

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

**Approved**  
September 12, 2016

**Development Review Board – Panel A  
Minutes–July 11, 2016 6:30 PM**

**I. Call to Order**

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

**II. Chair’s Remarks**

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

**III. Roll Call**

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

Staff present: Daniel Pauly, Barbara Jacobson, Chris Neamtzu, Steve Adams, and Connie Randall

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

**V. City Council Liaison Report**

**Daniel Pauly, Associate Planner**, highlighted key discussion points from the written summary Councilor Fitzgerald provided of the July 7, 2016 City Council meeting.

**VI. Consent Agenda:**

- A. Approval of minutes of June 13, 2016 DRB Panel A meeting

**James Frinell moved to approve the June 13, 2016 DRB Panel A meeting minutes as presented. Fred Ruby seconded the motion, which passed unanimously.**

**VII. Public Hearing:**

- A. **Resolution No. 329. 12-Lot Single Family Subdivision (Ash Park): Randy Myers, Brownstone Development – Applicant.** The applicant is requesting approval of a modification to a previously approved condition of approval, Tentative Partition Plat, Modified Stage I Preliminary Plan, Stage II Final Plan, Tentative Subdivision Plat, Site Design Review, Type ‘C’ Tree Plan and Waivers for a 12-lot single family subdivision. The subject property is located at 8195 SW Maxine Lane on Tax Lot 2700 of Section 13B, T3S, R1W, Clackamas County, Oregon. Staff: Connie Randall

- Case File: AR15-0088 Modification to Condition of Approval (87AR25)
- DB15-0075 Remedial Partition – Tentative Partition Plat
- DB15-0076 Modify Stage I Master Plan for Ash Meadows
- DB15-0077 Stage II Final Plan
- DB15-0078 Tentative Subdivision Plat
- DB15-0079 Site Design Review
- DB15-0080 Type C Tree Removal Plan
- DB15-0082 3 Waivers

**Chair Fierros Bower** called the public hearing to order at 6:37 p.m. 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.

**Connie Randall, Associate 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.

**Ms. Randall** presented the Staff report via PowerPoint, briefly reviewing the site's history and noting the project's location and zoning, as well as the surrounding zoning and uses, with these key additional comments:

- Public notice was provided in accordance with the City's Planning and Land Development Ordinance on June 16, 2016. Staff received one phone call on Friday, July 8<sup>th</sup> after the printing of the staff report inquiring about the proposal. The caller asked about the size and type of the development and did not express any concerns with the proposal.
- Modification to Conditions of Approval (87 AR25) and Remedial Partition Plat. The purpose these requests were to separate the site, Tax Lot 2700, from the original Ash Meadows Master Plan and to establish a legal lot of record so that the site could be redeveloped.
  - Pages 7 through 10 of the Applicant's narrative, Exhibit B1, adequately addressed the Oregon Revised Statutes procedures for validating a unit of land not lawfully established in ORS 92.176.
    - The Applicant discussed criteria that at the time of development, when the parcel was sold and the tax lot created, it could have been created as a partition and a legal lot, it just never went through the City's necessary steps to create a legal lot of record. Therefore, the Remedial Partition Plat had been requested to remedy the situation.
  - The recreation area was originally developed as the initial part of the Phase II Ash Meadows development but was never incorporated into or utilized by the Ash Meadows Homeowners Association (HOA) and had been neglected over time. In order to redevelop the property, the Applicant needed to delete Condition of Approval 2 from Casefile 87 AR25, the Minor Partition Plat which required the recreation area to continue to be utilized for the condominiums.
- Modify Stage 1 Preliminary Plan.
  - The original Ash Meadows Master Plan envisioned a vastly different landscape than what was seen or even envisioned today. The recreation area was developed in anticipation of additional residential development, but as market conditions changed in the 1980s, so did the plans for this area. All but the subject site was removed from the Ash Meadows Master Plan previously and the northern portion was redesignated on the Comprehensive Plan and Zoning Maps for industrial development.
  - The Stage 1 Preliminary Plan would replace the original master plan for the subject site with the proposed Tentative Subdivision Plat, which established 12 single-family, detached residential lots, 5 open space tracts, and a new public street, Ryber Road. As discussed, the Applicant adequately demonstrated compliance with the requirements for a Stage I Preliminary Plan.
- Stage II Final Plan Revision and Tentative Subdivision Plat.
  - The Stage II Final Plan revisions were consistent with the Stage I Preliminary Plan revisions. The traffic assessment conducted by DKS, included in Item 9 of Exhibit B1 was for the originally proposed 16 lot, single-family development, which had since been reduced to 12 lots. In Conditional PF 2, the city engineer noted that the revised estimated PM Peak Hour Trips generated by the proposed development was 12 trips.
    - DKS concluded that the Parkway Ave and Ash Meadows Blvd intersection would continue to meet the City's minimum operating standards, Level of Service (LOS) D, and would have minimal impact to the critical eastbound, left turning movement.
    - Access to the development would be primarily via SW Roger Blvd, a local public street that would require its extension along the east side of the project and improvements as a part of this subdivision action.

