

**Development Review Board – Panel A
Minutes– August 31, 2020 6:30 PM**

I. Call to Order

Chair Daniel McKay called the meeting to order at 6:31 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, Angela Niggli, Jean Svadlenka, Ken Pitta, and Katie Hamm

Staff present: Daniel Pauly, Barbara Jacobson, Miranda Bateschell, Kimberly Rybold, Khoi Le, 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.

V. Consent Agenda: None

VI. Public Hearings

A. Resolution No. 380. Frog Pond Ridge Subdivision: Li Alligood, AICP, Otak – Representative for West Hills Land Development, LLC – Applicant. The applicant is requesting approval of an Annexation of approximately 17.6 acres and Zone Map Amendment from Rural Residential Farm Forest 5-Acre (RRFF-5) to Residential Neighborhood (RN) for approximately 15.9 acres of property located on the west side of Stafford Road south of SW Frog Pond Lane, and adopting findings and conditions approving a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of parks and open space, Tentative Subdivision Plat, Type C Tree Plan, Waiver to Minimum Front Setback, and Abbreviated SRIR Review for a 71-lot single-family subdivision. The subject site is located on Tax Lots 1500 and 1700, a portion of 1800, a portion of SW Frog Pond Lane, and a portion of Stafford Road right-of-way, Section 12D, and a portion of Tax Lot 400, Section 12DD, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files: DB20-0007 Annexation
DB20-0008 Zone Map Amendment
DB20-0009 Stage I Preliminary Plan
DB20-0010 Stage II Final Plan
DB20-0011 Site Design Review of Parks and Open Space

DB20-0012 Tentative Subdivision Plat
DB20-0013 Type C Tree Plan
DB20-0014 Waiver – Front Setback
SI20-0001 Abbreviated SRIR Review

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

Chair McKay called the public hearing to order at 6:36 p.m. and read the conduct of hearing format into the record. All Board members 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.

Cindy Luxhoj, Associate Planner, announced that the criteria applicable to the application were stated beginning 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.

Ms. Luxhoj presented the Staff report via PowerPoint, noting the subject site's location and features with these comments:

- Most of the property, which included two tax lots, was undeveloped, and a single-family house and accessory structures were located roughly in the middle of the tax lot on the east side of the site. Surrounding land uses included rural residential and agriculture to the west, north, and east, as well as property owned by the West Linn-Wilsonville School District to the south, and single-family residential in the Frog Pond Meadows Subdivision, currently under construction.
- Background. Metro added the 181-acre Frog Pond West area to the urban growth boundary (UGB) in 2002 to accommodate future residential growth. (Slide 4) Wilsonville adopted the Frog Pond Area Plan in November of 2015 to guide development of the area as well as the urban reserve areas to the east and southeast. In July of 2017, the Frog Pond West Master Plan was adopted for the area within the UGB. The Frog Pond West Master Plan included details on land use, including residential types and unit count ranges, residential and community design, transportation, parks and open space, community elements such as lighting, street trees, gateways and signs, and an infrastructure financing plan. The Master Plan established 12 sub-districts to specify minimum and maximum allowed residential dwellings and grouped the sub-districts into three zones, including R-10 Large Lot, R-7 Medium Lot, and R-5 Small Lot.
 - The proposed 71-lot Frog Pond Ridge subdivision area, indicated within the red dashed line, was located in R-7 Medium Lot Sub-districts 4 and 5, shown in green, and R-5 Small Lot Sub-district 6, shown in yellow. The subdivision was the fourth development proposal in Frog Pond West, following the 44-lot Stafford Meadows and 74-lot Frog Pond Meadows subdivisions to the south, and the 78-lot Morgan Farm subdivision to the west.
 - Frog Pond Ridge would connect to Frog Pond Meadows and Stafford Meadows, to create one consistent neighborhood in the Frog Pond West Master Plan.

