

DEVELOPMENT REVIEW BOARD MEETING
AUGUST 14, 2023
6:30 PM

Public Hearing:

2. **Resolution No. 419. Edith Green Park.** The applicant is requesting approval of a Stage 2 Final Plan and Site Design Review for updates to Edith Green park located off of Country View Lane in Charbonneau.

Case Files:

DB23-0001 Edith Green Park

- Stage 2 Final Plan (STG223-0001)
- Site Design Review (SDR23-0001)

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 419**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A STAGE 2 FINAL PLAN AND SITE DESIGN REVIEW FOR EDITH GREEN PARK.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by Jim Meierotto with Charbonneau Country Club, Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at Edith Green Park, Tax Lot 14100, Section 24DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated August 7, 2023, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on August 14, 2023, 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 adopt the staff report dated August 7, 2023, attached hereto as Exhibit A1, with findings and recommendations contained therein, approving the requests with conditions, and authorizes the Planning Director to issue permits consistent with the Development Review Board approval for:

Edith Green Park (DB23-0001): Stage 2 Final Plan Modification (STG223-0001), and Site Design Review (SDR23-0001).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14th day of August, 2023, 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)*.

Jean Svadlenka, Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant
RESOLUTION NO. 419



Exhibit A1
Staff Report
Wilsonville Planning Division
Edith Green Park

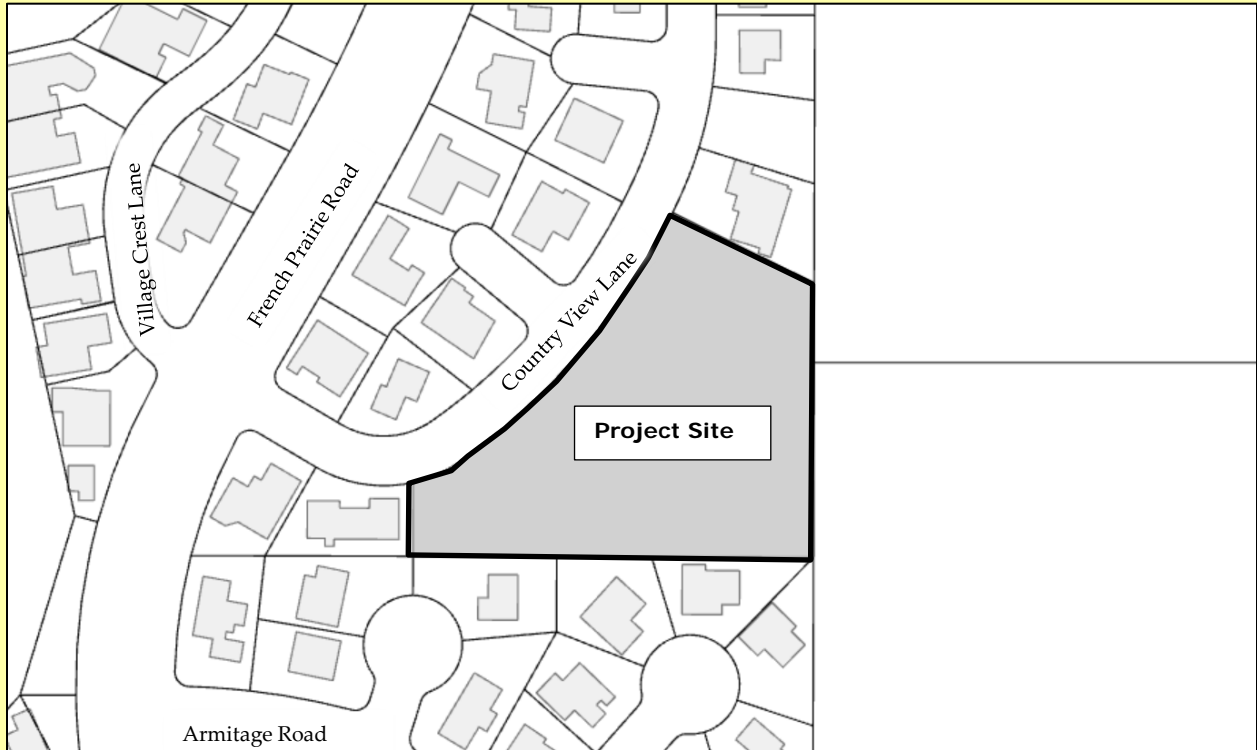
Development Review Board Panel 'A'
Quasi-Judicial Public Hearing

Hearing Date:	August 14, 2023
Date of Report:	August 7, 2023
Application Nos.:	DB23-0001 Edith Green Park - Stage 2 Final Plan Modification (STG223-0001) - Site Design Review (SDR23-0001)
Request/Summary:	The requests before the Development Review Board include a Stage 2 Final Plan Modification and Site Design Review for site improvements to Edith Green Park, an existing park in Charbonneau. The proposed improvements include a walking path, two shelters, five picnic tables, three benches, a dog park area, bocce ball court and associated landscaping.
Location:	Edith Green Park. The property is specifically known as Tax Lot 14100, Section 24DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
Owner:	Charbonneau Country Club (Contact: Gary Newbore)
Applicant:	Charbonneau Country Club (Contact: Jim Meierotto)
Comprehensive Plan Designation:	Residential
Zone Map Classification:	Planned Development Residential -3 (PDR-3)
Staff Reviewers:	Georgia McAlister, Associate Planner Amy Pepper, Development Engineering Manager
Staff Recommendation:	<u>Approve with conditions</u> the requested Stage 2 Final Plan and Site Design Review.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.001	Definitions
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
Section 4.034	Application Requirements
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Standards Applying to Residential Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.124	Planned Development Residential (PDR)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
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 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.450 as applicable	Site Design Review
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan Previous Land Use Approvals	79PCA01

Vicinity Map



Background:

The subject property is currently an existing neighborhood park owned by the Charbonneau Country Club. The Charbonneau Country Club approach the City with plans for park improvements that includes two shelters, five picnic tables, three benches, a walking path and bocce ball court. While the determining the path forward for approval of this project it was discovered a Condition of Approval relating to the initial creation of the park was never completed. The Condition of Approval included as a part of a Comprehensive Plan Change, 79PCA01, stated that:

“the applicant submit to the City of Wilsonville Development Review Board a Site Development Plan identifying all improvements on the proposed 2.2 recreational site. It is the purpose of this condition to require that the Design Review Board be allowed to review all one-site landscaping and other physical improvements for the property in question”

Due to the fact no evidence has been found or presented that shows the park has gone through a review with the Design Review Board this application is to be reviewed by the DRB to fulfil the original Condition of Approval as well as ensure the design meets the Development Code standards discussed in the following report. Once this Condition of Approval is met, future modifications to planned improvements to the park may be reviewed under the administrative process.

Summary:

Stage 2 Final Plan (STG223-0001)

The Stage 2 Final Plan confirms the function of the park aligns with the original intent and approval for the park. This review ensures the site continues to functions as originally intended for the surrounding residents. Additionally, the Stage 2 Final Plan creates an official plan for future modifications.

