

**PLANNING COMMISSION
WEDNESDAY, MAY 11, 2016
6:45 P.M.**

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

*06/08/2016
Approved as Presented*

Minutes

I. CALL TO ORDER - ROLL CALL

Chair Greenfield called the meeting to order at 6:47 p.m. Those present:

Planning Commission: Jerry Greenfield, Eric Postma, Al Levit, Phyllis Millan, Simon Springall, and Kamran Mesbah. Peter Hurley and City Councilor Charlotte Lehan were absent.

City Staff: Chris Neamtzu, Michael E. Kohlhoff, Miranda Bateschell, and Steve Adams

The following handouts were distributed to the Planning Commission at the dais prior to the meeting:

- Four-page handout dated 3/9/2016 from Amy Thurmond regarding questions and concerns related to co-housing.
- Sixteen-page handout titled, "Where Do You Live?", which included a variety of maps and images related to the Frog Pond Master Plan.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

III. CITIZEN'S INPUT - This is an opportunity for visitors to address the Planning Commission on items not on the agenda.

Amy Thurmond, land owner, 7070 Frog Pond Lane, summarized the comments she submitted to Staff about questions and concerns raised at the March 9, 2016 Planning Commission meeting regarding co-housing. She noted how closely the principles of New Urbanism matched the concepts the Task Force developed for Frog Pond West. She believed co-housing was popular, marketable, reasonable, and something Wilsonville could be proud of. She concluded the three experts she had enlisted to help were ready to work as consultants or project managers as the process moved forward. Their contact information was provided in the handout.

IV. CITY COUNCIL LIAISON REPORT

No City Council liaison report was given due to Councilor Lehan's absence.

V. CONSIDERATION OF THE MINUTES

A. Consideration of the April 13, 2016 Planning Commission minutes
The April 13, 2016 Planning Commission minutes were accepted as presented.

VI. WORK SESSIONS

A. Frog Pond Area Plan (Neamtzu)
Chris Neamtzu, Planning Director, said he believed the Frog Pond Open House held earlier in the evening went well. He had the opportunity to meet with property owners from the Study Area and had a lot of good conversations. Holding the open house prior to the Planning Commission meeting was a new approach, and Staff had noted questions that came up during the open house and hoped to address as many as possible during the work session. The bulk of tonight's work session would involve discussion of the Draft Development

Code for the Frog Pond Area, which was a work in progress. He noted that although the Draft Code was finalized for the meeting packet two weeks ago, the project team had since made observations and learned things that would result in additional modifications. He expressed the City's appreciation to the citizens helping with this work of creating a vision for this great neighborhood.

Joe Dills, Angelo Planning Group (APG), along with Andrew Parish of APG, and Mike Zilis and Ken Pirie of Walker Macy, presented the Draft Code text and policies proposed to implement the Frog Pond Master Plan, displaying supportive materials, including maps, pictures, and a site study for the West Neighborhood via PowerPoint. The proposed Code language, which was discussed and presented in the meeting packet, involved the Comprehensive Plan Map and text for the Neighborhood Designation; Zoning Structure and Code; the Open Space Standard; and the Street Demonstration Plan and Cross-Sections.

The Planning Commission and consultant team followed the work session agenda provided on Page 1 of 43 in the packet. Discussion and comments regarding the proposed language in the code sections related to the Frog Pond Area Plan's concepts, including responses from staff and the consultants, were as follows:

- To stay true to the Frog Pond Area Plan, Section 4.127(.02)E we would probably be strike or make exception to modify that no multi-family dwelling units were permitted in Frog Pond neighborhoods.
 - Manufactured homes fell under State statute and City Code and qualified as a needed housing type so they could not be precluded or zoned out. Although design standards could be applied, Section 4.127(.02)I was included because manufactured homes could not be removed from single-family zones.
- The distinction between a duplex and an attached single-family with two dwelling units was the lotting and platting. Attached single-family units had a lot line between the units and were on two distinct lots where the owner owned both the lot and the home. A duplex had two units on the same lot and a single property owner. Because the minimum and maximum dwelling units were regulated, each dwelling counted as a unit, no matter the configuration.
 - With attached single-family units, the intention was that passersby would not know it was an attached house. These units also maximized the square footage of the lot.
 - Architectural designs that would distinguish the units of attached single-family housing were discussed and referenced.
 - Based on the aspirations discussed last year and the design discussions so far, language in the Draft Code should result in design varieties between the units, which could be done with paint and materials that would work for the builder and preclude mirrored sets of units. The architectural design should also vary building to building.
 - Two homes on adjoining lots could be built as attached units, which would maximize those yards and/or homes' size. The owner or developer could use this option to save greenspace or to meet the planned minimum and maximum density requirements on constrained land that was difficult to build on.
 - For the purposes of addressing co-housing development, the cluster housing development standards would also apply to co-housing.
- The Frog Pond West Zoning Subdistricts (Page 23 of 43) was intended to implement the Area Plan and take the guesswork out of the PDR system as fewer calculations were required. However, the proposed items were not set in stone.
- Andrew Parish, APG, noted a recommended change to Table 1(Section 4.127(.07)B). The Civic Area would not identify a specific number of units, but instead include a footnote stating Subarea 12 would be treated as a medium lot area. The project team wanted to provide some flexibility because they did not want to predetermine what might happen to the property, such as whether the church structure would remain and the rest would subdivide, or the entire church property would remain.
- The number of units in Table 1(Section 4.127(.07)B) was based on the median lot size. Calculations to date have assumed that the middle-of-the-road lot size would be built throughout the entire property. Wetlands and SROZ areas were subtracted from the buildable acreage and it was assumed that lots were built at the median lot size.

- The minimum lot size column reflected discussions that occurred in the Area Plan which directed and regulated the smallest lot permitted. For example, the large lot, single-family areas were planned between 8,000 sq ft and 12,000 sq ft, so the calculations assumed an average 10,000 sq ft and 8,000 sq ft was suggested as the smallest lot size to retain the large lot character. Allowing 5,000 or 6,000 sq ft lots was not consistent with the overall conceptual direction.
- As presented, the minimum lot size column in the table was mistaken to mean the square footage that resulted in the calculation.
- The purpose of the minimum lot size column was to constrain borrowing against super large lots.
- If a large property owner wanted to reserve a large parcel for themselves and not subdivide the entire property to begin with, Mr. Dills suggested doing a shadow plat or having a commitment to a minimum number of lots on the undeveloped portion of the property so as not to preclude the property's ability to fulfill the Area Plan in the future.
- If the property owner of Subarea 9 wanted a quarter of the property for their home, the burden would be on the property or developer to show that achieving the R-7 density was feasible. Due to the physical limits of what could fit on the rest of the property, the property owner's lot size would be limited at some point.
- Parks would be a deduction from density expectations. For example, if the City bought land for a park, that acreage would be removed from the density requirements for whatever property was involved, and was consistent with the calculations done to date.
- The Civic Subdistrict, Subarea 12, could redevelop to residential or the church could add a few residential units in association with their church use of the property. In this Draft Code, the church was an allowed use within the zone, just like in other PDR zones in the city.
 - The Concept Plan discussed the Civic Node and recognized not only the church, but particularly the Grange, as community gathering places with a more public quality. Subarea 12 was central to the four corners and a very visible location. Though designated a Civic Subdistrict, it was designated R-7 medium lot for future development, which did not meet what was outlined in the Concept Plan last year. If not zoned or specified in a way to allow it to redevelop as a public place, it might not meet the needs/vision discussed in the Concept Plan. The question was how to express that in the Code.
 - Mr. Dills discussed Code language options that would require public accessible space as part of development review should the church property redevelop. He could return with that language next time.
 - Under Section 4.127(.03)B, the church would be permitted to establish a retreat facility with individual lodging, similar to a Living Enrichment Center.
 - The Civic designation in Table 1 recognized there was a small undeveloped portion of the church property, so the number of units in Table 1 noted the minimum and maximum density allowed if units were added to that currently undeveloped property. However, the number of units would be changed to a footnote saying Subarea 12 would be treated as a medium lot area.
 - The church property owners could do what was allowed under the zone, which included expanding the church, redeveloping the property to residential, or a combination of each, building a few homes in addition to the existing church use. If the property was subdivided, the minimum lot size would be 6,000 sq ft for residential units.
 - Both the church and Grange were private properties. Concerns were expressed about constraining the church's uses and treating the owners differently than other surrounding property owners.
 - If the specific intention to maintain the Grange building and structure was for historical and cultural purposes, could that same reason be applied to the church property? The Grange was a different type of public use, so there were issues with constraining the church property the same as the Grange.
 - The location of the church property was the reason language was needed regarding its redevelopment. It was the center of the neighborhood along with whatever was built on the other side of the street, which might be retail. While the City could not constrain private property owners'

