



**Development Review Board
Panel A Meeting
April 12, 2021
6:30 pm**

This meeting is taking place with social distancing precautions in place:

- Board members are participating virtually, via Zoom videoconferencing
- Anyone experiencing fever or flu-like symptoms should not attend
- Council Chambers capacity is limited to 25 people and social distancing guidelines will be enforced

To Provide Public Comment

- 1) E-mail Shelley White at swhite@ci.wilsonville.or.us for Zoom login information
- 2) E-mail testimony regarding Resolution No. 388 (Canyon Creek 8-Lot Subdivision) to Philip Bradford, Associate Planner at pbradford@ci.wilsonville.or.us by 3 pm on April 12, 2021.
- 3) In-person testimony is discouraged, but can be accommodated. Please contact Daniel Pauly at pauly@ci.wilsonville.or.us by phone at 503-682-4960 for information on current safety protocols.



Wilsonville City Hall
Development Review Board Panel A

Monday, April 12, 2021 - 6:30 P.M.

- I. Call to order:
- II. **Chairman's Remarks:**
- III. Roll Call:
 - Daniel McKay Jean Svadlenka
 - Kathryn Neil Ben Yacob
 - Rachelle Barrett
- IV. **Citizens' Input:**
- V. Consent Agenda:
 - A. Approval of minutes of the March 8, 2021 DRB Panel A meeting
- VI. Public Hearings:
 - A. **Resolution No. 388. Canyon Creek 8-Lot Subdivision: Scott Miller, SAMM-Miller LLC – Applicant for William Z. Spring and Fallbrook, LLC– Owners.** The applicant is requesting approval of a Comprehensive Plan Map Amendment from Residential 0-1 Dwelling Units per Acre to Residential 4-5 Dwelling Units per Acre, a Zone Map Amendment from Residential Agriculture-Holding (RA-H) to Planned Development Residential 3 (PDR-3) and adopting findings and conditions approving a Stage I Master Plan, Stage II Final Plan, Site Design Review, Type C Tree Plan, Tentative Subdivision Plat, and Waiver for an 8-lot residential subdivision located at 28700 and 28705 SW Canyon Creek Road South. The subject site is located on Tax Lot 6400 and a portion of Tax Lot 3800 of Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Philip Bradford

Case Files:	DB20-0039	Zone Map Amendment
	DB20-0040	Comprehensive Plan Amendment
	DB20-0041	Stage I Master Plan

DB20-0042	Stage II Final Plan
DB20-0043	Site Design Review
DB20-0044	Type C Tree Plan
DB20-0045	Tentative Subdivision Plat
DB20-0053	Waiver

This item was continued to this date and time certain at the March 8, 2021 DRB Panel A meeting.

- VII. Board Member Communications:
- A. Results of the March 22, 2021 DRB Panel B meeting
 - B. Recent City Council Action Minutes

VIII. Staff Communications:

IX. Adjournment

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. The City will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting.

- Qualified sign language interpreters for persons with speech or hearing impairments.
- Qualified bilingual interpreters.
- To obtain such services, please call the Planning Assistant at 503 682-4960

DEVELOPMENT REVIEW BOARD MEETING
APRIL 12, 2021
6:30 PM

- V. Consent Agenda:
 - A. Approval of minutes of March 8, 2021 DRB Panel
A meeting

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

**Development Review Board – Panel A
Minutes– March 8, 2021 6:30 PM**

I. Call to Order

Chair Daniel McKay called the meeting to order at 6:30 p.m.

II. Chair's Remarks

The Conduct of Hearing and Statement of Public Notice were read into the record.

III. Roll Call

Present for roll call were: Daniel McKay, Jean Svadlenka, Kathryn Neil, Rachelle Barrett, Ben Yacob

Staff present: Daniel Pauly, Barbara Jacobson, Kimberly Rybold, Philip Bradford, Cindy Luxhoj, and Shelley White

IV. Citizens' Input This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

Dave Carlson commended City Staff on having done an excellent job of community development over the years. He was excited to work with the DRB on continuing to make Wilsonville an excellent community to live in and raise a family in.

V. Election of 2021 Chair and Vice-Chair

A. Chair

Rachelle Barrett nominated Daniel McKay as 2021 DRB-Panel A Chair. Ben Yacob seconded the nomination.

Chair McKay confirmed there being no further nominations and closed the nominations.

Daniel McKay was unanimously elected 2021 DRB A Chair.

B. Vice-Chair

Chair McKay nominated Jean Svadlenka as 2021 DRB A Vice-Chair. Kathryn Neil seconded the nomination.

Chair McKay confirmed there being no further nominations and closed the nominations.

Jean Svadlenka was unanimously elected 2021 DRB A Vice-Chair.

VI. Consent Agenda:

A. Approval of minutes of January 11, 2021 DRB Panel A meeting

Jean Svadlenka moved to approve the Consent Agenda. Ben Yacob seconded the motion, which passed unanimously.

VII. Public Hearing

- A. **Resolution No. 388. Canyon Creek 8-Lot Subdivision: Scott Miller, SAMM-Miller LLC – Applicant for William Z. Spring – Owner.** The applicant is requesting approval of a Comprehensive Plan Map Amendment from Residential 0-1 Dwelling Units per Acre to Residential 4-5 Dwelling Units per Acre, a Zone Map Amendment from Residential Agriculture-Holding (RA-H) to Planned Development Residential 3 (PDR-3) and adopting findings and conditions approving a Stage I Master Plan, Stage II Final Plan, Site Design Review, Type C Tree Plan, Tentative Subdivision Plat, and Waiver for an 8-lot single-family subdivision located at 28700 SW Canyon Creek Road South. The subject site is located on Tax Lot 06400 of Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Philip Bradford

Case Files:	DB20-0039	Zone Map Amendment
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	DB20-0044	Type C Tree Plan
	DB20-0045	Tentative Subdivision Plat
	DB20-0053	Waiver

Chair McKay called the public hearing to order at 6:42 p.m. and read the conduct of hearing format into the record. Chair McKay and Jean Svadlenka declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

David Carlson, Resident, asked for clarification on how many DRB members had visited the site.

Chair McKay replied that two members had visited the site, but noted that because Staff was not prepared to present a report, they planned to request a continuation to the April meeting and that was likely why the other three DRB members had not visited the site.

Mr. Carlson strongly encouraged the remaining three DRB members to visit the site. He believed the four neighbors in the adjoining subdivision, as well as himself, would welcome the

DRB members and grant access to their properties so DRB members could see the project from all sides.

Steve Miller, Applicant, said he believed the question pertained to the challenge of any bias DRB members might have.

Chair McKay confirmed that Mr. Carlson was not issuing a challenge, but rather, simply a general question and a request that DRB members visit the site.

Daniel Pauly, Planning Manager, stated he wanted to offer an explanation for the benefit of the DRB members, as many members were new to the Board. For a variety of reasons, the Staff report was not ready to be published a week prior to tonight's hearing, which was why Staff had requested the hearing be continued to this Board's next meeting on April 12.

- Typically, the Staff report would be presented, followed by the Applicant's presentation, any public testimony, and then Applicant's rebuttal. Despite no Staff report to present, because the hearing had been noticed and a number of residents had joined the meeting, the DRB was encouraged to take public testimony. Any testimony given would serve a similar purpose to written testimony usually submitted prior to the publishing of a Staff report. The hearing was being recorded, and Staff would take notes and respond to any issues raised by the public in the Staff report as appropriate. That said, there would be no Staff response, questions, or discussion of testimony tonight as would be typical.
- A continued hearing in a similar format was expected to be held on April 12, and members of the public had three options: 1) they could testify tonight and let that be their testimony on the record with the understanding that they would not have the benefit of knowing the information in the Staff report or Staff's recommendation, both of which were valuable information and the basis of the DRB's decision; 2) they could testify tonight and testify a second time on April 12, with new testimony only, after seeing the Staff report; or 3) defer all of their testimony to the April 12 meeting when more information would be available and a broader discussion could be had.
 - Staff recommended that the DRB leave the record open, which would allow the submission of any additional written material received between now and ten days prior to the April 12 meeting to be included and responded to in the Staff report, and also published with the Staff report so other community members and involved parties could read and review it ahead of the April 12 meeting.
- Typically a continued hearing was not re-noticed, but the April 12 meeting would be because Staff found a technical issue with the original notice. Neighbors would receive a new notice for the upcoming meeting and the subsequent City Council hearing.
- On April 5, City Council would open and close a hearing and continue it to the next City Council meeting similar to what DRB would do tonight. No decisions would be made at the April 5 City Council meeting as City Council would not yet have a recommendation from the DRB. It was anticipated that meeting would be continued to April 19.
 - City Council would conduct a hearing because there were some portions of this request that involved changes to the Comprehensive Plan and Zoning, which required City Council approval upon recommendation of the DRB.

- Questions about testimony or how to testify could be answered by City Staff. Contact information was in the published materials.

Barbara Jacobson, City Attorney advised that once the motion was seconded and voted on, members of the public could determine whether they wanted to testify tonight or not. If tonight was the only meeting a citizen could attend, they should provide testimony tonight. Anyone who could wait until the next hearing should do so as their testimony would be more effective after hearing the Staff report and Applicant's presentation, both of which could potentially change one's testimony.

Chair McKay agreed. He confirmed that no member of the Board had questions for Staff.

Mr. Pauly added this was a rare circumstance that had not happened in at least a decade that he knew of.

Chair McKay moved to keep the record open and continue Resolution No. 388 to April 12, 2021 date certain. The motion was seconded by Jean Svadlenka and passed unanimously

Chair McKay informed the Applicant they could still provide testimony if they chose to.

Steve Miller, Emerio Design, 6445 SW Fallbrook Place, Unit 100, Beaverton, OR 97008, agreed to provide testimony on April 12. The Applicant appreciated Staff for keeping them informed of the situation ahead of time.

Chair McKay called for any public testimony.

Mr. Pauly confirmed that no one present in Council Chambers wanted to provide testimony.

Shelley White confirmed the following attendees who signed up for public testimony would wait to provide their testimony at the April 12, 2021 DRB Panel B meeting: David Carlson, Helena and Jeff Lulay, Kevin Troupe, [response not audible] Brenda Troupe, Anthony and Michelle Calcagno, Jody Dupell, Joan Carlson, Kristi Halstead, Greg Pelser. Tom Ellingson and Sarah Lorente had signed up for testimony, but she was uncertain either were on the Zoom call.

Mr. Pauly advised any residents who could not get through via Zoom contact him on his cell about whether they wanted to testify. He expressed regret that there had not been an effective way to get the message out to everyone prior to the meeting, but it was not possible.

Chair McKay noted that typically, DRB meetings did not have so many members of the public interested in testifying, adding he looked forward to hearing everyone's testimony on April 12.

Mr. Pauly added that while the public could not contact members of the DRB due to their need to remain unbiased, citizens could reach out to City Staff with any questions or concerns. Staff understood that some members of the public would not want a particular project to happen at

all, and others would feel that if a project was approved, there were elements that could be improved upon.

Chair McKay closed the public hearing at 7:08 pm, noting it would be continued at the April 12, 2021 DRB-Panel B meeting.

- B. **Resolution No.** No. 389. WPI Fence: Western Partitions Inc. – Applicant for HGR3, LLC – Owner. The applicant is requesting approval of a Site Design Review for addition of a new 7-foot tall metal perimeter fence and associated vehicular and pedestrian access gates at the existing WPI property. The site is located at 26055 SW Canyon Creek Road on Tax Lot 407 of Section 12, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Philip Bradford

Case File:DB21-0005 Site Design Review

Chair McKay called the public hearing to order at 7:15 p.m. and read the conduct of hearing format into the record. Chair McKay, Jean Svadlenka, Ben Yacob, and Rachelle Barrett declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Philip Bradford, Associate Planner, announced that the criteria applicable to the application were stated on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

Mr. Bradford, Associate Planner, City of Wilsonville presented the Staff report via PowerPoint, briefly noting the site's location and that the existing fence at the rear of the property was not part of the application. His key additional comments were as follows:

- The site was originally approved for use as corporate office space in 1997. It had remained largely the same and had been occupied by a variety of corporations.
- The proposed 7-ft tall fence required DRB approval per the Development Code Section 4.176(04)F because it was taller than 6 ft high. Most fences were reviewed administratively.
- Staff had followed proper noticing procedures, including a 250 ft ~~for~~ mailing notices and publishing a notice in the newspaper.
- He described how the fence outlined the perimeter of the property, noting an automatic gate for vehicles located on the western property boundary at the parking lot, as well as a pedestrian-accessible gate at the corner of the building. Along Canyon Creek Rd was another vehicular access gate and two additional pedestrian access gates, which were set back 30-ft from the right-of-way as required by the fire department. (Slide 6)
- He described how the fence outlined the perimeter of the property, noting that on the western property boundary an automatic gate for vehicles located at the parking lot, as well as a pedestrian-accessible gate at the corner of the building. Along Canyon Creek Rd was another vehicular access gate and two additional pedestrian access gates, which were set back 30-ft from the right-of-way as required by the fire department. (Slide 6)
- The proposed 7-ft-tall fence was transparent black metal rail or box fence. (Slide 7)

- One public comment had been received from the ownership group of the adjacent apartment complex, who requested the fence be slightly set back with room for additional landscaping to soften the appearance and ease the transition from the industrial area to residential area. At present, the fence was designed to be directly up against the sidewalk along Canyon Creek Rd.
- Staff recommended approval with conditions as noted in the Staff report, which also required two corrections:
 - On Page 3 of 12, in the Summary describing the site design review, correct the first sentence to state, "...rail fence that offers a ~~high~~ *low* level of opacity."
 - On Page 8 of 12, correct the last sentence in Finding 5 to state, "The addition of the proposed 7-foot ~~chain link~~ *metal rail* fence..."

Rachelle Barrett asked why the Applicant wanted a 7-ft fence as opposed to a 6-ft fence, which would not have required a waiver.

Mr. Bradford deferred to the Applicant to address that question.

Jean Svadlenka asked if a survey had been done to determine the actual property line, as there was a sidewalk easement that could impact whether the fence could be built right against the sidewalk on Canyon Creek Rd.

Mr. Bradford replied a survey had not been included as a part of the application.

Ms. Svadlenka asked if any site design review issues had ever come up with the application process in the past.

- She noted all the businesses along Canyon Creek Rd from Boeckman Rd to Elligsen Rd, including the apartment complexes, had fencing or walls that were set back approximately 2-ft from the sidewalk, so the proposed fence would not be consistent with those existing fences.
- Additionally, having fencing right up against the sidewalk presented potential safety issues for pedestrians and bicyclists, especially small children, who might get their bike pedals entangled in a fence, or dogs potentially getting their tags caught in between the rails of the fence.
 - Potential damage to the fence itself, such as vandalism, was more likely if the fence abutted the property line at the sidewalk, and any resulting repairs might impact the sidewalk as well.
- She asked if the letter from Linton Young, Principal of the ownership group of the Canyon Creek Apartments, requesting the fence be setback and that a landscaping buffer be included, had been addressed or discussed with the Applicant.

Mr. Bradford responded he had not discussed the landscaping with the Applicant because there was no basis in the Code to require additional landscaping because the fence itself did not require screening or buffering since the site already met the landscape standards that were in

place at the time of development. He had simply included the letter as a part of the project record and incorporated it into the Staff report.

- No safety issues surfaced in his review about the fence having a zero setback to the sidewalk, although he believed the safety concerns expressed were valid.
- He was unsure of the standards regarding fencing consistency as it pertained to adjacent developments. The setbacks could have been done differently for a variety of reasons. He noted a nearby retaining wall was setback approximately 2-ft from the sidewalk; however, retaining walls were regulated differently than fences. If the Applicant was open to it, Staff could probably arrive at a condition that would ensure greater compatibility with the adjacent properties' fencing and walls.
- Any fence repair that blocked the sidewalk would require the Applicant to obtain a Right-of-Way Permit from Public Works, so the City could maintain safe access or provide an alternate public connection along that frontage while the work was being done. He understood a set duration time triggered the permit requirement.

Kim Rybold, Senior Planner, stated she was not certain about the exact work duration that triggered the right-of-way permit requirement, but confirmed that was the correct way to address any work that required use of the space adjacent to the sidewalk. Otherwise, the property owner would be responsible for any fence maintenance.

Ben Yacob noted Mr. Linton potentially represented 372 Canyon Creek Apartment residents and given the Summit Apartments to the north and Canyon Creek Park to the south, there would likely be a significant amount of pedestrian traffic. He asked if landscaping would be part of the mitigation for the large number of pedestrians expected.

Mr. Bradford replied that was not part of the discussion, only the fence itself had been discussed.

Mr. Yacob asked if landscaping could be addressed.

Kim Rybold, Senior Planner, explained that the site had a previously-approved Landscape Plan that met City standards at the time it was developed. Construction of a fence alone did not require screening or landscaping, nor were any setbacks required by the Development Code for the placement of a fence. However, given that it was an industrial property, she suggested that Mr. Yacob ask if the Applicant had the ability to move the fence and add landscaping as a part of the site design review request from an aesthetic standpoint. She noted that no specific Code requirement existed for the landscaping, nor was it something the Applicant had initially proposed.

Mr. Yacob noted the Applicant would not have come before the DRB had a 6-ft high fence been proposed, but had chosen to build a 7-ft high fence. He asked what the height of the fence was in the back area.

Mr. Bradford said he believed it was 7-ft high, but he was not positive.

Mr. Yacob noted that when turning left from Burns Way onto Canyon Creek Rd, a 7-ft fence might impede the visibility of oncoming traffic on Canyon Creek Rd. He asked if that had been considered.

Ms. Rybold noted that proposed plans were normally circulated to other agencies prior to preparing the Staff recommendation. Typically, the Engineering Division would review plans, particularly those that involved structures closer to the right-of-way and flag any sight distance concerns. The review was based on a set formula related to the curve and speed, and the Engineering Division did not express any concerns with the location of the fence.

Mr. Yacob stated that he traveled that road often and was curious to know, before it was constructed, if a 7-ft fence would impede drivers' vision.

Mr. Bradford noted that a large monument sign on the corner was even closer to the right-of-way and had not had any vision clearance issues, so it was unlikely a see-through fence would pose any problems, especially since the Engineering Division had found no issues.

Chair McKay asked what the depth of the current green space was between the building and sidewalk on Canyon Creek Rd.

Mr. Bradford replied it looked to be about 30-ft, which was the building setback in that zoning district.

Chair McKay asked why there was a decent setback greenspace on Burns Way, but not on Canyon Creek Rd.

Mr. Bradford said he understood from the Applicant that adjusting the fence on Burns Way closer to the trees would create an issue for the landscaping, and there were existing utilities along that frontage. He added the Applicant could elaborate further.

Chair McKay called for the Applicant's presentation.

Angela Roach, Building Owner, explained that they had designed the fence based on Sysco's fence, which was located two buildings to the west and the opinion of the fence builder. She confirmed the design was based on the style and that the setback did not factor in

Ms. Barrett asked why a 7-ft high fence was proposed rather than 6-ft.

Ms. Roach replied she believed it was to match the height of Sysco's fence.

Chair McKay asked Ms. Roach if anyone else on her team would be providing testimony.

Ryan Wilson, representing Western Partition, stated that based on the questions asked tonight and Ms. Roach's testimony that was how the project had gotten started. The Applicant would be using the same fencing contractor as Sysco. There were some utilities, streetlights, and bus stops to the north, which was why the 22-ft setback was established. Due to a couple trees along Canyon Creek Rd, it made sense to put the fence at the sidewalk, per the contractor's recommendation, although it did not need to stay there. He confirmed that concluded the Applicant's presentation.

Mr. Yacob asked if the Applicant was open to moving the fence back a bit on the Canyon Creek Rd frontage.

Mr. Wilson stated he would need to speak with the landscaper about the location of pipes and etcetera in the ground. He noted the neighboring property owner, Tech Equipment, had about a 2-ft setback from the sidewalk, so he did not believe that would not be too problematic.

Kathryn Neil asked if some softening landscaping could be added at the base of the fence to help the residential aspect.

Mr. Wilson replied the only part that might be possible was the grass space directly east of the building on Canyon Creek Rd. The portion along the sidewalk on the south side of the property already had shrubbery, which the fence would run through. He asked what kind of landscaping was being suggested.

Ms. Neil replied that she understood there was only grass, so adding shrubbery would make it look more appealing.

Mr. Wilson agreed some sort of bark dust and smaller shrubs could be added to a 2-ft offset west of the sidewalk.

Ms. Neil asked why the Applicant chose a 7-ft fence as opposed to the standard 6-ft high fence.

Mr. Wilson replied it was simply a desire to remain consistent with Sysco's fence.

Chair McKay confirmed there were no further questions from the Board. He thanked the Applicant for their openness and their desire to achieve consistency with adjacent properties in a way that would potentially impact residents across the street, as well as pedestrians on the sidewalk.

Members of the Board thanked the Applicant as well.

Chair McKay confirmed with Staff that there were no members of the public in attendance to provide public testimony regarding the application.

Ms. Neil confirmed with Staff that no regulation in the Code required any kind setback from the sidewalk.

Daniel Pauly, Planning Manager, added that consistency with the surrounding area could be considered in the site design review. He confirmed the Board could recommend that as an addendum.

Chair McKay understood a condition would likely be added requiring a setback to the fence portion along Canyon Creek Rd. He asked if the recommendation could simply state consistency with adjacent properties as opposed to assigning a specific numerical measurement.

Mr. Pauly agreed addressing the consistency rather than a number was more related to the Code. Staff did not know the exact setback of the various existing fences and walls.

Ms. Barrett suggested the condition also be lenient given that the location of underground utilities currently occupying the space was unknown.

Mr. Pauly suggested the condition could state, "The fence shall be set back consistent with the setback of other walls and fences in the area unless documentation is provided showing conflicts with utilities or other infrastructure that would force the fence to be at the sidewalk".

Mr. Bradford said he had drafted two conditions based on the discussion. One regarded a possible survey requirement, which no longer seemed applicable. The other possible condition stated, "Prior to installation, the Applicant shall submit a revised site plan showing the fence setback as consistent with adjacent fences on surrounding properties along with landscaping at the base along the SW Canyon Creek Rd frontage."

Chair McKay stated he wanted the condition to be authoritative, in that a setback was required, while also taking into account unforeseen issues that could make the condition unfeasible.

Ms. Rybold offered the following language for a condition, "The fence shall be set back consistent with other walls or fences in the surrounding area unless there are found to be utility conflicts that would prevent location of the fence in such a manner."

Mr. Pauly stated he liked Ms. Rybold's wording, as well as Mr. Bradford's suggestion that the applicant submit a site plan to the City for Staff to verify the final location prior to installation, which he suggested be included in the condition.

Ms. Svadlenka asked if the Board could review the matter again if a conflict was found.

Mr. Pauly replied it was possible, yes.

Ms. Neil asked if conflicts would include landscaping, like large trees.

Ms. Rybold noted the condition's language could be broadened to state, "utilities *or other site* conflicts" to include anything on the site that might conflict with the location of the fence.

Chair McKay read the new proposed condition as follows: "The fence shall be set back in a way consistent with other walls and fences in the surrounding area unless there is found to be conflict with utility requirements or existing landscaping that prevent that fence from being installed in such a manner."

Ms. Barrett confirmed that the setback location should be specified as "set back from the sidewalk on Canyon Creek Rd."

Mr. Pauly suggested adding the words "to the extent possible", so that wherever possible the Applicant should minimize the area where the fence came up to the street.

- Regarding the resubmittal of the design, a second additional condition could state, "The Applicant shall submit a final site plan showing the fence location to the Planning Division prior to installation."

Ms. Svadlenka asked for input from other Board members on how the DRB should proceed in the event it was determined the fence could not be set back at all.

Ms. Neil believed it would be reasonable for the Applicant to return to the Board if the fence could not be set back.

Chair McKay understood that was only for the condition related to the setback.

Mr. Pauly explained that if a condition were included that the fence had to be set back, but for some reason it could not be, the Applicant would have to return before the Board anyway.

Chair McKay responded that removing the 'unless' items would keep the Applicant from having to return to the Board if the conditions were not met.

Ms. Svadlenka and **Mr. Yacob** agreed that if no setback was possible, the Applicant should return to the Board to explain why.

Ms. Barrett stated if the Applicant had to show the revised plan to Staff, she was unclear why they would also have to return to the Board.

Chair McKay replied that as he understood the language, if something prevented the Applicant from installing the fence per the conditions, Staff had the ability to agree it was not possible and allow the Applicant to build the fence without going before the Board again. ~~What~~ The Board could further deliberate whether some standard in the Code would allow the condition to be changed to something that would work, but the Board was limited in these types of decisions if there was not something to point to in the Code.

Chair McKay closed the public hearing at 8:07 pm.

Chair McKay moved to approve Resolution No. 389 with the following corrections and amendments to the Staff report:

- On Page 3 of 12, in the Summary describing the site design review, correct the first sentence to state, "...rail fence that offers a ~~high~~ *low* level of opacity."
- On Page 8 of 12, correct the last sentence in Finding 5 to state, "The addition of the proposed 7-foot ~~chain-link~~ *metal rail* fence...".
- Add new condition of approval stating, "*The fence shall be set back from the sidewalk in a way consistent with other walls and fences in the area.*"
- Add new condition of approval stating, "*The Applicant shall submit a final site plan showing fence location to the Planning Division prior to its installation.*"

Chair McKay clarified it was not necessary to require the Applicant to return to the Board if the conditions could not be met because he had already removed the "unless" statement in the language.

Jean Svadlenka seconded the motion. The motion passed unanimously.

Chair McKay read the rules of appeal into the record.

VIII. Board Member Communications
A. Recent City Council Action Minutes

There were no comments or questions.

IX. Staff Communications

Daniel Pauly, Planning Manager, thanked the Board, adding it was fun to see them in action for the first time on real agenda items. He was impressed with how thoughtful they were and how they had deliberated through the process.

Barbara Jacobson, City Attorney, echoed Mr. Pauly's sentiment, adding the Board had made a proposal better.

Chair McKay thanked the new Board members and commended them on a job well done.

X. Adjournment

The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, LLC. for
Shelley White, Planning Administrative Assistant

VI. Public Hearing:

A. Resolution No. 388. Canyon Creek 8-Lot Subdivision: Scott Miller, SAMM-Miller LLC – Applicant for William Z. Spring and Fallbrook, LLC – Owners. The applicant is requesting approval of a Comprehensive Plan Map Amendment from Residential 0-1 Dwelling Units per Acre to Residential 4-5 Dwelling Units per Acre, a Zone Map Amendment from Residential Agriculture-Holding (RA-H) to Planned Development Residential 3 (PDR-3) and adopting findings and conditions approving a Stage I Master Plan, Stage II Final Plan, Site Design Review, Type C Tree Plan, Tentative Subdivision Plat, and Waiver for an 8-lot residential subdivision located at 28700 and 28705 SW Canyon Creek Road South. The subject site is located on Tax Lot 6400 and a portion of Tax Lot 3800 of Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Philip Bradford

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This item was continued to this date and time certain at the March 8, 2021 DRB Panel A meeting.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 388**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DWELLING UNITS PER ACRE TO RESIDENTIAL 4-5 DWELLING UNITS PER ACRE, A ZONE MAP AMENDMENT FROM RESIDENTIAL AGRICULTURE-HOLDING (RA-H) TO PLANNED DEVELOPMENT RESIDENTIAL 3 (PDR-3) AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I MASTER PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW, TYPE C TREE PLAN, TENTATIVE SUBDIVISION PLAT, AND WAIVER FOR AN 8-LOT RESIDENTIAL SUBDIVISION LOCATED AT 28700 AND 28705 SW CANYON CREEK ROAD SOUTH. THE SUBJECT SITE IS LOCATED ON TAX LOT 6400 AND A PORTION OF TL 3800 OF SECTION 13BD, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. SCOTT MILLER, SAMM-MILLER, LLC – APPLICANT FOR WILLIAM Z. SPRING, AND FALLBROOK, LLC – OWNERS.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, on March 8, 2021, the Development Review Board honored the Planning Staff request and continued the public hearing to a date and time certain of April 12, 2021, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated April 5, 2021, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a special meeting conducted on April 12, 2021, 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 April 5, 2021, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB20-00039 through DB20-0045, and DB20-0053; Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, Waiver – Front Setback, and Abbreviated SRIR Review.

ADOPTED by the Development Review Board of the City of Wilsonville this 12th day of April, 2021, and filed with the Planning Administrative Assistant on _____ . This resolution is

final on the 15th 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)*.

Daniel McKay, Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



Exhibit A1
Staff Report
Canyon Creek Phase 3 Subdivision – 8 New Residential Lots

Development Review Board Panel 'A' Quasi-Judicial Public Hearing

Hearing Date:	April 12, 2021
Date of Report:	April 5, 2021

Application Nos.:	DB20-0040 – Comprehensive Plan Amendment DB20-0039 – Zone Map Amendment DB20-0041 – Stage I Master Plan DB20-0042 – Stage II Final Plan DB20-0043 – Site Design Review DB20-0044 – Type C Tree Plan DB20-0045 – Tentative Subdivision Plat DB20-0053 – Waiver
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Request/Summary: The requests before the Development Review Board include a Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Master Plan, Stage II Final Plan, Type C Tree Removal Plan, Tentative Subdivision Plat, and Waiver.

Location: 28700 and 28705 SW Canyon Creek Road South - The property is specifically known as Tax Lot 6400 and a portion of Tax Lot 3800, Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon

Owner: William Z. Spring
Fallbrook, LLC (Contact: Neil Fernando)

Applicant: SAMM-Miller, LLC (Contact: Scott Miller)

Applicant's Rep.: Emerio Design, LLC (Contact: Steve Miller)

Comprehensive Plan Designation (Current): Residential 0-1 dwelling units per acre (du/ac)

Comprehensive Plan Designation (Proposed): Residential 4-5 dwelling units per acre (du/ac)

Zone Map Classification (Current): RA-H (Residential Agricultural-Holding)

Zone Map Classification (Proposed): PDR-3 (Planned Development Residential-3)

Staff Reviewers: Philip Bradford, Associate Planner
Khoi LE, PE, Development Engineering Manager
Kerry Rappold, Natural Resources Program Manager

Staff Recommendation: Based on relevant review criteria, **recommend approval to the City Council** of the Comprehensive Plan Map Amendment and Zone Map Amendment with conditions; and **approve with conditions** the Stage I Master Plan, State II Final Plan, Type C Tree

Plan, Tentative Subdivision Plat, and Waiver contingent on City Council approval of the Comprehensive Plan Map Amendment and Zone Map Amendment.

Applicable Review Criteria:

<u>Development Code:</u>	
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 the 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 4.124	Standards Applying to All Planned Development Residential Zones
Section 4.124.3	PDR-3 Zone
Sections 4.139.00 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
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
Section 4.198	Comprehensive Plan Changes
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.600-4.640.20	Tree Preservation and Protection
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	

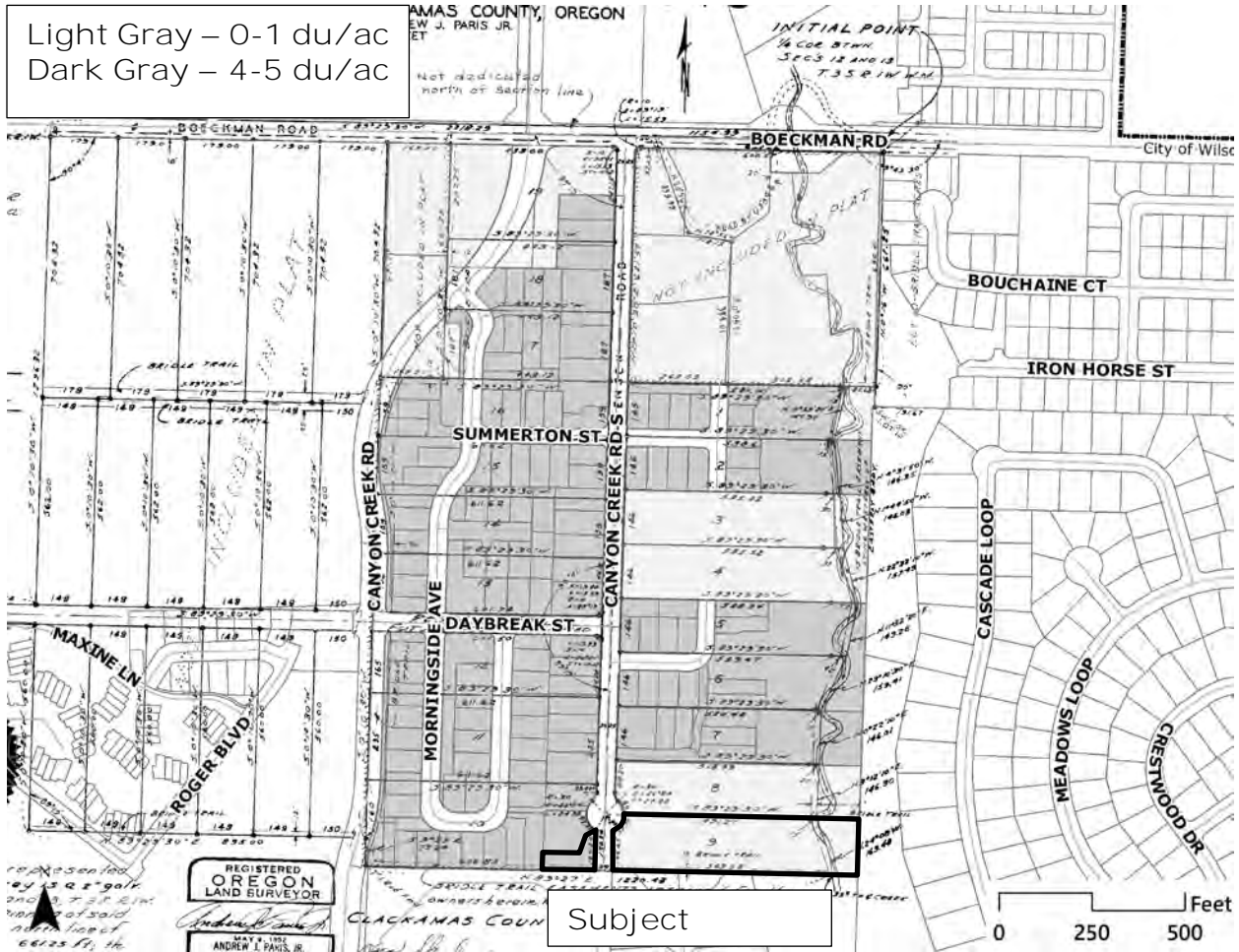
Plan Map	
Transportation Systems Plan	
<u>Regional and State Law and Planning Documents</u>	
Oregon Statewide Planning Goals	

Vicinity Map



Background:

The subject property is part of the 1964 Bridle Trail Ranchetts subdivision, developed prior to Wilsonville’s incorporation as a city. Each lot in the subdivision was approximately 2 acres in size, and adoption of the current Comprehensive Plan Map included a residential density for this area reflecting the existing subdivision. Beginning in the mid-2000s, the City approved many of the Bridle Trail Ranchett lots for Comprehensive Plan Map amendments to increase the density from 0-1 to 4-5 dwelling units an acre (du/ac). Currently, the City has approved portions of 15 of the original 19 Bridle Trail Ranchett lots for increased density of 4-5 dwelling units an acre (du/ac).



