

September-14						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	CITY OFFICES CLOSED HOLIDAY		Municipal Court Water Providers EC-5:30pm Rural Fire 8pm			
7	CITY COUNCIL 6:00 PM - WORK SESSION (B&C Interview) 6:15 PM - EXECUTIVE SESSION (Property) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Red Cross Blood Drive 1pm - 6pm - Comm Aud	B St Sidewalks Open House	City Hall Day 6pm - Comm Aud		
14	Chamber Luncheon - Noon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	CCI 5:30pm Library 6:30pm	6pm - Com Aud MPAC 5pm	PAC 5pm		PAC Meet Artist Dinner 6:30 PM
		Fernhill Tour 3pm	Municipal Court P&R 7am CFC 5:15pm CWAC 5:30pm	Dairy Creek Food 7:30pm		Corn Roast Sidewalk Chalk Art Lions Run & Walk
ICMA Conference						
21	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC MPAC 5pm LOC Board Mtg		Mayors' Luncheon	Police Pres. Drug Turn In 10am-2pm
28	Hist. Home Tours 1pm					
LOC Conference - Eugene						
October-14						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			Municipal Court Water Providers CB-7pm Rural Fire 8pm			Public Safety Open House 10am - Fire
5	Planning Comm 7pm	Notary Public Seminar 1pm-4pm - Comm Aud	MPAC 5pm	PAC 5pm	JWC - 12:30 pm	Birds & Brew 8am-2pm
12	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Red Cross Blood Drive 1pm - 6pm - Comm Aud	Municipal Court P&R 7am CFC 5:15pm CWAC 5:30pm	Dairy Creek Food 7:30pm		
19	Chamber Luncheon - Noon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	CCI/GroveLink Summit 6pm - Comm Aud	PSAC MPAC 5pm		ODF 8am-Comm Aud Mayors' Luncheon	
26	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm				
Nyuzen Student Delegation Visit - TBA						
November-14						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	Planning Comm 7pm		Municipal Court			8
9	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	CITY OFFICES CLOSED HOLIDAY				
16	Chamber Luncheon - Noon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm		Municipal Court P&R 7am CFC 5:15pm CWAC 5:30pm			
23	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC MPAC 5pm			
30						
						15
						22
						29

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# FOREST GROVE CITY COUNCIL

## Monday, September 8, 2014

### Meeting Agenda

6:00 PM – Work Session (B&C Interview)  
6:15 PM – Executive Session (Real Property)  
7:00 PM – Regular Meeting

Community Auditorium  
1915 Main Street  
Forest Grove, OR 97116

Forest Grove City Council Meetings are televised live by Tualatin Valley Community Television (TVCTV) Government Access Programming, Ch 30. To obtain the programming schedule, please contact TVCTV at 503.629.8534 or visit <http://www.tvctv.org/government-programming/government-meetings/forest-grove>.

PETER B. TRUAX, MAYOR

Thomas L. Johnston, Council President  
Richard G. Kidd III  
Victoria J. Lowe

Camille Miller  
Ronald C. Thompson  
Elena Uhing

All meetings of the City Council are open to the public and all persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Council as follows:

➔ Public Hearings – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign in for any Public Hearing prior to the meeting. The presiding officer will review the complete hearing instructions prior to testimony. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

➔ Citizen Communications – Anyone wishing to address the Council on an issue not on the agenda should sign in for Citizen Communications prior to the meeting. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Citizen Communications is limited to two minutes unless the presiding officer grants an extension.

The public may not address items on the agenda unless the item is a public hearing. Routinely, members of the public speak during Citizen Communications and Public Hearings. If you have questions about the agenda or have an issue that you would like to address to the Council, please contact the City Recorder at 503-992-3235.

City Council meetings are handicap accessible. Assistive Listening Devices (ALD) or qualified sign language interpreters are available for persons with impaired hearing or speech. For any special accommodations, please contact the City Recorder at 503-992-3235, at least 48 hours prior to the meeting.

Anna Ruggles, City Recorder

**6:00**

**WORK SESSION: B&C INTERVIEW**

The City Council will convene in the Community Auditorium – Conference Room to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).

Tom Gamble, Parks and Recreation Director  
 Paul Downey, Administrative Services Director  
 Michael Sykes, City Manager

**6:15**

**EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC.**

Representatives of the news media and designated staff may attend Executive Sessions. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

The City Council will convene in the Community Auditorium – Conference Room to hold the following executive session(s):

In accordance with ORS 192.660(2)(e) to deliberate with persons designated by the governing body to negotiate real property transactions.

Janie Schutz, Police Chief  
 Anna Ruggles, City Recorder  
 Michael Sykes, City Manager

**7:00**

1. **REGULAR MEETING:** Roll Call and Pledge of Allegiance

1. A. **SWEARING- IN CEREMONY:**

- *Eduardo Sanchez-Quiroz, Police Officer*

2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. *Please sign-in before the meeting on the Citizen Communications form posted in the foyer.* In the interest of time, please limit comments to two minutes. Thank you.

3. **CONSENT AGENDA:** See Page 4

4. **ADDITIONS/DELETIONS:**

5. **PRESENTATIONS:** None.

Michael Kinkade, Fire Chief  
 Dave Nemeyer, Fire Marshal/Division Chief  
 Michael Sykes, City Manager

**7:10**

6. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2014-08 AMENDING FOREST GROVE CODE CHAPTER 5, PUBLIC PROTECTION OFFENSES, BY ADDING NEW CODE SECTION 5.655, TITLED “OPEN BURNING”, AND ADDING NEW CODE SECTION 5.660, TITLED “VIOLATIONS AND PENALTIES”**

- 
- |  |      |   |
|--|------|---|
| Jon Holan<br>Community Development<br>Director<br>James Reitz<br>Senior Planner<br>Michael Sykes, City Manager | 7:20 | 7. <u>PUBLIC HEARING TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF GALES CREEK TERRACE PLANNED DEVELOPMENT (FILE NO. PRD-14-00181). APPLICANT: CITY REDEVELOPMENT, LLC (MORGAN WILL AND TRIPTI KENZER)</u> |
| Mayor Peter Truax  | 7:40 | 8. <u>DESIGNATION OF VOTING DELEGATE AT 2014 LEAGUE OF OREGON CITIES CONFERENCE ANNUAL BUSINESS MEETING HELD SATURDAY, SEPTEMBER 27, 2014</u>   |
| Michael Sykes, City Manager  | 7:45 | 9. <u>CITY MANAGER'S REPORT:</u>  |
|  | 8:00 | 10. <u>COUNCIL COMMUNICATIONS:</u>  |
|  | 8:15 | 11. <u>ADJOURNMENT:</u>   |

- 
3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).
- A. Approve City Council Work Session (B&C Interviews) Meeting Minutes of August 11, 2014.
  - B. Approve City Council Work Session (WCCCA IGA) Meeting Minutes of August 11, 2014.
  - C. Approve City Council Regular Meeting Minutes of August 11, 2014.
  - D. Accept Historic Landmarks Board Meeting Minutes of July 10 and July 22, 2014.
  - E. Accept Library Commission Meeting Minutes of July 29, 2014.
  - F. Accept Public Arts Commission Meeting Minutes of July 10, 2014.
  - G. Community Development Department Monthly Building Activity Informational Report for July 2014.
  - H. Fire Chief Report for July 12 through August 22, 2014.
  - I. Library Circulation Statistics Report for August 2014.
  - J. **RESOLUTION NO. 2014-68 MAKING APPOINTMENT TO SUSTAINABILITY ADVISORY COMMISSION (Edgar Sanchez-Fausto, Forest Grove High School Student Advisor, and Hailey Jongeward, Pacific University Student Advisor, Terms Expiring December 31, 2014).**
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## Memorandum

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**TO:** Mayor Peter Truax and City Councilors

**FROM:** Michael Sykes, City Manager  
Anna D. Ruggles, CMC, City Recorder

**DATE:** September 8, 2014

**SUBJECT:** Interview Student Applicant and Make Student Appointment on Sustainability Commission

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**BACKGROUND:**

Attached you will find the following items for the Student Advisory Boards, Committees, and Commissions interview that is scheduled for September 8, 2014.

- Boards, Committees, Commissions Number of Vacancies;
- Possible Interview Questions; and
- Application (Hailey Jongeward)

**STAFF RECOMMENDATION:**

Conduct an interview of Hailey Jongeward, Pacific University student applicant who expressed interest in serving on the Sustainability Commission. Staff is recommending the City Council consider approving at the Council meeting of September 8, 2014, a resolution appointing Jongeward to fill the vacancy on the Sustainability Commission, term expiring December 31, 2014. If Council desires not to make this appointment, Council may pull this item from the Consent Agenda for separate consideration.

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## 2014 – BOARDS, COMMITTEES & COMMISSIONS VACANCIES

COMMISSION	REQUIREMENTS	# VACANCIES	EXPIRES
BUDGET Meets in April/May	7 – Members 3 – Year Term; All members must live in City per ORS		
COMMITTEE FOR CITIZEN INVOLVEMENT Meets 3 <sup>rd</sup> Tuesday, 5:30 pm	7 – Members 4 – Year Term	1 – Student Vacancy	12/31/14
COMMUNITY FORESTRY COMMISSION Meets 3 <sup>rd</sup> Wednesday, 5:15 pm	7 – Members 3 – Year Term 3 members may live outside City – Currently 2	1 – Vacancy 1 – Student Vacancy	12/31/15 12/31/14
ECONOMIC DEVELOPMENT COMMISSION Meets 1 <sup>st</sup> Thursday, Noon	19 – Members 3 – Year Term 6 Public & Non-Profit; 12 Business 1 At-Large	1 – Student Vacancy	12/31/14
HISTORIC LANDMARKS BOARD Meets 4 <sup>th</sup> Tuesday, 7:15 pm	7 – Members 4 – Year Term 2 members may live outside City – Currently 1	1 – Vacancy 1 – Student Vacancy	12/31/16 12/31/14
LIBRARY Meets 2 <sup>nd</sup> Tuesday, 6:30 pm	7 – Members 2 – Year Term	1 – Student Vacancy	12/31/14
PARKS & RECREATION COMMISSION Meets 3 <sup>rd</sup> Wednesday 7:00 am	9 – Members 4 – Year Term 2 members may live outside City – Currently 1 NNW = Forest Glen, Knox Ridge, Thatcher/Loomis; NW = Lincoln, Hazel Sills, Aquatic Center, Talisman; SW = Rogers; SE = Joseph Gale; and NE = Bard and Stites Parks		
PLANNING COMMISSION Meets 1 <sup>st</sup> and 3 <sup>rd</sup> Monday 7:00 pm	7 – Members 4 – Year Term 2 members may live outside City – Currently 1 1 member in real estate for profit – Currently 1 2 members same trade/occupation – Currently none		
PUBLIC ARTS COMMISSION Meets 2 <sup>nd</sup> Thursday, 5:00 pm	9 – Members 3 – Year Term 3 At-Large; Voting Reps Chamber; FG School District; Pacific University; Senior Center; Theater In The Grove; and Valley Art	1 – Chamber Rep 1 – Student Vacancy	12/31/16 12/31/14
PUBLIC SAFETY ADVISORY COMMISSION Meets 4 <sup>th</sup> Wednesday 7:30 am	7 – Members 4 – Year Term 2 members within Rural Fire District – Currently 2 Non-Voting Reps Rural Fire Dist; Chamber; FG School District; and Pacific University	1 – At-Large 1 – Student Vacancy	12/31/16 12/31/14
SUSTAINABILITY COMMISSION Meets 4 <sup>th</sup> Thursday 6:00 pm	13 – Members 4 – Year Term 3 At-Large; Voting Reps Clean Water Services; Economic At-Large; Educator; Ethnic/Cultural Affiliation; FG School District; Non-Profit Service; Pacific University; Sustainable Business; 1 Pacific University Student; and 1 – FG High School Student	Pacific University Student	12/31/14

Interview  
Sept 8, 2014  
6pm



### STUDENT ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

(Please complete, sign and date application form and return to:

City of Forest Grove  
Attn: Anna Ruggles, City Recorder  
1924 Council Street • P. O. Box 326  
Forest Grove, OR 97116-0326  
Fax • 503.992.3207 Office • 503.992.3235  
[aruggles@forestgrove-or.gov](mailto:aruggles@forestgrove-or.gov)

RECEIVED  
JUN 19 REC'D  
BY:

Please check the Student Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-8). Terms are one year, expiring December 31<sup>st</sup>. (Please note: The meeting dates/times are subject to change with advance notice).

- |  |                                   |   |                                   |
|--|-----------------------------------|---|-----------------------------------|
| <input type="checkbox"/> Committee for Citizen Involvement | 3 <sup>rd</sup> Thursday, 5:30pm  | <input type="checkbox"/> Parks & Recreation Commission        | 3 <sup>rd</sup> Wednesday, 7am    |
| <input type="checkbox"/> Community Forestry Commission     | 3 <sup>rd</sup> Wednesday, 5:15pm | <input type="checkbox"/> Public Arts Commission               | 2 <sup>nd</sup> Thursday, 5pm     |
| <input type="checkbox"/> Economic Development Commission   | 1 <sup>st</sup> Thursday, Noon    | <input type="checkbox"/> Public Safety Advisory Commission    | 4 <sup>th</sup> Wednesday, 7:30am |
| <input type="checkbox"/> Historic Landmarks Board          | 4 <sup>th</sup> Tuesday, 7:15pm   | <input checked="" type="checkbox"/> Sustainability Commission |                                   |
| <input type="checkbox"/> Library Commission                | 2 <sup>nd</sup> Tuesday, 6:30pm   |   |                                   |

NAME: Hailey Jongeward HOME PHONE: n/a  
 RESIDENCE ADDRESS: 2552 Carson Loop OTHER PHONE: 360-739-9397  
 MAILING ADDRESS: Forest Grove, OR, 97116 E-MAIL: jong3417@pacificu.edu  
 SCHOOL: Pacific Univeristy GRADE ENROLLED: Senior

Years living in Forest Grove? 3 Live in City limits? yes How did you hear of this opportunity? Deke Gunderson

How would you currently rate City's performance?  Excellent  Good  Fair  Poor

What ideas do you have for improving "Fair" or "Poor" performance? Getting the University more involved with the City projects and combine ideas of the students with the community. I believe Pacific holds great responsibility implementing change.

Why are you interested in serving on the Advisory Board/Committee/Commission? I would like to get make connections and share ideas outside of the classroom and university and start to make a better connection between Pacific and the community.

What contributions do you feel you can/will make to the Board/Committee/Commission? Making a stronger connection between Pacific and the community by bringing students ideas and projects to the board and vise versa.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Studying Environmental Biology for the past three years and my experience and love for working with the outdoor program on campus, taking my peers on trips and teaching them the importance of taking care of our environment. (LNT certified)

Previous/current appointed offices: none

Previous/current community affiliations or extracurricular activities: 3 1/2 yrs working for Pacific's Outback Outdoor Recreation Program

If not appointed at this time, may we keep your name on file?  Yes  No

Signature: <u>Hailey Jongeward</u>	Date: <u>6/16</u>
<i>I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.</i>	

(Student App 11/13)

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**Possible Questions for B&C Applicant Interviews:**

***Please feel free to use any questions and/or information that you wish in order to conduct a successful interview. Please note: 5-7minutes are allotted for question and answer time.***

*If there were one area you've always wanted to improve upon, what would that be?*

---

*What can you offer the advisory board on which you would like to serve?*

---

*What are some of your proudest achievements?*

---

*What ideas do you have for increasing citizen involvement in Forest Grove?*

---

*Is there an area in which you think the City may be letting its citizens down? If so, what would that be?*

---

*What do you see as a critical need or a major concern facing the City?*

---

*Do you favor growth or do you feel the City is currently big enough?*

---

*How would you respond to an unpopular decision that is strongly criticized by the public? Such as making an unpopular decision that may go against property owners' desire or that is not supported by your friends and neighbors.*

---

*What ideas do you have that would help Forest Grove become a more sustainable community?*

---

*Do you have any grant-writing experience? \_\_\_\_\_*

**In addition, Mayor, please ask:**

*Do you have any conflict with the meeting date(s) and time(s) of the advisory board to which you have applied? \_\_\_\_\_*

*If we cannot appoint you to your first choice, are there any other advisory boards that interest you?*

*May we keep your application on file? \_\_\_\_\_*

*Do you have any questions for us? \_\_\_\_\_*

***Note: Once Council renders a decision on the status of the selected appointment(s), the City Recorder will notify applicant soon thereafter.***

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3A

**FOREST GROVE CITY COUNCIL WORK SESSION  
(BOARDS, COMMITTEES, AND COMMISSIONS INTERVIEWS)  
AUGUST 11, 2014 – 5:30 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 1**

*Minutes are unofficial until approved by Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the Work Session to order at 5:30 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing. **STAFF PRESENT:** Michael Sykes, City Manager, and Anna Ruggles, City Recorder.

**2. WORK SESSION: BOARDS, COMMITTEES, AND COMMISSIONS (B&C) INTERVIEWS**

The following applicants were interviewed for the following positions:

- Edgar Sanchez Fausto – Public Arts Commission Student Advisory
- Emily Lux – Public Arts Commission

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the above-noted B&C applicant interviews. After Council deliberation, Council collectively made recommendation to appoint Fausto as noted above and appoint Lux when a vacancy At-Large occurs on the PAC. A resolution making Fausto’s formal appointment will be considered at the next regular Council meeting.

Council took no formal action nor made any formal decisions during the above-noted work session.

**3. ADJOURNMENT**

Mayor Truax adjourned the work session at 6:00 p.m.

Respectfully submitted,

\_\_\_\_\_  
Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL REGULAR MEETING  
AUGUST 11, 2014 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 1**

*Minutes are unofficial until approved by Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:02 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; George Cress, Light and Power Director; Jon Holan, Community Development Director; Michael Kinkade, Fire Chief; Mike Herb, Police Captain; Dave Nemeyer, Fire Marshal/Division Chief; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

**1. A. PROCLAMATION:**

Mayor Truax publicly read the Proclamation declaring Friday, August 22, 2014, as Fill-The-Boot Day in Forest Grove. Fire Chief Kinkade accepted the proclamation on behalf of the Fire Department, noting the Forest Grove firefighters and paramedics raised nearly \$4,000 in 2013.

