

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, DECEMBER 9, 2024

6:30 PM

Public Hearing:

3. **Res. No. 438 Frog Pond Ridgecrest Subdivision.** The applicant is requesting approval of Annexation to the City of Wilsonville and Rezoning of approximately 9.00 acres, a Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of parks and open space, Tentative Subdivision Plat, Type C Tree Removal Plan, Middle Housing Land Division, and Waivers for a 28-lot residential subdivision.

Case Files:

DB24-0008 Frog Pond Ridgecrest Subdivision

- Annexation (ANNX24-0001)
- Zone Map Amendment (ZONE24-0002)
- Stage 1 Preliminary Plan (STG124-0003)
- Stage 2 Final Plan (STG224-0004)
- Site Design Review of Parks and Open Space (SDR24-0005)
- Tentative Subdivision Plat (SUBD24-0001)
- Type C Tree Removal Plan (TPLN24-0005)
- Middle Housing Land Division (MHLD24-0001)
- Waivers (WAIV24-0002)

This item was continued to this time and date certain at the November 14, 2024 DRB Panel A meeting.

The DRB Action on the Annexation and Zone Map Amendment is a recommendation to the City Council.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 438**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) OF APPROXIMATELY 9.00 ACRES, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE REMOVAL PLAN, MIDDLE HOUSING LAND DIVISION, AND WAIVERS FOR A 28-LOT RESIDENTIAL SUBDIVISION.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by West Hills Land Development LLC – Applicant, for O’Hogan Living Trust – Owner, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code; and

WHEREAS, the subject site is located at 7400 SW Frog Pond Lane on Tax Lot 1100, Section 12D, 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 October 7, 2024; and

WHEREAS, the Development Review Board Panel ‘A’, on October 14, 2024, opened and, at the request of the applicant, continued the public hearing to a date and time certain of November 14, 2024, at 6:30 p.m.; and

WHEREAS, the Development Review Board Panel ‘A’, on November 14, 2024, at the request of the applicant and City staff, continued the public hearing for a second time to a date and time certain of December 9, 2024, at 6:30 p.m., to allow time for City Council action on November 18, 2024, on Resolution No. 3180, to approve a funding plan forecast for SW Stafford Road improvements – Phase I Project (CIP Nos. 1158, 2111, and 4219), and for staff to revise the Development Review Board staff report to reflect this action; and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel ‘A’ at a scheduled meeting conducted on December 9, 2024, at which time exhibits, together with findings and public testimony were entered into the public record; and

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

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

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

DB24-0008 Frog Pond Ridgecrest: Annexation (ANNX24-0001), Zone Map Amendment (ZONE24-0002), Stage 1 Preliminary Plan (STG124-0003), Stage 2 Final Plan (STG224-0004), Site Design Review of Parks and Open Space (SDR24-0005), Tentative Subdivision Plat (SUBD24-0001), Type C Tree Removal Plan (TPLN24-0005), Middle Housing Land Division (MHLD24-0001), and Waivers (WAIV24-0002).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 9th day of December, 2024, and filed with the Planning Administrative Assistant on _____. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

Jean Svadlenka, Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



Exhibit A1
Staff Report
Wilsonville Planning Division
Frog Pond Ridgecrest 28-Lot Subdivision
Development Review Board Panel 'A'
Quasi-Judicial Public Hearing
Added language ***bold italics underline***
Removed language ~~struck through~~

<u>1st Hearing Date:</u>	October 14, 2024
<u>Continued Hearing Date:</u>	<u>November 14, 2024</u> <u>2nd Continued Hearing Date: December 9, 2024</u>
<u>Date of Original Report:</u>	October 7, 2024 <u>Date of Revised Report: December 2, 2024</u>

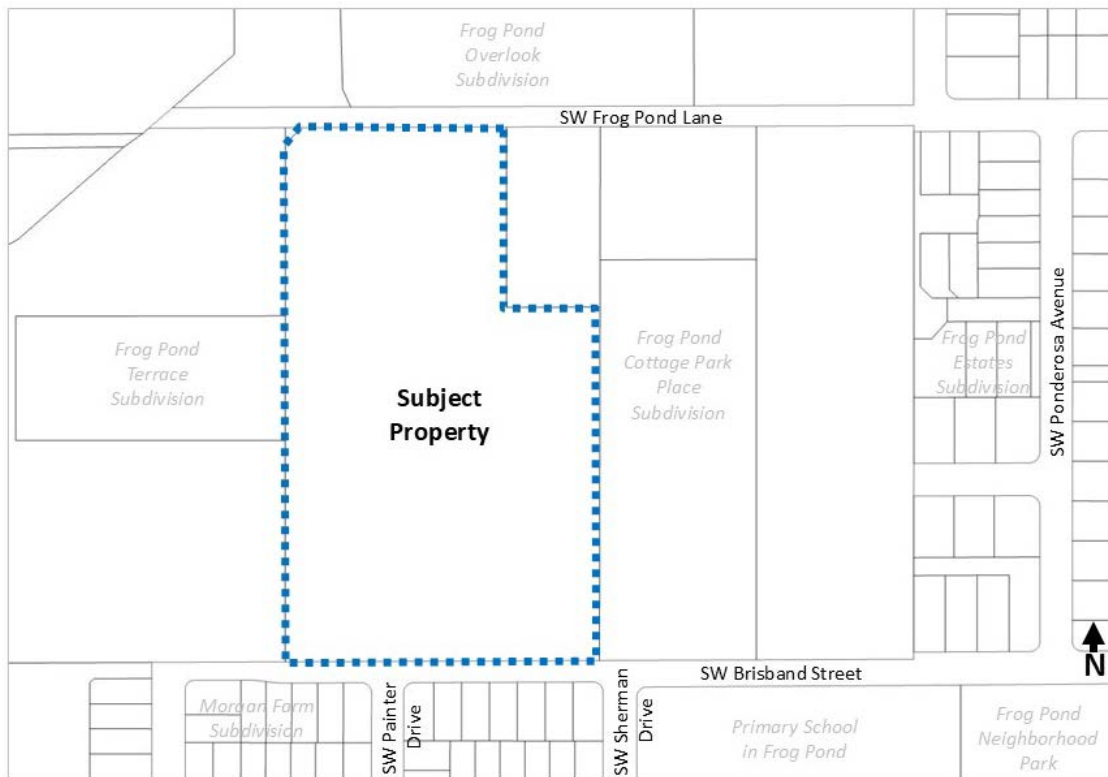
Application No.:	DB24-0008 Ridgecrest 28-Lot Subdivision
Request/Summary:	The requests before the Development Review Board include Annexation, Zone Map Amendment, Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, Middle Housing Land Division, and Waivers
Location:	7400 SW Frog Pond Lane. The property is specifically known as Tax Lot 1100, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
Owner:	O'Hogan Living Trust (Contact: Applicant's Representative)
Applicant:	West Hills Land Development LLC (Contact: Applicant's Representative)
Applicant's Representative:	AKS Engineering & Forestry, LLC (Contact: Glen Southerland, AICP)
Comprehensive Plan Designation:	Residential Neighborhood
Zone Map Classification:	Current: Rural Residential Farm Forest 5-Acre (RRFF-5; Clackamas County) Proposed: Residential Neighborhood (RN)
Staff Reviewers:	Cindy Luxhoj AICP, Associate Planner Amy Pepper, PE, Development Engineering Manager Kerry Rappold, Natural Resources Manager
Staff Recommendation:	<u>Recommend approval to the City Council</u> of the Annexation and Zone Map Amendment, and <u>approve with conditions</u> the Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Plan, Middle Housing Land Division, and Waivers, contingent on City Council approval of the Annexation and Zone Map Amendment.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
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 4.127	Residential Neighborhood (RN) Zone
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440, as applicable	Site Design Review
Sections 4.600-4.640.20	Tree Preservation and Protection
Section 4.700	Annexation
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	

<u>Regional and State Law and Planning Documents:</u>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

Vicinity Map



Background:

The subject property has long been rural/semi-rural, adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that: “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby

services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the Area Plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB. To guide development and implement the vision of the Area Plan, the Master Plan includes details on land use (including residential types and unit count ranges), residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs. The Master Plan also lays out the infrastructure financing plan.

The proposed 28-lot subdivision is the thirteenth development proposal in Frog Pond West. It will connect to the previously approved subdivisions of Frog Pond Terrace to the west, Frog Pond Overlook to the north, Frog Pond Cottage Park Place to the east, and Morgan Farm to the south, resulting in one cohesive neighborhood consistent with the Frog Pond West Master Plan.

Application Summary:

Annexation

The area proposed for annexation is contiguous to land currently in the City, within the UGB, and master planned for residential development. All property owners and electors in Tax Lot 1100 have consented in writing to the annexation. See Request A.

Zone Map Amendment

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN zone to the annexed area consistent with this intention. See Request B.

Stage 1 Preliminary Plan

The proposed residential use, number of lots, preservation of open space, and general block and street layout are consistent with the Frog Pond West Master Plan with allowed variation from the Street Demonstration Plan (see Discussion Points, below). Specifically in regards to residential land use unit count, the proposed Stage 1 Preliminary Plan area includes portions of medium lot Sub-district 4 (R-7) and large lot Sub-district 7 (R-10). The applicant proposes 20 lots in Sub-district 4, which is two (2) fewer than the minimum proportional density calculation of 22 lots. The applicant proposes eight (8) lots in Sub-district 7, which exceeds the maximum proportional density calculation by one (1) lot while continuing to meet minimum lot size requirements for the sub-district. The proposed combined total of 28 lots is the minimum proportional density for Tax Lot 1100, which has a range of 28 to 35 lots. The configuration of lots as proposed, which meet all dimensional requirements for the individual lots, will allow for buildout of these sub-districts consistent with the Master Plan recommendations. See Request C.

Stage 2 Final Plan

The applicant proposes installing necessary facilities and services concurrent with development of the proposed subdivision. Proposed lot layout and size, as well as block size and access, generally demonstrate consistency with development standards established for the Residential Neighborhood (RN) zone and in the Frog Pond West Master Plan. See Request D.

Regarding the protection of natural features and other resources, the site slopes to the south and west from a high point elevation of roughly 237 ft at the east property boundary to a low point of 215 ft at the southwest corner. Elevation in the middle of the site is roughly 225 ft. No wetlands were documented on the site. The project design avoids site disturbance to the extent practicable, limiting grading to where necessary and preserving mature off-site trees along the eastern property boundary, including Oregon white oak, in tree preservation easements where necessary.

Site Design Review of Parks and Open Space

The scope of the Site Design Review request includes design of common tracts and the streetscape. Overall, the design of these spaces is consistent with the Site Design Review standards and the Frog Pond West Master Plan. In particular, the proposed streetscape design conforms or will with Conditions of Approval to the street tree and street lighting elements of the Frog Pond West Master Plan. The design also includes two large open space tracts in the south and central parts of the subdivision that will be planted with native species, and mature off-site trees, including Oregon white oak, along the eastern property boundary that will be preserved and protected consistent with the Master Plan. Among the additional specific elements reviewed include landscaping and site furnishings in open space tracts. See Request E.

Tentative Subdivision Plat

The proposed tentative plat meets technical platting requirements, demonstrates consistency with the Stage 2 Final Plan, and thus the Frog Pond West Master Plan, and does not create barriers to future development of adjacent neighborhoods and sites. See Request F.

Type C Tree Removal Plan

As shown in the arborist report, a total of 262 on- and off-site trees were inventoried, including numerous mature Douglas fir trees and smaller nursery stock trees in a variety of species. Of the inventoried trees, 217 trees are proposed for removal. The applicant proposes planting 217 replacement trees in open space areas, adjacent to stormwater facilities, and as street trees. See Request G.

Middle Housing Land Division

The proposed middle housing land division allows for the creation of separate units of land for residential structures that could otherwise be built on a lot without a land division. The units of land resulting from a middle housing land division are collectively considered a single lot, except

for platting and property transfer purposes. Through this middle housing land division the applicant proposes creating 52 middle housing units for two-unit cluster housing from 26 parent lots and providing two (2) standard residential lots, for a total of 54 units. The resulting middle housing units range in area from 3,531 to 5,560 square feet. See Request H.

Waivers – Maximum Lot Size, Maximum Lot Coverage, Minimum Front Setback, Shared Driveway/Apron on Front-Loaded Lots

The applicant is requesting four (4) waivers to Development Code standards related to maximum lot size, maximum lot coverage, minimum front setback, and shared driveway/apron on front-loaded lots. These waivers are requested to enable development consistent with the combined proportional density range of 28-35 lots established for this portion of R-7 medium lot Sub-district 4 and R-10 large lot Sub-district 7, while providing local street connectivity to previously approved subdivisions to the west and east, SW Frog Pond Lane on the north and SW Brisband Street on the south, and Tax Lot 1101 in the northeast corner of the proposed subdivision, and other site improvements. See Request I.

Public Comments and Responses:

No public comments were received during the comment period.

Discussion Points – Verifying Compliance with Standards:

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

Consistency with Statewide Planning Goals

The Statewide Planning Goals provide direction to local jurisdictions regarding the State’s policies on land use. It is assumed the City’s adopted Comprehensive Plan, which includes the adopted Frog Pond Area Plan and Frog Pond West Master Plan, is in compliance with the Statewide Planning Goals (specifically Goal 2, Land Use Planning), and that compliance with the Comprehensive Plan also demonstrates compliance with the Statewide Planning Goals. At the time of its adoption, the Frog Pond West Master Plan was found to be in compliance with all applicable Statewide Planning Goals, including Goals 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14. Statewide Planning Goals particularly relevant to the current application include Goals 10, 12, and 14.

Goal 10, Housing, identifies a need for “needed housing”, which is defined for cities having populations larger than 2,500, as attached and detached single-family housing, multiple-family housing, and manufactured homes. Annexation of the subject site into the Wilsonville City limits

will provide lots that can be developed with attached and detached single-family housing, which is defined as “needed housing” in the City’s 2014 Residential Land Study.

Goal 12, Transportation, identifies the importance of a safe, convenient, and economic transportation system, and requires local jurisdictions to adopt a Transportation System Plan (TSP). The proposed annexation area will comply with Wilsonville’s TSP, which has been updated to include the Frog Pond West area. Annexation of the subject site will allow for its development, including new street connections included in the TSP.

Goal 14, Urbanization, identifies the need for orderly and efficient growth, the need to accommodate housing and employment within the UGB, and the importance of livable communities. The Frog Pond West Master Plan area was added to the UGB to accommodate residential growth. The Master Plan complied with Goal 14 and Metro Title 11, Planning for New Urban Areas, and guides the orderly annexation of the subject site, which is located in the Frog Pond West Master Plan area, development of a livable community, and provision of additional housing within the UGB.

As demonstrated above, the proposed project is consistent with the Comprehensive Plan and Frog Pond West Master Plan, which have been found to be consistent with Statewide Planning Goals.

Traffic Impacts

The Traffic Impact Analysis performed by the City’s consultant, DKS Associates (August 2024; see Exhibit B1; see also Finding D2), identifies the most probable used intersections for evaluation as:

- SW Frog Pond Ln/SW Stafford Rd
- SW Brisband St/SW Stafford Rd
- SW Sherman Dr/SW Boeckman Rd

It is estimated that the proposed development will generate a net total of 55 PM peak hour trips (34 in, 21 out) and 557 Weekday trips, and that 50% of trips will utilize SW Stafford Road to/from the north, 35% of trips will utilize SW Boeckman Road to/from the west, 10% of trips will utilize SW Wilsonville Road to/from the south, and 5% of trips will utilize SW Advance Road to/from the east. Approximately 10% (6 PM trips) of the project trips are expected to travel through the I-5/SW Elligsen Road interchange area and 10% (6 PM trips) through the I-5/SW Wilsonville Road interchange area.

As stated in the Traffic Impact Analysis, the SW Stafford Road/SW Frog Pond Lane study intersection is expected to fail to meet the City of Wilsonville’s LOS D operating standard under the Existing + Stage II traffic conditions (without the proposed project). With over 1,200 vehicles on SW Stafford Road during the PM peak hour, there are few opportunities for vehicles turning out of SW Frog Pond Lane to make a left turn or right turn, resulting in high delays for those

vehicles. Additionally, as the local street network is built out, some of the existing vehicle patterns within Frog Pond West may shift from other streets to SW Frog Pond Lane if it is a shorter route, creating even higher demand and delays at SW Frog Pond Lane/SW Stafford Road. This deficiency was previously identified and had been documented in previous Frog Pond traffic studies, indicating that this intersection would fail as the Frog Pond West neighborhood developed.

The long-term solution for the intersection is to restrict the minor street left turns (turning movements) out of SW Frog Pond Lane to northbound SW Stafford Road. This improvement, along with many others, are identified in the Frog Pond East and South Master Plan. These SW Stafford Road improvements are expected to be were included on the Capital Improvement Projects (CIP) list in the supplemental budget amendment by the City Council on October 14, 2024, by Resolution No. 3172 (Exhibit A4), with funding approved or recommended and scheduled for completion within two (2) years of occupancy of the proposed development. A condition of approval requires that developer enter into a written agreement with the City restricting all final certificates of occupancy until the public improvements at the intersection of SW Stafford Road/SW Frog Pond Lane are completed by the City. Subsequently, on November 18, 2024, by Resolution No. 3180 (Exhibit A5), the City Council approved a funding plan forecast for the SW Stafford Road improvements – Phase I Project (CIP Nos. 1158, 2111, and 4219). Solicitation for an engineering consultant to begin SW Stafford Road improvements – Phase I Project design work will occur in January 2025 with design beginning in the second quarter of 2025. CIP project construction is anticipated to be complete by the end of 2027. The applicant proposes infrastructure construction to commence in summer 2025 with housing construction starting in summer 2026. The applicant anticipates issuance of occupancy permits starting in January 2027. As such, the SW Stafford Road improvement Phase I construction will be completed within two (2) years of occupancy of this development.

Residential Density Targets

As discussed earlier in this staff report, the subject property is located in R-7 medium lot Sub-district 4 and R-10 large lot Sub-district 7. While the applicant proposes 20 lots in Sub-district 4, which is two (2) fewer than the minimum proportional density calculation of 22 lots, eight (8) lots are proposed in Sub-district 7, which exceeds the maximum proportional density calculation by one (1) lot. The proposed combined total of 28 lots is the minimum proportional density for Tax Lot 1100, which has a range of 28 to 35 lots (see Finding C17). The configuration of lots as proposed, which meet all dimensional requirements for the individual lots, will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

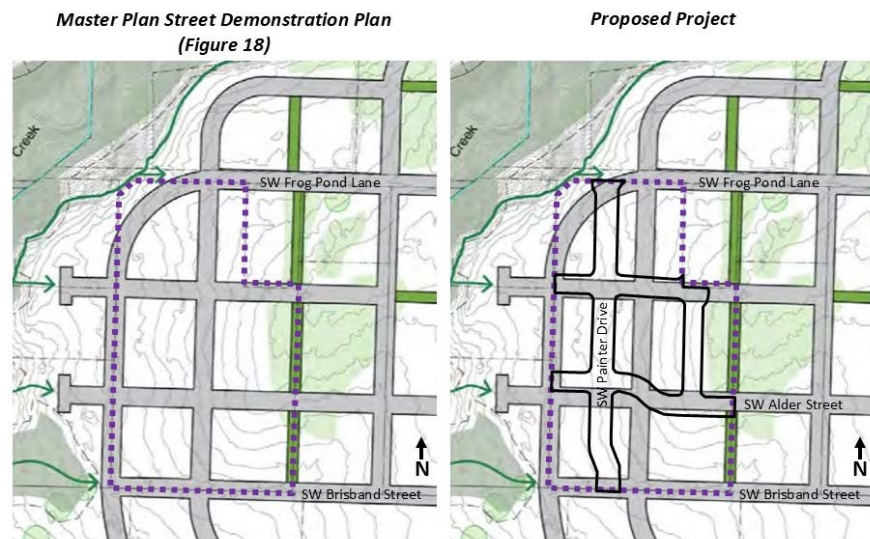
Balancing Uses in Planter Strips

Many design elements compete for space within the planter strips between sidewalks and streets. These elements include street trees, stormwater facilities, and streetlights while accommodating appropriate spacing from underground utilities and cross access by pedestrians. For various

reasons, it is not practical to place street trees and streetlights in stormwater swales. To balance these uses, the City recommends that the applicant’s plans prioritize street tree and street lighting placement with appropriate spacing from utility laterals and water meters, then place stormwater facilities where space remains available and placement is desirable. The applicant’s plans achieve the desired balance with all street trees placed within the planter strip or, where this is not feasible, in a street tree easement in the front yard of individual lots, with stormwater facilities and other elements located in the remaining space.

Street Demonstration Plan Compliance

The Street Demonstration Plan (Figure 18 of the Frog Pond West Master Plan), is an illustrative layout of the desired level of connectivity in the Frog Pond West neighborhood. The Street Demonstration Plan is intended to be guiding, not binding, allowing for flexibility provided overall connectivity goals are met. The block size and shape, access, and connectivity of the proposed subdivision, which is a modified grid pattern with streets aligned to allow for connections to the adjacent existing and planned street network, complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as illustrated below and described in more detail elsewhere in this staff report (see Finding D15). The design and layout of Aan east/west Pedestrian Connection is proposed in the Tract G open space is required by Condition of Approval to enable future extension offsite to that connects with the proposed north/south Pedestrian Connection in the adjacent previously approved Frog Pond Cottage Park Place subdivision to the east. A Condition of Approval requires that the applicant obtain the adjacent property owner’s permission to extend the pathway to make this connection. Construction of the offsite portion of the pathway connection is anticipated to occur with the Frog Pond Cottage Park Place subdivision. The proposed modifications do not require out-of-direction pedestrian or vehicular travel, nor do they result in greater distances for pedestrian access to the proposed subdivision from the surrounding streets than would otherwise be the case if the Street Demonstration Plan were adhered to.



Vehicular and Bicycle Parking

Pursuant to Oregon Administrative Rules (OAR) 660-012-0440, parking mandates, or the minimum vehicle parking requirements in Section 4.155 Table 5, are not applicable to the development as it is within one-half (1/2) mile of SMART Route 4, one of the City's most frequent transit routes. The proposed development includes uses that have no maximum limit per Table 5. With no minimum or maximum vehicle parking requirements, the number of total vehicle parking spaces is at the complete discretion of the applicant, so long as other non-parking requirements are still met. In addition, for any vehicle parking spaces provided, the applicable design standards, as well as percentage and similar requirements for certain types of spaces, still apply.

