



# PLANNING COMMISSION MEETING MINUTES

February 14, 2024 at 6:00 PM

City Hall Council Chambers & Remote Video Conferencing

---

*Draft PC Minutes were reviewed and approved at the March 13, 2024 PC Meeting.*

## CALL TO ORDER - ROLL CALL

A regular meeting of the Wilsonville Planning Commission was held at City Hall beginning at 6:00 p.m. on Wednesday, February 14, 2024. Chair Andrew Karr called the meeting to order at 6:00 p.m., followed by roll call. Those present:

Planning Commission: Andrew Karr, Ron Heberlein, Jennifer Willard, Matt Constantine, and Yana Semenova. Nicole Hendrix and Sam Scull were absent.

City Staff: Miranda Bateschell, Amanda Guile-Hinman, Daniel Pauly, Cindy Luxhoj, Zach Weigel, and Mandi Simmons.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

## CITIZEN INPUT

This is an opportunity for visitors to address the Planning Commission on items not on the agenda. There was none.

## ADMINISTRATIVE MATTERS

1. Consideration of the January 10, 2024 Planning Commission Minutes

The January 10, 2024 Planning Commission Minutes were accepted as presented.

## PUBLIC HEARING

2. Coffee Creek Code Amendments (Luxhoj)

Chair Karr read the legislative hearing procedure into the record and called the public hearing to order at 6:06 pm.

Cindy Luxhoj, Associate Planner, presented the Coffee Creek Code Amendments via PowerPoint as follows:

- The purpose of the amendments was to more closely align the standards of Section 4.134 with current and future needs of perspective industrial users while not compromising the City's ability to continue creating a connected, high quality employment center in Coffee Creek. (Slide 1)

- Staff work on this project began in early 2023 and would conclude with tonight’s public hearing and recommendation to City Council, followed by the City Council adoption hearing on March 4 and subsequent integration of the amendments into the Development Code. (Slide 2)
- The form-based Code standards affected by the proposed amendments were included in Attachment 1 of the Planning Commission Staff report. (Slide 3)
- The first amendment would allow two parcel driveways, keeping the current maximum width of 24 feet for the primary driveway providing access for passenger vehicles and light duty trucks. The maximum width of the secondary driveway for larger delivery vehicles and trucks would be 40 feet. (Slide 4)
  - This minor modification balanced the main goal of limiting pedestrian crossing distance to provide better pedestrian connectivity with the need for a safe turning radius for larger vehicles at the secondary driveway to prevent traffic slowdowns, stacking on the street, and damage to curbs and landscape areas from turning trucks.
- The second proposed amendment would continue to require a minimum 8-foot width for pedestrian connections between the primary street frontage and primary building entrances, but other pathways into a site could be narrower if all other accessibility requirements were met. (Slide 5)
  - This modification acknowledged that it was overly burdensome to require all connections from a street to be 8 feet wide and gave highest priority, as intended by the Standard, to connecting the primary street frontage to primary building entrances.
- Maximum parking on the primary building frontage would continue to be limited to 16 spaces, but the requirement that spaces be located within one double-loaded bay would be removed. (Slide 6)
  - The amendment would also require 50 percent of allowed spaces to be designated for short-term, visitor, and disabled parking, allowing other spaces to be utilized for longer durations or by other users, such as employees.
  - The intent of minimizing the appearance of parking from an addressing street would still be met, thus providing a human scale to the public realm while allowing flexibility in parking configuration and use.
- Retaining walls visible from adjacent street would keep the 48-inch maximum, but the maximum height would increase to 60 inches when the retaining wall was visible only to users from within a site. (Slide 7)
  - This modification emphasized the intent to minimize site grading to preserve the natural character of a site and integrate retaining walls with other design features while providing some design flexibility by slightly increasing the allowed height of walls not visible from the street.
- The proposed amendment added explanatory text to the standard for retaining wall design, stating that retaining walls longer than 50 linear feet must be tiered and that the 5-foot minimum horizontal offset was between the lowest part and upper part or parts of the wall. Adding this text would clarify the standards while continuing to achieve the intent. (Slide 8)
- The next proposed amendment increased the allowance to 20 percent for the required canopy at the primary building entrance, permitting a minimum canopy height of 12 feet while retaining the preferred minimum of 15 feet in the Standard. A footnote to Table CC-4 at other standards would be added, allowing a corresponding reduction in the minimum height of these aspects of the site design when an applicant elected to reduce the required canopy height. (Slide 9)