**2. CITIZEN COMMUNICATIONS:**

Dale Feik, Lavina Drive, Forest Grove, addressed Council pertaining to health concerns caused by toxic air emissions.

**3. CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).

- A. Approve City Council Work Session (Backyard Burning) Meeting Minutes of June 23, 2014.
- B. Approve City Council Work Session (Fire Services Partnership Study) Meeting Minutes of June 23, 2014.
- C. Approve City Council Regular Meeting Minutes of June 23, 2014.
- D. Accept Community Forestry Commission Meeting Minutes of May 21, 2014.

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
AUGUST 11, 2014 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 2**

- E. Accept Economic Development Commission Meeting Minutes of March 6, April 3, and May 1, 2014.
- F. Accept Historic Landmarks Board Meeting Minutes of May 27 and June 24, 2014.
- G. Accept Library Commission Meeting Minutes of July 14, 2014.
- H. Accept Parks and Recreation Commission Meeting Minutes of June 18, 2014.
- I. Accept Public Arts Commission Meeting Minutes of April 10, May 8 and June 12, 2014.
- J. Accept Planning Commission Meeting Minutes of June 2, 2014.
- K. Public Safety Advisory Commission Updates: Fire Chief's Report for May 24 – June 20, 2014, and Police Chief's Report for June 2014.
- L. Community Development Department Monthly Building Activity Informational Report for June 2014.
- M. Library Department Monthly Circulation Statistics Report for June and July 2014.
- N. **RESOLUTION NO. 2014-64 MAKING APPOINTMENT TO SUSTAINABILITY ADVISORY COMMISSION (Appointing Diane Taniguchi-Dennis, Primary, and Mark Poling, Alternate, Voting Member, Representing Clean Water Services, Term Expiring December 31, 2015).**
- O. Endorse New Liquor License Application (Limited On-Premises Sales) for Dickey's BBQ, 2036 Main Street, Suite B (Applicant: George Womack).

**MOTION: Councilor Kidd moved, seconded by Councilor Lowe, to approve the Consent Agenda as presented. Absent: Councilor Uhing. MOTION CARRIED 6-0 by voice vote.**

**4. ADDITIONS/DELETIONS:** None.

**5. PRESENTATIONS:**

Metro Quarterly Exchange Update:

Kathryn Harrington, Metro Councilor District 4, presented a PowerPoint presentation highlighting District 4 Quarterly Exchange Report.

Harrington reported on Metro's natural areas restoration; land use and transportation; Climate Smart Communities; solid waste and recycling; visitor venue updates; and distributed various handouts titled: Our Big

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
AUGUST 11, 2014 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 3**

Backyard; 2014 Urban Growth Report Draft; Nature in Neighborhoods Capital Grants 2014; Advancing Equity at Metro; Let's Talk Trash; and Metro's Venues and Parks. In conclusion of the above-noted presentation, Harrington addressed Council comments pertaining to Climate Smart Communities, solid waste and plasma burning.

**5. B. Water Treatment Plant Filter Repair Update**

Foster presented a PowerPoint presentation highlighting filter repair work occurring at the City's Water Treatment Plant (WTP), noting the east filter at the plant is leaking and has steadily become worse requiring the City to investigate the source of the leak and make necessary repairs. Foster reported the estimated repair work will range from \$60,000 to \$300,000 depending on the location of the leak and amount of excavation and necessary work to gain access. Foster advised the City has budgeted \$100,000 in Fiscal Year 2014-15 for the WTP repair project, noting it may be necessary to utilize contingency funds in order to complete the project. In conclusion of the above-noted presentation, Foster addressed Council comments, noting staff will keep Council informed of the status of the project as it proceeds forward.

**6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2014-08 AMENDING FOREST GROVE CODE CHAPTER 5, PUBLIC PROTECTION OFFENSES, BY ADDING NEW CODE SECTION 5.655, TITLED "OPEN BURNING", AND ADDING NEW CODE SECTION 5.660, TITLED "VIOLATIONS AND PENALTIES"**

**Staff Report:**

Fire Chief Kinkade and Division Chief Nemeyer presented the above-noted ordinance (Attachment A) for first reading requesting to amend City Code by adding new Code Section 5.655, titled Open Burning, and adding new Code Section 5.660, titled Violations and Penalties (Exhibit 1), noting based on Council work sessions that began in 2010, staff is proposing a modified burn ban, eliminating the fall open burn season, between October 1 and December 15, and maintaining the spring open burn season, between March 1 and June 15. Kinkade reported the proposed code would allow residents to burn yard debris and natural vegetation during the spring season in compliance with the Oregon Department of Environmental Quality (DEQ) and would not apply to recreational, ceremonial and cooking fires, as well as permitted agricultural fires. In conclusion of the above-noted staff report, Kinkade reported the proposed code also grants enforcement authority to the City,

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
AUGUST 11, 2014 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 4**

setting a minimum fine of \$100 and a maximum fine of \$250 per violation.

Questions of Staff:

In response to Kidd's inquiry pertaining to spring versus fall burning, Kinkade explained there are more burn days in the spring than in the fall and spring burning allows greater dispersion of smoke, noting more backyard debris is also generated and accumulated during winter months. Sykes added spring season also seemed be the greatest need for the community, because there is an abundance of fruit trees. Kinkade added the proposed code would provide better communication to the community by having one burn season instead of citizens having to call into the station asking if it is a burn day. Kinkade also pointed out a correctly monitored backyard burn does not present a high security danger, noting burning practices have a minimal effect as far as a fire safety concern.

Council President Johnston indicated he has heard much discussion on the proposed code, noting the Public Safety Advisory Commission reviewed the proposal at its meetings as well. Johnston spoke about the need to improve air quality and sustainability, noting the City needs to look at adding other incentive programs in addition to the leaf pickup program.

Lowe stressed it is imperative the City implement laws to improve air quality and air pollution discharges, noting the City needs to work toward getting rid of waste in a sustainable way, i.e., setting up recycling areas and reusable use of woody debris for trails. Lowe indicated though she respects staff's work; all the discussion Council has had; and all programs the City has done to move towards sustainability, she can only vote for Option 1, an outright ban on all burning within the City limits, pointing out a total burn ban is also the easiest for the City to enforce.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2014-08.

Sykes read Ordinance No. 2014-08 by title for first reading.

**MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopt Ordinance No. 2014-08 Amending Forest Grove Code Chapter 5, Public Protection Offenses, by Adding New Code Section 5.655,**

**FOREST GROVE CITY COUNCIL REGULAR MEETING  
AUGUST 11, 2014 – 7:00 P.M.  
COMMUNITY AUDITORIUM  
PAGE 5**

**Titled “Open Burning”, and Adding New Code Section 5.660, Titled “Violations And Penalties”.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received prior to the published deadline of August 11, 2014, 7:00 p.m.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

David Cobbley, Hoodview Drive, Forest Grove, testified in opposition of banning the fall burning season, urging Council to take into consideration residents who have large properties or who live in rural areas in the city or on the edges of the city limits. Cobbley stated the City is taking away the only tool he has to dispose of significantly large amounts of yard waste that his 3-acre property accumulates from trees, noting it is not practical or affordable to pay to disposal of large amounts of yard debris.

John Hayes, 15<sup>th</sup> Avenue, Forest Grove, submitted written testimony and testified in opposition, urging Council to consider enacting a complete ban on backyard burning and protecting human health. Hayes stated burning yard debris and trash spread noxious chemicals that have adverse effects on citizens.

Dale Feik, Lavina Drive, Forest Grove, testified in opposition, urging Council to consider enacting a complete ban on backyard burning and protecting human health. Feik also urged Council to consider requiring air toxic permits for all new business.

Ray Venghaus, A Street, Forest Grove, signed-in as an opponent and stated he has a large back yard and currently has piles of yard debris to burn, noting unless other cities in Washington County have similar ordinances, it makes sense for Forest Grove to join, but if not, Forest Grove’s ordinance will only cause a lot of confusion and mixed messages due to different regulations.

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No one else testified and no written comments were received.

**Others:**

Ron Thompson, C Street, Forest Grove, addressed Council, urging Council to consider extending the effective date of the proposed code ordinance to begin next spring, noting he is not opposed to the burn ban, but he needs sufficient time as he has a large property and many trees and already has significant accumulation.

Rex Brown, Cedar Street, Forest Grove, addressed Council, suggesting Council consider providing free vouchers for residents for yard debris recycling, noting spring and summer is when recycling bins are most often used.

No one else testified and no written comments were received.

**Council Discussion:**

In response to Thompson's inquiry pertaining to adjacent jurisdiction's regulations, Nemeyer advised Cornelius complies with DEQ regulations and DEQ has a burn ban that begins east of Aloha to Milwaukie. In response to Thompson's inquiry pertaining to considering a permit process for larger parcels, Kinkade explained the ordinance as written does not allow for a permit process; however, Council could make a motion to amend the proposed ordinance.

In response to Council President Johnston's inquiry pertaining to specific code regulation, Kinkade indicated the proposed code regulation applies to yard debris from the property where burning is occurring, noting yard debris cannot be brought onto the property and be burned, i.e., from a landscaping business.

Miller responded to testimony heard and recommended Council consider extending the effective date if the ordinance is adopted, noting 30 days does not give citizens a lot of prep time.

Mayor Truax indicated this decision is not the easiest, nor the most difficult that Council has had to make, but it will require a great deal of discussion.

**Public Hearing Recessed:**

Mayor Truax recessed the Public Hearing until the next Council meeting of

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Monday, September 8, 2014.

**7. RESOLUTION NO. 2014-65 AMENDING THE FOREST GROVE COMMITTEE FOR CITIZEN INVOLVEMENT (CCI) BYLAWS AND TERMS OF OFFICE; AMENDING RESOLUTION NO. 1993-07 AND RESOLUTION NO. 2002-56**

**Staff Report:**

Holan presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to amend the Committee for Citizen Involvement's (CCI) Bylaws. Holan reported the proposal was initiated by CCI, who voted at two consecutive meetings as required by CCI's Bylaws, to amend its Bylaws to allow officers to be elected in January of each year, instead of July, and to allow appointment of members to expire on January 31<sup>st</sup>, instead of December 31<sup>st</sup>. In conclusion of the above-noted report, Holan recommended approving the proposed resolution to allow CCI to appoint its officers and terms of office to end after the Annual Town Meeting, noting the ATM is normally held the last weekend in January of each year.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2014-65.

Sykes read Resolution No. 2014-65 by title.

**MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopt Resolution No. 2014-65 Amending the Forest Grove Committee for Citizen Involvement (CCI) Bylaws and Terms of Office; Amending Resolution No. 1993-07 and Resolution No. 2002-56.**

**Council Discussion:**

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.**

**8. RESOLUTION NO. 2014-66 AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FOREST GROVE AND URBAN RENEWAL**

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**AGENCY FOR THE PROVISION OF ADMINISTRATIVE AND  
DEVELOPMENT SERVICES**

**Staff Report:**

Holan and Riordan presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to authorize the Mayor and City Manager to execute a 10-year Intergovernmental Agreement (IGA), between the City and the Urban Renewal Agency (URA), for the provisions of administrative and development services to administer costs related to the Urban Renewal Plan. In conclusion of the above-noted staff report, Holan recommended approving the proposed resolution, noting the URA board met earlier this evening and approved the IGA.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2014-66.

Sykes read Resolution No. 2014-66 by title.

**MOTION: Councilor Kidd moved, seconded by Councilor Miller, to adopted Resolution No. 2014-66 Authorizing the Mayor and City Manager to Execute an Intergovernmental Agreement (IGA) between the City of Forest Grove and Urban Renewal Agency for the Provision of Administrative and Development Services.**

**Council Discussion:**

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.**

**9. RESOLUTION NO. 2014-67 OF THE CITY OF FOREST GROVE, OREGON,  
DECLARING ITS INTENTION TO REIMBURSE EXPENDITURES FROM  
PROCEEDS OF TAX EXEMPT OBLIGATIONS**

**Staff Report:**

Downey and Cress presented the above-proposed resolution for Council consideration, noting the City's bond counsel prepared the proposed resolution, with a maximum principal amount of obligations of

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\$3,500,000, for declaring the City's intent before actual debt could be issued. Downey reported the City is replacing two substation transformers at Forest Grove substation and one substation transformer at Thatcher substation, noting the City is anticipating having to issue debt to complete the projects but has yet to determine an amount or date of financing. Downey advised the projects would cost approximately \$3.5 million, excluding costs of issuing debt, noting the City plans to use accumulated reserves before issuing any debt. In addition, Downey reported staff is working with consultants on a light and power cost-of-service study that is designed to review the costs of operating the electric system, allocate those costs by customer class, and review the rates charged to customers, noting part of the study is also reviewing the department's ability to cash flow the project to determine how much, if any, of the project should be paid out using reserves, and how much, if any, should be financed. In conclusion of the above-noted report, Downey recommended approving the proposed resolution to allow the City to include prior authorized expenses in a future debt issuance, noting staff will present the results of the cost study to Council in work session on September 22, 2014.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2014-67.

Sykes read Resolution No. 2014-67 by title.

**MOTION: Councilor Lowe moved, seconded by Councilor Thompson, to approve Resolution No. 2014-67 of the City of Forest Grove, Oregon, Declaring its Intention to Reimburse Expenditures from Proceeds of Tax Exempt Obligations.**

**Council Discussion:**

In response to Kidd's concern pertaining to legal counsel, Downey reaffirmed the City's bond counsel prepared the resolution on the City's behalf.

Hearing further discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Miller, Thompson, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.**

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Cress introduced Nyssa Rivera, Hatfield scholar intern, who is interning as an assistant for Light and Power Department and economic development.

**10. CITY MANAGER'S REPORT:**

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and community-wide events as noted in the City Manager's Report. Sykes commended Police Chief Schutz for her leadership, noting the Police Department personnel held a very successful event for National Night Out. Police Captain Herb showed a video highlighting the activities of National Night Out. Sykes commended Fire Chief Kinkade for his leadership, noting the Fire Department sent crews, as part of the Governor's Conflagration Act, to a fire incident near Rowena. In addition, Sykes distributed a copy of his written report, which outlined various meetings he attended and provided updates on various City department-related activities, projects, and upcoming city-wide events.

**11. COUNCIL COMMUNICATIONS:**

Council President Johnston reported on Public Safety Advisory Commission (PSAC)-related activities. In addition, Johnston reported on other matters of interest and upcoming meetings he was planning to attend.

Kidd reported on Historic Landmarks Board (HLB)-related activities, noting HLB updated its website and published a newsletter. In addition, Kidd reported on other matters of interest and upcoming meetings he was planning to attend.

Lowe reported the Aquatic Center would be closed for maintenance from August 25 through September 14, 2014. In addition, Lowe reported on other matters of interest and upcoming meetings she was planning to attend.

Miller commended Parks and Recreation crews for making the City look great. Miller reported on Public Arts Commission (PAC)-related activities, noting the PAC will be hosting a Meet The Artist Dinner on September 13, 2014, at her home. In addition, Miller reported on matters of community interest and upcoming meetings she was planning to attend.

Thompson reported on Ride Connection and Forest Grove Senior and

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Community Center-related activities. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing was absent.

Mayor Truax announced dates of various upcoming activities and meetings as noted in the Council Calendar. Mayor Truax congratulated Raean Johnston, noting Johnston was hired as the new Forest Grove Senior and Community Center Executive Director. Mayor Truax distributed a copy of the League of Oregon Cities' 2015 legislative priorities: 1) transportation; 2) right-of-way management; 3) medical marijuana dispensaries; 4) property tax reform; and 5) mental health services, noting the City is hosting City Hall Week on September 11, 2014, 6pm, Community Auditorium. In addition, Mayor Truax reported on other various local, regional, Metro, and Washington County meetings he attended and community-related events he was planning to attend.

**12. ADJOURNMENT:**

Mayor Truax adjourned the meeting at 9:35 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL WORK SESSION  
(WCCCA INTERGOVERNMENTAL AGREEMENT)  
AUGUST 11, 2014 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
PAGE 1**

*Minutes are unofficial until approved by Council.*

**1. ROLL CALL:**

Mayor Peter Truax called the Work Session to order at 6:15 p.m. **ROLL CALL:**  
**COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; and Mayor Peter Truax.  
**COUNCIL ABSENT:** Elena Uhing, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Michael Kinkade, Fire Chief; and Anna Ruggles, City Recorder.

**2. WORK SESSION: WASHINGTON COUNTY CONSOLIDATED COMMUNICATIONS AGENCY (WCCCA) INTERGOVERNMENTAL AGREEMENT (IGA)**

Kinkade and Sykes facilitated the work session, noting the purpose of the work session was to provide an update to Council on proposed amendments to the existing IGA between the City and WCCCA, which has been in place for about 15 years, noting the existing IGA authorizes WCCCA to provide a public safety emergency communications system, inclusive 9-1-1 to 19 participating agencies. Kinkade reported he and Council President Johnston participated in a multi-agency workgroup who reviewed and recommended a user fee cost allocation model that better aligns costs for WCCCA services for each participating agency, noting based on the new formula for calculating the shared cost allocations across all WCCCA users, the City could potentially have an increase in law enforcement fees and a decrease in fire fees based on the percentage of shared costs. In conclusion of the above-noted report, Kinkade summarized other minor language amendments to the proposed IGA as outlined in the staff report.

**Council Discussion:**

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the proposed amendments to the existing WCCCA IGA and the user fee formula for calculating the shared cost allocations for all users. Kinkade and Sykes responded to various concerns, inquiries and scenarios Council presented pertaining to the types of calls for services for police and fire, usage of the WCCCA system, new formula for calculating the shared cost allocations and other minor amendments proposed in the IGA, noting member costs will be calculated with a new formula that divides police fees based on population, fire fees by number of calls, and equipment costs by radios per agency. Kinkade explained WCCCA is planning to pull call counts, airtime and population in order to determine the user fee shared cost allocations for each agency, noting the proposed IGA would likely take effect in Fiscal Year 2014-15. In conclusion of the above-noted work session discussion, Council collectively voiced support of the proposed IGA

**FOREST GROVE CITY COUNCIL WORK SESSION  
(WCCCA INTERGOVERNMENTAL AGREEMENT)  
AUGUST 11, 2014 – 6:00 P.M.  
COMMUNITY AUDITORIUM – CONFERENCE ROOM  
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between the City and WCCCA.