The first and largest approved change in this area from 0-1 to 4-5 du/ac was in 2004 with the adoption of Ordinance No. 570 for Renaissance at Canyon Creek. The supporting staff report discussed the need of additional homes to provide housing for people working in Wilsonville as well as others desiring to live here. In addition, the findings point out the limited amount of vacant residential land within the City, and that designations for higher residential density surround the original Bridal Trail Ranchetts subdivision.

In early 2006, Ordinance No. 604 similarly changed the Comprehensive Plan designation for approximately four acres on the east side of Canyon Creek Road South from 0-1 to 4-5 du/ac for the development of the 13-lot Cross Creek Subdivision. The City made the same findings regarding the need of additional housing units, the limited amount of vacant land within the City, and the density of surrounding areas.

In 2007, Ordinance No. 635 approved a similar Comprehensive Plan designation change for approximately 0.69 acres on the west side of Canyon Creek Road South, north of Renaissance at Canyon Creek. The City made findings consistent with the previously approved amendments.

In 2014, Ordinance No. 738 approved the same density change in 2014 for a property whose owners had elected not to participate in the 2004 Renaissance at Canyon Creek subdivision project, but desired to redevelop in 2014.

In 2016, Ordinance No. 790 changed the Comprehensive Plan designation from 0-1 to 4-5 du/ac for the 14-lot Aspen Meadows subdivision to the north of the subject property.

In 2018, Ordinance No. 823 changed the Comprehensive Plan designation from 0-1 to 4-5 du/ac for the 5-lot Aspen Meadows Phase 2 subdivision located south of the 14-lot Aspen Meadows subdivision. The City made findings consistent with the previously approved amendments.

Summary:

Comprehensive Plan Map Amendment (DB20-0040)

The applicant proposes to change the Comprehensive Plan Map designation for the 2.25-acre subject property from 0-1 du/ac to 4-5 du/ac, consistent with previous Comprehensive Plan Map amendments for properties in the Bridle Trail Ranchettes subdivision.

Zone Map Amendment (DB20-0039)

Contingent on approval of the Comprehensive Plan Map Amendment for an increased density of 4-5 du/ac, the applicant proposes a corresponding PDR zoning of PDR-3. Other portions of Bridle Trail Ranchettes with past approval of increased density to 4-5 du/ac have the same PDR-3 zoning.

Stage I Master Plan (DB20-0041)

The Stage I Master Plan generally establishes the location of housing, streets, and open space tracts on the site, reviewed in more detail with the Stage II Final Plan. The applicant proposes residential lots and open space as allowed in the PDR-3 zone.

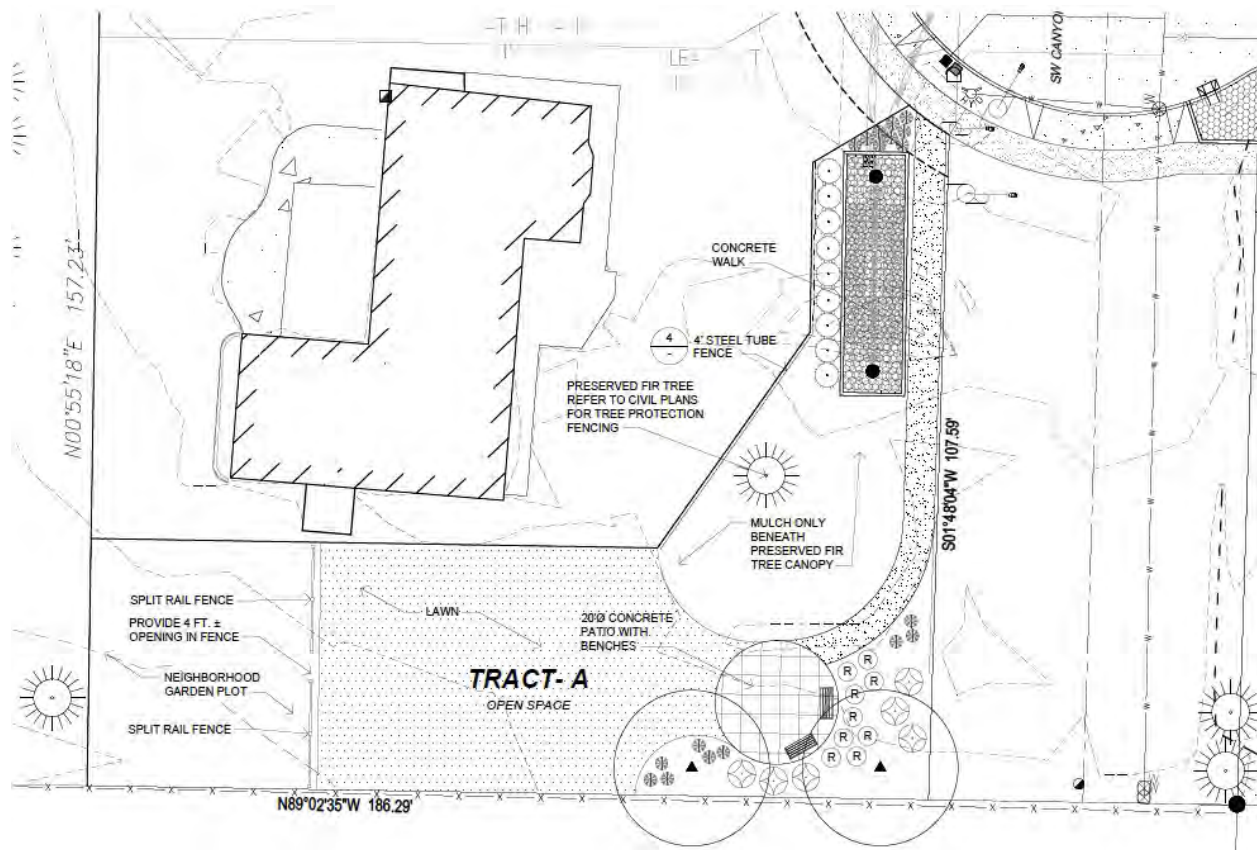
Stage II Final Plan (DB20-0042)

The Stage II Final Plan includes a proposed lot layout and size as well as block size and access that demonstrate consistency with development standards for Planned Development Residential Zones. The applicant proposes installing necessary facilities and services concurrent with the development of the proposed subdivision.

Regarding the protection of natural features and other resources, the design of the project avoids disturbance of the significant natural features on the site, particularly the Boeckman Creek riparian area. The applicant proposes development on the eastern portion of the site, which drops by approximately 15 feet near the edge of the SROZ. This slope necessitates some grading and construction of a retaining wall, specifically on lots 1-3, to prepare lots for development.

Site Design Review (DB20-0043)

The applicant proposes an open space area (Tract A) which provides 7,691 square feet of usable open space. The usable open space area provides a pedestrian connection into the open space area from the public sidewalk, a preserved tree, a stormwater facility, a community garden, and an open play area. The applicant has included a completed affidavit form attesting that the usable open space area has been designed by a registered landscape architect with experience designing similar usable open space areas within residential areas.



Tentative Subdivision Plat (DB20-0044)

The applicant's tentative subdivision plat shows all the necessary information consistent with the Stage II Final Plan for dividing the property in a manner to allow the proposed development.

Type C Tree Removal Plan (DB20-0045)

While the development plans preserve the large forested area in the eastern portion of the site within the Significant Resource Overlay Zone (SROZ), the plans include removal of 26 trees that are either not viable or not practicable to preserve with proposed grading for development. The proposed planting of 35 trees, including street trees and additional trees in the SROZ, will mitigate for the removals.

Waiver (DB20-0053)

The applicant is requesting a waiver to reduce setbacks. The request includes reducing the 7-foot side yard setback as required by development standards for all residential zones to 5 feet on the internal side yards of lots 2 and 4-7 for two-story homes. The applicant also requests a 7-foot setback on the western side of Lot 8 where 10 feet is required for corner lots by the development code in Section 4.113 Standards Applying to Residential Developments in Any Zone.

Discussion Points:

Redevelopment of Bridle Trail Ranchetts

The 1964 Bridle Trail Ranchetts Subdivision created 19 lots, many of which were approximately 2 acres in size. In the most recent adoption of the Comprehensive Plan map, the entire subdivision was designated Residential 0-1 dwelling units per acre, and had a Zone Map designation of RA-H. Subsequently, portions of 15 of the 19 lots have been rezoned to 4-5 dwelling units per acre, consistent with residential development in the City nearby. The subject proposal continues the trend reflecting the continued infill with urban residential densities of this area.

Residential Code Modernization Project

In April 2020, the City approved the Residential Code Modernization Project, which updated the Planned Development Residential (PDR) and Residential (R) zones to improve clarity, consistency, and usability of standards related to density and open space. Additionally, the code updates aimed to better coordinate minimum and typical lot sizes with the Comprehensive Plan and Zoning density ranges. These changes altered the PDR-3 zone by removing the average lot size requirement of 7,000 square feet, minimum density of one unit per 8,000 square feet and minimum lot size of 5,000 square feet. The new requirements contain a minimum lot size of 4,500 square feet and no average lot size or minimum density at build out. This is the first land use application to be reviewed under the new code requirements.

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. As directed by the City, the applicant's plans show a priority to laying out street trees and street lighting keeping appropriate spacing from utility laterals and water meters, and then placing stormwater facilities where space remains available and placement is desirable. Due to the site constraints posed by the site, the street trees have been provided in the front yard area of the lots rather than within the planter strips.

Land Divisions to Create Open Space Tract

The applicant controls the site to the west of the subject property located at 28705 SW Canyon Creek Road S. In November of 2020, the city approved an application to partition the property, creating the parcel that is now proposed as a usable open space tract for this subdivision (Casefile AR20-0032).

Usable Open Space Requirements

The applicant proposes the eight-lot subdivision with development plans that include an open space tract of 7,691 square feet outside of the SROZ. For developments with less than 10 units, an open space area must be at least 1,000 square feet in order to count toward the 25% open space requirement. Half of the open space area must be located outside the SROZ and be programmed for active recreational use. The applicant has provided an open space area that meets the size and usability requirements and has submitted the required affidavit that shows the open space was designed by a professional landscape architect.

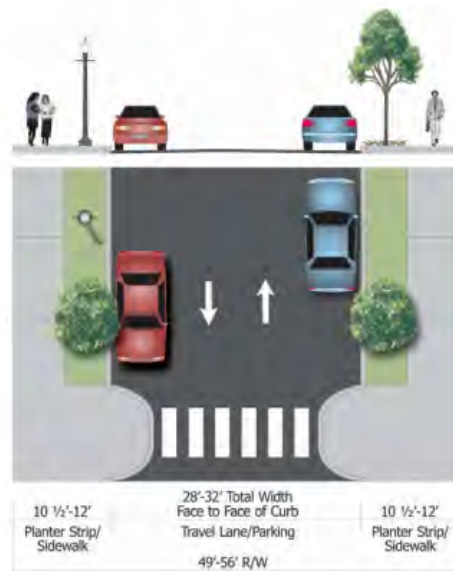
Traffic Study Memo

The proposed development generates less than 25 PM peak trips; therefore, a full Transportation Impact Study is not required. At the time the Trip Generation Memo was written by DKS Associates, the proposed development contained 11 dwelling units. The current proposal contains eight (8) dwelling units and would generate less trips than stated within the Trip Generation Memo. As the proposed development now contains less units than originally anticipated, a revised Trip Generation Memo is not required. The Trip Generation Memo concluded by stating the subdivision would generate 10 new PM peak hour trips (6 in, 4 out), and that 3 PM peak hour trips will travel through I-5/Elligsen Road interchange and 1 PM peak hour trip will travel through the I-5 Wilsonville Road interchange. The proposed plan provides adequate access to each parcel and that the existing walkway that connects Canyon Creek Road South to SW Morningside is not impacted by the proposed plan. No additional off-site improvements were required and DKS did not note any safety concerns stemming from the proposed subdivision.

Public Streets and Private Drives

The applicant proposes a new Public Street and a new private drive (Tract B) to provide access to the subdivision. The private drive provides access to three lots and is not proposed for extension. The private drive along with the cul-de-sac bulb aid in providing truck turn around space for TVF&R and Republic Services vehicles. The proposed public street has a proposed width of 48.42' at the west and 47.88' at the eastern end. Figure 3-9. Local Street Cross-Section from the Transportation System Plan (TSP) shows a right-of-way width for a local street to be between 49' and 56' feet. As noted in the TSP, 47' is allowed with constraints, and in this particular situation, the applicant proposes street improvements including two-way traffic, sidewalk, and a planter strip on the south side of the proposed street. Full improvements are not feasible as the property to the north is under separate ownership and not under redevelopment to require right-of-way dedication. If the property to the north is developed, there will be additional right-of-way dedication and public improvements required that will meet the Local Street Cross-Section standard.

FIGURE 3-9. LOCAL STREET CROSS-SECTION



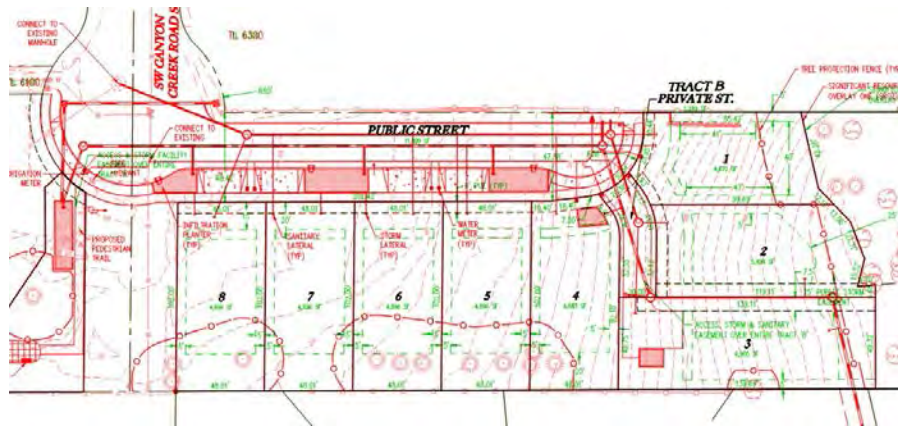
Notes:

1. Minimum right-of-way width of 47 feet (parking on one side) and 51 feet (parking on both sides). Providing parking on both sides is preferred unless constraints exist.
2. Minimum sidewalk width is 5 feet; minimum planter strip width is 5 feet.
3. Curb width of 1/2 foot is included in the planter strip width.
4. Curb and sidewalk bulb-outs at crosswalks or street intersections as determined by Community Development Director.
5. Street lights shall be located within the planter strip as required in the PW Standards.
6. No lane striping on street. Signage as required.
7. New streets shall incorporate low impact development design as practicable.

Tree Removal and Protection Plans

There are currently 92 trees that have been surveyed on the subject property. The applicant proposes the removal of 26 trees outside the SROZ due to grading and site improvements, and one (1) tree due to poor condition. The proposed mitigation consists of planting 26 additional trees in the SROZ area, 6 black tupelo *Nyssa sylvatica* street trees, one (1) Red Maple *Acer rubrum* street tree, and two (2) eastern redbud *Cercis Canadensis* trees within the usable open space area for a total of 35 trees.

However, the arborist report notes that several of the trees shown as preserved along the rear lot lines for lots 4-8 should be reevaluated against the future home plans as the tree protection fencing overlaps with the buildable area of the proposed lots (shown in the image below delineated by green dashed lines). It is important the tree protection fencing is realistic and easy to maintain as fencing ensures construction impacts will not impact the root zones of the trees and increases the likelihood the preserved trees will survive after construction is complete. Staff has witnessed similar situations in other projects and in order to preserve the trees to the greatest extent possible, a condition of approval has been added to reassess the trees with the project arborist when the future house plans are provided to ensure maximum preservation. In the case that tree removal is requested for one of the trees indicated for preservation, the project arborist will submit a report to City Staff including a written explanation of the measures considered to preserve the trees along with the reasoning that makes preservation not feasible.



Side Yard Setback Waiver Request

The applicant has requested a waiver for side yard setbacks for two story homes, which would decrease the setbacks from the required 7-foot setback to a 5-foot setback on the interior lot lines of the lots. The applicant also requests a waiver for the required 10-foot setback for Lot 8, which is a corner lot. Staff supports the waiver for the interior setback reduction on the interior lot lines based on the applicant's rationale; however, a condition of approval has been added to require a 10-foot setback in line with the requirements for a corner lot as this setback is not typically waived. Furthermore, as a condition of the zone map amendment, staff has included a condition of approval to require 10-foot setbacks on the northern lot line of Lot 1 and southern lot line of Lot 3, which maintains the setback of the Rural Agricultural Holding – Residential (RAH-R) zone.

Comments Received and Responses:

Comments were received from the following individuals during the public comment period and are included in Exhibits D1 through D20 of this Staff Report:

- Email from D. and J. Carlson
- Email from H. And J. Lulay
- Email from B. Lund
- Email from A. and M. Calcagno
- Email from S. and S Lorente
- Email from J. Britt
- Email from K. Troupe
- Email from M. Davis
- Email from M. Lama
- Email from A. Halter
- Email from K. and B Colyer
- Email from K. Tinker
- Email from K. Halstead
- Email from K. and R. Fink
- Email from M. Kochanowski
- Email from M. and A. Falconer
- Email from S. Heath
- Email from J. Dupell
- Email from C. Halstead
- Email from G. Pelser

A summary of comments by topic area is included below. All concerns raised in the comments received are addressed in the Summary and Discussion Points sections above as well as in the Findings, which can be found later in this Staff Report.

Traffic Congestion

The majority of comments received by the City note concerns regarding additional development where there is only one access point in and out of the neighborhood. A Trip Generation Memo was prepared by DKS and is included as part of Exhibit B1. A local street such as SW Daybreak that provides access to SW Canyon Creek Road can handle 1,000 to 1,500 daily trips without issues. Streets within a neighborhood such as this, with less than 100 dwelling units would not see congestion at neighborhood intersections. It should be noted the City policy is not to minimize traffic on local streets, but rather to ensure all streets and intersections function within established limits. The traffic memo confirmed the street network continues to function at the City standards set forth in the code.

Privacy Concerns

In addition to tree removal impacts contributing to a loss of privacy, residents expressed concerns and asked questions regarding fencing and screening requirements where the new subdivision abuts existing development. Based on the proposed layout, headlights on the private street (Tract B) may impact adjacent properties at night. The code does not require screening or buffering where two residential zones meet. This is particularly true as the proposed zone PDR-3 is a lower density zone than the PDR-4 zone to the south. While there is no requirement for the proposed subdivision to require a fence along the proposed residential lots, the occupants of the new homes will likely also desire privacy and developers typically construct privacy fences along property lines. In addition, to address neighborhood concerns of more intense development resulting from the zone change, a Condition of Approval for the Zone Map Amendment requires the setbacks along existing north and south property lines be kept at no less than 10 feet, which is the current setback required in the existing RA-H zone for these property lines.

Lot Size

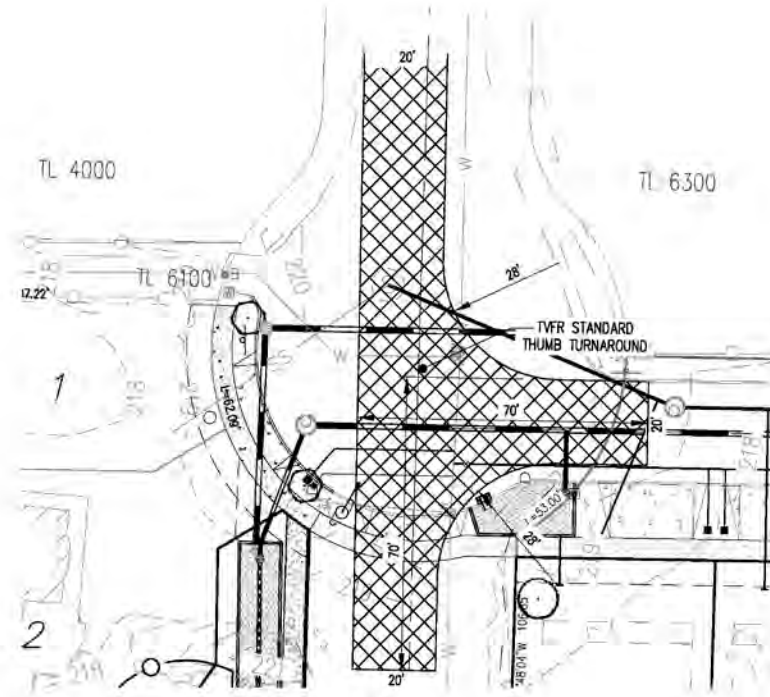
Residents expressed concerns about the proposed residential lots containing a smaller lot size than the other residential lots zoned PDR-3 in the immediate vicinity. Concern is expressed that this subdivision will be inconsistent with the adjacent developments. Based on code changes that went into effect in June 2020 that revised the minimum lot size in the PDR-3 zone, the residential lots proposed all exceed the minimum lot requirement. Lot size is a clear and objective development criteria. If lot sizes meet the minimum size set by the zone, then there are no grounds for denying an application based on lot size. It should also be noted that the property development to the south has substantially larger lots than typical for the zone they are located in (PDR-4), which actually is a denser zone with a lower minimum lot size than the proposed project. The underlying zoning standards, not the adjacent development pattern which happens to have larger lot sizes than zoned for, is what the City is required to apply when evaluating a development application.

Parking

Neighbors expressed concerns regarding on-street parking in the nearby Aspen Meadows subdivision despite there being no parking signs. Residents are concerned that the same situation will occur upon development of this proposed subdivision, which exacerbates their concerns regarding fire safety. The proposed subdivision contains at least one (1) off-street parking space per unit meeting the code requirement of one (1) space per dwelling unit, additionally with the condition that each driveway contain enough room to fit a standard 9 x 18 parking space, each lot will provide two (2) parking spaces.

Fire Safety

TVF&R has reviewed the proposed development and did not raise any additional concerns regarding access when providing staff with conditions of approval. In order to address resident concerns, the applicant has included the TVF&R turn around standard overlaid on the subdivision plan that demonstrates that a turnaround in this location is feasible. All homes located in excess of 150 feet down the new public street will be equipped with fire sprinklers as required by the fire code.



Tree Removal and Natural Habitat Impacts

Neighbors to the south of the proposed development expressed concerns about a potential wetland on the property and that the existing Douglas fir trees on the property provide quality habitat to wildlife in the Boeckman Creek vegetated corridor. No evidence in the record nor from a site visit supports the wetland concern. Any wetland that did exist would need to meet established standards for the City to enforce protection and restrict development. Trees within the SROZ are not subject to removal on the subject property. For trees outside of the protected natural areas, the City's established policy for tree removal is that tree preservation should be considered in balance with other requirements. All tree preservation policies established in City code are being followed and trees will be preserved where possible. Staff has added a condition of approval to ensure the maximum preservation of the trees by requiring the project arborist to submit a report and with an explanation of measures considered to preserve trees and reasoning that makes the preservation of the trees not feasible.

Property Values

Several residents noted concerns about the configuration of the proposed subdivision resulting in reduced property values for adjacent properties. No evidence in the record related to this concern demonstrate any criteria applicable to this application would be violated.

Grading Plans

Several residents raised concerns regarding the steep slope on site and questioned how future homes will be built on a site that will require grading work. Another resident noted inconsistencies within the grading plans provided by the applicant and their feasibility concerning the homes being shown on Lots 1 and 2. Staff would like to note that the homes shown on Lots 1 and 2 were requested to show feasibility of fitting a home on the lot and are not reflective of the final homes to be built in those locations. The current grading plans are preliminary grading plans; the final grading plans will be reviewed during the site grading permit process and cross-referenced during the building permit process to ensure compliance.

Architectural Compatibility

There are concerns that these homes will not take into consideration the precedent set by adjacent subdivisions in terms of the architectural design of the future dwellings on the proposed lots. This application is for an 8-lot subdivision; construction of future dwelling units will be reviewed under separate permits. Architectural design of future residential units is not a criteria applicable to this application. The Development Code does not contain design standards residential dwelling units outside Villebois, Frog Pond, and Old Town; therefore, future dwellings will be able to utilize any architectural style. Adjacent properties and development projects were not subject architectural design requirements either.

Process and Role of the Planning Division and Board

A number of comments concern the nature of the process, City staff, decision makers and their role in approving development. Staff, the Development Review Board members, and City Council, in their roles reviewing development applications, must be impartial and focus on the facts of the case and how the facts align with adopted policies and code standards. The staff report serves not to represent the developer or surrounding residents; the purpose is to represent the City as a whole through the City's policies and standards which serve to represent the needs and interests of the community, and to evaluate the development application against those standards. Planners use their technical knowledge and professional judgment to evaluate the specifics of a project and whether it meets the relevant standards of the Code, presenting this in the staff report to DRB. If a development proposal meets all of the clear and objective development standards, then the staff recommend approval of the project regardless of any personal opinion they may hold.

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 and approve, as relevant, the proposed application (DB20-0039 through DB20-0045 and DB20-0053) with the following conditions:

Planning Division Conditions:

Request A: DB20-0040 Comprehensive Plan Map Amendment

This action recommends to the City Council approval of the Comprehensive Plan Map Amendment for the subject property. The Zone Map Amendment (DB20-0039) and all approvals contingent on it are contingent on the Comprehensive Plan Map Amendment.
No conditions for this request

Request B: DB20-0039 Zone Map Amendment

This action recommends adoption of the Zone Map Amendment to the City Council for the subject property. This action is contingent upon the Comprehensive Plan Map Amendment (DB20-0040). Case files DB20-0041, DB20-0042, DB20-0043, DB20-0044, DB20-0045, and DB20-0053 are contingent upon City Council’s action on the Zone Map Amendment request.
PDB 1. Ongoing: Future homes constructed shall maintain the side yard setbacks of the RAH-R zone of 10 feet at the northern lot line of Lot 1 and the southern lot line of Lot 3. See Finding B14.

Request C: DB20-0041 Stage I Master Plan

Approval of DB20-0041 (Stage I Master Plan) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).
PDC 1. General: The applicant shall revise AR20-0032, and record the partition with Clackamas County to ensure the subdivision meets the open space requirements. See Finding C14.

Request D: DB20-0042 Stage II Final Plan

Approval of DB18-0030 (Stage II Final Plan) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).
PDD 1. General: The approved Stage II 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 I 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 D7.

PDD 2.	<u>Prior to Final Plat Approval:</u> 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 D34.
PDD 3.	<u>Prior to Final Plat Approval:</u> 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 D37.
PDD 4.	<u>General:</u> A waiver of remonstrance against formation of a local improvement district 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 subdivision plat. See Finding D59.
PDD 5.	<u>General:</u> The design of the private access drive in Tract B shall provide for a useful lifespan and structural maintenance schedule comparable to a public local residential street. See Finding D68.
PDD 6.	<u>General:</u> All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding D70.
PDD 7.	<u>Prior to Final Plat Approval:</u> 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 D31.
PDD 8.	<u>General:</u> All street trees and right-of-way landscaping shall be installed fronting a lot prior to issuance of an occupancy permit for a home on the lot. See Finding D51.
PDD 9.	<u>General:</u> 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 D52.
PDD 10.	<u>General:</u> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville’s Development Code. See Findings D53 and D54.
PDD 11.	<p><u>General:</u> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • 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. • 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” to 12” spread. • Shrubs shall reach their designed size for screening within three (3) years of planting. • 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

<p>minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</p> <ul style="list-style-type: none"> • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. <p>Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding D47.</p>
<p>PDD 12. <u>General:</u> All trees shall be balled and burlapped and conform in size and grade to "American Standards for Nursery Stock" current edition. See Finding D47.</p>
<p>PDD 13. <u>General:</u> 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. The applicant shall provide specific details on the proposed irrigation method prior to installation of street trees. See Finding D48.</p>
<p>PDD 14. <u>Prior to Final Plat Approval:</u> The applicant shall submit a revised Sheet L1 showing the landscaping plan to match the new shape and square footage of the proposed usable open space area in Tract A. See Finding D49.</p>
<p>PDD 15. <u>Prior to Final Plat Approval:</u> The applicant shall revise the CC&R's and Bylaws documents to require the future Homeowners Association to actively enforce no parking areas, tow any illegally parked vehicle within 12 hours, and establish fees for homeowners who violate the no parking zones. See finding D37.</p>

Request E: DB20-0043 Site Design Review of Parks and Open Space

<p>Approval of DB20-0043 (Site Design Review of Parks and Open Space) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039)</p>
<p>PDE 1. <u>General:</u> 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.</p>
<p>PDE 2. <u>Prior to Final Plat Approval:</u> All landscaping and site furnishings required and approved by the Development Review Board for common tracts shall be installed prior to Final Plat Approval or as otherwise agreed upon in a written agreement with the City. See Finding E13.</p>
<p>PDE 3. <u>Prior to Final Plat Approval:</u> All street trees and other right of way landscaping shall be installed prior to Final Plat Approval except as otherwise provided in a signed agreement between the developer and the City. See Finding E13.</p>
<p>PDE 4. <u>Ongoing:</u> 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.</p>

PDE 5.	Ongoing: 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.
PDE 6.	<p>General: The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • 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. • 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. • Shrubs shall reach their designed size for screening within three (3) years of planting. • 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. • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.
PDE 7.	Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding E20.
PDE 8.	General: All trees shall be balled and burlapped and conform in size and grade to "American Standards for Nursery Stock" current edition. See Finding E20.
PDE 9.	Ongoing: 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.

Request F: DB20-0044 Type C Tree Plan

Approval of DB20-0044 (Type C Tree Plan) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).

PDF 1. General: This approval for removal applies only to the 26 trees identified in the applicant's submitted Tree Maintenance and Protection Plan, see Exhibit B3. All other trees on the property shall be maintained unless removal is approved through separate application.

PDF 2. Prior to Grading Permit Issuance: 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 F18.
PDF 3.	<u>Prior to Final Plat Approval:</u> The applicant/owner shall install the required 26 mitigation trees, as shown in the applicant's sheets 4 and L1 of Exhibit B3, per Section 4.620 WC.
PDF 4.	<u>General:</u> 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.
PDF 5.	<u>Prior to Commencing Site Grading:</u> The applicant/owner shall install six-foot-tall chain-link fencing around the drip line of preserved trees as identified on the Tree Preservation and Removal Plan Sheet 3 of 14 in Exhibit B2. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding F24.
PDF 6.	<u>Ongoing:</u> The project arborist shall be on site to observe any grading or construction that may impact the required tree protection fencing and to ensure the root zones of the trees are not negatively impacted by construction. See finding F24.
PDF 7.	<u>Prior to Final Plat:</u> The applicant shall appropriately clear debris and invasive species within the SROZ area prior to planting any mitigation plantings. See Finding F23.
PDF 8.	<u>Prior to Final Plat:</u> The applicant shall submit a revised tree preservation and removal plan that shows the retention of trees 6245, 6245, 6247, and 6248, including proper tree protection fencing. See Finding F20.
PDF 9.	<u>Ongoing:</u> While an extensive arborist report has been completed and trees and conditions have been inventoried to determine which trees will be preserved, based on staff analysis of the plans it is expected that future construction situations may arise involving preserved trees at the rear of Lots four (4) through eight (8). If such issues or situations arise, the project arborist shall provide City staff with a written explanation of the measures considered to preserve the trees along with the line of reasoning that makes the preservation of the tree not feasible. Prior to further construction within the tree protection zone, the City will verify the validity of the report through review by an independent arborist to ensure that the tree cannot be preserved. If it is ultimately decided that the tree cannot be preserved by both arborists, then the developer may remove the tree, and will be required to plant one tree of the same variety at another location within the project area. See Finding F20.

Request G: DB20-0053 Tentative Subdivision Plat

Approval of DB18-0031 (Tentative Subdivision Plat) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).	
PDG 1.	<u>Prior to Final Plat Approval:</u> Any necessary easements or dedications shall be identified on the final subdivision plat.
PDG 2.	<u>Prior to Final Plat Approval:</u> 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 II Final Plan or the Tentative Subdivision Plat.
PDG 3.	<u>Prior to Final Plat Approval:</u> 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 Finding E14.
PDG 4.	<u>Prior to Final Plat Approval:</u> Prior to the recording of the final subdivision plat, the applicant/owner shall submit for review and approval by the City Attorney CC&R’s, bylaws, etc. related to the maintenance of the open space tracts. Such documents shall assure the long-term protection and maintenance of the open space tracts.
PDG 5.	<u>Prior to Final Plat Approval:</u> 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.

Request H: DB20-0053 Waiver

Approval of DB20-0053 (Tentative Partition Plat) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).	
PDH 1.	<u>Ongoing:</u> Future construction on Lot 8 shall have a 10-foot side yard setback along the western lot line. See Finding H2.

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: DB20-0040 Stage II Final Plan

PFD 1.	Prior to Issuance of Public Works Permit, Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit A1.
PFD 2.	Prior to Issuance of Public Works Permit, submit site plans to Engineering demonstrating how the site being served with public utilities: domestic and fire water, sanitary sewer, and storm drainage. Public utility improvements shall be designed and constructed in accordance with the Public Works Standards.
PFD 3.	Prior to Issuance of Public Works Permit, submit site plans to Engineering showing street improvements including pavement, curb, planter strip, street trees, sidewalk, and driveway approaches along site frontage on Canyon Creek Road South and the proposed new public street. Street improvements shall be constructed in accordance with the Public Works Standards. The eyebrow corner shall be designed with minimum centerline radii to allow fire, utility, moving trucks turnaround.
PFD 4.	Prior to Issuance of Public Works Permit, submit a storm drainage report to Engineering for review and approval. The storm drainage report shall demonstrate the proposed development is in conformance with the Low Impact Development (LID) treatment and flow control requirements, and the Public Work Standards.
PFD 5.	Prior to Issuance of Public Works Permit, a Performance Bond in an amount equals to 150% of the approved Design Engineer’s construction estimate shall be submitted to Engineering for public infrastructures construction guarantee purposes.
PFD 6.	Prior to Site Commencement, an approved Erosion Control Permit must be obtained and erosion control measures must be in place. Erosion Control Permit must be renewal annually until the entire site is completely established and stabilized.
PFD 7.	Prior to Final Plat Approval, street improvements including pavement, curb, planter strip, street trees, streetlights, sidewalks and driveway approaches along the site frontage on Canyon Creek Road South and the new public street shall be constructed and completed.
PFD 8.	Prior to Final Plat Approval, storm drainage improvements along the site frontage on Canyon Creek Road South, in the new public street, in Tract A, and the private street Tract B, and the easement located on lots 2 and 3 shall be constructed and completed.
PFD 9.	Prior to Final Plat Approval, the 8-inch public sanitary sewer mains, associated manholes and laterals serving the proposed lots shall be constructed and completed.
PFD 10.	Prior to Final Plat Approval, public 8-inch DI water main, associated fittings, fire hydrants, blow-off assembly, and services serving the proposed lots shall be constructed and completed.
PFD 11.	Prior to Final Plat Approval, streetlights shall be constructed and energized.

