



PLANNING COMMISSION

WEDNESDAY, FEBRUARY 8, 2023

ADMINISTRATIVE MATTERS

1. Consideration of the January 11, 2023 PC Meeting Minutes



**PLANNING COMMISSION
MEETING MINUTES**

January 11, 2023 at 6:00 PM

City Hall Council Chambers & Remote Video Conferencing

Draft PC Minutes are to be reviewed and approved at the February 8, 2023 PC Meeting.

CALL TO ORDER - ROLL CALL

A regular meeting of the Wilsonville Planning Commission was held at City Hall beginning at 6:00 p.m. on Wednesday, January 11, 2023. Chair Heberlein called the meeting to order at 6:04 p.m., followed by roll call. Those present:

Planning Commission: Ron Heberlein, Jennifer Willard, Andrew Karr, Kamran Mesbah, Kathryn Neil, and Nicole Hendrix. Olive Gallagher was absent.

City Staff: Miranda Bateschell, Amanda Guile-Hinman, Daniel Pauly, and Mandi Simmons.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CITIZEN'S INPUT

This is an opportunity for visitors to address the Planning Commission on items not on the agenda. There was none.

Chair Heberlein moved to update the agenda to add the election of the Planning Commission Chair and Vice Chair to Administrative Matters. Commissioner Karr seconded the motion, which passed unanimously.

ADMINISTRATIVE MATTERS

The following item was added to the agenda.

1. Planning Commission Chair & Vice Chair Nomination

Amanda Guile-Hinman, City Attorney, reviewed the rules for nominating and electing the Chair and Vice-Chair.

Kamran Mesbah nominated Ron Heberlein for 2023 Planning Commission Chair.

Following a roll call vote, Ron Heberlein was re-elected as Planning Commission Chair for 2023 by a 5 to 0 to 1 vote with Ron Heberlein abstaining.

Andrew Karr nominated Jennifer Willard as 2023 Planning Commission Vice-Chair.

Following a roll call vote, Jennifer Willard was unanimously re-elected as 2023 Planning Commission Vice-Chair.

2. Consideration of the November 16, 2022 Planning Commission Minutes

Commissioner Mesbah noted the following amendments to the minutes:

- On Page 14, the second sentence of Commissioner Mesbah’s comments should state, “The County assumed I-5 was going to be a ~~bypass~~ **bypassed**, but the only way...”
- On Page 20, the second sentence of the second major bullet should state, “Although even in that case, if only on property was not annexed **on** that side of the street, for all practical purposes **the property would end up being** annexed.”

Chair Heberlein moved to approve the November 16, 2022 Planning Commission Minutes as amended. Commissioner Karr seconded the motion. The motion passed unanimously.

Dan Pauly, Planning Manager, welcomed new Planning Commissioners Nicole Hendrix and Kathryn Neil, noting both had recently served as Development Review Board members.

WORK SESSION

3. Frog Pond East and South Implementation (Pauly)

Dan Pauly, Planning Manager, and Kate Rogers, MIG, presented the Frog Pond East and South Development Code Amendments Work Program via PowerPoint, noting the project’s background and timeline with variety standards being considered in February and design standards considered in March. The presentation focused on draft Code amendments related to the subdistricts designated in the Master Plan and their related standards, housing type categories, multi-family design standards and policy questions, as well as urban form standards, which define Type 1, 2, and 3 urban forms as mapped in the Master Plan. Attachment 2 of the Staff report described the why, how, where, and what of each draft amendment (Slide 4), but tonight’s focus would be on the why or the intent of key topics that would influence the draft amendments, and then the projects numbers would be updated to align with the direction and intent of the project. The project team sought confirmation that each different topic was ready to finalize or direction on what the Commission wanted as next steps for the next draft version the team would bring before the Commission.

Feedback from the Commission on the team’s topics was as follows with responses to Commissioner questions as noted:

Subdistrict Designation

- Mr. Pauly clarified the BPA easement already had recorded, existing property lines. The Significant Resource Overlay Zone (SROZ) was different in that anything in the SROZ essentially ends up not being developable, so that boundary was verified at the time of development. If the SROZ boundary was adjusted and verified, the team would make sure the Code was clear, particularly that the Subdistrict E2 and E3 boundaries would follow the eventual verified SROZ boundary.