Council took no formal action nor made any formal decisions during the work session.

**3. ADJOURNMENT**

Mayor Truax adjourned the work session at 6:55 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder

**APPROVED**

Forest Grove Historic Landmarks Board  
Community Auditorium, 1915 Main Street  
July 10, 2014 -- 7:15 P.M. Page 1 of 2

30

**Members Present:** Jennifer Brent, George Cushing, Neil Poulsen, Kaylene Toews, Holly Tsur (one vacancy)  
**Members Excused:** Larry Wade  
**Staff Present:** James Reitz  
**Council Liaison:** Richard Kidd was present  
**Citizens Present:** -0-

1. **Call to Order:** Poulsen opened the meeting at 7:16 p.m.

2. **Citizen Communication:** None.

3. **Action Items / Discussion:**

**A. Design Guidelines** – This Special Meeting was called to continue discussion of the time line and the tasks to be performed to take the proposed guidelines and standards through the adoption process.

Tsur said that the most important date to consider would be the Planning Commission hearing dates and commitments. Reitz said that the Commission had a couple large subdivision reviews already calendared and they would take precedence over all other agenda items. The Commission's consideration of the guidelines could occur October 6<sup>th</sup> at the earliest.

With October 6 as the target date, the public comment period and responses would need to be completed by September 15<sup>th</sup> so the results could be included in the staff report. Toews noted that the Board was already behind the schedule presented at the June 24 meeting. She explained that the Key Messages and related documents were not done and that the proposed timeline was aggressive and unrealistic.

It was suggested that the time line be extended by a couple of weeks. Toews responded that the time line would still not be realistic; she recommended an extension of at least a month and preferably two months. The Board discussed this extensively, with Poulsen being a strong proponent of a two-week delay; he felt it was urgent to get before the Planning Commission and the City Council before the November election.

Brandt asked what was so urgent. Poulsen replied that the election would result in a probable change of membership of both the Council and the Commission. He felt that by presenting prior to the election, fairly fast approvals could be expected. After the election, approvals could be delayed for an unknown time, possibly even years. In the meantime, there could be the destruction of more historic homes and the construction of more undesirable infill projects.

A majority of the Board felt that it would be more realistic to extend the time line by a full month. Poulsen was advised that if the key messages and other documents he committed to preparing were completed quickly enough, then the time line *might* be shortened. Poulsen said he would get right to work on those documents.

The key messages were then discussed. Poulsen, Toews and Tsur had already made some suggestions via email, and all agreed that they were excellent. Others suggested at the meeting included:

- Noting the community's support of historic buildings
- Historic building's culture and history
- The studies that demonstrate their enhanced economic value
- Their sustainability

- Their “real history” for our youth to see and experience in their own neighborhoods and throughout the community
- The resulting increase in tourism
- That the standards would promote community pride

Toews explained that the key messages should be more story-form rather than simple bullet points, noting that we should be “selling the sizzle and not the steak.” Poulsen agreed that preparing the key messages would be more difficult than he first anticipated; Toews offered to help. She will forward a draft to Tsur and Poulsen for final review.

Poulsen said he had spoken with the *News Times* editor to arrange for an op-ed piece; the editor indicated to him that they should be able to publish it based on our projected timetable. Reitz noted that the City would need to review and approve the copy before it is submitted to the newspaper.

Reitz also said the City would be able to do the mailing. Based on the extended time line, the comment period would run through September 30; the Board would then have two weeks to review the comments and prepare responses to be included in the staff report to the Planning Commission for a November 3<sup>rd</sup> hearing date.

Toews recommended that we keep the comment card; and that we have a comment card format on the web site, hopefully with a hyperlink to a PDF for easy commenting. The thank you notes could be prepared concurrently with the feedback response timetable.

Toews updated the timetable and responsibilities during the meeting to be certain all schedules and tasks were noted. She will follow-up as needed to ensure everyone gets their assignments done on time.

**4. Adjournment:** The July 10, 2014 special meeting adjourned at 9:00 p.m.

These minutes respectfully submitted by George Cushing, Secretary

# APPROVED

Forest Grove Historic Landmarks Board  
Community Auditorium, 1915 Main Street  
July 22, 2014 -- 7:15 P.M. Page 1 of 2

**Members Present:** Jennifer Brent, George Cushing, Neil Poulsen, Larry Wade (one vacancy)  
**Members Excused:** Kaylene Toews, Holly Tsur  
**Staff Present:** James Reitz  
**Council Liaison:** Richard Kidd was present  
**Citizens Present:** 02

1. **Call to Order:** Poulsen opened the meeting at 7:17 p.m. **The meeting minutes of June 24, 2014, were approved as submitted.**

2. **Citizen Communication:** Melody Haveluck discussed the upcoming Friends of Historic Forest Grove Annual Historic Home Tour on Sunday September 28. She said that there is at least one confirmed house and she was looking for about six others. She asked for volunteers to help and also was interested in any suggestions to make the event more successful.

It was suggested that homes that had had renovation grants - if near to the homes on the tour - might have signage showing what FGHLB grants have helped with. Reitz said he could forward to Haveluck information on all the recipient buildings to see if those owners would be interested.

3. **Action Items / Discussion:**

A. **Renovation Grant Request – John Abbott House at 1632 Main Street (Washington County Tax Lot 1S3 6BC-5200). Applicants: Julie and Jon Larson. File Number HLR-14-00888.** Jon Larson was present to discuss the project. They received two bids and had contracted with one to paint the house. It was noted that the grant requested was for \$500, the maximum allowed for painting projects. A total of \$4,585 was available in the new grant cycle so sufficient funds were available. He said they would be using earth tones in three colors but that final palette had not been decided; he then showed a picture of the colors they were considering. **Wade/Poulsen to award a \$500 grant. Motion carried unanimously.**

Larson then discussed his custom-made storm window business that he had in the past. He said it was very profitable but that his current business required his time; he sold the storm window business but the buyer did not continue with it. He is not aware of anyone currently in the Portland area offering this service. He also noted that it was a business primarily busy in the winter months so it was a great opportunity for a contractor who would otherwise have some down time then. He stated that the biggest challenge was to carefully measure the windows because in older homes they were almost never square.

B. **Design Guidelines and Standards** – Poulsen said that Toews was working on the key messages to get them correct. He will contact Planning Commission Chair Tom Beck to advise him of the progress made, the timetable and our planned efforts to solicit public comments.

A discussion ensued about a local infill house that did not have a front door facing the street and the possibility that the owner would pave the front yard for parking. It was noted that current codes do not require a door to face the street and even in the proposed standards there was no restriction about paving front yards. It was suggested that at this point we should proceed with the standards as they are with the expectation that there will be future updates and revisions.

C. **Summer Newsletter** – It was noted that a synopsis of the design standards was planned for this issue. Poulsen was reminded that he needed to get relevant photos to Tsur.

**4. Old Business / New Business**

- Council Liaison Update: Kidd said that there were no major City issues affecting the Board. He noted that sustainability was continuing to be a big issue, especially concerning infill houses.
- Staff Update: Reitz said that he would proceed with closing out the SHPO grant. He has to provide screen shots of the updated website and will also be preparing a list of the completed tasks. Wade asked for a clearer understanding of what website updates remain and who would be responsible: the City or the consultant. Reitz replied that at this point it would be Wade and Tsur who would have the primary responsibility. Wade wanted to ensure everything was current before we begin promoting the "new" website.
- Cushing asked about the display at the library and whether it should remain much longer. After discussion it was decided to contact the staff and verify with them when they want the display removed.
- Reitz will forward an email query to everyone to check their summer schedules, to ensure we have a quorum over the next couple of months.

**5. Adjournment:** The July 22, 2014 meeting adjourned at 8:15 p.m.

These minutes respectfully submitted by George Cushing, Secretary

3E

APPROVED

*Library Commission approved minutes as presented on Aug 19, 2014.*

**1. CALLED TO ORDER AND ROLL CALL:**

Pamela Bailey, Chair, called the meeting of the Library Commission to order at 6:30PM on Tues Jul 29, 2014.

**Members Present:** Pamela Bailey, Chair; Nickie Augustine; Annie Hicks; Doug Martin; Kathleen Poulsen, Vice-Chair; Dayla Smoland; Jon Youngberg, Secretary.

**Members Absent:** None

**Staff:** Colleen Winters, Library Director

**Council Liaison:** Peter Truax, Mayor (not present)

**Others:** None

**2. ADDITIONS/DELETIONS:** None.

**3. APPROVE LIBRARY COMMISSION MEETING MINUTES OF (Jul 14, 2014):**

**MOTION:** Doug moved, seconded by Nickie, to approve the Jul 14, 2014 minutes as presented. **MOTION CARRIED** by all.

**4. CITIZEN COMMUNICATIONS:** None.

**5. INFORMATIONAL ITEMS:**

**5a. FOUNDATION REPORT:** Colleen Winters reported about the Library Foundation of Forest Grove:

**a)** The Ed Carpenter art project for the library, now called "Mollie's Garden", is to be installed in the ceiling/skylight area near the library's circulation desk. See Ed Carpenter's website for more info (and pictures) related to this project: (<http://www.edcarpenter.net/home/home.html>)

**b)** This project will also include participation and collaboration by metal artist Eric Canon and wood artist Greg Kriebel. Their contributions to the project will focus on the enhancement of the four wooden columns, and new light

sconces, all under the skylight.

c) The artwork, once installed, will be owned by the City of Forest Grove, which will also be responsible for maintenance, insurance, etc. The Foundation will pay approx \$70,000 total for installation, materials, extra lighting up in the skylight, and manufacturing costs for the artwork of all three artists.

d) Approved two additional artist and electrical contracts for the Ed carpenter project. Installation still planned for Labor Day weekend. City, artist, and electricians to meet very soon to discuss plans for installation, so the dates could change.

e) The annual "Family & Friends night" fundraiser for the Foundation at the McMenemy's Lodge is planned for Sept 2014.

f) After the Ed Carpenter project, Foundation to return to providing "furnishings" for the older part (Children's part) of the library. This interrupted campaign will continue trying to raise \$75,000 to \$100,000 for new furniture, signage, and for this ...

g) More art for a "sense of arrival" into the Children's part of the library, going up the ramp, etc. Local design, artists, materials to be favored.

h) See the Library Foundation of Forest Grove's web site ([www.fglf.org](http://www.fglf.org)).

**5b. FRIENDS REPORT:** Colleen Winters reported about the Friends of the Forest Grove Library:

a) The Friends board does not meet during the summer.

b) The Friends web site is at: [fglibraryfriends.org](http://fglibraryfriends.org).

**5c. COUNCIL LIAISON REPORT :**

a) None.

**5d. LIBRARY DIRECTOR'S REPORT:** Colleen Winters reported these items:

- a) The smoking ban in city parks and on all city property has been in effect since July 9, 2014. Smoking can still occur on city street sidewalks, but not on the library porches or in the entryways, and not in the parking lot, etc.
- b) A new “small” quilt (artwork) has been installed on the north wall of the Children’s part of the library. The Forest Grove Public Arts Commission can accept or refuse artwork donations, approve the location for its installation in City buildings, and remove items as well. The PAC will work with the relevant commission, such as the Library Commission in this case.
- c) Recruitment period closes this week for on-call, adult service, part-time position(s) to be chosen. Might choose a small pool of people. They might already work at another library part-time. They expect some regular hours, plus more hours as needed to replace staff for reasons of health, vacation, attending classes, etc.
- d) The Library Commission may need to review proposed updates to several library policies, starting at our next meeting. An updated Behavior Policy is coming. Also perhaps updated Circulation and Volunteer policies. A future goal is that the relevant library policies could be posted to the library website(s). They are not posted there now.
- e) Ariel Yang might attend a future Library Commission meeting and discuss the way the Collection Materials budget is used by the library.

**6. DISCUSSION OF ITEMS:**

- a) The Library Commission needs to be informed and have an opinion about the upcoming WCCLS funding levy. “Active participation”. The WCCLS and Public Safety levies will both be on the Nov 2015 ballot. The current levy expires in 2016.
- b) 70% of the funding for the Forest Grove City Library comes from WCCLS funding. 80% of WCCLS money collected goes to local libraries. Current rate is 17 cents per \$1000, and has been that rate for 10 years. The rate may need to be increased. Our Library Director and City Manager are the decision-makers on the relevant WCCLS committees from Forest Grove, recommending a tax rate to the Washington County Commissioners, and any change to how the money is distributed to the local libraries.
- c) The new Aloha library is joining WCCLS (becoming a member library), and will need its share of funding, etc. It is now successful and open.
- d) At the next (August) meeting of the Library Commission, we need to be prepared to do something on the Library Visioning and Planning Process.

**LIBRARY COMMISSION  
MEETING DATE – 6:30PM TUES JUL 29, 2014  
ROGERS CONFERENCE ROOM  
PAGE 4**

We need to re-read the last two pages of the Jul 14, 2014 Library Commission minutes, and Jon's informal and unofficial paper, with info on other library future surveys and the many relevant WCCLS documents on the future of libraries, etc.

**7. ANNOUNCEMENT OF NEXT MEETING:**

The next Library Commission meeting will be held on Tues Aug 19, 2014 at 6:30PM in the Rogers Conference Room at the Forest Grove Library.

**8. ADJOURNMENT:**

Hearing no further business, Chair Bailey adjourned the meeting at 7:30PM.

Minutes respectfully submitted by:

Jon Youngberg, Library Commission Secretary

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**Minutes approved by the PAC on August 14, 2014.**

**1) CALL TO ORDER:** Kathleen Leatham called the meeting to order at 5:00 PM.

**PRESENT:** Kathleen Leatham, Helvi Smith, Pat Truax, Dana Zurcher and Dana Lommen, Excused: Laura Frye, Linda Taylor and Kathy Broom. Also present: Staff Liaison Colleen Winters, Council Liaison Camille Miller, Guests: Rod Fuiten and Jeanna Van Dyke.

**2) CITIZEN COMMUNICATION:** Rod Fuiten, representing the Library Foundation, was presented with a check in the amount of \$2,146.19 from PAC as proceeds from the recent fund raiser dinner at Stecchino's and Stars in the Grove Talent Show. Rod gave kudos to the Public Arts Commission as a total of \$11,706 has been given toward the Ed Carpenter project from this commission. Installation of Mollie's Garden will hopefully be on Labor Day 2014.

**3) APPROVAL OF PAC MEETING MINUTES:** Helvi Smith moved and Dana Lommen seconded a motion to approve presented minutes from June 12, 2014, the vote was favorable.

**4) ADDITIONS/DELETIONS: Add:**

- Artist dinner at Camille Miller's
- 14-15 CEP Grant
- Spanish Cultural event at the Library

**5) BUSINESS:**

**a) Mini-Grant Request:** - Jeanna Van Dyke presented a mini grant request from TITG for a summer children's production of Robin Hood. Monies requested will pay for royalties and scripts. Dana Zurcher moved that we approve this grant request with the \$500 coming from dedicated funds. Pat Truax seconded the motion. The vote was favorable.

**b) Ford Leadership community Sundial Project/Camille Miller meet the artist dinner.-** Dana Z., Camille and Pat will meet to plan a fund raiser Meet the Artist dinner to be held at the home of Al and Camille Miller on Saturday, September 13. Proceeds from this event will be dedicated to the Sundial Project. It was suggested that this event include an art project of creating tiles that will surround the sundial.

**c) Updates:**

- Ed Carpenter Project Fund Raising Summary – Colleen informs us that only 10K remains to be earned for this project. The Public Arts Commission fundraising efforts produced \$11,706, well above our original pledge, this includes:  
\$1,377 – Stars in the Grove  
\$3,460- Stecchino's dinner (tickets-\$1230/ donations - \$2230)

\$3,000- 2013-14 CEP grant  
\$3,000-2014-15 CEP grant  
\$850- Taylor car sale donation  
\$19-sale of postcards

- Board Vacancy – At the August 11<sup>th</sup> meeting of the City Council, PAC Bylaws will be presented. The change in our bylaws will facilitate the inclusion of board members who are interested in working on the Public Arts Commission rather than citizens who are associated with specific organizations in town. Once the bylaws have been accepted, we will be able to fill the commission vacancy.
  - First Wednesday Booth Update – PAC presence at the Wednesday Market is a success with kids, parents and board members. Our banner is a great addition in advertising our presence. Barb Delgato will help with the August First Wednesday with drums. Linda, Kathleen, Kathy and Laura have volunteered to help with the August event.
  - Spanish Cultural event update. Victor Rodriquez has been hired for the September 8<sup>th</sup> program of Latin art, music and dance.
  - 2014-15 CEP grant was awarded in the amount of \$5000 with \$3000 of this going to the Ed Carpenter project. The remaining funds will be used for the First Wednesday art projects at the market and for the Walking Brochure.
  - Linda and Brad Taylor will host a dinner at their home on August 10 at 5 pm. Helvi Smith will be the featured artist. This is a sold-out event.
- d) **Finances**-The finances have been updated to reflect current balance.

**6) COMMISSIONERS COMMENTS:** Helvi announced that RACC has contacted her to display her work on a RACC publication and gift cards.

**7) STAFF COMMUNICATIONS:** Colleen raves that the library summer reading program is a success with the Reptile Man again bringing record attendance. She also announced that Linda Minor's replacement is Ariel Yang.

**8) ADJOURNMENT:** The meeting adjourned at 5:55 pm. The next meeting will be August 14, 2014, in the Rogers Room at the Library.

