the City's Code's concurrency requirement when an intersection is shown to fail and for the City to approve it, the City would need to have the improvement budgeted and built within four years. He did not know what the County's standard was.

Chair Fierros Bower understood that although signalization of the intersection was a condition of approval for the project, it might not happen in time.

Mr. Adams confirmed it would not. The project would contribute an estimated 3.6 percent additional traffic on the intersection, so Clackamas County just multiplied 3.6 percent times \$500,000. Although the County knew the intersection was failing, no indication had been given as to when it would be upgraded.

Kristin Akervall asked where the \$500,000 figure had originated, noting the emails in the packet were not clear. She also asked if there was confidence in the figure being high level and if the City had put away an appropriate amount.

Mr. Adams stated the Applicant also had questions about the email exchange and where the \$500,000 figure originated, so he had referred it back to Clackamas County for their input. Even with all the different projects in the City's TSP, the City would have its consultant estimate the cost, but there were a lot of unknowns, since it did not get into details like grading or any potential existing problems. Therefore, such projects were designed with a pretty high contingency cost, usually 30 percent, so the estimate was only good within plus or minus 30 percent of what the actual cost might be. For example, if the hard construction cost was estimated at \$250,000, 30 percent would be added to that, plus another 15 percent for design and overhead. As a project moved forward in each design phase, the actual cost could be estimated to a closer and closer degree.

- Clackamas County had said \$500,000 was as close as they knew, and he believed it was a fairly accurate figure. For example, the signalization slated to occur at Wilsonville Rd/Stafford Rd intersection included four signals and was estimated to cost about \$750,000, as opposed to the three signals for the current proposal. So, \$500,000 for three-quarters of the work was close enough.
- He confirmed Clackamas County was the entity financially responsible for signalizing the intersection. Wilsonville had zero responsibility for it.

Ms. Akervall asked why Clackamas County was responsible for addressing intersections that fell below the LOS standard.

Mr. Adams responded that an agency was designated as the road authority on all the roads. The City was the road authority for almost all roads within the city, excluding the two interchanges with I-5. Typically, at the city limits, the applicable county would take over. Washington County controlled Grahams Ferry Rd north of the women's prison, and Clackamas County controlled every other road that led outside of the city. As the city grew, a resolution would be presented to Council proposing to take over X amount of feet of a specific County road to accommodate development around it. The County was generally more than eager to give up the roads due to the cost of maintenance and improvement. He did not know why the City had never pursued Miley Rd as that was before his time. Today, the City would typically pursue ownership as the city grew, but he did not know what the circumstances were back then.

Ms. Akervall asked if Mr. Adams foresaw a scenario in which the City would take that section of Miley Rd.

Mr. Adams responded acquiring jurisdiction over that road section it would not be beneficial to the City since a \$500,000 signal was required. The City's direction worked fine; the failed arm of the intersection

came from the rural county area. Although he felt bad for those having to commute in from that direction, he did not envision the City taking over the road unless the County paid for the signal along with jurisdiction of the road.

Ms. Akervall asked why there was a different LOS for AM Peak and PM Peak Hours.

Mr. Adams clarified the City's LOS standard was LOS D for the PM Peak and that was it. The County's standard was LOS E for both the AM and PM Peak Hour. The City's LOS D was actually one of the more lenient in the Portland metro area. Most jurisdictions went by LOS E. The City had no AM Peak requirement because the City Code was not set up with one. Sometime back in the 1980s or 1990s, the City had decided the PM Peak was the slot of time the City's standards would be held to. On some projects, the City occasionally asked for an AM Peak or a Weekend Peak. For example, when a school was built, the City would ask that both an AM and PM Peak be studied, or when a big shopping center came in, the City would ask for a Saturday Peak to ensure there were no problems. However, as written, the Code just required the developer to not degrade the PM Peak Hour.