- This modification acknowledged that a canopy height of 10 to 12 feet was the standard storefront dimension, where a height above 12 feet required a curtain wall system, which could be more expensive and require custom fabrication. In addition, a lower canopy height could allow for better weather protection at the primary entrance and could facilitate interior/exterior integration and line of sight.
- Modifying the allowance provided design flexibility for applicants without changing the preference for a taller canopy height.
- With respect to base design, the proposed amendment clarified that a building’s distinctive appearance of the building base could be achieved using any one of three design options in the Standard and did not require both a change in material, texture, color or finish and a change in surface position.
  - By allowing the applicant to choose any one of the three options, the modification acknowledged having a base that was both visually and dimensionally distinct could be difficult to achieve, particularly with tile-up concrete construction technology, and the same distinctive appearance could be created and be equally effective using either design element.
- Staff asked the Planning Commission to recommend that City Council adopt the proposed Development Code amendments. The adoption hearing and first reading of Ordinance 889 was scheduled for March 4, with the second reading on March 18.

Commissioner Constantine stated he appreciated the City’s iterative approach to addressing new standards and how they were perhaps not perfectly aligned. He noted a correction on Page 2 of the Resolution, stating “WHEREAS none of the applications was processed” should read “were processed.” He believed the amendments were fantastic and thanked Staff for their work.

Chair Karr said he also appreciated Staff’s efforts.

Chair Karr called for public testimony on the proposed Code amendments. He confirmed with Staff that no one Zoom or present in the audience wanted to provide comment. He closed the public hearing at 6:16 pm.

**Commissioner Heberlein moved to adopt Resolution No. LP24-0001, correcting the fifth WHEREAS clause on Page 2 of the resolution to state, “...none of the applications ~~was~~ were processed...”**  
**Commissioner Willard seconded the motion.**

Chair Karr noted the proposed amendments met three statewide planning goals, including citizen involvement, being directed at land use planning, and impacting economic development. The amendments also touched on four goals of the City’s Comprehensive Plan, including encouraging public involvement; interested, informed, and involved citizenry; coordinating with other agencies and organizations; and creating an attractive, functional, and economically viable community. The Code amendments began with a work session on September 13, 2023.

**A Roll Call vote was taken and the motion passed 5 to 0.**

## **WORK SESSION**

### 3. Stormwater Master Plan (Rappold)

Zach Weigel, City Engineer, initiated the Stormwater Master Plan presentation via PowerPoint, reviewing the topics discussed at the October work session, which included how deficiencies in the stormwater system were identified, and noting tonight's focus would be on the Capital Improvement Program (CIP), which identified the projects and programs to address those system deficiencies. Public outreach was conducted early on to get feedback on any problem areas and on how the City was doing managing the stormwater system. The areas of concern were being addressed in the Master Plan, and 97 percent of the responses indicated the City was doing a good job managing the stormwater system. (Slide 3)

- He noted the Master Plan regarded projects and programs to mitigate system deficiencies and to plan for projects to serve future development areas. The Stormwater Management Plan established stormwater policy or requirements to meet regulatory needs and went through a full Department of Environmental Quality (DEQ) review for a signed approval.

Angela Wieland, Water Resources Group Manager, Brown & Caldwell, continued the presentation, recapping the Master Plan development process and describing the items within that process related to three key regulatory drivers. She described how project needs were identified and included in the CIP, the development of the subject CIP and its projects, including near-term projects, annual program needs, anticipated Staffing increases, and the related implementation costs. (Slides 4-12)

- Since 2014, the City had been implementing the Charbonneau Consolidated Improvement Program, a master plan specific to the Charbonneau area addressing sanitary, water, and stormwater needs and prioritizing those system replacements. The \$1.92 million price tag included the 12,000 linear feet of pipe that had already been replaced, individual capital projects that had already been costed out, and the remaining 30,000 linear feet of pipe replacement. (Slide 10)

Mr. Weigel concluded by reviewing next steps, which included another City Council work session, a Planning Commission public hearing on March 13, 2024, and a City Council public hearing and adoption in April.

