

**PLANNING COMMISSION
WEDNESDAY, DECEMBER 11, 2013
6:00 P.M.**

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

Approved
February 19, 2014

Minutes

I. CALL TO ORDER - ROLL CALL

Chair Altman called the meeting to order at 6:02 p.m. Those present:

Planning Commission: Ben Altman, Eric Postma, , Marta McGuire, Peter Hurley, and Phyllis Millan. Al Levit, Ray Phelps and City Councilor Julie Fitzgerald were absent.

City Staff: Chris Neamtzu, Barbara Jacobson, and Katie Mangle

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. There was none.

IV. CITY COUNCIL LIAISON REPORT

A. City Council Update

No Council update was provided due to Councilor Fitzgerald's absence.

V. CONSIDERATION OF THE MINUTES

The November 13, 2013 Planning Commission minutes were unanimously approved as presented.

The Commission addressed Work Session B regarding Goal 10 Housing at this time.

VI. WORK SESSIONS

A. Draft Residential Lands Study Report Distribution (Mangle)

The following items were distributed to the Planning Commission:

- Wilsonville Residential Land Study Public Forum Agenda for January 8, 2014
- Wilsonville Residential Land Study Draft dated December 11, 2013
- Wilsonville Residential Land Study: Technical Report dated December 2013

Katie Mangle, Long Range Planning Manager, explained the report was being distributed, but not presented, because there was really no new information or recommendations. The related Development Code amendments were required, namely for compliance with Goal 10. The question was whether the Code amendments should be carried through with the adoption of the report, as was done with the Transportation System Plan (TSP).

- She noted the distributed Residential Lands Study Draft was a newer version that acted like an Executive Summary and would be the main report, with the Technical Report serving as the technical appendix. The Draft Wilsonville Residential Land Study and the draft Technical Report for the Study would be available on the website tomorrow.
- Hopefully, the Commission would agree that the Residential Land Study Draft was a much more palatable version of the technical information. The more illustrative Residential Land Study was

essentially what Staff planned to present at January's public forum and copies of both documents would be available. A work session would be held on both draft documents at the February Planning Commission meeting to discuss any comments, changes, or edits from the Commission, as well as any feedback from the forum.

- The documents would be adopted as ancillary documents to the Comprehensive Plan similar to how the Goal 9 Economic Opportunities Analysis was adopted a few years ago.

B. Goal 10 Housing Needs Analysis and related Code Amendments (Mangle)

Katie Mangle, Long Range Planning Manager, explained that the main purpose of the Goal 10 Housing project, which was part of the City's periodic review of the Comprehensive Plan, was to demonstrate that the Comprehensive Plan complied with Statewide Planning Goal 10, and doing so required a review of the Development Code to ensure it was fully compliant with Goal 10, its statutes and administrative rules. Information from the project was also needed for the Frog Pond/Advance Road planning. Most cities require a long list of amendments to comply with Goal 10 because they allow enough housing types or meet certain processes. However, Wilsonville only had a short list of amendments, and two of the three were requirements.

She presented the proposed Development Code amendments described in the Staff report, addressing questions from the Commission and with discussion from the Commission as noted:

- Allow Duplexes in all Residential Planned Development zones (PDR). Duplexes used to be allowed in these zones, and Staff believed deleting them had been an oversight. Not allowing duplexes in these zones was logically inconsistent since the same zones allowed single-family and multi-family housing. The simple amendment was to add Duplexes to Section 4.124(.01), as shown on Page 28 of 59 of the Staff report.
 - Staff did not believe Duplexes were intentionally omitted; no reason could be found for the omission.
- Clear and Objective Review. The State required having measurable criteria and an objective process for all needed housing types. The clear and objective process was an Administrative or Staff Review and the Development Review Board's (DRB) review was more discretionary. The City is allowed to have both types of review, but Wilsonville was not quite meeting the clear and objective review standard for multi-family housing and in Old Town. Staff had debated with the Department of Land Conservation and Development (DLCD) because much of what happened in Wilsonville was very discretionary and occurred in the planned development process. Most development in Wilsonville going through the site design review process was also going through a final development plan or other discretionary reviews, so that was not a problem. However, if an existing apartment building was being expanded for example, it was not required to go through those other processes. Therefore, another objective process was necessary for looking at that building. It would be rare, if ever, that the process would be used, but DLCD Staff believed Wilsonville's Code needed to address that kind of situation.
- Multi-family Housing. There were concerns about the review process in Villebois where the design of some new houses bypassed DRB and went through an Administrative Review, where a City contractor reviewed and approved some design elements, resulting in some new homes not being on par with some of the existing homes.
 - Ms. Mangle clarified that the process in Villebois involved the discretionary review and the Pattern Books, which was the clear and objective or Administrative Review. There was no similar structure for the Planned Development areas. While the elaborate system used in Villebois was not desired everywhere, it included two tiers of review. This amendment would set up the administrative tier for the Planned Development zones.
 - The proposal was to add objective criteria regarding key design features of a residential building that Staff would review administratively, such as requiring windows on the frontage; items that really made a difference and contributed to the public nature of larger residential buildings. This approach, suggested by Mr. Edmonds, drew upon the Villebois standards that

Staff and many developers were already very familiar with and because the Villebois standards nailed many key urban design features. The proposed amendment regarding Class I design standards started on Page 33 of 59. The approach needed to be measurable, clear and objective. It did not have to work for every building because the discretionary process through the DRB was always an option.

- The proposed amendment would apply to all development outside of Villebois. This Code would rarely be used, as it would only apply to multi-family projects not going through Planned Development Stage I/Stage II review, site design review, rezoning, etc.; most projects go through all such reviews simultaneously. Occasionally, projects are not required to go to DRB for any reason and so the proposed process would be used.
- She clarified the additional language added to the end of Section 4.420(.01) on Page 30 of 59 had been deleted from the very first sentence in order to make it more explicit that being included in the run-on sentence. New Section 4.420(.04) would identify whether a project fell under a Class II or Class III review.
 - The intent was not to change the applicability, but to make the language clearer. Section 4.420(.04) identified which process would be used if a review was required. She agreed more wordsmithing was needed regarding Section 4.420(.01).
- Up until now, with the exception of Villebois or within a Master Planned Subdivision, site design review has not been applied to units. The proposed amendment would not add any new triggers to site design review, but instead, add a trigger to stay out of it, within a subset of what already triggered site design review, providing the applicant an alternative path for multi-family housing. Single-family currently did not trigger site design review and this would not change.
 - The application under Section 4.420(.04) only applied to multi-family residential housing.
- The second Section 4.421, shown on Page 33 of 39, would apply some of Villebois' standards outside of Villebois, because Villebois' design features work.
 - Having a good procedure requires having a good list of features. This Section 4.421 focused on the design standards the City needed to insist on; what was really important. Rather than adding all the options, a simpler approach was used because this Code section might only be used once every five years, but other options could be considered. From a design point of view, some of the most important elements were horizontal façade articulation; building materials; how ground level units relate to the space and the sidewalk; depth of eaves; percentages of windows, etc. The Class III Code did not say a lot about many of these features, being that so much happens in discussion and negotiation.
- Concern was expressed about the Code section for multi-family open space being weak. Through design review, Wilsonville has managed to get good development, but that largely depended on the site itself. The open space provisions in the multi-family sections were not adequate. The Code required so many square feet per unit, which did not always lead to the best overall design. On the other hand, the problem on the residential side was that 1 to 50 lots are lumped into the same standard for open space, resulting in small projects being penalized at an unusually high rate.
- The Commission was encouraged to think about existing projects where they might want to see improvements made. The proposed amendment would be applied to the modifications or upgrades done at the existing Duck Country Apartments and Beaver Country Apartments. The existing process resulted in that project being a Class II with site design review.
 - If the current housing stock is considered pretty good overall, there was no need to raise the bar by including a lot of standards for existing development to get better product.
 - Another example that might possibly go through this administrative review process were projects that had already completed Phase 1 and Phase 2 Planned Development reviews and were changing the architecture of the building from what had been seen at the hearing, but not changing the number of units, height, size, parking, or anything that would trigger another planned development review. Again, if the project could not meet the standards, it could go before the DRB.

