

**PLANNING COMMISSION
WEDNESDAY, JUNE 13, 2018
6:00 P.M.**

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

*Approved as presented at
the July 11, 2018
PC Meeting*

Minutes

I. CALL TO ORDER - ROLL CALL

Chair Jerry Greenfield called the meeting to order at 6:00 p.m. Those present:

Planning Commission: Jerry Greenfield, Eric Postma, Peter Hurley, Simon Springall, Kamran Mesbah, and Ron Heberlein. Phyllis Millan was absent.

City Staff: Chris Neamtzu, Amanda Guile-Hinman, Miranda Bateschell, Daniel Pauly, Jeana Troha, Dwight Brashear, Nicole Hendrix, and Eric Loomis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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

Scott Shamburg, 23975 SW Boones Ferry Rd, Tualatin, said he lived right on the border between Tualatin and Wilsonville. He had attended a couple of meetings and believed a lot had changed, but people were being secretive about the borders. He asked if he would be residing in Tualatin or Wilsonville. He supported the Basalt Creek planning and wanted to be involved for both cities, but he needed to know where he was at because Oregon Department of Transportation (ODOT), Washington County, Tualatin, and Wilsonville seemed to be secretive about it. The border had changed, and he just looked in the pamphlet and saw that it had changed again. He had a business and wanted to know if he was in a commercial, industrial, or residential zone.

Chair Greenfield responded several issues needed to be resolved before Mr. Shamburg's questions could be answered.

Chris Neamtzu, Planning Director, said Ms. Bateschell, who was the project manager, could speak with Mr. Shamburg about the map and answer his questions. He assured Staff was not trying to be secretive about any aspect of the project, and residents could reach out to Staff anytime with any questions.

Commissioner Postma said did not want to give Mr. Shamburg the impression he was being pushed out. The project was a joint planning effort and he wanted to know if there was anything else Mr. Shamburg wanted to address.

Mr. Shamburg said the lines had moved. His neighbor was getting some information, but ODOT and Washington County were not really saying anything. He would like to find out if he was in Wilsonville or Tualatin. He had lived at that location for 19 years and had a business. He would like to continue what he was doing there and was afraid that if he did not speak up he would get steam rolled.

Chair Greenfield noted that a public hearing had been scheduled for July on the Basalt Creek Concept Plan, so people would have the opportunity to speak at that time as well.

Grace Lucini, 23677 SW Boones Ferry Rd, Tualatin, distributed an information packet dated June 13, 2018 to the Commission and clarified it was in addition to the material already provided at the dais, which was dated June 11, 2018. She stated she lived in the Basalt Creek area, the unincorporated area of Washington County. She did not have any representation in this process because she did not have any elected officials in Washington County, Tualatin, or Wilsonville, which created a difficult situation because things were presented and it was very difficult to feel that her interests were being represented or given an equal amount of concern as others. The first map showed the location of her property, marked with a black rectangle. Like many of her neighbors, her property extended from Boones Ferry Rd west through the canyon to buildable property on the west side of the canyon. She became actively involved in the process in 2011 when she first saw a survey stake in the front part of her property during the beginning of the Boones Ferry Rd Improvement Project, which was now completed, and she had been following all of the sister projects, as well as this one, since that time. Throughout her experience, she had consistently requested transparency in the process so that everyone could understand what was going on, especially those who had no representation in this process. She understood that property owners within the Basalt Creek area were not required to become annexed in once the concept plan was finished.

Mr. Neamtzu stated that was correct for the City of Wilsonville.

Ms. Lucini asked what would happen when the concept plan identified infrastructure or other major projects going through private property that was not annexed.

Mr. Neamtzu explained those situations would be subject to negotiation at the time the projects were needed. It was hard to answer a broad question like that, but if private property were needed for a public project, the City would go through a substantial process with discussions and appraisals. Typically, road rights-of-way provide all of the connectivity needed for infrastructure to serve sites. He knew Ms. Lucini was concerned about the trail, which might stop at a property line, and nothing may happen for a long period of time until that property came into play, in which case, it could be extended. A lot of variables could occur under a lot of different scenarios for a lot of different types of infrastructure projects.

Ms. Lucini stated that exemplified the issues she had as a citizen within this process. These were not simple, but very multifaceted issues. Being limited to three minutes during City Council sessions, which was the only avenue she had for addressing the governing bodies made it really hard to get multiple questions into the record in that amount of time. She hoped the Commission understood it was very frustrating.

- She had consistently requested notifications of public meetings. This was a problem she had numerous times, as she was never being noticed, even as an interested person. In 2014, both cities decided to make the only amendment to the partnering agreement to require compliance with Oregon public meetings laws. Since that time, she continued to have problems with the Public Involvement Plan that was part of the Basalt Creek program. She appeared when information was presented to the Commission that Tualatin was now doing parks master planning, which might involve her property, but she was not aware of that and had not been notified by Parks and Recreation. This was not the first time. A similar process occurred when a water main was being put in on her property. In April, the Wilsonville Planning Commission meeting was not noticed to her either. She presented an email to Staff and asked why the meeting was not noticed. She was told the meeting was just informational. That was contrary to the public meetings law and to the statement in the Public Involvement Plan, which was on Page 7 of her handouts. It stated, "Planning Commission meetings will be noticed." This was very frustrating and she hoped that this could be remedied once and for all. The email was also included in her handouts that were added to the agenda packet.
- The other issue with the public involvement was that the affected property owners in the Basalt Creek area whose homes would be greatly affected by this had been given limited opportunities to provide input into the planning process. She referred to a chart in her handouts that showed how much involvement the

property owners were asked for, planned to have, and how limited it was. They had a focus group session in 2014 that consisted of six to eight representatives selected by the Cities. Some were businesses and some were residents, but for an area of over 800 acres, they only had six representatives. That was prior to any concept planning and was just an informational session. Since then, they had not been asked for their opinions as a group in a formal way. Yet, the concept plans continued on. She understood that the process was at the point where the two cities had not yet agreed upon the Concept Plan and that an appeal had been filed, which may or may not affect the Plan's progress. She asked what additional actions would be taken during the time that the appeal was being heard.