Mr. Pauly continued his PowerPoint presentation of the Staff report reviewing the streets and sidewalks of the Stage II Final Plan (Slide 12). The proposed plan showed sidewalks extending along the new public street on the exterior of the loop and connecting with Arbor Lake Dr. The city engineer approved a design exception from the typical residential street cross section, so no sidewalk was required around the interior side of the loop, half of which had a stormwater swale as well as a few driveways. He noted a 6-ft wide sidewalk was proposed on the exterior, exceeding the typical 5-ft width.

Mr. Heberlein noted on his drive through Charbonneau that Arbor Lake Dr had no sidewalks, so the proposed sidewalk was essentially a sidewalk to nowhere. He asked the purpose for the very limited sidewalk requirement when the rest of Arbor Lake Dr had no sidewalks.

Mr. Adams replied the only purpose was to meet federal ADA standards. When Charbonneau was originally built, there were no ADA standards. Today, with any new development, sidewalks must be built so disabled people could have access and get around. The City could not require the rest of Charbonneau to have sidewalks, but must require the new subdivision have a sidewalk to meet federal law.

Mr. Pauly added it would also allow pedestrians to walk around the 40-lot subdivision.

Mr. Heberlein asked if parking would be allowed on one or both sides of Honor Lp, noting the street width looked very narrow.

Mr. Adams recalled the Applicant had only requested parking on one side, which was how the street was designed.

Mr. Pauly added the street was 28-ft wide.

Mr. Heberlein said that he did not see anything in the report or a condition of approval that identified what side the parking would be on, and he was not sure how that was normally defined on a noncompliant street.

Mr. Adams responded the City did not tell the developer which side to put parking on. He would highly recommend it be on the inside of the loop where there were a lot more parking spots to accommodate guests. There was much less parking along the outside the loop due to the driveways. However, it was the developer's decision and was a good question to ask the Applicant.

Mr. Pauly added that from a trash collection standpoint, it would make much more sense to have no parking on the side with the majority of the homes.

Mr. Adams noted the developer had requested a waiver for the sidewalk quite a while ago, but the City did not require a waiver for parking on one side of the street. The developer chose to design the street as a 28-ft wide street.

Mr. Akervall noted a letter in Exhibit B from residents on Arbor Lake Dr about concerns with the dips in the sidewalks for the driveways and how that walking surface would significantly jolt the hips, knees, and lower back.

Mr. Adams replied that the offset sidewalk, which had a landscape strip between the curb and sidewalk, would not have dips, but would be flat and level.

Mr. Heberlein noticed Lot 1 had access from Arbor Lake Dr, and not from Honor Lp. From a safety perspective, what criteria were used to have a driveway that close to the intersection of Honor Lp when it could be on the Honor Lp side instead?

Mr. Adams agreed it would probably be safer to access off Honor Lp because the driveway was close to the intersection. The traffic study mentioned it was best to have a driveway more than 50 ft away from the intersection. It could be amended but he had not spoken to the Applicant about switching that, if their housing plan for that site worked with the driveway on the west side of the lot. He agreed changing the access would be a safer configuration from a traffic safety perspective.

Mr. Pauly continued his presentation of the Staff report via PowerPoint as follows:

- Stage II Final Plan. Parking would be met onsite with garages and driveways, and some parking available on the street. The Board was not reviewing the exact site plan or the architecture or garages for the homes tonight, but the developer had said each lot would have at least one, 20-ft by 12-ft exterior spot, which met the specific condition requiring the Development Code minimum of a 9-ft by 18-ft parking area on the lot. He did not anticipate any parking issues as he believed the market would drive there being big enough garages and driveways to accommodate parking for the residents and a number of visitors.
 - Utilities. The majority of utility services would come off Arbor Lake Dr at the intersection with Honor Lp. Otherwise, the subdivision would connect to an existing storm line through the golf course and the water line up would loop through the golf course to Arbor Glen Ct to the north, which would involve installing the water line under a fairway.
 - Setbacks, Lot Coverage, Lot size and Shape. Charbonneau was unique in many ways. As a planned development established in the 1970s, many of the typical setbacks and lot coverage requirements were waived. Per a 1980 clarifying memo included in the packet, the required setbacks for detached dwellings was 3 ft, which was noticeable as many existing units were set pretty close to the golf course. There were no lot coverage maximums or specific lot size requirements established. Compared to a typical development, there were fewer standards but the Applicant had really worked with the neighborhood to build a product consistent with the existing design and under the same type of requirements used when the rest of Charbonneau was built.
 - Parks and Open Space. No additional open space or recreational area was actually required because that requirement was met as part of the Master Plan through the golf course and other amenities. However, some green spaces were provided, such as the storm water facility and approximately a 1,400 sq ft landscaped area between Lots 1 and 2, as well as a landscaped trail connection between Lots 11 and 12 to the northwest corner of the development.

