

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

**Approved as amended
April 11, 2016**

**Development Review Board – Panel B
Minutes–February 8, 2016 6:30 PM**

I. Call to Order

Chair Fierros Bower called the meeting to order at 6:33 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, ~~Lenka Keith~~, Kristin Akervall, James Frinell, Ronald Heberlein, and City Council Liaison Julie Fitzgerald.

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

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

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

VI. Consent Agenda

A. Approval of minutes of January 11, 2016 DRB Panel A meeting

Ronald Heberlein moved to approve the January 11, 2016 DRB Panel A meeting minutes as presented. James Frinell seconded the motion, which passed unanimously.

VII. Public Hearings

A. **Resolution No. 323. Advance Road Middle School: Mr. Keith Liden, AICP, Bainbridge – Representative for West Linn-Wilsonville School District – Applicant/Owner.** The applicant is requesting approval of Stage II Final Plan, Site Design Review, Tentative Partition Plat, and Class 3 Sign Permit for a new public middle school. The subject site is located on Tax Lots 2000, 2300, 2400 and 2500 of Section 18, Township 3 South, Range 1 East, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Daniel Pauly.

Case Files: DB15-0100 – Stage II Final Plan
DB15-0101 – Site Design Review
DB15-0102 – Tentative Partition Plat
DB15-0107 – Class 3 Sign Permit

Chair Fierros Bower called the public hearing to order at 6:37 p.m. and read the conduct of hearing format into the record.

Kristin Akervall declared a conflict of interest, noting that she served on the Budget Committee for the school board, and recused herself from the public hearing.

Chair Fierros Bower, James Frinell, and Ronald Heberlein 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, 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.

Mr. Pauly presented the Staff report via PowerPoint, noting the project's location and discussion the proposed applications for the approximately 27-acre middle school campus with the following comments:

- While the application materials called it the "Advance Road Middle School," he assured that would not be the actual name, noting that suggestions for the school's name could be made on the School District's website.
- In July, DRB Panel B and subsequently, City Council, approved the annexation, a Comprehensive Plan Zone Map Amendment, and Stage I Master Plan for the 40-acre property within the urban growth boundary (UGB) owned by the School District. That 40-acre Master Plan showed land areas designated for a middle school, future primary school, and public park (Slide 3). The previous action established the general uses of the site, but left the details of function and design for review by the Board this evening.
- Stage II Final Plan addressed whether the development would function properly.
 - The 27-acre campus would include an approximately 2-acre school building footprint; 5.5 acres of parking, circulation, and other paved areas; and just under 20 acres of sports fields, planted landscape areas, and a preserved natural area along the west edge of the property where a riparian area existed.
 - Phasing. Due to anticipated construction costs and short-term enrollment demand, the School District intended to complete the middle school in a couple phases.
 - The first phase would include the core facilities, such as the admin offices, library, cafeteria, and most of the vehicle parking, as well as the streets, driveways, sidewalks, utilities, and landscaping.
 - Construction would also begin on the sports field as part of Phase 1, but would probably include only grading and natural turf, which might later be turned to artificial turf.
 - Later, when additional funding and enrollment warranted, the District would complete the full build out of the school.
 - Circulation and Access. A new street, 63rd Ave, was proposed about midway between Wilsonville Rd and 60th Ave to serve the school, providing access from Advance Rd.
 - Another new public street called Hazel St would be constructed east-west in front of the school. At this time, Hazel St was proposed to end with a temporary cul-de-sac before reaching 60th Ave, since 60th Ave would not be improved to urban standards at this time. At some future time, the City would have the ability to extend Hazel St through to 60th Ave.
 - All the transportation improvements provided the appropriate routes for bikes, pedestrians, cars, buses, and various other vehicles that would visit the site.
 - The site design separated the school bus loading and unloading, as well as deliveries along the south side of the building, from the student drop-off for parents on the north side of the building and the main parking areas for the school. Separating these different conflicting uses as much as possible was an important criterion in the City's Development Code.
 - A bus stop would also be provided on the south side of Hazel St that could serve as a SMART bus route.
 - Parking. A 153-space parking lot was proposed to the north of the school a second, 85-space parking lot to the east of the school. The total 283 spaces fit within the required minimum and maximum parking range of 162 to 243 parking spaces.

