

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, JUNE 24, 2024

6:30 PM

Public Hearing:

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)

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 434**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING 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.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by the City of Wilsonville, Parks and Recreation – Owner/Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code; and

WHEREAS, the subject site is located at 7042 SW Brisband Street (formerly 7035 SW Boeckman Road) on Tax Lot 9000, Section 12DC (formerly Tax Lot 400, Section 12DD), Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon; and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated June 17, 2024; and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on June 24, 2024, at which time exhibits, together with findings and public testimony were entered into the public record; and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report; and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby incorporate as part of this resolution, as if fully set forth herein, the staff report, as adopted with any amendments and attached hereto, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

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

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 24th day of June, 2024, and filed with the Planning Administrative Assistant on _____. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

Rachelle Barrett, Chair - Panel B

Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



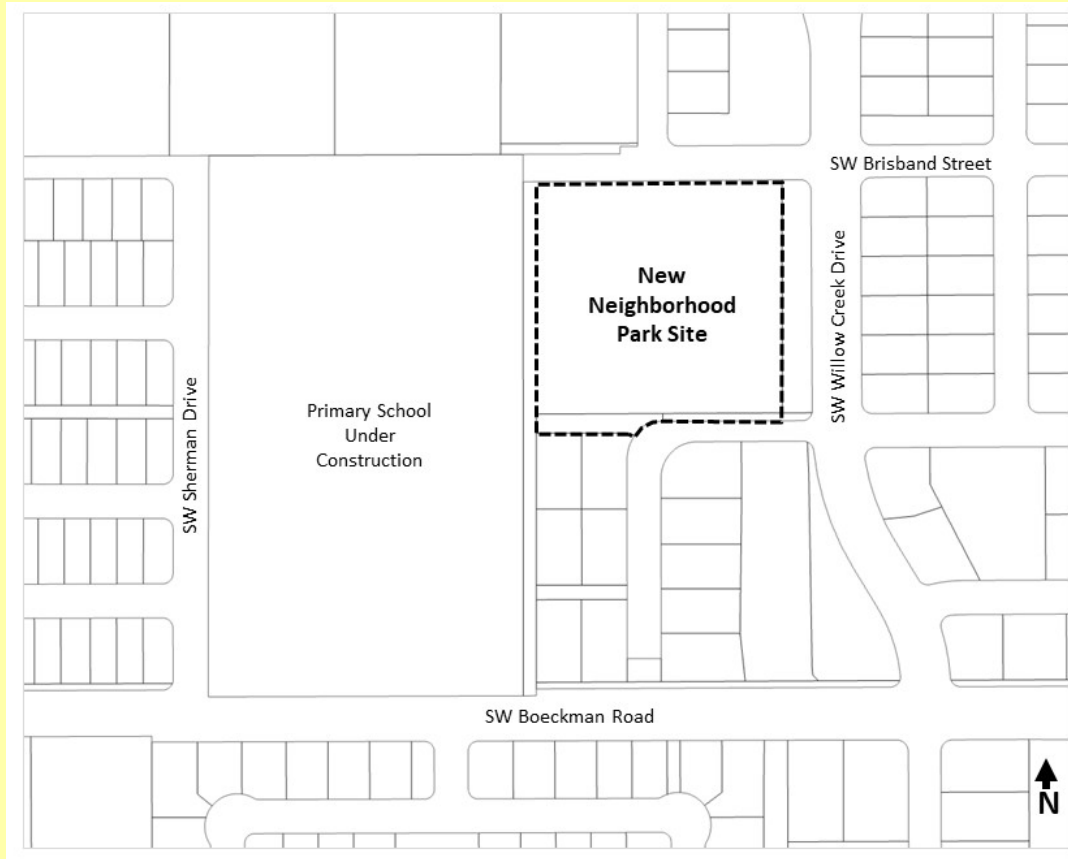
Exhibit A1
Staff Report
Wilsonville Planning Division
Frog Pond Neighborhood Park
Development Review Board Panel 'B'
Quasi-Judicial Public Hearing

Hearing Date:	June 24, 2024
Date of Report:	June 17, 2024
Application No.:	DB24-0004 Frog Pond Neighborhood Park
Request/Summary:	The requests before the Development Review Board include 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
Location:	7042 SW Brisband Street (formerly 7035 SW Boeckman Road). The property is specifically known as Tax Lot 9000, Section 12DC (formerly Tax Lot 400, Section 12DD), Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.
Owner/Applicant:	City of Wilsonville, Parks and Recreation (Contact: Kris Ammerman)
Authorized Representative:	3J Consulting, Inc. (Contact: Mercedes Serra)
Comprehensive Plan Designation:	Public
Zone Map Classification:	Public Facility (PF)
Staff Reviewers:	Cindy Luxhoj AICP, Associate Planner Amy Pepper, PE, Development Engineering Manager Kerry Rappold, Natural Resources Manager
Staff Recommendation:	<u>Approve with conditions</u> the requested Site Design Review of Parks and Open Space, Type C Tree Plan, Class 3 Sign Permit, Abbreviated SROZ Map Verification, and Abbreviated SRIR Review.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.136	Public Facility (PF) Zone
Sections 4.139 through 4.139.11	Significant Resource Overlay Zone (SROZ)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Section 4.199 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan	
Frog Pond West Master Plan	

Vicinity Map



Background:

In July 2017, the City of Wilsonville adopted the Frog Pond West Master Plan for the subject property and surrounding area to guide development and implement the vision of previous planning efforts. The Frog Pond West Master Plan includes details on land use (including residential types and unit count ranges), location of other uses such as schools, residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs.

The new neighborhood park site as identified as a "future school site" and "land banked" (future park site) in the Frog Pond West Master Plan. In 2019, as part of the Frog Pond Meadows subdivision annexation and Zone Map amendment (Ordinance Nos. 832 and 833), the future park property was annexed into the City and zoned PF (Public Facility) consistent with the Frog Pond West Master Plan. In 2022, as part of land use review for the new primary school proposed by the West Linn-Wilsonville School District on adjacent property to the west, the Stage 1 Preliminary Plan and Stage 2 Final Plan for the new primary school in Frog Pond (Case File No. DB22-0012) included discussion of the park. In 2023, the City purchased the property from the District for development of the proposed park.