- Site Design Review of Landscaping. The landscaping was all professionally designed and met applicable City standards for spacing and the amount and types of materials.
- The Tentative Subdivision Plat was relatively straightforward, reflecting what was in the Stage II Final Plan. It included all of the easements and ensured all the land was accounted for in the proposal.

Fred Ruby noted this was the first application he had seen where construction was already well underway at the time of the hearing. He asked if that was because the Master Plan already called for that area to be approved for residential construction, and therefore, the sequence might be different than other applications.

Mr. Pauly clarified the three lots northeast of site under construction were part of the driving range and sold to Pahlisch Homes and were not a part of the subject review. The three legal lots were previously subdivided, so the developer could just pull the building permits.

- He explained that his memorandum, which was distributed to the Board and entered into the record as Exhibit A3, included changes to certain conditions of approval, a finding, and a summary statement related to vehicular access for Lot 29. He noted Exhibit A3 might change depending on the discussion with the developer about access for Lot 1. The original Staff report included a requirement that Lot 29 also take access from Arbor Lake Dr, but the attached email exchange (Exhibit A3) between the Applicant and Mr. Adams indicated Staff's support for allowing access for Lot 29 off Honor Lp, rather than Arbor Lake Dr. This change resulted in amendments to a couple conditions of approval, as well as a finding and explanation in the Summary section of the Staff report.

James Frinell confirmed that for safety reasons, the City Engineer required Lots 1 and 29 [added for clarity] to have access to Arbor Lake Dr according to Condition PFB 4 in the original Staff report, but the City Engineer had changed his mind regarding Lot 29 due to the close proximity to a cart path. Now, those from Lot 29 would back out onto that narrow part of Honor Lp.

Mr. Pauly confirmed that was correct. He indicated Lot 29 was on the south side of Honor Lp at Arbor Lake Dr. (Slide 8)

- He clarified that if the Board was to change the access for Lot 1, he imagined the Applicant would flip the home so the front was across from Lot 30, but he deferred to the developer. On Slide 8, Lot 29 was shown with access off Honor Lp. Getting that lot access off Arbor Lake Dr was an additional requirement.
- He confirmed the Board was not reviewing house plans as a part of the proposal. As a rule, the Board did not review architecture for single-family homes except in Villebois and Old Town. In Frog Pond, he anticipated there being some rudimentary rules of adjacency type items that would be incorporated into that Code, but outside of that no other subdivisions had a review of the architecture. Even with items coming over the Planning counter, Staff looked at setbacks and street trees, essentially, but not the architecture.

Chair Fierros Bower asked if the architecture would be reviewed under the Charbonneau CC&Rs and guidelines.

Mr. Pauly answered yes, adding the developer and their team had met a lot with the neighborhood, which he deferred to the Applicant to discuss and answer any questions. The desire from the City's standpoint was that it fit into the Master Plan context.

Chair Fierros Bower called for the Applicant's presentation.

