

**PLANNING COMMISSION
WEDNESDAY, DECEMBER 13, 2017
6:00 P.M.**

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

*Minutes approved as
presented at the
01.10.2018 PC
Meeting*

Minutes

I. CALL TO ORDER - ROLL CALL

Chair Jerry Greenfield called the meeting to order at 6:06 p.m. Those present:

Planning Commission: Jerry Greenfield, Peter Hurley, Al Levit, Simon Springall, and Phyllis Millan. Eric Postma arrived at 6:46 pm. Kamran Mesbah was absent.

City Staff: Chris Neamtzu, Amanda Guile-Hinman, Miranda Bateschell, Nancy Kraushaar, Eric Mende, Kimberly Rybold, and Jordan Vance.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CITIZEN'S INPUT - This is an opportunity for visitors to address the Planning Commission on items not on the agenda. There was none.

CONSIDERATION OF THE MINUTES

A. Consideration of the November 8, 2017 Planning Commission minutes
The November 8, 2017 Planning Commission minutes were accepted as presented.

II. WORK SESSION

A. Water Treatment Plant Master Plan

Chris Neamtzu, Planning Director, explained that the proposed Water Treatment Plant Master Plan used components from the larger 2015 Master Plan that applied to the Tualatin water supply system to develop a plan specifically for Wilsonville.

Jude Grounds, Assoc. Vice President at Carollo Engineers, and Mr. Mende presented the 2017 Water Treatment Plant Master Plan Update via PowerPoint. A brief history and purpose of the Master Plan Update and reviewing key elements of the Master Plan was provided, including the project's purpose, level of service goals, and plans for 20 and 30 MGD capacity expansions. Also shared was the Implementation Plan with regard to the CIP and schedule.

Discussion and feedback from the Planning Commission was as follows with responses to Commissioner questions as noted:

- The life expectancy for seismic upgrades was based on rates of return, not anticipated time periods for seismic events. The worst-case scenario was used to develop the level of service goals.
- Current capacities would remain the same for Wilsonville and Sherwood after the 20 million gallons per day (MGD) capacity upgrades. However, after the 30 MGD capacity upgrades, Wilsonville would receive 20 MGD and Sherwood would receive 10 MGD. Growth rate models show water usage would plateau at times due to economic downturns and other conditions, so usage would vary over the years.

- A lot of sediment was found in the raw water intake pipe during a recent cleaning. Willamette Water Supply (WWS) was considering doing sedimentation on the raw water received from the water system, but currently the design did not call for any prefiltration before the raw water was pumped through the pipeline. WWS would need to consider how the sediment would impact their capacity.
 - Many facilities in the region pump raw water, so provisions for cleaning the pipelines had been implemented. Additionally, screens filter out most of the large debris. The pumps were able to handle the smaller material that got through. The intake pipe was sized for 120 to 150 MGD, but only 15 MGD was being pumped through it; therefore, sediment was expected.
 - Many clams were found in the sediment during the cleaning; however, none were invasive species.
- The water system's entire infrastructure was built outside the 100-year flood plain, including the lower plant, so a major flood event was not a concern.
- The raw water intake pipeline was sized for 150 MGD, but the screens on top were only sized for 70 MGD. The cities that use this water system would simply need to replace the screens as part of their regular maintenance, which would not require any in-water work permitting. The pipeline, screens, and raw water facilities were all shared facilities. The pumps owned by individual jurisdictions would be co-located and would accommodate up to 10 pumps.
 - Wilsonville, Tualatin Valley, and WWS had entered into agreements that cover all aspects of the financials. The Master Plan would not reference those agreements, but Staff could provide more details about which entities would be financially responsible for improvements to the shared facilities and the legal basis behind the agreements.

B. Coffee Creek Industrial Form-Based Code

Chris Neamtzu, Planning Director, introduced the project team, including Consultant Marcy McInnelly of Urbsworks and noted their most recent efforts to engage the City's boards and commissions as well as the input received that influenced the updated Form-based Code. The team was preparing for the public hearing in January and the Commission would see a lot of Code edits in next month's hearing packet due to the cascading effect that Code changes typically had throughout the Code.