The new 2.93-acre neighborhood park is proposed to include a picnic shelter, a playground for young children, an adult fitness area, a small stage to accommodate community events, a central lawn area, and both paved and unpaved walking paths that weave through existing stands of trees, lawns, and meadows on the site. Landscaping, lighting, and site furnishings also are included in the park design, as well as completion of the right-of-way improvements on the SW Brisband Street frontage along the park's north boundary.

Application Summary:

Site Design Review of Parks and Open Space

The scope of the Site Design Review request includes review of the design of the new park, landscaping, and site furnishings, and the adjacent streetscape on the north side of the property for consistency with the Site Design Review standards and the Frog Pond West Master Plan. (See Request A)

Type C Tree Removal Plan

The Type C Tree Removal Plan reviews inventoried trees on the site, which are proposed for removal or retention, and a replacement/mitigation plan. (See Request B)

Class 3 Sign Permit

The Class 3 Sign Permit reviews the proposed monument sign on the north side of the site for consistency with the sign standards, as well as the Frog Pond West Master Plan and the adopted Citywide Signage and Wayfinding Plan. (See Request C)

Abbreviated SROZ Map Verification

The Abbreviated Significant Resource Overlay Zone (SROZ) Map Verification reviews the proposed park improvements for consistency with the Development Code requirements, specifically the SROZ Ordinance, including review and approval of a detailed site analysis by the City's Natural Resources Manager. (See Request D)

Abbreviated SRIR Review

This scope of this request includes review and approval by the City's Natural Resources Manager of a Significant Resource Impact Report (SRIR) for exempt development located within the SROZ and its associated 25-foot impact area. (See Request E)

Public Comments and Responses:

The City received one (1) public comment letter about the proposed project during the comment period (Exhibit D1). The comment expresses concerns about parking/traffic that could result from people outside Frog Pond West, who cannot access the park without a motor vehicle, using the facility, and noise that could result from community events that could occur at the proposed small

stage. This comment has been forwarded to the applicant so that they may respond during their presentation at the Development Review Board public hearing.

Discussion Points – Verifying Compliance with Standards:

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards. The ability of the proposed applications to meet these standards may be impacted by the Development Review Board’s consideration of discretionary review items as noted in the next section of this report.

Key Project in Frog Pond West Master Plan

A Neighborhood Park is one of five key projects identified in the Frog Pond West Master Plan, with preliminary designs, estimated costs and proposed funding strategies included in the document. The new neighborhood park proposed in the current application meets the stated intent in the Master Plan and is located on the previously “land banked” parcel identified as a potential site for a park. With connected paths, a shelter area, and a relationship between the adjacent community and the park, the proposed park will be a shared amenity for the neighborhood and also complies with the Frog Pond West Master Plan vision, principles, and intent.

Parking and Traffic Impacts

A Traffic Impact Analysis performed by the City’s consultant, DKS Associates, was not required for the current application. No parking is proposed and the park is designed to be used by residents in the surrounding Frog Pond West neighborhood who will walk or use other non-motorized means to access the facility. In the event people from outside the area choose to visit the park, on-street parking is available on both sides of SW Brisband Street on the north side of the park site, as well as in the adjacent neighborhood to the north.

Tree Removal and Preservation

There are 29 on-site and 20 off-site trees inventoried for the subject site, of which nine (9) on-site trees are proposed for removal. Most of the preserved trees are located either in a dense grove in the southwest part of the site or in the SROZ immediately to the east, with one (1) 40-inch DBH giant sequoia (Tree #3334), previously preserved with construction of the primary school to the west, located at the northwest corner of the site. One (1) of the inventoried trees is an Oregon white oak (Tree #5002), located just off-site in the SROZ to the east, which is planned for protection with site development. The applicant proposes planting nine (9) mitigation trees, seven (7) street trees, and 32 smaller restoration trees, for a total of 48 trees. Thus, the total number of trees planted will exceed the mitigation required.

Discussion Points – Discretionary Review:

The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There are no discretionary review requests to address as part of the proposed application.

Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The Staff Report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed application (DB24-0004) with the following conditions:

Planning Division Conditions:

Request A: Site Design Review of Parks and Open Space (SDR24-0002)

PDA 1.	General: Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding A2.
PDA 2.	Prior to Final Inspection of the Picnic Shelter or Park Use: All landscaping required and approved by the Development Review Board shall be installed prior to use of the proposed inventory storage area unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Development Review Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding A8.
PDA 3.	Ongoing: The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding A9.
PDA 4.	Ongoing: All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as

	originally approved by the DRB, unless altered as allowed by Wilsonville's Development Code. See Findings A10 and A11.
PDA 5.	<p>General: The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings. • All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10-inch to 12-inch spread. • Shrubs shall reach their designed size for screening within three (3) years of planting. • Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18-inch on center minimum. • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. • Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding A15.
PDA 6.	<p>General: All trees shall be balled and burlapped and conform in size and grade to "American Standards for Nursery Stock" current edition. See Finding A15.</p>
PDA 7.	<p>Ongoing: Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding A16.</p>
PDA 8.	<p>General: A note shall be added to the Landscape Plans (Sheet 2.00) in the construction plan set specifying that all landscape areas shall be watered by a fully automatic underground irrigation system. See Finding A16.</p>
PDA 9.	<p>Prior to Issuance of any Public Works Permits: The applicant/owner shall revise the street trees selected for SW Brisband Street to match the American linden (<i>Tilia americana</i>) trees established with the Morgan Farm subdivision and consistent with other developments with frontage on SW Brisband Street. See Finding A21.</p>

Request B: Type C Tree Plan (TPLN24-0002)

PDB 1.	<p>General: This approval for removal applies only to the nine (9) trees identified in the applicant's submitted Tree Maintenance and Protection Plan, see Exhibit B2. All</p>
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	other trees on the property shall be maintained unless removal is approved through separate application.
PDB 2.	<u>Prior to Grading Permit Issuance:</u> The applicant/owner shall submit an application for a Type C Tree Removal Permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant/owner shall provide the City’s Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant/owner shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff. See Finding B19.
PDB 3.	<u>Prior to Final Inspection of the Picnic Shelter or Park Use:</u> The applicant/owner shall install the required mitigation trees, as shown in the applicant’s plans (Exhibit B2) per Section 4.620 WC. See Finding B22.
PDB 4.	<u>General:</u> The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding B23.
PDB 5.	<u>Prior to Commencing Site Grading:</u> The applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding B25.