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

- Ms. Wieland explained how the 47 project opportunities were identified, noting the initial list was developed from the survey, which identified problem areas such as localized street flooding or ponds overgrown with vegetation, with the remainder being identified through technical analyses. The City's hydrologic and hydraulic model was updated with updated land use and impervious percentages to provide a more realistic perspective of rainfall, runoff, and capacity deficiencies, with the updated model identifying some of the project opportunities. Additionally, the stream assessment identified problems, such as eroding banks and culvert failures, which also funneled into the larger opportunity list.
- Maintenance is key, so recognizing who has responsibility for maintenance was important so the facilities function during big storms; additional education was needed so the entire system worked as planned. Funding was also an issue as HOAs might not be putting money aside for the upkeep.
  - Ms. Wieland stated the Facilities Maintenance Program had been created because the City had responsibility for the public systems, but Public Works Staff typically got called out to private systems, such as neighborhoods with homeowner association (HOA) responsibility for maintenance and upkeep. For systems installed more recently, agreements were in place that delineated who was responsible and what needed to be done. The Facilities Maintenance

Program recognized facilities existed where ownership was undefined or no agreement was in place and provided funding so Public Works staff could perform deferred maintenance for those facilities.

- Ms. Wieland explained staffing needs could shift, especially in Community Development and Engineering, in accordance with the schedule for when capital projects were in progress. The more immediate staffing needs, particularly for Public Works, would be hired within a certain timeframe and that cost would continue over time. A detailed process with the maintenance supervisor had considered where resources would have to be borrowed in order keep the commitments outlined in the permit and in the Stormwater Management Plan. The addition of Public Works maintenance staff in the near term was in response to some of the deferred maintenance activities. Currently, staffing needs for the permit requirements were being met. (Slide 12)
- Mr. Weigel explained that the majority of the \$2.5 million Program Cost was from the Charbonneau Consolidated Plan, which was already being implemented. Additional Staff had been hired when that program went into place, so no future staffing need was included. (Slide 12)
- Ms. Wieland explained a number of studies were evolving about the effectiveness of porous pavement. Most recently, the Cities of Milwaukie and Gresham had participated in similar pilot studies on the effectiveness of a porous pavement overlay. The City did not readily use porous pavement, but wanted to know if it would work, given traffic and neighborhood needs.
  - Mr. Weigel added that previous porous pavements projects, such as the porous concrete sidewalks along Boeckman and Tooze, were and continued to be very labor intensive. The pilot programs in Milwaukie and Gresham were promising and could help the City improve water quality without having to add a bunch of water quality facilities, providing a big benefit to already-developed areas. Staff wanted to look at the results of those studies and coordinate with those agencies before doing their own pilot study before implementing porous pavement citywide.
- Mr. Weigel explained that a fee and rate analysis would follow the City Council's adoption of the Stormwater Master Plan. Projects were currently funded through the stormwater utility fee in utility bills and stormwater system development charges (SDC), a one-time fee paid by developers for the oversizing of projects needed to accommodate development in the City system, as each development project was broken down to show what percentage was attributed to growth and to serving existing residents. The fee study would be a separate process after the Master Plan was adopted.
- With regard to risks and alternatives, Ms. Wieland explained preferred alternatives were selected for some projects after various alternatives or potential changes were considered. The report included costing and fact sheets, as well as conceptual design information for those preferred alternatives.
- Ms. Wieland clarified that while it seemed some of the projects were underway, those projects were still in design and construction had not begun yet. However, certain pipe segments and areas of the Charbonneau Program had been completed, so those costs were not reflected in the scope and scale of the project.
- Ms. Wieland defined the difference between hydrologic and hydraulic, stating hydrologic was rainfall hitting whatever the surface was, providing the rainfall and runoff component. The hydraulic part regarded the system; what happened to the rainfall and runoff after hitting the surface, such as whether it went into a channel or pipe.