Site Design Review (SDR223-0001)

Site Design Review focuses on design and placement of the shelter, benches, dog park area, bocce ball court, walking path and associated landscaping throughout the park. The landscaping has been carefully designed to allow for the function of the site to continue while also enhancing the aesthesis and natural features of the park. The use shrubbery around the dog park area create a visual and physical barrier between the dog park area and the rest of the park. Shelters, tables and benches have been thoughtfully placed throughout the site.

Neighborhood and Public Comments:

Nine public comments have been received during the public comment period regarding the park improvement proposal. Many of the concerns expressed in the public comments from residents are focused on the neighborhood planning process prior to the submittal of the application to the City of Wilsonville, specifically the inclusion of certain park elements that did not have the support of all residents within the neighborhood. While the commenters have raised concerns regarding the improvements, all proposed elements including the dog area fencing, bocce ball, shelters, walking path, landscaping and other proposed elements are outright allowed uses meeting the City's Development Code criteria that are typical of a neighborhood park.

The requested changes to the proposal outlined in the comments relating to use preferences are not within the Development Review Board's purview. Any future changes to the proposed plans consistent with the applicable Development Code criteria can be made by the owner/applicant at their request upon City review.

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 included 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 (DB23-0001) with the following conditions:

Planning Division Conditions:

Request A: Stage 2 Final Plan Modification (STG223-0001)

PDA 1. <u>General:</u> The approved final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved final development plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. Other changes may be approved through the Class 2 Administrative Review Process pursuant to the authority granted in Section 4.030. Modifications not eligible for administrative review shall be subject to review by the DRB.
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Request B: Site Design Review (SDR23-0001)

PDB 1. <u>Ongoing:</u> Construction, site development, and landscaping shall be carried out and maintained 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 B3, B9 through B17.
PDB 2. <u>Prior to Installation of Landscape Materials:</u> The applicant shall submit a list of all selected plants including their common and scientific name. See Findings A33, A35 and B14
PDB 3. <u>Prior to Building Permit Approval:</u> All proposed structures must be shown on building permit plans meeting the required setback.

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, performance standards, 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 Findings and Conditions:

PFA 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFA 2.	<u>Prior to the Issuance of any Building Permits:</u> Applicant shall apply for City of Wilsonville Erosion Control and Grading Permits. The erosion control permit shall be issued and erosion control measures shall be installed, inspected and approved prior to any onsite work occurring.

Master Exhibit List:

Entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The list below includes exhibits for Planning Case File No. DB23-0001 and 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

Signed Application Form
Narrative

B2. Applicant’s Drawings and Plans

Site Plan
Park Elements
Landscape Plan

Development Review Team Correspondence

- C1. Public Works Plan Submittal Requirements and Other Engineering Requirements

Public Comments

- D1. A Marcel and P. Hickman for Country Club Estates 7.12.2023
- D2. T. Conway 7.29..2023

- D3. P.& J. Hickman 8.01.2023
- D4. J. Hector 8.04.2023
- D5. D. and D. Mauk 8.04.2023
- D6. C. Baldwin 8.04.2023
- D7. B. Eder 8.04.2023
- D8. T. and P Appleby 8.04.2023
- D9. N. Cameron 8.05.2023
- D10. B. Jordan 8.02.2023

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on January 9, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application incomplete on February 17, 2023. The applicant submitted additional materials on May 4, 2023. Staff conducted a second completeness review within the statutorily allowed 30-day review period and found the application to be complete on May 25, 2023. The City must render a final decision for the request, including any appeals, by September 22, 2023.
2. Surrounding land uses are as follows:

Compass Direction	Zone	Existing Use
North	PDR-3	Single Family Residential
East	EFU (Clackamas County)	Agriculture
South	PDR-3	Single Family Residential
West	PDR-3	Single Family Residential

3. Previous Planning Approvals:
 - 79PCA01 Comprehensive Plan Change
 - 80PC10 Preliminary Plat- Single Family IV, East Addition
4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, 4.034 and 4.035 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 application is being processed in accordance with the applicable general procedures of this Section.

Initiating Application Section 4.009

The application has been submitted on by the property owner, Charbonneau Country Club and is signed by the owner's authorized representative and the applicant.

Pre-Application Conference Subsection 4.010 (.02)

A pre-application conference was held on October 20, 2022 (PRE22-00022) 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 Subsections 4.035 (.04) A. and 4.035 (.05)

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

Zoning - Generally Section 4.110

The proposed development is in conformity with the applicable zoning district and City review uses the general development regulations listed in Sections 4.140 through 4.199.

Request A: Stage 2 Final Plan Modification (STG223-0001)

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

Planned Development Regulations-Generally

Planned Development Purpose & Lot Qualifications
Subsection 4.140 (.01) and (.02)

- A1.** The proposed Stage 2 Final Plan for proposed improvements to the site is consistent with the Planned Development Regulations purpose statement.

Ownership Requirements
Subsection 4.140 (.03)

- A2.** The property owner, Charbonneau Country Club, represented by Gary Newbore, signed the application.

Professional Design Team
Subsection 4.140 (.04)

- A3.** The design was led by credentialed professionals. Dan Jenkins, SERA Architects, is the landscape architect for the project.

Stage 2 Final Plan Submission Requirements and Process

Submission Timing in Relation to Stage 1 Approval.
Subsection 4.140 (.09) A.

- A4.** The current application is requesting approval of a Stage 2 Final Plan and Site Design Review to fulfil the Condition of Approvals from 79PCA01. While clearly not within two years of the Stage I approval of the development, the broader development was built approval vested including the subject Condition of Approval for coming back to the DRB for approval of design of the open space.

Development Review Board Role
Subsection 4.140 (.09) B.

- A5.** The Development Review Board is considering all applicable permit criteria set forth in the Wilsonville Development Code and staff is recommending the Development Review Board approve the application with Conditions of Approval.

Stage 1 Conformance and Submission Requirements
Subsection 4.140 (.09) C.

- A6.** The subject area remains an open space consistent with the Stage I Plan and the proposed action follows through with the Condition from the Stage I by approving a design for the open space.

Stage 2 Final Plan Detail

Subsection 4.140 (.09) D.

- A7.** The applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan and landscape plans.

Submission of Legal Documents

Subsection 4.140 (.09) E.

- A8.** No additional legal documentation is required for dedication or reservation of public facilities.

Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

- A9.** The Stage 2 Final Plan Modification will be vested along with prior approvals for the surrounding development and will not expire.

Consistency with Plans

Subsection 4.140 (.09) J. 1.

