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DC to advance a couple projects and provide information about how Wilsonville was growing and the City's plans for the future. There was discussion about development in the community, like Villebois and industrial developments, and how what was currently in Wilsonville provided a lot of benefit to the community, including dollar value, and that these projects were planned 20 years ago. The Commission might not see the fruits of its labor until 2035, which was okay. There was a lot of very dense information in the report and he encouraged everyone to look at it, adding perhaps the Commission could discuss the details further at some point. He concluded that it was amazing how Wilsonville had been able to grow as a community and the affect that had on future plans.

Chris Neamtzu, Planning Director, thanked Commissioner Postma, noting the booklet was indicative of the work done on a regular basis by Wilsonville's Public and Government Affairs Director Mark Ottenad. Mr. Ottenad was the primary author of these publications and deserved a tremendous amount of credit for the hard work he does in making the City look awesome, for which Mr. Neamtzu thanked him.

### **II. ADJOURNMENT**

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 9:41 pm.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, Inc. for  
Tami Bergeron, Administrative Assistant-Planning



**PLANNING COMMISSION  
WEDNESDAY, SEPTEMBER 14, 2016  
7:00 P.M.**

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

Approved as  
presented  
10/12/2016

**Minutes**

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**I. CALL TO ORDER - ROLL CALL**

Chair Greenfield called the meeting to order at 7:04 p.m. Those present:

Planning Commission: Jerry Greenfield, Eric Postma, Al Levit, Peter Hurley, Kamran Mesbah, Phyllis Millan, and Simon Springall. City Councilor Charlotte Lehan was absent.

City Staff: Chris Neamtzu, Michael Kohlhoff, Miranda Bateschell, Nancy Kraushaar, Steve Adams

**II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**III. CITIZEN'S INPUT - This is an opportunity for visitors to address the Planning Commission on items not on the agenda.**

Doris Wehler, 6855 SW Boeckman Rd, Wilsonville, complimented the staff and consultants for a very well-written report, adding she agreed with almost everything in it. Option 1 was the better option for Open Spaces. She liked the fencing proposed along Boeckman Rd, but wondered if the 20 percent of windows facing the street was really necessary in all instances. She asked if the Planning Commission had considered undergrounding the power along Boeckman Rd, instead of having power poles, noting PGE told her that it would be very expensive.

Dorothy Von Eggers, 6567 SW Stratford Ct, Landover, strongly encouraged minimizing the use of alleys with driveways at the back of the houses as much as possible because with no driveways or garages in front of the house, there tended to be more parking on both sides of the street, which could create an obstacle for emergency vehicles needing to get through.

**IV. CITY COUNCIL LIAISON REPORT**

No City Council Liaison Report was given due to Councilor Lehan's absence.

**V. CONSIDERATION OF THE MINUTES**

A. Consideration of the July 13, 2016 Planning Commission minutes  
The July 13, 2016 Planning Commission minutes were approved as distributed.

**VI. WORK SESSION**

A. Frog Pond Master Plan (Neamtzu)

Chris Neamtzu, Planning Director, stated the conversation was continuing on the Frog Pond Master Plan after a productive and exciting Open House with a lot of participation. He thanked the Commissioners for attending and conversing with the public alongside Staff and the consultant team. He highlighted the timeline for master planning process, noting the next Planning Commission work session would be held on October 12<sup>th</sup> to discuss the infrastructure financing, following a work session at City Council on October 3<sup>rd</sup>. Different financing mechanisms would be considered to finance the framework infrastructure needed to serve Frog Pond. The Draft Master Plan

## EXHIBIT G PC MEETING MINUTES EXCERPT

would be presented to the Commission in November, along with a final draft of the Development Code, with a public hearing in December. This timeline would allow the Draft Master Plan to be presented to Council in early 2017. The infrastructure financing piece had been decoupled and was following a parallel and similar track; however, he did not want to delay the Master Plan as he expected the finance issues would take longer to work through.

- He highlighted the three primary memorandums in the meeting packet, noting a decision was needed from the Commission regarding the policy options for the Open Space Standards. Direction was also needed with regard to the new Creekside Lot Standards and the open fences backing onto the regional trail adjacent to Boeckman Creek. The Code language recommendations in the packet supported a positive user experience and making that natural resource edge a community asset via penetration points and visual lines of sight.
- He reminded that public comment would be taken following the consultants' presentation.

Joe Dills, Angelo Planning Group (APG), along with Andrew Parish of APG, and Ken Pirie of Walker Macy, presented the revised Draft Code text and policies proposed to implement the Frog Pond Master Plan, displaying supportive materials, such as maps and pictures, via PowerPoint. The proposed revisions to the Code language, which were presented in the meeting packet, included a Boeckman Road Cross-Section and Lot Standards Update, Policy Options for the Open Space Standard, and Creekside Lot Standards as noted in the work session agenda provided on Page 1 of 17 of the memo.