- With regard to the phasing, the District might not elect to not build the entire parking lot at first based on the initial enrollment numbers, but based on those initial numbers, the proposed parking would still fall within the required range.
- Bicycle parking. A total of 100 staple bike racks would be provided, yielding a parking capacity for 200 bikes, 166 of which would be covered, which met the total amount required by Code at full build out. The proposed bicycle parking also met all the spacing and access requirements of the City's Code.
- The loading and service area would be on the south side of the school, providing access for truck deliveries, recycling, and trash vehicles. This area would also be shared with the bus route to avoid conflicts with passenger vehicles.
- The landscaping around the sports field, school, and internal parking lot were proposed to meet the City's general landscape standard in terms of location, design, and plant variety.
- Slides 14 and 15 indicated in yellow the primary areas where the high and low screen standards would apply in relation to the surrounding properties.
 - The City's high screen standard required a 6-ft hedge that would be 95 percent opaque year round. The riparian area along the west side of the site would provide quite a bit of screening from the Landover neighborhood, and some other trees would be planted along the school. A hedge would be being planted along the west side of the parking lot to ensure the City's 6-ft standard was met, because the riparian area up was quite a bit narrower there. The screening standard would also be met along the north side of the north parking area as well as along the east side of the east parking area.
 - Sometimes, storm water facilities prevented a hedge from going in a certain area. If this should happen, a condition of approval required that a 6-ft fence be installed to meet the City's screening standards at that location in lieu of the hedge.
 - The low screen standard, which typically applied between a parking lot and street, would be applied along 63rd Ave and Hazel St. All the appropriate materials were proposed.
- Another important point, in terms of the visibility off-site, would be the site lines.
 - One primary way the school would be screened from surrounding property owners was distance. The school building itself would be 500 or 600 ft from 60th Ave, and there was quite a lot of distance from Landover, as illustrated on Slide 16. The actual appearance height of the two-story structure with the distance would be lower than if the building was right next to the property line.
- Site Design Review. From the Staff's point of view, the architecture was attractively designed and appeared to meet all the City's standards. The durable materials that were proposed should last a long time and the design of the school should provide a nice amenity in the community.
 - Outdoor Lighting. The proposed parking lot lighting and wall packs on the school met the City's outdoor lighting standard.
 - The School District provided information about potential field lighting, but the City did not know its final design yet. The lighting standards were pretty cut and dried, so Staff recommended an administrative review once the Applicant finalized the field lighting to ensure it met all the performance standards and that no light spilled off site, either vertically or horizontally.
- The Tentative Partition Plat would consolidate and then divide the school-owned lots. Parcel 2 would be retained by the School District for the development of the middle school and future primary school. Parcel 1 would be deeded to the City for development as a park pursuant to prior agreements between the School District and the City which related to the other project that would be discussed later in the meeting.
 - Rights-of-way would be dedicated from these parcels as necessary once the street design was finalized. There would be no right-of-way dedication at that point, as that would come once the City had the final right-of-way widths.

- As a single tenant, the school's signs qualified for a Class 3 Sign Permit under the City's Sign Code
 - Building signs were proposed on the north, east, and west, all of which were well below what would be allowed for a building this size. All of the signs were a standard design, with cut out aluminum letters appropriately located on the different architectural features, and Staff believed the signage would be very attractive.
 - Additionally, the Applicant requested that the proposed monument sign be included now, so the School District would not have to return later when they decided to build it. The monument sign would be located at the first 63rd Ave entrance. The sign would have a brick-base with the name of the school and a manually changeable message board. The proposed monument sign was well below the allowed height and area, so everything was in conformance. The brick would also support the architecture of the school.
- He described revisions to two conditions of approval that had not been provided to the Board as follows:
 - Deleting the language in Condition PDA 3 as noted would broaden the applicability of the condition to other areas of the site should similar circumstances arise.
 - “Condition PDA 3. Where water quality facility installation ~~along the north property~~ prevents installation of landscaping to the high screen standard a fence meeting the fully sight-obscuring standard shall be installed between the water quality facility and the property line. See Finding A108.”
 - A typographic error was corrected in Condition PDA 4 to state, “...~~location~~ *local* improvement...”

Chair Fierros Bower confirmed the loading area on the south side would be where buses came and deliveries were made. She asked if the driveway against the building on the east side would be a loading zone area. (Slide 8)

Mr. Pauly responded that area would have the same pavers as the rest of the plaza area on the south side. He noted caution would need to be taken, but deliveries would likely occur when no students were in the area. He assured safety standards would be met, noting that when designing a school with a pedestrian plaza all around it, a conflict would occur at some point if vehicles needed to access the school. However, as stated in the finding in the Staff report, this design really minimized that conflict; by nature there would have to be a place to cross the pedestrian area to get to the school building.

Ronald Heberlein confirmed that administrative review for the lighting on the field meant it would not return to the DRB for approval.

Mr. Pauly added an electrical engineer would do a photometric analysis to show that the horizontal and vertical foot-candles at the boundary lines either meet the performance standard or not, because it was a very objective standard. The Development Code allowed this type of situation to be reviewed administratively.

Mr. Heberlein stated the lighting impact to adjacent property owners had always been a fairly significant concern and he could see this being an area of concern with the sports field being so close to the Landover neighborhood.

Mr. Pauly explained the Outdoor Lighting Ordinance did provide protection to the neighbors because the brightness of the lights was really not a subjective matter. When the lighting standards were met, the light would go where it needed to be without any light pollution.

Mr. Heberlein asked if there were any examples of similar installations that had met the lighting ordinance in the city.

Mr. Pauly replied this situation would be fairly unique. Some large parking or storage areas, such as car dealerships, had met the standards, but no sports field lighting had been requested under this standard. He noted the sports field lighting at Memorial Park was exempt from the ordinance. If the DRB believed this should come back for review, it could, or request a Class 2 Review so the DRB and neighbors would be notified and have the opportunity to comment. Otherwise, it was objective enough to be a ministerial action, since it either met the standard or not.

Chair Fierros Bower noted there would be a nice tree buffer for lighting between the residential area and planned sports field, which was situated on the site appropriately, and she understood there would be cut off shields on the light fixtures.

Mr. Pauly added one standard in the Outdoor Lighting Ordinance included a curfew, which was typically 10 pm. The School District had requested an exception to be able to dim the lights at 11 pm instead due to safety concerns for activities that might run late. Staff supported this exception based on the information provided.

Mr. Heberlein noted the wording in Condition PDB 2 on Page 10 of 138 of the Staff report might have been a carryover from a previous application.

Mr. Pauly confirmed the first sentence of Condition PDB 2 should state, "...shall be installed prior to use of the expanded pole yard for training *occupancy of the school*".