Request C: Class 3 Sign Permit (SIGN24-0007)

PDC 1.	<u>Ongoing:</u> Approved signs shall be installed in a manner substantially similar to the plans approved by the DRB and stamped approved by the Planning Division.
PDC 2.	<u>Prior to Sign Installation/Ongoing:</u> The applicant/owner of the property shall obtain all necessary building and electrical permits for the approved signs, prior to their installation, and shall ensure that the signs are maintained in a commonly-accepted, professional manner.
PDC 3.	<u>With Building Permit Submittal:</u> The applicant/owner shall submit a revised sign plan that is consistent with the design of other signs recently installed in City parks, as illustrated in Finding C11, which reflect modifications made for aesthetic and readability purposes to the design in the Citywide Signage and Wayfinding Plan. See Finding C11.
PDC 4.	<u>Ongoing:</u> The applicant/owner must confirm sight distance clearance for the freestanding sign with the Engineering Division prior to construction and installation. See Finding C14.
PDC 5.	<u>Ongoing:</u> The applicant/owner shall ensure that the approved sign is installed outside of all Public Utility Easements. See Finding C17.

Request D: Abbreviated SROZ Map Verification (SROZ24-0001)

No conditions for this request.

Request E: Abbreviated SRIR Review (SRIR24-0001)

No conditions for this request.

The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City’s Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

Engineering Division Conditions:

All Requests

PFA 1.	<u>Ongoing:</u> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1 and to specifics as found in the Frog Pond West Master Plan (July 17, 2017).
PFA 2.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall submit site plans to Engineering showing street improvements along SW Brisband Street including planter strip, street trees, sidewalk, and ADA ramps. Street improvements shall be constructed in accordance with the Public Works Standards.
PFA 3.	<u>Prior to the Issuance of the Public Works Permit:</u> The applicant shall obtain an NPDES 1200CN Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized.
PFA 4.	<u>Prior to final completeness of the Public Works Permit:</u> The applicant shall submit documentation that the existing on-site septic system was properly decommissioned per the requirements of OAR 340-071-0185.

Natural Resources Division Conditions:

All Requests

NR 1.	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed development.
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Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB24-0004. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

- A1. Staff Report and Findings (*this document*)
- A2. Staff's Presentation Slides for Public Hearing (*to be presented at Public Hearing*)

Materials from Applicant

- B1. **Applicant's Narrative and Materials** – *Available Under Separate Cover*
 - Signed Application Form
 - Narrative
- B2. **Applicant's Drawings and Plans** – *Available Under Separate Cover*

Development Review Team Correspondence

- C1. Public Works Plan Submittal and Other Engineering Requirements
- C2. Natural Resources Conditions

Other Correspondence/Public Comments

- D1. J. Solomon Comment Dated June 11, 2024

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on April 29, 2024. Staff conducted a completeness review within the statutorily allowed 30-day review period and deemed the application complete on May 9, 2024. The City must render a final decision for the request, including any appeals, by September 6, 2024.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North	RN	Residential (Frog Pond Estates, Frog Pond Ridge)
East	RN	Residential (Stafford Meadows, Frog Pond Meadows)
South	RN	Residential (Stafford Meadows)
West	PF	Public Facility (Primary School – under construction)

3. Previous City Planning Approvals:
 DB18-0060 and DB18-0061 Frog Pond Meadows Subdivision (Annexation, Zone Map Amendment)
 DB22-0012 Primary School in Frog Pond (Stage 1 Preliminary Plan, Stage 2 Final Plan)
4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application

Section 4.009

The application has the signature of the applicant/owner, City of Wilsonville, Parks and Recreation, and has been submitted by an authorized representative, Mercedes Serra of 3J Consulting, Inc.

Pre-Application Conference

Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on November 2, 2023 (PA23-0015), in accordance with this subsection.

Lien Payment before Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

Request A: Site Design Review of Parks and Open Space (SDR24-0002)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Site Design Review

Open Space Requirements Objectives and Design
Subsection 4.400 (.01), 4.400 (.02) and Subsection 4.421 (.03)

A1. The new neighborhood park has been professionally designed by a credentialed professional and meets applicable landscape and site design standards, which ensures the proposed park design meets the standards and objectives of Site Design Review. Specifically:

- The proposed shelter, picnic tables, benches, and other site furnishings are typical of park areas, are appropriate for the site function, and are well designed.
- Landscaping is proposed throughout the site and is 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 park allows for landscaping requirements to be met while also supporting recreational use of the site, and creates a visual environment that is compatible with the surrounding residential neighborhood and primary school to the west.
- The park will provide recreation for nearby residents in the Frog Pond West neighborhood, thus sustaining the comfort, health and tranquility of the community.
- The proposal will not impact the availability or orderly, efficient and economic provision of public services and facilities, which are available and adequate for the subject property.

Development Review Board Jurisdiction
Section 4.420

A2. A Condition of Approval will ensure construction, site development, and landscaping are carried out in substantial accordance with the DRB-approved plans, drawings, sketches, and other documents. No building permits will be granted prior to Development Review Board approval. No variances are requested from site development requirements.

Design Standards
Subsection 4.421 (.01) A. through G.

A3. The applicant has provided sufficient information demonstrating compliance with the standards of this subsection as follows:

- **Pursuant to Standard A** (Preservation of Landscape), As described by the applicant, the park design preserves, incorporates and enhances existing landscaping, where appropriate, and minimizes tree removal.
- **Pursuant to Standard B** (Relation of Proposed Buildings to Environment), the proposed shelter, picnic tables, benches and other site furnishings are located appropriately throughout the site, taking advantage of the natural environment where possible.
- **Pursuant to Standard C** (Drives, Parking, and Circulation), since users are expected to primarily walk and bike from the surrounding neighborhood to the park, special consideration and attention is given to access points from adjacent streets, pedestrian connections, and pathways, and separating pedestrian activity from vehicular traffic for safety and practicability.
- **Pursuant to Standard D** (Surface Water Drainage), there is no indication this project will have a negative impact on surface water drainage.
- **Pursuant to Standard E** (Utility Service), no above ground utility installations are proposed and no changes to utility service are included in the current application.
- **Pursuant to Standard F** (Advertising Features), no advertising features are proposed, and the monument sign proposed as part of the current application is reviewed as a separate request (see Request C).
- **Pursuant to Standard G** (Special Features), no special features are proposed for the site.