- The Applicant has secured an agreement with Mentor Graphics, the owner of the 65-acre parcel immediately east of the subject property, to construct a public roadway and sidewalks to extend SW Roger Blvd farther north along the east side of the site as shown on Slide 14. SW Roger Blvd would ultimately be extended to SW Canyon Creek Road when the Mentor Graphics property was developed.
- SW Maxine Ln was a private street, which was a legal non-conforming roadway. The existing improvement was constructed in the 1980s to accommodate the Ash Meadows Condominiums, meeting the private street criteria when the condominiums were approved.
- The Applicant has secured an access agreement from the Ash Meadows HOA granting access to the Ash Park development, which is Exhibit B1, Item 12, in the Staff report. Improvements to SW Maxine Lane, structural rehabilitation, and pavement resurfacing, would be completed by the Applicant with the development of the Ash Park Subdivision. She noted this was not a City requirement, but a private agreement between the Applicant and the HOA to grant access to that private roadway so that Ryber Road connected to Rodger Rd and Maxine Ln to provide a loop connection.
- The curb-tight sidewalks proposed along the extension of SW Roger Blvd were inconsistent with the Public Works Standards. Condition PF 1 required adherence to the Public Works Standards and detached sidewalks with landscaping between the street and sidewalk.
  - The Applicant submitted a request for an exception to the city engineer, requesting approval for detached sidewalks to be placed in an easement on Lot 5, and relocating the proposed street trees shown of Lot 5 to the right-of-way on the west side of the street, consistent with Public Works Standards. The request for an exception was just approved within the last hour, and was distributed to the Board at the dais as Exhibit C3, which included documentation from the city engineer and an exhibit showing the exception had been granted. The Applicant would still install a detached sidewalk, but the sidewalk would be in an easement and the trees would be in right-of-way.
  - Additionally, Condition PDD3 required crosswalks to be provided at each end of Ryber Road.
- The 2.13 acre site's Residential Comprehensive Plan designation of 6 to 7 units per acre translated to a minimum of 12 units and maximum of 14 units. The Applicant was proposing 12 units, meeting the minimum density required.
- The Applicant met all of the required development standards with the exception of the side yard and rear yard setbacks, for which the Applicant was seeking waivers.
- The Development Code required 25 percent of the net site area. The Applicant had requested a third waiver to reduce the amount of open space required for the site from 25 percent. However, Staff's found the Applicant erred in calculating the provided open space, and did, in fact, meet the 25 percent minimum requirement as presented in the table on Slide 16.
  - Tract A was an 11,000 sq ft tract of park land usable open space, which exceeded the 10,890 sq ft quarter acre requirement for the site.
  - The Applicant's original calculations did not include Tracts D and E, which were the water quality facilities.
  - Tract C was a sidewalk against the private lane, which was not required by the City in this instance. The Applicant could have handled the sidewalk a number of ways, such as incorporating it into the subdivision itself in terms of extending the lots, or making it part of the landscape strip. Staff interpreted the sidewalk as part of the landscape plan in that it would serve as a recreational path that connected to the proposed required sidewalks. Similar to any recreational path in a park, the City would not exclude this sidewalk.
  - The Code defines open space as any area of land not covered by buildings, paving, or other hard surfaces unless that hard surface was part of an approved landscape plan, which was why Staff considered the sidewalk recreation. The combined area of all five tracts exceeded

the required 17,505 sq ft of open space, and therefore, no waiver was required. All of the open space would be owned and maintained by the HOA.