Discussion and comments regarding key concepts discussed in the revised Code language for the Frog Pond Master Plan were as follows with responses from the project team as noted.

Boeckman Road Cross-Section and Lot Standards Update:

- The HOA would be responsible for maintaining landscaping in the right-of-way along Boeckman Rd. The City would be responsible for maintaining the street median.
- The sidewalk widths in Figures 1 and 2 (Pages 5 and 6 of 17) were different because Figure 1 was provided by West Hills and not the project team's drawing. The sidewalks would be 8-ft wide.
- As written, the standards included enhanced facades for street facing facades, not facades simply viewed from the street. The Street Demonstration Plan was oriented assuming homes would front more to the interior, so rear facades would most likely be seen from Boeckman Rd. If the Commission wanted to require enhanced facades on a corner situation, along pedestrian corridors, or on the viewscape, which had been done in other areas, that would be an appropriate requirement.
- On Page 3 of 17, the second bullet referred to the need to customize the sidewalk and planter strip to local site conditions, which provided flexibility to save an existing tree, for example, along the south side of the Boeckman Road frontage, rather than having a standard sidewalk section. Mr. Dills noted examples on the Boeckman Road Plan where that flexibility might be needed, adding each situation would be assessed on a case-by-case basis.
- Mr. Neamtzu added the City had received testimony from Frog Pond Church regarding a very large tree in the front of the property where an easement might be required from the church so the sidewalk could be routed around the tree. There was also a heritage tree in front of the church property and a row of Sequoias on the property to the west that the owner wanted to save if possible. These were the type of unique site conditions on either side of the subdivision.
- With regard to burying high voltage power lines, Mr. Neamtzu clarified other high voltage powerlines had not been undergrounded elsewhere in the city, as the cost was four or more times higher than keeping the lines on poles. Initial conversations with PGE indicated these lines could not be placed underground. The school district was constructing improvements to the middle school assuming the overhead powerlines would remain in place. The reality was the framework infrastructure was expensive enough as is, without the cost of burying the lines, which the City would love to do from an aesthetic and community benefit standpoint. Developers could be asked to pay for burying the lines.
  - Michael Kohlhoff, Special Projects Attorney, clarified it depended on whose development was causing the line to be changed. If it was the City's development for the road improvement, then

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under the City's Right-of-Way Ordinance and prior franchises, it would be PGE's responsibility to place underground the line at PGE's cost. But if the developers caused the change, it would be at the developer's cost if they could do it. If out of the right-of-way, PGE would have to negotiate the acquisition to place poles on private property, which might be done with the developers or homeowners; however, PGE also had the right of condemnation. Placing it outside the right-of-way raised additional issues, but the legal department had not really studied the matter as this was the first time the issue had presented itself.

- Although the lines being moved from the right-of-way to the HOA property, PGE would need to acquire an easement to be able to still maintain the poles on private property.
- Steve Adams, Development Engineering Manager, said he understood from PGE that the lines were around 28,000 volts. The City went with underground power lines whenever possible.
  - The City generally would require the franchise utility to pay for undergrounding the line for a capital project like a road widening and the City would pay for installing the conduits, vaults and the entire superstructure. In contrast, a private developer would pay for the cost of putting the infrastructure in the ground and for PGE to physically move the lines underground, even if the road widening was required by the City because the improvement was led by a private development project.
- The recommended brick wall height was 4-ft, instead of 2-ft high, in response to testimony about privacy concerns and because other comparable projects around Wilsonville used a taller brick component.
- The project team had removed the trees previously shown in the landscape tract under the powerlines. While the illustrations showed broader canopy trees, columnar trees were suggested for the planting strip in locations adjacent to the powerlines along the north side of Boeckman Rd. This was another example of the customization mentioned earlier and noted on Page 3.
  - Additionally, the location of the poles could be coordinated between the trees to minimize or eliminate the need for cut outs. The trees could be planted a sufficient distance apart so the canopies could grow out without the pole being within the canopy.
- The powerlines require the trees to be trimmed. Support was reiterated for undergrounding the powerlines to avoid restrictions on the placement and later trimming of the street trees.
- The setbacks on the lots had not been discussed, but would affect how visibility of the side elevations; no one would be able to see the side elevations if the setbacks were as shown in the illustrations. The side facades on the larger lots were more likely to be seen.
- Although the setbacks would impact the visibility of the side facades, particularly on larger lots, the enhanced elevation standards would only apply to a corner or street facing facade, or a side facing a pedestrian corridor, not to an interior lot line condition.
- The standards discussed to date included front entrance location, garage standards, house plan variety, minimum percentage of windows and articulation; however, no trim work had been specified.
  - People would be paying a premium for these homes and homeowners, particularly of houses on larger lots, would likely expect of a high quality trim on the houses, including on the sides.
- Street lighting was not shown in the Boeckman Road Cross-Section but would need to be squeezed in between the trees and power poles.
- Mr. Dills confirmed the enhanced elevation was the standard for sides of homes facing a pedestrian access, so wherever there was traffic past a structure, the structure would be articulated.
- Open Space Standard—Policy Options
  - The project team was leaning toward Option 1 as the recommended Open Space Standard since 59 open spaces seemed to be too many.
  - A third potential option discussed previously concerning a 5 percent open space requirement for Medium Lots and excluding Large Lots, was not considered further as it was a hybrid between the two presented options. The hybrid would likely result in 30 to 40 open spaces, which would still be too many, especially since the neighborhood park would most likely be located in the medium density lots due to centrality.