- Mr. Pauly clarified nothing in the Master Plan referenced or numbered individual subdistricts per se, so no discrepancies were expected between the Master Plan and the Code. Part of the implementation would be labeling the subdistricts in the Code.
 - He clarified the Master Plan was a Comprehensive Plan level document that provided guidance, but not a lot of detail. The Code implements and interprets the Master Plan to make it clear. The subdistrict map was a refinement of the subdistrict concept, getting down to the boundaries. (Slide 7)
- Mr. Pauly confirmed there were no concerns about conflicts between the pictures in the Master Plan and the actual application in Code because the Code implemented the Master Plan, and a reasonable interpretation was made by the City in implementing it. Additionally, at least the record, if not the actual text of the Master Plan, referenced that the boundary was along property lines, not halfway into a field. The Master Plan was like architectural renderings whereas the Development Code was more like construction drawings.
- Commissioner Hendrix noted she supported moving forward with making the Master Plan concepts a reality in the Development Code. She reminded about the correction to the map regarding the urban form/housing types.
- The Commission offered no further comments or refinements.

Unit Minimums

- Mr. Pauly confirmed the established minimums by subdistrict (Table X on Slide 9) tracked with the same unit count in the Master Plan for the number of expected units in East and South and were included in an appendix.
 - The densities were determined based on the type of development anticipated in the different urban forms, subtracting various rights-of-way, SROZ, etc. to arrive at the expected number.
- Mr. Pauly clarified the lighter gray rows in the table indicated subdistricts that were entirely on one property. The darkest rows with asterisks show the total number for all the subs in that subdistrict, and the nonshaded rows below indicated subs for that subdistrict (darkest row). For example, the three white rows under E4 sum up to 169 units.
- Comparing Subdistricts S2 and S3, S3 had 60% more units, but appeared to be about the same acreage with both Type 2 and Type 3 split, and a tiny bit of Type 1 in.
 - Mr. Pauly understood Type 1 was anticipated and S3 would account for the additional unknown. He would have the project team triple check that.
 - Chair Heberlein added most of Subdistrict S2 would be developed with new construction, so the assumption was that most of those would not be redeveloped hence the significantly lower density in S2 versus S3, even though S2 was a larger area.
 - Commissioner Karr asked if Subdistrict S3 should have been more Type 3 in the Master Plan.
 - Mr. Pauly replied that was still a possibility long-term, and added S2 had SROZ and some stormwater facilities in S2 would take up some land.
- The Commission offered no further comments or refinements.

Green Focal Points

- Mr. Pauly confirmed that like Frog Pond West, a trail system would run throughout connecting subdistricts, but not knowing the location of all the Green Focal Points, not all would be connected necessarily. The project team could ensure the focal points were connected to the greater trail

network by an enhanced wider sidewalk, perhaps, between the focal point and one of the major trails in the neighborhood. It was an interesting concept.

- Mr. Pauly explained the team started addressing how to prevent the open space requirement from overburdening individual tax lots. In the table, for Subdistrict S3, a quarter acre of open space needed to be spread on each of the tax lots in the area, so it was evenly spread and not overburdening any particular lots. S4 had a larger and smaller tax lot, for example, so the requirement would have a larger open space on the larger tax lot and a smaller portion on the smaller tax lot. The team had tried to write that into the Code to be equitable, but it could probably use some refinement. The team would continue thinking through other alternative scenarios, especially in scenarios with multiple park areas. Any Commissioner suggestions were welcome.
 - He clarified that rather than having three small focal points with a quarter-acre from three tax lots, the idea would be to have one big focal point for all three tax lots.
- Commissioner Karr stated he preferred having one focal point per subdistrict, if possible, to make the open space more park-like and more like a gathering area.
 - Mr. Pauly added further thought was needed about the size of the focal points; did they need to be at least a quarter or half acre?
 - He confirmed a residential Code update done a few years ago defined the minimum area that could be counted as usable open space, which was 2,000 sq ft for more than 10 units.
- Did anything in the Frog Pond West Development Code guide or suggest variety in the green focal points? The purpose statement discussed being a variety of forms but there was nothing about needing to be a variety of forms. Would having every single green focal point as a splash pad in East and South be acceptable? Was there any desire to have variety?
 - Mr. Pauly noted currently, all focal points were a mature tree with a bench underneath. It was a good question and something to consider.
- Was there any flexibility to identify an ideal focal point and fund it, perhaps through fees in lieu of, that allows those who benefit from the focal point to contribute to the 0.75 acres within a subdistrict?
 - Mr. Pauly noted in Subdistrict S2, an ideal location for a focal point would be at the extension of Hazel Street where it terminates in a nice vista, but that would be on one tax lot, so funding that for the entire subdistrict was the question.
- Commissioner Mesbah recommended identifying that as the ideal focal point that serves three subdistricts, the project team could determine how much that lot would cost the subdistrict and instead of the required .25 acres, pay toward the .75 acres in an ideal place. The fee in lieu of needed to be done to essentially make it equivalent to giving up 0.25 acres of developable land. Based on the layout the planners decide is a good place, the other tax lots can contribute to it.
- Commissioner Karr added that would help with connectability, creating larger focal points for trail and other connections.
 - Mr. Pauly stated the project team would explore that further.