- The efforts made in developing the Stormwater Master Plan was appreciated and the process was applied very well. Combining needs related to the City's permits and system deficiencies to create a reduced or combined project list was a good approach.
- Ms. Wieland confirmed the projects remaining from the 2012 Stormwater Master Plan were considered in developing the new priority list. For example, the Gesellschaft system project was needed in 2012, but the new Master Plan identified a different alignment while maintaining the recognized need. Under the new modeling, some capacity deficiencies were no longer applicable, and those results were confirmed by Staff.
- Mr. Weigel explained the Charbonneau Program was a 30-year plan adopted in 2014 to replace the entire stormwater system in Charbonneau. The project was currently in Phase 5 and behind schedule. Ongoing annual costs would remain until the project was completed.
  - The Charbonneau project was so large due to the pipeline materials chosen during development, corrugated steel pipelines, which only have a 25-to-30-year life expectancy. The City had made a lot of headway on the worst pipelines, but many pipelines had no bottom, with water literally running on bare dirt.
  - The City used lessons learned from Charbonneau to update construction standards, specifying the exact type of pipes, pipe material, strength, etc. to be used in new construction projects.

#### 4. Frog Pond East and South Implementation-Development Code (Pauly)

Daniel Pauly, Planning Manager, noted a memo was emailed to the Commissioners on February 13, 2024, providing supplemental information on the Demonstration Plan and Housing Variety Standards he would discuss tonight. He presented the proposed updates to the Development Code Amendments via PowerPoint, reviewing the key elements of the Demonstration Plan, which was created to model a real-world implementation of the proposed Code. He also described Staff's key findings regarding housing variety, urban form types, Brisbane Main Street, parks and open space, as well as streets, connectivity, and blocks. He noted the layouts presented were not necessarily preferred and that many potential layouts could be compliant with the Housing Variety Standards.

- The memo described the idea of using credits from a neighboring subdistrict to meet different Variety Standards, explaining that if one subdistrict had access and a portion or neighboring subdistrict did not have enough access, as long as it was right on that border, the subdistrict line could be blurred a bit. Staff was still testing where it would be appropriate, so no formal recommendations had been made yet because they did not want to water down the Variety Standards inadvertently, ending up with less variety than intended.
  - Allowing credits for mobility-friendly units made sense as a variety of unit types could meet the need and were not as locational dependent as some of the other Variety Standards.
  - As stated in the memo, Staff was not as supportive of credits for other Variety Requirements, however, there was potential merit for allowing such credits when smaller portions or less than an entire subdistrict joined with an entire subdistrict, and it was just a question of putting it on the other side of the street. For example, allowing some of the required Middle Housing in Subdistricts S3 and S2 in Frog Pond South to be located on the other side of the subdistrict line for better site planning. (Slide 7)
- Also presented was a follow-up on previous Planning Commission discussions about the threshold for small units and recommended refinements for mobility-ready units in the Housing Variety Standards. (Slides 12-15)

Discussion and feedback from the Planning Commission on the key elements of the Staff report were as follows with responses to Commissioner questions as noted:

#### Demonstration Plan

- Mr. Pauly confirmed a consultant was hired to demonstrate whether the Housing Variety Standards being developed by Staff were buildable. Key findings in the tables confirmed the Variety Standards could be met using reasonably sized lots according to what was common in the market or based upon precedence elsewhere in Wilsonville.
- At the last meeting, a developer expressed concern that the Variety Standards might be buildable, but they could not necessarily sell it, or it would not be economically advantageous. Did the Demonstration Plan take any of those developer issues into account?
  - Mr. Pauly explained Staff had done some preliminary work on this issue and there were two potential approaches; one was to determine if other new urban areas built in the Metro area had a similar mix, particularly of Middle Housing. The second was to do a more finite market study. Preliminary comparisons showed the Standards were not too far off. At the same time, Staff was also working with development partners on their specific land to determine if this worked and with what products. Planning Staff tried to integrate developer concerns into the Code and ensure a balance of not requiring too many products to address the economies of scale; however, different types of housing were still needed. Although a complete analysis had not been completed at this point, so far, no red flags had come up showing the Housing Variety Standards would not work, and other modern developments had this type of variety.
  - Miranda Bateschell, Planning Director, added future discussions would include other big picture items, including infrastructure. Staff was still working through the infrastructure funding plan, which was obviously tied to financial feasibility. So, there were potential additional questions around financial feasibility from a developer's perspective, which could change based on how large the project was, how many improvements were required, and the developer's share of the cost. This model was not a full return on financial feasibility-analysis. Many of those things were changing at a quick pace so an analysis would have been difficult to do especially with the number of iterations Staff had done.
    - One reason for the Demonstration Plan was because the City was not zoning as it had in the past. Previous comments and questions from the Planning Commission lead to questions about whether the proposed Code would physically work because it had not been laid out on a map.
    - The Demonstration Plan included a physical analysis to examine whether these different layers of Code requirements would work; if the layouts being developed were consistent with the Planning Commission's vision. Could typical lot sizes be laid out with the different housing types in a manner consist with the Code? Staff did run into a few problems and had made suggestions to the Planning Commission in prior work sessions to remove certain Code elements, like minimum lot size. In working through the process, Staff found some Code to be redundant, not necessary, or had conflicts, which helped refine Staff's recommendations to the Commission.
    - The layouts themselves worked, which was a key aspect to understand as this area was codified.

- The visuals were helpful in getting an overall East and South picture. Looking at the feasibility of the Code as currently proposed was beneficial to understand whether it made sense from both a Code and visual perspective to see an option of what was possible.
- Mr. Pauly explained the Demonstration Plan considered the market demand for parking, even though no parking was required, and strove to balance housing people, not their cars. Feedback from developers indicated the market still demanded parking, and the Code facilitated providing parking spaces, so people did not have to walk several blocks to their homes.
  - Neighborhood and community parks within the Master Plan area included playgrounds, trails, and the typical amenities of larger parks. Beyond that, green focal points throughout the community would have tot lots or small play areas to serve as sub-neighborhood gathering spots, similar to what was seen in Villebois, so residents could easily access green space within walking distance wherever they lived in the neighborhood.
- Mr. Pauly confirmed the Code would allow for street parking, which was sometimes more efficient than using the buildable lot area. Other things like stormwater standards and the placement of storm planters were also considered to ensure on-street parking could be accommodated.
- Mr. Pauly explained Staff had not looked at maximum instead of minimum densities due to the budget. Staff analyzed which Code Standards would be stretched and what type of development would stretch them the most. The key factor was higher-density housing had a lot of different options, so meeting the Variety Standards was easier at a higher density than at a lower density. Due to budget constraints, Staff chose to look at the worst-case scenario to test and stretch that standard.
  - Ms. Bateschell added that one Demonstration Plan alternative with moderate density, such as a higher portion of Middle Housing or multi-family housing, had been developed, but all the details about transportation were not fleshed out; however, it was obvious both scenarios could work very well. It was a question of pushing the envelope on the lower density, partly to test the maximum net area for any one-unit type. For example, a developer with a lot more single-family would have less space for infrastructure, etc., [1:27:35] which was why Staff spent more time on minimum densities to understand how other layers of the Code would work.
- Seeing the mock layouts were much more helpful than just words on paper. Taking the low-density approach was good to see how the Code would be applied and if it would work for the rest of Frog Pond East and South if someone started building the minimum.
  - Ms. Bateschell added the low-density approach also helped to understand what the minimum requirements called for. This practical exercise helped answer the Planning Commission's questions and the example enabled the Commissioners to see if using the minimum resonated with their previous input about how the development would look, if the variety hit the mark, and everything fit the way the Commission envisioned.
- The example confirmed that a minimum lot size was no longer needed as it was redundant.
  - Mr. Pauly confirmed more would be discussed at future work sessions about how the Code worked out overall and whether what was written to implement in the Master Plan would be achieved even at the worst-case, lowest density scenario. Even the lowest density was not that low because of the minimum 1,325-unit requirement. By nature, even at the minimum, the City would be pushing to get a variety of units.
- Mr. Pauly clarified the credits would only work if a development area crossed more than one subdistrict; it was not a future credit. The developer would present the Development Review Board with a Stage 1 Master Plan that crossed multiple subdistricts.



