

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

**Development Review Board – Panel B
Minutes–November 26, 2018 6:30 PM**

Approved
February 25, 2019

I. Call to Order

Chair Richard Martens called the meeting to order at 6:30 p.m.

II. Chair's Remarks

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

III. Roll Call

Present for roll call were: Richard Martens, Samy Nada, Aaron Woods, Shawn O'Neil, and Tracy Meyer

Staff present: Daniel Pauly, Barbara Jacobson, Steve Adams, Mike McCarty, and Tod Blankenship

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:

A. Approval of minutes of the October 22, 2018 DRB Panel B meeting
Shawn O'Neil moved to approve the October 22, 2018 DRB Panel B meeting minutes as presented. Tracy Meyer seconded the motion, which passed 4 to 0 to 1 with Aaron Woods abstaining.

VI. Public Hearing:

A. **Resolution No. 359. Villebois Phase 5 North "Clermont": Stacy Connery, AICP, Pacific Community Design – Representative for Polygon WLH LLC – Applicant for Victor Chang, Allen Chang, City of Wilsonville, Polygon at Villebois LLC and Sparrow Creek LLC – Owners.** The applicant is requesting approval of a Zone Map Amendment from Exclusive Farm Use (EFU) Zone to Village (V) Zone, a Specific Area Plan – North Amendment, Preliminary Development Plan, Final Development Plan for parks and open space, Tentative Subdivision Plat, Type C Tree Plan and abbreviated SRIR Review for development of an 89-lot single-family subdivision and Villebois Regional Park Component 6 and a modification of the western portion of Regional Park Component 5 "Trocadero Park" and associated improvements in Villebois SAP North Phase 5. The subject property is located on Tax Lots 0543, 7700, 7200, 7290, 7300, 7400, 7500, 7600, 8130 and City of Wilsonville right-of-way between Tax Lots 0543 and 8130 of Section 15AB, City of Wilsonville right-of-way (SW 110th Avenue) between Section AB and Section AA, Tax Lot

16400 of Section AA, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Daniel Pauly

Case Files:	DB18-0049	Zone Map Amendment
	DB18-0050	SAP-North Amendment
	DB18-0051	SAP-North PDP 5, Preliminary Development Plan
	DB18-0052	Final Development Plan for Parks and Open Space
	DB18-0053	Tentative Subdivision Plat
	DB18-0054	Type C Tree Plan
	SI18-0005	Abbreviated SRIR Review

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

Chair Martens called the public hearing to order at 6:34 p.m. and read the conduct of hearing format into the record. Chair Martens, Samy Nada, Aaron Woods, and Shawn O’Neil 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.

Daniel Pauly, Senior Planner, announced that the criteria applicable to the application were stated on Page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

Mr. Pauly thanked the neighbors and other interested people for taking the time to attend tonight’s meeting. He presented the Staff report via PowerPoint, briefly noting the site’s location, the Villebois Process, and the proposed changes to Regional Park (RP) 6 with these key comments:

- Phase 5 North was the final, single-family and park phase of Villebois. The only other remaining phase to be reviewed by the Development Review Board (DRB) included some of the mixed use buildings around the Piazza and Village Center.
- Specific Area Plan (SAP) North. The approval history for SAP-North was different than the other three SAPs, which for the most part, were approved at the same time and had a large component list, including cultural resources and plans for density, street layout, etc. When the original developer of Phase I, Arbor Homes, came in, there was uncertainty about the ownership and future development of the remainder of it, so the developer had all of the different components approved for Area I (Slide 7) and left the remainder for the future. Subsequent phases continued to push forward the incomplete approval of the “unknown portions”, including the subject site. Over time, the developer simply imported what was shown in the Master Plan without much additional thought.
 - With the approval of Phase 4 North in 2016, some of the loose ends in the previous SAP approvals were cleaned up and all of the SAP components were approved that did not require property access, because at that time, access was not granted to the property that Phase 5 North entailed.

- The two components not yet approved were the Historic and Cultural Resources Inventory and Tree Inventory. The lack of information about the trees played a big role as the City began to look at this project with the design team and Applicant.
- For SAP-North, Figure 1 of the Master Plan showed a part of the ring of regional parks through Villebois, as well as a variety of land use types, including row homes, standard lots, a few large lots, some estate lots, and a few medium and small lots for the subject area. (Slide 9)
 - Figure 5B of the Master Plan showed the parks in SAP-North. (Slide 10) The Master Plan stated, “Regional Park component 6 preserves several large groves of trees while also providing active and passive recreation opportunities. The park includes two tennis court facilities, a child play structure, a dog park, picnic tables, benches, a minor water feature, and may include stormwater/rain water features.” Another major component of the park was a portion of the regional Ice Age Tonquin Trail, a 12-ft concrete trail.
- The original submittal received in July 2018 mirrored what was shown in Figures 1 and 5B, with the park in its current location and different housing types that fit into the allowed changes for home types and density for SAP-North.
 - During review of the Arborist’s report, Staff found that many of the trees intended for preservation would be removed by the proposal, including Important trees, shown in fuchsia, and Good trees, shown light green, as shown on Slide 12.
 - Even in the original park design, many of the trees had to be removed due to an extensive slope on part of the site and the grading required to meet ADA access requirements, as well as the requirement to connect both ends of the regional trail on either side of the park.
- Given these issues, as well as some language included in the review criteria, Staff did not believe the original proposal was the best option and decided to take a step back and look at where the park was located. The refinement process in the Code specifically mentioned that with regard to an important community resource, like mature trees, additional flexibility was allowed in following the Master Plan in order to meet other objectives.
 - The description of the park included language that focused on preserving large groves of trees, so if that could not be accomplished through the park design, the design needed to be reconsidered.
 - Different parts of the Code had similar language that Staff considered working with any development where a significant number of trees was involved. (Slide 14) The most concise language stated, “Existing wooded areas, significant clumps, groves of trees and vegetation, and all trees with a diameter of 6 inches or greater at breast height shall be incorporated into the Development Plan and protected wherever feasible.”
 - Therefore, Staff and the Applicant considered where protection was feasible when looking at the project design.
 - The types and ages of the subject trees were also important to note. Generally, the majority of the trees on the site, approximately 65 percent, were Douglas fir along with one large Red Oak, some Big Leaf Maple, and some other native trees sprinkled in. Historically, the Code gave specific deference to White Oaks and Ponderosa Pine because of their significance, especially since very old White Oaks were hard to replace.

