

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, AUGUST 26, 2024

6:30 PM

Consent Agenda:

1. Approval of minutes of the June 24, 2024 DRB Panel B meeting



**DEVELOPMENT REVIEW BOARD PANEL B
MEETING MINUTES**

June 24, 2024 at 6:30 PM

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

A regular meeting of the Development Review Board Panel B was held at City Hall beginning at 6:30 p.m. on Monday, June 24, 2024. Chair Rachelle Barrett called the meeting to order at 6:30 p.m., followed by roll call.

CHAIR'S REMARKS

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

ROLL CALL

Present for roll call were: Rachelle Barrett, John Andrews, Megan Chuinard and Kamran Mesbah. Alice Galloway was absent.

Staff present: Daniel Pauly, Stephanie Davidson, Amy Pepper, Kimberly Rybold, Cindy Luxhoj, and Shelley White

CITIZEN INPUT

This is an opportunity for visitors to address the Development Review Board (DRB) on items not on the agenda. There were no comments.

CONSENT AGENDA

1. Approval of minutes of February 26, 2024 DRB Panel B meeting
Kamran Mesbah moved to approve the February 26, 2024 DRB Panel B meeting minutes as presented. Megan Chuinard seconded the motion, which was approved by a 4 to 0 vote.
2. Approval of minutes of March 25, 2024 DRB Panel B meeting
John Andrews moved to approve the March 25, 2024 DRB Panel B meeting minutes as presented. Megan Chuinard seconded the motion, which was approved by a 3 to 0 to 1 vote with Kamran Mesbah abstaining.
3. Approval of minutes of April 8, 2024 DRB Panel B meeting
John Andrews moved to approve the April 8, 2024 DRB Panel B meeting minutes as presented. Kamran Mesbah seconded the motion, which was approved by a 3 to 0 to 1 vote with Megan Chuinard abstaining.
4. Approval of minutes of April 24, 2024 DRB Panel B meeting

John Andrews moved to approve the April 24, 2024 DRB Panel B meeting minutes as presented. Megan Chuinard seconded the motion, which was approved by a 3 to 0 to 1 vote with Rachelle Barrett abstaining.

PUBLIC HEARINGS

5. **Resolution No. 434. Frog Pond Neighborhood Park.** The applicant is requesting approval of a Site Design Review of Parks and Open Space, Type C Tree Removal Plan, Class 3 Sign Permit, Abbreviated SROZ Map Verification and Abbreviated SRIR Review for a new 2.93-acre neighborhood park with associated landscaping and other site improvements in Frog Pond West.

Case Files:

- DB24-0004 Frog Pond Neighborhood Park
- Site Design Review (SDR24-0002)
- Type C Tree Removal Plan (TPLN24-0002)
- Class 3 Sign Permit (SIGN24-0007)
- Abbreviated SROZ Map Verification (SROZ24-0001)
- Abbreviated SRIR Review (SRIR24-0001)

Chair Barrett called the public hearing to order at 6:41 p.m. and read the conduct of hearing format into the record. John Andrews declared for the record that he had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Cindy Luxhoj, AICP, Associate Planner, announced that the criteria applicable to the application were stated starting 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 and on the City's website.

The following exhibit was entered into the record:

- **Exhibit B3:** Updated plan set with minor revisions and an explanatory memorandum submitted by the Applicant after the Staff report was published.

Ms. Luxhoj presented the Staff report via PowerPoint, reviewing the site's location, background, and requested applications as follows:

- The 2.93-acre site is located in Frog Pond West at 7042 SW Brisband Street, formerly 7035 SW Boeckman Road, and is adjacent to the new primary school site being constructed to the west with residential subdivisions to the north, east, and south. The subject property is located within the city and zoned Public Facility (PF). (Slide 2)
- The City adopted the Frog Pond Area Plan in November 2015 to guide development of the 2002 Urban Growth Boundary (UGB) Area of Frog Pond West, and the Urban Reserve Areas in Frog Pond East and South, to help ensure the continued development of high quality neighborhoods in Wilsonville. As a follow-up to the Area Plan, and in anticipation of future development, the City adopted the Frog Pond West Master Plan in July 2017 for the area within the UGB. (Slide 3)
 - A neighborhood park was one of five key projects identified in the Frog Pond West Master Plan, which included preliminary designs, estimated costs, and proposed funding strategies. The new

neighborhood park proposed in the current application met the stated intent in the Master Plan and was located on the previously land-banked parcel identified as a potential site for a park.