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- The overall potential was that Frog Pond West would be a neighborhood where one was never more than one or two blocks from open space, even with Option 1.
- Walkability and connectivity within the neighborhood were a concern since it seemed the small green spaces would add to the connectivity or common space within the Small Lots, whereas within the Large Lots, the open spaces might actually serve to put more distance between people.
- The pros and cons of the two Open Space options were reviewed as presented on Page 9 of 17 with the following additional comments:
  - The project team was working on a premise that the public parks were a priority and important element and that the implementation strategy needed to consider time to ensure the public parks did not lag behind residential development.
  - The number of open spaces in Option 2 would become another element to try to coordinate well throughout Frog Pond West. The reality was that the City might have 10 to 20 individual land development approvals come through the process where open spaces were incorporated, and the more individualized the open spaces, the greater the chance of them not being coordinated with each other.
  - Requiring a land set aside, like in Option 2, might push developers toward smaller lots in order to accommodate as many houses as possible within their sites, which would be an unintended consequence of the Open Space Standards and would run counter to the community perspectives and principles so well debated last year.
  - Commissioner Postma preferred Option 1, but expressed concerns about the equity of pushing small pocket parks onto only some of the properties, resulting in an inequitable distribution of which property owners had to take on more of the open space. Property owners would not want the large neighborhood park because it would devalue the market price of the property.
    - Mr. Dills agreed a policy choice was being made on the Small Lot end of the spectrum by saying the properties getting more homes per acre had a higher obligation to provide a livability benefit to the city, which was something the Commission could count on when requiring open space in Small Lot versus the other two categories.
      - Where the public park landed and on whose property was subject to a number of factors, including willing sellers. The irony was that land owners would not want their land to be considered for the public park, yet they would want the park next door.
    - The policy would result in a weird race of sorts; property owners would want to get in the game early so their neighbor got stuck with the park.
    - Providing open space as a community benefit made sense as a tradeoff for higher density, which was potentially more lucrative.
    - The challenge would be to find a 2.5 acre site that no one would want.
      - Mr. Neamtzu reminded that the City's school district partners were in the area, providing an opportunity to work with another public entity rather than individual property owners.
    - The City had a number of different ways to provide a level valuation and greater equity of future park properties. Master developers, for example, work with the City and use System Development Charges (SDCs) credits to provide needed amenities through fair and equitable development agreements.
    - The City could utilize a couple financial devices in the development agreement to make the per acre cost roughly the same, whether the land was for a park or housing. There were a number of different ways to spread the cost of a park over the entire development.
    - Even though the land was highly parceled, there were enough 5 and 10 acre parcels that could accommodate a 2.5-acre park on a single property.
    - City Council would consider an Infrastructure Funding Plan that would include an approach to acquiring park land, and also describe the financing tools.
  - Commissioner Levit said he was leaning toward Option 1, but wanted a minimum distance, such as a quarter-mile, between homes and a green space, rather than plunking the open spaces in the areas

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shown. He was unsure how to codify this as a standard. While Option 1 was the most favorable, it was not the most satisfying because it was too clustered, and without knowing the location of the big park, residents in the northwest corner could be farther away.