Kimberly Rybold, Associate Planner, presented a brief update on the Coffee Creek Industrial Form-based Code (FBC) via PowerPoint, highlighting the project's background; the feedback from the Planning Commission, and Joint DRB and City Council work sessions; the resulting modifications made to the FBC; and the recommended pilot parameters for determining the success of the Code amendments.

Mr. Neamtzu clarified that currently, application approvals could take from 60 to 120 days, depending on the project and if City Council was involved, which pushed approvals up against the maximum 120-day statutory requirement. He was uncertain how this compared to other cities, but many in the development community believed Wilsonville had one of the most efficient development review processes in the area. However, this had not always been the case. City Manager Cosgrove's leadership and using a customer service driven approach in the City's review of applications had enhanced the City's processes, which involved providing a balance between a good, efficient review process and affording the opportunity for citizen input. He suggested getting input from Commissioner Postma, who has done work in other communities.

Commissioner Postma stated Mr. Neamtzu's comments were accurate and he agreed the City had made vast improvements. He believed Wilsonville was probably faster than most jurisdictions without sacrificing thoroughness, but how did that translate to dollars, as it could still be expensive.

- He said he was disappointed because the Commission endeavored to make Code modifications to lower developers' costs, and yet they would still incur an expense. Additionally, developers would still go into the review process with cost and development uncertainties, despite having a new pattern book type of process. When speaking with the City, developers tend to indicate their acceptance of new processes because they believe their responses or preferences could impact the approval of future applications. However, he believed developers would be bothered that the City has back tracked to create a public hearing process.

The goal from the beginning, about 7 or 8 years ago, was to create a less expensive and more efficient process by putting the public hearing on the front end. If the City cared about small businesses, property values, and creating efficiencies for developers, he was disappointed to see the City backtracking from that goal and he could be a no vote on the FBC.

- When interacting with multiple people from the Development Review Board (DRB), he heard they were a bit bothered by the fact that the public hearing would go away. The public would still have the opportunity to speak on applications seeking waivers; but then to see it go to Council with that as the critical issue was disappointing.
- If a project met the guidelines and requirements of the pattern book, the application should be exempt from part of the process and expense, but now the City was backtracking from that which bothered him.

Comments from the Planning Commission and responses to Commissioner questions from Staff continued as follows:

- Language stating “shall be approved” should not be considered equal to “must be approved.” It seemed disingenuous that some of the language seemed to imply that an application would essentially be pre-approved if clear and objective standards were met, but then an approval process would also be required.
 - Ms. Rybold confirmed City Council requested the Code modifications be reviewed after a pilot review period and that an administrative review be implemented if the Code modifications were successful.
- Triggers for any future area-wide traffic studies would be determined during the initial traffic study. Staff had a good sense of the improvements already planned for the area and how those improvements would impact future capacity. Some minimums or maximums would be established for individual sites from the initial traffic study. Similar to the process in Villebois, Staff would keep track of the trips with regard to the traffic trip cap. If the trips allocated were exceeded, either by an individual project or toward build out, traffic would need to be studied further. The traffic impacts could depend on the type of industry and their specific traffic needs.
- Pilot parameters recommended that a review should be done after three applications or five years. Staff believed they would have a good sense of how things were going after processing three applications. Additionally, if the City only receives one application in five years, the Code modifications should be revisited. An urban renewal district was in place in the area and it would take time to build up urban renewal funds. It would take the City several years to realize meaningful infrastructure construction in the area that would incentivize development.
 - As an additional parameter, the DRB could propose changes to applications, which the City could track to determine how much change was implemented during the DRB review. However, Staff believed the type of feedback given by the DRB would be related more to aesthetics rather than the success of the Code modifications.
- Public input about this new process would be taken at the City Council hearing. However, in order to be really targeted, the City needed to see if the public was using the DRB forum.
 - Commissioners expressed concern about the public input that would be received after the Code modifications were implemented. Historically, commercial projects not near residential areas have not typically received much public input. Instead of waiting five years to hear from the public, Staff could just look back on the records of projects that were already approved.
 - The number of waivers requested would be very informative and instructive about changes that should be made to the Code. Many waivers would indicate where the Code was weak and patterns revealed by the details of the waivers would indicate what needed to be changed within the Code.
- Areas that prosper with new development have processes that allow developers to get approval in one to three days, not one to three months like here in Wilsonville. This was rare, but the Code modification project was an opportunity for Wilsonville to move in the same direction in a world that was edging toward on-demand development permits. However, the proposed recommendations seemed to be stepping backwards.
 - Wilsonville was not the only place to build, and other jurisdictions would be watching to see how these Code modifications work for Wilsonville.