- Proper noticing procedures were followed for the application that included clarifying background information about the project and outlined adaptations for the hearing process and for providing testimony as adopted by the City in response to the COVID-19 pandemic.
 - A second public hearing notice was distributed on August 10, 2020 because the mailing list for the first notice, distributed on July 21, 2020, did not include all property owners within 250 feet of Tax Lot 1700. Both notices included information about the DRB public hearing as well as the City Council public hearing on the annexation and zone map amendment scheduled for September 10, 2020.
 - Two comments had been received. The first was a letter included as Exhibit C4 from Clackamas County Engineering about the jurisdiction of SW Frog Pond Ln. Following discussions with the City, the County agreed that Frog Pond Ln would transfer jurisdiction from the County to the City through an intergovernmental agreement (IGA), and thus, City standards and conditions of approval applied to the road, so the County was no longer requesting the conditions in its letter. The City's response letter was included as Exhibit A3.
 - The second comment, a letter received from Garet Prior dated August 31, 2020, was forwarded to the DRB and entered into the record as Exhibit D1. Mr. Prior had referred to the 2020 Housing Needs Analysis (HNA) and Equitable Housing Strategic Plan with respect to needed housing and housing affordability in the Frog Pond area.
 - Staff noted that the City's 2014 Residential Land Study identified the City's needed housing in accordance with the Statewide Planning Goals, and that the analysis of zoning code requirements was a specific task in the City's review of Development Code updates related to House Bill 2001 implementation, which would begin later this year. Also, an additional action item in the Strategic Plan would focus on affordability goals for master planning in Frog Pond East and South.
 - These actions did not immediately impact the approved Frog Pond West Master Plan and, therefore, did not affect the ability of the DRB to approve the current application for Frog Pond Ridge.
- Annexation. Approximately 17.57 acres were proposed for annexation. (Slide 7). The property was in the UGB, contiguous to land within the city and master planned for residential development. In addition to 15.93 acres in Tax Lots 1500 and 1700, the annexation area included a portion of the right-of-ways of Frog Pond Ln and SW Stafford Rd, comprising 1.64 acres.
 - All property owners and a majority of electors had consented in writing to the annexation, and as a result, the DRB was able to move forward with recommending to City Council that the two properties and adjacent right-of-ways be annexed.
- Zone Map Amendment. Concurrent with adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area.
 - The Frog Pond Ridge Subdivision property was currently zoned Residential Farm Forest 5-Acre by Clackamas County. The Applicant proposed applying the RN Zone to the

15.93 acres to be annexed, consistent with the intention of the Frog Pond West Master Plan. (Slide 8)

- Tracts J and L of Frog Pond Meadows, which would be replatted as part of the Frog Pond Ridge Subdivision, shown in orange, would continue as RN Zone, and a right-of-way dedication from the West Linn-Wilsonville School District to extend SW Brisband St would continue as Public Facility Zone (PF).
- Stage I Preliminary Plan. The Frog Pond Ridge Subdivision was subject to the Stage I Preliminary Plan application. (Slide 9) The proposed single-family use, number of units, preservation of open space, and general block and street layout as proposed in the Stage I Plan were generally consistent with the Frog Pond West Master Plan. There were some proposed adaptations to street cross-sections and the Street Demonstration Plan in the Master Plan resulting from the site's unique characteristics.
 - The proposed Stage I Preliminary Plan area included portions of the R-7 Medium Lot Sub-districts 4 and 5 and R-5 Small Lot Sub-district 6. The table on Slide 9 showed the minimum and maximum number of dwelling units permitted in each of those sub-districts according to the Frog Pond West Master Plan.
 - The DRB Staff report discussed how the Frog Pond Ridge subdivision complied with the density ranges in the Frog Pond West Master Plan. (Slide 10) To summarize the findings, the range for the subdivision was 64 to 79 dwelling units, and the proposed subdivision included 71 lots, which was roughly in the midpoint of this range. Of the 71 lots, 33 were in the R-7 Medium Lot Sub-districts 4 and 5, and 38 were in the R-5 Small Lot Sub-district 6. Of the 38 lots in Sub-district 6, 30 were single-family detached and 8 were single-family attached.
 - Generally, the configuration of lots within the proposed subdivision would allow for buildout of Sub-districts 4, 5, and 6, consistent with the Master Plan recommendations.
- The Stage II Final Plan focused on the overall layout and function of the subdivision. The Applicant proposed installing necessary facilities and services concurrent with development of the proposed subdivision. Various aspects of the Stage II Final Plan were discussed, such as traffic and adaptations made in the subdivision layout to accommodate the site's unique characteristics.
 - Traffic. The study intersections as listed on Slide 12 would continue to perform at Level of Service (LOS) D or better, meeting City standards, with the exception of the SW Boeckman Rd/Canyon Creek Rd intersection, which would fall to LOS E if no improvements were made. The City had identified fully signalizing this intersection as part of project UU-01 in the Transportation System Plan (TSP), which would allow the intersection to function at the required LOS. Funding for design and construction was identified as Capital Improvements Program (CIP) 4206 in the adopted Fiscal Year (FY) 2020-21 budget, with an estimated date of completion in FY 2021-22.
 - Adaptations. The proposed lot layout and size, as well as block size and access, demonstrated general consistency with development standards established for the Residential Neighborhood Zone and in the Frog Pond West Master Plan. But some adaptations to the design were needed to address the unique characteristics of the site.
 - One such adaptation was a 2-ft landscape and non-vehicular access easement at the back of Lots 5 through 12 due to a change in grade that required retaining

walls of 1 to 3 ft in height along the rear of the lots. This made the lots inaccessible from Private Alley Q, so the garages needed to be oriented to Street I rather than the private alley, and the lots would take access from the street.