PFD 12.	Prior to Final Plat Approval, provide a copy of the Home Owner Association (HOA) establishment legal document to Engineering for City's record.
PFD 13.	Prior to Final Plat Approval, provide a copy of the HOA's CC&R to Engineering for review and City's record. The CC&R shall include language indicating the maintenance responsibility for the private street Tract B and all the stormwater LID facilities.
PFD 14.	A Stormwater Maintenance Agreement and Access Easement for the maintenance and access to all the LID stormwater facilities located on private lots shall be in place. The document shall be recorded as a part of the Final Plat recordation.
PFD 15.	A Stormwater Maintenance Agreement for the maintenance of the LID stormwater facilities locate in the right of way or public tract shall be in place. The document shall be recorded as a part of the Final Plat recordation.
PFD 16.	Record a 6-foot Public Utility Easement (PUE) as a part of the Final Plat recordation.
PFD 17.	Record the Open Space-Tract A and the Private Street-Tract B as a part of the Final Plat recordation.
PFD 18.	Record the Access and Stormwater Facility Easement over the entirety of Tract A as a part of the Final Plat.
PFD 19.	Record the Access, Storm, and Sanitary easements over the entirety of Tract B as a part of the Final Plat.
PFD 20.	Record the 15-foot stormwater easement between lots 2 and 3 as a part of the Final Plat.
PFD 21.	Record the 15-foot stormwater easement on lot 3 as a part of the Final Plat.
PFD 22.	The City will prepare all easement documents and provide them to the Developer for signatures. Exhibits and legal descriptions associated with all Tracts and Easements and Agreements however shall be prepared by a license Surveyor/Engineer hired by the Developer. The developer will also be responsible for the preliminary title report, title insurance and recording fees associated with the recordation of all the Tracts and Easements and Agreements.
PFD 23.	Prior to Issuance of Conditional Acceptance, a Maintenance Bond in the amount equals to 10% of the cost to construct the public improvements shall be submitted to Engineering for maintenance purposes. The Maintenance Bond shall be kept in place for a period of 2 years from the day of Conditional Acceptance.
PFD 24.	Prior to Issuance of Conditional Acceptance, a Maintenance Bond in the amount of 100% of the cost to install all required landscaping in water quality/quantity facilities and vegetated corridors, plus 100% of the cost to maintain the landscaping in these areas shall be submitted to Engineering for maintenance purposes. The Maintenance shall be kept in place for a period of 2 years from the day of Conditional Acceptance.
PFD 25.	Prior to Issuance of Conditional Acceptance, provide the City with the As-Built plans for the City's record.

Natural Resources Division Conditions:

All Requests

NR 1. Natural Resource Division Requirements and Advisories listed in Exhibit C3 apply to the proposed development.

Building Division Conditions:

All Requests

BD1. Prior to construction of the subdivision’s residential homes, designated through approved planning procedures, the following conditions must be met and approved through the Building Official:

- a. Street signs shall be installed at each street intersection and approved per the public work design specifications and their required approvals.
- b. All public access roads and alleys shall be complete to “Base Lift” for access to the residential home sites.
- 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.
- 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).

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 Files DB20-0039 through DB20-0053. 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

Signed Development Permit Application

Narrative

Amended Property Information Report – National Title Insurance Company

Legal Description

Tax Map

Tree Protection Specifications

Tree Inventory Data

Arborist Report – Morgan Holen & Associates

Draft CC&Rs and Bylaws

DKS Trip Generation Memo

Preliminary Stormwater Management Plan

Reduced 11x17 Subdivision Plans

B2. Drawings and Plans – 8-Lot Subdivision

1 Cover Sheet

2 Existing Conditions & Demolition Plan

3 Tree Preservation and Removal Plan

4 Tree Mitigation Plan

5 Preliminary Plat

6 Preliminary Grading Plan

7 Preliminary Site and Utility Plan

8 Preliminary Public Street Plan and Profile

9 Preliminary Storm Plan and Profile

10 Preliminary Lighting Plan

Preliminary Street Tree Plan

Lots 1 & 2 Lot Fit Exhibit

Lot 1 Floor Plan
Lot 2 Floor Plan
L1 Landscape Plan

- B3.** Affidavit of Professional Credentials for Residential Usable Open Space Areas in the City of Wilsonville
Relevant Projects List
- B4.** TVF&R Standard Thumb Turn Around Plan
- B5.** 3/24/21 E-mail Response to Staff Questions from Emerio Design
- B6.** Revised Legal Description and Sketch
- B7.** Republic Services Service Provider Letter

Development Review Team Correspondence

- C1.** Engineering Requirements
- C2.** Building Division Requirements
- C3.** Natural Resource Requirements
- C4.** TVF&R Standards

Other Correspondence

- D1.** Email from D. and J Carlson Dated February 25, 2021, April 1, 2021, and April 2, 2021
- D2.** Email from H. and J Lulay Dated February 25, 2021 and April 2, 2021
- D3.** Email from B. Lund Dated February 25, 2021, March 5, 2021, and April 1, 2021
- D4.** Email from A. and M. Calcagno Dated February 26, 2021 and April 2, 2021
- D5.** Email from S. and S. Lorente Dated February 26, 2021
- D6.** Email from J. Britt Dated March 6, 2021
- D7.** Email from K. Troupe Dated March 7, 2021 and April 1, 2021
- D8.** Email from M. Davis Dated March 27, 2021
- D9.** Email from M. Lama Dated March 30, 2021 and April 2, 2021
- D10.** Email from A. Halter Dated April 2, 2021
- D11.** Email from K. and B. Colyer Dated April 1, 2021
- D12.** Email from K. Tinker Dated April 1, 2021
- D13.** Email from K. Halstead Dated April 2, 2021
- D14.** Email from K. and R. Fink Dated April 2, 2021
- D15.** Email from M. Kochanowski Dated April 2, 2021
- D16.** Email from A. Falconer Dated April 2, 2021
- D17.** Email from S. Heath Dated April 2, 2021
- D18.** Email from J. Dupell Dated April 2, 2021
- D19.** Email from C. Halstead Dated April 2, 2021
- D20.** Email from G. Pelsler Dated April 2, 2021

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on September 8, 2020. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on October 8, 2020. The applicant submitted additional material on November 18, 2020. Planning Staff conducted a second completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on December 11, 2020. The applicant submitted additional materials on December 23, 2020. Planning Staff deemed the application complete on January 7, 2021. The City must render a final decision for the request, including any appeals, by May 7, 2021.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	RA-H	Residential
East:	PDR-4	SROZ, Residential
South:	PDR-4	SROZ, Residential
West:	PDR-3	Residential

3. Previous City Planning Approvals:
Current subdivision (Bridle Trail Ranchetts) approved prior to City incorporation
AR20-0032 – Class II Administrative Review 2-Lot Partition
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 property owners William Z. Spring and Neil Fernando on behalf of Fallbrook, LLC, have signed the submitted application form.

Pre-Application Conference Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on March 28, 2019 (PA19-0006) 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: DB20-0040 Comprehensive Plan Map Amendment

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

Development Code - Comprehensive Plan Amendment Process

Procedures and Criteria in Comprehensive Plan Subsection 4.198 (.01)

A1. The lot of the subject development site is of sufficient size for development in a manner consistent with the purposes and objectives of Section 4.140.

Review Bodies Subsection 4.198 (.02)

A2. The DRB and City Council are considering the request as described.

Applicant Agreeing to Conditions of Approval Subsection 4.198 (.05)

A3. The owner will be required to sign a statement accepting conditions for approvals granted contingent on the Comprehensive Plan Map Amendment and Zone Map Amendment.

Comprehensive Plan Amendment Required Findings

Meets Identified Public Need Subsection 4.198 (.01) A.

A4. The “Residential Development” portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City.

Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

Policy 4.1.4 and its implementation measures, seek to “provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.” The proposal provides additional residential lots supporting an ongoing desire for homes at various price levels as part of Wilsonville’s strong diversity of housing unit types.

Meets Identified Public Need As Well As Reasonable Alternative
Subsection 4.198 (.01) B.

A5. The proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Renaissance at Canyon Creek and Aspen Meadows, and provides a consistent density and development type as the area becomes more dense and urban over time. The consistency with nearby development makes the proposed continued residential use at the proposed density meet the need for a variety of homes better than other density or design options for the site.

Supports Statewide Planning Goals
Subsection 4.198 (.01) C.

A6. The City's Comprehensive Plan complies with the Statewide Planning Goals. The consistency of the proposal with the Comprehensive Plan, as stated in the findings for this request, demonstrates the proposal also complies with the Statewide Planning Goals. See also Findings A33-A37.

No Conflict with Other Portions of Plan
Subsection 4.198 (.02) D.

A7. The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

Comprehensive Plan-Initiating, Applying for, and Considering Plan Amendments

Who May Initiate Plan Amendments
Introduction Page 7 "Plan Amendments" 1.

A8. The property owner of the subject lot has initiated the proposed amendment.

How to Make Application
Introduction Page 7 "Plan Amendments" 2.

A9. The property owner of the subject lots, who has submitted a signed application form provided by the City and paid the required application fee, initiated the proposed amendment.

Consideration of Plan Amendments
Introduction Page 7 "Plan Amendments" 3.

A10. The City Council will consider the plan amendment only after receiving a recommendation from the Development Review Board.

Standards for Approval of Plan Amendments

Conformance with Other Portions of the Plan

Introduction Page 7 "Plan Amendments" 4. a.

A11. The change of residential density for the subject properties does not lead to nonconformance with other portions of the Comprehensive Plan.

Public Interest

Introduction Page 7 "Plan Amendments" 4. b.

A12. The request is in the public interest by providing needed housing. See also Finding A4.

Public Interest Best Served by Timing of Amendment

Introduction Page 7 "Plan Amendments" 4. c.

A13. The timing of the amendment is appropriate. See Finding A5.

Factors to Address in Amendment

Introduction Page 7 "Plan Amendments" 4. d.

A14. The area is suitable for the proposed development as it is in a residential area with similar development and has the necessary public services, including streets, available. It is similar to and follows the trends in recent nearby developments such as Renaissance at Canyon Creek and Aspen Meadows. The density is consistent with these other recent nearby developments. No parties submitted substantial evidence supporting concerns that the development would negatively affect property values. Preservation of natural resource areas is part of the development. The application of design standards ensures healthful, safe and aesthetic surroundings.

Conflict with Metro Requirements

Introduction Page 7 "Plan Amendments" 4. e.

A15. The review did not identify any conflicts with Metro requirements. Particularly, Wilsonville's housing mix continues to exceed Metro's requirements.

Public Notice Requirements

Introduction Page 8 "Plan Amendments" 5.

A16. The City has or will send all required public hearing notices.

Urban Growth Management

Urbanization for Adequate Housing

Implementation Measure 2.1.1.b.

A17. The proposal provides for additional housing density to accommodate those employed with the City. See also Finding A4.

Revenue Sources for Urbanization
Implementation Measure 2.1.1.d.

A18. Existing requirements for improvements and systems development charges apply to the development proposed concurrently with the Comprehensive Plan Map amendment.

New Development and Concurrency
Implementation Measure 2.1.1.e.

A19. The City's concurrency requirements in the Development Code apply to the concurrently proposed development.

Encourage Master Planning
Implementation Measure 2.1.1.f.2.

A20. The subject property is large enough, being greater than the two-acre threshold for planned development established in Section 4.140, for design consistent with the City's planned development regulations to support design quality and conformity with the Comprehensive Plan.

Public Facilities and Services

Urban Development Only Where Facilities and Services Can Be Provided
Implementation Measure 3.1.2.a.

A21. Application of the concurrency standards of the City's Development Code ensures the development proposed concurrently with this amendment request will have all necessary facilities and services provided. See Stage II Final Plan in Request D.

Paying for Facilities and Services
Implementation Measures 3.1.3.a., 3.1.4.f., 3.1.5.c., 4.1.4.h.

A22. The City has all necessary codes and processes in place to ensure the development pays for public facilities/services directly related to the development.

Growth and Sewer Capacity
Implementation Measure 3.1.4.b

A23. The City will not allow development without adequate sanitary sewer capacity. As reviewed in the Stage II Final Plan, adequate sanitary sewer capacity exists by connecting to the existing sewer in Canyon Creek Road South.

Land Use and Development

Variety of Housing Types
Implementation Measures 4.1.4.b, 4.1.4.j., and 4.1.4.o.

A24. Wilsonville has a rich diversity of housing types. Infill in other areas of the Bridle Trail Ranchetts involved residential development of a similar density as proposed (including

Renaissance at Canyon Creek and Aspen Meadows subdivisions). The proposal supports the area's existing role amongst Wilsonville's housing mix.

Encouraging Variety and Housing Balance

Implementation Measure 4.1.4.c and 4.1.4.d

A25. Being relatively small for a planned development, not a lot of variety would be expected within the development. However, the proposal provides some variety of lot sizes allowing diversity of housing products.

The proposed development does not detract from the City's ongoing work to encourage variety and promote housing balance. Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

The addition of eight (8) residential lots would not take away from the variety that currently exists within the city.

Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

A26. The proposed housing will fit into the rich diversity of Wilsonville's housing to allow existing residents to move up or move down, thus opening their units to others.

Housing Development and the Social and Economic Needs of the Community

Implementation Measure 4.1.4.g.

A27. Wilsonville has a rich diversity of housing types, to which these additional homes would contribute. The diversity of housing types supports the variety of needs of members of the community.

Jobs Housing Balance

Implementation Measures 4.1.4.i. and 4.1.4.p.

A28. It is anticipated the planned homes could be occupied by people working in Wilsonville. The location is close to employment centers including Town Center and the industrial area north of Boeckman between Canyon Creek Road and Parkway Avenue.

Residential Districts and Density
Implementation Measures 4.1.4.u. and 4.1.4.z.

A29. The applicant requests the density to change from 0-1 du/ac to 4-5 du/ac in an area transitioning from rural residential to denser urban residential. Similar changes have occurred on other nearby properties including the areas currently occupied by Renaissance at Canyon Creek and Aspen Meadows subdivisions.

2-3 or 4-5 Dwelling Unit Per Acre Residential District
"Residential Planning Districts" page D-19

A30. The 4-5 du/ac designation is appropriate as adequate access to streets is available creating traffic volumes within the limits set by the City, it is adjacent to a variety of residential densities, including low density, and it is an appropriate density to allow development while preserving the natural slope and riparian areas of the properties.

Metro Urban Growth Functional Plan

Maintaining or Increasing Housing Capacity
Title 1 3.07.110

A31. The proposal will increase the City's housing capacity within the current City limits.

Statewide Planning Goals

Citizen Involvement
Goal 1

A32. A thorough citizen involvement process, as defined in Wilsonville's Development Code and Comprehensive Plan, ensures citizen involvement in the decision.

Land Use Planning
Goal 2

A33. The Comprehensive Plan Amendment is required to meet policies based on the statewide framework and is required to provide adequate facts to make a decision based on the applicable review criteria.

Agriculture Lands
Goal 3

A34. The areas proposed for new housing development are not currently in commercial agriculture use. Increasing development within the City limits has the potential to lessen slightly the demand for housing on land currently in use for commercial agriculture.

Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5

A35. The City's SROZ overlay standards ensure protection of significant natural resources on the eastern portion of the subject properties.

Air, Water and Land Resources Quality

Goal 6

A36. The requirements to preserve the natural area as well as stormwater requirements help maintain water quality. No significant negative impacts to air and land resources can reasonably be anticipated.

Request B: DB20-0039 Zone Map Amendment

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

Comprehensive Plan

Diversity of Housing Types

Implementation Measure 4.1.4.b.,d.

B1. Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

The City has approved hundreds of new residential lots, mainly in Villebois and Frog Pond West, for development over the next few years. The proposal will provide additional residential lot options outside of Villebois and Frog Pond West within the existing City limits.

Safe, Convenient, Healthful, and Attractive Places to Live

Implementation Measure 4.1.4.c.

B2. The proposed Planned Development Residential-3 (PDR-3) zoning allows the use of planned development to enable development of safe, convenient, healthful, and attractive places to live.

Residential Density
Implementation Measure 4.1.4.u.

- B3.** The subject area will be zoned PDR-3, allowing the application of the proposed residential density of 4-5 du/ac to the subject property.

Development Code

Zoning Consistent with Comprehensive Plan
Section 4.029

- B4.** The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of PDR-3 is consistent with the proposed Comprehensive Plan Residential 4-5 du/ac designation. The approval of the Zone Map Amendment is contingent on City approval of the related Comprehensive Plan Map Amendment.

List of Base Zones
Subsection 4.110 (.01)

- B5.** The requested zoning designation of PDR-3 is among the base zones identified.

Standards for All Planned Development Residential Zones

Typically Permitted Uses
Subsection 4.124 (.01)

- B6.** The list of typically permitted uses includes residential building lots for development of allowed residential uses, and open space, covering all proposed uses on the subject properties.

Appropriate PDR Zone
Subsection 4.124 (.05)

- B7.** PDR-3 is the appropriate PDR designation based on the Comprehensive Plan density designation, as proposed, of 4-5 du/ac.

Zone Change Procedures
Subsection 4.197 (.02) A.

- B8.** The applicant submitted the request for a Zone Map Amendment as set forth in the applicable code sections.

Conformance with Comprehensive Plan Map, etc.
Subsection 4.197 (.02) B.

- B9.** The proposed Zone Map Amendment is consistent with the proposed Comprehensive Map designation of Residential 4-5 du/ac (see Request A). As shown in Request A and Findings B1 through B3, the request complies with applicable Comprehensive Plan text.

Specific Comprehensive Plan Findings for Residential Designated Lands
Subsection 4.197 (.02) C.

- B10.** Findings B1 through B3 under this request and A24 through A30 under Request A provide the required specific findings for Implementation Measures 4.1.4.b, d, e, q, and x.

Public Facility Concurrency
Subsection 4.197 (.02) D.

- B11.** The applicant's Exhibits B1, B2, and B3 (compliance report and the plan sheets) demonstrate the existing primary public facilities are available or can be provided in conjunction with the project.

Impact on SROZ Areas
Subsection 4.197 (.02) E.

- B12.** The proposed design of the development preserves and protects the SROZ area on the property.

Development within 2 Years
Subsection 4.197 (.02) F.

- B13.** Related land use approvals will expire after 2 years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years allowing related land use approvals to expire, the zone change shall remain in effect.

Development Standards and Conditions of Approval
Subsection 4.197 (.02) G.

- B14.** As can be found in the findings for the accompanying requests, the proposal meets the applicable development standards either as proposed or through a condition of approval. One condition is added to address neighbor concerns about the closeness of new homes to existing property lines. Condition of Approval PDB 1. requires the side yard setback in the current RA-H zone of 10 feet be maintained along the north and south project boundaries. The Zone Map Amendment would otherwise allow 7-foot setbacks where a side yard of a new lot faces the existing property lines. This would apply primarily to proposed lots 1 and 3 as other lots either do not touch existing property lines or have the rear yards facing existing property lines where setbacks greater than 10 feet would already be required.

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

Comprehensive Plan

City Support Development of Land Within City Consistent with Land Use Designation

Goal 2.1, Policy 2.1.1., Implementation Measure 2.1.1.a.

C1. The City's Comprehensive Plan designates the subject property for residential use. The proposed Comprehensive Plan Map amendment would increase the density for the subject property and would continue to be supportive of the development of the subject land for residential dwellings as 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.

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

Implementation Measure 2.2.1.b.

C3. The property is within the urban growth boundary and available for use consistent with its residential designation. Allowing development of the property for additional residential units supports the further urbanization and increased capacity of residential land within the Urban Growth Boundary.

Urban Development Only Where Necessary Facilities can be Provided

Implementation Measure 3.1.2.a.

C4. As can be found in the findings for the Stage II Final plan, the proposed development provides all necessary facilities and services.

Provision of Usable Open Space

Implementation Measures 3.1.11.p, 4.1.5.kk

C5. Findings related to Section 4.113 of the Development Code offer additional details related to provision of usable open space.

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.

C6. Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

The City has approved hundreds of new residential lots, mainly in Villebois and Frog Pond West, for development over the next few years. The proposal will provide additional residential lot options outside of Villebois and Frog Pond West within the existing City limits.

Accommodating Housing Needs of Existing Residents
Implementation Measure 4.1.4.f.

C7. The applicant intends on providing 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 number of units and location context do not lend themselves to creation of housing units at a lower price point to accommodate existing residents looking at the low to medium low price range

Planned Development Regulations

Planned Development Lot Qualifications
Subsection 4.140 (.02)

C8. The planned eight-lot subdivision will accommodate residential development, a functional public street, and preserved open space consistent with the purpose of Section 4.140.

Ownership Requirements
Subsection 4.140 (.03)

C9. The owner of the subject property has signed an application form included with the application.

Professional Design Team
Subsection 4.140 (.04)

C10. Steve Miller of Emerio Design is the coordinator of a professional design team with all the necessary disciplines including an engineer, a surveyor, and a planner among other professionals.

Planned Development Permit Process
Subsection 4.140 (.05)

C11. The subject property is greater than 2 acres, is designated for residential development in the Comprehensive Plan, and is proposed to be zoned Planned Development Residential. The property will be developed as a planned development.

Comprehensive Plan Consistency
Subsection 4.140 (.06)

C12. The proposed project, as found elsewhere in this report, complies with the PDR-3 zoning designation, which implements the proposed Comprehensive Plan designation of Residential 4-5 du/ac.

Planned Development Application Requirements
Subsection 4.140 (.07)

C13. Review of the proposed Stage I Master Plan has been scheduled for a public hearing before the Development Review Board in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:

- The property affected by the Stage I Master Plan is under an application by the property owner.
- The applicant submitted a Stage I Master Plan request on a form prescribed by the City.
- The applicant identified a professional design team and coordinator. See Finding C10.
- The applicant has stated the uses involved in the Master Plan and their locations.
- The applicant provided the boundary information.
- The applicant has submitted sufficient topographic information.
- The applicant provided a tabulation of the land area to be devoted to various uses.
- The applicant proposes a single phase of development.
- Any necessary performance bonds will be required.

Standards for Residential Development in Any Zone

Outdoor Recreational Area and Open Space Land Area Requirements
Subsections 4.113 (.01)

C14. The proposed eight-lot subdivision must provide 25% open space half of which (12.5%) must be located outside of the Significant Resource Overlay Zone (SROZ) and be usable open space programmed for active recreational use. The applicant has provided Tract A to be the usable open space area for the subdivision. The GDA including Tract A is 105,727 square feet. After removing the SROZ area of 44,198 square feet, the net buildable area is 61,527 square feet. 25% of the GDA is 15,381 square feet and 12.5% of the site GDA is 7,690 square feet. The revised open space area shown on the plans is now 7,691 square feet which meets the minimum open space requirement for the proposed subdivision. To ensure the

subdivision meets the open space requirements as the open space tract was created by AR20-0032, a condition of approval PDC 1 that requires the applicant to record the proposed partition with the county prior to site development.

Other Standards

Subsections 4.113 (.03) through (.14)

C15. The applicant proposes meeting these standards. See Request D, Stage II Final Plan.

Standards for All Planned Development Residential Zones

Typically Permitted Uses

Subsection 4.124 (.01)

C16. The list of typically permitted uses includes residential uses the lot s can accommodate and open space on the subject property.

Accessory Uses

Subsection 4.124 (.02)

C17. While the proposal does not specifically propose any of the listed accessory uses, they continue to be allowed accessory uses.

Appropriate PDR Zone and Maximum and Minimum Density

Subsection 4.124 (.05)

C18. PDR-3 is the appropriate PDR designation based on the Comprehensive Plan density designation, as proposed, of 4-5 du/ac. See Requests A and B.

Block and Access Standards

Subsection 4.124 (.09)

C19. Street locations and lot configurations are such as to support the development of blocks supportive of these standards with existing and potential future development of adjacent properties.

PDR-3 Zone

Development Standards

Section 4.124(.07)

C20. Each lot meets the minimum lot size of 4,500 square feet. The lots are all at least 40 feet wide meeting the minimum lot width at the building line and meet the minimum street frontage requirements. Lots will allow all structures will meet the maximum lot coverage of 50% for the largest building and 60% for all structures along with the 35 foot height limit at the time of building permit issuance.

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

Planned Development Regulations

Planned Developments Lot Qualifications

Subsection 4.140 (.02)

D1. The planned eight-lot subdivision will provide residential building lots, a functional public street, and preserved open space consistent with the purpose of Section 4.140. The subject property is 2.25 acres and is suitable for a planned unit development. Concurrent with the request for a Stage II Final Plan, the applicant proposes to rezone the property to PDR-3.

Ownership Requirements

Subsection 4.140 (.03)

D2. The owner of the subject property signed an application form included with the application.

Professional Design Team

Subsection 4.140 (.04)

D3. Steve Miller of Emerio Design is the coordinator of a professional design team with all the necessary disciplines including an engineer, a surveyor, and a planner among other professionals.

Stage II Final Plan Submission Requirements and Process

Consistency with Comprehensive Plan and Other Plans

Subsection 4.140 (.09) J. 1.

D4. With the requested Comprehensive Plan Map Amendment, Request A, the project is consistent with the Comprehensive Plan and other applicable plans of which staff is aware.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

D5. As shown in the Trip Generation Memorandum, Exhibit B1, the City expects the proposed subdivision to generate ten new p.m. peak hour trips. Of the studied intersections, the City expects the proposed development to generate three p.m. peak hour trip through the I-5/Elligsen Road interchange area and one p.m. peak hour trip through the I-5/Wilsonville Road interchange area. No identified intersection would fall below the City's Level of Service D. At the time the Trip Generation Memo was written the proposed development contained 11 dwelling units. The current proposal contains 8 dwelling units and would generate less trips than stated within the memo.

Table 1: Trip Generation Summary

Land Use (ITE Code)	Size	Trip Rate ^b	P.M. Peak Hour Trips		
			In	Out	Total
<i>Proposed</i>					
Single-Family Detached Housing (210)	11 DU ^a	1.1 trips/DU	7	5	12
<i>Existing</i>					
Single-Family Detached Housing (210)	2 DU ^a	1.1 trips/DU	-1	-1	-2
Net New Total Trips			6	4	10

^aDU = 1 Dwelling Unit

^bTrip rates shown were back-calculated using the ITE fitted curve equation.

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

D6. The applicant proposes sufficient facilities and services, including utilities, concurrent with development of the residential subdivision.

Adherence to Approved Plans
 Subsection 4.140 (.09) L.

D7. Condition of Approval PDD 1 ensures adherence to approved plans except for minor revisions approved by the Planning Director.

General Residential Development Standards

Purpose of Outdoor Recreational Area
 Subsection 4.113 (.01)

D8. The purpose and intent of the open space requirements are met through the provision of a 7,690 open space tract to meet the usable open space tract along with an additional 44,198 square feet of open space located within the SROZ.

25 % Open Space Required
 Subsection 4.113 (.01) B.

D9. As over half of the subject property is classified as SROZ, well in excess of 25 percent of the property is proposed as open space.

Required Open Space Characteristics
 Subsection 4.113 (.01) C.

D10. The proposed eight-lot subdivision must provide 25% open space half of which (12.5%) must be located outside of the Significant Resource Overlay Zone (SROZ) and be usable open space programmed for active recreational use. The applicant has provided Tract A to be the usable open space area for the subdivision. The GDA including Tract A is 105,727 square feet. After removing the SROZ area of 44,198 square feet, the net buildable area is 61,527 square feet. 25% of the GDA is 15,381 square feet and 12.5% of the site GDA is 7,690

square feet. The revised open space area shown on the plans is now 7,691 square feet which meets the minimum open space requirement for the proposed subdivision. To ensure the subdivision meets the open space requirements as the open space tract was created by AR20-0032, a condition of approval PDC 1 that requires the applicant to record the proposed partition with the county prior to site development.

The open space will be owned by an HOA and contains a non-fenced stormwater feature, an open play area to accommodate a variety of activities, and a community garden. The applicant has provided a concrete pathway into the open space area that terminates in a seating area. The application contains an affidavit that attests to the open space area being designed by a registered landscape architect with past experience designing similar residential park areas.

Building Setbacks – Lots Over 10,000 Square Feet
Subsection 4.113 (.02) A.

D11. Except for the 44,198 square foot SROZ tract which is not buildable, no lots within the proposed 8-lot subdivision exceed 10,000 square feet. This subsection is not applicable.

Building Setbacks – Lots Not Exceeding 10,000 Square Feet
Subsection 4.113 (.02) B.

D12. The proposed lots will allow homes to be built to meet the front yard setback of 15 feet, garage door setback of 20 feet, side yard setbacks of five (one story) to seven (two stories) feet, and rear yard setback of 15 (one story) to 20 (two stories) feet. The applicant has requested a waiver to reduce the side yard setback to five feet for two story homes, see Request H. Condition of Approval PDB 1 requires an additional 10-foot side yard setback for Lots 1 and 3.

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

D13. No parties have presented evidence nor has staff discovered evidence that provisions of this section are in such a manner 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

D14. The developer will install all utilities underground.

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

D15. The portions of the subject property proposed for development do not contain any wildlife corridors or fish passages. Consistent with City and other standards, the applicant proposes protection of the SROZ, and no disturbance within this area is proposed. Outside the SROZ, the developer will minimize grading to only what is required to install site improvements and build homes. The applicant has designed, and will construct, water, sewer, and storm water infrastructure in accordance with the applicable City requirements in order to minimize adverse impacts on the site, adjacent properties, and surrounding resources.

Permitted Uses

Subsections 4.124 (.01) and (.02)

D16. The applicant proposes open space and residential lots, which are or accommodate allowed uses in the PDR zones. While no allowed accessory uses are specifically mentioned in the applicant's materials, they will continue to be allowed.

Block and Access Standards in PDR Zones

Maximum Block Perimeter: 1800 Feet

Subsection 4.124 (.09) 1.

D17. No new blocks will be created as part of the proposed subsection. The existing block lengths in the neighborhood will not be compromised with the proposed development and no additional blocks will be created as part of the proposed subdivision.

Maximum Spacing Between Streets for Local Access: 530 Feet

Subsection 4.124 (.09) 2.

D18. The proposed public street providing access to the project is approximately 155 feet south of SW Helene Street. The distance between the subdivision entrance, which for the purposes of measurement is the cul-de-sac bulb of SW Canyon Creek Road S and the private street is approximately 227 feet.

Maximum Block Length Without Bicycle or Pedestrian Crossing: 330 Feet

Subsection 4.124 (.09) 3.

D19. The newly proposed public street providing access to the subdivision from SW Canyon Creek Road S is less than 330 feet. An existing bicycle and pedestrian crossing is provided from SW Canyon Creek Road S to SW Morningside Ave.

PDR-3 Zone Standards

Minimum (4,500 sf) Lot Size

Subsections 4.124 (.07)

D20. The Preliminary Subdivision Plans show all lots exceeding the minimum lot size of 4,500 square feet for the PDR-3 zone.

Minimum Density and Maximum Density
Subsection 4.124 (.05)

D21. Minimum density has been calculated based on the Comprehensive Plan density range, understood to be the controlling standard for density, as historically applied elsewhere with Planned Development Residential zoning. The minimum and maximum density calculation for the site is as follows:

Total Gross Acreage: 2.43 AC
Total SROZ: 1.01 AC
Total Usable Acreage: 1.41 AC (Gross – SROZ)

SROZ AC 1.01 x 4 DU/AC = 4.04 x .50 (50% SROZ transfer credit) = 2.02 or 2
SROZ AC 1.01 x 5 DU/AC = 5.05 x .50 (50% of SROZ transfer credit) = 2.5 or 3

Usable acres 1.24 x 4 DU/AC = 5.64 or 6 minimum lots
Usable acres 1.24 x 5 DU/AC = 7.05 or 7 maximum lots

5 minimum lots + 2 transfer credits = 8 minimum lots
6 maximum lots + 3 transfer credits = 10 maximum lots

The proposed development is for an 8-lot subdivision, thus meeting the minimum density of the range for the site in compliance with this subsection and the proposed comprehensive plan designation.

Minimum Lot Width: 40 Feet
Subsection 4.124(.07)

D22. The Preliminary Subdivision Plans show all lots with more than a 40-foot width.

Minimum Street Frontage: 40 Feet, 24 Feet on Cul-de-sac
Subsection 4.124(.07)

D23. The tentative subdivision plat shows Lots 4-8 having a minimum street frontage of at least 40 feet. Lot 1 has frontage on both a cul-de-sac and a private drive, with the combined frontage exceeding 40 feet. Lots 2-3 have frontage on a private drive (Tract B) and meet the minimum lot frontage.

Minimum Lot Depth: 60 Feet
Subsection 4.124 (.07)

D24. The tentative subdivision plat shows the minimum lot depth for all lots exceeds 60 feet.

Maximum Height: 35 Feet
Subsection 4.124 (.07)

D25. No homes will be approved for construction in this subdivision with a height greater than 35 feet.

Maximum Lot Coverage
Subsection 4.124 (.07)

D26. All lots will meet the maximum lot coverage of 50% for the largest building and 60% for all structures at time of building permit issuance.

SROZ Regulations

Prohibited Activities
Section 4.139.04

D27. The site contains 44,198 square feet of SROZ area in Tract C located to the east of lots 1-3. Condition of Approval NR 1 requires the SROZ portion of the site to be preserved in a conservation easement along with Tract C to prohibit any disturbance of natural vegetation without first obtaining approval from the City.

Uses and Activities Exempt from These Regulations
Section 4.139.04

D28. The regulations apply to a significant portion of the property within the SROZ. The applicant proposed no development within the SROZ; however, the applicant limits plantings in the SROZ to those identified as native on the Metro Native Plant List. Condition of Approval NR13 requires that the City's Natural Resources Manager approve the SROZ plantings prior to their installation.

Density Transfer from Significant Resource Overlay Zone

Transfer of Density from SROZ Permitted
Subsection 4.139.11 (.02)

D29. The applicant proposes a density transfer of two units consistent with this subsection. The permitted density transfer is three units based on the following calculation:
SROZ acres 1.01×5 du/ac (maximum density per proposed Comprehensive Plan designation) = 5.05 x 0.5 (50% SROZ transfer credit) = 2.58 or 3 units.

SROZ Density Transfer Limiting Standards.
Subsection 4.139.11 (.02) B. 2.-3.

D30. The standards for outdoor living area, landscaping, building height and parking are still met as established by other findings under this request. The proposed lots are of a similar size as many in the area and meet the minimum of the PDR-3 zone and will allow development of homes similar to many in the area. Setbacks and relationships to adjacent

properties are similar with or without the density transfer. Setbacks for the PDR-3 zone are met. Lots for permitted residential uses and parks and open space continue to be the only uses proposed with the density transfer. All other applicable standards are able to be met with the density transfer.