- The Commission generally agreed the FBC review process should be put in place after a period of time and without the DRB review. The FBC process should be reviewed after a pilot time period, to consider such metrics like the number of requested waivers, time of approval, concerns from the public, etc. The City might determine FBC was not working after analyzing the metrics.
 - Other jurisdictions would want to know about any improvements or concerns regarding the FBC. If there were any cost savings experienced by developers? It was important that the Code modifications made sense, especially if the FBC was extended into Basalt Creek.
 - After several years, the Commission would also have actual buildings to see whether the FBC was achieving on the ground what was desired.
- Mr. Neamtzu confirmed that with or without DRB review, Staff's general level of effort would be similar; however, no DRB review would mean fewer night meetings and less Staff overtime. Fees were generally lower for an administrative review process than a public hearing.
 - The higher level of administrative authority would be new to Staff, but it would still allow Staff to hear from the community about issues, external impacts, and other performance related things that were beyond what the Code addressed.
 - The eventual turnover of Staff personnel was also a consideration with regard to increased administrative authority.
 - Coffee Creek still had neighbors close to the industrial area; residents that lived there a long time. The DRB wanted to hear from people about issues beyond what the FBC addressed or things that might not be captured in Staff's review.
 - Subsequently, he gravitated back to liking the pilot project and continuing to provide that venue for neighbors to provide input.
 - With clear and objective standards being created, like the Old Town Architectural Pattern Book and the FBC, to provide more certainty, the DRB's concerns about their role in the future were legitimate because the City had a legacy of generations of citizens owning and driving the way the community looks and feels. From that viewpoint, he believed both Council and the DRB were keyed in on the issues and took a respectful, conservative approach to give the bold, new FBC a chance via the pilot time period before taking next steps.

Commissioner Postma understood Mr. Neamtzu's comments, but noted the Planning Commission had been working on the Code modifications for several years within a citizen driven process. Now the City was backtracking. He recounted the number of public hearing opportunities available as land was annexed and developed, as well as the number of public meetings held regarding the FBC, so it had been vetted like crazy.

- He understood the apprehension about shifting from a more citizen-driven process and that the DRB was being removed from the process, but he wanted to give Economic Development Manager, Jordan Vance, something to sell. He wanted buildings going up faster in Wilsonville than anywhere else because the City was bold enough to step out and make a process that the development community was excited about, but the City had stepped away from that in the last couple of months.
- Residents in Coffee Creek have been watching this FBC process and some were excited because if the City could save developers money that would result in a slightly higher property value for those selling to the developers.
- The City had spent years developing the FBC and everyone needed to step away from their trepidations about the way things were done before, so Wilsonville could be the first to have this advantage over other jurisdictions in the area.
- He was excited about the City moving forward with FBC and the Code modifications; they could review their success in a few years.

Mr. Neamtzu noted the Commission would make a recommendation to Council next month at the public hearing when the public would be invited to give feedback on the recommended FBC process and the Code modifications. He would like see the recommendation include the option of a DRB review pilot.

- He confirmed administrative review would still involve noticing adjacent property owners and offering the option for a public hearing if Staff did not believe an application should be approved administratively.

Commissioner Postma noted it also incentivized developers to address any issues before submitting an application to Staff.

Commissioner Millan said she would be fine with the pilot process, but wanted to clean up the pilot parameters.

Chair Greenfield called for a brief recess and reconvened the meeting at 7:54 pm.

III. LEGISLATIVE HEARING

A. Year 2000 URA – Boeckman Creek Bridge

Chair Greenfield read the legislative hearing procedure into the record and opened the public hearing at 7:56 pm.