Mr. Heberlein asked for further explanation regarding the turf. The plans showed the track and materials of the track, but did not discuss what it would look like with just the grass version. It seemed the Board was supposed to approve the grass version, where the sports field would not be fully built.

Mr. Pauly clarified that anywhere artificial turf was shown would just be level-graded with typical field grass. He added the Applicant's narrative went into a lot more detail than the plans.

Mr. Heberlein asked where the right-of-way improvements were being approved, noting no changes were discussed about changes to the Advance Rd area, safe access to the school from Wilsonville Rd to Advance Rd, or the sidewalks.

Mr. Pauly replied the Transportation System Plan (TSP) standards would be followed, adding further details were in the intergovernmental agreement (IGA) about which Mr. Adams could provide more detail.

Steve Adams, Development Engineering Manager, explained that all the off-site right-of-way improvements were included in a fairly extensive IGA the City signed with the School District in early December which was very detailed and thorough, and included construction changes on Boeckman Rd, Stafford Rd, and Advance Rd. The intersection there would become a signalized intersection and there would also be improvements on 63rd Ave and Hazel Rd.

Mr. Pauly noted Exhibit C2 was a copy of the signed IGA.

Mr. Heberlein noted Finding A29 discussed mean roof height. He understood mean roof height was the average roof height, but the requirement stated a maximum roof height of 35 ft. He asked if that normally corresponded to a mean roof height.

Mr. Pauly confirmed that how building height was measured was defined in Section 4.001 of the City's Code, which included using the mean height rather than the maximum height for a shed, mansard roof, or gabled roof.

Chair Fierros Bower asked for clarification on the upper external elevation on the right side of Slide 18 which showed a void in the screening of the mechanical equipment and the screen floating above the roofline.

Mr. Pauly replied the architect might have to explain that. He noted that from the City's process standpoint, if the School District ended up adding or moving mechanical or HVAC equipment around during construction and design, Staff would ensure it all had the appropriate screening during the final occupancy process. He did not believe the Applicant had completed their final mechanical plans yet, noting that screening was one thing that often changed as the final designs came together.

Chair Fierros Bower called for the Applicant's presentation.

Tim Woodley, Director of Operations, West Linn-Wilsonville School District, 2755 SW Borland Rd, Tualatin, OR, stated the Applicant had not prepared a formal presentation, as City Staff did an extraordinarily good job, but he members of the design team were available for questions. The School District appreciated the City's Planning, Legal, and Engineering Staffs, as well as all the others the School District had come to rely on over many years of working together to meet the needs of the children. City Staff's help and availability led to a superior design for the proposed school.

- He also commended the School District's long-standing, Citizen Long-Range Planning Committee, who had contemplated this school for many years. The School District had owned this property for a long time, and their exemplary partnership with the City was evident given that a parcel of the property would be a city park.
- As evidenced with the new Lowrie Primary School, the District recognized the value of the IGA, which provided so many details about the public works, streets, highways, roadways, utilities, etc. and required a lot of engineering expertise. The School District spent a lot of time with City Staff, especially Steve Adams, to determine the best way to create the appropriate infrastructure for the school property. The school board and City Council signed the IGA, laying out in detail all of the parameters regarding the construction of the new school.
- Getting kids and parents to and from the site safely, both in vehicles and via pedestrian ways, was very important. The School District had its own responsibilities around Safe Routes to Schools and mapping pedestrian ways for the kids, all of which was reflected in the application.
- Voters approved the funding of the school in November 2014 so the District knew there was good community support from the school. Wood Middle School was very crowded and this new school was necessary for the School District to continue providing a high quality education for Wilsonville's kids.
- As mentioned with regard to the phasing of the project, full build out would not be necessary in the beginning, but some expansion would be needed and the proposal would provide the all the amenities for full build out in the future. In the beginning, there would simply be fewer classrooms and the application showed how additional classrooms would be added in the future.
- He addressed the questions raised by the Board with these comments:
 - Staff's explanation related to the loading zone was correct. Every one of the District's schools had access with kids around all the time, but the District had found ways to have loading and off-loading occur during off-times, which integrated into the daily activity and stayed away from the front of the building where most pedestrian access took place.
 - With regard to the field and site lighting, he explained that modern technology made it easy to control and direct the light to not expand beyond the surfaces that were proposed to be lit. Very

sophisticated, computer managed controls would turn the lights on, off, and be dimmed at the appropriate times.

- The District took student and site security very seriously. Being able to have visual observation and access for emergency responders was of critical importance to the school and to the safety of the children. The lighting would help to provide that visibility at night.
- The typical design for a middle school included a full track with a field inside of it; however, this particular school would have what the District called, alternates. At the beginning, the track and field project would be publicly bid and provide the option of a graded grass field, which would be useful for soccer and lacrosse. The next level would be to construct a track around a grass infield. The District's ultimate build out would be a track with an all-weather turf field and lighting.
- Having recently constructed similar sports fields, the District was fully aware of the requirements regarding the direction of the lighting and the photometrics engineers would produce to make sure the light stayed on the field itself.
- He reiterated that the IGA contemplated all the utilities for the proposal, not only in relation to the school itself, but also future planning around the Frog Pond Area. The School District was in full agreement with that IGA, which was signed in December.
- As stated, a lot of building's design was still being done, including the sizing and location of the rooftop HVAC units. However, the District was fully aware of the City Code's screening requirements and would ensure that each unit was screened at the time of building permit.
- He thanked the Board and reiterated his appreciation for City of Wilsonville, particularly all the Staff.

