

**DEVELOPMENT REVIEW BOARD MEETING  
JANUARY 8, 2024  
6:30 PM**

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Public Hearing:

5. **Res. No. 425 Frog Pond Cottage Park Place Subdivision.** The applicant is requesting approval of Annexation to the City of Wilsonville and rezoning of approximately 5.00 acres, a Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of parks and open space, Tentative Subdivision Plat, Type C Tree Removal Plan, Middle Housing Land Division, and Waiver for a 17-lot residential subdivision.

Case Files:

DB23-0004 Frog Pond Cottage Park Place Subdivision

- Annexation (ANNX23-0001)
- Zone Map Amendment (ZONE23-0001)
- Stage 1 Preliminary Plan (STG123-0002)
- Stage 2 Final Plan (STG223-0003)
- Site Design Review of Parks and Open Space (SDR23-0003)
- Tentative Subdivision Plat (SUBD23-0001)
- Middle Housing Land Division (MHL23-0003)
- Waiver (WAIV23-0005)

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

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 425**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) OF APPROXIMATELY 5.00 ACRES, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE REMOVAL PLAN, MIDDLE HOUSING LAND DIVISION, AND WAIVER FOR A 17-LOT RESIDENTIAL SUBDIVISION.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by Brian Matteoni for Sullivan Home, LLC – Owner/Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at 7252 SW Frog Pond Lane on Tax Lots 1200 and 1300, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated December 28, 2023, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on January 8, 2024, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated December 28, 2023, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB23-0004 Frog Pond Cottage Park Place: Annexation (ANNX23-0001), Zone Map Amendment (ZONE23-0001), Stage 1 Preliminary Plan (STG123-0002), Stage 2 Final Plan (STG223-0003), Site Design Review of Parks and Open Space (SDR23-0003), Tentative Subdivision Plat (SUBD23-0001), Type C Tree Removal Plan (TPLN23-0002), Middle Housing Land Division (MHL23-0003), and Waiver (WAIV23-0005).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 8<sup>th</sup> day of January, 2024, and filed with the Planning Administrative Assistant on \_\_\_\_\_. This resolution is final on the 15<sup>th</sup> calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

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Jean Svadlenka, Acting Chair - Panel A  
Wilsonville Development Review Board

Attest:

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Shelley White, Planning Administrative Assistant



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
Frog Pond Cottage Park Place 17-Lot Subdivision  
Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	January 8, 2024
<b>Date of Report:</b>	December 28, 2023
<b>Application No.:</b>	DB23-0004 Cottage Park Place 17-Lot Subdivision
<b>Request/Summary:</b>	The requests before the Development Review Board include Annexation, Zone Map Amendment, Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, Middle Housing Land Division, and Waiver
<b>Location:</b>	7252 SW Frog Pond Lane. The property is specifically known as Tax Lots 1200 and 1300, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
<b>Owner/Applicant:</b>	Sullivan Homes LLC (Contact: Brian Matteoni)
<b>Authorized Representative:</b>	AKS Engineering & Forestry, LLC (Contact: Glen Southerland, AICP)
<b>Comprehensive Plan Designation:</b>	Residential Neighborhood
<b>Zone Map Classification (Current):</b>	Rural Residential Farm Forest 5-Acre (RRFF-5; Clackamas County)
<b>(Proposed):</b>	Residential Neighborhood (RN)
<b>Staff Reviewers:</b>	Cindy Luxhoj AICP, Associate Planner Amy Pepper, PE, Development Engineering Manager Kerry Rappold, Natural Resources Manager

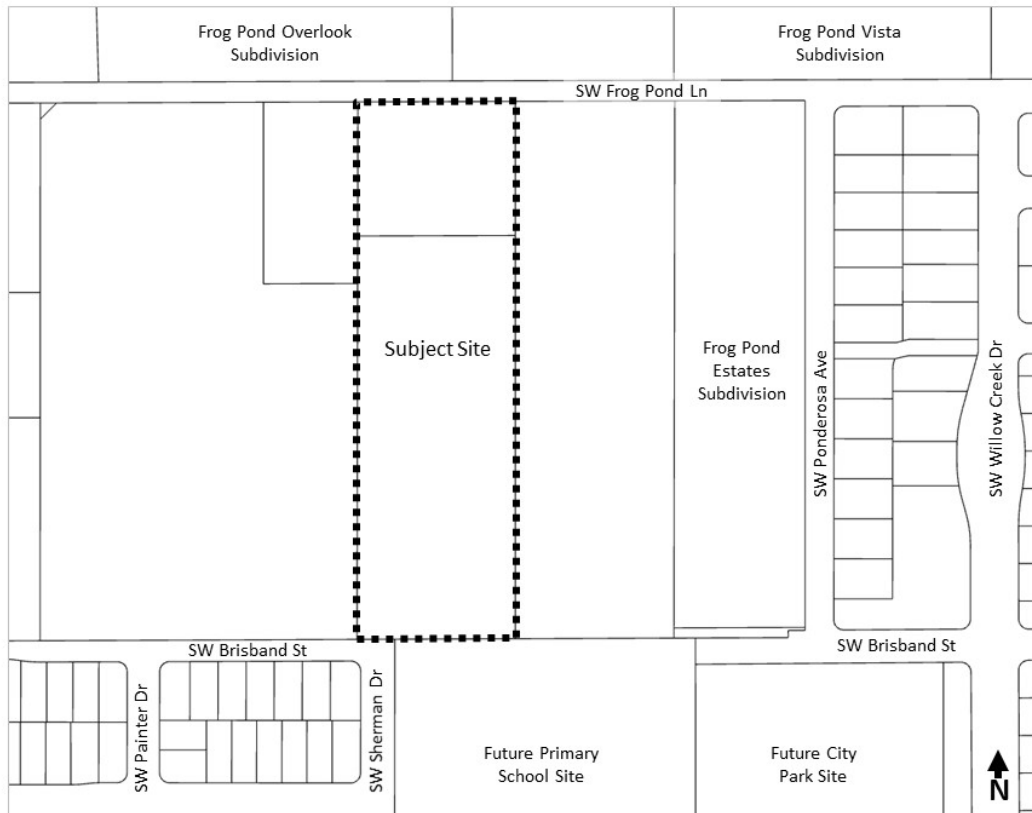
**Staff Recommendation:** Recommend approval to the City Council of the Annexation and Zone Map Amendment, and approve with conditions the Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Plan, Middle Housing Land Division, and Waiver, contingent on City Council approval of the Annexation and Zone Map Amendment.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Standards Applying to Residential Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.139 through 4.139.11	Significant Resource Overlay Zone (SROZ)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600-4.640.20	Tree Preservation and Protection
Section 4.700	Annexation
<b><u>Comprehensive Plan and Sub-elements:</u></b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	

Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

## Vicinity Map



### Background:

The subject property has long been rural/semi-rural, adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that: “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the Area Plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB. To guide development and implement the vision of the Area Plan, the Master Plan includes details on land use (including residential types and unit count ranges), residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs. The Master Plan also lays out the infrastructure financing plan.

The proposed 17-lot subdivision is the twelfth development proposal in Frog Pond West. It will connect to the previously approved Frog Pond Overlook subdivision to the north, and the Morgan Farm subdivision and primary school site to the south, resulting in one cohesive neighborhood consistent with the Frog Pond West Master Plan.

## **Application Summary:**

### Annexation

The area proposed for annexation is contiguous to land currently in the City, within the UGB, and master planned for residential development. All property owners and electors in Tax Lots 1200 and 1300 have consented in writing to the annexation.

### Zone Map Amendment

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN zone to the annexed area consistent with this intention.

### Stage 1 Preliminary Plan

The proposed residential use, number of lots, preservation of open space, and general block and street layout are consistent with the Frog Pond West Master Plan with allowed variation from the Street Demonstration Plan (see Discussion Points, below). Specifically in regards to residential land use unit count, the proposed Stage 1 Preliminary Plan area includes portions of medium lot Sub-district 4 and large lot Sub-district 7. While the applicant proposes 11 lots in Sub-district 4, which is the minimum proportional density calculation, six (6) lots are proposed in Sub-district 7, exceeding the proportional density calculation for this part of the site by one (1) lot while continuing to meet minimum lot size requirements for the sub-district. The configuration of lots as proposed, which meet all dimensional requirements for the individual lots, will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

### Stage 2 Final Plan

The applicant proposes installing necessary facilities and services concurrent with development of the proposed subdivision. Proposed lot layout and size, as well as block size and access, generally demonstrate consistency with development standards established for the Residential Neighborhood (RN) zone and in the Frog Pond West Master Plan.

Regarding the protection of natural features and other resources, the site slopes from a high point elevation of roughly 238 ft in the north-central area where existing structures are located toward the northwest corner at an elevation of 230 ft and the southwest corner at an elevation of 224 ft. A wetland located in the south part of the site that is not locally significant is proposed to be filled to construct roads and homes. The project design avoids disturbance to the extent practicable, limiting grading to where necessary and preserving numerous mature trees, including Oregon white oak, in open space tracts in the north-central area of the site and along its western boundary.



## Site Design Review of Parks and Open Space

The scope of the Site Design Review request includes design of common tracts and the streetscape. Overall, the design of these spaces is consistent with the Site Design Review standards and the Frog Pond West Master Plan. In particular, the proposed streetscape design conforms or will with Conditions of Approval to the street tree and street lighting elements of the Frog Pond West Master Plan. The design also includes several large open space tracts to preserve numerous mature trees, including Oregon white oak, consistent with the Master Plan. Among the additional specific elements reviewed include the landscaping and site furnishings in the open space tract.

## Tentative Subdivision Plat

The proposed tentative plat meets technical platting requirements, demonstrates consistency with the Stage 2 Final Plan, and thus the Frog Pond West Master Plan, and does not create barriers to future development of adjacent neighborhoods and sites.

## Type C Tree Removal Plan

The subject property includes numerous mature trees, particularly Oregon white oak groves and Douglas firs. The Frog Pond West Master Plan specifically identifies these groves on the Street Demonstration Plan (Figure 18) and shows a Pedestrian Connection, rather than a local street, on the west side of the subject property to minimize impacts on the trees. Further, the Master Plan notes that to the extent that existing mature trees can be retained and protected as annexation and development occurs, it will contribute to the character and desirability of new neighborhoods in Frog Pond West. Proposed tree preservation, removal and replacement/mitigation is discussed in more detail in the Discussion Points – Verifying Compliance with the Standards section of this staff report, below, and in the Request G Findings.

## Middle Housing Land Division

The proposed middle housing land division allows for the creation of separate units of land for residential structures that could otherwise be built on a lot without a land division. The units of land resulting from a middle housing land division are collectively considered a single lot, except for platting and property transfer purposes. Through this middle housing land division the applicant proposes creating 34 middle housing units from 17 parent lots. The resulting middle housing units range in area from 3,250 to 5,586 square feet.

## Waiver – Minimum Lot Frontage

The applicant is requesting a minimum lot frontage waiver for Lots 4 through 9 of the subdivision. This is to enable development consistent with the combined proportional density range of 15-19 lots established for this portion of R-7 medium lot Sub-district 4 and R-10 large lot Sub-district 7, while preserving numerous mature trees in open space with Pedestrian

Connections in Tracts A through D and other site improvements. This waiver is required as these lots do not have frontage on a public street.

### **Public Comments and Responses:**

No public comments were received during the comment period.

### **Discussion Points – Verifying Compliance with Standards:**

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards. The ability of the proposed applications to meet these standards may be impacted by the Development Review Board’s consideration of discretionary review items as noted in the next section of this report.

#### **Consistency with Statewide Planning Goals**

The Statewide Planning Goals provide direction to local jurisdictions regarding the State’s policies on land use. It is assumed the City’s adopted Comprehensive Plan, which includes the adopted Frog Pond Area Plan and Frog Pond West Master Plan, is in compliance with the Statewide Planning Goals (specifically Goal 2, Land Use Planning), and that compliance with the Comprehensive Plan also demonstrates compliance with the Statewide Planning Goals. At the time of its adoption, the Frog Pond West Master Plan was found to be in compliance with all applicable Statewide Planning Goals, including Goals 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14. Statewide Planning Goals particularly relevant to the current application include Goals 10, 12, and 14.

Goal 10, Housing, identifies a need for “needed housing”, which is defined for cities having populations larger than 2,500, as attached and detached single-family housing, multiple-family housing, and manufactured homes. Annexation of the subject site into the Wilsonville City limits will provide lots that can be developed with attached and detached single-family housing, which is defined as “needed housing” in the City’s 2014 Residential Land Study.

Goal 12, Transportation, identifies the importance of a safe, convenient, and economic transportation system, and requires local jurisdictions to adopt a Transportation System Plan (TSP). The proposed annexation area will comply with Wilsonville’s TSP, which has been updated to include the Frog Pond West area. Annexation of the subject site will allow for its development, including new street connections included in the TSP.

Goal 14, Urbanization, identifies the need for orderly and efficient growth, the need to accommodate housing and employment within the UGB, and the importance of livable communities. The Frog Pond West Master Plan area was added to the UGB to accommodate residential growth. The Master Plan complied with Goal 14 and Metro Title 11, Planning for New Urban Areas, and guides the orderly annexation of the subject site, which is located in the Frog

Pond West Master Plan area, development of a livable community, and provision of additional housing within the UGB.

As demonstrated above, the proposed project is consistent with the Comprehensive Plan and Frog Pond West Master Plan, which have been found to be consistent with Statewide Planning Goals.

### Traffic Impacts

The Traffic Impact Analysis (updated December 21, 2023; see Exhibit B6) performed by the City's consultant, DKS Associates, identifies the most probable used intersection for evaluation as:

- SW Stafford Road/SW Frog Pond Lane

This intersection was selected for analysis as it is the intersection most impacted by the increase in vehicle trips from the development and is the only gateway intersection to Frog Pond West that has been documented to operate close to the City operating standard in the near future. Other gateway intersections, such as SW Boeckman Road/SW Sherman Drive, were not included in the analysis as the trips through those intersections would be insignificant and located at non-critical gateways.

It is estimated that the proposed development will generate a net total of 22 PM peak hour trips (13 in, 9 out), and that 50% of trips will utilize SW Stafford Road to/from the north, 35% of trips will utilize SW Boeckman Road to/from the west, 10% of trips will utilize SW Wilsonville Road to/from the south, and 5% of trips will utilize SW Advance Road to/from the east. Approximately 5% (1 PM trip) of the project trips are expected to travel through the I-5/SW Elligsen Road interchange area and 5% (1 PM trip) through the I-5/SW Wilsonville Road interchange area.

As stated in the Traffic Impact Analysis, the study intersection meets the City of Wilsonville's operating standard for existing development with addition of project trips. However, it has been known and previously documented that the SW Stafford Road/SW Frog Pond Lane intersection is expected to fail to meet the City's Level of Service (LOS) D operating standard as the Frog Pond West neighborhood develops. A traffic signal was the originally recommended intersection improvement; however, the Frog Pond East & South Master Plan, recently approved by City Council, identifies alternate traffic control mitigations (minor-street turn restrictions) as the preferred improvement for the intersection. The City has included the intersection improvements on the Capital Improvement Projects (CIP) list for which the project is slated for funding in 2024/25-2025/26.

### Residential Density Targets

As discussed earlier in this staff report, the subject property is located in R-7 medium lot Sub-district 4 and R-10 large lot Sub-district 7. While the applicant proposes 11 lots in Sub-district 4, which is the minimum number of lots in the proportional density range, six (6) lots are proposed in Sub-district 7, exceeding the proportional density requirement of 4-5 lots for this part of the site by one (1) lot.

The portion of the subject property within Sub-district 7 requires minimal right-of-way dedication because the adjacent section of SW Frog Pond Lane is a local street that allows driveway access, SW Sherman Drive is not being extended through this part of the site to preserve numerous mature trees, including Oregon white oaks, along the west property boundary, and access to Lots 1 through 6 is provided via a private alley. As a result, the proposed site area within Sub-district 7 easily accommodates six (6) lots that meet or exceed all dimensional standards, including minimum lot size requirements. The proposed development of 6 lots in this portion of Sub-district 7 exceeds minimum lot development standards while preserving significant trees and allowing for compliant future development within the master plan area.

### Balancing Uses in Planter Strips

Many design elements compete for space within the planter strips between sidewalks and streets. These elements include street trees, stormwater facilities, and streetlights while accommodating appropriate spacing from underground utilities and cross access by pedestrians. For various reasons, it is not practical to place street trees and streetlights in stormwater swales. To balance these uses, the City recommends that the applicant's plans prioritize street tree and street lighting placement with appropriate spacing from utility laterals and water meters, then place stormwater facilities where space remains available and placement is desirable. The applicant's plans achieve the desired balance with all street trees placed within the planter strip or, where this is not feasible along the SW Frog Pond Lane and SW Brisband Street frontages, in a street tree easement in the front yard of individual lots, with stormwater facilities and other elements located in the remaining space.

### Street Demonstration Plan Compliance

The Street Demonstration Plan (Figure 18 of the Frog Pond West Master Plan), is an illustrative layout of the desired level of connectivity in the Frog Pond West neighborhood. The Street Demonstration Plan is intended to be guiding, not binding, allowing for flexibility provided overall connectivity goals are met. The block size and shape, access, and connectivity of the proposed subdivision complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as illustrated below and described in more detail elsewhere in this staff report (see Finding D11). The east/west street in the north part of the site is proposed to be a Pedestrian Connection split into two 5-foot-wide pathways on the north and south sides of Tracts B and D open space area, an allowed variation to preserve mature trees, including Oregon white oaks. A Condition of Approval requires that the applicant show, on the construction drawings, extension of this pathway as a 10-foot wide Pedestrian Connection to the east property boundary that can extend in the future across development of Tax Lot 1400 to the east. The proposed modifications do not require out-of-direction pedestrian or vehicular travel nor do they result in greater distances for pedestrian access to the proposed subdivision from the surrounding streets than would otherwise be the case if the Street Demonstration Plan were adhered to.

**Master Plan Street Demonstration Plan  
(Figure 18)**



**Proposed Project**



### Vehicular and Bicycle Parking

Pursuant to Oregon Administrative Rules (OAR) 660-012-0440, parking mandates, or the minimum vehicle parking requirements in Section 4.155 Table 5, are not applicable to the development as it is within one-half (1/2) mile of SMART Route 4, one of the City's most frequent transit routes. The proposed development includes uses that have no maximum limit per Table 5. With no minimum or maximum vehicle parking requirements, the number of total vehicle parking spaces is at the complete discretion of the applicant, so long as other non-parking requirements are still met. In addition, for any vehicle parking spaces provided, the applicable design standards, as well as percentage and similar requirements for certain types of spaces, still apply.

### Tree Removal and Preservation

The intent statements in the Frog Pond West Master Plan discuss that tree groves within the planning area provide a key visual asset and are a link to the historic character of the area. The Master Plan further states that to the extent that existing mature trees can be retained and protected as annexation and development occurs, it will contribute to the character and desirability of new neighborhoods. It also notes that the City has existing annexation policies that incentivize tree retention. The Master Plan intends for tree groves to be preserved and incorporated into the design of developments as much as possible, to be achieved through Planned Development Review and application of Section 4.600, Tree Preservation and Protection, of the Development Code.

The subject property includes numerous mature trees, particularly Oregon white oak groves and Douglas firs. The Frog Pond West Master Plan specifically identifies these groves on the Street Demonstration Plan (Figure 18) and shows a Pedestrian Connection, rather than a local street, on the west side of the subject property to minimize impacts on the trees.

The applicant's initial submittal proposed extension of SW Sherman Drive north of SW Brisband Street along the west property boundary, through the Oregon white oak groves, to connect with SW Frog Pond Lane, preserving seven (7) mature Oregon white oaks in an open space tract in the north part of the site. Of 99 trees initially inventoried on the site, 92 were proposed for removal. In response, the City requested that the applicant provide sufficient findings to explain how the proposed subdivision design achieves the Frog Pond West Master Plan intent to preserve existing groves of mature trees and incorporate them into the design of developments as much as possible. The City also requested that the applicant demonstrate how alternative designs were considered that would preserve more trees in groves specifically identified in the Master Plan while enabling the project to meet the anticipated range of lots and why the alternatives were rejected. The request also required the applicant to demonstrate how removal of the trees is consistent with the City's Tree Preservation and Protection regulations in Section 4.600.

City staff met with the applicant several times to discuss alternative site designs, walked the site with the owner, applicant's representative, and project arborist to assess the condition of the Oregon white oaks and prioritize trees for preservation, and reviewed several iterations of the site design presented by the applicant to preserve more trees than initially proposed. The current design as presented in the applicant's plans seeks to allow for preservation of trees in contiguous areas of the site where impacts from development will be minimized.

Of the 118 on-site and line trees inventoried, there are 48 Oregon white oaks ranging in size from 13 to 49 inches diameter at breast height (DBH), 46 Douglas firs, and 24 trees of other species such as Ponderosa and logdepole pine and incense and Deodar cedar. Of these trees, 63 are proposed to be preserved and protected, including 19 Oregon white oaks, and 55 are proposed for removal, including 29 Oregon white oaks. The Oregon white oaks to be removed include Tree #10718, confirmed to be infested by Mediterranean oak borer (MOB), and Trees #10744 and #10749, with suspected MOB infestation.

The applicant proposes planting 27 street trees and 16 trees in the Tracts B and D open space areas, totaling 43 mitigation trees. Staff notes that the vine maple (6) and serviceberry (6) trees, which are multi-stem, shrub-like species, listed in the planting schedule are not counted by the City as mitigation trees. Therefore, the total number of mitigation trees is 12 fewer than the one-to-one ratio of 55 trees required. As insufficient space exists on site to replant the remaining trees in a desirable manner and the City does not have another site identified as desirable to plant the additional mitigation trees, the applicant is required to pay into the City's Tree Fund an amount equal to the cost of purchase and installation of the trees. The estimated cost, based on a current bid price of \$300 per tree, amounts to \$3,600 as mitigation for the remaining 12 trees. A Condition of Approval requires payment into the City's Tree Fund prior to issuance of a Type C Tree Removal Permit for the proposed development. The applicant proposes tree protection fencing

around all protected trees in order to ensure their preservation during construction. Additional measures, such as tree protection easements, and Conditions of Approval will ensure that development can occur in a logical manner while still ensuring preservation and protection of trees in the subdivision.