- The Demonstration Plan looked good and nothing jumped out as being a huge issue.
- Having the minimum requirements listed in the zones was nice but having an overall summary of the different housing types in East and South, showing what the neighborhoods look like and the number of mobility-ready units would be helpful.
- Mr. Pauly explained that a full comparison analysis of the number of available parking spaces to the number of homes had not been completed. However, a smaller analysis could be done on a smaller area to show what percentage of townhouses had driveways, for example. Generally, all townhouses, duplexes, and detached homes would have garages, as well as street parking or driveway aprons. Without good alternatives, such as ample street parking or a driveway, people tend to use their garages for parking rather than other uses, so the garage could not be discounted as a parking space. A parking analysis had not been done because Staff focused more on parking in mixed-used areas, as the lack of parking in multi-family housing areas generated the most complaints to the City.
  - Staff had heard the development community would not build large areas of housing without sufficient parking.
  - In the coming months, strategies to address inadequate parking would be discussed, because over time, those scenarios would impact other strategies and programs.

#### Housing Variety Follow-up – Threshold for Small Unit

- One way to achieve the goal of more affordable housing was to have smaller units. By defining a small unit as something larger, like going from 1,200 sq ft to 1,500 sq ft, housing could be more expensive than if the threshold was smaller.
  - Mr. Pauly noted that because of other requirements, a higher number of ADUs in particular would be built than seen elsewhere in the city. By definition, ADUs, which were 800 sq ft units, and cottages, well below 1,200 sq ft, would meet the small unit requirements. If the threshold was too low, no one would build 1,200 sq ft to 1,500 sq ft units. Allowing that flexibility would probably bring more variety into the market than would occur with a 1,000 sq ft threshold. Elevator served multi-family units would also meet the threshold.
- Mr. Pauly explained the reason for the small unit requirement was that the Master Plan's Affordable Housing Analysis demonstrated a need for smaller units. The master planning process identified target unit types the City wanted to require to ensure Middle Housing and smaller units were actually built; otherwise, they might be underbuilt or not be built by the market.
  - Middle Housing and these small units were identified as part of the affordable housing portion of the Master Plan as units the City must be proactive in requiring to ensure the community's housing needs were met.
  - Changing the threshold by 300 sq ft was to be more consistent with the housing market. When initially considering the 1,200 sq ft threshold, Staff discussed if a 1,300 sq ft unit would meet the same purpose. Looking at the data, even a 1,250 sq ft threshold only represented about 2.5% of the current market and would push the market much more to develop something it would not naturally look at. Staff was trying to balance being aggressive in creating good policy and not being too aggressive.
- The 1,500 sq ft threshold made sense and using the comparison from Clackamas County was better than just looking at Wilsonville. (Slide 13)

- Mr. Pauly confirmed the current requirement was that 5 percent of new development be small units. Raising the threshold up to 1,500 sq ft or less would cover what was essentially the 5 percent currently available, which was a policy choice that essentially maintained the status quo.
  - This policy choice would essentially maintain the status quo,
  - The deficit of smaller units in the county could not be made up in this development, so the policy choice was about striking a balance and input from the Commission about anything different was welcome.
- Philosophically, the thought of maintaining the status quo was a struggle. The table in the memo showed that 71 percent of homes for sale were larger than 2,000 sq ft. Perhaps 7.5% rather than 10% would get Wilsonville closer to that balance. Was the struggle because market demand was driving larger homes or were they just catering to a segment of the market, while another segment was being underserved and needed smaller and therefore, more affordable, homes.
  - Mr. Pauly noted during the recession car manufacturers continued to produce much more expensive SUVs than small cars because the market demanded large SUVs, which could be sold at a higher profit margin. He agreed some market activity pushed things in a certain direction.
- Being able to review a bit more data on whether 5% was the right amount would be helpful .
- Mr. Pauly did not believe the price point difference between 1,200 sq ft and 1,500 sq ft homes would be significant, particularly for a detached home or condo. The question was what type of 1,500 sq ft unit would qualify as a small unit, particularly with regard to multifamily units.
- A breakdown of what those unit types are and if they would qualify as affordable housing was requested for future discussion. The City could not meet the State’s affordable housing requirements in one development, but the City needed to move the needle in the right direction.