Housing Unit Categories

- Mr. Pauly clarified manufactured dwellings would be included in multiple housing categories as they would be allowed in the Frog Pond subdistricts if the Building Code was met. Any type of the housing category could be pre-manufactured off site and brought in. He agreed the view of manufactured homes was changing.

- Changing Unit Category D was recommended because most people would not think a 1200 sq ft house was large. (Slide 13)
 - Mr. Pauly explained the 1200 sq ft threshold provided some leeway beyond ADUs and cottage cluster units. He agreed there was probably better verbiage, noting a 1300 sq ft house was not large. The team would look at other jurisdictions, adding Ms. Rogers had seen a lot more Codes in other jurisdictions.
 - Kate Rogers, MIG, added the team would look at the numbers a bit further, noting her house was a 1,000 sq ft, two-bedroom. City standards allow a larger cottage as part of a cottage cluster, but the idea here was to try to incentivize and ensure that some amount of small homes for singles, couples, and seniors who might be downsizing, were encouraged in the area.

Multi Family Policy Questions presented for the Commission's feedback (Slides 20 & 21):

- What review procedure should apply to multi-family development?
 - Keep Site Design Review Requirement, with decision by Development Review Board, OR
 - Apply Class I ministerial review, same as single family dwellings and middle housing
- Should the multi-family standards apply citywide or only in Frog Pond?
 - Staff recommendation: Apply citywide (except Villebois), consistent with other housing types
- Do you support the proposed approach to adapt existing design standards for similar forms such as townhouses?

Discussion and comments regarding the policy questions presented was as follows (Slide 20-21):

Commissioner Neil:

- Believed the multi-family standards should apply citywide and not just to Frog Pond, adding it was good to have consistent standards. As far as the review procedure, when builders do what they are supposed to, it is hard for the Development Review Board (DRB) to say no, even though nearby residents did not like a project. She was not clear on how the Class I ministerial review worked.
 - Mr. Pauly explained single-family and middle housing were reviewed through a Class I review. Staff made sure all the established standards were met and signed off on it, then the applicant could pull the permit and build it without notice to the community.
- Preferred that residents and the community have some sort of input, so the DRB review was fine.
 - Mr. Pauly confirmed there was a middle ground, a Class II review could potentially be applied so notice was given to neighbors but without a public hearing.
- Agreed with the proposed approach to adapt the existing design standards for similar forms.

Commissioner Mesbah:

- Stated his pet peeve was it seemed residents were given the impression that they had a say at the DRB decision point, so having them comment at DRB public hearings was misleading, since projects already met the standards and would be approved. He sought ways to make their input meaningful. The Commission has been discussing how to make input meaningful when it was impactful for years. The messaging needs to inform residents that the time for meaningful input was earlier in the process, whether at Class I or Class II, because the input did not make a lot of difference at the site design review. He was fine doing administrative reviews for multi-family, but residents needed to know when their input would make an impact.

- Mr. Pauly noted a big reason the State was going this direction on middle housing, which also applied to multi-family, was historically, it had been a use that local neighbors and even cities discriminated against; it was needed housing that these processes discourage. To provide multi-family housing for families and individuals who need it, the processes needed to be minimized and middle housing put on an equal footing as other housing was important from an equity lens.
- Added he did not want the impression that the City was hiding it under the table.
 - Mr. Pauly clarified that agreed upon standards were being applied that had been discussed as a community. Developers could not just do whatever they wanted.
- Reiterated it was important to be clear about the best time for community input, whether at Planning Commission, City Council, etc. Additionally, it was not useful or meaningful to ask people for input without informing them. People need to understand that agricultural land would be paved over if use of the land was not done more efficiently.

Commissioner Hendrix agreed with what had been said, adding that subjecting multi-family development to the DRB was not the right approach. Having served on the DRB, there was a lot of frustration from community members, which got back to the question of when the community could get involved. She noted the Commission's role as the Committee for Citizen Involvement (CCI) and wondered how the CCI could be more engaged in events to discuss projects that were occurring. Getting input from the Diversity, Equality and Inclusion (DEI) Committee would be helpful as well. She believed multi-family should be reviewed in the same manner as single family and middle housing. She proposed looking further into the Class I vs Class II options as she expected it would cause the same frustrations as the DRB process. However, she would appreciate a notification over construction just starting. She supported the multi-family standards being applied citywide.

