

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

**Development Review Board – Panel A  
Minutes–December 14, 2015 6:30 PM**

<p><b><u>Approved</u></b> January 11, 2016</p>
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**I. Call to Order**

Vice Chair **Kristin Akervall** called the meeting to order at 6:32 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: Kristin Akervall, James Frinell, Ronald Heberlein, and City Council Liaison Julie Fitzgerald. Mary Fierros Bower and Lenka Keith were absent.

Staff present: Blaise Edmonds, Barbara Jacobson, Steve Adams, Kristin Retherford, Daniel Pauly, and Jennifer Scola.

**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**

**Councilor Fitzgerald** highlighted City Council’s recent activities and actions and directed the Board to refer to the *Boones Ferry Messenger* and City Council’s meeting minutes for greater detail.

- City Council would meet with the City of Tualatin’s City Council on December 16th to make recommendations regarding the border and land uses for the areas in between the Cities of Tualatin and Wilsonville. A consensus was needed regarding the best way to arrange those areas to accommodate commerce, transportation, and residential uses.
- On December 7, 2015, Council continued discussion about the results of Measure 91, which legalized marijuana in the State of Oregon, and how that would impact the City of Wilsonville. Council decided to hold a public vote through Resolution 778 to determine whether the sale of medical and recreational marijuana should be banned in the City of Wilsonville.
- The Frog Pond Master Plan was approved.
- The voters approved establishing the Coffee Creek Industrial Area, a tax increment financing urban renewal area for industrial development, so work would commence on that.
- The Willamette Water Supply Project had also begun. This long-term project involved constructing a 30-mile pipeline between Wilsonville and Hillsboro that would serve primarily, Hillsboro and Beaverton, and the cities in between.

**VI. Consent Agenda:**

- A. Approval of minutes of October 12, 2015 DRB Panel A meeting

**Ronald Heberlein moved to approve the October 12, 2015 DRB Panel A meeting minutes as presented. James Frinell seconded the motion, which passed unanimously.**

**VII. Public Hearing:**

- A. **Resolution No. 318. Brookeside Terrace – Villebois Phase 8 Central: Polygon WLH, LLC – Applicant.** The applicant is requesting approval of a Zone Map Amendment from Public Facility (PF) Zone to Village (V) Zone, a Specific Area Plan – Central Amendment, Preliminary Development Plan, Final Development Plan and Tentative Subdivision Plat for

the development of row houses in Phase 8 of SAP-Central. The subject property is located on Tax Lot 3200 of Section 15AC, T3S, R1W, Clackamas County, Oregon. Staff: Daniel Pauly.

Case Files:	DB15-0063	Zone Map Amendment
	DB15-0064	SAP Central Amendment
	DB15-0065	Preliminary Development Plan
	DB15-0066	Final Development Plan
	DB15-0067	Tentative Subdivision Plat

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

**Vice Chair Akervall** called the public hearing to order at 6:40 p.m. and read the conduct of hearing format into the record. Kristin Akervall 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, AICP, 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, briefly noting the project's location and describing the application components being reviewed for Brookeside Terrace, a 50-row home development and Phase 8 of Villebois Central, with these key comments:

- Zone Map Amendment. The Comprehensive Plan designation was residential village, and at the time of development, the only option for zoning designation was Village, which Staff recommended for approval by the DRB and what the Board would be recommending for approval to City Council.
- SAP Central Amendment. The subject site was previously Phase 13, the last phase of SAP Central, but it was now proposed to be Phase 8, which made sense because it was surrounded by existing development or development that has been approved or under construction. Developing the subject property now made sense because of the existing utilities and infrastructure.
- Preliminary Development Plan. The development was comprised of approximately 2.25 acres with 50 row houses and .62 acres of parks and open space. All of the row houses would face tree-lined streets and green spaces.
  - The sloping site was accommodated by an open space proposed along Berlin Ave and tuck under parking for the row houses on Costa Circle. From the alley, the row houses were a three-story structure, but a two-story structure from the street due to the grade difference.
  - There was existing vehicle circulation on the streets and an existing alley, and an additional alley was proposed to provide vehicle access to the back of the units.
    - A number of paths were also proposed, including an 8-ft path down the middle of the block that had a marked crossing at the alley and then crossed the foot bridge. (Slide 8)
  - Villebois parking standards required one spot per unit. All of the proposed units had at least one parking spot. The homes along Costa Circle have tandem spots inside and 22 of the 50 homes have exterior parking spaces. Additional parking was also available along Berlin Ave and Costa Circle. In total, the parking was more than double the amount required by the Villebois Code.
  - Also proposed was a refinement to the density and housing mix. The original 2006 approval allowed for 79 units, however only 50 units were proposed, which was a change of 5.63 percent that fell within the numerical allowances of the Code for a refinement to the densities. Staff recommended approval of this refinement.
    - A refinement to the housing mix was also proposed. The housing mix in Villebois was grouped into two aggregate land use categories: medium lot, single-family and larger and

- small lot single-family and smaller. In the Village Center, everything was the same category whether village apartments or row houses. Obviously, not every row house or apartment in the Village Center could become a detached small, single-family, so being in that aggregate land use category, other subjective elements needed to be considered such as urban form.
- In the original plan, the village apartments were going to be two- to three-story apartments. Proposed were longer, two- to three-story buildings and all had similar architecture so they went together as a unit. In terms of urban form and such subjective design elements, it was very similar to the layout of an urban village apartment layout and would provide more home ownership opportunities at a more affordable price. Therefore, Staff recommended approval of this housing mix change.
  - Final Development Plan addressed landscaping and architecture. All of the landscaping had been professionally designed and met the Villebois design standards. He described the features of the sloping pocket park (Slide 13), noting the rainwater facility/creek, footbridge, and outlook.
    - New architecture, a Craftsman style, American Modern design, was proposed for the buildings that had not been approved yet for the Village Center. Each unit had a front porch and the buildings varied from two to six units. The design met the Village Center Architectural Standards, and had also been reviewed and approved by Steve Coyle, the City's consultant/architect for Villebois.
  - Tentative Subdivision Plat illustrated the lots, easements, and everything needed to allow for development of the project as proposed.
    - The Village Center included a number of neighborhood level amenities, such as the Piazza and Montague Park, and the City wanted to ensure that those living next to these private facilities contributed to the cost of maintaining them. A specific condition was proposed that would require Polygon to work with the Village Center Master Association or another association to come up with the pro-rata share for maintenance of these facilities. The condition made the City's interest and the requirement clear, yet it allowed flexibility for the parties to come to a mutual agreement on how to best handle that maintenance. This new language was presented in Exhibit A3, which was distributed to the Board.
  - He reviewed the proposed revisions to the Staff report as noted in his memorandum dated December 14, 2015, which was entered into the record Exhibit A3, and included the new condition proposed to address maintenance of the private facilities in the Village Center.

**Ron Heberlein** confirmed the entrances to the park were accessed by a stairway. He asked if any consideration was given for ADA compliance, and how this was handled in other sloping areas of Villebois.

**Mr. Pauly** responded there were ADA requirements for public areas, but these areas were private. The Applicant would be required to meet any applicable ADA requirements, such as with alternative paths. He indicated an access from one alley where no stairs were proposed, noting that stairs were necessary due to the slope, otherwise numerous switchbacks would be needed. He deferred to the design team to provide more information.

**Vice Chair Akervall** called for the Applicant's presentation.

**Fred Gast, Polygon Northwest, 109 E 13th Street, Vancouver, WA 98660**, noted Polygon had been before the Board a number of times and had extensive experience in Villebois. He could not add much more than what Mr. Pauly had presented and commended Staff for doing a great job presenting Polygon's proposals. He provided the following key comments, referencing several PowerPoint slides:

- Polygon had learned through their experience with Villebois and the City that the major tenants of Villebois needed to be upheld, specifically connectivity, diversity, and sustainability, about which the community also had consensus.

- In the earlier part of this business cycle, there had been extensive apartment development. Moving forward, it was important to look for more opportunities to bring more for sale, owner-occupied homes into the fabric of the entire community, not just Villebois.
- The proposal took a site that was designated for urban apartments and converted it into for sale housing while staying within the context of the Villebois Master Plan; it proposed the same family of uses targeted for the site. However, it went from a rental to a for sale component to allow for more first time home buyers, which was important as it provided a stepping stone for getting into the community. Polygon's vision was to enable residents to move up or down in their housing choices all within the Villebois community.
  - He reviewed a few elevations, noting the tuck under homes near Costa Circle that had a two-story orientation from the street and involved tandem parking to provide additional parking on site. Parking was an important component of development, which was why the proposal exceeded the minimum standard.
  - The three-story building was fairly commensurate with what Polygon had developed on adjacent sites. The approved design, including the two-story orientation of the Craftsman, stayed within the important tenants of Villebois, but also accommodated the desire of the community wanting more owner-occupied homes.

**Vice Chair Akervall** asked about the ADA accessibility of the proposed greenspace in this area.

**Jim Lange, Pacific Community Design, 12564 SW Main Street, Tigard, OR 97223**, displayed the Planting and Street Tree Plan Sheet L1 (Slide 6), noting the significant grade across the site. He explained how one would be able to access the greenspace, indicating the staircases that corresponded to the proposed wall. One could go down from the units and around to reach the lower area, and come up from the street the same way, which met meet ADA accessibility requirements.

**Vice Chair Akervall** confirmed that parking space was available behind the garages of the homes in the middle of the site. Where parking was not available behind the garages on Costa Circle West, tuck under spaces were provided. She asked what parking was available for the homes on Villebois Drive, where on street parking was not allowed.

**Mr. Gast** answered the homes did not provide tuck under parking because these homes had living spaces on the first floor. Because Villebois Drive was a principle entry point into the community, the decision was made to put the living space on the first floor rather than a parking space with a faux front door into the garage.

**Vice Chair Akervall** confirmed there would be six units on Villebois Drive without onsite parking.

**Mr. Gast** clarified there was also a duplex across the alley adjacent to the park with the same parking situation, and all the rest of the homes had two parking spaces.

**Vice Chair Akervall** confirmed adjacent parking was available on Berlin Street for the duplex and that all of the units would be for sale rather than rental units. She said she liked the greenspace and the building designs, but reiterated the importance of providing single-floor living in Villebois to accommodate those who have that need.

**Mr. Heberlein** asked how many on street parking spaces were available in the development.

**Mr. Lange** referenced a table on the Parking Plan (Sheet 8), which was entered into the record as Exhibit B3. He explained that a total of 120 parking spaces were provided for 50 units as follows: eight units had a one-car garage for a total of eight parking spaces; 20 units had two-car garages for a total of 40 parking

spaces; and 22 units had a one-car garage and one driveway space, all of which totaled 92 parking spaces, in addition to the 28 on street parking spaces.

**Mr. Heberlein** confirmed that the Code only required 50 parking spaces. He noted his concern was the eight homes that had no parking could have two cars per home, which would take 16 of the 28 on street parking spaces, leaving only 12 on street parking spaces.

**Mr. Gast** clarified that each of the eight units had its own space, so if two parking spaces were wanted per unit, there would be eight additional on street parking to accommodate the second vehicle.