- Mr. Dills stated that type of standard could easily be met since the neighborhood was one-quarter mile from center to edge, so as a general rule, one would never be more than a block or two, 600 ft to 800 ft, from an open space of some sort.
- While in theory, developers would want to distribute parks as evenly as possible; in practice, some locations would be more advantageous than others. It really came down to the layout, and placement of open space would be addressed on a case-by-case basis.
  - The parks were clustered in only two places in Option 1.
- The City's tree preservation regulations would remain in place and the proposed language would not cause any additional reason to cut or condemn the existing trees in the center and northwest areas of the plan area.
  - The tree regulations would naturally lead to the identification of those spaces with tree groves as open space.
- Commissioner Millan preferred Option 1 primarily because it ensured the Small Lot or denser areas had larger open spaces and nice play structure areas available. She did not see distance as a concern given the larger neighborhood park and linear park, along with the smaller open spaces; no one would be that far from an open space.
- Commissioner Mesbah noted the Commission was assuming that each landowner might potentially combine some of the smaller open spaces into a larger park. For the sake of fairness, it would be good to have some idea that the conglomeration of parks would be done on a per acre basis. He confirmed that land for the neighborhood park would be prorated based on the developable acreage. He strongly preferred finding a financing tool where the entire development would help pay for the neighborhood park, because everyone would benefit from the amenity. The burden should not be on one person. The discussion involved an intricate economic analysis, about which the Commission did not have enough details yet.
  - Mr. Kohlhoff agreed that prorating was one of the options available. He explained the project team would be meeting again to analyze different options and formulas required for addressing the equity issue.
- The Commission must assume that the City was committed to equitable treatment of the ownership issue.
- Commissioner Postma stated the inequities could not always be balanced. He reiterated his concern about the standards inciting an odd race to get to development early which provided a better position of predictability regarding what one can get out of it.
  - Mr. Kohlhoff assured that the project team would do its best to lay out the approaches or reasonably equitable options and would seek feedback from the Commission, the public, the interested parties, and City Council.
- If property owners knew they would all share in the cost the neighborhood park, it would make the sale of properties easier, rather than landowners holding out for a better price, for example.
  - Mr. Kohlhoff noted the two issues were land acquisition and the design of the development, both of which involved cost. Park fees would also come into the mix going forward with development agreements. He believed the City hammered out the equities pretty well.
- Through an informal poll, the Commission unanimously supported Open Space Option 1.
- Creekside Lot Standards
  - The standards focused on enhanced elevations and fences that would be adjacent to the resource area. Pictures showing examples of similar treatments in Villebois were discussed, noting the relationship between the yard, fence, and walking trail.
    - The open fence provided trail users with a very different visual experience than a wood fence. Homeowners could manage screening inside their yard as they liked, either leaving it open,

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- making the yard appear larger, or installing heavy landscape screening that closed off the yard, but was a more desirable experience.
- The Boeckman Creek Trail would have entry points at regular intervals for pedestrians. These access points would come through courts, not cul-de-sacs, proposed along the Boeckman Creek Trail. The homes would frame the courts except at the west end which would be kept open as a gateway and visual connection to Boeckman Creek. This would be specified in the Code.
  - The purpose of the fence was questioned. It might be necessary for security reasons, but not for privacy since one could see through it.
    - The vegetative standards called for natural landscaping. Without a fence, the backyard would visually extend into the natural area.
    - A fence could help provide demarcation so those on the trail recognize it was a private backyard, but this could also be achieved with a low retaining wall with rocks, so the natural material blended into the terrain.
    - The wrought iron fence stuck out as an oddity in a natural setting and detracted from the natural Boeckman Creek ravine.
  - There were properties without fences along the connection between Graham Oaks Park and the school where the yard spilled out onto the path and into the woods. Fencing could be a personal preference.
  - Properties were often developed and built with fences without considering what people might want. Requiring fencing was no way to generate individuality.
    - Homeowners should have the option to have a fence, and if they wanted a fence, it would have to comply with Code standards.
  - Wooden fences along trails often have gates from the backyard to access the trail, because they value that access.
  - A provision was needed to allow for some kind of wall to accommodate small children or pets, but not allowing an 8-ft solid wall was a good idea.
  - A row of fences along a natural area could be unattractive but no fencing provided opportunity for people to come into a private backyard.
  - The Regional Trail was planned to be at the top of the slope, not downhill from the homes.
    - There might only be two homes between the courts at the end of the short streets facing the natural area to the west, depending on the final layout.
    - The project team had not studied the site-specific conditions or any layouts at this point to address whether elevated rear decks would be allowed to the west. The Master Plan would drive the orientation, but depending on lot size and the site-specific conditions, some homes could run north/south rather than east/west and the homes have decks on any of the elevations, including wrap around decks.
  - Many expensive homes adjacent to the trails in Forest Park in Portland had no fencing.
  - The Commission consented to the Creekside Lot Standards providing standards if fences were built, but not requiring fencing.

Chair Greenfield commended the project team for applying input from both the Commission and the community. He called for public comment on the Frog Pond Master Plan.

Don Hanson, OTAK, agreed that the consulting team and City Staff had done a great job. He believed the Master Plan would be successful. He believed the issues raised by he and Mr. Grimberg were conceptual suggestions regarding how to articulate on design decisions that had been made.