Conditions of Approval

Subsection 4.421 (.05)

A4. The Development Review Board may attach certain development or use conditions in granting an approval that are determined necessary to insure the proper and efficient functioning of the development, consistent with the intent of the Comprehensive Plan, allowed densities and the requirements of the Code. In making this determination of compliance and attaching conditions, the DRB is required, however, to consider the effects of this action on the availability and cost of needed housing. No conditions of approval in addition to those already included in this staff report are recommended to ensure the proper and efficient functioning of the proposed park improvements.

Color or Materials Requirements

Subsection 4.421 (.06)

A5. As shown in the applicant's plans, the structures proposed throughout the park including the shelter, benches, picnic tables, play equipment, and other site furnishings will use a variety of materials such as natural, painted, and thermally modified wood, and powder-coated metal in natural colors (dark green, blue, brown, black). The proposed materials will reflect the existing surrounding environment while also creating a unique neighborhood feature.

Site Design Review Submission Requirements

Submission Requirements Section 4.440

- A6.** The applicant has submitted materials in addition to requirements of Section 4.035, as applicable.

Time Limit on Site Design Review Approvals

Time Limit on Approval Section 4.442

- A7.** The current applications will expire two (2) years after approval, unless a building permit has been issued and substantial development has taken place or an extension is approved in accordance with this section.

Installation of Landscaping

Landscape Installation or Bonding Subsection 4.450 (.01)

- A8.** A Condition of Approval ensures all landscaping shall be installed prior to final inspection of the picnic shelter or park use, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the 6-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.

Approved Landscape Plan Subsection 4.450 (.02)

- A9.** Action by the City approving a proposed landscape plan is binding on the applicant. A Condition of Approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director through a Class 1 or Class 2 Administrative Review or Development Review Board and provide ongoing assurance the criterion is met.

Landscape Maintenance and Watering
Subsection 4.450 (.03)

A10. A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping
Subsection 4.450 (.04)

A11. A Condition of Approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

Natural Features and Other Resources

Protection
Section 4.171

A12. The proposed design of the site provides for protection of natural features and other resources consistent with the purpose and objectives of Site Design Review.

Landscaping

Landscape Standards Code Compliance
Subsection 4.176 (.02) B.

A13. The applicant requests no waivers or variances to landscape standards. Thus, all landscaping and screening must comply with standards of this section.

Intent and Required Materials
Subsections 4.176 (.02) C. through I.

A14. The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas.

Quality and Size of Plant Material
Subsection 4.176 (.06)

A15. The quality of the plant materials must meet American Association of Nurserymen (AAN) standards as required by this subsection. Mitigation trees as shown on the applicant's plans are specified at two (2)-inch caliper or greater than six (6) feet for evergreen trees. Some shrubs are specified on the landscape plans as one (1) gallon, rather than two (2) gallon or greater in size. Ground cover is specified as greater than 4 inches. Turf or lawn is used for a minimal amount of the proposed public landscape area. Conditions of Approval ensure the requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting.

Landscape Installation and Maintenance
Subsection 4.176 (.07)

A16. Installation and maintenance standards are or will be met by Conditions of Approval as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one (1) growing season, unless appropriate substitute species are approved by the City.
- The applicant's planting schedule (Sheet L5.00 in Exhibit B2) in Note 1 states that planting will not occur "until irrigation system is installed, tested, and approved", however, the notes do not specifically state that the required irrigation system will be installed. A condition of approval ensures that this requirement is met.

Landscape Plans
Subsection 4.176 (.09)

A17. The applicant's submitted landscape plans provide the required information.

Completion of Landscaping
Subsection 4.176 (.10)

A18. The applicant has not requested to defer installation of plant materials.

Public Lighting Plan

Lighting of Local Streets
Local Street, page 78 and Figure 42 of Frog Pond West Master Plan

A19. The applicant's plans (Exhibit B2) show one (1) street light in the SW Brisband Street right-of-way on the north side of the site. This light was installed by the West Linn-Wilsonville School District as part of the street frontage improvements associated with the new primary school development on property west of the proposed neighborhood park. The light meets the requirements for lighting on local streets in the Frog Pond West Master Plan. No other street lighting is proposed to be installed as part of the current project.

Lighting of Pathways
Pedestrian Connections, Trailheads and Paths, page 80 and Figure 42 of Frog Pond West Master Plan

A20. The Frog Pond West Master Plan requires a Public Lighting Plan and recommended light plan hierarchy to define various travel routes within Frog Pond. Pedestrian connections, trailheads, and paths are required to be uniformly illuminated and shall follow the Public Works Standards for Shared Use Path Lighting. As the application for the new park, the City does not propose to include any lighting of pathways to minimize light pollution and discourage use of the trail after dark. However, lighting is proposed for safety reasons on the portion of pathway at the southwest corner of the park where it connects with pathways on the primary school site.

Street Tree Plan

Tree Lists for Primary Streets, Neighborhood Streets, and Pedestrian Connections
Pages 81-83 and Figure 43 of Frog Pond West Master Plan

A21. The Street Tree Plan provides guidance tied to the street typology for Frog Pond West, with an overall intent to beautify and unify the neighborhood while providing a variety of tree species. The Frog Pond West Master Plan intends to achieve continuity through consistent tree types and consistent spacing along both sides of a street.

The proposed street tree species does not comply with the Frog Pond West Master Plan and is not consistent with the species established in Morgan Farm, which is American linden (*Tilia americana*). A condition of approval ensures that the requirement will be met.

Street Name	Street Type	Proposed Species	Compliance Notes
SW Brisband Street	Neighborhood	Bigleaf Linden (<i>Tilia cordata</i>)	Not on approved list; inconsistent with species established in Morgan Farm – American linden (<i>Tilia americana</i>); condition of approval ensures compliance

Frog Pond West – Gateways, Monuments and Signage

Unifying Frog Pond Name, Gateway Signs, Prohibition on Individual Subdivision Signs
Page 92 of the Frog Pond West Master Plan

A22. There are no neighborhood gateways planned within the area of the subject site; therefore, no monument signs or other neighborhood gateway signs are permitted.