Mr. Neamtzu confirmed the Land Use Board of Appeals (LUBA) was reviewing the decision that Metro made under the intergovernmental agreement (IGA). Two property owners filed the appeal to LUBA and the cities were proceeding while the appeal was being handled in Salem. Wilsonville was under a mandate to process the concept plans consistent with the IGA and within a very restrictive time frame. If a decision came from Salem requiring Wilsonville to do something different, the City would do so at that point. He confirmed that the appeal only concerned a 40-acre sub-area on the west side of the canyon, just east of Grahams Ferry Rd. Usually, appealed decisions were remanded back for additional work, and Wilsonville would take that action if that was the direction provided by LUBA.

Ms. Lucini said she had been unclear as to whether everything came to stand still.

Mr. Neamtzu added that the IGA did not anticipate this set of circumstances, so Wilsonville must proceed under the timelines articulated in the IGA.

Ms. Lucini stated the handout dated June 13, 2018 included a map of the anticipated public trails through the Basalt Creek area. She was particularly concerned about the one in the center of the map referred to as the Canyon Public Trail. Page 18 of her materials showed an overlay of where the public trail had been identified on the Metro graphic that shows high slopes and significant wetland habitats. It was obvious that the trail would go right through the upper portion of the wetlands and some significant natural habitat. These habitats were Class 1 and Class A, which were the highest valued habitats.

Chair Greenfield said he did not believe the handouts showed a very precise representation of the path.

Ms. Lucini explained that she took the information from the map included in the packet that was distributed that day. It looked as if the trail would run down the back of the property lines. She was concerned about the information provided by Metro. The Recreation Ecology Study looked at the impact of recreational use of natural areas. She provided a summary of the study because it was 169 pages long. The first page stated, "Damage to trails or habitats that have negative effects on wildlife are more likely when trails are inappropriately located, designed, constructed, maintained, or used, or when unauthorized trails are proliferated. These issues also increase trail maintenance costs and negatively affect visitors' experiences." There multiple pages of negative influences on natural areas. She did not believe enough due diligence had been done on the placement of that particular public trail to be included in a public document for dissemination. It put an immediate cloud, legally and financially, on any property close to that pathway.

Commissioner Postma asked why that would put a cloud on any property.

Ms. Lucini said if someone wanted to sell, they would have to disclose that there was a potential public use pathway.

Commissioner Postma said this early in the process, they were not yet looking for precise locations, just generalized areas. The entire Commission was sensitive to the notion of protecting natural areas.

Ms. Lucini said her point was that it was so early in the process that she did not understand why a map needed to be included when a narrative would have been sufficient. The need for potential school sites in the area was

handled that way, and school sites were much more complicated, require much more land, and have many more issues. She asked why schools were purposely excluded from any map included in this plan, yet a public trail had been put on the map when it had an immediate effect. She believed that was inconsistent and she did not believe the placement had been considered in the correct place. She also believed the documentation stated that when linear pathways were placed through natural areas, it caused fragmentation of the ecosystem. Multiple linear pathways through the ecosystem made smaller and smaller areas that become fragmented. Each of those fragmented areas deteriorated because the core of the ecosystem was affected. There were multiple reasons why she felt it was inappropriate at this time and that it was inconsistent with other more major needs. She asked why the map was included in the packet.

Chair Greenfield stated the project is a long way from design. This was a concept plan, which was very preliminary at this point. The plan was saying a path was needed somewhere, and it should look like something, but not necessarily something that could be identified at this point; that would occur after several big steps down the road.

Ms. Lucini said she agreed and suggested that a narrative be used.

Commissioner Postma noted people like himself needed a visual.

Commissioner Mesbah added that there was a big difference between school locations and trail locations. The trail must be in the map because it grounded the connectivity everyone would be looking for. The language would say that this was not the final location, but through the area, through proper design and locating to find a path that was the least impactful on the natural habitat. Stating that the neighborhood would have a school was adequate because a school did not have to deal with the connectivity of different paths, which the City treated differently. He noted Ms. Lucini was making a good and an important point, and as a Commissioner, he would be looking at a thorough evaluation of the habitat quality. The statements she referred to in Metro's literature dealt with high quality core habitats and he did not know if the Basalt Creek area was a high quality core habitat or not.

Ms. Lucini responded that was why she added the map; they were the highest valued Class 1 and Class A riparian and upland habitats.

Commissioner Mesbah stated he would also be looking at the nature of the species and the impacts. Some of the pathways Ms. Lucini was talking about dealt mostly with roads, not hiking trails. However, hiking trails could also have adverse impacts.