### Middle Housing Land Division

The applicant has elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board. The tentative middle housing land division clearly identifies the middle housing units as being created from one or more lots created by the subdivision and allows for the creation of separate units of land for residential structures that could otherwise be built on a lot without a land division. The preliminary middle housing land division plat meets the allowance of middle housing units and demonstrates compliance with the middle housing rules and statutes. Each parent lot can contain at least one (1) dwelling unit, but may contain additional units consistent with the allowance for middle housing. While the middle housing land division is being reviewed concurrently with the tentative plat, specific individual structures or their locations are not being approved as part of this action. A Condition of Approval requires the applicant, prior to issuance of the Public Works permit, to submit draft site plans showing middle housing conceptual layouts that do not encroach into easement areas, such as tree protection zones, located on individual lots.

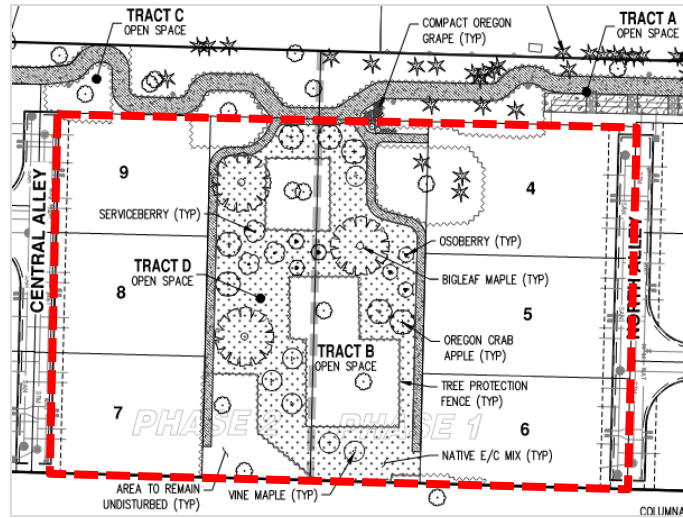
### **Discussion Points – Discretionary Review:**

The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There is one (1) discretionary review request included as part of the proposed application as described below and discussed in detail in Request I.

#### Waiver – Minimum Lot Frontage

Per Subsection 4.237 (.06) of the Development Code, each lot must have a minimum frontage on a street or private drive. The DRB may waive lot frontage requirements where in its judgement the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of the standard or if the DRB determines that another standard is appropriate because of the characteristics of the overall development.

As proposed, six (6) lots (Lots 4 through 9) within the development do not front a street or private drive but front a shared open space with a Pedestrian Connection (Tracts B and D), and take vehicular access from a private alley (North Alley), as shown in the illustration below. Pedestrian access is provided along the front of Lots 4 through 9 via the Pedestrian Connection in Tracts B and D.



The applicant specifically requests a lot frontage waiver for Lots 4 through 9 to enable development of the subject site consistent with the proportional density range of 4-5 lots established for this portion of R-10 large lot Sub-district 7 and 11-14 lots for this portion of R-7 medium lot Sub-district 4, while preserving mature trees, including Oregon white oaks, and providing Pedestrian Connections in the Tracts B and D open space and other site improvements.



## Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The Staff Report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board recommend approval to City Council or approve, as relevant, the proposed application (DB23-0004) with the following conditions:

### Planning Division Conditions:

#### Request A: Annexation (ANNX23-0001)

This action recommends to the City Council approval of Annexation for the subject properties. The Zone Map Amendment (ZONE23-0001) and all approvals contingent on it are contingent on annexation.

**PDA 1. Prior to Issuance of any Public Works Permits by the City within the Annexation Area:** The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter into the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.

**PDA 2. Prior to Final Filing of the Annexation:** The applicant either shall provide the City with a plan to remove and properly dispose of the hazard Trees #10718, #10744, and #10749, or enter into an agreement with the City to carry out the removal and disposal at the applicant's expense. See Finding A9.

#### Request B: Zone Map Amendment (ZONE23-0001)

This action recommends to the City Council adoption of the Zone Map Amendment for the subject properties. This action is contingent upon annexation of the subject properties to the City of Wilsonville (ANNX23-0001). Requests STG123-0002, STG223-0003, SDR23-0003, SUBD23-0001, TPLN23-0002, MHL23-0003, and WAIV23-0005 are contingent on City Council action on the Zone Map Amendment request.

No conditions for this request.

#### Request C: Stage 1 Preliminary Plan (STG123-0002)

Approval of Stage 1 Preliminary Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE23-0001).

No conditions for this request

#### Request D: Stage 2 Final Plan (STG223-0003)

Approval of the Stage 2 Final Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE23-0001).

**PDD 1. General:** The approved Stage 2 Final Plan (Final Plan) shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. The Planning Director through the Class 1 Administrative Review Process may approve minor changes to the Final Plan if such changes are consistent with the purposes

	and general character of the Final Plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding D4.
<b>PDD 2.</b>	<b><u>Prior to issuance of Public Works Permit:</u></b> The final design and layout of the Pedestrian Connection in open space Tracts B and D shall be consistent with the location of the approved Pedestrian Connection in the Frog Estates subdivision to the east and enable a continuous pathway connection across the immediately adjacent property to the east (Tax Lot 1400) when it develops in the future. See Findings D11 and D13.
<b>PDD 3.</b>	<b><u>Prior to Final Plat Approval:</u></b> On the Final Subdivision Plat, public pedestrian and bicycle access easements, including egress and ingress, shall be established across the entirety of all pathways located in private tracts. See Finding D13.
<b>PDD 4.</b>	<b><u>General:</u></b> All crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast). See Finding D16.
<b>PDD 5.</b>	<b><u>General:</u></b> Any area, whether in a garage or in a driveway, counted as a required parking space shall have the minimum dimensions of 9 feet by 18 feet. See Finding D19.
<b>PDD 6.</b>	<p><b><u>Prior to Final Plat Approval:</u></b> A tree protection easement shall be provided on the following:</p> <ul style="list-style-type: none"> <li>• Lots 2 and 3 to protect Tree #11230,</li> <li>• Lot 4 to protect Trees #10969, #10970, #10977, #10981, #10982, #10983, #10984,</li> <li>• Lot 6 to protect Tree #11524,</li> <li>• Lot 7 to protect Trees #10710 and #10711,</li> <li>• Lot 9 to protect Trees #10825 and #10933, and</li> <li>• Lot 10 to protect Tree #10822.</li> </ul> <p>Such easements shall be shown on the final plat and include the following provisions:</p> <ul style="list-style-type: none"> <li>• The City and HOA shall have access to inspect health of the portion of the tree root system and tree structure on the properties to ensure activity or conditions in the easement area do not impact the overall health of the trees and to perform any necessary activity to preserve tree health and maintain appropriate landscaping within the easement area.</li> <li>• The CC&amp;Rs shall establish HOA responsibility for landscaping and tree maintenance within the easement area.</li> <li>• Landscaping within the tree protection easement shall be limited to native plantings compatible with Oregon white oaks and other preserved species, as appropriate.</li> <li>• Temporary and permanent drainage and irrigation shall be designed around easement areas to optimize the amount of water in the root zone of the trees to support their health.</li> </ul>

	<ul style="list-style-type: none"> <li>• No foundations or hardscape improvements shall be placed within the easement area.</li> <li>• Placement of fence posts within the easement area of preserved tree shall be hand dug and supervised by the project arborist. If roots are encountered alternative fence post placement is required as determined by the project arborist. See Finding D22.</li> </ul>
<b>PDD 7.</b>	<b>General:</b> All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding D28.
<b>PDD 8.</b>	<b>Prior to Final Plat Approval:</b> A waiver of remonstrance against formation of a local improvement district (LID) shall be recorded in the County Recorder’s Office as well as the City’s Lien Docket as part of the recordation of the final plat. In light of the developer’s obligation to pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee in accordance with the Development and Annexation Agreement required by Condition of Approval PDA 1, the LID Waiver for a specific parcel within the proposed development shall be released upon official recording of the release of the waiver only after payment of the Infrastructure Supplemental Fee and Boeckman Bridge Fee. Further, the developer shall pay all costs and fees associated with the City’s release of the LID Waiver. See Finding D32.
<b>PDD 9.</b>	<b>Prior to Final Plat Approval:</b> Where any street will be extended signs stating “street to be extended in the future” or similar language approved by the City Engineer shall be installed. See Findings D33 and F13.

Request E: Site Design Review of Parks and Open Space (SDR23-0003)

	Approval of Site Design Review of Parks and Open Space is contingent on City Council approval of the Zone Map Amendment request (ZONE23-0001).
<b>PDE 1.</b>	<b>General:</b> Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding E3.
<b>PDE 2.</b>	<b>Prior to Final Plat Approval:</b> All landscaping and site furnishings required and approved by the Development Review Board for common tracts shall be installed prior to Final Plat Approval unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of Final Plat Approval. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, an irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of

	the installation, any portion of the remaining security deposited with the City will be returned to the applicant/owner. See Finding E13.
<b>PDE 3.</b>	<b><u>Prior to Final Plat Approval:</u></b> The applicant shall either (1) enter into a Residential Subdivision Development Compliance Agreement with the City that covers installation of street trees and right-of-way landscaping or (2) install all street trees and other right-of-way landscaping. See Finding E13.
<b>PDE 4.</b>	<b><u>Ongoing:</u></b> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Finding E14.
<b>PDE 5.</b>	<b><u>Ongoing:</u></b> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered as allowed by Wilsonville’s Development Code. See Findings E15 and E16.
<b>PDE 6.</b>	<p><b><u>General:</u></b> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10-inch to 12-inch spread.</li> <li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18-inch on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding E20.</li> </ul>
<b>PDE 7.</b>	<b><u>General:</u></b> All trees shall be balled and burlapped and conform in size and grade to “American Standards for Nursery Stock” current edition. See Finding E20.
<b>PDE 8.</b>	<b><u>Ongoing:</u></b> Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within

	one growing season, unless appropriate substitute species are approved by the City. See Finding E21.
<b>PDE 9.</b>	<b><u>Prior to Issuance of any Public Works permits:</u></b> The applicant/owner shall submit information details or cut sheets demonstrating compliance with the Public Works Standards, Frog Pond West Master Plan Public Lighting Plan, and appropriate AASHTO lighting standards for local street lighting. The street lighting shall be Aurora style streetlights, as Westbrook is no longer approved by PGE. See Findings E25. See Finding E24.
<b>PDE 10.</b>	<b><u>Prior to Issuance of any Public Works Permits:</u></b> The applicant/owner shall provide details or cut sheets of the proposed lighting along the Pedestrian Connection in Tracts A and C sufficient to determine compliance with the requirements the City's Public Works Standards and the Frog Pond West Master Plan Public Lighting Plan, and install appropriate lighting in compliance with these standards. See Finding E25.
<b>PDE 11.</b>	<b><u>Prior to Issuance of any Public Works Permits:</u></b> The applicant shall revise the street trees selected for SW Brisband Street to match the American Linden trees, and for SW Sherman Drive to match the Village Green Zelkova trees established in the Morgan Farm subdivision; and for Street J to match the Glenleven Little Leaf Linden trees established with the Frog Pond Estates subdivision. See Finding E26.
<b>PDE 12.</b>	<b><u>Prior to Final Plat Approval:</u></b> All street signs shall be installed and utilize the City-approved sign cap on street name signs throughout the entirety of the subdivision, matching the design used in the previously approved subdivisions within Frog Pond West. The developers will buy the signs from the City. See Finding E28.

Request F: Tentative Subdivision Plat (SUBD23-0001)

	Approval of the Tentative Subdivision Plat is contingent on City Council approval of the Zone Map Amendment request (ZONE23-0001).
<b>PDF 1.</b>	<b><u>Prior to Final Plat Approval:</u></b> Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
<b>PDF 2.</b>	<b><u>Prior to Final Plat Approval:</u></b> The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for the Stage 2 Final Plan or the Tentative Plat.
<b>PDF 3.</b>	<b><u>Prior to Final Plat Approval:</u></b> The applicant/owner shall submit for review and approval by the City Attorney CC&Rs, bylaws, etc. related to the maintenance of the open space tracts. Such documents shall require that the Tracts B and D open space areas be owned and maintained by the same Homeowner's Association to ensure long-term protection and maintenance of the open space and preserved trees. Such documents shall assure the long-term protection and maintenance of all open space tracts in the subdivision. See Finding F5.
<b>PDF 4.</b>	<b><u>Prior to Final Plat Approval:</u></b> Where any street will be extended signs stating "street to be extended in the future" or similar language approved by the City Engineer

	shall be installed. See Findings D33 and F13.
<b>PDF 5.</b>	<b><u>Prior to Final Plat Approval:</u></b> For all public pipeline easements, public access easements, and other easements, as required by the city, shown on the Final Subdivision Plat, the applicant/owner and the City shall enter into easement agreements on templates established by the City specifying details of the rights and responsibilities associated with said easements and such agreements will be recorded in the real property records of Clackamas County. See Finding F17.

Request G: Type C Tree Plan (TPLN23-0002)

	Approval of the Type C Tree Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE23-0001).
<b>PDG 1.</b>	<b><u>General:</u></b> This approval for removal applies only to the 55 trees identified in the applicant’s submitted Tree Maintenance and Protection Plan (see Exhibit B2). All other trees on the property shall be maintained unless removal is approved through separate application.
<b>PDG 2.</b>	<b><u>Prior to Commencing Site Grading:</u></b> Given that unforeseen tree health issues related to Mediterranean oak borer ( <i>Xyleborus monographus</i> ) (MOB) may arise involving one or more of the preserved Oregon white oaks on the property, the applicant shall treat all preserved and protected Oregon white oaks in the Tracts A through D open space and Tree #11230 on Lots 2 and 3 with insecticidal or fungicidal treatment and root invigoration/aeration to improve their health and pest resistance. See Finding G4.
<b>PDG 3.</b>	<b><u>Prior to Grading Permit Issuance:</u></b> The applicant/owner shall submit an application for a Type C Tree Removal Permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant/owner shall provide the City’s Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant/owner shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff. See Finding G19.
<b>PDG 4.</b>	<b><u>Prior to Issuance of Type C Tree Removal Permit Required in Condition of Approval PDG 3:</u></b> The applicant shall pay an amount of \$3,600 (\$300 per tree for 12 trees) into the City’s Tree Fund as mitigation for 12 trees removed from the site for which insufficient space exists on site and another desirable off-site location is not currently available. See Findings G22 and G24.
<b>PDG 5.</b>	<b><u>Prior to Final Plat Approval:</u></b> The applicant/owner shall install the 55 required mitigation trees per Section 4.620 WC. Of the 55 trees shown in the applicant’s Sheet P-16, 43 are acceptable species, including 27 street trees and 16 in open space areas. Mitigation for the other 12 shall be in the form of payment to the City Tree Fund as required by Condition of Approval PDG 4. See Findings G22 and G24.
<b>PDG 6.</b>	<b><u>General:</u></b> The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees

for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding G23.

**PDG 7. Prior to Commencing Site Grading:** The applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees in both development phases. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. **Ongoing:** No foundations or hardscape improvements shall be placed within the portion of the root zone delineated by the tree protection fencing. Fence posts for tree protection fencing within the root zones of the preserved trees shall be hand dug and supervised by the project arborist. If roots are encountered, alternative fence post placement is required as determined by the project arborist. Tree protection fencing shall not be removed without the arborist present onsite and prior notice given to the Planning Division. See Finding G25.

**PDG 8. Prior to Issuance of the Public Works Permit:** Applicant shall show on construction drawings the Pedestrian Connection in Tracts A and C following the methods outlined below to ensure protection of trees in the grove:

- The finished pathway location within the grove will be somewhat flexible to allow the project arborist and construction crew to preserve large roots that may be encountered.
- The project arborist shall be onsite during grading for the pathway.
- The pathway shall be built on-grade according to the following construction plan to avoid unnecessary soil compaction within the root protection zones of protected trees:
  - A small sized backhoe on rubber tracks and using a flat bucket, will gradually scrape away the first layer of soil. The project arborist shall supervise this work and advise on root pruning and preservation. At no time may large trucks or steel-tracked equipment enter the grove.
  - A layer of geo-textile fabric will be applied to the native soil where the Pedestrian Connection is within the root protection zone of protected trees.
  - A two (2)-inch to four (4)-inch layer of crushed rock will be placed on the fabric. Rock and gravel must be piped or ferried in using the smaller sized equipment described above. This layer of rock shall be lightly compacted using a hand operated, motorized compactor.
  - Concrete forms may be installed before or after the crushed rock is added. The above grade work of setting forms, installing gravel, and pouring concrete will not require arborist oversight.
  - Concrete shall be poured. Concrete shall be piped into the grove by a concrete truck that will remain outside of the root protection zones of protected trees. Concrete may also be brought into the grove using a power wheelbarrow, skid-steer on rubber tracks, bobcat, or similar piece of equipment.
- The Pedestrian Connection shall be 10-feet wide and ADA compliant. See Finding G25.

Request H: Middle Housing Land Division (MHLD23-0003)

Approval of the Middle Housing Land Division is contingent on City Council approval of the Zone Map Amendment request (ZONE23-0001).
<b>PDH 1. <u>Prior to Final Plan Approval:</u></b> The applicant/owner shall submit an application for Final Plat review and approval on the Planning Division Site Development Application form. The applicant/owner shall also provide materials for review by the City’s Planning Division in accordance with Section 4.220 of City’s Development Code. The Final Plat shall be prepared in substantial accord with the middle housing land division as approved by this action and as amended by these conditions, except as may be subsequently altered by minor revisions approved by the Planning Director. See Finding H1.
<b>PDH 2. <u>Prior to Final Plan Approval:</u></b> The applicant/owner shall assure that the land units are not sold or conveyed until such time as the Final Plat is recorded with the County. See Finding H2.
<b>PDH 3. <u>Prior to Final Plan Approval:</u></b> The applicant/owner shall illustrate existing and proposed easements on the Final Plat. See Finding H5.
<b>PDH 4. <u>Prior to Final Plan Approval:</u></b> The applicant/owner shall state on the Final Plat that the middle housing land division units are not further divisible. See Finding H11.

Request I: Waiver (WAIV23-0005)

Approval of the Waiver request is contingent on City Council approval of the Zone Map Amendment request (ZONE23-0001).
No conditions for this request.

*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City’s Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.*

**Engineering Division Conditions:**

Request D: Stage 2 Final Plan (STG223-0003)

<b>PFD 1. <u>Ongoing:</u></b> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1 and to specifics as found in the Frog Pond West Master Plan (July 17, 2017).
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PFD 2.	<b>General:</b> Streets shall be primarily constructed per the street type and cross-section as show in the Frog Pond West Master Plan.
PFD 3.	<b>Prior to issuance of a Public Works Permit:</b> Applicant shall be required to enter into a Development and Annexation Agreement with the City.
PFD 4.	<b>Prior to Final Completeness of the Public Works Permit:</b> The applicant shall provide a site distance certification by an Oregon Registered Professional Engineer for all new private access points per the Traffic Impact Study.
PFD 5.	<b>Prior to the Issuance of the Public Works Permit:</b> The applicant shall submit design and construction plans showing a minimum of 20 feet of pavement along SW Frog Pond Lane in accordance with Section 201.2.18 of the City Public Works Standards.
PFD 6.	<b>Prior to the Issuance of the Public Works Permit:</b> The applicant shall submit design and construction plans showing 28 feet of pavement, curbs, street lighting, planter strips, street trees and sidewalks along both sides of SW Sherman Drive. Street shall align with existing SW Sherman Drive. No horizontal curves allowed.
PFD 7.	<b>Prior to Issuance of any Public Works Permit:</b> Submit construction plans to Engineering showing half-street improvements including pavement, curb, planter strip, street trees, street lighting, sidewalk, and driveway approaches along site frontage on SW Frog Pond Lane and SW Brisband Street. The applicant proposes to construct the project in two separate phases. Each phase of construction shall have a separate Public Works Permit and associated construction plans. All improvements shall be constructed in accordance with the Public Works Standards.
PFD 8.	<b>Prior to Issuance of any Public Works Permit:</b> Applicant shall submit a revised Service Letter from Republic Services showing how trash service can be provided adjacent to all lots in conformance with PW Standards, the City’s Franchise Agreement with Republic Services, and Administrative Rules.
PFD 9.	<b>Prior to Issuance of Public Works Permit:</b> The applicant shall show on the construction drawings that the east-west Pedestrian Connection shown on Tracts B and D is extended so that a 10-foot wide Pedestrian Connection can extend across the future development of Tax Lot 1400 to the east.
PFD 10.	<b>Prior to Issuance of Public Works Permit:</b> The applicant shall show on the construction plans a mail kiosk at a location coordinated with City staff and the Wilsonville US Postmaster.
PFD 11.	<b>Prior to Issuance of any Public Works Permit:</b> All offsite utilities necessary to serve this development, which will be constructed by other development, shall be constructed, inspected and accepted by the City.
PFD 12.	<b>Prior to Issuance of Public Works Permit:</b> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment and flow control requirements, including documentation of all impervious area reduction strategies considered and use of available vegetated areas for stormwater management purposes. Additionally, the stormwater report shall provide sizing information and site plans for any proposed stormwater facilities located on

	individual lots. If there is not adequate room for stormwater facilities to be installed adjacent to the right-of-way or street, stormwater facilities shall not be placed on individual lots.
<b>PFD 13.</b>	<b><u>Prior to Issuance of Public Works Permit:</u></b> The applicant shall submit draft Site Plans for parent Lots 2, 3, and 4 showing middle housing conceptual layouts that do not encroach into the required Tree Protection and Preservation easements located on those lots.
<b>PFD 14.</b>	<b><u>Prior to the Issuance of any Public Works Permit:</u></b> The applicant shall obtain an NPDES 1200C permit from the Oregon Department of Environmental Quality and a Local Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized. Permits will be closed out when home construction is completed and final certificates of occupancy have been issued for all homes in the subdivision.
<b>PFD 15.</b>	<b><u>With the Public Works Permit:</u></b> The construction drawings shall show all existing overhead utilities along the development’s frontage on SW Frog Pond Lane placed underground. The existing gas main shall be relocated outside of the right-of-way and placed in the public utility easement.
<b>PFD 16.</b>	<b><u>With the Public Works Permit:</u></b> The applicant shall provide to the City a copy of correspondence that plans have been distributed to the franchise utilities. <b><u>Prior to the Issuance of the Public Works Permit:</u></b> The applicant shall coordinate the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easement or right-of-way be required to construct or relocate a franchise utility, the applicant shall provide a copy of the recorded documents.
<b>PFD 17.</b>	<b><u>Prior to Final Completeness of the Public Works Permit:</u></b> Submit documentation that the existing well located on this property was properly abandoned in accordance with OAR 690-240 and the Water Resources Department requirements.
<b>PFD 18.</b>	<b><u>With the Public Works Permit:</u></b> The construction drawings shall show the location of any existing septic systems. <b><u>Prior to Final Completeness of the Public Works Permit:</u></b> Submit documentation that the existing on-site septic systems were properly decommissioned per the requirements of OAR 340-071-0185.
<b>PFD 19.</b>	<b><u>Prior to the Issuance of any Public Works Permit:</u></b> The construction drawings shall show all water line looping. If looping is not possible, applicant shall install a bank of water meters to serve all lots located on private alleys. Temporary water line looping is acceptable until development to the east or west is constructed.