- He was happy the Commission chose Option 1, but expressed concern about the twenty-one, 4,000 sq ft sites. Mathematically, it made sense, but physically on a map, it did not make sense. Having 4,000 sq ft parcels sprinkled throughout the site seemed like a very cumbersome assumption. How would behavior be controlled in those spaces? He understood the HOA would own and maintain them, but how would it be managed moving forward? He questioned whether this was the right solution.

## EXHIBIT G PC MEETING MINUTES EXCERPT

- The site did have two proposed parks that were within walking distance to most every lot in the area, but he agreed with the assumption that the Small Lot areas should have more Open Spaces to compensate for smaller yards and allow for kids to play and provide neighborhood gathering spaces.
- This was a small block grid proposal, and specifically placing those open spaces on all of these small blocks was a tough solution. With 4,000 sq ft lots in the Small Lot area, for every ten lots the developer would give one lot up for this open space assumption. He suggested providing the ability to do more parks with purpose, such as preserving a natural feature or clustering several open spaces together within the Small Lot area, rather than sprinkling them in a random manner.
- Moving forward, he hoped some language would be added to give designers and developers flexibility. These were smaller parcels, and if the developer owned 50 acres, it would be a different conversation. However, a series of 2- and 5-acre parcels were owned by families that had been there a long time, and providing that flexibility would help those property owners implement toward the Master Plan's finished product as well.
- As far as the housing façade standards, the developers were struggling with the amount of windows required.

Dan Grimberg, West Hills Development, distributed a three-page handout illustrating potential glazing percentages on a representative house façade. He had his design department apply the proposed glazing requirement for Frog Pond to some typical house plans, and the requirement for 20 percent glazing on any street-facing façade would be difficult to meet if the windows in the garage doors were not counted in the total.

- Page 2 of the handout illustrated a popular house plan showing 12.6 percent glazing on the front façade excluding the windows in the garage door. He would like to build this home in Frog Pond, but he was concerned about the 20 percent glazing requirement.
- The top elevation on Page 3 of the handout showed the rear of the home where there was no garage door to contend with, so the glazing was 28 percent, meeting the standard if that elevation faced Boeckman Rd.
  - The developers requested that the glazing requirement on the front façade be reduced to a minimum 15 percent and that garage door windows are counted as part of that calculation.
- There were other ways to create interest in a home besides windows. In other areas, a menu approach was used to provide visual interest beyond glazing to break up a flat plane, including roof planes, roof pitches, side pop outs, doors, different siding treatments, different colors on each floor, etc.
- He offered to work with City Staff on adding that flexibility and return to the Commission with some proposed changes. The developers wanted nice looking homes and Frog Pond West to be a great neighborhood, but sought some flexibility for that to happen in more manageable way. He added the home had to be livable on the inside as well.

Mr. Hanson suggested possibly eliminating the garage door from the vertical wall space calculation, which would result in working to achieve 20 percent less wall. Having the garage door space in the calculation made it difficult to achieve the 20 percent. He clarified the measurements were taken on the vertical wall space, not the pitched roof space.

Mr. Grimberg added West Hills had worked in a number of Urban Growth Boundary (UGB) expansion areas, which were basically large master plans, and open space parks were always an issue.

- Typically, park fees were paid as part of the building permit and those fees were used for acquisition and development of parks. He was not sure how the City managed those funds, but in other large master plans, a master parks plan was created for the larger community parks and the funds were pooled for the acquisition of park land and development of the parks because everyone benefitted from the large parks and wanted them in and maintained at a certain standard. The developers believed this was an equitable way to provide that benefit.

## EXHIBIT G PC MEETING MINUTES EXCERPT

- Developers typically did not want to sell development land, which was at a premium. However, if an offer was made to buy land for parks before any sewer or water was installed with payment made on X date, the land owners might be pretty open and excited about that. The City and Parks Department were typically good buyers. The City had money and the developers needed utilities to develop the property, so if the City could buy land in advance to set the park sites, he believed there would be willing sellers. Typically, the City would pay fair market value for the land, and if it was early, sellers were willing to talk. School districts did this all the time. They had the money to take action, and people loved having a school on their property, especially if the school were named after the family. Taking action early was the way to acquire park land so everyone felt good about it.

Mr. Hanson added if the larger parks were committed to and located, it would be easier to conceptualize all the smaller, 4,000 sq ft areas; perhaps they could be connected as a linear park system leading to the big park, which would be a more cohesive approach. He believed the consultant team would agree, because having those routes to the main park would add quality to the Master Plan.

Commissioner Levit believed the general expectation was that they would be aggregated.

Mr. Grimberg asked how a 5-acre development proposal would be aggregated with something not ready for development. If the parks were designated or purchased early, then everyone knew what to count on. He noted West Hills was excited to be part of Frog Pond. He thanked the Commission for listening and encouraged approval of the Master Plan so they could start building homes.

Mr. Hanson and Mr. Grimberg confirmed they would provide more elevation examples regarding the glazing requirement.