Unifying Frog Pond Name, Sign Caps on Street Signs
Page 92 of the Frog Pond West Master Plan

A23. No street signs will be installed as part of the current project; therefore, this standard does not apply.

Request B: Type C Tree Removal Plan (TPLN24-0002)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Type C Tree Removal

Review Authority When Site Plan Review Involved
Subsection 4.610.00 (.03) B.

B1. The requested tree removal is connected to Site Plan Review by the DRB and, thus, is under their authority.

Reasonable Timeframe for Removal
Subsection 4.610.00 (.06) B.

B2. It is understood that tree removal will be completed by the time the applicant completes construction of the park and other site improvements, which is a reasonable time frame for tree removal.

Security for Permit Compliance
Subsection 4.610.00 (.06) C.

B3. As allowed by Subsection 1, the City is waiving the bonding requirement as the application is required to comply with WC 4.264 (.01).

General Standards for Tree Removal, Relocation or Replacement

Preservation and Conservation
Subsection 4.610.10 (.01)

B4. Proposed land clearing is limited to designated street rights-of-way and areas necessary for construction of the proposed neighborhood park and associated facilities. The park is designed and constructed, as much as possible, to blend into the natural areas on the site.

Per the arborist report (Exhibit B1) and Tree Protection and Removal Plan (Sheet L0.02 in Exhibit B2), 49 existing trees were inventoried, including 29 on-site trees and 20 off-site trees representing 16 different species. Fourteen (14) of the on-site trees are Douglas-fir, and 12 of the off-site trees are black cottonwood. Most of the preserved trees are located either in a dense grove in the southwest part of the site or in the SROZ immediately to the east, with one (1) 40-inch DBH giant sequoia (Tree #3334), previously preserved with construction of the primary school to the west, located at the northwest corner of the site. One (1) of the inventoried trees is an Oregon white oak (Tree #5002), located just off-site in the SROZ to the east, which is planned for protection with site development.

Nine (9) on-site trees and none of the off-site trees are proposed for removal; thus 40 of the 49 inventoried trees will be retained and protected. As shown on the plans (Sheet L0.02 in Exhibit B2), and described in the arborist report, trees proposed for removal include one (1)

Oregon ash, two (2) princess trees, one (2) Norway maple, one (1) multi-stemmed pear, one (1) sweetgum, and three (3) Lombardy poplars. The trees are generally in fair to poor condition or considered invasive species.

Development Alternatives

Subsection 4.610.10 (.01) C.

B5. The Frog Pond West Master Plan provides clear direction for street connections, parks and open space, and preservation of the SROZ. Development alternatives have been given due consideration in design of the proposed park, and preservation and conservation of 40 out of 49 on- and off-site trees is consistent with this intent. The applicant proposes tree protection fencing around all protected trees in order to ensure their preservation during construction. Conditions of Approval ensure this criterion is met.

Land Clearing Limited to Right-of-Way and Areas Necessary for Construction

Subsection 4.610.10 (.01) D.

B6. The proposed clearing is necessary for pathways, park facilities, and related improvements.

Residential Development to Blend into Natural Setting

Subsection 4.610.10 (.01) E.

B7. While the current application does not include residential development, new tree plantings, preservation of existing on-site trees and those within the SROZ, and new native ground cover allow the development to blend with the natural elements of the property.

Compliance with All Applicable Statutes and Ordinances

Subsection 4.610.10 (.01) F.

B8. As found elsewhere in this report, the City is applying the applicable standards.

Tree Relocation and Replacement, Protection of Preserved Trees

Subsection 4.610.10 (.01) G.

B9. Reviews of tree removal, replacements, and protection is in accordance with the relevant sections of the Code.

Tree Removal Limitations

Subsection 4.610.10 (.01) H.

B10. The proposed tree removal is due to health or necessary for construction.

Additional Standards for Type C Permits

Tree Survey and Tree Maintenance and Protection Plan to be Submitted

Subsection 4.610.10 (.01) I. 1.-2.

B11. The applicant submitted the required Tree Maintenance and Protection Plan and Tree Survey (see Exhibit B2).

Utilities Locations to Avoid Adverse Environmental Consequences
Subsection 4.610.10 (.01) I. 3.

B12. The submitted plans (Exhibit B2) show utilities in the SW Brisband Street right-of-way on the north side of the site, lighting at the southwest corner of the site, and an underground irrigation system, with placement designed to minimize impact on the environment to the extent feasible given existing conditions. The City will further review utility placement in relation to the SROZ and preserved trees during review of construction drawings.

Type C Tree Plan Review

Tree Removal Related to Site Development at Type C Permit
Subsection 4.610.40 (.01)

B13. Review of the proposed Type C Tree Plan is concurrent with other site development applications.

Standards and Criteria of Chapter 4 Applicable
Subsection 4.610.40 (.01)

B14. As found elsewhere in this report, the City's review applies applicable standards.

Application of Tree Removal Standards Cannot Result in Loss of Development Density
Subsection 4.610.40 (.01)

B15. As the current application is for a new neighborhood park and does not involve residential development, this standard does not apply.

Development Landscape Plan and Type C Tree Plan to be Submitted Together
Subsection 4.610.40 (.01)

B16. The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

Type C Tree Plan Review with Stage 2 Final Plan
Subsection 4.610.40 (.01)

B17. Review of the proposed Type C Tree Plan is concurrent with the site development application. See Request A.

Required Mitigation May Be Used to Meet Landscaping Requirements
Subsection 4.610.40 (.01)

B18. The applicant proposes counting the proposed street trees and other landscaping trees as mitigation for removal.

No Tree Removal Before Decision Final
Subsection 4.610.40 (.01)

B19. Review of the proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests.

Tree Maintenance and Protection Plan Submission Requirements
Section 4.610.40 (.02)

B20. The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

Tree Relocation, Mitigation, or Replacement

Tree Replacement Required
Subsection 4.620.00 (.01)

B21. Consistent with the tree replacement requirements for Type C Tree Removal Permits established by this subsection, the applicant proposes to plant mitigation trees consistent with Subsection 4.620.00 (.06).