- A10.** The proposed project is consistent with the Residential designation in the Comprehensive Plan and the site's zoning, Planned Development Residential - 3 (PDR-3), that apply to the property. The redesign of the park is in line with the recommendations in the 1979 Comprehensive Plan Change decision (79PCA01) as well as the master plan for the Charbonneau community.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- A11.** As the current application is a Stage 2 Final Plan Modification finalize a park and its elements as originally conditioned as a part of the Comprehensive Plan Change in 1979 (79PCA01) and is not expected to result in any new traffic generation or impact traffic concurrency for the project.

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- A12.** Facilities and services, including utilities in SW Country View Lane, are available and sufficient to serve the existing development and proposed site improvements.

Adherence to Approved Plans

Subsection 4.140 (.09) L.

- A13.** A Condition of Approval will ensure adherence to approved plans unless modified under the proper authority.

Standards Applying to Residential Developments in Any Zone

Open Space Standards within Residential Developments

Subsection 4.113 (.01) A and B

A14. The Stage 1 approval was a part of the Charbonneau Single Family East- Fourth Addition subdivision (80PC10) thus this section applies. The proposed park improvements have been designed by a registered professional landscape architect will allow for adequate light, air, open space and usable recreational facilities for residents in the area. Protection and maintenance of the park will be the responsibility of the applicant, Charbonneau Country Club.

Open Space Area Required, Characteristics and Usable Space

Subsection 4.113 (.01) C and D

A15. Ample open space is located throughout the Charbonneau community including the large golf course interwoven between the various phases of housing development, as well as smaller neighborhood parks. A significant portion of the open space throughout Charbonneau is considered useable open space, with golf being the main active recreational use.

At two acres, the park far exceeds the 2,000 sq ft requirement in order to be counted towards the required 25% of open space area. The proposed open space includes walking paths, open grass for recreational play as well as recreational facilities such as the dog park, bocce ball court, and sports court. All features included in the park area allowed and encouraged uses of an open space associated with residential development. The improvements will increase the usable open space within Charbonneau with the addition of more recreational facilities and opportunities. As per the Condition of Approval from 79PCA01 as well as this subsection, the proposed park improvements will provide activities for residents and visitors of all ages.

Prohibited Uses

Subsection 4.113 (.09)

A16. All proposed uses are allowed within the PDR-3 zone.

Standards Applying to All Planned Development Zones

Underground Utilities

Subsection 4.118 (.02) and Sections 4.300-4.320

A17. All utilities on the property are undergrounded and no new utilities are proposed with the current application.

Waivers

Subsection 4.118 (.03) A. through D.

A18. The applicant has not requested any waivers to the standards applying to all planned development zones.

Other Requirements or Restrictions

Subsection 4.118 (.03) E.

A19. No additional requirements or restrictions are recommended pursuant to this subsection.

Impact on Development Cost

Subsection 4.118 (.04)

A20. In staff's professional opinion, the determination of compliance or attached conditions of approval do not unnecessarily increase the cost of development and no evidence has been submitted to the contrary.

Dedications or Easements for Recreation Facilities, Open Space, Public Utilities

Subsection 4.118 (.05)

A21. No dedications or easements are proposed or requested.

Habitat Friendly Development Practices

Subsection 4.118 (.09)

A22. Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, and no impacts on wildlife corridors or fish passages have been identified.

Planned Development Residential (PDR) Zone

Typically Permitted Uses

Subsection 4.124 (.01)

A23. The applicant is proposing modifications to an existing park. Open space is an outright allowed use in the PDR-3 zone.

On-site Pedestrian Access and Circulation

Continuous Pathway System, Vehicle Pathway Separation, Width and Surface

Subsection 4.154 (.01) B.1. through B.6.

A24. The applicant has proposed a walking path within the park. No changes to pedestrian circulation and access outside of the site are proposed or required with the current application.

Other Development Standards

Access, Ingress, and Egress

Section 4.167

A25. Pedestrian access to the site from SW Country View Lane is existing and no changes are proposed.

Natural Features and Other Resources

Section 4.171

A26. The subject property does not contain natural environmental and scenic features, and no part of the site is protected as part of the City's Significant Resource Overlay Zone (SROZ). There are no structures of any historic or cultural designation and no hillsides, wooded areas, or hazard areas needing protection on the site. No overhead powerlines are located on the site, and there are no high voltage powerline easements or rights-of-way or petroleum pipeline easements on the site.

Outdoor Lighting

Sections 4.199.20 through 4.199.60

A27. Outdoor lighting was previously approved and no changes are proposed with the current application, thus the standards will continue to be met.

Public Safety and Crime Prevention

Design for Public Safety, Surveillance and Access

Subsections 4.175 (.01) and (.03)

No evidence has been presented that the design and function of the site will prevent surveillance or encourage crime.

Addressing and Directional Signing

Subsection 4.175 (.02)

A28. No changes to addressing or directional signage are proposed with the current application.

Lighting to Discourage Crime

Subsection 4.175 (.04)

A29. As discussed above, no changes are proposed with the current application to previously approved outdoor lighting and surveillance systems, which are designed and will continue to discourage crime on the site.

Landscaping Standards

Landscaping Standards Purpose

Subsection 4.176 (.01)

A30. Through complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan is in compliance with the landscaping and screening purpose statement.

Landscape Code Compliance

Subsection 4.176 (.02) B.

A31. While a variance is mentioned in the applicant’s narrative, no waivers or variances to landscape standards have been formally requested. The applicant has since submitted plans with landscaping that complies with the standards of this section.

Intent and Required Materials

Subsections 4.176 (.02) C.

A32. As shown on the Landscape Plan (Exhibit B2), changes to site landscaping have been designed to meet the General Landscaping Standard of this subsection while still allowing the site to function for recreational use. Otto Luyken Laurels are proposed in the area surrounding the dog park. This will both provide aesthetic value and create a boundary around the dog run area. In the upper northeast corner of the site a mix of native grasses and arborvitae are proposed. A Condition of Approval will ensure a list of native grasses are submitted to the City prior to installation.

Landscape Area and Locations

Subsection 4.176 (.03)

A33. 15% of the lot or approximately 13,000 sq ft is required to be landscaped. Existing landscaping covers 10,000 sq ft of the site. The proposal includes 3,000 sq ft of additional landscaping to meet the required 15%. Materials achieve a balance between various plant forms, textures, and heights, and native plant materials are used where practicable.

Landscape Plan Requirements

Subsection 4.176 (.09)

A34. The applicant’s Landscape (Exhibit B2) provides the required information including proposed landscape areas, type, installation size, number and placement of materials and plant material list. A Condition of Approval will ensure that the final list of native grasses as well as numbers planted will be submitted to the City prior to installation. The existing irrigation system will remain in place and functioning onsite.