Respectfully Submitted by Pat Truax

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# Monthly Building Activity Report

July-14

2014-2015

Category	Period:	July-13	Period:	July-14
	# of Permits	Value	# of Permits	Value
Man. Home Setup	2			
Sing-Family New	23	4,975,349.87	16	3,480,049.47
SFR Addition & Alt/Repair	5	197,868.05	10	124,592.47
Mult. Fam. New/At			2	658,553.96
Group Care Facility				
Commercial New			1	134,250.00
Commerical Addition	1	11,783.04		
Commercial Alt/Repair	5	82,905.00	5	1,423,130.00
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)	1	4,155.00	1	98,269.20
Signs			1	110.00
Grading	2		1	
Demolitions			1	
<b>Total</b>	<b>39</b>	<b>\$5,272,060.96</b>	<b>38</b>	<b>\$5,918,955.10</b>

### Fiscal Year-to-Date

2013-2014		2014-2015	
Permits	Value	Permits	Value
39	\$5,272,061	38	\$5,918,955

*Cornelius*

Permit Type	Description	Permits	Square Feet	Valuation	Fees Paid	Custom Field Valuation
xcmalt	Cornelius Commercial Alteration	2	0.00	0.00	1,528.12	52,000.00
xmecra	Cornelius Mechanical Permit Resident Alt/Add/Repe	1	0.00	0.00	30.58	0.00
xmrotc	Cornelius Mechanical Residential Over the Counte	9	0.00	0.00	275.22	0.00
xplmca	Cornelius Plumbing Commercial Add/Alt/Repair	1	0.00	0.00	171.39	0.00
<b>Grand Total</b>		<b>13</b>	<b>0.00</b>	<b>0.00</b>	<b>2,005.31</b>	<b>52,000.00</b>

---

<u>Report Group</u>	<u>Fee Code</u>	<u>Fee Description</u>	<u>Amount</u>
bldg	bldpmt	Building Permit Fee	704.20
bldg	blplrv	Building Plan Review Fee	457.74
bldg	flplrv	F&L Safety Plan Review	281.68
bldg	mcplre	Mechanical Plan Review Equip	
bldg	mcstsf	Mechanical State Surcharge Equ	32.80
bldg	mech	Mechanical Permit Fee/equip.	273.00
bldg	plmb	Plumbing Permit Fee	125.10
bldg	plplrv	Plumbing Plan Review	31.28
bldg	plstsr	Plumbing State Surcharge	15.01
bldg	stsur	State Surcharge	84.50
		Total for Group bldg	<u>2,005.31</u>
		<b>Grand Total:</b>	<u><u>2,005.31</u></u>

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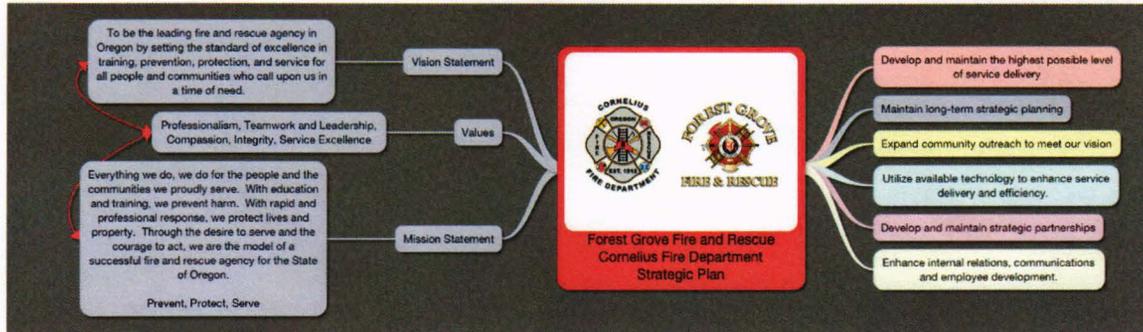


# Fire Chief's Report

Reporting Period: July 12-August 22, 2014



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## SEPTEMBER UPCOMING EVENTS

- **Fill-the-Boot: FG August 22, CFD September 5, 6, 7**
- **Back to School Safety Events Sept 3, 4 and 5 in the morning (see calendar)**
- **September 11 Memorial Ceremony – Details will be coming out soon.**
- **Forest Grove Corn Roast September 20 IMPORTANT EVENT**
- **Fire Prevention Open House - October 4 - Mandatory Event**
  - See our department calendar for all scheduled events, located on our interdepartmental web site!

## Notable Calls and Events

- Forest Grove: On August 20 crews from Forest Grove and Cornelius extinguished a ¼ acre grass fire in the field behind Neil Armstrong School. The fire appears to have been set by juveniles.
- Forest Grove: On August 19 crews responded to a serious roll over incident on Highway 47 at Maple. One adult was critically injured and transported by Life Flight, the second adult was transported by ground ambulance to an area trauma center. Three children in the backseat were not injured.
- Joint: August 6-9, crews from Forest Grove, Cornelius, and TVFR were dispatched to the Rowena Conflagration in the Columbia River





# Fire Chief's Report

Reporting Period: July 12-August 22, 2014



Gorge. The Washington County Task Force was led by Forest Grove Division Chief Ian O'Connor.

- Forest Grove: On August 7 crews responded to a kitchen fire on Raymond Street, which was started by a pot left on a stove.
- Cornelius: On August 7 Cornelius and Forest Grove crews responded to a brush fire on Iowa Hill Road, which burned about an acre and threatened several structures. The cause of the fire is still under investigation but appears accidental. The homeowners were publicly praised for the fire safety landscaping around their house, which prevented the fire from spreading to their home.
- Joint: During the week of August 5 crews from both Cornelius and Forest Grove participated in multiple National Night Out events in Gales Creek, Forest Grove and Cornelius, providing fire safety information and fun safety activities for children, in support of our law enforcement brothers and sisters. Forest Grove events included Pacific Crossings, Karen's Corner, and Valley Crest. It is estimated that over 1000 people were contacted through these events.
- Cornelius: On August 3 crews responded to two unrelated fires in the 2500 block of SW Golf Course Road. The first fire was a ½ acre grass fire that was caused by a downed power line. The fire was stopped within feet of a wheat field. Later that evening, crews responded to a vacant house on the property which appears to have been started by an electrical short. The building was heavily damaged.





# Fire Chief's Report

Reporting Period: July 12-August 22, 2014



- Forest Grove: On July 30 Forest Grove crews responded to Banks to assist them with a 2<sup>nd</sup> alarm commercial fire.
- Forest Grove: On July 22 crews responded to an accident at Highway 47 and 19 with two FG engines, one CFD engine and three Metro West ambulances for a five patient MVA. Two patients were unconscious and one vehicle was on fire at the time of dispatch, one patient had to be extricated using hydraulic rescue tools.
- Forest Grove: On July 17 crews from Forest Grove and Cornelius responded to a technical rescue in the Tillamook forest, where a Washington County surveyor had fallen off a remote cliff and fell 20 feet down into a ravine. The USCG helicopter was requested to help extricate the victim, and Firefighter/Paramedic Rick Ilg and the patient were hoisted into the helicopter for transport to an area trauma center.
- Forest Grove: On July 12 crews responded to an attic fire in the 2200 block of Kingwood Street. The fire was quickly knocked down.



## Projects and Administration

*Links to strategic goals are indicated by the SG# at the end of each update. See chart on page 1.*

- Joint: We received four bids for the Cooperative Partnership study by the deadline of August 15. The scoring has been completed and a Notice of Intent to Award to Emergency Services Consulting, Inc. was sent on August 22. An appeals process is open until August 27, and the contract will be negotiated after that. (SG5)
- Joint: The Volunteer Team met and conducted a SWOT analysis of our current volunteer program and developed nine strategies for improvement that will be pursued over the next six months. Some of these goals include applying for a



## Fire Chief's Report

Reporting Period: July 12-August 22, 2014



renewal of the CFD intern grant, mandatory officer core competency training, establishment of an hours store, researching integrated email and calendaring system, Fire Chief "State of the Department" meetings (first one conducted Aug 18), increased integration between station crews, expanding partnerships, and expanded roles for non-combat volunteers. (SG 5, 6, 1)

- Joint: The Community Risk Reduction CPR Team met and reviewed our goals. The internal CPR training program on the 2<sup>nd</sup> Monday of each month is working well, and we have successfully transitioned to the Emergency Care and Safety Institute CPR training program. Goals include continuing our first Wednesday Community CPR classes, working with Washington County EMS to integrate the Pulse Point app countywide, continue our commercial classes as requested, and a focus on providing introductory CPR classes at the Sept 20 Corn Roast, the September 10 Farmer's Market, and at our annual Open House. We are also improving our web link for our CPR classes, and investigating self-learning CPR classes. (SG3, 5)
- Cornelius: Captain Marc Reckmann is coordinating an apparatus inventory project for the department that will be completed by the end of August. This project will help create consistency and accuracy, and create a process for apparatus inventory changes and improvements.
- Forest Grove: Received approval for the purchase of a new Type III HME Model 34d fire engine for \$260,580. We are negotiating the contract now and would expect delivery sometimes in May 2015. (SG1)
- Joint: Dr. Daya provided joint EMS training on July 21 and August 18 to department personnel. Lt. Will Murphy coordinated providing our annual sports injury training (for upcoming college and high school football games) with athletic trainers from Tuality Health Care. (SG 5)
- Forest Grove: Lt. Will Murphy has negotiated the purchase of two new MRX cardiac monitors and a refresh of both of our current devices. This will give us four fully functioning units that are identical. He also negotiated a Cadex charging system for Cornelius. Total cost for the FG monitors is \$59,219. (SG 1, 5)
- Joint: Attended monthly Washington County EMS Ops on August 12. The OLMC pilot has been completed and is being implemented. We are looking at altering how we do EMS resupply with Metro West. Dr. Freeman and Dr. Moreno have resigned as supervising physicians, and a process will be conducted for their replacements this fall. We will have an EMS retreat in October to continue our next steps in the EMS strategic plan. (SG5)



## Fire Chief's Report

Reporting Period: July 12-August 22, 2014



- Cornelius: Completed negotiation with True North for a Spartan water tender, to be purchased with an AFG grant. Chief Ian O'Connor will present this recommendation to the Cornelius City Council on September 2. (SG1)
- Forest Grove: Met with representatives from OHSU/OIT regarding possible partnerships with their new baccalaureate EMS degree. Forest Grove now has a contract for paramedic interns with OHSU/OIT. (SG5, 6)
- Joint: Update on TVID hydrant project: Division Chief O'Conner is working with TVID to determine water main depth, pipe material and exact location. Depending on where we put the hydrant will be based on property owner authorization. If it's on the county road right of way or on private property we may need to get an easement before installation, although it is possible that the existing main already provides for it. (SG5)
- Joint: Attended the quarterly meeting of the Emergency Management Cooperative, where we discussed the possibility of joining the cooperative to enhance our emergency management programs. (SG5, 3, 2)
- Joint: Completed participation in State Homeland Grant process with Washington County representatives. We are pursuing a \$40,000 grant to complete continuity of operations planning for the City of Forest Grove and Cornelius emergency operations. (SG 5, 3, 2)
- Cornelius: Implemented a six month pilot program in partnership with Gaston to share firefighter interns. We have added three interns to CFD who are shared with Gaston to enhance their day time coverage. (SG 5)
- Forest Grove: Completed a work session with the Forest Grove City Council on the WCCCA intergovernmental agreement.
- Forest Grove: Completed 1<sup>st</sup> reading of a proposed ordinance with the Forest Grove City Council that would limit backyard burning to the spring, and eliminate in the fall The 2<sup>nd</sup> reading is scheduled for September 8, which will be presented by Chief Nemeyer.
- Joint: The Technical Rescue team met and developed a series of goals we could pursue to improve our system. (SG 1)
- Forest Grove: Division Chief O'Connor and Captain Smith will be flying back to Florida on September 9 for final inspection of the new tender. The recent conflagration activity pushed this inspection back a few weeks. We are looking at combining the pre-build conference for the Cornelius tender to reduce the cost. (SG 1)



**FIRE & RESCUE**

## Fire Chief's Report

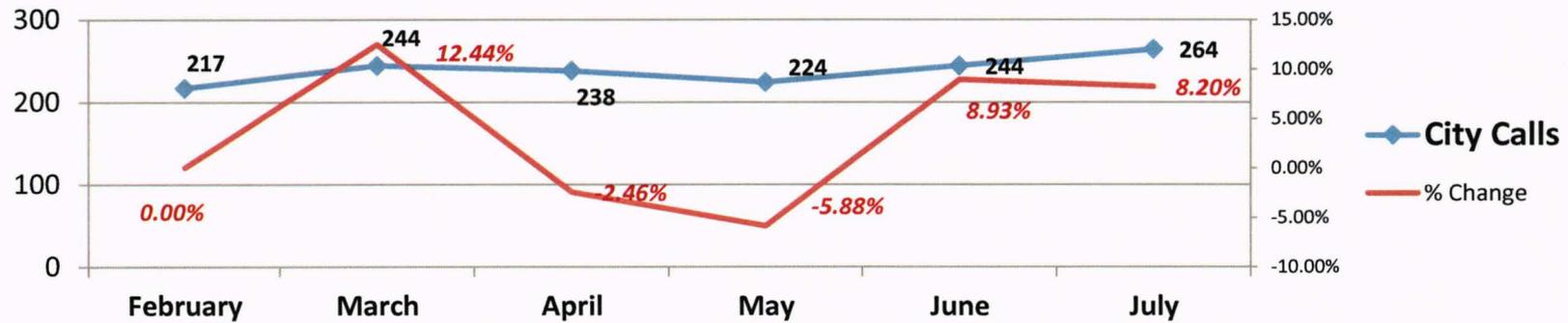
Reporting Period: July 12-August 22, 2014



- Forest Grove: Captain Mike Lanter contacted repair technicians and had them inspect and repair our diesel extraction system on the apparatus bay. He also installed a new flammable liquid storage cabinet.
- Joint: Captain Tad Buckingham and Lt. Phil Duncan completed physical ability testing (July 19-20) and interviews (August 1-2) for new volunteer applicants for upcoming fall recruit academy.
- Forest Grove: Lt. Will Murphy completed the two-week class Management of Emergency Medical Services at the National Fire Academy in Maryland. (SG 5)
- Joint: Annual updates to our LODD packets are being completed by all personnel – due date is the end of August.
- Joint: We completed the update of our new Forest Grove/Cornelius Emergency Operations Plan. This was done via a Oregon Office of Emergency Grant, working with consultants from Ecology and Environment, Inc. The plan can be viewed at [http://www.ci.forest-grove.or.us/images/stories/services/fire/pdf/Cornelius-ForestGroveEOP\\_FullPlan\\_July2014.pdf](http://www.ci.forest-grove.or.us/images/stories/services/fire/pdf/Cornelius-ForestGroveEOP_FullPlan_July2014.pdf). (SG 5, 3)
- Joint: Volunteer Firefighter Daniel Robles, who has a degree in Emergency Management, is working to create a disaster exercise for both jurisdictions this fall. (SG 3)
- Forest Grove: Provided a presentation to the Forest Grove Rotary on the fire department and the partnership study. I was honored by the Rotary with the Paul Harris Fellow Award. (SG 5)



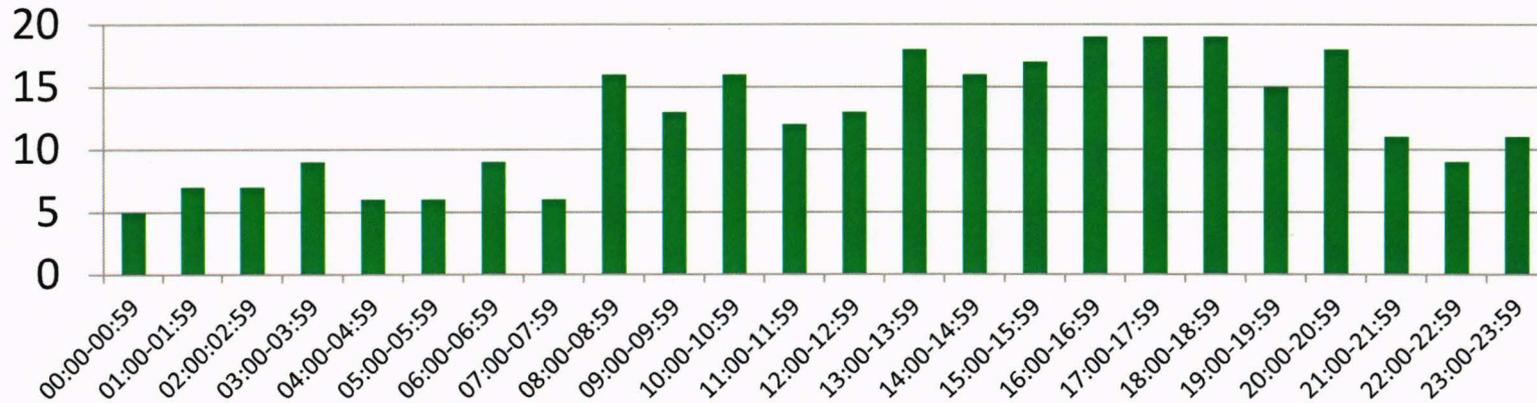
# How many calls did we run?