Tree Removal and Preservation

As shown on the Preliminary Tree Preservation and Removal Plan (Exhibit B2) and the associated Detailed Tree Inventory table included in the applicant's plans (Exhibit B2), 262 trees were inventoried for the current application. Of these, 129 are on-site nursery stock trees, 81 are on-site non-nursery trees, 11 are line trees, and 41 are off-site trees. On-site trees are primarily located along the western side of the subject site and at the southwest corner, in the north part of the site in the vicinity of the existing residence and accessory buildings, and in the southwest corner of the property. No on-site trees included in the inventory are located in the central part of the site. Several mature line and off-site trees are located along the eastern property boundary.

The on-site nursery stock and non-nursery trees, which total 210, and seven (7) line trees, for a total of 217 trees, are proposed for removal to accommodate construction of site improvements, including utilities, stormwater facilities, public streets, and homes. Trees proposed for removal are located within the grading limits of SW Alder Street, SW Painter Drive, and SW Brisband Street and within the building envelopes of numerous lots. The location of proposed streets was determined by the Frog Pond West Master Plan, the City's block length and perimeter standards, and the location of the street network in adjacent previously approved subdivisions. In addition, grading to achieve acceptable street slope and grading of each lot is needed to accommodate residential development and associated site improvements (driveways and walkways, alleys, stormwater management, outdoor yard areas, etc.). Reducing building footprints by increasing height is not a viable alternative as the height limit in the RN zone is 35 ft., or 2.5 stories.

The applicant proposes planting 217 trees, including 141 native trees in open space tracts and adjacent to stormwater facilities, and 76 street trees in right-of-way planter strips and the front yards of residential lots. These trees will serve to soften the urban environment, contribute to stormwater management, and provide shade and protection for pedestrians. Planting locations are shown on the landscape plan (Exhibit B2).

Middle Housing Land Division

The applicant has elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board. The tentative middle housing land division (Exhibit B2, Sheet P-08) clearly identifies the middle housing units as being created from one or more lots created by the subdivision and allows for the creation of separate units of land for residential structures that could otherwise be built on a lot without a land division. The preliminary middle housing land division plat meets the allowance of middle housing units and demonstrates compliance with the middle housing rules and statutes; however, the applicant has requested a waiver to the maximum allowed lot size for middle housing land division units (see below and Request I). Each parent lot can contain at least one (1) dwelling unit, but may contain additional units consistent with the allowance for middle housing. While the middle housing land division is being reviewed concurrently with the tentative plat, specific individual structures or their locations are not being approved as part of this action. A Condition of Approval requires the applicant, prior to issuance of the Public Works permit, to submit draft site plans showing middle housing conceptual layouts that do not encroach into easement areas, such as tree protection zones, located on individual lots.

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 four (4) discretionary review requests included as part of the proposed application as described below and discussed in detail in Request I.

Waiver – Maximum Lot Size

Per Subsection 4.118 (.03) A. 1., the Development Review Board, based on findings of fact supported by the record, may waive the minimum lot area standard. While all parent lots proposed within R-7 Sub-district 4 exceed the minimum lot area standard of 6,000 square feet, Lots 4-8 and 16-23 exceed the maximum allowed lot size for middle housing land division units, which is restricted by Section 4.232 (.03) F. 2., to be, on average, equal to 60% or less of the minimum lot size of the zone on lots in subdivisions or partitions recorded in the prior 24-month period. Thus, a waiver is requested to the maximum lot size restriction for middle housing land division units for parent Lots 4-8 and 16-23 (middle housing land division Units 7-14 and 30-42), which, on average, exceed 60% of the minimum lot size of the zone (see Request I).

Waiver – Maximum Lot Coverage

Subsection 4.118 (.03) A. 4. allows the Development Review Board to waive lot coverage requirements based on findings of fact supported by the record. Per Subsection 4.127 (.08) B. and Table 2, lot coverage in R-7 Sub-district 4 is limited to 45% maximum with an additional 10% for detached accessory structures and in R-10 Sub-district 7 to 40% maximum with the same 10% addition. The applicant requests a waiver to increase the maximum lot coverage by 20% for Lots

8-9, 11-15, and 21, from 45% to 54%, in R-7 Sub-district 4, and Lots 1-3, 24-25, and 27-28, from 40% to 48% in R-10 Sub-district 7 (see Request I).

Waiver – Minimum Front Setback

Subsection 4.118 (.03) A. 3. allows the Development Review Board to waive yard requirements based on findings of fact supported by the record. The front yard setback in R-7 Sub-district 4 is 15 feet and in R-10 Sub-district 7 is 20 feet. To accommodate placement of the existing SW Frog Pond Lane “knuckle” right-of-way and location of the trail at the rear (northwest corner) of Lot 1, and to provide for two-way traffic and looped utilities through the SW Woodbury Loop right-of-way adjacent to Tax Lot 1101 at the northeast corner of Lot 19, the applicant requests a waiver to reduce the front yard setback to 10 feet for these lots (see Request I).

Waiver – Shared Driveway/Apron on Front-Loaded Lots

Per Subsection 4.118 (.03) A. 9., the Development Review Board may waive parking space configuration and drive aisle design requirements based on findings of fact supported by the record. Per Subsection 4.113 (.14) G. 5. b., driveway approaches in residential development may be separated when located on a local street. However, per Subsection 4.127 (.08) B. and Table 2, Note O, of the Residential Neighborhood (RN) standards all lots with front-loaded garages are limited to one (1) shared standard-sized driveway/apron per street regardless of the number of units on the lot. The applicant requests a waiver to the shared driveway standard (Table 2, Note O) and proposes two (2) driveways on all lots, except for standard Lots 10 and 26, within the subdivision to provide a separate approach for each unit in a two-unit cluster housing pair in the proposed middle housing land division (see Request I).

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 recommend approval to City Council or approve, as relevant, the proposed application (DB24-0008) with the following conditions:

Planning Division Conditions:

Request A: Annexation (ANNX24-0001)

This action recommends to the City Council approval of annexation for the subject properties. The Zone Map Amendment (ZONE24-0002) and all approvals contingent on it are contingent on annexation.

PDA 1. Prior to Issuance of any Public Works Permits by the City within the Annexation Area: The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter into the Development and Annexation Agreement prior to issuance of any Public Works permits by the City within the annexation area. See Findings A1 and A8.

Request B: Zone Map Amendment (ZONE24-0002)

This action recommends to the City Council adoption of the Zone Map Amendment for the subject properties. This action is contingent upon annexation of the subject properties to the City of Wilsonville (ANNX24-0001). Requests STG124-0003, STG224-0004, SDR24-0005, SUBD24-0001, TPLN24-0005, MHL24-0001, and WAIV24-0002 are contingent on City Council action on the Zone Map Amendment request.

No conditions for this request.

Request C: Stage 1 Preliminary Plan (STG124-0003)

Approval of Stage 1 Preliminary Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0002).

No conditions for this request

Request D: Stage 2 Final Plan (STG224-0004)

Approval of the Stage 2 Final Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0002).

PDD 1. General: The approved Stage 2 Final Plan (Final Plan) shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. The Planning Director through the Class 1 Administrative Review Process may approve minor changes to the Final Plan if such changes are consistent with the purposes and general character of the Final Plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding D4.

<p>PDD 2. <u>Prior to Building Permit Issuance:</u> The applicant shall, with final design of garages and driveways, demonstrate that the combined width of all garages and outdoor on-site parking and maneuvering areas on each cluster housing lot and/or middle housing land division unit is a maximum total of 50% of any street frontage (other than an alley). See Finding D8.</p>
<p>PDD 3. <u>Prior to Issuance of Public Works Permit:</u> The applicant shall demonstrate that the combined total of driveway approaches for each cluster housing lot in the subdivision does not exceed a maximum of 32 feet or 16 feet per driveway. See Findings D9 and D11.</p>
<p>PDD 4. <u>Prior to Issuance of Public Works Permit:</u> The final design and layout of the <i>east/west</i> Pedestrian Connection in open space Tract G shall enable <i>future extension offsite</i> a continuous pathway connection to the <i>proposed</i> north/south Pedestrian Connection in the Frog Pond Cottage Park Place subdivision to the east when it develops in the future. The applicant shall provide documentation that the adjacent property owner's permission has been obtained to extend the pathway to make this connection. <i>Construction of the offsite portion of the pathway connection is anticipated to occur with the Frog Pond Cottage Park Place subdivision. (See also Engineering Division Condition PFD 10.)</i> See Findings D15 and D17.</p>
<p>PDD 5. <u>Prior to Issuance of Public Works Permit:</u> The design of the Pedestrian Connection in Tract G shall be consistent with Figure 25 in the Frog Pond West Master Plan, which requires a 10-foot-wide walkway with 8-foot planters on both sides, with trees and groundcover. See Finding D15.</p>
<p>PDD 6. <u>Prior to Issuance of the Public Works Permit:</u> Applicant shall show on construction drawings that portion of the Pedestrian Connection in Tract G that extends <i>offsite</i> into the Frog Pond Cottage Park Place subdivision to the east. The Pedestrian Connection shall be 10 feet wide and ADA compliant. See Findings D15 and D17. To ensure protection of preserved Trees #10905 and #10980, placement and construction of the pathway shall follow the methods outlined below:</p> <ul style="list-style-type: none"> • The finished pathway location will be somewhat flexible to allow the project arborist and construction crew to preserve large roots that may be encountered. • The project arborist shall be onsite during grading for the pathway. • The pathway shall be built on grade according to the following construction plan to avoid unnecessary soil compaction within the root protection zones of protected trees: <ul style="list-style-type: none"> ○ A small sized backhoe on rubber tracks and using a flat bucket, will gradually scrape away the first layer of soil. The project arborist shall supervise this work and advise on root pruning and preservation. At no time may large trucks or steel tracked equipment enter the area. ○ A layer of geo-textile fabric will be applied to the native soil where the Pedestrian Connection is within the root protection zone of protected trees. ○ A two (2) inch to four (4) inch layer of crushed rock will be placed on the fabric. Rock and gravel must be piped or ferried in using the smaller sized

	<p>equipment described above. This layer of rock shall be lightly compacted using a hand operated, motorized compactor.</p> <ul style="list-style-type: none"> ○ Concrete forms may be installed before or after the crushed rock is added. The above grade work of setting forms, installing gravel, and pouring concrete will not require arborist oversight. ○ Concrete shall be poured. Concrete shall be piped in by a concrete truck that will remain outside of the root protection zones of protected trees. Concrete may also be brought in using a power wheelbarrow, skid steer on rubber tracks, bobcat, or similar piece of equipment.
PDD 7.	Prior to Final Plat Approval: On the Final Subdivision Plat, public pedestrian and bicycle access easements, including egress and ingress, shall be established across the entirety of all pathways located in private tracts. See Finding D17.
PDD 8.	General: All crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast). See Finding D20.
PDD 9.	General: Any area, whether in a garage or in a driveway, counted as a required parking space shall have the minimum dimensions of 9 feet by 18 feet. See Finding D23.
PDD 10.	General: All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding D32.
PDD 11.	Prior to Final Plat Approval: A waiver of remonstrance against formation of a local improvement district (LID) shall be recorded in the County Recorder’s Office as well as the City’s Lien Docket as part of the recordation of the final plat. In light of the developer’s obligation to pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee in accordance with the Development and Annexation Agreement required by Condition of Approval PDA 1, the LID Waiver for a specific parcel within the proposed development shall be released upon official recording of the release of the waiver only after payment of the Infrastructure Supplemental Fee and Boeckman Bridge Fee. Further, the developer shall pay all costs and fees associated with the City’s release of the LID Waiver. See Finding D36.
PDD 12.	Prior to Final Plat Approval: Where any street will be extended signs stating “street to be extended in the future” or similar language approved by the City Engineer shall be installed. See Findings D33 and F13.

Request E: Site Design Review of Parks and Open Space (SDR24-0005)

	Approval of Site Design Review of Parks and Open Space is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0002).
PDE 1.	General: Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding E3.

PDE 2.	<p><u>Prior to Final Plat Approval:</u> All landscaping and site furnishings required and approved by the Development Review Board for common tracts shall be installed prior to Final Plat Approval unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of Final Plat Approval. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, an irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant/owner. See Finding E13.</p>
PDE 3.	<p><u>Prior to Final Plat Approval:</u> The applicant shall either (1) enter into a Residential Subdivision Development Compliance Agreement with the City that covers installation of street trees and right-of-way landscaping or (2) install all street trees and other right-of-way landscaping. See Finding E13.</p>
PDE 4.	<p><u>Ongoing:</u> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding E14.</p>
PDE 5.	<p><u>Ongoing:</u> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered as allowed by Wilsonville's Development Code. See Findings E15 and E16.</p>
PDE 6.	<p><u>Prior to Final Plat Approval:</u> A tree protection easement shall be provided on the following:</p> <ul style="list-style-type: none"> • Lots 16-18 and Tract G to protect the root zone of Trees #10822, #10780, #10823, #10882, #10883, #10885, #10894, #10905, and #10980, • Lots 24 and 26 to protect the root zone of Trees #49083, #49092, #49093, #49094, #49095, #49100, #49103, #49238, #49242, #49243, #49245, and #49248, and • Lot 28 to protect the root zone of Trees #12177 and #12178. <p>Such easements shall be shown on the final plat and include the following provisions:</p> <ul style="list-style-type: none"> • The City and HOA shall have access to inspect health of the portion of the tree root system and tree structure on the properties to ensure activity or conditions in the easement area do not impact the overall health of the trees and to perform any necessary activity to preserve tree health and maintain appropriate landscaping within the easement area.

<ul style="list-style-type: none"> • The CC&Rs shall establish HOA responsibility for landscaping and tree maintenance within the easement area. • Landscaping within the tree protection easement shall be limited to native plantings compatible with Oregon white oaks and other preserved species, as appropriate. • Temporary and permanent drainage and irrigation shall be designed around easement areas to optimize the amount of water in the root zone of the trees to support their health. • No foundations or hardscape improvements shall be placed within the easement area. • Placement of fence posts within the easement area of preserved trees shall be hand dug and supervised by the project arborist. If roots are encountered alternative fence post placement is required as determined by the project arborist. See Finding E17.
<p>PDE 7. <u>General:</u> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings. • All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10-inch to 12-inch spread. • Shrubs shall reach their designed size for screening within three (3) years of planting. • Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18-inch on center minimum. • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. • Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding E20.
<p>PDE 8. <u>General:</u> All trees shall be balled and burlapped and conform in size and grade to “American Standards for Nursery Stock” current edition. See Finding E20.</p>
<p>PDE 9. <u>Ongoing:</u> Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within</p>

	one growing season, unless appropriate substitute species are approved by the City. See Finding E21.
PDE 10.	<u>Prior to Issuance of any Public Works permits:</u> The applicant/owner shall submit information details or cut sheets demonstrating compliance with the Public Works Standards, Frog Pond West Master Plan Public Lighting Plan, and appropriate AASHTO lighting standards for local street lighting. The street lighting shall be Aurora style streetlights, as Westbrook is no longer approved by PGE. See Findings E24 and E25.
PDE 11.	<u>Prior to Issuance of any Public Works Permits:</u> The applicant/owner shall provide details or cut sheets of the proposed lighting along the Pedestrian Connection in Tract G sufficient to determine compliance with the requirements the City’s Public Works Standards and the Frog Pond West Master Plan Public Lighting Plan, and install appropriate lighting in compliance with these standards. See Finding E25.
PDE 12.	<u>Prior to Issuance of any Public Works Permits:</u> The applicant shall revise the selected street trees to match the street trees established in previously approved subdivisions to the north, east, south, and west as follows: SW Frog Pond Lane – Tulip Tree as established in Frog Pond Ridge; SW Brisband Street – American Linden as established in Morgan Farm; SW Painter Drive – Katsura as established in Morgan Farm; SW Alder Street – Glenleven Little Leaf Linden as established in Frog Pond Estates; SW Sherman Drive – Village Green Zelkova as established in Morgan Farm; and SW Woodbury Loop – American Yellowwood as established in Morgan Farm. The applicant shall also include trees along the Pedestrian Connection in Tract G from the approved list in the Frog Pond West Master Plan. See Finding E26.
PDE 13.	<u>Prior to Final Plat Approval:</u> All street signs shall be installed and utilize the City-approved sign cap on street name signs throughout the entirety of the subdivision, matching the design used in the previously approved subdivisions within Frog Pond West. The developers will buy the signs from the City. See Finding E28.

Request F: Tentative Subdivision Plat (SUBD24-0001)

	Approval of the Tentative Subdivision Plat is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0002).
PDF 1.	<u>Prior to Final Plat Approval:</u> Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
PDF 2.	<u>Prior to Final Plat Approval:</u> The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for the Stage 2 Final Plan or the Tentative Plat.
PDF 3.	<u>Prior to Final Plat Approval:</u> The applicant/owner shall submit for review and approval by the City Attorney CC&Rs, bylaws, etc. related to the maintenance of the open space tracts. Such documents shall assure the long-term protection and

	maintenance of all open space tracts in the subdivision. See Finding F5.
PDF 4.	<u>Prior to Final Plat Approval:</u> Where any street will be extended signs stating “street to be extended in the future” or similar language approved by the City Engineer shall be installed. See Findings D33 and F13.
PDF 5.	<u>Prior to Final Plat Approval:</u> For all public pipeline easements, public access easements, and other easements, as required by the city, shown on the Final Subdivision Plat, the applicant/owner and the City shall enter into easement agreements on templates established by the City specifying details of the rights and responsibilities associated with said easements and such agreements will be recorded in the real property records of Clackamas County. See Finding F17.

Request G: Type C Tree Plan (TPLN24-0005)

	Approval of the Type C Tree Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0002).
PDG 1.	<u>General:</u> This approval for removal applies only to the 217 trees identified in the applicant’s submitted Tree Maintenance and Protection Plan (see Exhibit B2). All other trees on the property shall be maintained unless removal is approved through separate application. See Finding G4.
PDG 2.	<u>Prior to Grading Permit Issuance:</u> The applicant/owner shall submit an application for a Type C Tree Removal Permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant/owner shall provide the City’s Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant/owner shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff. See Finding G19.
PDG 3.	<u>Prior to Final Plat Approval:</u> The applicant/owner shall install the 217 required mitigation trees per Section 4.620 WC. See Findings G21, G22 and G24.
PDG 4.	<u>General:</u> The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding G23.
PDG 5.	<u>Prior to Commencing Site Grading:</u> The applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees in both development phases . The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. <u>Ongoing:</u> No foundations or hardscape improvements shall be placed within the portion of the root zone delineated by the tree protection fencing. Fence posts for tree protection fencing within the root zones of the preserved trees shall be hand dug and supervised by the project arborist. If roots are encountered, alternative fence post placement is required as determined by the project arborist. Tree protection fencing shall not be removed without the arborist present onsite and prior notice given to the Planning Division. See Finding G25.

Request H: Middle Housing Land Division (MHLD24-0001)

Approval of the Middle Housing Land Division is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0002).	
PDH 1.	Prior to Final Plat Approval: The applicant/owner shall submit an application for Final Plat review and approval on the Planning Division Site Development Application form. The applicant/owner shall also provide materials for review by the City's Planning Division in accordance with Section 4.220 of City's Development Code. The Final Plat shall be prepared in substantial accord with the middle housing land division as approved by this action and as amended by these conditions, except as may be subsequently altered by minor revisions approved by the Planning Director. See Finding H1.
PDH 2.	Prior to Final Plat Approval: The applicant/owner shall assure that the land units are not sold or conveyed until such time as the Final Plat is recorded with the County. See Finding H2.
PDH 3.	Prior to Final Plat Approval: The applicant/owner shall illustrate existing and proposed easements on the Final Plat. See Finding H5.
PDH 4.	Prior to Issuance of the Public Works Permit: The applicant shall submit draft site plans showing middle housing conceptual layouts that do not encroach into easement areas, such as tree protection zones, located on individual lots. See Finding H5.
PDH 5.	Prior to Final Plat Approval: The applicant/owner shall state on the Final Plat that the middle housing land division units are not further divisible. See Finding H11.

Request I: Waiver (WAIV24-0002)

Approval of the Waiver request is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0002).	
PDI 1.	Prior to Final Plat Approval: The applicant shall state in a note on the Final Plat that the rear yard setback of middle housing land division Units 30-35 shall be 21 feet, of Units 36-39 and 42-45 shall be 23 feet, and of Units 7-14 shall be 34.5 feet, to maintain the same building envelope as lots that comply with the maximum lot size standard. See Findings I1 and I2.
PDI 2.	Prior to Building Permit Issuance: Any buildings approved on Lots 8-9, 11-15, and 21 in R-7 Sub-district 4 shall not result in a lot coverage greater than 54%, and on Lots 1-3, 24-25, and 27-28 in R-10 Sub-district 7 shall not result in a lot coverage greater than 48%. See Findings I3 and I4.