Ms. Lucini said multiple linear bisections of a natural area cause fragmentation, so she requested consideration of aligning the bicycle paths in a north/south direction along the local roads currently being designed. At some point, a good planner could accommodate some very beautiful aesthetics if required or desired.

- She had multiple issues with construction and costs, and asked the Commissioners to refer to her written presentation sent earlier in the week. She asked for clear information that was representative of most of the information, which seemed odd, but she was surprised to see a statement that Washington County did not identify any significant natural areas in the Basalt Creek area. There were multiple documents, which she provided in her packet, from Washington County that included material from their Statewide Planning Goal 5 Analysis from 2007 and from Metro. The wetlands were listed in a federal list of wetlands, so she believed it was clear that there were some significant natural areas in the area.
- She asked the Commission to realize when making decisions about the Basalt Creek area that the Basalt Concept Area was not a blank canvas. It seemed to be very easy to become involved in planning a new area, but it was important to remember that many families have homes there and have been there for decades. They have had an extremely limited ability to have any meaningful dialogue with a decision-making body on significant matters that directly impact their property and lives. She asked the Commissioners to imagine themselves in the local residents' position. Through no fault of their own, they

were seeing sweeping changes to their homes and lives. Decisions were being made and putting them in isolation from input into the process. It was well known that the inclusion of people into a change process could improve the general support of the outcome. She suggested the Commission try to include the residents in the process because it would help when it came time to negotiate land acquisition and annexation into the area.

- She asked that Staff take as much opportunity to promote information exchange with the affected property owners, especially now that more defined plans were being produced, but not yet finalized. Open lines of communication and discussion could influence decisions of the property owners with regard to annexation. Negative experiences might be reflected in an election not to annex in and some of the property owners would become citizens of Wilsonville with voting rights and long-term memories.
- She asked the City to double efforts to provide proper notice and consider requiring Staff to provide notice because of the formal declarations that were previously stated in the partnering agreement and Oregon public meetings law.
- She asked the Commission to recommend that planners reduce and limit the number of locations where natural areas were bisected and reduce the amount of fragmentation in the natural areas, align trails along or near existing human created ecological edges rather than bisecting cohesive natural areas. When this was not possible, the trail would not create a totally new ecological edge or address the issue of dogs.
 - They also had not addressed whether dogs should be allowed within the public trail through a natural area. She loved dogs and had dogs. She was not asking to keep dogs out, but would like to have that part of the conversation when determining the location of the trail. Consider making trails along the north/south roads, but separated from the roads being planned in the area to reduce environmental impact and costs, improve access to construction, revision and monitoring of public access.
- The location of the trail had limited vehicle access and she questioned how emergency vehicles would access it or police would monitor it. She also wanted to know who would be responsible for monitoring it, if long and short-term funding had been acquired for monitoring, maintenance, emergency services, and who would be responsible for those.
- She asked that the Planning Commission require Staff to respond to the questions submitted in her email on June 11th. She appreciated the length of time she was given to speak.

Commissioner Postma encouraged Ms. Lucini to stay involved because it was important for the City to get input. He confirmed her email had been received and read, and noted that the information session might provide answers to some of her questions.

Chair Greenfield stated it was the Commission's privilege to have Ms. Lucini present and noted that the public hearing on Basalt Creek was scheduled for July. The Commission would do its due diligence and consider Ms. Lucini's input to prepare for the hearing.

ADMINISTRATIVE MATTERS

A. Consideration of the May 9, 2018 Planning Commission minutes

The May 9, 2018 Planning Commission minutes were accepted as presented.

II. WORK SESSIONS

A. Accessory Dwelling Unit (ADU) Code Edits (Pauly)

Daniel Pauly, Senior Planner, stated that edits to the Code resulted from Senate Bill 1051, which passed in 2017. He presented the Development Code edits for Accessory Dwelling Units (ADUs) via PowerPoint, reviewing the recently passed Senate Bill 1051, noting the requirements that Wilsonville was already in compliance with, and explaining which sections of the Code needed to be amended in order to fully comply with the new laws. His responses to questions regarding the ADU Code edits were as follows:

- As the Code was currently drafted, future updates to homeowners association CC&Rs would not trigger a revision to remove restrictions that prohibit ADUs.

- New deed restrictions that prohibit ADUs would not be allowed. He did not believe this needed to be stated in the Code because it was unlikely that a property owner would place such a restriction on their own property. In a case like Frog Pond, where land would be divided, the land division would have to address any deed restrictions that prohibit ADUs.
- Clarifications to the definitions of attached and detached dwelling units were driven by the types of dwelling units expected in the future. Typically, duplexes were attached. However, there was no language prohibiting detached duplexes. The current ADU standard stated that if an ADU was over 800 sq ft, it was considered a duplex; but, it did not specifically state that if that ADU was detached, it would have to be attached in order for it to be considered a duplex. The standard was that duplexes were attached units, but to make the Code language clear and objective as required by State law, the Code must state duplexes could be detached in order to enable the Code to function in compliance with State law.
- A garage that could be accessed from an ADU, whether on the ground floor or second floor of the garage, or an addition to a house would be exempt from the lot coverage area requirements, but any other structure attached to the ADU, like a workshop, would count against lot coverage.
 - Using the same definition of habitable used by the Fire Marshal and Building Code, was suggested. Staff would consider the different situations that could be built in conjunction with an ADU, and give more thought to ensuring the language more was precise in order to address those different scenarios.
 - The most frequent question was whether certain storage areas counted as habitable. Staff would also clarify that if the storage was only accessed through a door in the ceiling, it was not part of the ADU.