- The City would not want an upgrade to result in an inferior product. A developer could have a decent project, but with lower standards, and that is where the proposed Class I Design Standards would be relied upon.
- Considering the Code in light of real projects on the ground, revisiting and assessing how some older multi-family developments had fared over the years was suggested, particularly with regard to usable open space.
- Looking at the range and scope of the Villebois standards would be helpful to weigh the potential for an inferior product with a more general Administrative Review process.
 - The inclination was to go more prescriptive given an administrative process and no public hearing. Neighbors would not understand a decline in the standards. The Commission needed to be thoughtful about what criteria were chosen.
 - Not all of these criteria applied outside of Villebois, but resulted from the DRB, so how could those standards be set as a base.
 - Even Villebois with its very prescriptive process had products inferior to other existing projects.
- Ms. Mangle agreed to return with a long menu of multi-family standards for the Commission to consider. The issue was also to consider how prescriptive the Code should be in terms of what was right for the City. She cautioned about over doing it because this Code section was not anticipated to be used very often.
- Old Town Overlay Zone. Old Town was the only part of Wilsonville that had and would continue to accept infill development that was not a part of a master plan or planned development, in terms of its residential areas located mostly between I-5 and Boones Ferry Rd. Old Town developed the Old Town Neighborhood Plan to encourage single-family and home development so that the homes would be scaled and designed in character with existing homes. Upon acceptance of the Old Town Neighborhood Plan, Staff was charged with integrating the Architectural Pattern Book, excerpts of which started on Page 49 of 59, into the Development Code. One challenge was that the Pattern Book was not set up to be a Code-style checklist.
 - One problem was that all homes in Old Town, even single-family homes, must go through site design review and a public hearing at DRB, which did not support the neighborhood's vision. Also, having all single-family homes go through the discretionary process was not in compliance with Goal 10.
 - To address both issues, a better, simpler process had to be created to encourage single-family homes in Old Town. Therefore, the emphasis of the proposed Code amendment was to create an administrative design review process for single-family homes and duplexes in Old Town which currently did not exist.
 - The drafted Code amendments began on Page 38 of 59 of the Staff report.
 - Preserving the diversity and eclectic nature of the different housing types was part of what Old Town desired, which could be challenging to promote in a code. Many of the design elements addressed articulation, windows and detailed design, prohibited materials, etc. and more could be included. Representatives from Old Town were reviewing the draft Code amendments to help determine whether the right approach and combination of architectural features was being proposed.
 - The Architectural Pattern Book was adopted by the City Council via a resolution; however, it was being applied like a standard. The proposed amendments would codify the Architectural Pattern Book, but there would still be value in giving the Pattern Book to applicants for their designers to use as a reference.
 - The primary interest in Old Town was for single-family homes. New owners wanting to develop multi-family units started the entire Old Town Neighborhood planning effort, so codifying the Pattern Book was now more urgent.
 - Another challenge in Old Town was the mix of zoning, which included industrial, multi-family and single-family. Some of the amendments would create some non-conforming standards in the neighborhood, but the Old Town representatives felt that resetting the benchmark and going forward with standards in support of the Pattern Book was in the best interest of the

community. There many recommendations in the Old Town Neighborhood Plan to allow property owners to request a rezoning, including commercial sites on Boones Ferry Rd not currently zoned commercial. The Neighborhood Plan recognizes Boones Ferry as a historic main street. The City would not initiate any zone changes due to Measure 37 and Measure 49 implications.