The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive

Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

Engineering Division Conditions:

Request D: Stage 2 Final Plan (STG224-0004)

PFD 1.	Ongoing: Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1 and to specifics as found in the Frog Pond West Mater Plan (July 17, 2017).
PFD 2.	The Traffic Impact Study for the project (DKS, August 2024) notes, as documented in other traffic studies for the area, that the SW Stafford Road/SW Frog Pond Lane intersection is expected to fail to meet the City’s Level of Service D operating standard. The long term solution for the intersection is to restrict the minor street left turns out of SW Frog Pond Lane. This improvement, along with many others, are identified in the Frog Pond East and South Maser Plan. These improvements are expected to be included on the Capital Improvements Projects (CIP) list by City Council on October 14, 2024 with funding approved or recommended and scheduled for completion within two (2) years of occupancy of development. Prior to Issuance of the Public Works Permit: The developer must enter into a written agreement with the City restricting all final certificates of occupancy until the public improvements at the intersection of SW Stafford Road/SW Frog Pond Lane are completed by the City.
PFD 3.	General: Streets shall be primarily constructed per the street type and cross-section as shown in the Frog Pond West Master Plan.
PFD 4.	Prior to issuance of a Public Works Permit: Applicant shall be required to enter into a Development and Annexation Agreement with the City. (See also Planning Division Condition PDA 1.)
PFD 5.	Prior to the Issuance of the Public Works Permit: The applicant shall submit design and construction plans showing 28 feet of pavement, curbs, street lighting, planter strips, street trees, driveway approaches, and sidewalks along both sides of SW Painter Drive, SW Alder Street, and SW Woodbury Loop. The plans shall show complete vehicle, pedestrian and bicycle movements through the SW Woodbury Loop northeast corner temporary improvements. Streets shall align with existing street extensions of SW Alder Street and SW Woodbury Loop to the west.
PFD 6.	Prior to Issuance of any Public Works Permit: Submit design and construction plans showing half-street improvements including pavement, curb, planter strip, street trees, street lighting, sidewalk, and driveway approaches along site frontage on SW Frog Pond Lane and SW Brisband Street. Where SW Frog Pond Lane, SW Brisband

	Street and SW Sherman Drive are subject to a pavement moratorium, design and construction plans shall show additional necessary pavement restoration in accordance with the City's Public Works Standards.
PFD 7.	<u>Prior to Issuance of any Public Works Permit:</u> Submit design and construction plans showing half street improvements along site frontage of SW Sherman Drive including curb, sidewalk, ADA ramps and stormwater planters. If SW Sherman Drive improvements are not constructed with the Frog Pond Cottage Park Place subdivision prior to improvements being constructed in this subdivision, the construction drawings shall show necessary interim improvements to provide water line looping, <i>pedestrian connectivity along SW Sherman Drive between SW Alder Street and SW Brisband Street</i> , and stormwater management for Lots 13, 14 and 16.
PFD 8.	<u>Prior to Issuance of any Public Works Permit:</u> The applicant shall submit design and construction plans showing water meter boxes and water service lines not located within the driveway approach, including the wings.
PFD 9.	<u>Prior to Issuance of any Public Works Permit:</u> The applicant shall submit design and construction plans showing street trees in the planter strip a minimum distance of three (3) feet from any driveway or driveway wing. Where three (3) feet distance is not available, street trees shall be planted outside of the right-of-way in a street tree easement.
PFD 10.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall show on the design and construction plans that the east-west pedestrian connection shown on Tract G is extended so that a 10-footwide pedestrian connection is <i>can be</i> extended <i>offsite</i> to the proposed pedestrian connection approved in the Frog Pond Cottage Park Place subdivision. (See also Planning Division Conditions PDD 4 and PDD 5.) <i>Construction of the offsite portion of the pathway is anticipated to occur with the Frog Pond Cottage Park Place subdivision.</i>
PFD 11.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall show on the design and construction plans the extension of the Boeckman Creek Trail on Lot 1 to connect to the portions of the Trail constructed with the Frog Pond Terrace subdivision. The trail cross-section shall be compliant with Figure 32 of the Frog Pond West Master Plan and designed in conformance with the City Public Works Standards. The applicant shall be credited for costs of design and construction of the Boeckman Creek Trail through the Parks SDC credits as provided in the Development and Annexation Agreement.
PFD 12.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall show on the design and construction plans a mail kiosk at a location coordinated with City staff and the Wilsonville US Postmaster.
PFD 13.	<u>Prior to Issuance of Public Works Permit:</u> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment and flow control requirements, including documentation of all impervious area reduction strategies considered and use of available vegetated areas for stormwater management purposes. The stormwater report shall evaluate the capacity of the

	stormwater management facility installed in Frog Pond Terrace to avoid installation of a private shared storm lateral on Lots 27 and 28.
PFD 14.	<u>Prior to the Issuance of any Public Works Permit:</u> The applicant shall obtain an NPDES 1200C permit from the Oregon Department of Environmental Quality and a Local Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized. Permits will be closed out when home construction is completed and final certificates of occupancy have been issued for all homes in the subdivision.
PFD 15.	<u>With the Public Works Permit:</u> The design and construction plans shall show all existing overhead utilities along the development's frontage on SW Frog Pond Lane placed underground. The existing gas main shall be relocated outside of the right-of-way and placed in the public utility easement.
PFD 16.	<u>With the Public Works Permit:</u> The applicant shall provide to the City a copy of correspondence that plans have been distributed to the franchise utilities. <u>Prior to the issuance of the Public Works Permit:</u> The applicant shall have coordinated the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easement or right-of-way be required to construct or relocate a franchise utility, the applicant shall provide a copy of the recorded documents.
PFD 17.	<u>Prior to final completeness of the Public Works Permit:</u> Submit documentation that the existing well located on this property was properly abandoned in accordance with OAR 690-240 and the Water Resources Department requirements.
PFD 18.	<u>With the Public Works Permit:</u> The design and construction plans shall show the location of any existing septic systems. <u>Prior to final completeness of the Public Works Permit:</u> Submit documentation that the existing on-site septic systems were properly decommissioned per the requirements of OAR 340-071-0185.

Request F: Tentative Subdivision Plat (SUBD24-0001)

The following conditions are in addition to the dedications and easements shown on the Tentative Subdivision Plat	
PFF 1.	<u>Prior to Final Plat Approval:</u> Show dedication of 9.5-feet of right-of-way along SW Frog Pond Lane.
PFF 2.	<u>Prior to Final Plat Approval:</u> Show dedication of 15-feet of right-of-way along SW Brisband Street.
PFF 3.	<u>Prior to Final Plat Approval:</u> Show dedication <u>of</u> 52-feet of right-of-way along SW Alder Street and SW Woodbury Loop.
PFF 4.	<u>Prior to Final Plat Approval:</u> Show dedication <u>of</u> 62-feet of right-of-way along SW Painter Drive.

PFF 5.	<u>Prior to Final Plat Approval:</u> Show dedication of a 6-foot public utility easement along the SW Frog Pond Lane, SW Brisband Street, SW Alder Street, SW Woodbury Loop and SW Painter Drive right-of-way frontages.
PFF 6.	<u>Prior to Final Plat Approval:</u> Submit documentation verifying Tracts A through J have been deeded to a Homeowner’s Association. Submit CC&R’s including information regarding the maintenance responsibilities for all stormwater management facilities.
PFF 7.	<u>Prior to Final Plat Approval:</u> Submit stormwater access and maintenance agreements for all stormwater management facilities.
PFF 8.	<u>Prior to Final Plat Approval:</u> Submit a street tree easement agreement for all street trees located outside of the public right-of-way. Street tree easement cannot overlap with public utility easements.
PFF 9.	<u>Prior to Final Plat Approval:</u> Submit public access, bike and pedestrian easement over Lot 1 for the Boeckman Creek Trail.
PFF 10.	<u>Prior to Final Plat Approval:</u> Submit minimum 15-foot wide water pipeline easement agreement for any temporary water main located outside of the public right-of-way necessary for water line looping.
PFF 11.	<u>Prior to Final Plat Approval:</u> Submit public access, bike and pedestrian easement over Tract G.
PFF 12.	<u>Prior to Final Plat Approval:</u> All public infrastructure improvements including but not limited to street, stormwater drainage, water quality and flow control, sanitary sewer, and water facilities shall be substantially complete with approval from the Community Development Director pursuant to Section 4.220 of the Development Code.
PFF 13.	<u>Prior to Final Plat Approval:</u> A waiver of remonstrance against formation of a local improvement district (LID) shall be recorded with the County Recorder’s Office as well as the City’s Lien Docket in accordance with Wilsonville Code 4.177(.02)C.2. (See also Planning Division Condition PDD 11.)

Building Division Conditions:

All Requests

BD1.	<u>Prior to Construction of the Subdivision’s Residential Homes:</u> The subdivision plat shall be recorded and addresses shall be issued unless otherwise specified in a written developer’s agreement.
BD2.	<u>Prior to Occupancy:</u> New and existing buildings shall have approved address labels. Building numbers or approved building identification shall be placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of four (4) inches high with a minimum stroke width of one-half (1/2) inch. (OFC 505.1) Where vehicle access is from a private drive or alley, provide a physical address on the new home, as well as near the intersection of the

	private drive and public road. The address must be visible from any approaches by a monument, pole or other sign used to identify the structure. (ORSC R319)
BD3.	<p><u>Prior to Demolition of Structures:</u></p> <p>a. <u>Permits Required:</u> Demolition permit requirements are outlined in Building Division Policy <u>BPP 123</u>. A demolition permit shall be obtained from the Building Division. Separate plumbing permits are required for capping and abandoning site utilities on private property. Septic tank abandonment or well abandonment shall be done via permits through the County.</p> <p>b. <u>Photos Required:</u> Photos must be taken of any structures on the site that are to be demolished. Photos must be a clear resolution (when printed, a minimum resolution of 300 dpi or greater) and should include a representative sample of the exterior of the structure from each direction (a minimum of six (6) photos total). A demolition permit must be obtained from the Building Division and photos must be submitted with the demolition permit application. See Building Division Policy <u>BPP 123</u> for additional guidance. (Wilsonville Code 9.270)</p> <p>c. <u>Erosion Control Permit Required:</u> An erosion control permit shall be issued and erosion control measures installed prior to any demolition work.</p> <p>d. <u>Tree Removal Permit:</u> Prior to any demolition, a tree removal permit must be obtained from the Planning Division where sites contain trees that are planned for removal.</p>
BD4.	<p><u>Tree Preservation and Erosion Control - Excavation, Grading, and Fill Placement:</u></p> <p>No excavation, grading, or fill placement shall occur prior to installation and acceptance of tree preservation fencing from the Planning Division and erosion prevention and sediment control measures are installed, inspected and approved from the Engineering Division.</p>

Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB24-0008. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (*to be presented at Public Hearing*)
- A3. *Staff Memorandum to Development Review Board, Dated November 14, 2024*
- A4. *City Council Resolution No. 3172*
- A5. *City Council Resolution No. 3180*

Materials from Applicant

- B1. *Applicant's Narrative and Materials – Available Under Separate Cover***
 - Land Use Application Form
 - Land Use Narrative
 - Appendix C: Ownership Information/Title Report
 - Appendix D: Clackamas County Assessor's Map
 - Appendix E: Traffic Impact Study
 - Appendix F: Wetland Delineation Report
 - Appendix G: Preliminary Stormwater Report
 - Appendix H: Geotechnical Report
 - Appendix I: Draft CC&Rs
 - Appendix J: Annexation Legal Description and Exhibit
 - Appendix K: Annexation Petitions and County Certifications
 - Appendix L: Preliminary Conceptual Elevations
 - Appendix M: 250-Foot Radius Notification Labels
 - Appendix N: Service Provider Letters
 - Appendix O: Arborist Memo
- B2. *Applicant's Drawings and Plans – Available Under Separate Cover***
- B3. Applicant's Response to Incomplete Notice, Dated August 9, 2024**
- B4. Applicant's Response to Compliance Items, Dated September 9, 2024**
- B5. *Applicant's Request for Waiver of 120-day Rule, Dated October 17, 2024***

Development Review Team Correspondence

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

Development Review Board Panel 'A' Staff Report October 7, 2024
Revised December 2, 2024

Exhibit A1

DB24-0008 Frog Pond Ridgecrest 28-Lot Subdivision

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Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on July 1, 2024. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on July 30, 2024. The applicant submitted additional material on August 9, 2024. Staff conducted a completeness review within the statutorily allowed 30-day review period and deemed the application complete on August 30, 2024. The City must render a final decision for the request, including any appeals, by December 28, 2024. However, the applicant requested that the 120-day review period be extended to January 28, 2025, to allow time to process their application (see Exhibit B5). Therefore, the City must render a final decision for all requests, including any appeals, by January 28, 2025.

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North	RRFF-5 and RN	Rural Residential/Agriculture (Clackamas County) Residential (Frog Pond Overlook)
East	RN	Residential (Frog Pond Cottage Park Place)
South	RN	Residential (Morgan Farm)
West	RN	Residential (Frog Pond Terrace)

3. Previous City Planning Approvals: None

4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. AKS Engineering & Forestry, LLC, initiated the application with their approval.

Pre-Application Conference Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on April 4, 2024 (PRE24-0002) in accordance with this subsection.

Lien Payment before Approval Subsection 4.011 (.02) B.

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

General Submission Requirements Subsection 4.035 (.04) A.

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

Zoning-Generally Section 4.110

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

Request A: Annexation (ANNX24-0001)

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

Comprehensive Plan-Annexation and Boundary Changes

Consistent with Future Planned Public Services
Implementation Measure 2.2.1.a.

A1. The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. West Hills Land Development LLC and the City will enter into a Development and Annexation Agreement detailing provision and development of public services as required by Conditions of Approval.

Demonstrated Need for Immediate Urban Growth
Implementation Measure 2.2.1.a.

A2. Metro brought the subject area into the Urban Growth Boundary (UGB) in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards
Implementation Measure 2.2.1.e.

A3. This review applies all applicable Metro and State rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services
Implementation Measure 2.2.1.e. 1.

A4. The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposes site development with concurrent applications for Stage 1 and Stage 2 Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the subject site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years
Implementation Measure 2.2.1.e. 2.

A5. The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond area.

Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.

Wilsonville Development Code-Annexation

Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

A6. Review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

Procedure for Review, Etc.

Subsections 4.700 (.01). and (.04)

A7. The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, and a narrative describing conformance with applicable criteria. City Council, upon recommendation from the DRB, will declare the subject property annexed.

Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

A8. Subject to requirements in this subsection and the Frog Pond West Master Plan, Conditions of Approval require the necessary parties enter into a Development and Annexation Agreement with the City covering the annexed land.

Metro Code

Local Government Boundary Changes

Chapter 3.09

A9. The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, and is consistent with both the Comprehensive Plan and the Frog Pond West Master Plan.

Oregon Revised Statutes (ORS)

Authority and Procedure for Annexation

ORS 222.111

A10. The request meets the applicable requirements in State statute including the facts that the subject property is within the UGB and is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and all property owners and a majority of electors within the annexed area consent in writing to the annexation.

Procedure Without Election by City Electors
ORS 222.120

A11. The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and the request meets the applicable requirements in State statute including the facts that all property owners and a majority of electors within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

Annexation by Consent of All Owners and Majority of Electors
ORS 222.125

A12. All property owners and a majority of electors within the annexed area have provided their consent in writing. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

Oregon Statewide Planning Goals

Planning Goals – Generally
Goals 1, 2, 5, 6, 8, 9, 11, 12, 13, 14

A13. The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both of which have been found to meet the Statewide Planning Goals.

Housing
Goal 10

A14. The proposed annexation and zone map amendments will continue to allow the City to meet its housing goals and obligations reflected in the Comprehensive Plan. Specifically:

- The City has an existing Housing Needs Analysis and Buildable Lands Inventory adopted in 2014 collectively known as the Wilsonville Residential Land Study. The key conclusions of this study are that Wilsonville: (1) may not have a 20-year supply of residential land and (2) the City's residential policies meet Statewide Planning Goal 10 requirements.
- Under the Metro forecast, Wilsonville is very close to having enough residential land to accommodate expected growth. Wilsonville could run out of residential land by 2032.
- If Wilsonville grows faster than the Metro forecast, based on historic City growth rates, the City will run out of residential land before 2030.
- Getting residential land ready for development is a complex process that involves decisions by Metro, City decision makers, landowners, the Wilsonville community,

and others. The City has completed the master planning process for the Frog Pond East and South neighborhoods to ensure that additional residential land is available within the City. The City also adopted a new plan and development standards for more multi-family units in the Wilsonville Town Center. Finally, the City provides infill opportunities, allowing properties with existing development at more rural densities to be re-zoned for more housing, which this application falls under.

- Wilsonville is meeting Statewide Planning Goal 10 requirements to “provide the opportunity for at least 50% of new residential units to be attached single family housing or multiple family housing” and to “provide for an overall density of 8 or more dwelling units per net buildable acre.”
- Wilsonville uses a two-map system, with a Comprehensive Plan Map designating a density for all residential land and Zone Map with zoning to implement the Comprehensive Plan designation. Rezoning the subject property to a higher density zone consistent with the Comprehensive Plan will ensure related Zone Map Amendment and development approvals support the Comprehensive Plan and Goal 10.
- The proposal increases density allowed and development capacity within the existing Urban Growth Boundary and improving the capacity identified in the 2014 study. The type of housing is anticipated to be a mix of attached and detached units, and the approval will allow middle housing consistent with House Bill 2001 and newly implemented City Code to allow middle housing types.
- The proposal directly impacts approximately 2.0% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 9.00 of 477 acres).

Request B: Zone Map Amendment (ZONE24-0002)

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

Comprehensive Plan

“Residential Neighborhood” on Comprehensive Plan Map, Purpose of “Residential Neighborhood” Designation

Policy 4.1.7.a.

B1. The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood”. The designation enables development of the site consistent with the purpose of this designation as set forth in the legislatively adopted Frog Pond West Master Plan, resulting in an attractive, cohesive and connected residential neighborhood with high

quality architecture and community design, transportation choices, and preserved and enhanced natural resources.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan
Implementation Measure 4.1.7.c.

- B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood”.

Safe, Convenient, Healthful, and Attractive Places to Live
Implementation Measure 4.1.4.c.

- B3.** The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density
Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities. See also Request C, Stage 1 Preliminary Plan.

Development Code

Zoning Consistent with Comprehensive Plan
Section 4.029

- B5.** The applicant requests a zone change concurrently with a Stage 1 Preliminary Plan, Stage 2 Final Plan, and other related development approvals. The proposed zoning designation of RN is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

Base Zones
Subsection 4.110 (.01)

- B6.** The requested zoning designation of RN is among the base zones identified in this subsection.

Residential Neighborhood (RN) Zone

Purpose of the Residential Neighborhood (RN) Zone
Subsection 4.127 (.01)

- B7.** The request to apply the RN zone on lands designated “Residential Neighborhood” on the Comprehensive Plan Map enables a planned development process implementing the

“Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

Permitted Uses in the Residential Neighborhood (RN) Zone
Subsection 4.127 (.02)

- B8.** Concurrent with the Zone Map Amendment request the applicant requests approval of a 28-lot residential subdivision. Single-family dwelling units, Duplex, Triplex, Quadplex, Cluster Housing, Cohousing, Cluster Housing (Frog Pond West Master Plan), open space, and public and private parks are among the permitted uses in the RN Zone.

Residential Neighborhood (RN) Zone Sub-districts and Residential Density
Subsection 4.127 (.05) and (.06)

- B9.** The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use lot count, the proposed Stage 1 area includes a portion of medium lot Sub-district 4 and a portion of large lot Sub-district 7. A full discussion of compliance with the sub-districts and residential density is included under Request C, Stage 1 Preliminary Plan.

Request C: Stage 1 Preliminary Plan (STG124-0003)

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

Comprehensive Plan

City Supports Development of Land within City Consistent with Land Use Designation Goal 2.1, Policy 2.1.1., Implementation Measure 2.1.1.a., Policy 2.2.1.

- C1.** The City’s Comprehensive Plan, Frog Pond Area Plan, and Frog Pond West Master Plan designate the subject property for residential use. The Frog Pond West Master Plan specifically identifies procedures for development of the subject and surrounding land, thus supporting its development for residential lots so long as proposed development meets applicable policies and standards.

Urbanization for Adequate Housing for Workers Employed in Wilsonville, Jobs and Housing Balance
Implementation Measures 2.1.1.b., 4.1.4.l., 4.1.4.p.

- C2.** The proposal provides for urbanization of an area planned for residential use to provide additional housing within the City available to workers employed within the City. However, no special provisions or programs target the units to workers employed within the City.

Encouraging Master Planning of Large Areas
Implementation Measure 2.1.1.f.2.

- C3. The proposed development is part of a larger area covered by the Frog Pond West Master Plan consistent with the City's policies and encouragement related to master planning.

City Obligated to do its Fair Share to Increase Development Capacity within UGB
Implementation Measure 2.2.1.b.

- C4. The property is within the Urban Growth Boundary (UGB) and available for use consistent with its residential designation. Allowing development of the property for additional residential lots supports the further urbanization and increased capacity of residential land within the UGB.

Urban Development Only Where Necessary Facilities can be Provided
Implementation Measure 3.1.2.a.

- C5. As can be found in the findings for the Stage 2 Final Plan, the proposed development provides all necessary facilities and services consistent with the Frog Pond West Master Plan.

Provision of Usable Open Space
Implementation Measures 3.1.11.p., 4.1.5.kk.

- C6. The proposal is located within medium- and large-lot subdistricts and does not require usable open space. However, the applicant proposes to provide roughly 35,149 square feet of open space in Tracts A, C, and F-J dispersed throughout the central and southern parts of the development, with the largest being Tracts E (20,667 sf), G (4,143 sf) and I (5,639 sf). Tract G includes a Pedestrian Connection that provides connectivity between SW Woodbury Loop and the east boundary of the proposed subdivision. Design and layout of the pathway will enable future extension off-site to connect with and the open space and pathways in the previously approved Frog Pond Cottage Park Place subdivision to the east when it develops in the future. Construction of the offsite portion of the pathway is anticipated to occur with the Frog Pond Cottage Park Place subdivision.

Consistency with Street Demonstration Plans May Be Required
Implementation Measure 3.2.2.

- C7. Section 4.127 requires the area subject to the Stage 1 Preliminary Plan to be consistent with the Street Demonstration Plan in Figure 18 of the Frog Pond West Master Plan. The proposed street layout is generally consistent with the Street Demonstration Plan with variations as noted in Finding D15.

Wide Range of Housing Choices, Planning for a Variety of Housing
Policy 4.1.4., Implementation Measures 4.1.4.b., 4.1.4.c., 4.1.4.d., 4.1.4.j., 4.1.4.o.

- C8. The Frog Pond Area Plan and the Frog Pond West Master Plan identify a variety of single-family homes and middle housing as the appropriate housing types for the subject area as part of the broader mix of housing in Wilsonville.

Accommodating Housing Needs of Existing Residents
Implementation Measure 4.1.4.f.

- C9. The applicant intends to provide a housing product attractive to existing residents of the City as a whole, including current homeowners and current renters looking to purchase in a medium to high price range, similar to other nearby homes. The applicant proposes residential lots to accommodate a variety of housing types. Within the Residential Neighborhood zone a variety of middle housing types is also permitted.

Planned Development Regulations

Planned Development Lot Qualifications
Subsection 4.140 (.02)

- C10. The planned 28-lot subdivision will accommodate residential building lots, provide functional public streets, and be surrounded by open space and recreational opportunities consistent with the purpose of Section 4.140. The proposed subdivision is 9.00 acres and is suitable for planning and development. The property is not currently nor is it proposed to be zoned "PD" (Planned Development). Concurrent with the request for a Stage 1 Preliminary Plan, the applicant proposes to rezone the property to RN (Residential Neighborhood). Pursuant to the Frog Pond West Master Plan development in the RN zone follows the same planned development procedure as PDR zones.

Ownership Requirements
Subsection 4.140 (.03)

- C11. The owners of the subject property have signed an application form included with the application.

Professional Design Team
Subsection 4.140 (.04)

- C12. Glen Southerland of AKS Engineering & Forestry, LLC, is the coordinator of a professional design team with all the necessary disciplines including engineers, a landscape architect, and a planner, among other professionals.

Planned Development Application Requirements
Subsection 4.140 (.07)

- C13.** Review of the proposed Stage 1 Preliminary Plan has been scheduled for a public hearing before the DRB in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:
- The property affected by the Stage 1 Preliminary Plan is under an application by the property owners.
 - The applicant submitted a Stage 1 Preliminary Plan request on a form prescribed by the City.
 - The applicant identified a professional design team and coordinator. See Finding C12.
 - The applicant has stated the uses involved in the Stage 1 Preliminary Plan and their locations.
 - The applicant provided boundary information.
 - The applicant has submitted sufficient topographic information.
 - The applicant provided a tabulation of the land area to be devoted to various uses.
 - Any necessary performance bonds will be required.