Commissioner Postma:

- Understood that language about having substantially the same exterior design as the main dwelling would be removed but asked what objective standards would be used to ensure the ADU matched the house.
 - Mr. Pauly noted that the majority of the city did not have design standards for houses; that was more market driven. The only exceptions were Villebois, Old Town, and Frog Pond. It was possible to have a nice looking ADU that did not match the house. Additionally, the Code language allowed CC&Rs and deed restrictions to control the architecture like any other building in a neighborhood. Requiring an ADU to match a house without requiring any other structure to match a house would be arbitrary and subjective.
 - Amanda Guile-Hinman, City Attorney, noted the City's code auditors advised that the language in the current Code violated State statutes because it would put a requirement on ADUs that is more restrictive than what is required for the primary dwelling.
- He said it was disheartening to learn that the City could only restrict ADUs to the same extent that the Code currently restricts homes. He confirmed with Staff that "outright" could be deleted from Section 4.113.(.11)A on Page 13 of 45.
 - On Page 23 of 45, he suggested that units per acre in PDR zones be defined to avoid confusion about whether units included ADUs.
 - Mr. Pauly responded language was added because Frog Pond's density was calculated differently. Language for the RN zone specifically stated that ADUs did not count against density. He agreed it would be beneficial to add the same language in the section on PDR zones.
- Stated many of Wilsonville's homeowners expected to live in a neighborhood with a certain amount of lot coverage for buildings as a whole. Now, the Code was saying one building could be added and would be exempt from that lot coverage requirement. He asked if the State statute really required the City to retroactively change lot coverages and if not, did the City want to. Smaller homes with an 800-sq ft ADU would have a disproportionately larger percentage of lot coverage than others. He was concerned about making further density requirements with the proposed exclusions.
 - Mr. Pauly noted the Old Town neighborhood had the smallest homes, which was why the standards adopted for Old Town specifically stated that ADUs were limited to 600 sq ft in that neighborhood.
- Said the Code provided the opportunity to push beyond lot coverages and densities that property owners did not buy into. State law allowed property owners to do that subject to reasonable restrictions. He suggested a lot coverage standard that included ADUs.

- Mr. Pauly explained that including ADUs in lot coverage requirements would prohibit them in most areas of the city. A restriction that essentially prohibits ADUs would not be considered reasonable.
- Disagreed and said he believed the City could require restrictions that might prohibit people from having ADUs on their current lot. He also believed many people would be shocked to learn that lot coverage limits could be exceeded because ADUs were excluded from the requirement. Excluding ADUs would create increased density and neighbors might take issue with that.
 - Ms. Guile-Hinman explained the auditors advised that there should be no restrictions on lot coverage for ADUs because it was not considered reasonable if it restricted a property from having an ADU. One idea Staff had considered was to add a percentage allowance. Accounting for additional lot coverage would make it look as if the City was making a genuine effort to comply with the law. The DLCDC had indicated they would not be adding administrative rules at this point, but DLCDC might force the issue if they believed cities were not implementing standards they believed were reasonable.
- Stated that neither the legislature nor a court had said it would be unreasonable, yet the City was basing its standards on that now.
 - Ms. Guile-Hinman advised against making Wilsonville the test case.
 - Commissioner Hurley added that being considered a test case would depend on which side of the fence one was on.
- Said he did not want an entity outside of the City's jurisdiction to be dictating what Wilsonville's neighborhoods should look like. He was not comfortable with the fact that reasonable was being defined by the DLCDC, which was a non-elected organization.
 - Mr. Pauly said the City's long adopted policy of allowing, and in some ways encouraging, ADUs by allowing them for all single-family homes and waiving SDCs for them was a barrier to those other allowances. Most people who want to add something in neighborhoods like Daydream Ranch typically could not because they were at maximum lot coverage. If the intent of the City's policy was to encourage and allow ADUs in single-family neighborhoods, this was certainly a barrier that needed to be addressed. The code auditors encouraged the City to waive setbacks as well, but Staff was not recommending a change to the setbacks in an effort to help maintain lot coverage.
- Asked if the City had truly determined if ADUs should be encouraged in all instances or not.
 - Mr. Pauly stated the adopted Code seemed to indicate the City would want to allow them. If the record was reviewed, he did not believe he would find that lot coverage issues came up when the policies were adopted.
- Believed it was problematic to tell homeowners that they could and should have expected that the neighborhood's lot coverage requirements would change after decades.

Commissioner Springall noted that the City was clearly growing significantly. He questioned whether the City should always attempt to grow out or sometimes attempt to grow more density in some appropriate areas, not necessarily by putting ADUs on every lot, but where it made sense.

Commissioner Postma reiterated his concern for residents who purchased a home in a neighborhood with a certain lot coverage. The City was now imposing something greater than had been there historically.

Commissioner Heberlein noted that people who owned property in neighborhoods without HOAs had little control over what their neighbors did anyway.

Commissioner Postma responded that when people buy a home in a neighborhood without an HOA, they could reasonably assume that they might be buying into those situations. In this case, homes were purchased with a certain lot coverage that could now be exceeded.

Mr. Pauly understood the concern, but in his 10 years of talking to residents, he did not believe most property owners understood the concept of lot coverage until the requirements were drawn out, which was why he believed maintaining the current setbacks was important.