Commissioner Karr:

- Agreed with prior comments and asked why multi-family went through a different classification or process?
 - Mr. Pauly explained that historically, everything but single family went through the DRB process, even middle housing. When the State adopted middle housing rules, it mandated that middle housing go through the same process as single family.
- Added, so why not do the same for multi-family, which made sense.
- Said he also struggled with the idea of notifying residents without really giving them a voice, such as putting them through the DRB process. How could the notification or public input process be shifted to much earlier in the process? Frog Pond was pretty much done; everything was basically decided through the Master Plan.
 - Mr. Pauly noted typically the most vocal were those who had lived there a few months.
 - Commissioner Hendrix added it went back to education; educating people about what the plan includes.
 - Commissioner Neil noted when residents came to the DRB, both the Board and developers listened and made concessions even though they did not have to, so the DRB was a positive thing. The Board did not ignore residents' comments but did actually listen to residents.
- Agreed applying the standards citywide made sense. Being on the DRB during Villebois' development was a painful, unnecessary process. The lines blur between quad plexes and multi-family from a neighbor's perspective. A 6-unit townhouse and 10-unit apartment building would

both upset neighbors, so the same standards should be applied citywide. He still struggled with an apartment building going up next door without notification.

- Mr. Pauly suggested having more discussion about what review looked like beyond a Stage II/subdivision level review would look like going to DRB.
- Said it was nice developers had listened to public input though not required. Was the purpose of the notice to encourage input or tell residents and neighbors what was happening? The DRB notice was notifying that one would have input, even though no one was obligated to listen or adhere to it since it was not required by Code.
 - Commissioner Hendrix noted the power dynamics at DRB, adding developers might be willing to make concessions to meet deadlines.
- Noted the Commission did not want to discourage development, but wanted the land developed without making it burdensome.
 - Mr. Pauly noted there was always an alternative. If a developer did not want to follow the clear and objective standards laid out in the design standards, they could go through an architectural review with a DRB. That alternative would be in the Code. Developers prefer adhering to the design standards, rather than going before DRB for review, as that process provided more certainty.

Commissioner Willard noted she leaned toward simplifying the approval for multifamily but was not 100% convinced. She supported applying multi-family standards citywide and adapting the existing design standards from similar forms.

Chair Heberlein concurred with Commissioner Willard's sentiments.

Mr. Pauly clarified that essentially, all the design standards applied, and Staff reviewed a work sheet and signed off on it. Both State law and the City's Code allowed developers to do something completely different. Developers could elect to go to DRB if they believed their design was better than the Code required.

- He agreed if developers followed the Code and the design standards for the whole development, there was no other stopping place for review.

Urban Form Standards

- The visual examples provided by the team were appreciated.
- How would accessibility options look for the different housing types and urban forms, such as in the McDonald example. (Slide 37)
 - Mr. Pauly noted the example on McDonald of the ground floor units were single level, at grade entries, so at least the first-floor units were accessible.
- Do the maximum lot coverage percentages dissuade any specific building types on those different urban forms?
 - Mr. Pauly noted more work was needed on that, adding a future topic would involve discussing barriers, like lot coverage for ADUs, and whether they should be removed. For townhouses, they needed to explore whether lot coverage was being applied to the combined lots or each individual lot. A middle townhouse lot in Urban Form Type 3 would be difficult to meet the lot coverage requirements. However, if the bulk of the buildings was similar to a detached home, using the lot coverage for the combined lots would be more apples to apples.

- An example was requested of a block-wide height of 45 ft with a 6-ft setback. Given the amount of Type 1 available in Frog Pond East, the concern was the possibility of having two, block-wide, 45-ft tall, 6-ft setback buildings across the street from each other as the general bulk of that would be large.
- The Commission had no further comments or refinements.

Mr. Pauly confirmed that discussion of public facing facades and how to address them was on the agenda. Similar standards regarding the public realm were in Frog Pond West and Villebois and the City learned to consider public facing facades. In Frog Pond West, building facades facing Boeckman Rd had to have the same articulation and level of architectural interest as the front of the home to avoid having the same flat rear of buildings facing the road.

INFORMATIONAL

4. City Council Action Minutes (November 7 & 21, and December 5 & 9 2022)
(No staff presentation)
5. 2023 PC Work Program (No staff presentation)

The Planning Commissioners introduced themselves, briefly highlighting their time living in Wilsonville and their professional backgrounds.

ADJOURNMENT

Commissioner Willard moved to adjourn the regular meeting of the Wilsonville Planning Commission at 8:08 p.m. Commissioner Karr seconded the motion, which passed unanimously.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, LLC. for
Mandi Simmons, Planning Administrative Assistant