**Vice Chair Akervall** noted each of the units had a one-car garage.

**Mr. Heberlein** confirmed nothing showed where the different building colors would be located in the development and asked when this would be defined.

**Mr. Lange** replied that normally occurred at building permit.

**Mr. Pauly** commented the idea was that the same colors would not be adjacent to one another. In this case, none of the same unit types were across the street on any side. There were rules of adjacency and since this issue should be considered, he suggested adding a condition to follow the rules of adjacency to prohibit similar colors to be adjacent or across from each other. He mentioned that sometimes, it did make sense to have a row of homes of the same color that share the same design.

**Mr. Gast** explained Polygon's approach was not to have the same house next to another with the same color because it took away from creating texture in the community. Multiple color schemes were being used to work collaboratively together, but would not to be used repetitively. The rule of adjacency that had been used in Villebois for years was what Polygon wanted anyway and was reviewed at the building permit stage.

**Mr. Pauly** confirmed that color was typically reviewed at this stage, but that was not something that Staff caught.

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

**Rudy Kadlub, Costa Pacific Communities, 11422 SW Barber Street, Wilsonville, OR**, commented that they were pleased with the diversity of the architecture and diversity in the design of the product and site plan. The site had a commanding view of Mt. Hood, and the open space provided long sight lines for most of the homes included in the site plan. The homes on Costa Circle front onto Montague Park, so there were no adjacency issues there. With regard to the shared costs for the homeowners association (HOA), he and Mr. Gast had worked together with the City to come up with an acceptable solution. He suggested a slight language change to replace Piazza Park, Montague Park, and the mail room with "all private parks and open spaces and any additional amenities currently or to be built, in the Villebois Center ." He noted as an example that the linear park connecting the Piazza to Sophia Park was a private open space.

**Mr. Pauly** understood this was still a discussion point. The City's biggest interest was in the neighborhood level amenities. There might be additional amenities such as the linear green between Sophia Park and the Piazza that might rise to that level, but on the other hand, a number of small pocket parks in these phases might not. From Staff's perspective, either language would cover the City's interest, but he sought input from the Applicant and Mr. Kadlub, representing both the developer and the Village Center Master Association about the appropriate language.

**Mr. Kadlub** believed he and Mr. Gast were in agreement that they were just trying to find the appropriate words. Their intent was to work in good faith to develop an agreement that was fair and proportionate. He just did not want to limit the language to the three specific things, because other items needed to be agreed upon; only the items that would benefit the homes that would be built on the lots that were subject to the application.

**Mr. Gast** noted that Mr. Kadlub had put in a lot of work into Villebois and had added value to the community. The overriding issue was that the amenities being created in Villebois added value in and of themselves. Rather than take the position that Polygon had not contemplated passing those types of liabilities to its customers, they were selling to people who understood those features as well, which was why they buy in Villebois. Where there was a common interest in making sure those amenities were constructed and maintained for the benefit of everyone in Villebois in particular, Polygon was obligated to look out for the long-term interests of their customers. There needed to be an equitable arrangement where Polygon and its customers would contribute financially to the appropriate stewardship of those resources. He did not believe the Applicant was in complete agreement on whether Polygon's customers had as much interest in the amenities farther away from them and whether there had been any consideration about the existing homeowners in Villebois in amending their financial contribution to take care of amenities Polygon would be building. It was all open for discussion. He did not care for the condition, but he would agree to it because it was in the spirit of what was to be achieved at Villebois. Before signing off on a blank slate, and to be more inclusive, he would need a lot more detail. There were certain aspects open for discussion, and given Polygon's experience in working with the City and Mr. Kadlub, certainly others could be entertained, providing the Applicant had an understanding of value and equity and how that would affect Polygon's customers. He was that representative before the Board, and he had to consider it from that perspective. If Polygon's customers did not believe it was equitable, they would be asking why he did not look out for their interests as well as they believed he should. The condition in place was acceptable, and expressed his commitment to consider anything that made sense from his customer's point of view.

**Mr. Pauly** confirmed that Mr. Kadlub had received the latest version of the language for the condition on Exhibit A3.

**James Frinell** noted Exhibit A3 discussed neighborhood level amenity and asked for a definition of neighborhood level, adding that although neighbors could utilize the water feature in the proposed development, it was not identified by Staff as a neighborhood level amenity.

**Mr. Pauly** explained there were specific levels of parks in the Villebois Master Plan. The Piazza and Montague Park were both identified in the Villebois Master Plan as neighborhood level parks. Smaller facilities, such as pocket parks and, he believed the linear greens connecting the parks, were considered block level amenities versus neighborhood amenities. The neighborhood referred to the central neighborhood not necessarily the entire Villebois neighborhood. Larger parks, such as Edelweiss Park and Trocadero Park, were called regional parks and were meant to serve all of Villebois and the City. From that perspective, he believed neighborhood level was well defined in the Villebois Master Plan. Specific language identified the mail room as a Village Center level amenity that would serve the entire Village Center. He believed there could be some language that either identified an amenity as a neighborhood park, or clearly identified it in the Master Plan or other approval documents as serving the entirety of the Village Center. There could be some flexibility if other amenities might be identified that clearly served the entire Village Center. The rationale was that the three items listed were amenities identified specifically as a neighborhood level or Village Center level amenity.

**Vice Chair Akervall** asked if Fir Park, which was right across the street, was in a different neighborhood.

**Mr. Pauly** confirmed Fir Park was a neighborhood park that was in SAP East, a different neighborhood.

**Vice Chair Akervall** asked how to best handle the new language that related to Exhibit A3.

**Mr. Pauly** offered to draft the new language based on any input received.

**Mr. Kadlub** suggested adding linear green to the list because it was the only other space that was more neighborhood oriented. The existing pocket parks were designated and paid for by those adjacent to or surrounding them, including apartments which maintain some pocket parks. Alleys, which were private, were paid for and assessed by the homes utilizing the alley. The linear green, Montague Park, the Piazza, and the mail area were the four items, so if the language was going to enumerate the amenities, then the linear green must be included; otherwise, it should state all private neighborhood amenities.

**Mr. Pauly** noted the new 8-ft path connecting the Piazza to Montague Park, which was similar to a linear green, was not in the Villebois Master Plan and might be another area that needed to be added to the list.

**Mr. Kadlub** clarified the 8-ft path was actually connecting Sophia Park, the Piazza, and Montague Park. He explained he did want the language to limit what they were doing. He and Mr. Gast agreed that they wanted to ensure the areas were maintained, and that it would be equitable for Polygon's homeowners, as well as the existing homeowners. The Applicant did not want to decrease the denominator so much that the rate increased for any particular group unfairly.

**Mr. Gast** believed he made his position clear, adding it was unfortunate to be having the conversation here. There were many amenities Polygon was building or had committed to build that were not included in the equation, and that was why the dialogue for those things not designated as neighborhood parks, which were clearly enjoyed by everyone, was needed. However, there were special amenities, like the park he had mentioned or the Woonerf, which was approved previously and also a private amenity. He believed keeping the condition as presented would still allow for the conversation, but there were lots of amenities in Villebois and he did not believe they should create a lengthy list and start doing math at this time.

**Mr. Kadlub** agreed.

**Mr. Pauly** asked if Mr. Gast would be open to adding that linear green, noting the original Villebois Master Plan showed the Piazza, the linear green, and Montague Park as the three green spots on that map.

**Mr. Gast** asked how the Woonerf was designated.

**Mr. Pauly** responded it was a similar thing. He believed the DRB understood the character of the various viewpoints and the options. The clearest path was to identify what was most clearly designated as neighborhood facilities, the two parks and the mail facility. If the Applicant believed other amenities rose to that level, then the DRB could add those as well.

**Mr. Heberlein** asked how other developments were handling such situations because this was not the first time the Board has had to determine what should be covered under shared maintenance agreements.

**Mr. Pauly** replied these issues were handled through O&M agreements. He noted the two private parks in question, the Piazza and Montague Park, were probably the most expensive, in terms of improvements, administration, and long term maintenance, of the Villebois Master Plan area. Other larger parks with shelters, for example, were being turned over to the City, eventually. These two parks were also private

long term and more involved than a typical neighborhood park like Fir Park. In areas with a swimming pool, for example, a master association had been set up where different HOAs contribute to that shared amenity, which was typical in many neighborhoods, not just Villebois. Staff raised the issue because these amenities were expensive to build and maintain over time, and Staff wanted to be sure it was financially feasible for the homeowners to maintain the amenities over time and that those living adjacent to them were contributing to these neighborhood level amenities.

**Mr. Gast** added this was why the Applicants were not happy with the condition, but were okay with it.

**Vice Chair Akervall** quoted Staff's comments regarding the revised language proposed for Condition of Approval PDE 4 from Exhibit A3, stating, "to allow additional flexibility for private parties to work out agreement of how proposed lots will contribute to neighborhood level amenities in the Village Center, particularly the Piazza, Montague Park, and shared mail facilities." However, the actual language for Condition PDE 4 specifically listed the Piazza, Montague Park, and the Village Center shared mail facilities, instead of language regarding "neighborhood level amenities".

**Mr. Pauly** suggested adding the language "and any other amenities agreed upon by the impacted parties."

**Vice Chair Akervall** agreed that went back to the text she read earlier from Staff's comments.

**Mr. Pauly** noted the language might be refined at City Council after the parties had more time to work it out. He confirmed there would be a similar condition on the next application as well.

**Mr. Kadlub** agreed to the suggested language.

**Mr. Gast** agreed Polygon also agreed to the suggested language.

**Mr. Frinell** commented that he saw no difference between the expressed purpose of Condition PDE 4 in the Staff report and the suggested language in Exhibit A3. He suggested adding the last sentence of the language proposed in Exhibit A3 to the original Condition PDE 4 in the Staff report.

**Mr. Pauly** said he appreciated everyone's patience in working through the matter, adding it was one thing that parties had not completely agreed upon. He clarified that the language not in quotes was his explanation of the proposed revision to Condition PDE 4 and the language in quotes would be the actual condition of approval.

**Vice Chair Akervall** closed the public hearing at 7:38 pm and called for further discussion.

**Mr. Heberlein** sought confirmation about what, if any, changes would be made to the language in Exhibit A3.

**Vice Chair Akervall** said she appreciated Mr. Frinell's desire to simplify and use the original language in Condition PDE 4, but she believed there was a purpose for drafting the additional language, which addressed some of the points discussed and put a bit more pressure on the Applicants, so she wanted to honor Exhibit A3 with the additional language suggested by Mr. Pauly.

**Mr. Pauly** read the proposed language to be added to the revised Condition of Approval PDE 4 in Exhibit A3 into the record as follows, "...contribute a pro rata share of the costs and administration and maintenance of Piazza Park, Montague Park, and the Village Center shared mail facility adjacent to the Piazza, *and any other amenities agreed upon by the impacted parties*. The pro rata share is..."

**James Frinell moved to approve Resolution No. 318 with the terms and conditions noted in the Staff report as amended by Exhibit A3 and including the language added to revised Condition PDE 4 in Exhibit A3 as read into the record by Staff. Ron Heberlein seconded the motion, which passed unanimously.**

Vice Chair Akervall read the rules of appeal into the record.