Chair Greenfield:

- Said he had concerns about the relationship between HOA and Code requirements and asked how much authority HOAs had.
 - Staff said existing HOAs could continue to be more restrictive than the City, but new HOAs established after the Code amendments were adopted would not be able to restrict the development of ADUs. The only requirement an HOA could have would be that the ADU had to look like the house.
- Said he was also concerned about on-street parking, which he believed would have a lot of public input.
 - Mr. Pauly did not believe the Code amendments would result in a change to on-street parking in the majority of the city.

Commissioner Heberlein:

- Confirmed Staff would edit the run-on sentence in Definition 88 on Page 8 of 45, as well as a similar run-on sentence in Definition 87. (Section 4.001)
- Noted that on Pages 26 and 27, PDRs 1 through 3 did not include any lot coverage limits with ADUs, but PDRs 4 through 7 did. He asked if calculations were done on the PDRs to show it would be possible to place an ADU with those lot coverages. For example, the minimum lot size for PDR-7 was 1,500 sq ft, so was getting an ADU on a PDR-7 lot practical?
 - Mr. Pauly replied a tiny house could be done, but probably not; certainly an 800 sq ft unit would not work. He clarified the 800 sq ft was floor area, not lot coverage area. Additional stories could be added, but the square footage could not be expanded much.
- Asked what drove the recommendation to have lot coverage restrictions on PDRs 4 through 7 but not on PDRs 1 through 3.
 - Mr. Pauly explained the limit was a percentage of the lot. A 16,000 sq ft lot could only have five percent more lot coverage. The intent was to maintain no more than 85 percent lot coverage, it would not be necessary on PDRs 1 through 3 because the lots were large and the minimum lot coverage was less. A 5,000 sq ft lot in PDR 3 would have about a 15 percent increase in lot coverage.
 - He confirmed that the 35-ft height limit for single-family developments would also apply to ADUs.

B. SMART Programs Enhancement Strategy (Brashear)

Dwight Brashear, SMART Transit Director, gave background information on the Transit Master Plan (TMP), which remained budget neutral after SMART received \$2 million in federal funding. Additionally, House Bill 2017 (HB2017) made funds available for specifically for transit projects. Restrictions on the HB2017 funding required an amendment to the TMP in order for SMART to be eligible to receive those funds. He introduced Nicole Hendrix, Transit Management Analyst and SMART Operations Manager Eric Loomis, noting that they were part of a team that would update the TMP for the City of Wilsonville and surrounding areas.

Mr. Brashear, Mr. Loomis, and Ms. Hendrix presented the Smart Programs Enhancement Strategy via PowerPoint, describing the financial aspects and funding eligibility requirements of HB2017, projects identified in the TMP, and details of the public involvement process and future public input opportunities. The completed TMP must be submitted to TriMet by mid-October so that TriMet could get its plans to ODOT on November 1st. If SMART missed the October deadline, it would have to wait until May 2019 to submit the TMP and the first funding allotment would not arrive until October 2019. TriMet was struggling to meet their November deadline.

Commissioner Heberlein expressed concern that the tight 30-day timeline would not provide a lot of opportunity for public comments and that the online survey did not gather feedback from the entire population.

- The project team reminded that two years of outreach had already been conducted, which led to the projects being included in the TMP. The updates were not a standalone plan, and, there would be additional opportunities to provide input as more services and projects were added to the TMP over the next few years. The TMP was just adopted in 2017, so the projects were still fresh in the publics' minds.

Chair Greenfield noted that with the availability of additional funding, there might be increased interest in input and there were a couple of months to gather that input before the public hearing, and then, City Council would also have a couple of months to work on it.

Commissioner Hurley:

- Asked why the presentation did not mention the mixed-use facility at SMART that was included in the packet.
 - Mr. Loomis responded that the facility at SMART Central was part of a transit development project with Metro. It was a priority for SMART to learn what type of mixed-use facility its customers wanted.
 - Mr. Brashear added that retail was being considered for the bottom floor with housing above.
- Said that had failed massively in Portland.
 - Mr. Brashear responded that might depend on what one's idea of failure was. Similar projects had created gentrification, which some people equated with failure. Generally, transit mixed-use projects had been successful in achieving the goal of getting people closer to transit, child care, dry cleaning, coffee, etc. What had not been successful was that those projects had driven the people they were initially designed to help out of the area because they could no longer afford to live there.
 - He confirmed the facility would be on city-owned property, noting that national and local organizations participated in these types of projects. The City would be the landlord, but would not manage any of the facility.
- Said he did not want Wilsonville to be responsible for bad development. He did not believe WES was a success story, but an albatross for TriMet and Wilsonville with poor ridership. He did not want Wilsonville to spend tens of millions of dollars for something that might not do well down the road. He understood this was long-term development, but he was concerned about having an affordable housing/mixed-use development at a WES transit station for WES when heavy rail was and/or should be gone. The airline industry had given up on the hub and spoke. Uber and Lyft were changing the landscape of transit, so he wanted Wilsonville to be cautious about spending that much money. Business taxpayers funded SMART, not residential taxpayers.
 - Mr. Loomis said during the planning, some of the funds would be used to hire a company that would make sure the project was economically sound before building began.
- Noted that ridership had decreased between 2012 and 2016, and asked for more current data.
 - Ms. Hendrix explained that SMART became a national transit database full reporter in 2017, so she had not yet done a full year of data tracking. Ridership depended on the route. Some routes were now doing better than in the past and other routes had remained the same.
 - Mr. Loomis added that the TSP was implemented in September 2017 and there had been an increase in some of the routes which required expansion. Some of SMART's routes became outdated as the city grew. Additionally, SMART's decrease in ridership was consistent with national averages.
 - Mr. Brashear said SMART became a full reporter in order to bring more grant funding into Wilsonville.