Chris Neamtzu, Planning Director, explained the proposed amendment would add the Boeckman Creek Bridge to the Year 2000 Urban Renewal Plan. The transportation facility did not meet minimum street standards as it lacked on-street bicycle facilities, sidewalks, and safe grades. This specific project and how it should be funded was discussed during the Frog Pond Plan and subsequent Infrastructure Funding Plan. Staff provided recommendations to City Council, which directed Staff to determine whether a substantial amendment to the Year 2000 Plan would be an acceptable way to fund and build this project. The project team would share their findings and ask for the Planning Commission's specific recommendation on whether the amendment was in compliance with the Comprehensive Plan, which was the scope of the Commission's review in this meeting.

Jordan Vance, Economic Development Manager, stated Staff had drafted the amendment and were working to obtain concurrence from the various taxing jurisdictions. The proposed amendment would increase the maximum indebtedness (MI) by approximately \$14 million to pay for the Boeckman Creek Bridge. The purpose of the hearing was to determine whether the Year 2000 Plan Amendment was in conformance with the Comprehensive Plan.

Scott Vanden Bos, Elaine Howard Consulting, LLC., noted details regarding the conformance of the amendment to the Comprehensive Plan were included in the meeting packet. He presented the Wilsonville Urban Renewal Amendment via PowerPoint, highlighting the background and bridge project details and reviewing the financial implications and the amendment's approval process with these key additional comments:

- The Wilsonville Urban Renewal Task Force unanimously supported the Plan Amendment.
- The Year 2000 urban renewal boundary included some unincorporated properties from Clackamas County, which was why the County had to improve the entirety of the proposed Plan amendment.
- The amendment would increase the Year 2000 Plan's MI and extend tax increment financing by three years. The Plan's original closure date was 2020.
- Concurrence was needed by the other taxing districts because the MI would be increased by more than 20 percent of the original MI as indexed for inflation. And, since the current MI already exceeded the 20 percent threshold, any further MI increase required concurrence.
 - Concurrence was also advised by Council because the Year 2000 Plan was in an alternative, not the statutory, review sharing program.
- Approval from Clackamas County was needed due to the unincorporated properties in the Year 2000 Plan Area.
- He offered to review the Comprehensive Plan Findings included in the meeting packet, and noted the suggested motion included very specific language required by statute. (Page 38 of 38 of the Staff report)

Commissioner Postma:

- Noted the proposed motion language stated that the Planning Commission was recommending that City Council adopt the proposed Year 2000 Urban Renewal Plan Amendment, but the resolution did not indicate the Commission was recommending anything. It provided the findings, but not a recommendation.
 - Mr. Vanden Bos responded that the Commission could strike the language from the motion that did not match the resolution. ORS Chapter 457 did not require that the language be in the motion.
- Confirmed that City Council could move on the issue without a recommendation preceding it and that only the findings were required. The motion could be revised and the resolution unchanged.

Chair Greenfield stated he had read the entire report with the references to the Comprehensive Plan as well as the responses, and he believed the amendment was in order.

Commissioner Springall:

- Asked how the Boeckman Bridge Project related to the Boeckman Creek Trail that ran underneath the bridge. Noting that Section 5 on Page 15 of the Staff report referenced the Bicycle and Pedestrian Master Plan and Frog Pond West Master Plan, he asked if the bridge project included development of the trail in that area or if it was entirely separate.
 - Nancy Kraushaar, Community Development Manager, replied the project would include construction of the trail immediately underneath the bridge, but not beyond reasonable limits of the bridge because that work would increase the budget and could extend outside the urban renewal boundary.
- Commented that since the trail was part the Comprehensive Plan, he wanted to ensure the Commission was moving forward on the trail as well as the bridge itself.
 - Ms. Kraushaar noted the Sanitary Sewer Master Plan included a sanitary sewer project linked to development of Frog Pond East that involved upsizing a gravity sewer line that went down Boeckman Creek, and pieces of the trail going to the south would be worked on during that project. The sewer line replacement was in the Capital Improvement Program (CIP), somewhere in the 4 to 7 year range. As Frog Pond developed, the focus would be on the trail north of Boeckman Rd.