Replacement Requirement: 1 for 1, 2-inch Caliper
Subsection 4.620.00 (.02)

B22. The applicant proposes planting 41 mitigation, right-of-way, and restoration trees. Of these, nine (9) are two (2)-inch caliper deciduous or six to eight (6-8)-foot coniferous trees, and 32 are smaller restoration size trees (1/2-inch caliper or four to six (4-6)-foot height). An additional seven (7) are salvaged, previously planted street trees that will be replanted in the SW Brisband Street right-of-way. Thus, the total number of trees planted will exceed the mitigation required by this subsection.

Replacement Plan and Tree Stock Requirements
Subsections 4.620.00 (.03) and (.04)

B23. Review of the Tree Replacement and Mitigation Plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

Replacement Trees, City Tree Fund
Subsection 4.620.00 (.05)

B24. As shown on the Landscape Plans (Exhibit B2), some of the proposed replacement trees consist of street trees. Because the applicant is planting trees more than the required one-to-one mitigation ratio required by this subsection, payment into the City's Tree Fund as mitigation is not required.

Protection of Preserved Trees

Tree Protection During Construction
Section 4.620.10

- B25.** A Condition of Approval ensures tree protection measures, including fencing, are in place consistent with Public Works Standards Detail Drawing RD-1230.

Request C: Class 3 Sign Permit (SIGN24-007)

As described in the Findings below, the request meets the applicable criteria or will by conditions of approval.

Sign Review and Submission

Class 2 Sign Permits Reviewed by DRB
Subsection 4.031 (.01) M. and Subsection 4.156.02 (.03)

- C1.** The application qualifies as a Class 3 Sign Permit and the Development Review Board is reviewing the application.

What Requires Class 3 Sign Permit Review
Subsection 4.156.02 (.06)

- C2.** The request involves a single user in a development subject to Site Design Review by the Development Review Board thus requiring a Class 3 Sign Permit.

Class 3 Sign Permit Submission Requirements
 Subsection 4.156.02 (.06) A.

C3. As indicated in the table below the applicant has satisfied the submission requirements for Class 3 sign permits, which includes the submission requirements for Class 2 sign permits:

Requirement	Submitted	Waiver Granted		Condition of Approval	Not Applicable	Additional findings/notes
		Info Already Available to City	Info Not Necessary for Review			
Completed Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sign Drawings or Descriptions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Documentation of Tenant Spaces Used in Calculating Max. Sign Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Drawings of Sign Placement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Information on Any Requested Waivers or Variances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Class 3 Sign Permit Review Criteria

Class 2 Review Criteria-Generally and Site Design Review
 Subsection 4.156.02 (.05) E. and F.

C4. As indicated in the table above and Findings below, the proposed sign will either satisfy the sign regulations for the applicable zoning district and the relevant Site Design Review criteria, or the applicant has been granted a waiver under Subsection 4.156.02 (.10).

Class 2 Review Criteria-Compatibility with Zone
 Subsection 4.156.02 (.05) F. 1.

C5. The proposed new monument sign is consistent with the adopted Citywide Signage and Wayfinding Plan. The sign is typical of and compatible with development within the PF zone, and includes design, colors, and materials reflecting a community destination.

Class 2 Review Criteria-Nuisance and Impact on Surrounding Properties
Subsection 4.156.02 (.05) F. 2.

- C6. There is no evidence and no testimony has been received that the monument sign would create a nuisance or negatively impact the value of surrounding properties.

Class 2 Review Criteria-Items for Special Attention
Subsection 4.156.02 (.05) F. 3.

- C7. The proposed monument sign is appropriately placed and does not conflict with trees or other landscaping on the site.

Sign Measurement

Measurement of Cabinet Signs
Subsection 4.156.03 (.01) A.

- C8. The proposed monument sign has been measured consistent with the method defined in this subsection by using one shape drawn around the cabinet, frame, or background. See Findings C10 and C11 below for proposed sign dimensions.

Freestanding and Ground Mounted Signs in the PDC, TC, PDI, and PF Zones

General Allowance
Subsection 4.156.08 (.01) A.

- C9. The subject site has frontage on SW Brisband Street of sufficient length to be sign eligible and the applicant is proposing one (1) sign, on this frontage, located between two access pathways on the north site of the site.

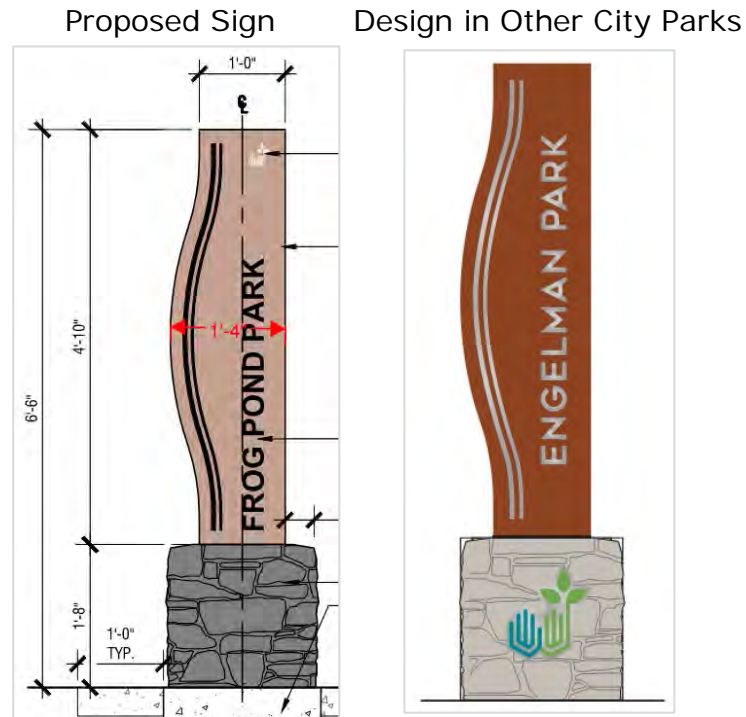
Allowed Height
Subsection 4.156.08 (.01) B.

- C10. The allowed height for the sign is 20 feet in the PF zone. The proposed six and one-half (6.5)-foot-tall freestanding sign (see Sheet L6.40 in Exhibit B2) thus meets the requirements of this subsection.

Allowed Area
Subsection 4.156.08 (.01) C.