- B. Resolution No. 319. Camden Square and Royal Crescent at Villebois – Villebois Phase 9 Central: Polygon WLH, LLC – Applicant.** The applicant is requesting approval of a Zone Map Amendment from Public Facility (PF) Zone to Village (V) Zone, a Specific Area Plan – Central Amendment, Preliminary Development Plan, Final Development Plan, Tentative Subdivision Plat and Type C Tree Plan for the development of row houses in Phase 9 of SAP-Central. The subject property is located on Tax Lots 3000 and 3400 of Section 15AC, T3S, R1W, Clackamas County, Oregon. Staff: Daniel Pauly.

Case Files:	DB15-0068	Zone Map Amendment
	DB15-0069	SAP Central Amendment
	DB15-0070	Preliminary Development Plan
	DB15-0071	Final Development Plan
	DB15-0072	Tentative Subdivision Plat
	DB15-0073	Type C Tree Plan

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

Vice Chair Akervall called the public hearing to order at 7:43 p.m. and read the conduct of hearing format into the record. Kristin Akervall 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, AICP, 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, briefly reviewing the project's location and describing the application components being reviewed for Camden Square and Royal Crescent at Villebois Square, the two blocks that comprised Phase 9 of Villebois Central, with these key comments:

- The Zone Map Amendment regarded rezoning the former Dammasch State Hospital property to Village along with the rest of Villebois.
- SAP Central Amendment. Changing the site to Phase 9 made sense given the adjacent development and available utilities. The new phasing resulted in development closing in on the Piazza. Mixed-use buildings were anticipated around the Piazza as the final phase of the Village Center at this point.
- Preliminary Development Plan. The two blocks had a total of 82 units situated around alleys. He noted the pedestrian circulation created in Camden Square via a midblock crossing that would connect along a future street to the Piazza and up to Montague Park for a nice connection through the middle of the Village Center.
  - The curvilinear nature of the Village Center resulted in some unique lot shapes, the change from apartments to row houses and the proposed layout with some homes oriented into the middle of the block. These row houses faced the sidewalk with a green space and included rear decks to allow for some lively activity and interesting architectural amenities on the rear of the buildings.

- Parking. All of the units had parking spaces either in the back, directly adjacent to on street parking, or both. More than twice the amount of Code required parking was available on site or on the adjacent street.
- The refinement to the proposed density and housing mix would reduce the number units from 134 to 82 units, which actually resulted in being only one unit above the 1,010 units in the original SAP Central approval and was within the confines of the changes allowed in the original SAP approvals.
  - All the proposed row houses were in multi-story buildings and replaced four different unit types: village apartments, specialty condos, urban apartments, and condos. (Slide 12) He noted the specialty condos anticipated that something else would be built there to allow for the adaptive reuse of the now demolished Dammasch State Hospital buildings.
  - In terms of urban design, the multi-story buildings would have a similar mass from the street and provided a homeownership opportunity.
- Final Development Plan. He noted the nicely landscaped central pathway in Camden Square creating the key connection to the Piazza and beyond. A tree located in the middle of Paris Avenue would be preserved that was part of the Dammasch campus years ago. (Slide 13)
  - The landscaped central area in the Royal Crescent at Villebois proposal would provide a nice area for residents in the central row of homes to look upon. One tree was being preserved in the Royal Crescent block as well.
  - The central pathway would have an interesting pave pattern and other key landscaping elements included, scored concrete crosswalks, benches, and lighting fixtures. (Slide 15)
- Given the developments' location across from Montague Park, similar architecture was proposed as Brookside Terrace, however, there was a mixture of American Modern Craftsman and London styles. The London was more urban looking and had been proposed in another phase not yet built. This architectural style faced out onto the Courtyard Address, which had been envisioned to have the old Dammasch building as the head of it, but now, the three-story, London style row house was proposed.
  - While the proposal met the Village Center Architectural Standards, some additional discussion was included in the Staff report regarding the Courtyard Address since the buildings envisioned by the Courtyard Address no longer existed.
- The Tentative Subdivision Plat was laid out to support two the subdivisions, Camden Square and Royal Crescent at Villebois.
  - He recommended adding language to revised Condition of Approval PDE 9 in Exhibit A3 as follows, "...contribute a pro rata share of the costs and administration and maintenance of Piazza Park, Montague Park, and the Village Center shared mail facility adjacent to the Piazza, **and any other amenities agreed upon by the impacted parties**. The pro rata share is..."
- Type C Tree Plan. Many trees were either dead or in poor condition, and Staff recommended the removal of many moderate birch trees because they were not sustainable long term. Two trees would be protected from removal. One was offsite and in good condition. The other was considered to be in moderate condition and was not a birch tree.
- He reviewed the revisions to the Staff report at listed in his memorandum dated December 14, 2015, which was entered into the record as Exhibit A3, noting the additional language added to Condition PDE 9 as mentioned. Additional amendments were also noted as follows:
  - Some headings for the conditions of approval in the Staff report need to be corrected to state, "~~DB14- DB15-~~".
  - The City Engineer recommended adding language to the end of Condition PFA 9 stating, "**and a 1.5 inch top lift of asphalt concrete on Orleans Avenue adjacent to the development.**"

**Blaise Edmonds, Manager of Current Planning**, understood the City's and Applicant's engineers had discussed the change to Condition PFA 4 and that the Applicant was agreeable.

**Mr. Heberlein** asked for more information about the Transportation Study, why the project was limited to no more than 43 New PM Peak Hour Trips, as stated in Condition PFA 2, and what actual trips were resulting from the development.

**Steve Adams, City Developing Engineer Manager**, explained that Condition PFA 2 was a standard condition used by the City for years that was based on the number of expected trips as provided in the National Traffic Engineers Manual. DKS Associates, the City's traffic engineer, added these trips to traffic models of the city to have a better understanding of when an intersection might become overly impacted and that changes might be needed. In a typical unit like this, the calculation was based on just over half a trip per unit in the PM Peak Hour, which was 4 pm to 6 pm; essentially, one vehicle for about every two units was expected to come to or leave that complex. He did not know how accurate that figure was for each individual area, but the figures were based on national studies of similar development. A follow-up study would be done in the future to understand the accuracy of the actual model used to predict how much traffic would be generated at a particular intersection.

**Mr. Heberlein** confirmed that numbers were based on the number of row houses the Applicant proposed for the development, not what was originally planned for the area.

**Vice Chair Akervall** confirmed the findings of the follow-up studies were used to adjust future traffic predictions.

**Mr. Adams** added the predictions were taken out of a national transportation engineers' multivolume book of similar establishments which was updated every two to three years. Traffic at intersections located in the City was reviewed on a regular basis to see how it was functioning and compare it to how it was predicted at the time. It provided an indication of when improvements need to be implemented, such as adding a stop sign or traffic signal.

**Mr. Heberlein** asked if anything defined what elevations were going to go in which locations.

**Mr. Pauly** replied that Sheet 2 of the Final Development Plan, which was Exhibit B3, indicated which buildings had London or Craftsman architecture. The Craftsman buildings were on the opposite side of Montague Park where there would be three-story Craftsman on the south side and the two-story Craftsman on the north side. The London buildings were on Villebois Drive North, where the London architecture was also across the street, creating a consistent look along that corridor. He indicated the locations of the proposed architectural elevations on a displayed map.

**Vice Chair Akervall** called for the Applicant's presentation.

**Fred Gast, Polygon Northwest, 109 E 13th Street, Vancouver, WA 98660**, thanked Staff for their work on the application, noting the application regarded many of the same themes addressed in the prior application. He presented the application via PowerPoint, indicating the proposed architectural styles referencing the Site Map on Slide 3 as follows:

- Adjacent to the northwest section of the subject site was more of an English and French style architectural design which transitioned into a harder urban edge moving closer to the Piazza in the center of Villebois as did much of the density and type of use, going from for sale units to apartments, so the Applicant could provide the architectural experience seen in a more urban area.
- He indicated the location of the Woonerf, which took on a very urban edge with hard brown stone and potential live/work units, noting that the London style was to the north of that block, so the Applicant was mirroring what was left in the hole of the donut.

- In moving closer to the Woonerf, there was more condo-style, single-story elevator served, type uses as mentioned in the prior hearing. Everyone had envisioned much larger buildings closer to the Pizza and he believed the Applicant was building that scale with the proposed applications to frame to frame what would be going on at the move urban core of this part of Villebois.
- He noted there was more of a small lot, single-family style development on the north side of Costa Circle which transitioned into a more densely developed townhome-style of housing, to complement that single-family view. And then, behind the townhomes, the transition was to a more dense, more urban elevator served type structures, and then to the very core of Villebois.

**Vice Chair Akervall** confirmed there were no questions of the Applicant and called for public testimony in favor of, opposed and neutral to the application. Seeing none, she closed the public hearing at 8:10 p.m.

**Ron Heberlein moved to approve Resolution No. 319 with the addition of Exhibit A3, including the language added to revised Condition PDE 9, as noted by Staff, and the recommended amendment to Condition PFA 4 per the City Engineer. James Frinell seconded the motion, which passed unanimously.**

**Vice Chair Akervall** read the rules of appeal into the record.

**Vice Chair Akervall** called for a brief recess and reconvened the meeting at 8:18 pm.

- C. Resolution No. 320. Grahams Ferry Road right-of-way, Tooze Road right-of-way and Chang Property Annexation: City of Wilsonville and Allen T. Chang – Owners.** The applicants are requesting approval of an annexation of public right-of-way and territory located at the northern edge of Villebois of the city of Wilsonville, Oregon. The public right of way and territory is more particularly described as SW Grahams Ferry Rd, SW Tooze Rd and Tax Lots 700, 800, 900 and 1000, of Section 15, 3S, Range 1W, Willamette Meridian, Clackamas County. Staff: Blaise Edmonds

Case Files: DB15-0083 Annexation

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

**Vice Chair Akervall** called the public hearing to order at 8:18 p.m. and read the conduct of hearing format into the record. Kristin Akervall 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.

**Blaise Edmonds, Manager of Current Planning**, 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. Edmonds** noted he had emailed several exhibits to the Board on Friday, which included an exchange of emails between Staff and a property owner north of Tooze Rd whose questions mainly regarded street construction and right-of-way requirements. Paper copies of the exhibits were made available at the hearing. He reviewed the additional exhibits that were entered into the record as follows:

- Exhibit A3: First email dated December 11, 2015 from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D1.
- Exhibit A4: Second email dated December 11, 2015 from Blaise Edmonds responding to Tonie Tollen questions in Exhibits D2.