- She corrected a typo on Slide 16 as follows, “1/4 Acre Usable Park = 10,890~~4~~ sq ft.”
- Site Design Review was limited to the public landscaped areas, including landscaping in the planter strips between the sidewalk and street, as well as the park area.
  - The Planting Plan demonstrated that all landscaping and fixtures were appropriate for the site, of acceptable quality, and professionally designed to enhance the appeal of the subdivision. Conditions of approval assured the landscaping materials were installed at appropriate quantities, sizes, and in a manner to ensure their survival and growth.
  - Four existing red maples would be preserved on site, as well as three existing Scotch pines. Otherwise, the Applicant proposed planting 22 additional trees and other landscape shrubs and ground cover.
- The Type C Tree Plan. An arborists report prepared by Teragan and Associates inventoried 22 trees, 17 on site and 5 off site in the area near the Roger Blvd extension. However, the arborist’s report did not consider the extension of Roger Blvd because the Applicant had not planned on extending the road because that area was on the Mentor Graphics property and not the subject site. Therefore, Condition PDG 1 included the removal of the offsite trees required for the roadway extension, bringing the total trees that would be removed to 15. The majority of the trees had not been well maintained; they were in Poor condition and were recommended for removal.
  - The four red maples along the south side of the property were in Good condition and would be incorporated into the development. And as stated, the three Scotch Pines located in the northeast corner of the project site would be retained as well.
- Waivers. The Applicant requested three waivers, but as discussed, the open space waiver was not needed because the Applicant was providing the 25 percent required open space.
  - The Applicant requested a rear yard setback reduction from 20 ft to 15 ft, and a side yard setback reduction from 7 ft to 5 ft. The Code required a 7 ft side yard setback for two-story homes and two-story homes were proposed in this location.
  - The City’s Development Code allows for waivers to the required setbacks to better implement the purpose and objectives of the Code which seek to allow flexibility in design, creativity in providing required densities, providing flexibility in building height while maintaining appropriate ratios of the site area to development units.
  - The Applicant’s narrative demonstrated that the reduced side and rear yards were necessary to allow for variation in design of a small subdivision, and develop the proposed two-story homes at a density consistent with the Comprehensive Plan.
  - The proposed development was uniquely situated between an established condominium development to the south, and a planned industrial development to the north and west. The additional buffer from existing low-density development provided by the standard setbacks was not necessary in this location. The Applicant asserted, and Staff agreed, that the requested setback waivers were consistent, or at least not in conflict with the building arrangements in the Ash Meadows development.
  - Without the requested waivers, the Applicant estimated that two or three lots would be lost, reducing the density of the subdivision below the minimum density required by both the Comprehensive Plan and PDR-4 zoning.
- Based on the findings of fact and information presented tonight and in the Staff report, Staff recommended approval of all the applications with the conditions included in the Staff report, and as amended by the Planning memo distributed tonight to include Condition PDE 6. She noted Condition PDE was procedural and required the processing and recording of the Remedial Partition Plat before the City could process the Subdivision Plat creating those 12 lots so that no more errors, omissions, or problems occurred in creating and taking any action on the legal lots.
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**James Frinell** noted the two-acre planned development assumed a minimum of 12 units and asked if the assumption was that the 12 units would be single-levels that would accommodate the correct setbacks.

**Ms. Randall** replied single level homes would not need to request a side yard setback reduction because City Code required 5 ft for one-story, and 7 ft for two-story homes. The Applicant wanted to develop two-story units with the 5 ft side yard setback, which necessitated the reduction.

**Kristin Akervall** noted a patio on the conceptual floor plans provided in the packet. To imagine the feel of the homes and neighborhood, she asked how the 15-ft setback behind the house worked with the patio, and if Code addressed how close a patio could be to the property line. Would it be dropped or continue to be included?

**Ms. Randall** clarified patios were not considered a building; anyone could pave their entire backyard or put a pool in. The City did not regulate that, only the space between the buildings. However, if the patio was covered it would count towards lot coverage. The maximum lot coverage required on each lot was 75 percent. If the patios were covered, or someone covered the patio after the fact, Staff would check to ensure the lot coverage requirement was not being exceeded.

**Kristin Akervall** concluded that might impact covered patios, but not eliminate the opportunity for a patio behind the house.

**Ms. Randall** replied it could potentially, adding it was another regulation. When considering the development standards regulations, Staff not only looked at the setbacks and the impact on that development, they also reviewed the lot coverage and how much open space is provided on each lot, which was another safeguard.