On-site Pedestrian Access and Circulation

Continuous Pathway System

Section 4.154 (.01) B. 1.

D31. The submitted plans show sidewalks along the frontages of all lots providing a continuous pathway system throughout the proposed subdivision. To ensure full access and function of the planned pathway system for the public, Condition of Approval PDD 7 requires public access easements across all pathways within private tracts or lots.

Safe, Direct, and Convenient

Section 4.154 (.01) B. 2.

D32. The submitted plans show sidewalk and pathways providing safe, direct, and convenient access to homes and open spaces in the adjacent Aspen Meadows subdivision.

Vehicle/Pathway Separation

Section 4.154 (.01) B. 3.

D33. 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.

D34. Condition of Approval PDD 2 requires the clear marking of all crosswalks 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.

D35. The applicant proposes all pathways to be concrete or asphalt, meeting or exceeding the 5-foot required width.

Parking Area Design Standards

Minimum and Maximum Parking

Subsection 4.155 (.03) G.

D36. Each dwelling unit requires one parking space. The applicant states each lot will accommodate at least one exterior parking space. The dimensional standard for a standard parking space is nine by eighteen feet; each driveway will be at least 12 feet wide by 20 feet

long ensuring each unit meets the parking standard. Additionally, the proposed homes will have at least a single-car garage, providing an additional parking space.

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

D37. The applicable standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	☒	Though final design of garages and driveways is not part of the current review they are anticipated to meet the minimum dimensional standards to be considered a parking space as well as fully accessible. Condition of Approval PDD 3 requires meeting the dimensional standards.
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
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	☒	The parking areas will be typical residential design adequate to maneuver vehicles and serve the needs of the homes. In order to address concerns regarding access and maneuvering areas, Condition of Approval PDD 15 requiring the HOA actively enforce no parking areas, tow any illegally parked vehicle within 12 hours, and establish fees for homeowners who violate the no parking zones.
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)

D38. 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)

D39. The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. This area is designated for protection as SROZ and will not be disturbed. Prior to any site earth work a grading permit must be issued by the City's Building Division ensuring planned grading conforms with the Uniform Building Code. Contractors will also use erosion control measures, and stake and protect SROZ and preserved trees prior to commencement of site grading. The applicant designed the development to limit the extent of disturbance of soils. Tree removal is limited to those that are non-viable, dead, diseased, dying, or those that will impede construction of infrastructure, street improvements, driveways and future building sites.

Trees and Wooded Areas

Section 4.171 (.04)

D40. The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. The applicant proposes preserving all trees within the SROZ. Outside of the SROZ, the applicant proposes retaining all trees except those that are in the way of the required frontage improvements, the new public street, the proposed private road or future dwellings. As noted in Request F, the applicant proposes removing 26 trees outside of the SROZ.

Earth Movement and Soil Hazard Areas

Subsections 4.171 (.07) and (.08)

D41. The applicant states the subject property does not contain any earth movement or soil hazard areas.

Historic Resources

Subsection 4.171 (.09)

D42. 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

D43. The development will be a traditional residential subdivision to create a quiet area with eyes on the street to discourage crime. Lighting will be typical of other subdivisions in Wilsonville. The Building Permit process will ensure appropriate addresses are affixed to the homes for emergency responders.

Landscaping Standards

Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

D44. 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.

D45. The planting areas along the street and the 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 trees and stormwater swale plantings. Except where driveways and utility conflicts prevent, street trees are placed 30 feet on center.

Types of Plant Material, Variety and Balance, Use of Natives When Practicable

Subsection 4.176 (.03)

D46. The applicant proposes a professionally designed landscape using a variety of plant material. The design incorporates native plants, including coastal strawberry and spreading rush.

Quality and Size of Plant Material

Subsection 4.176 (.06)

D47. Trees are specified at 2" caliper or greater than 6 foot for evergreen trees. Shrubs are all specified 2 gallon or greater in size. Ground cover is all specified as greater than 4". Turf or lawn is used for minimal amount of the proposed public landscape area. Conditions of Approval PDD 12 and PDD 13 ensure other 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)

D48. The installation and maintenance standards are or will be met by Condition of Approval PDD 14 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 growing season, unless appropriate substitute species are approved by the City.
- An irrigation system is required to ensure the plant materials survive during the establishment period. – need additional condition?

Landscape Plans
Subsection 4.176 (.09)

D49. The applicant's submitted landscape plans in Exhibit B3 provide the required information. Due to the changes in the proposed open space Tract A discussed in Findings C14 and D10, the landscape plans shown on Sheet L1 do not correspond to the plans designed by the landscape architect. Condition of Approval PDD 14 ensures the applicant submit a revised landscape plan based on the new shape and configuration of the proposed open space.

Completion of Landscaping
Subsection 4.176 (.10)

D50. The applicant has not requested to defer installation of plant materials.

Landscape Installation or Bonding
Subsection 4.450 (.01)

D51. Condition of Approval PDD 9 further requires all street trees and other right-of-way landscaping be installed fronting a lot prior to issuance of an occupancy permit for a home on the lot.

Approved Landscape Plan
Subsection 4.450 (.02)

D52. Condition of Approval PDD 10 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 without official action of the Planning Director or Development Review Board, as specified in this Code.

Landscape Maintenance and Watering
Subsection 4.450 (.03)

D53. Condition of Approval PDD 11 ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with appropriate City approval.

Modifications of Landscaping
Subsection 4.450 (.04)

D54. Condition of Approval PDD 11 provides ongoing assurance by preventing modification or removal without the appropriate City review.

Street Improvement Standards-Generally

Conformance with Standards and Plan

Subsection 4.177 (.01)

D55. The proposed streets appear to meet the City's public works standards and transportation systems plan. Further review of compliance with public works standards and transportation plan will occur with review and issuance of the Public Works construction permit. The required street improvements are a standard local residential street proportional to and typical of the residential development proposed.

Street Design Standards-Future Connections and Adjoining Properties

Subsection 4.177 (.02) A.

D56. The proposed design provides for continuation of the new public street onto the adjacent property to the north and connect to SW Helene Street.

City Engineer Determination of Street Design and Width

Subsection 4.177 (.02) B.

D57. The City Engineering Division has preliminarily found the street designs and widths as consistent with the cross sections shown in Figure 3-9 of the 2013 Transportation Systems Plan. The Engineering Division will check final conformance with the cross sections shown in the Transportation Systems Plan during review of the Public Works Permit.

Right-of-Way Dedication

Subsection 4.177 (.02) C. 1.

D58. The tentative subdivision plat shows right-of-way dedication. See Request E.

Waiver of Remonstrance Required

Subsection 4.177 (.02) C. 2.

D59. Condition of Approval PDD 4 requires a waiver of remonstrance against formation of a local improvement district be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of the recordation of a final plat.

Dead-end Streets Limitations

Subsection 4.177 (.02) D.

D60. The full length of the proposed public street exceeds the 200-foot maximum for a dead-end street. However, the street may be extended in the future with development of the property to the north. The project contains a private drive, providing an outlet and turn-around for emergency services, along with a turn around in the existing cul-de-sac bulb at the southern end of SW Canyon Creek Road S which is included in Exhibit B4. The number of homes accessing the street is less than the maximum allowed for a dead-end street.

Street Improvement Standards-Clearance

Corner Vision Clearance

Subsection 4.177 (.02) E.

D61. Street locations and subdivision design allow the meeting of vision clearance standards.

Vertical Clearance

Subsection 4.177 (.02) F.

D62. Nothing in the proposed subdivision design would prevent the meeting of vertical clearance standards.

Street Improvement Standards-Interim Improvements

Interim Improvement Standards

Subsection 4.177 (.02) G.

D63. The City Engineer has or will review all interim improvements to meet applicable City standards.

Street Improvement Standards-Sidewalks

Sidewalk Requirements

Subsection 4.177 (.03)

D64. The applicant proposes sidewalks along all public street frontages abutting proposed lots and along the project frontage with Canyon Creek Road South.

Street Improvement Standards-Bicycle Facilities

Bicycle Facility Requirements

Subsection 4.177 (.04)

D65. The streets within and adjacent to the project do not require any bike facilities per the Transportation Systems Plan.

Residential Private Access Drives

Definition

Subsection 4.001 (224.) B

D66. The applicant proposes Tract B as a residential private access drive. The connection of this private drive would provide access to a total of two dwelling units. No future extension of the street is possible.

Access to No More Than 4 Dwelling Units

Subsection 4.177 (.07) A.

D67. The proposed private access drive provides access to two homes, less than the four home limit set by this subsection.

Lifespan and Structure Similar to Public Local Street for Private Access Drives

Subsection 4.177 (.07) B.

D68. Condition of Approval PDD 6 ensures the design of the private access drives provides for a useful lifespan and structural maintenance schedule comparable to a public local residential street.

Addresses for Private Access Drives

Subsection 4.177 (.07) C.

D69. The orientation of the homes fronting the private access drive and the short length of the drive enables addressing the homes off the nearby public street.

Access Drive Development Standards

Subsection 4.177 (.07) D. and 4.177 (.08)

D70. Condition of Approval PDD 7 ensures the responsible parties keep the access drives clear and the access drives are capable of carrying a 23-ton load.

Street Improvement Standards-Intersection Spacing

Offset Intersections Not Allowed

Subsection 4.177 (.09) A.

D71. The applicant does not propose any offset intersections.

Transportation System Plan Table 3-2

Subsection 4.177 (.09) B.

D72. All involved streets are local streets with no spacing standard.

Request E: DB20-0019 Site Design Review for Parks and Open Space

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. The proposed professionally designed landscaping provides stormwater, air quality, and other site functions while not interfering with utilities, sidewalks, or other site features. The landscaping also adds to the high quality visual environment. By functioning properly and contributing to a high quality visual environment, 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. The applicant provides an active open space area that contains a variety of areas to meet the needs of the future residents of the subdivision. The community garden area will provide a calm activity for residents, next to the garden area the applicant proposes an open play area that could accommodate a variety of activities. There is also a seating area adjacent to trees, which provide a sense of enclosure.

Jurisdiction and Power of the DRB for Site Design Review

Development Review Board Jurisdiction
Section 4.420

E3. Condition of Approval PDE 1 ensures landscaping is carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will issue no building permits prior to approval by the Development Review Board. The applicant has requested no variances from site development requirements.

Design Standards

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

E4. The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. This area is designated for protection as a SROZ is proposed to ultimately be dedicated to the City. A conservation easement is being placed along the rear of lots 1-3 to preserve the non-usable area of those lots. The elevation drops by approximately 15 feet from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve

the development, as well as to prepare lots for development. The extent of the necessary grading requires removal of the majority of trees on the site outside of the SROZ.

Surface Water Drainage
Subsection 4.421 (.01) D.

E5. A professionally designed drainage system demonstrates proper attention.

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

E6. The applicant proposes no above ground utility installations.

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

E7. No exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures exist requiring screening.

Applicability of Design Standards
Subsection 4.421 (.02)

E8. 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)

E9. 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

E10. 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

E11. The applicant has indicated that they will pursue development within two years. The approval will expire after two 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)

E12. Condition of Approval PDE 2 ensures all landscaping in common tracts shall be installed prior to final plat approval or as otherwise agreed upon in a written agreement with the City. Condition of Approval PDE 3 further requires all street trees and other right-of-way landscaping be installed in right-of-way fronting a lot prior to issuance of an occupancy permit for a home on the lot.

Approved Landscape Plan

Subsection 4.450 (.02)

E13. Condition of Approval PDE 4 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 without official action of the Planning Director or Development Review Board, as specified in this Code.

Landscape Maintenance and Watering

Subsection 4.450 (.03)

E14. Condition of Approval PDE 5 ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with appropriate City approval.

Modifications of Landscaping

Subsection 4.450 (.04)

E15. Condition of Approval PDE 5 provides ongoing assurance by preventing modification or removal without the appropriate City review.

Natural Features and Other Resources

Protection

Section 4.171

E16. The proposed design of the site provides for protection of natural features and other resources consistent with the proposed Stage II Final Plan for the site as well as the purpose and objectives of site design review. See Findings D33 through D37 under Request D.

Landscaping

Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

E17. 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.

E18. 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 II Final Plan which includes an analysis of the functional application of the landscaping standards. See Finding D37 under Request D.

Quality and Size of Plant Material

Subsection 4.176 (.06)

E19. A note on the landscape plans ensures the quality of the plant materials will meet American Association of Nurserymen (AAN) standards. Trees are specified at 2" caliper or greater than 6 foot for evergreen trees. Shrubs are all specified 2 gallon or greater in size. Ground cover is all specified as greater than 4". Turf or lawn is used for minimal amount of the proposed public landscape area. Condition of Approval PDE 6 ensures other 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)

E20. The installation and maintenance standards are or will be met by Condition of Approval PDE 8 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 growing season, unless appropriate substitute species are approved by the City.
- Irrigation Notes on the applicant's sheet L2 provides for irrigation during the establishment period.

Landscape Plans

Subsection 4.176 (.09)

E21. The applicant's submitted landscape plans in Exhibit B2 provide the required information.

Completion of Landscaping
Subsection 4.176 (.10)

E22. The applicant has not requested to defer installation of plant materials.

Request F: DB20-0042 Type C Tree Removal Plan

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.

F1. The requested tree removal is connected to site plan review by the Development Review Board. Review is thus under the authority of the DRB.

Reasonable Timeframe for Removal
Subsection 4.610.00 (.06) B.

F2. It is understood the tree removal will be completed by the time the applicant completes construction of all homes 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.

F3. As allowed by Subsection 4.610.00 (.06) C. 1. the City is waiving the bonding requirement as the application is required to comply with WC 4.264(1).

General Standards for Tree Removal, Relocation or Replacement

Preservation and Conservation
Subsection 4.610.10 (.01) B.

F4. The applicant has taken tree preservation into consideration, and has limited tree removal to non-viable trees and trees necessary to remove for development.

Development Alternatives
Subsection 4.610.10 (.01) C.

F5. No significant wooded areas or trees would be preserved by design alternatives.

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

F6. The proposed clearing is necessary for streets, homes, and related improvements.

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

- F7.** Preservation and enhancement of the SROZ area allows the development to blend with the significant natural elements of the property. The project area is otherwise relatively flat land without significant natural features with which to blend.

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

- F8.** This standard is broad and duplicative. 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.

- F9.** Reviews of tree removal, replacements, and protection is in accordance with the relevant sections related to replacement and protection.

Tree Removal Limitations
Subsection 4.610.10 (.01) H.

- F10.** 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.

- F11.** The applicant submitted the required Tree Survey Maintenance and Protection Plan.

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

- F12.** The Utility Plan shows a design to minimize the impact upon the environment to the extent feasible given existing conditions, particularly the Boeckman Creek SROZ. The City will further review utility placement in relation to preserved trees during review of construction drawings and utility easement placement on the final subdivision plat.

Type C Tree Plan Review

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

- F13.** The 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)

F14. This standard is broad and duplicative. As found elsewhere in this report, this review applies applicable standards.

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

F15. Review of the proposal allows residential unit counts consistent with the proposed Comprehensive Plan Map density range.

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

F16. The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development. Review of the proposed Type C Tree Plan is concurrent with the Stage II Final Plan. See Request D.

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

F17. The applicant proposes counting the proposed street trees, SROZ plantings, and trees within the usable open space area as the mitigation for removal.

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

F18. 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.

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

F19. The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

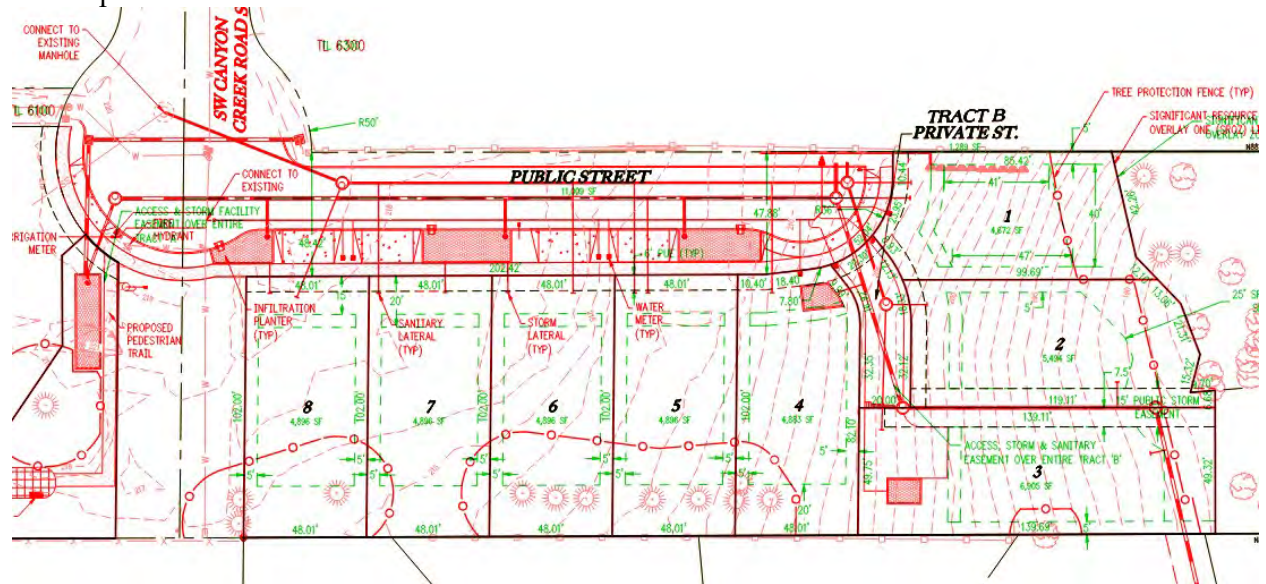
Tree Relocation, Mitigation, or Replacement

Tree Replacement Required
Subsection 4.620.00 (.01)

F20. The applicant proposes removal of 26 trees 6 inches d.b.h. or greater. The applicant will plant six trees as street trees and 26 trees within the SROZ, and two trees within the usable open space area exceeding a one to one ratio. The arborist report does note that 9 trees shown as being preserved on the applicant's plan set may not be feasible stating the following: *"Trees planned for retention in the rear of lots 3-6 should be re-evaluated in terms of*

future home plans. The protection zones proposed for creation of the subdivision encroach into a substantial portion of the allowable building envelopes and it may not be feasible to provide adequate protection for these trees with home building.”

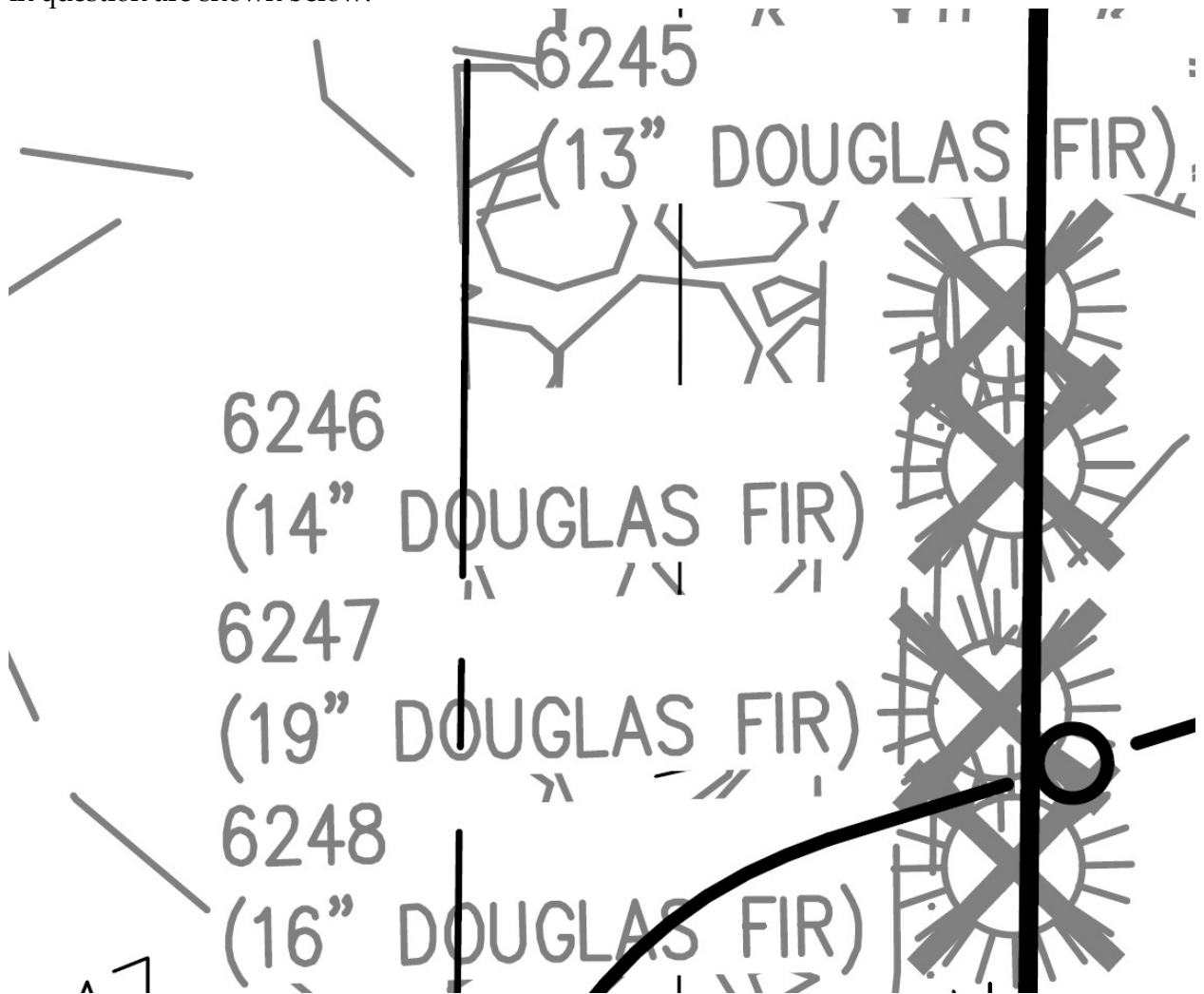
Based on when the arborist report was written, the lot numbers do not reflect the current proposal and lot numbers for the final site plan. Based on the proposed plans and arborist report, staff has concerns regarding the trees proposed for retention at the rear of lots 3 – 8. The image below overlays the proposed preliminary site plan and preliminary plat and clearly shows significant overlap between the tree protection fencing and the delineated buildable area of the lots. The trees are depicted directly adjacent to the potential building envelopes.



Staff questioned the applicant on the proposed tree preservation plans as they relate to the construction of future homes on the newly created lots. The applicant’s response contained in Exhibit B5 states: *“The submitted tree preservation and removal plan is specific to the construction of the subdivision only and does not include potential tree removal to accommodate the future homes. Any necessary tree removal required for lots 4-6 and 7 to accommodate future dwellings will be addressed during the building permit review process.”*

By time of this staff report publication, the Applicant did not submit new exhibits showing modified building envelopes. Nor did the Applicant submit new findings and exhibits to modify the tree removal and protection plan as a result of a reduced buildable area that would not be feasible. As such, staff has included Condition of Approval PDF 9 that requires an assessment and written report by an arborist if any of these preserved trees are proposed for removal in the future due to construction; the report must provide a written explanation of the measures considered to preserve the trees along with the line of reasoning that prevents preservation, submitted to City staff, who will verify the validity through review by a second arborist.

In addition to the issues concerning the trees at the rear of lots 4-8, the trees proposed for removal along the western property line of Lot 8 appear to be on City of Wilsonville property and the applicant does not have City permission to remove these trees. The trees in question are shown below:



Condition of approval PDF 8 requires Tree Numbers 6245 (13" Douglas Fir), 6246 (14" Douglas Fir), 6247 (19" Douglas Fir), and 6248 (16" Douglas Fir) shall be retained unless City approval and signature is granted for these four (4) trees. The applicant shall revise the tree protection fencing plan to ensure these trees are properly protected during grading and construction.

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

F21. The applicant proposes tree mitigating removed trees on the basis of one tree for each tree removed. Staff does not recommend any inch per inch mitigation. The applicant proposes planting more trees than trees proposed for removal. The tree mitigation and street tree plans show each tree, including street trees and trees in the SROZ, meets or exceeds the minimum diameter requirement.

Replacement Plan and Tree Stock Requirements
Subsections 4.620.00 (.03) and (.04)

F22. 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 Locations Requirements: On Site and Same General Area to Extent Feasible and Desirable
Subsection 4.620.00 (.05)

F23. The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development. Much of the mitigation is planned to occur within the SROZ and in addition to the tree mitigation, there is a condition of approval from Natural Resources to include twenty-five (25) native shrubs in the mitigation area upon review and approval from the Natural Resources Manager. Based on staff visits to the site, there is significant debris located within the mitigation area and there are staff concerns about the viability of replanting in this area. Condition of Approval PDF 7 requires the applicant to appropriately clear debris and invasive species within the SROZ area prior to planting any mitigation plantings in the SROZ area.

Protection of Preserved Trees

Tree Protection During Construction
Section 4.620.10

F24. Condition of Approval PDF 5 ensures tree protection measures, including fencing are in place consistent with Public Works Standards Detail Drawing RD-1240. Based on the feasibility of retaining the trees at the rear of lots 4-8, Condition of Approval PDF 6 requires the project arborist to be on site during grading and future construction to ensure the root zones of the existing trees are protected properly.

Request G: DB20-0044
Tentative Subdivision Plat

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)

G1. The Development Review Board is reviewing the tentative subdivision according to this subsection. The Planning Division will review the final subdivision 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.

G2. The proposed land division does not divide lots into smaller sizes than allowed by the PDR-3 zone. See Finding D20 under Request D.

Plat Application Procedure

Pre-Application Conference
Subsection 4.210 (.01)

G3. The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation
Subsection 4.210 (.01) A.

G4. Following gathering information from Planning staff, the appropriate professionals from the applicant's design firm, Emerio Design, prepared the tentative subdivision plat.

Tentative Plat Submission
Subsection 4.210 (.01) B.

G5. The applicant has submitted a tentative subdivision plat with all the required information.

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

G6. The applicant proposes development in a single phase with subsequent home development pursuant to the market and other factors.

Remainder Tracts
Subsection 4.210 (.01) E.

G7. The tentative subdivision 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)

G8. As found in other findings in this report, the land division is in harmony with the Transportation Systems Plan and other applicable plans.

Adjoining Streets Relationship
Subsection 4.236 (.02) A.

G9. The proposed public street allows for the potential future extension of the street to the north. The two remaining lots within the Bridle Trail Ranchetts subdivision have a Comprehensive Plan designation of 0-1 dwelling units an acre reflecting the current development. While no plans or requirements, short or long term, exist to require the these lots to develop and connect to the proposed subdivision it is possible that the property owners may elect to change the Comprehensive Plan and Zone Map and pursue development similar to the subject lots. Therefore, the provision for street continuation should be provided.

Planning for Further Land Divisions
Subsection 4.236 (.02) C.

G10. No further land divisions are planned or anticipated requiring consideration in arrangement of lots and streets.

Streets Standards Conformance
Subsection 4.236 (.03)

G11. As part of the Stage II Final Plan approval, the streets conform with Section 4.177 and block sizes requirements. See Request D.

Topography
Subsection 4.236 (.05)

G12. No significant topography exists affecting street layout decisions.

Reserve Strips
Subsection 4.236 (.06)

G13. No reserve strips are proposed as part of this subdivision, therefore this criteria is not applicable.

Future Street Expansion
Subsection 4.236 (.07)

G14. The proposed public street is extended to the boundary of the land division to allow for potential future extension. Condition of Approval PDE 3 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)

G15. No additional right-of-way is required for the proposed subdivision plat.

Street Names
Subsection 4.236 (.09)

G16. No street names are proposed with this application. The City Engineer 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 the final subdivision plat review.

General Land Division Requirements-Blocks

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

G17. Streets and block size for Planned Development Residential zones are addressed in the Stage II Final Plan. See Request D. The tentative subdivision plat provides adequate residential building sites, and safe and convenient access and circulation will be provided by the project for vehicles, pedestrians, and bicycles in compliance with applicable requirements in the Wilsonville Development Code and Transportation System Plan.

General Land Division Requirements-Easements

Utility Line Easements
Subsection 4.237 (.02) A.

G18. As will be further verified during the Public Works Permit review and final subdivision plat review, the applicant will install all utility lines in right-of-way or dedicated easements. Franchise utility providers will install their lines within public utility easements established on the plat.

Water Courses
Subsection 4.237 (.02) B.

G19. The applicant proposes a dedicated tract for the drainage way and associated riparian area of the Boeckman Creek SROZ.

General Land Division Requirements-Pedestrian and Bicycle Pathways

Mid-block Pathways Requirement

Subsection 4.237 (.03)

G20. No mid-block pathways are proposed or required.

General Land Division Requirements-Tree Planting

Tree Planting Plan Review and Street Tree Easements

Subsection 4.237 (.03)

G21. The City is reviewing the tree planting plan concurrently with the tentative subdivision plat, see Request D.

General Land Division Requirements-Lot Size and Shape

Lot Size and Shape Appropriate

Subsection 4.237 (.05)

G22. Proposed lot sizes, widths, shapes and orientations are appropriate for the proposed single-family residential development and meet standards for the PDR-3 zone.

General Land Division Requirements-Access

Minimum Street Frontage

Subsection 4.237 (.06)

G23. The full width of the front lot line of each lot fronts a public street or private drive. Each lot meets or exceeds the minimum lot width at the front lot line. See Finding D23 in Request D.

General Land Division Requirements-Other

Lot Side Lines

Subsection 4.237 (.08)

G24. Side lot lines run at or near a 90-degree angle to the front line.

Corner Lots

Subsection 4.237 (.13)

G25. All corner lots have radii exceeding the 10-foot minimum.

Lots of Record

Lots of Record

Section 4.250

G26. The applicant provided documentation all subject lots are lots of record.

As described in the Findings below, the request meets the applicable criteria.

Waivers: Waive Minimum Side Yard Setback

Waiver of Typical Development Standards

Subsection 4.118 (.03) A.

H1. The applicant requests a waiver to reduce the required minimum side yard setback from 7 feet to 5 feet for Lots 1-8 for two story homes. For single story homes the required side yard setback is 5 feet. Lot 8 is a corner lot where the required side yard setback on the western lot line is 10 feet. Since the initial request, the applicant revised the waiver request to reduce side yard setbacks for side yards internal to the project to 5 feet from 7 feet for two story homes, and to reduce the 10 foot setback for a corner lot from 10 feet to 7 feet for the lot line of lot 8. The typical development standards able to be waived pursuant to this subsection include setbacks. Condition of Approval PDB 1 establishes a 10 foot setback for the north side of Lot 1 and south side of Lot 3 which are not subject to the waiver request

Purpose and Objectives of Planned Development Regulations

Subsection 4.140 (.01) B.

H2. Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. The applicant specifically requests the minimum side yard setback waiver, however the narrative responses from the applicant states that “the applicant has added additional features to mitigate for those waivers, which are addressed in detail under the subsection of this document pertaining to the waiver.” However, in those subsections staff finds no additional evidence that the applicant has provided any evidence of better implementing the purposes and objectives within the subsection. The proposed layout of the subdivision creates an undesirable site condition for the existing development to the south by placing the side lot line of the proposed lots where it would be more typical for the rear of these lots to face the adjacent subdivision.

The reduction in side yard setback from 7 feet to 5 feet in the case of north side of lots 1 and south side of lot 3 is not supported by staff and is addressed in further detail in Finding B14. Lot 8 is a corner lot abutting unimproved City right-of-way and must be setback 10 feet along the western property line. Staff requested additional findings from the applicant to support the waiver request and the additional findings provided are included in Exhibit B6. The additional findings focus on the size of the homes and how they will be more compatible with the existing area by granting the waiver. The applicant also revises the waiver request to specifically request a 5 foot side yard setback waiver for internal to project side yards, which are internal to the proposed subdivision. For Lots 1, 3, and 8 the applicant proposes a 7 foot side yard setback, which is the side yard setback required by the PDR-3 zone for a two story home. As Lot 8 is a corner lot 10 feet would be required on the western side yard. As much of the rationale for the waiver request now focuses on larger building

footprints staff still does not find this a strong basis for recommending approval of the waiver.

Staff recommends Condition of Approval PDH 1, granting approval of the waiver to allow reduced setbacks on the interior lot lines of Lots 1-8, which is consistent with other developments in the area. However, staff recommends that the setbacks for the western property line of Lot 8 remain 10 feet in accordance with the required setbacks for a corner lot. As a condition of the zone map amendment, staff has added a condition to require the northern property line of Lot 1 and the southern property line of Lot 3 to be 10 feet, as currently required by the RA-H zone, in order to reduce the impact of the proposed subdivision on adjacent developments.