- Another adaptation was for Lots 28 through 31, which were through lots that take access from Street M and back to Frog Pond Ln. The homes on these lots would be subject to front yard setbacks on both streets at the time of building permit review. The minimum front and rear yard setback in the RN Zone was 15 feet.
- In addition, Lots 63, 64, 67, and 68 encroached into the root protection zone of protected trees in Tract E. These lots were subject to a tree protection easement so that building footprints are outside the root protection zone. Alternative construction techniques were required where intrusion into the root protection zone could not be avoided, and branch and root pruning must be supervised by an International Society of Arboriculture (ISA) Certified Arborist.
- Street Demonstration Plan. The Frog Pond West Master Plan included a Street Demonstration Plan that was a detailed guide to the desired level of connectivity and overall street pattern for the Frog Pond West Neighborhood. It showed a conceptual layout of local streets, alleyways, pedestrian and bicycle connections, and trails. The Street Demonstration Plan was illustrative, not binding, and showed one way of achieving the transportation and connectivity goals of the plan. It was intended to be used as a consistency standard during development review. With regard to the Frog Pond Ridge subdivision, all the north-south alignments were generally consistent with the Street Demonstration Plan. In many cases these alignments were extensions of streets already established in the Stafford Meadows and Frog Pond Meadows subdivisions to the south. The east-west alignment of SW Brisband St also was generally consistent with the Street Demonstration Plan, but some adaptations to the other east-west alignments were proposed.
 - For consistency with the block configuration in Frog Pond Meadows, one east-west alignment north of SW Brisband St was eliminated to allow for a consistent streetscape along SW Willow Creek Dr where the median was widened to accommodate preservation of a large Oregon White Oak tree. (Slide 14)
 - A new Street M was included to provide driveway access for Lots 28 through 31 which back to Frog Pond Ln.
 - One other adaptation shifted pedestrian connections in Tracts A and E, and Streets K and L, slightly north or south to provide a continuous connection from SW Stafford Rd to Street I and to preserve trees in the oak grove in Tract E.
- Cross-Sections for the various functional classifications of roadways in the city were included in the City's TSP and depicted typical roadway elements and widths for arterial, collector, and local streets, as well as shared-use paths. The Frog Pond West Master Plan provided a street classification that was consistent with the TSP, but more specific and tailored to the neighborhood. As with all street design in Wilsonville, the City had authority to require or allow variations from the typical cross-sections to respond to unique site conditions.

- Modifications to some street cross-sections were proposed which included revision of the SW Brisband St to minimize impacts to the Significant Resource Overlay Zone (SROZ) where the street crossed the Willow Creek drainage. (Slide 15) A revised cross-section for Willow Creek Dr was approved as part of the Frog Pond Meadows application. This would be mirrored on the western side of the street in Frog Pond Ridge to complete the expanded median for protection of the Oregon White Oak tree.
- Additionally, there was a slight narrowing of Street K to allow a stormwater facility to expand slightly and the southern sidewalk to better align with the pedestrian connection in Tract A to the west.
- The cross-section for Street L was modified to preserve trees in Tract E, while providing adequate development area within lots backing to the open space.
- These cross-section modifications were reviewed and approved by the City's Engineering Division, as noted in Exhibit C2.
- Local Improvement District (LID) Waiver. Development Code Section 4.177 required that a waiver of remonstrance against formation of a local improvement district be recorded with the final plat. This requirement was contained in the Development and Annexation Agreement the developer must enter into before the City issued any Public Works permits within the annexation area for the project.
 - One of the terms of that agreement was that the developer must pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee for the Frog Pond Ridge development. Because they already were obliged to pay these additional fees, the Applicant requested that the template of the Development and Annexation Agreement be revised to provide for release of the restrictive covenant waiving the right of remonstrance.
 - City Council would consider this revision to the template at its September 10, 2020 meeting, prior to the public hearing considering the Frog Pond Ridge annexation and zone map amendment. A condition of approval in the DRB Staff Report addressed this change.
- The scope of the Site Design Review included design of common tracts and the streetscape. The Frog Pond West Master Plan provided guidance about aspects of parks and open space, public lighting, street trees, gateways and signage throughout the Master Plan area. Overall, the design of these spaces as proposed in the Frog Pond Ridge subdivision was consistent with the Site Design Review standards and the Frog Pond West Master Plan. In particular, the proposed streetscape design conformed or would conform with conditions of approval to the street tree and street lighting elements, provided the required wall and landscaping along the SW Stafford Rd frontage, and included the required open space tracts consistent with the Master Plan. There were, however, a few conditions unique to the site that Staff would like to highlight.
 - Street Trees. The Frog Pond West Master Plan included a Street Tree Plan with the overall intent to beautify and unify the neighborhood, while providing a variety of tree species. For the purpose of the Street Tree Plan, streets were identified as either Primary Streets or Neighborhood Streets, and a recommended list of trees was provided for each. In addition, there was a recommended tree list for pedestrian