**Kristin Akervall** noted the arborists report stated the two trees being eliminated north of Lots 8 and 7 were in Good condition and they seemed a similar distance away from the proposed homes compared to the trees being retained next to Lot 6 that were in Poor condition. She asked why the trees near Lot 6 were being retained and not the ones north of Lots 8 and 7.

**Ms. Randall** said the Applicant could respond as well, but she explained that the arborist's report indicated the bases of Trees 4 and 5, which were Douglas firs, were lifting the tennis court and the trees were growing into the fence. Survival of the trees was questionable when the fence and tennis courts were removed and the site graded. It would be difficult to fence the drip line of the tree when everything the tree had grown into was being torn up.

**Fred Ruby** stated when he visited the site, the grass had been mown but it was disturbing to see the clubhouse falling down and the broken glass and debris. He was surprised by the condition of the building because if he lived in the condominiums across the street or in the new condominiums being completed on the other side of Maxine Ln, he would consider it a health hazard. Based on the background, he understood the building was a relic that was put up and never completed. He asked if the City and Applicant could work in the interim of the property's new design to make it safer by cleaning and securing it and expediting the demolition of the structure to improve the site.

**Ms. Randall** replied there was property maintenance, and there had been action for the Applicant to maintain the weeds. She was aware the Applicant was trying to remove the tall grass. The building had been in various stages of disrepair and she understood the Applicant wanted to take it down as soon as possible and redevelop the site. She heard anecdotally from people in the community that they would like to see that removed and replaced with something that was more of an asset to their community than a concern for them.

**Mr. Ruby** stated he was new to Wilsonville, but he was concerned that it would be a Code violation, perhaps a fire hazard, hazardous to children, etc.

**Ms. Randall** explained Staff could look into it. The City fire marshal had not been out to the site, but Staff could have him look at it to see what might be remedied. She noted the Applicant could address their time line and plans for removing the clubhouse and redeveloping the site.

**Chair Fierros Bower** confirmed there was a paved walkway into Open Space Tract A and asked if the open space was turf and intended as a park area for people to go and play ball or otherwise recreate.

**Ms. Randall** responded yes, and clarified that no tot lot was proposed. There was a small area and potentially, some seating, but she deferred to the Applicant for further details.

**Chair Fierros Bower** asked if the open space on Tract B was also for recreation.

**Ms. Randall** replied it was passive open space that was landscaped. It would not be developed with any hard surface or buildings. She noted the wording, 'signed per owner' and explained that based on the type and density of landscaping proposed, it would typically be where a subdivision sign would be located. The signage would be under a separate application, however.

**Chair Fierros Bower** called for the Applicant's presentation.

**Ben Altman, Pioneer Design Group, 9020 SW Washington Square Dr, Suite #170, Portland, OR 97223**, introduced Principle Engineer Brent Fitch and the Applicant, Randy Meyer. He complimented Staff for their work reviewing very complicated application which took a long time to get before the Board due to its long history and the many pieces to sort out. He believed they were at a point now where all the issues had been resolved. The Applicant had reviewed the Staff report and he did not want to repeat what had been said, so he would respond to questions.

- On the open space, the Applicant intentionally left Tract A as open as possible as basically a grass area to provide maximum flexibility of use without committing it to any one thing. The homeowners could do something else in the future if they wanted, but Applicant did not have any direction on the best use of the space at this point so they left it open. There was a paved pathway in and the paved courtyard could be used for a picnic, barbeque, or just a gathering spot.
- Tract B was a parcel that did not fit well because of the curve of Maxine Ln, and it did not help the lots at all so it was just squared off. Tract B would provide a good focal point coming into the site and was a good location for a future entry sign. It was just a landscaped feature at that corner.
- With regard to the clubhouse, the logical thing would be to proceed with a demolition permit, which could happen at any time. Construction plans were not required and once the demolition permit was approved the clubhouse could be removed. The Applicant would have to coordinate with the owners, Dutch Venture, to proceed with the demolition permit as soon as possible. He agreed the deteriorated building should have already been removed a long time ago. Unfortunately, the clubhouse's current condition was a result of separate ownership; the Ash Meadows group never had control of it.
- He concluded that the Applicant concurred with the Staff report and conditions of approval.

**Ms. Akervall** asked if the Applicant concurred with the removal of the two Douglas firs trees that were next to the tennis courts.