Request B: Site Design Review (SDR23-0001)

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)

B1. The park has been professionally designed by a credentialed professional and meets applicable landscape and site design standards as found under Request A above. Professional design and meeting the landscape and site design standards ensures the

proposed park design meets the standards and objectives of Site Design Review. Specifically:

- The proposed shelters, picnic tables, and benches are typical of park areas, are appropriate for the site function and are well designed.
- Landscaping is designed to circle the dog park area and provide a pleasing environment for users of the site as well as help with the absorption of rain throughout the site.
- The proposed layout for park allows for landscaping requirements to be met while also supporting the use of the park for recreation, and creates a visual environment that is compatible with other surrounding residential uses.
- The park will continue to serve its purpose as a neighborhood park providing recreation for nearby residents while being enhanced thus sustain the comfort, health and tranquility of the community.
- With the current lack of landscaping throughout the park beyond turf, installing landscaping including shrubs and grasses will provide a more pleasing environment for users of the site.
- 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

- B2.** 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.

- B3.** The applicant has provided sufficient information demonstrating compliance with the standards of this subsection as follows:
- **Pursuant to Standard A** (Preservation of Landscape), there are no natural features on the site, and existing previously approved landscaping will be preserved and protected during construction of site improvements.
 - **Pursuant to Standard B** (Relation of Proposed Buildings to Environment), the proposed shelters, picnic tables, benches and bocce ball court have been placed in appropriate locations throughout the site.
 - **Pursuant to Standard C** (Drives, Parking, and Circulation), no changes to access to the site are proposed. The proposed walking path will provide more access and easier circulation for park users and pedestrians.
 - **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 signs are proposed as part of the current application; therefore, this standard does not apply.
- **Pursuant to Standard G** (Special Features), no special features are proposed for the site.

Conditions of Approval

Subsection 4.421 (.05)

- B4.** 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)

- B5.** The structures proposed throughout the park including the shelters, benches, and picnic tables will use a variety of materials with the most prominent components being comprised of natural or painted wood. The proposed dog park fence will be a black powder coat, which is standard for fences such as this. The proposed materials will reflect the existing surrounding environment while also enhancing the park and creating a unique neighborhood feature.

Site Design Review Submission Requirements

Submission Requirements

Section 4.440

- B6.** 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

- B7.** 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)

B8. A Condition of Approval will assure installation or appropriate 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.

Approved Landscape Plan
Subsection 4.450 (.02)

B9. 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)

B10. A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping
Subsection 4.450 (.04)

B11. A Condition of Approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

Landscaping Standards

Shrubs and Groundcover Materials
Subsection 4.176 (.06) A.

B12. Proposed shrubs on the applicant's Landscape Plan (Exhibit B2) include arborvitae and Otto luyken laurel. A Condition of Approval will require that the detailed requirements of this subsection are met.

Types of Plant Species
Subsection 4.176 (.06) E.

B13. The applicant has provided sufficient information in their Landscape Plan showing the proposed landscape design meets the standards of this subsection. Otto luyken laurel and arborvitae are frequently planted landscaping plants and are appropriate for the site. The grasses will be native species and appropriate for the site. A Condition of Approval will ensure the final list of all species is submitted to the City prior to installation.

Exceeding Plant Standards
Subsection 4.176 (.06) G.

B14. The selected landscape materials do not violate any height or vision clearance requirements.

Landscape Installation and Maintenance
Subsection 4.176 (.07)

- B15.** Conditions of Approval ensure that installation and maintenance standards are or will be met including that plant materials be installed to current industry standards and properly staked to ensure survival, and that plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. The sites existing irrigation will continue to be utilized.

Completion of Landscaping
Subsection 4.176 (.10)

- B16.** The applicant has not requested to defer installation of plant materials.

Outdoor Lighting

Applicability
Sections 4.199.20 and 4.199.60

- B17.** Per the applicant's code response narrative, no changes to outdoor lighting is proposed with the current application; therefore, the Outdoor Lighting standards do not apply.

Engineering Conditions and Requirements for Proposed Development

From: Amy Pepper, PE Development Engineering Manager

To: Georgia McAlister, Associate Planner

Date: July 31, 2023

Proposal: Edith Green Park improvements

Engineering Division Conditions:

Request: DB23-0001 Preliminary Development Plan

PFA 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFA 2.	<u>Prior to the Issuance of any Building Permits:</u> Applicant shall apply for City of Wilsonville Erosion Control and Grading Permits. The erosion control permit shall be issued and erosion control measures shall be installed, inspected and approved prior to any onsite work occurring.



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 City Code Section 8.317.
 - 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. Land Use Conditions of Approval sheet
 - d. General construction note sheet
 - e. Existing conditions plan.
 - f. Erosion control and tree protection plan.
 - g. 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.
 - h. Grading plan, with 1-foot contours.
 - i. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
 - j. 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'.
 - k. Street plans.
 - l. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
 - m. Stormwater LID facilities (Low Impact Development): provide plan and profile views of all LID facilities.
 - n. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.

- o. 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.
 - p. Detailed plan for water quality 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 facilities are typically privately maintained they will be inspected by engineering, 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 City Code Section 8.317 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 approved by the City of Wilsonville prior to paving.

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 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.

From: [Charbonneau Country Club Estates](#)
To: [McAlister, Georgia](#)
Cc: [Pauly, Daniel](#)
Subject: Edith Green Park at Charbonneau Country Club
Date: Wednesday, July 12, 2023 10:19:04 AM
Attachments: [Hector to City re EGP.docx](#)
[city reply to Hector re EGP.docx](#)

[This email originated outside of the City of Wilsonville]

Hello, Georgia

We are writing you as representatives of the homeowners of Charbonneau's Country Club Estates (CCE) neighborhood. Our association represents 224 owners of homes in this unincorporated section of Charbonneau.

Our committee charter has been approved by the Board of Charbonneau Country Club (CCC). The charter provides for a leadership team of 7 to 11 members (currently we have 10) serving 3-year terms. We have various committees that also include a large number of our residents in addition to the committee members.

In the middle of CCE is Edith Green Park, a private park owned by CCC. In February, John Hector, a resident of CCE, wrote you asking about the City's process in addressing proposed changes to the Park. Attached is John's request and your response.

We have just been informed by a CCC board member that it has scheduled some construction activities at the Park. This will include some modifications to the sports court by removing the two basketball hoops and adding a single adjustable hoop on the south end of the pad. In addition, two bocce ball courts will be constructed in early-August.

We understood, from your response to John, that before any City approval, public notice would be sent with an opportunity for comment. Also, we would have the opportunity to attend and comment at a public hearing.

Although CCC conducted an expensive study on the Park, it failed to have meaningful input from our community. The summary report indicates the planning process was compressive and supported by the community; this is not factual. A review of the record of the public hearing on this issue before the CCC Board shows much opposition to the final plan with widespread agreement that the public involvement process of the planning effort was unacceptable with suggestions that more meetings be held to develop a final plan for the Park.

We are requesting that you provide us with an update on the review and approval status of any applications from CCC on Edith Green Park. We do not understand how CCC has scheduled construction activities for new facilities at the Park without the process of public notice you outlined. In addition, we would like to meet with you and perhaps other planning department members to have a better understanding of how the City may help our community. Please let us know when you can schedule a meeting with a small number of our association members as we are very concerned about the development at the Park.