connections. Proposed street trees and trees in pedestrian connections in the Frog Pond Ridge subdivision generally were consistent with the Street Tree Plan. However, the trees proposed for SW Frog Pond Ln and Street I, as well as the trees along the pedestrian connection in Tract A were not on the recommended lists. (Slide 18) Conditions of approval required that the Applicant select trees from the recommended lists for these streets.

- Key Intersection Lighting. The Frog Pond West Master Plan recommended that placement of fixtures at key intersections be carefully considered to ensure there were not conflicts between arterial and neighborhood-scale lighting. The Plan recommended that key intersections be more brightly lit to act as a wayfinding beacon when they were approached by drivers, pedestrians, and cyclists.
 - The Frog Pond West Master Plan identified three key intersections in the Frog Pond West Neighborhood including SW Willow Creek Dr/SW Boeckman Rd, Stafford, Boeckman, Wilsonville Rds/Advance Rd, and SW Frog Pond Ln/SW Stafford Rd. Because of their prominence at the edges of the neighborhood and because they acted as transition zones between urban-scale arterial lighting and more neighborhood-scale lighting types, the Master Plan provided guidance about lighting at these intersections.
 - The Frog Pond Ln/Stafford Rd intersection was one of these key intersections for the purposes of public lighting. (Slide 19) Because only one quadrant of this key intersection was within the Frog Pond Ridge subdivision, it was difficult to determine if lighting at this intersection would be adequate to satisfy this recommendation when it was fully developed. A condition of approval was included that required the Applicant to submit a street and intersection lighting photometric analysis to address this question and to guide lighting provided at that intersection.
- Tentative Subdivision Plat. The proposed tentative plat met technical platting requirements, demonstrated consistency with the Stage II Final Plan, and therefore, the Frog Pond West Master Plan, and did not create barriers to the future development of adjacent neighborhoods and sites.
- Type C Tree Removal Plan. The 50 trees on the subject site were concentrated in four areas: the School District right-of-way dedication area at the southwest corner of the site; on the south side of Frog Pond Ln in the north part of the site; south of the existing house and outbuildings in the center of the site; and in a grove of Oregon white oaks at the southeast corner of the site along Stafford Rd (Tract E). (Slide 21)
 - Of the 50 trees, 21 would be retained and protected, 20 of which were part of the oak grove located within Tract E. The other protected tree was the Oregon white oak located within the Willow Creek Dr median. Additionally, 11 trees located on adjacent property to the south, which were a continuation of the oak grove, would also require protection to ensure off-site tree health.
 - The 29 trees proposed for removal were primarily for the construction of road and other site improvements.
 - The Applicant's proposed planting of street trees and trees in landscape areas substantially exceeded the mitigation required for the proposed tree removal.