development rights, they were trying to build a neighborhood and part of that concept was a Civic Node. At some point, the City should be specific and constraining regarding redevelopment should it occur. Future development was being constrained for all property owners, not any present uses. Although currently private property, public use on part of that land was part of the vision.

- The initial Civic designation given to the church property was understood to be because of the existing use, not the future intended use should it cease to be there. Designating the church property as R-7 medium lot seemed appropriate because it was in character with the rest of the neighborhood.
- Listing the Civic Subdistrict in Table 1 assumed that dwelling units would eventually be built if the property redeveloped.
- The church owners were part of the process last year and mentioned a possible church expansion in the future, but made no mention of residential development.
- No consensus was reached about having the project team return with language specific to the Civic Subdistrict.
- Michael Kohlhoff, Special Projects Attorney, noted the City also had to ensure the definition for the Civic Zone was not overly constraining based on the federal statute for religious property ownership. In talking with church property owner about the designation, he suggested the Commission might want to have a definition to allow some of the components that would meet church's needs as well.
- Referencing the Site Study (Slide 10), no residential driveways would access Boeckman Rd. Access to the neighborhood would come from three streets, including Willow Creek Dr, which was currently stop-controlled. The Stafford Rd/Boeckman Rd intersection would be signalized.
- Willow Creek SROZ area was essentially a shallow gradient linear ditch. Regulations required a 50-ft buffer on both sides of the narrow wetland channel at the bottom of the ditch. Boxing the SROZ area in with streets gave it a rectangular appearance. Beyond the wetland, there was no defined ditch or edge to the resource area, which looked like a farm field beyond the top of the shallow ditch.
 - There were a number of broken agricultural drain tiles throughout the area that resulted in a lot of odd surface ponding in a number of locations as evidenced in the natural resources assessment. A site specific wetland delineation was not done for the entire area, but a wetland determination had been done by the consultants. Degraded wetlands existed beyond the buffer area, but none were in a floodplain or associated with any high quality resource area that would meet the significance criteria defined by the City's Code.
 - The SROZ area had a lot of potential for enhancement and stormwater management, so its visual appearance would be drastically improved through restoration, potentially incorporating stormwater runoff into the area and making the area an amenity.
 - Redesigning the SROZ area to meander was suggested to eliminate the straight edges; however, meandering would shift the SROZ onto other people's properties.
 - No considerations were discussed for filling the area with appropriate drainage. The natural resources regulations adopted by City Council in 2001-2002 included findings that any above ground stream was essentially a significant natural resource. Because the existing channel was above ground, it was found to be consistent with many other linear ditches throughout the community, all of which were found to be significant because the water was at the surface.
 - Willow Creek was dry in summer; however, the stream was at the headwater area of the drainage, so it was significant in that it provided important water quality control functions. The resource's location had hydrologic advantages because the runoff and then into the Willamette River pretty quickly.
 - As plans progressed beyond the conceptual design stage, doing a more natural regeneration of the drainage and habitat resources was suggested to benefit the neighborhood. Such an approach would result in a more aesthetically pleasing and functional facility that was also more resilient.
- The hammerhead area shown on the Site Study diagram was intended to provide a bike and pedestrian connection through to Boeckman Rd.
 - Changing the street with the hammerhead area to an alley would require reorienting the homes on the other blocks accordingly. The orientation of homes on the west side of the Willow Creek SROZ could be turned toward the SROZ, which could be a good option versus having the homes backing onto it.