Chair Greenfield confirmed there was no further public comment.

### **VII. INFORMATIONAL**

- A. Town Center Redevelopment (Bateschell)

### **OTHER BUSINESS**

- A. 2016 Planning Commission Work Program

### **VIII. ADJOURNMENT**

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 9:06 p.m.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, Inc. for  
Tami Bergeron, Administrative Assistant - Planning



# EXHIBIT G PC MEETING MINUTES EXCERPT

**PLANNING COMMISSION  
WEDNESDAY, OCTOBER 12, 2016  
6:00 P.M.**

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

*Approved as Presented  
November 9, 2016*

**Minutes Excerpt**

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**I. CALL TO ORDER - ROLL CALL**

Chair Greenfield called the meeting to order at 6:04 pm. Those present:

Planning Commission: Jerry Greenfield, Al Levit, Peter Hurley, Simon Springall, and Kamran Mesbah. Eric Postma, Phyllis Millan, and City Councilor Charlotte Lehan were absent.

City Staff: Miranda Bateschell, Michael Kohlhoff, and Amanda Guile-Hinman

**II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**III. CITIZEN'S INPUT** - This is an opportunity for visitors to address the Planning Commission on items not on the agenda. There was none.

**IV. CITY COUNCIL LIAISON REPORT**

No Council Liaison Report was provided due to Councilor Lehan's absence.

Michael Kohlhoff, Project City Attorney, introduced Amanda Guile-Hinman as the City's new Assistant City Attorney. He briefly reviewed her professional background and community service.

Commissioner Hurley noted the Commission had not seen the Council liaison for about one year. As done in the past, he suggested that someone forward a memo to the city manager on the Planning Commission's behalf requesting regular receipt of the required City Council updates.

Mr. Kohlhoff agreed to discuss the matter with the city manager, confirming that was the direction of the Commission.

**V. CONSIDERATION OF THE MINUTES**

A. Consideration of the September 14, 2016 Planning Commission minutes  
The September 14, 2016 Planning Commission minutes were accepted as distributed.

**VI. WORK SESSION**

A. Frog Pond Master Plan (Neamtzu)

Miranda Bateschell, Long-Range Planning Manager, standing in for Planning Director Chris Neamtzu, reminded the Commissioners of the work sessions already held on the Master Plan, noting that this work session would focus specifically on the Infrastructure Funding Plan for the Frog Pond Master Plan to discuss the options available to finance the key infrastructure projects for Frog Pond. This information had been presented to City Council on October 3<sup>rd</sup>.

Joe Dills, Angelo Planning Group (APG), stated this was an informational item, as the project team was midstream in studying the Infrastructure Funding Plan. The larger strategy was that the Master Plan and the land use and transportation/natural resource side of the master planning process was coupled with an

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infrastructure funding strategy. The Master Plan and Funding Plan would be adopted together to guide future annexation and development.

Mr. Dills and Andy Parks presented the Infrastructure Funding Plan via PowerPoint, which was also included in the meeting packet, reviewing key Master Plan projects, the goals and key considerations of the Funding Plan and strategy, and potential financing options.

Discussion and comments regarding the Infrastructure Funding Plan were as follows with responses from the project team as noted.

- Mr. Dills noted the cost estimates did not represent any final cost estimates as the team was still double checking costs, particularly the Stafford/Boeckman/Wilsonville Rd Intersection that would be partially improved by the school district project. All these updates would be included in the final cost numbers.
- The Boeckman Trail encircled the entire West Neighborhood and was not restricted to the southwest corner as shown on Slide 4.
- Commissioner Springall asked for clarification about Boeckman Bridge as an off-site, not a Master Plan, project.
- The Boeckman Bridge was not currently a defined Master Plan type project within the system development charge (SDC) methodology, but was a newly identified project in the Transportation System Plan (TSP). The dip was unsafe, did not meet a number of standards, and the bridge provided an important connection into the city.
- It was not yet clear whether the City would include the project in the Frog Pond Master Plan; however, only about 10 percent of the traffic volumes there could be attributed to the Frog Pond West Neighborhood. The question was whether a proportional share of the cost should be included in the Frog Pond West Funding Strategy for a project conceived for other reasons.
  - No fixed timeline existed for replacement of the Boeckman Bridge, which would involve a combination of grant funds and larger City decisions about the project funding. If Frog Pond West were to contribute to the bridge project, it would be a relatively small proportion since the project was driven by other factors.
  - Frog Pond West would begin development before the Boeckman Bridge project, which would not likely be funded or be underway in less than five years.
    - By then, the need for the bridge would be more apparent and be factored into the City's funding allocation decisions.
- The City would not allow Frog Pond properties located outside of the city limits to develop without annexation. Constructing infrastructure would become a relevant issue if some property owners want to annex that were not contiguous to the city, which lead to additional complexity, risk and timing. The annexation process was very involved and took a lot of time.
- Mr. Kohlhoff explained that for the Frog Pond annexations, the infrastructure financing would be worked into a formal development agreement so everyone knew what to expect when annexing their properties. There would have to be enough properties in the initial annexation to support the City getting involved and moving forward. A reasonable financing plan and construction phasing plan were also needed to make it happen financially.
  - Having a lot of different property owners created uncertainty and increased risks and costs. So far, there appeared to be enough property owners interested in annexation for the City to proceed.
  - Referencing Slide 2, which indicated the owners interested in developing, he noted the school district had shown interest in cooperating with the development plan. The three school district properties (shown without highlighting) were identified on Slide 2, which included the large rectangular parcel along Boeckman Rd and the adjoining parcel, all of which formed an L. The third parcel was the lower right rectangular parcel in the center third of the West Neighborhood bordering Stafford Rd.
    - An agreement with the school district might increase the likelihood of more property owners becoming interested in annexation.