The Douglas fir trees were only about 60 years old, so less significance was afforded those trees as opposed to White Oaks or Ponderosa Pines, which was important to note when considering what was feasible and reasonable in terms of what to keep and what not to keep.

- After Planning Staff realized the proposal did not meet the Tree Retention Guidelines, Staff members from Engineering, Natural Resources, and Parks and Recreation, as well as Mr. Pauly, met with the design team and Polygon at the site to walk the site in detail to imagine what it would look like once developed in terms of identifying key view sheds and key trees to provide a gateway as well as to maintain the forested look at this highpoint within the Villebois development.
- A number of iterations led to the current proposal. The park was shifted farther to the north and east, creating a central forested park area surrounded by homes that overlooked the park. The dog run was shifted up along Tooze Rd where parking was available for those coming from outside the Villebois community.
 - Finding a location for the tennis court was a challenge due to the site's slopes and potential tree litter. Locations were scouted within the larger park area and near the dog run, but due to the grades and the desire to maximize the only dog run on the west side of town, the area within RP 5 became the preferred location for the tennis court because it was flat and because most of that area was a part of the subject property.
 - He explained that when RP 5 was developed, the property owners granted a property easement to the City to be able to finish that end of the park in the interim until their property developed. Therefore, the tennis court was located on the subject property with a bit of the fence and outside court area being on the adjacent property.
 - The new location was essentially across the street from what was shown in the Master Plan diagrams regarding the location of the various park components.
- There was concern about parking impacts and taking up too much green space, but with the flexibility allowed through the refinement process, the Applicant proposed, and Staff supported, it being reduced to a single tennis court. This would allow for both tennis and pickle ball play, as the community had indicated a desire for multiple pickle ball courts.
 - Locating the tennis court near other active uses and the public restroom in RP 5 had also been considered, as well as how it flowed with RP 5 from a design standpoint, since the rest of the park would have a more natural flowing feel given the existing trees and contours.
- The regional trail would wind through the site. There would be some impacts to the trees surrounding the trail, but it was much less than the plan submitted in July 2018.
- He asked for any questions about the changes to the park's layout and displayed the diagrams of the original and current proposals.

Mr. Pauly clarified that the Master Plan listed in text and in a table format the different components in each section of Regional Park. An appendix of the Master Plan included drawings that illustrated each park, not necessarily suggesting the layout, but rather, a Demonstration Plan that showed what components could potentially fit into that space, but were not required. Those components had been moved around in previous park projects as

needed. In the demonstration drawing for the proposed park, the tennis court ended up on the southern end near Berlin Ave.

Tracy Meyer asked how the big area was where the tennis court was being proposed, and how much space there would be around the tennis court; between the tennis court and street.

Mr. Pauly replied there was still quite a bit of green space towards Orleans Ave and the stormwater swale would still be on that side. On the north side along Palermo St would be a 12-ft path with a small landscape buffer between the fence and the path. The landscape architect could describe the south side more precisely. Based on feedback from Parks and Recreation, the tennis court was reoriented north and south due to the sun. The originally proposed two courts were reduced to one due to concerns from the neighbors, including the parking impact. By Code, parks did not require any parking; however, additional on-street parking was available along the extension of Orleans Ave and the north side of Palermo St immediately adjacent to the park. Based on the parking provided for the homes, he did not anticipate a lot of demand for those spaces from the adjacent homes. As such, that parking would be available for park users.

Samy Nada confirmed there were no plans to have lights surrounding the tennis courts.

Mr. Pauly noted the trail would be lit with pedestrian height street lights that matched other community street lights. The entirety of the Ice Tonquin Trail would be lit.

Mr. Nada asked if there was a forum wherein neighbors could voice feedback about the park's redesign.

Mr. Pauly responded the redesign was put before the Parks and Rec Advisory Board. Beyond that, Staff had reached out via email to known contacts to solicit feedback, and the design team held a neighborhood meeting that was advertised to neighbors to discuss the park redesign. He confirmed that originally, the two tennis courts faced east to west, but the current plan proposed only one tennis court that faced north to south.

Aaron Woods noted that on the north side, there was one large lot, and it appeared that the court would be parallel to the sides of the new homes on Orleans St.

Mr. Pauly confirmed that was correct, adding there would be a planted stormwater swale with trees that would mature. He also confirmed there would be shrubbery around the tennis court as well as a 10-ft fence.

Mr. Woods asked what normal park hours were.

Mr. Pauly replied normal park hours throughout the city were 5:00 am to 10:00 pm, but noted that could be adjusted if there were specific concerns. He confirmed people could play tennis or skateboard up until 10:00 pm.

Mr. Pauly continued with his presentation of the Staff report, which included a review of the requested applications, with these key comments:

- He displayed the current trees proposal, noting the forested area and the trees that would be preserved. (Slide 17) With different conditions in grading, a good amount of trees would still be lost. Where feasible, the most significant clumps would be preserved, and Staff recommended that the parties thoroughly look through the trees to determine what was reasonable in this scenario.
- The Zone Map Amendment was fairly straightforward as it was same process that had been followed throughout Villebois. All of Villebois had a Comprehensive Plan designation of Residential Village, and as was typical in Wilsonville, when something was proposed for development, it was rezoned from its previous use to a zone that matched the Comprehensive Plan. The current zoning would be change from Exclusive Farm Use (EFU) to the Village Zone, which was the Villebois Zone. Staff recommended that the DRB send a recommendation for approval to City Council for the zone change.
- SAP-North Amendment included two components. The first was to adopt the SAP elements not previously approved, the Historic and Cultural Resource Inventory and the Tree Inventory.
 - The second was to change the approved SAP with Master Plan refinements, which were allowed changes. The Code allowed up to a 10 percent change from the original SAP number or a more significant change if it contributed to the saving of a significant resource, such as trees.
 - Changes to the street network; parks, trails, and open space; and utility alignments were necessary to move the park. (Slide 19)
 - The proposed land use and density refinement was within the 10 percent allowed by Code. Some flexibility within the home types was also anticipated and the Village Zone grouped homes into two buckets, with single-family Medium, Standard, Large, and Estate lots in one bucket, and small single-family and all attached products in another bucket. (Slide 20)
 - Some comments were received about adding houses, but for compliance, the broader SAP was considered, where density was reduced or adjusted in different areas, so overall the density balanced out to that originally planned for SAP-North. The Applicant not only looked at this neighborhood, but the broader SAP as a whole. Density had been reduced elsewhere to achieve a balance that resulted in the overall density being approximately the same as the original SAP North Plan.
 - The Applicant had attempted to extend and mirror what had been done on adjacent land and other similarly located properties in Villebois. Small and Medium lots were proposed on the southwest corner where the street was adjacent to existing blocks that already had Small and Medium homes.
 - Along the edges of Phase 5 were Large and Standard sized lots, as seen in Phases 3 and 4 along Tooze Rd and backing up to Grahams Ferry Rd in Phase 2 North. were Large and Standard lots. Estate lots would make sense in that area as they would not be congruent with the surrounding homes. The proposed lot mix kept the same pattern and look, and was an allowed variation in the Zoning Code.

- Standard lots were being constructed in the internal blocks along Amsterdam Ave in Phase 4 North, and the remainder of that block along Orleans Ave would also have Standard lots to mirror what they backed up to.
- Standard and Large lots were proposed in the area where the park was formerly located, which originally replaced an area shown as Estates, so they were in the same unit type bucket. A number of these homes were designed to be single-story homes, which would create a new look in Villebois, as only a handful currently existed. When built as proposed, this project would represent the vast majority of single-level homes in Villebois.
- The Preliminary Development Plan (PDP) map showed the layout and different home types and stars indicated the lots with single-level homes. (Slide 23)
 - Traffic and Parking. The transportation network had long been planned to accommodate Villebois and traffic reports had been done and updated a number of times for SAP North. The change from the last update was a net increase of 23 trips, which all of the planned and existing roads and infrastructure could accommodate to established standards.
 - The Code standard for parking was one space per unit. Except the Small lots, most units had onsite off-street parking in addition to the garage; 30 units had two-car garages, and two-thirds of the units had a driveway in addition to the garage. There was quite a bit of on street parking as well as the small parking lot being retained from what existed as 110th Ave. Total parking provided well exceeded the required 89 spaces. Polygon understood the City wanted to accommodate as much parking as possible without negatively impacting the look and feel of the neighborhood and had looked to maximize that here and exceed any related Code standards.
- Final Development Plan. The tennis court, Ice Age Tonquin Trail connector piece, children's play area in the forested, northern part of the central park, and the dog run in the northern portion of the Regional Park were indicated. The dog run included a fenced-in area, dog amenities, a shade shelter for dog owners, and separated areas for different types and breeds.
 - The Kinder Morgan high-pressure pipeline went down the former 110th right-of-way, so no homes would be built over the pipeline. (Slide 26) The Master Plan called for a string of linear parks through that area and included amenities, pedestrian connections, fixtures, and landscaping consistent with what was shown in the Master Plan and Community Elements Book.
- The Tentative Subdivision Plat allowed for the division of the land according to the proposal.
- Type C Tree Plan. Douglas fir was the dominant species on site, and with the number of Poor and Moderate Douglas fir, 76 percent of the trees on-site would be removed; however, the trees that had the most impact were proposed for retention. (Slide 28)
- Abbreviated Significant Resource Impact Report (SRIR) Review. As currently mapped, the Significant Resource Overlay Zone, shown in light blue on Slide 29, was the reason for the component application. The wetlands and drainage ditch area along the 110th right-of-way were originally mapped as a potential part of a wider wetland complex. The three wetlands mapped on the site, A, B, and C, were all very small and, on behalf of the Applicant, a

wetlands scientist agreed with the City's Natural Resource Staff that they were not significant and should not be a part of the SROZ. Wetland C would be filled, but a component of the remaining wetlands along the former 110th would remain in the planned park area.

- He noted there were corrections to the Staff report, which he later read into the record.

Mr. Woods noted he saw a lot of on-street parking spaces on Slide 24, and asked where the six spaces allotted for the park would be located.

Mr. Pauly explained those spaces would be where 110th Ave intersected Tooze Rd, on the eastern edge of the displayed map by the dog run.

Mr. Woods confirmed that the vast majority of the parking spaces would be on the street in front of or to the side of homes.

Mr. Pauly added the three parking spaces closest to the dog park were in front of the park, and indicated the parking spaces to the side of the homes that would likely be used for the dog run.

Mr. Nada asked if any areas or lots originally designated in the Master Plan as a linear green space or park land were changed to residential lots in the proposal.

Mr. Pauly replied the Regional Park itself was about a half-acre larger than the area shown in the Master Plan. There was also an additional linear green that preserved another grove of significant Douglas fir, resulting in more park space with the proposed plan. However, some park areas and lots had been switched around to accommodate tree preservation.

Chair Martens understood that the proposal as presented would remove 76 percent of the site's trees. He asked if Staff had calculated that percentage with the prior design.

Mr. Pauly responded that it was much higher, possibly 90 percent; however, he did not have the numbers with him but agreed to provide them to the Board tonight. He entered the following exhibit into the record:

- Exhibit D11: Email dated November 14, 2018 submitted as public testimony but not included in the meeting packet due to being sent to the wrong City email address.

Chair Martens called for the Applicant's presentation.

Pam Verdadero, Polygon NW, 703 Broadway St, Suite 510, Vancouver, WA, 98660, thanked Mr. Pauly for his presentation and work on the Staff report. Polygon had worked with the City of Wilsonville for many years and appreciated the relationship that had been established. Polygon also worked very closely with Staff on this development to balance the remaining goals of the Master Plan.

