

**CITY OF WILSONVILLE**  
**CITY COUNCIL MEETING MINUTES**

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday July 17, 2017. Mayor Knapp called the meeting to order at 7:02 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp  
Councilor Starr  
Councilor Stevens  
Councilor Lehan – Left at 8:07 p.m.  
Councilor Akervall - Excused

Staff present included:

Bryan Cosgrove, City Manager  
Jeanna Troha, Assistant City Manager  
Barbara Jacobson, City Attorney  
Kimberly Veliz, City Recorder  
Nancy Kraushaar, Community Development Director  
Delora Kerber, Public Works Director  
Jon Gail, Community Relations Coordinator  
Angela Handran, Community Outreach Coordinator  
Dwight Bradshaw, Transit Director  
Amanda Guile-Hinman, Assistant City Attorney  
Chris Neamtzu, Planning Director  
Steve Adams, Engineering Manager

Mayor Knapp and Council welcomed incoming City Recorder Kimberly Veliz to her first meeting.

Motion to approve the order of the agenda.

**Motion:** Councilor Starr moved to approve the order of the agenda. Councilor Lehan seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES:**

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Excused

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**COMMUNICATIONS**

- A. 2016-17 Community Enhancement Program Project Report: Multifamily Community Waste-Reduction and Recycling Project Sponsored by Clackamas County, City, and Republic Services. staff – Jon Gail

Community Relations Coordinator Jon Gail introduced Kayla Scheafer, AmeriCorps member and Tenille Beseda, Sustainability Analyst with Clackamas County. Background given on the project, in partnership with the 13 cities, Community Enhancement Funds, franchise fees, and the 11 franchised collectors provides resources, trainings, presentations, and ongoing support to improve or expand waste reduction and recycling programs to businesses, schools, groups/organizations, the community at large, and multifamily communities.

The program is of much importance because of the Oregon Opp to Recycle Act aims for it to be as easy to recycle for multifamily residents as it is for single family homes. Improvements at one single family home is improvement for one household, but improvements at multifamily communities can mean improvements for hundreds of households

Summary of Wilsonville Project Proposal Public-Private Partnership:

- Local Government
  - City of Wilsonville
  - Clackamas County – RCSW
- Collector - Republic Services
- 60% of Wilsonville's Population
- Goals:
  - Increase recycling
  - Decrease contamination  
(garbage in the recycling)

Observations made since the project began in September:

- High turnover of property managers can make it a challenge to even schedule a meeting.
- Recycling education is not always a priority for property managers.
- Lack of clear communication between managers and residents.
- Enclosure areas can be small, dark and/or dirty. This deters people from recycling due to size, bulky waste, no lighting, no space to get to the recycle bins and the container size.

Council suggested that the presenters keep City staff informed of outreach. As staff could assist by placing information on the Boones Ferry Messenger (BFM) along with other print and online platforms.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

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Nathan Osborne of Wilsonville, opposes the dog park and community garden on Schroeder Way. Mr. Osborne also raised his concerns about safety and the entire Master Plan process. Prior to the meeting Mr. Osborne provided presentation to Council listing his concerns.

Mr. Osborne listed out the following issues he has with the proposed access to a dog park via Schroeder:

- Direct conflict with Master Plan rules for access to community parks.
- Rose Lane to Wilsonville Road intersection has poor sight lines. Autos must enter crosswalk to safely turn.
- Current Rose/Wilsonville intersection is rated D: potential “F” rating would be deemed unacceptable by city.
- Would require code waivers that are inherently unsafe and far below city stated standards.
- Common sense and city liability.
- Three potential other options:
  1. Make the access via Kolbe Lane. There are only 2 houses that use that street. There are not intersecting streets 45 feet from the intersection with Wilsonville Road. This option would require blocking access to the community garden and dog park from Schroeder.
  2. Put in sidewalks, widen the streets, and put in traffic lights on Rose Lane and Schroeder Way. This could be complicated as it would take 2 sets of lights since the streets are offset but so close together. It would certainly cost more than \$25k.
  3. Put the parking lot on the far NE corner of Murase Plaza. That parkland is grassland that is idle, and is directly adjacent to proposed dog park. It would be safe, likely similar costs, and not utilize small residential roads for community park. This would require shutting down access to current community garden lot via Schroeder as dog park users would utilize the community garden lot.