- As part of the Frog Pond Meadows subdivision, the future park property was annexed into the City in 2019 and zoned PF, consistent with the Frog Pond West Master Plan. In 2002, land use review of the new primary school to the west included some discussion of the future park. The City purchased the property from the West Linn-Wilsonville School District in 2023 for development of the proposed park.
- Proper noticing was followed with the public hearing notice being mailed to property owners within 250 ft of the subject property, posted onsite, and published in the Wilsonville Spokesman. One public comment was received during the comment period and is included as Exhibit D1 in the Staff report. (Slide 4)
- The five requests before the DRB tonight were objective in nature and only involved verification of compliance with Code standards. None of the requests required discretionary review. (Slide 5)
- The Site Design Review of Parks and Open Space included review of the design of the new park, landscaping and site furnishings, and the adjacent streetscape on the north side of the property to ensure consistency with the Site Design Review standards and the Frog Pond West Master Plan.
 - The park was proposed to include a picnic shelter, playground, central lawn area, and both paved and unpaved walking paths weaving through existing stands of trees, lawns, and meadows on the site. Landscaping, lighting, and site furnishings were also included in the park design, as well as completion of the right-of-way improvements on the SW Brisband St frontage along the park's north boundary. (Slide 6)
 - A Traffic Impact Analysis was not required for the current application and no parking was proposed. The park was designed for use by residents in the surrounding Frog Pond West neighborhood who were expected to walk or use other nonmotorized means to access the park. Any park visitors from outside the neighborhood could utilize on-street parking on both sides of SW Brisband St ~~on the north side of the park site~~ as well as in the adjacent neighborhood.
 - The proposed site furnishings were typical of park areas, appropriate for the site's function, and were well designed. (Slides 7)
 - Landscaping was proposed throughout the site and designed to provide a pleasing environment for users while blending with and complementing retained trees and other vegetation on the site. The proposed layout for the park would allow the landscaping requirements to be met, support recreational use of the site, and create a visual environment that was compatible with the surrounding residential neighborhood and primary school to the west. (Slides 8)
- Type C Tree Removal Plan. Inventoried for the subject site were 29 on-site and 20 off-site trees. [not start sentence with a #] Nine on-site trees, marked with an X on the map, were proposed for removal. Preserved trees were indicated with a dashed green line with most being located either in a dense grove in the southwest part of the site or in the Significant Resource Overlay Zone (SROZ) immediately to the east. (Slide 9)
 - A 40-inch DBH giant Sequoia that was previously preserved with construction of the primary school to the west was located at the northwest corner of the site. An Oregon white oak, located just off-site in the SROZ to the east, was planned for protection and preservation with site development.