Joey Shearer, Planner, AKS Engineering, 12965 SW Herman Rd, Suite 100, Tualatin, OR, 97062 introduced himself as the consulting planner for the Applicant, Pahlisch Homes. He stated the plan before

the Board was the culmination of hundreds of hours of work on planning, engineering, and design, and he thanked Dan Pauly and Steve Adams for their responsive communication on the project. He presented the Applicant's proposal via PowerPoint, noting Staff had provided a lot of detail, with these comments:

- The proposed 40-lot subdivision included both attached and detached single-family homes. The approximate 7.5-acre site was currently the Charbonneau Golf Club driving range, and as such, it was very well suited for new homes. The site was undeveloped, relatively flat, and did not contain any sensitive areas. As Staff summarized, the project met the density standards for the Charbonneau Master Plan, PDR3 Zoning District, and other applicable decision criteria.
 - Ten lots approximately 4,000 sq ft were for attached homes located on the interior island, with the exception of Lot 30, which a detached single-family home on an approximately 6,600 sq ft lot. Thirty detached single-family homes abutted the golf course along the exterior of the site. Those lots ranged from approximately 5,400 sq ft to more than 11,000 sq ft.
 - Tract B was approximately 7,000 sq ft and included the integrated onsite storm water management. Between Tract B and the street-side swales was approximately 17,000 sq ft of storm water management, which was in place to collect storm water for infiltration treatment and detention.
- The looped public street connected to SW Arbor Lake Dr and provided pedestrian connectivity as mentioned. He described the general street cross section for Honor Lp, noting the short north-south segment on the far east side of the island and short east-west segment connecting Honor Lp to Arbor Lake Dr were slightly different configurations due to the storm water swales and requirements for sidewalks to connect into SW Arbor Lake Dr.
 - Generally, there was a 55-ft right-of-way, 6-ft sidewalks on the outside perimeter of the street, and 8-ft swales on both sides, leaving 28 ft of paved surface for two travel lanes with parking on one side of the street.
 - The only difference for the north-south segment was that there would be a 6-ft landscaping strips instead of the 8-ft swale. The east-west segment connecting the ring to Arbor Lake Dr would have sidewalks on both sides, which would increase the right-of-way to 57 ft.
 - The required street trees would be located within the swales, so the Applicant tried to pick a tree species that did well with wet feet, so to speak, so the trees would thrive in that particular location.
- The Applicant preferred that the house on Lot 1 face out onto SW Arbor Lake Dr for many reasons, but primarily, aesthetic reasons. Not much could be done to disguise the back of a house when it faced a road. Aesthetically, having the front of the house on the frontage would align better with the existing homes that were currently under construction to the north. Because the homes to the north also had access onto SW Arbor Lake Dr, there was a certain level of continuity in continuing that orientation for that stretch of homes.
- Regarding Lot 29, the cart path ran on the very south side of the project area, so an access on Arbor Lake Dr would create potential conflicts with pedestrians and golf carts on what was a highly-trafficked cart path. He did not believe the cart path was taken into consideration and addressed in the traffic study. For that reason, primarily, the Applicant preferred having the access facing northward on Lot 29 as shown.
- He concluded that the Applicant was supportive of the findings in the Staff report. He had not seen the additional memo (Exhibit A3) that was prepared this afternoon with the caveat that Lot 29 would have access onto SW Honor Lp, but that would be the only adjustment to the existing findings and conditions that the Applicant would request. The packet before the Board and Staff, which included the narrative, preliminary plans, and supporting materials, clearly showed that the application complied with all of the applicable approval criteria. On behalf of the Applicant, he asked that the DRB approve the Charbonneau Range Subdivision.

Cory Bitner, Pahlisch Homes, 210 SW Wilson Ave, Bend, OR, 97702 stated he was responsible for the design and the operations for the company so he wanted to address that a bit. The concern with flipping

the driveway of Lot 1 the other way was one of safety, more so than the concern about having the driveway close to that entrance. Having the fence on Arbor Lake Dr was not only also very inconsistent aesthetically with neighbors; it was much more difficult to see past a fence than a front yard. Any fencing would prevent a clear field of vision for those pulling out from Honor Lp onto Arbor Lake Dr.