- C11. For PF zoned properties adjacent to residential zoned land, the maximum allowed area is 32 square feet. As shown on the applicant's plans (Sheet L6.40 in Exhibit B2) the sign cabinet is a rectangle measuring 1.33 feet by 4.83 feet, for an area of 6.42 square feet, as shown in the illustration below (see Sheet L6.40 in Exhibit B2). The sign design, although consistent with the Final Citywide Signage and Wayfinding Plan (March 2019), is not consistent with the design of other signs recently installed in City parks, which reflect modifications made for aesthetic and readability purposes. The modified sign, as shown below, centers the park name in the cabinet and includes a one (1)-square-foot logo on the base, resulting in a total

area of 7.42 square feet. A condition of approval ensures that the park sign will be consistent with the design of other City park signs reflecting the Citywide Signage and Wayfinding Plan.



Pole or Sign Support Placement Vertical

Subsection 4.156.08 (.01) D.

C12. The applicant proposes constructing the freestanding sign and its foundation in a full vertical position.

Extending Over Right-of-Way, Parking, and Maneuvering Areas

Subsection 4.156.08 (.01) E.

C13. The subject freestanding sign will not extend into or above right-of-way, parking, and maneuvering areas.

Sight Distance Clearance

Subsection 4.156.08 (.01) F.

C14. While no site distance clearance issues are anticipated, the applicant will need to confirm this with the Engineering Division prior to construction.

Architectural Design of Freestanding Signs
Subsection 4.156.08 (.01) G.

C15. The sign features a stone veneer base, steel panel with aluminum cut motifs and letters, and an aluminum painted logo. The sign reflects the design guidelines laid out in the Citywide Signage and Wayfinding Plan.

Width Not Greater Than Height for Signs Over 8 Feet
Subsection 4.156.08 (.01) H.

C16. The proposed freestanding sign does not exceed eight (8) feet in height, therefore, the requirements of this subsection do not apply.

Sign Distance from Property Line
Subsection 4.156.08 (.01) J.

C17. The setback requirements intend for freestanding signs to be located no further than 15 feet from the property line and no closer than two feet from a sidewalk or other hard surface in the public right-of-way. The applicant's plans (Sheet L1.01 in Exhibit B2) show the freestanding sign located approximately two and one-half (2.5) feet from the north property line and the public sidewalk in SW Brisband Street, consistent with the requirement.

Address Required on Sign
Subsection 4.156.08 (.01) K.

C18. The proposed sign will be fronting SW Brisband Street. However, the proposed sign is not associated with a building, therefore, the address is not required.

Site Design Review

Excessive Uniformity, Inappropriate Design
Subsection 4.400 (.01)

C19. With its professional design specific to the City's design brand, the monument sign will not result in excessive uniformity and inappropriateness or poor design. The sign will be placed in an appropriate location on the SW Brisband Street frontage indicating that the proper attention has been paid to site development.

Purpose and Objectives
Subsection 4.400 (.02) and Subsection 4.421 (.03)

C20. The monument sign is scaled and designed appropriately related to the subject site and the appropriate amount of attention has been given to visual appearance.

Design Standards
Subsection 4.421 (.01)

C21. There is no indication that the size, location, design, color, texture, lighting or material of the proposed monument sign would detract from the design of the surrounding properties.

Design Standards and Signs

Subsection 4.421 (.02)

C22. This review applies design standards to exterior signs, as required.

Conditions of Approval to Insure Proper and Efficient Function

Subsection 4.421 (.05)

C23. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development in relation to the sign.

Color or Materials Requirements

Subsection 4.421 (.06)

C24. The proposed coloring is appropriate for the sign and no additional requirements are necessary.

Site Design Review-Procedures and Submittal Requirements

Section 4.440

C25. The applicant has submitted a sign plan as required by this section.

Request D: Abbreviated SROZ Map Verification (SROZ24-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

SROZ Map Verification

Requirements and Process

Section 4.139.05

D1. Consistent with the requirements of this section, a verification of the SROZ boundary is required as the applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with the requirements of this section, which the City's Natural Resources Manager reviewed and approved.

Request E: Abbreviated SRIR Review (SRIR24-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Findings of Fact:

1. Pursuant to Section 4.139.05 (Significant Resource Overlay Zone Map Verification), the map verification requirements shall be met at the time an applicant requests a land use

decision. The applicant conducted a detailed site analysis consistent with Code requirements, which the Natural Resources Manager reviewed and approved.

2. The stream, known as Willow Creek, and its associated riparian corridor comprises the upper reach of the West fork of Meridian Creek (Site ID Number 2.15S). The riparian corridor includes a locally significant wetland on the west side of the creek.
3. Except for a scattering of willow and pine trees, the riparian corridor is primarily comprised of non-native plant species, such as Himalayan blackberry, reed canary grass, and pasture grasses.
4. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ.
5. Pursuant to the City's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
6. The applicant's submittal delineated specific resource boundaries and analyzed the impacts of exempt development within the SROZ. The applicant's submittal contained the required information, including an analysis and development recommendations for mitigating impacts.

Exempt Uses in SROZ

Use and Activities Exempt from These Regulations Subsection 4.118 (.03) A. and 4.139.04

- E1.** The applicant is requesting approval of proposed exempt development that will encroach into the Significant Resource Overlay Zone and its associated Impact Area. The impacts to the SROZ are necessary for site improvements.

Proposed exempt development in the SROZ and its associated Impact Area include the following:

1. A pervious aggregate paving pedestrian path, associated grading, and columnar basalt seating.

4.139.04 (.08) Uses and Activities Exempt from These Regulations. Proposed exempt development in the SROZ and its associated Impact Area comply with the following exemptions: “The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability.”

Finding: The proposed aggregate path and seating area will provide access to the eastern edge of the park and not negatively impact the adjacent wetland and riparian corridor.

Abbreviated SRIR Requirements

Site Development Permit Application Requirement

Subsection 4.139.06 (.01) A.

- E2.** The applicant has submitted a land use application in conformance with the Planning and Land Development Ordinance.

Outline of Existing Features

Subsection 4.139.06 (.01) B.

- E3.** Preliminary plans have been submitted which include all of the proposed development.

Location of Wetlands or Water Bodies

Subsection 4.139.06 (.01) C.