Chair Greenfield confirmed HB2017 funds were for new or enhanced services and asked how the City would demonstrate that.

- Mr. Brashear replied the TMP would demonstrate how criteria would be met and how services would be added and expanded. For accountability, services would be evaluated and reports sent to ODOT quarterly and annually. SMART would use ODOT's software to determine the potential benefits of a service, but ODOT had not yet stated what metrics it would be looking for.

Commissioner Hurley:

- Noted the State's requirements for alternative fuels, but he did not see compressed natural gas (CNG) in the list and asked if CNG was acceptable based on the State's requirements.
 - Mr. Brashear confirmed electric or CNG was specified. He noted SMART just received a grant of about \$120,000 to expand its CNG fueling.

- Asked if the State differentiated between green or toxic alternative fuels, such as the CNG compared to a battery-powered bus with a lot of nasty batteries.
 - Mr. Brashear did not believe the State had taken that into consideration. The goal was to move away from fossil fuels. As the largest purchaser of diesel fuel in the state, TriMet was under a lot of pressure from the Oregon Environmental Council and others, who show up at TriMet's meetings regularly.
- Asked if SMART was able to handle the dial-a-ride service or were Lyft and Uber being considered for medical transport services.
 - Mr. Loomis replied that in July, a citizens committee would begin to plan recommendations on dial-a-ride services to the Planning Commission and City Council. The TMP mentioned this, but it was not a robust piece of the Plan. SMART had several programs within dial-a-ride, and so far, SMART was meeting the community's needs. He added that using Uber and Lyft for para transit could be extremely complicated due to FDA requirements to do drug and alcohol testing.
- Said he liked the weekend service in Wilsonville as it allowed people to keep going to local businesses.

Commissioner Springall appreciated that Ms. Hendrix would share the survey link with the Commission because he had heard feedback from a few people on specific items, one of which regarded the timing of the SMART service to Salem.

Commissioner Heberlein:

- Said the project description seemed to be related more to increasing service, not increasing ridership on existing service. He believed the Fare Free service had the greatest potential to increase ridership. Adding services, hours, and routes would incur additional expenses. He asked what could be done to increase ridership on existing routes.
 - Mr. Loomis said frequency would increase ridership. Frequency had been interlaced into the TMP, so it was not mentioned separately. Once projects were identified, details about frequency changes would be stated.
- Said that traffic getting worse and ridership decreasing was an indication that something was not being done right. The unexpected HB2017 funding source was an opportunity and should be used the right way.
 - Mr. Brashear added that Metro was looking at that issue regionally. Public transportation needed to look attractive compared to sitting in traffic.

Commissioner Postma:

- Stated that businesses put a substantial amount of money into this system and he was concerned about completely eliminating out of town fares. Accountability was important. Eliminating fares indicated that SMART would take advantage of the blank check provided by businesses. He understood additional funds were obtained from a different source for the mixed-use facility, but he did not want to spend transit funds on things that did not bring people to the businesses that pay much of costs. The market was a better predictor and developers were better at those projects than cities.
 - Mr. Brashear explained that the funding for the mixed-use facility would likely come from an agency like Metro or the federal government, and they would only fund good projects they believed had merit. No funding from employers would be used.
- Said in his opinion, it would still divert attention and resources to something that did not bring people to businesses in Wilsonville.

Chair Greenfield noted the additional service to Woodburn, Oregon City, Wilsonville, and Hillsboro would presumably also serve employees coming in and out of Wilsonville to those destinations, which was of concern to those businesses that were dependent on those employees.

Commissioner Postma noted it also indirectly meant SMART was taking Wilsonville citizens to another city to spend their money, too.

Commissioner Hurley noted SMART would be contacting businesses and asked if a mechanism existed for SMART to allow Wilsonville employers to provide free employee bus passes to take advantage of the tax already being paid by that business.

- Mr. Brashear responded it was a great concept and was essentially, free transit service. His argument was that the employee would now be taxed through HB2017, and had already paid for the transit service.

Commissioner Postma noted if SMART provided service to Woodburn, which had a large outlet mall, Walmart, and shopping options not available in Wilsonville. To what extent would a fareless system encourage business dollars out of Wilsonville as opposed to into Wilsonville?

Commissioner Hurley agreed, noting as a citizen, if he wanted to shop in Woodburn or had to get to work outside of Wilsonville, he should have to pay to use the bus to get there. However, if he lived outside Wilsonville and needed to get to work in Wilsonville, could he get a free SMART bus pass because his company was already paying the tax? It would all be within the SMART system and did not involve using the company's pre-tax dollars to buy the bus pass.

- Mr. Brashear responded that as a transit professional, it was simple: transit provides freedom. He did not look at people going to Woodburn to spend their dollars, though he understood businesses looked at it that way. All he cared about was getting people where they wanted to go, no matter the reason. He did not look at transit as an "us-against-them" kind of thing. At the end of the day, citizens participating in the survey would inform SMART's route decisions.