Chair Greenfield:

- Asked when the Commission would see more details about the construction and design of the bridge, assuming the proposed Comprehensive Plan amendment was approved.
 - Ms. Kraushaar replied some preliminary conceptual planning had been done which developed some baseline footprint schematics of the bridge's cross section. Once the amendment was approved, the bridge project needed to be included in the budget, hopefully in 2018-2019 in order to start doing the design work. The City also wanted to coordinate the project with the Boeckman Rd improvements. The Boeckman Bridge Project would take quite a bit of time due to environmental permitting and working to find a way to build it with as little inconvenience to the public as possible. Boeckman Rd could be closed for two years to build the bridge, but the City preferred finding contractors with ideas about how to construct the bridge with limited road closures, which could get complicated. When choosing the consultant and contracting teams, the City would look for experience with more creative design and construction options.
- Confirmed the Comprehensive Plan required the Commission to move ahead on this project and how that would be done was yet to be determined. The decision tonight regarded whether the amendment conformed to the Comprehensive Plan.
 - Ms. Kraushaar added the project was in the Transportation System Plan, as well as the Frog Pond Master Plan. In terms of community connections, the project would play a big role in improving what was currently a barrier for pedestrians, bicyclists, and trucks, especially in winter weather. The bridge project would greatly increase the ability to connect the east and west sides of Canyon Creek Rd.

Commissioner Postma moved that the Wilsonville Planning Commission finds, based upon the information provided in the staff report, that the Year 2000 Urban Renewal Plan Amendment conforms to

the Wilsonville Comprehensive Plan and adopts Resolution No. LP17-0005. Commissioner Millan seconded the motion, which passed unanimously.

Chair Greenfield closed the public hearing at 8:18 pm.

Ms. Kraushaar said she was honored that Commissioner Levit's last vote was on the Boeckman Bridge Project.

IV. INFORMATIONAL

A. City Council Action Minutes 11-06-17 & 11/20/17

There were no comments.

B. 2018 Planning Commission Work Program

Chris Neamtzu, Planning Director, explained the geographical boundaries of the Arrowhead Creek Planning Area, which was a man-made small drainage area. City Council had identified working in this area as a goal to consider some land uses, potential riverfront access, and the transportation network building off of the road the City would be constructing soon. Once done, it would look like a mini master plan for that vacant land area south of Wilsonville Rd. Funding for the master plan was anticipated next year.

- He confirmed the City would run into environmental issues given the water in the area.
- He confirmed Phase I of the road project was from Kinsman Rd east and would start next year. The design phase was more than 50 percent complete. He highlighted some elements of the project. He was not certain about the timing for Phase II.
- He described the Density Inconsistency Revisions Project, which was intended to synchronize the Development Code and the Comprehensive Plan to provide increased clarity for anyone applying the development standards. Senior Planner Daniel Pauly would be the project manager.
- The City hoped to have a preferred alternative for the French Prairie Bridge site by July and then discussions would commence about the preferred bridge alignment and a bridge type. The planning process for funding the project was ongoing during each budget cycle as Community Development projects were prioritized. Once the location selection and design were far enough along, then a meaningful approach could be made about the funding. No cost estimate was yet available.

Miranda Bateschell, Planning Manager, clarified that the Town Center Master Plan should be adopted in or by October. The majority of the planning process would be complete by next summer and then it was just a matter of scheduling between the Planning Commission and City Council.

Mr. Neamtzu clarified the public hearing for the Town Center Master Plan was inadvertently placed in the work session column of the Work Program.

Mr. Neamtzu recognized Commissioner Levit for his 14 years of public service, which included two terms on the DRB and two terms on Planning Commission, in addition to his service on other committees. He commended the wonderful legacy and significant imprint he had left on the Wilsonville community and shared how proud he was of the work they had been able to do together. He looked forward to engaging Mr. Levit in some activities in the future.

Commissioner Levit noted one of the weirdest corrections he ever found was when he served on the DRB and he noticed an expired engineer stamp. He recounted his beginnings on the DRB which was only working on Villebois at the time. He clarified that he did not finish his 2nd term on the DRB and acknowledged how great the Staff is to work with and how hard they work. He commended the other Commissioners, noting how much he had enjoyed working with them.

Mr. Neamtzu presented Commissioner Levit with plaque of recognition and a card from the Planning Commission and Planning Staff, thanking him for his years of service.

V. ADJOURNMENT

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 8:27 pm.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, Inc. for
Tami Bergeron, Administrative Assistant-Planning