Standards for Residential Development in Any Zone

Outdoor Recreational Area and Open Space Land Area Requirements
Subsection 4.113 (.01)

- C14.** The Frog Pond West Master Plan controls outdoor recreational area and open spaces for the subject and surrounding areas. The subject property contains land within the R-7 medium lot sub-district and the R-10 large lot sub-district. These sub-districts do not require outdoor recreational area and open space, therefore, this subsection does not apply. However, the proposed development includes roughly 35,149 square feet of open space (see Finding C6 and Request E).

Residential Neighborhood Zone

Permitted Uses
Subsection 4.127 (.02)

- C15.** The applicant proposes residential lots and open spaces, which are or will accommodate allowed uses in the RN zone.

Residential Neighborhood Sub-districts
Subsection 4.127 (.05)

- C16.** The proposed Stage 1 Preliminary Plan area includes a portion of medium lot Sub-district 4 and a portion of large lot Sub-district 7.

Minimum and Maximum Residential Lots
 Subsection 4.127 (.06)

C17. The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential lot count, the proposed Stage 1 area includes a portion of medium lot Sub-district 4 and a portion of large lot Sub-district 7. The following table summarizes how the proposed residential lots in this Sub-district are consistent with the Master Plan recommendations.

Subdistrict and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established lot range for Sub-district	Lot Range for Site	Proposed Lots	Total lots within Sub-district - Approved and Proposed
4 – R-7	6.54	26.1%	86-107	22-28	20	60 Approved 20 Proposed 80 Total
7 – R-10	2.48	24.9%	24-30	6-7	8	14 Approved 8 Proposed 22 Total
Total	9.02			28-35	28	

While the applicant proposes 20 lots in Sub-district 4, which is two (2) fewer than the minimum proportional density calculation, 8 lots are proposed in Sub-district 7, exceeding the proportional density calculation for this part of the site by one (1) lot. This results in a proposed total of 28 lots, which is the minimum proportional density calculation for the site as a whole.

The proportional density allocation does not account for site-specific characteristics that influence the ability of a specific property to accommodate residential lots meeting minimum dimensional standards. The surrounding properties, apart from Tax Lot 1101 to the northeast, have received preliminary approval or have started construction, therefore, the layout of the street network and other facilities in the proposed subdivision must accommodate the locations of these street and pedestrian connections. The development also must provide improvements on SW Woodbury Loop that accommodate future connection of the street network with Tax Lot 1101. This results in two (2) fewer lots in Sub-district 4 and one (1) additional lot in Sub-district 7. Overall, however, the proposed number of residential lots is appropriate for the designated zoning and lot areas and dimensions planned and allows the project to satisfy the minimum proportional density calculation for the site.

The configuration of lots as proposed, which meet all dimensional requirements for the individual lots, will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

Parks and Open Space beyond Master Planned Parks
Subsection 4.127 (.09) B.

C18. The proposed Stage 1 Preliminary Plan area does not include residential land designated R-5 in the Frog Pond West Master Plan, thus the code does not require any of the net developable area to be in open space. However, open space is provided, as noted in Finding C6 and elsewhere in this staff report.

Request D: Stage 2 Final Plan (STG224-0004)

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

Stage 2 Final Plan Submission Requirements and Process

Consistency with Comprehensive Plan and Other Plans
Subsection 4.140 (.09) J. 1.

D1. As demonstrated in Findings C1 through C9 under the Stage 1 Preliminary Plan the project is consistent with the Comprehensive Plan. This review includes review for consistency with the Frog Pond West Master Plan.

Traffic Concurrency
Subsection 4.140 (.09) J. 2.

D2. The Traffic Impact Analysis performed by the City’s consultant, DKS Associates (August 2024; see Exhibit B1), identifies the most probable used intersections for evaluation as:

- SW Frog Pond Lane/SW Stafford Road
- SW Brisband Street/SW Stafford Road
- SW Sherman Drive/SW Boeckman Road

As shown in the table below, it is estimated that the proposed development will generate a net total of 55 PM peak hour trips (34 in, 21 out) and 557 Weekday trips, and that 50% of trips will utilize SW Stafford Road to/from the north, 35% of trips will utilize SW Boeckman Road to/from the west, 10% of trips will utilize SW Wilsonville Road to/from the south, and 5% of trips will utilize SW Advance Road to/from the east. Approximately 10% (6 PM trips) of the project trips are expected to travel through the I-5/SW Elligsen Road interchange area and 10% (6 PM trips) through the I-5/SW Wilsonville Road interchange area.

TABLE 4: TRIP GENERATION

LAND USE	ITE DESCRIPTION (CODE)	UNITS	PM PEAK TRIPS			WEEKDAY TRIPS
			IN	OUT	TOTAL	
NEW HOMES	SINGLE-FAMILY DETACHED HOUSING (210)	54 Lots	35	21	56	572
HOMES REMOVED	SINGLE-FAMILY DETACHED HOUSING (210)	1 Lot	1	0	1	15
Total Net New Trips:			34	21	55	557

As stated in the Traffic Impact Analysis and shown in the table below, the SW Stafford Road/SW Frog Pond Lane study intersection is expected to fail to meet the City of Wilsonville’s LOS D operating standard under the Existing + Stage II traffic conditions (without the proposed project). With over 1,200 vehicles on SW Stafford Road during the PM peak hour, there are few opportunities for vehicles turning out of SW Frog Pond Lane to make a left turn or right turn, resulting in high delays for those vehicles. Additionally, as the local street network is built out, some of the existing vehicle patterns within Frog Pond West may shift from other streets to SW Frog Pond Lane if it is a shorter route, creating even higher demand and delays at SW Frog Pond Lane/SW Stafford Road. This deficiency was previously identified and had been documented in previous Frog Pond traffic studies, indicating that this intersection would fail as the Frog Pond West neighborhood developed.

TABLE 5: FUTURE (PM) INTERSECTION OPERATIONS

INTERSECTION	OPERATING STANDARD	EXISTING + PROJECT			EXISTING + STAGE II			EXISTING + PROJECT + STAGE II		
		V/C	DELAY	LOS	V/C	DELAY	LOS	V/C	DELAY	LOS
TWO-WAY STOP-CONTROL										
FROG POND LN/ STAFFORD RD	LOS D	0.08	23.0	A/C	0.34	37.1	A/E	0.43	42.4	A/E
BRISBAND ST/ STAFFORD RD	LOS D	0.10	21.6	A/C	0.19	27.9	B/D	0.20	27.8	B/D
SHERMAND DR/ BOECKMAN RD	LOS D	0.08	14.0	A/B	0.25	20.1	A/C	0.27	20.5	A/C

TWO-WAY STOP-CONTROL:

Delay = Critical Lane Delay (secs)
v/c = Critical Lane Volume-to-Capacity Ratio
LOS = Critical Levels of Service (Major/Minor Street)

Bold/Highlighted = Does not meet the operating standard/mobility target

The Frog Pond East & South Master Plan, which was approved by City Council in December 2022, identified traffic control mitigations at the SW Stafford Road/SW Frog Pond Lane intersection, which included restricting left-turns out of SW Frog Pond Lane. Long-term, this improvement will shift traffic patterns in the neighborhood off SW Frog Pond Lane, due to the turn restrictions, onto nearby streets like SW Brisband Street. The Master Plan then identified a single-lane roundabout at SW Stafford Road/SW Brisband Street to increase capacity and safety at the intersection.

If the turn restrictions were to be implemented at SW Stafford Road/SW Frog Pond Lane, all of the left turns out of SW Frog Pond Lane onto SW Stafford Road would be forced to go down to SW Brisband Street and make a left turn there. This would cause SW Brisband Street to greatly exceed LOS D (excessively high delays) on the SW Brisband Street approach because it would more than double the left turn volumes there. The planned single-lane roundabout at SW Brisband Street would need to also be implemented simultaneously with the turn restrictions at SW Frog Pond Lane in order to provide safe and efficient traffic movements out of the Frog Pond West neighborhood to SW Stafford Road.

The long-term solution for the intersection is to restrict the minor street left turns (turning movements) out of SW Frog Pond Lane to northbound SW Stafford Road. This improvement, along with many others, are identified in the Frog Pond West Master Plan. These SW Stafford Road improvements ~~are expected to be~~ were included ~~on the Capital Improvement Projects (CIP)~~ in the supplemental budget amendment list by City Council on October 14⁷, 2024, by Resolution No. 3172 (Exhibit A4), with funding approved or commended and scheduled for completion within two (2) years of occupancy of the proposed development. A condition of approval requires that developer enter into a written agreement with the City restricting all final certificates of occupancy until the public improvements at the intersection of SW Stafford Road/SW Frog Pond Lane are completed by the City. Subsequently, on November 18, 2024, by Resolution No. 3180 (Exhibit A5), the City Council approved a funding plan forecast for the SW Stafford Road improvements – Phase I Project (CIP Nos. 1158, 2111, and 4219). Solicitation for an engineering consultant to begin SW Stafford Road improvements – Phase I Project design work will occur in January 2025 with design beginning in the second quarter of 2025. CIP project construction is anticipated to be complete by the end of 2027. The applicant proposes infrastructure construction to commence in summer 2025 with housing construction starting in summer 2026. The applicant anticipates issuance of occupancy permits starting in January 2027. As such, the SW Stafford Road improvement Phase I construction will be completed within two (2) years of occupancy of this development.

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- D3. The applicant proposes sufficient facilities and services, including utilities, concurrent with development of the residential subdivision.

Adherence to Approved Plans

Subsection 4.140 (.10) A.

- D4. Conditions of Approval ensure adherence to approved plans except for minor revisions approved by the Planning Director.

General Residential Development Standards

Effects of Compliance Requirements and Conditions on Cost of Needed Housing Subsection 4.113 (.13)

- D5. No parties have presented evidence nor has staff discovered evidence that provisions of this section are such that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type.

Underground Utilities Required Subsection 4.118 (.02) and Sections 4.300 to 4.320

- D6. The applicant proposes installation of all new utilities underground. The applicant will underground all existing utility lines facing the subject property.

Habitat Friendly Development Practices to be Used to the Extent Practicable Subsection 4.118 (.09)

- D7. The applicant has designed the project to minimize grading to only what is required to install site improvements and build homes. The applicant has designed, and will construct, water, sewer, and stormwater infrastructure in accordance with the applicable City requirements in order to minimize adverse impacts on the site, adjacent properties, and surrounding resources.

Standards Applicable to Cluster Housing Besides Cottage Clusters

Garages and Off-Street Parking Areas Subsection 4.113 (.14) G. 4.

- D8. This standard limits the combined width of all garages and outdoor on-site parking and maneuvering areas to a maximum total of 50% of any street frontage (other than an alley). Although final design of garages and driveways is not part of the current review, and compliance with architectural design standards will be determined at Building Permit review, based on review of the example elevations provided by the applicant (Exhibit B1) and proposed driveway width and location on each middle housing land division unit, it is not possible to determine whether this standard will be met. A condition of approval ensures compliance with the standard.

Driveway Approach Maximum Width Subsection 4.113 (.14) G. 5. a.

- D9. This standard requires that the total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line. As shown in the applicant's plans (Sheet P-11, Exhibit B2), driveway width at the street for two-unit cluster housing is proposed to be 18 feet per driveway or a total of 36 feet per frontage when measured at the property line. This exceeds the maximum allowed width by four (4) feet. A condition of approval

requires that the combined total of driveway approaches for each lot in the subdivision not exceed a maximum of 32 feet or 16 feet per driveway, thus ensuring the standard is met.

Driveway Approach Separation

Subsection 4.113 (.14) G. 5. b. and 4.127 (.08) B. and Table 2

D10. Per this standard, driveway approaches may be separated when located on a local street. However, Subsection 4.127 (.08) B. and Table 2, Note O, of the Residential Neighborhood (RN) standards requires that all lots with front-loaded garages are limited to one shared standard-sized driveway/apron per street regardless of the number of units on the lot. As shown on the applicant’s plans (Sheet P-11, Exhibit B2), two (2) driveways are proposed on each lot to provide a separate approach for each unit in a two-unit cluster housing pair in the middle housing land division. The applicant has requested a waiver to Note O to allow separate, rather than shared, driveways (see Request I).

Lots or Parcels with More than One Frontage – Driveway Approach Maximum Width

Subsection 4.113 (.14) G. 5. c.

D11. Lots or parcels with frontages only on local streets may have either two (2) driveway approaches not exceeding 32 feet in total width on one frontage; or one (1) maximum 16-foot-wide driveway approach per frontage. As discussed under Finding D9, above, the application as proposed exceeds the maximum driveway width and a condition of approval ensures that the standard is met at the time of Public Works Permit review.

Residential Neighborhood (RN) Zone

General Lot Development Standards

Subsection 4.127 (.08) Table 2.

D12. The applicant proposes lots reviewed for consistency with applicable Development Code standards and the Frog Pond West Master Plan. The proposed lots meet or exceed the standards of Table 2, or the applicant can meet or exceed the standards with final design, as follows:

Standard	R-7 Medium Lot Sub-district 4		R-10 Large Lot Sub-district 7		Compliance Notes
	Required	Proposed	Required	Proposed	
Min. Lot Size	6,000 sf	7,095-8,773 sf	8,000 sf	8,356-12,233 sf	Standard is met.
Min. Lot Depth	60 ft	60+ ft	60 ft	60+ ft	Standard is met.
Min. Lot Width	35 ft	35+ ft	40 ft	40+ ft	Standard is met.
Max. Lot Coverage	45%	45% max or greater (see Request I)	40%	40% max or greater (see Request I)	Standard can be met. Applicant has requested a 20% increase in the maximum lot coverage standard for Lots 8-9, 11-15, and 21 in Sub-district 4

					(R-7) and Lots 1-3 and 24-28 in Sub-district 7 (R-10). See Request I.
Max. Bldg Height	35 ft	35 ft max	35 ft	35 ft max	Standard can be met.
Min. Front Setback	15 feet	15 ft min or less (see Request I)	20 ft	20 ft min or less (see Request I)	Standard can be met. Applicant has requested a reduction to 10 ft in the minimum 15-ft front setback for Lot 19 in Sub-district 4 (R-7), and the 20-ft front setback for Lot 1 in Sub-district 7 (R-10). See Request I.
Min. Rear Setback	15 feet	15 ft min	20 ft	20 ft min	Standard can be met.
Min. Side Setback	5 feet (10 feet for corner lots)	5 ft min (10 ft min on corner lots)	5 feet (10 feet for corner lots)	5 ft min (10 ft min on corner lots)	Standard can be met.
Min. Garage Setback from Alley	18 ft	18 ft. min	18 ft	18 ft. min	No alleys are proposed; therefore, the standard does not apply.
Min. Garage Setback from Street	20 ft	20 ft min	20 ft	20 ft min	Standard can be met.

Frog Pond West-Specific Lot Development Standards
Subsection 4.127 (.08) C. and D.

D13. The proposed lots meet standards specific to Frog Pond West, or the applicant can meet or the standards with final design, as follows:

Standard				Compliance Notes
Small-lot Subdistricts (include at least one element)	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	N/A	Subject property does not contain land within the small-lot sub-district.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Wall and landscaping for lots adjacent to Stafford and Boeckman Road	Provided <input type="checkbox"/>	Not Provided <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>		The subject property does not abut Stafford or Boeckman Road.
No driveway access to collectors for small and medium lots	Met <input type="checkbox"/>	Not Met <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>		Subject property does not include collectors.

Open Space Requirements
Subsection 4.127 (.09)

D14. As stated in Finding C18, the R-10 and R-7 sub-districts involved in the proposal are exempt from open space requirements.

Block, Access, and Connectivity Consistent with Frog Pond West Neighborhood Plan
Subsection 4.127 (.10) and Figure 18. Frog Pond West Master Plan

D15. The Street Demonstration Plan is an illustrative layout of the desired level of connectivity in the Frog Pond West neighborhood and is intended to be guiding, not binding, allowing for flexibility provided that overall connectivity goals are met. The block size and shape, access, and connectivity of the proposed subdivision, which is a modified grid pattern with streets aligned to allow for connections to the adjacent planned street network, complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as illustrated below:

Street Segment	Generally Consistent with Figure 18	Allowed Variation	Explanation of Variation
SW Brisband Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SW Frog Pond Lane	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SW Painter Drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SW Alder Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SW Woodbury Loop	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Pedestrian Connection in Tract G	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See explanation below.

**Master Plan Street Demonstration Plan
(Figure 18)**

Proposed Project



An east/west Pedestrian Connection is proposed in the Tract G open space between SW Woodbury Loop and the east property boundary. The design and layout of this pathway is required by Conditions of Approval to enable future extension offsite to that connects with the proposed north/south Pedestrian Connection in the adjacent Frog Pond Cottage Park Place subdivision to the east. ~~A Condition of Approval requires that the applicant obtain the adjacent property owner's permission to extend the pathway to make this connection.~~ Construction of the offsite portion of the pathway is anticipated to occur with the Frog Pond Cottage Park Place subdivision. ~~Because t~~The design of the Pedestrian Connection in Tract G is not consistent with Figure 25 in the Frog Pond West Master Plan, which requires a 10-foot-wide walkway with 8-foot planters on both sides with trees and groundcover. ~~A~~ a Condition of Approval ensures that the standard is met.

The proposed modifications do not require out-of-direction pedestrian or vehicular travel, nor do they result in greater distances for pedestrian access to the proposed subdivision from the surrounding streets than would otherwise be the case if the Street Demonstration Plan were adhered to.

Main Entrance, Garage, Residential Design, and Building Orientation Standards
Subsections 4.127 (.14-.18)

- D16.** The proposed subdivision provides lots of sufficient size and of a typical orientation to meet the RN zone design standards, or the applicant can meet the standards at the time of building permit review, as follows:

Standard			Compliance Notes
Main Entrance Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Garage Width Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met. Subdivision includes lots greater than 50 feet at the front lot line.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Garage Orientation Towards Alley or Shared Driveway	Alleys or Shared Driveways in Subdivision	No Alleys or Shared Driveways in Subdivision	Standard can be met. The subdivision does not include any alleys. Applicant has requested a waiver to the shared driveway standard. See Request I.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Residential Design Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Small-Lot Subdistricts – House Plan Variety	Required Duplex/Attached Units	Provided Duplex/Attached Units	Not applicable. Not within small lot sub-district.
	N/A	N/A	
Fences	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Homes Adjacent to School and Parks and Public Open Spaces	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Several lots are adjacent to open space in Tracts A, C, and E through J.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

On-site Pedestrian Access and Circulation

Continuous Pathway System

Section 4.154 (.01) B. 1.

D17. The submitted plans show sidewalks along the frontages of all lots facing streets, providing a continuous pathway system throughout the proposed subdivision. In addition to the sidewalk system, a pedestrian/bicycle connection is proposed through Tract G between SW Woodbury Loop and ~~on~~ the east side of the site, consistent with Figure 18 of the Frog Pond West Master Plan. The proposal enables future extension of the pathway offsite to connections with the proposed pathways to future adjacent development and a Condition of Approval ensures the final design and layout of the Pedestrian Connection in open space ~~Tract G will be consistent with the location of the approved Pedestrian Connection in the Frog Pond Cottage Park Place subdivision to the east~~ when that subdivision, thus enabling a continuous pathway connection when the adjacent property develops in the future. To ensure full access and function of the planned pathway systems for the public, a Condition of Approval requires public access easements across all pathways within private tracts.

Safe, Direct, and Convenient

Section 4.154 (.01) B. 2.

D18. The submitted plans show sidewalks and pathways providing safe, direct, and convenient connections consistent with Figure 18 of the Frog Pond West Master Plan.

Vehicle/Pathway Separation

Section 4.154 (.01) B. 3.

D19. The proposed design vertically and/or horizontally separates all sidewalks and pathways from vehicle travel lanes except for driveways and crosswalks.

Crosswalks Delineation

Section 4.154 (.01) B. 4.

D20. A Condition of Approval requires all crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast).

Pathway Width and Surface

Section 4.154 (.01) B. 5.

D21. The applicant proposes all pathways to be concrete, asphalt brick/masonry pavers, or other durable surface, and at least 5 feet wide, meeting or exceeding the requirement.

Parking Area Design Standards

Minimum and Maximum Parking Subsection 4.155 (.03) G.

D22. Pursuant to Oregon Administrative Rules (OAR) 660-012-0440 parking mandates, the minimum vehicle parking requirements in Table 5 are not applicable to the development as it is within one-half (1/2) mile of SMART Route 4, one of the City’s most frequent transit routes. The proposed development includes uses that have no maximum limit per Table 5. With no minimum or maximum vehicle parking requirements, the number of total vehicle parking spaces is at the complete discretion of the applicant, so long as the total number of spaces does not exceed the maximum and other non-parking requirements are still met. In addition, for any vehicle parking spaces provided, the applicable design standards, as well percentage and similar requirements for certain types of spaces, still apply.

Other Parking Area Design Standards Subsections 4.155 (.02) and (.03)

D23. The applicable standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for parking	☒	Though final design of garages and driveways is not part of current review they are anticipated to meet minimum dimensional standards to be considered a parking space as well as fully accessible. A Condition of Approval requires the dimensional standards to be met.
I. Surfaced with asphalt, concrete or other approved material	☒	Garages and driveways will be surfaced with concrete.
Drainage meeting City standards	☒	Drainage is professionally designed and being reviewed to meet City standards.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate	☒	Parking areas will be typical residential design adequate to maneuver vehicles and serve needs of homes.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated	☒	Pursuant to Section 4.154, pedestrian circulation is separate from vehicle circulation by vertical separation except at driveways and crosswalks.

Other General Regulations

Access, Ingress and Egress Subsection 4.167 (.01)

D24. Planned access points are typical of local residential streets. The City will approve final access points for individual driveways at the time of issuance of building permits.

Protection of Natural Features and Other Resources

General Terrain Preparation Section 4.171 (.02)

D25. The site has been planned and designed to avoid the natural features on the site, including mature trees along the east property boundary. Grading, filling, and excavating will be conducted in accordance with the Uniform Building Code. The site will be protected with erosion control measures and the preserved trees will be protected with fencing to City standards prior to commencement of site work to avoid damage to vegetation or injury to habitat. The removal of trees is necessary for site development, but replacement trees will be planted per the provisions of this Code.

Trees and Wooded Areas Section 4.171 (.04)

D26. Existing vegetation will not be disturbed, injured or removed prior to land use and permit approvals. Existing trees have been retained wherever possible; however, trees will need to be removed to provide area for home construction. Trees identified to be retained will be protected during site preparation and construction according to the City Public Works design specifications as outlined in the Arborist Report and Conditions of Approval.