**Mr. Altman** explained the Applicant assumed the trees would be damaged and would be difficult to preserve the trees with the demolition, grading, and removal of the tennis courts.

**Mr. Ruby** commented that although he was not a design professional, he believed it was a neat area because of the Mentor Graphics fitness trail ringing the area. The new condominium development across the street on Maxine Ln looked really nice with a courtyard area, and he really liked the fact that the Applicant would have an open space across the street. He was trying to envision what the neighborhood would look like because right now, Roger Blvd dead ends into a pedestrian bicycle path that connected to Canyon Creek Ln and the outer circumference of the Mentor Graphic fitness trail. He asked if the Applicant would have some flow through to the fitness trail when the roadways were extended.

**Mr. Altman** responded that was one of the issues the Applicant worked on with Mentor Graphics. The sidewalk was now shown on the east side of the road partly to make sure there was connectivity between the sidewalks and pathway. The pathway was not really shown in its entirety on the Planting Plan, but there would be some small section of pavement to connect the pathway and sidewalks. Mentor Graphics was concerned about a gap and wanted the sidewalks and pathway connected.

**Chair Fierros Bower** said she really liked the amount of sidewalks being provided as she visualized people exercising and walking around the area.

**Mr. Altman** added the Applicant appreciated that Staff determined that the sidewalk along Maxine Rd gave the Applicant credit. The Applicant thought it was important to provide the connectivity because the pathways within Ash Meadows were not at the road, but were internal and wandered through the development, so there was no direct sidewalk connection on Maxine Ln or Roger Blvd. So this area, particularly with connection to the Mentor and ultimately when Roger Blvd was extended to Canyon Creek, would have full connections for sidewalks as well as the roadway.

The following exhibits were entered into the record:

- Exhibit A3: Planning Division Memorandum from Connie Randall dated July 11, 2016 adding Condition PDE 6 to the conditions of approval in the Staff report.
- Exhibit C3: Email from Community Development Director Nancy Kraushaar dated July 11, 2016 confirming approval of the exception to the Public Works Standards regarding sidewalks and PUEs that included emails from Steve Adams and Ben Altman with a map on the back page.

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

**Mindy McGill, 8230 SW Maxine Ln, Unit #54, Wilsonville, OR**, asked now that Maxine Rd would be a private street and with the traffic flow that would now be coming through and all the families and kids and exercising, had a traffic flow study been performed on the volume of traffic once it Canyon Creek and the flow of traffic coming through. She walked their dog on Canyon Creek, and traffic flow was already pretty heavy and speed limits were not abided by. Now, cars would be coming through from Canyon Creek to get to Parkway. She asked if anyone looked at that or had done those kind of feasibility studies. She also asked if it was possible to put in speed bumps as part of the improvements to slow the traffic flow.

**Ms. Randall** clarified Roger Blvd would not be extended to Canyon Creek, so there would be no connection with this development. The road was being extended, but the Applicant did not own all of the connecting land, so those would be offsite improvements. The Applicant did have an agreement with Mentor Graphics to put in the full roadway up to a certain point and install the sidewalk to make that connection to the pedestrian pathway. That future connection to Canyon Creek would be done when the Mentor Graphics property developed that parcel. The City did not have the ability to force Mentor Graphics to develop on the City's time frame. There was a long-term plan to connect all the way through to Canyon Creek, but not by this developer. The Applicant would extend Roger Blvd as far as possible, adjacent to their property.

- In terms of traffic, the traffic study looked at public roadways, so it looked at Roger Blvd to Ash Meadows to Parkway, which was the current public roadway connection. The City did not have traffic studies that looked at private drives. Whether or not the HOA could negotiate with the Applicant to put speed bumps on that private drive would be a private agreement and not something the City would require. Maxine Ln was a private road, and the City did not regulate private roads.
- She clarified the 12 proposed units would result in 12 additional peak hour trips

**Mr. Ruby** stated he was not a traffic engineer, but in a condominium community that had a lot more density, it probably would not affect traffic flow all that much from Parkway to Roger Blvd.

**Ms. Randall** replied the traffic study was done for 16 units rather than 12 units, so it was fewer than what the original study stated. The critical movements that were studied were on Parkway and the development had a negligible impact. At the time, the study considered not only the 16 units, but also the new condominiums being developed that were previously approved with Ash Meadows and the impact was negligible under all of those scenarios. The study looked at whether the LOS D standard and capacity would still be met. Again, the study did not consider Maxine Ln, because it was a private drive, or a future connection to Canyon Creek because it was not being proposed at this time.