Request F: Tentative Subdivision Plat (SUBD23-0001)

The following conditions are in addition to the dedications and easements shown on the Tentative Subdivision Plat	
<b>PFF 1.</b>	<b><u>Prior to Final Plat Approval:</u></b> Show dedication of 9.5-feet of right-of-way along SW Frog Pond Lane.

PFF 2.	<b><u>Prior to Final Plat Approval:</u></b> Show dedication of 14-feet of right-of-way along SW Brisband Street.
PFF 3.	<b><u>Prior to Final Plat Approval:</u></b> Show dedication 52-feet of right-of-way along SW Sherman Drive, aligned with the existing right-of-way of SW Sherman Drive.
PFF 4.	<b><u>Prior to Final Plat Approval:</u></b> Show dedication of a 6-foot public utility easement along the SW Frog Pond Lane, SW Sherman Drive, SW Brisband Street, and Street J right-of-way frontages.
PFF 5.	<b><u>Prior to Final Plat Approval:</u></b> Submit documentation verifying Tracts A through D have been deeded to a Homeowner’s Association. Submit CC&R’s including information regarding the maintenance responsibilities for all stormwater LID facilities, and private alleys/streets.
PFF 6.	<b><u>Prior to Final Plat Approval:</u></b> Submit stormwater access and maintenance agreements for all stormwater vegetated facilities.
PFF 7.	<b><u>Prior to Final Plat Approval:</u></b> Submit sanitary sewer pipeline easement agreements for all sanitary sewer mains located outside of the public right-of-way.
PFF 8.	<b><u>Prior to Final Plat Approval:</u></b> Submit storm pipeline easement agreements for all storm mains located outside of the public right-of-way.
PFF 9.	<b><u>Prior to Final Plat Approval:</u></b> Submit minimum 15-foot wide water pipeline easement agreement for all water mains located outside of the public right-of-way. Any private water line services shall be installed in a private water line easement in accordance with the Uniform Plumbing Code.
PFF 10.	<b><u>Prior to Final Plat Approval:</u></b> Submit public access, bike and pedestrian easement over Tracts A through D.
PFF 11.	<b><u>Prior to Final Plat Approval:</u></b> All public infrastructure improvements including but not limited to street, stormwater drainage, water quality and flow control, sanitary sewer, and water facilities shall be substantially complete with approval from the Community Development Director pursuant to Section 4.220 of the Development Code.

**Building Division Conditions:**

All Requests

BD1.	<p><b><u>Prior to Demolition of Structures:</u></b></p> <ul style="list-style-type: none"> <li>a. Photos must be taken of any structures on the site that are to be demolished. Photos must be a clear resolution (when printed, a minimum resolution of 300 dpi or greater) and should include a representative sample of the exterior of the structure from each direction. A demolition permit must be obtained from the Building Division and photos must be submitted with the demolition permit application. (Wilsonville Code 9.270)</li> <li>b. An NPDES 1200-C permit must be obtained from DEQ with a copy provided to the City.</li> </ul>
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<b>BD2.</b>	<p><b><u>Prior to Construction of the Subdivision’s Residential Homes:</u></b> Designated through approved planning procedures, the following conditions must be met and approved through the Building Official:</p> <ol style="list-style-type: none"> <li>a. Street signs shall be installed at each street intersection and approved per the public works design specifications and their required approvals.</li> <li>b. All public access roads and alleys shall be complete for access to the residential home sites.</li> <li>c. All public and service utilities to the private building lots must be installed, tested and approved by the City of Wilsonville’s Engineering/Public Works Department or other service utility designee.</li> <li>d. All required fire hydrants and the supporting piping system shall be installed, tested, and approved by the Fire Code Official prior to model home construction. (OFC 507.5).</li> </ol>
<b>BD3.</b>	<p><b><u>Prior to Occupancy:</u></b> New and existing buildings shall have approved address labels. Building numbers or approved building identification shall be placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1) Where vehicle access is from a private drive or alley, provide a physical address on the new home, as well as near the intersection of the private drive and public road. The address must be visible from any approaches by a monument, pole or other sign used to identify the structure. (ORSC R319)</p>

## Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB23-0004. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (*to be presented at Public Hearing*)

### Materials from Applicant

- B1. Applicant's Narrative and Materials – Available Under Separate Cover**
  - Land Use Application Form
  - Land Use Narrative
  - Appendix B: Annexation Petition
  - Appendix C: Ownership Information
  - Appendix D: Clackamas County Assessor's Map
  - Appendix E: Traffic Impact Study
  - Appendix F: USACE & DSL Wetland Concurrences
  - Appendix I: Draft CC&Rs
  - Appendix J: Annexation Legal Description and Exhibit (Updated November 2023)
  - Appendix K: Annexation County Certifications
  - Appendix L: Zoning Change Legal Description and Exhibit
  - Appendix M: Preliminary Conceptual Elevations (Updated November 2023)
  - Appendix N: 250-Foot Radius Notification Labels
  - Appendix O: Service Provider Letters (Updated Nov 2023)
- B2. Applicant's Drawings and Plans – Available Under Separate Cover**
- B3.** Applicant's Appendix G: Preliminary Stormwater Report (Updated November 2023) – *Available Under Separate Cover*
- B4.** Applicant's Appendix H: Geotechnical Report (Updated November 2023) – *Available Under Separate Cover*
- B5.** Incompleteness Response Letter Dated November 6, 2023
- B6.** Trip Generation Evaluation Update (December 21, 2023)

### Development Review Team Correspondence

- C1.** Public Works Submittal and Other Engineering Requirements

**Procedural Statements and Background Information:**

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on May 11, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on June 9, 2023. The applicant submitted additional material on November 6, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and deemed the application complete on November 7, 2023. The City must render a final decision for the request, including any appeals, by March 6, 2024.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North	RRFF-5 and RN	Rural Residential/Agriculture (Clackamas County) Residential (Frog Pond Overlook)
East	RRFF-5	Rural Residential/Agriculture (Clackamas County)
South	RN and PF	Residential (Morgan Farm) Public Facility (Primary School, Under Construction)
West	RRFF-5	Residential/Agriculture (Clackamas County)

3. Previous City Planning Approvals: None
4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application

Section 4.009

The owners of all property included in the application signed the application forms. AKS Engineering & Forestry, LLC, initiated the application with their approval.

#### Pre-Application Conference

Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on April 14, 2022 (PRE22-0008) in accordance with this subsection.

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

#### Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

## Request A: Annexation (ANNX23-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Comprehensive Plan-Annexation and Boundary Changes

Consistent with Future Planned Public Services  
Implementation Measure 2.2.1.a.

**A1.** The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. Sullivan Homes LLC and the City will enter into a Development and Annexation Agreement detailing provision and development of public services as required by Conditions of Approval.

Demonstrated Need for Immediate Urban Growth  
Implementation Measure 2.2.1.a.

**A2.** Metro brought the subject area into the Urban Growth Boundary (UGB) in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards  
Implementation Measure 2.2.1.e.

**A3.** This review applies all applicable Metro and State rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services  
Implementation Measure 2.2.1.e. 1.

**A4.** The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposes site development with concurrent applications for Stage 1 and Stage 2 Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the subject site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years  
Implementation Measure 2.2.1.e. 2.

**A5.** The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.



## **Wilsonville Development Code-Annexation**

### Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6.** Review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

### Procedure for Review, Etc.

Subsections 4.700 (.01). and (.04)

- A7.** The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, and a narrative describing conformance with applicable criteria. City Council, upon recommendation from the DRB, will declare the subject property annexed.

### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

- A8.** Subject to requirements in this subsection and the Frog Pond West Master Plan, Conditions of Approval require the necessary parties enter into a Development and Annexation Agreement with the City covering the annexed land.

## **Wilsonville Code-Public Health and Welfare-Nuisances**

### Creating a Hazard

Subsection 6.208 (1) (c)

- A9.** Subsection 6.208 (1) (c) of the Wilsonville Code states, in part, that no person shall create a hazard by maintaining filth, rubbish, waste material, and any other substance which may endanger or injure neighboring property, passersby, or the health, safety or welfare of the public. With respect to the subject property, 55 trees are proposed to be removed, including Tree #10718, an on-site Oregon white oak that has been confirmed to be infested by Mediterranean oak borer (MOB), and Trees #10744 and #10749, also Oregon white oaks, that are suspected of MOB infestation. If these trees are not removed from the subject property and disposed of appropriately, they can be considered to create a hazard that may endanger or injure neighboring property, were the MOB in the trees to infest other Oregon white oaks in Frog Pond West. Further, failure to remove the infested trees may produce dead and decaying trees and limbs that may affect the health, safety and welfare of the public in proximity to the trees. The City places particular value on Oregon white oaks, native yews, and other species of historic significance to the City and Willamette Valley, and prioritizes their protection and preservation. For these reasons, a Condition of Approval requires that prior to final filing of the annexation, the applicant either will provide the City with a plan to remove and properly dispose of the hazard Trees #10718, #10744 and #10749, or enter into an agreement with the City to carry out the removal and disposal at the applicant's expense.

## **Metro Code**

### Local Government Boundary Changes

Chapter 3.09

**A10.** The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, and is consistent with both the Comprehensive Plan and the Frog Pond West Master Plan.

## **Oregon Revised Statutes (ORS)**

### Authority and Procedure for Annexation

ORS 222.111

**A11.** The request meets the applicable requirements in State statute including the facts that the subject property is within the UGB and is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and all property owners and a majority of electors within the annexed area consent in writing to the annexation.

### Procedure Without Election by City Electors

ORS 222.120

**A12.** The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and the request meets the applicable requirements in State statute including the facts that all property owners and a majority of electors within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

### Annexation by Consent of All Owners and Majority of Electors

ORS 222.125

**A13.** All property owners and a majority of electors within the annexed area have provided their consent in writing. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

## **Oregon Statewide Planning Goals**

### Planning Goals – Generally

Goals 1, 2, 5, 6, 8, 9, 11, 12, 13, 14

**A14.** The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both of which have been found to meet the Statewide Planning Goals.

Housing  
Goal 10

**A15.** The proposed annexation and zone map amendments will continue to allow the City to meet its housing goals and obligations reflected in the Comprehensive Plan. Specifically:

- The City has an existing Housing Needs Analysis and Buildable Lands Inventory adopted in 2014 collectively known as the Wilsonville Residential Land Study. The key conclusions of this study are that Wilsonville: (1) may not have a 20-year supply of residential land and (2) the City's residential policies meet Statewide Planning Goal 10 requirements.
- Under the Metro forecast, Wilsonville is very close to having enough residential land to accommodate expected growth. Wilsonville could run out of residential land by 2032.
- If Wilsonville grows faster than the Metro forecast, based on historic City growth rates, the City will run out of residential land before 2030.
- Getting residential land ready for development is a complex process that involves decisions by Metro, City decision makers, landowners, the Wilsonville community, and others. The City has completed the master planning process for the Frog Pond East and South neighborhoods to ensure that additional residential land is available within the City. The City also adopted a new plan and development standards for more multi-family units in the Wilsonville Town Center. Finally, the City provides infill opportunities, allowing properties with existing development at more rural densities to be re-zoned for more housing, which this application falls under.
- Wilsonville is meeting Statewide Planning Goal 10 requirements to "provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing" and to "provide for an overall density of 8 or more dwelling units per net buildable acre."
- Wilsonville uses a two-map system, with a Comprehensive Plan Map designating a density for all residential land and Zone Map with zoning to implement the Comprehensive Plan designation. Rezoning the subject property to a higher density zone consistent with the Comprehensive Plan will ensure related Zone Map Amendment and development approvals support the Comprehensive Plan and Goal 10.
- The proposal increases density allowed and development capacity within the existing Urban Growth Boundary and improving the capacity identified in the 2014 study. The type of housing is anticipated to be a mix of attached and detached units, and the approval will allow middle housing consistent with House Bill 2001 and newly implemented City Code to allow middle housing types.

- The proposal directly impacts approximately 1.0% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 5.00 of 477 acres).

## Request B: Zone Map Amendment (ZONE23-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Comprehensive Plan

“Residential Neighborhood” on Comprehensive Plan Map, Purpose of “Residential Neighborhood” Designation  
Policy 4.1.7.a.

- B1.** The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood”. The designation enables development of the site consistent with the purpose of this designation as set forth in the legislatively adopted Frog Pond West Master Plan, resulting in an attractive, cohesive and connected residential neighborhood with high quality architecture and community design, transportation choices, and preserved and enhanced natural resources.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan  
Implementation Measure 4.1.7.c.

- B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood”.

Safe, Convenient, Healthful, and Attractive Places to Live  
Implementation Measure 4.1.4.c.

- B3.** The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density  
Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities. See also Request C, Stage 1 Preliminary Plan.

## Development Code

### Zoning Consistent with Comprehensive Plan Section 4.029

- B5.** The applicant requests a zone change concurrently with a Stage 1 Preliminary Plan, Stage 2 Final Plan, and other related development approvals. The proposed zoning designation of RN is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

### Base Zones Subsection 4.110 (.01)

- B6.** The requested zoning designation of RN is among the base zones identified in this subsection.

## Residential Neighborhood (RN) Zone

### Purpose of the Residential Neighborhood (RN) Zone Subsection 4.127 (.01)

- B7.** The request to apply the RN zone on lands designated “Residential Neighborhood” on the Comprehensive Plan Map enables a planned development process implementing the “Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

### Permitted Uses in the Residential Neighborhood (RN) Zone Subsection 4.127 (.02)

- B8.** Concurrent with the Zone Map Amendment request the applicant requests approval of a 17-lot residential subdivision. Single-family dwelling units, Duplex, Triplex, Quadplex, Cluster Housing, Cohousing, Cluster Housing (Frog Pond West Master Plan), open space, and public and private parks are among the permitted uses in the RN Zone.

### Residential Neighborhood (RN) Zone Sub-districts and Residential Density Subsection 4.127 (.05) and (.06)

- B9.** The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use lot count, the proposed Stage 1 area includes a portion of medium lot Sub-district 4 and a portion of large lot Sub-district 7. A full discussion of compliance with the sub-districts and residential density is included under Request C, Stage 1 Preliminary Plan.

## Request C: Stage 1 Preliminary Plan (STG123-0002)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Comprehensive Plan

City Supports Development of Land within City Consistent with Land Use Designation Goal 2.1, Policy 2.1.1., Implementation Measure 2.1.1.a., Policy 2.2.1.

- C1. The City's Comprehensive Plan, Frog Pond Area Plan, and Frog Pond West Master Plan designate the subject property for residential use. The Frog Pond West Master Plan specifically identifies procedures for development of the subject and surrounding land, thus supporting its development for residential lots so long as proposed development meets applicable policies and standards.

Urbanization for Adequate Housing for Workers Employed in Wilsonville, Jobs and Housing Balance

Implementation Measures 2.1.1.b., 4.1.4.l., 4.1.4.p.

- C2. The proposal provides for urbanization of an area planned for residential use to provide additional housing within the City available to workers employed within the City. However, no special provisions or programs target the units to workers employed within the City.

Encouraging Master Planning of Large Areas

Implementation Measure 2.1.1.f.2.

- C3. The proposed development is part of a larger area covered by the Frog Pond West Master Plan consistent with the City's policies and encouragement related to master planning.

City Obligated to do its Fair Share to Increase Development Capacity within UGB

Implementation Measure 2.2.1.b.

- C4. The property is within the Urban Growth Boundary (UGB) and available for use consistent with its residential designation. Allowing development of the property for additional residential lots supports the further urbanization and increased capacity of residential land within the UGB.

Urban Development Only Where Necessary Facilities can be Provided

Implementation Measure 3.1.2.a.

- C5. As can be found in the findings for the Stage 2 Final Plan, the proposed development provides all necessary facilities and services consistent with the Frog Pond West Master Plan.

## Provision of Usable Open Space

Implementation Measures 3.1.11.p., 4.1.5.kk.

- C6.** The proposal is located within medium- and large-lot subdistricts and does not require usable open space. However, the applicant proposes to provide roughly 26,000 square feet of open space in Phase 1 (Tracts A and B) and 23,000 square feet in Phase 2 (Tracts C and D) of the development in four (4) interconnected tracts in the north central part of the site and along its west boundary. The open space enables preservation of numerous mature trees, including Oregon white oaks, and provides a pedestrian pathway between SW Frog Pond Lane on the north and SW “J” Street, SW Sherman Drive and SW Brisband Street in the southern part of the development.

## Consistency with Street Demonstration Plans May Be Required

Implementation Measure 3.2.2.

- C7.** Section 4.127 requires the area subject to the Stage 1 Preliminary Plan be consistent with the Street Demonstration Plan in Figure 18 of the Frog Pond West Master Plan. The proposed street layout is generally consistent with the Street Demonstration Plan with variations as noted in Finding D11.

## Wide Range of Housing Choices, Planning for a Variety of Housing

Policy 4.1.4., Implementation Measures 4.1.4.b., 4.1.4.c., 4.1.4.d., 4.1.4.j., 4.1.4.o.

- C8.** The Frog Pond Area Plan and the Frog Pond West Master Plan identify a variety of single-family homes and middle housing as the appropriate housing types for the subject area as part of the broader mix of housing in Wilsonville.

## Accommodating Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

- C9.** The applicant intends to provide a housing product attractive to existing residents of the City as a whole, including current homeowners and current renters looking to purchase in a medium to high price range, similar to other nearby homes. The applicant proposes residential lots to accommodate a variety of housing types. Within the Residential Neighborhood zone a variety of middle housing types is also permitted.

## Planned Development Regulations

### Planned Development Lot Qualifications

Subsection 4.140 (.02)

- C10.** The planned 17-lot subdivision will accommodate residential building lots, provide functional public streets, and be surrounded by open space and recreational opportunities consistent with the purpose of Section 4.140. The proposed subdivision is 5.00 acres and is suitable for planning and development. The property is not currently nor is it proposed to be zoned “PD” (Planned Development). Concurrent with the request for a Stage 1 Preliminary Plan, the applicant proposes to rezone the property to RN (Residential Neighborhood).

Pursuant to the Frog Pond West Master Plan development in the RN zone follows the same planned development procedure as PDR zones.

#### Ownership Requirements

Subsection 4.140 (.03)

**C11.** The owners of the subject property have signed an application form included with the application.

#### Professional Design Team

Subsection 4.140 (.04)

**C12.** Glen Southerland of AKS Engineering & Forestry, LLC, is the coordinator of a professional design team with all the necessary disciplines including engineers, a landscape architect, and a planner, among other professionals.

#### Planned Development Application Requirements

Subsection 4.140 (.07)

**C13.** Review of the proposed Stage 1 Preliminary Plan has been scheduled for a public hearing before the DRB in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:

- The property affected by the Stage 1 Preliminary Plan is under an application by the property owners.
- The applicant submitted a Stage 1 Preliminary Plan request on a form prescribed by the City.
- The applicant identified a professional design team and coordinator. See Finding C12.
- The applicant has stated the uses involved in the Stage 1 Preliminary Plan and their locations.
- The applicant provided boundary information.
- The applicant has submitted sufficient topographic information.
- The applicant provided a tabulation of the land area to be devoted to various uses.
- Any necessary performance bonds will be required.

### **Standards for Residential Development in Any Zone**

#### Outdoor Recreational Area and Open Space Land Area Requirements

Subsection 4.113 (.01)

**C14.** The Frog Pond West Master Plan controls outdoor recreational area and open spaces for the subject and surrounding areas. The subject property contains land within the R-7 medium lot sub-district and the R-10 large lot sub-district. These sub-districts do not require outdoor recreational area and open space, therefore, this subsection does not apply. However, the proposed development includes roughly 49,000 square feet of open space (see Finding C6 and Request E).



## Residential Neighborhood Zone

### Permitted Uses

Subsection 4.127 (.02)

**C15.** The applicant proposes residential lots and open spaces, which are or will accommodate allowed uses in the RN zone.

### Residential Neighborhood Sub-districts

Subsection 4.127 (.05)

**C16.** The proposed Stage 1 Preliminary Plan area includes a portion of medium lot Sub-district 4 and a portion of large lot Sub-district 7.

### Minimum and Maximum Residential Lots

Subsection 4.127 (.06)

**C17.** The proposed number of residential lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential lot count, the proposed Stage 1 area includes a portion of medium lot Sub-district 4 and a portion of large lot Sub-district 7. The following table summarizes how the proposed residential lots in each Sub-district are consistent with the Master Plan recommendations.

While the applicant proposes 11 lots in Sub-district 4, which is the minimum proportional density calculation, 6 lots are proposed in Sub-district 7, exceeding the proportional density calculation for this part of the site by one (1) lot.

Subdistrict and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established lot range for Sub-district	Lot Range for Site	Proposed Lots	Total lots within Sub-district - Approved and Proposed
4 – R-7	3.28	13.1%	86-107	11-14	11	49 Approved 11 Proposed 60 Total
7 – R-10	1.71	17.2%	24-30	4-5	6	8 Approved 6 Proposed 14 Total
Total	5.0			15-19	17	

With regard to Sub-district 4, the applicant proposes the minimum proportional density calculation of 11 lots, which allows for future development that meets all dimensional standards for lots in this portion of the site.

The proportional density allocation does not account for site-specific characteristics that influence the ability of a specific property to accommodate residential lots meeting

minimum dimensional standards. With respect to part of the subject property in Sub-district 7, minimal right-of-way dedication is required because the adjacent section of SW Frog Pond Lane is a local street that allows driveway access, SW Sherman Drive is not being extended through this part of the site to preserve numerous mature trees, including Oregon white oaks, along the west property boundary, and access to Lots 1 through 6 is provided via a private alley. As a result, the proposed site area within Sub-district 7 easily accommodates six (6) lots that meet or exceed all dimensional standards, including minimum lot size requirements. The proposed development of 6 lots in this portion of Sub-district 7 exceeds minimum lot development standards while preserving significant trees and allowing for compliant future development within the master plan area.

The configuration of lots as proposed, which meet all dimensional requirements for the individual lots, will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

#### Parks and Open Space beyond Master Planned Parks Subsection 4.127 (.09) B.

**C18.** The proposed Stage 1 Preliminary Plan area does not include residential land designated R-5 in the Frog Pond West Master Plan, thus the code does not require any of the net developable area to be in open space. However, open space is provided, as noted in Finding C6 and elsewhere in this staff report.