- The Applicant proposed planting nine mitigation trees, seven street trees along the SW Brisband right-of-way, and 32 smaller restoration trees, for a total of 48 trees, which would exceed the mitigation required.
- The Class 3 Sign Permit reviewed the proposed monument sign on the north side of the site for consistency with sign standards, the Frog Pond West Master Plan, and the adopted Citywide Signage and Wayfinding Plan. The maximum allowed area for a sign on PF-zoned properties adjacent to residential-zoned land was 32 sq ft. As shown on the Applicant's plans, the proposed rectangular sign cabinet only had an area of 6.42 sq ft. (Slide 10)
 - The proposed sign design was not consistent with other signs recently installed in City parks, which reflected design modifications made for aesthetic and readability purposes in the Citywide Signage and Wayfinding Plan adopted in March of 2019. The modified sign, as shown on the right of Slide 10, had the same dimensions as the proposed sign, but centered the park name in the cabinet and included a 1-sq-ft logo on the base, resulting in a total area of 7.42 sq ft. A condition of approval would ensure the park sign would be consistent with the design of other City park signs and reflect the Wayfinding Plan.
- The Abbreviated SROZ Map Verification reviewed the proposed park improvements for consistency with the Development Code requirements, specifically the SROZ Ordinance. The Applicant had conducted a detailed site analysis consistent with the requirements of that section, which the City's Natural Resources Manager reviewed and approved.
- The Significant Resource Impact Report (SRIR) included review and approval by the City's Natural Resources Manager of exempt development located within the SROZ and its associated 25-ft impact area. The Applicant's submittal delineated specific resource boundaries and included the wetland boundary in green, 50-ft wetland buffer in red, and 25-ft Significant Resource Impact Area in blue. (Slide 11)
 - The impacts of exempt development within the SROZ, including a pedestrian path of pervious gravel paving, associated grading, and seating, also were analyzed. The proposed aggregate path and seating area would provide access to the eastern edge of the park and would not negatively impact the adjacent wetland and riparian corridor. Mitigation would include the removal of invasive plant species and the installation of native plants.

John Andrews asked if only one road would provide access the park.

Ms. Luxhoj explained that SW Brisband St would go all the way through along the north sides of both the park and the primary school to connect with the Morgan Farm Subdivision and would provide access to the park, as would Wehler Way and a small residential access on the south side. (Slide 2) SW Willow Creek Dr ran along the eastern side of the park, but technically had no frontage due to the presence of the SROZ.

- She clarified Wehler Way could not access Boeckman Rd because it was blocked with a gate that provided emergency access only.

Chair Barrett confirmed there were no further questions from the Board and called for the Applicant's presentation.

Kris Ammerman, Wilsonville Parks and Recreation Director, introduced members of the project team and thanked City Staff for the Staff report, presentation, and collaboration on the proposed park. He presented the Applicant's presentation via PowerPoint with the following key comments:

- The Applicant was requesting approval for a new 2.93-acre neighborhood park with associated landscaping and other site improvements in Frog Pond West. The planning process for the Frog Pond Neighborhood Park began many years ago culminating in the Frog Pond West Master Plan, adopted in July 2017 which created the vision and intent for this area of the city with a goal of creating high-quality community design.
 - Identified in the Master Plan was the subject property, which was land-banked by the West Linn-Wilsonville School District. The Master Plan had established that the School District had the option to use the subject property for school facilities, residential use, or a neighborhood park. The City's stated intent was to work with the District to acquire a site for a neighborhood park at the subject location.
 - The Master Plan described the idea of a potential neighborhood park in the subject location as follows: homes fronting the park to create eyes on the park, paths connecting to the neighborhood, and play areas and shelters.
- In an online survey by the City, the Wilsonville Community expressed overwhelming support for the new park. After sharing three draft designs developed by the City with its partner firm Mayer/Reed, the City received feedback from nearly 150 community members and that process informed the final design before the DRB tonight. The City purchased the property from the School District and finalized the proposed design.
- Some community concerns throughout the planning and public input process related to parking and potential noise.
 - The subject park was intended to be a neighborhood park where most, if not all users would arrive on foot or via other nonmotorized options. Any parkgoers from outside the surrounding neighborhood could utilize on-street parking on both sides of SW Brisband St or the adjacent neighborhood to the north.
 - A small stage, an extension of the play area provided for spontaneous use, would be centrally located within the park to minimize any noise that might be created. There would be no scheduled programming on the stage and no access to power for music or amplified sound.

Anne Samuel, Landscape Architect, Mayer/Reed, Inc. stated the main design feature of the proposed park was a quarter-mile walking path, indicated as loops throughout the center of the site which also drove most of the design. (Slide 4) The western side of the site was more active, while the eastern side was more passive and naturalistic. All pathways were ADA compliant with an under 5% slope.