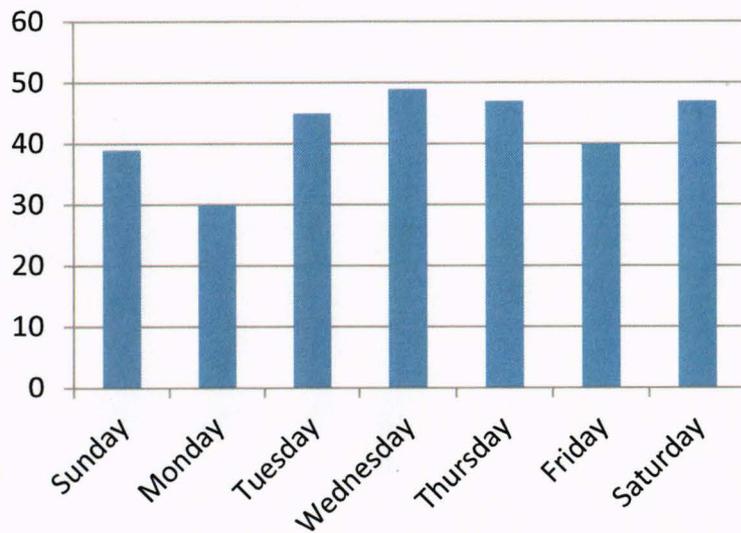


# When do our calls occur?

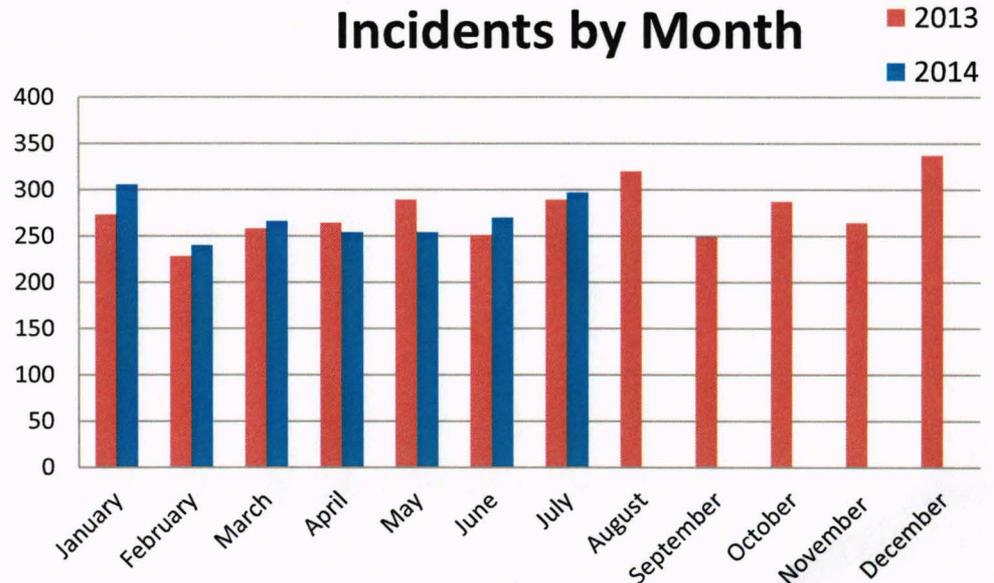
## Incidents by Hour



## Incidents by Day of Week

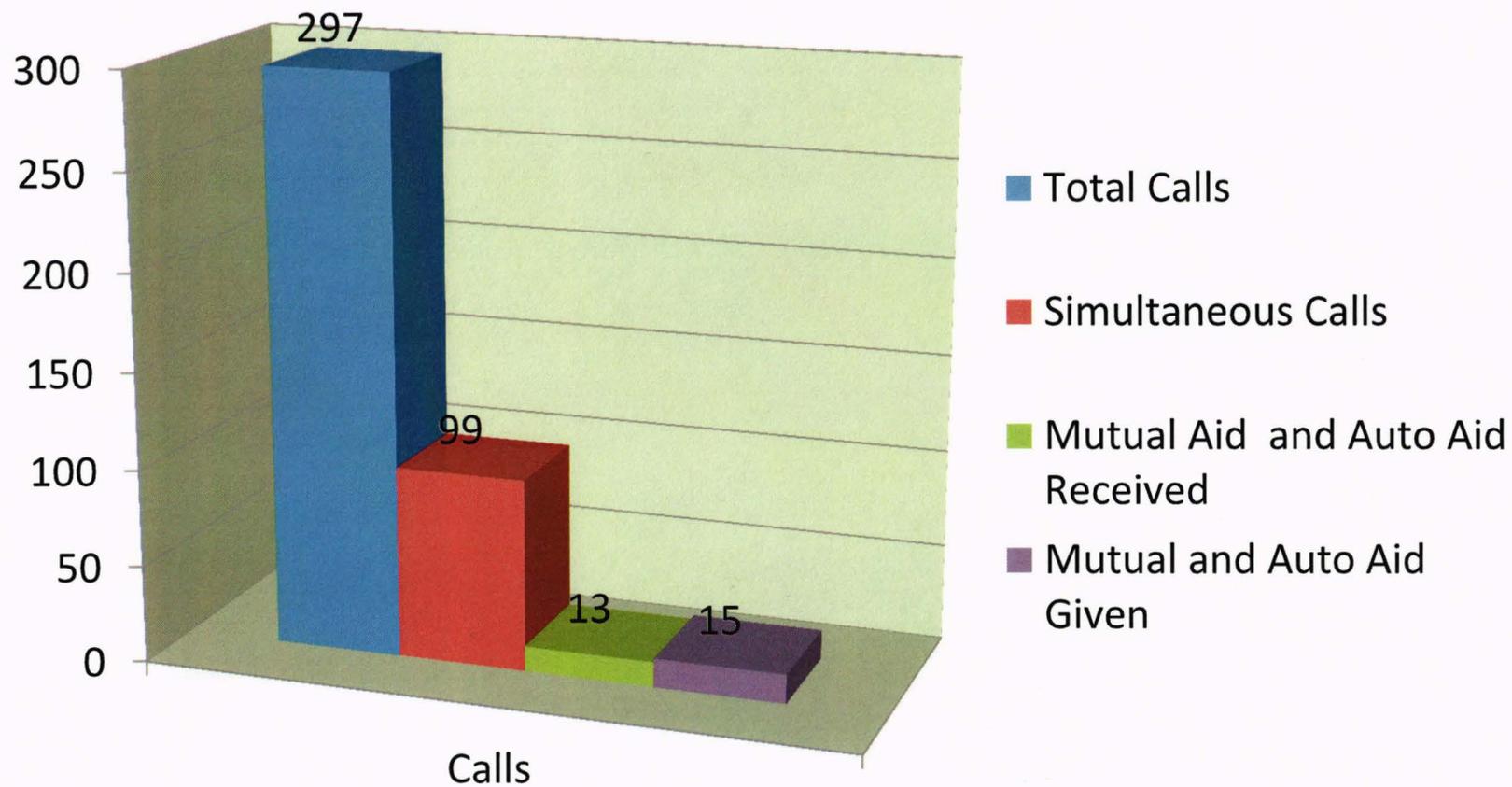


## Incidents by Month





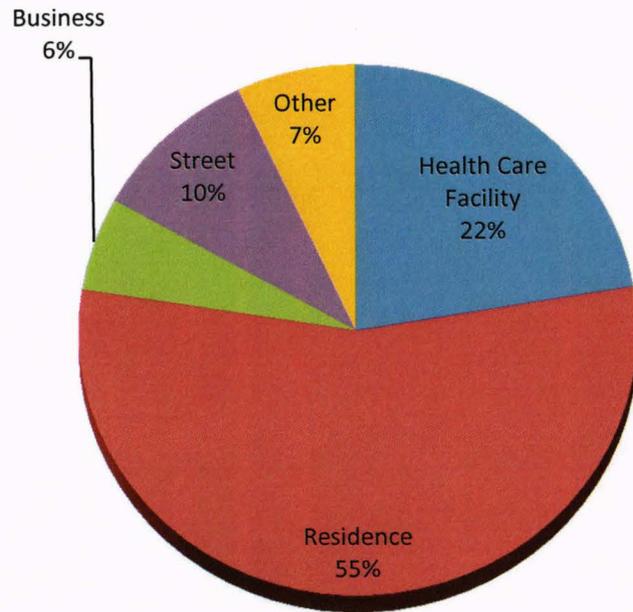
# Simultaneous Calls and Mutual Aid



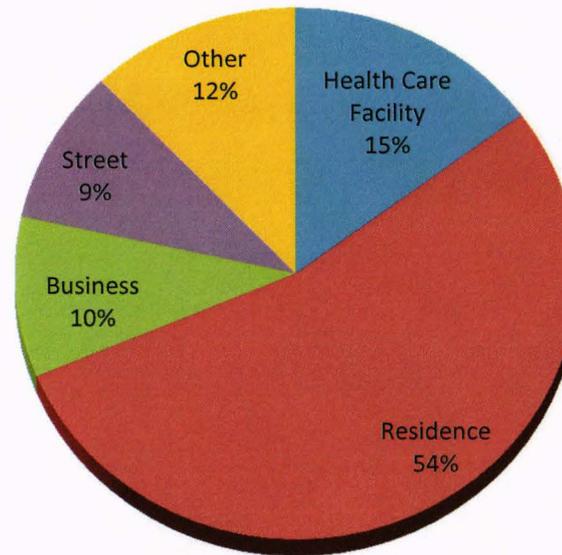


# Where are we going?

2013

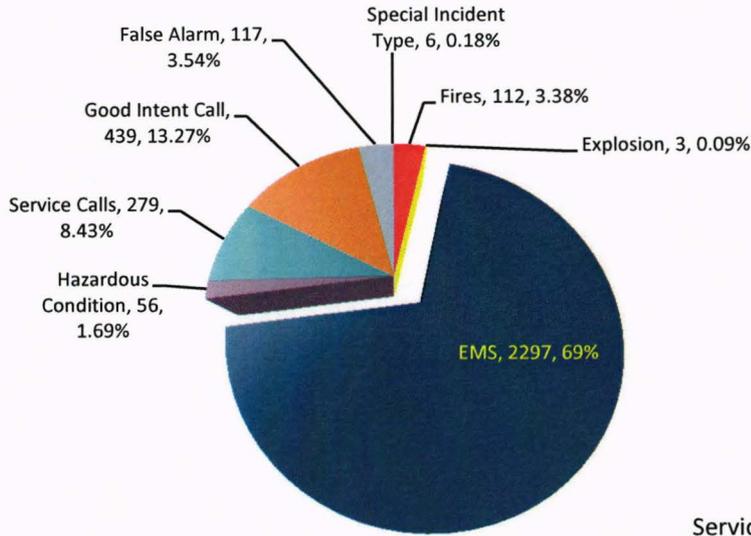


July 2014

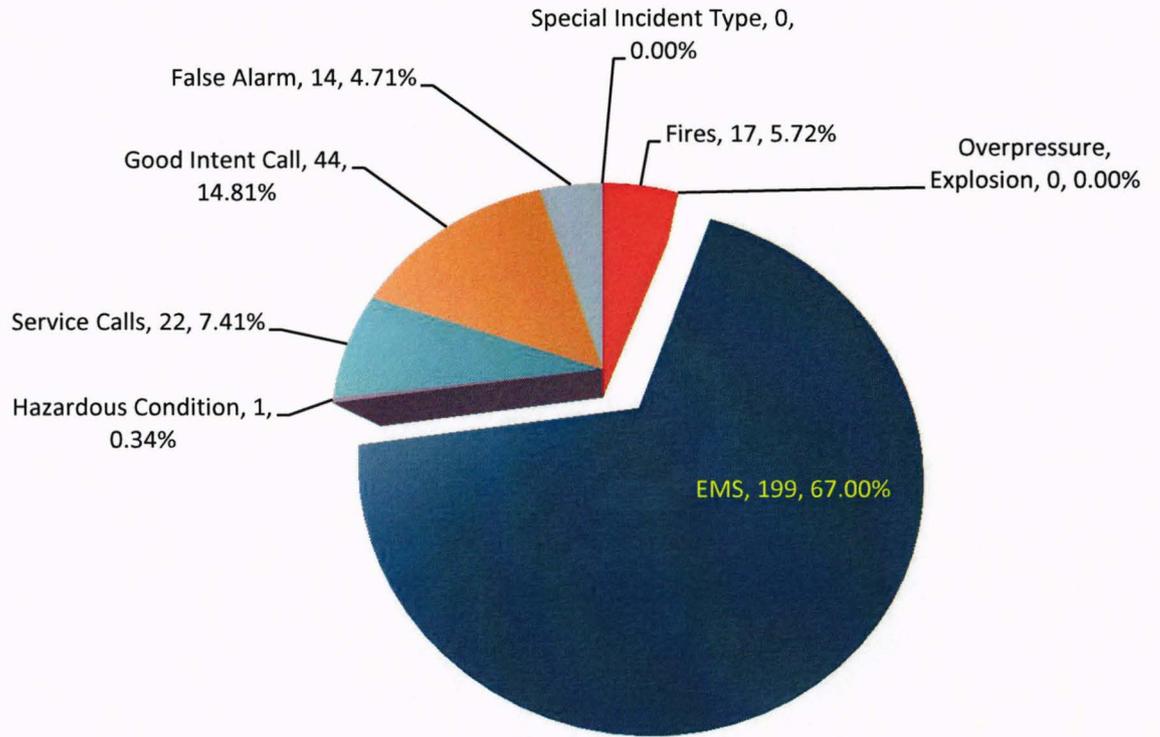




# What type of calls did we get called for?



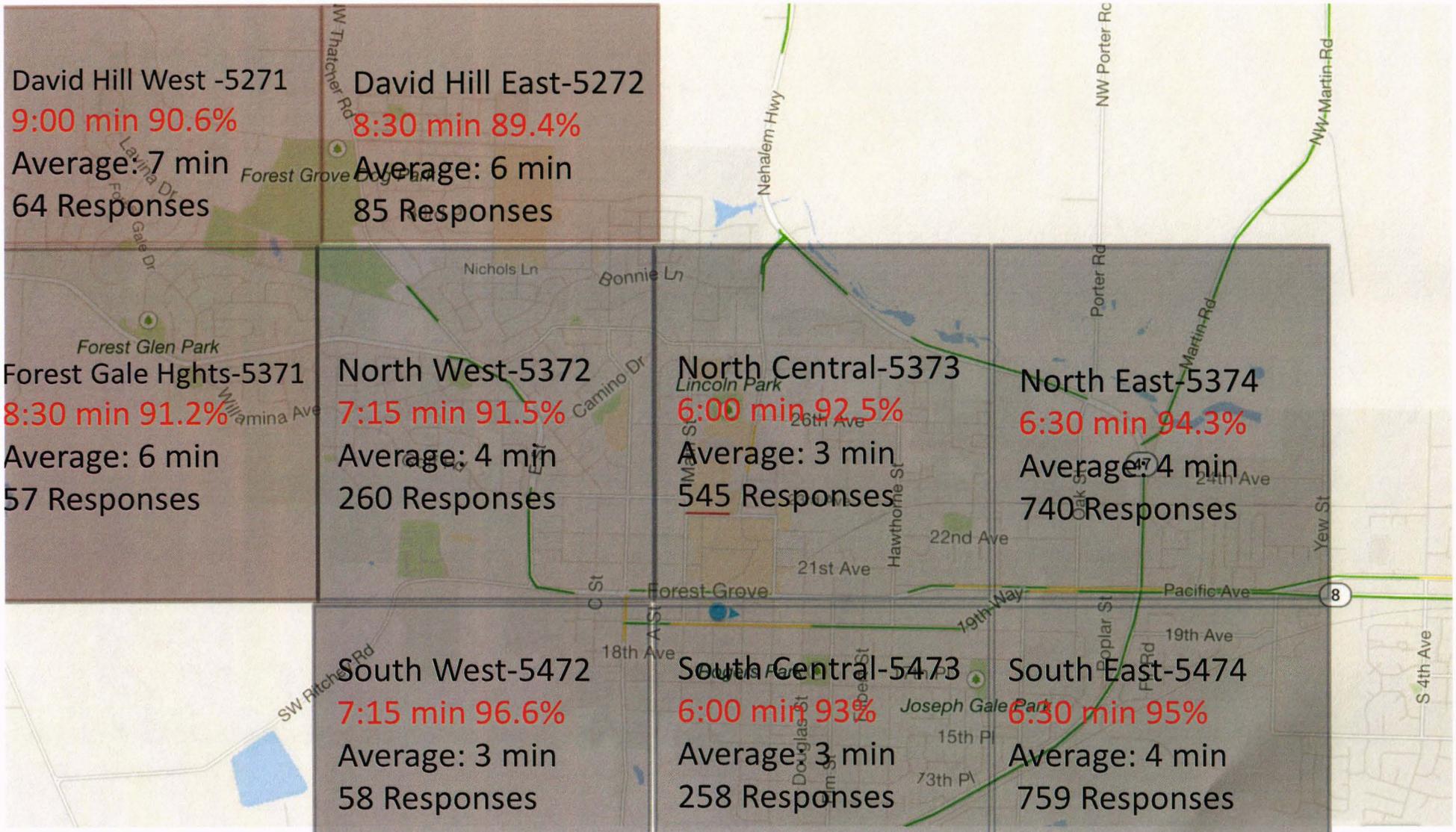
2013 Incident Types



July 2014 Incident Types



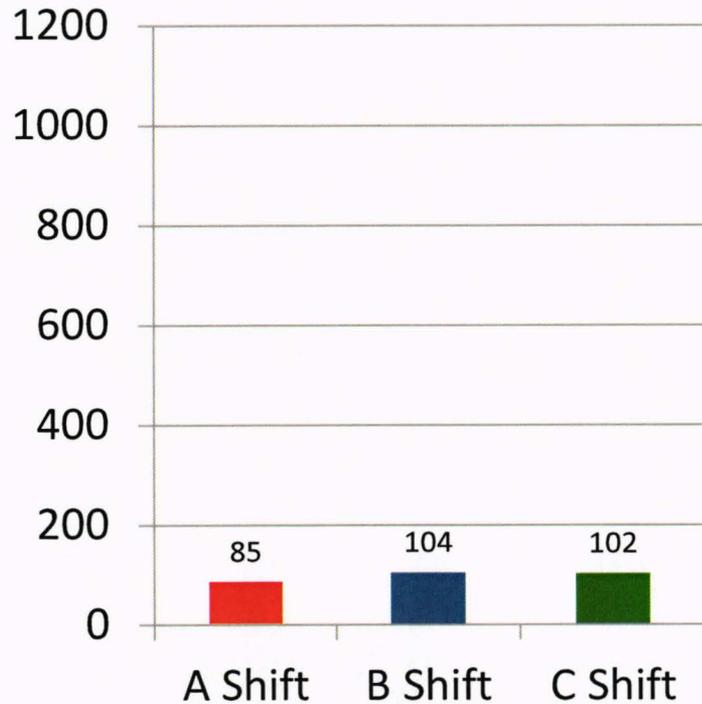
# How long does it take us to get there?