### **Request D: Stage 2 Final Plan (STG223-0003)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### **Stage 2 Final Plan Submission Requirements and Process**

##### Consistency with Comprehensive Plan and Other Plans Subsection 4.140 (.09) J. 1.

**D1.** As demonstrated in Findings C1 through C9 under the Stage 1 Preliminary Plan the project is consistent with the Comprehensive Plan. This review includes review for consistency with the Frog Pond West Master Plan.

##### Traffic Concurrency Subsection 4.140 (.09) J. 2.

**D2.** The Traffic Impact Analysis (see Exhibit B1) performed by the City's consultant, DKS Associates, identifies the most probable used intersection for evaluation as:

- SW Stafford Road/SW Frog Pond Lane

This intersection was selected for analysis as it is the intersection most impacted by the increase in vehicle trips from the development and is the only gateway intersection to Frog Pond West that has been documented to operate close to the City operating standard in the near future. Other gateway intersections, such as SW Boeckman Road/SW Sherman Drive, were not included in the analysis as the trips through those intersections would be insignificant and located at non-critical gateways.

**TABLE 1: VEHICLE TRIP GENERATION**

LAND USE	ITE DESCRIPTION (CODE)	UNITS	PM PEAK TRIP RATE <sup>A</sup>	PM PEAK TRIPS			WEEKDAY
				IN	OUT	TOTAL	
NEW HOMES	SINGLE-FAMILY DETACHED HOUSING (210)	12 Lots	1.12 trips/lot	9	5	14	144
	SINGLE-FAMILY ATTACHED HOUSING (215)	22 Lots	0.41 trips/lot	5	4	9	116
EXISTING HOME REMOVED	SINGLE-FAMILY DETACHED HOUSING (210)	1 Lot	1.12 trips/lot	-1	-0	-1	-15
<b>TOTAL NET NEW TRIPS</b>				<b>+13</b>	<b>+9</b>	<b>+22</b>	<b>+244</b>

<sup>A</sup> PM peak trip rate is back-calculated from the fitted curve equation

It is estimated that the proposed development will generate a net total of 22 M peak hour trips (13 in, 9 out), and that 50% of trips will utilize SW Stafford Road to/from the north, 35% of trips will utilize SW Boeckman Road to/from the west, 10% of trips will utilize SW Wilsonville Road to/from the south, and 5% of trips will utilize SW Advance Road to/from the east. Approximately 5% (1 PM trip) of the project trips are expected to travel through the I-5/SW Elligsen Road interchange area and 5% (1 PM trip) through the I-5/SW Wilsonville Road interchange area.

The study intersection meets the City of Wilsonville’s operating standard for existing development with addition of project trips. However, it has been known and previously documented that the SW Stafford Road/SW Frog Pond Lane intersection is expected to fail to meet the City’s Level of Service (LOS) D operating standard as the Frog Pond West neighborhood develops. A traffic signal was the originally recommended intersection improvement; however, the Frog Pond East & South Master Plan, recently approved by City Council, identifies alternate traffic control mitigations (minor-street turn restrictions) as the preferred improvement for the intersection. The City has included the intersection improvements on the Capital Improvement Projects (CIP) list for which the project is slated for funding in 2024/25-2025/26.

Facilities and Services Concurrency  
 Subsection 4.140 (.09) J. 3.

- D3. The applicant proposes sufficient facilities and services, including utilities, concurrent with development of the residential subdivision.

Adherence to Approved Plans  
Subsection 4.140 (.10) A.

- D4.** Conditions of Approval ensure adherence to approved plans except for minor revisions approved by the Planning Director.

**General Residential Development Standards**

Effects of Compliance Requirements and Conditions on Cost of Needed Housing  
Subsection 4.113 (.13)

- D5.** No parties have presented evidence nor has staff discovered evidence that provisions of this section are such that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type.

Underground Utilities Required  
Subsection 4.118 (.02) and Sections 4.300 to 4.320

- D6.** The applicant proposes installation of all new utilities underground. The applicant will underground all existing utility lines facing the subject property.

Habitat Friendly Development Practices to be Used to the Extent Practicable  
Subsection 4.118 (.09)

- D7.** The applicant has designed the project to minimize grading to only what is required to install site improvements and build homes. The applicant has designed, and will construct, water, sewer, and stormwater infrastructure in accordance with the applicable City requirements in order to minimize adverse impacts on the site, adjacent properties, and surrounding resources.

## Residential Neighborhood (RN) Zone

### General Lot Development Standards Subsection 4.127 (.08) Table 2.

D8. The applicant proposes lots reviewed for consistency with applicable development code standards and the Frog Pond West Master Plan. The proposed lots meet or exceed the standards of Table 2, or the applicant can meet or exceed the standards with final design, as follows:

Standard	R-7 Medium Lot Sub-district 4		R-10 Large Lot Sub-district 7		Compliance Notes
	Required	Proposed	Required	Proposed	
Min. Lot Size	6,000 sf	6,500-8,600 sf	8,000 sf	8,025-9,792 sf	Standard is met.
Min. Lot Depth	60 ft	60+ ft	60 ft	60+ ft	Standard is met.
Min. Lot Width	35 ft	35+ ft	40 ft	40+ ft	Standard is met.
Max. Lot Coverage	45%	45% max	40%	40% max	Standard can be met. Example floor plan footprint is roughly 1,460 sf. One or more could be placed on each proposed lot without exceeding max lot coverage.
Max. Bldg Height	35 ft	35 ft max	35 ft	35 ft max	Standard can be met.
Min. Front Setback	15 feet	15 ft min	20 ft	20 ft min	Standard can be met.
Min. Rear Setback	15 feet	15 ft min	20 ft	20 ft min	Standard can be met.
Min. Side Setback	5 feet (10 feet for corner lots)	5 ft min (10 ft min on corner lots)	5 feet (10 feet for corner lots)	5 ft min (10 ft min on corner lots)	Standard can be met.
Min. Garage Setback from Alley	18 ft	18 ft. min	18 ft	18 ft. min	Standard can be met.
Min. Garage Setback from Street	20 ft	20 ft min	20 ft	20 ft min	Standard can be met.

Frog Pond West-Specific Lot Development Standards  
 Subsection 4.127 (.08) C. and D.

**D9.** The proposed lots meet standards specific to Frog Pond West, or the applicant can meet or the standards with final design, as follows:

Standard				Compliance Notes	
Small-lot Subdistricts (include at least one element)	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	N/A		Subject property does not contain land within the small-lot sub-district.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Wall and landscaping for lots adjacent to Stafford and Boeckman Road	Provided	Not Provided	N/A		The subject property does not abut Stafford or Boeckman Road.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
No driveway access to collectors for small and medium lots	Met	Not Met	N/A		Subject property does not include collectors.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

Open Space Requirements  
 Subsection 4.127 (.09)

**D10.** As stated in Finding C18, the R-10 and R-7 sub-districts involved in the proposal are exempt from open space requirements.

Block, Access, and Connectivity Consistent with Frog Pond West Neighborhood Plan  
 Subsection 4.127 (.10) and Figure 18. Frog Pond West Master Plan

**D11.** The Street Demonstration Plan is an illustrative layout of the desired level of connectivity in the Frog Pond West neighborhood and is intended to be guiding, not binding, allowing for flexibility provided that overall connectivity goals are met. The block size and shape, access, and connectivity of the proposed subdivision complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as follows:

Street Segment	Generally Consistent with Figure 18	Allowed Variation	Explanation of Variation
SW Brisband Street	☒	☐	
SW Frog Pond Lane	☒	☐	
SW Sherman Drive	☐	☒	See explanation below.
Street J	☐	☒	See explanation below.
Pedestrian Connection in Tracts A and C	☒	☐	
Pedestrian Connection in Tracts B and D	☐	☒	See explanation below.

**Master Plan Street Demonstration Plan  
(Figure 18)**



**Proposed Project**



Along the south side of the proposed subdivision, SW Brisband Street is being extended west by the West Linn Wilsonville School District as part of the previously approved primary school project to the south. SW Frog Pond Lane already exists as a rural road on the north side of the project. The proposed development will provide its share of these streets along the site’s south and north frontages, respectively. SW Sherman Drive will be extended north of SW Brisband Street on the west side of the subject site approximately 250 feet to its intersection with new Street J, an allowed variation to provide access to lots in the central part of the development. A second east/west street in the north part of the site is proposed to be a Pedestrian Connection split into two 5-foot-wide pathways on the north and south sides of Tracts B and D open space area, an allowed variation to preserve mature

trees, including Oregon white oaks. A Condition of Approval requires that the applicant show, on the construction drawings, extension of this pathway as a 10-foot wide Pedestrian Connection to the east property boundary that can extend in the future across development of Tax Lot 1400 to the east. A street connection between SW Brisband Street and SW Frog Pond Lane on the east side of the site is not provided so that lots can be shifted to the east to preserve numerous mature trees in open space Tracts A and C on the west property boundary.

The proposed modifications do not require out-of-direction pedestrian or vehicular travel nor do they result in greater distances for pedestrian access to the proposed subdivision from the surrounding existing and future streets than would otherwise be the case if the Street Demonstration Plan were adhered to.

Main Entrance, Garage, Residential Design, and Building Orientation Standards  
Subsections 4.127 (.14-.18)

**D12.** The proposed subdivision provides lots of sufficient size and of a typical orientation to meet the RN zone design standards, or the applicant can meet the standards at the time of building permit review, as follows:

Standard			Compliance Notes
Main Entrance Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Garage Width Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met. Subdivision includes lots greater than 50 feet at the front lot line.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Garage Orientation Towards Alley or Shared Driveway	Alleys or Shared Driveways in Subdivision	No Alleys or Shared Driveways in Subdivision	Standard can be met. The subdivision has three (3) alleys. Example floor plans show garage orientation toward alleys.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Residential Design Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



Small-Lot Subdistricts – House Plan Variety	Required Duplex/Attached Units	Provided Duplex/Attached Units	Not applicable. Not within small lot sub-district.
	N/A	N/A	
Fences	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Homes Adjacent to School and Parks and Public Open Spaces	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Several lots face or are adjacent to open space in Tracts A through D, and Lots 16 and 17 face the new primary school to the south across SW Brisband Street.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

### On-site Pedestrian Access and Circulation

#### Continuous Pathway System

Section 4.154 (.01) B. 1.

**D13.** The submitted plans show sidewalks along the frontages of all lots facing streets, and a pathway along the frontages of lots that face the Tracts B and D open space, providing a continuous pathway system throughout the proposed subdivision. In addition to the sidewalk system, pedestrian/bicycle connections are proposed through Tracts A and C on the west side of the site, consistent with Figure 18 of the Frog Pond West Master Plan. The proposal enables connections to future adjacent development and a Condition of Approval ensures the final design and layout of the Pedestrian Connection in open space Tracts B and D will be consistent with the location of the approved Pedestrian Connection in the Frog Estates subdivision to the east and enable a continuous pathway connection across the immediately adjacent property to the east when it develops in the future. To ensure full access and function of the planned pathway system for the public, a Condition of Approval requires public access easements across all pathways within private tracts.

#### Safe, Direct, and Convenient

Section 4.154 (.01) B. 2.

**D14.** The submitted plans show sidewalks and pathways providing safe, direct, and convenient connections consistent with Figure 18 of the Frog Pond West Master Plan.

### Vehicle/Pathway Separation

Section 4.154 (.01) B. 3.

**D15.** The proposed design vertically and or horizontally separates all sidewalks and pathways from vehicle travel lanes except for driveways and crosswalks.

### Crosswalks Delineation

Section 4.154 (.01) B. 4.

**D16.** A Condition of Approval requires all crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast).

### Pathway Width and Surface

Section 4.154 (.01) B. 5.

**D17.** The applicant proposes all pathways to be concrete, asphalt brick/masonry pavers, or other durable surface, and at least 5 feet wide, meeting or exceeding the requirement.

## **Parking Area Design Standards**

### Minimum and Maximum Parking

Subsection 4.155 (.03) G.

**D18.** Pursuant to Oregon Administrative Rules (OAR) 660-012-0440 parking mandates, the minimum vehicle parking requirements in Table 5 are not applicable to the development as it is within one-half (1/2) mile of SMART Route 4, one of the City's most frequent transit routes. The proposed development includes uses that have no maximum limit per Table 5. With no minimum or maximum vehicle parking requirements, the number of total vehicle parking spaces is at the complete discretion of the applicant, so long as the total number of spaces does not exceed the maximum and other non-parking requirements are still met. In addition, for any vehicle parking spaces provided, the applicable design standards, as well percentage and similar requirements for certain types of spaces, still apply.

Other Parking Area Design Standards  
Subsections 4.155 (.02) and (.03)

**D19.** The applicable standards are met as follows:

Standard	Met	Explanation
<b>Subsection 4.155 (.02) General Standards</b>		
B. All spaces accessible and usable for parking	☒	Though final design of garages and driveways is not part of current review they are anticipated to meet minimum dimensional standards to be considered a parking space as well as fully accessible. A Condition of Approval requires the dimensional standards to be met.
I. Surfaced with asphalt, concrete or other approved material	☒	Garages and driveways will be surfaced with concrete.
Drainage meeting City standards	☒	Drainage is professionally designed and being reviewed to meet City standards.
<b>Subsection 4.155 (.03) General Standards</b>		
A. Access and maneuvering areas adequate	☒	Parking areas will be typical residential design adequate to maneuver vehicles and serve needs of homes.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated	☒	Pursuant to Section 4.154, pedestrian circulation is separate from vehicle circulation by vertical separation except at driveways and crosswalks.

**Other General Regulations**

Access, Ingress and Egress  
Subsection 4.167 (.01)

**D20.** Planned access points are typical of local residential streets. The City will approve final access points for individual driveways at the time of issuance of building permits.

**Protection of Natural Features and Other Resources**

General Terrain Preparation  
Section 4.171 (.02)

**D21.** The site has been planned and designed to avoid the natural features on the site, including mature tree groves. Grading, filling, and excavating will be conducted in accordance with the Uniform Building code. The site will be protected with erosion control measures and the preserved trees will be protected with fencing to City standards prior to commencement of site work to avoid damage to vegetation or injury to habitat. The removal of trees is necessary for site development, but replacement trees will be planted per the provisions of this Code.

## Trees and Wooded Areas

### Section 4.171 (.04)

**D22.** Existing vegetation will not be disturbed, injured or removed prior to land use and permit approvals. Existing trees have been retained wherever possible; however, trees will need to be removed to provide area for home construction. Trees identified to be retained will be protected during site preparation and construction according to the City Public Works design specifications as outlined in the Arborist Report and Conditions of Approval.

## Earth Movement Hazard Area

### Subsection 4.171 (.07)

**D23.** The applicant performed geotechnical investigations on all of the subject properties and found no earth movement hazards. A geotechnical report is provided in Exhibit B1.

## Historic Resources

### Subsection 4.171 (.09)

**D24.** Neither the applicant nor the City have identified any historic, cultural, or archaeological items on the sites, nor does any available information on the history of the site compel further investigation.

## Public Safety and Crime Prevention

### Design for Public Safety, Addressing, Lighting to Discourage Crime

#### Section 4.175

**D25.** The design of the proposed development deters crime and ensures public safety. The lighting of the streets allows for visibility and safety. The orientation of homes toward streets provides “eyes on the street.” All dwellings will be addressed per Building and Fire Department requirements to allow identification for emergency response personnel. Dwellings will have exterior porch lighting, which will support the streetlights to provide safety and visibility.

## Landscaping Standards

### Intent and Required Materials

#### Subsections 4.176 (.02) C. through I.

**D26.** Planting areas along the street and open spaces within the subdivision are generally open and are not required to provide any specific screening, thus the design of the landscaping follows the general landscaping standards. The plantings include a mixture of ground cover, shrubs, trees, and stormwater swale plantings. Proposed street trees on SW Brisband Street, SW Sherman Drive, and proposed Street J are not consistent with previously established trees in other Frog Pond subdivisions. A Condition of Approval ensures the proper trees are selected prior to issuance of Public Works permits.

Types of Plant Material, Variety and Balance, Use of Natives When Practicable  
Subsection 4.176 (.03)

**D27.** The applicant proposes a professionally designed landscape using a variety of plant material. There are no parking areas proposed and no parking area landscaping is required. The landscape plans included in the applicant's materials (Sheets P-16 and P-17) illustrate the location and type of landscaping within public rights-of-way and tracts. The design includes a variety of native plants, particularly in the open space areas.

**Street Improvement Standards**

Conformance with Standards and Plan  
Subsection 4.177 (.01), Figures 19-27 Frog Pond West Master Plan

**D28.** The proposed streets appear to meet the City's Public Works Standards and Transportation System Plan. Further review of compliance with Public Works Standards and Transportation System Plan will occur with review and issuance of the Public Works construction permit.

Street Design Standards-Future Connections and Adjoining Properties  
Subsection 4.177 (.02) A.

**D29.** The street network has been designed per the Frog Pond West Master Plan Street Demonstration Plan. Future connections to adjacent sites are anticipated to the east and west. The proposed design provides for continuation of streets with Morgan Farm to the south and Frog Pond Overlook to the north. SW Sherman Drive is extended north, and Street J provides a connection to future development to the east and west.

City Engineer Determination of Street Design and Width  
Subsection 4.177 (.02) B.

**D30.** The City Engineering Division has preliminarily found the street designs and widths to be consistent with the cross sections shown in the Frog Pond West Master Plan. The Engineering Division will check final conformance with the cross sections shown in the Frog Pond West Master Plan during review of the Public Works permit.

Right-of-Way Dedication  
Subsection 4.177 (.02) C. 1.

**D31.** The tentative subdivision plat shows right-of-way dedication. See Request F.

Waiver of Remonstrance Required  
Subsection 4.177 (.02) C. 2.

**D32.** This Subsection requires that a waiver of remonstrance against formation of a local improvement district (LID) be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of recordation of a final plat. This requirement is contained in the Development and Annexation Agreement and notes that in light of the developer's

obligation to pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee, release of the LID Waiver for a specific parcel within the proposed development may occur upon official recording of the release of the waiver only after payment of these fees, and will require the developer to pay all costs and fees associated with the City's release of the waiver. A Condition of Approval outlines the process to be followed with respect to the required LID Waiver and its release for a specific parcel.

#### Dead-end Streets Limitations

Subsection 4.177 (.02) D.

**D33.** Proposed east/west Street J in the south part of the development will temporary dead end until the property to the east develops (see Sheet P-06). Notification of extension will be posted on the end of this street as required by Conditions of Approval.

#### Corner Vision Clearance

Subsection 4.177 (.02) E.

**D34.** Street locations and subdivision design allow the meeting of vision clearance standards.

#### Vertical Clearance

Subsection 4.177 (.02) F.

**D35.** Nothing in the proposed subdivision design would prevent the meeting of vertical clearance standards.

#### Interim Improvement Standards

Subsection 4.177 (.02) G.

**D36.** The City Engineer has or will review all interim improvements to meet applicable City standards.

#### Sidewalks Requirements

Subsection 4.177 (.03)

**D37.** The applicant proposes sidewalks along all public street frontages abutting proposed lots.

#### Bicycle Facility Requirements

Subsection 4.177 (.04)

**D38.** No on street bicycle facilities are required within the project area. A Condition of Approval requires all cross-sections to comply with the Frog Pond West Master Plan requirements prior to Final Plat approval. See Exhibit C1.

#### Pathways in Addition to, or in Lieu of, a Public Street

Subsection 4.177 (.05)

**D39.** In lieu of a public street, a Pedestrian Connection is proposed through the open space in Tracts A and C, providing a connection between SW Sherman Drive on the south and SW Frog Pond Lane on the north, to preserve numerous mature trees consistent with the Frog

Pond West Master Plan Street Demonstration Plan (see Finding D11). In addition, a Pedestrian Connection, split into two pathways, is proposed through the Tracts B and D open space, also to preserve mature trees, provide frontage for Lots 4 through 9 located north and south of the open space, and provide connection to future development to the east. The proposed connections achieve a similar level of connectivity desired for the development.

#### Transit Improvements Requirements Subsection 4.177 (.06)

**D40.** The applicant does not propose any transit improvements within the proposed subdivision. There is not currently transit service along SW Stafford Road or SW Boeckman Road; however, as the Frog Pond area develops, additional transit service may be added. Any transit improvements would be addressed at the time the need for additional transit service is identified.

#### **Intersection Spacing**

##### Offset Intersections Not Allowed Subsection 4.177 (.09) A.

**D41.** The applicant does not propose any offset intersections.

##### Minimum Street Intersection Spacing in Transportation System Plan Table 3-2 Subsection 4.177 (.09) B.

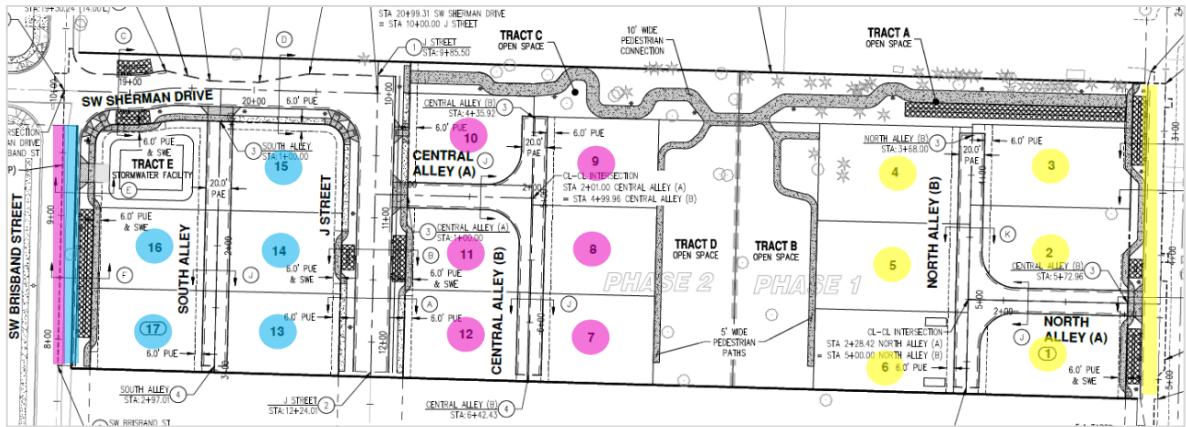
**D42.** Streets within the development are local streets, which are not subject to minimum spacing standards.