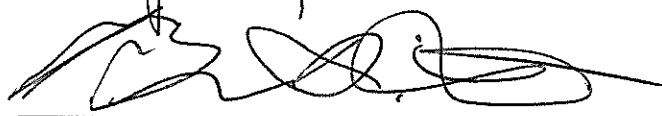
**AFFIDAVIT OF PROFESSIONAL CREDENTIALS FOR RESIDENTIAL
USABLE OPEN SPACE AREAS IN THE CITY OF WILSONVILLE**

STATE OF OREGON)

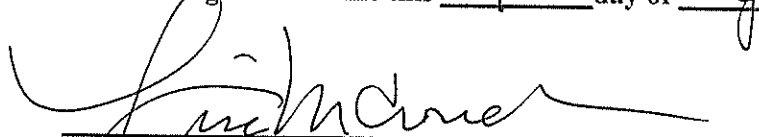
COUNTY OF Marion)

I, BRIAN LIND, do hereby certify that I am a registered professional landscape architect in the State of Oregon, and that I have professional experience designing residential usable open space areas. Three relevant project examples are attached. I further certify that I designed the usable open space shown in the attached location map in the proposed CANYON CREEK development. I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

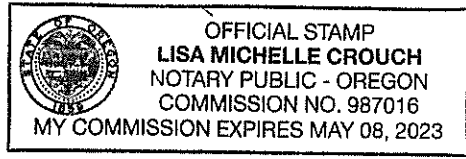
Witness my hand this 4th day of January, 2021



Acknowledged before me this 4th day of January, 2021



NOTARY PUBLIC STATE OF OREGON



Relevant Project Experience

Project / Location

Arbor Reserve, Beaverton, OR

Private Pocket Park

(completed)

Arbor Roses, Hillsboro, OR

Private Pocket Parks & Passive Open Spaces

(completed)

Arbor Terrace, Sherwood, OR

Private Pocket Park

(completed)

Orcutt Union School District, Orcutt, CA

Joint Private/Neighborhood Park

(Schematic Design)

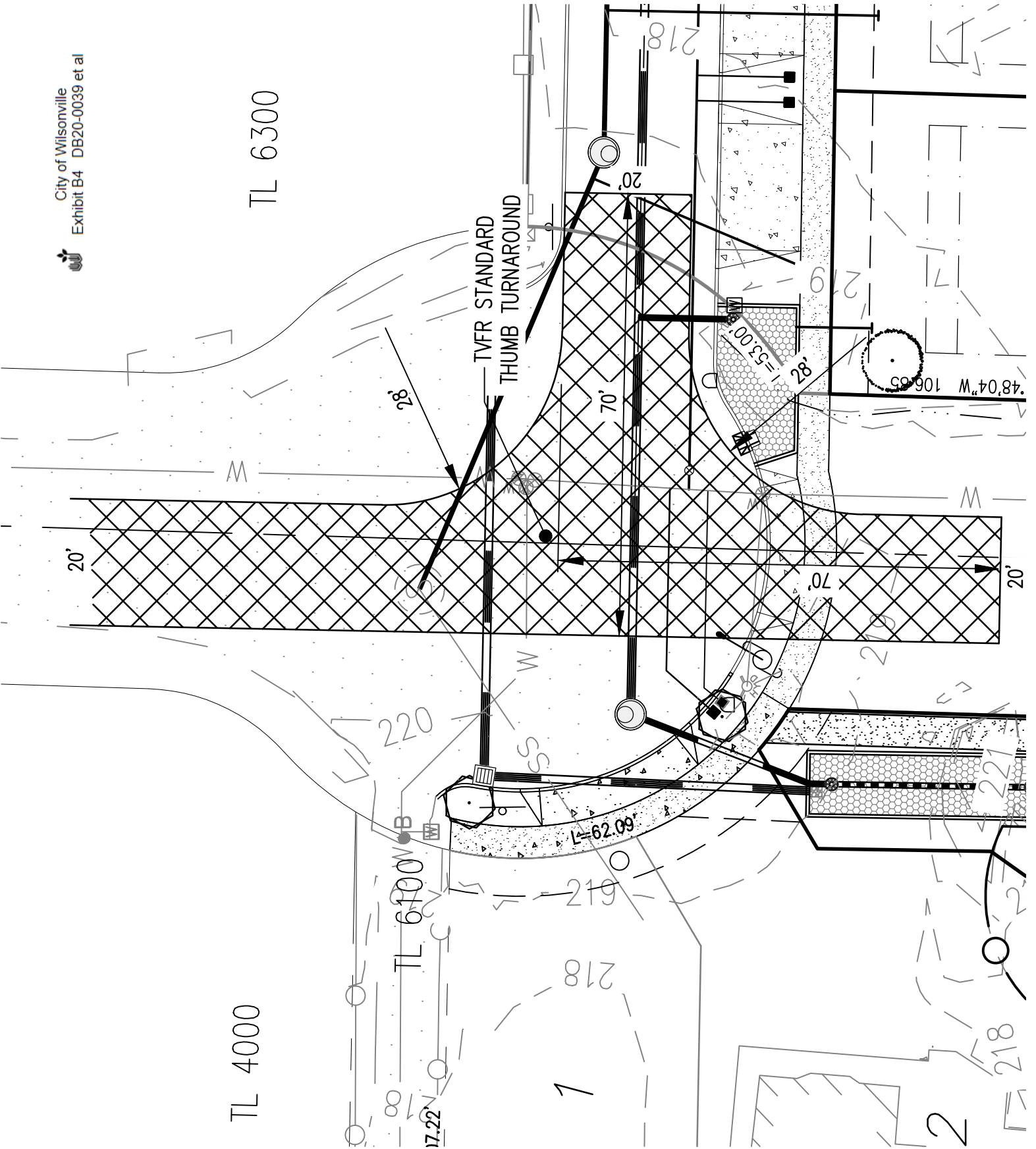
Developer / Client

West Hills Development

West Hills Development

West Hills Development

Calson Management



From: Steve Miller <stevem@emeriodesign.com>
Sent: Wednesday, March 24, 2021 9:30 AM
To: Bradford, Philip
Cc: Bateschell, Miranda; Pauly, Daniel
Subject: RE: Canyon Creek Subdivision Phone Call Follow Up

[This email originated outside of the City of Wilsonville]

Hi Philip,

Below are my responses to the issues we discussed on the phone on March 12th. Please let me know if you have any questions.

Thanks for your help!

Steve



Steve Miller | Director of Planning Services/Project Manager

6445 SW Fallbrook Place, Suite 100, Beaverton, OR 97008
Ofc: 503.746.8812 Cell: 541.318.7487 | www.emeriodesign.com

From: Bradford, Philip <pbradford@ci.wilsonville.or.us>
Sent: Friday, March 12, 2021 5:19 PM
To: Steve Miller <stevem@emeriodesign.com>
Cc: Bateschell, Miranda <bateschell@ci.wilsonville.or.us>; Pauly, Daniel <pauly@ci.wilsonville.or.us>
Subject: Canyon Creek Subdivision Phone Call Follow Up

[External Sender]

Hi Steve,

Following up on our phone conversation earlier, in reviewing the subdivision and writing findings for the staff report we have uncovered the following issues and need these items addressed by Wednesday April 17, 2021:

1. There are multiple resident concerns regarding TVF&R and franchise garbage hauler turn around in the subdivision. In order to address these concerns, submit a turning radius plan to the City that also shows where the garbage would be placed for collection along with a Republic Services Provider Letter (this can come after the deadline due to Republic Services response times) that provides evidence that the layout of the proposed subdivision will work for garbage collection.



City of Wilsonville
Exhibit B5 DB20-0039 et al

RESPONSE: The Applicant has submitted an exhibit showing how fire trucks and franchise garbage haulers will be able turnaround in the proposed subdivision. The fire and garbage trucks will be able to enter the subdivision via the new public street and travel 150-feet into the subdivision to either fight fires or to collect garbage and then back out using the cul-de-sac bulb and unimproved right-of-way between Lot 8 and Tract A to turnaround on Canyon Creek Rd. S. Because the fire truck will not be able to access all lots by traveling only 150-feet down the new public street, all homes beyond this point will be equipped with fire sprinklers as required by the fire code.

The Applicant has made contact with the garbage hauler, Republic Services, to obtain a Service Provider Letter (SPL). The Applicant is currently working with Kelly Herrod, Operations Supervisor, to obtain the SPL and expects to have an SPL prior to the DRB hearing. All lots, with the exception of Lots 2 and 3, will place their garbage and recycling containers at their respective lots curb side street frontage for collection. Lots 2 and 3 will bring their garbage and recycling containers out to the to the public street frontage for collection so the garbage truck does not have to drive down the easement to collect their garbage.

2. Adjacent property owners have concerns about tree removal along the rear property line. The plan set shows trees saved on lots 4-6 and 8 that are unrealistic based on the potential building envelope shown on the preliminary plat. The arborist report also questions the feasibility of retaining these trees and maintaining the required tree protection fencing during construction. If you plan on saving these trees please provide exhibits similar to lots 1-2 that show a house on these lots that are buildable while maintaining these trees.

RESPONSE: The submitted Tree Protection and Removal plan is specific to the construction of the subdivision only, it does not include any potential tree removal to accommodate the future homes. Any necessary tree removal required for Lots 4 – 6 and 8 in order to accommodate the future dwellings will be addressed during the building permit review process. All trees shown to be preserved during the construction of the subdivision will be protected and the required tree protection fencing will be in place during construction. The Applicant’s arborist will be on-site to assure all tree protection fencing is installed correctly prior to construction commencing and, if necessary, will observe any grading work to make sure the preserved trees are not adversely impacted during the construction of the subdivision.

3. The narrative contains numbers that reflect the previous size of the open space tract and it is unclear of the open space tract was included in the gross development area. Provide an exhibit containing updated, detailed calculations based on current sizes to provide evidence that the usable open space requirements are met.

RESPONSE: The Applicant has submitted a revised plan set that contains updated and detailed calculations based on the total square footage of the site that includes the Open Space Tract. As shown in sheet 5 of the revised plan set, the total Gross Site Area, which includes Tract A, is 105,725 sq. ft. After subtracting the non-buildable SROZ area (44,198 sq. ft.), the Net Buildable Area is 61,527 square feet. Twenty-five percent of the Net Area is 15,381 square feet and half of that area is 7,690 square feet. The open space area shown as Tract A on the plans is now 7,691 square feet, which meets the minimum open space requirement for the proposed subdivision.

4. No rationale for the waiver request has been provided with the narrative, based on public comment received along with the insufficient findings, we will not recommend approval of the side yard setback waiver. The internal setbacks would be supportable with additional findings that address the criteria, however the western side yard setback on lot 8 should be 10’ as it is a

corner lot, and where lots 1 and 3 abut adjacent properties, the side yard setback shall also be 10' consistent with the RAH-R zone or 7' as required by 4.113 and to address concerns from adjacent property owners. There is also the potential for the DRB to require the 10' foot setback.

RESPONSE: In order to construct homes that are comparable in size and scale to the existing homes in the surrounding neighborhood, the Applicant is requesting a waiver to the PDR-3 side yard setback for two-story homes. Specifically, the Applicant is requesting 5-foot side yard setbacks for Lots 2 and 4 – 7 as these lots are all internal to the proposed subdivision and do not have side yards abutting existing residential lots. For Lots 1, 3, and 8, the Applicant is requesting a 7-foot side yard setback for the northern side yard of Lot 1, the southern side yard of Lot 3, and the western side yard of Lot 8. As for the internal side yards for these lots, the Applicant is requesting a 5-foot side yard setback. By increasing the external side yard setbacks to 7-feet for lots 1 and 3, as required by Section 4.113, it will minimize any potential impacts on the existing neighboring lots to the north and south by providing additional buffering space that can be landscaped to help screen the home. Even though Lot 8 is technically a corner lot, the Applicant has been working with the City on the layout of the proposed subdivision for almost a year now. Through that effort one option that was explored by the Applicant, and supported by the City Staff, was to vacate the existing right-of-way that extends south of the Canyon Creek Rd. S cul-de-sac bulb. City Staff supported the vacation of this small stretch of right-of-way because it terminates at the northern boundary of the Sundial Apartments property and Canyon Creek Rd. S is not expected to be extended beyond the terminus of the current cul-de-sac bulb. As such, Lot 8 will not function as a “typical” corner lot since no one will be driving on the unimproved right-of-way. For this reason, the Applicant is requesting 7-foot side yard setback for the western side property boundary of Lot 8, as opposed to 10-feet, for a standard corner lot.

By allowing the requested waivers to the side yard setbacks, it will allow for homes to be constructed on the proposed lots that will be between 36 to 38 feet wide, which is compatible with the existing homes in the surrounding neighborhood. By maintaining building footprints on these lots that can accommodate homes that are compatible with the existing homes in the surrounding neighborhood, it will enhance the overall neighborhood and maintain property values, which is a concern of the neighbors.

Let us know when you would like to speak further about this on Monday.

Thanks,

Philip Bradford
Associate Planner
City of Wilsonville

503.570.1623
pbradford@ci.wilsonville.or.us
www.ci.wilsonville.or.us
[Facebook.com/CityofWilsonville](https://www.facebook.com/CityofWilsonville)



29799 SW Town Center Loop East, Wilsonville, OR 97070

Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

City Hall is now open, with physical distancing controls in place. During COVID-19, we wish to remain responsive while prioritizing the health and safety of the Wilsonville community. We are happy to meet by call or teleconference as an alternative to face-to-face meetings.

ASPEN MEADOWS PHASE 3
BOUNDARY DESCRIPTION

JOB NO. 0463-005
APRIL 2, 2021

EXHIBIT A (PAGE 1 OF 3)

TWO TRACTS OF LAND SITUATED IN THE N.W. 1/4 OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

WESTERLY TRACT

BEGINNING AT THE WEST POINT OF BEGINNING, BEING THE SOUTHEAST CORNER OF SAID PARCEL 2, PARTITION PLAT NO. 2020-097, CLACKAMAS COUNTY PLAT RECORDS), BEING ON THE WESTERLY RIGHT OF WAY LINE OF CANYON CREEK ROAD SOUTH (25.0 FEET FROM CENTERLINE); THENCE ALONG THE SOUTH LINE OF SAID PARCEL 2, NORTH 89°02'35" WEST, 136.29 FEET; THENCE NORTH 00°55'18" EAST, 46.64 FEET; THENCE SOUTH 85°16'47" EAST, 92.34 FEET; THENCE NORTH 35°18'08" EAST, 42.07 FEET; THENCE NORTH 00°55'18" EAST, 27.46 FEET; THENCE NORTH 59°23'40" EAST, 18.14 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CANYON CREEK ROAD SOUTH; THENCE ALONG SAID RIGHT OF WAY LINE, 8.09 FEET ON THE ARC OF A NONTANGENT 50.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 9°16'11" (THE CHORD BEARS SOUTH 53°33'51" EAST, 8.08 FEET); THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, SOUTH 01°48'04" WEST, 107.59 FEET TO THE WEST POINT OF BEGINNING, CONTAINING 7691 SQUARE FEET, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED TRACT OF LAND:

EASTERLY TRACT

BEGINNING AT THE EAST POINT OF BEGINNING, BEING THE SOUTHWEST CORNER OF LOT 9, "BRIDLE TRAIL RANCHETTS" (PLAT NO. 1147), BEING ON THE EASTERLY RIGHT OF WAY LINE OF CANYON CREEK ROAD SOUTH (25.0 FEET FROM CENTERLINE); THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 01°48'04" WEST, 106.85 FEET; THENCE 53.00 FEET ON THE ARC OF A NONTANGENT 50.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST THROUGH A CENTRAL ANGLE OF 60°44'05" (THE CHORD BEARS NORTH 31°26'01" EAST, 50.55 FEET) TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE ALONG THE NORTH LINE OF SAID LOT 9 AND ITS EASTERLY EXTENSION,



ASPEN MEADOWS PHASE 3
BOUNDARY DESCRIPTION

JOB NO. 0463-005
APRIL 2, 2021

EXHIBIT A (PAGE 2 OF 3)

SOUTH 88°52'03" EAST, 636.03 FEET TO THE CENTER OF SECTION LINE OF SAID SECTION 13; THENCE ALONG SAID CENTER OF SECTION LINE, SOUTH 01°46'38" WEST, 148.48 FEET TO THE NORTH LINE OF THE PLAT OF "SUNDIAL" (PLAT NO, 2910); THENCE ALONG SAID NORTH LINE, NORTH 89°02'35" WEST, 661.11 FEET TO THE EAST POINT OF BEGINNING.

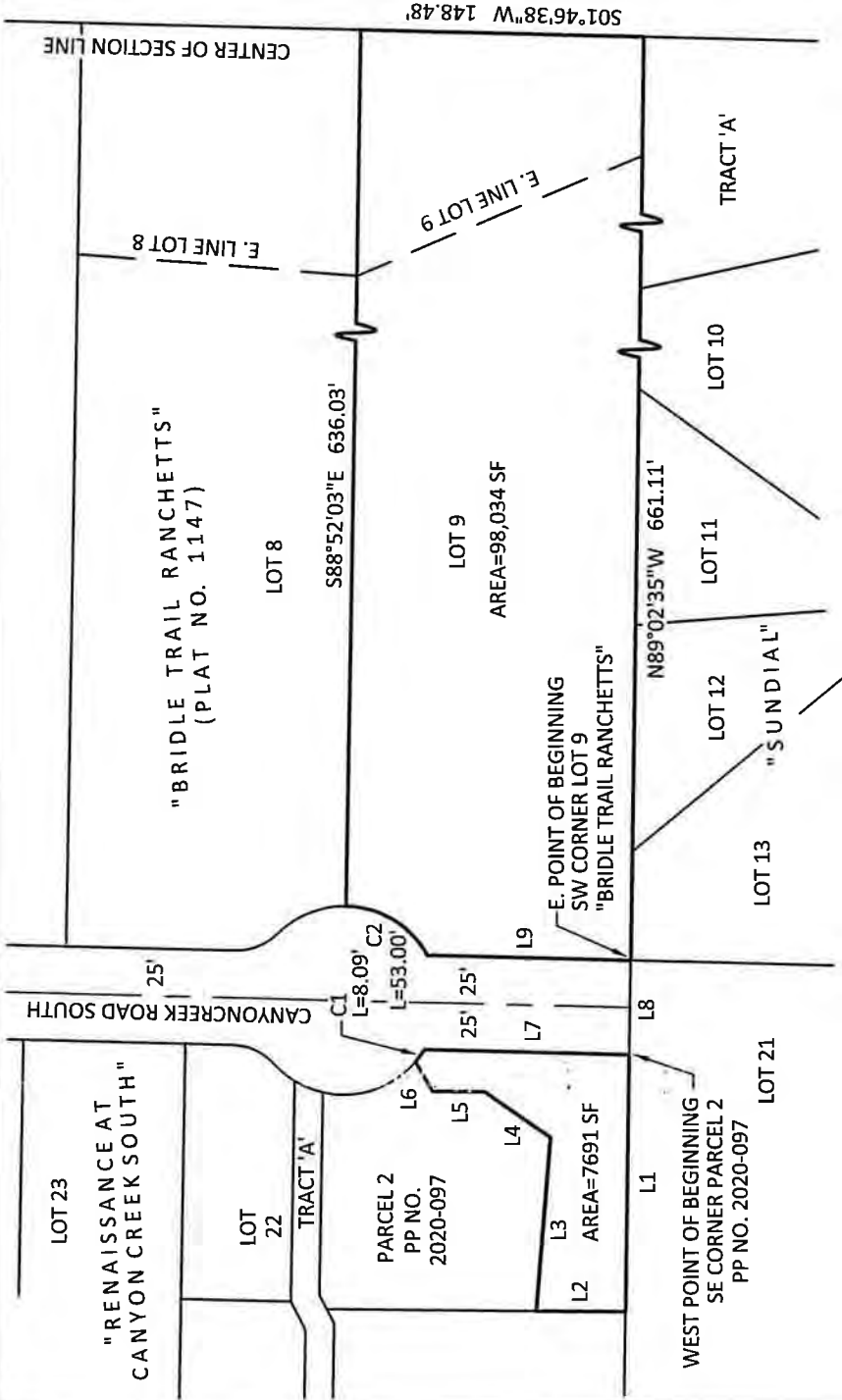
CONTAINING 98,034 SQUARE FEET, MORE OR LESS.



BASIS OF BEARINGS: SOUTH LINE OF PARTITION PLAT NO. 2020-097, CLACKAMAS COUNTY PLAT RECORDS

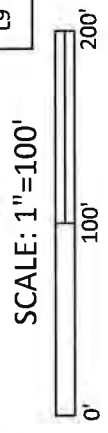
EXHIBIT A (PAGE 3 OF 3)

LOT 9, "BRIDLE TRAIL RANCHETTES" AND ADJACENT LAND ATTACHED
 AND A PORTION OF PARCEL 2, PARTITION PLAT NO. 2020-097
 LOCATED IN THE
 NW 1/4 OF SEC. 13, T.3S, R.1W., W.M.,
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



CURVE TABLE	
C1	L=8.09'
	R=50.00'
	Δ=9°16'11"
	CB=553°33'51"E
	8.08'
C1	L=53.00'
	R=50.00'
	Δ=60°44'05"
	CB=N31°26'01"E
	50.55'

LINE TABLE	
L1	N89°02'35"W 136.29'
L2	N00°55'18"E 46.64'
L3	S85°16'47"E 92.34'
L4	N35°18'08"E 42.07'
L5	N00°55'18"E 27.46'
L6	N59°23'40"E 18.14'
L7	S01°48'04"W 107.59'
L8	S89°02'35"E 50.01'
L9	N01°48'04"E 106.85'



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Jon T. Feigon

OREGON
 JANUARY 15, 1987
 JON T. FEIGON
 2252
 EXPIRES 12-31-21

JOB NO.: 0463-005
 DATE: 4-02-21
 SCALE: 1" = 100'
 DRAWN BY: JTF

ASPEN MEADOWS PHASE 3
 CLACKAMAS COUNTY
 TAX LOT 6400 AND A PORTION OF TAX LOT 3800
 31W 33BD

EMERIO
 ENGINEERING • SURVEYING • DESIGN

6445 SW FALLBROOK PLACE, SUITE 100
 BEAVERTON, OREGON 97008
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com
 EMERIO JOB: 0463-005



10295 Southwest Ridder Road Wilsonville, OR 97070
o 503.570.0626 f 503.582.9307 republicservices.com

March 29, 2021

Pam Boyd

Re: Emerio Engineering
28700 Canyon Creek Rd. S.
Wilsonville, OR 97070

Dear Pam,

Thank you, for sending us the preliminary site plans for this proposed development in Wilsonville.

My Company: Republic Services of Clackamas and Washington Counties has the franchise agreement to service this area with the City of Wilsonville. We will provide complete commercial waste removal and recycling services as needed on a weekly basis for this location

I have reviewed the plat that you sent on March 15th of the proposed residential construction including Public and Private roadways and turn around space at 28700 Canyon Creek Rd. South, Wilsonville OR. Based on the plan, our trucks will be able to navigate the proposed public roadway and provide curbside trash and recycle service. As we discussed, residential units 1, 2, and 3, will need to bring their trash and recycle carts out to the public roadway for standard curb side service.

Thank you, Pam, for your help and concerns for our services prior to this project being developed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kelly Herrod", written over a horizontal line.

Kelly Herrod
Operations Supervisor
Republic Services Inc.



City of Wilsonville
Exhibit B7 DB20-0039 et al

Engineering Conditions and Requirements for Proposed Development

From: Khoi Le, PE Development Engineering Manager
To: Bradford Philip
Date: February 23, 2021
Proposal: Canyon Creek Subdivision

Engineering Division Conditions:

Request: Eight-Lot Subdivision

PFA 1.	Prior to Issuance of Public Works Permit, Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit A1.
PFA 2.	Prior to Issuance of Public Works Permit, submit site plans to Engineering demonstrating how the site being served with public utilities: domestic and fire water, sanitary sewer, and storm drainage. Public utility improvements shall be designed and constructed in accordance with the Public Works Standards.
PFA 3.	Prior to Issuance of Public Works Permit, submit site plans to Engineering showing street improvements including pavement, curb, planter strip, street trees, sidewalk, and driveway approaches along site frontage on Canyon Creek Road South and the proposed new public street. Street improvements shall be constructed in accordance with the Public Works Standards. The eyebrow corner shall be designed with minimum centerline radii to allow fire, utility, moving trucks turnaround.
PFA 4.	Prior to Issuance of Public Works Permit, submit a storm drainage report to Engineering for review and approval. The storm drainage report shall demonstrate the proposed development is in conformance with the Low Impact Development (LID) treatment and flow control requirements, and the Public Work Standards.
PFA 5.	Prior to Issuance of Public Works Permit, a Performance Bond in an amount equals to 150% of the approved Design Engineer’s construction estimate shall be submitted to Engineering for public infrastructures construction guarantee purposes.
PFA 6.	Prior to Site Commencement, an approved Erosion Control Permit must be obtained and erosion control measures must be in place. Erosion Control Permit must be renewed annually until the entire site is completely established and stabilized.
PFA 7.	Prior to Final Plat Approval, street improvements including pavement, curb, planter strip, street trees, streetlights, sidewalks and driveway approaches along the site frontage on Canyon Creek Road South and the new public street shall be constructed and completed.
PFA 8.	Prior to Final Plat Approval, storm drainage improvements along the site frontage on Canyon Creek Road South, in the new public street, in Tract A, and the private street Tract B, and the easement located on lots 2 and 3 shall be constructed and completed.

PFA 9.	Prior to Final Plat Approval, the 8-inch public sanitary sewer mains, associated manholes and laterals serving the proposed lots shall be constructed and completed.
PFA 10.	Prior to Final Plat Approval, public 8-inch DI water main, associated fittings, fire hydrants, blow-off assembly, and services serving the proposed lots shall be constructed and completed.
PFA 11.	Prior to Final Plat Approval, streetlights shall be constructed and energized.
PFA 12.	Prior to Final Plat Approval, provide a copy of the Home Owner Association (HOA) establishment legal document to Engineering for City's record.
PFA 13.	Prior to Final Plat Approval, provide a copy of the HOA's CC&R to Engineering for review and City's record. The CC&R shall include language indicating the maintenance responsibility for the private street Tract B and all the stormwater LID facilities.
PFA 14.	A Stormwater Maintenance Agreement and Access Easement for the maintenance and access to all the LID stormwater facilities located on private lots shall be in place. The document shall be recorded as a part of the Final Plat recordation.
PFA 15.	A Stormwater Maintenance Agreement for the maintenance of the LID stormwater facilities locate in the right of way or public tract shall be in place. The document shall be recorded as a part of the Final Plat recordation.
PFA 16.	Record a 6-foot Public Utility Easement (PUE) as a part of the Final Plat recordation.
PFA 17.	Record the Open Space-Tract A and the Private Street-Tract B as a part of the Final Plat recordation.
PFA 18.	Record the Access and Stormwater Facility Easement over the entirety of Tract A as a part of the Final Plat.
PFA 19.	Record the Access, Storm, and Sanitary easements over the entirety of Tract B as a part of the Final Plat.
PFA 20.	Record the 15-foot stormwater easement between lots 2 and 3 as a part of the Final Plat.
PFA 21.	Record the 15-foot stormwater easement on lot 3 as a part of the Final Plat.
PFA 22.	The City will prepare all easement documents and provide them to the Developer for signatures. Exhibits and legal descriptions associated with all Tracts and Easements and Agreements however shall be prepared by a license Surveyor/Engineer hired by the Developer. The developer will also be responsible for the preliminary title report, title insurance and recording fees associated with the recordation of all the Tracts and Easements and Agreements.
PFA 23.	Prior to Issuance of Conditional Acceptance, a Maintenance Bond in the amount equals to 10% of the cost to construct the public improvements shall be submitted to Engineering for maintenance purposes. The Maintenance Bond shall be kept in place for a period of 2 years from the day of Conditional Acceptance.
PFA 24.	Prior to Issuance of Conditional Acceptance, a Maintenance Bond in the amount of 100% of the cost to install all required landscaping in water quality/quantity facilities

and vegetated corridors, plus 100% of the cost to maintain the landscaping in these areas shall be submitted to Engineering for maintenance purposes. The Maintenance shall be kept in place for a period of 2 years from the day of Conditional Acceptance.

PFA 25. Prior to Issuance of Conditional Acceptance, provide the City with the As-Built plans for the City's record.

Exhibit A1
Public Works Plan Submittal Requirements
and Other Engineering Requirements

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:

Coverage (<i>Aggregate, except where noted</i>)	Limit
<u>Commercial General Liability:</u>	
▪ 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
<u>Business Automobile Liability Insurance:</u>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<u>Workers Compensation Insurance</u>	\$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 Public Works 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 Code and the Public Works Standards.
 - 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 invert elevations at all utility crossings; include laterals in profile view or provide table with invert elevations 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. Water and Sanitary Sewer Plans; plan; number all lines, manholes, and cleanouts for easier reference.
 - m. Detailed Plan for stormwater management facilities (both plan and profile views), including water quality orifice diameter, manhole and beehive rim elevations, growing medium, and a summary table with planting area, types and quantities. Provide details of inlet structure, energy dissipation device, drain inlets, structures, and piping for outfall

structure. Note that although stormwater facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.

- n. Composite Franchise Utility Plan.
 - o. City of Wilsonville detail drawings.
 - p. Illumination Plan.
 - q. Striping and Signage Plan.
 - r. 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 City Code and the Public Works Standards during construction and until such time as approved permanent vegetative materials have been installed.
 9. Applicant shall notify City 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 treatment and flow control requirements for the proposed development per the Public Works Standards. Unless the City approves the use of an Engineered Method, the City's BMP Sizing Tool shall be used to design and size stormwater facilities.
 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. Proprietary stormwater management facilities are only allowed where conditions limit the use of infiltration (e.g., steep slopes, high groundwater table, well-head protection areas, or contaminated soils). If a proprietary stormwater management facility is approved by the City, 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. Stormwater management facilities shall have approved landscape planted and approved by the City of Wilsonville prior to paving.
 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. Sidewalks, crosswalks and pedestrian linkages shall be in compliance with the requirements of the U.S. Access Board.
17. No surcharging of sanitary or storm water manholes is allowed.
18. 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.
19. 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.
20. 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).
21. 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.
22. 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.

23. The applicant shall provide the City with a Stormwater Maintenance Easement Agreement (on City-approved forms) for City inspection of those portions of the storm system to be privately maintained.
24. Stormwater management facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all stormwater management facilities.
25. The applicant shall “loop” proposed waterlines by connecting to the existing City waterlines where applicable.
26. 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 on 3 mil. mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.

From: Brown, Carl
Sent: Tuesday, February 9, 2021 11:05 AM
To: Bradford, Philip
Subject: RE: Wilsonville Development Review Team Mailing: DB20-0039 et al (Canyon Creek Subdivision)

Philip,

After talking with Melissa it is my understanding that any of the concerns or comments I have are to be addressed at the grading permit review stage! Here are my conditions of approval comments.

Prior to construction of the subdivisions' residential homes, designated through approved planning procedures, the following conditions must be met and approved through the Building Official:

- a. Street signs shall be installed at each street intersection and approved per the public work design specifications and their required approvals.
- b. All public access roads and alleys shall be complete to "Base Lift" for access to the residential home sites.
- 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.
- 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 507.4 & 507.5).

Best regards,

Carl Brown
Building Inspector/Plans Examiner I
City of Wilsonville

Office: 503.570.1556
Mobile: 971.808.6037
cbrown@ci.wilsonville.or.us
www.ci.wilsonville.or.us



29799 SW Town Center Loop East, Wilsonville, OR 97070

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City Hall is now open, with physical distancing controls in place. During COVID-19, we wish to remain responsive while prioritizing the health and safety of the Wilsonville community. We are happy to meet by call or teleconference as an alternative to face-to-face meetings.

From: White, Shelley <swhite@ci.wilsonville.or.us>
Sent: Wednesday, February 3, 2021 9:35 AM

To: Amy Berger (BergerA@wlwv.k12.or.us) <BergerA@wlwv.k12.or.us>; Stone, Andy <astone@ci.wilsonville.or.us>; Jacobson, Barbara <jacobson@ci.wilsonville.or.us>; Ben Baldwin (DevelopmentReview@trimet.org) <DevelopmentReview@trimet.org>; Evans, Bill <evans@ci.wilsonville.or.us>; Brian Kelley (Brian.Kelley@nwnatural.com) <Brian.Kelley@nwnatural.com>; Stevenson, Brian <stevenson@ci.wilsonville.or.us>; Cosgrove, Bryan <cosgrove@ci.wilsonville.or.us>; Brown, Carl <cbrown@ci.wilsonville.or.us>; Neamtzu, Chris <neamtzu@ci.wilsonville.or.us>; Pan, Mia <mpan@ci.wilsonville.or.us>; Clackamas County (developmentengineering@clackamas.us) <developmentengineering@clackamas.us>; Carlson, Dan <carlson@ci.wilsonville.or.us>; Stark, Dan <stark@ci.wilsonville.or.us>; Pauly, Daniel <pauly@ci.wilsonville.or.us>; Darrell McNeal ([Darrell McNeal@comcast.com](mailto:Darrell_McNeal@comcast.com)) <Darrell_McNeal@comcast.com>; Kerber, Delora <kerber@ci.wilsonville.or.us>; Brashear, Dwight <brashear@ridesmart.com>; Loomis, Eric <loomis@ridesmart.com>; Heather Peck (heather.peck@aviation.state.or.us) <heather.peck@aviation.state.or.us>; Jason Arn (Jason.Arn@tvfr.com) <Jason.Arn@tvfr.com>; John Olivares (jolivares@republicservices.com) <jolivares@republicservices.com>; Dr. Kathy Ludwig (ludwigk@wlwv.k12.or.us) <ludwigk@wlwv.k12.or.us>; Rappold, Kerry <rappold@ci.wilsonville.or.us>; Le, Khoi <kle@ci.wilsonville.or.us>; Rybold, Kim <rybold@ci.wilsonville.or.us>; Mark Lindley (mark.lindley@pgn.com) <mark.lindley@pgn.com>; Ottenad, Mark <ottenad@ci.wilsonville.or.us>; Montalvo, Martin <montalvo@ci.wilsonville.or.us>; Baker, Matt <mbaker@ci.wilsonville.or.us>; Gitt, Melissa <gitt@ci.wilsonville.or.us>; Metro Land Use Notifications (landusenotifications@oregonmetro.gov) <landusenotifications@oregonmetro.gov>; McCarty, Mike <mccarty@ci.wilsonville.or.us>; Bateschell, Miranda <bateschell@ci.wilsonville.or.us>; Nina Carlson (nina.carlson@nwnatural.com) <nina.carlson@nwnatural.com>; Nina DeConcini (deconcini.nina@deq.state.or.us) <deconcini.nina@deq.state.or.us>; Duke, Pat <Duke@wilsonvillelibrary.org>; Pat McGough - West Linn-Wilsonville School District (mcgoughp@wlwv.k12.or.us) <mcgoughp@wlwv.k12.or.us>; Region 1 Development Review Applications 10.19 (ODOT_R1_DevRev@odot.state.or.us) <ODOT_R1_DevRev@odot.state.or.us>; Rich Girard <r2g@nwnatural.com>; Simonton, Scott <simonton@ci.wilsonville.or.us>; Theresa Cherniak (lutplan@co.washington.or.us) <lutplan@co.washington.or.us>; Tiffany Delgado (tiffany.delgado@pgn.com) <tiffany.delgado@pgn.com>; Tiffany Ritchey (tiffany.ritchey@pgn.com) <tiffany.ritchey@pgn.com>

Cc: Bradford, Philip <pbradford@ci.wilsonville.or.us>

Subject: Wilsonville Development Review Team Mailing: DB20-0039 et al (Canyon Creek Subdivision)

Development Review Team members,

Please review the attached material and submit written comments, requirements, or conditions of approval as follows:

Comments, requirements relating to Public Works Standards, right-of-way, or otherwise needing coordination with Engineering Division: Submit by **4:00 PM, February 16, 2021** via email to Khoi Le PE, Development Engineering Manager, at kle@ci.wilsonville.or.us.

Comments, requirements relating to Building Code or otherwise needing coordination with Building Division: Submit by **4:00 PM, February 16, 2021** via email to Melissa Gitt, Lead Plans Examiner, at gitt@ci.wilsonville.or.us.

All other comments, requirements, and final comments, requirements, and conditions from Engineering/Building to Planning: Submit by **4:00 PM, February 23, 2021** via email to Philip Bradford, Associate Planner, at pbradford@ci.wilsonville.or.us.

Thanks for your help!