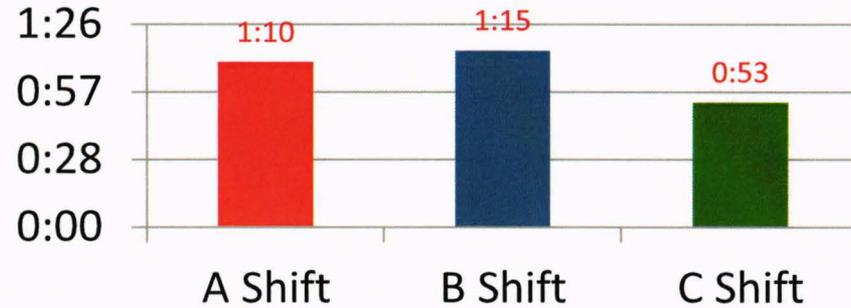


# Shift Performance Data

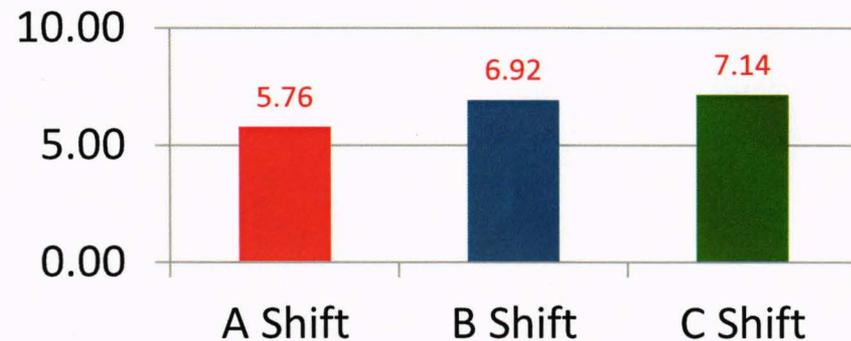
## Incidents by Shift



## Average Turnout Time



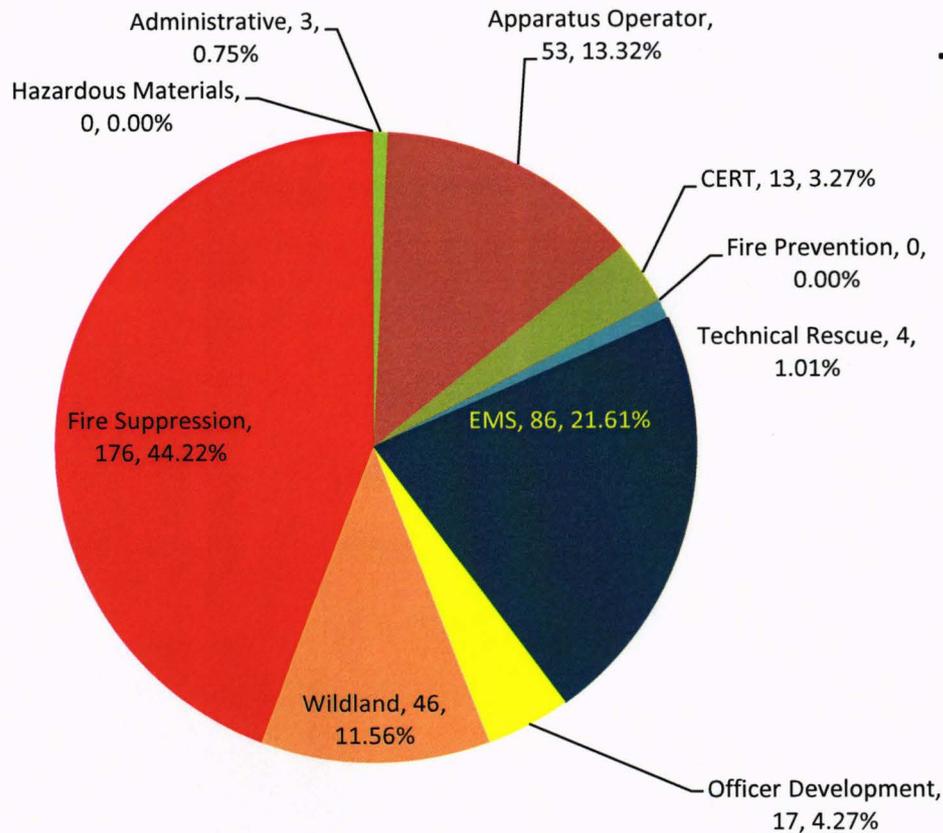
## Average Response Time



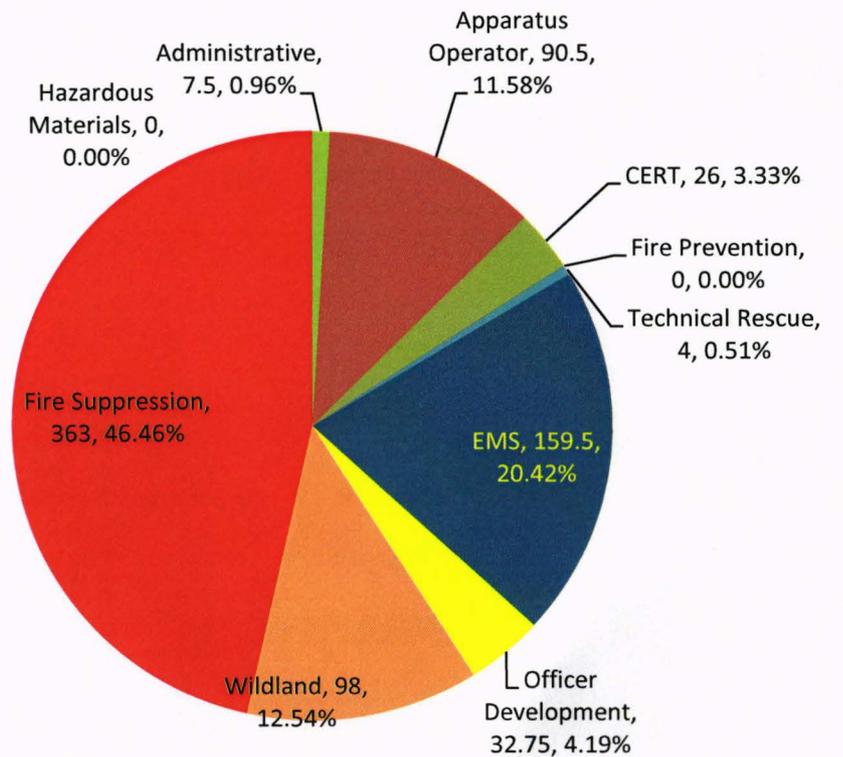


# Joint Training Activities

**Total Classes Provided 398**



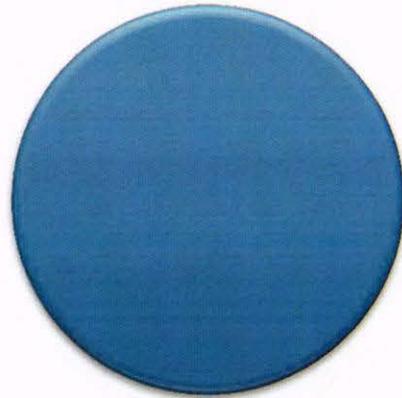
**Total Hours Provided 781:15**



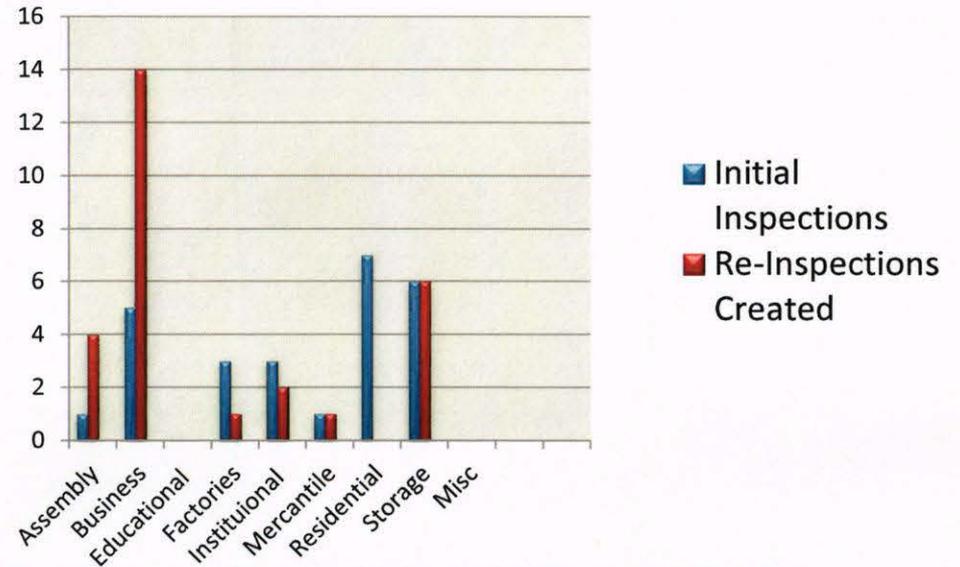


# Fire Prevention Activities

## Fire Department Access and Water Supply Plan Reviews July 2014



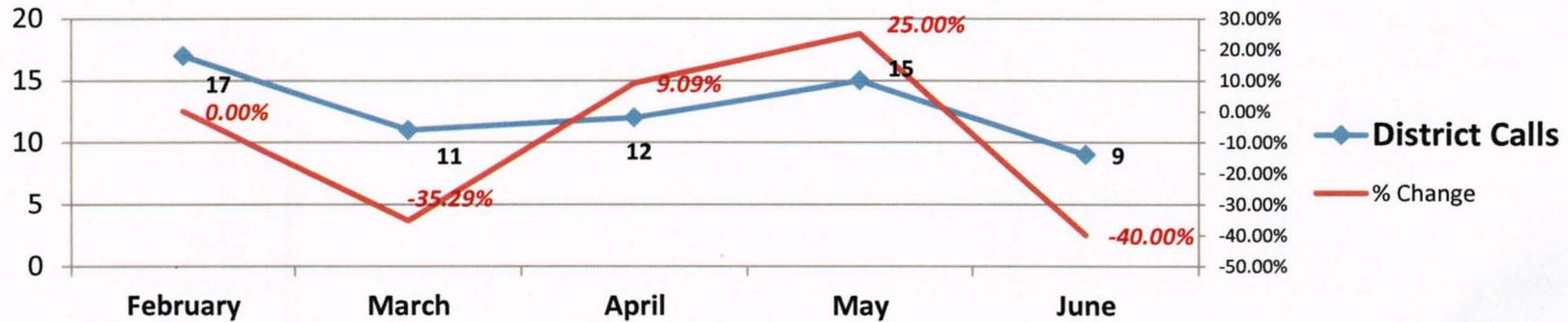
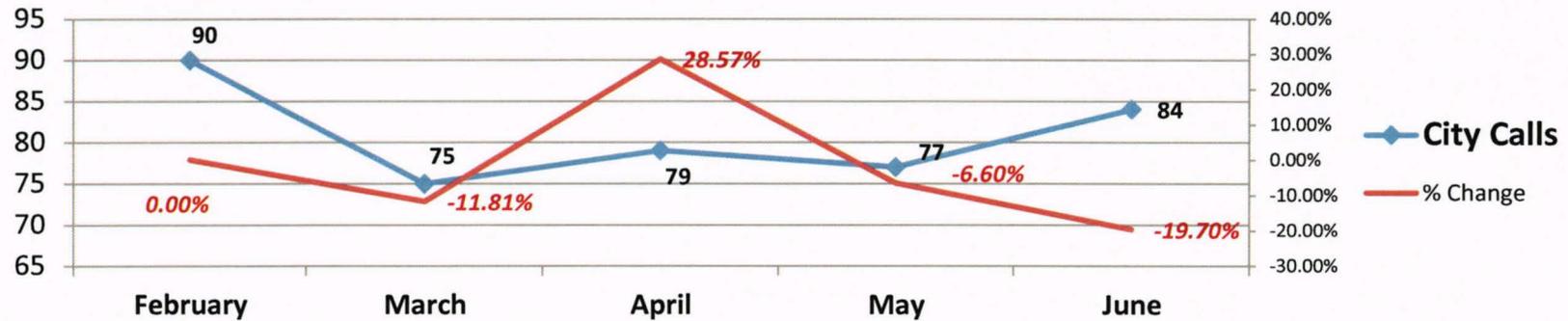
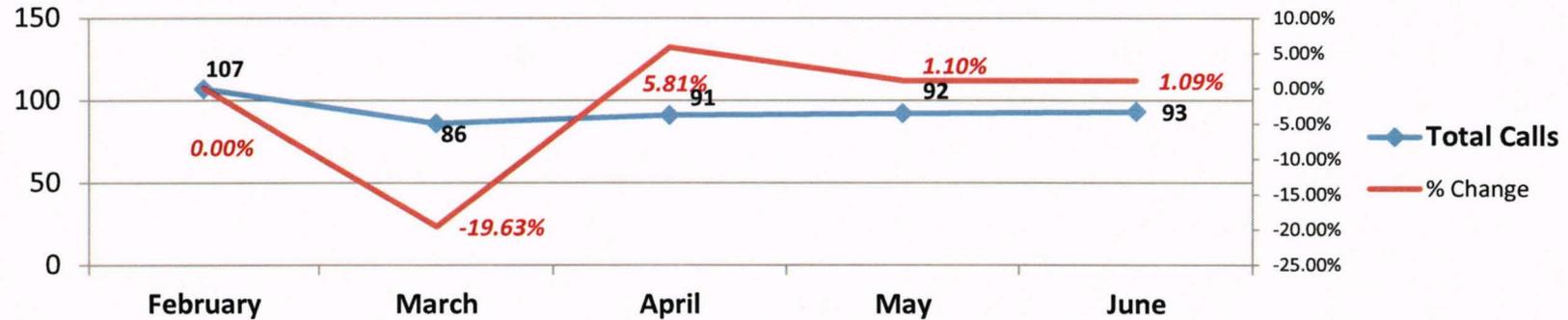
- Rural Residential
- City Residential Sub Divisions
- Commercial Projects



Occupancy	Initial Inspections	Re-Inspections	Hazards Noted/Abated
Assembly	1	4	0/4
Business	5	14	7/29
Educational	0	0	0/0
Factories	3	1	0/0
Institutional	3	2	7/7
Mercantile	1	1	15/15
Residential	7	0	6/2
Storage	6	6	18/16



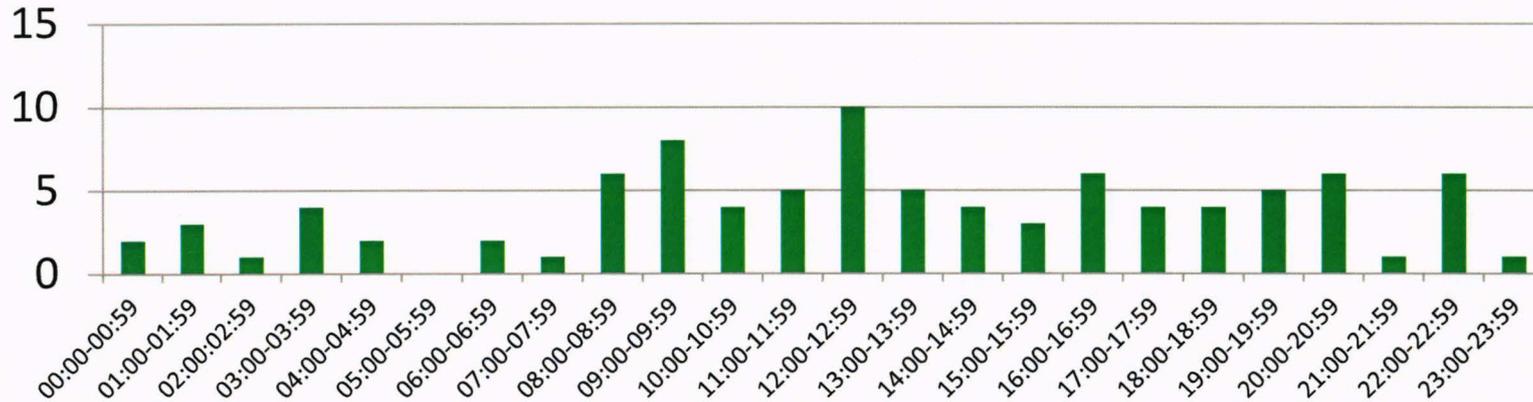
# How many calls did we run?