#### **Mixed Solid Waste and Recyclables Storage**

##### Review by Franchise Garbage Hauler Subsection 4.179 (.07)

**D43.** The proposed development does not contain multi-family residential or non-residential uses requiring the solid waste storage area to meet code requirements for size; however, the applicant has provided a letter from the franchised garbage hauler, Republic Services, to ensure the site plan provides adequate access for the hauler's equipment. The service provider letter is included in Exhibit B1. As shown in the illustration below, collection is proposed to occur on SW Frog Pond Lane for Lots 1 through 6 (highlighted in yellow), with residents expected to place their receptacles curbside on collection day. Collection is proposed to occur initially on SW Brisband Street for Lots 7 through 17 (highlighted in pink and blue). When SW Sherman Drive and Street J are completed within the development and Street J is extended east to create full passage for collection vehicles, collection for Lots 7 through 15 will occur on Street J and for Lots 16 and 17 will continue to occur on SW Sherman Drive. Although access for all lots will be from alleys at the back of the houses, collection vehicles are not proposed to use the alleys for waste and recyclables collection. A

Condition of Approval requires the applicant to submit a revised Service Letter from Republic Services showing how trash service can be provided adjacent to all lots in conformance with PW Standards, the City’s Franchise Agreement with Republic Services and Administrative Rules.



**Request E: Site Design Review of Parks and Open Space (SDR23-0003)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Objectives of Site Design Review**

Proper Functioning of the Site, High Quality Visual Environment Meets Objectives Subsections 4.400 (.02) A., 4.400 (.02) C.-J., and Subsection 4.421 (.03)

**E1.** Project elements subject to Site Design Review include: tracts and their landscaping; landscaping in the public right-of-way; retaining walls; and park or open space furnishings. The proposed development is intended to advance the vision for Frog Pond West by incorporating the natural areas on site, providing attractive streetscapes, and enhancing the existing neighborhood to the south and future neighborhoods to the east, north, and west. The proposed professionally designed landscaping provides stormwater, air quality, and other site functions while demonstrating consistency with the Frog Pond West Master Plan. The landscaping also adds to the high quality visual environment. Thus the proposed design fulfills the objectives of Site Design Review.

Encourage Originality, Flexibility, and Innovation  
Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

**E2.** The City code affords the applicant’s design team flexibility to create an original design appropriate for the site while ensuring consistency with the Frog Pond West Master Plan.



## **Jurisdiction and Power of the DRB for Site Design Review**

### Development Review Board Jurisdiction Section 4.420

- E3.** A Condition of Approval ensures landscaping is carried out in substantial accord with the DRB-approved plans, drawings, sketches, and other documents. The City will issue no building permits prior to approval by the DRB. The applicant has not requested variances from site development requirements.

## **Design Standards**

### Preservation of Landscaping Subsection 4.421 (.01) A. and Section 4.171

- E4.** The site layout takes into consideration existing landscaping and preserving it where possible. The applicant has included an open space (Tracts A through D) that allows for the preservation of a substantial number of mature trees, including several Oregon white oaks, within the development.

### Relation of Proposed Buildings to Environment Subsection 4.421 (.01) B.

- E5.** No structures are proposed in the development at this time. Building design will be reviewed during the building permit review process.

### Surface Water Drainage Subsection 4.421 (.01) D.

- E6.** As demonstrated in the applicant's plans, attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. The location of LIDA facilities within the planter strips of the public streets, stormwater facilities within tracts, and details of LIDA facility planting are shown in Sheets P-16 and P-17. Appendix G in Exhibit B3 includes the Preliminary Stormwater Drainage Report.

### Above Ground Utility Installations Subsection 4.421 (.01) E.

- E7.** The applicant proposes no above ground utility installations. Existing overhead lines will be undergrounded. Each lot will be served by a sanitary sewer line (see Sheet P-09). Storm sewage disposal is provided by a storm drain system connecting to each on-site stormwater facility.

Screening and Buffering of Special Features  
Subsection 4.421 (.01) G.

- E8. No exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures exist or are proposed that require screening.

Applicability of Design Standards  
Subsection 4.421 (.02)

- E9. This review applies the design standards to the proposed streetscape and open space areas, which are the portions of the proposed development subject to Site Design Review.

Conditions of Approval Ensuring Proper and Efficient Functioning of Development  
Subsection 4.421 (.05)

- E10. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development.

**Site Design Review Submission Requirements**

Submission Requirements  
Section 4.440

- E11. The applicant has provided a sufficiently detailed landscape plan and street tree plan to review the streetscape and open space areas subject to Site Design Review.

**Time Limit on Site Design Review Approvals**

Void after 2 Years  
Section 4.442

- E12. The applicant has indicated that they will pursue development within two years. The development is planned to occur in two (2) phases, with Phase 1 construction in 2024-2026 and Phase 2 in 2025-2027. The approval will expire after two (2) years if not vested, or an extension is not requested and granted, consistent with City Code.

**Installation of Landscaping**

Landscape Installation or Bonding  
Subsection 4.450 (.01)

- E13. A Condition of Approval ensures all landscaping in common tracts shall be installed prior to Final Plat Approval, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the

satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the 6-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant. A Condition of Approval further requires that the applicant, prior to Final Plat Approval, either (1) enter into a Residential Subdivision Development Compliance Agreement with the City that covers installation of street trees and right-of-way landscaping or (2) install all street trees and other right-of-way landscaping.

#### Approved Landscape Plan

Subsection 4.450 (.02)

**E14.** A Condition of Approval ensures the approved landscape plan is binding upon the applicant/owner. It prevents substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan without official action of the Planning Director or DRB, as specified in this Code.

#### Landscape Maintenance and Watering

Subsection 4.450 (.03)

**E15.** A Condition of Approval ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered with appropriate City approval.

#### Modifications of Landscaping

Subsection 4.450 (.04)

**E16.** A Condition of Approval provides ongoing assurance by preventing modification or removal without the appropriate City review.

### **Natural Features and Other Resources**

#### Protection

Section 4.171

**E17.** The proposed design of the site provides for protection of natural features and other resources consistent with the proposed Stage 2 Final Plan for the site as well as the purpose and objectives of Site Design Review. See Findings D21 through D24 under Request D.

### **Landscaping**

#### Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

**E18.** The applicant requests no waivers or variances to landscape standards. Thus, all landscaping and screening must comply with standards of this section.

## Intent and Required Materials

Subsections 4.176 (.02) C. through I.

**E19.** The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage 2 Final Plan, which includes an analysis of the functional application of the landscaping standards. See Finding D26 under Request D.

## Quality and Size of Plant Material

Subsection 4.176 (.06)

**E20.** The quality of the plant materials must meet American Association of Nurserymen (AAN) standards as required by this Subsection. Trees as shown on the applicant's plans are specified at two (2)-inch caliper or greater than six (6) feet for evergreen trees. Some shrubs are specified on the Landscape Plans (Sheet L2.00-L2.20) as one (1) gallon, rather than two (2) gallon or greater in size. Ground cover is specified as greater than 4 inches. Turf or lawn is used for a minimal amount of the proposed public landscape area. Conditions of Approval ensure the requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting.

## Landscape Installation and Maintenance

Subsection 4.176 (.07)

**E21.** Installation and maintenance standards are or will be met by Conditions of Approval as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one (1) growing season, unless appropriate substitute species are approved by the City.
- The applicant's narrative states that "As detailed in Note 6 of the Preliminary Landscape Plan..., all landscape areas will be watered by a fully automatic underground irrigation system" (see Sheet P-17).

## Landscape Plans

Subsection 4.176 (.09)

**E22.** The applicant's submitted landscape plans, Sheets P-16 and P-17, provide the required information.

## Completion of Landscaping

Subsection 4.176 (.10)

**E23.** The applicant has not requested to defer installation of plant materials.

## Public Lighting Plan

### Lighting of Local Streets

Local Street, page 78 and Figure 42 of Frog Pond West Master Plan

**E24.** The applicant's Sheet P-09 in Exhibit B2 shows proposed street lights on local streets; however, their materials do not specify a proposed fixture or provide cut sheets or details. The Frog Pond Master Plan requires PGE Option 'B' LED with Westbrook 35W LED and 18' decorative aluminum pole (20-foot mounting height with 4 foot mast arm). As the Westbrook is no longer available from PGE, the Aurora is now used as the closest matching design. These fixtures are dark sky friendly and must be located with a professionally designed layout to minimize negative effects on future homes, provide for safety, and use a consistent design established by the Frog Pond West Master Plan. A Condition of Approval ensures that the applicant provides a Public Lighting Plan and demonstrates that the required lighting fixtures are provided on local streets adjacent to the development.

### Lighting of Pathways

Pedestrian Connections, Trailheads and Paths, page 80 and Figure 42 of Frog Pond West Master Plan

**E25.** The Frog Pond West Master Plan requires a Public Lighting Plan and recommended light plan hierarchy to define various travel routes within Frog Pond. Pedestrian connections, trailheads, and paths are required to be uniformly illuminated and shall follow the Public Works Standards for Shared Use Path Lighting. The applicant's Sheet P-09 in Exhibit B2 includes lighting along the Pedestrian Connection in Tracts A and C, however, no specifications or detail sheets are included. A Condition of Approval ensures that the requirements are met

## Street Tree Plan

### Tree Lists for Primary Streets, Neighborhood Streets, and Pedestrian Connections

Pages 81-83 and Figure 43 of Frog Pond West Master Plan

**E26.** The Street Tree Plan provides guidance tied to the street typology for Frog Pond West, with an overall intent to beautify and unify the neighborhood while providing a variety of tree species. The Frog Pond West Master Plan intends to achieve continuity through consistent tree types and consistent spacing along both sides of a street.

The proposed street tree species comply with the Frog Pond West Master Plan or will with a Condition of Approval as follows:

Street Name	Street Type	Proposed Species	Compliance Notes
SW Frog Pond Lane	Primary	Tulip Tree	On approved list; consistent with species established in Frog Pond Ridge
SW Brisband Street	Primary	Tulip Tree	On approved list, but <b>not consistent</b> with species (American Linden) established in Morgan Farm
SW Sherman Drive	Neighborhood	Chinese Pistache	On approved list, but <b>not consistent</b> with species (Village Green Zelkova) established in Morgan Farm
Street J	Neighborhood	Skyline Honey Locust	On approved list, but <b>not consistent</b> with species (Glenleven Little Leaf Linden) established in Frog Pond Estates
Pedestrian Connection in Tracts A and C	Pedestrian Connection	No trees proposed	The pathway is within the dripline of numerous mature trees; no additional trees are needed
Pedestrian Connection in Tracts B and D	Pedestrian Connection	Native species such as Bigleaf Maple, Oregon Crab Apple	The pathway is within the dripline of several mature trees; no additional trees are needed, but native trees are proposed to be planted

### Gateways, Monuments and Signage

Unifying Frog Pond Name, Gateway Signs, Prohibition on Individual Subdivision Signs  
Page 92 of the Frog Pond West Master Plan

**E27.** There are no neighborhood gateways planned within the area of the proposed development; therefore, no monument signs or other permanent subdivision identification signs are permitted.

Unifying Frog Pond Name, Sign Caps on Street Signs  
Page 92 of the Frog Pond West Master Plan

**E28.** As required by a Condition of Approval, all street name signs will be installed prior to Final Plat approval and utilize the City-approved sign cap throughout the subdivision, matching the design used in the previously approved subdivisions within Frog Pond. The developers will buy the signs from the City to ensure uniformity throughout the Frog Pond West neighborhood.

## **Request F: Tentative Subdivision Plat (SUBD23-0001)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### **Land Division Authorization**

Plat Review Authority  
Subsection 4.202 (.01) through (.03)

- F1.** The DRB is reviewing the tentative subdivision plat according to this subsection. The Planning Division will review the final plat under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Undersized Lots Prohibited  
Subsection 4.202 (.04) B.

- F2.** The proposed lots meet the dimensional standards of the RN zone and the R-7 and R-10 sub-districts. See Finding D8 under Request D.

### **Plat Application Procedure**

Pre-Application Conference  
Subsection 4.210 (.01)

- F3.** The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation  
Subsection 4.210 (.01) A.

- F4.** Following gathering information from Planning staff, the appropriate professionals from the applicant's design firm, AKS Engineering & Forestry, LLC, prepared the tentative plat.

Tentative Plat Submission  
Subsection 4.210 (.01) B.

- F5.** The applicant has submitted a tentative plat with all the required information. As required, the applicant has included in their application draft CC&Rs, bylaws, etc. related to the maintenance of open space tracts. A Condition of Approval ensures that such documents require that the Tracts B and D open space areas be owned and maintained by the same Homeowner's Association to ensure long-term protection and maintenance of the open space and preserved trees.

Phases to Be Shown  
Subsection 4.210 (.01) D.

**F6.** The applicant is proposing to construct the development in two (2) phases. Construction of Phase 1 is proposed to occur in 2024-2026 and Phase 2 in 2025-2027. The proposed phases are shown on the tentative plat (Sheet P-06 in Exhibit B2).

Remainder Tracts  
Subsection 4.210 (.01) E.

**F7.** The tentative plat accounts for all land within the plat area as lots, tracts, or right-of-way.

**Street Requirements for Land Divisions**

Master Plan or Map Conformance  
Subsection 4.236 (.01)

**F8.** As found in other findings in this report, the land division conforms with the Transportation System Plan, Frog Pond West Master Plan, and other applicable plans.

Adjoining Streets Relationship  
Subsection 4.236 (.02)

**F9.** The proposed plat enables the extension of streets consistent with the Frog Pond West Master Plan.

Streets Standards Conformance  
Subsection 4.236 (.03)

**F10.** As part of the Stage 2 Final Plan approval, the streets conform with Section 4.177 and generally conform with block sizes established in the Frog Pond West Master Plan. See Request D.

Topography  
Subsection 4.236 (.05)

**F11.** The street layout recognizes topographical conditions, including the location of numerous mature trees that will be preserved on site. As discussed elsewhere in this staff report, street alignments are adjusted from the Frog Pond West Master Plan as necessary to reduce impacts on these trees (see Finding D11).

Reserve Strips  
Subsection 4.236 (.06)

**F12.** The City is not requiring any reserve strips for the reasons stated in this subsection.



### Future Street Expansion Subsection 4.236 (.07)

**F13.** Where the Frog Pond West Master Plan shows street extensions, the tentative plat extends the right-of-way to the edge of the plat. A Condition of Approval requires signs stating “street to be extended in the future” or similar language approved by the City Engineer.

### Additional Right-of-Way Subsection 4.236 (.08)

**F14.** Conditions of Approval ensure dedication of sufficient right-of-way for planned improvements along SW Brisband Street, SW Frog Pond Lane, and SW Sherman Drive.

### Street Names Subsection 4.236 (.09)

**F15.** SW Brisband Street and SW Frog Pond Lane adjacent to the proposed subdivision are identified in the Frog Pond West Master Plan. The applicant includes improvements to these streets as required and names them accordingly. In addition to the existing streets, the applicant proposes to extend SW Sherman Drive north from its intersection with SW Bridband Street to an intersection with proposed Street J in the development. In addition the applicant proposes three (3) alleys, which are referred to as South Alley (serving Lots 1 through 6), Central Alley (serving lots 7 through 12), and North Alley (serving Lots 13 through 17) on the tentative plat (Sheet P-06). The applicant does not propose names for these alleys. Street J and the alleys will be subject to naming and approval by the City Engineer who will check all street names to not be duplicative of existing street names and otherwise conform to the City’s street name system at the time of Final Plat review.

## **General Land Division Requirements-Blocks**

### Blocks for Adequate Building Sites in Conformance with Zoning Subsection 4.237 (.01)

**F16.** The proposed blocks substantially conform to Figure 18 of the Frog Pond West Master Plan. The proposed blocks allow for lots meeting the minimum size and other dimensional standards for the relevant sub-districts of the Frog Pond West Master Plan. See Findings D8 and D11 under Request D.

## **General Land Division Requirements-Easements**

### Utility Line Easements Subsection 4.237 (.02) A.

**F17.** As will be further verified during the Public Works Permit review and Final Plat review, public utilities will be placed within public rights-of-way or within public utility easements (PUE) adjacent to the public streets. Stormwater facility easements are proposed where these facilities are located on private property and are intended to be shared between more

than one lot. Franchise utility providers will install their lines within public utility easements established on the plat.

#### Water Courses

Subsection 4.237 (.02) B.

**F18.** There are no watercourses located on or adjacent to the subject property.

### **General Land Division Requirements-Pedestrian and Bicycle Pathways**

#### Mid-block Pathways Requirement

Subsection 4.237 (.03)

**F19.** The proposed development includes pedestrian/bicycle connections north/south through Tracts A and C and east/west through Tracts B and D. These additional connections are consistent with Figure 18 of the Frog Pond West Master Plan or are allowed variations. See Finding D11 under Request D.

### **General Land Division Requirements-Tree Planting**

#### Tree Planting Plan Review and Street Tree Easements

Subsection 4.237 (.04)

**F20.** The City is reviewing the tree planting plan concurrently with the tentative plat, see Requests D and E.

### **General Land Division Requirements-Lot Size and Shape**

#### Lot Size and Shape Appropriate

Subsection 4.237 (.05)

**F21.** The size, width, shape, and orientation of lots comply with the identified sub-districts in the Frog Pond West Master Plan. See Finding D11 in Request D and Request I.

### **General Land Division Requirements-Access**

#### Minimum Street Frontage

Subsection 4.237 (.06)

**F22.** The full width of the front lot line of each lot fronts a public street with the exception of Lots 4 through 9, which front on the Tracts B and D open space with a Pedestrian Connection. The applicant has requested a waiver to the minimum lot frontage requirement (see Request I). Each lot meets or exceeds the minimum lot width at the front lot line. See Finding D8 in Request D, and Request I.

## General Land Division Requirements-Other

### Lot Side Lines

Subsection 4.237 (.08)

**F23.** Almost all side lot lines run at a 90-degree angle to the front line. Angles and curves of streets necessitate the exception, including Lot 15.

### Land for Public Purposes

Subsection 4.237 (.12)

**F24.** The subject property does not contain SROZ land or other land reserved for public acquisition.

### Corner Lots

Subsection 4.237 (.13)

**F25.** All corner lots have radii exceeding the 10-foot minimum.

## Lots of Record

### Lots of Record

Section 4.250

**F26.** The applicant provided documentation that all subject lots are lots of record.

## Request G: Type C Tree Removal Plan (TPLN23-0002)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

## Type C Tree Removal

### Review Authority When Site Plan Review Involved

Subsection 4.610.00 (.03) B.

**G1.** The requested tree removal is connected to Site Plan Review by the DRB and, thus, is under their authority.

### Reasonable Timeframe for Removal

Subsection 4.610.00 (.06) B.

**G2.** It is understood that tree removal will be completed by the time the applicant completes construction of all houses and other improvements in the subdivision, which is a reasonable time frame for tree removal.

Security for Permit Compliance  
Subsection 4.610.00 (.06) C.

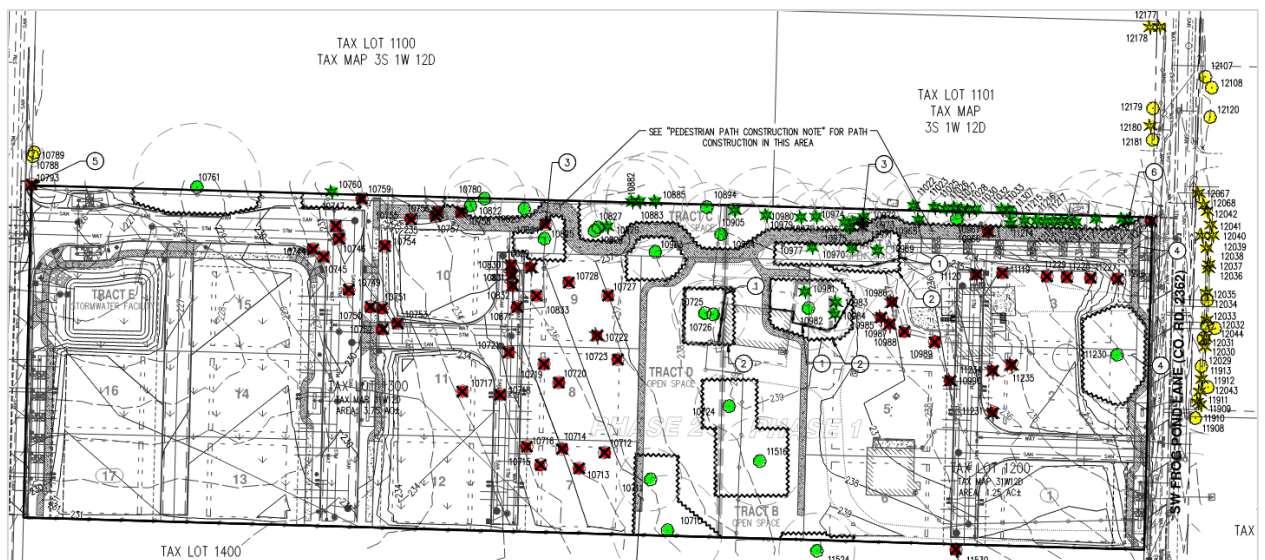
- G3. As allowed by Subsection 1, the City is waiving the bonding requirement as the application is required to comply with WC 4.264 (.01).

**General Standards for Tree Removal, Relocation or Replacement**

Preservation and Conservation  
Subsection 4.610.10 (.01)

- G4. Proposed land clearing is limited to designated street rights-of-way and areas necessary for construction of homes. Homes will be designed and constructed, as much as possible, to blend into the natural areas on the site.

Per the arborist’s report included on Sheets P-13 and P-14 in Exhibit B2, there are 118 on-site and line trees and 34 off-site trees in the inventory for a total of 152 inventoried trees. As shown on Sheet P-13, of the trees inventoried, 63 on-site and line trees will be preserved (highlighted in green on the plan below), 55 on-site and line trees are proposed for removal (highlighted in red), and 34 off-site trees will be unaffected by development of the site (highlighted in yellow).



Of the 63 on-site and line trees proposed for preservation, 19 are Oregon white oak, 38 are Douglas fir, and six (6) are other species including willow (1), Ponderosa pine (1) Lodgepole pine (1), incense cedar (1), Deodar cedar (1), and bigleaf maple (1). Of the Oregon white oaks to be preserved, five (5) excellent specimens have been prioritized for preservation and protection including Trees #10710, #10711, #11516, and #10982 in the Tracts B and D open space, and Tree #11230 on Lots 2 and 3 of the proposed subdivision. Given that unforeseen tree health issues related to Mediterranean oak borer (*Xyleborus monographus*)

(MOB) may arise involving one or more of the preserved Oregon white oaks, and that the impacts of nearby construction may cause additional stress to the preserved trees potentially rendering them more vulnerable to MOB, a Condition of Approval requires that, prior to commencement of site grading, the applicant will treat all preserved and protected Oregon white oaks in the Tracts A through D open space and Tree #11230 on Lots 2 and 3 with insecticidal or fungicidal treatment and root invigoration/aeration to improve their health and pest resistance.