- Aesthetics was the other issue. In working with the neighbors and the Charbonneau Country Club Board, the Applicant worked very hard with the aesthetics and design of the neighborhood to make it blend. With the three existing lots, the Applicant did want that consistency.
- He added the plan was to have all single-family homes, including the detached. Architecturally, the homes would have a traditional style that blended very well with existing homes' color palettes, stones, and materials. The Applicant very much wanted them to blend in and had worked with the neighbors through the process to achieve that.

Mr. Heberlein asked about the possibility of a rear-facing garage with access on Honor Lp and the main entrance still being on Arbor Lake Dr. There would not be a driveway, but ~~it~~ having the front of the house face Arbor Lake Dr would still maintain some of the continuity. It would also resolve the fence issues and safety concerns as the backyard would still be on the Honor Lp side.

Mr. Bitner replied that could be an option, adding he believed it would be unique to the neighborhood. Although there was nothing wrong with unique, the Applicant had attempted to keep the proposed development consistent with everything that was already there. From their experience with rear- and front-loaded homes, they believed the potential consumer of this product would prefer the garage in the front.

Chair Fierros Bower asked Mr. Adams to comment on whether he believed there was a safety issue with the driveway.

Ms. Akervall noted the testimony regarding the fence and sight line made her question what the sight line would be on Lot 29, and how far the fence would extend to the front, or north end, of the lot.

Mr. Bitner replied the fence would not be put very close to the entrance on Lot 29, in fact, the only fencing would be on the interior side. Lot 29 would not have fencing on Arbor Lake Dr. There would be fencing in between the homes, not protruding past the rear or front on a majority of the lots, and just enough to contain garbage cans and other items not pleasant to look at when stored outside. There were a few exceptions, such as Lot 1 that would sit all by itself and not back up to a golf course or some type of landscaping, so fencing would be required for privacy.

Mr. Shearer stated the fence was shown as a line with little dots on Sheet P1-08 in the set of plans, which also showed that the eastern side of Lot 29 would be open.

Ms. Akervall confirmed the proposed subdivision would be similar to the three lots being built and asked for a verbal picture of what the three lots under construction would look like.

Mr. Bitner replied the three lots currently under construction were all single-level and ranged from 1,700 to 2,300 sq ft. The roof lines were fairly minimal with the peak being about 25 ft to the top. The square footages planned for the rest of the community was about 1,500 to 2,500 sq ft. The Applicant anticipated creating a variety of price points and product finishes to provide different homes for different walks of life. Architecturally, they would be very traditional and blend with what already existed, but with a nice, new, fresh look.

Chair Fierros Bower called for public testimony in favor of, opposed and neutral to the application.

Leroy Ostrem stated he had no comments at this time.

Tony Holt, President, Charbonneau Country Club, 7670 SW Village Green Circle, Wilsonville, OR, explained the Country Club was really the parent homeowners' association for Charbonneau with several local homeowners' associations within Charbonneau itself. The Charbonneau Country Club fully supported the application. Along the way, they had worked very closely with the golf club and to some extent, the developer. As an example, early on in the process Country Club agreed with the golf club and offered to have two of their Board members, who were members of the Architectural Control Committee, work with the golf club and the developer in setting the standards and advising on the standards they had for the rest of the community. To that committee, they added a third person from the Arbor Lake Townhome Association which gave the local homeowners' association an opportunity to comment on the designs and standards, such as paint color, siding, roofing, landscaping, etc. Two different parts were involved because the three lots currently being developed had already been annexed into the Charbonneau Country Club. In that case, the Country Club had jurisdiction to say that those three houses must conform to their standards. The proposed 40-lot development had obviously not been annexed into the Charbonneau Country Club, but at some point the residents would vote on that and he anticipated that would not be a problem. In that case, the Country Club could not say they approved the standards but, rather, recommended them and left it at that. In the end, the three person committee, and therefore, the Board of the Country Club, was happy that the developer, in conjunction with the golf club, had done a good job in terms of the standards and, to the extent possible, that a new development in would fit in an older community.