Commissioner Postma:

- Said he also understood that the City was asking businesses, who were already paying a large share of transit, to potentially pay into a system that encouraged business dollars to go to a different community. That was his concern.
 - Mr. Brashear noted the architects of HB2017 did not care about that; they wanted SMART to use the HB2017 money to get people where they wanted to go. SMART would not be using the employer side of the money.
- Noted every Wilsonville business wanted to make sure they were getting something back; they were paying for it and wanted to know there was some accountability for that.
 - Mr. Brashear responded that buses run both ways, so people might be coming to Wilsonville for a number of reasons and spend their money here. He wanted SMART to be the company that brought them to Wilsonville.
- Responded he did as well.

Commissioner Mesbah stated in the next presentation on the TMP, he would like the Planning Staff to present case studies of transit node mixed-use development as a net property tax increase to the City and revenue resource to the City. Throughout the country, a transit-oriented development on transit node was used for the purpose of, through a market mechanism, increasing the value of property around a station and creating a net revenue source for the City as a result of that, which would otherwise not be there. Whether or not this was going to be affordable housing or whatever other use was a secondary kind of consideration, but he believed the concept was being missed, and a short ten-minute presentation would be adequate and informative.

Commissioner Heberlein said the only question he had was, given the location of the facility and where the potential development would be, would the City really expect to see increase in property values for commercial/industrial buildings as a result of a mixed-use facility.

Commissioner Mesbah responded it would not necessarily be industrial. Most of these developments were not industrial. Most were commercial.

Commissioner Heberlein said that was his point. The development would occur in an area that was surrounded by commercial activity, not residential. So, he would not expect to get a significant increase in property values

as a result of that. If it was around neighborhoods, then that would make complete sense. He just was not sure that was the case here, which was why he questioned if it was the right location for this type of development.

Commissioner Mesbah stated that in places where this was done, it was done where one would not expect that kind of development, which was why it was value added and why he wanted the Planning Staff to do it, because they would have to address exactly the issues being raised, all of which were germane.

Commissioner Springall said he believed the Barber Street Bridge to Villebois across the wetlands was actually directly adjacent to a residential area just across the bridge. Additionally, the bridge over I-5 at the other end of Barber Street connected to the Town Center area. So, the transit station area was kind of interesting. It was industrial and kind of low rent, right now, frankly. Maybe there was opportunity to increase the land value of that particular location along Barber Street close to the station. He concurred with Commissioner Mesbah that the idea should be investigated a bit further before discarding it.

Commissioner Mesbah stated that the issue of gentrification could also be addressed. If that was something that could threaten that entire area, then this was the time to plan for it and figure out what to do about it to balance it out.

Commissioner Hurley said he was primarily concerned with the stewardship of taxpayer dollars. The Round in Beaverton was supposed to be a transit hub, but it was colossal, multi-decade failure and the City of Beaverton had to bail them out. If the City owned the land, the lease would have a 99-year term. The developer incurred all costs, but development becomes the property of the City if construction loans were defaulted on.

Staff confirmed such a mixed-use facility would require an amendment to the Comprehensive Plan because the industrial zone was not currently set up to accommodate housing.

Chair Greenfield called for a brief recess at 8:37 pm and reconvened the meeting at 8:44 pm.

C. Basalt Creek Concept Plan (Bateschell)

Chair Greenfield confirmed public testimony would be taken after Staff's presentation.

Miranda Bateschell, Planning Manager, said the Commission was well aware of the process that Wilsonville and Tualatin had gone through to get to this point with a draft concept plan. She presented a high-level overview of the concept, proposed Comprehensive Plan Amendments and Next Steps via PowerPoint, noting that Wilsonville and Tualatin Staff were working on a comprehensive response to the comments provided by Grace Lucini. The trails map indicated general locations where trails were likely to be located. Master planning and design alignments would be done before any of the trails were developed, and natural resources would be taken into consideration at each location. The vision was to have trails elevated up above natural resources on the bluff, not in the canyon. This would require a lot of coordination between the two cities and regional partners. She clarified that parts of the anticipated trail area were flat and other parts dropped off into the canyon. There was also a high elevation on the west side of the canyon above the natural resource. From Boones Ferry, the natural resource could not be seen, so a pedestrian trail on the west side off of the road network would provide more of a connection to nature.

Chair Greenfield reminded that this plan was just a functional concept, not a design concept. He called for comments from Mr Root.

Gordon Root, 485 S State St, Lake Oswego, encouraged the Commission to continue to move forward. He had been involved in the Basalt Creek Concept Plan since Metro adopted the ordinance in October 2004. This property was brought in to satisfy a need for employment and residential lands north of the Connector for a 20-year buildable land supply. Fourteen years into the process, not a single piece of dirt had been turned. From a

property owner's standpoint, the process had been agonizing. He was a real estate investor who made speculative investments based on the time frame outlined in the ordinance. In May 2019 the project would be where it should have been in October 2011. The plan had been hashed and rehashed, discussed and re-discussed. Wilsonville had an 86 percent net employment market, so he planned to sell his property in Lake Oswego and move to Wilsonville. His project in Woodburn was for 708 single-family residences and 105 apartments. The target market for that project was the employees who work in Wilsonville businesses. Wilsonville gets unaffordable and unattainable for many people, so he hoped to offer a housing choice in Woodburn because it was a short commute to Wilsonville. Therefore, he encouraged a Woodburn bus route.