Stacy Connery, Pacific Community Design, 12564 SW Main St, Tigard, OR, 97223, presented the Applicant's proposal via PowerPoint, describing how the Applicant arrived at the site plan as well as additional details about the park with these key comments:

- She displayed Slide 2 of the Master Plan and pointed out
- Displaying the Master Plan (Slide 2), she noted the outlined portion of the proposed site at the northern end of Villebois and reminding that the density of Villebois was lower at the edges of the project and higher in the Village Center. The proposed site bordered the northern edge, and transitioned in density to the south as it moved toward the Village Center. She also noted Grande Pointe in the lower left of the slide.
- When the Master Plan was originally done, the Applicant was not allowed access to the site to inventory the trees, assess their quality, or rate them to integrate that into the decision-making process in order to balance all of the goals of the Master Plan. Therefore, some assumptions were made about what part of the property would be best to retain as part of the parks and open space system.
- Slide 4 compared the Master Plan layout and the Applicant's proposed layout, which focused on the Good and Important trees. The Important trees being saved were marked in teal, and the Good trees being saved were marked in lavender. The Important and Good trees marked for removal were maroon and brown. The original park layout would have saved 48 Good and Important trees. By shifting the park's direction, the Applicant was able to save 71 Good and Important trees within various park areas and the addition of a pocket park. The Applicant was also able to save a number of trees on lots by lining up the lot lines to retain trees.
- In comparing the Applicant's proposed Land Use Plan with that of the Master Plan, the net developable area, which included lots and alleys, had been reduced. The Applicant's new proposal also increased the Park Area by approximately 2 acres with the reconfiguration and addition of linear green areas along all sides of the project. (Slide 5)
 - The net density of the proposed plan was 8.63 units per net acre, similar to the net density to Grande Pointe, which was 8.0 acres.
- The Master Plan's Feasibility Plan for the parks was shown alongside the Applicant's park proposal, which reduced the two tennis courts to one, and moved the court into RP 5 on the other side of the street. The new location was within the flattest area of the property that did not have any trees. The children's play area would be moved within the treed area in the central park area that required minimal grading and no removal of Important or Good trees. (Slide 6)
 - The dog run was moved closer to Tooze Rd and remained about the same size as shown in the Master Plan. Moving it allowed the Applicant to take advantage of the proximity to Tooze Rd and provide a parking lot for visitors from outside Villebois.
 - The Ice Age Tonquin Trail connection running through RP 6 was also indicated.
- The yellow stars on the Site Plan represented the single-level homes Polygon proposed as a replacement to the Estate homes, as there had not been much demand for Estate homes; however, there was a huge demand for single-level homes and these would be the first complete single-level homes in Villebois. The change in home type would add to the overall diversity in home type in Villebois.

- The proposed home elevations were also displayed with elevations for the single-level homes at the bottom. (Slide 8)

Ms. Meyer asked if the Applicant knew the price points for the various home sizes.

Ms. Verdadero responded they were similarly priced, likely in the upper \$300,000s or low \$400,000s up to the upper \$600,000s. She confirmed 25 single-level homes were proposed.

Chair Martens called for public testimony in favor of, opposed, and neutral to the application.

Adam Hill stated he had been before the Board on other Villebois projects and the process itself did not seem to work well with the citizens. The citizens did not feel they had much say in the process, and oftentimes they found out too late as there was not much outreach. He suggested letters on people's doors. He appreciated all of the work done by City planners, adding the City did an amazing job with these projects. He appreciated that the Applicant was trying to save trees and were able to enlarge the park; however, he was opposed to the plan because there had not been a lot of outreach by the City.

Shawn O'Neil interjected that he had a problem with Mr. Hill's comment about outreach, stating that notices of public hearings were published. He asked those in the audience present to testify about the project to raise their hands. He believed the community involvement was impressive compared to Board meetings where no citizens had shown up, which was based on people not taking responsibility to come and voice their concerns.

Mr. Hill responded the room would probably need to be expanded if there was more public effort. He noted Mr. O'Neil and he could agree to disagree. He continued his testimony, noting that from his personal experience, it also appeared that the process was weighed in favor of the developer, who knew the loops and what to do or not to do. Oftentimes, citizens did not, were fumbling through the process and learning as they went along, and by the time they figured it out, it was too late.

- He really wanted to see more effort to adhere more to the Master Plan. Residents had purchased their homes at least partly based on the Master Plan. He understood changes up to 10 percent were allowed, and was fine with a few tweaks here and there, but the current proposal was a fundamental change of the shape and size.
- He reminded the Ice Age Tonquin Trail was not just for the neighborhood or Wilsonville, it was a regional metro trail that would be 24 to 26 miles upon completion, which screamed tourism, cyclists, joggers, etc.

Mr. Nada asked Mr. Hill how far away he lived from the proposed area of change, when he learned of the proposed changes, and how he found out.

Mr. Hill responded that he lived on Villebois Rd approximately two blocks away and saw a random sign placed approximately 10-ft off of Tooze Rd about four days ago.

Ms. Meyer asked Mr. Hill to capsulize what he disliked about the proposed plan.

Mr. Hill responded that as he understood it, the Tonquin Trail was best used if it was all unified and linear for the wildlife and the flow of joggers, cyclists, and other users. He cited different wildlife sightings, noting it was a spectacular neighborhood and very unique for the region, so he did not want to see it changed. He really wanted to see the democracy emphasized with how the park was put together. He explained he was mainly concerned about the flow of the park, how wildlife and people would move throughout it, and how the outreach was conducted.

Mr. O'Neil asked what Mr. Hill would change to allow wildlife to move in the way he would like and make the park more acceptable to him. He said was offended that Mr. Hill believed there was not enough community involvement. He became very frustrated when no one showed up for meetings, which had nothing to do with advertising but rather, people being too lazy to come.

Mr. Hill responded he believed having more community involvement it would be great and to have a continuous flow and adherence to the Master Plan, but understood tree issues and other things had to be taken into account. He believed it would be acceptable to remove a lot or two to make a more continuous flow.