There was no further public testimony.

Mr. Heberlein asked for Mr. Adams' opinion regarding the correct place to put the driveway for Lot 1, based on the testimony presented.

Mr. Adams responded the DKS Traffic Study recommended that driveways not be within 50 ft of an intersection, so if the Applicant had a rear-loaded home product so the driveway would be on the north-south stretch of Honor Lp, it would be an improvement from a safety perspective compared to what was currently proposed.

- With regard to sight distance and fencing, questions, he explained that Arbor Dr had a wide right-of-way, resulting in a 15-ft difference from the existing paved street to the edge of right-of-way, so a fence would not impede the sight safety distance, which was always measured 15 ft back from the edge of the traveled way. He indicated how motorists would still be able to look south or northeast and have good sight distance either way, even with a fence there, and it would meet City sight safety standards. If there was still a concern about the fence, perhaps a setback from the right-of-way could be added. He saw no problem with it; however, placing the driveway on the other side of the lot would make it a safer intersection and be more compliant with the recommendations of DKS.
- Although he was not familiar with Pahlisch Homes and did not know what kind of products they had or what their buyers were looking for, in Villebois, West Hills, Legend, Lennar, and Polygon had all been very successful selling rear-loaded homes.

Chair Fierros Bower called for the Applicant's rebuttal.

Mr. Shearer stated Pahlisch Homes had a very good understanding of the market and had done a lot of research on what people were interested in purchasing in the area. Everything Pahlisch had looked at informed them that the orientation of Lot 1 as proposed was what people wanted. The Applicant's understanding of the Traffic Study recommendations was quite a bit more ambiguous. The provision that was cited to them was a general statement that driveways be located away from the intersection of Honor Lp and Arbor Lake Dr. Both were local streets without a high volume of traffic. There was pretty good

sight distance, as was pointed out, from both sides, and for those reasons the Applicant would request that the orientation for Lot 1 and Lot 29 be approved as proposed.

Ms. Akervall said that looking at Sheet P1-08, Lot 29 appeared to have a very small fenced in area. If the house on Lot 1 was flipped so the driveway was off Honor Lp, she asked if it would be necessary to fence in the entire back area, because it did not look like any other houses had the entire backyard fenced in. She understood the aesthetic concerns of having the three houses, and then a fence and the entrance, but she wondered if other solutions could be considered.

Mr. Bitner stated the Applicant had spent a lot of time working with the neighbors, the Association, the City, and Staff in planning all of this out. Such subdivisions were not designed lot by lot, the entire neighborhood was considered. A lot of thought was given to how the development would look, including doing layouts and sketch ups, as well as pre-application and neighborhood meetings, all of which send the Applicant down a path and things are finalized. It might sound odd to not be able to flip just one, but it would send things in motion and change things such as how the home would appear to the lot next to it, and the value of the lot next to it, as well as that of the entire community.

- The lots around the perimeter, Lots 2 through 29, all backed the golf course and it was the desire of the community and the developer to make the lots feel very open to the golf course and not have closed-in backyards. Lot 1 was very different. Whether facing Honor Lp or Arbor Lake Dr, it would be a very public, exposed backyard, and the owner would prefer not to be open right up to a street and everybody driving to their own homes would not want to look right into their great room or kitchen. He asked that the DRB please take that into consideration. The Applicant had been led down a path that the proposal was okay as presented by City Staff, the neighborhood, and the Association. The Applicant had planned the entire development out that way and felt really strongly that the current residents and those who would want to purchase a home here would prefer that it be left as is.

Leroy Ostrem, 31443 Old Farm Rd, Wilsonville, OR, Charbonneau resident, stated that Pahlisch had done a great job of putting the plan together. He did not believe there should be nitpicking on a point that really was not very important. The Applicant had taken into consideration all of the neighbors, of which he was one, and he believed the plan should be left as is.