Shelley White
Administrative Assistant
City of Wilsonville

503.570.1575
swhite@ci.wilsonville.or.us
www.ci.wilsonville.or.us



29799 SW Town Center Loop East, Wilsonville, OR 97070

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Natural Resource Findings, Conditions, and Requirements for Proposed Development

From: Kerry Rappold, Natural Resources Manager
To: Philip Bradford, Associate Planner
Date: February 24, 2021
Proposal: Canyon Creek Subdivision

Natural Resources Division Conditions:

All Requests

<p>NR 1. Natural Resource Division Requirements and Advisories listed in Exhibit C3 apply to the proposed development.</p>



Exhibit C3
Natural Resources Findings & Requirements

Findings for Canyon Creek Subdivision

(if SRIR include related findings here)

Significant Resource Overlay Zone

1. The applicant shall submit the SROZ mapping as ARCGIS shape files or a compatible format.
2. All landscaping, including herbicides used to eradicate invasive plant species and existing vegetation, in the SROZ shall be reviewed and approved by the Natural Resources Manager. Native plants are required for landscaping in the SROZ.
3. The applicant shall add twenty-five (25) native shrubs to the mitigation area. The list of plant species shall be reviewed and approved the Natural Resources Manager.
4. Mulch shall be applied around the mitigation plantings at a minimum of three inches in depth and eighteen inches in diameter. Browse protection shall be installed on trees and shrubs. Mulching and browse protection shall be maintained during the two-year plant establishment period.
5. The Significant Resource Overlay Zone (SROZ) and the mitigation area in Tract C shall be identified in a conservation easement. The applicant shall record the conservation easement with Clackamas Court Clerk's office. The conservation easement shall include language prohibiting any disturbance of natural vegetation without first obtaining approval from the City Planning Division and the Natural Resources Manager. The conservation easement shall be reviewed by the City Attorney prior to recording.

February 16, 2021



City of Wilsonville
Exhibit C4 DB20-0039 et al

Philip Bradford
Associate Planner
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville, Oregon
97070

Re: DB20-0039 8 Lot Subdivision- Canyon Creek South Phase 3
Tax Lot I.D: 31W13BD06400

Philip,

Thank you for the opportunity to review the proposed partition surrounding the above-named development project. These notes are provided regarding the notice we received **February 13, 2021**. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

1. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1)
2. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 12 feet (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1)
3. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>
4. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
5. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
 1. 20-26 feet road width – no parking on either side of roadway
 2. 26-32 feet road width – parking is allowed on one side
 3. Greater than 32 feet road width – parking is not restricted
6. **FIREFIGHTING WATER SUPPLY FOR INDIVIDUAL ONE- AND TWO-FAMILY DWELLINGS:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the

structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2)

7. FIRE HYDRANT(S) PLACEMENT: (OFC C104)

- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
- Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
- Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.

8. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification 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)

If you have questions, please feel free to contact me at **503-259-1510**.

Sincerely,



Jason Arn
Deputy Fire Marshal II

Email: jason.arn@tvfr.com

Cc: file

A full copy of the New Construction Fire Code Applications Guide for Residential Development is available at <http://www.tvfr.com/DocumentCenter/View/1438>

February 25, 2021,

Dear Development Review Board,

We'd like to raise some concerns we have regarding the Canyon Creek 8-Lot Subdivision. We have owned our home at 7564 SW Vlahos Drive (TL 1100) since 1994. We love Wilsonville and are pleased with the way growth has been managed here.

We are very concerned that our open pasture next door will turn into 8 homes. Some of our concerns are listed below

1. The trees along our property line are singled out to be removed, including large pine, fir and maple trees. Can the tree removal plan be reviewed?
2. Water run off for the entire project ends on our property.
3. There is a proposed connection of all plat storm water to the storm drain in our backyard which doesn't seem to have an easement. Does this storm drain system have enough capacity?
4. What is the city requirement for compensation, restoration of damage to landscaping, out buildings on our property?
5. The elevation change from the planned homes to the street is close to 30 feet. How will sewer work?
6. What is the plan for restoring our privacy?
7. Is there a city requirement for a quality privacy fence?
8. Is there a city requirement for privacy landscaping as part of this development?

Sincerely,

David & Joan Carlson

7564 SW Vlahos Drive

Wilsonville OR 97070



April 1, 2021

To: Wilsonville Planning Dept. and
Development Review Board A

Concerning: Proposed 8 lot subdivision on Canyon Creek Road South

I am writing this letter to express my concern with the proposed zoning changes and tree removal from this property. Tax lots 3800 and 6400. As we all drive the streets of our community we can not help but notice the severe damage to thousands of trees on public and private property from the ice and wind storm in February 2021.

The city has yet to come up with a number of trees damaged or uprooted, but the storm had devastating results.

This developer wants to cut down and remove 26 trees, many of them native and over 6 inches in diameter. Many are 16-24 inches in diameter. These trees provide nesting space, shade, privacy, and aesthetic beauty for our neighborhood and the Canyon Creek neighborhood.

According to the Arborist Report (dated October 2019) by Morgan Holen and Associates, these massive trees will be replaced with 2 inch diameter trees planted in the SROZ area to the East. Viewing of the SROZ area will show large amounts of dumping over the years that has caused this area to be open and unforested unlike the SROZ to the North and South which are both full of large conifers. My concern is that the proposed planting of 2 inch trees to "replace" these 16-24 inch Douglas Fir, Spruce, Cypress and Pines will not go well. The area in the SROZ is overrun with blackberries and waste. Kerry Rappold has viewed this SROZ.

I am requesting the DRB to visit this site and view the trees intended for removal and the area scheduled for "replanting."

Wilsonville is a Sterling Tree City USA. We are serious about our trees and native vegetation and green spaces.

Why would the city of Wilsonville allow this developer to remove 16-24 inch diameter trees for his benefit and profit?

I request that the Arborist report and tree removal plan be reevaluated.

I believe that Wilsonville is a city that gives equal consideration to trees and development.

Please give this proposed plan of tree removal an elevated level of consideration.

Respectfully submitted,
Joan Carlson
7564 SW Vlahos Drive
Wilsonville OR 97070

From: Joan Carlson <joancarlson24@gmail.com>
Sent: Friday, April 2, 2021 3:51 PM
To: Bradford, Philip
Subject: Photos of dumping in SROZ

[This email originated outside of the City of Wilsonville]

To: Philip Bradford and the city of Wilsonville DRB

I would like you to please incorporate these photos I have taken of the dumping in the SROZ area on the back of the proposed 8 lot subdivision in Canyon Creek South for the DRB to review.

The property owner has dumped here for years. If someone was brave enough to dig in those piles you would find concrete blocks, large plastic planting containers, marble(?) Countertop pieces, furniture and other assorted garbage. This is not acceptable. This has become a waste site. The only vegetation thriving in this area are invasive blackberry bushes. We do not have a blackberry problem in the SROZ behind our property to the South, but in time these Vines will take over more land in the SROZ.

This is where the developer is proposing to plant 2 inch trees to replace the 16-24 inch diameter trees he wants to cut down in order to build huge homes.

This does not make sense to me. Why would the City of Wilsonville... A Sterling Tree City USA allow this? This developer does not care about trees, the SROZ, native habitat, or our community. I DO!!!







Please do not allow the zoning change for this property. Stop the mistakes that have already been made in this neighborhood.

Respectfully,
Joan Carlson
7564 SW Vlahos Drive
Wilsonville OR 97070

--

Joan Carlson
Artist in Residence
503 682 8890 home
503 888 5652 cell

February 25, 2021

Development Review Board Members,

I'm reaching out to you on behalf of the proposed development of 8 homes just north of our neighborhood. We purchased our home 25 years ago (7557 Sw. Vlahos Dr. Tax Lot 1300), with privacy and location being a heavily desired trait in our decision. During the final review, we were provided a sheet showing the residential zoning behind this home listed at 1 acre minimum. This reassured us that this home purchase would be the right fit for our family and met the criteria we sought in a location that would meet our family needs. Over the past 25 years in this home:

- We have raised three children that went through the k-12 Wilsonville schools system. All sharing this home with peers from the community.
- We have actively hosted and contributed to Wilsonville community events annually over the years.
- We have fostered a healthy lifestyle and sense of belonging in this neighborhood. This has contributed to the increased demand and desire to live within a community with these values.

Our family ties to the State of Oregon go back many years. We have a great deal of respect for the PNW and all of the beauty this environment brings to Oregonians. In this home, though well within Portland Metro confines has rewarded us with beautiful nature that so many seek to experience, just right here in Wilsonville.

- Watching the deer graze and prance through the yard.
- Listening to Owl's hoot through the night in our evergreen trees.
- Seeing the bright stars without the distraction of city lights shine through the night.

The proposed development of 8 homes directly behind our property will change our quality of life, impact our daily lives and disrupt a strong neighborhood community that has contributed to the positive growth in the city of Wilsonville. This development



removes all aspects of privacy we and other neighbors have experiences for 25 plus years. With the current plan, there will be three homes built 20ft from our property line, with direct line of sight into our yard and bedrooms. This is absolutely devastating to our family.

We have consulted with a seasoned Wilsonville real-estate agent about this proposal and the potential impacts this will have on our property value. In her tenured experience, along with contributions from other local real estate agents - it is in their professional opinion that this proposed build will devalue our homes and lots due to the loss of privacy. Building upon the devastation our family will experience through our personal loss of privacy, we will also be impacted negatively financially with our home decreasing in value.

This situation is a no win for us and many others. As long term residents, active members of this vibrant community and contributors to the current environment of this city that so many seek to live-in, this is our reward? A housing development that negatively impacts a neighborhood that has played an important role in the way the city of Wilsonville is preserved and desired destination to live within today.

We are asking that the re-zoning not be approved. Not only does this development negatively impact our neighborhood, it is different from the other lots previously developed north of our neighborhood on SW. Canyon Creek Rd. The short-term and long-term impact to our well established community and surrounding nature are monumental.

Below, is a proposal to what actions are necessary for a development to be built north of our neighborhood - to respect and protect the current residents, their homes and their contributions to this great city.

1. 12ft Evergreen trees a minimum of 2 be planted on property lot 7 to mitigate the loss of privacy. If they cannot be planted on lot 7 then they are to be planted on tax lot 1300.

2. Protection of tree roots on our property that border the fence line as well as protection of tree roots on the remaining proposed development. Any loss due to root damage would need to result in replacement of a like tree impacted.
3. A uniform well-constructed 6ft privacy fence to be placed on the new development side of the property line, up against the Arborvitae. Inclusive of Tax lot: 1400, 1300, 1200 and 1100. The Arborvitae must remain in place to mitigate the impact on the loss of privacy.
4. The Four Leyland Cypress trees proposed to be removed in the open space area remain in place. The removal of these trees contribute to the negative impact on wildlife in the area, and potentially contribute to water drainage issues.
5. Proposed lots 1, 2 and 3 have a driveway positioned so that it will have glare and lights shinning into our home. Privacy shrubs or trees planted to mitigate the loss in privacy and negative impacts of lights are needed.
6. The 15ft Douglas fir, and the 20Ft Douglas fir bordering tax lot 1200 remain in place to mitigate the loss of privacy and the negative visual impact of the proposed lot 3 home.
7. Currently we experience significant rainwater run-off from the proposed development lot, Construction as well removal of trees will contribute to an increase in drainage into our yard. Need an aggressive plan to protect and mitigate the drainage into bordering lots.

Development is an important part of a Cities growth and we have watched the city grow and meet those demands over the years with pride. We know that the community and the city of Wilsonville rely on community members and their contribution to support this growth. This development does not fall into necessary and positive development when it impacts longstanding residents and their home. We know this Development Review board will look at the impacts this proposed development has and support longstanding community members by making the right decision for the future of our families and our home.



View from Kitchen window and dining room window currently-Proposed development will look directly into proposed lots 5, 6, 7 and 8.



APRIL 2, 2021

To: Wilsonville Planning Department and Development Review Board A

Re: Proposed Zone change on Canyon Creek Road South

As a long time contributing resident of Wilsonville, and potentially impacted Home owner, I am extremely concerned by the proposed zone change and proposed Development on Canyon Creek Road South.

Per the City of Wilsonville **Section 4.100. Zoning - Purpose**. Sections 4.100 to 4.199 of this Code are enacted for the purpose of **promoting public health, safety, comfort and general welfare; to encourage the most appropriate use of land**; to provide adequate light and air; to **prevent overcrowding of land**; to avoid undue concentration of population; to **provide proper drainage**; to facilitate adequate and economical provision of public improvements and services, and to **conserve, stabilize, and protect property values**; all in accordance with the Statewide Planning Goals and the City's Comprehensive Plan.

This Zone Change does not meet this purpose!

This Rezoning change will not Promote Public Health, Safety, comfort and general welfare. This proposed development will result in additional traffic and safety issues for a development already experiencing parking issues and egress challenges. Residents of McGraw street and the neighboring streets in the newest development in the neighborhood are forced to park on Daybreak road and Canyon Creek S. road due to NO PARKING or extremely limited parking on their own street. Residents are parking in areas clearly marked NO PARKING. Cars are hanging over the driveways and sidewalks in an attempt to avoid parking blocks away. This is not a rare occurrence this is happening daily! See attached pictures. There is two entrances to The Renaissance Canyon Creek Development off of Canyon Creek Road. There is only one exit for 130+ proposed homes all exiting Daybreak road onto Canyon Creek Road. This is a disaster waiting to happen! Our community was on alert for potential evacuation due to Wildfire threats this past year. Evacuating or accessing this neighborhood would be a challenge at best due to the lack of egress and the continued rezoning and crowding of homes in this development. Why is the city waiting for a tragic loss? The city experienced this with the fire in the Villebois Development in 2019, because of Density Congestion? The proposed development will have no parking on the public street, on either side of the road in front of the homes. How is this safe? How does this promote comfort and general welfare and appropriate use of land as stated in the city code? The city requires a traffic impact analysis with any zone change application, per **Section 4.133.06. Comprehensive Plan and Zoning Map Amendments. (.02) Transportation Planning Rule Requirements'. Traffic Impact Analysis. A Traffic Impact Analysis shall be submitted with a plan amendment or zone change application. [See Section 4.133.05(.01) the study for this proposed zone change/development was done in 2019?** So much has changed in Wilsonville in 2 years and the traffic has dramatically increased in this area. We are requesting a new Traffic study to be completed for this proposed development. Canyon Creek road and Boeckman creek Road intersection has had numerous accidents in the past 2 years.

The code states to prevent overcrowding of land, this zone change will result in overcrowding and impact 2 developments. Vlahos drive is an established neighborhood framed by large native trees. The proposed development will remove 26 trees so 8 homes can be developed on .98 acres in a city designated as "STERLING TREE CITY USA". The developer is asking for numerous set back waivers? If the lots don't meet code why allow waivers for setbacks? The only person that benefits from this is the developer, he gains financially from squeezing in additional homes. The surrounding homes that have been in place for years LOSE! We have heard that the city allows waivers generously because they have in other developments....this makes no sense to have a code that is waived. The other developments in this area have larger lot sizes, due to the lot size zone change that occurred and now will allow this developer the ability to have lots less than 5000 sq. ft., 8 homes in .98 acres. Do Not allow waivers for setbacks this adds to the overcrowding of land and does not support the city code **4.10 J. Sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of the City's favorable environment and, thus, to promote and protect the peace, health and welfare of the City.**

CHAPTER 4 – SECTIONS 4.400 – 4.450 SITE DESIGN REVIEW Section 4.400. Purpose.
(.01) "adversely affects the stability and value of property" This Proposed zone change will potentially negatively impact the surrounding homes on Vlahos drive and adjacent homes on Canyon Creek South as well. The code is in place to protect the citizens of Wilsonville. This proposed development benefits only the developer financially. The residents being impacted financially lose! The proposed lot would sell quickly if it remained as a RA-H 0-1 dwelling units per acre. That has been demonstrated by the adjacent home, they rebuilt their dream home on the lot next door zoned RA-H. Now they will be negatively impacted by this potential zoning change. The rezoning only benefits the DEVELOPER.

This Zoning change should not happen! Support the Citizens of Wilsonville! Don't make the same mistake twice! Don't wait till a tragedy happens and then do something, be proactive! Hear the residents of Vlahos drive and Renaissance Canyon Creek follow the purpose of the city zoning "of promoting public health, safety, comfort and general welfare; to encourage the most appropriate use of land". We are counting on the City of Wilsonville to do the right thing, NO ZONE CHANGE!

Thank You for your consideration

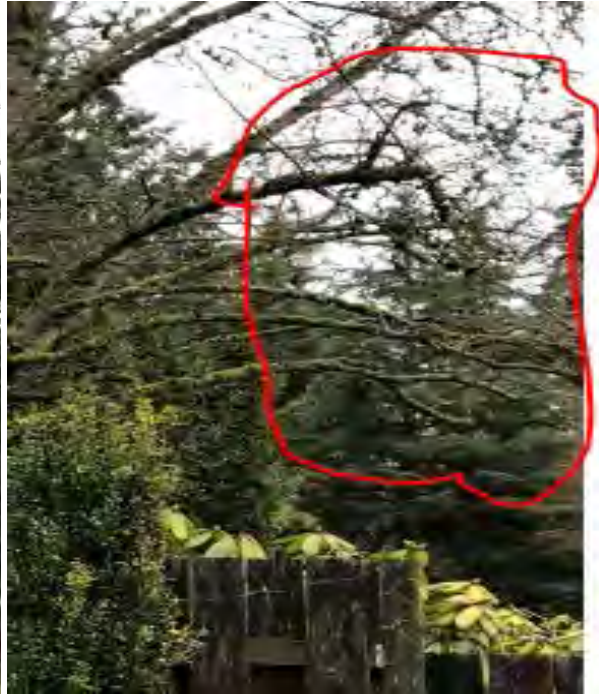
Helena & Jeff Lulay
7557 SW Vlahos drive
Wilsonville, Or 97070

SEE 20 PICTURES *These are from the 60 days in this neighborhood.

Grove of Trees that will have all but 2 removed



Trees in red area proposed for removal



A Wall of 3+ homes will be behind a property with one home!

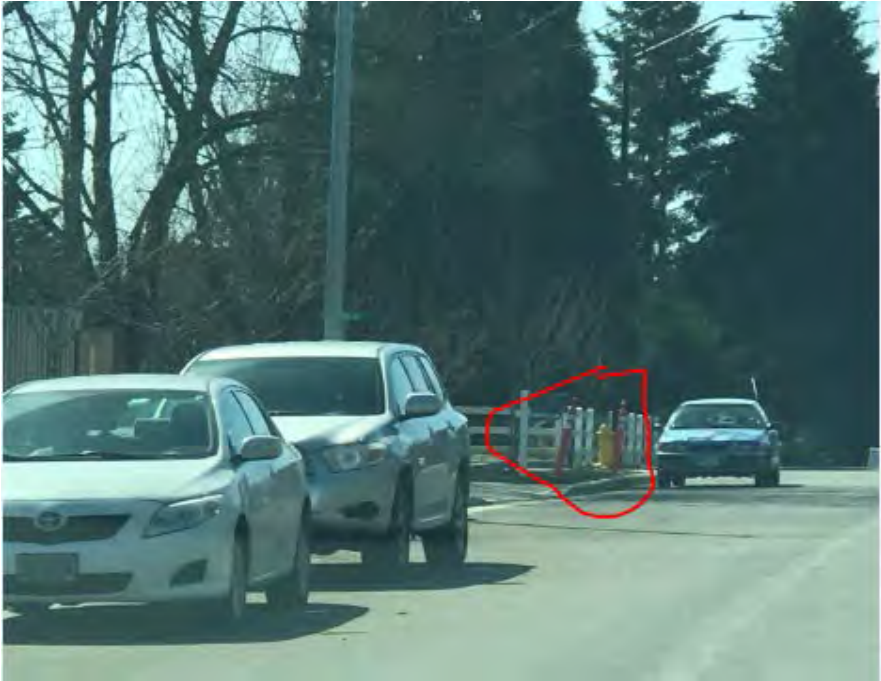




This grove of trees will be removed for a community garden for 8 homes?



Parking on street. Residents have cones circled in red to keep people from parking in front of their home.



Residents of Aspen parking in front of other residents homes on Daybreak because they can't park on their street because of not parking.



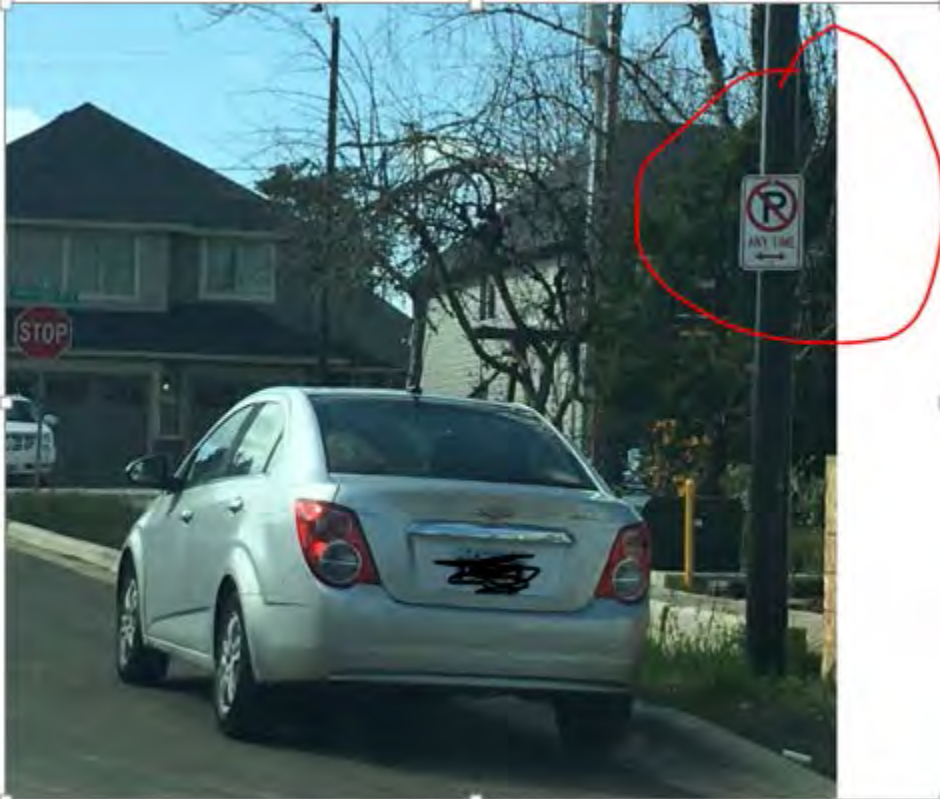
This resident of Aspen Meadows parks his work truck daily on Daybreak road because there is no room on his street! Not right for the residents of Daybreak road!



Cars parked 24/7 here.



This sign is ignored daily! What happens when a fire truck can't get down the street!



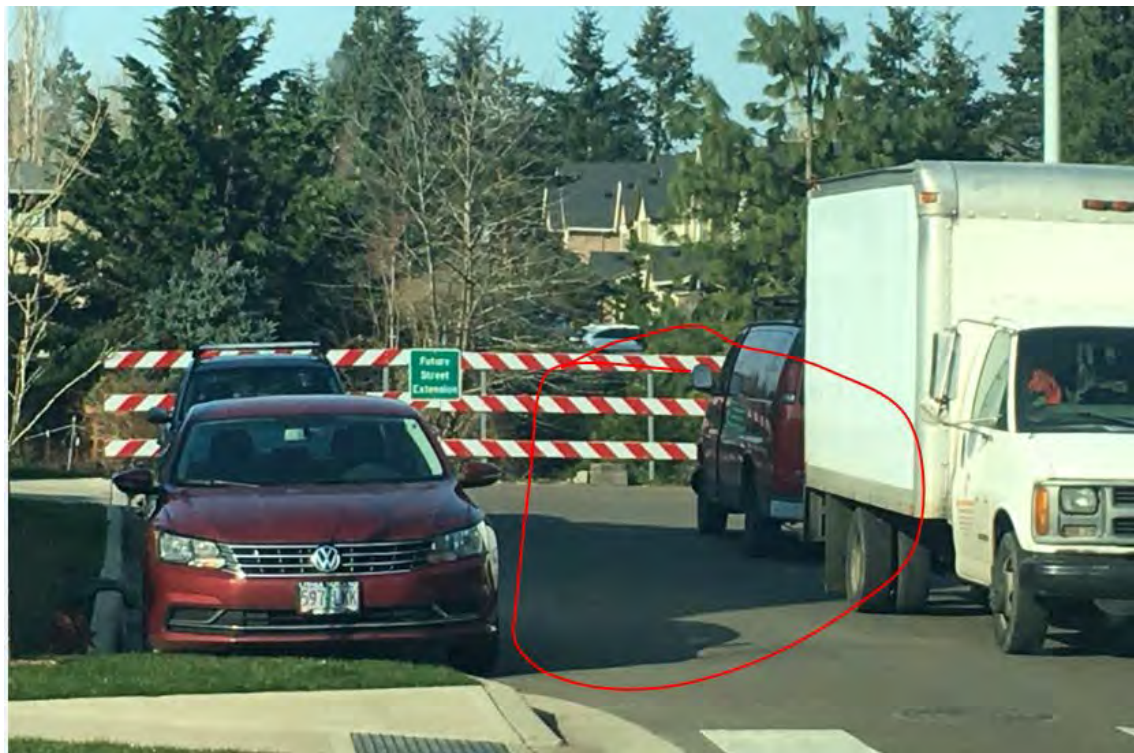
This sign is ignored daily all day long by delivery drivers and residents!



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Can a fire truck or Ambulance fit through here?

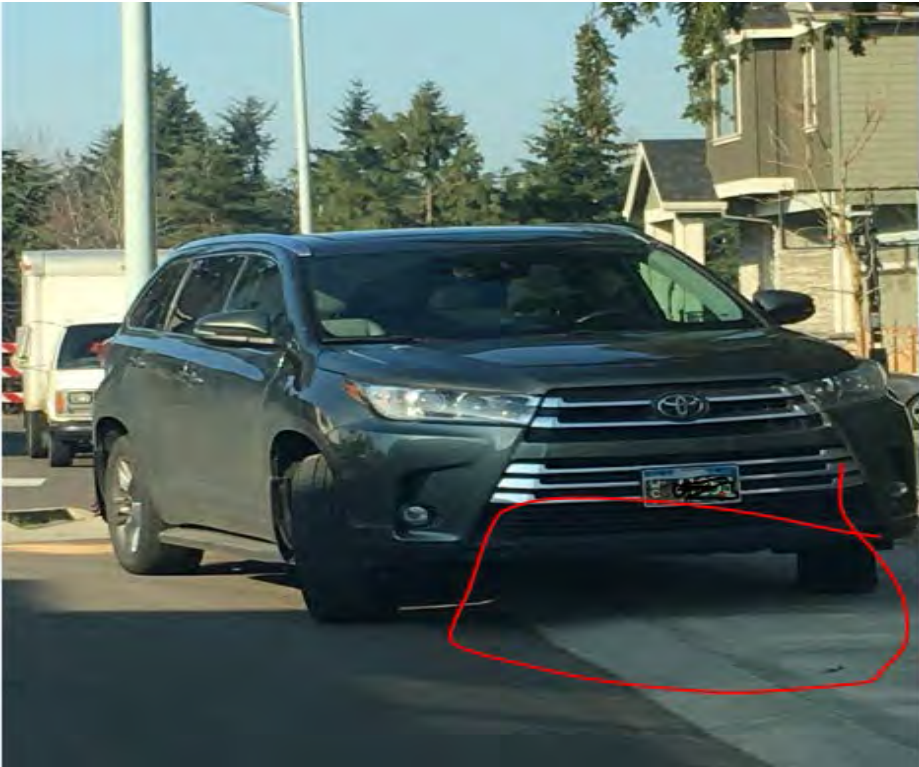




This RV is parked on the sidewalk? Aspen Meadows



Parking on the sidewalk? Aspen Meadows



Dumping occurring for years in RSOZ zone.



This is where trees will be planted??



RSOZ Zone dumping



From: Brenda Lund <brendalund@frontier.com>
Sent: Friday, March 5, 2021 12:50 PM
To: Bradford, Philip
Subject: Proposed Development Canyon Creed 8-Lot Subdivision

Dear Mr. Bradford,

My name is Brenda Lund Troupe and I am the original owner of my house located at 7558 SW Vlahos Dr., Wilsonville and I have lived here for 27 years. I am very concerned about the proposed development and the impact on my house and surrounding neighborhoods. I have outlined below some of my major concerns.

1. **FIRE AND LIFE SAFETY** There is only one road (ingress and egress) in and out of the development onto Canyon Road South. The width of the road appears to be 47-48 ft. wide and the standard width is 49-56 ft. wide. It also appears that there is no street parking so I am concerned about overflow parking. The private drive for lots 1, 2 & 3 will be used for a turn around for trash services. There will not be sufficient room for emergency vehicles and in case of a major emergency, there will certainly not be sufficient room for all the vehicles and equipment. Cramming houses onto a parcel of land is not worth someone's life or the loss of a home, or worse, a neighborhood. We all have learned from last season's fire disasters, that fires spread quickly and without adequate access, terrible results occur.

If a major emergency occurs there is only 1 road out onto Canyon Creek Road for the entire neighborhood comprised of approximately 124 existing homes plus the proposed 8 homes for a total of 132 homes. This is not a safe scenario.

2. **DENSITY** Squeezing houses into well established neighborhoods is not improving our City. I know there are on-going heated discussions regarding density and reduced lot sizes involving the Frog Pond Development.

The builder is asking for a variance on the lot line for house #3 from 7' to 5'. Lot 3 is **one** of the houses that will border my backyard. It is unfathomable that the developer would ask for a lot line variance and also the removal of 3 trees to squeeze in one more house to put a structure 5 feet from my backyard. Instead of adjusting the house size to fit onto the lot, he is requesting lot line adjustments and cutting down trees to get his house to fit onto the lot.

The end of the private street to lots 1, 2 and 3 will end with a turnaround for trash services. Again, 5 feet from my backyard. I am also concerned about car headlights shining into the windows on the backside of my house from all traffic on the private street.

3. **TREE REMOVAL** The plan shows the removal of **26** beautiful healthy native trees (Douglas fir). That doesn't fit our concept of being the City of Trees. I hope our City has not decided it is a prudent idea to allow tall majestic Douglas firs be cut down to build houses.

These are some but not all of my concerns regarding the proposed development. I will be attending the zoom meeting on Monday March 7th and look forward to our discussions.

Thank you for your time and consideration.



Brenda Lund Troupe
503-709-0073
brendalund@frontier.com

Sent from [Mail](#) for Windows 10

From: Brenda Lund <brendalund@frontier.com>
Sent: Thursday, February 25, 2021 7:54 PM
To: Bradford, Philip
Subject: Subject: Canyon Creek 8 Lot Subdivision
Attachments: Yard Photo 2.jpg; Yard Photo 1.jpg

[This email originated outside of the City of Wilsonville]

Development Review Board Members,

We are responding to your notice regarding “Explanation of Public Hearing Notice & Opportunity to comment on Proposed Development Canyon Creek 8-Lot Subdivision”.

I am the original owner of my house located at 7558 SW Vlahos Dr., Wilsonville (tl 1200) and I have lived there since 1994 (27 years). We are very concerned about the proposed development and what it will physically do to our property as well as our neighbor’s properties, including our house values.

Although it is somewhat difficult to read and understand all of the plans provided ,I have great concerns regarding the following items:

1. Fencing

I couldn’t locate the plans for a fence between the back of the proposed subdivision and the back of our properties. As you can see from the attached photo taken from our backyard, it is “fenced” by 50 year old arborvitae and temporary fence panels zip tied to the arborvitae, which by the way belongs to the owner, William Spring ,is very old and falling down and does not provide a secure, safe and private division between the property. It served only as a temporary fence with permission from Mr. Spring, when no one lived behind us.

There are children and grandchildren playing in the backyards and without a permanent fence ,they will be unable to play in their backyards safely without constant adult supervision. We also have pets that need to be fenced in and small wild animals and large deer that must be kept out. The deer will come in and eat our plants and shrubs immediately and ruin our gardens and flower beds. The bucks are very large and are threatening to children to say the least and they should never be close to them as they can cause serious injury or even death. I didn’t realize how big they are until one was bedded down in my yard and I went outside to shoo him away and he stood up. I couldn’t retreat to my house fast enough.

2. Trees

Wilsonville has always prided themselves on keeping the city green and planting trees to keep it beautiful and has strict requirements regarding tree removal. In fact, tree planting is even an annual city event for its citizens. It doesn’t make sense to remove any of the trees from the proposed subdivision property, specifically the 3 trees that we see from our patio door are slated to be removed. This will expose us to lots 1,2,3 & 4 or 50% of the subdivision. This will

ruin the beauty and livability of our backyard. Since when did our City decide it was a prudent plan to cut down beautiful, healthy mature trees to build houses?

The trees are truly an asset to both the neighborhood and community. Not only do they provide shade but also shelter from storms. They also provide a place to live for a wide variety of birds and squirrels. We are avid birdwatchers all year long and have seen birds this last couple of years that we've never seen before. Without the trees they will disappear. Does this sound like the direction the City wants to go with our environment?

I propose that the City leave all three trees that have been designated to be removed or replace them tree-for-tree with a like species.

3. Drainage

The sloping topography of the land will effect our drainage issues. We already have a soggy backyard and are concerned about it being further compromised due to the slope, backfill, and the removal of trees and vegetation.

I don't know the solution to this concern but will want it addressed further.

4. Bench and Community Garden

The plans show a bench and community garden which I oppose. It will attract people from outside our neighborhood and possibly provide a place for people to loiter. It is located at the end of a dead end street and close to the back of the Sundial Apartments. This is not a safe scenario.

I propose a switch from the house on lot 3 to Tract A. This would move the garden and bench to lot 3 which is closer to an existing open tract of land and more secure. It would be accessible to the neighbors and afford the development a green space.

5. Street Lights and Car Headlights

We are concerned about the placement of street lights (we couldn't locate them on the map provided). I do not want them shining on the back of our house into our upstairs bedroom windows. This could be mitigated if the 3 trees remained and helped buffer the light. I'm also concerned about the car headlights from traffic in and out of lot 3 shining directly into our windows as they access the property. This needs to have some kind of mitigation as well.

This is another compelling reason that a fence is an absolute necessity and the trees remain. Again if lot 3 and Tract A switched it would eliminate the problems.

6. Appearance

We are concerned about the appearance of the subdivision from the back of our house. The houses are very close together which eliminates the feeling of open space between them. It is almost a multi-family dwelling in appearance and a small green space does nothing to alleviate the problem. This is what happens when too many houses are squeezed into a development.

I would propose that lot 3 be eliminated entirely. Not only could the trees remain. It would also allow for more space between houses and open it up visually.

Thank you for your consideration.

Brenda Troupe
brendalund@frontier.com
503-709-0073
sent from [Mail](#) for Windows 10

From: Brenda Lund <brendalund@frontier.com>
Sent: Thursday, April 1, 2021 7:54 PM
To: Bradford, Philip
Subject: Canyon Creek 8-Lot Subdivision

Development Review Board Members,

After having more time to review the proposed development plans for the property located behind my house (tx1200), I have more concerns that I would like to comment on.