Michael Healey stated he had just received notice a few days ago, and he had also seen a sign. He agreed with Mr. Hill regarding outreach. He was also on a transitional advisory committee for the turnover meeting for Tonquin Meadows' Board of Directors, on which he would like to serve. He did not know to what extent, if any, the Boards or various homeowner associations (HOAs) were consulted with regard to this whole process or how they were involved in the process. Had the City made an effort to consult those boards and HOAs when this proposal was first submitted, it might have increased attendance at tonight's meeting. He was not referring to meeting announcements, but rather, involvement in the process, as Mr. Hill indicated. Instead of having Polygon and the City involved, to get the community involved the City had to ask for involvement by the HOA. Unfortunately, the Tonquin Meadows HOA, which abutted the entire project, was essentially Polygon and would be Polygon until the turnover meeting in December. If the HOAs were involved initially in the process and were asked to contribute, that would solve the community involvement problem to a certain extent because after all, they lived in the community, talked with the people in the community, and had a feel for what went on in the community.

- His second point regarded density. The current proposal had 43 more units than the initial proposal, which would increase density. He applauded Polygon for adding, for the first time, single-level homes, which was a real need by people of a certain age and presently, there were none in Villebois that he was aware of. The only place single-level homes could be built was on Standard or Large lots. He suggested eliminating or consolidating some Medium lots to create Large or Standard lots and building more single-level units, which would make them even more saleable according to Polygon. This would decrease the density; the Applicant did not have to have just 10 percent; it was at the borderline.

Betsy Imholt, 11282 SW Berlin, Villebois, Wilsonville, OR, distributed a multiple page packet to the Board, entered into the record as Exhibit D12, which she began to read into the record, but ran out of time.

Ms. Meyer said she understood most of the unhappiness regarding the tennis court was due to it being moved, not the reduction of two courts to one.

Ms. Imholt responded was a 50 percent reduction, adding she believed there were two issues. The people who lived closer to the skate park felt that they had done their part; they had had it, and did not want another amenity like the tennis court shoved into something they have already adjusted to. They were also enjoying the existing lawn play area and did not want it taken away. That was another change; and maybe it was not planned for but it was there now. It was irrigated and being maintained and people were enjoying it. Finding a well-drained lawn play area that was flat was really hard to come by, so it was a very popular area.

- Residents moved into Villebois knowing full well what was planned for RP 6 and they wanted it built with all of the elements, including the dog park, the preservation of trees, the path, and tennis courts. The Applicant did not want it up there and she understood spreading out the amenities, but other flat areas were available. The tennis court was close to her home, frankly, but it seemed the Applicant could make that work.

Herman Walter, 11145 SW Berlin Ave, Villebois, stated he opposed the current plan as proposed. The increase in density was a very big concern, especially with the lack of proper roadways within Villebois. For example, with parking on both sides of Berlin Ave, it was almost impossible for two full-sized vehicles to pass without fear of hitting each other. On Paris Ave, where the curb-outs by the skate park were located, it was impossible for two full-size vehicles to pass each other. Due to the curb-outs at the Berlin/Oslo intersection, two vehicles could not fit if someone was stopped at the stop sign on Oslo, and someone was attempting a right-hand turn from Paris onto Oslo.

- The area designated for the dog park was reduced by over 50 percent from the Master Plan. Originally, it was planned to be 1.07 acres, but now it was planned to be .5 acres. As stated by Mr. Pauly, it would be the only dog park on the west side of Wilsonville.
- He was also very concerned about the tree removal, part of which was due to previous experience with Polygon and the ongoing construction of the homes on Stockholm. He had had a conversation over the weekend with Polygon Vice President Kevin Pahl about continued violations by the subcontractors, who were parking in the fire lanes and had blocked the fire lanes in the past by dumping stones. Just tonight, after having had the issue raised to them again, the subcontractors were running the heater units to dry out the mud for the drywalls after the 7:00 pm quiet hour. He had confirmed that with his wife, who was currently at home. Therefore, the 11 percent of trees listed as likely to be retained during the construction process he considered to be at great jeopardy because of the typical disregard he had seen by the contractors and, ultimately, Polygon.
- That said, he applauded the Applicant for listening to the attendees at the November 5th meeting about reducing the number of tennis courts.

Ms. Meyer asked if Mr. Walter was happy that tennis courts were reduced to only one.

Mr. Walter replied personally, it did not matter, but for the people who voiced their opinion at the meeting that Polygon and their designer held on November 5 at the Wilsonville Water Treatment Plant, he considered that to be one of the few positive signs that he had seen.

Austen Rustrum, 28432 SW Orleans Ave, Villebois, stated he was definitely opposed to the plan. He had purchased his home with the belief that there would be a park with two tennis courts directly across the street, and had been telling his daughters about that.

- He understood the proposed changes were ostensibly about tree removal, but with the 43 additional homes, he felt it was more about a revenue boost for Polygon.
- The original plan for the Villebois concept, as well as the Master Plan, stated that, in addition to discussing the trees, the greenbelt was supposed to be a continuous park system. With the changes, it did not feel very continuous.
- Although he had found out about the meeting late, he was happy that he did get the notice so he could voice his concerns, as the park across the street was an important part of his decision to buy his home. He had been looking at the Villebois Master Plan since 2003 or 2004 when it first came about.
- He agreed with previous speakers, especially about the impacts of the increased density and the impacts on schools and traffic as well.

Mr. Woods asked if Mr. Rustrum objected to the proposed new location for the tennis court.

Mr. Rustrum replied his house would be the closest of any house and he would love for them to be there. He believed the courts would be safer in the original location because any ball hit outside of the court would have some green space to land in as opposed to the new location where the ball could potentially go into the street. He frequently used the flat space where the courts were now proposed.

Mr. Meyer confirmed that Mr. Rustrum would like the tennis courts located across the street from him.

Mr. O'Neil confirmed that based on the current plan, the park would not be across the street from Mr. Rustrum's home. He asked if Mr. Rustrum had paid a premium price for his home because a park would be put in across the street.