- Waiver – Front Setback. During review of the Frog Pond Meadows subdivision, a 34-inch Oregon white oak was identified for preservation. To accommodate protection of the tree, the east right-of-way of Willow Creek Dr and related public utilities were realigned in Frog Pond Meadows to allow a 22-ft protection zone around the tree’s roots. A front setback waiver was approved for the lots in Frog Pond Meadows with frontage on this segment of Willow Creek Dr. (Slide 22)
 - Lots 19 through 21 in the Frog Pond Ridge subdivision front on the west side of this realigned right-of-way. Therefore, to accommodate preservation of the tree on the west side of the right-of-way, the Applicant had requested a waiver to the minimum setback requirement for those lots.
 - Reducing the size of these lots was necessary to provide the required space for the street improvements and to allow the lots to be developed with adequate space for single-family homes. The requested waiver would reduce the front yard setback from 15 ft to 12 ft. The waiver would meet the purpose of the Code requirement in that it provided flexibility and allowed a site design that was able to respond to site characteristics.
- The Abbreviated SRIR Review focused on where SW Brisband St would be constructed along the southwest edge of the Frog Pond Ridge subdivision as an extension of the street already constructed in Frog Pond Meadows to the east. (Slide 23)
 - West of Willow Creek Dr, the Brisband St must cross Willow Creek, an intermittent stream that flows north to south in this area. Proposed exempt development in the Significant Resource Overlay Zone (SROZ) and its associated 25-ft Impact Area included crossing SW Brisband St with an 18-inch culvert.
 - As shown in the road cross-section, impacts to the SROZ were minimized by reducing the right-of-way width utilizing a curb-tight sidewalk, eliminating planter strips, and incorporating retaining walls at the SW Brisband St crossing. Proposed mitigation included enhancement to the stream riparian corridor by planting native trees and shrubs.
- Staff Report Revisions. Because the noticing was flawed, and the Applicant suggested changes to some of the conditions of approval, the August 10, 2020 public hearing was continued to tonight’s special meeting. Some revisions were made to the August 3 DRB Staff report, and it was reissued on August 24, 2020. The revisions included:
 - Updating the area to be annexed to include the SW Frog Pond Ln right-of-way.
 - Adding a table to the Background section summarizing acreages included in the various applications.
 - Adding a comment letter from Clackamas County Engineering about the SW Frog Pond Lane right-of-way, which was included in Exhibit C4 and Staff’s response in Exhibit A3.
 - Revising the legal description and map for the annexation in Exhibit B5.
 - Adding the legal description and map for the zone map amendment in Exhibit B6.
 - Revising the language of some of the findings for clarity and to reflect the revised conditions of approval including Findings A10 and A11, D5 and D32, and E13, E24, E26, and E31.

- Revising several conditions of approval, primarily to reflect changes in timing of required improvements and to clarify condition language, as well as to correct a few typographical errors, which included:
 - Conditions PDD 7 and 8, and PFD 2, 5, 7, 8, and 19 of the Stage II Final Plan request.
 - Conditions PDE 2, 3, 9, 10, and 14 of the Site Design Review request.
 - Condition PFF 2 of the Tentative Subdivision Plan request.
 - Condition PDG 4 of the Type C Tree Plan request.
 - Condition PD 1, which applied to all requests.
- Based on the Findings of Fact and information included in the Staff report and received from a duly advertised public hearing, Staff recommended that DRB Panel A recommend approval of the Annexation and Zone Map Amendment to City Council and approve with conditions, contingent on City Council approval of the Annexation and Zone Map Amendment, the Applicant's requests for the Frog Pond Ridge subdivision.

Chair McKay stated he had read the comments from the County and the City's response. He asked if the City's street standards were comparable or more stringent than the County's.

Khoi Le, Development Engineer Manager, stated the County was generally less stringent when compared to the City's street cross-sections. In this particular case, the City wanted to have full control of the improvements in this part of the neighborhood, so a jurisdiction transfer of Frog Pond Ln was requested so the City could develop and improve the road according to the City's street design and construction standards.

Chair McKay asked if the jurisdiction transfer was permanent or if the IGA had some associated conditions.

Mr. Le responded that the jurisdictional transfer was done via the IGA.

Chair McKay stated that he appreciated the comments from Garet Prior regarding the Equitable Housing Plan and leveraging development in Frog Pond Ridge for more equitable housing. He asked if the Equitable Housing Plan was primarily focused on Frog Pond East and South, as Frog Pond West was being developed currently whereas it would be some time before Frog Pond East and South developed.

Kimberly Rybold, Senior Planner, replied that was correct. Different actions referred to Frog Pond, which was the primary area of future residential growth in Wilsonville. The action referring to Frog Pond East and South was related to that master planning process. Frog Pond West's Master Plan was adopted in 2017. The action from the Equitable Housing Strategic Plan was to think about affordability targets and things to incorporate into that Master Plan that would guide development in those Frog Pond areas.

Mr. Le confirmed the traffic study was conducted in April 2018.

Jean Svadlenka noted the Local Improvement District (LID) waiver of remonstrance and asked what the typical monetary value was for the infrastructure supplemental fee and the bridge fee. She asked what the cost would be of supporting a LID if one was needed in the future.

Mr. Le responded the supplemental fee for the Frog Pond area was more than \$19,000 per door, which did not include the fee for the bridge improvement. The City was in the process of designing and assessing the cost to build the bridge, but he believed it would cost approximately \$19,000,000, which would be divided by the number of households in the area in addition to the supplemental fee.

Ms. Svadlenka asked for an estimated monetary value of the developer having to support a LID if needed in the future.