Sincerely,

April Marcell, 31985 SW Country View Ln, 602-399-2406

Pat Hickman, 31988 SW Country View Ln, 503-877-9015

Country Club Estates Co Chairs

Dan,

I live next to Edith Green Park in the Charbonneau District. Our HOA Board is proposing to make modifications to the park and we are finding it difficult to obtain definitive information on what is proposed and the process the City will be taking to consider these changes. We understand that the park is currently zoned for a school and the Board is asking for a zone change? Also, we understand that permit application(s) have been submitted for various changes and/or additions to the existing Park?

As background, I contacted you in July 2021 (see below) as our HOA Board was proposing to add several pickleball courts to the park and many Charbonneau residents were opposed to this activity due to excessive noise, traffic and other concerns. After the Board conducted a planning study, pickleball court development was moved to a location at the Charbonneau Activity Center (tennis court complex). However, a number of other changes to the park are now being proposed.

Can you provide to me and my neighbors information on both the zone change request process and permit application plans for any park improvements? We are particularly interested in any opportunities we may have to provide our input to the City's decision-making process.

Thank you for your assistance,

John Hector
31870 SW Country View Ln.
(503) 542-7818

Good afternoon, John!

Thank you for reaching out to us. As Dan said I am the Planner working with Charbonneau Country Club on this application.

There is not a zone change proposed for this project. Back in the early 80s the City's Comprehensive Plan was revised to allow for the development of a subdivision opposed to a school. One of the Conditions of Approval for that change was the creation of Edith Green Park.

The application is for a Stage I and Stage II Development Review and Site Design Review. The application will be reviewed by the Development Review Board at a Public Hearing once it is deemed complete and meets City standards. Prior to the Public Hearing a Public Notice will be sent to surrounding residents as well as posted on site. You will have the opportunity to submit comments to the City in writing during the comment period. You will also have the opportunity to attend the Public Hearing and comment at that time on the record.

Right now, the application is in its very early stages. The City conducted the first completeness review and deemed the application to be incomplete. We are awaiting the second submittal. The current proposal includes a fenced dog park, picnic tables, a bathroom, bocce ball, and a sports court. One of the incompleteness items noted during the review was information regarding how the sports court will be used. The hope is the second submittal will include more detailed information regarding the use of the sports court area.

Please let me know your other questions,

Thanks!

Georgia

Associate Planner

City of Wilsonville

Office: 503.570.1623

gmcaster@ci.wilsonville.or.us

www.ci.wilsonville.or.us

[Facebook.com/CityofWilsonville](https://www.facebook.com/CityofWilsonville)

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McAlister (*she/her*)

From: [Tom Conway](#)
To: [McAlister, Georgia](#)
Subject: Re: Latest Landscape Plan
Date: Saturday, July 29, 2023 8:25:18 AM
Attachments: [image001.png](#)

[This email originated outside of the City of Wilsonville]

Georgia,

Thank you for your response. I know at the August 14th meeting several questions should be asked. These would be mine:

Why do you want to “confine” the dog area ? If you’re looking for utilization, we dog owners use almost all the available now while no home owners are being disturbed.

This was the issue when pickle ball was being discussed .

If confining the dog area is meant to keep dogs off of Bocci and sport courts, why not fence the dogs OUT of those areas ?

The only formal “complaint” I know of came from persons with or without dogs walking along Country View and dogs from the park “rushing” them. Wouldn’t the obvious treatment for this problem be a fence along the curbside area of Country View to restrict the dogs leaving the off leash park area ?

When the park changes were proposed in 2021, the controversy caused friction amongst dog owners and nightly attendance diminished. The proposed current changes will cause that reduction to be exacerbated yet again and then it will have been accomplished: ***the working off leash dog park will be muted and the potential picnic bocce ball will need to carry the day.***

Are we about to shoot a winning race horse !

Sent from my iPad

Tom Conway

On Jul 28, 2023, at 5:04 PM, McAlister, Georgia
<gmcAlister@ci.wilsonville.or.us> wrote:

Good Afternoon!

I heard you came in while I was in a meeting today. Thank you for the detailed notes!

Here is my response:

The only potential fence is around the dog park. I say potential because as of now the plan is to install landscaping. The applicant has included a fence in case in the future it



is needed. The red in the upper northeast corner indicates landscaping.

In terms of the location of fence. That is not the City's call, we review what the applicants submit to see if it is code compliant. If it is code compliant, it is approvable.

You would need to work with Charbonneau Country Club on any changes you want to see to the fence location.

Thank you,

Georgia McAlister (*she/her*)

Associate Planner

City of Wilsonville

Office: 503.570.1623

gmcaster@ci.wilsonville.or.us

www.ci.wilsonville.or.us

[Facebook.com/CityofWilsonville](https://www.facebook.com/CityofWilsonville)



29799 SW Town Center Loop East, Wilsonville, OR 97070

The Community Development Department has implemented a new online application and payment system. You can now apply and pay for most applications online. You can register for and access the new system for application and payment at <https://www.ci.wilsonville.or.us/Online-Portal>. If there are additional questions, please reach out to City staff.

Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

From: Pauly, Daniel <pauly@ci.wilsonville.or.us>

Sent: Wednesday, July 26, 2023 11:59 AM

To: tec2@me.com

Cc: McAlister, Georgia <gmcaster@ci.wilsonville.or.us>

Subject: Latest Landscape Plan

Please see attached.

Dan Pauly, AICP (*he/him*)

Planning Manager

City of Wilsonville

503.570.1536

pauly@ci.wilsonville.or.us

www.ci.wilsonville.or.us

[Facebook.com/CityofWilsonville](https://www.facebook.com/CityofWilsonville)

<image001.png>

29799 SW Town Center Loop East, Wilsonville, OR 97070

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Letter of record regarding notice of proposed permitting of Edith Green Park, Charbonneau

We would like to have our concerns entered into the record regarding Edith Green Park and its reimagining, we now are aware of the CCC (Charbonneau Country Club) The original submittals from CCC for the city's approval and permitting are flawed. Insufficient input by CCC residents was not performed as promised by the board. The community was promised additional public input was never allowed and any of the committees that were set up for communication to the board were disbanded. The board never followed up prior to the permit submittals.

The following is our concerns now that a variation of the original plan was submitted by the CCC board for the permitting process.

The proposed fenced in area for an off-leash dog area and type of fencing as well the unsightliness of a fence. This area should be of sufficient size to accommodate all dogs and owners as well be shielded by closely planted shrubs to hide the fence as well. We also propose that all dogs be **on-leash** until taken inside of the gated dog run. This will eliminate the loose running of dogs outside the gated area as well running into the street and also chasing into other areas of the park where others are enjoying park activities. **(IE: EGP is an ON-LEASH park until the dogs are inside of the dog run area)**

The Shelter and tables/benches as proposed off the end of the basketball court adjacent to the proposed bocce ball area. Drainage issues, trash issues as rats and pests are already a huge problem in the park and brings in coyotes and other predators

A walking path to be added that is concrete? (if considered should be a permeable base for drainage and not harsh concrete) To the shelter, basketball, bocce ball areas. Site water drainage issues, could arise if not properly designed

Shrubbery addition as visual barriers from said dog fence, bocce ball areas and shelters, basketball, etc.