Mayor Knapp said Council will entertain this discussion when they get to the agenda item. He then invited Mr. Osborne to attend the future Council meetings and appreciated him for providing the information in advance.

Ray Nelson of West Linn, introduced himself as president and executive director of Willamette United Soccer, now Football Club. Mr. Nelson sought to make Council aware that the Willamette United Football Club (WUFC) is heading up a project while not in the Wilsonville city limits, would impact the City of Wilsonville. The project is a multi-field athletic facility for youth sports located between West Linn and Wilsonville called South Lake Park. South Lake Park will be comprised of three outdoor turf fields and an indoor training facility, to serve all sports. The future facility will house a multi-purpose room or auditorium for activities such as Lego robotics, Boy Scouts, auctions or speaking engagements. Mr. Nelson asked that the City of Wilsonville submit a letter of support for the South Lake Park project, which moving forward WUFC could share with Clackamas County.

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City Manager Cosgrove asked that Mr. Nelson deliver additional information to City staff in order for staff to create a draft letter of support to be brought back for Council review.

Herb Koss of Lake Oswego, spoke on behalf of the Basalt Creek property owners in regards to the forty-one acres that have be in dispute in Tualatin zoning. Mr. Koss stated that Tualatin is trying to zone the land for residential while Wilsonville wants to zone the land employment. Mr. Koss plead with Council to end this dispute and resolve it by allowing the land to be zoned residential. Mr. Koss added that the Metro target for jobs, without the disputed area, has been not only met, but exceeded without the land. Furthermore, the land for housing is desperately needed.

Prior to the meeting Mr. Koss emailed Council a letter along with attachments providing his concerns.

Tom Childs of Sherwood, agrees with Mr. Koss and opposes the plan that the City of Wilsonville has to turn Basalt Creek land/area into employment land. Mr. Childs is concerned that if the land is turned into development land the property becomes worthless. He fears allowing the land to become employment land would cause him to become bankrupt. Mr. Childs indicated he would be unable to sale his home because the value of the home and land would no longer be worth that of his mortgage.

**MAYOR'S BUSINESS**

A. Fun in the Park Proclamation (staff –Jon Gail)

Dawn Wilbur, Vice President of Fun in the Park spoke briefly about the committee and the event occurring Saturday, August 5, 2017.

Mayor Knapp read the proclamation and passed out copies of the proclamation. Photos were taken with Council and the Fun in the Park committee members.

B. Upcoming Meetings

Mayor Knapp reported on upcoming meetings and past meetings, he attended on behalf of the City. He mentioned that the July 3<sup>rd</sup> Council meeting was cancelled due to Independence day on July 4<sup>th</sup>.

**COUNCILOR COMMENTS**

Council President Starr had no meetings to report. Mr. Starr acknowledged the City is aware of the traffic issues in the area. Furthermore, that staff is working to correct the issues in several different ways. One of those ways being the pursuit of installing red light cameras, specifically in the Wilsonville Road interchange.

City Manager Cosgrove added that the City is putting together a Request for Proposal (RFP). The RFP will be advertised and sent to known vendors. As soon as those results are reviewed staff can make a recommendation then adopt findings for the reasoning for implementing the program.

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Mr. Starr commented that citizens should be aware that there will be random times that police will at the Wilsonville Road interchange to maintain that drivers are obeying all traffic laws.

Mr. Cosgrove mentioned that in Work Session he briefed the Council that there is one officer who has been authorized overtime to do some extra patrols. Beyond that Clackamas County received a grant for random saturation patrols. Mr. Cosgrove also added there are three capital projects that Council has directed staff to pursue including one of which is a queuing lane on the ramp. going southbound.

Councilor Stevens disclosed that she is the liaison for the Library Board. She added the library is finishing up the RFID (radio frequency identification devices) tagging which will make checking out collection materials much easier and faster. Ms. Stevens commented that progress is moving forward on the library building renovations. Moreover, the Friends of the Library contributed fifteen thousand dollars (\$15,000) to leverage funds from the Metro enhancement grant to install an LED reader board. The board will be installed on Wilsonville road there at the library corner. She also mentioned that the summer reading program has had great success.

Ms. Stevens reported she attended the French Prairie Forum, there the topic of discussion was the upcoming solar eclipse and emergency management. She also reminded that Fun in the Park is Saturday, August 5, 2017 and National Night Out is Tuesday, August 1, 2017.