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- Properties in the middle of the West Neighborhood (Slide 2) would have access to Frog Pond Ln, a public road that would not have any infrastructure until other properties developed. Infrastructure located in the Boeckman Rd area, so those adjacent parcels would have access. The initial developments would set the stage for improvements to Boeckman Rd and for infrastructure to be extended to properties without access to Stafford or Boeckman Rds. Infrastructure improvements would be completed in several phases.
  - Property owners wanting to develop that need to extend infrastructure through areas not yet annexed have the option of negotiating easements to place lines in adjacent properties.
- The City's public works requirements would impact the phasing of development as well as the related financing arrangements. At this point, the subject presentation was a general overview of the Infrastructure Funding Plan and not meant to provide specific details about individual properties.
- Opportunity costs occurred when the City missed out on a project where developers were ready to go because City Staff and funding was dedicated to another project that did not come to fruition. The risk would decrease if the City facilitated a less-piecemeal, more holistic and timely development process. Staff time could be increased 3 to 10 times dealing with a number of different property owners versus one large group or two to four larger developments. Opportunity costs involved efficiency and could be hard or soft dollar costs.
- Any references to 'square foot' meant a square foot of land.
- In a Local Improvement District (LID), the City would issue the debt secured by the property owners in assessments against those owners who pay the debt off over a period of years, depending on the vehicle selected. All the cash needed for building the projects would be available at that point in time. Often, the bonds were sold after all the various costs were known.
  - With an Advance Reimbursement Financing District, only those property owners moving forward with development would make payments, while the other property owners would not need to provide any money until each was ready to develop their property. Property owners within an LID would begin making debt payments as soon as the assessment was made.
  - An LID would not be created until the properties were annexed to the city.
  - Creating LID that had pockets or islands of properties that were not annexed would be a mess and was not an alternative being considered.
    - Instead, an LID could be imposed on either all of Frog Pond West, or on a large cross-section of several properties that were ready to develop so the LID could do everything, including parks. The property owners might want to take advantage of, and the City might be willing to offer, tax-exempt type financing with lower rates and payment spread overtime as opposed to Advanced Financing District payments that were required up front. In initial meetings, developers seemed less than lukewarm to LIDs.
- As far as educating property owners about these funding options, most of the outreach so far had been with property owners who have shown interest in selling or redeveloping their properties. Additionally, property owners frequently call the City in between meetings to get updates from Staff about Frog Pond West with the Concept Plan, Master Plan, Infrastructure Financing, etc.
  - The work session presentations at City Council and the Planning Commission served as a first step in providing information to the public about the funding alternatives, but also enabled Council and the Commission to give input about the City's role in relationship to the development community and property owners.
  - Because the City had no indication which alternatives would be seriously considered, it had not engaged in public outreach on all the various options. Once the funding alternatives were narrowed down, City Staff would welcome the Commission's input on how to best reach out to the public. If an LID was being considered, for example, further engagement with the property owners would be required.
- An LID would be great if all the property owners were interested in developing. It was not surprising that the landowners' Staff met with were less than lukewarm about an LID, because they did not know if one property owner could delay everyone else from being annexed. Knowing all the property owners' positions would help in determining which funding options to pursue.