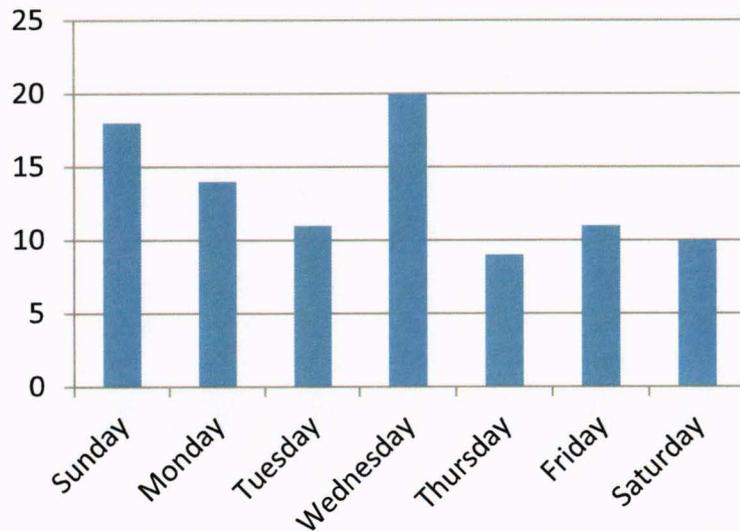


# When do our calls occur?

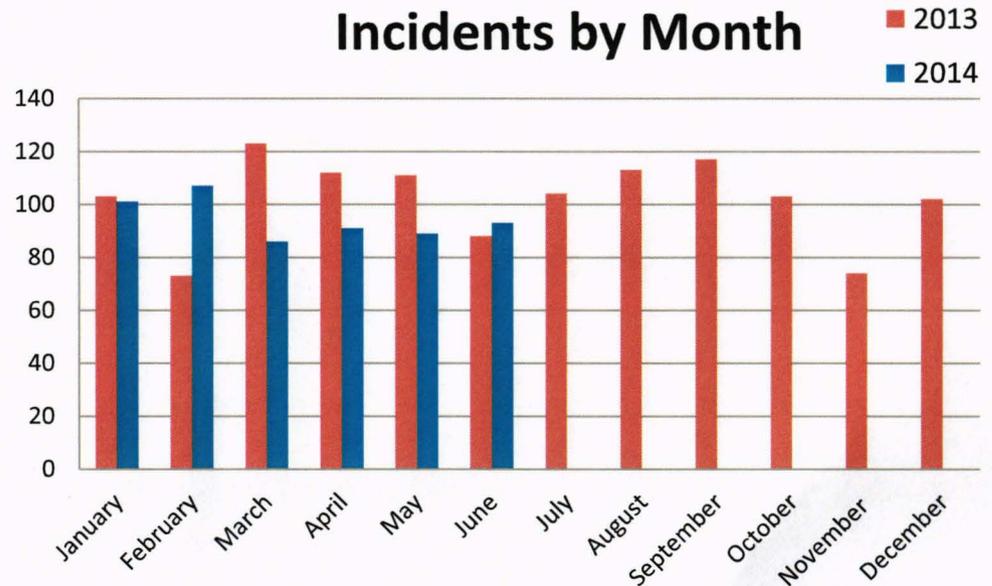
## Incidents by Hour



## Incidents by Day of Week

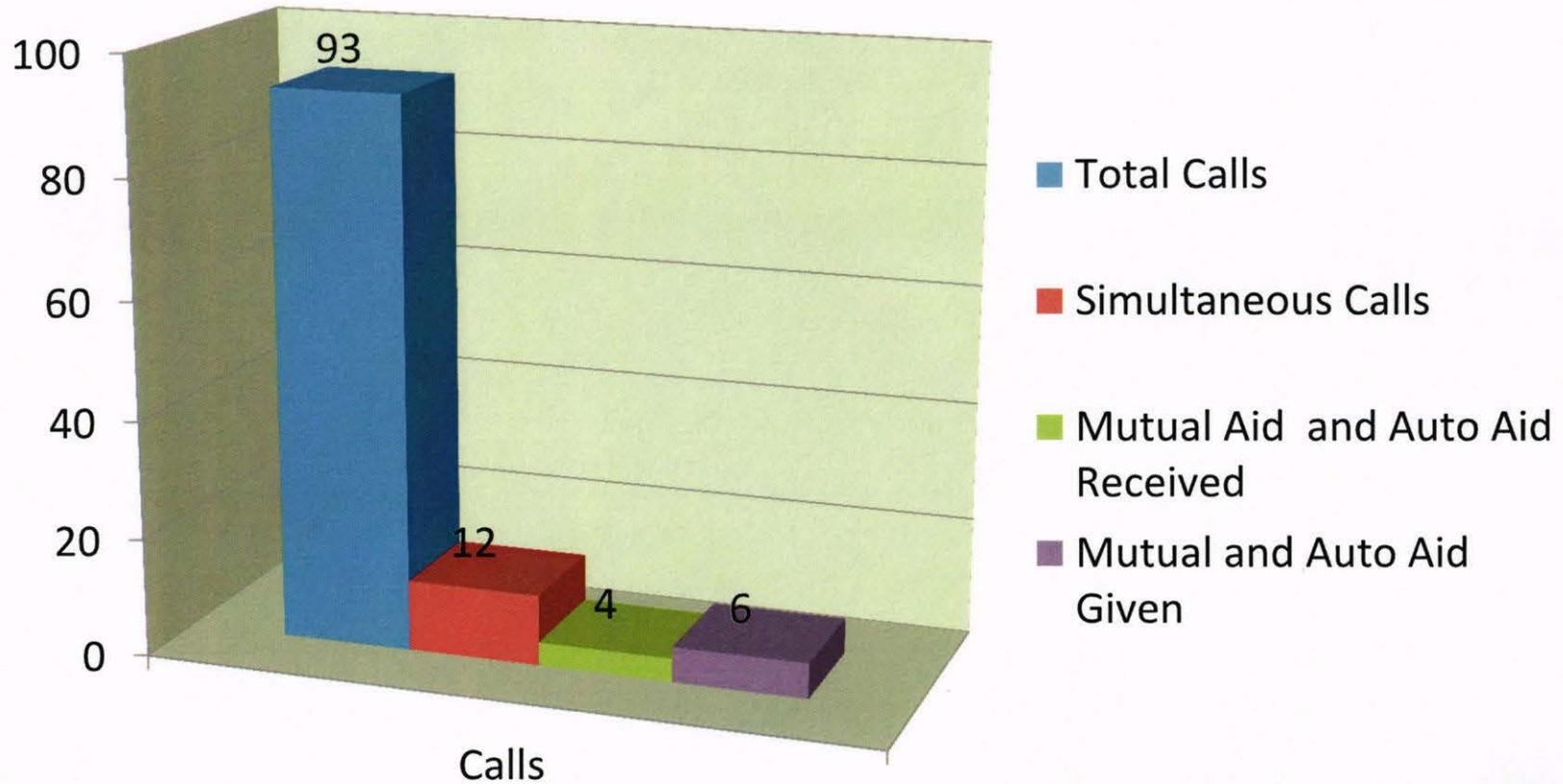


## Incidents by Month





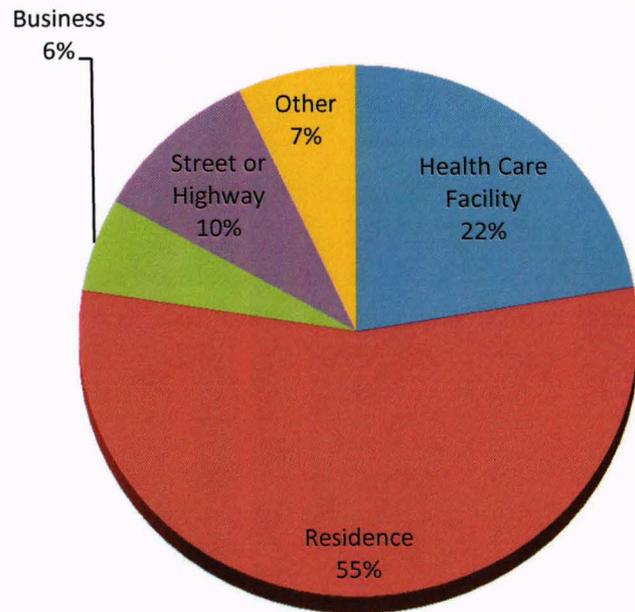
# Simultaneous Calls and Mutual Aid



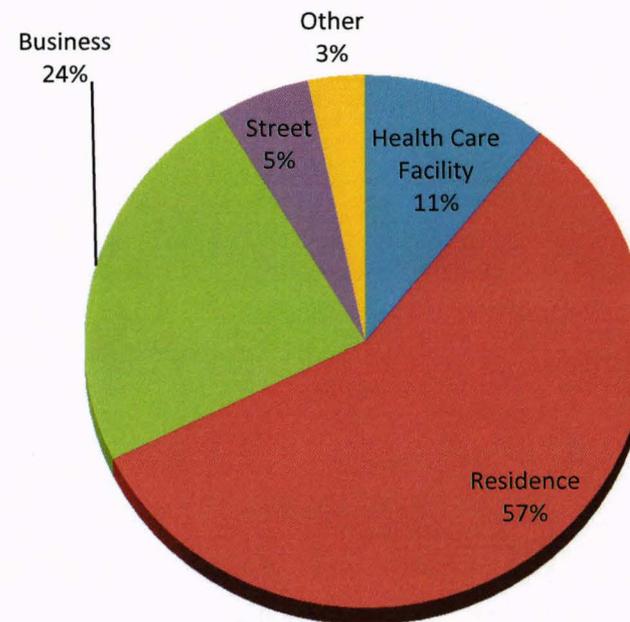


# Where are we going?

2013

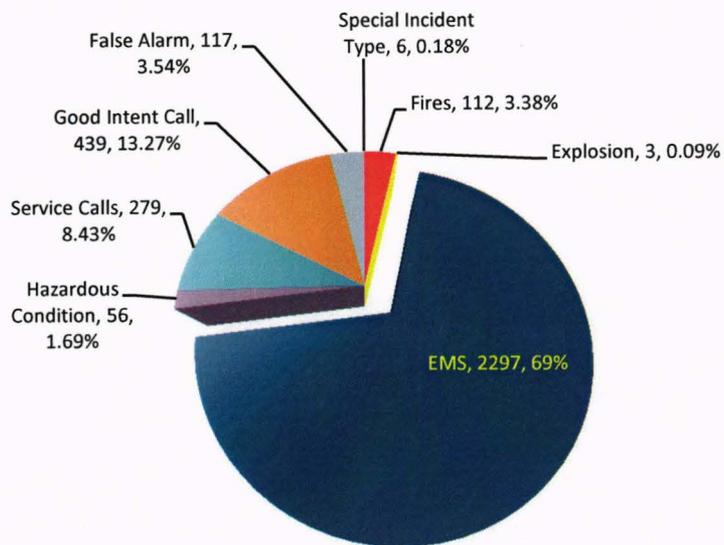


June 2014

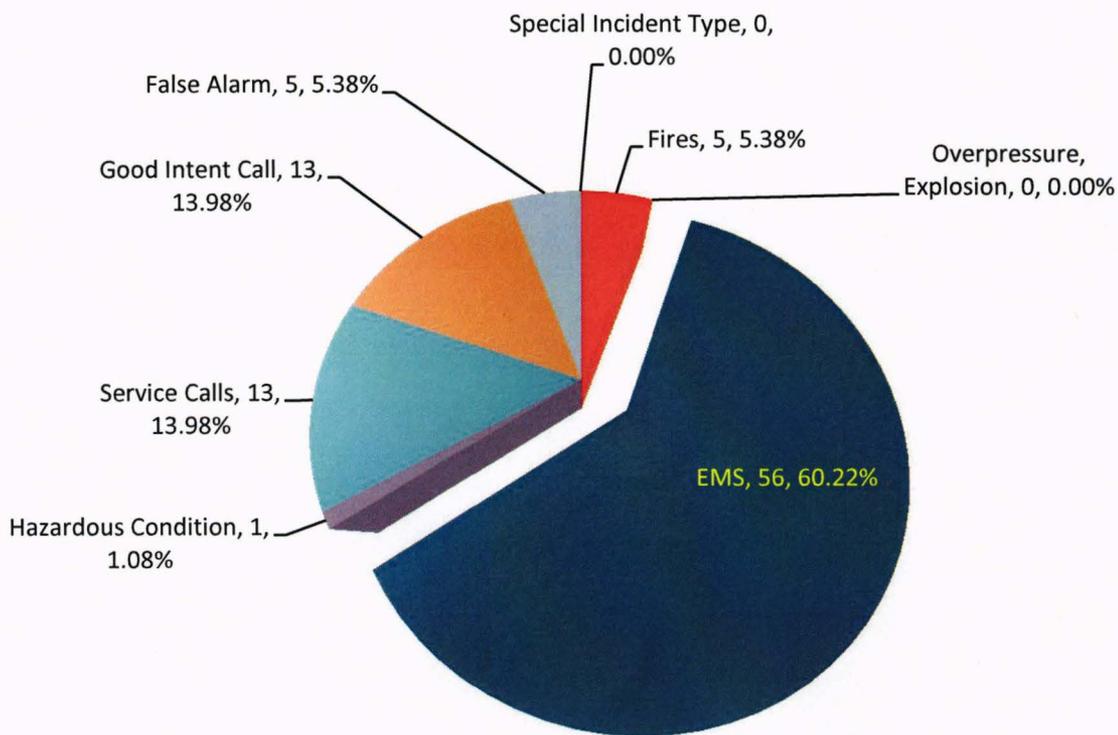




# What type of calls did we get called for?



2013 Incident Types



June 2014 Incident Types

**FOREST GROVE CITY LIBRARY CIRCULATION STATISTICS REPORT: AUGUST 2014**

35

	JULY 2014	JUNE 2014	JULY 2013
<b>MONTHLY TRAFFIC</b>			
Eye Count (Daily count of patrons for month)	13,339	14,217	14,310
Number of Days Open to the Public:	26	25	26
New Registrations (New Patron card issued)	131	149	131
<b>CIRCULATION:</b>			
Total Check-outs:	30,893	31,190	34,343
Total Check-ins:	24,248	21,859	25,841
ILLs (Inter-library loans/out of county):	118	72	93
<b>COURIER:</b>			
Intra-library Holds to Forest Grove:	10,387	10,215	11,692
Intra-library Holds from Forest Grove:	9,352	8,927	9,631
<b>PROGRAMS:</b>			
# of Adult Programs	1	1	3
Adult attendance at Adult Programs	5	6	28
Teen attendance at Adult Programs	0	0	0
Children attendance at Adult Program	0	0	1
# of Children's Programs	8	9	10
Children's attendance at Children's Programs	728	690	317
Adult attendance at Children's Programs:	242	247	196
Teen attendance at Children's Programs	5	5	0
# of Community Programs	0	1	0
Adult attendance at Community Programs	0	57	0
Children's attendance at Community Programs	0	82	0
Teen attendance at Community Programs	0	12	0
# of Teen Programs	1	0	1
Teen attendance at Teen Programs	21	0	4
Adult attendance at Teen Programs	0	0	6
Children's attendance at Teen Programs	4	0	3
# of Early Childhood Discovery Time Programs	0	0	0
# of Families at ECDDT	0	0	0
<b>REFERENCE:</b>			
# of Reference Questions	1,399	1,342	1,277
<b>SELF CHECK-OUT:</b>			
Self-Check Out Patrons Accepted	2,489	2,564	2,768
Self-Check-Out Patrons Denied	185	153	230
Self-Check-Out Total Items	10,422	10,798	11,716
Self-Check-Out Items Denied	249	221	140
Self Check-Out Items Renewed	25	108	42
<b>VOLUNTEERS:</b>			
Number of volunteers	44	44	45
Volunteer hours	289	289	334
<b>COMPUTER USE:</b>			
# of sessions	2,336	2,144	2,553
Total user hours	1,971	1,757	1,616
Average session time in minutes	51	49	38

KH/FGL August 1, 2014

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## Memorandum

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**To:** Mayor Truax and City Councilors

**From:** Anna D. Ruggles, CMC, City Recorder  
Michael J. Sykes, City Manager

**Subject:** Make Student Appointments to Sustainability Commission

**Date:** September 8, 2014

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**BACKGROUND:**

There currently exist student vacancies on the Sustainability Commission.

The Council interviewed Edgar Sanchez-Fausto, Forest Grove High School student, and Hailey Jongeward, Pacific University student, in Work Session, and made recommendation of appointments as noted in the attached resolution.

**STAFF RECOMMENDATION:**

Staff is recommending the City Council consider approving at the Council meeting of September 8, 2014, a resolution appointing the above-noted applicants to the Sustainability Commission to fill the student vacancies, terms expiring December 31, 2014. If Council desires not to make this appointment, Council may reject placing this item on the Consent Agenda and/or discuss separately.

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**RESOLUTION NO. 2014-68**

**RESOLUTION MAKING APPOINTMENT  
TO THE CITY OF FOREST GROVE  
SUSTAINABILITY COMMISSION**

**WHEREAS**, Resolution No. 2013-69 has provided for a Sustainability Commission; and

**WHEREAS**, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees, and Commissions brought about by resignation or removal shall be filled by appointment to fill the term of that seat by the City Council; and

**WHEREAS**, there currently exists vacancies on the Sustainability Commission; and

**WHEREAS**, the City Council has received applications from representatives and citizens desiring to serve on the Sustainability Commission, and subsequently interviewed representatives and citizens making application for service on this Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:**

**Section 1.** That the following person is hereby appointed to the City of Forest Grove Sustainability Commission for the following term (new appointment noted in **CAPS** and **BOLD**)

<u>Last Name:</u>	<u>First Name:</u>	<u>Position:</u>	<u>Term Expires:</u>
Cole	Elaine	Educator	December 31, 2016
Feik	Dale	At-Large	December 31, 2014
Gundersen	Deke	Pacific University	December 31, 2017
Hayes	John	FG School District	December 31, 2016
Kramer	Hope	Economic	December 31, 2015
Lanzar	Leslie A.	Sustainable Business	December 31, 2017
Lindsley	Robin	At-Large	December 31, 2015
Pfeiffer-Hoyt	Karin	Ethnic/Cultural	December 31, 2016
Schimmel	Brian	At-Large	December 31, 2014
Taylor	Mitch	Non-Profit/Public	December 31, 2017
Taniguchi-Dennis	Diane	Clean Water Services	December 31, 2015
<b>JONGEWARD</b>	<b>HAILEY</b>	<b>Pacific University Student</b>	<b>December 31, 2014</b>
<b>SANCHEZ-FAUSTO</b>	<b>EDGER</b>	<b>FG High School Student</b>	<b>December 31, 2014</b>

**Section 2.** This resolution is effective immediately upon its enactment by the City Council.

**PRESENTED AND PASSED** this 8<sup>th</sup> day of September, 2014.

\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 8<sup>th</sup> day of September, 2014.

\_\_\_\_\_  
Peter B. Truax, Mayor

Interview August 11, 2014



STUDENT ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED JUN 30 REC'D BY:

(Please complete, sign and date application form and return to: City of Forest Grove Attn: Anna Ruggles, City Recorder 1924 Council Street • P. O. Box 326 Forest Grove, OR 97116-0326 Fax • 503.992.3207 Office • 503.992.3235 aruggles@forestgrove-or.gov

Please check the Student Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-8). Terms are one year, expiring December 31st. (Please note: The meeting dates/times are subject to change with advance notice).

- Committee for Citizen Involvement 3rd Thursday, 5:30pm
Community Forestry Commission 3rd Wednesday, 5:15pm
Economic Development Commission 1st Thursday, Noon
Historic Landmarks Board 4th Tuesday, 7:15pm
Library Commission 2nd Tuesday, 6:30pm
Parks & Recreation Commission 3rd Wednesday, 7am
Public Arts Commission 2nd Thursday, 5pm
Public Safety Advisory Commission 4th Wednesday, 7:30am
Sustainability Commission

NAME: Edgar Sanchez Fausto
RESIDENCE ADDRESS:
MAILING ADDRESS:
SCHOOL: Forest Grove High School

HOME PHONE:
OTHER PHONE:
E-MAIL:
GRADE ENROLLED: 11th

Years living in Forest Grove? 16 Live in City limits? yes How did you hear of this opportunity? Through my club advisor
How would you currently rate City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? Create opportunities for citizens to be involved in projects, festivals, and fundraisers.

Why are you interested in serving on the Advisory Board/Committee/Commission? I am interested in this committee because I want to help better our community, as well as to be involved within the community.