Councilor Lehan mentioned she attended several meetings around the state including a meeting on Heritage Trees in Bend, the Historic Cemetery Commission in Brookings and a meeting with Oregon Travel Experience (OTE). Ms. Lehan mentioned that OTE runs the rest stops and is worried about the upcoming solar eclipse. Ms. Lehan cautioned that due to the solar eclipse citizens should prepare ahead of time and stay off of the roads if it can be avoided.

Ms. Lehan mentioned the Clackamas County Fair begins Tuesday, August 15, 2017.

**CONSENT AGENDA**

Ms. Jacobson read the titles of the Consent Agenda into the record.

- A. **Resolution No. 2648**  
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With HHPR, Inc. For Design, Acquisition Support, And Construction Phase Support Services Associated With The Garden Acres Road Project (CIP No. 4201) (staff – Mende)
  
- B. Minutes of the June 5, 2017 and June 19, 2017 Council Meetings. (staff – King)

**Motion:** Councilor Stevens moved to approve the order of the agenda. Councilor Lehan seconded the motion.

**Vote:** Motion carried 4-0.

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**SUMMARY OF VOTES:**

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Excused

**NEW BUSINESS**

A. **Resolution No. 2647**

A Resolution Of The City Of Wilsonville Authorizing The Police And Public Works Building Seismic Upgrade Project And The Execution Of The Seismic Rehabilitation Grant Program Grant Contract With Oregon Infrastructure Finance Authority Of The Business Development Department

Ms. Jacobson read the title of Resolution No. 2647 for the record.

The staff report was prepared by Delora Kerber, Public Works Director.

*Staff report executive summary.*

The Facility Master Plan (FMP), completed in March 2015, provided an analysis of the existing conditions of City facilities, concepts for incremental programmatic building, and site improvements to meet the City's short and long term needs through the Year 2035.

The FMP Priority Evaluation categorized various improvement projects by priority rating including the condition of the existing facility, the urgency of the improvement project and funding availability.

The Evaluation process identified the first priority of the long range plan is to improve the accommodations for the Police Department. The Police Department is currently housed on the Lower Level of the Public Works and Police (PWPO) building and the proposed plan is to have the Police occupy both the Lower and Main levels of the existing Public Works and Police building.

The Public Works/Police Building is currently occupied by Police and Public Works staff, the City's first responder forces. The building needs seismic improvements to provide for immediate Occupancy performance per ASCE 41-13. The Building's Facilities Condition Index = 0.30 (poor) and has a moderate collapse potential. The Facility also serves as an Emergency Field Operations Center for Public Works and as a back-up Emergency Operations Center for the City.

ORS 455.400 requires seismic rehabilitation of publicly-operated emergency operations centers, police stations and fire stations by 2022.

The seismic upgrade work can partially funded with grants from the Seismic Rehabilitation Grant Program to bring the building up to Category IV seismic standards.

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Total estimated cost to complete the seismic upgrade improvements is \$559,300 of which \$251,685 is granted funded.

*End of executive summary.*

**Motion:** Councilor Starr moved to adopt Resolution No. 2647. Councilor Lehan seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES:**

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Excused

- B. Subaru Appeal of Community Development Director Decision (staff – Jacobson)  
*Materials distributed separately.*

Present at the Council meeting for the appellant BL & DJ, LLC and Lanphere Construction Development, LLC, hereinafter referred to as Subaru was Attorney Jeff Bachrach.

City Attorney Jacobson went over the documents Council had received regarding the Subaru Appeal of Community Development Director Decision of System Development Charge (SDC) fees. The list of documents included the following:

- June appeal from Attorney Jeff Bachrach.
- Memo from Ms. Jacobson drafted July 5, 2017 completed on July 14, 2017.
- Mr. Bachrach's letter dated July 17, 2017.

Ms. Jacobson declared that Attorney Jeff Bachrach represents BL & DJ, LLC and Lanphere Construction Development, LLC.

Ms. Jacobson's legal opinion is that Subaru's appeal was untimely and did not meet the minimum criteria required by the Code. The appeal should therefore be dismissed on procedural grounds as an untimely and incomplete appeal. Ms. Jacobson divulged that Mr. Bachrach disputes her assessment that his client Subaru had missed the deadline to appeal.

Council's was tasked to determine whether under Wilsonville Code the appeal was filed in time and whether it contained the minimum criteria.