- Changing the street to an alley would allow for more pedestrian green space and continuity. Pedestrian connections are richer when on green space rather than shared with vehicles.
- Section 4.127(0.18)(B)(c) House Plan Variety on Page 19 of 43 addressed concerns discussed earlier about having mirrored sets of units with duplexes and attached two-unit single-family homes.
- The last sentence of Section 4.127(0.18)(B)(c) was included to build on the inclusion of the use and ensured a variety of the homes on small lots as well. Using Subarea 1 as an example, the 10 percent requirement would result in about 8 of the 75 lots being duplexes or attached two-unit single-family homes. The provision was characterized as being optional. Input from the Commission was as follows:
 - There were certainly advantages to duplexes and attached two-unit single-family homes in Frog Pond and they should be allowed, but perhaps not required.
 - Other options like the cottages could also provide the density, so perhaps the language was over prescriptive.
 - Removing the word, “shall” would allow for the small cottage grouping as an option.
- Frosted glass would count toward the window standard, except if it was on a garage door. Windows did not have to be transparent to meet the standard.
- The proposed language was going in the right direction. It laid out some prescriptive details without designing a whole pattern book and provided a lot of flexibility.

The Planning Commission took a short recess. The meeting was reconvened at 8:30 pm.

The consultant team continued the presentation, reviewing the proposed Draft Code text and policies related to Open Space Standards and Street Demonstration Plan and Cross-Sections.

Discussion and feedback from the Commission continued with responses from Staff and the consultants as noted:

- The proposed Open Space Standards seemed to only support walking, but was intended to allow for gardening, small scale agriculture, basketball, etc., which would require other amenities, not just grassy areas. If programmed play spaces were desired, that must be specified.
- Mr. Dills noted this zoning work was also paralleling work on the Infrastructure Funding Plan for Frog Pond West, which would include transportation, water, sewer, and parks. The presumption was that strategy would move ahead and that public parks would be implemented over time.
- Consideration should be given when addressing homes as finding the addresses of homes that front on to greenspaces was challenging. Wayfinding for addresses would be clarified.
- Concerns were expressed about guest parking and accessing. The project team’s working assumption was that guest parking must be provided. Street cross sections included guest parking when there was an alley condition, essentially parking bays were incorporated into the alleys.
 - Guests have a difficult time accessing homes on green spaces from guest parking areas and spaces, and accessing front entries could be awkward.
 - The local street surrounding the green spaces, which would not be that deep, would be no more than four or five houses away, so on-street guest parking would enable guests to easily access front entries.
 - Parking was also proposed in front of garages, so guest parking could be provided in the back.
 - Alleys would have pedestrian throughways to allow guests parking in the back to walk straight through.
 - The team would review the language and street cross sections to ensure guest parking provisions were incorporated.
- The green spaces presented as Open Space were an option, not a requirement. If developers elected to create such green spaces, they would have to establish an HOA or some governing body to maintain them.
 - Having 10 to 15 different HOAs across Frog Pond West could be a problem, so the team was considering solutions, such as having a master HOA to help maintain commonly owned spaces.