Chair Fierros Bower commended the School District for the beautiful design of the school building.

Mr. Heberlein noted Sheet LU1.01 indicated that the north entrance to the north parking lot was not marked with contrasting paint for a crosswalk. The other parking lot entrances and exits were marked, so he asked whether this was intentional or an omission.

Carina Ruiz, Architect, Dull Olson Weekes Architects, confirmed there would be contrasting paint at that entry to the north parking lot as well.

Mr. Heberlein noted 200 bicycle parking spaces were proposed and asked if the District looked at bicycle parking at other middle schools to determine how many spaces were typically being used.

Mr. Woodley replied bicycle parking was a little under utilized at other middle schools and the District had not had an issue with inadequate bicycle parking. Wood Middle School was expanded and remodeled about 8 years ago to the City standards at the time, so he was certain the proposed bicycle parking would be more than adequate.

Chair Fierros Bower inquired why the islands between parking spaces on the east side of the building did not align with each other, while those on the north side were in alignment.

Ms. Ruiz believed this was done to maximize the amount of parking spaces before landscape islands were needed. It happened to work on the north parking lot because all the spaces radiated in the same direction. The parking spaces were laid out, starting from the driveway at the corner of Hazel Rd and 63rd Ave, and then maximized in the interior of the lot between the landscape islands, which was a fairly common parking lot layout.

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

William Ciz, 28300 SW 60th Ave, Wilsonville, OR 97070, said he lived essentially across the street from the property on the school site that was not inside the UGB. He noted he had already submitted

written testimony (Exhibit D1) concerning landscaping, screening and lighting along the east side of the school property. He continued with the following comments:

- When looking at the landscape plans, such as Sheets LU 2.0 and LU.01, he could not recognize what he believed would be adequate screening along the east side of the school site. His submitted testimony advocated for more intense screening along east side of the parking lot, around the cul-de-sac of Hazel Rd, and then down to the south.
 - He and his wife had walked to the site to get a perspective of what they would be seeing in a few years as far as how the school would shape up and how it might change or impact them.
 - One plus was the old Lowrie property. The house and some of the trees behind the house provided some real screening for a lot of his property, but the north half of the Lowrie property, particularly along the proposed water quality facility in the east parking lot, was a concern. From the Landscape Plan, he believed some cedar trees would be planted and Staff explained the high screening standard along there and that seemed pretty dense, but he would like to see some screening there to screen his property off from the parking lot.
 - He had spoken with Mr. Woodley earlier in the evening and he had discussed providing some screening along the Lowrie property, which was a real concern for him and his wife. As long as this was addressed with screening, they would be happy with either solution.
 - He would also like to see some screening, at least in the 3 ft to 5 ft range, along the cul-de-sac to block headlights in the evenings.
- The lighting concerns discussed in his email included eliminating some of the lighting along the cul-de-sac. When talking with Mr. Pauly last week, he had explained that was not something City Engineering would want to do.
- Because this school site seemed different that some school sites being so far removed from the urban population, he thought that would be acceptable. However, Mr. Pauly explained that was not something City Engineering would want to do. He understood the safety concerns and that things would change a bit, but there was not that much traffic along the cul-de-sac in the evenings now.
- His final concern regarded the school and parking lot lighting, which he would like dimmed at around 9 pm.
- He wanted to see these concerns addressed, either formally or informally, in this approval.

Chair Fierros Bower called for the Applicant's rebuttal.

Mr. Woodley said he had reviewed Mr. Ciz's testimony and appreciated his comments. He noted Mr. Ciz had been a good friend of the School District for many years, and he could appreciate his interests in the items he had discussed. It had been the School District's practice to recognize that as a public agency, they probably had more neighbors than anyone given all the school sites. The District took great pride in working with each neighbor regarding any specific issues they might have that related to their interaction with the school at their property lines. Even though not required by the City, the District did hold three public meetings, and one was specifically for the neighbors on the 60th Ave side. Mr. Ciz and his wife were in attendance at that meeting and did talk about some of their concerns.

- The request about the lighting pushed a bit against the District's need for site security. The schools were used a lot and evening activities at the school would occur, and many staff and patrons who would be leaving the site late into the evening. It was very important that the District be able to provide them with safe access to their cars in the parking lot.
 - He reiterated that with modern lighting and controls, the District would be able to dim or turn off lights at specific times and he did not believe the District was contrary to that. The District did want to maintain the building parameter lights that were mounted right on the building to ensure good observation of the building proper.
 - The District preferred keeping the 11 pm curfew for the lights to dim or go off in the parking, as opposed to Mr Ciz's request of 9 pm, for the security of school staff and patrons. The District was committed, however, to using quality modern lights that minimize any glare off the site itself.

- He added lights could be mitigated with vegetation and the District was committed to working with specific neighbors about how to adjust the placement of trees, for example, to find the right locations in relation to the neighbors' homes or buildings.
 - He agreed a tall hedge or some taller, larger trees would be appropriate on the east side of the site. After talking with Mr. Ciz, he understood exactly that the area of concern was the area more open to 60th Ave on the north side of the Lowrie property, so the District was happy to have a condition or work with Mr. Ciz to install the appropriate hedges and/or trees in that particular are.

James Frinell asked what the distance would be between the Hazel Rd cul-de-sac and 60th Ave.

Mr. Woodley replied he was uncertain, but he guessed it was a couple of hundred feet.

Mr. Frinell responded that light from the headlights would not extend that far.