Council's was assigned to decide whether they agree with Ms. Jacobson's legal opinion on either ground that it was not timely filed or that it was not complete or both. In that case Council would dismiss the appeal on procedural grounds alone and that would be the end of the process because they are not talking about the merits of the appeal, just the procedural issue.

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Ms. Jacobson explained that if Council is in agreeance with her opinion, then the appeal would be dismissed tonight and the appellant would have the ability to appeal Council's decision to the Circuit Court if it is so desires.

The other option for Council was to decide is if they agreed with Mr. Bachrach's opinion that his client had satisfied the procedural grounds by filing the appeal in time and that his appeal contains minimum criteria. In that case if Council decided the appeal is timely then following that decision Council would order the Community Development Director to investigate and respond to the appeal within sixty (60) days of the date the appeal was filed. Then report back to Council by August 4, 2017. Subsequent to that Council would need to hold a hearing within thirty (30) days of the Council's receipt of the report.

Ms. Jacobson reminded Council they were not going to discuss the merits just whether the appeal was made in time and whether it meets the criteria.

Ms. Jacobson informed Council they could make their decision on the written materials alone without hearing anything more from either side or they have the option of calling either side up to the dais to answer questions.

Mayor Knapp noted that Councilor Lehan had been called away on personal business however Council still maintains a quorum.

Mayor Knapp noted for the legislative record that there are numerous documents that show signed agreements, to extend the timeline to pay at which point no protest was taken to pay the SDCs. Additionally, the City was not required however volunteered to extend that payment to better aligned with Subaru's construction period. Furthermore, when that original extension period expired Subaru asked and the City for another extension. At each of these points the applicant signed documents indicating they were acknowledging the debt. Moreover, the notice of the ten-day period is clearly stated in the Code and can be read in the packet.

**Motion:** Councilor Stevens moved to deny the appeal based on not meeting the timing required by code. Councilor Starr seconded the motion.

**Vote:** Motion carried 3-0.

**SUMMARY OF VOTES:**

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Left meeting at 8:07 p.m.
Councilor Akervall	Excused

Councilor Stevens remarked there was no assumption that Subaru was going to appeal on the wording of the letter submitted to Community Development Director Kraushaar on December 2, 2015 from Jerry Jones Jr., President BuildLCD. The letter read: "I greatly appreciate our meeting yesterday and the City's willingness to work with us regarding the SDC for the Wilsonville Subaru



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Project. I am sending this letter as our formal request to defer the payment of SDC's until Occupancy approval. We do understand that the SDC's are required and we will sign an agreement to pay them prior to any certificate of occupancy handed over by the City."

Council President Starr said that he is open to bolding text in Code or other options to even more clearly communicate timelines.

Council agreed that they desire for Subaru and all businesses located in Wilsonville to be successful.

Mayor Knapp read the appeal process.

### **CONTINUING BUSINESS**

A. **Ordinance No. 806** – 2<sup>nd</sup> reading

An Ordinance Of The City Of Wilsonville Amending The Text Of The Comprehensive Plan, The Comprehensive Plan Map, The Wilsonville Development Code, And The Significant Resource Overlay Zone Map, And Adopting The Frog Pond West Master Plan As A Sub-Element Of The Comprehensive Plan.

Ms. Jacobson read the title of Ordinance No. 806 into the record on second reading.

The staff report was prepared and presented by Chris Neamtzu Planning Director. Present with Mr. Neamtzu was Joe Dills AICP, Senior Project Manager for Angelo Planning Group.

Mr. Neamtzu mentioned that during the first reading of the proposed ordinance Council had four very specific items of concern. The items of concern are listed below and the staff report responds to those concerns:

1. Timing of Stafford Road Improvements
2. Fencing
3. Alleys across from the future neighborhood park and school site
4. Glazing

*Staff report beginning.*

Issue Before Council: On June 19<sup>th</sup>, City Council conducted the public hearing on Ordinance No. 806, approving the Frog Pond Master Plan ("Master Plan") on first reading. Following deliberation, the Council requested that Staff return with additional information regarding four specific items. Those items are: 1) the threshold number of lots needed to generate sufficient revenue to construct Stafford Road; 2) fence details; 3) alley loaded homes adjacent to the future park/school site; and 4) residential glazing percentages. Details of those items are outlined below.

Executive Summary: A memorandum prepared by APG dated 7/5/17 has been provided addressing each of the four issues raised by Council and providing recommendations (Attachment A).