- Access into the park would be from SW Brisband St and Wehler Way only, as the SROZ on the east side along Willow Creek Dr was a wetland area and the headwaters of Meridian Creek, which led to Boeckman Creek, and ultimately, the Willamette River. The proposed park was a part of that watershed system. The steep slope on the east side provided no practical way to create a connection along Willow Creek Dr.
- Other site amenities included the shelter to the north, the 2- to 5-year-old play area, which supported community-wide features, and a 5- to 12-year-old play area within the primary school. Tucked away behind existing trees on the south side was an adult fitness area.
- There were three connections directly from the right-of-way on the north side, and on the south side, the connection between the school and right-of-way was the only area that would be lit using

three solar-powered, Dark Sky compliant light poles along that edge. She noted no power was provided to the park site.

- The ground plane of the 2 to 5-year-old play area was comprised of engineered wood fiber bark chips, shaped like a frog pond or jelly bean, and featured a boardwalk on the south side out to a concrete deck area.
 - The play equipment utilized a natural color palette and featured a 3-ft-tall frog. Like the primary school, the Applicant focused on universal accessibility. Mayer/Reed was the landscape architect for the primary school also, but there were some elements in the park design that Mayer/Reed was not able to include in the primary school project.
 - The play area featured a rocker, swings, a roller slide, a STEM (science, technology, engineering, math) panel for passive education, spinners, a spider web, and climbers.
- The adult fitness area was tucked away outside the view shed and featured five pieces of equipment. Some were fixed, some had moving parts, and all were within engineered wood fiber.
 - Equipment included machines for pullups, pushups, core exercises, an elliptical, a chest press, and an arm cycle. Pieces that would complement the varying abilities of users were chosen and equipment colors were muted and matched to the natural environment.
- The Applicant's approach to the site's design for landscaping and planting involved a lot of restoration planting. Minimal irrigation was required as only the lawn and high-use areas utilized it while the remainder of the park would be allowed to go back to a natural environment.
 - The Applicant had used a new and unique approach to landscape restoration for the project that was not shrub-based but instead, brought back the oak savanna, only 1 percent of which currently existed within the Willamette Valley. The one acre of oak savanna in the proposed park would connect to 2.5 acres of oak savanna on the primary school property.

Sam Huck, Planning Consultant, 3J Consulting, thanked Staff for covering much of the material already, noting that the site's Public Facility (PF) Zoning designation provided for uses such as schools, churches, public buildings, hospitals, public utilities, and parks. The PF designation matched the zoning for the adjacent Frog Pond Elementary School, currently under construction, while the remainder of the surrounding neighborhood was zoned as Residential Neighborhood (RN).

- Forty trees would be retained on the site and of the nine trees that would be removed, three were considered invasive species; four were in Poor condition; one was in Fair condition, but the species had a history of branch failure and lower trunk decay; and one tree was in generally Good condition but was not expected to be a long-term site amenity due to a pest that had become common in the region and targeted ash trees specifically.
 - Professional Architect Morgan Holen had completed the tree inventory and recommended the nine trees be removed and replaced with a range of large shade tree species that would support long-term ecological diversity, resiliency on the site, and generally be good park trees.
 - In total, 40 new trees would be planted on the site, in addition to the 40 trees being retained. Nine of the new 40 trees would be the mitigation trees planted in place of the nine removed.
 - The other 31 trees that would be planted would be dispersed across the park as well as near the SROZ for ecological restoration. Seven trees on the north right-of-way at SW Brisband would be salvaged and replanted.
- A few minor revisions to the Site Plan were sent on June 17th, right after the Staff report publication and entered into the record as a replacement to the Land Use Set as Exhibit B3.

- The revisions included some path rounding on the site, widening in some areas to protect the landscaping from normal usage over time so plantings would not get cut off. Additional details were also added to the plan set.

Megan Chuinard noted comments about residents accessing via nonmotorized means and asked if the park would have bicycle racks.

Ms. Samuel confirmed a bike rack was located on the north side near the site sign.