- The proposed amendment would allow all single-family homes to go through Administrative Review, which would incentivize single-family development because the process would be more streamlined. The City was not required to have single-family homes go through Administrative Review; an alternative path could be used. The problem was that the criteria in the Old Town Overlay Zone were actually written for larger buildings. Overhauling the Code to address more discretionary standards for single-family homes would be a more challenging project. Subdivisions would still follow the regular process, but projects like the development on Fourth Street would go to DRB.
 - Currently, no clear and objective process was available for a house being proposed on an existing lot. Table 1 on Page 3 of 59, outlined the process for each building type in each zone. The Old Town Overlay Zone was the only zone where every building type required a Class III Site Design Review, a disincentive to develop single-family housing, the housing type Old Town most desired and that was most appropriate on most lots.
 - The Old Town Overlay Zone was new and written with the Fred Meyer site in mind and with redevelopment along Boones Ferry Rd as a primary driver, rather than small lots with potential infill development.
- Ms. Mangle emphasized that the proposed amendments were still a preliminary draft. Staff was still talking with the Old Town neighborhood representatives, who had agreed so far, that the right problem had been identified and that they liked the current strategy. The representatives were considering whether this specific approach was best for implementing the Pattern Book. Another approach might also meet the clear and objective standard, while providing more of a tie to some Old Town's housing styles. Depending on neighborhood feedback, the timing might not dovetail with the Goal 10 project.
- Scheduling a work session with the Old Town representatives early in the process but after they had reviewed the draft was suggested.
- All underlined text on Pages 44 to 47 was new language.
- In Section 4.138(.03).A on Page 39 of 59, the reference to Section 4.138(.04) was incorrect, and perhaps, should be (.05)(C.) on Page 43, because Section 4.138(.04) was now the pedestrian section. Subsections (E.) and (F.) on Pages 41 and 42 were duplicated.
- Section 4.138(.06) Accessory Dwelling Units (ADU) would be a Code section solely for Old Town because ADUs in Old Town would have a higher level of design detail compared to other City ADU standards.
 - The Old Town Neighborhood Plan discussed the increased potential for more individual houses being built in Old Town, and therefore, more ADUs. One project prompted a high concern about having too many ADUs in the neighborhood. One recommendation in the Old Town Plan was to limit the number of ADUs to 10 percent of the number of houses in the neighborhood. There were some things the City could not do, but this Code section was written to provide a bit more oversight on the size, design, and how ADUs integrated into the neighborhood. While not related to Goal 10, the language was included because it related to the Old Town Plan and the neighborhood's request.
 - The word "may" on Page 46 of 59, Section 4.138(.06)(B.)(4.)(A.). Privacy Standards should not be used in an administrative process that is intended to sidestep what triggered it.
 - The ADU standards were somewhat cut and paste at this point and there was definitely room for improvement. The purpose of the draft was to provide ADU standards designed more for the nature of Old Town. The ADU standards already in the City's Development Code were included for reference at the bottom of Page 47 of 59.

The Planning Commissioners agreed that the proposed amendments package related to Goal 10 should be adopted with the rest of the Goal 10 project with public hearings likely scheduled in March or April. With good input from the Old Town neighborhood, any refinements should go fairly quickly. A work session would be held with the Old Town representatives in advance of the public hearing.

Ms. Mangle noted that only the Committee for Citizen Involvement (CCI), not the Planning Commission, would meet in January 2014. The CCI meeting would be used as a public forum on the Residential Land Study, the Goal 10 Housing Project. She distributed a draft agenda for the meeting, which would have in a casual format, not with the Committee members at the dais. Being clear about the objectives and outcomes of the meeting was important. Key technical information and data would be presented from the Wilsonville Residential Land Study. Questions would be taken, but the discussion would focus on the recommendations, not probing into all the different assumptions. The presentation was estimated to be approximately 30 minutes, followed by discussion and a question and answer section. All of the homebuilders and development community would be invited to attend, as well as those on the City's interested persons list who had submitted comments or had asked to be on the list. An article had been or would soon be published in the *Boones Ferry Messenger* and *The Spokesman*.