Mr. Woodley replied there could be some glare from headlights. He believed the District would defer to the City on that concern, as it was in the public right-of-way and the cul-de-sac itself extended a bit out onto the park property. He noted that whatever was planted in the right-of-way, such as trees, would have to be removed when the street was continued through.

Keith Liden, Land Use Planner, confirmed the distance was a little more than 200 ft from the end of the cul-de-sac to 60th Ave.

Mr. Frinell understood there would be the same issue with the driveway on the south side.

Mr. Pauly noted that driveway was more than 500 ft away.

Mr. Woodley added that driveway would not be used at night. It would be primarily for buses during the day. He confirmed the middle school start time was later.

Mr. Adams stated the City would be willing to install a 4-ft high cyclone fence at the east end of the Hazel St cul-de-sac to limit the amount of headlights that would be visible to 60th Ave. He noted the City had done this for new streets on the edge of residential areas in other parts of the city. A cyclone fence with slats would cut out about 90 percent of the lighting going through, even for tall trucks.

Chair Fierros Bower closed the public hearing at 7:33 pm.

Mr. Pauly said the Board had the option of adding conditions, but noted that Mr. Ciz and the School District had worked a lot together during the Frog Pond process, so he believed there was a willingness to work together and that the issues would be worked out with or without a condition, but that was up to the Board.

Ronald Heberlein moved to approve Resolution No. 323 with a revision to Condition PDA 3 and corrections to Conditions PDA 4 and PDB 2 as presented by Staff, and with an additional condition requiring that screening be installed at the end of the temporary cul-de-sac on Hazel St.

The revision and corrections to the conditions were as follows:

(Note: additional language in bold italicized text; deleted language struck through)

- Condition PDA 3. “Where water quality facility installation ~~along the north property~~ prevents installation of landscaping to the high screen standard a fence meeting the fully sight-obscuring standard shall be installed between the water quality facility and the property line. See Finding A108.”

- The first sentence of Condition PDA 4 was corrected to state, "...formation of a ~~location~~ *local* improvement District."
- The first sentence of Condition PDB 2 should state, "...shall be installed prior to ~~use of the expanded pole yard for training~~ *occupancy of the school*".

The motion was seconded by James Frinell and passed 3 to 0 to 0.

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

- B. Resolution No. 321. Villebois Phase 4 North – Calais East at Villebois: Stacy Connery, AICP, Pacific Community Design, Inc. – representative for Fred Gast, Polygon NW Company- applicant.** The applicant is requesting approval of an Annexation and Zone Map Amendment from Rural Residential Farm Forest 5-Acre (RRFF-5) to Village (V) for the approximately 1 acre property located at 11700 SW Tooze Road, an Amendment to SAP North, a Preliminary Development Plan, Tentative Subdivision Plat, Type C Tree Plan, and Final Development Plan for a 63-lot single family subdivision in Villebois and associated improvements. The subject site is located on Tax Lots 1100, 1101 and 1203 of Section 15, and Tax Lot 8900 of Section 15BA, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Daniel Pauly

Case Files: DB15-0084 – Annexation (*Tax Lot 1203 only*)
 DB15-0085 – Zone Map Amendment (*Tax Lot 1203 only*)
 DB15-0086 – SAP North Amendment
 DB15-0087 – Preliminary Development Plan
 DB15-0088 – Tentative Subdivision Plat
 DB15-0089 – Type C Tree Plan
 DB15-0090 – Final Development Plan

The DRB action on the Annexation and Zone Map Amendment is a recommendation to the City Council.

This item was continued to this date and time certain at the January 11, 2016 DRB Panel A meeting.

Chair Fierros Bower called the public hearing to order at 7:37 p.m. and read the conduct of hearing format into the record. Kristin Akervall, Ronald Heberlein and Chair Fierros Bower 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, 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.

Mr. Pauly presented the Staff report via PowerPoint, noting the proposed project's location and describing the proposed applications with these key *additional* comments:

- He explained that a majority of the subject site was originally purchased by the City to be the site of what was now the Lowrie school. Due to various issues, including extending utilities, the school site was relocated within Villebois and the subject area was now surplus land, which City Council elected to sell and was purchased by Polygon. The subject land actually had three owners: Polygon, who

owned the remaining tracts of the Calais subdivision; the City, who owned the property that was to be used for a primary school, and the Nims family, who owned a one-acre property, shown in dark gray on Slide 2, that was to be annexed.