Earth Movement Hazard Area Subsection 4.171 (.07)

D27. The applicant performed geotechnical investigations on the subject property and found no earth movement hazards. A geotechnical report is provided in Exhibit B1.

Historic Resources Subsection 4.171 (.09)

D28. Neither the applicant nor the City have identified any historic, cultural, or archaeological items on the sites, nor does any available information on the history of the site compel further investigation.

Public Safety and Crime Prevention

Design for Public Safety, Addressing, Lighting to Discourage Crime
Section 4.175

D29. The design of the proposed development deters crime and ensures public safety. The lighting of the streets allows for visibility and safety. The orientation of homes toward streets provides “eyes on the street.” All dwellings will be addressed per Building and Fire Department requirements to allow identification for emergency response personnel. Dwellings will have exterior porch lighting, which will support the streetlights to provide safety and visibility.

Landscaping Standards

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

D30. Planting areas along the street and open spaces within the subdivision are generally open and are not required to provide any specific screening, thus the design of the landscaping follows the general landscaping standards. The plantings include a mixture of ground cover, shrubs, trees, and stormwater swale plantings. Proposed street trees on all streets within and adjacent to the proposed subdivision are not consistent with previously established trees in other Frog Pond subdivisions (see Finding E26). A Condition of Approval ensures the proper trees are selected prior to issuance of Public Works permits.

Types of Plant Material, Variety and Balance, Use of Natives When Practicable
Subsection 4.176 (.03)

D31. The applicant proposes a professionally designed landscape using a variety of plant material. There are no parking areas proposed and no parking area landscaping is required. The landscape plans included in the applicant’s materials (Exhibits B2 and B4) illustrate the location and type of landscaping within public rights-of-way and tracts. The design includes a variety of native plants, particularly in the open space areas.

Street Improvement Standards

Conformance with Standards and Plan
Subsection 4.177 (.01), Figures 19-27 Frog Pond West Master Plan

D32. The proposed streets appear to meet the City’s Public Works Standards and Transportation System Plan. Further review of compliance with Public Works Standards and the Transportation System Plan will occur with review and issuance of the Public Works construction permit.

Street Design Standards-Future Connections and Adjoining Properties
Subsection 4.177 (.02) A.

D33. The street network has been designed per the Frog Pond West Master Plan Street Demonstration Plan. Future connections to adjacent sites are anticipated to the east and west. The proposed design provides for continuation of streets with Frog Pond Terrace to the west, Frog Pond Overlook to the north, Frog Pond Cottage Park Place to the east, and Morgan Farm to the south. SW Painter Drive is extended north, and SW Brisband Stret, SW Frog Pond Lane, and SW Alder Street are extended to the east and west to connect with previously approvaed developments. SW Woodbury Loop is extended to the east/west and north/south, as well as anticipates future connection to Tax Lot 1101 northeast of the subject property.

City Engineer Determination of Street Design and Width
Subsection 4.177 (.02) B.

D34. The City Engineering Division has preliminarily found the street designs and widths to be consistent with the cross sections shown in the Frog Pond West Master Plan. The Engineering Division will check final conformance with the cross sections shown in the Frog Pond West Master Plan during review of the Public Works permit.

Right-of-Way Dedication
Subsection 4.177 (.02) C. 1.

D35. The tentative subdivision plat shows right-of-way dedication. See Request F.

Waiver of Remonstrance Required
Subsection 4.177 (.02) C. 2.

D36. This Subsection requires that a waiver of remonstrance against formation of a local improvement district (LID) be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of recordation of a final plat. This requirement is contained in the Development and Annexation Agreement and notes that in light of the developer's obligation to pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee, release of the LID Waiver for a specific parcel within the proposed development may occur upon official recording of the release of the waiver only after payment of these fees, and will require the developer to pay all costs and fees associated with the City's release of the waiver. A Condition of Approval outlines the process to be followed with respect to the required LID Waiver and its release for a specific parcel.

Dead-end Streets Limitations
Subsection 4.177 (.02) D.

D37. It is possible that SW Alder Street in the south part of the development will temporary dead end until the property to the east develops (see Exhibit B2). Notification of extension will be posted on the end of this street as required by Conditions of Approval.

Corner Vision Clearance
Subsection 4.177 (.02) E.

D38. Street locations and subdivision design allow the meeting of vision clearance standards.

Vertical Clearance
Subsection 4.177 (.02) F.

D39. Nothing in the proposed subdivision design would prevent the meeting of vertical clearance standards.

Interim Improvement Standards
Subsection 4.177 (.02) G.

D40. The City Engineer has or will review all interim improvements to meet applicable City standards.

Sidewalks Requirements
Subsection 4.177 (.03)

D41. The applicant proposes sidewalks along all public street frontages abutting proposed lots.

Bicycle Facility Requirements
Subsection 4.177 (.04)

D42. No on street bicycle facilities are required within the project area. A Condition of Approval requires all cross-sections to comply with the Frog Pond West Master Plan requirements prior to Final Plat approval. See Exhibit C1.

Pathways in Addition to, or in Lieu of, a Public Street
Subsection 4.177 (.05)

D43. In addition to public streets elsewhere in the subdivision, a Pedestrian Connection is proposed through the open space in Tract G between SW Woodbury Loop and the east property boundary, enabling future extension offsite to ~~providing a connection between SW Woodbury Loop on the west and the~~ with a proposed north/south and east/west Pedestrian Connection in the Frog Pond Cottage Park Place subdivision to the east (see also Findings C6, D15, and D17). The proposed connections achieve a similar level of connectivity desired for the development.

Transit Improvements Requirements
Subsection 4.177 (.06)

D44. The applicant does not propose any transit improvements within the proposed subdivision. There is not currently transit service along SW Stafford Road or SW Boeckman Road; however, as the Frog Pond area develops, additional transit service may be added. Any transit improvements would be addressed at the time the need for additional transit service is identified.

Intersection Spacing

Offset Intersections Not Allowed
Subsection 4.177 (.09) A.

D45. The applicant does not propose any offset intersections.

Minimum Street Intersection Spacing in Transportation System Plan Table 3-2
Subsection 4.177 (.09) B.

D46. Streets within the development are local streets, which are not subject to minimum spacing standards.

Mixed Solid Waste and Recyclables Storage

Review by Franchise Garbage Hauler
Subsection 4.179 (.07)

D47. The proposed development does not contain multi-family residential or non-residential uses requiring the solid waste storage area to meet code requirements for size; however, the applicant has provided a letter from the franchised garbage hauler, Republic Services, to ensure the site plan provides adequate access for the hauler's equipment. The service provider letter is included in Exhibit B1.

Request E: Site Design Review of Parks and Open Space (SDR24-0005)

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

Objectives of Site Design Review

Proper Functioning of the Site, High Quality Visual Environment Meets Objectives
Subsections 4.400 (.02) A., 4.400 (.02) C.-J., and Subsection 4.421 (.03)

E1. Project elements subject to Site Design Review include: tracts and their landscaping; landscaping in the public right-of-way; retaining walls; and park or open space furnishings. The proposed development is intended to advance the vision for Frog Pond West by incorporating the natural areas on site, providing attractive streetscapes, and enhancing the existing neighborhood to the south and future neighborhoods to the west, north, and east. The proposed professionally designed landscaping provides stormwater, air quality, and other site functions while demonstrating consistency with the Frog Pond West Master Plan. The landscaping also adds to the high quality visual environment. Thus, the proposed design fulfills the objectives of Site Design Review.

Encourage Originality, Flexibility, and Innovation
Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- E2. The City code affords the applicant's design team flexibility to create an original design appropriate for the site while ensuring consistency with the Frog Pond West Master Plan.

Jurisdiction and Power of the DRB for Site Design Review

Development Review Board Jurisdiction
Section 4.420

- E3. A Condition of Approval ensures landscaping is carried out in substantial accord with the DRB-approved plans, drawings, sketches, and other documents. The City will issue no building permits prior to approval by the DRB. The applicant has not requested variances from site development requirements.

Design Standards

Preservation of Landscaping
Subsection 4.421 (.01) A. and Section 4.171

- E4. The site layout takes into consideration existing landscaping and preserving it where possible. The applicant has included an open space (Tract G) that allows for access to a substantial number of preserved mature trees, including several Oregon white oaks, in adjacent development to the east. A Condition of Approval ensures the critical root zones of the preserved trees will be protected with tree protection easements on affected lots in the proposed subdivision.

Relation of Proposed Buildings to Environment
Subsection 4.421 (.01) B.

- E5. No structures are proposed in the development at this time. Building design will be reviewed during the building permit review process.

Surface Water Drainage
Subsection 4.421 (.01) D.

- E6. As demonstrated in the applicant's plans, attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. The location of LIDA facilities within the planter strips of the public streets, stormwater facilities within tracts, and details of LIDA facility planting are shown in Exhibit B2. Appendix G in Exhibit B1 includes the Preliminary Stormwater Drainage Report.

Above Ground Utility Installations
Subsection 4.421 (.01) E.

- E7. The applicant proposes no above ground utility installations. Existing overhead lines will be undergrounded. Each lot will be served by a sanitary sewer line (see Exhibit B2). Storm sewage disposal is provided by a storm drain system connecting to each on-site stormwater facility.

Screening and Buffering of Special Features
Subsection 4.421 (.01) G.

- E8. No exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures exist or are proposed that require screening.

Applicability of Design Standards
Subsection 4.421 (.02)

- E9. This review applies the design standards to the proposed streetscape and open space areas, which are the portions of the proposed development subject to Site Design Review.

Conditions of Approval Ensuring Proper and Efficient Functioning of Development
Subsection 4.421 (.05)

- E10. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development.

Site Design Review Submission Requirements

Submission Requirements
Section 4.440

- E11. The applicant has provided a sufficiently detailed landscape plan and street tree plan to review the streetscape and open space areas subject to Site Design Review.

Time Limit on Site Design Review Approvals

Void after 2 Years
Section 4.442

- E12. The applicant has indicated that they will pursue development in a single phase within two years. The approval will expire after two (2) years if not vested, or an extension is not requested and granted, consistent with City Code.

Installation of Landscaping

Landscape Installation or Bonding

Subsection 4.450 (.01)

E13. A Condition of Approval ensures all landscaping in common tracts shall be installed prior to Final Plat Approval, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the 6-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant. A Condition of Approval further requires that the applicant, prior to Final Plat approval, either (1) enter into a Residential Subdivision Development Compliance Agreement with the City that covers installation of street trees and right-of-way landscaping or (2) install all street trees and other right-of-way landscaping.

Approved Landscape Plan

Subsection 4.450 (.02)

E14. A Condition of Approval ensures the approved landscape plan is binding upon the applicant/owner. It prevents substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan without official action of the Planning Director or DRB, as specified in this Code.

Landscape Maintenance and Watering

Subsection 4.450 (.03)

E15. A Condition of Approval ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered with appropriate City approval.

Modifications of Landscaping

Subsection 4.450 (.04)

E16. A Condition of Approval provides ongoing assurance by preventing modification or removal without the appropriate City review.

Natural Features and Other Resources

Protection

Section 4.171

- E17.** The proposed design of the site provides for protection of natural features and other resources consistent with the proposed Stage 2 Final Plan for the site, as well as the purpose and objectives of Site Design Review. See Findings D25 through D28.

In order to protect the root zone of trees along the east property boundary that were preserved and protected in the previously approved Frog Pond Cottage Park Place subdivision, a tree protection easement is needed on Lots 16-18 and Tract G to protect the root zone of Trees #10822, #10780, #10823, #10882, #10883, #10885, #10894, #10905, and #10980. Further, a tree protection easement on Lots 24 and 26 is needed to protect the root zone of Trees #49083, #49092, #49093, #49094, #49095, #49100, #49103, #49238, #49242, #49243, #49245, and #49248, and on Lot 28 to protect the root zone of Trees #12177 and #12178. A Condition of Approval ensures that the easements are recorded on the final plat of the subdivision and that measures are followed to protect the long-term health of the trees.

Landscaping

Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

- E18.** The applicant requests no waivers or variances to landscape standards. Thus, all landscaping and screening must comply with standards of this section.

Intent and Required Materials

Subsections 4.176 (.02) C. through I.

- E19.** The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage 2 Final Plan, which includes an analysis of the functional application of the landscaping standards. See Findings D30 and D31.

Quality and Size of Plant Material

Subsection 4.176 (.06)

- E20.** The quality of the plant materials must meet American Association of Nurserymen (AAN) standards as required by this Subsection. Trees as shown on the applicant's plans are specified at two (2)-inch caliper or greater than six (6) feet for evergreen trees. Some shrubs are specified on the Landscape Plans (Sheet L2.00-L2.20) as one (1) gallon, rather than two (2) gallon or greater in size. Ground cover is specified as greater than 4 inches. Turf or lawn is used for a minimal amount of the proposed public landscape area. Conditions of

Approval ensure the requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting.

Landscape Installation and Maintenance Subsection 4.176 (.07)

E21. Installation and maintenance standards are or will be met by Conditions of Approval as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one (1) growing season, unless appropriate substitute species are approved by the City.
- The applicant’s narrative provides detail about proposed irrigation in open space areas, stormwater facilities, street trees and lawn areas (see Exhibit B2, Sheet P-20).

Landscape Plans Subsection 4.176 (.09)

E22. The applicant’s submitted landscape plans (Exhibit B2) provide the required information.

Completion of Landscaping Subsection 4.176 (.10)

E23. The applicant has not requested to defer installation of plant materials.

Public Lighting Plan

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

E24. The applicant’s plans (Exhibit B2) show proposed street lights on local streets; however, their materials do not specify a proposed fixture or provide cut sheets or details. The Frog Pond Master Plan requires PGE Option ‘B’ LED with Westbrook 35W LED and 18’ decorative aluminum pole (20-foot mounting height with 4 foot mast arm). As the Westbrook is no longer available from PGE, the Aurora is now used as the closest matching design. These fixtures are dark sky friendly and must be located with a professionally designed layout to minimize negative effects on future homes, provide for safety, and use a consistent design established by the Frog Pond West Master Plan. A Condition of Approval ensures that the applicant provides a Public Lighting Plan and demonstrates that the required lighting fixtures are provided on local streets adjacent to the development.

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

E25. The Frog Pond West Master Plan requires a Public Lighting Plan and recommended light plan hierarchy to define various travel routes within Frog Pond. Pedestrian connections, trailheads, and paths are required to be uniformly illuminated and shall follow the Public

Works Standards for Shared Use Path Lighting. The applicant’s plans (Exhibit B2) do not include lighting along the Pedestrian Connection in Tract G and no specifications or detail sheets are included. A Condition of Approval ensures that the requirements are met.

Street Tree Plan

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

E26. The Street Tree Plan provides guidance tied to the street typology for Frog Pond West, with an overall intent to beautify and unify the neighborhood while providing a variety of tree species. The Frog Pond West Master Plan intends to achieve continuity through consistent tree types and consistent spacing along both sides of a street.

The proposed street tree species comply with the Frog Pond West Master Plan or will with a Condition of Approval as follows:

Street Name	Street Type	Proposed Species	Compliance Notes
SW Frog Pond Lane	Primary	Chinese Pistache	On approved list, but not consistent with species (Tulip Tree) established in Frog Pond Ridge
SW Brisband Street	Primary	Skyline Honey Locust	On approved list, but not consistent with species (American Linden) established in Morgan Farm
SW Painter Drive	Neighborhood	Tulip Tree	On approved list, but not consistent with species (Katsura) established in Morgan Farm
SW Alder Street	Neighborhood	Skyline Honey Locust	On approved list, but not consistent with species (Glenleven Little Leaf Linden) established in Frog Pond Estates
SW Sherman Drive (west right-of-way)	Neighborhood	Chinese Pistache	On approved list, but not consistent with species (Village Green Zelkova) established in Morgan Farm
SW Woodbury Loop	Neighborhood	Chinese Pistache	On approved list, but not consistent with species (American Yellowwood) established in Morgan Farm
Pedestrian Connection in Tract G	Pedestrian Connection	Oregon Crabapple, Cascara, Western Hemlock	Not on approved list for Pedestrian Connections

Gateways, Monuments and Signage

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

E27. There are no neighborhood gateways planned within the area of the proposed development; therefore, no monument signs or other permanent subdivision identification signs are permitted.

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

E28. As required by a Condition of Approval, all street name signs will be installed prior to Final Plat approval and utilize the City-approved sign cap throughout the subdivision, matching the design used in the previously approved subdivisions within Frog Pond. The developers will buy the signs from the City to ensure uniformity throughout the Frog Pond West neighborhood.

Request F: Tentative Subdivision Plat (SUBD24-0001)

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

Land Division Authorization

Plat Review Authority
Subsection 4.202 (.01) through (.03)

F1. The DRB is reviewing the tentative subdivision plat according to this subsection. The Planning Division will review the final plat under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Undersized Lots Prohibited
Subsection 4.202 (.04) B.

F2. The proposed lots meet the dimensional standards of the RN zone and the R-7 and R-10 sub-districts. See Finding D12.

Plat Application Procedure

Pre-Application Conference
Subsection 4.210 (.01)

F3. The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation
Subsection 4.210 (.01) A.

- F4. Following gathering information from Planning staff, the appropriate professionals from the applicant's design firm, AKS Engineering & Forestry, LLC, prepared the tentative plat.

Tentative Plat Submission
Subsection 4.210 (.01) B.

- F5. The applicant has submitted a tentative plat with all the required information. As required, the applicant has included in their application draft CC&Rs, bylaws, etc. related to the maintenance of open space tracts.

Phases to Be Shown
Subsection 4.210 (.01) D.

- F6. The applicant is proposing to construct the development in a single phase.

Remainder Tracts
Subsection 4.210 (.01) E.

- F7. The tentative plat accounts for all land within the plat area as lots, tracts, or right-of-way.

Street Requirements for Land Divisions

Master Plan or Map Conformance
Subsection 4.236 (.01)

- F8. As found in other findings in this report, the land division conforms with the Transportation System Plan, Frog Pond West Master Plan, and other applicable plans.

Adjoining Streets Relationship
Subsection 4.236 (.02)

- F9. The proposed plat enables the extension of streets consistent with the Frog Pond West Master Plan.

Streets Standards Conformance
Subsection 4.236 (.03)

- F10. As part of the Stage 2 Final Plan approval, the streets conform with Section 4.177 and generally conform with block sizes established in the Frog Pond West Master Plan. See Request D.

Topography
Subsection 4.236 (.05)

- F11. The street layout recognizes topographical conditions. As discussed elsewhere in this staff report, street alignments are adjusted from the Frog Pond West Master Plan as necessary to

provide a continuous street network with adjacent, previously approved subdivisions (see Finding D15).

Reserve Strips

Subsection 4.236 (.06)

F12. The City is not requiring any reserve strips for the reasons stated in this subsection.

Future Street Expansion

Subsection 4.236 (.07)

F13. Where the Frog Pond West Master Plan shows street extensions, the tentative plat extends the right-of-way to the edge of the plat. A Condition of Approval requires signs stating “street to be extended in the future” or similar language approved by the City Engineer.

Additional Right-of-Way

Subsection 4.236 (.08)

F14. Conditions of Approval ensure dedication of sufficient right-of-way for planned improvements along SW Brisband Street, SW Frog Pond Lane, SW Sherman Drive (west side of right-of-way), SW Painter Drive, SW Alder Street, and SW Woodbury Loop.

Street Names

Subsection 4.236 (.09)

F15. SW Brisband Street and SW Frog Pond Lane adjacent to the proposed subdivision are identified in the Frog Pond West Master Plan. The applicant includes improvements to these streets as required and names them accordingly. In addition to the existing streets, the applicant proposes to improve the west side of SW Sherman Drive, which was extended north from its intersection with SW Brisband Street in the Frog Pond Cottage Park Place subdivision to the east; extend SW Painter Drive north from its intersection with SW Bridband Street to an intersection with SW Frog Pond Lane; extend SW Alder Street east/west through the development; and SW Woodbury Loop east/west and north/south; and name them accordingly. No alleys or unnamed streets are proposed by the applicant. All naming is subject to review and approval by the City Engineer, who will check all street names to not be duplicative of existing street names and otherwise conform to the City’s street name system at the time of Final Plat review.

General Land Division Requirements-Blocks

Blocks for Adequate Building Sites in Conformance with Zoning

Subsection 4.237 (.01)

F16. The proposed blocks substantially conform to Figure 18 of the Frog Pond West Master Plan. The proposed blocks allow for lots meeting the minimum size and other dimensional standards for the relevant sub-districts of the Frog Pond West Master Plan. See Findings D12 and D15.

General Land Division Requirements-Easements

Utility Line Easements

Subsection 4.237 (.02) A.

F17. As will be further verified during the Public Works Permit review and Final Plat review, public utilities will be placed within public rights-of-way or within public utility easements (PUE) adjacent to the public streets. Stormwater facility easements are proposed where these facilities are located on private property and are intended to be shared between more than one lot. Franchise utility providers will install their lines within public utility easements established on the plat.

Water Courses

Subsection 4.237 (.02) B.

F18. There are no watercourses located on or adjacent to the subject property.

General Land Division Requirements-Pedestrian and Bicycle Pathways

Mid-block Pathways Requirement

Subsection 4.237 (.03)

F19. The proposed development includes a pedestrian/bicycle connection east/west through Tract G. This additional connection is consistent with Figure 18 of the Frog Pond West Master Plan or is an allowed variation. See Finding D15.

General Land Division Requirements-Tree Planting

Tree Planting Plan Review and Street Tree Easements

Subsection 4.237 (.04)

F20. The City is reviewing the tree planting plan concurrently with the tentative plat, see Requests D and E.

General Land Division Requirements-Lot Size and Shape

Lot Size and Shape Appropriate

Subsection 4.237 (.05)

F21. The size, width, shape, and orientation of lots comply with the identified sub-districts in the Frog Pond West Master Plan. See Finding D15.

General Land Division Requirements-Access

Minimum Street Frontage
Subsection 4.237 (.06)

F22. The full width of the front lot line of each lot fronts a public street. Each lot meets or exceeds the minimum lot width at the front lot line. See Finding D12.

General Land Division Requirements-Other

Lot Side Lines
Subsection 4.237 (.08)

F23. All side lot lines run at a 90-degree angle to the front line.

Land for Public Purposes
Subsection 4.237 (.12)

F24. The subject property does not contain SROZ land or other land reserved for public acquisition.

Corner Lots
Subsection 4.237 (.13)

F25. All corner lots have radii exceeding the 10-foot minimum.

Lots of Record

Lots of Record
Section 4.250

F26. The applicant provided documentation that all subject lots are lots of record.

Request G: Type C Tree Removal Plan (TPLN24-0005)

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

Type C Tree Removal

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

G1. The requested tree removal is connected to Site Plan Review by the DRB and, thus, is under their authority.