Comments and discussion from the Planning Commission and Staff continued as follows:

- Consultant Bob Parker gave an excellent presentation at the City Council work session.
- Staff did a great job on the latest Wilsonville Residential Land Study draft, which looked good and outlined the information very well. The key thing for citizens to understand was how the City would actually use the land study information to move forward.
- To get the feedback desired from the public, the Committee would need to ask the right questions.
 - "Planning for Growth Areas" on Pages 20 and 21 discussed how the information from the Land Study and monitoring growth in Frog Pond, Advance Road, Town Center, etc. would be used to challenge Metro's forecast and facilitate Code changes. This information would also be available to decision makers every time the City had to make a decision about a housing project, even with regard to upzoning or density bonus requests.
- The CCI meeting seemed more like information sharing, not a feedback forum; being explicit about that would result in less confusion. Much of the material was just informing as no decisions had been made yet.
 - The CCI forum should be considered as the first meeting for the next step of master planning Advance Road and Frog Pond, which would really be setting the stage for Wilsonville's next new neighborhoods. Attendees would be encouraged to sign up on the list to receive notice in March.
 - Much of the material was informational, and while someone at the meeting could challenge the data, assertions or how the information was gathered, such questions were unlikely because the Planning Commission and City Council had been very clear about the direction for Frog Pond. If someone disagreed with those assumptions, the Committee should certainly get that feedback, which would be grounds for discussion. However, it was not a big policy question for debate from what Staff was understanding from community right now.
- A potential density range had been discussed for Frog Pond at City Council, but there seemed to be mixed responses and no formal decision was made. The general agreement was that nothing should be set in stone, and that they should start with a vision, not necessarily set specific parameters that would hinder Frog Pond's potential if it had a variety of uses. Was it too early to ask the public what they want to see in Frog Pond?
 - Ms. Mangle agreed it was too early. The City was not setting the policy for Frog Pond, but rather the assumptions for this model which was intended to determine whether the City was meeting the State requirements. Without even trying, Wilsonville was meeting all of the State requirements, and the City would easily meet State requirements by using 5 to 8½ dwelling units per acre, which would be discussed more during the Frog Pond/Advance Road concept planning process.
- Having something on paper available to the public was suggested clarifying that no planning was being done for Frog Pond at this time and the assumptions in the report were for the sake of the Goal 10 Analysis.

- Property owners who see their property being affected on maps might want to talk about Frog Pond. If the CCI or Staff was not prepared, it could potentially disengage the public because they would get frustrated with the process.
- If the meeting was explicitly to share information, that should be stated clearly upfront because they did not want people coming to provide input that the CCI not ready to receive. Nothing was more frustrating for the public than to come to a meeting that was not what they expected. When advertising and promoting the meeting, Staff must be careful about the language used so people did not come with false expectations and end up frustrated.
 - Providing input on the recommendations was different than actually setting a standard for Frog Pond.
 - There would certainly be an opportunity for the public to provide comments on Frog Pond, and Staff would contact those with comments about future Frog Pond meetings.
- Developers would use the information from the public forum to determine what would be built in Frog Pond.
- ECONorthwest had prepared the report and worked to respond to Staff's request for a more user friendly, understandable format than technical memos.

VII. OTHER BUSINESS

A. 2013 & 2014 Planning Commission Work Program. Reschedule of February 2014 Planning Commission meeting

Chair Altman noted the public forum would be in January. The regular February meeting date was in question because several people would be out of town that week. Planning Director Chris Neamtzu said he would send out a "save the date" for February 19, 2014.