- Exhibit C1: Email dated December 11, 2015 from Mike Ward, City Civil Engineer responding to Tonie Tollen questions in Exhibit D1.
- Exhibit D1: First email received from Tonie Tollen dated December 10, 2015.
- Exhibit D2: Second email received from Tonie Tollen dated December 11, 2015.
- He noted that no development was proposed with the annexation application and presented the Staff report via PowerPoint with these key comments:
  - On Slide 2, the city limits were outlined in red and the urban growth boundary (UGB) was indicated by a yellow line. An application had been submitted for a housing development on the former 10-acre school site, which was still outside the city limits, that would be presented to DRB Panel A or B next year.
  - The first purpose of the application was to bring the right-of-way into the UGB. Unfortunately, when the Calais development in Villebois was reviewed, the right-of-way adjacent to Calais and the Chang property to the east was not annexed. Without annexation, the use of urban renewal for improvements to the Tooze Rd and Grahams Ferry Rd rights-of-way would require a countywide vote. The City preferred annexation as it would afford them full control of street improvements on Tooze Rd and Grahams Ferry Rd.
  - The second objective was to include the approximately 28.31 acres of property owned by Allen Chang shown as the hatched area on Slide 3, to enable the City to proceed with previously planned park improvements in Regional Park 5 (RP-5) as well as a linear green park that would run through the property. The City would like to have the Chang property annexed so that when the development plan for the 10-acre site came in, it could be better master planned for the parks.
  - He explained that Allen Chang and the City of Wilsonville's Urban Renewal District were the Applicants and Mr. Edmonds was acting as the reviewer for the City.
  - Subsequent to annexation, street improvements could be made as the County had previously transferred responsibility for Grahams Ferry Rd and Tooze Rd to the City of Wilsonville, which could capitalize on urban renewal funds.
  - The application was not intended to review future street construction on Tooze Rd and Grahams Ferry Rd; however, testimony would likely be heard from adjacent property owners regarding their concerns about future construction. He noted City Engineering Staff were also present to answer questions.

**Vice Chair Akervall** reiterated that Mr. Edmonds was acting as the reviewer and called for the Applicant's testimony.

**Kristin Retherford, City of Wilsonville Economic Development and Urban Renewal Manager,** reiterated that the application was solely for the annexation of the Grahams Ferry Rd right-of-way only. She explained that the area south of Grahams Ferry Rd was previously annexed as part of the property that was now the Calais Subdivision. However, that annexation did not include the Grahams Ferry Rd or Tooze Rd right-of-way frontage, which was typical and done to the south on Grahams Ferry Rd.

- Additionally, the annexation of the Urban Renewal Agency property did not include the Tooze Rd right-of-way. One purpose of the application was to clean up and annex the portions of right-of-way that had not been included in prior annexations to ensure the UGB and city limits around the perimeter of Villebois were consistent.
- Secondly, the Chang family and City Staff have collaborated for a number of years on different right-of-way acquisitions and to obtain an easement for RP-5, which would cross the Chang's property. Without annexation of the Chang property, one portion of the park would go through the DRB for approval, and the eastern portion would have to go to the County for land use approval. Annexation would streamline this process by allowing the City to conduct an internal review of the park development as a whole and to make decisions via one body rather than jointly by two separate bodies.

- The road construction project was on a separate track and timeline that was being led by the City’s Engineering Department. Design elements were currently under review and were expected to be finalized in the spring, when the right-of-way acquisition process would begin.
- Properties and right-of-way outside city limits might be acquired as well. For example, some of the Tooze Rd project would extend through the Grahams Ferry Rd intersection, but the entire road and project limits did not need to be annexed, only those areas within the UGB.

**Vice Chair Akervall** asked why the subject areas were not annexed previously.

**Ms. Retherford** responded she did not know. She noted that developers were the parties responsible for providing legal descriptions and boundaries, and Staff might not have reviewed those areas since the City had jurisdictional and operational control and had made improvements to Tooze Rd and Grahams Ferry Rd in the past. She assumed it had simply been an oversight.

**Vice Chair Akervall** confirmed there were no additional questions for the Applicant and called for public testimony in favor of, opposed and neutral to the application.

**Tonie Tollen, 11681 SW Tooze Rd, Wilsonville, OR**, thanked Mike Ward and Blaise Edmonds for responding to her emails, copies of which were provided to the Board, and then read her written statement into the record regarding her concerns regarding the annexation of Tooze Rd as follows:

- She had said to them “You did answer some of my questions and I am not opposed on general principles to the annexation of Tooze into the City or the Chang property. My concerns and those of my neighbors deal mainly with what happens on Tooze Rd. When you talk about urban treatments to the road, that concerns us.
- We heard that the big red oak on the Ed Bischof property is to be saved and the road plans and develop a scheme around it. Surveyors have said so a time or two when they’ve been going up and down the road surveying. So we would like to know what is actually going to happen there. It would be great to save that tree because it certainly is a beautiful old piece of Wilsonville. And it’s nice to save some of that since the oak trees on the corner of Grahams Ferry and Tooze were removed. So we would like to see that happen if it works but it would be nice to know if the road is going around it, through it, what?
- As far as proposed plans for urban improvements to the north side of Tooze Rd are concerned, a bike lane and a curb would be sufficient. We do not need or want a sidewalk, streetlights or plantings. Having a sidewalk on the north side of Tooze would be an added danger for both pedestrians and our livestock. Folks walking there with their pets on the sidewalk located next to fields with sheep, donkeys, goats, chickens, and horses, just to name a few of the animals on the farms, would be dangerous.
  - Not only would the animals freak out over the pets, especially dogs, but it might create a situation where the owner could not control their pet and someone or some animals would be hurt.
- What kind of streetlights are planned? Where will they be located? None of us particularly want to be blinded at night by streetlights shining on our farms and in our windows.
- As far as the water on the Anderson field goes, when that piece of property was okayed for a house to be built on it in the ‘80s, a very extensive, sand-filled filter system with three manholes had to be installed in the field for drainage because the field did not drain. The water sits on that property and then flows through my property and across Chavez’s property and out to the ditch in Tooze Rd. I just want to make sure it does not become worse if the road bed is raised from where it is now.
- Also, we would be interested to know what, if any, plans there are for sewer and water. Are we involved in that? That’s something, we all have our own, of course, wells and our own septic

systems and would prefer to stay with that. But we have lots of questions we need answers to. Thank you.”

- She added that last spring, Mr. Ward suggested the possibility of Tooze Rd being renamed Boeckman. The eight or so families living on Tooze Rd would prefer the name not be changed. If the issue was to create a main road, the road could be backed up to where Kinsman would come in, and drivers could take Boeckman to Kinsman, allowing Tooze to remain unchanged. This would allow residents and businesses to retain their current addresses.

**Don Steffek, 27818 SW Grahams Ferry Rd, Sherwood, OR, 97140**, said he supported Ms. Tollen’s comments regarding the right-of-way on the north side Tooze Rd. He added that his farm was adjacent to Ms. Tollen’s. The area was rural with farms of larger acreages. Adding only a bike lane and curb, similar to the west end of Grahams Ferry Rd, south of Tooze Rd, would maintain the rural feel of the area.

- He also supported the Chang property being annexed in order to facilitate development of the park system. Originally, putting an equestrian center on the Chang property was discussed that would also use the greenway area along Coffee Lake Creek. He believed this would be very advantageous for the City of Wilsonville and its residents and he encouraged the City to consider including an equestrian center when developing the property into a park.
- He recommended that the forested portions of the Chang property remain undeveloped.
- He understood from Mike Ward that Grahams Ferry Rd north of Tooze Rd would be widened to create a turn lane and that some property would be annexed there. If the property was outside of city limits but under City jurisdiction, he questioned whether it was necessary to annex that property, adding that if that plan should move forward, the residents would like to be informed.
- He agreed with Ms. Tollen’s assertion that Tooze Rd not be renamed. Tooze Rd had historical significance for the residents, and in fact, its namesake, the Tooze family, was buried nearby at the Pleasant View Cemetery. Leaving the road at Kinsman, as Ms. Tollen suggested, would maintain the current addresses as well as the historical perspective of the road.

**Cyndi Satterlund-Haider, 12041 SW Tooze Rd, Sherwood, OR**, stated her property was on the northwest corner of the intersection, bordered by Grahams Ferry Rd and Tooze Rd down to Westfall Rd, and outside the Wilsonville city limits and the UGB. She said her neighbors had expressed some of the same concerns she had, including that renaming Tooze Rd was unnecessary.

- She noted she had a second address on her property for another driveway off Grahams Ferry Rd that would be affected by widening the road.
- She believed the annexation made sense as it was connected to the Villebois project. She was concerned about how the roads beyond the annexation would be affected and sought clarification regarding how much land would be acquired and the extent of the construction. During the time she has lived on Tooze Rd, it has been torn up several times for various projects.

**Vice Chair Akervall** appreciated the comments made, but noted some issues were outside the subject annexation application. She hoped Staff could address the concerns and called for the Applicant’s rebuttal.

**Steve Adams, Development Engineering Manager**, said he would answer as much as he could about the right-of-way construction questions, noting they were not applicable to the annexation. City Engineer Mike Ward, who had been in contact with several applicants, had the most accurate information about the anticipated construction and the land needed for right-of-way.

- The City of Wilsonville was granted road authority by Clackamas County for Tooze Rd west of Grahams Ferry Rd and up to Westfall Rd in 2006, but the land along that road section would not be annexed. The City was also the road authority for the small piece of Grahams Ferry Rd north of Tooze Rd that was repaved a few years ago.
- As far as improvements, both Tooze Rd and Grahams Ferry Rd would be widened near the intersection to add left turn lanes. He was unsure of the impacts on right-of-way.

- Regarding the big red oak discussed by Ms. Tollen, City Council minus Councilor Lehan approved the removal of the oak tree last week by a 3 to 0 vote; however, the Council was currently reexamining that decision. Right-of-way needs might change depending on whether ~~or not~~ the tree was removed, cost, and how the streets would ultimately be connected.
- The same black cobra-head streetlights would be installed as those currently seen on Grahams Ferry Rd and further down on Tooze Rd near the old 110<sup>th</sup> Ave.
- Extending the existing sidewalk on the north side of Tooze Rd was currently in the design plans, but he did not believe it was a requirement of the street improvement project. Mike Ward would have more information.
- The City had no authority over storm water issues that occur outside of city limits. By building the road, the storm lines, catch basins, and utilities all helped drain storm water off properties. Parts of Tooze Rd had a swale behind the curb for water quality treatment that could also be used to drain offsite water. Again, Mike Ward would have more information.
- To his knowledge, was no sewer line was being installed on Tooze Rd. Villebois was served by sewer connections from the southern parts of the Villebois property.
- An 18-inch water distribution line would be installed out to Grahams Ferry Rd. The current water line that terminated at the boundary of the City urban renewal property and Chang property would be extended to Grahams Ferry Rd to create a looped distribution system around Villebois utilizing the existing 12-inch water main on Grahams Ferry Rd.
  - State law prohibited the City from extending City services to properties outside the city limits, even with the water line being in Tooze Rd. The advantage was there would be a fire hydrant near those properties outside the city limits that could be used for fire suppression.
- The decision to rename Tooze Rd was not his to make. Generally, the policy was to maintain the same street names to minimized confusion for drivers traveling across the city.

**Mr. Edmonds** asked if some sort of public process was involved when designing the streets.

**Ms. Retherford** replied that typically, there was no public involvement when designing streets, especially with federally funded projects reviewed by the Oregon Department of Transportation (ODOT), which had design criteria over and above City requirements that must be met.