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

- G2.** It is understood that tree removal will be completed by the time the applicant completes construction of all houses and other improvements in the subdivision, which is a reasonable time frame for tree removal.

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

- G3.** As allowed by Subsection 1, the City is waiving the bonding requirement as the application is required to comply with WC 4.264 (.01).

General Standards for Tree Removal, Relocation or Replacement

Preservation and Conservation
Subsection 4.610.10 (.01)

- G4.** Proposed land clearing is limited to designated street rights-of-way and areas necessary for construction of homes. Homes will be designed and constructed, as much as possible, to blend into the natural areas on the site.

As shown on the Preliminary Tree Preservation and Removal Plan (Exhibit B2) and the associated Detailed Tree Inventory table included in the applicant's plans (Exhibit B2), 262 trees were inventoried for the current application. Of these, 129 are on-site nursery stock trees, 81 are on-site non-nursery trees, 11 are line trees, and 41 are off-site trees. On-site trees are primarily located along the western side of the subject site and at the southwest corner, in the north part of the site in the vicinity of the existing residence and accessory buildings, and in the southwest corner of the property. No on-site trees included in the inventory are located in the central part of the site. Several mature line and off-site trees are located along the eastern property boundary.

The on-site nursery stock and non-nursery trees, which total 210, and seven (7) line trees, for a total of 217 trees, are proposed for removal to accommodate construction of site improvements, including utilities, stormwater facilities, public streets, and homes. Trees proposed for removal are located within the grading limits of SW Alder Street, SW Painter Drive, and SW Brisband Street and within the building envelopes of numerous lots. The location of proposed streets was determined by the Frog Pond West Master Plan, the City's block length and perimeter standards, and the location of the street network in adjacent previously-approved subdivisions. In addition, grading to achieve acceptable street slope and grading of each lot is needed to accommodate residential development and associated site improvements (driveways and walkways, alleys, stormwater management, outdoor yard areas, etc.). Reducing building footprints by increasing height is not a viable alternative as the height limit in the RN zone is 35 ft., or 2.5 stories.

The applicant proposes planting 217 trees, including 141 native trees in open space tracts and adjacent to stormwater facilities, and 76 street trees in right-of-way planter strips and the front yards of residential lots. These trees will serve to soften the urban environment, contribute to stormwater management, and provide shade and protection for pedestrians. Planting locations are shown on the landscape plan (Exhibit B2).

Development Alternatives

Subsection 4.610.10 (.01) C.

- G5.** The current design as presented in the applicant’s plans seeks to allow for preservation of trees along the eastern boundary of the site where impacts from development will be minimized. The applicant was asked to demonstrate what development alternatives were considered to preserve two (2) mature 35- and 37-inch Douglas fir trees, #49117 and #49589, having good health and structure and why preservation of these trees cannot be accommodated in the proposed development.

The applicant responded (Exhibit B3) that tree #49117 is “within an area planned for over two feet of grade difference from the existing condition” and “within the planned building envelope for Lot 26”, and “would not be able to remain following the necessary grading of the surrounding lots and rights-of-way and construction of future homes.

Regarding tree #49589, the applicant states (Exhibit B3) that this tree “is located within and significantly encumbers two planned building envelopes on Lot 27 and 28”, that “retaining this tree would eliminate two homes from the planned development and the homes cannot be built without significant effect on the tree’s root zones”. Further, the tree would be “affected by necessary grading as a result of the construction of SW Frog Pond Lane, portions of which will be constructed approximately 30 feet north of the tree”.

Therefore, the applicant states that the trees must be removed; however, mitigation of the trees is proposed at the required 1:1 ratio.

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

Subsection 4.610.10 (.01) D.

- G6.** The proposed clearing is necessary for streets, houses, and related improvements.

Residential Development to Blend into Natural Setting

Subsection 4.610.10 (.01) E.

- G7.** Preservation of mature existing line and off-site trees along the east property boundary, and new native plantings in open space areas and stormwater facilities allow the development to blend with the natural elements of the property.

Compliance with All Applicable Statutes and Ordinances
Subsection 4.610.10 (.01) F.

G8. As found elsewhere in this report, the City is applying the applicable standards.

Tree Relocation and Replacement, Protection of Preserved Trees
Subsection 4.610.10 (.01) G.

G9. Reviews of tree removal, replacements, and protection is in accordance with the relevant sections of the Code.

Tree Removal Limitations
Subsection 4.610.10 (.01) H.

G10. The proposed tree removal is due to health or necessary for construction.

Additional Standards for Type C Permits

Tree Survey and Tree Maintenance and Protection Plan to be Submitted
Subsection 4.610.10 (.01) I. 1.-2.

G11. The applicant submitted the required Tree Maintenance and Protection Plan and Tree Survey (see Exhibit B2).

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

G12. The applicant's utility plan shows a design to minimize impact on the environment to the extent feasible given existing conditions, particularly the location of connecting adjacent streets in previously approved subdivisions surrounding the site and mature trees on the east site boundary. The City will further review utility placement in relation to preserved trees during review of construction drawings and utility easement placement on the final plat.

Type C Tree Plan Review

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

G13. Review of the proposed Type C Tree Plan is concurrent with other site development applications.

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

G14. As found elsewhere in this report, the City's review applies applicable standards.

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

G15. The proposed subdivision allows residential lot counts consistent with the Frog Pond West Master Plan.

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

G16. The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

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

G17. Review of the proposed Type C Tree Plan is concurrent with the Stage 2 Final Plan. See Request D.

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

G18. The applicant proposes counting the proposed street trees and other landscaping trees as mitigation for removal.

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

G19. Review of the proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests and annexation into the City. While the land is currently under jurisdiction of Clackamas County, a Condition of Approval binds the applicant to no tree removal on the properties, except for hazardous situations unrelated to development, prior to issuance of the post-annexation tree removal permit by the City.

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

G20. The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

Tree Relocation, Mitigation, or Replacement

Tree Replacement Required
Subsection 4.620.00 (.01)

G21. Consistent with the tree replacement requirements for Type C Tree Removal Permits established by this subsection, the applicant proposes to plant mitigation trees consistent with Subsection 4.620.00 (.06).

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

G22. The applicant proposes planting 76 street trees and 141 trees in the open space areas, totaling 217 mitigation trees. Staff notes that 216, not 217 trees are shown on the revised landscape plan (Exhibit B4), specifically 75, not 76, cascara trees. Therefore, the total number of mitigation trees is one (1) fewer than the one-to-one ratio of 217 trees required by this subsection. A Condition of Approval requires planting of one (1) additional tree to ensure the requirement is met. Exhibit B4 shows all trees proposed for planting as mitigation as 2-inch caliper, or the equivalent 6- to 8-foot for conifer trees.

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

G23. Review of the Tree Replacement and Mitigation Plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

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

G24. As shown on the landscape plans (Exhibit B4), some of the proposed replacement trees consist of street trees. Additional trees will likely be planted on the individual dwelling lots at the time of site development but are not proposed to be included in the replacement tree plans. As discussed above under Finding G22, because the applicant is planting one (1) tree fewer than the one-to-one mitigation ratio required by this subsection, a Condition of Approval ensures the requirement is met.

Protection of Preserved Trees

Tree Protection During Construction
Section 4.620.10

G25. Conditions of Approval ensure tree protection measures, including fencing, are in place consistent with Public Works Standards Detail Drawing RD-1240.

Request H: Middle Housing Land Division (MHLD24-0001)

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

Land Division Authorization

Plat Review Authority
Subsection 4.202 (.01) through (.03)

H1. The middle housing land division is being reviewed by the Planning Director according to this subsection. The final plat will be reviewed by the Planning Division under the authority of the Planning Director to ensure compliance with the tentative subdivision plat and middle housing land division.

Legally Lot Requirement
Subsection 4.202 (.04) A.

H2. It is understood that no parcels will be sold or transferred until the final plat has been approved by the Planning Director and recorded.

Middle Housing Land Divisions

Middle Housing Land Divisions Processed as Expedited Land Divisions
Subsections 4.202 (.05) and 4.232 (.01)

H3. The applicant elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board. As required, the tentative middle housing land division is shown on a separate sheet, Sheet P-08, than the tentative subdivision plat, Sheet P-06, which clearly identifies the middle housing units as being created from one or more lots created by the subdivision.

Waivers and Variances Applying to Land Divisions
Subsection 4.232 (.02)

H4. The property will be zoned Residential Neighborhood (RN) upon approval of the Zone Map Amendment request (ZONE24-0002) and contains four (4) waiver requests. As stated in Finding H3, the request does not qualify for approval as an Expedited Land Division due to the need for other concurrent land use decisions.

Criteria for Middle Housing Land Divisions
Subsection 4.232 (.03) A-F.

H5. The required criteria for middle housing land divisions are met as follows:

Standard	Standard Met?			Compliance Notes
Land Division Occupied by Middle Housing	Yes	No	N/A	Middle housing units are proposed
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Separate Utilities Provided for Each Unit	Yes	No	N/A	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Easements Provided for Each Unit	Yes	No	N/A	Easements are provided for each unit for utilities, access to a street or private drive, and common areas, as applicable
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Compliance with Building Code	Yes	No	N/A	Middle housing units are of sufficient area for single family housing that meets Building Code standards; final compliance to be determined at Building permit review
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Required Notes Prohibiting Further Division on Plat	Yes	No	N/A	A Condition of Approval requires that notes on the Final Plat prohibit further division of middle housing units
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cluster Housing Standards	Yes	No	N/A	Cluster housing is not proposed as part of the development
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Provisions of Middle Housing Land Divisions
Subsection 4.232 (.04) 1.

H6. Two (2) housing units could be built on each of the subject lots without a middle housing land division; therefore, this criterion is met.

Units to be Considered Single Lot
Subsection 4.232 (.04) 2. A-B

H7. The 28 subject parent lots continue to meet the underlying lot standards of the RN zone. Two (2)-unit cluster housing units will be considered to be such, rather than single-family units.

ADU and Middle Housing Allowances
Subsection 4.232 (.04) 2.C.

H8. The preliminary middle housing land division plat included in Exhibit B2 (Sheet P-08) meets the allowance of middle housing units. Each parent lot can contain at least one (1) dwelling unit, but may contain additional units consistent with the allowance for middle housing.

Compliance with ORS 197 and OAR 660-046
Subsection 4.232 (.04) 2.D.

H9. The preliminary middle housing land division plat included in Exhibit B2 (Sheet P-08) demonstrates compliance with the middle housing rules and statues included in ORS 197 and OAR 660-046.

Units Must Contain One Dwelling Unit
Subsection 4.232 (.04) 3. A.

H10. As demonstrated by the preliminary middle housing land division plat, the units of land resulting from the middle housing land division will have only one (1) dwelling unit.

Units Not Further Divisible
Subsection 4.232 (.04) 3. B.

H11. A Condition of Approval requires a note on the final plat stating that the middle housing land division units are not further divisible.

Procedures and Requirements for Expedited Land Divisions and Middle Housing Land Divisions
Subsection 4.232 (.05) A. 1.-4.

H12. The applicant elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board; therefore, the standards of this Subsection do not apply.

Divisions for Land Occupied by Middle Housing
Subsection 4.232 (.05) B.

H13. The request involves vacant land, therefore this standard does not apply.

Multiple Middle Housing Land Divisions as Single Application
Subsection 4.232 (.05) C.

H14. The application includes a preliminary middle housing land division plat in Exhibit B2 (Sheet P-08) for division into 52 middle housing units for two-unit cluster housing and two (2) standard lots.

Optional Concurrent Review
Subsection 4.232 (.05) D.

H15. The applicant elected to have the middle housing land division reviewed concurrently with a tentative plat of the subdivision subject to review by the Development Review Board (see Findings H3 and H12).

Lots of Record

Defining Lots of Record
Section 4.250

H16. The subject property is a legal lot of record.

Request I: Waivers (WAIV24-0002)

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

Waiver: Maximum Lot Size

Waiver of Typical Development Standards
Subsection 4.118 (.03) A.

I1. Per Subsection 4.118 (.03) A. 1., the Development Review Board, based on findings of fact supported by the record, may waive the minimum lot area standard. While all parent lots proposed within R-7 Sub-district 4 exceed the minimum lot area standard of 6,000 square feet, Lots 4-8 and 16-23 exceed the maximum allowed size for middle housing land division units, which is restricted by Section 4.232 (.03) F. 2., to be, on average, equal to 60% or less of the minimum lot size of the zone on lots in subdivision or partitions recorded in the prior 24-month period.

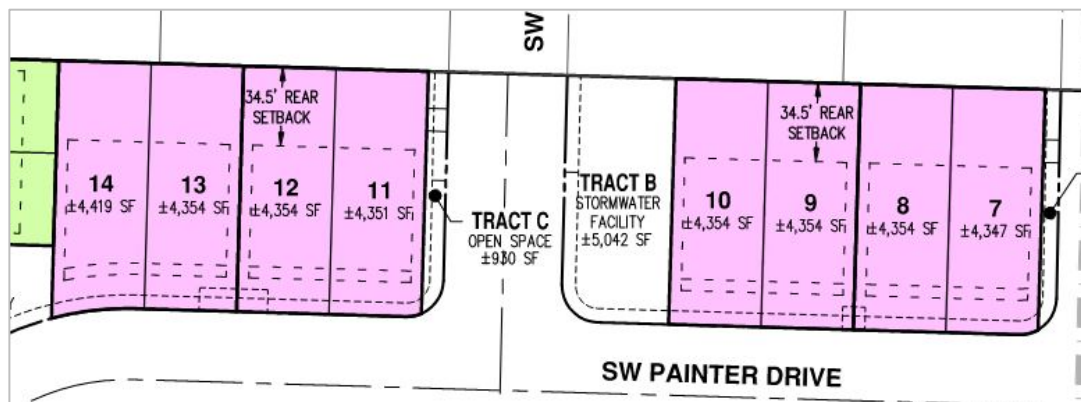
In R-7 Sub-district 4, the maximum size based on the standard is 3,600 square feet per middle housing land division unit. In the proposed subdivision, parent Lots 4-8 and 16-23 range in size from 7,602 to 8,773 square feet, resulting in middle housing land division units on these lots ranging in size from 3,795 to 4,419 square feet, with an average of 4,036 square feet, which is 112% of the sub-district maximum lot size. Thus, a waiver is requested to the maximum lot size restriction for middle housing land division units for parent Lots 4-8 and 16-23 (middle housing land division Units 7-14 and 30-42 (Sheet P-09, Exhibit B2).

Purpose and Objectives of Planned Development Regulations
Subsection 4.140 (.01) B.

I2. Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. Per the applicant's Code response narrative, Lots 4-8 and 16-23 "are increased in size because of the necessary placement of

streets throughout the development”. The layout of streets within the subdivision is dictated by the location of the street network in previously-approved subdivisions to the west, east, and south, and is an allowed variation from the Street Demonstration Plan (Figure 18) as discussed elsewhere in this report (see Finding D11). This street network dictates the location and dimension of blocks within the proposed subdivision, which in turn, and when combined with minimum density requirements for R-7 Sub-district 4, determines to a large extent the size and configuration of parent lots within the subdivision. Thus, the parent lots are larger than the required 6,000-square-foot minimum and the resulting middle housing land division units also are larger than the allowed maximum lot size of 3,600 square feet.

As illustrated in the example below, the applicant proposes to increase the rear setbacks of the affected middle housing land division units from 15 feet to 21 feet (Units 30-35), 23 feet (Units 36-39 and 42-45), and 34.5 feet (Units 7-14), to maintain the same building envelope as lots that comply with the maximum lot size. In addition, lot coverage waivers have not been requested for these lots. A condition of approval requires that the proposed rear setbacks are recorded as a note on the final plat for the subdivision.



The proposed subdivision layout with the requested maximum lot size waiver for Lots 4-8 and 16-23 allows flexibility of design while providing a development that is equal to or better than that resulting from traditional lot land use development. As stated by the applicant in their Code response narrative, the requested waiver of maximum lot size benefits the public by:

- Allowing homes on the affected lots to retain outdoor yard space typical of single-family homes and similar to nearby homes, and
- Attaining the purpose of middle housing land division through the provision of smaller homes on the units.

Waiver: Maximum Lot Coverage

Waiver of Typical Development Standards Subsection 4.118 (.03) A.

- I3. Subsection 4.118 (.03) A. 4. allows the Development Review Board to waive lot coverage requirements based on findings of fact supported by the record. The applicant requests a waiver of the maximum lot coverage for Lots 8-9, 11-15, and 21 in R-7 Sub-district 4 and Lots 1-3, 24-25, and 27-28 in R-10 Sub-district 7. Per Subsection 4.127 (.08) B. and Table 2, lot coverage in R-7 is limited to 45% maximum and in R-10 to 40% maximum. The applicant has requested a waiver to increase the maximum lot coverage to 54% in R-7 and 48% in R-10, an increase of 20%.

State law and City Code have changed since the RN zone was established and lot coverage for the R-7 and R-10 areas was standardized, for the distinct purpose of allowing middle housing in all residential neighborhoods. When the lot coverage standard was established, the RN standards only allowed a single-family detached dwelling unit that may or may not have accessory structures such as a shed, garage, shop, or accessory dwelling unit. Accordingly, the Code only addresses bonus lot coverage (10% bonus to move the maximum to 55% in R-7 and 50% in R-10) for accessory structures (Subsection 4.127 (.08), Table 2, Note E). Since the establishment of the lot coverage standard, the allowance of middle housing (including detached middle housing - "cluster housing") has opened the scenario for two (2) buildings to be built on a property without one (1) being accessory to the other. No evidence exists that the lot coverage requirements were updated to accommodate this fact.

The subject application proposes two (2) similarly sized buildings with substantially the same footprint and square footage as two-unit cluster housing on each of the identified lots. This scenario was not anticipated when the lot coverages were established, but was later allowed to comply with State statute and Oregon Administrative Rules related to House Bill 2001 passed in 2019. Related, the language for an allowance for a bonus 10% lot coverage in the RN zone is narrower than language with the same intent in other, similar planned residential zones. The PDR zone allows an automatic 10% bonus lot coverage when there are multiple buildings on the site, without a specific statement that one must be accessory (Subsection 4.124 (.07), Table 2). If a 10% increase to 55% in R-7 and 50% in R-10 were allowed for multiple buildings of any size there would be no need for the requested waiver for the subject property as the proposed development would be within the maximum lot coverage allowed.

Purpose and Objectives of Planned Development Regulations Subsection 4.140 (.01) B.

- I4. Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. While two-unit cluster housing is allowed

in the RN Zone, the low 45% lot coverage in R-7 and 40% in R-10 restricts the ability to site two detached units of typical ground floor design on the same lot. The lot coverage standard was written assuming a general condition of one detached unit with a potential accessory building. The base assumption, therefore, is that lot coverage would need to accommodate only one ground floor garage, kitchen, great room, bathroom, etc. The applicant, however, proposes two units of equal size, thereby doubling the typical ground floor components of a dwelling unit that could otherwise easily be accommodated on a typical lot of 6,000 square feet in R-7 or 8,000 square feet in R-10.

As discussed previously, a 10% bonus for lot coverage is generally allowed for additional buildings in the PDR zone throughout the City and the same 10% bonus is allowed for accessory structures in the RN zone, resulting in 55% maximum lot coverage in R-7 and 50% in R-10. The applicant requests a 20% increase to the maximum lot coverage standard from 45% to 54% for identified lots in R-7 Sub-district 4 and from 40% to 48% in R-10 Sub-district 7. The requested lot coverages are less than what would be generally allowed with the 10% bonus in other residential zones in Wilsonville and in the RN zone for accessory structures. In addition, the requested maximum is less than the 60% coverage allowed in the R-5 Small Lot Sub-district on lots of similar size (minimum lot size in R-5 is 4,000 square feet and proposed middle housing land division units average roughly 3,800 square feet in R-7 and larger in R-10).

The proposed subdivision layout with the requested maximum lot coverage waiver for Lots 8-9, 11-15, and 21 in R-7 Sub-district 4, and Lots 1-3, 24-25, and 27-28 in R-10 Sub-district 7, allows flexibility of design while providing a development that is equal to or better than that resulting from traditional lot land use development. As stated by the applicant in their Code response narrative, the requested waiver of maximum lot coverage benefits the public by:

- Allowing more area on each lot to be used for living space while providing the same parking area, yard space, and amenities as traditional homes, and
- Enabling construction of homes that are typically provided within residential lots of the proposed size, with coverage similar to that allowed with the 10% bonus in other residential zones in Wilsonville and in the RN Zone for accessory structures, and less than the 60% maximum coverage on lots of similar size in the R-5 Small Lot Sub-district (minimum 4,000 square feet).

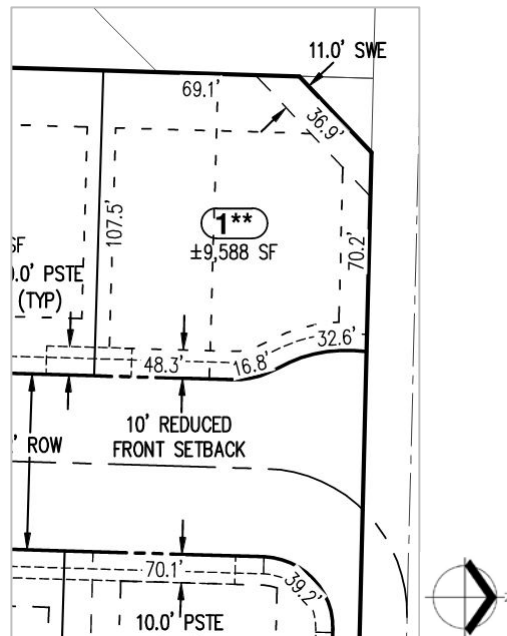
Waiver: Minimum Front Setback

Waiver of Typical Development Standards
Subsection 4.118 (.03) A.

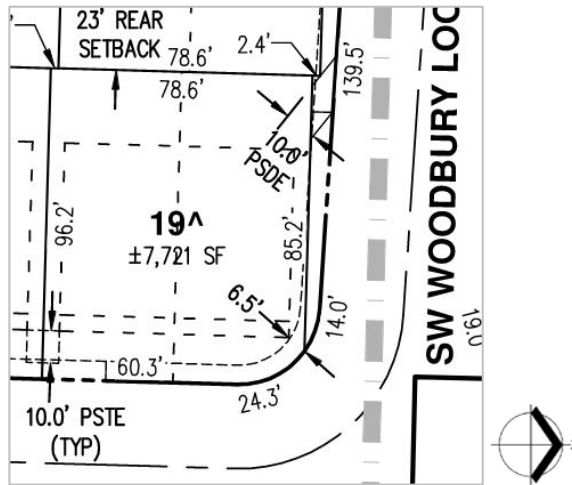
- I5. Subsection 4.118 (.03) A. 3. allows the Development Review Board to waive yard requirements based on findings of fact supported by the record. The applicant requests a waiver to reduce the front yard setback from 20 feet to 10 feet for Lot 1 in R-10 Sub-district

7 (a 50% reduction) and from 15 feet to 10 feet for Lot 19 in R-7 Sub-district 4 (a 33% reduction).