Mr. Andrews noted one sign was proposed that would be in the park and asked if there would be any other signage elsewhere to indicate a park was located there.

Mr. Ammerman replied one sign was planned for the main entrance on the north side of the park. No other signs were planned.

Daniel Pauly, Planning Manager, added that Staff had looked at the comprehensive Signage and Wayfinding Program/Plan for parks throughout the city, and the signs were being installed consistent with that Plan as adopted by City Council. To his knowledge, the Plan did not include any additional signs for the subject park, which had been a purposeful decision because not every small park or destination could be included on a larger wayfinding signs, as the signs would become too cluttered. Regional parks and destinations had to be sorted through for prioritization regarding offsite signage.

Mr. Andrews commented it was a fairly large, beautifully designed park but he was a bit concerned that it was sequestered in the area and no one else in town would know about it, unless they studied a map. It might be useful for people in the community to know the park was there and make use of it.

Chair Barrett called for public testimony regarding the application.

Jeff Solomon, 27790 Willow Creek Dr, Wilsonville, OR, 97070 stated his main concern was the stage area adjacent to the play area. He asked for further elaboration on sound carrying, how the stage would be used and whether there would be any microphone hookups, for example.

Mr. Ammerman clarified that there would be no power in the park at all, so no opportunity for music or amplified sound in the stage area. There would be no formal programming of any kind. It was an extension of the play area, an added space intended for impromptu, informal gathering. The stage was not elevated, but a widened part of the adjacent concrete path.

Ms. Samuel added it was just a flat area, a widening of the path, and a place for a magician, storyteller, or clown might perform at a birthday party, for example.

Mr. Solomon stated he was satisfied with that explanation and that his concerns about parking, traffic, and the tree had been addressed. He thanked Staff and the Applicant.

Chair Barrett confirmed the Applicant had no rebuttal and called for additional questions.

Kamran Mesbah understood the park was labeled as a neighborhood park, meaning for the adjacent neighborhood and not for the rest of the city.

Mr. Pauly confirmed that was the intent. It was not a regional park. There was a hierarchy of park types within the city and the use of the term neighborhood park was purposeful.

Mr. Mesbah asked how many homes the park would serve.

Kimberly Rybold, Senior Planner, replied that at full build-out, Frog Pond West would have 550 to 600 homes, giving the park approximately 1,200 to 1,400 neighborhood users.

Mr. Solomon asked when construction of the park would begin.

Mr. Ammerman replied that construction would begin early next spring with completion anticipated prior to the beginning of the 2025/2026 school year.

Chair Barrett closed the public hearing at 7:20 pm.

Megan Chuinard moved to approve the Staff report with the addition of Exhibit B3. Kamran Mesbah seconded the motion, which passed unanimously.

Kamran Mesbah moved to adopt Resolution No. 434. Rachele Barrett seconded the motion, which passed unanimously.

Chair Barrett read the rules of appeal into the record.

BOARD MEMBER COMMUNICATIONS

6. Results of the April 22, 2024 DRB Panel A meeting
7. Recent City Council Action Minutes

Chair Barrett asked if City Council had discussed the DRB's previous Home Depot decision.

Kimberly Rybold, Senior Planner, replied that Home Depot had its appeal hearing on May 17, 2024 and City Council had voted to uphold the DRB's decision.

John Andrews asked what the next steps were regarding the Home Depot decision.

Stephanie Davidson, Assistant City Attorney, responded that the Appellant had filed a Notice of Intent to Appeal with the Oregon Land Use Board of Appeals (LUBA). Staff had to supplement the record for the Class II matter. There was a motion, and LUBA provided an order combining the two matters at the LUBA level, which was a positive; however, it was an ongoing appeal. She said she would be happy to provide updates as the process unfolded, noting City Council would certainly be updated and that it was active litigation. She advised Board members that it was a slower process than what DRB experienced.

STAFF COMMUNICATIONS

There were no comments.

ADJOURNMENT

The meeting adjourned at 7:26 p.m.