We submit that a hold on permitting can be placed until sufficient neighborhood input questions can be answered as well input from neighbors as to re-freshening the now dated and improperly designed proposed site plan can be performed and all residents of CCC can have time to review all possible uses of the park.

We submit "why the rush" this is what seems to be evident with the board on any of the park issues to push through an ill-defined plan without the promised public input. In fact, we should have a consensus before submitting a refined plan. So, it may be best to deny any permits until this is completed

July 31, 2023

Pat & Judi Hickman

31988 SW Country View lane

Charbonneau



Edith Green Park Proposed Development Application

My name is John Hector and I reside at 31870 SW Country View Lane, Wilsonville, Oregon. Our home shares a common property line on the northern edge of Edith Green Park.

Edith Green Park is a relatively small private park that is owned by the Charbonneau Country Club (CCC) Home Owners Association (HOA). This park is available for use by all residents of Charbonneau and thus is “owned” by the members of the CCC HOA. The board of directors has the duty to manage this asset for the benefit of the all residents.

Although this park has been actively used in the past for softball, soccer and other sports, it currently is designated by the Board as an off-leash dog park. Other, more infrequent activities, include basketball play and enjoying nature in a nice environment. But, the primary use at this time is by dog-owners.

With new interest in the pickleball sport, some Charbonneau residents requested that the Board install pickleball courts at Edith Green Park. This action resulted in objections from park neighbors and the Board agreed to develop a park plan that would consider adding pickleball courts. A planning committee was formed and a planning consultant was selected to assist in the development of plan for the park.

The planning committee included three HOA Board members that managed the consulting contract and also voted on various committee decisions. This committee also included three Charbonneau residents; one to represent the pickleball interests, one to represent dog owners and myself to represent the residents living near the park.

The consultant’s proposal included a survey of residents regarding their interests relating to the park as well as other facts. As this occurred during a period of time when COVID restrictions were in place, all data was collected in written surveys and video conferences and presentations. In fact, the principal consultant never visited the site and remained at his office in Virginia. Also, all meetings of the planning committee were done on video conferences. I believe these factors affected the quality of the plan.

Part of the planning contract process was to develop several conceptual plans for the park, present these plans to the community for discussion and comment that would work toward a consensus plan to be taken to the HOA Board. This step of the process, over my objections, was deleted. Thus a “consensus” plan was approved only by members of the planning committee of three board members, two special interest members and myself. Thus, I believe the plan did not represent the desires of the overall community. Upon the committee vote for a “consensus” plan, the planning committee was disbanded and only Board members continued with the park planning process. This plan was then presented to the entire Board.

Before the CCC Board acted on the park plan, the Board decided that pickleball was not appropriate for Edith Green Park and the plan was revised to remove this facility. Later, the Board decided to remove a bathroom facility and several other changes were made to the plan. Thus, substantial modifications to the “consensus” plan were made without appropriate review and comment from the general Charbonneau membership as all of this work was done by several HOA Board members working with the planning consultant.

I want to also note that the CCC Board continues to be unwilling to allow any meaningful input to the park project. After the six-member park planning committee was disbanded, the Board formed a new park planning committee that only includes Board members (now it includes a recently retired Board member). We requested that one public member be added, a homeowner with property abutting the park. This request was denied. Another example of the unwillingness of the Board is the recent removal of the existing basketball hoops and the addition of a single-adjustable hoop. I requested that this new hoop to be located on the southern end of the court instead of the north end. This would have moved this hoop further from my backyard and somewhat reduce noise levels. The chair of the new park committee rejected my request with no discussion. These are examples of the problems the neighbors are encountering in our attempts to develop the park in a way that addresses, to the greatest extent possible, all concerns.

To summarize these comments, I believe the Park planning process, as outlined in the accepted consultant's bid, was not met. Some statistical demographic data was gathered as well as some broad attitudinal surveys of resident interest in potential changes at Edith Green Park were tabulated. My belief is this work was only the first step in determining what changes to the park were desired. The planning process in the bid included much more community input on several conceptual plans for the park as a process to develop a community-wide consensus plan. Thus, the process was shortened and only the HOA Board members were involved in the final plan that is substantially modified from the original plan developed by the consultant working with the Planning Committee on which I served. I am therefore recommending that this application be denied with directions to the applicant to involve the entire community in the development of a proposed park plan. Alternative plans should be developed with public meetings and work-sessions that would result in a plan that would be more acceptable to our community.

I have some specific comments and questions regarding the submitted application and the Wilsonville planning and development ordinances.

- The existing sports court (basketball pad) has been recently modified and is included in the application. This pad is in poor condition as its foundation has settled and there are surface cracks and the pad is tilted. I also believe that the pad is very close to the eastern property line, perhaps 1 to 2 feet. What is the legal set-back from the property line for this facility? The original plan was to remove this pad and install a multipurpose sports court at a slightly different location.
- The proposed bocce ball court has not been vetted by the community. One community survey would indicate there is a small interest in this sport; while other activities have a much higher priority. Some have expressed concern that the proposed court is non-standard, using artificial turf rather than sand or dirt. The applicant should demonstrate that the addition of this facility meets a community need above other options. Also, this new facility may not have proper legal setback from the eastern park boundary?
- The plan includes two large structures (Shelter A and B). Again, there is no demonstrated need for these structures. The addition of these facilities does not meet the criteria of 4.171 in that they distract from the natural open space and scenic beauty of the park. The current park provides an open view for many miles. There appears to be no demand for covered structures and they would adversely impact the view for many park users. In addition, I am very concerned about crime and safety (4.175 of the ordinance) with the shelter. These are an "attractive

nuisance” and are likely to attract homeless and others to “camp” in the park that are a threat to my safety as there are no lights in the park and are not contemplated for good reason.

- The location of one of the shelters (Shelter A) is very close to my home and it should be moved to a site closer to Country View Lane for better accessibility and less noise to my backyard. Other new facilities, such as Shelter B and the bocce ball courts should be located in such a way to minimize impacts to adjacent neighbors.
- Section 4.421.03 instructs the Design Review Board to achieve a high quality visual environment, conserve natural beauty and visual character, and sustain the comfort, health, tranquility and contentment of residents. This design fails to accomplish that objective.

Again, I recommend this application be denied with instruction to the applicant to engage the Charbonneau community to develop a plan for the park that meets the needs of the residents and the City ordinances. The Charbonneau County Club HOA Board has not shown good faith to develop a park plan with active resident participation. I am concerned that the HOA Board either failed to understand its fiduciary responsibilities to the Charboneau community or was unwilling to accept this duty. I have found the Board to be lacking in honest transparency in the development of this project. I can only recommend this application be denied and thus force the applicant to work toward a compromise consensus plan, as was contemplated in the planning project bid scope, so can be brought back for your consideration.