- E4.** The submittal includes a depiction of the locally significant wetland delineated by Pacific Habitat Services and the location of the stream channel.

Tree Inventory Requirement

Subsection 4.139.06 (.01) D.

- E5.** The preliminary plans include a tree inventory.

Location of SROZ and Impact Area Boundaries

Subsection 4.139.06 (.01) E.

- E6.** The SROZ and Impact Area boundaries have been identified on the preliminary plans.

Slope Cross-Section Measurements

Subsection 4.139.06 (.01) F.

- E7.** A slope analysis was not required.

Metro Title 3 Boundary Delineation

Subsection 4.139.06 (.01) G.

- E8.** The submittal includes a delineation of the Metro Title 3 Water Quality Resource Area boundary.

Photos of Site Conditions

Subsection 4.139.06 (.01) H.

E9. Site photographs have been included with other related submittals, such as the new primary school.

Narrative Describing Impacts

Subsection 4.139.06 (.01) I.

E10. The proposed development impacts have been documented in the applicant's submittal. Mitigation includes the removal of invasive plant species and the installation of native plant species, such as Pacific ninebark, Douglas spirea, and red twig dogwood.

Exhibit C1
Public Works Plan Submittal Requirements
and Other Engineering Requirements

1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

Coverage (<i>Aggregate, accept where noted</i>)	Limit
<u>Commercial General Liability:</u>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<u>Business Automobile Liability Insurance:</u>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<u>Workers Compensation Insurance</u>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
 - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
 - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
 - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.



- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
 - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
 - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
 - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
 - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
 - i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
 - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
 - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
 - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
 - b. City of Wilsonville construction note sheet
 - c. General construction note sheet
 - d. Existing conditions plan.
 - e. Erosion control and tree protection plan.
 - f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
 - g. Grading plan, with 1-foot contours.
 - h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
 - i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
 - j. Street plans.
 - k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
 - l. Stormwater LIDA facilities (Low Impact Development): provide plan and profile views of all LIDA facilities.
 - m. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.

- n. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
 - o. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
 - p. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.
 - q. Composite franchise utility plan.
 - r. City of Wilsonville detail drawings.
 - s. Illumination plan.
 - t. Striping and signage plan.
 - u. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
 8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
 9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
 10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
 11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
 12. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.

13. Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
14. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
15. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
16. Streetlights shall be in compliance with City dark sky, LED, and PGE Option C requirements.
17. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
18. No surcharging of sanitary or storm water manholes is allowed.
19. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
20. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
21. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
22. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
23. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

24. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
25. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
26. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
27. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.
28. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
29. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
30. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
31. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).

32. Mylar Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.

Exhibit C2
Natural Resources Findings & Requirements

Findings for SROZ24-0001 and SRIR24-0001

(if SRIR include related findings here)

Significant Resource Overlay Zone

1. The applicant shall submit the SROZ mapping as ARCGIS shape files or a compatible format.
2. All landscaping, including herbicides used to eradicate invasive plant species and existing vegetation, in the SROZ shall be reviewed and approved by the Natural Resources Manager. Native plants are required for landscaping or site restoration in the SROZ.
3. Prior to any site grading or ground disturbance, the applicant is required to delineate the boundary of the SROZ. Six-foot (6') tall cyclone fences with metal posts pounded into the ground at 6'-8' centers shall be used to protect the significant natural resource area where development encroaches into the 25-foot Impact Area.
4. Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.



From: [JEFF SOLOMON](#)
To: [Cindy Luxhoj](#)
Cc: [Carolyn Solomon](#)
Subject: Frog Pond West 2.93-acre Neighborhood Park Comments/Concerns (Development Review Board Members)
Date: Tuesday, June 11, 2024 3:59:27 PM

Attention: Ms. Cindy Luxhoj AICP and Development Review Board Members

Dear Ms. Luxhoj:

Thank you for considering our comments and concerns regarding the new Frog Pond West Neighborhood Park. We appreciate it.

My wife Carolyn and I live directly across from the future park located at 27790 SW Willow Creek Drive. We currently look out at a beautiful pastoral meadow setting with graceful, mature trees for a peaceful feeling of being in the country. We hope and trust that the plan for the new park is to keep this natural, tranquil feel when constructing the new neighborhood park.

When we moved into our new home a little over 2 years ago, we understood that there was a good possibility that a neighborhood park would be going in across the street from us, and it was and still is an exciting proposition. How great it will be for us to be able to walk across the street and be able to go on a morning walk, have a picnic or throw the Frisbee with the grandkids!

Carolyn and I absolutely love our neighborhood. It is quiet and peaceful, yet there is good energy with many different people and families of all ages and backgrounds walking their dogs, going for jogs, taking walks, bike riding, etc. throughout Frog Pond West. Things are really, really good right now.

Since we purchased this property we were told that a **neighborhood park** might be developed. Additionally, the City of Wilsonville's letter to the community states that this is going to be a **neighborhood park**. We trust that it will be developed and treated as such. To us this means that the park will predominantly be geared and developed towards accommodating the neighbors that live in Frog Pond West. With that in mind our 2 key comments are:

1. **Parking/Traffic:** Please consider the parking situation carefully. We certainly do not want a lot of people from outside of Frog Pond West driving into our small neighborhood and taking up valuable parking space, creating more traffic and noise pollution. We have limited parking space in front of our home and it would create a problem for our family, friends and service people to park when visiting us. I'm sure the 5 adjoining neighbors on our street facing the park would agree.
2. **Noise:** Another concern we have is noise, and we are not talking about the joyful sound of children laughing and playing in a park. We love that. What we are talking about is a plan for a "small stage to accommodate community events". This seems excessive, out of place and inappropriate for a small neighborhood park. This in our opinion is going to invite too much unwanted, reverberated noise echoing through this small neighborhood, as well as



bringing in too many people into the size and scope of this type of neighborhood park.

We understand there will be different opinions on how the park will be developed and used. Carolyn and I just ask you to please imagine yourself living in this neighborhood and the impact of how higher traffic, less parking, more congestion and noise would affect your living situation if you lived here. This new park can be incredible or it can be a big "takeaway" for us and our neighbors. We are hoping for the incredible park!

Thank you very much for listening to our concerns.

Best regards,

Jeff Solomon
27790 SW Willow Creek Drive
Wilsonville, OR 97070
503-347-4339

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