- If green spaces were an option to achieve Open Space requirements, then the maintenance issue was critical.
- Mr. Dills sought input regarding the fundamental policy direction that small lot areas should provide green spaces as part of the design and that medium and large lot areas not have that requirement beyond natural resource protection. Comments from the Commission was as follows:
 - Another approach was needed. The policy could result in maybe 10 percent open space instead of the 25 percent required by the Code. As each area is developed, requiring only 10 percent on small lots would create a rush to start the development process since developers only had to provide the minimal amount of open space.
 - The team believed 27 percent overall open space was the base amount that would come from the master planned approach and natural resources. The 10 percent for small lot areas was in addition to that percentage.
 - Identifying park areas early and actually developing some parks before the residential development built out would be ideal.
 - The 10 percent requirement on the small lot areas, linear greens, and the flexibility allowed with additional green space were good ideas. The concern was that without a requirement on medium lot areas, the cohesiveness of the neighborhood would be lost.
 - Pictures presented show linear greens and green space on small lots, but no examples were given about what the medium lot areas would look like without some open space requirement. A smaller percentage of open space or green space could be required or perhaps, larger front or side setbacks could provide a bit more space and more continuity with the smaller lot areas.
 - Large lots were not as much of a concern because they would have yards.
 - Seeing how evenly the existing tree groves and SROZ areas were distributed was suggested to determine what would be required to have a coherent pattern. It might be okay to not have any open space requirements in the large lot areas, but it could also destroy the green space connectivity.
 - The 10 percent open space requirement in the small lot areas was fine. However, even the larger green areas illustrated on the Site Study diagram were not certain to exist, and not having any specific requirements when the locations of the tree groves, parks, SROZ, etc. were still unknown could result in a lot of homes packed into one area without any green space, which would not achieve the desired visual appeal.
- Mr. Kohlhoff described the challenges of the City designating park areas prior to development and the complications regarding a regulatory taking and providing equitable value or fair compensation to those whose land was purchased for parks or open space versus residential development. He explained how the City requires developers to fulfill their park obligations, noting that different developers have different approaches to the development of parks and open space.
 - The City Code currently required an HOA to be formed if any open space and common open space was proposed in a development. Joining a master HOA might be required if some park facilities served residents beyond a particular neighborhood or greenway, such as the major pedestrian trail that was proposed.
 - The Parks and Recreation Department could suggest ideas for features that require less maintenance, water, etc. to help decrease maintenance costs over time.
 - The City would have to consider how to get bigger parks and how to get a park in a certain area, while being careful that it would not result in a regulatory taking.
- The City seemed to have three options: 1) Determine the park locations ahead of time and provide fair compensation to those property owners. 2) Require 25 percent open space across the board and live with the fact that Frog Pond might not have large, threshold-meeting open space areas. 3) Provide developers the option to pay into a fund to fairly compensate the property owners whose land would be used for parks and open space.
 - Mr. Kohlhoff agreed a supplemental park fee was an option, where developers paid into a fund used to make up the property value difference for those whose lands went to parks benefitting the entire development area. Generally, park system development charges (SDCs) were for park facilities built

over a 20-year time period under the City's land use regulations. A surcharged park SDC was another option as a similar mechanism was used to finance the City's portion of the I-5/Wilsonville Interchange. There were a number of creative ways to structure it, but more discussion was required about all the financing details involved.

- He clarified the City would not function as the master developer, but was master planning the Frog Pond Area.
- Mr. Dills said that getting the parks done involved funding and acquisition strategies. He suggested informing the specific Code standard with these strategies, which would be discussed with the Commission further in July.
 - The City's first approach should be cooperative, working with property owners, willing sellers, and developers to mesh with development plans rather than designating particular areas with the best intentions for connectivity. Designating certain sites could take away some of the City's acquisition strategies.
- A collaborative approach was great, but it was usually based on a clear understanding of the give and take. The property owners must clearly understand that the City was giving them value by increasing the value of their land by providing public services, infrastructure, etc. Typically, the perspective is, "I can do whatever I want with my property", which was correct, but the City did not have to provide all these additional services to the property either. If value was provided, the City expected value back.
- Mr. Dills noted that the land was not annexed yet, which was a key threshold to cross. The Comprehensive Plan designation opened the door to annexations, which should not occur until both the Funding and Acquisition Strategies were in place.
- Having these strategies in place would address most of the concerns that had been voiced. If owners knew they would be treated equally or fairly financially, the process would move a lot smoother.
- Mr. Dills noted there was time to return to Open Space Standard and try to connect it with some of the funding and implementation strategies that had been discussed tonight.
- The 10-ft wide pedestrian connections were wide enough for both bikes and pedestrians to share; the minimum width was 8 ft wide. Additionally, pedestrian connections would not be longer than 200-ft, so bikes would not have time to get up to speed.
- The green spaces shown on the Typical Alley cross section on Page 43 of 43 were part of the yard. The assumption was that fences would be installed. The large setbacks and buildings shown were conceptual, but the cross section was directive about the 20-ft minimum width of the alley and 18-ft minimum length of the parking apron or garage setback.

Mr. Dills stated the team would report to Council about the issues the Commission was struggling with and return with more details to discuss at the work session in July.

Chair Greenfield called for public comment on the Frog Pond Master Plan.