Mr. Rustrum responded yes. His home had been designated a premium lot due to its placement across the street from the park.

Justin Guadagni, 11492 SW Berlin, Villebois, stated that he lived right across the street from RP 5, Trocadero Park, and indicated his home's location on the Applicant's displayed Site Plan. He thanked the Applicant for removing one of the tennis courts, as it would have replaced a really nice, large lawn area with a lot of asphalt. However, he would miss having the lawn area

because he used it to play with his daughter. As mentioned, he believed the previous design had a nice flow to it and the tennis courts had more of a buffer in that location as far as the proximity to homes. He had attended the meeting for Trocadero Park, and there had been a lot of discussion about the viewpoint out toward Mt. Hood. At the moment, a tree blocked the view, but the addition of houses and a 10-ft-high fence would really block the view. Currently, there was a fairly nice view across the park. His alley lined up to look upon where the tennis court would have previously been located, but with the changes he would instead look onto a big, black, 10-ft-high fence that would block the view. He was excited about the previous design and had been paying attention to the Master Plan design, which he had anticipated when he bought his home. He was disappointed that it had been changed so significantly. He also noted that there were two other pickle ball courts within two blocks of this location, so he did not think more were needed.

Jim Newton, 12322 SW Palermo St, Villebois, stated he lived just down the street from the existing park and skate plaza and proposed tennis park and new development. Mostly, he lived close to the existing wooded area in the planned development. He appreciated the opportunity to speak to both the Board and his fellow citizens, which he would do more in principle than in great detail. He had relocated to Wilsonville from Southern California, and a primary reason was to be a part of the great Northwest and the beauty of Oregon. He had chosen his home on Palermo because of the wooded area across the street, and he was very grateful that it had been kept as a preserve. He hoped that as many trees as possible could be retained in the new development and that the density could be kept as light as possible. To the extent that the proposed development could limit density, and the issue of access through the streets, would be greatly appreciated. He wanted to put on the record that he believed Polygon and Clermont had done an exceptional job in building homes in Villebois overall, and particularly in Calais. The homes were well built and in a beautiful setting; however, he hoped that in every way possible that beauty could be preserved. He appreciated the City Planner and the efforts that had been made to do preserve the natural setting.

Chair Martens asked if Mr. Newton believed the proposed changes ~~in location that~~ were a positive because it would preserve more trees.

Mr. Newton responded that he hoped, and was asking, to preserve as many existing trees as possible. He realized there were plans to remove trees to begin with, and that Lyons Homes and Polygon wanted to make this a success, but he asked that that be balanced out with the natural beauty of the setting. He personally would enjoy the tennis court, more so the pickle ball court, but would gladly trade both for any skate plaza there might be.

Chair Martens called for the Applicant's rebuttal.

Ms. Connery stated the Applicant had done a density analysis of the project's surrounding areas, which was how it was determined that this phase had a net residential density similar to Grande Pointe; however, the adjacent phases had much higher densities than the subject phase, and the Applicant had trended toward lower densities along the edges of the project.

Chair Martens asked about the range of square footages of the lots.

Ms. Connery replied Small lots started at 2,300 sq ft and Large lots went up to 7,200 sq ft. She continued with the Applicant's rebuttal as follows:

- The dog park plan had gone through a number of iterations. In the original Master Plan, it was 1.07 acres in size, and in working with Staff the dog park got smaller and then larger. In the subject proposal, the dog park was 1.07 acres in size.
- Trees. When the arborist visited the site, the Applicant was using a layout similar to the Master Plan. The arborist and the Applicant experienced a lot of disappointment that the trees within the pasture area that the horses had been in were in really low quality health. The Master Plan had assumed that those were the best trees on the site, but the best trees were close to the home site, where the Red Oak tree and Magnolia tree were located. As they worked with Staff, Staff challenged the Applicant to look at a number of different iterations that could increase the tree retention, and through those iterations, the current plan resulted. The arborist was present and available to answer any questions.
- Continuity of park system. She indicated the areas that the Regional Park system ran through Villebois and the connecting segment within the subject site. Each Regional Park had different components and different characters. This part of the project would take the Ice Age Tonquin Trail through a really nicely treed area. There was a lot of grade on the site and the trail had been designed to be ADA accessible and to follow the existing grades on the site to minimize the grading needing done. There would be raised trail crossings over the road to enhance safety and to signal vehicles to slow down. The trail would meander through the treed area and have a gorgeous view at one point of a water area that was outside of Villebois. The trail connected through and ran into RP 7 and RP 8 over to the east. The Applicant tried to retain that continuity and connectivity as a part of the design. It was a little different than the original plan, but the benefit was the retention of more significant Important healthy trees.

Ms. Meyer appreciated the information Ms. Connery just presented, as it helped her weigh the issues. She understood the proposed density of this area was not as thick as other areas. She saw continuity in the park system with the new design; perhaps part of the issue involved what was going to be within the trees. She was not sure what the issue was exactly or how to solve it. She was not sure there was a way to save everything, in part because the trees were not that great. Her biggest issue was that people had purchased their lots under the assumption that layout would be a certain way and now that had changed. As a homeowner in Wilsonville, she understood that frustration. She understood the Master Plan started in 2003, and homeowners who purchased homes more recently had not had the chance to be a part of that planning. And now, everyone was trying to follow the Master Plan. She asked the Applicant and Staff to respond.

Ms. Verdadero added that she was certain residents had made their decisions based on where their homes were located, as it was the biggest deciding factor. Some people decided to buy an interior lot based on price or a desire to not be across from a park. In the past Polygon had not

been the best at setting expectations, but she believed expectations had been set here. She had personally gone through all of the lot premiums and timing of the sales, in particular floor plans for the area, and there were base changes based on improved market, lot premiums based on location such as corner lot, lot size and that type of thing; so she believed those decisions were made and well thought out. Polygon was working with the City and Staff to balance out the vision of the Master Plan, which was a difficult position for Polygon.