## EXHIBIT G PC MEETING MINUTES EXCERPT

- An LID could incentivize faster development because property owners would be paying on the assessed value of the land when developed. An LID could also be perceived negatively by those who preferred a slower development pace. If everyone was ready to develop within the next five years, it might not make a difference.
- Mr. Kohlhoff clarified two-thirds of the owners of the properties involved would need to petition for an LID. He briefly described the cash flow challenges related to LIDs, which the City had not considered in 15 years.
  - He clarified that not any one of the financing approaches in the Funding Plan would be the actual approach used, but likely, a combination of some of the approaches. He noted some approaches involved amendments to the Code, such as amending the SDC ordinance so the Frog Pond neighborhood park, which was not typical, was subject to SDCs. All these ideas needed refined to have something more solid for developers, initially, and then to present to the property owners for their input and buy in as well.
- With LID debt, the City was in the first position, so the debt was typically paid off when the property was sold. The developer and builder typically found ways where they did not necessarily own the lot until it was ultimately sold, so they would not have to pay any of the debt until the property changed hands at the close of a home sale. Any one of the funding alternatives would result in the debt being incorporated into the cost of the home, which would be paid over time by the new homeowner. Generally, none of the alternatives resulted in the City carrying the debt on its books for a second owner.
  - With an LID, the City would act like a banker and different approaches could be used to ensure a significant enough loan to equity ratio so that the citizens' money would be protected should there be a foreclosure.
- If certain financing districts were used, such as an LID, it seemed feasible to break up the West Neighborhood into three geographic bands of properties north to south (Slide 2), rather than having innumerable districts.
  - The southern band along Boeckman Rd was the most ready for development, so having a reimbursement district that would go to the entire West Neighborhood could be an option. That southern district would likely involve a mix of existing tools along with a financing district that might be appropriate for improvements in the northern section that might not occur for many years. Developers installing those improvements would want to be able to get reimbursed from those along the Boeckman Rd district.
  - The team was working through a number of different scenarios, but ultimately, the actual alternatives would be determined based on feedback from the developers regarding where they were in the process, timing, and what might want to see happen.
- Mr. Kohlhoff believed the school district had not provided any real feedback yet, because it did not really have any specifics. However, the City had a good working relationship with the school district, and the district was open to discussion about possible areas of collaboration, such as the green space discussed previously, and the location of the collector. He agreed the location of the three school district's parcels made the school district an important player at an early stage of the process.

Chair Greenfield called for public comment on the Infrastructure Funding Plan.

Dan Grimberg, West Hills Development, 3330 NW, Portland, OR, explained that West Hills Development was very interested in Frog Pond and currently under contract to purchase four properties in Frog Pond. The company had been involved in urban growth boundary (UGB) expansion areas since 2002 in order to acquire larger parcels for development. West Hills had been very instrumental in working with experts to develop financial plans that work for both developers and bankers. Many of the funding ideas were great, but it came down to what made sense on a project by project basis because the funding typically came from banks, even though the developers had to put up a lot of equity. Financially, a certain project could only carry a certain burden.

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- Many UGB infrastructure funding plans were modeled after North Bethany where West Hills was instrumental in developing a realistic financing plan and had developed the first 600 homes. He explained that in North Bethany's and West Hills' other projects, development occurred incrementally. The roads and utilities were built project by project because they could be funded and West Hills knew how to manage that.
- West Hills purchases properties that already have water and sewer services. The property is developed and the infrastructure is extended to adjacent properties and then to other neighboring properties. This approach was more prudent because the money was spent as it was needed with development. If West Hills owned all of Frog Pond, the company would not install the entire infrastructure at one time, but construct it in small increments as houses were developed and sold, thus extending the utilities and services to other areas.
- He described the four realistic funding options used in North Bethany, which included a supplemental SDC, a County Service District, and negotiations with Washington County on the use of Transportation Development Tax (TDT) and Major System Transportation Improvement Project (MSTIP) funds. Similar approaches were also used in River Terrace in Tigard, South Cooper Mountain, and Bonnie Slope in Washington County.
- He clarified West Hills did own a small piece of property in Frog Pond with access off Frog Pond Ln and was working under contract with four other parcels located along Boeckman Rd. The property of Frog Pond Ln had existing utilities nearby.

Amy Thurmond, Property Owner, 7070 Frog Pond Ln, stated her property was adjacent to the property owned by West Hills Development. She clarified that the property owners on the other side of her property were interested in selling the property for development, even though it was not currently shown on Slide 2. This left only one remaining property owner that was not interested in developing in the two southernmost geographic bands as described during the discussion.

Chair Greenfield confirmed there were no further comments from the audience and concluded the work session.

### **VII. INFORMATIONAL**

- A. Basalt Creek Concept Plan (Bateschell)
- B. UGB Task Force (Neamtzu)

### **VIII. OTHER BUSINESS**

- A. 2016 Planning Commission Work Program

### **IX. ADJOURNMENT**

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 7:37 pm.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, Inc. for  
Tami Bergeron, Administrative Assistant - Planning

















EXHIBIT G PC MEETING MINUTES EXCERPT

By Paula Pinyerd of ABC Transcription Services, Inc. for  
Tami Bergeron, Administrative Assistant - Planning