**Mr. Adams** added this project differed from other projects like Grahams Ferry Rd improvements that were jointly funded by the developer and City with no federal or state funds, which gave the City stronger control. Using federal money involved different layers of design review were required.

- He noted that the cobra-head streetlights were Dark Sky friendly with a black cut-off lens designed to broadcast 99 percent of the light onto the street. These were a huge improvement from lights with a drop-down lens or the acorn lights in Villebois. Due to light side cast, the acorn lights installed on Tooze Rd a few years ago were replaced with cobra-style lights, which reduced the amount of light cast onto the nearby rural properties.

**Ms. Retherford** added that to the City's knowledge, no equestrian center or equestrian trails were included in the Villebois Master Plan. A large portion of the forested area extending through the Chang's property toward Boeckman Rd was part of the Parks Plan.

- She confirmed the park applications would come before the Development Review Board for review with the subdivision as a whole when the developer decided to move forward with property development.

**Vice Chair Akervall** asked how those who testified could best follow up since they had raised several questions that were not annexation specific.

**Ms. Retherford** replied there were multiple opportunities for additional information and input.

- The tree issue was still under consideration by City Council, who would discuss the matter within the next week. After a decision was made by Council, design modifications might be made to the current plans. After the design was finalized, Mr. Ward and the engineering team would go back before City Council to begin the right-of-way acquisition process which would include creating legal descriptions based on that final design.
- She suggested communicating with Mr. Ward over the next month would be the best was to keep up to date on the tree and the final design, based on the tree resolution, as well as information about any right-of-way impacts, acquisitions, and construction details. During the acquisition process began, there would opportunity to work with City Staff and learn further details about any needed acquisitions and any impacts to specific property owners.

**Mr. Frinell** asked if Tooze Rd would be annexed as it currently existed or as it would be developed.

**Mr. Edmonds** replied Tooze Rd would be annexed as it currently existed up to the UGB.

**Mr. Frinell** inquired if the additional strip along Tooze Rd would have to be annexed if the road was widened beyond the UGB in the future.

**Ms. Retherford** explained if the completed road was wider than the portion being annexed and the UGB, she did not believe annexing the extra width, which would involve additional issues, would be necessary.

- Because that land was outside the UGB, a minor amendment to the UGB would be required to annex any additional width. Secondly, the City could not have jurisdictional and operational control of right-of-way outside of city limits. Currently, the UGB was the north side of the existing Tooze Rd right-of-way and the west side of the existing Grahams Ferry Road right-of-way. If the City annexed to those points and needed additional space on the north side of Tooze Rd, the City could still acquire that right-of-way, and then design, construct, and then operate a road that extended beyond the city limits.

**Mr. Steffeck** said that based on emails he had received from Mike Ward, he understood any additional widening of the road would occur on the north side only. Rather than widening the road by 27 ft equally on both sides, it would be widened to 52 feet on the north, leaving the south side unchanged. The community was concerned and did not understand why they were losing their rural property for the widening of the road rather than widening the road equally on both sides, or half-and-half, which he believed was a more equitable solution.

**Mr. Adams** clarified that the road would be widened equally on each side. He explained that when Calais at Villebois was developed, Polygon was required to dedicate the necessary right-of-way from the north edge of their development. He indicated the Nim property line and the original right-of-way boundary on Slide 3, noting the right-of-way boundary extended several feet toward Calais.

- The front of the City's parcel had a larger right-of-way of 20 to 30 ft. The early design of Tooze Rd removed close to 100 percent of the right-of-way on the south side with very little removed from the north side.
- He noted the slight s-curve in the Tooze Rd design where road would be adjusted to fall into the center line of the existing alignment, and the City was adding land equally on both sides from the existing center line of the century plus year old road right-of-way.

**Ms. Satterlund-Haider** understood that her area of concern was outside the scope of the current discussion. She asked if there would be any other hearings or opportunity for public comment and whether only those impacted by the changes to the road would be contacted once the process was complete and construction began on the intersection.

**Mr. Edmonds** explained the Board's decision was a recommendation to City Council so another public hearing would be held on January 4<sup>th</sup>. He understood from the Applicant that because it was a federal project, there would be further opportunity to discuss the construction on Tooze Rd.

**Vice Chair Akervall** understood the suggestion was that public comment could be provided through next month.

**Barbara Jacobson, Assistant City Attorney**, noted that although Mike Ward was currently out of town, he would be the best person to contact regarding the issue.

**Vice Chair Akervall** closed the public hearing at 9:05 pm.

**James Frinell moved to approve Resolution No. 320 with the addition of Exhibits A3, A4, C1, D1, and D2. The motion was seconded by Ronald Heberlein and passed unanimously.**

**Vice Chair Akervall** read the rules of appeal into the record.

- D. Resolution No. 316. Old Town Site Design Review for 2 Houses: Mark Britcliffe – Applicant for Diane Ferris – Owner.** The applicant is requesting approval of a Site Design Review for two single-family dwellings in Old Town. The site is located at 30580 SW Boones Ferry Road on Tax Lots 3801 and 3802 of Section 23AC, T3S, R1W, City of Wilsonville, Clackamas County, Oregon. Staff: Jennifer Scola

Case Files: DB15-0074 – Site Design Review

*This item was moved to this date and time certain, per the applicant's request, at the November 23, 2015 DRB Panel B meeting.*

**Vice Chair Akervall** called the public hearing to order at 9:07 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.

**Jennifer Scola, Assistant 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. Scola** presented the Staff report via PowerPoint, noting the project's location and surrounding features, and describing the proposed applications with these key comments:

- The application regarded two single-family dwellings within the Old Town Overlay Zone on Lots 4 and 5 of the original Wilsonville subdivision plat, which was recorded in 1908. These two lots were currently zoned Residential Agricultural Holding (RA-H) and surrounded by single-family dwellings within the residential agricultural holding zone on all sides except for the properties across Boones Ferry Rd, which consisted of a storage facility and multitenant business center within the Planned Development Industrial Zone.
  - The underlying Comprehensive Plan designation for the two properties was residential with a density of 6 to 7 dwelling units per acre. The properties were surrounded by the same designation on all sides with the exception of the properties across Boones Ferry Rd, which were designated industrial.
- Both lots were approximately 5,033 sq ft and were unoccupied. The northern lot had a single-story garage structure, while the southern lot was vacant.

- The Applicant was proposing one, 1600 sq ft single-family home on each lot, each with an attached 750 sq ft accessory dwelling unit (ADU). (Slide 10) The subject lots were classified as legal nonconforming RA-H lots in the Old Town Overlay Zone, and thus required to meet the setbacks specified in Development Code Section 4.120.
  - The proposed structures met the 15-ft rear, 5-ft side, and 10-ft front yard setbacks. While not noted on the site plan, the rear setback for both dwellings was proposed to be 20 ft. The front facades were set back an additional 8.5 ft to allow for future right-of-way designations while still maintaining the required 10-ft setback.
  - While the Applicant was proposing 37 percent lot coverage, the R-AH zone was not subject to maximum lot coverage limitations.
  - The Applicant was proposing a three-car garage for each dwelling which would take access from a shared driveway between the two homes. Two additional off-street parking spaces were also proposed behind each dwelling, exceeding the Code's requirements of one space per dwelling unit and one space per ADU.
- While the Applicant showed some preliminary landscaping on the plan, Staff proposed a condition of approval requiring a formal Landscape Plan to be submitted prior to obtaining a building permit to ensure the Code's 15 percent minimum site landscaping requirement would be met.
  - The Code also required that the intervening area between the street and a structure set back from Boones Ferry Rd in Old Town be landscaped. Staff would ensure that the Landscape Plan would also need to meet this requirement.

**Blaise Edmonds, Manager Current Planning**, circulated the color materials boards, noting an older version of the elevation with a garage forward of the street was no longer relevant, so the top illustration could be ignored. However, the materials and colors were the same. The actual final design of the homes was shown on Ms. Scola's slide projection.

**Ms. Scola** continued her presentation, describing the front elevations for each house (Slide 11), noting House #1 would be placed on the northern lot that currently had the single-story garage structure and House #2 corresponded with the southern vacant lot.

- Because the houses were located within the Old Town Overlay Zone, both were required to be designed to reflect the architectural styles of the Willamette Valley during the period from 1880 to 1930. In order to meet this requirement, the Applicant was proposing two Craftsman style homes with covered porches, large columns near the entrance, and trim around the doors and windows on all the facades within the public viewshed.
  - She reiterated the materials board that was circulated reflected the materials proposed for each of the houses.
- The north, south, and rear elevations for both homes were also displayed on Slides 12 and 13.

**Mr. Edmonds** added that the architecture would be an American Modern style, similar to what was seen in Villebois, with some Craftsman detail. Also similar to Villebois, porches would project in the front with the garages in the rear.

- The shared driveway off Boones Ferry Rd was an improvement over the previous plan, which had individual driveways. Boones Ferry Rd was a collector street identified in the Transportation Systems Plan (TSP) and while the area along that street was currently zoned for residential use, it could become mixed commercial and residential use in the future.
- Rather than the application receiving a simple building permit from the building official, the Old Town Design Standards in the Code required that any house facing Boones Ferry Rd required a full architectural review by the Development Review Board (DRB).

**Ronald Heberlein** asked if the Board's review was limited to the front facing aspects of the design.

**Mr. Edmonds** responded the Board should also be mindful that the Applicant made an effort to add enhancements to the sides of the houses visible from the viewshed. Because the houses would be separated farther apart due to the shared driveway between them, more of the side elevations of the houses would be seen along the side property line. As requested by Staff, the Applicant enhanced the elevations that would be visible from Boones Ferry Rd. Enhanced features included the framing trim around windows, double hung windows, and some gridding in the windows. Only the rear elevation, which faced an alley, did not have that enhanced treatment. He believed the Applicant did a good job enhancing the elevations.

**Mr. Heberlein** noted he could see nothing in the report about any homeowners in the vicinity being opposed to the overall design.

**Mr. Edmonds** stated Staff had received a letter from resident Tim Knapp, who had questions related to the design of the project and how the project fit into the area. That letter was part of the exhibits in the record.

**Vice Chair Akervall** noted an email had also been received and was included in the Staff report. She noted Staff had sent out more materials on Friday that included changes to the conditions and asked why Condition of PDA 4 was removed.

**Ms. Scola** explained that Condition PDA 4 was removed after an internal meeting. Staff had looked at the revised elevations and believed they were able to confidently interpret them as being within the correct time period for the Old Town Overlay Zone. Staff did not believe sending the revised elevations to City Architect Steve Coyle was as necessary as the previous elevations in the initial application.

**Vice Chair Akervall** inquired about the removal of the condition requiring the Applicant to set aside funding for the sidewalk that would be created at a later date.

**Ms. Scola** confirmed a condition about constructing a sidewalk had been removed. Staff found after meeting with Engineering that if a sidewalk were to be constructed now, it might not match the grade of future sidewalks along Boones Ferry Rd.

**Mr. Edmonds** noted the Applicant had raised a concern that the City had not required a sidewalk on the Brock-Ludlow project from earlier in the year. However, the difference between the current application and the Brock-Ludlow site was that the subject site faced a local street. Fifth St North was a collector street, while Fifth St South was a residential street, so the requirements were not as high for the Brock-Ludlow project.