The 55 trees proposed for removal include 29 Oregon white oak, eight (8) Douglas fir, and 18 of other species including willow (1), sweet cherry (7), Ponderosa pine (1) Lodgepole pine (2), European white birch (1), Norway maple (2), incense cedar (1), Deodar cedar (2), and bigleaf maple (1). The Oregon white oaks to be removed include Tree #10718, confirmed to be infested by Mediterranean oak borer (MOB), and Trees #10744, #10749, with suspected MOB infestation. As discussed under Finding A9, a Condition of Approval requires that prior to final filing of the annexation for the property, the applicant either will provide a plan to the City to remove and properly dispose of the hazard Trees #10718, #10744 and #10749, or enter into an agreement with the City to carry out the removal and disposal at the applicant's expense.

Trees to be removed are located within the grading limits of SW Sherman Drive and proposed Street J, within the building envelopes of Lots 2-3 and 5-10, and to install parts of the Pedestrian Connection in Tracts A and C. The location of proposed streets was determined by the Frog Pond West Master Plan and the City's block length and perimeter standards. Removal of the trees is necessary for construction of site improvements, including utilities, streets, and residential homes. In addition, grading of each lot is needed to accommodate residential development and associated site improvements (driveways and walkways, alleys, stormwater management, outdoor yard areas, etc.). Reducing building footprints by increasing height is not a viable alternative as the height limit in the RN zone is 35 ft., or 2.5 stories.

## Development Alternatives

Subsection 4.610.10 (.01) C.

- G5.** The Frog Pond West Master Plan provides clear direction for street connections, residential densities, and preservation and protection of trees and tree groves. Further, on several figures in the document, the Master Plan identifies existing trees and groves including the extensive groves of Oregon white oaks on the subject property. On the Street Demonstration Plan, the Master Plan identifies a Pedestrian Connection along the west side of the property through the groves to provide connection between SW Brisband Street and SW Frog Pond Lane while minimizing impacts on the trees.

The applicant's initial submittal proposed extension of SW Sherman Drive north of SW Brisband Street along the west property boundary, through the Oregon white oak groves, to connect with SW Frog Pond Lane, preserving seven (7) mature Oregon white oaks in an

open space tract in the north part of the site. Of 99 trees inventoried on the site at that time, 92 were proposed for removal. In response, the City requested that the applicant provide sufficient findings to explain how the proposed subdivision design achieves the Frog Pond West Master Plan intent to preserve existing groves of mature trees and incorporate them into the design of developments as much as possible. The City also requested that the applicant demonstrate how alternative designs that would preserve more trees in groves specifically identified in the Master Plan while enabling the project to meet the anticipated range of lots were considered and why they were rejected. The request also required the applicant to demonstrate how removal of the trees is consistent with City Resolution No. 2025, which encourages preservation of trees prior to annexation, and the City's Tree Preservation and Protection regulations in Section 4.600.

City staff met with the applicant several times to discuss alternative site designs, walked the site with the owner, applicant's representative, and project arborist to assess the condition of the Oregon white oaks and prioritize trees for preservation, and reviewed several iterations of the site design presented by the applicant to preserve more trees than initially proposed. The current design as presented in the applicant's plans seeks to allow for preservation of trees in contiguous areas of the site where impacts from development will be minimized. Of the 118 on-site and line trees inventoried for the revised submittal, 63 are proposed for preservation and conservation. The applicant proposes tree protection fencing around all protected trees in order to ensure their preservation during construction. Additional measures, such as tree protection easements, will ensure that development can occur in a logical manner while still ensuring preservation and protection of trees in the subdivision. Conditions of Approval ensure this criterion is met.

Land Clearing Limited to Right-of-Way and Areas Necessary for Construction  
Subsection 4.610.10 (.01) D.

**G6.** The proposed clearing is necessary for streets, alleys, houses, and related improvements.

Residential Development to Blend into Natural Setting  
Subsection 4.610.10 (.01) E.

**G7.** New tree plantings, preservation of existing mature trees in the Tracts A through D open space, and new native plantings in open space areas and stormwater facilities allow the development to blend with the natural elements of the property.

Compliance with All Applicable Statutes and Ordinances  
Subsection 4.610.10 (.01) F.

**G8.** As found elsewhere in this report, the City is applying the applicable standards.

Tree Relocation and Replacement, Protection of Preserved Trees  
Subsection 4.610.10 (.01) G.

**G9.** Reviews of tree removal, replacements, and protection is in accordance with the relevant sections of the Code.

Tree Removal Limitations  
Subsection 4.610.10 (.01) H.

**G10.** The proposed tree removal is due to health or necessary for construction.

**Additional Standards for Type C Permits**

Tree Survey and Tree Maintenance and Protection Plan to be Submitted  
Subsection 4.610.10 (.01) I. 1.-2.

**G11.** The applicant submitted the required Tree Maintenance and Protection Plan and Tree Survey (see Exhibit B2 and Sheets P-13 and P-14).

Utilities Locations to Avoid Adverse Environmental Consequences  
Subsection 4.610.10 (.01) I. 3.

**G12.** The Utility Plan (Sheet P-09) shows a design to minimize impact on the environment to the extent feasible given existing conditions, particularly the location of mature trees on the site. The City will further review utility placement in relation to preserved trees during review of construction drawings and utility easement placement on the final plat.

**Type C Tree Plan Review**

Tree Removal Related to Site Development at Type C Permit  
Subsection 4.610.40 (.01)

**G13.** Review of the proposed Type C Tree Plan is concurrent with other site development applications.

Standards and Criteria of Chapter 4 Applicable  
Subsection 4.610.40 (.01)

**G14.** As found elsewhere in this report, the City's review applies applicable standards.

Application of Tree Removal Standards Can't Result in Loss of Development Density  
Subsection 4.610.40 (.01)

**G15.** The proposed subdivision allows residential lot counts consistent with the Frog Pond West Master Plan.

Development Landscape Plan and Type C Tree Plan to be Submitted Together  
Subsection 4.610.40 (.01)

**G16.** The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

Type C Tree Plan Review with Stage 2 Final Plan  
Subsection 4.610.40 (.01)

**G17.** Review of the proposed Type C Tree Plan is concurrent with the Stage 2 Final Plan. See Request D.

Required Mitigation May Be Used to Meet Landscaping Requirements  
Subsection 4.610.40 (.01)

**G18.** The applicant proposes counting the proposed street trees and other landscaping trees as mitigation for removal.

No Tree Removal Before Decision Final  
Subsection 4.610.40 (.01)

**G19.** Review of the proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests and annexation into the City. While the land is currently under jurisdiction of Clackamas County, a Condition of Approval binds the applicant to no tree removal on the properties, except for hazardous situations unrelated to development, prior to issuance of the post-annexation tree removal permit by the City.

Tree Maintenance and Protection Plan Submission Requirements  
Section 4.610.40 (.02)

**G20.** The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

**Tree Relocation, Mitigation, or Replacement**

Tree Replacement Required  
Subsection 4.620.00 (.01)

**G21.** Consistent with the tree replacement requirements for Type C Tree Removal Permits established by this subsection, the applicant proposes to plant mitigation trees consistent with Subsection 4.620.00 (.06).

Replacement Requirement: 1 for 1, 2-inch Caliper  
Subsection 4.620.00 (.02)

**G22.** The applicant proposes planting 27 street trees and 16 trees in the Tracts B and D open space areas, totaling 43 mitigation trees. Staff notes that the vine maple (6) and serviceberry (6) trees, which are multi-stem, shrub-like species, are not counted as mitigation trees. Therefore, the total number of mitigation trees is 12 fewer than the one-to-one ratio of 55



trees required by this subsection. As sufficient space does not exist on site to replant the remaining trees in a desirable manner and the City does not have another site identified as desirable to plant the additional mitigation trees, the applicant is required to pay into the City's Tree Fund an amount equal to the cost of purchase and installation of the trees. The cost is based on a current estimated bid price of \$300 per tree or an amount of \$3,600 as mitigation for the remaining 12 trees. A Condition of Approval ensures the requirement is met. Sheet P-16 shows all trees proposed for planting as mitigation as 2-inch caliper, or the equivalent 6- to 8-foot for conifer trees.

Due to the size and age of the mature Oregon white oaks on the subject property, mitigation on an inch-per-inch basis could be required. However, because other measures are being required to protect the existing preserved trees, including Conditions of Approval that focus on ensuring the continued health of the preserved trees, staff does not recommend mitigation on an inch-per-inch basis.

#### Replacement Plan and Tree Stock Requirements

Subsections 4.620.00 (.03) and (.04)

**G23.** Review of the Tree Replacement and Mitigation Plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

#### Replacement Trees, City Tree Fund

Subsection 4.620.00 (.05)

**G24.** As shown on the Landscape Plans (Sheets P-16 and P-17), some of the proposed replacement trees consist of street trees. Additional trees will likely be planted on the individual dwelling lots at the time of site development but are not proposed to be included in the replacement tree plans. As discussed above under Finding G22, because the applicant is planting 12 trees fewer than the one-to-one mitigation ratio required by this subsection, they are required to pay into the City's Tree Fund as mitigation for the 12 trees an amount of \$3,600, equivalent to \$300 per tree for purchase and installation. A Condition of Approval ensures the requirement is met.

#### Protection of Preserved Trees

##### Tree Protection During Construction

Section 4.620.10

**G25.** Conditions of Approval ensure tree protection measures, including fencing, are in place consistent with Public Works Standards Detail Drawing RD-1240.

## Request H: Middle Housing Land Division (MHLD23-0003)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Land Division Authorization

Plat Review Authority  
Subsection 4.202 (.01) through (.03)

**H1.** The middle housing land division is being reviewed by the Planning Director according to this subsection. The final plat will be reviewed by the Planning Division under the authority of the Planning Director to ensure compliance with the tentative subdivision plat and middle housing land division.

Legally Lot Requirement  
Subsection 4.202 (.04) A.

**H2.** It is understood that no parcels will be sold or transferred until the final plat has been approved by the Planning Director and recorded.

### Middle Housing Land Divisions

Middle Housing Land Divisions Processed as Expedited Land Divisions  
Subsections 4.202 (.05) and 4.232 (.01)

**H3.** The applicant elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board. As required, the tentative middle housing land division is shown on a separate sheet, Sheet P-07, than the tentative subdivision plat, Sheet P-06, which clearly identifies the middle housing units as being created from one or more lots created by the subdivision.

Waivers and Variances Applying to Land Divisions  
Subsection 4.232 (.02)

**H4.** The property will be zoned Residential Neighborhood (RN) upon approval of the Zone Map Amendment request (ZONE23-0001) and contains one (1) waiver request. As stated in Finding H3, the request does not qualify for approval as an Expedited Land Division due to the need for other concurrent land use decisions.

Criteria for Middle Housing Land Divisions  
 Subsection 4.232 (.03) A-F.

**H5.** The required criteria for middle housing land divisions are met as follows:

Standard	Standard Met?			Compliance Notes
Land Division Occupied by Middle Housing	Yes	No	N/A	Middle housing units are proposed
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Separate Utilities Provided for Each Unit	Yes	No	N/A	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Easements Provided for Each Unit	Yes	No	N/A	Easements are provided for each unit for utilities, access to a street or private drive, and common areas, as applicable
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Compliance with Building Code	Yes	No	N/A	Middle housing units are of sufficient area for single family housing that meets Building Code standards; final compliance to be determined at Building permit review
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Required Notes Prohibiting Further Division on Plat	Yes	No	N/A	A Condition of Approval requires that notes on the Final Plat prohibit further division of middle housing units
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cluster Housing Standards	Yes	No	N/A	Cluster housing is not proposed as part of the development
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Provisions of Middle Housing Land Divisions  
 Subsection 4.232 (.04) 1.

**H6.** Two (2) housing units could be built on each of the subject lots without a middle housing land division; therefore, this criterion is met.

Units to be Considered Single Lot  
 Subsection 4.232 (.04) 2. A-B

**H7.** The 17 subject parent lots continue to meet the underlying lot standards of the RN zone. Two (2)-unit duplex units will be considered to be such rather than single-family units.

ADU and Middle Housing Allowances  
Subsection 4.232 (.04) 2.C.

**H8.** The preliminary middle housing land division plat included in Exhibit B2 (Sheet P-07) meets the allowance of middle housing units. Each parent lot can contain at least one (1) dwelling unit, but may contain additional units consistent with the allowance for middle housing.

Compliance with ORS 197 and OAR 660-046  
Subsection 4.232 (.04) 2.D.

**H9.** The preliminary middle housing land division plat included in Exhibit B2 (Sheet P-07) demonstrates compliance with the middle housing rules and statues included in ORS 197 and OAR 660-046.

Units Must Contain One Dwelling Unit  
Subsection 4.232 (.04) 3. A.

**H10.** As demonstrated by the preliminary middle housing land division plat, the units of land resulting from the middle housing land division will have only one (1) dwelling unit.

Units Not Further Divisible  
Subsection 4.232 (.04) 3. B.

**H11.** A Condition of Approval requires a note on the final plat stating that the middle housing land division units are not further divisible.

Procedures and Requirements for Expedited Land Divisions and Middle Housing Land Divisions  
Subsection 4.232 (.05) A. 1.-4.

**H12.** The applicant elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board; therefore, the standards of this Subsection do not apply.

Divisions for Land Occupied by Middle Housing  
Subsection 4.232 (.05) B.

**H13.** The request involves vacant land therefore this standard does not apply.

Multiple Middle Housing Land Divisions as Single Application  
Subsection 4.232 (.05) C.

**H14.** The application includes a preliminary middle housing land division plat in Exhibit B2 (Sheet P-07) for division into 34 middle housing units.

Optional Concurrent Review  
Subsection 4.232 (.05) D.

**H15.** The applicant elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board (see Findings H3 and H12).

### **Lots of Record**

Defining Lots of Record  
Section 4.250

**H16.** The subject property is a legal lot of record.

## **Request I: Waiver (WAIV23-0003)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

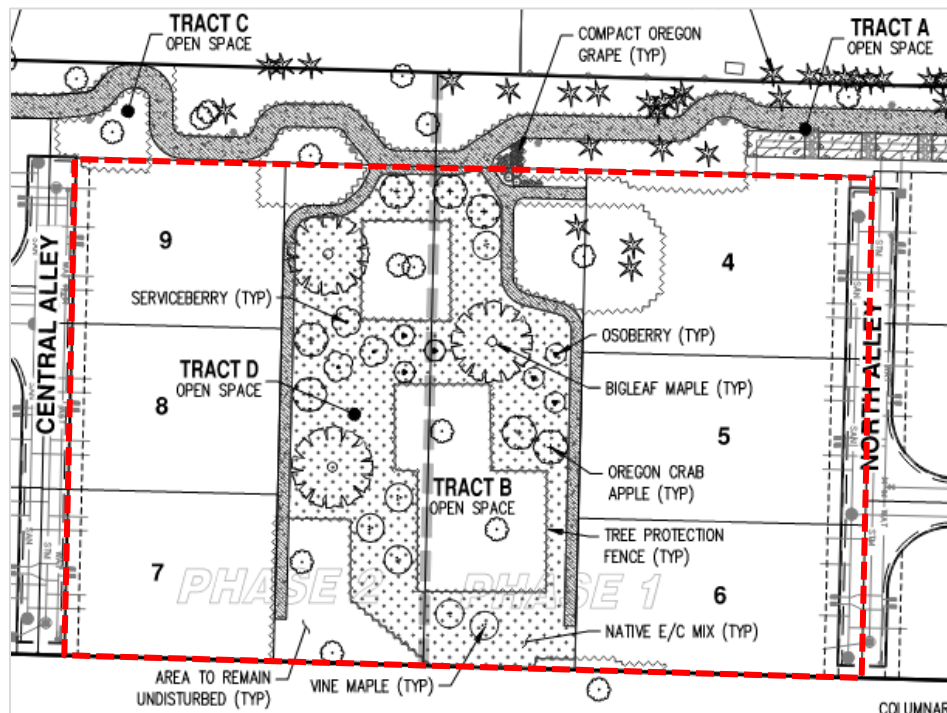
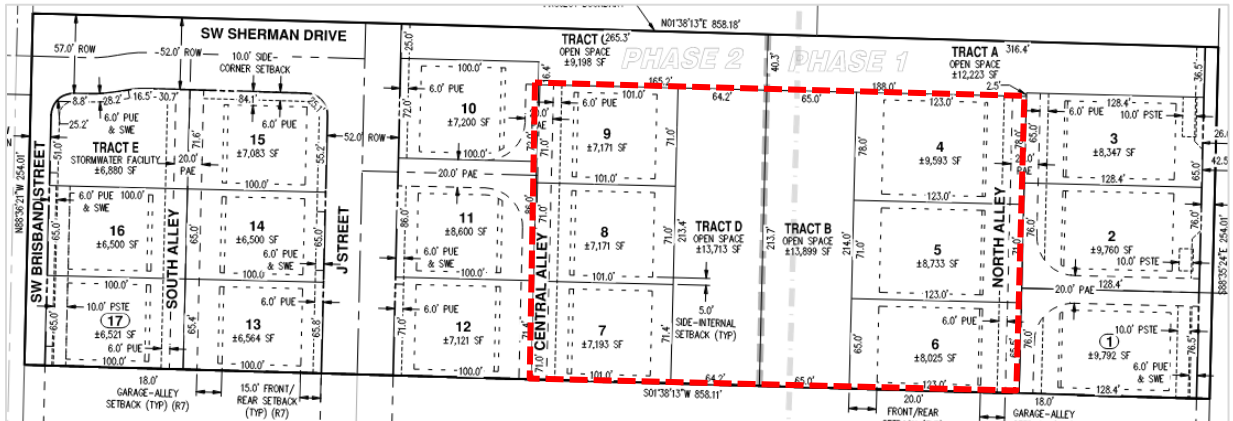
### **Waiver: Minimum Street Frontage**

Waiver of Typical Development Standards  
Subsection 4.118 (.03) A.

**I1.** While the proposed development meets the applicable requirements for lot dimensional standards, including lot area, width, depth, and lot coverage, the application includes a request for a minimum lot frontage waiver. Per Subsection 4.237 (.06) of the Development Code, each lot must have a minimum frontage on a street or private drive as specified in the standards of the relative zoning district. The minimum lot width in the RN Zone for lots in the R-5 small lot Sub-district is 35 feet with some exceptions (Subsection 4.127 (.08), Table 2). The DRB may waive lot frontage requirements where, in its judgement, the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of the standard or if the DRB determines that another standard is appropriate because of the characteristics of the overall development.

As proposed, six (6) lots (Lots 4 through 9) within the development front a shared open space with a Pedestrian Connection (Tracts B and D), and take vehicular access from a private alleys (Lots 4 through 6 from the North Alley; Lots 7 through 9 from the Central Alley), shown in the illustrations below. Pedestrian access is provided along the front of the lots via the Pedestrian Connections in Tracts B and D.

The applicant specifically requests a lot frontage waiver for Lots 4 through 9 to enable development of the subject site consistent with the proportional density range of 4-5 established for this portion of R-10 large lot Sub-district 7 and 11-14 lots for this portion of R-7 medium lot Sub-district 4, while preserving mature trees, including Oregon white oaks, in Pedestrian Connections in the Tracts B and D open space and other site improvements.



**Purpose and Objectives of Planned Development Regulations**  
 Subsection 4.140 (.01) B.

- 12.** Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection.

The subject site is constrained by size and dimension (5.00 acres in a long narrow configuration) and preservation of numerous mature trees, including Oregon white oaks, along the west property boundary and in the Tracts B and D open space in the north part of the site.

The proposed subdivision layout with the requested minimum frontage waiver for Lots 4 through 9 allows flexibility of design while providing a development that is equal to or better than that resulting from traditional lot land use development. If Lots 4 through 9 were fronting public streets, more trees, including high value Oregon white oak and Douglas fir, would be impacted by development. As stated by the applicant in their Code response narrative, the requested waiver of minimum street frontage benefits the public by:

- Providing additional usable open space,
- Providing additional Pedestrian Connections, and
- Preserving additional mature trees.

November 6, 2023

Cindy Luxhoj, Associate Planner  
City of Wilsonville Planning Division  
29799 SW Town Center Loop East  
Wilsonville, OR 97070

**RE: Case File DB23-0004 Frog Pond West Cottage Park Place**

Dear Cindy:

Thank you for reviewing the updated Frog Pond West Cottage Park Place application. Following the Applicant's extensive conversations and coordination with the City, we provide this letter and accompanying information in response to your request for additional information in the letter dated June 9, 2023, attached. The list of additional information requested is shown in *italics*, with the Applicant's response directly below.

**Completeness Items:**

1. *Accurate annexation area legal description and sketch. Revise to remove SW Frog Pond Lane right-of-way, which was already annexed to the City by Ordinance No. 868.*

**Response:** The annexation materials have been updated to reflect the current right-of-way and are attached as part of Exhibit K. This comment has been addressed.

2. *Consistent illustration of proposed tentative subdivision plat across plan set. Subsection 4.232 (.05) D. states that tentative middle housing land divisions shall be shown on separate sheet(s) than the tentative subdivision plat and be clearly identified as being created from one (1) or more lots created by the subdivision.*

**Response:** The plans have been updated as requested and are attached as Exhibit A. This item is satisfied.

3. *Sufficient findings to explain how the proposed subdivision design achieves the Frog Pond West Master Plan intent to preserve existing groves of mature trees and incorporate them into the design of developments as much as possible. Specifically address how proposed removal of over 92 of 99 trees inventoried on the property, including a substantial number of large mature Oregon white oaks, is consistent with this intent; how alternative designs that would preserve more trees in groves that are specifically identified in the Master Plan, while enabling the project to meet the anticipated range of lots – minimum of 15, maximum of 19 –, were considered and why they were rejected; and how removal of these trees is consistent with City Resolution No. 2025, which encourages preservation of trees prior to annexation, and the City's Tree Preservation and Protection regulations (Section 4.600).*

**Response:** Following significant coordination with the City, the updated layout demonstrates an extraordinary effort to preserve the greatest number of mature trees on the site, as feasible. The project layout now proposes to retain 57 of the 107 existing onsite or line



City of Wilsonville  
Exhibit B5 DB23-0004



trees. The trees planned for retention include 10 priority oak trees and 20 priority evergreen trees. Exhibit A and the written narrative have been updated to reflect the layout modifications and tree removal plan changes necessary to demonstrate the proposed tree preservation. This item has been satisfied.