Thank you for this opportunity to comment on this application.

John Hector

John.Hector@msn.com

31870 SW Country View Lane

August 4, 2023

2:50 pm, August 4, 2023

To: Wilsonville Development Review Board Members, via email to: gmcalister@ci.wilsonville.or.us

RE: Comments for Public Hearing Regarding Edith Green Park Proposed Development

General Comments

Thank you for the opportunity to express our views for the public notice comment period.

The resident survey conducted in 2021/2022 came to conclusions that are not reflected in the Proposed Site Plan currently under review (the Plan), as well as being limited in scope. 67% of respondents do not use the park, while 33% do. The favored amenities were ignored. What are proponents of the Plan stating as its impact on the public, Charbonneau residents and current users of the park? To what degree is the Plan based on this survey and non-users of the park? What data and evidence is before you, besides the survey, that takes stakeholders' opinions into account?

One of the features of Edith Green Park that is highly valued by residents and users is its open space, wide-open views and passive recreational use. These attributes are reduced in the Plan. The obstruction of views and restrictions of open space will be consequential. How is this acceptable under Section 4.171 of the Code? What consideration is being given to these intrinsic qualities of the current park that will be affected by the Plan relative to this and other sections of the Code?

The plan significantly increases paving and hardscape surfaces that can impact the user experience, as well as the hydrology of the park space. Water and drainage challenges already exist on the site that don't appear to be addressed in the Plan. What is the assessment of these issues in the Plan?

Charbonneau Country Club members will bear an extra cost required to maintain the site proposed by the Plan. Is the annual maintenance budget upon completion of the Plan adequate to cover actual costs? Have members been fully informed of how these costs may affect their dues?

As Country Club members, we are also concerned about the impact of the Plan on the club's commitment to public safety. What are the ramifications of the Plan on the club's accident and liability insurance? What's the projected affect of the Plan on public safety?

Pathway & Shelters

The location of new pathways in the Plan unnecessarily divides the lane area, reducing its usability as existing open space. The pathways cut swaths through green space with a hardscape surface that may increase accidents as the surface abruptly changes. What consideration has been given to this?

Most people favor passive activities. What's the impact of the Plan on the use of open, green space for these as well as soccer, football, frisbee, playing catch, and other family recreational activities?

What was the consideration of an alternative location for proposed pathways not in the middle of open green space? What data lead to the location of the pathways in the Plan? We are among many residents who object to the location of pathways slicing through the heart of only two park acres.

The locations of shelters A and B in the Plan obstruct the open view highly valued by residents and those using the park. The proximity of shelters A and B to one another is unjustified. What's the stated purpose of shelter A? A less intrusive location for a single shelter would be more naturally placed within the current landscape in the area where the existing walking trail now enters the park. It's more convenient to seniors, walkers and users. Multiple shelters in this setting would seem an invitation to homeless camping and be in violation of Section 4.175 of the Code. What data supports building two shelters at the locations indicated in the Plan while assuring public safety?



Dog Park

A fenced enclosure as depicted in the Plan greatly reduces dog play space and has a high likelihood of becoming an unsightly mess due to overuse as it gets chopped up and muddy. This distracts from the natural open space and scenic beauty of the park, violating Section 4.171 of the Code. The current use by pets and their owners at the park does not overuse any existing grass area, and thus avoids making a muddy, worn-grass mess. The large open space works well for throwing and retrieving balls and discs, playing among animals, walking, and sharing space. Simply put, it works.

Having dogs in a more confined space carries a greater likelihood of causing canine confrontations, where they are rare to non-existent in the current park, as well as infections and diseases.

A fenced enclosure reducing the area of active dog play further obstructs the space and beauty appreciated by residents and park users, violating Section 4.171 of the Code. What consideration was given to alternative designs? Why not a low fence at the sports court (common practice)? What data and evidence supports enclosing space in the middle of the park versus leaving it as it is?

Greenscape, Plants & Berms

The rendering provided in the Proposed Site Plan does not show any additional plants. Earlier plans showed numerous new greenery as well as berms. They appear absent in the Plan under review. What is the status of beautification plans, such as new plantings and other greenscape features?

Summary

The Proposed Site Plan reduces the most valued assets and attributes of a highly cherished open space. It distracts from that natural open space and scenic beauty of the park. It builds features that are not the highest priorities of the community. The Plan does not take into consideration its impact on matters of importance to that community, such as beauty, maintenance, liability, safety, passive recreational use and water management. It also does not address greenery, berms and natural barriers. It does not adhere to Section 4.421.03 of the Code. It is an incomplete and inadequate plan.

We believe the Plan is not ready to be implemented in its current form. We believe the community is better served by returning to the planning stage, where the Plan can benefit by broader input and feedback from Charbonneau residents, current users, neighbors of the park, and those with more open space planning expertise. If the goals are broad use, walking, healthy exercise, community safety and enhancing a valuable asset, then working with the community and compliance with Section 4.421.03 of the Code is a better path forward. Clearly, and by a wide margin, residents want Edith Green Park as a passive recreational space where they can socialize and enjoy its lovely setting.

A large constituency of residents and neighbors of the park object to the Plan. We hope this carries some weight with both the Wilsonville Development Board, as well as the Charbonneau Country Club board. We are in favor of a slow road to improving the usability of a cherished space that works well now, towards something that works even better in the future. The Plan falls short of this.

Thank you to the consideration you will give these comments.

Yours truly,

David and Deborah Mauk

Wilsonville tax payers and Charbonneau Country Club members

31160 SW Country View Loop

Wilsonville, OR 97070

From: [Carole Baldwin](#)
To: [McAlister, Georgia](#)
Subject: Edith Green Park Hearing
Date: Friday, August 4, 2023 3:58:42 PM

[This email originated outside of the City of Wilsonville]

TO THE DEVELOPMENT REVIEW BOARD

Thank you for this opportunity to express my opinion on this matter.

I understand that much effort, time and money went into the Final Plan and Site Design being considered. As a resident of Charbonneau, I greatly appreciate the fine work of the Board of Directors of Charbonneau Country Club.

However, as someone who takes my Westie to Edith Green Park almost daily, I am concerned about the pending changes, as are most of the other dog lovers who regularly frequent the park. All most of us really want changed is to erect an attractive three-or-four-foot fence around the perimeter of the park to keep our dogs safe from traffic on Country View. Fencing a small portion of the park for dogs could potentially cause aggression problems with dogs too close together. We really see no need for bocce ball or picnic tables and would just like to keep this naturally beautiful part of Charbonneau the way it is.

Thank you for your consideration?

Carole Baldwin



EGP Site Plan Permitting

Below are my comments regarding the CCC Edith Green plan submitted to the city for permitting. These represent the concerns of many dog owners.