- The primary concern was that the City did not know what the final design would be of the future street. The design would go through a process, similar to Tooze Rd, but likely with more public involvement given the recommendations in the Old Town Neighborhood Plan.
- He displayed additional slides (Slides 16 and 17 of Staff's PowerPoint) noting that because Old Town was a very unique, special place, the goal was to make the Old Town streetscape interesting with plazas, wider areas for benches and undulation of sidewalks. The streetscape had not been fully designed yet, so requiring the Applicant to put in a sidewalk now would be an extra expense. It made better sense to wait for a capital improvements plan process so that all the residents, as well as any future commercial properties or live/work type scenarios, would have the same sidewalk and one unified theme, rather than having one segment of sidewalk in front of the subject sites where no other sidewalk currently existed.
- He clarified Mr. Knapp was not a resident of the area, but a business owner in the business park on the west side of Boones Ferry Rd. Mr. Knapp was required to put a sidewalk in front of his businesses as part of a planned development process back in 1996.

- The east side of Boones Ferry Rd was still zoned R-AH, and the Old Town design criteria in the Code only directed the Applicant to go through architecture review and not through a full planned development that would require sidewalks at this time. Sidewalks would be designed and integrated in the future design of the street when the City had funds.

**Vice Chair Akervall** asked who would pay for the sidewalk when it was designed and constructed in the future.

**Barbara Jacobson, Assistant City Attorney**, explained that in a remaining condition of approval, the Applicant was waiving the right to remonstrate against a local improvement district for that area. Different possibilities existed for funding for the sidewalk improvements; city funds might be available or a local improvement district might be formed to pay for the costs but that was yet to be determined.

- The actual funding source would be determined based on the types of funds available and from what source. The document in which the Applicant waived his right to remonstrate was required because if the funding was not available, then the property owner could not object to the formation of or the idea of contributing to a local improvement district, though they might still object to the cost that might be assessed.

**Mr. Heberlein** noted Finding A3 on Page 10 discussed that currently, the Applicant proposed a 750 sq ft ADU, but a City Council resolution directed Staff to implement a modification that looked to reduce the ADU size. He asked when this had occurred and why the Development Code was not amended.

**Mr. Edmonds** answered he and Ms. Scola were not involved in the public hearing process when the Old Town residents worked to put together a master plan for the community. At that time, the prior Planning Director Sandi Young and then Long Range Planning Manager Chris Neamtzu, who was currently the City's Planning Director, were involved in that process.

- The document was phenomenal and he believed the resolution provided direction to limit the size of ADUs to 600 sq ft or 10 percent of the Old Town neighborhood. However, those component parts were not yet codified into the Development Code in terms of review. The current Code specified an ADU size limit of 800 sq ft.
- In recent discussions, Mr. Neamtzu said he intended to bring the issue back to the City Council and codify the current Code to bring in these elements. Because he was not part at those past discussions, he was unable to explain why codifying the Code was taking so long.

**Mr. Heberlein** asked if there was discussion with Applicant about meeting the spirit of that resolution, even though it was not currently present in the Code.

**Mr. Edmonds** reiterated that was part of the history he was unfamiliar with, so he did not know.

**Mr. Heberlein** inquired if one space of the three car garage was dedicated for the ADU.

**Mr. Edmonds** replied yes, it would have to be dedicated for the ADU. He understood the Applicant was trying to design the two houses so they could become live/work properties in the event the area was zoned for commercial use in the future, according to the Master Plan. The houses could have a commercial component on the lower floor with the 9-ft high ceilings, at-grade level for ADA accessibility, and adequate parking for the ADU, resident, and commercial tenants.

- Language in the Old Town Master Plan provided provisions for on-street parking together with sidewalks. The Applicant was also proposing five off-street parking spaces with three in the garage and two on the gravel parking lot per unit. The Code only required a minimum of two parking spaces, one for the house and one for the ADU.

- There was also potential for another on-street parking space in front of the structure if it was converted to a live/work situation with commercial downstairs and residential upstairs, which followed the intent and vision of the Old Town Master Plan, once adopted into the Zoning Code. The properties would also need to be rezoned from R-AH to allow for a live/work scenario.

**Vice Chair Akervall** noted Condition PDA4, which required review by the City's consultant architect, was deleted from the Staff report. She asked if the side of the house was a continuous wall (Slide 13).

**Mr. Edmonds** answered the site plan showed the garage stepping back from the main house. He noted the Applicant also proposed a crossover easement between the two homes, so they could use each other's driveways, essentially 30 ft of pavement, to get into the garages. Without the crossover easement, the residents would be unable to make the turning radius into the garage.

**Vice Chair Akervall** asked if the wall with the small balcony was a continuous wall and, if so, would a continuous wall of that size be representative of the type of architecture intended to be part of Old Town.

**Mr. Edmonds** deferred to the Applicant.

**Ms. Scola** noted a second floor balcony did exist on the wall opposite of the garage.

**Vice Chair Akervall** called for the Applicant's testimony.

**Mark Britcliffe, 27485 SW Xanthus Ct, Sherwood, OR**, reviewed the Applicant's presentation via PowerPoint and addressed questions posed by the Board with these comments:

- He confirmed the side of the house with the balcony was a continuous wall, but it was broken up. In the main unit, there was a 4-ft setback of approximately 12 ft that was a covered porch. Above the porch was the deck for the ADU that was also recessed 4 ft.
- There were a couple of changes to the original plan. One change was in response to being on a major collector street. If the Applicant had kept the 8.5 feet of the original plan, the front-facing garages would be condemned in the future if the road widened because they would not have a 20-ft setback, even though it met the current Code.
  - One purpose of the Old Town Plan was to replicate the feel of an old main street and the sides of houses on main streets tend to be plain and flat. After meeting with Mr. Knapp, the Applicant made changes to the plan so it could mold into the new vision of a main street and not need to be condemned with the widening of the road.
  - In the new plot plan, the houses were brought out 10 ft, which was as close to Boones Ferry Rd as Code would allow. This was done to give the houses a downtown feel.
  - Room was also provided at the back of the lots to accommodate parking in the case of a zoning conversion.
  - Constructing a house under such parameters resulted in some restrictions architecturally. The houses did have some architectural features to prevent it from having continuous walls. It was broken up with two different porches at two different levels. Architectural features at the back of the house were difficult because it was primarily a garage.
- He confirmed the Applicant would require easements. The dimensions for the width of the shared driveway were taken from the layout in Villebois where garages face each other. The width between the proposed garages was actually a couple feet longer than the largest ones at Villebois.

**Mr. Heberlein** confirmed there might be potential in the future of the gravel area at the rear of the homes being used for additional parking and asked about the rationale for being able to back around into that spot and turn around.

**Mr. Britcliffe** explained there was 30 ft between the garages and more than 30 ft between the back of the parking spots behind the garages. An average drive aisle, such as at Safeway, was 24 ft.

- The proposed design was intended not only to remove the front-facing garages, which were not typical in 1930s architecture, but also to avoid having cars backing into Boones Ferry Rd, which was a major arterial. Having vehicle be able to park, turn around and exit the site facing traffic was a much less hazardous situation, especially if there was more traffic on Boones Ferry Rd.
- The difficulty was the Applicant was trying to apply existing Code to create a project that looked good and reasonable, and that could transition into a commercial setting in the future. The Applicant met with Mr. Edmonds and Building Official Martin Brown to determine how the interior should be laid out to allow for easy conversion to a live/work home in case the zoning changed in the future. The houses could be easily converted to have an insurance agent's or attorney's office downstairs with residential occupancy upstairs. The Applicant was trying to meld the existing Code with things that might come someday. He believed they did a good job of trying to satisfy that capacity.
- The Applicant discussed using the 16-ft alley behind the site, but it was designed in 1908 for horse traffic and not wide enough for two lane traffic. If the property became commercial, the alley would be a one-way, one lane, dead end road, which would not be feasible for commercial use.
  - Most alleys in Old Town were utility easements and not used for ingress and egress of vehicles. Many were actually blocked off. The alley behind the subject lots was partially blocked at the north end.
- The Applicant believed the proposal did a good job of melding everything together and achieving an appropriate design for Old Town. While a long wall might not be a typical feature for houses built in that time period, it would be unreasonable to say it would not exist at all.
- He noted the proposal must also be economically viable as well as meet all the rules and conditions, which he believed the proposal met pretty well.

**Vice Chair Akervall** confirmed the alley would not be an access point to the properties and that cars must enter and exit the property from the shared driveway.

**Mr. Britcliffe** added the site plan noted that a fence would be erected along the alley to deter people from using the alley as a turnaround or to access other people's back yards. The fence would also limit traffic in the alley and help the properties become more self-contained.

- He noted one condition required that the Applicant sell 8.5 ft of land along Boones Ferry Rd to the City, which he understood the need for, and a note saying the land would be appraised and a reasonable solution would be agreed upon.
  - He noted that the original plan met the existing Code, adding the Applicant had worked with planners to ensure that all current codes were met. The current project now had a lesser value because approximately 25 percent of the property on each lot would be an easement, making it unusable, except to drive on. The fact that a property had an easement was a stigma that could also affect the value.
  - As he told Staff and the city attorney, the entire impact of taking the 8.5 ft off the property should be considered when the appraisal was done. He noted the easement would make the smallest lot in Old Town, 8.5 percent smaller, which did present challenges.
- The proposed plan did have one long wall, but houses built in Oregon during that time period were built efficiently; 99 percent of the homes built in Oregon at that time were pretty square and utilitarian without a lot of architecture. He believed the fronts of the proposed houses would be in the 99 percentile of homes built in the Willamette Valley in that timeframe and he believed he had done a pretty good job.

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

**Monica Keenan, 9460 SW 4th St, Old Town, Wilsonville, OR**, stated she had lived in Old Town for a number of years and was part of the steering committee for the Old Town Plan that was developed and were working to get fully implemented and adopted into the Code, so there was less confusion in the future and less confusion for developers.