4. *Sufficient findings to explain proposed deviations from the Street Demonstration Plan (Figure 18, Frog Pond West Master Plan), particularly related to removal of most of the trees on the property. The Street Demonstration Plan shows a public street along the eastern property boundary and a pedestrian connection along the western edge. Specifically address how alternative designs that are more consistent with, and achieve the connectivity objectives of, the Street Demonstration Plan, while preserving substantially more large mature Oregon white oaks on the property, were considered and why they were rejected. In addition, revise the plans to show street connectivity to the east and west of the project, as well as street connections on SW Frog Pond Lane for DRB-approved developments and conceptual layouts of non-DRB-approved sites, and the ultimate configuration of pedestrian connections to integrate with pedestrian paths along the north and south side of Tract A.*

**Response:** The layout proposed for Cottage Park Place (Exhibit A) has been altered to address these issues and the written narrative has been updated accordingly. This item is satisfied.

5. *Sufficient information to determine compliance with minimum tree mitigation requirements. The applicant requests a tree credit of 26 trees for trees preserved in the proposed open space area. Subsection 4.176 (.06) F. allows a credit for trees preserved in landscape areas of a site; however, no Code language establishes an allowance for tree credits to count as mitigation for tree removal. The typical application for this Code is in parking areas where a certain number of trees are required based on the number of parking spaces. If proposals preserve a large tree in these cases, fewer new trees need to be planted; however, if an applicant has a grove of six (6) mature trees, and removes five (5), the Code does not establish the ability to avoid mitigating for the 5 removed trees by applying a tree credit from the one (1) preserved tree. Staff is not aware of any circumstances where preserved tree credits were used as mitigation for tree removal. Revise findings to address tree mitigation based on the information above and account for any potential payment into the City Tree Fund. Staff notes that, per Subsection 4.620.00 (.02), the Development Review Board may require replacement on a per caliper inch basis based on a finding that the large size of the trees being removed justifies an increase in the replacement trees required. In addition, multi-stem plantings such as vine maple, serviceberry, and osoberry, shown as mitigation trees in the preliminary plant schedule (Sheet P-17), generally are not considered to count as mitigation for tree removal.*

**Response:** The written narrative has been revised to remove tree credit calculations. Planting requirements for minimum tree mitigation is planned to be determined and provided. This item has been satisfied.

6. *Detail for open space area (Tract A) in landscape plans (Sheet P-17) that is consistent with narrative Code response and demonstrates how active and passive open space opportunity will be provided as proposed. Also provide construction plan and pathway location within the grove as specified in the Arborist Report, which is referenced in the response narrative.*

**Response:** Open Space details and pathway locations have been added to the Preliminary Plans (Exhibit A). Information prepared by a certified arborist is available on Sheets P-14 and P-15 of the Preliminary Plans. This item is satisfied.

7. *Arborist Report, which is not included in the applicant's submittal package exhibits although the report is referenced in the narrative Code response. Explain if a stand-alone report was prepared or whether the applicant's plan Sheets P-14 and P-15 are intended to satisfy this requirement.*

**Response:** Sheets P-14 and P-15 (Exhibit A) are intended to satisfy Code requirements for arborist reporting. The materials have been prepared and are stamped by a licensed arborist. This item has been satisfied.

8. *Sufficient information demonstrating project is or will be adequately served by water. Water mains shall be located within the public right-of-way to the extent feasible; shall be located in "J" Street, not the central and south alleys; and shall be looped temporarily. Water meters for Lots 31-34 shall be located on SW Brisband Street; for Lots 19-30 shall be located on "J" Street; and for Lots 1-6 shall be on SW Frog Pond Lane.*

**Response:** The proposed layout has been updated and this comment no longer applies. Water mains have been located within public rights-of-way as feasible. This item has been satisfied.

9. *Sufficient information demonstrating project is or will be adequately served by storm sewer. Provide more information about the feasibility of actually constructing a storm facility on the lots shown. Storm facilities shall be located five (5) feet from property lines and 10 feet from the foundation.*

**Response:** Stormwater facilities have been designed to meet the City's requirements. Facilities have been proposed where feasible within tracts and within rights-of-way. Setbacks are planned to be maintained from property lines and anticipated building foundations as required. Additional information will be provided with future home build plans. An updated Final Stormwater Report will be provided with public improvement plans. This comment has been addressed.

10. *Sufficient information on undergrounding of existing overhead franchise utilities. Existing overhead utilities along SW Frog Pond Lane shall be placed underground with development. The gas main shall be relocated outside of the right-of-way. The applicant's Code response narrative (page 78) only addresses new utilities.*

**Response:** The written narrative has been updated to reflect that in addition to new utilities, qualified existing overhead utilities will also be installed underground. This item is satisfied.

An updated Preliminary Stormwater Report and updated Landscaping plan sheets are planned to be submitted for review by November 20, 2023. Your coordination prior to the forthcoming completeness deadline is very much appreciated.



Thank you for reviewing this information and please let us know if you have further questions.

Sincerely,

**AKS ENGINEERING & FORESTRY, LLC**

A handwritten signature in black ink, appearing to read 'G. Southerland', written in a cursive style.

Glen Southerland, AICP  
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Tualatin, OR 97062  
503-563-6151 | SoutherlandG@aks-eng.com

**Enclosures**

City of Wilsonville Completeness Review Letter, dated June 9, 2023  
Updated Land Use Application Package

# TECHNICAL MEMORANDUM

DATE: December 21, 2023  
 TO: Amy Pepper, PE | City of Wilsonville  
 FROM: Jenna Bogert, PE | DKS Associates  
 SUBJECT: Frog Pond West Matteoni Subdivision - Trip Generation Evaluation Update P21123-028

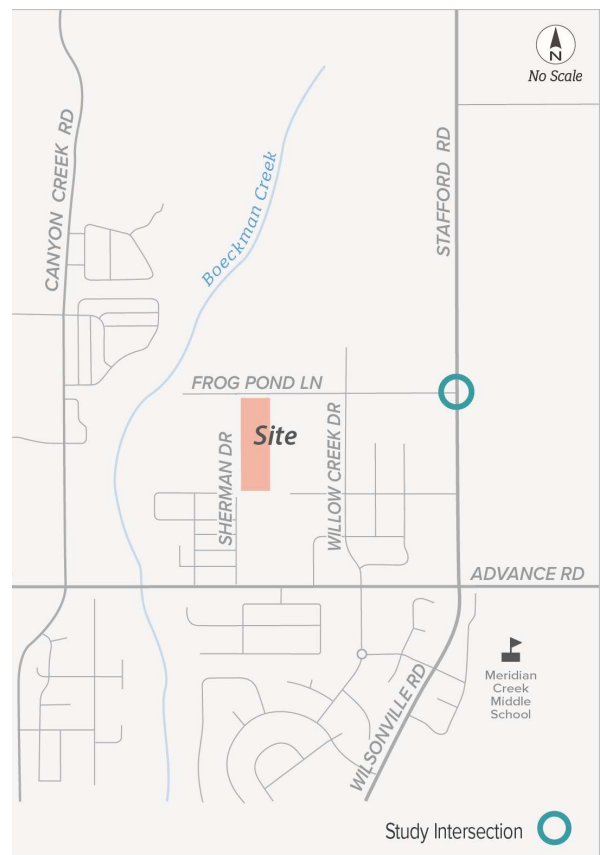


## INTRODUCTION

This memorandum evaluates the trip generation associated with the proposed Frog Pond West Matteoni housing development to be located near 7252 Frog Pond Lane in Wilsonville, Oregon. The developer desires to construct 34 single-family detached and attached homes as part of the Frog Pond West Master Plan.<sup>1</sup> The property is in unincorporated Clackamas County but within the City’s Urban Growth Boundary (UGB) and will be annexed to the City of Wilsonville as part of the project.

The purpose of this memorandum is to provide the estimated vehicle trip generation for the proposed development, to identify potential operational impacts to the primary gateway intersection to the property, and to evaluate the proposed site plan for potential safety issues and consistency with City planning documents. The study intersection, Stafford Road/Frog Pond Lane, is shown in Figure 1.

While traffic operations analysis is not required for a trip generation evaluation, the Stafford Road/Frog Pond Lane intersection was selected for analysis as it is the intersection most impacted by the increase in vehicle trips from the development and is the only gateway intersection to Frog Pond West that has been documented to operate close to the City operating standard in the near future. Other gateway intersections, such as Boeckman Road/Sherman Drive, were not included in this analysis as the trips through those intersections would be insignificant and located at non-critical gateways.



**FIGURE 1: STUDY AREA**

<sup>1</sup> Frog Pond West Master Plan, City of Wilsonville, Adopted July 2017.

## PROJECT TRIP GENERATION

The Institute of Transportation Engineers (ITE) trip generation rates for Single-Family Detached Housing (210) and Single-Family Attached Housing (215) were used to estimate the site's trip generation, which is based on the number of lots in the development.<sup>2</sup> As one home will be removed from the site during construction, the trips from that home have been subtracted from the total trips. As shown in Table 1, the proposed development is expected to generate a net total 22 PM peak hour trips (13 in, 9 out).

**TABLE 1: VEHICLE TRIP GENERATION**

LAND USE	ITE DESCRIPTION (CODE)	UNITS	PM PEAK TRIP RATE <sup>A</sup>	PM PEAK TRIPS			WEEKDAY
				IN	OUT	TOTAL	
NEW HOMES	SINGLE-FAMILY DETACHED HOUSING (210)	12 Lots	1.12 trips/lot	9	5	14	144
	SINGLE-FAMILY ATTACHED HOUSING (215)	22 Lots	0.41 trips/lot	5	4	9	116
EXISTING HOME REMOVED	SINGLE-FAMILY DETACHED HOUSING (210)	1 Lot	1.12 trips/lot	-1	-0	-1	-15
<b>TOTAL NET NEW TRIPS</b>				<b>+13</b>	<b>+9</b>	<b>+22</b>	<b>+244</b>

<sup>A</sup> PM peak trip rate is back-calculated from the fitted curve equation

## PROJECT TRIP DISTRIBUTION

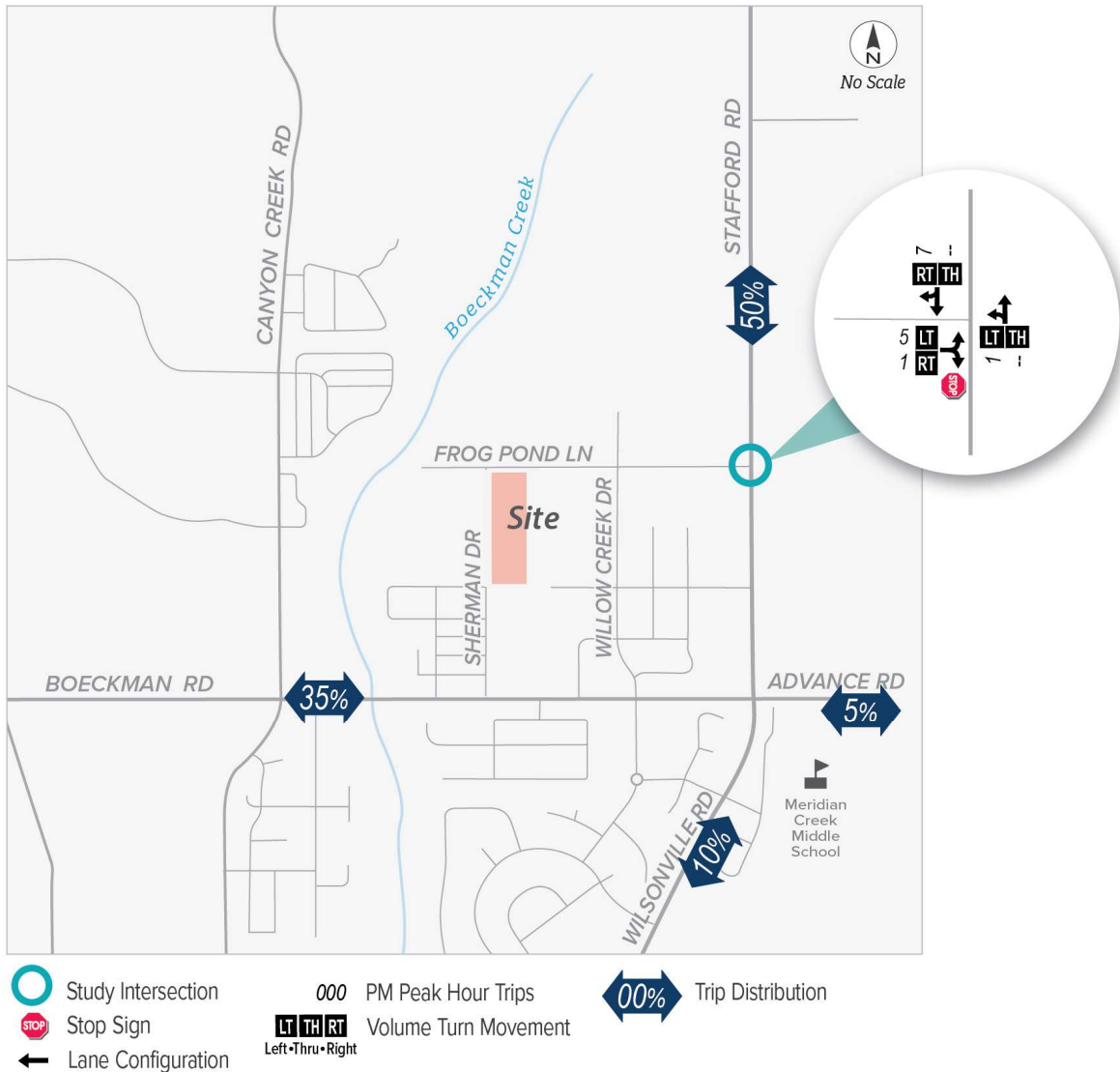
The project trips were distributed based on data from the Wilsonville Travel Demand Model and previous Frog Pond traffic analyses.<sup>3</sup> It is estimated that 50% of trips utilize Stafford Road to/from the north, 35% of trips utilize Boeckman Road to/from the west, 10% of trips utilize Wilsonville Road to/from the south, and 5% of trips utilize Advance Road to/from the east. This trip distribution is applicable to all lots within the site regardless of the level of completeness of the internal street network system within Frog Pond West. The project trips and distribution are shown in Figure 2.

## PROJECT TRIPS THROUGH CITY OF WILSONVILLE INTERCHANGE AREAS

The project trips through the two City of Wilsonville I-5 interchange areas were estimated based on the trip generation and distribution assumptions. Approximately 5% (1 PM trip) of the project trips are expected to travel through the I-5/Wilsonville Road interchange area and 5% (1 PM trip) are expected to travel through the I-5/Elligsen Road interchange area.

<sup>2</sup> Trip Generation Manual, 11th Edition, Institute of Transportation Engineers, 2021.

<sup>3</sup> Wilsonville Frog Pond West Oaks Subdivision, Transportation Impact Analysis, DKS Associates, November 2021.



**FIGURE 2: PROJECT TRIPS AND DISTRIBUTION**

## INTERSECTION ANALYSIS

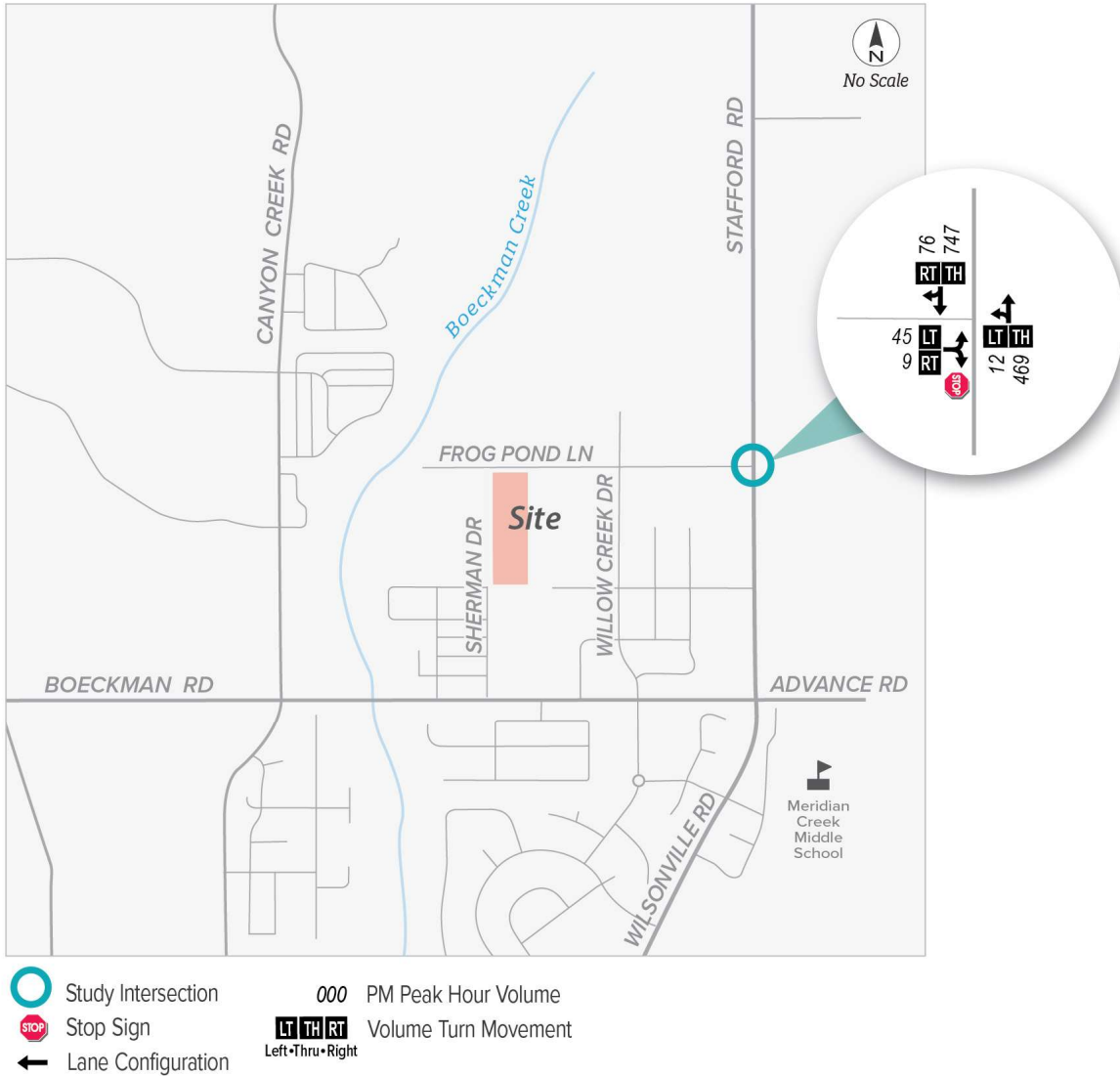
This section contains the intersection analysis at the identified study intersection and includes a discussion of the volume development. Intersection operations were determined for the analysis scenario *Existing + Project + Stage II*.

## EXISTING TRAFFIC VOLUMES

Historical PM peak period (4:00-6:00 pm) turning movement count data from September 30<sup>th</sup>, 2021, was utilized for the study intersection. The intersection counts were then factored up to 2023 conditions by assuming a yearly growth rate of 2%. This yearly growth rate is a typical growth rate used in Wilsonville traffic impact analyses and has previously been calculated using the Wilsonville Travel Demand model.

## STAGE II TRAFFIC VOLUMES

Stage II development trips were included in the intersection analysis. Stage II trips represent approved developments that have not yet been constructed. The list of these developments was provided by City staff and is included in the appendix.<sup>4</sup> For this analysis, the Stage II trips also included the Frog Pond West Overlook and Terrace housing developments that are still waiting for approval. A list of all these developments is also included in the appendix.



**FIGURE 3: EXISTING + PROJECT + STAGE II PM PEAK HOUR TRAFFIC VOLUMES**

<sup>4</sup> Email from Daniel Pauly, City of Wilsonville, July 22, 2022.

## INTERSECTION OPERATIONS

Intersection operations were analyzed for the PM peak hour during the Existing + Project + Stage II scenario. The traffic volumes are shown in Figure 3. The operations were determined based on the Highway Capacity Manual (HCM) 6th Edition methodology.<sup>5</sup> The volume to capacity (v/c) ratio, delay, and level of service (LOS) of the study intersection is listed in Table 2.

**TABLE 2: EXISTING + PROJECT + STAGE II INTERSECTION OPERATIONS – PM PEAK**

INTERSECTION	OPERATING STANDARD	PM PEAK HOUR		
		V/C	DELAY	LOS
<b>TWO-WAY STOP CONTROLLED</b>				
STAFFORD RD/FROG POND LN	LOS D	0.34	37.0	<b>A/E</b>

**TWO-WAY STOP CONTROLLED INTERSECTION:**

Delay = Critical Movement Delay (secs)  
v/c = Critical Movement Volume-to-Capacity Ratio  
LOS = Critical Levels of Service (Major/Minor Road)

**Bold/Highlighted** = Does not meet the operating standard

As shown, the Stafford Road/Frog Pond Lane study intersection is expected to fail to meet the City of Wilsonville’s LOS D operating standard for the Existing + Project + Stage II PM peak hour condition. However, it has been known and previously documented that this intersection would fail as the Frog Pond West neighborhood developed. Based on the Frog Pond East & South Master Plan, which was adopted on December 19<sup>th</sup>, 2022, the ultimate recommended improvement at Frog Pond Lane is to construct a center median on Stafford Road such that left turns out of Frog Pond Lane onto Stafford Road would be prohibited.

The City has included the cost of intersection improvements at the Stafford Road/Frog Pond Lane intersection in the Capital Improvement Projects (CIP) list. The project is slated for funding in 2024/25-2025/26. Therefore, no additional mitigations are necessary.

<sup>5</sup> Highway Capacity Manual, 6th Edition, Transportation Research Board, 2017.



## SITE REVIEW

This section reviews the provided site plan to determine consistency with the Frog Pond West Master Plan and alignment with the Wilsonville Development Code and Construction Standards.

### **FROG PONG WEST MASTER PLAN CONSISTENCY**

The proposed street layout generally matches the framework plan as laid out in the Frog Pond West Master Plan.<sup>6</sup> As shown on the site plan, Sherman Drive is shown to extend into the south portion of the subject property, then turn 90 degrees to the east into the adjacent property and connect to Frog Pond Lane. This is consistent with the Master Plan framework. Due to the presence of an existing grove of white oak trees and the desire to preserve those trees, an east-west pedestrian greenway has been proposed in lieu of a second east-west vehicle street through the subject property.