- There has been a lack of transparency in the process. Residents of Charbonneau understood that the permit proposal had been withdrawn and only learned that it was back on the table when the public hearing was announced.
- The park is currently mainly used by dog owners at all times of the day but especially in the evening when there may be more than 20 dogs and their owners. Almost any time of day, you can see people with their dogs enjoying EGP park: People throwing and dogs chasing frisbees and balls, people sitting around chatting while their dogs' play. This is currently far and away the greatest usage of the park which has been designated as an off-leash dog park.
- The current redesign plan submitted to the city for permitting would greatly limit the use of the park by dog owners. The design calls for a fenced dog park roughly 1/3 of the park size along with a bocce ball court, shelters and picnic tables in addition to the existing sports court. The fencing around the dog area was considered necessary to keep the dogs away from the picnic areas, bocce ball courts, and sport court.
- The solution to preventing dogs going into these areas is to fence off the bocce ball, sports court and picnic tables. These can be placed in the same area and fenced off with one fence.
- In addition, a fence should be installed along the road to keep the dogs from running out in the road and bothering passersby. Dog owners long ago proposed this and it should be done if no other changes are made. A few Homeowners have expressed concern that a fence would block their view, but a nice wooden fence only 3 feet tall will suffice and not block the view.
- The concern of dog owners is that a fenced dog park of this size limits greatly the area for the dogs to run. The confined area is likely to become muddy especially during the winter, may be a source of illness and will create conflicts between dogs. A case in point is the dog park at Memorial Park which becomes muddy when it rains, which is often throughout the fall, winter and spring. It has been the source of infections in dogs (Giardia reported on 50 dogs by vets last year). I have witnessed dogs attacking other dogs. I will not take my dog to that park. The EGP field does not drain well, and will likely get worse if the bocce ball courts and walkways are put in. My understanding is that there will be a cement base to eliminate the gophers from the area of the bocce ball courts. In addition, a proposed cement walkway from the path connecting Armitage Road to EGP park will skirt the dog park and extend to the sport court and bocce ball courts. These impervious areas will create more runoff and exacerbate the issue.

Summary: The fenced dog park area proposed in the site plan is too confined. It will create conflict among dogs, likely become muddy even with a bark chip base and may become source of infections if used at the current rate. The field does not drain well and run-off from the proposed cement walkway and cement base of the bocce ball court will exacerbate the drainage issue in the park.

Recommend Disapproval: Residents have asked the CCC to withdraw their proposed plan so the design can be reconsidered. The CCC board has assured residents that the design can be easily modified if the permit is issued on the current site design submitted to the city. Given the lack of transparency, many are skeptical. The site plan submitted to the city should not be permitted.



Bruce Eder

bdeder@aol.com

971-429-9047

32335 SW Lake Drive, Wilsonville, OR 97070

From: [Tom & Patti Appleby](#)
To: [McAlister, Georgia](#)
Cc: [Tom & Patti Appleby](#); [Charbonneau](#)
Subject: Development Review Board Members
Date: Friday, August 4, 2023 4:18:29 PM

[This email originated outside of the City of Wilsonville]

We are dog owners and have been using Edith Green Park for 5 years. Edith Green Park is the only off leash park and area in Charbonneau. Now the plan is to fence in a small area with no large or small dog separation. There is also no place for dog owners to sit, and no shade is provided. We disagree with the plan as it stands. We believe Edith Green Park is for ALL residents of Charbonneau and that our voices should be heard and considered.

Part of the proposal is for planting English Laurel bushes, around the dog park, which are toxic to dogs. (If your pet has eaten any part of a laurel shrub, contact your veterinarian immediately. The flowering shrub laurel contains a powerful neurotoxin called grayanotoxin which can disturb the proper function of the body's cell membranes. Laurel poisoning should be treated as an emergency.

Oct 8, 2016))

Respectfully, Tom and Patti Appleby
7188 SW Lake Bluff Court
Wilsonville, OR 97070
(503)694-8040



To: Development Review Board Members:

8/3/2023

The Edith Green Park Plan submitted to the city should not be permitted, and the following are reasons for my concern:

In review of the codes: Site Design Review Sections 4.400 (.01) (.02) and 4.421 (.01) and Sections 4.171, 4.175, and 4.176 (.01)

1. A code relates to obstruction of view. Pavilions and shelters are obstructions of view for an open green space, and a place where trash and unwanted pests collect. The pavilion being placed at the far end of the park without light becomes a potential security and nuisance issue. However, a code is to preserve the natural surroundings including night-time migratory birds.
2. This park has been designated an off-leash dog park by the CCC Board of Directors for five years. The park has remained beautifully green without it turning brown by high density number of dogs trekking on it within a fenced area. If this park is to have an enclosed dog area, it would ultimately look unsightly, muddy, and most likely would produce an odor.
3. The addition of impervious surfaces (concrete, pavement, roofs) to this park will increase water run-off to other areas of the park already inundated with water. Ultimately, causing a muddy mess in areas most used by people and people with their dogs. Dog owners use this park 12 months out of the year. My suggestion is to use permeable material for bocce ball courts and a 'Trailed' pathway wheelchair accessible rather than concrete if a pathway is required. This has an environmental impact on all of us.
4. The CCC Board never narrowed down the survey results with residents' input what, if anything, needed to be changed at the park after they concluded pickleball play would be better for the Charbonneau community at the Village Center. According to the Berry Dunn Summary Report in 2021 which was initially done to include pickleball courts at Edith Green Park, nothing was mentioned to have a fenced-off dog area, or to have an open dog area in their survey. For example, 46% of respondents said they wanted to sit enjoying nature/ open green space, and next favored 35%, was socializing with dog owners shows on pg. 34 within the report.

The Charbonneau panel which 'represented' the residents of the Charbonneau community, tightly lipped, made of three residents and three Charbonneau Board members, was disbanded at the conclusion of the Berry Dunn Report in 2021, and nothing else had been open for discussion within the Charbonneau community about the purpose for open green space of Edith Green Park until now with the City of Wilsonville Development Review Board.

Thank you for your consideration,
Nancy Cameron
31840 SW Country View Ln



From: [Brad Jordan](#)
To: [McAlister, Georgia](#)
Subject: Proposed Edith Green Park Permit Comment
Date: Wednesday, August 2, 2023 10:41:18 AM

[This email originated outside of the City of Wilsonville]

Hello,

I am a homeowner living in Charbonneau, specifically in the Country Village HOA that Edith Green Park is located.

I absolutely love the proposed permit plan. Every element is well thought out; the dog fence especially is a welcome edition for the sole reason of SAFETY.

I've had to stop my car and golf cart several times due to dogs departing the park area and making it all the way into/across the adjacent street. I think this plan would increase safety for both dogs and residents. I also would like my kids to be able to use the park without random dogs running up to them with owners yelling at the dogs (unsuccessfully) to stop.

I have a dog as well and would use the fenced dog area.

Thank you,

Brad Jordan
7058 SW Ironwood Ct., Wilsonville
918-440-4500