- One major issue or goal of the plan was to develop a code that would minimize the opportunity to use ADUs as a means to maximize density in the neighborhood. Since Old Town was not a master planned development, some lots were pretty ripe for redevelopment and density.
- The entire purpose of the plan was to support businesses in Old Town, support the single-family homes, the multifamily developments that surround Old Town, and protect the integrity of the Old Town neighborhood as essentially, the core value of a single-family neighborhood. So, the ADUs and maintaining the scale and massing of the single-family neighborhood were goals of the plan.
- The other goal, which was a huge issue, was right-of-way, sidewalks, and curbs. Part of the plan was to not have sidewalks and curbs throughout the neighborhood. Most of those issues were not relevant to the subject application other than some conversations about that particular block.
- The original idea of the Old Town Overlay was to create a main street, but that was before the rest of Wilsonville was fully developed and it was determined that Boones Ferry Rd was not going to be a full main street going from one place to another.
  - Due to some of the other buildings located there and the frontages that were very close to Boones Ferry Rd, this particular block, where the Applicant was working to develop the homes, was designated in the Old Town Neighborhood Plan as a potential area for adapted reuse of some homes for a light neighborhood commercial type business/service building in the future. No requirement was developed, but it was included as an option.
- On the subject application, she could feel for the Applicant because the original application seemed to be better suited to the neighborhood in the forms of scale and massing, which was part of an architectural review.
  - The proposed large structures went deeply back onto the lot, while the existing neighboring homes were quite small and single story. The first application had a better setback that was not quite an encroachment on the existing homes next door.
  - Scale and massing would be a good thing to address.
- For the future, she would like the Code rewritten so ADUs were not proposed for enhancing or increasing density and used for rental units in the neighborhood.
- The original application had two driveways, which was more in keeping with the neighborhood than the currently proposed shared driveway.
  - Shared driveways had been discussed for years in the development of the Old Town Plan and were not desired because they were not keeping with the scale and massing of the rest of the neighborhood.
  - Because the development was going in the middle of a prime block on Boones Ferry Rd, a shared driveway was a large issue and she hoped there was an opportunity to split the driveway, which she understood was a big deal.
- As part of the steering committee for the neighborhood, she supported waiting on the sidewalk for this particular block until there was a master plan for all of Boones Ferry Rd. This was very important because there had been discussion of integrated sidewalks and not a whole lot of concrete infrastructure on that road to retain a rural feel.
- When reviewing applications for Old Town in the future, she would prefer not hearing Villebois design standards used for comparison to Old Town because they were not the same.
- She explained that changes in staffing were the reason the Old Town Plan had not yet been adopted into the Code; everyone just got busy, but the initial document was worked on for five years. Once the Code was changed, it would be clearer for Staff, developers, and the DRB in the future.

**Tim Knapp, 30625-B SW Boones Ferry Rd, Wilsonville, OR** stated that his business was almost directly across the street from the proposed building site. He noted he was appearing as a private citizen and businessman and not in an official capacity. He had been working on building his project in Old Town since 1986 or 1988. At that time, the area was pretty rough and there were hardly any streets off of Boones Ferry to the west, so a lot of work had been done to try to build a higher quality than what was there previously. His concern was whether the proposed project would enhance the long-term future of the neighborhood.

- The five years that had been previously referred to during which the neighborhood worked on the Old Town Master Plan was a good indication of neighborhood interest in the area. While not all in agreement all of the time, eventually through that process there was agreement about most concepts in an Old Town Master Plan to guide the neighborhood.
  - The plan was accepted as a planning document, but had not yet been developed into a Code for the City that would actually control the type of application proposed. The plan provided concepts and ideas. The Old Town Overlay was in the Code and provided specific statutory guidance that applied to the proposed project.
  - He acknowledged this could be confusing since there were ideas that were not controlling as well as specifics that were controlling and those did not always line up.
- Both the statutory and conceptual pieces expressed the idea that Boones Ferry North of 5<sup>th</sup> Street should be a neo-traditional main street type of facility, though different people had different ideas about what that meant. His project tried to carry out some of that, although the facility was originally a hardwood molding mill built in 1962 and had to be repurposed and reconfigured to try to do that.
- Another part of his project, located on the next block south on the west side, was completed in 1986. He worked with the City to set a standard for what type of streetscape would be desirable and they agreed to the existing features on Boones Ferry Rd, which included parallel on-street parking, landscaped bulb-outs between every several spaces on the landscaping, curb and gutter, and large 12-ft sidewalks. This design drew the storefronts up to the sidewalk, enabling pedestrians to interact at a better human scale with the buildings that could otherwise be cold and distant.
  - A lot of thought had gone into the Boones Ferry Road streetscape, which was called out in Section 4.138(.04)(C) from which he quoted, “Sidewalk width may vary from block to block provided, however, that a continuity of streetscape design is maintained along Boones Ferry generally following the pattern that has been started in the 1996 approval of Old Town Village on the west side of Boones Ferry from 4<sup>th</sup> to 5<sup>th</sup>.”
    - That Code section called out the characteristics he described, parallel parking, landscaped bulb outs, and wide sidewalks. He noted the street trees were intentionally planted in a double row, to avoid having a skinny, single line of trees going down the street. Trees were also put in the bulb-outs as well as in planting wells in the sidewalk providing more massing of the landscaping and allowing for bigger visual impact.
- This background set the context for why it was important to preserve enough space on the front of the proposed project to accommodate most of those elements to carry that continuity onto this piece of Boones Ferry Rd.
  - He understood it did not make sense to ask the Applicant to build that piece immediately as the proposed project did not have the context of going on up and down the street and it was important that it all worked together. However, it was important that the project be designed in a way that did not preclude the eventual construction of those features.
  - He commended the Applicant for attempting to rework the project in ways that would be more compatible and amendable to that eventual vision. While no one knew exactly what would be done in the future, the idea of not preventing those ideas from being carried forward in the future was very important to Old Town.
- He believed the project could benefit from professional review of the architecture, which was essentially designed by the Applicant from personal experience; however, a third set of eyes from a

professional standpoint would be beneficial. The changes made on the redesign were generally positive. However, he was unsure they had been trimmed and detailed in the best way to carry out the idea of the period architecture

- The question about massing and what the development looked like going down the street was very important. He was very glad to see the change from having the garage doors facing Boones Ferry Rd.
- He believed the additional professional review might result in some ability to achieve a little more architecturally.
- The idea of preserving the ability to build the streetscape for the public was dependent upon the amount of street width available. Prior to tonight's meeting, he had not seen anything in the previously presented materials that outlined that issue.
  - Mr. Adams, City Engineer, provided him with a hand written tally of how he arrived at the setbacks. Nothing in the materials called out the basis for the measurement, so he wanted to get on the record that the engineer's work indicated there was 34-ft from center line existing. However, his own measurements indicated a little more than 30-ft. If the correct measurement was 34-ft plus the additional 8.5 ft, then the proposed setbacks would work.
- He cited the following sections of the Old Town Overlay in the Development Code with these additional comments:
  - Section 4.138(.01) "The Overlay district is intended to create a modern interpretation of a traditional main street and mixed-use neighborhood."
  - Section 4.138(.01)(C) "To provide a comfortable and attractive street environment by providing features and amenities of value to pedestrians."
    - The Code was trying to create a human scale. He reiterated this was a statutory requirement and if these were not being provided on the private side, the ability to do so needed to be preserved on the public side.
  - Section 4.138(.01)(D) "These standards shall be used by the Planning Department and DRB in reviewing development applications." The concepts were specific requirements and not optional.
  - Section 4.138(.02) "The following shall require site design review for conformance with standards including new building construction with construction of new single family dwellings." This specifically related to this application and left no doubt that it was a requirement.
  - Section 4.138(.03)(E) "Ingress and egress points along Boones Ferry shall be designed and constructed such that access points on one side of the road shall coordinate with access points on the other side of the road."
    - This turned out not to be possible due to how the access points lined up. However, the common driveway under the second design was intended to minimize the number of individual driveways to avoid having a continual string of driveways down the street. He believed the Planning Department would say this was a positive approach to the issue of how to provide access without ending up with an excessive number of curb cuts and sidewalk drops, which were negative to the pedestrian environment.
  - Section 4.138(.04)(D) called out consideration of parking street frontage, required screening, and visual enhancement as standards that needed to apply. He believed these specifics came into play on the subject application and gave the Board authority to make adjustments or ask for professional review of how the architecture worked with the overall idea of the Old Town Overlay.
    - The visual enhancement piece was kind of a judgement call, and yet a professional with a career in this specialty would not have difficulty providing guidance on that topic.

- Section 4.138(.05) discussed building compatibility. Subsection (.05)(C) required, “Residential building shall be designed to reflect the size and shape of traditional drawings from period 1880 to 1930.”
  - Questions regarding the size and shape of the porch, the entryway, the massing, roof lines, window lines all mattered as they would or would not convey the architectural period depending on how well they were done. Again, he would like to see a professional review the architecture to see if there were ways to enhance it.
- He was troubled that no formal landscape plan had been provided and noted that Staff required that to be done under Condition PDA 2. He worried about compatibility with the rest of the future streetscape, although this was hard to envision since it did not exist. He hoped Staff could work on the question of whether there were enough square feet of plantings, how the plantings would be laid out, and whether they enhanced the pedestrian environment along the street.
- Finding A19 indicated that no lighting plan had been submitted and that the Board could require that as a condition of approval. Lighting was questioned at a prior hearing tonight with regard to whether it was suitable and potentially shined objectionably across the street, which was where his business tenants were located.
  - Additionally, there was a question of compatibility. The Old Town 1996 approval utilized acorn-style, traditional period lights as the primary street light, not more modern style street lights. Ultimately, when the streetscape was done, that type of lighting would be required.
  - He wanted some sort of condition indicating the Applicant would work with Staff to work on the lighting plan for the buildings and to ensure it would work with the eventual streetscape.
- Finding A20 indicated that no on street parking was proposed. He noted for the record that the applicable Code standard was Section 4.138(.04)(C) which stated there would be on street parking, eventually.
- Finding A28 discussed surface water drainage and no plan existed to address this issue.
  - For a couple of decades, Boones Ferry Rd and Old Town had a lot of standing water in puddles that did not drain well. The original Boones Ferry Rd was not laid out with much slope, so working with surface water drainage was important to get around that problem. He encouraged the Applicant to work on getting the surface water to flow, which was a problem when everything was so flat.
- The Staff report indicated an overlay on an aerial photograph showing the lot lines, and it looked like the northern lot line was intersecting the roof of the adjacent building. He was unsure whether that was accurate.
- He did not entirely agree with the statement that the only reason the DRB was seeing this application was because the Overlay required architectural review. The Architectural Overlay in the Code called out a variety of things beyond just building architecture that needed to be applied. The legislative intent was to give the Board a broader authority to look at the context and features surrounding the proposed project, as well as the building itself.
- The Applicant indicated in his presentation that the modifications made this a lesser value project. However, he would argue that in the long run, the modifications being discussed would make the project more valuable, though perhaps, not in the short term.
- He suspected that the small, constrained lots had not been built on since 1908, when they were platted because they were difficult to do much with. Overbuilding with a super large structure at this point in time would not be desirable, either.
  - He appreciated the modifications the Applicant made to try to match the idea of a future potential use as a live/work facility and he believed that was an appropriate use of the site. Additionally, the ADUs made also sense.
  - He found the amount of testimony and news articles regarding the difficulty people were having finding affordable housing interesting. In the long run, he believed there would be more demand for ADUs as an alternative to fill that need and to fit people at certain points in their lives,

whether empty nesters or college kids. It was unfortunate, in his view, to draw a line and say no rental units were wanted as it would change the dynamic of who could afford to live in the community.

- He concluded by saying he would like to see the project approved with the additional guidance and oversight as outlined.

**Mr. Edmonds** suggested that the Applicant show the actual lighting under the porches or next to the doors in the designs so it could be determined whether it was architecturally compatible.

**Mr. Knapp** agreed that would be helpful, but noted that with two entrances, one for the primary residence and the ADU, lighting would be needed at both entries. Additionally, if people were coming into the driveway between the buildings, going to the back, and some potentially walking to the front, lighted walkways would be needed. There were several considerations so it would be helpful if Staff worked with Applicant.