Mr. Pauly added that was Staff's position as well. Staff realized there were some changes from the Master Plan, but everyone was trying to find the right balance. Thought was given to the homes across from the park on Berlin Ave, which would be elevated to provide a better view, given the single-level homes. With the larger lots and retention of trees, there would be an appearance of less density directly across the street from where the park was originally located. Several considerations were involved in trying to balance the vision and mitigate how certain changes might be mitigated.

Mr. Nada noted concerns about communication, but there had been a community meeting on November 5. He asked if the HOA for the surrounding homes had been invited to the meeting.

Ms. Connery responded the Applicant had mailed notices to all of the property owners within the public notice distance the City used for DRB meetings, which was 250 ft and then extended that mailer area to all lots in proximity to the change in the tennis court as well as the changes along the pipeline corridor. The Applicant also posted signs on the property to notify anyone who may not have received the mailer, but might go by the site and see the sign.

- She confirmed the Applicant had not made any direct communications to the HOA Boards.

Mr. O'Neil stated he had a fundamental problem with non-existent communication and promises made and then broken. His home was adjacent to a hazelnut grove, and at some point, he anticipated that he would see homes there. However, when someone purchased a home based on being told that a park would be built across the street and then it was changed, he believed that was tantamount to a taking, because such amenities were marketed heavily by developers and realtors. When home buyers purchased homes, they anticipated a certain environment to live in. When that promise did not happen, it was very disappointing.

- He admitted that he had jumped on a citizen earlier in the evening who had mentioned lack of notice because he misunderstood and thought the citizen was referring to the City's process. However, when Subaru built its dealership, Subaru had lot of community meetings and involvement; they met numerous times and made changes. He was very impressed with how they had engaged other establishments in the area. He was not hearing that from this presentation; it seemed to have been rushed through a bit, and he wanted to hear what the Applicant had to say.

Ms. Connery replied this part of the project was within the last phase of SAP North, so it only had Master Plan level approval. All of the preceding phases of SAP North had occurred on a phase-by-phase basis. Between the Master Plan and SAP stages, there was more detailed information about site constraints and the working out of the site layout. It became a lot more

solidified in terms of the layout at the SAP level. The subject area had always been labeled as being a future phase because sufficient site information was not available. At each one of the phases, information was added regarding the site. As the Applicant stepped through each stage of the process, there was still not sufficient site information on this part of SAP North and it was understood that information would later, and it did this year. Polygon integrated that information into the original plan it had put forward and tried to implement the Master Plan layout. The Applicant had turned the original application into the City and had a lot of feedback back and forth with City Staff as they worked through site information that became available and the layout, which led to the application being completed and going into the public review process. Once at the public review process, the Applicant held a neighborhood meeting. At that time, the Applicant extended invitations to residents who lived in certain areas that the Applicant believed might be areas of concern to talk through those issues at the neighborhood meeting. As a result of those meetings, the Applicant did listen to the concerns heard about the tennis court and subsequently worked with Staff to do what they could to reduce those impacts.

Chair Martens asked Ms. Verdadero how many homes were sold at either an explicit or implicit premium based upon the promise of a future park across the street.

Ms. Verdadero replied she had reviewed several cover sheets that specified pricing, as well as a workbook of base prices and premiums. There were various premiums based on corner lots and various cover sheets wherein homeowners specified that they liked close proximity to a park. The cover sheets she saw directly citing the park did not specify park, but she knew and had heard of some feedback that people had made their decision based on where the park would be located and had paid a premium; whether or not those premiums added up to a park premium versus a large corner lot or the absence of other homes nearby, she was sure the expectation was that no home would be beside or across from the purchased home. She believed the biggest issue was the absence of the park and homes would now be in its place. She could not provide a number as far as how many residents had paid a specific park premium without going through several different cover sheets to those sales agreements.

Chair Martens said he could not tell from a quick glance at the plans approximately how many homes would have been across from the park.

Ms. Connery noted the homes were along Berlin.

Mr. O'Neil understood Ms. Verdadero had looked at only a sampling of notices.

Ms. Verdadero clarified she had looked at all of the homes where the park was originally located and saw various different premiums. She added there was also a timing variance as some homes were sold before the framing was complete and some were sold when the home was completed.

Mr. Nada asked if it had been specifically clear in the Master Plan that the area would be a park, and now it was houses, or was the park an uncertainty.

Mr. Pauly replied the Master Plan figures clearly showed a park, but there was also Code and an understanding that it was an iterative process. The developer and Staff did not have the information to finalize the design. As Ms. Connery mentioned, it was at the SAP level that all of the information necessary to solidify where things would be located. There was still that potential in the Code for that to change without that information and finalizing that SAP approval.

- The property owners had not wanted the professionals on their property to get that information until this year, so it had not been possible to get that information. That was significant because it was different from the process that had been followed throughout the rest of Villebois. The vast majority of Villebois was part of the Dammasch State Hospital campus. The remainder of the property owners had either sold or were interested in selling, and even at that master planning and SAP levels, had allowed the Natural Resource Staff, arborist, wetland scientist, etc. onto their properties to get that information.
 - The current phase was unique in all of Villebois because Staff and Polygon did not have the information and were relying on 2D drawings of tree locations to make decisions. Therefore, it was understood that through the iterative process things could change once there was better information.
- It was also unique that the Good trees were not where Staff and Polygon had anticipated, which was why the park location ended up being more susceptible to the design iterative process built into the Code and Master Plan that had not been used much previously.
 - The most comparable instance was Grande Pointe, which had been considered a Future Study Area during the master planning process because the Living Enrichment Center, the property owner, was not interested in doing anything with the property at the time. Because nothing had been adopted, the City had to adopt a Master Plan amendment in 2012 and 2013 that involved a lot of neighborhood comments. In SAP North, there were enough components and the changes fell within the refinement process to change it through this review process.
- Although not clear to the marketing people, Staff understood that some of the Master Plan components could change due to the iterative process. Staff did not know everything about Chang property and did not know if it would ever get developed. There was no information beyond that bubble diagram, master planning level to be as decisive as elsewhere in the Master Plan. Given the amount of information elsewhere in the Master Plan, the drawings gave the appearance that Staff and Polygon knew more than they did. In hindsight, it would have been more appropriate to use bubble diagram levels for SAP North at the Master Plan level, instead of matching the design and drawing style to the rest of the Master Plan, because that level of information was not available for the SAP North area.
- As requested, he reported that in the arborist's original report the tree removal was at 87 percent, which included half of the Important trees and 75 percent of the Good trees.