- Annexation and Zone Map Amendment applications were generally contingent on City Council approval. In this case, only development on the portions on the Nims' property was contingent on Council approval, since the other areas had already been annexed and rezoned.
 - The Nims' one-acre property was the last piece of Villebois to be annexed into the City. This annexation was the culmination of a long process and a somewhat historic event.
 - The annexation was pretty straightforward as the Nims family, the electors, and residents of the site, had signed off on the annexation, which simplified the process and eliminated the need for a public vote or further elaborate process.
 - The Zone Map Amendment. Everything around the Nims property had already been rezoned to Village, so the request was to rezone the Nims property from the current County zoning to Village, which was consistent with the Comprehensive Plan. The same procedure had been used as the entire Villebois development was annexed and proposed for development.
 - The Specific Area Plan (SAP) North Amendment. Originally, only a small portion of SAP North was approved due to a number of uncertainties in the future. Eventually, every component of the SAP Plan for Calais was adopted, except for those things requiring property access.
 - The first component of the SAP Amendment involved adopting elements of the SAP that required access to the site and investigation, which included:
 - A historic resource inventory, where no significant findings were found and nothing required further study, review, or preservation on the property.
 - A tree inventory, which would also be discussed as part of the Type C Tree Plan, was also a required element that still needed to be adopted for this portion of SAP North.
 - The additional future area to the east would also need these two components adopted when the site was proposed for development.
 - The second component involved refinements. When SAP North was adopted for the remainder of future areas in Calais, the elements adopted essentially matched the Master Plan. As the designs progressed, certain elements now need to be changed from the Master Plan for a number of reasons.
 - These minor elements met the Code requirements to be designated as refinements. Therefore, the DRB could review them, eliminating the need to present them to the Planning Commission and City Council as amendments. He outlined the refinements as follows:
 - While the refinement was outside the project area, it was still within the authority to review as part of the application. As the City has progressed in the design of Tooze Rd and the safety considerations of removing one of the accesses to Tooze Rd had been evaluated, the Tooze Rd connection to the proposed Orleans Ave would be eliminated to meet the arterial standard and address safety concerns along Tooze Rd.
 - As discussed in the Staff report, circulation was assumed to be adequate enough to prevent significant congestion. There was also specific language under the refinement criteria stating that even if a change could be considered significant, if safety on an arterial was improved, it could be approved as a refinement.
 - Ultimately, the single access off Paris Ave would be connected with the initial Polygon construction. Polygon would build the street up to Tooze Rd, but the actual connection from Tooze Rd to Paris Ave would be made when the City made its improvements to Tooze Rd in the near future.
 - The next change, which involved adding green space and trails, could be done as an SAP or PDP refinement, but was instead being grouped with the other Master Plan

refinements. The refinement criteria for parks and trails were concerned with reduction in function or usability of green spaces.

- Storm facility standards would also be updated from what had been designed years ago. This had been reviewed by Natural Resources and Engineering, who supported the specific conditions regarding this design in the Staff report.
- Land use and density. Since this site was originally intended for a school, there were questions about what type of housing should be located there. When the SAP was adopted, the colors from Figure 1 of the Master Plan were adopted. Based on that, the proposal was a mixture of Large, Standard, Small, and Medium lots.
 - The aggregate land-use categories in the refinement criteria grouped medium, standard, large and estate single-family and then small single-family with smaller units, like apartments and condominiums.
 - The proposed amendment request would be just under 3 percent change from the medium, standard, and large criteria. Due to the addition of the large lots, there would be fewer smaller lots, slightly less than a 10 percent change. Staff reviewed the figures closely and was comfortable with the request. Overall, the density was reduced within the 10 percent allowed by a refinement.
- Preliminary Development Plan. He reviewed the number of housing types and the location of the Large, Standard, Medium, and Small single-family housing types within the proposed development as shown on Slide 17. A total of 63 units were proposed for Calais East in Villebois.
 - Despite working with many restraints, the design team had given this project and product mix a lot of thought, consideration, and discussion, especially given that Council was involved as one of the sellers of the property. Staff was supportive of the project and also supported placing smaller, denser lots toward the middle and locating larger lots along the edge.
 - Due to the grades, especially on the northeast corner of the site (Slide 18). Some of the larger lots in the northeast corner would have daylight basements. There were also other slopes, so other homes would be accessed by stairs similar to what could be seen in other Polygon subdivisions.
 - The vehicle circulation indicated standard residential streets, alleys, and pedestrian paths.
 - Parking. The Code standard was met by the garage parking proposed, but Slide 20 showed additional parking beyond that provided in the garages.
 - He noted the additional parking available on the southern edge of the site along Trocadero Park, right next to the skate park which the Board had previously discussed to ensure sufficient parking for the skate park along Palermo St.
- The Tentative Subdivision Plat reflected the Preliminary Development Plan. If all the lot sizes were within the allowances shown in the Pattern Book for the different types of lots.
- The Type C Tree Plan was similar to that seen in other applications in that the trees were essentially grouped around the existing single-family home and the rest of site was open.
 - A lot of thought had been given to the development's design to use grading and move the streets around in order to preserve, an important Red Oak Tree, the highest-value tree. Some smaller, less valuable trees were in the middle of the street and would be removed.
- Final Development Plan. There were two regional parks south of the site, but no neighborhood parks within this phase. A portion of the former school property had been approved to be built as Trocadero Park, Regional Park 5.
 - The pocket parks and linear greens all met the Community Elements Book standards for Villebois.
- He noted Exhibit B8, which was distributed to the Board at the dais, was an email from the Applicant requesting revisions to Conditions PDD 6 and PFE 1. His additional comments regarding the requested changes (Slide 27) were as follows:

- With regard to Condition PDD 6, he noted that grades change over time, and if a significant amount of foundation became exposed, the City wanted to ensure it was architecturally enhanced to match the design of the home, which was standard. However, because of the daylight basements, the Applicant wanted to clarify that daylight basements would have the standard siding that would otherwise be on the rear of the home, as it should not be in the public view shed.
 - As with any homes facing a street, such as Tooze Rd or Grahams Ferry Rd, whatever was visible was required to be an enhanced elevation with grids and such.
 - The requested change to Condition PFE 1 was a suggestion by the Applicant to allow for a bit more flexibility in the final design when working with public utility easements. The City Engineer was fine with the suggestion.
- He noted there had been a lot of discussion about the Red Oak Tree. Legal Staff did a final review of the application and discussed the matter with the Applicant, who understood the importance of the Red Oak and wanted to partner with the City to make sure the Red Oak was preserved. The Applicant supported a number of additions to the conditions of approval to ensure the Red Oak was protected properly during construction and that responsibility for maintenance of the Red Oak remained clear over time. He listed a number of additions to He read the following changes to the conditions into the record as follows:
 - Condition PDD 4 regarded the standard Operations and Maintenance (O&M) Agreement required in Villebois. The second line was amended to state, “the subdivision that clearly identifies ownership and maintenance for parks, *trees*, open space...”
 - He explained that the City partially owned and had agreed to help maintain Trocadéro Park when it was approved; knowing that whoever bought the property in the future would be obligated to help during the initial five-year HOA maintenance of the substantial park. Because a portion of the subject property included Trocadéro Park, the City attorney wanted to ensure both the tree and the maintenance of Trocadéro Park were reflected in the O&M Agreement; therefore the following sentence was added to Condition PDD 4:
 - **“Such agreement shall include maintenance by the HOA of Tree 70001, an important Red Oak, and a proportional share of maintenance of Regional Park 5 (RP-5) during the HOA maintenance period.** Such agreement shall be reviewed and approved by the City Attorney prior to recordation. See also Finding G4.”
 - In Condition PDF 4, additional language was also added after the word “following:” to state, **“Special care shall be taken in protecting Tree 70001, an important Red Oak along Tooze Rd.”**
 - Staff both understood and supported the City Attorney’s perspective that the City should put red flags whenever possible to highlight the fact that the Red Oak needed to be protected with every possible method.
 - He confirmed the Red Oak was in the public right-of-way and a portion of the root zone might go into Tract F, which was essentially there to protect the root zone.

Kristin Akervall asked for a definition of LOS F, which was included in Condition PFD3 on Page 13 of 112 of the Staff report that discussed the Traffic Analysis Report. She noted there had always been a lot of discussion about that particular intersection. (Grahams Ferry Rd/Tooze Rd)

Steve Adams, Development Engineering Manager, explained LOS was a measure of capacity at an intersection. City Code restricted maximum functioning of intersections, LOS D, which was about a 55-second delay in the intersection patterns. Once that time was exceeded, LOS E and LOS F were the next two measures. People get impatient waiting for the light and have to wait through a couple of cycles if the intersection was an LOS E or F, which were levels the City did not want per the City Code. Although the intersection was quiet now, the traffic engineer has said that once Villebois was completely built out, a signalized intersection would be needed because stop signs would not allow drivers to get through the intersection in a reasonable time during the PM Peak Hour. Those plans were being designed now. The

condition was included because City Code required improvements to be planned and funded for developments to be approved past LOS D. The condition essentially noted that per City Code, Staff was working to get a signalized intersection installed prior to the intersection becoming too congested.

- He confirmed the estimated time for completing the construction was summer 2018, as stated in the condition. The initial condition from a couple of years ago stated the improvements would be completed in 2016 but they were not, due to funding, design changes, the acquisition of right-of-way, and additional City construction projects being undertaken in 2017.
 - The Kinsman Road Extension would begin within the next year, impacting Barber St and Boeckman Rd, which would be also be closed down for six weeks to two months for construction of a roundabout. Rather than having Boeckman Rd closed once for the roundabout and then closed again for street improvements on Tooze Rd and Grahams Ferry Rd, the City decided to push the construction back to limit the impacts in any given year to the citizens and businesses using Boeckman Rd.
- He did not have a sense of how long it would take before the intersection became congested, but noted the market had been good and Polygon anticipated building 300 plus homes a year. The City's goal was to complete the improvements sooner rather than later. While congestion was not currently a problem, it could be a delayed problem going forward.

Chair Fierros Bower asked for confirmation that all the proposed streets were 59-ft wide and could accommodate two rows of parked cars. She noted one street on Slide 20 looked crowded where the vehicles were placed graphically.

Mr. Adams replied the only street less than the standard width for two cars was Palermo St. He agreed Oslo St did look tight on the visual, but if built like the other streets, cars would be able to park on each side and also drive through. Oslo St was a completed street west of Paris Ave and he had never noticed a passing problem on that section. Oslo St should be the same width as it crossed the new piece of development.

- The L1 street cross-section was the same width due to a previous DRB concern about parking in front of the skateboard park. Parallel parking would be added for four or so cars by the future skateboard park in that regional park. Palermo St shrinks down to a width that allows parking only on the home site side, which was per a standard that had been in place since Villebois began because the developer did not want parking adjacent to the regional parks.

Mr. Heberlein understood Paris Ave had a given street width, but directly south of that, it was identified as a narrower street.

Mr. Adams responded that was correct, adding it was a common practice for streets to narrow to 20 ft when passing through regional parks since parking adjacent to the parks was not allowed.

Barber St was the only street that was wider due to the bike lanes. Surrey St and Villebois Dr south next to the farmers' market, for example, were 20-ft wide streets to allow traffic to pass by but not any parking adjacent to parks.

Mr. Pauly added Regional Park 4 and Regional Park 5 were on the other side where the street was narrower.

Chair Fierros Bower called for the Applicant's presentation.