#### Mobility-Ready Units

- Mr. Pauly confirmed only two-thirds of the minimum 11, 12, and 14 mobility-ready unit requirement had to be single-level units. The remaining one-third could have stair-accessed portions as long as the portion not accessible by stairs would meet the definition of mobility-ready on its own. Having a bedroom, kitchen, and bathroom on the same level would meet the requirement. (Slide 15)
- Ms. Bateschell clarified the footnote stated only a portion of the units could have additional living spaces beyond the mobility-ready unit requirement.
  - Staff understood the desired policy choice was not to have all the mobility-ready units be a master-on-main; but that the entire unit, whether an ADU, single-family detached, or an apartment, be full mobility ready, meaning no stairs. A stakeholder shared that having the ability to have a master-on-main or something similar would be helpful; with the ability to build two-story units to provide flexibility for residents or their guests, so one-third of the mobility ready units would provide that flexibility.
  - The policy could be 100 percent either way, but the policy was drafted to respond to different viewpoints and interests. A unit with extra bedrooms upstairs but full living facilities on the first floor would still meet the objective of providing more units on the market for people with limited mobility.
  - If 100 percent of the mobility-ready units had to be single level, which Staff heard from the Planning Commission, then a single-family detached home would have to be one story, which might be difficult in the current market.

- Staff understood the Commission did not want all mobility-ready units to be apartments. To provide a variety of housing types in general for everyone, mobility-ready units needed to increase in the different housing types. The 1/3 requirement would enable the City to get mobility-ready units where the ground floor was livable for someone with limited mobility and the upstairs had bedrooms and possibly a bathroom for guests, etc.
- If worded appropriately, 100% of the units could have a bedroom upstairs, as long as the ground-floor requirements for mobility-ready were met.
- Ms. Bateschell noted the Code amendments were still being drafted and could be changed at the Planning Commission's direction.
  - Mr. Pauly added a key question was whether by requiring small units, would the development have enough single-level units, between multifamily, ADUs, and cottages, without having to add another definition or standard, or would single-level accessible units not happen otherwise, necessitating additional language.

Discussion by the Planning Commission included the following comments:

- The Commission wanted to ensure mobility-ready units were used by somebody with mobility constraints, but if 100 percent of single-level homes had master-on-the main with bedrooms upstairs, a family of four could buy it and put the children upstairs, leaving the person in the wheelchair without a house to buy.
- The policy did not matter, as the City could not control who bought the home. Opportunities could be provided, but there were no guarantees it would happen.
- Having some single-level homes be completely mobility-ready, even if only a very small percentage, should an option as there was not a lot on the market.
- The work and background on the Code was appreciated. Knowing the why helped the Commission come to terms with what was being discussed so providing that context was always helpful.
- Simplifying the Code was a good idea; it accommodated the need while still reaching the Master Plan's goals.
- While the Code seemed to be simplified in one way, complexity was being added elsewhere, so there was uncertainty about what was really being achieved.

Ms. Bateschell asked if the Commission wanted to allow public comment during the work session, which had been done recently. Public comments were on the agenda to be received at the beginning of the meeting, but none were received at that time and now someone wished to make a public comment related to this work session.

Amanda Guile-Hinman, City Attorney, advised setting parameters, such as a three-minute time limit if public comments were allowed.

Commissioner Heberlein noted the Commission had set a precedent for allowing public comment during work sessions since the beginning of the Frog Pond East and South Master Plan and so with no different decision made before hand, the Commission was kind of stuck. The Commission should choose whether to continue that or go back to the original intent of the agenda going forward.

The Planning Commission consented to take public comment without time limits tonight, and only take public comments at the beginning of the meeting in the future.

Dan Grimberg, West Hills Land Development, expressed appreciation for the Commission's time and the ability to work with Staff on this Master Plan, especially since this was also the most complicated Code West Hills had ever worked on, even though some parts were simple. Each subdistrict required three unit types, with different varieties and requirements by the urban form area, which was different from the subdistrict, and the setbacks varied by the street the lot faced on. All these components worked together to determine how a house could be built, and the variety was very difficult to meet.