**Larry Burbidge, 14276 SW Farmington Rd, Beaverton, OR** stated he was the realtor on the project and was in favor of it moving forward. He explained he was approached by the current owners to assist with sale of the property and to make something happen there. He noted he had been in real estate 41 years and his background included being a planning commissioner and every facet of real estate; however, in looking at the property, it was not immediately apparent that this would be a residential project. He believed the best option would be to acquire surrounding property and build something cool there.

- He spoke with the City planners about the zoning and at that time, he learned about the Overlay and the Old Town situation, which was interesting. He noted this whole process could be a poster child for doing a Comprehensive Plan and doing zoning and be done with it, given everything that was in the air and the Board was dealing with, like architectural control and Old Town community input.
- He also spoke with the Building Department and learned it would cost approximately \$32,000 in fees per lot before anything could be done.
- When thinking about how he could market the project and who to market it to, he realized everyone who called him would think that the development was zoned differently than it was, and there would be hours of training for any builder, realtor, or person wanting to look at the property.
- He went to Mark Britcliffe because he wanted someone who was local and had done this before. As it happened, Mr. Britcliffe had already done something with the same owners in Old Town and had built a couple of houses with ADUs. They were blessed to have him involved with the project because he had designed something that conformed to the zoning. When the design was submitted, everyone began picking it apart and the project was redesigned for zoning and laws did not yet exist.
  - He believed when Mr. Britcliffe discussed the project being undervalued, he meant that the changes were eating into his profit at the end of the day. He had put in additional time, energy, and money and would not get the return he would have received under the other design. Mr. Britcliffe was conforming to all of this, which was not specified in the law, to look down the road and be a good community neighbor.
- He did not understand what was going on in Wilsonville. In the early 1990s, he had an office in Wilsonville. He would go to the Planning Department and they were always able to explain everything to him as would the Building Department.
- This was going to be a good project that would conform to the whole long range plan, and it seemed like everyone had been working together through this entire process. The plans and the design were put together by the Planning, Engineering, and Building Departments to design something that would work, so the oversight was already there.
- As an outsider, he encouraged everyone to expedite the process so that when somebody came in they would know what to do. Under the current system, no one had a clue about what they could do, what

would work, what the law was, and who had oversight and input, which was what zoning was for in his opinion.

- He believed this was a good project that would fit into what was going on and everyone could be proud of it. Although the Board could find things wrong with it, he was not sure they needed to do so.

**Glenn Ferris, 32678 NE Corral Creek Rd, Newberg, OR**, said that he was born and used to live in North Wilsonville, adding he was speaking in support of the resolution as it stood on behalf of the owner of the property, Bernie Becker, and his wife, Diane Ferris, who was Ms. Becker's daughter. The owners and applicants were listed on Page 28 of the Site Design review. Ms. Becker was 93-years-old unable to attend the meeting this evening.

- She lived in Old Town Wilsonville from the 1970s until 2008 when she moved into her current assisted living facility in Newberg, near him and his wife. While she lived in Wilsonville, she participated in the overlay discussion. He recalled taking the ferry across the river and buying an ice cream cone from the vendors that walked up and down the line from the ferry platform, so he and his wife's family had been in Wilsonville a long time.
- Ms. Becker was an active volunteer at the senior center for many years. She and her husband planned and participated in many of the programs offered at the senior center. For example, when his parents had their 86<sup>th</sup> wedding anniversary, Ms. Becker helped get a 1908 McLaughlin for them to ride around town in. He wanted to stress that Ms. Becker worked there, lived there, volunteered there, and planned there. She wanted the opportunity to sell the two lots so that she could continue to live in her assisted living facility.

**Vice Chair Akervall** called for the Applicant's rebuttal.

**Mr. Britcliffe** stated that the ADU size met City Code, but was a little more than what Old Town wanted. He believed the issue was brought up because of the additional parking and traffic, but the project had four times the parking necessary. In addition, being at the end of Old Town anyone coming into Old Town would come right back by the project sites. Any additional traffic from the project would not affect anyone, because they would come in and then leave. Eventually, this would be a commercial type area, so a little more traffic in the area seemed reasonable.

- With regard to the rain drainage and landscape plan, the Applicant spoke with everyone at the City and no requirement existed to treat storm water; however, he knew that was not reasonable. Therefore, if the plan was approved, he would work with Martin Brown to incorporate the landscaping with some type of water retention or storm water treatment. He noted the storm garden in West Linn had a planted mini-swale, adding the Applicant did not go through a complete landscape plan because they intended to coordinate that with some type of storm water drainage. The Applicant could discuss having it meet some of the other criteria the City was looking for, but that was why the landscape plan was not submitted.

**Vice Chair Akervall** asked if he wanted to discuss street lighting as well as the lighting for the project.

**Mr. Edmonds** clarified the testimony was that the street lighting was unknown because there would be a streetscape design. The City was interested in what type of lighting there would be on the house and on the driveway.

**Mr. Britcliffe** responded he had no problems incorporating the exterior lighting with any type of format that would be compatible.

**Vice Chair Akervall** noted the suggestion to add a condition requiring the Applicant to work with Staff to find appropriate solutions for concerns about lighting and landscaping drainage. With regard to the

removal of Condition PDA4, which stated that the City's consultant architect would review the plans, she asked if the lighting and landscaping would become a part of that review if the condition was reinstated.

**Mr. Edmonds** clarified that the consultant architect did not review landscaping, only architecture and would review period-correct porch lighting for compatibility of the house.

**Vice Chair Akervall** confirmed the review would be limited to the physical structure of the home itself.

**Mr. Frinell** understood one of the speakers suggested that the architect review the design again, but that Staff did not believe it was necessary.

**Mr. Edmonds** replied that testimony was presented by Mr. Knapp. He explained Staff originally deleted the condition was because the first elevations were crudely drawn and not as refined as those seen tonight. He explained adding that condition once again based on the testimony received would be the Board's prerogative.

**Mr. Frinell** asked if the architect would look at the project in the context of determining if it had a relationship to homes that existed in 1890.

**Mr. Edmonds** clarified the design would be reviewed in relation to the Old Town Design Standards. There were a wide variety of homes in Old Town with different architecture and styles and from different time periods. The review criteria would be what were currently in Section 4.138.

**Mr. Heberlein** asked for confirmation about whether the street width was correctly measured and the 8.5 ft setback would be sufficient for all future design work for street improvements.

**Steve Adams, Development Engineering Manager**, explained that the City's street maps indicated that from the center line of the street, which was the existing double yellow line, to the edge of right-of-way was 34 ft. The right-of-way actually came out to a few feet behind the storm catch basin that Mr. Knapp measured at approximately 16.5 ft. With the 34 ft and the 8.5 ft extra, 42.5 ft would be sufficient room for a 10-ft sidewalk, landscape, 8-ft on street parking, 6-ft bike lane, 12-ft travel lane, and a half of a center turn lane.

- He noted that because Boones Ferry Rd was a collector street, there could not be separate driveways. The driveways had to be a minimum of 100-ft apart and front porches 300-ft apart. Separate driveways on the two lots would not be in conformance with the City's TSP. Additionally, as a safety issue, a shared driveway on a collector street allowed vehicles to face out as they exit. The street would be safer because vehicles would not have to back up onto the street.

**Vice Chair Akervall** asked if there were further questions before she closed the public hearing.

**Ms. Scola** entered into the record as Exhibit B6, the email she had sent to the Board dated December 11, 2015 that included an attached memorandum explaining the proposed deletion of Conditions PDA 4 and PFA 4 along with the revised Staff report with the struck through conditions.

**Vice Chair Akervall** closed the public hearing at 10:39 p.m.

**Ronald Heberlein moved to approve Resolution No. 316 with the addition of Exhibit B6. James Frinell seconded the motion.**

**Mr. Frinell** agreed that although the designs had been improved since the first one, he saw value in having the City architect look at the proposal once more.

**Mr. Heberlein** agreed.

**Vice Chair Akervall** agreed, noting there were differing opinions and it seemed like a case where getting another professional opinion would be valuable.

**Mr. Frinell** requested that Condition PDA 4 be added back.

**Ronald Heberlein move to amend the main motion to include Condition PDA 4 as presented in the December 7, 2015 Staff report but to also include designs of exterior house lighting fixtures. James Frinell seconded the amendment to the motion.**

**Vice Chair Akervall** recalled that since no landscaping plan was submitted or lighting specified, a condition could be added stating that the Applicant would work with Staff to find an appropriate solution.

**Mr. Heberlein** asked whether enough of the lighting plan could be included in the architectural review to address the question. Landscaping would not be reviewed, but he understood period lighting would be included in the review.

**Mr. Edmonds** confirmed that the house or structural lighting would be included.

**Ms. Jacobson** clarified that an existing condition in the current Staff report required that the landscaping be worked on with Staff.

**Vice Chair Akervall** confirmed that was Condition PDA 2. She read from the condition, “The Applicant shall submit a landscape plan to assure that each lot of record is developed with a minimum 15 percent landscape” and noted that it did not address the content of the landscape.

**Mr. Edmonds** suggested adding a new condition of approval requiring the Applicant/Owner to submit a landscape plan prior to obtaining a building permit that met Section 4.176 of the Wilsonville Code, which addressed size, quantity, spacing, species, coverage, etc., and have the landscape plan reviewed by Staff through a Class 1 Administrative Review.

**Ronald Heberlein moved to amend his amendment to the main motion to also include a new condition of approval to add a Landscape Plan review as identified by Staff. James Frinell seconded the amending motion.**

**The motion to approve Resolution No. 316 as amended passed unanimously.**

**Vice Chair Akervall** read the rules of appeal into the record.

**Vice Chair Akervall** thanked everyone for participating at such a late hour, adding that Wilsonville’s neighborhoods were worth the time that had been invested this evening.

## **VIII. Board Member Communications**

### **A. Results of the November 23, 2015 DRB Panel B meeting.**

**Blaise Edmonds, Manager, Current Planning**, stated that he not heard about any new Board member being appointed to the DRB.

**Ronald Heberlein** asked if there was any way to ensure the location of specific elevations were identified in some of the large developments in Villebois so that the Board could evaluate and compare them to what had been developed around the proposed development and what had already been planned for.

**Mr. Edmonds** replied that was an excellent point because one could lose track of the variety of housing types, colors and materials. He apologized that Staff did not have color material boards for the Brookside Terrace project, adding that Staff would be better about providing that information in the future.

**IX. Staff Communications**

- A.** Thank you, Lenka Keith, for your service on the Development Review Board!
- B.** Mike Wheeler and Linda Straessle retirements.

**Blaise Edmonds, Manager, Current Planning** announced that Associate Planner Mike Wheeler had retired three weeks ago after being with the City for 14 years. He also noted that Lenka Keith was unable to attend tonight's meeting, but she asked that he convey that she had a wonderful time working with the Board and that she found it very rewarding. An award recognizing Ms. Keith's service on the DRB would be presented to her by Staff.

**X. Adjournment**

The meeting adjourned at 10:50 p.m.

Respectfully submitted,

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