B. Recognition of Commissioner Phelps 8 years of service to the City

Chris Neamtzu, Planning Director, said Commissioner Phelps absence was unfortunate as he hoped to hear him recount some of his stories from over the years. He had talked to Commissioner Phelps earlier today, thanking him for his substantial commitment to the City, particularly with regard to transportation. Commissioner Phelps' commitment to tracking things on behalf of the community was astonishing, especially since he did not even live in Wilsonville. He had learned a lot from Commissioner Phelps who had extensive experience. The Planning Commission was richer because of Commissioner Phelps' experience and involvement. He circulated a card for the Planning Commissioners to sign that he would send to Commissioner Phelps.

Barbara Jacobson, Assistant City Attorney, recalled Chair Altman's disappointment regarding the lack of relevant case analyses at the recent Planning Commissioner training. She noted a decision had been issued by LUBA, remanding the City of Tualatin's Transportation System Plan back to that city based on the location of the Tonquin Ice Age Trail. A group of owners in the industrial park in Tualatin challenged the right of the City and Metro to mandate that the trail go through industrial area based on other requirements that no public parks be in industrial areas. LUBA decided that the Tonquin Trail segment was effectively a park. Initially, LUBA's jurisdiction regarding the resolution was challenged because resolutions were only ideas, not land use actions, but that changed once Tualatin's TSP was adopted. It was an interesting analysis and very timely considering the City of Wilsonville would be looking at something similar with its industrial areas. She distributed the case, adding the Commissioners could discuss it further at the next meeting. She would also begin distributing other interesting or helpful cases to the Commissioners periodically.

Commissioner Millan recalled that when the Commission passed the TSP forward, a group was supposed to meet to make a decision about where the connection point would be sited in the Old Town area for the Brown Road Extension. She asked if the group had ever convened and for an update on that particular piece.

- Mr. Neamtzu responded a timeline had not really been established for that specific placeholder, although it was adopted into the TSP in its final form, as the Commission had recommended, with the Budget Committee providing funding for the extension. There had not yet been a budget cycle where a project could be included. Absent a detailed plan for the large vacant parcel the extension would traverse through, it was fairly difficult to convene a group to discuss where the road would go. A lot of momentum would be needed as well as some actual planning work on Dave Bernert's property before there would an opportunity to sit the parties down and reach a good resolution.

Commissioner Hurley:

- Asked about the major TSP road projects, with the top five including pushing through Barber St as well as Kinsman and Canyon Creek Roads.
 - Ms. Mangle replied there were two tiers, one that would be funded in the next 20 years and one that would not be funded in the next 20 years. The projects were not ranked in any other manner.
 - Mr. Neamtzu noted there was a Five-Year Capital Improvement Program list, with projects added from the Master Plan as other projects are completed. That list included the Barber Street Extension and Kinsman Road design, but it was not the TSP.
- Said that the CIP noted a numbered list, 1 through 5, that was approved by City Council, and then another list, 6 through 10, that were done in blocks, but the response email stated they were not ranked 1 through 5. He recalled that Canyon Creek Rd was falling into the second list, but got pulled back up to #5 in the first list. If projects were not being ranked, in terms of what order they should be done, the projects should be formatted as bullet points, not with numbers.
- As much as connectivity was desired, only dead ends currently exist where Canyon Creek Rd would be extended to Town Center Lp, and neighbors were uncertain about that connection. He understood it had already been approved.

Mr. Neamtzu announced an open house regarding the extension of Canyon Creek Rd South to Vlahos Dr, which comes into Town Center Lp East, would be held tomorrow from 6:00 pm to 7:30 pm at City Hall, providing citizens the opportunity to see the preliminary design and understand the geometry of the road project.

VIII. ADJOURNMENT

Chair Altman adjourned the regular meeting of the Wilsonville Planning Commission at 7:21 p.m.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, Inc. for
Linda Straessle, Planning Administrative Assistant