Dan Grimberg, West Hills, said he started as a developer in Charbonneau quite a while ago and he has continued to learn about this business and development. Flexibility was very important. A lot of unanticipated issues come up, so there needed to be flexibility in the Code. West Hills had called City Staff numerable times to work through issues and Staff's collaborative effort helped West Hills build the first 350 homes in Villebois and also helped Villebois advance as it had. About 80 percent of West Hills' work and development had been in UGB expansion areas like Frog Pond, which involved a ton of issues that look good on paper, but a lot of issues arise during implementation, which West Hills would work through.

- West Hills had been working on Frog Pond since 2005 and had 60 acres under contract, but there were issues, primarily with sewer capacity. Now, it was a much better situation and West Hills was anxious to get started and continue working together, as they had done the last 15 years.
- He understood the Code got prescriptive at a certain point because the City wanted to build an outstanding community. West Hills had worked in five other UGB expansion areas and concentrated in such

areas because the larger parcels of land could create significant communities and real neighborhoods, which was what West Hills wanted to do in Frog Pond.

- One issue unique to Frog Pond was that it was primarily parcels averaging 5 acres in size. Although the big maps that included connectivity, green space, community parks, etc. looked great, Frog Pond would be built in 5 and 10 acre increments.
- If the City could do anything to advance development, it would be to consolidate the land into 50-acre parcels. That was the biggest issue once basic infrastructure was addressed. He knew the Code would work and that the City had a great project team. He looked forward to working with the City

Don Hanson, OTAK, said he had three items to discuss. First, the idea of having homes front onto Boeckman Rd would be a challenge because there was no parallel parking, but there was flexibility in how that street frontage could be achieved. The key was the quality of the appearance and a lot could be achieved with side lot orientation, manipulating the site plan, and landscape enhancements to achieve the quality the City and design team wanted.

- Second, the framework of the neighborhood designation provided flexibility with the Subdistricts around the site. There were 23 owners with an average property size of 5 acres, so they needed to think in a compartmentalized way, while still maintaining continuity for the entire plan. He was encouraged by the street network plan, which was important to coordinate Frog Pond neighborhoods.
- Finally, with regard to park locations, he was glad to hear about strategy decisions that could be made now, adding that tonight's discussions could form the foundation for a strategy moving forward. He wanted to nudge the Commission in that direction because things would not get easier as the process moved forward. The earlier decisions were made, or at least decisions about the framework for those decisions were made, the better, so people could be informed about the general strategy for the park system as soon as possible.

Doris Wehler, 6855 SW Boeckman Rd, Wilsonville, OR, believed the Master Plan and all the work done on it was terrific. She loved how the presentation was laid out, and she appreciated that it was easy to understand. She questioned the need for including the Lutheran Church property in the Master Plan at all since it was unlikely that anything was going to be done with it in the near future. Why develop regulations regarding the property and work around laws that might change? It should be left out of the Master Plan and decided on later.

Commissioner Postma agreed, adding if the City did not include the church, it would not be putting any constraints on the property that would be problematic.

Commissioner Springall also agreed, adding his concerns about not matching the Concept Plan.

Mr. Dills explained the project team believed the church property should remain in the Master Plan to avoid having a "hole in the donut". The church property also needed certainty in the zoning like everyone else and part of the annexation bill of rights was municipal sewer service and so forth, which was not available now. There was a lot to be gained and any regulatory issues or even different visions for what should happen on the property could be worked out, so it should be a cohesive whole.

- At this time, the church property would be included in the Neighborhood Residential Zone, it was an allowed use and any redevelopment or additions to the existing property would require compliance with the Code. No special regulations had been added. He noted the church property owners would also be partners at some point with the street construction.

VII. INFORMATIONAL

A. Basalt Creek Concept Plan (Bateschell)

Miranda Bateschell, Long-Range Planning Manager, noted a presentation on the Basalt Creek Concept Plan and the results from last month's open house were included in the meeting packet. She confirmed nothing further was

occurring with regard to Basalt Creek prior to next month's Planning Commission meeting, so there was no urgency in receiving the Commission's input at this time.

Chair Greenfield deferred the Basalt Creek update to next month.

VIII. OTHER BUSINESS

A. 2016 Planning Commission Work Program

There were no comments.

IX. ADJOURNMENT

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 9:35 p.m.

Respectfully submitted,

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