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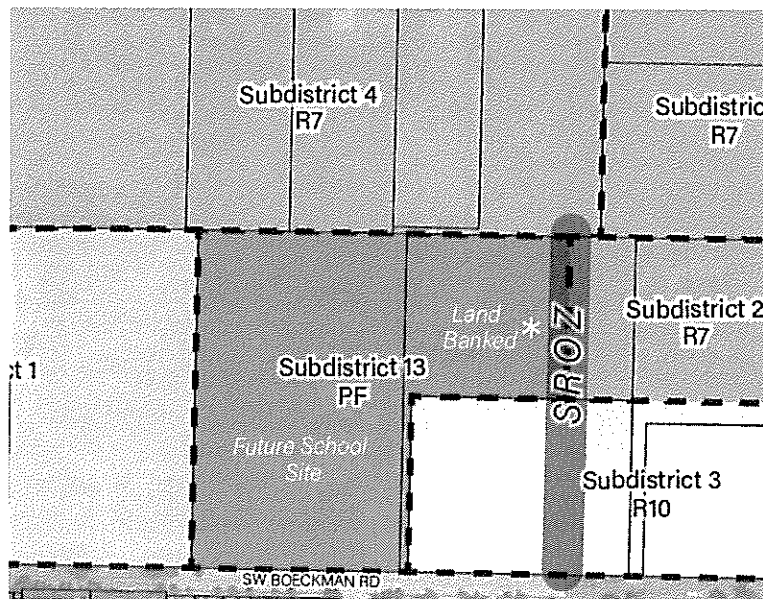
1) Timing of Stafford Road Improvements: The memo prepared by APG addresses the issues, timing and the number of lots that need to be constructed to generate sufficient funds to construct the Stafford Road improvements.

2) Fencing: The project team has met and engaged in a design meeting to address the Council's concerns regarding neighborhood fencing. Additional code language is proposed to be added to the Residential Neighborhood Zone, which is included in the APG memo.

3) Alleys across from the future neighborhood park and school site. At the public hearing, Council asked several questions regarding requiring alley loaded homes adjacent to the future neighborhood park and school site to create a stronger edge to the public space.

Testimony was received from West Hills stating that alleys are a significant concern on the large lots, that they really don't work and their buyers prefer a traditional front loaded garage configuration. In additional conversations since the hearing West Hills have stated that they have concerns that a seemingly good idea becomes problematic when the specifics of site planning, required road alignments (i.e. Willow Creek), site dimensions, layout, resource areas and other constraints have to be taken into consideration.

The Master Plan programs large lots to the south of the park and east of the school site, medium lots east of the park beyond the SROZ, and north of the school/park. Small lots are planned west of the school. Staff has analyzed the block depth adjacent to the future park/school site and has added new Residential Neighborhood code language to address this situation.



Portion of Figure 6 from Master Plan

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4) Glazing: The draft Residential Neighborhood Code contains a requirement for windows, it reads: *Windows. Not less than 10 percent of the surface area of all street facing elevations. Windows used to meet this standard must provide views from the building to the street. Glass block does not meet this standard. Windows in garage doors count toward this standard.*

There has been additional analysis conducted for homes on corner lots, pedestrian connections and single-story homes. Stonebridge Homes and West Hills have provided staff with examples (please see Appendix A to the APG memo for details) and calculations of the percent glazing on various styles of homes.

The original recommendation to the Planning Commission was 15% windows on street fronting elevations, in combination with other standards such as articulation and a specific number of elements from the design menu. This approach was recommended after reviewing other codes (see below). The Planning Commission recommended 10% windows on street fronting elevations after receiving testimony from developers.

Fifteen percent (15%) is a reasonable number for a two-story home in Frog Pond, particularly if garage and front door windows are permitted to be included in the calculation as they currently are. It may indeed mean that some home models cannot be built. Analysis confirmed that a lower amount of glazing for single-story homes is also appropriate.

- As a basic standard for front facades, 15% is reasonable (for 2 story homes) and is the proposed standard; 12.5% is the proposed limit for single-story homes. Garage and front door windows should count toward the total, as currently written in the draft code.
- Flexibility is appropriate for a lesser percentage. Using the design menu concept from the code, a “less than 15%” proposal can be permitted with additional design elements being provided. Staff recommends 1 additional design element for a home with 12.5-15% glazing, and 2 additional design elements for homes with 10%-12.5%. Ten percent (10%) would be the minimum permitted for the front of any home regardless of number of stories.
- Side elevations have lower percentages of glazing, for obvious reasons. The lowest percentages in the examples reviewed are associated with the garage sides. This should be avoided on street sides and adjacent to pedestrian connections, but permitted on interior sides. Staff recommends a minimum street side wall glazing percentage of 5%.