Ms. Rybold explained this condition and discussion came up when working through the final plat process for Frog Pond Meadows. Essentially, a Code provision required a waiver of remonstrance, a legal document recorded with the property at the time of final plat that said individual properties were waiving their right to protest the formation of a LID. It did not mean the City could not try to form an LID, but the property owner was giving up the right to protest the formation of an LID. As the City had not utilized LIDs in at least 20 years, it was hard to give a financial dollar figure on the estimated monetary value. An LID was used when the Town Center area was being developed, and many of the property owners invested the money to create the loop road to service the properties better [in Town Center](#). The type of improvement desired dictated the dollar value of the assessment. With the existing infrastructure fee, a funding mechanism had already been developed to help improve the roads, so the requirement was a bit conflicting. The Community Development Director was working with the Applicant in this case to consider how the development agreement could be changed to avoid a potential dual financial requirement.

Chair McKay noted the Applicant proposed 12,025 sq ft of usable open space, which was 69 percent of the required open space. He understood the Applicant had much more usable open space than the City required. He requested clarification on the City's open space requirements and whether 50 percent of the open space had to be usable, which would be more than the 12,025 sq ft of the useable open space being provided. (Finding D14, Page 42 of 76 of the Staff report)

Ms. Rybold explained the open space requirement was derived from 10 percent of the net developable area of the Small-Lot Sub-districts, which resulted in 17,000 sq ft of open space, and half of that 17,000 sq ft had to be considered usable with features like open grass areas, active spaces, and paths. At a minimum, the Applicant only needed to provide 8,000 sq ft to meet the 50 percent requirement, but was exceeding both requirements.

Chair McKay confirmed the City's open space requirement was based on 50 percent of the proposed minimum open space area.

Katie Hamm asked if any landscaping studies had been done to ensure there was enough spacing around the remaining trees to keep the trees alive for the long-term.

Ms. Luxhoj stated the health and condition of all the trees was assessed by an ISA-Certified arborist and was included in the arborist's report. There would not be any construction around the trees, and they would be protected during construction. Trees with root zones extending into the four lots to the north would also be protected to ensure their health was maintained.

Chair McKay asked if the narrowed width of Street K would cause issues with ingress, egress, or stopping on the street that would not apply to the other streets proposed.

Ms. Luxhoj replied that Mr. Le had reviewed all of the proposed modifications to the streets and did not see any issues.

Mr. Le added Street K was reduced from a 52 ft to a 49 ft right-of-way, so the change was a very minimal.

Angela Niggli confirmed that each side of the Willow Creek that split around the oak tree was one way, and asked if Private Alley Q would be a one-way, one-lane alley.

Ms. Luxhoj said the access from Willow Creek Dr to Private Alley Q would be right-in/right-out only, because that was the southbound side of Willow Creek Dr. (Slide 22)

Mr. Le said he did not believe the streets were connected because no driveway approach was shown, but he deferred to the Applicant for confirmation.

Ms. Luxhoj believed the right-in/right-out access to the alley was shown on the Street Trees slide. (Slide 18)

Ms. Rybold suggested that the Applicant confirm the access details during their presentation.

Ms. Niggli inquired if the alley could handle two-way traffic.

Ms. Luxhoj believed it could, but also deferred to the Applicant for confirmation.

Chair McKay confirmed there were no further questions for Staff and called for the Applicant's presentation.

Michael Robinson, Schwabe, Williamson & Wyatt, 1211 SW 5th Ave, Suite #1900, Portland, Oregon 97204, introduced the Applicant's project team. He noted the Applicant agreed with the Staff report, its findings, and its recommended conditions of approval, and he thanked the Staff for working out some last-minute items. With regard to Exhibit D1, the Applicant agreed with Staff's analysis of the testimony, stating the study Mr. Prior cited was adopted in June 2020. The subject application was submitted in January 2020 and completed within 180 days, so anything

submitted after the January submission would not be applicable to this application. He concluded saying the Applicant would appreciate the Board approving and recommending approval of the application as recommended by Staff.

Mike Peebles, Civil Engineer, Otak Inc., agreed there had been great coordination with the Staff in terms of completing the application and working through the revised conditions of approval. He presented the Applicant's proposal via PowerPoint with these comments:

- He introduced the project team and highlighted the project information and background, stating the Frog Pond Ridge Project was the third piece developed by West Hills Land Development in Frog Pond West. They started with Stafford Meadows north of Boeckman Rd, just completed the Frog Pond Meadows, which reached out to Stafford Rd on the east, and now Frog Pond Ridge would be located north of that and fill in up to Frog Pond Ln. The proposed plan tied in well with the existing Master Plan and tied in well as a continuation of both Stafford Meadows and Frog Pond Meadows.
- The key component of the existing conditions was the tree grove on the east side, which would be maintained within the open space, and also the continuation of the north/south drainage going down to Boeckman Rd where a street crossing was installed the Stafford Meadows project, and a similar street crossing would be constructed with the east/west Brisband St at the southwest end of Frog Pond Ridge.
- The Site Plan was driven by vehicular as well as pedestrian connectivity and meeting the requirements of the Frog Pond West Plan. Willow Creek Dr was a key determination in terms of protecting the existing oak tree, which resulted in mirroring the swerve on Willow Creek Dr from Frog Pond Meadows.
 - He confirmed no driveway access was shown for Private Alley Q, but there was access at both ends of the alley on the west side of project. Traffic southbound on Willow Creek Drive could turn right-in or right-out to leave. The two connection points were important for fire and garbage collection considerations as those services preferred driving through alleys, rather than having to turnaround. The access would provide good circulation for homeowners and services.
 - On Street K, the pavement width was kept the same, but the planter strips were reduced to create more room for stormwater ponds to function as larger rain garden facilities rather than the typical Low Impact Development Approaches (LIDA) swales seen in many planter strips.
 - The entryway at Frog Pond Ln and Stafford Rd would have a brick wall with Frog Pond signage, similar to the entryway at Boeckman Rd and Willow Creek Dr.
 - Before and after pictures of Willow Creek Dr and the protected oak tree following construction at Frog Pond Meadows were displayed. He commended the contractor and developer for adhering to tree protection measures, noting an arborist was on-site during construction and paid very close attention to the health and preservation of the tree, and noted that teamwork would continue in Frog Pond Ridge with protection of the oak grove and other tree preservation, including the completion of the west side of Willow Creek Dr where the 34-in white oak was being protected. (Slides 8 and 9)
- The open space for Frog Pond Ridge was a continuation of the open space from Frog Pond Meadows and would be a great amenity for the neighborhood and community. The plan

showed the walkways, as well as the expanded usable open space not taken up by trees or the tree canopy, all of which met the open space and useable open space Code requirements. (Slide 10)

Ms. Niggli appreciated the clarification regarding the access for Private Alley Q. The cross-section showed Private Alley Q was 18-ft wide, which she understood could handle two-way traffic.

Mr. Peebles confirmed the alley was two-way and 18-ft wide, curb to curb.

Ms. Niggli asked where the proposed garage was for Lot 21 and if access to the house was off of the alley.

Mr. Peebles responded the intent was to have a driveway or access off the alley on the back with the garage also in back, similar to alley-loaded products with a side-garage or back garage. Otak had worked through that with West Hills, which had a footprint and house type that fit that configuration. (Slide 6)

- He confirmed the alley would not continue behind the house and that the house would have its own driveway off the alley and off-street parking, etc.

Ms. Niggli asked why it was decided to empty the alley in a one-way only location versus off of Street K.

Mr. Peebles responded the alley did not extend to Street K due to an access restriction onto Willow Creek Dr. Driveways fronting onto Willow Creek Dr were not allowed per the roadway classification, and if the alley extended to Street K, there would be no access to Lots 19, 20, and 21.

Ms. Svadlenka noted the sidewalks that end at Stafford Rd and the sidewalks in Frog Pond Meadows and Stafford Meadows off Brisband that curved around and ended. The proposal showed a sidewalk on Frog Pond Ln and she asked whether sidewalks would be constructed to connect an entire path from Frog Pond Ln all the way to SW Brisband St.

Mr. Peebles explained that with the Stafford Road improvements project, sidewalks would be developed all along the west side of Stafford Rd that would connect Frog Pond Ln and Brisband St and the other streets. The Stafford Road improvements project was a City project being funded through fees from the residents.

Ms. Niggli asked why there was a setback on both sides of Lots 28 through 31 when a double frontage lot would work.

Mr. Peebles responded the design team had considered many scenarios for the area, as the block had access restrictions for Willow Creek Dr and Frog Pond Ln. The double-fronted lot design was the best solution available considering the access restrictions, lotting pattern to the

south and the stormwater facilities, which could be maintained on the perimeter with the access on Street M. He noted a similar situation existed in Stafford Meadows for a short block.

Chair McKay confirmed that no one was present on Zoom or in City Council Chambers to provide public testimony on the application.

Chair McKay confirmed there were no further questions of Staff or the Applicant, and that the Board had no recommended modifications to the Staff report or the Applicant's proposal.

Chair McKay closed the public hearing at 7:51 pm.

Ken Pitta moved to approve Resolution No. 380 with the addition of Exhibit D1. The motion was seconded by Katie Hamm.