As shown in the illustration below, the difficulty to meet the setback standards of Section 4.127 related to Lot 1 arises from the placement of the existing SW Frog Pond Lane “knuckle” right-of-way and the location of the Boeckman Creek Trail at the northwest corner of the lot, which was established in the previously approved Frog Pond Terrace subdivision. Per the applicant’s narrative Code response, retaining the standard front setback on this lot will require either a very shallow custom home on the northern middle housing unit or elimination of the dwelling unit (one (1) unit in a two-unit cluster). While the home would have a narrower front setback, it would remain generally even with the adjacent home (on the south portion of Lot 1) due to the proximity of the SW Frog Pond Lane eyebrow curve.



Related to Lot 19, as shown below, the northern middle housing land division unit on this lot experiences similar constraints to Lot 1. In order to accommodate right-of-way width to provide two-way traffic and looped utilities through the SW Woodbury Loop right-of-way adjacent to Tax Lot 1101, the front setback of Lot 19 must be adjusted. Per the applicant’s Code response narrative, the change will permit the northern home on Lot 19 (middle housing Unit 36) to remain similarly sized, scaled, and positioned in relation to the southern home on Lot 19 (middle housing Unit 37). The front setback on Unit 37 would be forced to follow the curve of the SW Woodbury Loop right-of-way without the requested waiver. This would, in turn, force the home on this lot to be pulled back from the street, narrowing the home needlessly and creating a difficult home to build and live in. The garage location and setback will be unaffected by the requested waiver and is still planned to be located further south of the problematic northeast lot corner.



Purpose and Objectives of Planned Development Regulations
 Subsection 4.140 (.01) B.

I6. Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. Lots 1 and 19 are constrained by the necessary configuration of streets within the proposed subdivision and, in the case of Lot 1, also by placement of the trail at the northwest corner of the lot.

As stated by the applicant in their Code response narrative, the requested waiver of required front yard setback benefits the public by:

- Allowing the homes constructed on these lots to retain a similar size and function as other homes in the area, and
- Allowing the homes to retain a typical rear yard instead of necessitating a shift of the homes to the rear of the lots and, for Lot 19, narrowing the home needlessly and creating a difficult home to build and live in. Allowing the home to be closer to the street is particularly important for Lot 1 because of the proximity of the planned regional pathway and retaining wall at the northwest corner of the lot.

Waiver: Shared Driveway/Apron on Front-Loaded Lots

Waiver of Typical Development Standards
 Subsection 4.118 (.03) A.

I7. Subsection 4.118 (.03) A. 9. allows the Development Review Board to waive parking space configuration and drive aisle design requirements based on findings of fact supported by the record. Per Subsection 4.113 (.14) G. 5. b., driveway approaches in residential development may be separated when located on a local street (see also Findings D8 through D11). However, per Subsection 4.127 (.08) B. and Table 2, Note O, of the Residential Neighborhood (RN) standards all lots with front-loaded garages are limited to one shared

standard-sized driveway/apron per street regardless of the number of units on the lot. The applicant requests a waiver to the shared driveway standard (Table 2, Note O) and proposes two (2) driveways on all lots, except for standard Lots 10 and 26, within the subdivision to provide a separate approach for each unit in a two-unit cluster housing pair in the proposed middle housing land division.

The subject site is unique because proposed lot sizes are large enough to enable front-loaded two-unit cluster housing that can meet design standards. For detached front-loaded houses, it is more efficient and safer to have separate access to garages from the public street on lots where the homes and garages otherwise meet design standards. A shared driveway for garages that are not adjacent would require additional on-site pavement, awkward site planning, and result in less front yard space, which would not be attractive from the public realm. In addition, a shared driveway would require drivers to maneuver awkward curves and angles where direct and customary access could otherwise be provided.

Purpose and Objectives of Planned Development Regulations Subsection 4.140 (.01) B.

- I8.** Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. While two (2) curb cuts on each lot reduce the amount of space for landscaping and trees in the public right-of-way, the alternative design potentially would be less attractive and likely introduce additional pavement to the public realm.

As stated earlier, the subject site is unique because proposed lot sizes are large enough to enable front-loaded two-unit cluster housing that can meet design standards. The width and size of the lot allowed by the underlying zoning enables the applicant to propose two-unit cluster housing that can meet the design standards for detached homes with front garages side by side along the front building line. In other residential developments, most residential lots would either require the staggering of units, with one in the rear yard, or alley access, in which case the standards likely would not apply. When weighing the additional curb cuts against the awkward on-site design required for a single shared driveway, the two-driveway approach creates a better overall development that is typical and customary for Frog Pond West.

As stated by the applicant in their Code response narrative, the requested waiver of shared driveway/approach on front-loaded lots benefits the public by:

- Acknowledging that the Frog Pond West Master Plan did not consider that middle housing would be permissible or desired and generally envisioned only traditional single-family homes providing a single driveway per lot, and that two (2) driveways would not be needed for single-family homes in most situations, and

- Enabling two-unit cluster housing units within the development to each have their own direct access from the street, consistent with the overall development pattern elsewhere in Frog Pond West.

Staff notes that the proposed 18-foot width for each driveway, combined width of 36 feet, does not meet the standard of Subsection 4.113 (.14) G. 4. and 5., and a condition of approval ensures that the requirements are met (see Findings D8-D11).



Planning Division Memorandum

From: Cindy Luxhoj AICP, Associate Planner
To: Development Review Board Panel A
Date: November 14, 2024
RE: DB24-0008 Frog Pond Ridgecrest 28-Lot Subdivision (Resolution No. 438) – Second Continuance Request

DB24-0008 Frog Pond Ridgecrest 28-Lot Subdivision (Resolution No. 438) was first scheduled for review by Development Review Board (DRB) Panel A on October 14, 2024, but the public hearing was continued to this time and date certain at the applicant's request.

Staff and the applicant are requesting a second continuance of this item, to the December 9, 2024 DRB Panel A meeting. This is to allow time for City Council action on November 18, 2024, on Resolution No. 3180 to amend the five-year CIP budget for road improvements on SW Stafford Road, and for staff to revise the DRB staff report to reflect this action.





**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: October 7, 2024		Subject: Resolution No. 3172 Supplemental Budget Adjustment	
		Staff Member: Katherine Smith, Assistant Finance Director	
		Department: Finance	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: October 7, 2024 <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends Council adopt Resolution No. 3172.			
Recommended Language for Motion: I move to adopt Resolution No. 3172.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

A supplemental budget resolution for the fiscal year 2024-2025 budget year.

EXECUTIVE SUMMARY:

Oregon’s Local Budget Law allows the Council to amend the adopted budget for an occurrence or condition that was not known at the time the budget was adopted. A special hearing must be held to discuss and adopt the supplemental budget. The governing body holds a public hearing although the budget committee is not required to be involved. Public notice of the hearing must be published 5 to 30 days before the hearing. The governing body enacts a resolution to adopt the supplemental budget after the hearing.

As outlined below, this budget supplemental includes:

Capital Project (CIP) Rollovers	\$16,795,050.00
Other (Non-CIP) Rollovers	\$ 393,527.23
New Requests	<u>\$ 2,906,621.00</u>
	<u>\$20,095,198.23</u>

(1) CIP Rollovers:

The re-appropriation of funds from the prior fiscal year for capital improvement projects (CIPs) that were started but not completed in that fiscal year. These requests are attributable to multi-year projects tied to contracts approved by Council. Although overall contracts are not exceeded, a budget supplemental request is needed to roll the balance of these contracts from one fiscal year to the next, due to timing differences of when work is performed. The CIP rollover request of \$16,795,050 includes \$16,264,929 of direct costs and \$530,121 of overhead costs, as detailed in **Attachment 1**.

The top three (3) projects which attribute to this request, include:

- a. Boeckman Dip Bridge (CIP 4212) – \$3,035,759
- b. Water Treatment Plant 20 MGD Expansion (CIP 1144) – \$2,821,679
- c. Boeckman Road Street Improvements (CIP 4205) – \$1,222,526

(2) Non-CIP Rollovers:

The re-appropriation of funds from the prior fiscal year for non-CIP projects that were started but not completed in that fiscal year, includes:

- a. Public Works: Asphalt Truck – \$300,000
- b. Information Technology:
 - Audio Visual Equipment for Library, Oak and Rose Room – \$42,149.49
 - Council Chambers Upgrades – \$51,377.74

(3) New Requests: Unanticipated changes to legal appropriations, of \$2,906,621 includes:

- a. Facilities:
 - Library Landscape Maintenance – \$7,755
- b. Information Technology:
 - To accommodate for increased computer hardware costs – \$30,000
- c. Parks Capital Improvements:
 - Water Feature Controllers (CIP 9177) – \$207,866

- d. Facilities Capital Improvements:
 - Transit Shelters and ADA Improvements (CIP 8104) – \$10,000
 - Transit Oriented Development (CIP 8156) – \$1,420,000
 - To record Road system development charges (SDC) contribution, with transfer from Transit
 - City Hall Flooring (CIP 8162) - \$20,000
- e. Water Capital Improvements:
 - Stafford Road Water Extension Phase 1 (CIP 1158) – \$105,000
- f. Sewer Capital Improvements:
 - Stafford Road Sewer Extension Phase I (CIP 2111) – \$106,000
- g. Road Capital Improvements:
 - Stafford Road Improvements (CIP 4219) – \$1,000,000

EXPECTED RESULTS:

The supplemental budget adjustment adopted by the Council at a regularly scheduled meeting.

TIMELINE:

As required by Local Budget Law, a notice for the public hearing has been published in the Wilsonville Spokesman on September 26, 2024. The adoption of the Supplemental Budget Adjustment is required prior to the end of the fiscal year, June 30, 2025.

CURRENT YEAR BUDGET IMPACTS:

See detail outlined in Exhibit A.

COMMUNITY INVOLVEMENT PROCESS:

The public hearing will be held on October 7, 2024, as a part of the adoption process.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The amended budget provides for the delivery of services and construction of capital projects throughout the community.

ALTERNATIVES:

Not approving the attached supplemental budget could result in overspending current budget appropriations. The City is required to disclose all excess expenditures over appropriations in the Annual Comprehensive Financial Report (ACFR).

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. CIP Rollover Supplemental Budget Adjustments
2. Resolution No. 3172
 - A. Exhibit A - Need, Purpose and Amount: Detail by Fund & Category

ATTACHMENT #1 - CIP ROLLOVER SUPPLEMENTAL BUDGET ADJUSTMENTS

FUND	CIP#	CIP Description	Direct	Overhead
Water CIP	1144	WTP 20 MGD Expansion	2,779,979	41,700
Water CIP	1148	Priority 1B Water Distribution Improvements	400,462	44,016
Water CIP	1151	Elligsen West Tank - Add High Altitude Valve	49,070	1,717
Water CIP	1154	Water Distribution System Master Plan	100,000	22,121
Water CIP	1155	Boeckman Road Water Relocation	166,281	5,820
Water CIP	1156	Basalt Creek Parkway Water Line	57,000	1,995
Sewer CIP	2066	Sewer Rate and SDC Study Update	51,134	6,790
Sewer CIP	2102	Boeckman Road Snitary Improvements	642,988	22,505
Sewer CIP	2107	Boeckman Creek Interceptor	368,006	24,169
Sewer CIP	2109	WWTP UV Disinfection Replacement	24,713	865
Sewer CIP	2110	Public Works Standards Update	-	1,749
Road CIP	3000	Basalt Creek Planning	36,186	-
Road CIP	3001	Frog Pond / Advance Road Master Planning	-	70,000
Road CIP	3007	Climate Action Plan	25,000	10,000
Road CIP	4014	Street Maintenance	211,483	7,402
Road CIP	4118	Signal Improvements	172,230	6,028
Road CIP	4194	5 Year Monitoring: Barber Road	5,244	184
Road CIP	4202	I-5 Pedestrian Bridge	37,932	-
Road CIP	4205	Boeckman Road Street Improvements	1,181,185	41,341
Road CIP	4206	Canyon Creek / Boeckman Roundabout	587,731	20,571
Road CIP	4212	Boeckman Dip Bridge	3,035,759	-
Road CIP	4216	Brown Road Improvements	147,681	-
Road CIP	4717	Pedestrian Enhancements	191,197	21,692
Road CIP	4722	LED Street Light Conversion	579,651	20,288
Road CIP	4725	Crosswalk Flasher Replacement	168,643	20,903
Road CIP	4729	Signage / Wayfinding	34,648	3,000
Storm CIP	7054	Gesellschaft Water Well Channel Restoration	100,234	15,508
Storm CIP	7059	Stormwater Rate and SDC Study	51,300	6,795
Storm CIP	7067	Meridian Creek Culvert Replacement	461,373	16,148
Storm CIP	7068	Boeckman Creek Flow Mitigation	177,859	6,225
Storm CIP	7110	Public Works Standards Update	-	18,772
Storm CIP	7500	Storm Ops Allocation to Charbonneau	10,784	15,377
Facilities CIP	8093	Fiber Connectivity Project	400,000	-
Facilities CIP	8113	Public Works Complex	90,000	-
Facilities CIP	8129	Security Access System	128,000	-
Facilities CIP	8150	Transit Center Enhancements	48,821	1,709
Facilities CIP	8151	Facility Parking Lot Repairs	133,084	-
Facilities CIP	8153	KIVA/Art Tech Renovation	235,409	-
Facilities CIP	8156	Transit Oriented Development	-	35,878
Facilities CIP	8158	Community Service Block Master Plan	100,000	-
Facilities CIP	8159	Charbonneau Well House Improvements	325,000	-
Facilities CIP	8160	PW/Police Facilities Modifications	51,670	-
Facilities CIP	8161	Community Center Siding Repair	136,900	-
Facilities CIP	8162	City Hall Flooring Phase II	214,500	-
Facilities CIP	8164	Library Patio Fencing	30,000	-
Parks CIP	9110	Public Works Standards Update	-	13,153
Parks CIP	9132	Memorial Park Plan Implementation	174,521	-
Parks CIP	9148	Boeckman Creek Trail Slope Stabilization	32,486	-
Parks CIP	9149	Boeckman Creek Regional Trail - Phas 2 (Frog Pond)	200,000	-
Parks CIP	9150	Boeckman Creek Regional Trail South	20,000	5,700
Parks CIP	9152	Annual Play Structure Replacement	8,029	-
Parks CIP	9171	Boones Ferry Park Master Plan Implementation	526,820	-
Parks CIP	9172	Annual - Interpretative Panel Repairs	5,720	-
Parks CIP	9173	Merryfield Trail Update	311,313	-
Parks CIP	9174	Parks and Green Spaces ADA Implementation	287,143	-
Parks CIP	9175	Frog Pond West Neighborhood Park	690,863	-
Parks CIP	9177	Water Feature Controllers	192,134	-
Parks CIP	9180	Parks Infrastructure Fee Study	47,919	-
Parks CIP	9181	Natural Areas Management Plan	18,844	-
			\$ 16,264,929	\$ 530,121

RESOLUTION NO. 3172

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING A SUPPLEMENTAL BUDGET ADJUSTMENT FOR FISCAL YEAR 2024-25.

WHEREAS, the City adopted a budget and appropriated funds for fiscal year 2024-25 by Resolution No. 3144; and

WHEREAS, certain expenditures are expected to exceed the original adopted budget in some of the City's funds and budgetary transfers are necessary within these funds to provide adequate appropriation levels to expend the unforeseen costs; and

WHEREAS, ORS 294.463 provides that a city may adjust appropriations within appropriation categories provided the enabling resolution states the need for the adjustment, purpose of the expenditure and corresponding amount of appropriation; and,

WHEREAS, all transfers from contingencies within the fiscal year to date that exceed fifteen percent (15%) of the fund's total appropriations are included in the supplemental budget adjustment request; and,

WHEREAS, all expenditure transfers within the fiscal year to date in aggregate exceed ten percent (10%) of the fund's total expenditures are included in the supplemental budget adjustment request; and,

WHEREAS, consistent with local budget law and based upon the foregoing, the staff report in this matter and public hearing input, the public interest is served in the proposed supplemental budget adjustment,

WHEREAS, to facilitate clarification of the adjustments in this resolution, Attachment A to this resolution provides a summary by fund of the appropriation categories affected by the proposed transfer of budget appropriation and the purpose of the expenditure.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

The City amends and adjusts the estimated revenues and appropriations within the funds and categories delineated and set forth in Attachment A, attached hereto and incorporated by reference herein as if fully set forth.

This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7th day of October, 2024, and filed with the Wilsonville City Recorder this date.

Signed by:
Julie Fitzgerald
8A974AF3ADE042E...

JULIE FITZGERALD, MAYOR

ATTEST:

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Berry	Excused
Councilor Dunwell	Yes
Councilor Linville	Yes

EXHIBIT:

A. Need, Purpose and Amount: Detail by Fund & Category

ATTACHMENT A
NEED, PURPOSE AND AMOUNT: DETAIL BY FUND & CATEGORY

	Current Appropriations	Change in Appropriations	Amended Appropriations
110-General Fund			
Resources			
Taxes	\$ 16,395,000	\$ -	\$ 16,395,000
Licenses and permits	176,700	-	176,700
Intergovernmental	3,299,090	-	3,299,090
Charges for services	439,822	-	439,822
Other Revenues	204,070	-	204,070
Fines and forfeitures	190,000	-	190,000
Investment Revenue	620,000	-	620,000
Proceeds of interfund loan	1,015,100	-	1,015,100
Transfers in	4,777,260	283,775	5,061,035
Fund balances - beginning	15,402,632	3,555,616	18,958,248
Total Resources	\$ 42,519,674	\$ 3,839,391	\$ 46,359,065
Requirements			
Administration	\$ 2,564,212	\$ -	\$ 2,564,212
Finance	2,134,078	-	2,134,078
Information Technology/GIS	1,704,385	134,777	1,839,162
Legal	843,350	-	843,350
Human Resources and Risk Mana	1,228,920	-	1,228,920
Public Works Administration	1,117,514	-	1,117,514
Facilities	2,246,580	7,755	2,254,335
Parks Maintenance	2,915,379	-	2,915,379
Parks & Recreation	2,313,429	-	2,313,429
Library	2,823,416	-	2,823,416
Law/Code Enforcement	6,914,522	-	6,914,522
Municipal Court	232,980	-	232,980
Transfers to Other Funds	8,308,917	3,734,276	12,043,193
Contingency	3,146,292	(37,417)	3,108,875
<i>Unappropriated</i>	4,025,700	-	4,025,700
Total Requirements	\$ 42,519,674	\$ 3,839,391	\$ 46,359,065
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			

231-Community Development Fund						
Resources						
Licenses and permits	\$	668,567	\$	-	\$	668,567
Intergovernmental		265,000		-		265,000
Charges for services		443,006		-		443,006
Investment Revenue		70,000		-		70,000
Transfers in		3,427,337		378,312		3,805,649
Fund balances - beginning		1,790,716		-		1,790,716
Total Resources	\$	6,664,626	\$	378,312	\$	7,042,938
Requirements						
C.D. Administration	\$	717,944	\$	-	\$	717,944
Engineering		2,631,206		-		2,631,206
Planning		1,382,100		-		1,382,100
Transfers to Other Funds		824,000		36,186		860,186
Contingency		163,076		342,126		505,202
<i>Unappropriated</i>		946,300		-		946,300
Total Requirements	\$	6,664,626	\$	378,312	\$	7,042,938

Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.

260-Transit Operations Fund						
Requirements						
Transit	\$	10,551,221	\$	-	\$	10,551,221
Transfers to Other Funds		3,563,550		1,480,530		5,044,080
Contingency		12,873,539		(1,480,530)		11,393,009
<i>Unappropriated</i>		1,704,300		-		1,704,300
Total Requirements	\$	28,692,610	\$	-	\$	28,692,610

Recognize unspent budget authority relating to CIPs from FY 2023-24.

240-Road Operating Fund						
Resources						
Intergovernmental	\$	2,249,000	\$	-	\$	2,249,000
Investment Revenue		91,500		-		91,500
Fund balances - beginning		2,235,718		600,000		2,835,718
Total Resources	\$	4,576,218	\$	600,000	\$	5,176,218
Requirements						
Road Operations	\$	1,274,182	\$	300,000	\$	1,574,182
Debt Service		360,000		-		360,000
Transfers to Other Funds		2,248,000		580,693		2,828,693
Contingency		447,536		(280,693)		166,843
<i>Unappropriated</i>		246,500		-		246,500
Total Requirements	\$	4,576,218	\$	600,000	\$	5,176,218

Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.