Fred Gast, Polygon NW, 109 E 13th St, Vancouver, WA 98664, stated Polygon had been developing in the community for nearly six years, noting it had been refreshing to work with the professionals at the City. He thanked Staff for the effort they put into the applications because it was only through a lot of

experience and a great deal of passion that they could get to the level of detail in a Staff report that was second to none in the area. Such detail allowed him to be brief in his presentation. He reviewed a short PowerPoint presentation with these comments:

- As noted by Staff, the refinement process only allowed a 10 percent limit. Polygon wanted to mirror what they developed in Calais I, namely bigger home sites, but they were limited on what could be called a medium-sized lot. While Polygon was required to have a certain number of small lots, they arranged them in such a way to have bigger houses than those typically found on a small lot. Although the land use comparisons looked different, the proposal was essentially a replay of what had been done at Calais. (Slide 1)
- The Site Plan the interaction within Calais, as well as the trees to the south in Regional Park 5 (RP-5), which Polygon would also be building.
- Architectural examples of homes Polygon had built in Calais 1 were displayed. These elevations would be carried forward into Calais 2, which included alley-loaded and front-loaded home sites.
- He noted Villebois was named by John Burns Real Estate Consulting, the biggest name in real estate consulting in America. Villebois was #45 of the top 50 Master Plan Communities in the United States but was Number 1 in the Pacific Northwest. More homes were sold in Villebois' Master Plan than any other in the Pacific Northwest, which demonstrated that the developers were doing something well here. The four builders in Villebois collectively achieved that result, which was something to be very proud of considering what was happening six years ago.

Ms. Akervall asked about the green space shown between Barcelona and Oslo St on Slide 1. She understood the houses would be facing each other and believed the green space looked pretty narrow.

Mr. Gast replied the green space was not as narrow as one might think; it was wider than an alleyway. The homes were set back off of the green and had front yard areas. Ideally, the Applicant would have preferred to have a street there, but there was not enough room, so they created a green street with richer landscaping, which had been done in other areas of Villebois; some being wider and some the same size. Polygon had heard differing opinions from its customers, but some people like the notion of having a front porch and watching their kids or a neighbor's children out in front. The same scenario had been developed at other communities outside of Villebois. It was not ideal, like being on Palermo St looking across the street at the park, but some people would prefer not to have to look at the skate park and would rather have a more close-knit community, so that would work for them.

- He confirmed there would be sidewalks in front, joining the homes and creating a courtyard feel.

Chair Fierros Bower asked if a detention pond was planned for the east side of the green space area.

Jim Lange, Pacific Community Design, clarified it was a rainwater facility, which was more for water-quality with a shallow depression, about 1-ft to 18-inches deep, containing wetland-like plants.

Mr. Heberlein asked what drove the decision to have the small sliver of open space between two properties shown on Slide 1 as a green tract near Amsterdam Ave.

Mr. Lange replied it was included to address the block standard because the block slightly exceeded the block standard. Given the distances between Barcelona St and Palermo St, the Code required that a pedestrian tract be included.

Mr. Heberlein asked what landscape treatments would be used and who would be responsible for maintenance.

Mr. Lange replied the homeowners association would be responsible for maintenance. The tract would include a sidewalk, shrubs, grass, and bark dust. He confirmed the tract was 15-ft wide and was in the Final Development Plan.

- He confirmed that Detail #4 on Sheet L2 of the Final Development Plan was correct, and that the sidewalk would terminate at the property line and then extend when the other side was developed, which was expected.

Mr. Heberlein asked how the expectation that it would be developed into a sidewalk connecting to another development was defined.

Mr. Pauly explained the streets north and south of the parcel were also connecting, so the same issue regarding a mid-block crossing would exist on the other half of the block in the adjacent development. It made sense that the sidewalk would be continued because a mid-block crossing would be required in the next property. He clarified that developer would be required to place a mid-block crossing in the same location.

Chair Fierros Bower called for public testimony in favor of, opposed and neutral to the application. Seeing none, she closed the public hearing at 8:21 pm.

James Frinell moved to approve Resolution No. 321 with the conditions noted in the Staff report and the amended conditions read into the record by Dan Pauly. Ronald Heberlein seconded the motion, which passed unanimously.

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

VIII. Board Member Communications

A. Results of the January 25, 2016 DRB Panel B meeting

Daniel Pauly, Associate Planner explained Panel B had approved the first project, a behavior health facility, in the Coffee Creek Industrial Area within the Day Road Overlay which was now headed to City Council. It was a nice-looking building and included public art at the corner so the project should make a nice statement at the Coffee Creek entrance at the southeast corner of Day Rd and Boones Ferry Rd while also providing a needed service.

James Frinell noted an article in the *Wilsonville Spokesman* stated the original zoning was industrial and asked if a hospital was considered industrial.

Mr. Pauly confirmed the property had originally been zoned for industrial and that had not changed. Specific findings from by the Planning Director found that it was not only industrial, but also a regionally significant industrial area; therefore, some findings related to the number of jobs, the ability to provide off-peak trips, and a performance-based approach that provided the high-density as well as high-wage employment the City was looking for from industrial land. Both Staff and the DRB were comfortable with the findings used to support the use in that zone.

IX. Staff Communications

Daniel Pauly, Associate Planner, introduced Fred Ruby, a recent appointee to DRB Panel A.

Fred Ruby introduced himself to the Board, adding the combination of reviewing public and private projects allowed him to see how the Board worked. He stated he had been a resident since September 2015 and has enjoyed exploring Wilsonville. Originally from Beaverton, he was an attorney and recently

retired from being a government attorney with the Oregon Department of Justice, adding he had enjoyed his occasionally interactions with cities and counties. He looked forward to serving on the Board.

Chris Neamtzu, Planning Director, noted he would see some Board members at the SMART Growth Conference this coming weekend in Portland.

X. Adjournment

The meeting adjourned at 8:27 p.m.

Respectfully submitted,

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