### **STREETS**

The Frog Pond West Master Plan provides the street type plan and required cross sections for all streets in the Frog Pond West neighborhood.<sup>7</sup> All proposed streets within and fronting this development are classified as local streets and the developer will be responsible for building all streets up to standards. Local streets include on-street parking, sidewalks, planter strips, and a public utility easement. No dedicated bicycle facilities are required.

### **ACCESS SPACING**

The proposed project is required to comply with access spacing requirements as laid out in the City Transportation System Plan.<sup>8</sup> The access points for the new development are all on local streets, for which there is no spacing requirements prescribed by the City.

### **SIGHT DISTANCE**

Adequate sight distance should be provided at the proposed alleys and internal streets. Objects (e.g., buildings, fences, walls, or vegetation) located near the intersections may inhibit sight distance for drivers attempting to turn out of a minor street onto the major street. Prior to occupancy, sight distance at any proposed access point or local street connection will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon to assure that buildings, signs, or landscaping does not restrict sight distance.

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<sup>6</sup> Figure 19, Frog Pond West Master Plan, City of Wilsonville, July 17, 2017.

<sup>7</sup> Figures 19-28, Frog Pond West Master Plan, City of Wilsonville, July 17, 2017.

<sup>8</sup> Table 3-2, Wilsonville Transportation System Plan, Amended November 2020.

## SUMMARY OF PROJECT IMPACTS

The key findings of the trip generation memo for the Frog Pond West Matteoni development are summarized below.

- The project will consist of 34 single-family detached and attached home lots as part of the Frog Pond West Master Plan. The parcel currently contains one single-family home on it that will be removed.
- The proposed development is expected to generate a net total of 22 PM peak hour trips (13 in, 9 out).
- Approximately one (5%) trip is expected to travel through the I-5/Wilsonville Road interchange area and one (5%) trip is expected to travel through the I-5/Elligsen Road interchange area.
- The Stafford Road/Frog Pond Lane study intersection is expected to fail to meet the City's peak hour operating standard under Existing + Project + Stage II PM peak hour conditions. However, it has been known and previously documented that this intersection would fail as the Frog Pond West neighborhood developed. The City has included intersection improvements at the Stafford Road/Frog Pond Lane intersection on the Capital Improvement Projects (CIP) list. The project is slated for funding in 2024/25-2025/26. Therefore, no additional mitigations are necessary.
- The proposed street layout generally matches the framework plan as laid out in the Frog Pond West Master Plan.
- Prior to occupancy, sight distance at any proposed access point or local street connection will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon to assure that buildings, signs, or landscaping does not restrict sight distance.

### Attachments:

- A. Traffic Count Data
- B. Stage II List
- C. HCM Reports – Existing + Project + Stage II
- D. Site Plan

## A. TRAFFIC COUNT DATA

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(303) 216-2439

www.alltrafficdata.net

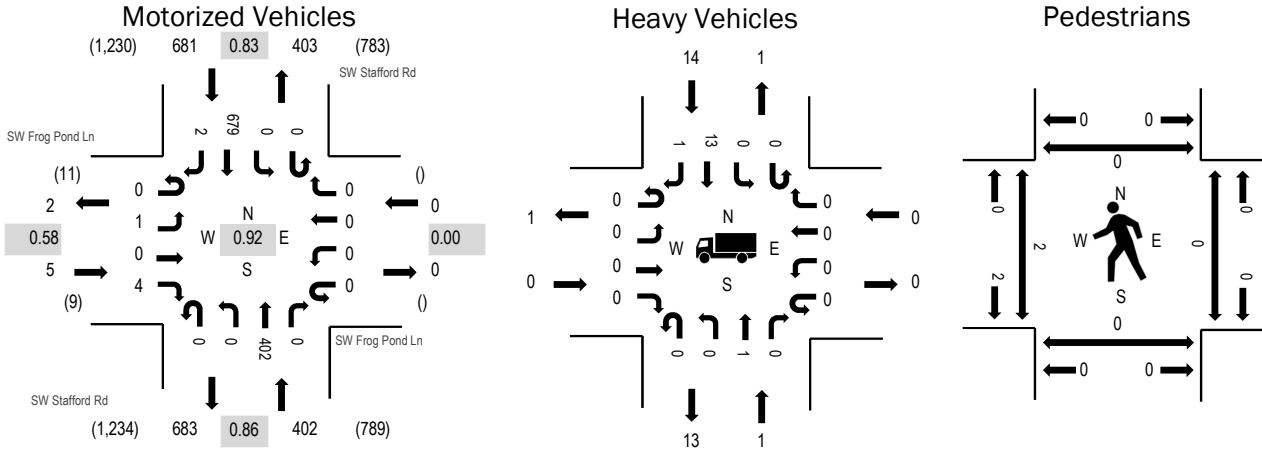
Location: 6 SW Stafford Rd & SW Frog Pond Ln PM

Date: Thursday, September 30, 2021

Peak Hour: 04:45 PM - 05:45 PM

Peak 15-Minutes: 05:20 PM - 05:35 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.58
WB	0.0%	0.00
NB	0.2%	0.86
SB	2.1%	0.83
All	1.4%	0.92

Traffic Counts - Motorized Vehicles

Interval Start Time	SW Frog Pond Ln Eastbound				SW Frog Pond Ln Westbound				SW Stafford Rd Northbound				SW Stafford Rd Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	0	0	1	0	0	0	0	0	1	38	0	0	0	47	0	87	971
4:05 PM	0	0	0	0	0	0	0	0	0	0	39	0	0	0	31	0	70	965
4:10 PM	0	0	0	0	0	0	0	0	0	1	33	0	0	0	48	0	82	983
4:15 PM	0	0	0	0	0	0	0	0	0	1	28	0	0	0	41	0	70	988
4:20 PM	0	0	0	0	0	0	0	0	0	1	39	0	0	0	52	0	92	1,004
4:25 PM	0	0	0	1	0	0	0	0	0	0	36	0	0	0	43	0	80	1,011
4:30 PM	0	0	0	1	0	0	0	0	0	2	19	0	0	0	44	1	67	1,036
4:35 PM	0	0	0	0	0	0	0	0	0	0	36	0	0	0	47	1	84	1,060
4:40 PM	0	0	0	0	0	0	0	0	0	0	33	0	0	0	44	0	77	1,064
4:45 PM	0	0	0	0	0	0	0	0	0	0	29	0	0	0	59	0	88	1,088
4:50 PM	0	0	0	2	0	0	0	0	0	0	34	0	0	0	57	0	93	1,084
4:55 PM	0	0	0	1	0	0	0	0	0	0	31	0	0	0	49	0	81	1,066
5:00 PM	0	0	0	0	0	0	0	0	0	0	38	0	0	0	43	0	81	1,057
5:05 PM	0	0	0	1	0	0	0	0	0	0	36	0	0	0	50	1	88	
5:10 PM	0	0	0	0	0	0	0	0	0	0	46	0	0	0	41	0	87	
5:15 PM	0	0	0	0	0	0	0	0	0	0	32	0	0	0	53	1	86	
5:20 PM	0	1	0	0	0	0	0	0	0	0	28	0	0	0	70	0	99	
5:25 PM	0	0	0	0	0	0	0	0	0	0	29	0	0	0	76	0	105	
5:30 PM	0	0	0	0	0	0	0	0	0	0	31	0	0	0	60	0	91	
5:35 PM	0	0	0	0	0	0	0	0	0	0	32	0	0	0	56	0	88	
5:40 PM	0	0	0	0	0	0	0	0	0	0	36	0	0	0	65	0	101	
5:45 PM	0	0	0	0	0	0	0	0	0	1	33	0	0	0	50	0	84	
5:50 PM	0	0	0	1	0	0	0	0	0	0	24	0	0	0	50	0	75	
5:55 PM	0	0	0	0	0	0	0	0	0	0	22	0	0	0	50	0	72	
Count Total	0	1	0	8	0	0	0	0	0	7	782	0	0	0	1,226	4	2,028	
Peak Hour	0	1	0	4	0	0	0	0	0	0	402	0	0	0	679	2	1,088	

### Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	2	0	1	3	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	0	1	1	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	0	2	0	1	3	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	0	2	0	1	3	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	2	0	2	4	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	1	0	0	0	1	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	1	0	0	1	2	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	0	0	1	1	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	2	2	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
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5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	0	0	2	2	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	1	0	2	3	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	1	1	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	0	0	0	1	1	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	0	0	0	2	2	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	0	0	0	1	1	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	1	1	5:40 PM	0	0	0	0	0	5:40 PM	2	0	0	0	2
5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0	5:45 PM	2	0	0	0	2
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	2	9	0	22	33	Count Total	0	0	0	0	0	Count Total	4	0	0	0	4
Peak Hour	0	1	0	14	15	Peak Hour	0	0	0	0	0	Peak Hour	2	0	0	0	2

## B. STAGE II LIST

---

Stage II Approved										
Project	Land Use	Status	Size	Total PM Peak Trips	Trip Allocation Percentage		Net New (Primary + Diverted) PM Peak Hour Trips not yet active			
					Internal	Pass-By	In	Out	Total	
Hydro-Temp: Recent agreement with the City, the project is vested and so are the traffic trips	Office/Flex-Space	Not built	60.8 KSF					44	46	90
Mercedes Benz (Phase 2)	Auto Dealership	Not built						20	26	46
Shredding Systems (SOFT does not including paint canopy and another canopy)	Industrial/Commercial	Under construction	66.8 KSF					20	46	66
Town Center Ph III and trip dedication to Miller Paint store Uses marked with "*" have not been built and PM peak hr trip sum exceeds remaining vested trip level by 2 trips. It has yet to be determined how to allocate trips between remaining buildings.	*High Turnover Restaurant (Pad 1)	Not built	7.5 KSF					24	17	47*
	Remaining Approved Total									47
Wilsonville Road Business Park Phase II	Phase 2 - office (2-story building on west parcel)	Partially Built	21.7 KSF					15	71	86
Frog Pond-Stafford Meadows (Phase 2 and 3a of 10/18 study)	Residential	Partially Built, 34 homes built and occupied	44 units					6	4	10
Frog Pond-Frog Pond Meadows (Phase 3B, 4A, 4B of 10/18 Study)	Residential	Partially Built, 52 homes built and occupied	74 units					13	9	22
Frog Pond Ridge	Residential	Under construction, no homes built	71 units					43	28	71
Frog Pond-Morgan Farm	Residential	Partially Built, 69 homes built and occupied	78 units					5	4	9
Frog Pond Crossing	Residential	Approved	29 units					19	9	28
Frog Pond Estates	Residential	Approved	17 units					11	7	18
Frog Pond Oaks	Residential	Approved	41 units					27	14	41
Frog Pond Vista	Residential	Approved	38 units					27	17	44
Magnolia Townhomes	Residential	Under construction	6 units					3	2	5
Canyon Creek III	Residential	Approved	5 units (traffic study was for 11)					2	3	5
Coffee Creek Logistics	Industrial/Commercial	Complete	115K					16	41	57
PW Complex on Boberg	Public	Approved	15,800 office, 17,900 warehouse					11	39	50
DAS North Valley Complex	Public/Industrial	Under Construction	174,700 sf					5	15	20
Black Creek Group-Garden Acres	Industrial	Approved	148,500 sf warehouse	178				69	109	178

Stage II Approved – Villebois													
Project	Phase	Status	Land Use					Total PM Peak Trips	Trip Allocation Percentage		Net New (Primary + Diverted) PM Peak Hour Trips not yet active		
			SF	Town.	Apt.	Retail	School		Internal	Pass-By	In	Out	Total
North (Entirety)	Residential	Partially built, 364 homes sold and occupied	451								53	34	87
Central	Residential	Partially Built, 991 homes (102 single family, 319 condo/row homes, 365 apartments) occupied	102		391	510					60	30	90
FOR REFERENCE SAP EAST			537		42								
FOR REFERENCE SAP SOUTH (Includes PDP 7 Grande Point)			560										

Pending Projects for Which Traffic Analysis has been completed											
Project	Land Use	Status	Size	Total PM Peak Trips	Trip Allocation Percentage			Net New (Primary) PM Peak Hour Trips			
					Internal	Pass-By	Diverted	In	Out	Total	
Boones Ferry Gas Station/Convenience	Commercial	under review	3,460 sf store, 12 gas pumps	240			134		53	53	106
Delta Logistics	Industrial	under review	56,100 sf warehouse	33					9	24	33
Building W5 Boeckman and Kins	Industrial	under review	80,000 sf manufac	54					17	37	54
Frog Pond Overlook	Residential	under review	12 lots	13					8	5	13
Frog Pond Terrace	Residential	under review	19 lots	20					12	8	20
Boones Ferry Construction Storage	Industrial	under review	1.25 acres	5					1	4	5

**C. HCM REPORTS – EXISTING + PROJECT + STAGE II**

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Intersection						
Int Delay, s/veh	1.5					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	T		T		T	
Traffic Vol, veh/h	45	9	12	469	747	76
Future Vol, veh/h	45	9	12	469	747	76
Conflicting Peds, #/hr	0	0	2	0	0	2
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	0	0	2	10
Mvmt Flow	49	10	13	510	812	83

Major/Minor	Minor2	Major1	Major2			
Conflicting Flow All	1392	856	897	0	-	0
Stage 1	856	-	-	-	-	-
Stage 2	536	-	-	-	-	-
Critical Hdwy	6.4	6.2	4.1	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-	-
Pot Cap-1 Maneuver	158	360	765	-	-	-
Stage 1	420	-	-	-	-	-
Stage 2	591	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	154	359	764	-	-	-
Mov Cap-2 Maneuver	154	-	-	-	-	-
Stage 1	409	-	-	-	-	-
Stage 2	590	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	37	0.2	0
HCM LOS	E		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	764	-	170	-	-
HCM Lane V/C Ratio	0.017	-	0.345	-	-
HCM Control Delay (s)	9.8	0	37	-	-
HCM Lane LOS	A	A	E	-	-
HCM 95th %tile Q(veh)	0.1	-	1.4	-	-

## D. SITE PLAN

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- NOTES:**
- TRACTS A, B, C, AND D ARE INTENDED TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AS OPEN SPACE AND ARE SUBJECT TO A PUBLIC ACCESS EASEMENT OVER THEIR ENTIRETY.
  - TRACT E IS FOR STORMWATER TREATMENT AND LANDSCAPE PURPOSES. IT IS SUBJECT TO A STORM DRAINAGE EASEMENT OVER ITS ENTIRETY TO BENEFIT THE CITY OF WILSONVILLE.

**EASEMENT LEGEND**

- PAE PUBLIC ACCESS AND UTILITY EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- SWE SIDEWALK EASEMENT

LOT COVERAGE SUMMARY		
	SUBDISTRICT 9 R-7	SUBDISTRICT 8 R-10
MAX. LOT COVERAGE*	45%	40%

\*LOT COVERAGE INCLUDES BUILDINGS ONLY.

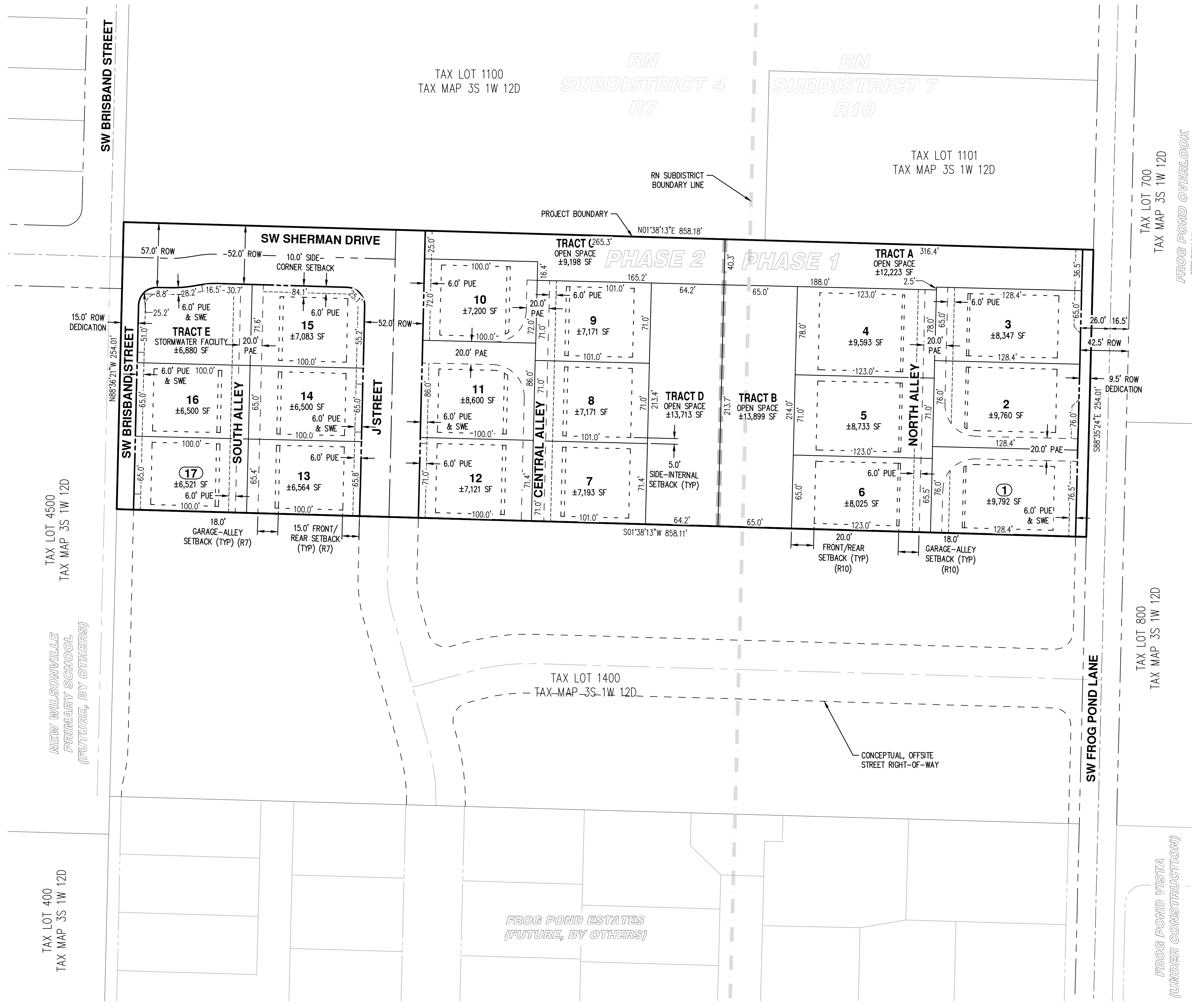
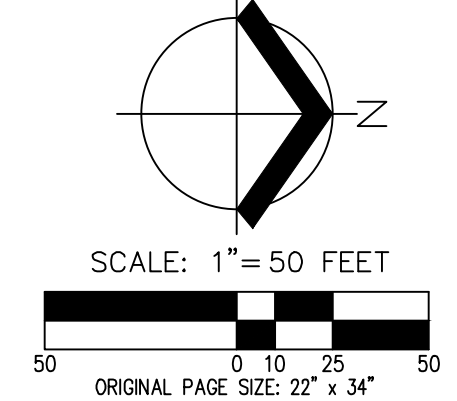
LOT SIZE SUMMARY		
	SUBDISTRICT 4 R-7	SUBDISTRICT 7 R-10
MIN. LOT SIZE	6,000 SF	8,000 SF

SUMMARY OF LAND USES		
LAND USE	SF	PERCENTAGE OF PROPERTY
1. GROSS AREA IN PLAT	217,971	—
2. LANDSCAPE COVERAGE AREA/OPEN SPACE	49,034	22.5%
3. ROW	30,185	13.8%
4. LOT AREA	131,872	60.5%
5. STORMWATER FACILITY	6,880	3.2%

SETBACKS		
	R-7	R-10
FRONT	15 FT	20 FT
REAR	15 FT	20 FT
SIDE - INTERNAL	5 FT	5 FT
SIDE - CORNER	10 FT	10 FT
GARAGE - FROM STREET	20 FT	20 FT
GARAGE - FROM ALLEY	18 FT	18 FT
FRONT PORCH	10 FT	15 FT

**NOTE:**  
 THESE PLANS ASSUME THE NEARBY FROG POND OVERLOOK SUBDIVISION AND ADJACENT NEW WILSONVILLE PRIMARY SCHOOL WILL BE CONSTRUCTED PRIOR TO OR CONCURRENT WITH THIS DEVELOPMENT.

**DISCLAIMER:**  
 THE PURPOSE OF THIS PRELIMINARY DIMENSIONED PLAN IS TO SHOW LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL RECORDED FINAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. ALL DIMENSIONS ARE SUBJECT TO CHANGE.



**PRELIMINARY DIMENSIONED SUBDIVISION PLAN  
 FROG POND COTTAGE PARK PLACE  
 SULLIVAN HOMES, LLC.  
 WILSONVILLE, OREGON**



RENEWAL DATE: 6/30/25  
 JOB NUMBER: 6175  
 DATE: 11/06/2023  
 DESIGNED BY: NRA  
 DRAWN BY: NRA  
 CHECKED BY: CMS

Exhibit C1  
Public Works Plan Submittal Requirements  
and Other Engineering Requirements

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1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<b>Coverage</b> ( <i>Aggregate, accept where noted</i> )	<b>Limit</b>
<b><u>Commercial General Liability:</u></b>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<b><u>Business Automobile Liability Insurance:</u></b>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<b><u>Workers Compensation Insurance</u></b>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
  - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
  - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
  - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.

- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
  - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
  - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
  - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
  - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
  - i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
  - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
  - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
  - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
  - b. City of Wilsonville construction note sheet
  - c. General construction note sheet
  - d. Existing conditions plan.
  - e. Erosion control and tree protection plan.
  - f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
  - g. Grading plan, with 1-foot contours.
  - h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
  - i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
  - j. Street plans.
  - k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
  - l. Stormwater LIDA facilities (Low Impact Development): provide plan and profile views of all LIDA facilities.
  - m. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.

- n. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
  - o. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
  - p. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.
  - q. Composite franchise utility plan.
  - r. City of Wilsonville detail drawings.
  - s. Illumination plan.
  - t. Striping and signage plan.
  - u. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
12. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.

13. Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
14. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
15. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
16. Streetlights shall be in compliance with City dark sky, LED, and PGE Option B requirements.
17. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
18. No surcharging of sanitary or storm water manholes is allowed.
19. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
20. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
21. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
22. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
23. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

24. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
25. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
26. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
27. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Republic Services for access and use of their vehicles.
28. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
29. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
30. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
31. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).



32. Mylar Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings in an electronic copy in AutoCAD, current version, and a digitally signed PDF.