It is important to keep in mind that the glazing standard is just one of the new code’s residential design standards. The four categories of residential design standards are: glazing (windows), articulation, design menu (detailing), and house plan variety. These standards are intended to yield quality design and apply along streets and pedestrian connections. Upon review, staff proposes that standards be added so the Residential Neighborhood Code is clear about how the regulations apply to home fronts and sides along streets and side yards along pedestrian connections.

**Research summary:**

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- **Portland** – (other standards apply as well) At least 15 percent of the area of each facade that faces a street lot line must be windows or main entrance doors. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard, a door must be at the main entrance and facing a street lot line.
- **Sandy** – (windows are one of the 13 design menu choices) Windows and front door – occupying a minimum of 10 percent of the primary street facing façade (not including the roof and excluding any windows in a garage door).
- **North Bethany** – (other standards apply as well) Front façades shall include windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the front facing wall area visible from the street. Garage door windows do not count toward meeting this standard.
- **Oregon’s Model Code for Small Cities** – (the brackets leave it up to the City to fill in the number) Windows: not less than [XX] percent of surface area of all street-facing elevation(s).
- **Villebois** (Code and Architectural Handbook) – No percent window standard.

Expected Results: Adoption of the Frog Pond West Master Plan will set the stage for the next generation of great Wilsonville neighborhoods.

Timeline: The Ordinance becomes effective 30-days following approval on second reading. Property owners and developers can initiate applications to the DRB and Council upon passing of the effective 30-day timeframe.

Current Year Budget Impacts: The Frog Pond West Master Plan is included in this year’s budget, funded by the City’s General Fund in addition to Metro’s Community Planning and Development Grant program.

Community Involvement Process: Throughout the process on the Master Plan there has been extensive collaboration between the project team, the Commission/Council and interested parties. This collaboration has allowed for vetting of many issues resulting in the draft Master Plan document that has been produced.

Potential Impacts or Benefit to the Community (businesses, neighborhoods, protected and other groups): The creation of a new neighborhood in the Frog Pond West area will provide citizens with new housing choices as well as a future school, parks, trails and open spaces.

Alternatives: Staff has provided numerous alternatives for the Council’s consideration.  
*End of staff report.*

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In responding to issue number 3. Alleys across from the future neighborhood park and school site, Mr. Neamtzu provided Council a handout. The handout was labeled as Issue 3 – Standards for Lots Facing School and Parks. The handout includes a revision to the Residential Neighborhood Code.

*Beginning of handout issue summary.*

The question arose regarding whether homes that front the future school and Neighborhood Park sites should be alley loaded in order to enhance the pedestrian quality of the yards and streetscapes at these locations. North of the school and potential Neighborhood Park site, there are 6,000-8,000 square-foot lots in the Medium lot size category. There are large lots to the south and east of the school and the Neighborhood Park. The question is, what is the impact of requiring the alleys on these relatively large lots, and should it be required or encouraged?

Staff measured the blocks on the north side of the school and Neighborhood Park. They are 200 feet deep as depicted in the Street Demonstration Plan (Figure 17). If homes on these blocks use alley access, the lots would be 90-feet deep instead of 100-feet, and the rear yards would have a "side-of-home" orientation due to the garage placement near the alley. Developers have commented that these homes are harder to sell than a conventional front-loaded layout. Staff suggests that the Council's desire for enhanced block faces can be achieved using a menu approach where an alley is an option, not a requirement.

*End of handout issue summary.*

*Issue 3 – Standards for Lots Facing School and Parks is appended to the minutes in its entirety.*

Mayor Knapp commented that this proposed language may provide too much flexibility.

Mr. Dills replied that it is true the common outcome is eyes on the park and the school. However, you cannot get in code language every physical situation covered. That's why we build in flexibility. The language starts with the intent and it creates a bar for that you have to prove if there's going to be flexibility. Through discussions we think that balance has been struck. It does open the door for someone to make a proposal. The reason is because we think there may be legitimate times when a lot or two has to back up. However, that should be the far exception and not the rule, that's the intent behind the language.