- 1. FIRE AND LIFE SAFETY** There is only one road (ingress and egress) in and out of the proposed development onto Canyon Creek Road South and only ONE exit onto Canyon Creek Road for the entire neighborhood comprised of approximately 124 homes plus the proposed 8 homes for an approximate total of 132 homes. In the case of a major emergency, there will not be sufficient routes out of the neighborhood, especially with emergency vehicles coming into the neighborhood and creating more chaos as people try to escape. Cramming more houses onto a parcel of land is not worth the loss of a home, entire neighborhoods or worse, loss of life. We all have learned from last season's fire disasters that fires spread quickly with devastating results. We also learned what happened in the fire at Villabois due to the close proximity of structures. I am especially concerned that if there was a house fire on lot 3, the firetrucks could not protect my house due to the proposed close proximity of the house to mine.

The public street into the proposed development will be posted "NO PARKING" but as we are all aware, there is no way to ensure 24/7 compliance and that someone will not park illegally and block the access to incoming emergency vehicles and equipment. Again, this is a disaster waiting to happen.

The street being designated as "NO PARKING" will make it difficult for overflow parking. Most, if not all, of the homes will have at least 2 vehicles that may or may not be accommodated by the short driveways that we saw in the Aspen Meadows development and we all know that these larger homes either have, or will have, driver-aged children who also own vehicles. Where will the overflow of cars park? Not only are we talking about homeowner vehicles but additional cars from visitors, service repairmen, yard service people, etc. There is limited parking on Canyon Road Creek South. The next closest street would be in the Aspen Meadows neighborhood and Daybreak St. Again, another potential for illegally parked vehicles in violation of fire and parking codes.

- 2. DENSITY** Squeezing houses into well established neighborhoods is not improving our City. I do not want the property re-zoned from residential use at 0-1 dwelling units per acre (from RA-H to PDR 3). The proposal for 8 houses is ludicrous. At most, it should be the same number of houses that will be effected by this development – **4**.

The developer is asking for a **variance** on the side set-back on lot 3 from 7' to 5'. Lot 3 is ONE of the houses that will border my backyard. It is unthinkable that the developer would position a house 5' from my backyard property line and remove 3 trees in order to squeeze in one more house. I think it is obvious that the positioning of the house and the removal of 3 trees illustrates that the house does not fit the lot. Instead of adjusting the house size to fit the existing lot, he is requesting the removal of trees and a variance to adjust the lot size to fit a

house. The layout of the development is an issue because of the positioning of lots 1, 2 & 3. Specifically, lot 3 is turned so that the front of the house faces the private drive and the side of the house that has smaller set-back requirements, backs up to my backyard giving me my original 20' set-back and only a 5' set-back on the new house for a total set-back of 25'. Lots 1 and 2 do not back up to an existing neighborhood. The other 5 houses are turned in a direction facing the public street so that the backyards will back up to my neighbor's backyards, thus giving them 20' backyard set-backs for a total of 40'. Why should I lose 15' because someone wants to build a house that doesn't fit on the lot and has to position it in such a way as to take away from my livability? This is my backyard and lot 3 needs to be repositioned so that the backyards are back to back or lot 3 should be eliminated entirely.

Lot line set-backs were put into effect to protect people's property and privacy. Why is the developers wish for more homes/profit more important than my home and property?

3. GRADING The Grading plan shows severe grading (50%) on Tract B. The property slopes to the Southeast and there is continual drainage from the property year round that runs through the back of our properties. With the severe steep grade, removal of trees, grass and natural vegetation, the water will shed directly into my backyard. Please show me where this is legal. In addition, we are under the understanding that there is a natural spring in the middle of the property. In the case of a "disturbed" natural spring, the water will take its own course and if that means it runs under our houses, that's what will happen. Of course, this then becomes the homeowner's problem and expense. Again, does this seem reasonable?

4. TREE REMOVAL The plan shows the removal of **26** mature healthy native Douglas Fir trees. This doesn't fit with our City being a **Sterling City Tree USA**. The ice storm was devastating to so many of the trees around our city with the exception of the native Doug Fir trees. They received little or no damage at all. The plan to replace the Doug Fir trees with fast growing red alder trees is horrifying to say the least. They need to be replaced with the native Doug Fir species that are proven to withstand time and mother nature. The trees are truly an asset to both neighborhood and community. Not only do they provide privacy and shade but also shelter from the storms and are a home to a wide variety of birds and small animals. Without the native trees some of them will disappear. Does this sound like the direction the City wants to go with our environment? We have read the Arborist's report and know that it is only a proposal and once the plan is approved, the developer can remove more trees. I hope this is not a situation where all the trees will be eliminated.

At last month's DRB meeting, we were told that some of the comments received from citizens about this proposed development included opposition to the entire development. We were also told to keep an open mind and to compromise on some of the issues. I have to compromise my backyard setback, the trees, my privacy, my house value and general livability. What is the developer compromising? Maybe they should begin with the elimination of Lot 3 which would alleviate the removal of trees, retain our existing backyard and give the development a more pleasing aesthetic.

Thank you for your time and consideration of these objections.

Brenda & Kevin Troupe

Sent from [Mail](#) for Windows 10

26 February 2021

To whom it may concern,

We are home owners in the neighborhood at the end of Vlahos Dr. We are writing to express our concern regarding the development of properties directly behind our home. It has come to our attention that not only will several homes be built directly behind us but many trees will be removed as well. We have many concerns about this development, some of which are outlined below.

1. Removal of trees
 - a. One of the reasons we chose to live here was the nice trees surrounding our property. The proposed tree removal will change the look of our entire cul de sac.
2. Lack of privacy
 - a. A huge reason we bought our home was the private back yard. It appears that several trees behind our property will be removed and homes will be looking in on our back yard.
3. Loss of property value
 - a. We are concerned that a row of tightly spaced homes right behind our home will decrease our value. Our lot appears to be about three times as large as the proposed lots.
4. Privacy Fence
 - a. Is there any plan for constructing a nice 6 foot wooden fence along the property line? We are also concerned about the potential loss of our 12 foot hedge. Is there a city requirement for privacy landscaping as part of this development?
5. Construction Noise
 - a. What are the expected hours of active construction?
6. Lot Sizes
 - a. Is there a minimum lot size requirement. We noticed that the lots are under 5,000 square feet.

Lastly, when we look at the neighborhoods surrounding us, they seem well planned and the homes are all similar in size and quality. This development seems out of place with the homes that surround it. We have always appreciated the careful development that Wilsonville seems to create. I work in one of our neighboring communities that is not as carefully planned. Their neighborhoods are random, with very strange lot sizes, flag lots, and tight driveways. It is not appealing and is a big reason why we chose to buy our home in Wilsonville and commute. I hope you consider the impact not only on our neighborhood but the precedent for future planning.

Sincerely,



Anthony and Michelle Calcagno
7563 SW Vlahos Dr.
Wilsonville, Or 97070



4-2-2021

To Whom it May Concern,

This letter is a follow up letter to the one we previously sent on February 26, 2001 with more detail given the new information that we have gained since then.

My husband and I have been residents of the Wilsonville community for 15 years. We love Wilsonville! We love this community so much that we have lived in three different homes here. We started out renting from Sundial Apartments when we were first married, we then bought our first home on Ruth street behind the library, and lastly, we bought a bigger home which is now our current home on Vlahos Dr. Each time that we decided to make a move, staying in this community was important to us. We love the parks, trees, accessibility, neighborhoods, residents, and schools. We have always thought that Wilsonville has done an outstanding job adapting and growing as a community in a thoughtful, planned, cohesive manner.

We are sad to say that this development behind our home does not stand up the expectations that we have had as residents of Wilsonville. We will outline below several of the reasons why we are very concerned and disappointed with this proposed development.

First off, we are very concerned about the impact this development will have to our own property value. Our backyard which is our haven (especially since COVID) will no longer be private. We will have very tall homes looming over us. Also, the lot sizes do not seem to be consistent with the current lot sizes surrounding them. We have made this argument with the city planner. In our discussions it was pointed out that our lots are consistent because our current lots are zoned for 6 dwellings per acre. The reality is our lots are 3-4 dwellings per acre which is not consistent with the proposed development. Also, to the other side of this proposed development is one beautiful new home on 2 acres. Once you squish 8 homes on a 2-acre lot that is only half buildable there is no question that our property value will decrease.

Secondly, the tree mitigation plan proposes to cut down 26 trees. Not just any trees, several Douglas fir and Ponderosa Pines that are up to 21 inches in diameter! These are very old grand trees that are in excellent health. They are beautiful, they surround our neighborhood and provide a very stunning backdrop for our neighborhood. If these are removed you will have effectively ruined our neighborhood ascetics. We are angry that the removal of these trees is even a consideration! I also want to point out that when I participated in the last city council meeting there was a lengthy discussion about the devastating tree loss our community has suffered from the ice storm. Why are these trees even up for discussion? We do not want the trees cut down. They provide us with privacy, give homes to animals we share this space with, and are part of our neighborhood.

Thirdly, as far as we can tell in our research, Wilsonville has done a pretty good job of providing equitable housing, we meet our density requirements. Why is the city about to allow a developer who is not part of our community develop this area in a tasteless manner

just to make a large profit? Also, why are we allowing the developer allowances towards the codes? He is asking for EVEN tighter widths between properties which is only for his benefit. I understand these allowances have been approved in the past. If you visit the already developed area where these allowances have been made, you will notice there is nowhere to park, too short of driveways, and very tight living conditions for future residents. It did not work well the first time it also did not work the second time, so why would we allow it again? Don't we teach our children that when you make a mistake you learn from it and don't repeat it?

Fourthly, do not get us wrong, we completely understand that our community needs to grow and new homes need to be made. We are residents that have benefitted from having apartments available when we were first married and starting out, we were thankful that we had the opportunity to buy a small home in our budget the first time we bought a home. We were also glad there were such wonderful options when we were ready to step up and buy a larger home with more space. The biggest problem with this development isn't that new homes are going in, it is that too many homes are being squeezed into an unconventional space. There is no way to describe it other than strange!

When we look at the proposed development, we see some ideas for improvement. It seems that many problems could be solved by eliminating lot number 3. As shown on the proposed tree removal plan 9 of the 26 trees being removed are within lot 3.

The proposed lots 1-3 are in an area where the existing ground is very steep. We have serious concerns about the proposed grading in this area. The preliminary street profile shows the driveways of these three homes to be at approximately elevation 213 feet. The bottom of the proposed infill grading is at approximately elevation 195 feet. This coincides with roughly halfway back into the building footprint. The elevation of the existing ground at the back of the building footprint is approximately 190 feet. Assuming the lowest floor of the building is approximately 10 feet tall, the back patio will be approximately 10 -15 feet above the existing ground. This means that either the driveway will have to be lowered considerably or much more fill will be needed than what is currently shown. This fill would most likely impact the SROZ. See the attached sketch showing these inconsistencies. If one of the lots was eliminated it would allow more space for driveways and realistic grading for remaining homes in that area.

Between lots 2 and 3 is a new proposed 15-foot storm easement, which further reduces the available width for homes in this area. Lot 3 is the most difficult to access. It is at the end of the proposed private street. Lot 3 also has the most impact on existing homes in our Vlahos neighborhood. The proposed home is only a few feet away from the patio of a home in Vlahos! With the removal of trees, there will be absolutely no privacy. Instead of looking at beautiful 50-foot trees they will now have a three-story house towering over them. The loss of home value is drastic and irreplaceable. Moving forward with this plan effectively ruins their home.

Part of the area of lot 3 could instead be preserved as natural area. Or even have benches near the already beautiful trees. We have noticed that a small grove of trees was saved for this purpose in one of the already developed acres. Why not do that again?

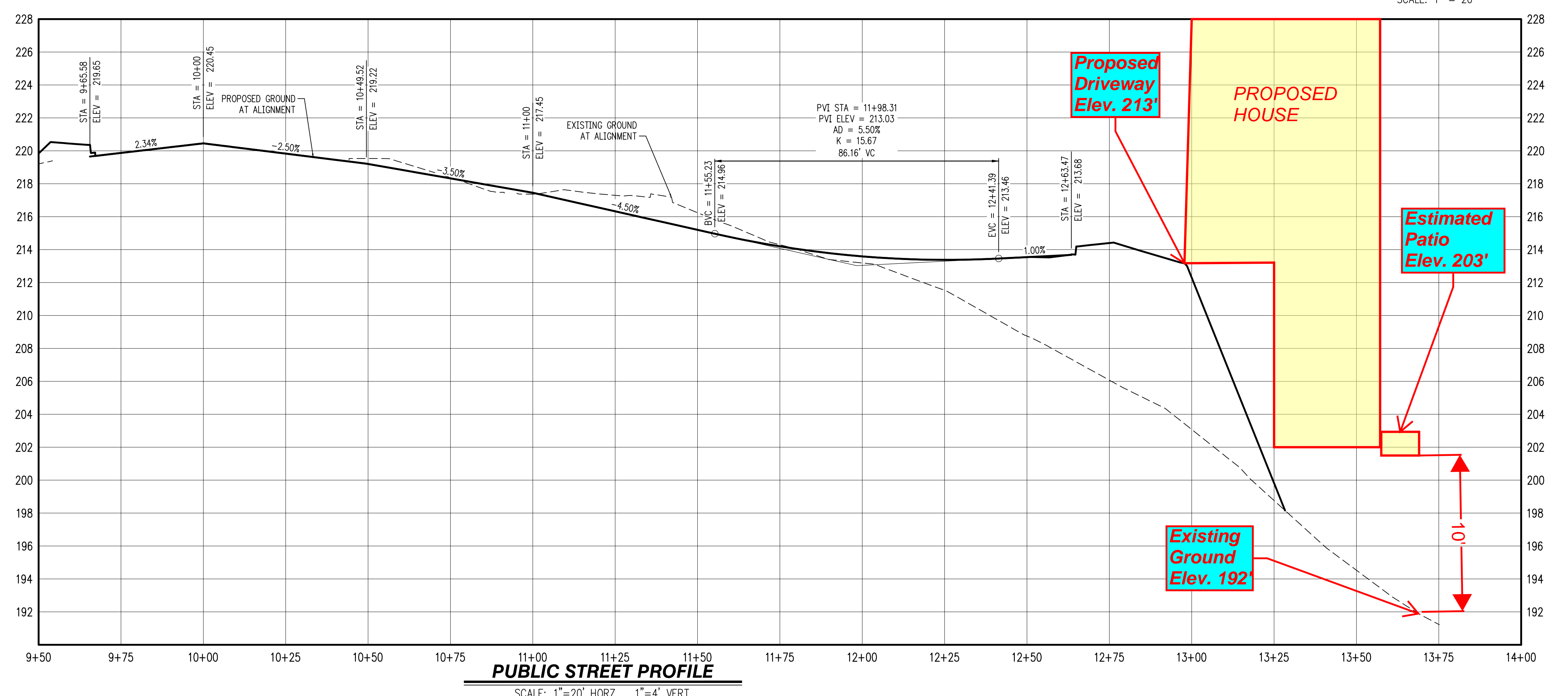
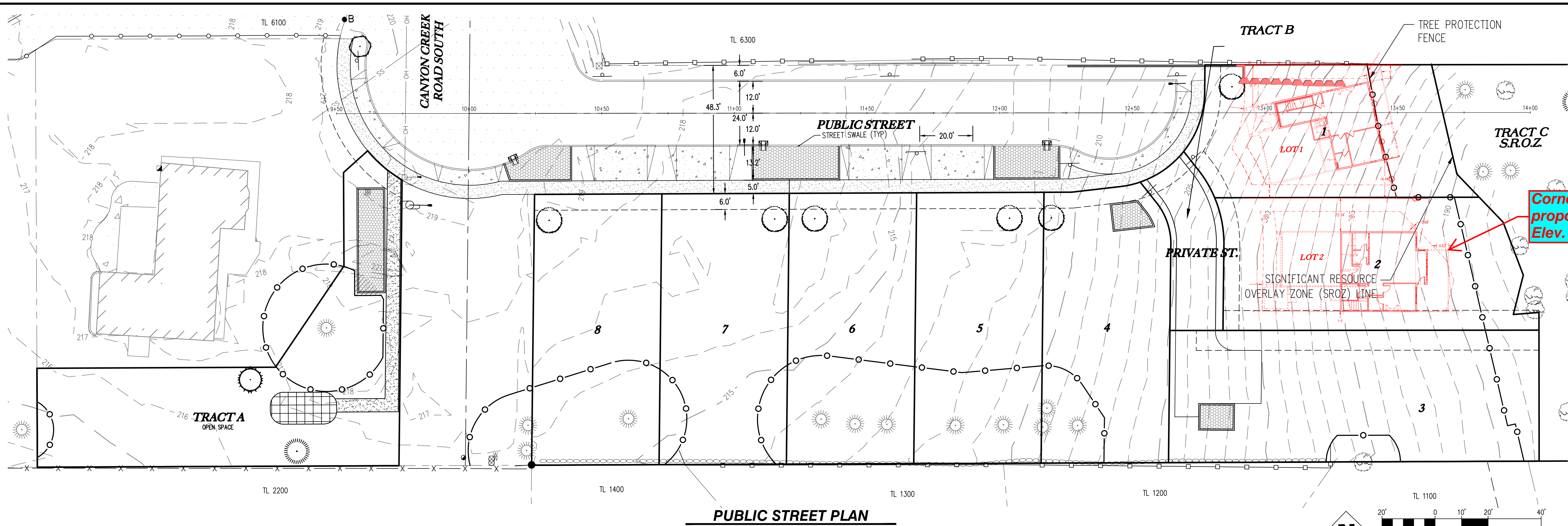
In closing, I would really like the review board to stop and think about who you are supposed to represent? Is it the builder? Future residents? Or is it the residents that already live here, own property and pay taxes? We, your current residents are very upset right now. Please hear us and take what we are saying seriously. We are the ones living here and experiencing the problems of poor planning, congestion, and lack of privacy.

Sincerely,



Anthony and Michelle Calcagno
7563 SW Vlahos Dr. Wilsonville, OR

ATTACHMENT: Grading Plan with inconsistent elevations labeled



CANYON CREEK RD S
 TAX LOT 6400
 AX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

PRELIMINARY PUBLIC STREET PLAN AND PROFILE

REVISIONS	
NO.	DESCRIPTION
0	PLANNING 1ST SUBMITTAL

EMERIO Design

6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

2/26/2001

To whom it may concern,

We are landowners living at 28650 SW Canyon Creed Rd S. We purchased the land over 8 years ago. We have 5 children and are care takers for my parents as my father has Parkinson's. Our children all go to Wilsonville schools and we have loved living in this beautiful city.

When we bought the property over 8 years ago we did nothing with the property until we could plan a home that not only made sense for our family, but also considered the neighborhood and their families. We worked to ensure that our home and property brought value to our neighborhood and the city in general. We literally have had people drive in from other cities to look at what we have done with the land and have caught vision for how they want to do exactly what we have done. In all humility, we were one of the only painted-white modern farm-style homes in Wilsonville proper at the time and now you can't drive into one new development without seeing a new beautiful trend.

We have lived through the development of The Renaissance Homes at Canyon Creek. They carefully planned and built 7 additional homes across the street from us a few years ago. They are beautiful high-quality homes. They not only took into mind their goal to make money and develop the land, but the goal to uphold the value of the neighborhood these home would be built. They choose to serve the people and community, not just the bottom line.

Since that project with Renaissance Homes, is the City of Wilsoville has allowed itself to sell out to other developers in our neighborhood only for their own selfish gain. There has been no consideration for the neighborhood or it's existing residences with the latest development that has gone in to the north of us on Canyon Creek Rd S. 14 homes were built on 2 acres. They are cheaply built, cheap looking homes that don't match the other homes or the flow of the neighborhood. Where we once had a view of a field we now have two street lights that are horribly placed shinning into our windows all night and homes that stand far higher than our house because of how the land was built up.

After seeing how terribly the city listened to the concerns of their residences and only chose to side with the development company, I am hoping that something will be different with the new proposal of the land to the south of our property.

What is now being proposed makes no sense for this neighborhood. Cramming 8 homes at the end of a tiny cul-de-sac not only puts us all in danger if a house fire occurs but it now puts all of our small children in danger that live at the end of this street. There are many families with small children that live in this cul-de-sac that are used to running around and not having concerns of cars passing through. With what is being proposed we will now have a minimum of 16 cars pass in front of our homes daily.



We approached William Spring multiples times asking him to please consider selling his property to us. We told him we feared for the safety of the neighborhood's children as well as the value to all of our homes. We told him we would even match the price that he was getting from a developer. He refused and said this is how city planning goes. With that it makes me question the very heart and value for family in and to the city of Wilsonville.

I am calling into question why 8 homes? The land isn't even 2 acres once you consider the zoning restrictions. Why are we doing a better job as a city at protecting our plants than our children. This whole neighborhood has been sold out to land developers that care more about maximizing their profit than the wellbeing of the neighborhood. Why not 4 homes? I am asking the city to reject these 8 homes and to challenge William Spring as well as the developer to come up with a solution that takes safety and the wellbeing of the residents into consideration; hat considers the families of Wilsonville and the impact that even poor neighborhood planning is having on many.

Currently there is still only one exit out of this overly populated neighborhood; something the city still hasn't made a priority to fix. If a fire, a natural disaster or any other type of emergency were to take place in our neighborhood, how many people's lives will be endangered?

If the home value of beautiful neighborhoods in Wilsonville get driven down by poor land development it will affect the whole city Why isn't this a higher priority for the city overall?

We are begging you to reject this proposal on this land. We are asking you to do the right thing for the citizens of this city, not a development firm. We are asking you to make William Spring and the land developer to do a way better job at coming up with a solution that benefits the whole city not just themselves. This is a dangerous proposal; this is a harmful proposal to two fully existing neighborhoods. We need to do better. We are asking that you would demand more and help protect our home, our neighborhoods and the value of homes in this beautiful city.

Thank you for hearing our voice!

Sarah and Shane Lorente

503.267.1731

503.317.9655

From: James Britt <britt7080@yahoo.com>
Sent: Saturday, March 6, 2021 8:33 AM
To: Mayor Julie Fitzgerald; Councilor Ben West; Councilor Charlotte Lehan;
Councilor Joann Linville; Councilor Kristin Akervall; bates@ci.wilsonville.or.us;
Bradford, Philip; Planning
Subject: 28700 SW Canyon Creek Rd S home development

[This email originated outside of the City of Wilsonville]

I would like to express some concern regarding the proposed home developments at 28700 SW Canyon Creek Rd S. This development is located at the end of a cul de sac, and with the addition of the other developments which have already been approved, will quadruple the number of homes at the end of this dead end street over the last five years. With the 8 houses that have already been completed and occupied, there has been an increase of people parking along Canyon Creek Rd because the developed properties cant accommodate the cars for the people that live there. Technically, cars aren't supposed to park on one side of the road, but this isn't always observed. With the new developments, it is common to find cars parked in front of mail boxes and fire hydrants, which are both illegal and create safety concerns. Currently, this problem already occurs when the house with the at-home church ministry holds service.

This development that is being proposed is in the Renaissance neighborhood on Canyon Creek. This subdivision currently only has 1 main road that services the area (Daybreak Street). It is common for people to park on both side of this road, basically rendering it a one way road. All this new development will make it virtually impossible for emergency vehicles to respond if needed. And all this road parking will make it difficult for trash vehicles to do their jobs.

James Britt
28659 SW Canyon Creek Rd S
Sent from [Mail](#) for Windows 10

From: Kevin Troupe <kevinfishing.kt@gmail.com>
Sent: Sunday, March 7, 2021 9:11 PM
To: Bradford, Philip
Subject: Proposed Development Canyon Creek 8-Lot Subdivision

[This email originated outside of the City of Wilsonville]

Dear Mr. Bradford,

My name is Kevin Troupe and I recently moved to Vlahos Drive when I married Brenda Lund, (now Brenda Troupe). When we decided to get married we both owned our respective houses for 25 plus years. I lived in Beaverton and Brenda in Wilsonville. We chose Wilsonville because of the trees, open spaces and a greater sense of livability than anywhere in Beaverton. I too experienced a plot of land behind my house that was the remaining original farm in the neighborhood, turned from corn crops to two single family houses with a flag lot that split the houses to a duplex behind. The plot of land was rezoned from R3 to R12 due to light rail being put in and my house was within the 2 mile perimeter of the electric train. In other words, I had 4 family dwellings built within 5 feet from my back fence occupy the same space as my house and yard. They were so close that when I sat on my back patio I could hear the conversations of the family behind me at their dinner table.....ouch! I also lost the trees surrounding the corn fields with a two story house/wall that I had to look at because the side of the house was positioned the same way as the house on Lot 3 will be positioned to our house in the above current proposal. Do you really want Wilsonville to start looking like Beaverton?

I also am very concerned about Fire accessibility problems and Safety issues with the proposal. The 8 houses proposed have the same ingress and egress that the other 124 houses in this subdivision have. Though the map looks like the north end of Canyon Creek South has an open entrance and exit onto Boeckman Road, it does not as there is a locked gate across it. With the entrance only to the subdivision off Canyon Creek Road at Morningside Avenue that only leaves one way out for all 132 homes, present and proposed, in the case of a catastrophic fire situation. The higher density of houses amplifies that very fire situation.

The proposed layout of the houses is also problematic in that the single road in and out of the proposed 8 house area pins the houses on Lot 3 and less so Lot 2 and 1 "back in the corner", if for whatever reason the roadway has vehicles on it from houses 4 thru 8. I understand that "No Parking" signs will be put up but the reality is the development just finishing up by the same development group, there is a Prius car that can not fit in their own driveways without blocking the sidewalk so they park in the street. To think that the people in the new proposal area would act differently could overlook human nature. The tighter people are packed in the more inventive their behavior becomes.

I believe tightness is also going to create issues for multiple emergency and sanitation vehicles to maneuver in the area of house 1,2 and 3. Again all it will take is one car to be parked anywhere on the new proposed street and private drive to grind things to a halt. With lot sizes getting

smaller and streets getting smaller, it all points to Wilsonville losing what it is that makes it such a great place to live.

Kind Regards,

Kevin Troupe
7558 SW Vlahos Drive
Wilsonville, OR 97070

From: Kevin Troupe <kevinfishing.kt@gmail.com>
Sent: Thursday, April 1, 2021 9:50 PM
To: Bradford, Philip
Subject: Proposed Development Canyon Creek 8-Lot Subdivision

[This email originated outside of the City of Wilsonville]

Development Review Board Members,

I am writing about the proposed zoning change for the above subdivision. I believe decisions are being made on outdated information. I would ask that all members visit the site to see for yourselves what it looks like and what the potential problems are.

Tree Removal

The Tree Removal plan does not make any sense. First of all, as I read the regulations, the survey is just a recommendation to the developer not a concrete command. When I look at the trees being removed in conjunction with the recent "ice storm", the Douglas Fir and the Ponderosa Pines came through with little damage. How did the vast majority of Non-native trees in the greater Wilsonville area fair? When you look at the proposed backyards on lots 4 to 8 the native Douglas Firs that are recommended to be left have a structure that falls within the drip line for the tree. Do you really think the developer is going to leave the trees standing when at the very least they are going to have to trim off all the branches on the north side of the tree just to build their structure. This will also cause the excavation digging for the foundation of the house to be within 5 to 6 feet from the base of the tree. I would think many primary roots of the tree will be severed in the process. Do you really think this Majestic tree will survive this kind of treatment and not die? So we are going to lose another 11 native trees to "progress and profit". Does this mean the developer has to put in another 11 "Red Alder" water loving trees near the creek versus the big douglas firs that are soil holding monsters on the hillside? With these trees gone, water will most likely flow freely into the backyards of our adjacent property due to the severe slope. Kind of ironic that later this month on the 30th it is National Arbor day at which time we celebrate the education and importance of trees. Wilsonville is a Sterling Tree City. Lets live up to that designation!

East end of the Subdivision

Walk down to the end of the property and take a look at the dump pile that has been going on for years. You will find concrete blocks, old marble chunks from who knows what project along with anything else that the current load owner did not want on his property at his house but knew right where to get rid of it. This kind of dumping has been going on for years. When the dump pile becomes too large, the current land owner pushes it off the hill with his tractor. When you take this walk down to the edge of the SROZ notice that when you look north or south you will see many Douglas Firs and other native tree and vine species. Yet in front of you only earthen piles of old cabinets and burn piles, concrete, plastic containers and junk and dead trees. One has to wonder why they died. Another clue is that Blackberries have taken over the cliff face down to the creek bed. Blackberries do not grow in forested natural areas. They take hold after an area

has been cleared either natural or man-made. I believe an Environmental report needs to be ordered to determine exactly what is in this dumpsite. This is the area that the above "Red Alders" are going to be planted. What do you think the chances of survival are for the new samplings?

This plot of land was originally designated to have one or two houses on it. It makes no sense to change the zoning to accommodate 8 houses that will only destroy the piece of land. Changes of this kind will downgrade the neighborhood, add to an already traffic congestion problem which will increase the potential of safety problems and the list goes on.

Kevin Troupe
7558 SW Vlahos Drive
Wilsonville, Oregon 97070

From: monica davis <zipdeedoo@hotmail.com>
Sent: Saturday, March 27, 2021 2:42 PM
To: Planning
Subject: TO: DEVELOPMENT REVIEW BOARD MEMBERS

[This email originated outside of the City of Wilsonville]

RE: CANYON CREEK 8-LOT SUBDIVISION

From:
Monica Davis
7576 SW Vlahos Dr
Wilsonville OR 97070
cell: 503 421 7033

I have recently learned from neighbors that there is a plan to remove a grove of Douglas Fir Trees, as well as a plan to build some huge homes behind our neighbors.

This was very disturbing to me for many reasons.
These people who have invested in their homes, in this very special area, will be greatly impacted if these homes are built....and if these trees are removed.

I cannot perceive that the greed and the wishes of those who seek to profit from such an outrageously thoughtless and inconsiderate venture would have the right to do such a thing.

I would urge you to please not allow this building project to manifest.
More thought and consideration is apparently needed.
Our four neighbors who would be affected would certainly appreciate some great mindfulness and great consideration before this building project continues.
And it should NOT BE ALLOWED.

Please consider my humble offering, and those of my neighbors who would be greatly impacted .
THANK YOU for your consideration in this matter.
Hopeful, ...and sincerely, Monica Davis

Sent from Windows Mail



From: Mike Lama <mike.lama@comcast.net>
Sent: Tuesday, March 30, 2021 11:47 AM
To: Planning
Subject: Proposed Zoning Change on Canyon Creek Rd S - General Disregard for Zoning & Setback Requirements

[This email originated outside of the City of Wilsonville]

planning@ci.wilsonville.or.us

City Planning Dept / City Council
Re: General Disregard for Zoning & Setback Rules
Tuesday, March 30, 2021

Good Morning,

I want to strongly voice my discontent with the proposed zoning change that would allow an increased number of homes at the south end of Canyon Creek Rd S.

We live on Canyon Creek Rd S, in the Renaissance Neighborhood. It's a lovely area with upscale homes, and the same street you are proposing this zoning change. While I appreciate the need for higher density and more affordable homes in our city, both this zoning change and the Planning Dept's continuous waving of our setback requirements is creating problems for our citizens.

Case-in-point; our neighborhood

This applies to both this proposed zoning change and the ongoing reduction of setback requirements;

About 2 years ago the Planning Department allowed reduced setbacks for a new subdivision that is accessed though our neighborhood (SW McGraw & SW Helene Ave), allowing the developer to squeeze in additional homes, thus reducing parking for these homeowners and putting homes extremely close to existing homes behind them.

The result . . .

With only about half of the homes being lived-in so far, these new home owners are already forced to park up to a block or more away from their homes, in front of our homes. This is because of the neighborhood density, combined with the lack of on-street parking. Your proposed zoning change would significantly exacerbate this problem.

Both my family, and our neighbors, have talked with the Planning Department about this in the past, and honestly, their response was not just poor, they came across as uncaring and smug. They responded to me by basically saying; (1) we really need to increase affordable



housing in the city; (2) we have given other developers setback variances in the past and we need to be unilaterally fair to them; and (3) the developers will not develop this property if they cannot get enough homes on lots.

WHO DOES THE PLANNING DEPARTMENT REPRESENT - OUR COMMUNITY, OR THE DEVELOPERS WANTING TO MAXIMIZE THEIR RETURN ON INVESTMENT.

Most of my neighbors understand our need for more affordable housing, but you shouldn't hurt our existing citizens when doing it, and it isn't necessary - we can have both. The reduced setback streets in our neighborhood barely allow enough room for a garbage truck, let alone on street parking for the new residents. Now this same builder wants 8 more homes squeezed in via a zoning change and reduced setbacks. PLEASE DO NOT DO THIS TO YOUR CITIZENS. We live in a beautiful city, in homes that we saved for most of our lives. Forcing your new citizens to park away from their homes is not the right way to go . . .

I invite you to walk though our neighborhood - in the evening when everyone is home. You will see why the Planning Department's policy of recommending zoning changes and setback variances is forcing my new neighbors to park outside of their neighborhood and in front of other neighbor's homes. We now have commercial vehicles parking more than a block from their residences because they don't have enough parking there - every single night - it's not a temporary thing . . .

Your planning department needs to think more about the unintended consequences that occur before recommending zoning changes and allowing reduced set-backs. And please remember who you represent - it's the current citizens of our wonderful city. Not future citizens and not developers.

Sincerely,

Mike Lama

Mike & Patti Lama
28425 SW Canyon Creek Rd S
Wilsonville, OR 97070
(503) 849-7014
mike.lama@comcast.net

PS - Patti & I love this city and what it's become - we've lived in the area for over 34 years - please help us keep it livable.

From: Mike Lama <mike.lama@comcast.net>
Sent: Friday, April 2, 2021 1:04 PM
To: Planning
Subject: Proposed Zoning Change - South end of Canyon Creek Rd S

[This email originated outside of the City of Wilsonville]

Good Morning,

This is an example of only one of the safety concerns we have with the propose zoning change.

I took this picture last week on SW McGraw street - just up the street from the proposed development. This motorhome was parked here for a few days - they were obviously guests of one of the neighbors, and stayed in it days while visiting . . . This is on the narrow private street between McGraw and Helena St's. There wasn't enough room on the street, so they just blocked the the street and the sidewalk. A firetruck could not make this turn with a vehicle here - but they have no where else to park with the reduced street widths.

I realize that this isn't legal, but in an emergency, that really doesn't matter, does it . . .

The proposed development is much like this narrow street.

Please, just because you approved this zoning change, learn from the problems this has created and do not make this mistake again.

DO NOT APPROVE OF THIS ZONING CHANGE.