Ms. Bateschell believed the plan was very close to being approved. Many of the edits left to complete are not substantive and she had just received a revised draft the consultant earlier that day. That draft would be reviewed by City Council on Monday, and the rest of the edits would be made later in the week.

- The two cities had not yet discussed what the north/south trail would look like because this plan was at the conceptual level. Connectivity was needed particularly on the north side and they would like to connect people to the natural resource.

Commissioner Heberlein said he was not sure a trail was necessary because Boones Ferry and Grahams Ferry were not that far apart, and the proposed trail did not look as if it would connect to the existing trail network on the south side. He preferred better connectivity.

- Ms. Bateschell said a trail would be a nice asset for the new residential neighborhood to the north and for employers in the southern portion. It would also connect to Wilsonville's pedestrian and bike system to the south. As Day Road and Garden Acres Road were improved, the trail could be connected to a significant regional trail that would come all the way down into and through Wilsonville.

Chair Greenfield noted trails have two different viable functions, connectivity and enjoying outdoor activities. Even though the Boeckman Creek Trail went nowhere, it was still a very nice natural area.

Ms. Bateschell addressed several questions from Commissioner Springall as follows:

- She verified the route of the Ice Age Tonquin Trail in Basalt Creek, noting she did not believe Tualatin had adopted the trail, so that specific alignment was not shown.
- She confirmed that the West Railroad was included on all of the Concept Plan maps because it was in the area added to the urban growth boundary (UGB) by Metro, and the acreage would be added to the City of Wilsonville. The West Railroad area would be a future study area that would likely need its own analysis and master planning to determine the best and most efficient land use and service would be for the area.
- She confirmed the West Railroad area was included in the Concept Plan, but would be excluded from any initial Basalt Creek master plan. The area would be provided with its own designation that would not have a land use tied to it yet.
- The master plan timeline for Basalt Creek was budgeted for FY2019-2020. Additional work could be done on Basalt Creek once updates were done to the Comprehensive Plan and Comprehensive Plan Map. The project team had discussed several methods for moving forward with updates to the Development, Zoning and Form Based Codes, or possibly an economic development strategy. Many of the existing Capital Improvement Plans already accounted for land use and services in Basalt Creek, so extensions of the main lines had already been identified and included in the Concept Plan. The scope of next steps was still being determined. Plans could move forward in steps or as one project.
- No archaeological work had been completed yet to determine whether there were any Native American camps in the area.

Commissioner Postma confirmed that the physical boundary line between the cities would also mark the division between infrastructure and services, regardless of gravity. Each city would serve its own land area with its own infrastructure systems.

- Ms. Bateschell added that geological findings indicated a variety of basalt and other materials in the area. Gravity flowed toward Wilsonville, so the only pump station would be installed if and when the West

Railroad area developed. She also anticipated that Tualatin would install gravity pumps for the properties on Basalt Creek Canyon.

Commissioner Mesbah:

- Requested more descriptions about the characteristics of the natural resources area. He believed this would avoid potential confusion about the habitat quality and clarify that the area was for restoration. A couple of paragraphs about restorative habitats and trail standards would be helpful. He also requested specific information about species in the area, sensitivities of the upland habitat, and appropriate levels of activity in the area.
 - Ms. Bateschell confirmed the Existing Conditions Report, one of the attachments to the Concept Plan, included language that would guide future steps and master planning.
- Said the typical resident would not read the report, so clarifying paragraphs should be added to the Concept Plan because the plan should be educational.

Chair Greenfield agreed.

Ms. Bateschell noted that because of the appeal of Metro's decision on the arbitration process, the City had decided to wait before moving forward with proposed Comprehensive Plan Amendments. Direction provided by the Land Use Board of Appeals (LUBA) would guide Staff on what should go into the Comprehensive Plan and could result in modifications to the Concept Plan. Additionally, Wilsonville would need to work with Washington County to update the Urban Planning Area Agreement and Comprehensive Plan Map. She confirmed that the Comprehensive Plan updates would need to be adopted by May 2019.

III. INFORMATIONAL

A. City Council Action Minutes (May 7, May 21, and June 4, 2018)

There were no comments.

B. 2018 Planning Commission Work Program

Chris Neamtzu, Planning Director, announced the Signage and Wayfinding Open House would be on June 26th from 5:30 pm to 7:30 pm. Staff would be soliciting public input on three designs and multi-modal route priorities. The designs and a survey would be published in the online open house, which would run for about a month. He described the process used by the consultant team to develop the designs, which were based on input from a focus group.

Commissioner Springall confirmed that the informational meeting on French Prairie Bridge in July might be postponed, as there were no meaningful updates to present at this time and the task force would not meet again until fall to consider bridge types.

C. New Exhibit No. 4 for LP18-0003 (Parks & Rec Master Plan)

Exhibit No. 4, dated June 4, 2018 from the Synthetic Turf Council, was provided to the Commission at the dais.

Chris Neamtzu, Planning Director, clarified that Staff had originally received testimony via email, but not the attachments. The exhibit presented to the Commission included the email and the attachments. He confirmed the hearing had been scheduled for August.

Commissioner Heberlein noted the email from Mr. Bond included a disclaimer that the email was confidential and lacked an authorization statement. However, the email was now part of the public record.

IV. ADJOURNMENT

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 9:37 p.m.

Respectfully submitted,

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