**Ms. Akervall** asked what happens in the future whenever that Mentor Graphics area was developed and intended to be connected; would the HOA have to negotiate, do a study done themselves, or instigate the installation of speed bumps or some other traffic calming device.

**Ms. Randall** replied the HOA has 100 percent control over that roadway.

**Steve Adams, Development Engineering Manager**, stated because Maxine Ln was private, speed bumps could be put in if the HOA wanted, or however they wanted to address the traffic and speed control on the street. There was an agreement between the developer and HOA for improvements to Maxine Ln, so he assumed they were in communication and could modify the improvements. As stated, the City could not enforce improvements to a private street. The Applicant wanted to give the street to the City, but it was in very bad condition and the City did not want to take it over as a street to maintain. The Applicant was going to improve the street, which would hopefully make it appealable and workable for the short term. The street was never finished 30 years ago and was pretty heavily cracked and alligatored, so the City was not interested in taking it over as a public street. Roger Blvd was being built in coordination with Mentor Graphics, which provided the land, and the developer was going to build the street. The City envisioned that it would be extended, but could only require such offsite improvements to a collector or arterial standard, and then the City could participate in system development charge SDC reimbursements for the extension. With no method of reimbursing anyone for a local road, the City could not require it to be extended to Canyon Creek.

- Mentor Graphics had 17 acres that was zoned residential just south of the small two-acre piece of land where Rogers Blvd was being built. When those parcels of land were developed, Ash Meadows would likely be extended through to Vlahos Dr and Rogers Blvd would be extended to connect at Daybreak St. The other option would be if Mentor decided to develop the land north of this subdivision, he envisioned Rogers Blvd would be extended north along the eastern boundary where Lot 6 was and from there on, a private driveway would probably take traffic up into Mentor Graphics rather than having a leg that went east to connect to Canyon Creek Rd at Daybreak St.

**Chair Fierros Bower** called for the Applicant's rebuttal.

**Mr. Altman** believed Staff had addressed the traffic issues. Early in this process, as part of the Remedial Partition evaluation, DKS looked at the potential if Roger Blvd were extended to Canyon Creek and concluded it would be a nominal shift primarily because most of the traffic expected from Canyon Creek

would either go north or south on Canyon Creek and would have little reason to cut through the development to Parkway. Traffic either went south to Town Center or Wilsonville Rd or north to Boeckman Rd or Elligsen Rd. The traffic analysis showed very little future impact, at least from these 12 lots, if the road was connected. And as Mr. Adams mentioned, if and when the Mentor Graphics property did develop, they would extend the street, but there would be another traffic report done at that time related to whatever development was proposed.

- With regard to Maxine Ln, the Applicant coordinated with Ash Meadows to provide the circular access for emergency vehicles and garbage trucks, which had issues maneuvering with only one access point. From a practical standpoint, he would not expect much traffic from this development to use Maxine Ln. Logically, drivers would come in from Parkway Ave off Ash Meadows Blvd and up Roger Blvd and into the site via Ryber Rd. A few might loop back out onto Maxine Ln, but it would not be very common, so no major issues existed. Again, Staff indicated the homeowners and Ash Meadows really have control in terms of traffic management on Maxine Ln.

**Ms. Randall** clarified that Condition PF1 on Page 12 of the Staff report required the development to comply with Public Works Standards, so whether the city engineer granted their request for an exception or not, that condition still applied. The Applicant still had to submit plans that complied with Exhibit C3, which showed how the proposed detached sidewalk would comply with the Public Works Standards. The city engineer had approved the Applicant's proposal to build the sidewalk in an easement as opposed to right-of-way, but the City would still the look it wanted with the detached sidewalks rather than curb tight sidewalks.

**Chair Fierros Bower** closed the public hearing at 7:29 pm.

**James Frinell moved to approve Resolution No. 329 with the addition of Exhibits A3 and C3. The motion was seconded by Fred Ruby and passed unanimously.**

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

#### **VIII. Board Member Communications**

There were none.

#### **IX. Staff Communications**

There were none.

#### **X. Adjournment**

The meeting adjourned at 7:32 pm.

Respectfully submitted,

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