241-Road Maintenance Fund			
Resources			
Charges for services	\$ 2,585,000	\$ -	\$ 2,585,000
Investment Revenue	89,000	-	89,000
Fund balances - beginning	3,894,568	218,885	4,113,453
Total Resources	<u>\$ 6,568,568</u>	<u>\$ 218,885</u>	<u>\$ 6,787,453</u>
Requirements			
Transfers to Other Funds	\$ 2,623,945	\$ 218,885	\$ 2,842,830
Contingency	3,944,623	-	3,944,623
Total Requirements	<u>\$ 6,568,568</u>	<u>\$ 218,885</u>	<u>\$ 6,787,453</u>
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			
510-Water Operating Fund			
Resources			
Charges for services	\$ 10,263,900	\$ -	\$ 10,263,900
Investment Revenue	800,000	-	800,000
Other Revenues	40,000	-	40,000
Fund balances - beginning	19,709,294	1,765,798	21,475,092
Total Resources	<u>\$ 30,813,194</u>	<u>\$ 1,765,798</u>	<u>\$ 32,578,992</u>
Requirements			
Water Distribution	\$ 1,833,696	\$ -	\$ 1,833,696
Water Treatment Plant	6,337,290	-	6,337,290
Debt Service	375,000	-	375,000
Transfers to Other Funds	18,945,416	1,765,798	20,711,214
Contingency	1,991,292	-	1,991,292
<i>Unappropriated</i>	1,330,500	-	1,330,500
Total Requirements	<u>\$ 30,813,194</u>	<u>\$ 1,765,798</u>	<u>\$ 32,578,992</u>
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			
520-Sewer Operating Fund			
Resources			
Charges for services	\$ 7,787,000	\$ -	\$ 7,787,000
Investment Revenue	420,000	-	420,000
Other Revenues	31,500	-	31,500
Fund balances - beginning	10,408,550	1,194,309	11,602,859
Total Resources	<u>\$ 18,647,050</u>	<u>\$ 1,194,309</u>	<u>\$ 19,841,359</u>
Requirements			
Wastewater Collections	\$ 1,291,082	\$ -	\$ 1,291,082
Wastewater Treatment Plant	3,640,000	-	3,640,000
Debt Service	2,880,000	-	2,880,000
Transfers to Other Funds	2,813,972	1,194,309	4,008,281
Contingency	7,081,796	-	7,081,796
<i>Unappropriated</i>	940,200	-	940,200
Total Requirements	<u>\$ 18,647,050</u>	<u>\$ 1,194,309</u>	<u>\$ 19,841,359</u>
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			

550-Street Lighting Operating Fund						
Resources						
Charges for services	\$	544,500	\$	-	\$	544,500
Investment Revenue		30,000		-		30,000
Fund balances - beginning		755,356		599,939		1,355,295
Total Resources	\$	1,329,856	\$	599,939	\$	1,929,795
Requirements						
Street Lighting	\$	331,310	\$	-	\$	331,310
Transfers to Other Funds		621,000		599,939		1,220,939
Contingency		311,246		-		311,246
<i>Unappropriated</i>		66,300		-		66,300
Total Requirements	\$	1,329,856	\$	599,939	\$	1,929,795
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.						
570-Stormwater Fund						
Resources						
Charges for services	\$	3,527,500	\$	-	\$	3,527,500
Investment Revenue		230,000		-		230,000
Fund balances - beginning		5,624,079		488,364		6,112,443
Total Resources	\$	9,381,579	\$	488,364	\$	9,869,943
Requirements						
Stormwater Maintenance	\$	1,340,372	\$	-	\$	1,340,372
Debt Service		842,000		-		842,000
Transfers to Other Funds		2,141,755		488,364		2,630,119
Contingency		4,794,952		-		4,794,952
<i>Unappropriated</i>		262,500		-		262,500
Total Requirements	\$	9,381,579	\$	488,364	\$	9,869,943
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.						
515-Water Capital Projects Fund						
Resources						
Intergovernmental	\$	892,008	\$	1,879,238	\$	2,771,246
Investment Revenue		24,000		-		24,000
Lease Revenue		173,577		-		173,577
Transfers in		16,377,754		2,835,542		19,213,296
Fund balances - beginning		1,484,946		(1,020,000)		464,946
Total Resources	\$	18,952,285	\$	3,694,780	\$	22,647,065
Requirements						
Capital Projects	\$	17,262,769	\$	3,646,995	\$	20,909,764
Transfers to Other Funds		848,856		128,166		977,022
Contingency		840,660		(80,381)		760,279
Total Requirements	\$	18,952,285	\$	3,694,780	\$	22,647,065
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.						

525-Sewer Capital Projects Fund			
Resources			
Investment Revenue	\$ 4,500	\$ -	\$ 4,500
Transfers in	5,099,531	1,248,919	6,348,450
Fund balances - beginning	75,821	-	75,821
Total Resources	\$ 5,179,852	\$ 1,248,919	\$ 6,428,771
Requirements			
Capital Projects	\$ 4,665,091	\$ 1,182,010	\$ 5,847,101
Transfers to Other Funds	215,750	66,909	282,659
Contingency	299,011	-	299,011
Total Requirements	\$ 5,179,852	\$ 1,248,919	\$ 6,428,771
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			
345-Road Capital Projects Fund			
Resources			
Intergovernmental	\$ 430,000	\$ -	\$ 430,000
Investment Revenue	35,500	-	35,500
Transfers in	25,945,795	3,230,013	29,175,808
Fund balances - beginning	292,937	2,304,165	2,597,102
Total Resources	\$ 26,704,232	\$ 5,534,178	\$ 32,238,410
Requirements			
Capital Projects	\$ 25,403,239	\$ 5,702,769	\$ 31,106,008
Transfers to Other Funds	790,656	331,409	1,122,065
Contingency	510,337	(500,000)	10,337
Total Requirements	\$ 26,704,232	\$ 5,534,178	\$ 32,238,410
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			
575-Stormwater Capital Projects Fund			
Resources			
Investment Revenue	\$ 3,500	\$ -	\$ 3,500
Transfers in	2,034,648	880,375	2,915,023
Fund balances - beginning	157,184	-	157,184
Total Resources	\$ 2,195,332	\$ 880,375	\$ 3,075,707
Requirements			
Capital Projects	\$ 1,725,443	\$ 801,550	\$ 2,526,993
Transfers to Other Funds	205,795	78,825	284,620
Contingency	264,094	-	264,094
Total Requirements	\$ 2,195,332	\$ 880,375	\$ 3,075,707
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			

335-Facilities Capital Projects Fund			
Resources			
Intergovernmental	\$ -	\$ -	\$ -
Investment Revenue	120,500	-	120,500
Transfers in	6,027,700	3,380,971	9,408,671
Fund balances - beginning	281,499	-	281,499
Total Resources	\$ 6,429,699	\$ 3,380,971	\$ 9,810,670
Requirements			
Capital Projects	\$ 5,879,150	\$ 3,343,046	\$ 9,222,196
Transfers to Other Funds	113,060	37,925	150,985
Contingency	437,489	-	437,489
Total Requirements	\$ 6,429,699	\$ 3,380,971	\$ 9,810,670
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			
395-Parks Capital Projects Fund			
Resources			
Licenses and permits	\$ 5,000	\$ -	\$ 5,000
Investment Revenue	10,000	-	10,000
Intergovernmental	1,100,000	-	1,100,000
Transfers in	5,144,410	2,742,511	7,886,921
Fund balances - beginning	62,750	-	62,750
Total Resources	\$ 6,322,160	\$ 2,742,511	\$ 9,064,671
Requirements			
Capital Projects	\$ 5,503,560	\$ 2,723,658	\$ 8,227,218
Transfers to Other Funds	154,980	18,853	173,833
Contingency	663,620	-	663,620
Total Requirements	\$ 6,322,160	\$ 2,742,511	\$ 9,064,671
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			
516-Water Development Charges Fund			
Resources			
System Development Charges	\$ 1,000,000	\$ -	\$ 1,000,000
Investment Revenue	238,000	-	238,000
Fund balances - beginning	7,561,688	964,744	8,526,432
Total Resources	\$ 8,799,688	\$ 964,744	\$ 9,764,432
Requirements			
Materials & Services	\$ 24,280	\$ -	\$ 24,280
Debt Service	457,000	-	457,000
Transfers to Other Funds	8,270,238	985,344	9,255,582
Contingency	48,170	(20,600)	27,570
Total Requirements	\$ 8,799,688	\$ 964,744	\$ 9,764,432
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.			

526-Sewer Development Charges Fund						
Resources						
System Development Charges	\$	550,000	\$	-	\$	550,000
Investment Revenue		31,500		-		31,500
Fund balances - beginning		1,612,577		(240,838)		1,371,739
Total Resources	\$	2,194,077	\$	(240,838)	\$	1,953,239
Requirements						
Materials & Services	\$	20,640	\$	-	\$	20,640
Transfers to Other Funds		2,150,759		(240,838)		1,909,921
Contingency		22,678		-		22,678
Total Requirements	\$	2,194,077	\$	(240,838)	\$	1,953,239
Adjust beginning fund balance relating to FY 2023-24 and subsequently current year funding for CIPs.						
346-Road Development Charges Fund						
Resources						
System Development Charges	\$	900,000	\$	-	\$	900,000
Investment Revenue		242,500		-		242,500
Fund balances - beginning		9,496,129		840,000		10,336,129
Total Resources	\$	10,638,629	\$	840,000	\$	11,478,629
Requirements						
Materials & Services	\$	38,820	\$	-	\$	38,820
Transfers to Other Funds		9,559,895		1,333,662		10,893,557
Contingency		1,039,914		(493,662)		546,252
Total Requirements	\$	10,638,629	\$	840,000	\$	11,478,629
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.						
336-Frog Pond West Fund						
Resources						
Licenses and permits	\$	2,000,000	\$	-	\$	2,000,000
Investment Revenue		93,500		-		93,500
Fund balances - beginning		2,299,390		1,988,711		4,288,101
Total Resources	\$	4,392,890	\$	1,988,711	\$	6,381,601
Requirements						
Materials & Services	\$	32,560	\$	-	\$	32,560
Transfers to Other Funds		3,061,015		1,388,711		4,449,726
Contingency		1,299,315		600,000		1,899,315
Total Requirements	\$	4,392,890	\$	1,988,711	\$	6,381,601
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.						

576-Stormwater Development Charges Fund						
Requirements						
Materials & Services	\$	5,380	\$	-	\$	5,380
Transfers to Other Funds		530,093		392,011		922,104
Contingency		3,077,071		(392,011)		2,685,060
Total Requirements	\$	<u>3,612,544</u>	\$	<u>-</u>	\$	<u>3,612,544</u>
Recognize unspent budget authority relating to CIPs from FY 2023-24.						
396-Parks Development Charges Fund						
Resources						
System Development Charges	\$	825,000	\$	-	\$	825,000
Investment Revenue		43,500		-		43,500
Fund balances - beginning		2,505,593		(50,000)		2,455,593
Total Resources	\$	<u>3,374,093</u>	\$	<u>(50,000)</u>	\$	<u>3,324,093</u>
Requirements						
Materials & Services	\$	15,810	\$	-	\$	15,810
Transfers to Other Funds		974,383		360,461		1,334,844
Contingency		2,383,900		(410,461)		1,973,439
Total Requirements	\$	<u>3,374,093</u>	\$	<u>(50,000)</u>	\$	<u>3,324,093</u>
Recognize unspent budget authority relating to CIPs from FY 2023-24 as well as adjust for beginning fund balance.						



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: November 18, 2024		Subject: Resolution No. 3180 Approving a Funding Plan Forecast for the Stafford Road Improvements - Phase I (Capital Improvement Project No. 1158, 2111, and 4219)	
		Staff Member: Keith Katko, Finance Director and Zach Weigel, PE, City Engineer	
		Department: Finance and Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends Council adopt the Consent Agenda.			
Recommended Language for Motion: I move to adopt the Consent Agenda.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): 2023 Transportation System Plan Projects UU-06, BW-23, and SI-13. 2014 Wastewater Collection System Master Plan Project CIP-34 2012 Water Distribution System Master Plan Project 362	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

A City of Wilsonville resolution approving a funding plan forecast for the Stafford Road Improvements – Phase I Project (Capital Improvement Project (CIP) No. 1158, 2111, and 4219).

EXECUTIVE SUMMARY:

The Frog Pond West (FPW) Master Plan, adopted by City Council in 2017, identified public infrastructure necessary to serve the planned residential development within the Frog Pond West neighborhood. The FPW Master Plan includes transportation, water, wastewater, and storm drainage improvements to Stafford Road, along the eastern boundary of the neighborhood. In 2022, City Council adopted the Frog Pond East & South (FPE/S) Master Plan, planning for additional residential and neighborhood commercial development east of FPW. With Stafford Road serving as the boundary between Frog Pond West and East, the public infrastructure requirements were updated as part of FPE/S Master Plan to address the needs of both Frog Pond neighborhoods.

As part of recent subdivision land use applications, traffic studies indicate that the intersection of Frog Pond Lane and Stafford Road (an arterial roadway) will fall below the City's operational standard of Level of Service D with any additional residential development approval within the Frog Pond West neighborhood. Additional traffic analysis indicates that improvements to the Frog Pond Lane/Stafford Road intersection consistent with the Wilsonville Transportation System Plan will then cause the Brisband Street/Stafford Road intersection to fall below Level of Service D. Wilsonville Municipal Code Section 4.140.09.J.2 states that a planned development permit may be granted by the Development Review Board only if it is found that the development location, design, and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D on existing or planned arterial and collector streets for which funding has been approved or committed and that are scheduled for completion within two years of occupancy of the development.

In order to allow development in Frog Pond West to proceed and continue to generate revenue to fund needed infrastructure improvements identified in the Frog Pond Master Plans, City Council authorized a supplemental budget amendment on October 7, 2024, adding the Stafford Road Improvements – Phase I Project to the Fiscal Year 2024-25 (FY25) budget. The Stafford Road Improvements – Phase I Project (Project) represents the first phase of improvements on Stafford Road, providing necessary infrastructure to serve both Frog Pond West and East and address the anticipated Level of Service deficiencies at the Frog Pond Lane and Brisband Street intersections with Stafford Road. This phase of work includes:

- Stafford Road Improvements (Frog Pond Ln. – Brisband St.): Add pedestrian, bike, and transit facilities on the west side of Stafford Rd.
- Frog Pond Ln./Stafford Rd. intersection turn lane restrictions.
- Brisband St./Stafford Rd. intersection single-lane roundabout.
- 12-inch diameter waterline extension Stafford Rd. (Frog Pond Ln. – Boeckman Rd.)
- 12-inch diameter sewer pipeline extension Stafford Rd. (Frog Pond Ln. – Boeckman Rd.)

While the FY25 budget adjustment approves funding for the planned arterial street intersection improvement project required by the development code, further action by City Council is necessary to schedule the intersection improvements for completion within two years of occupancy of the development. Adoption of **Resolution No. 3180** approves a funding plan forecast for the Stafford Road Improvements Phase I Project, completing the Project within two years of occupancy of approved development within Frog Pond West. The funding plan forecast is as follows:

CIP No.		FY25	FY26	FY27	Total
1158	Water Line	\$105,000.11	\$193,935.59	\$199,753.66	\$498,689.36
2111	Sewer Line	\$105,999.92	\$198,093.84	\$204,036.66	\$508,130.41
4219	Roadway	\$1,000,000.00	\$1,802,500.00	\$1,856,575.00	\$4,659,075.00
Total		\$1,211,000.02	\$2,194,529.43	\$2,260,365.32	\$5,665,894.77

Funding Source	FY25	FY26	FY27	Total
Water SDC	\$20,412.02	\$37,701.08	\$38,832.11	\$96,945.21
Sewer SDC	\$10,091.19	\$18,858.53	\$19,424.29	\$48,374.02
Transportation SDC	\$681,331.23	\$1,228,099.55	\$1,264,942.54	\$3,174,373.32
Frog Pond Fee	\$499,165.57	\$909,870.27	\$937,166.38	\$2,346,202.22
Total	\$1,211,000.02	\$2,194,529.43	\$2,260,365.32	\$5,665,894.77

Approval of this funding plan forecast in no way limits how the project is funded and only reflects a potential source of funding to ensure the project is constructed within the allotted timeframe based on the current estimated cost of the Project. The Project will be included in the proposed Fiscal Year 2025-26 Five-Year Capital Improvement Program during the next budget cycle where additional funding sources may be evaluated and authorized as part of the budget adoption. In addition, approval of this funding plan forecast in no way limits the City's ability to seek reimbursement for the Project costs that may be attributable to future development within Frog Pond East and South.

EXPECTED RESULTS:

Approval of the Project funding plan forecast will allow residential development within Frog Pond West to meet required land use requirements by approving funding and scheduling for completion the planned arterial street intersections within two years of occupancy. Continued residential development in Frog Pond West is necessary to meet the City's identified housing needs and generation of revenue to fund needed infrastructure improvements. In addition, the

funding plan forecast will allow high priority transportation improvements on Stafford Road to proceed, reducing vehicle speeds, enhancing neighborhood access, and improving safety through addition of sidewalk and bike facilities and intersection enhancements, a frequent request by the adjacent Stafford Meadows neighborhood.

TIMELINE:

Solicitation for an engineering consultant to begin Project design work will occur in January 2025 with design beginning in the second quarter of 2025. Project construction is anticipated to be completed by the end of 2027. The earliest anticipated occupancy of residential development within Frog Pond West which is projected to not meet Level of Service performance standards at the Frog Pond Lane/Stafford Road intersection is in 2027, well within the required two-year occupancy requirement.

CURRENT YEAR BUDGET IMPACTS:

The amended FY25 budget includes funding for engineering design and overhead for the Project, including Frog Pond Infrastructure Fee (FPF) and System Development Charges (SDC) funding sources, as summarized below.

CIP No.	Project Name	Funding Source	Amended FY25 Budget
1158	Stafford Water	FPF & Water SDC	\$105,000
2111	Stafford Sewer	FPF & Sewer SDC	\$106,000
4219	Stafford Road	FPF & Transportation SDC	\$1,000,000

COMMUNITY INVOLVEMENT PROCESS:

The Stafford Road Improvements were identified as high priority infrastructure projects through the Frog Pond West Master Plan and Frog Pond East & South Master Plan processes, as well as the last major updates to the Wilsonville Transportation System Plan, Water Distribution System Plan, and Wastewater Collection System Master Plan, which included an extensive community involvement process. As part of the Project, additional public engagement will occur to incorporate community input into the design and construction of the needed infrastructure improvements on Stafford Road.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Approval of the Project funding plan forecast will allow residential development within Frog Pond West to continue, providing Wilsonville with needed housing and generating revenue to fund needed infrastructure projects. In addition, infrastructure improvements to Stafford Road can begin, improving safety and access for residents in Frog Pond West.

ALTERNATIVES:

City Council could decide either to delay or not approve the Stafford Road Improvements Phase I funding plan forecast. This action is not recommended, as development within Frog Pond West would not be able to meet land use requirements and a development moratorium would likely need to be implemented, resulting in delay in housing production and a decline in revenue necessary to pay for needed public infrastructure.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. Resolution No. 3180

RESOLUTION NO. 3180

A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING A FUNDING PLAN FORECAST FOR THE STAFFORD ROAD IMPROVEMENTS – PHASE I (CIP NOS. 1158, 2111, AND 4219).

WHEREAS, in 2017, the City Council adopted the Frog Pond West Master Plan (“FPW Master Plan”) via Ordinance No. 806; and

WHEREAS, the FPW Master Plan includes transportation, water, wastewater, and storm drainage improvements to SW Stafford Road, along the eastern boundary of the neighborhood; and

WHEREAS, in 2022, the City Council adopted the Frog Pond East and South Master Plan (“FPE/S Master Plan”) via Ordinance No. 870; and

WHEREAS, the FPE/S Master Plan also discussed public infrastructure improvements needed along and within SW Stafford Road, which is the boundary between Frog Pond West and East; and

WHEREAS, the FPE/S Master Plan updated the public infrastructure requirements to address the needs of both Frog Pond neighborhoods with regard to infrastructure related to SW Stafford Road; and

WHEREAS, one update in the FPE/S Master Plan included vehicle turn lane restrictions at the SW Frog Pond Lane and SW Stafford Road intersection (“Frog Pond Lane Intersection”) due to its projected failure to meet the required minimum level of service; and

WHEREAS, to further address traffic movement, the FPE/S Master Plan identified installing roundabout at SW Brisband Street and SW Stafford Road (“Brisband Intersection”) to accommodate the vehicle turn lane restrictions of the Frog Pond Lane Intersection and to ensure that the minimum level of service could be met at the Brisband Intersection; and

WHEREAS, as part of recent subdivision land use applications, traffic studies indicate that the Frog Pond Lane Intersection will fall below the City’s operational standard of Level of Service D with any additional residential development approval within the Frog Pond West neighborhood; and

WHEREAS, to allow development in Frog Pond West to proceed and continue to generate revenue to fund needed infrastructure improvements identified in the Frog Pond Master Plans,

City Council authorized a supplemental budget amendment on October 7, 2024, adding the Stafford Road Improvements – Phase I project to the Fiscal Year 2024-25 (FY25) budget (the “Project”); and

WHEREAS, when the Project was added to the FY25 budget, it did not include a funding forecast for the Project, as such forecasts are typically generated when the budget is approved in May-June of each year; and

WHEREAS, for development to continue in Frog Pond West, a funding plan forecast is needed to show that the City plans to complete the Project within two years of development occupancy – requirement under WC 4.140(.09) J. 2.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council adopts as its findings the above Recitals and the Staff Report by reference as if fully set forth herein. The City Council further finds that its approval of the following funding plan forecast in no way limits how the Project is ultimately funded and only reflects a potential source of funding to ensure the Project is constructed within the allotted timeframe based on the current estimated cost of the Project. Other funding sources and further refinement of a funding plan may be evaluated and authorized in future City Council actions.

Section 2. The City Council approves the following funding plan forecast for the Stafford Road Improvements – Phase I (CIP Nos. 1158, 2111, and 4219), which anticipates completion of the Project by FY27:

Forecasted Project Expenditure:

CIP No.		FY25	FY26	FY27	Total
1158	Water Line	\$105,000.11	\$193,935.59	\$199,753.66	\$498,689.36
2111	Sewer Line	\$105,999.92	\$198,093.84	\$204,036.66	\$508,130.41
4219	Roadway	\$1,000,000.00	\$1,802,500.00	\$1,856,575.00	\$4,659,075.00
Total		\$1,211,000.02	\$2,194,529.43	\$2,260,365.32	\$5,665,894.77

Potential Project Funding Sources:

	FY25	FY26	FY27	Total
Water SDC	\$20,412.02	\$37,701.08	\$38,832.11	\$96,945.21
Sewer SDC	\$10,091.19	\$18,858.53	\$19,424.29	\$48,374.02
Transportation SDC	\$681,331.23	\$1,228,099.55	\$1,264,942.54	\$3,174,373.32
Frog Pond Fee	\$499,165.57	\$909,870.27	\$937,166.38	\$2,346,202.22
Total	\$1,211,000.02	\$2,194,529.43	\$2,260,365.32	\$5,665,894.77

Section 3. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18th day of November, 2024, and filed with the Wilsonville City Recorder this date.

Signed by:

 8A974AF3ADE042E...
 JULIE FITZGERALD, MAYOR

ATTEST:

DocuSigned by:

 E781DE10276B498...

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Linville	Yes
Councilor Berry	Yes
Councilor Dunwell	Yes



APPLICANT REQUEST FOR WAIVER OF 120-DAY RULE (ORS 227.178(5))

Ridgecrest Subdivision - A 28-lot residential subdivision within Frog Pond West
Project Name, Description

Dan Grimberg
Applicant's Name

DR24-0008
City of Wilsonville File Number

I have a pending land use application with the City for the file number identified above. I request a waiver of the 120-day rule to allow additional time for the City to process my land use application, as allowed by ORS 227.178. As a result, I am giving the City the period of time through and including the date of January 28, 2025¹ to make a final decision on my land use application. Unless, an additional waiver is given by me, I understand the City will make a final decision on my land use application on or before the date specified in this letter.


Applicant's Signature

10/17/24
Date

¹ In no event may the total amount of time, including all extensions, exceed 365 days from the date the application is deemed complete. Example: an application deemed complete on March 1, 2020, cannot be extended beyond March 1, 2021, and the City must make a final decision on or before March 1, 2021.

CITY OF WILSONVILLE • COMMUNITY DEVELOPMENT DEPT. • PLANNING DIV.
Phone 503-682-4960 29799 SW Town Center Loop East www.ci.wilsonville.or.us
Fax 503-682-7025 Wilsonville, OR 97070 info@ci.wilsonville.or.us