Sincerely,
Mike Lama

Mike Lama
28425 SW Canyon Creek Rd S
Wilsonville, OR 97070
(503) 849-7014



From: andyhalterpdx@gmail.com
Sent: Thursday, April 1, 2021 2:25 PM
To: Bradford, Philip
Subject: Canyon Creek 8 lot subdivision

[This email originated outside of the City of Wilsonville]

Development board review members~

I am writing to you concerning the proposed Canyon Creek 8 Lot subdivision. I am a long-time resident of the Renaissance at Canyon Creek subdivision, and currently a board member of its HOA. I can speak to you as both a resident and board member that this subdivision is not wanted in the way that it is presented. My personal feelings as well as those communicated to me from our residents are as follows:

- Parking in this area is inadequate. Canyon Creek South has no parking on either side of the street leading up to this cul de sac, and what little pockets of street parking exist are taken by the new subdivision residence that have already been built.
- Traffic is the most important factor in all of this. The city has already allowed far more building in this area than what our street system is designed for. The only way to access Canyon Creek South is through the Renaissance at Canyon Creek is by driving through our neighborhood. We used to have multiple entrances and exits. The city deemed one of our previously allowed exits as no longer usable. We now only have a single exit to the neighborhood. Unfortunately, this has routed all traffic onto Daybreak to leave the subdivision. This is especially worrisome as this is directly in front of the neighborhood pool, playground, and mailboxes for over half the neighborhood. Roughly half of the neighborhood is south of Daybreak and the amenities are located on the north side. There are no speed bumps, cross walks, or controls of any kind on Daybreak that make children crossing the street safer. We also have a handful of homes whose driveway directly accesses Daybreak. More traffic routed through Daybreak is not wanted, desirable, or safe.

With the recent rise in demand for housing across the nation, I can understand the desire to capitalize on that demand. But doing so at the expense of safety for the existing neighborhood is not the right answer either. For a project like this to proceed, the city must provide more access points to the neighborhood. The current traffic flow into and out of the neighborhood are put directly in conflict with high use pedestrian areas.

The new subdivisions on Canyon Creek South are not even fully built out and the rise in traffic already is alarming. I cannot imagine what adding more back there will do. What will the builder be required to do to mitigate more traffic into the neighborhood? What will the city do to improve access for the current and future residents of this area? Existing projects to the area have seen no new safety measures, and the only chance to traffic has been to remove one of the access points.

As a resident and board member, I cannot stress enough how much this project is opposed.

Thank you for your consideration,

Andy Halter

From: BRENDAN KRISTEN COLYER <PDXCOLYER@msn.com>
Sent: Thursday, April 1, 2021 8:35 PM
To: Mayor Julie Fitzgerald; Councilor Ben West; Councilor Charlotte Lehan; Councilor Joann Linville; Councilor Kristin Akervall; bates@ci.wilsonville.or.us; Planning
Cc: pmalee@pamplinmedia
Subject: Please hear our voices!

[This email originated outside of the City of Wilsonville]

Hello Leaders of Wilsonville,

Our neighborhood community needs your help now more than ever before our neighborhood is taken advantage of again by a developer who blatantly lied to the DRB for the last lots he destroyed in our neighborhood resulting in increased traffic, unsafe parking, and poor construction practices.

Please do not allow zoning changes and ongoing reduction of setback requirements to the Proposed 8 lot subdivision on Canyon Creek Road South for the following reasons:

- 1) Unsafe neighborhood with increased traffic, no place to park because new roads proposed are too narrow for parking, putting Wilsonville citizens at risk
- 2) Unintended consequences from not properly planned prior infrastructure in and out of the neighborhood
- 3) Homes so close together that they could pose a fire risk (remember the fear of spread when the condo unit in Villebois caught fire)

If any one of you would like to come to walk the neighborhood with me, I would gladly give you a tour. I'm not against building homes in Wilsonville, I am totally for it when it is well thought out, streets wide enough for parking in front of your own home, and safety precautions are taken that keep the people living in the neighborhood in mind.

If the planning department approves this zone change you will not be representing your citizens, rather two greedy developers who will tell you they are buying one of the houses (I sat and listened to them say that before) only to never move in.

Warm regards,

Kristen and Brendan Colyer

From: Kristin Tinker <kristinm10@yahoo.com>
Sent: Thursday, April 1, 2021 9:44 PM
To: Bradford, Philip; Planning
Cc: Mayor Julie Fitzgerald
Subject: Proposed Zoning Change for SW Canyon Creek Rd. S.

[This email originated outside of the City of Wilsonville]

City Planning Division,

I strongly encourage the City Planning Division to deny the proposed zoning changes in our neighborhood for the property located at 28700 SW Canyon Creek Rd. S. Our neighborhood is already experiencing some hardships from the last property that was developed on SW McGraw and SW Helene Ave. There is increased traffic, speeding, lack of parking and our neighborhood only has one exit for 130+ homes. Our neighborhood wasn't designed with the infrastructure to support additional houses.

I recognize it may be difficult to deny zoning changes given the Wilsonville has allowed these zoning changes in the past, however I encourage you to make the right choice for our safety and our future by denying these proposed changes. My family and I have been Wilsonville residents for 20+ years. We love it here! As citizens, we look to you to plan a future for our beloved city and to be mindful of our safety. Thank you for your consideration.

Sincerely,
Kristin Tinker
28399 SW Canyon Creek Rd. S.
Wilsonville, OR 97070
(503) 969-3660



From: Chip & Kristi <ckhalstead@frontier.com>
Sent: Friday, April 2, 2021 12:09 PM
To: Planning; Bradford, Philip; Mayor Julie Fitzgerald; Councilor Ben West; bates@ci.wilsonville.or.us
Cc: ckhalstead
Subject: General Disregard for Zoning & Setback Rules for the Proposed 8 Lot Subdivision on Canyon Creek Road South

[This email originated outside of the City of Wilsonville]

To the Wilsonville Planning Dept. and Development Review Board A,

I am writing this letter to express my concern with the proposed zoning changes and tree removal from this property. I am a home owner, in the neighborhood at the end of Vlahos Dr. and I am concerned about this development and the impact it will make on both of our neighborhoods.

One of the main reasons we chose to live on Vlahos Dr. was due to the size of the large lot, the established more mature, tall fir trees and the Boeckman Creek Green Space surrounding our property. The proposed tree removal will change the look of our entire cul-de-sac and the beauty of driving down our street. The developer wants to cut down and remove 26 mature, healthy native Douglas Fir trees, many of them are 16-24" in diameter! Also, the 7.5' setback is way too close to the property line of existing homes on Vlahos Dr. and the new 3 story homes would tower over existing backyards and homes drastically changing the look of our neighborhood. I am proud that Wilsonville has the Sterling Tree City USA status and that we are serious about our trees and native vegetation and green spaces which is one of the reasons why we love living in Wilsonville. These trees provide nesting space, shade, privacy, and aesthetic beauty for our neighborhood and the Canyon Creek neighborhood. I am requesting the DRB to visit this site and view the trees intended for removal and the area scheduled for "replanting." I am concerned with so many years of large amounts of toxic dumping at the SROZ (east) area that it has destroyed the trees in this area already and that planting of 2" trees will not survive as intended. With all the devastation from the February 2021 ice storm, weren't there enough trees taken down? Why would the Planning Dept allow this developer to remove these 26 mature 16-24" diameter trees and replace them with 2" Red Alder trees only for the developers benefit and profit?

I am concerned for the safety of this neighborhood as well as the Vlahos Dr. neighborhood. We all learned from last year's fire season and the disaster of Villebois how fast fire can spread due to the close proximity of homes. How will the fire and rescue vehicles access the homes with so many people currently parking along the streets due to a lack of parking already? I feel that there is not enough space to adequately protect our homes. How can 1 exit accommodate 130+ homes if there were a disaster? Are there accommodations being made for over flow parking? Due to the lack of street parking, there are at times, cars parking in the egress to the Sundial Apartments which is intended for emergency use only. How will the City monitor the "no parking" areas of this development in case of an emergency? How will the people of this neighborhood receive emergency services if the access to their home is blocked by cars of the owners who live many blocks away? I encourage you to drive through the first two developments after working hours or on a weekend to see the crowded streets due to the lack of parking or the small driveways at these homes and ask yourself how will emergency vehicles and even the garbage trucks get through these streets?



I am concerned that the increased crowding of this neighborhood will decrease our property value. The Planning Division has zoning regulations to protect us. Why are you approving building waivers for each lot? What is the purpose of having zoning regulations if a builder can submit a waiver to change the regulation with your approval?

I am also concerned with this property; as well as ours, has natural springs running through the lot and how it will be adequately taken care of. I'm sure that our builder thought they were properly taking care of the natural springs by installing a sub pump in our home but it did not address the issue properly. Our home has had to be stabilized on one side - down to the bedrock and may also need to be done on the other side because of the land shifting due to the springs.

I would like to request that the planning department take into consideration the requests from long term residents like myself and my neighbors before accommodating the developer who is NOT apart of this wonderful Wilsonville community and who is only wanting the benefit to profit by squeezing to many homes into a small parcel of land.

Thank you for your time,
Kristi Halstead
7572 SW Vlahos Dr.
Wilsonville, OR 97070

From: Kim Fink <kimkimberlyann@gmail.com>
Sent: Friday, April 2, 2021 12:21 PM
To: Bradford, Philip; Richard Fink; Kim Fink
Subject: Canyon Creek concerns.

[This email originated outside of the City of Wilsonville]

Richard and Kim Fink would like to go on record regarding serious concerns of an over development of homes in our Canyon Creek area. We will all be affected in an intrusive manner and hope our voices will be added to those also concerned.

Respectfully,
Kim and Richard Fink



To: Philip Bradford - Wilsonville Planning Dept. / DRB A

From: Mark Kochanowski – concerned citizen / nearby homeowner

Reference: **Letter for DRB A meeting next week**.....Tree Removal / Relocations (SROZ code) - Proposed 8 lot subdivision (Canyon Creek Rd S) - please submit this regarding this meeting/hearing.

Hello Philip:

I have about **8 concerns/issues** regarding another Scott Miller / HIGH Density development (adjacent to LOW density) in our neighborhood – but **due to the extreme limitations** of 3 minutes verbally or written communication only – I am choosing to just inquire about one of the 8 concerns – that of the **Tree removals/plantings into the SROZ** at this time.

I was under the understanding that the SROZ is meant to be the area near these wetlands/streams/rivers that the COW is trying to protect this natural resource area. I have searched the COW website and have not been able to find any **detailed** documents on what can and can't be done by property owners for these SROZ's. Specifically – what trees/vegetation can be cut down and replanted. My past conversations were with Dan Pauly and one or two others in the Natural Resource Program – but this was several years ago.

In summary – I am asking for your help / clarification on some issues:

1/ Is there a complete PDF of the code 4.139 that you can forward with specifics of the SROZ do's and don't's as far as vegetation addition and removal, and all guidelines related to the SROZ...?? Note – I did see the Resolution No 2025 – dated July 16th, 2007 and is listed as a 10 page document – but the electronic file was only of 6 pages. There were a couple “broken” links on your website to code 4.139 that went to “file not found”. Help ???

2/ Why can an owner (Scott Miller development) remove 26 mature trees from the FRONT yard and then replant saplings – not in the BACK yard – but the SROZ (way BACK yard) of the property? This is **surprising news** to me – I thought I was told as a property owner I was not able to build and landscape in this area. I understood this to have trees that would naturally grow and naturally die – not to be a landscape area that a homeowner can tailor with their own liking and species of their own choice. Please clarify this to me? How can this SROZ portion of acreage be part of an area where trees in the “building zone” can removed and planted as 2” saplings. So why are these 26 trees not planted in the 8 home lots – like 3 trees per lot /home site?? Is the density so tight that the 5 or 7 or whatever feet of land around the home not feasibly allow for a 2” tree to be started?? To me – this is NOT how I understood the SROZ code and this seems to be bending / breaking the rules? Hope to hear your insight on this.

3/ **On a separate note I guess??** - If this developer can cut down 26 trees in the FRONT yard of the property and replant 2” saplings in the SROZ – then I as a homeowner 5 properties down the street can likewise do so on my property too? So if I want to cut down 2 large 3 foot dia trees from my FRONT yard – I can replant 2” saplings in the location of my choice in my SROZ. I wonder if there are any limitations of where on the SROZ – like how close to the Boeckman Creek I can plant these. I would like to know if I could apply these similar SROZ modifications to my SROZ ?

PS – Excuse that I am generalizing with my FRONT and BACK yard terminology for simplicity sake.

Thank you Philip and I thank you in advance to hearing your responses! Have an awesome weekend !!

Mark Kochanowski / 28450 SW Canyon Creek Road S. / Wilsonville, OR 97070 / 503-730-5692

From: Annie Falconer <anniefrances76@gmail.com>
Sent: Friday, April 2, 2021 1:52 PM
To: Bradford, Philip
Subject: 28700 SW Canyon Creek Proposed development

[This email originated outside of the City of Wilsonville]

To whom this may concern,

As 30-year plus residents of Canyon Creek South we have of course seen many changes occur. About the proposed development of eight new homes at 28700 SW Canyon Creek South we are afraid that it will cause severe congestion in an already congested area.

We live at the North end of Canyon Creek but like everyone else here we share only one outlet. There's presently very little room for parking as it is and it's hard to envision what eight new homes will do.

Our strong feeling is that this neighborhood is much better off if the 26 trees that are marked to be taken down are left in place or as many is as possible. There are obviously global warming considerations to think of also.

We are also very concerned about how the fire department and emergency services in general can access that area. There is so much on- street parking now that cars often have to stop to let another one pass. For the first time in our experience traffic is becoming a problem. One outlet has proven to be a problem.

Thank you,

Mike and Annie Falconer
28130 SW Canyon Creek South



From: Stacie Hamalainen <shamalai00@yahoo.com>
Sent: Friday, April 2, 2021 1:51 PM
To: Planning
Subject: Canyon Creek Rd S Development

[This email originated outside of the City of Wilsonville]

Hello,

I'm writing in regards to the 8 homes planning to be built at 28700 SW Canyon Creek Rd S. We are very against this development for multiple reasons.

Parking- there already is overdevelopment on the street so the newer homes do not have sufficient space for parking and are now in front of our house everyday blocking space for our kids to play.

Safety- there is ONE way in and out of this entire development If anything were to catch on fire, it's all so close it would take out multiple structures and people wouldn't be able to evacuate safely.

Kids can't even play in the street safety anymore because of parked cars and the added traffic going way too fast.

Nature- countless trees are being removed, where is the replant plan? Residents taking trees out for safety receive so much push back from the city, this seems like a double standard. All of the wildlife that use to be on our street is gone because of rezoning and overdevelopment, that's NOT okay, all for the city to make more money it appears.

I grew up in this town and I'm very sad to see how much property has been sold and developed. I understand growth happens and can be good, but there needs to be a limit. Right now so many people are being impacted by this development not only on our street but in our town.

I hope you take these points into consideration for this development, please do not allow this builder to come in a cause significant safety hazards for all of our families living here.

Thank you for your time,
Stacie Heath

From: Jodi Dupell <jodidupell@hotmail.com>
Sent: Friday, April 2, 2021 4:07 PM
To: Bradford, Philip
Subject: Re: proposed development 28700 SW Canyon Creek Rd S - questions & concerns

[This email originated outside of the City of Wilsonville]

Here is my letter, I just got your email. Sorry you couldn't open the attachment sent before 4pm.

April 2, 2021

To: Wilsonville Planning Department and Development Review Board A

Concerning: Proposed 8 lot subdivision on at the end of SW Canyon Creek Rd S

Good Afternoon,

I am writing with my concerns of adding more homes to an already crowded street, cal-de-sac at SW Canyon Creek Rd S.

I have lived on this street for almost 4 years now and have experienced so much more traffic and street parking with the new homes being built on SW McGraw and SW Helene Ave. We have neighbors that have taken to putting “cones” in front of their house to stop people from parking there. We have dump trucks, cement trucks, lumbar trucks parking and using SW Canyon Creek Rd S to unload or wait their turn to be able to get to the job site because there isn't enough room for the workers cars, the people who live there and the suppliers needed to complete the new houses.

One of my concerns with adding another 8 houses to this street along with a new street that ends at a cul-de-sac that is a drive way and no street parking is not only the added cars coming and going, I would guess its at least another 16 cars if each house has only 2 drivers, is the added traffic to SW Canyon Creek Rd S and the parking.

Safety is another concern with all the kids in the neighborhood who like playing outside with their neighbor friends. All these added cars, construction vehicles, etc will take away their ability to be out front enjoying the neighborhood as they do now.



How will the garbage trucks handle this new street that ends in a cul-de-sac that is a driveway? Will there be enough room for the garbage cans to be placed on the street and cars/garbage trucks to pass? How will the city control the no parking on that new street and no parking in the cul-de-sac of SW Canyon Creek Rd S to not block the emergency city access for the apartments that is right next to this new proposed development? What about emergency vehicles?

With adding the new street, SW Helene Ave, my driveway was blocked almost daily without any concern to myself and my family and having to ask for them to move their vehicles in order to get in and out of my driveway. I don't look forward to more of that possibly happening again with this new street, development as well.

The added traffic to Daybreak Street is also a concern since this is the only way anyone in this neighborhood has to exit, which is around 130 homes right now I believe. There are 2 ways to enter the neighborhood but only 1 way to exit. Daybreak Street has become impossible for 2 cars to pass each other driving now as we have vehicles parking on both sides of the street which wasn't the case that long ago.

Thank you for taking the time to listen and answer my concerns in this matter, I am not against development but when I feel safety is an issue I will speak up. My wish is that you all really listen to and take in to account what the people who already live here are saying because it is our lives and neighborhood that is being effected.

Thank you,

Jodi Dupell
28589 SW Canyon Creek Rd S
Wilsonville OR 97070
(503)510-3299
jodidupell@hotmail.com

From: Bradford, Philip <pbradford@ci.wilsonville.or.us>
Sent: Friday, April 2, 2021 3:45 PM
To: Jodi Dupell <jodidupell@hotmail.com>
Cc: White, Shelley <swhite@ci.wilsonville.or.us>
Subject: RE: proposed development 28700 SW Canyon Creek Rd S - questions & concerns

Hi Jodi,

Your attachment was not able to be opened, can you please try sending it in a different format or in the body of your e-mail before the 4 PM deadline so that I can include it in the record?

If you would like to attend the public hearing for the project, please complete the attached testimony sign up form and copy Shelley White, who will respond with access instructions to the meeting.

Thanks,

Philip Bradford
Associate Planner
City of Wilsonville

503.570.1623
pbradford@ci.wilsonville.or.us
www.ci.wilsonville.or.us
[Facebook.com/CityofWilsonville](https://www.facebook.com/CityofWilsonville)



29799 SW Town Center Loop East, Wilsonville, OR 97070

Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

City Hall is now open, with physical distancing controls in place. During COVID-19, we wish to remain responsive while prioritizing the health and safety of the Wilsonville community. We are happy to meet by call or teleconference as an alternative to face-to-face meetings.

From: Jodi Dupell <jodidupell@hotmail.com>
Sent: Friday, April 2, 2021 3:31 PM
To: Planning <planning@ci.wilsonville.or.us>
Subject: proposed development 28700 SW Canyon Creek Rd S - questions & concerns

[This email originated outside of the City of Wilsonville]

Please see my attached letter with my questions and concerns in regards to this proposed new development at 28700 SW Canyon Creek Rd S.

Thank you,

Jodi Dupell
(503)510-3299

From: Chip Halstead <chiphalstead1953@gmail.com>
Sent: Friday, April 2, 2021 3:30 PM
To: Planning; Bradford, Philip; Mayor Julie Fitzgerald; Councilor Ben West; bates@ci.wilsonville.or.us
Subject: General Disregard for Zoning & Setback Rules for the Proposed 8 Lot Subdivision on Canyon Creek Road South

[This email originated outside of the City of Wilsonville]

Wilsonville Planning Department & Development Review Board A -

I am a 20 year resident of Wilsonville, and live at the end of Vlahos Drive (a cul-de-sac) which intersects where this proposed 8 lot subdivision residential construction project is being considered.

My understanding is that if approved, the developer is planning to remove over 25 mature trees that provide a wall of privacy and noise abatement between our neighborhood and the new one being considered. We lost so many large, healthy trees to the recent ice-storm, that this would be additional unwarranted damage which I totally disagree with. And replacing 1 home on a decent size lot by squeezing 8 homes on the same property is ridiculous. And with no parking on the new street, excess cars (which are already a big problem) will become an even bigger problem, choking off the local streets.

One of the reasons I chose to live in Wilsonville is the long-term community planning that kept our little town from turning into a mess of taller buildings, signs, and crowded streets like Tigard or Beaverton. I ask that you refuse the request for zoning changes that would harm our neighborhood, damage our view, affect our safety, and my property value.

Any zoning changes that allow this proposed subdivision will affect the 6-8 homes on the end of Vlahos, plus all 125 of the homes currently in that neighborhood. There is currently only 1 entrance and exit for all cars, trucks, trash and recycling, and emergency vehicles - which already makes this an unsafe situation. Adding even more homes is absolutely asking for trouble.

Please refuse any zoning changes that would allow any builder to jam 8 houses on a tiny piece of property that would negatively affect so many current residents of the neighborhood. I am firmly opposed to any zoning changes that would allow this proposed B Lot Subdivision to proceed. Please do not allow this to happen -

Sincerely, Chip Halstead



From: Greg P <gpelser22@gmail.com>
Sent: Friday, April 2, 2021 3:17 PM
To: Bradford, Philip
Subject: Fwd: City Letter - pages format

[This email originated outside of the City of Wilsonville]

Please confirm you received this one.

Sent from my iPhone

Begin forwarded message:

From: Mike Lama <mike.lama@comcast.net>
Date: April 2, 2021 at 3:15:20 PM PDT
To: Greg Pelser <gpelser22@gmail.com>
Subject: City Letter - pages format

April 2, 2021

To: Wilsonville Planning Department
and Development Review Board Members

Re: Proposed 8 lot Subdivision development on Canyon Creek Road South

We moved here from Lake Oswego 3 years ago for the primary reason that the City of Wilsonville was a well planned community. We were frustrated by the lack of planning in Lake Oswego and Lake Grove in the residential communities. Small homes were being demolished on large lots and developers were putting in as many homes as the City would allow in their place. There was no coordination for proper access, parking, green space and there was no identity to neighborhoods. Sidewalks were not even required for new homes.

We found Wilsonville to be a well planned City. It had well designed and coordinated neighborhoods with green spaces, parks and good walkability. Villebois, Renaissance at Canyon Creek, Arbor Crossings and Frog Pond are all good examples. We were able to purchase a half acre lot in the Renaissance Canyon Creek neighborhood and we built two nice custom homes that fit well into the neighborhood (We could have likely built 3-4 homes on the same site, but we were not doing it to maximize profits). Everything East of Canyon Creek Rd. South were originally one to two acre lots with a nice mix of custom homes and original farm houses. 13 homes were added during the original development (Summerton St.) and those homes fit in well with the neighborhood.

Last year a farm parcel was developed and 19 homes were added. (There is still one older home on that block that will likely be divided to two lots making that development 22 homes).

-This development was allowed various exceptions by the City and it is already causing problems.

-For the 22 homes there is street parking for only about 4 cars.

-The driveways are short, one home has a Prius that can't even fit on the driveway without intruding on the sidewalk.

-Homeowners are parking in other areas of the neighborhood, in front of our homes, in spaces where school busses stop, etc..

-The main street to that development (McGraw) cannot even accommodate the space required for garbage cans (especially when cars are already parked in those spaces). We have seen the garbage truck having to back down the street because there is no place for turn-around. I believe it is also a problem with street cleaner access and we are very concerned about Firetruck and emergency access.

When we first moved in 3 years ago:

-We had traffic from 10 homes rounding our corner (at SW Canyon Creek Rd. So. And Daybreak) to head to the only Development exit.

-We now have traffic from 29 homes.

-We will have 39 homes of traffic if you approve of this additional Development (including 2 additional homes now being constructed).

-All traffic from these 39 homes will round the corner where the bus stop is, and the cars are accelerating right where the neighborhood pool is. This is where most of the kids are crossing the street. So as you can see, what once was a quiet cul-de-sac street. Will now be a bustling traffic route. And again, with many of those new neighbors parking on the limited additional spaces a full block away from their homes, it makes it much less desirable and much more dangerous for children.

I also notice that there are some critical dimensions missing from the proposed plans.

-What will the width of the street be?

-What are the setbacks? (not shown, and not per code)

-What is the width of the street for the 3 back flag lots? What are the lengths of the driveways? Will cars even be able to back out of their short driveways?

What the Planning Department is considering is a slippery slope. The precedent you are setting will likely be followed for future development of the properties East of Canyon Creek Rd South. At this rate, I calculate that an additional 80 homes could be added to the East side of the road. That would result in approximately 115 homes which is more than the entire number of homes in the original Development (West of Canyon Creek Rd. South). This would effectively ruin the livability of our neighborhood.

We ask that the Planning Commission seriously consider the negative impact that this development will have on our beloved neighborhood. We are not against development, but we are against poorly planned development. What truly belongs at this location is one of two options.

1. Keep it as a 2+ acre site and allow a beautiful custom home to be built (similar to the beautiful farm house next door). It is currently zoned for one dwelling per acre, and only the front half of this property is suitable for development.
2. Maintain the integrity of the current neighborhood. Specifically, lot sizes from a minimum of .14-.25 Acre each. Include PROPER and STANDARD minimum setbacks, proper driveway sizes, street parking and some green space.

Any variance from these standards would be a disappointing and a shameful representation to our current standards and beautiful City.

Respectfully submitted by;
Greg & Kelly Pelser
7869 SW Daybreak St.
Cell #503-747-8702

DEVELOPMENT REVIEW BOARD MEETING
APRIL 12, 2021
6:30 PM

- VII. Board Member Communications:
 - A. **Results of the March 22, 2021 DRB Panel B meeting**

City of Wilsonville

Development Review Board Panel B Meeting Meeting Results

DATE:	MARCH 22, 2021	
LOCATION:	29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR	
TIME START:	6:30 P.M.	TIME END: 6:59 P.M.

ATTENDANCE LOG

BOARD MEMBERS	STAFF
Samy Nada	Daniel Pauly
Nicole Hendrix	Barbara Jacobson
Michael Horn	Kim Rybold
Jason Abernathy	Georgia McAlister
	Shelley White

AGENDA RESULTS

AGENDA	ACTIONS
CITIZENS' INPUT	None.
ELECTION OF 2021 CHAIR AND VICE-CHAIR	
<ul style="list-style-type: none"> • Chair 	Samy Nada unanimously elected as Chair
<ul style="list-style-type: none"> • Vice Chair 	Nicole Hendrix unanimously elected as Vice-Chair
CONSENT AGENDA	
A. Approval of November 23, 2020 Minutes	A. Approved as presented
PUBLIC HEARING	
<p>A. Resolution No. 390. Richmond American Homes Sales Temporary Use Permit: Richmond American Homes of Oregon, Inc. – Applicant/Owner. The applicant is requesting approval of a Two-Year Temporary Use Permit for one (1) 20' by 8' construction office trailer, and the eventual use of the Richmond American Homes garage as a sales office at the Frog Pond Meadows Subdivision. The site is located at 6672 and 6682 SW Brisband Street and 27781 SW Alder Lane on Tax Lots 7100, 8500 and 8600, Section 12DD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Georgia McAlister</p> <p>Case Files: DB21-0007 Two (2) Year Temporary Use Permit</p>	A. Unanimously approved with one correction to the Staff report
BOARD MEMBER COMMUNICATIONS	No comments
<ul style="list-style-type: none"> A. Results of the January 11, 2021 DRB Panel A meeting B. Results of the March 8, 2021 DRB Panel A meeting C. Recent City Council Action Minutes 	
STAFF COMMUNICATIONS	No comments

DEVELOPMENT REVIEW BOARD MEETING
APRIL 12, 2021
6:30 PM

- VII. Board Member Communications:
 - B. Recent City Council Action Minutes**

City Council Meeting Action Minutes
March 1, 2021

City Council members present included:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Beth Wolf, Senior Systems Analyst
Andy Stone, IT Director
Zoe Monahan, Assistant to the City Manager
Zach Weigel, Capital Projects Engineering Manager
Khoi Le, Development Engineering Manager
Cathy Rodocker, Finance Director
Keith Katko, Assistant Finance Director

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:00 p.m.
A. Transportation Performance Evaluation Report	Staff shared summary data from the recent transportation performance monitoring report.
B. DEI Bylaws Introduction	Council provided feedback on draft bylaws for the Diversity, Equity and Inclusion (DEI) Committee.
C. 5th Street/Kinsman Road Extension Update	Staff heard a presentation on Resolution No. 2881 and URA Resolution No. 314. Both resolutions authorize the City Manager to execute a construction contract with Moore Excavation, Inc. for construction of the 5th Street / Kinsman Road extension project.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.
B. Draft Mayor's Letter to Rep. Courtney Neron, RE Request for Legislation in 2021 Legislative Session to Implement Next Phase in ODOT's Proposed I-5 Boone Bridge and Seismic Improvement Project	The Mayor explained the letter before them supports the next phase of design for ODOT's proposed I-5 Boone Bridge.
<u>Communications</u>	
A. "Solar Harvest" Project at OSU's North Willamette Research and Extension Center (NWREC), Aurora	OSU's NWREC team informed Council of the Solar Harvest Project.

Consent Agenda

The Consent Agenda was approved 5-0.

A. **Resolution No. 2873**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

B. **Resolution No. 2874**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

C. **Resolution No. 2875**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Creekside Woods LP, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

D. **Resolution No. 2876**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation.

E. **Resolution No. 2877**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 to ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc.

F. **Resolution No. 2881**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Moore Excavation, Inc. For Construction Of The 5th Street / Kinsman Road Extension Project.

G. Minutes of the February 18, 2021 City Council meeting.

New Business

A. None.

Continuing Business

A. None.

<u>Public Hearing</u> A. None.	
<u>City Manager's Business</u>	Provided an update on the ice storm debris clean efforts.
<u>Legal Business</u>	No report.
URBAN RENEWAL AGENCY	
<u>URA Consent Agenda</u> A. <u>URA Resolution No. 314</u> A Resolution Of The City Of Wilsonville Urban Renewal Agency Board Authorizing The City Manager To Execute A Construction Contract With Moore Excavation, Inc. For Construction Of The 5th Street / Kinsman Road Extension Project. B. Minutes of the February 18, 2021 URA Meeting.	The URA Consent Agenda was approved 5-0.
<u>New Business</u> A. None.	
<u>URA Public Hearing</u> A. None.	
ADJOURN	7:51 p.m.

City Council Meeting Action Minutes
March 15, 2021

City Council members present included:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West - Excused
Councilor Linville

Scott Simonton, Fleet Services Manager
Kim Rybold, Senior Planner
Zach Weigel, Capital Projects Engineering Manager
Andy Stone, IT Director
Dan Carlson, Building Official
Ryan Adams, Assistant City Attorney
Zoe Monahan, Assistant to the City Manager
Mark Ottenad, Public/Government Affairs Director
Dan Carlson, Building Official
Ryan Adams, Assistant City Attorney
Kerry Rappold, Natural Resources Manager
Chris Neamtzu, Community Development Director
Miranda Bateschell, Planning Director
Dwight Brashear, Transit Director

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Beth Wolf, Senior Systems Analyst
Keith Katko, Assistant Finance Director

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:07 p.m.
A. I-5 Pedestrian Bridge Project Update	Staff provided an update on the progress of bridge and plaza design.
B. 2021 Legislative Redistricting	Council directed staff to urge legislators to consider including the City of Wilsonville within one district of U.S. Congress, the Oregon House and the Oregon Senate as redistricting occurs.
C. Adoption of Building Code Changes & Adoption of Fire Codes Changes	Staff presented on Resolution No. 2883, which adopts the Oregon Plumbing Specialty Code, and Oregon Electrical Specialty Code and Resolution No. 2884, which approves and applies the Tualatin Valley Fire & Rescue Fire Prevention Code in Wilsonville.
D. Purchase of One (1) 35' Electric Transit Bus	Council was informed of Resolution No. 2885, which authorizes SMART to purchase one 35' battery electric bus and charging equipment from Proterra, Inc.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.

<p><u>Communications</u></p> <p>A. Soaring Spirits Crane Installation</p> <p>B. Presentation of Republic Services 2020 Bi-Annual Report, July-Dec 2020</p> <p>C. EPA Final Action On Revised Willamette Basin Mercury Total Maximum Daily Load Letter</p>	<p>Linda Moulton shared details of her recent collaboration with the City and the community to produce the “Soaring Spirits” display at the Park & Recreation Administration Building.</p> <p>Republic Services shared their bi-annual report, which summarizes operations between July to December of 2020.</p> <p>Staff updated Council on actions to be taken to meet DEQ’s directive to limit mercury pollution in the Willamette River.</p>
<p><u>Consent Agenda</u></p> <p>A. <u>Resolution No. 2882</u> A Resolution And Order Amending Resolution No. 2870 To Further Extend The Local State Of Emergency And Emergency Measures, As Authorized By Resolution No. 2803.</p> <p>B. <u>Resolution No. 2883</u> A Resolution Of The City Of Wilsonville Adopting The Oregon Plumbing Specialty Code, And Oregon Electrical Specialty Code.</p> <p>C. <u>Resolution No. 2884</u> A Resolution Approving And Applying The Tualatin Valley Fire And Rescue Fire Prevention Code In The City Of Wilsonville.</p> <p>D. <u>Resolution No. 2885</u> A Resolution Of The City Of Wilsonville Authorizing South Metro Area Regional Transit (SMART) To Purchase One 35’ Battery Electric Bus And Charging Equipment From Proterra, Inc.</p> <p>E. <u>Resolution No. 2889</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Agreement For Provision Of Preliminary Engineering Services In Connection With Grade Crossing Improvements With Portland & Western Railroad For Phase II – Preliminary Engineering And Construction Engineering Inspection Services For The 5th Street Railroad Crossing Work Associated With The 5th Street / Kinsman Road Extension Project.</p> <p>F. Minutes of the March 1, 2021 City Council Meeting.</p>	<p>The consent agenda was approved 4-0.</p>

<u>New Business</u> A. None.	
<u>Continuing Business</u> A. None.	
<u>Public Hearing</u> A. <u>Resolution No. 2886</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2020-21.	After a public hearing was conducted, Resolution No. 2886 was approved 4-0.
<u>City Manager's Business</u>	Announced the Wilsonville-Metro Community Enhancement Committee grant cycle was closed and shared next steps. Mentioned the opportunity to use Safe Routes to School virtual backgrounds to promote their new campaign as kids head back to school.
<u>Legal Business</u>	Council concurred the City should continue with enforcement regarding the immediate cease, desist and remove order for a violation of a poll placement in the City without a building permit nor building inspection.
URBAN RENEWAL AGENCY	
<u>URA Consent Agenda</u> A. <u>URA Resolution No. 316</u> A Resolution Of The City Of Wilsonville Urban Renewal Agency Board Authorizing The City Manager To Execute An Agreement For Provision Of Preliminary Engineering Services In Connection With Grade Crossing Improvements With Portland & Western Railroad For Phase II – Preliminary Engineering And Construction Engineering Inspection Services For The 5th Street Railroad Crossing Work Associated With The 5th Street / Kinsman Road Extension Project. B. Minutes of the March 1, 2021 URA Meeting.	The URA consent agenda was approved 4-0.
<u>New Business</u> A. None.	
<u>URA Public Hearing</u> A. None.	
ADJOURN	8:27 p.m.