Mr. Neamtzu added there is a lot of creative approaches that can be taken to meet the standards and the intent in our master plan. Staff is sensitive to the concern and thought that an adjustment at this late time was warranted given the significant amount information that was received this morning.

**Motion:** Councilor Stevens moved to accept Ordinance No. 806 on second reading, the Frog Pond Master Plan, with the changes that have been provided tonight also including the handout that was given to Council. Councilor Starr seconded the motion.

**Vote:** Motion carried 3-0.

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Mayor Knapp	Yes
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Left meeting at 8:07 p.m.
Councilor Akervall	Excused

**CITY MANAGER'S BUSINESS**

No report.

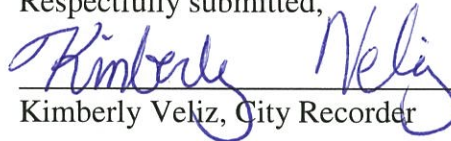
**LEGAL BUSINESS**

No report.

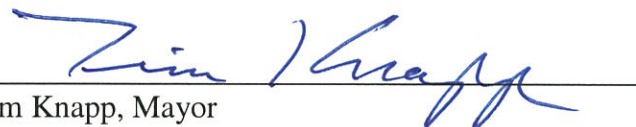
**ADJOURN**

Mayor Knapp adjourned the meeting at 9:30 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Kimberly Veliz, City Recorder

ATTEST:

  
\_\_\_\_\_  
Tim Knapp, Mayor



Rich  
7/17/17  
see**Issue Summary**

The question arose regarding whether homes that front the future school and Neighborhood Park sites should be alley loaded in order to enhance the pedestrian quality of the yards and streetscapes at these locations. North of the school and potential Neighborhood Park site, there are 6,000-8,000 square-foot lots in the Medium Lot size category. There are large lots to the south and east of the school and the Neighborhood Park. The question is, what is the impact of requiring the alleys on these relatively large lots, and should it be required or encouraged?

Staff measured the blocks on the north side of the school and Neighborhood Park. They are 200 feet deep as depicted in the Street Demonstration Plan (Figure 17). If homes on these blocks use alley access, the lots would be 90-feet deep instead of 100-feet, and the rear yards would have a “side-of-home” orientation due to the garage placement near the alley. Developers have commented that these homes are harder to sell than a conventional front-loaded layout. Staff suggests that the Council’s desire for enhanced block faces can be achieved using a menu approach where an alley is an option, not a requirement. See draft code text below. *New language is in blue italics below.*

**Revision to Residential Neighborhood Code**(0.17) Homes Adjacent to Schools and Parks

- A. Purpose. The purpose of these standards is to ensure that development adjacent to schools and parks is designed to enhance those public spaces with quality design that emphasizes active and safe use by people and is not dominated by driveways, fences, garages, and parking.
- B. Applicability. These standards apply to development that is adjacent to or faces schools and parks. As used here, the term adjacent includes development that is across a street or pedestrian connection from a school or park.
- C. Development must utilize one or more of the following design elements:
  1. Alley loaded garage access.
  2. On corner lots, placement of the garage and driveway on the side street that does not face the school, park, or public open space.
  3. Recess of the garage a minimum of four feet from the front façade of the home. A second story above the garage, with windows, is encouraged for this option.
- D. Development must be oriented so that the fronts or sides of homes face adjacent schools or parks. Rear yards and rear fences may generally not face the schools or parks, unless approved through the waiver process of 4.118 upon a finding that there is no practicable alternative due to the size, shape or other physical constraint of the subject property.

The above standards will be implemented during Planned Development Residential (PDR) reviews. The PDR process provides flexibility to vary from standards through the “waiver” provisions of Section 4.118 (.03), Standards Applying to All Planned Development Zones. Staff recommends adding “Lot orientation” to the list in 4.118 (.03) so there is a process to consider variations from strict application of the above standard. The base text and added language are below.

(.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

1. minimum lot area;
2. lot width and frontage;
3. height and yard requirements;
4. lot coverage;
5. lot depth;
6. street widths;
7. sidewalk requirements;
8. height of buildings other than signs;
9. parking space configuration and drive aisle design;
10. minimum number of parking or loading spaces;
11. shade tree islands in parking lots, provided that alternative shading is provided;
12. fence height;
13. architectural design standards;
14. transit facilities; and
15. On-site pedestrian access and circulation standards; and
16. Solar access standards, as provided in section 4.137.
17. Lot orientation.