Chair Martens closed at 8:37 pm and called for a brief recess. He reconvened the meeting at 8:41 pm.

Mr. Pauly read the corrections to the Staff report into the record as follows:

- On Page 78 of 78, delete duplicate Finding G2.
- On Page 13 of 78, delete the entire section titled, “Abbreviated SRIR Review (SI18-0001)”
- On Page 11 of 78, create new section titled, “Abbreviated SRIR Review (SI18-0005)” prior to Traffic Impact section to read as follows:

“Wetlands A and B, which are associated with a drainage ditch, are classified as palustrine emergent (PEM). Whereas, Wetland C is classified as a palustrine scrub-shrub (PSS) and PEM/slope. Wetland A is located in a horse pasture and Wetland B is primarily non-native reed canary grass. Wetland C is a combination of reed canary grass and native Sitka willow. The primary source of hydrology for the wetlands is surface runoff and groundwater. The applicant has provided a wetland delineation that provides substantially more detail, which brings into question the inclusion of the wetlands in the SROZ. Due to their size (both are less than the minimum 0.5-acre requirement) and isolated location, hydrologically and physically, in regards to the Coffee Lake wetlands/floodplain complex, they do not qualify as locally significant wetlands. Therefore, staff concurs with the applicant and authorizes an amendment to the SROZ.”

Shawn O’Neil moved to approve Resolution No. 359 with the corrections read into the record by Staff and the addition of Exhibits D11 and D12. Aaron Woods seconded the motion.

Mr. O’Neil said he got frustrated when community members testified about lack of notice and engagement by the developer or the City. He believed the City was excellent about communication with few exceptions and that the engagement between a developer and the community was an essential component that was important. In this instance, based on the examination of everything that had been presented, he did not think they could make anybody happy. Staff had gone to great lengths with the developer to preserve a lot more trees, and presented a greater deal of acreage than in the original plan. He was sympathetic to the homeowners who had purchased their homes anticipating a park across the street. Not getting the park was a great disappointment, but if he voted no on the proposal because a realtor had made a promise that ultimately was not fulfilled, then City would be subject to potential lawsuits with other developers which could start an avalanche. While sympathetic to what he heard, he believed the Staff and developer had done an excellent job on the green space. He was not a pickle ball fan, but commended their efforts, and hoped they would work on improving community engagement at the phase with the developer.

Mr. Woods stated communication was extremely important across the board. He commended the citizens who came out to give testimony. There were lessons to be learned tonight, first from the communications standpoint and also the developers working with the HOAs. As mentioned earlier, he knew the HOAs were the groups that could disseminate meeting information and he suggested that that be considered by the developer and the City to get more community involvement. This was a difficult decision. There was a very full house tonight, which conveyed how passionate the community was about their property and the proposed changes to SAP

North. He understood some people felt slighted and were concerned property values would decrease. He commended the City and Polygon for their efforts to change the location of the tennis court and pickle ball court. He had spent a fair amount of time looking at the location and the area. The tree density was heavy. He had envisioned the area fully planned out and believed that overall, the final assessment looked good.

Mr. Meyer agreed with Mr. O'Neal's and Mr. Woods' comments with the exception of pickle ball. She noted the pickle ball comments raised was an important point because, even though it was tough, a balance had to be struck between people who did not care about pickle ball and those who played religiously.

Chair Martens observed that it was the same with skateboard parks. He had made two trips out to the site and both times there was activity at the skateboard park. The second time he went to the site, he realized it made sense to put the park in the newly proposed location.

Mr. Nada stated that his major concern was for future homebuyers who might buy a home based on the promise of a particular nearby future amenity that did not materialize. Based on Staff's reply, the drawing that showed a future park might have been misleading, even though the description stated it could change. He suggested citizens contact the City with questions about future projects and not rely solely on information from the realtor.

Mr. O'Neil stated density had been addressed often by the DRB and he appreciated density concerns expressed by residents who had moved to escape dense areas. Since he had moved to Oregon 30 years ago, the population had increased 67 percent. He would like to have less density too, but there would need to be a lot less people. He was very happy with the single-level homes as they were in high demand, and he commended Polygon for including them.

Motion passed unanimously.

Chair Martens read the rules of appeal into the record.

VII. Board Member Communications:

A. Recent City Council Action Minutes

Barbara Jacobson, City Attorney, announced a special City Council meeting would be held tomorrow to address the potential expansion of the Aurora Airport.

VIII. Staff Communications:

Daniel Pauly, Senior Planner, clarified no DRB B meeting would be held in December. He also acknowledged that tonight was Aaron Woods' last DRB meeting and that he was sad to see him go. He commended Mr. Woods for his insight, including pushing developers on electric cars and alternative technology, as well as his thoughtfulness over the years. He presented Mr. Woods

with a certificate of appreciation and a plaque for his five years of service. A picture of the Board was taken to commemorate the occasion.

Aaron Woods stated that his time on the Board since 2013 had been great years. He had gotten to participate in some really good development. The Board had had some outstanding meetings and interactions with individuals. Each Board member had a different personality and approached things differently. He was going to miss everyone and he had enjoyed being on the Board tremendously. He noted he would be back.

Mr. O'Neil said he considered Aaron an essential part of the Board. As Chair, he had exhibited an excellent demeanor and professionalism, gave everybody an opportunity to communicate their concerns, and tried to be balanced in his approach and decision-making. Even when he disagreed with a member of the Board, he handled that disagreement professionally and articulated well. He would miss Mr. Woods, adding friendship had developed over the time Mr. Woods was on the Board. He stated he had better see Mr. Woods involved in other things after tonight and hoped to work with him again.

IX. Adjournment

The meeting adjourned at 9:03 p.m.

Respectfully submitted,

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