- No market study had been conducted in his opinion, but they were trying to make it work even though one had not been done. Building in this market for over 30 years, only in Wilsonville and the Metro area, West Hills knew the market pretty well.
- His main comment was that the Code needed to allow for flexibility, and this Code was very prescriptive. He understood there were goals, but the Code needed flexibility because this housing would take 10 to 15 years to build and the market changes.
- Developers do not create a market or control what buyers want. The buyer, the homeowner or family buying the home determine what they want in a house, and West Hills built to that need. The developer did not tell buyers what to buy because West Hills thought it was a good idea. The Planning Commission knew that was not how it worked, but sometimes everyone gets wrapped up in the Code, including developers because they want to ensure they are meeting the draft Code and that all the boxes are checked, and all the goals met. However, the big question to consider was whether the units could be sold.
- West Hills had a good relationship with Staff and held weekly Tuesday afternoon meetings to work through many of the issues. A lot of progress had been made, but at some point, Staff would ask the Planning Commission to approve the Code.
- He asked that the Commission not adopt the Code amendments without also knowing other items, such as when the sewer would be extended to serve the Frog Pond East and South area. At this time, it looked like that could be three years from now, but they did not know. The Master Plan would not be built today, because it did not have sanitary sewer.
  - Another concern was the Stormwater Master Plan. While West Hills had just one property, it was testing the Code because West Hills had a vested interest in it and part of its property drained south of Advance Road. The Stormwater Master Plan contained a high-priority, \$4 million conveyance pipe project, and the West Hills' property needed it for a very small portion, but it happened to be in the middle of the property.
    - He asked how at pipe would get built. The project was prioritized to be built between 2024 and 2028, but he did not know if that meant it was funded. The project had credits of \$3.3 million, so did that mean the City expected the developer to build it and then get credits, which probably would not work, as the developer would have a \$4 million up-front expense to be reimbursed later on a per house basis.
  - The point was that all these questions needed to be addressed before this Code plan was approved so everyone would know how it all fit together.
- He also questioned the Infrastructure Finance Plan for the improvements on Stafford Road, Advance Road, and some proposed roundabouts. The scope of those improvements and the allowable credits against those improvements would have a huge impact on the feasibility of all of the development of Frog Pond East and South. West Hills would have its first meeting on this issue with Staff on February 26<sup>th</sup>. Staff had already indicated they would not have the plan, but would present certain components of it, and then there was a lot of work to be done. That finance plan was a huge factor.

- He noted the Stormwater Master Plan was different from the Stormwater Management Plan. West Hills had done some analysis when preparing the colored plan the Commission had seen previously and he believed was in tonight's package.
- West Hills' colored plan showed the density allowed under the current Stormwater Management Plan and the new Code being proposed would reduce the density by 15 percent, affecting 45 of West Hills' 300 lots. If each lot was worth \$200,000 ballpark, the overall property value would be reduced by \$9 million, making the project unworkable.
  - He mentioned this because the Planning Commission would be hearing about these items, and it all affected the plan that West Hills was trying to make work. However, these other items were affecting the financial feasibility of the plan and the Development. West Hills was trying to create value and they needed to control costs.
- He appreciated the opportunity to speak during the work session. In West Hills' opinion, it was worthless to make public comments and give input on something at the beginning of the meeting that the Commission had not been presented with yet. Commissioners would have context to understand the public comments after the information had been presented. He did not believe receiving comments at the beginning of the meeting would be effective.

## INFORMATIONAL

5. City Council Action Minutes (January 4 & 18, 2024) (No staff presentation)
6. 2024 PC Work Program (No staff presentation)

Miranda Bateschell, Planning Director, noted Mr. Weigel wanted to convey that the draft Stormwater Master Plan was available for public review and comment on <http://www.letstalkwilsonville.com>. Public comment would be accepted through February 26, 2024.

## ADJOURN

Commissioner Willard moved to adjourn the regular meeting of the Wilsonville Planning Commission at 8:18 p.m. Commissioner Heberlein seconded the motion, which passed unanimously.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, LLC. for  
Mandi Simmons, Planning Administrative Assistant