Chair Fierros Bower stated that having lived in Charbonneau and walked the roads, she knew people drove pretty slow. She hoped her experience would help alleviate the safety concerns about traffic speeds on Arbor Lake Dr and resident vehicles backing into the roadway. She also understood the sensitivity to the design and all that had gone into it by working with the neighbors.

Mr. Bitner appreciated and respected Mr. Heberlein's concerns and understood he was getting information from someone who had said that could potentially be a hazard. He ~~respected that and~~ did not have a problem with it, but asked that the DRB take into consideration all of the time and hours spent with the residents of Charbonneau, Staff, and the City during the process up to this point.

Lee Zinsli, 7490 SW Downs Post Rd, Wilsonville OR, Charbonneau resident, stated he was also Treasurer of the Charbonneau Golf Club. He lived a block and a half from the proposed development and would be able to see some of the construction once it was underway. It was stated earlier that the property would be surrounded on three sides by the golf course, but it would really be surrounded on four sides because on the other side of Arbor Lake Dr was the Number 8 Fairway on the Green Course. The people who buy the three lots currently under construction would actually have a wonderful golf course view and so would the residents of Lot 1. He believed the consistency of the three homes being built now with Lot 1 would have a better look and feel, but also the front of the house would then face the golf course. He could understand it from the developer's perspective as well as being a neighbor who would want to buy a home with a golf course view.

Mr. Heberlein asked if Staff found the proposed plan acceptable from a traffic safety standpoint based on the information heard.

Mr. Pauly stated that from a planning perspective and trying to balance everything going on, there was an ideal, but both streets were slow, low volume, local streets. He did not see a high safety hazard issue keeping the plan as the developer had suggested when balanced with the rest of the considerations that the Applicant had articulated.

Mr. Adams confirmed he had nothing to add.

Chair Fierros Bower closed the public hearing at 8:00 pm.

James Frinell moved to approve Resolution No. 334 with the addition of Exhibit A3. Fred Ruby seconded the motion.

Ms. Akervall thanked everyone for coming and their great interaction and input. She also thanked the City for reviewing the application carefully and considering the safety of the neighborhood.

The motion passed unanimously.

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

X. Board Member Communications

A. Results of the September 26, 2016 DRB Panel B meeting

Daniel Pauly, Senior Planner stated DRB B had reviewed the sister application to the one Panel A had reviewed in early September, the 16 lots just across Barber St. There were no issues. He had met with the local representatives designing the houses who were moving forward. He noted Panel B had adopted specific conditions to make sure the adjacency was correct with the application Panel A had reviewed to avoid having the same design right across Barber St. Typically, such rules of adjacency applied in Villebois.

XI. Staff Communications

Daniel Pauly, Senior Planner, said Staff had not realized until it was too late that this was probably the last meeting of the year, unless something unexpected came up. He apologized for not realizing that early enough to have things in order to recognize the great service of Mary Fierros Bower and Kristin Akervall who would be leaving the Board. He appreciated their service and the thorough thoughtfulness of this Panel, adding Ms. Fierros Bower and Ms. Akervall would be missed. He hoped the Board had found this year's projects interesting and engaging. He looked forward to continuing to work with Ms. Akervall on the City Council. He believed the City had received applications for new Board members.

Chair Fierros Bower stated she had enjoyed her time on the Board, adding it had been very rewarding and educational, and she had enjoyed working with everyone.

Fred Ruby said it was terrific that Chair Bower had continued to come back and contribute even after moving to Portland.

Kristin Akervall believed like she had learned a lot from her participation on the Board. Everyone had a unique perspective which was fun to see as they had looked at things and had different questions. It was exciting to be involved in volunteering with people who were dedicated and put thought into what they were doing.

Mr. Pauly appreciated the Board's support through Staff transitions this past year, adding they were building a great team for the future, and he was excited about it. Planning now had Ms. Scola and Ms. Rybold, but were also finishing recruitment for a new assistant planner and he was very excited about how that recruitment had gone thus far.

XII. Adjournment

The meeting adjourned at 8:08 pm.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for
Shelley White, Planning Administrative Assistant