Ms. Svadlenka stated she would like to see a traffic study done at the Boeckman Rd/Willow Creek Dr south intersection, and possibly at Frog Pond Ln and Stafford Rd as well.

Mr. Le said at the time the traffic analysis was done, the traffic consultant engineer looked at the intersections that would be most impactful to the system and recommended an analysis on five intersections. A traffic study was not requested for the Frog Pond Ln/Stafford Rd or Willow Creek Dr/Boeckman Rd intersections. He asked if Ms. Svadlenka had a particular concern to address with an analysis on the two intersections.

Ms. Svadlenka stated that Willow Creek Dr going through Stafford Meadows, Frog Pond Meadows, and Frog Pond Ridge looked offset from Willow Creek Dr south, but in reality, the streets were straight across from each other, which should warrant a study, to see how it would impact Willow Creek Dr south of Boeckman Rd because drivers could now go straight through the Frog Pond development onto Boeckman Rd. Frog Pond Ln and Stafford Rd warranted a study as well, as that intersection would be a major point for individual residents in Frog Pond to access Stafford Rd.

Mr. Le said he did not believe the amount of traffic on the two roads was ~~not~~ significant enough to warrant a study at those intersections. There was enough sight distance for the two intersections, and the volume of traffic entering and exiting the intersections was not significant enough to delay the intersection into an unacceptable level of service. Therefore, a traffic analysis of those intersections was not done.

Ms. Svadlenka said she understood, but believed it might be an issue today, as Stafford Rd got extremely busy in the mornings and evenings, and someone coming off of Frog Pond Ln and attempting to turn left on Stafford Rd could have a significant wait time. Willow Creek Dr south of Boeckman Rd was also busy with a number of cars waiting at the intersection. She asked how the traffic from Frog Pond would impact the community in those areas.

Daniel Pauly, Planning Manager, explained there was a traffic component of the Frog Pond West Master Plan that anticipated all the intersections and traffic. Additionally, the build out of all the roads was not yet complete, so it was hard to understand exactly how traffic would function until Boeckman Rd and Stafford Rd were built, and the traffic lights put in at the Canyon Creek/Boeckman Rd intersection. These issues were studied and well understood during the master planning and at the development level to decide the infrastructure and traffic controls that would be used at the intersections in the future. The Code allowed a two-year period for projects to be funded and allow the intersections to function at the level of service, and this one did.

Mr. Le stated that even though Frog Pond Ln and Willow Creek Dr were connected, residents who lived south of Boeckman Rd would use Boeckman Rd to get to Stafford Rd instead of going through the neighborhood up north to get out on Stafford Rd. Right now, the two roads were only serving new residents. When the roads were completed and connected further north, and when the area was fully developed, those intersections would likely be analyzed in the future.

Chair McKay asked if the DRB would review the development of the new elementary school that was planned next to that intersection in a couple of years.

Ms. Rybold confirmed that any new construction projects would come to one of the DRB panels and an additional traffic analysis would be performed to look at the impacts of that particular use on area intersections.

Chair McKay understood Willow Creek Dr, the closest intersection, would be analyzed.

Ms. Rybold responded the traffic study scope would include analysis of the highest impacted intersections.

Mr. Pauly noted that according to the Frog Pond West Master Plan, a traffic signal would be installed at the Frog Pond Ln/Stafford Rd intersection.

Ms. Svadlenka understood that any new development was an opportunity for a traffic study at Willow Creek Dr south of Boeckman Rd.

Ms. Rybold replied that was correct. She also noted that oftentimes, similar intersections were selected while progressing through each development proposal to see how the impacts evolved over time. This was now the fourth Frog Pond project, and while it might not involve the same set of intersections for each project, certain intersections, such as Canyon Creek Rd and Boeckman Rd, were tracked with each study. The City would continue to be mindful of the major intersections in the surrounding area.

Ms. Svadlenka agreed that Boeckman Rd and Canyon Creek Rd was a major intersection, but she did not want small intersections to get lost in the mix. People depended on being able to get

out of their communities in a reasonable amount of time, especially established communities south of Boeckman Rd.

The motion passed unanimously.

Chair McKay read the rules of appeal into the record.

VII. Board Member Communications

A. Recent City Council Action Minutes

Kimberly Rybold, Senior Planner, noted the recent City Council Action Minutes were provided but no DRB minutes since this was a special meeting. The minutes from the last Panel B meeting would be in the next packet.

VIII. Staff Communications

Kimberly Rybold, Senior Planner, appreciated the Board's participation at tonight's special meeting and noted the next regularly scheduled meeting would be on September 14, 2020.

IX. Adjournment

The meeting adjourned at 8:09 p.m.

Respectfully submitted,

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