What contributions do you feel you can/will make to the Board/Committee/Commission? I will bring insight into what FGHS is doing as a school to help the earth, as well as knowledge from my hispanic background.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I am a great student, worker, and learner. I am loyal, zealous, and perseverant. I can bring great ideas and support to this committee.

Previous/current appointed offices:
Previous/current community affiliations or extracurricular activities: Volunteer shelter at the Forest Grove Public Library.
If not appointed at this time, may we keep your name on file? Yes No
Signature: Edgar Sanchez Date: 6/18/14
I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.



STUDENT ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

INTERVIEW  
Sept 8, 2014  
6pm

(Please complete, sign and date application form and return to:

City of Forest Grove  
Attn: Anna Ruggles, City Recorder  
1924 Council Street • P. O. Box 326  
Forest Grove, OR 97116-0326  
Fax • 503.992.3207 Office • 503.992.3235  
aruggles@forestgrove-or.gov

RECEIVED  
JUN 19 REC'D  
BY: \_\_\_\_\_

Please check the Student Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-8). Terms are one year, expiring December 31<sup>st</sup>. (Please note: The meeting dates/times are subject to change with advance notice).

- Committee for Citizen Involvement 3<sup>rd</sup> Thursday, 5:30pm
- Community Forestry Commission 3<sup>rd</sup> Wednesday, 5:15pm
- Economic Development Commission 1<sup>st</sup> Thursday, Noon
- Historic Landmarks Board 4<sup>th</sup> Tuesday, 7:15pm
- Library Commission 2<sup>nd</sup> Tuesday, 6:30pm
- Parks & Recreation Commission 3<sup>rd</sup> Wednesday, 7am
- Public Arts Commission 2<sup>nd</sup> Thursday, 5pm
- Public Safety Advisory Commission 4<sup>th</sup> Wednesday, 7:30am
- Sustainability Commission

NAME: Hailey Jongeward  
RESIDENCE ADDRESS: [REDACTED]  
MAILING ADDRESS: Forest Grove, OR, 97116  
SCHOOL: Pacific Univeristy

HOME PHONE: n/a  
OTHER PHONE: [REDACTED]  
E-MAIL: [REDACTED]  
GRADE ENROLLED: Senior

Years living in Forest Grove? 3 Live in City limits? yes How did you hear of this opportunity? Deke Gunderson

How would you currently rate City's performance?  Excellent  Good  Fair  Poor

What ideas do you have for improving "Fair" or "Poor" performance? Getting the University more involved with the City projects and combine ideas of the students with the community. I believe Pacific holds great responsibility implementing change.

Why are you interested in serving on the Advisory Board/Committee/Commission? I would like to get make connections and share ideas outside of the classroom and university and start to make a better connection between Pacific and the community.

What contributions do you feel you can/will make to the Board/Committee/Commission? Making a stronger connection between Pacific and the community by bringing students ideas and projects to the board and vise versa.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Studying Environmental Biology for the past three years and my experience and love for working with the outdoor program on campus, taking my peers on trips and teaching them the importance of taking care of our environment. (LNT certified)

Previous/current appointed offices: none

Previous/current community affiliations or extracurricular activities: 3 1/2 yrs working for Pacific's Outback Outdoor Recreation Program

If not appointed at this time, may we keep your name on file?  Yes  No

Signature: Hailey Jongeward Date: 6/16  
*I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.*

(Student App 11/13)

**WRITTEN TESTIMONY RECEIVED**

**SEPTEMBER 8, 2014, COUNCIL MEETING**

**SECOND READING OF ORDINANCE NO. 2014-08  
ORDINANCE AMENDING FOREST GROVE CODE CHAPTER 5, PUBLIC PROTECTION  
OFFENSES, BY ADDING NEW CODE SECTION 5.655, TITLED "OPEN BURNING" AND  
ADDING NEW CODE SECTION 5.660, TITLED "VIOLATIONS AND PENALTIES"**

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August 29, 2014

To: Forest Grove Mayor & City Council

Re: Proposed Backyard Burning Ban



I recently spoke at the July 7<sup>th</sup> Forest Grove City Council meeting, in opposition to the proposed ban of backyard burning in the city during the fall season. I explained my personal situation, with about 3 acres of forested land just off David Hill Road, in my backyard in the Summit Pointe subdivision.

I still think that banning the fall ban is unnecessary. I afterwards spoke with the fire department officials who were present at the meeting, and they stated to me that there is not really a safety issue at stake here, due to careless or untended fires. They stated that the only reason they could see for a possible ban would have to be around possible environmental concerns from the smoke, and that this was not their area of expertise. I maintain that the controlled and limited season burns we have already take into account state DEQ standards on clean air, and adding additional regulation on those already strict guidelines is unnecessary and not really a necessary or fitting issue for the city to also tackle.

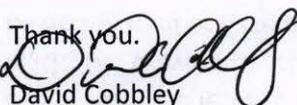
That said, let me explain a little further my personal situation. In the meeting, various council members and city citizens discussed alternatives such as free or inexpensive drop-off sites for large amounts of yard debris. While that may help some, it will not help myself and others like me. You see, my lot ("Tract D" of Summit Pointe) is actually not readily accessible by road. There is a much older road on the property which appears to have been abandoned and left in neglect 15 or more years ago (judging from the age and size of the trees now growing up in it). The previous west side access to property has been cut off by the houses built in the neighborhood, with no access road or easement left in place. Although we have tried to clear the other end of the road which connects to David Hill road, county repaving there has made the offramp to the road largely unusable, and the rest of the road is very bumpy and only accessible to a very high 4-wheel drive vehicle at best. Certainly nothing that a normal truck or trailer could successfully and safely navigate.

So you can see that I have no viable means of hauling off the debris from the hundred-plus trees in that forest.

I would propose that if the council does decide to proceed with the fall burning ban in any form, they seriously consider implementing a "hardship permit" procedure. Washington County has such a system in place for burning within the DEQ boundaries, which is normally prohibited altogether. A city plan should be established to allow those such as myself with little other recourse, to conduct limited burns during DEQ-allowed days in the fall, much as is allowed today. Though there should be appropriate requirements for property size or amount of trees and shrubs on the land, the process to obtain such a permit should not be onerous, and should be tailored to continue to allow citizens who really need to have a burn in the fall do so. This process could be administered by the city fire department (my first choice, as they are experts in this area), or by the city itself as an alternative.

Please consider my input as representing several other citizens in a similar situation before making your decision on September 8<sup>th</sup>.

Thank you.

  
David Cobbley

3525 Hood View Drive  
Forest Grove, OR 97116

**Anna Ruggles**



**From:** Jon Holan  
**Sent:** Tuesday, September 02, 2014 8:35 AM  
**To:** Michael W. Kinkade; Dave Nemeyer  
**Cc:** Michael Sykes; Peter Truax; George Cress; Rob Foster; Brian Schimmel (servefg@isonrise.com); Dale Feik (dfeik33@comcast.net); Deke Gundersen (deke@pacificu.edu); Diane Taniguchi-Dennis; Edgar Fausbo; Elaine Cole; Hailey Jongward; Hope Kramer (kranunzio@aol.com); John Hayes (jhayes@pacificu.edu); Karin Pfeiffer-Hoyt; Leslie Applegate Lanzar (leslielanzar@yahoo.com); Mitch Taylor (michtaylor4@gmail.com); Robin Lindsley (lindsley3@frontier.com)  
**Subject:** Sustainability Commission Motion on Backyard Burning

Michael and Dave,

The Sustainability Commission at their meeting on Thursday, August 28<sup>th</sup> passed the following motion:

“The Sustainability Commission recommends to the City Council that backyard burning be banned in the City of Forest Grove and hardship exceptions be allowed.”

The reason for this position is the potential health risk associated with the activity as presented by Dr. John Hayes at the previous public hearing on this matter on August 11<sup>th</sup>. This motion passed 9-0-1 with the Diane Taniguchi-Dennis, the Clean Water Services representative on the Commission, abstaining.

Jon Holan  
Community Development Director  
P.O. Box 326  
1924 Council Street

Phone: (503) 992-3224  
Fax: (503) 992-3202  
E-mail: [jholan@forestgrove-or.gov](mailto:jholan@forestgrove-or.gov)



**ORDINANCE NO. 2014-08**

**ORDINANCE AMENDING FOREST GROVE CODE CHAPTER 5, PUBLIC PROTECTION OFFENSES, BY ADDING NEW CODE SECTION 5.655, TITLED "OPEN BURNING" AND ADDING NEW CODE SECTION 5.660, TITLED "VIOLATIONS AND PENALTIES"**

**WHEREAS**, the City Council finds unregulated open burning increases the risk of property damage by fire and threatens the safety and well-being of Forest Grove residents, and other persons; and

**WHEREAS**, the City Council finds that regulation of open burning is both appropriate and necessary due to the City's urban density and because smoke from Open Burning (particularly burning leaves) exacerbates breathing difficulties for many individuals; and

**WHEREAS**, the City Council held a duly-noticed Public Hearing on the proposed ordinance on August 11 and September 8, 2014.

**NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:**

**Section 1.** The Forest Grove City Council hereby amends Forest Grove Code Chapter 5 by adding new Code Section 5.655, titled "Open Burning" as set forth in the attached Exhibit A.

**Section 2.** This ordinance is effective 30 days following its enactment by the City Council.

**PRESENTED AND PASSED** the first reading the 11<sup>th</sup> day of August, 2014.

**PASSED** the second reading the 11<sup>th</sup> day of August, 2014.

\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 8<sup>th</sup> day of September, 2014.

\_\_\_\_\_  
Peter B. Truax, Mayor

**ORDINANCE NO. 2014-08**  
**“EXHIBIT A”**

**CHAPTER 5 – PUBLIC PROTECTION OFFENSES**

**CITY OF FOREST GROVE CODE AMENDMENTS**

**NEW CODE SECTION 5.655**

**OPEN BURNING**

**NEW CODE SECTION 5.660**

**VIOLATIONS AND PENALTIES**

**5.655**

**Open Burning; Definitions.**

- (1) Definitions. For the purpose of Code Section 5.655, the following terms are defined as follows:

Agricultural Burning. Outdoor Burning done to remove debris from a farm, nursery, orchard, livestock/poultry operation that is for profit.

Backyard Burning. Open Burning for the removal of yard debris from the property where the fire is occurring.

Land Clearing. The clearing of land for development or change in use, and includes the removal of large portions of stumps, brush, and tree debris.

Open Burning. The same as defined by OAR 340-264-0030(29) (2014).

Recreational/ceremonial/cooking fires. Fires used primarily for recreational events, campfires used for warming or cooking, or ceremonial purposes by a school, club, religious group or other approved events.

- (2) It is unlawful for any person to cause, permit, suffer or allow Open Burning within the city limits except as specifically allowed herein:
- i. During any Open Burning season as established by the Oregon Department of Environmental Quality (DEQ) and as may be adjusted locally. Burn seasons occur once a year between March 1 and June 15, but may be adjusted daily.
  - ii. Recreational, ceremonial or cooking fires as defined in Section (1) of this Code.
  - iii. Permitted burns for fire department training, agricultural, or land clearing operations, as approved by the Fire Department or other governmental agency.
- (3) Burn bans  
Notwithstanding the exceptions set out in subsection (2) above, Open Burning in the City may be further restricted by Washington

County or the State Fire Marshall during periods of high fire danger or by the Fire Chief, or designee for fire or health safety.

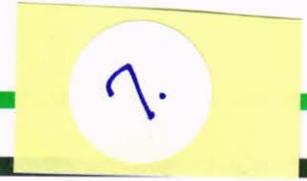
- (4) Location
  - a. Open Burning shall be conducted at least 25 feet from property lines, structures and combustible vegetation.
  - b. An adequate fire break area shall be maintained around the Open Burning area the width of which shall be at a minimum equal to the height of the Open Burning pile.
  - c. All Open Burning is to be attended at all times by a competent and responsible person who shall be equipped with adequate fire protection tools and equipment at the ready, including at least a garden hose and shovel.
  - d. At the conclusion of the allowed Open Burning time, the burned area shall thoroughly soaked with water to ensure the fire is out.
- (5) Reimbursement for firefighting costs
  - a. The Forest Grove Fire Department may seek recovery of any and all costs incurred by it for responding to any improper Open Burning.

#### **5.660**

#### **Violations and Penalties.**

- (1) Any person violating Sections 5.655 is subject to a civil penalty in the amount of not less than \$100 and not more than \$250.
- (2) The Enforcement Officer may cite into Municipal Court for any violations.

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**NOTICE OF PUBLIC HEARING  
FOREST GROVE CITY COUNCIL**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on **Monday, September 8, 2014, at 7:00 p.m.**, or thereafter, in the **Community Auditorium, 1915 Main Street, Forest Grove**, to consider the following:

- Request:** Appeal of the Planning Commission's denial of Gales Creek Terrace, a 191-lot planned development subdivision
- Appellant:** Gales Creek Terrace LLC (Morgan Will)
- Owners:** Gales Creek Development LLC; Mark and Tripti Kenzer
- Site Location:** 1548 19<sup>th</sup> Avenue, 1844 "C" Street, and 1336 Pacific Avenue  
Washington County Tax Lots 1S4 1-400 & 500; and 1S4 1AA-7200
- Criteria:** Development Code Article 3 - Residential Zones, Article 4 - Planned Developments, Article 6 - Subdivisions, Article 8 - Public Improvements
- File Number:** PRD-14-00181

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At this time and place, all persons will be given a reasonable opportunity to give testimony about this proposal. Only those issues in the record shall be raised before the City Council and the hearing may be limited to only those issues raised in the appeal petition.

Information pertaining to this request may be obtained from Senior Planner James Reitz at the Community Development Department, 1924 Council Street, (503) 992-3233 or [jreitz@forestgrove-or.gov](mailto:jreitz@forestgrove-or.gov), between 9 a.m. and 5 p.m. This notice is sent by the authority of the Forest Grove City Council.

Anna Ruggles, CMC, City Recorder

**NewsTimes**  
**Legal Ads/Public Notice:**  
**Published: Wednesday, September 3, 2014**

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**TO:** City Council

**FROM:** Jon Holan, Community Development Director  
Michael Sykes, City Manager

**DATE:** August 29, 2014

**RE:** Appeal of the Planning Commission's Denial of Gales Creek Terrace Planned Development

**ISSUE STATEMENT:** On August 4, 2014 the Planning Commission denied an application for a Planned Development ("PD") known as "Gales Creek Terrace." On August 27, 2014, the applicant, City Redevelopment, LLC, appealed that decision to the City Council. The issue before the City Council is whether to approve, approve with conditions or deny the application.

**BACKGROUND:** The Planned Development process is intended to allow the City to consider a project that does not comply with the clear and objective development standards in the City Development Code ("DC"). The City's review of an application for a planned development is effectively a type of design review. An applicant may request approval of a planned development in order to gain flexibility from strict compliance with the clear and objective development standards that would otherwise apply in the base zone. The City similarly has flexibility to determine which base-zone development standards may be varied and to what extent. The City is not obligated to accept a particular project design simply because it is proposed as a planned development. Nor is the City required to accept in part or in total all the deviations from City Code as requested by an applicant. The City has the flexibility and discretion to consider the same information and reach a conclusion different from an applicant's desired outcome.

Gales Creek Terrace is a proposed Planned Development to be located on a site totaling 47.42 acres, of which 19.76 acres is proposed to be developed. The balance of the site is located outside the urban growth boundary and can't be developed since it is within the Gales Creek floodplain. The applicant is proposing to subdivide the property and develop 191 lots, each with a single-family detached dwelling, over three phases. Phase 1 would consist of 59 lots; Phase 2, 47 lots; and Phase 3, 85 lots. The application was submitted on March 11, 2014 and deemed complete on May 22, 2014. A final local decision is required by September 19, 2014.

On February 3, 2014 – before this application was filed - the Planning Commission held a work session on a concept proposed by the applicant. While there are some differences between that concept and the one submitted, the overall approach of detached single-family is the same. The minutes of that work session and a follow-up discussion on March 3, 2014 about the

development of the area generally were attached to the Planning Commission packet and are also included here.

In the Planning Commission staff report, staff identified the Development Code provisions which would have to be waived or modified in order to approve the planned development as proposed. The project can only be developed if the City agrees to modify or waive the following standards and specifications:

1. The length of Dee Court exceeds 200 feet (DC Section 10.8.610(K))
2. Dee Court would have a hammerhead instead of cul-de-sac bulb (DC Section 10.8.610 Table 8-8)
3. 11-foot front yard setbacks instead of 14 feet (DC Section 10.3.130 Table 3-7)
4. 18-foot garage setbacks instead of 20 feet (DC Section 10.3.130 Table 3-7)
5. 3-foot side yard setbacks or zero-lot-line construction instead of the 3:1 ratio (DC Section 10.3.130 Table 3-7)
6. An over-length block (600 feet versus the 330 feet per DC Section 10.8.905)
7. 3-foot-wide parkways (DC Section 10.5.120(A)(4)(h))
8. No parkways (DC Section 10.5.120(A)(1))
9. Single-family detached lot areas of less than 3,500 square feet (DC Section 10.3.120 Table 3-6); 80% of the lots would be smaller than 3,500 square feet
10. Single-family detached lot frontages less than 50 feet (DC Section 10.3.120 Table 3-6). Only 26 lots (about 14% of the total) would have street frontages of 50 feet or more; most of them are corner lots.

In addition, staff also expressed concerns about the following issues:

11. Limited on-street parking due to narrow lots
12. Dead-end alleys
13. Street trees located less than 6 feet from a water meter
14. Street trees located on top of sanitary sewer laterals

Due to the extent of these concerns, staff requested that the Planning Commission consider the application and then provide the applicant and staff with guidance as to how to proceed.

At the Planning Commission hearing, the applicant's team made their presentation. No one else testified in favor of the application.

Three neighbors spoke in opposition, citing concerns about density, traffic volumes, traffic safety, lack of green space, and parking.

Three citizens spoke as "others". They raised concerns about access and school capacity, and the project's lack of creativity.

Following rebuttal, the Planning Commission entered into deliberations. The following is a brief summary of their discussion (the draft minutes are attached).

Commissioner Lawler thought the proposal required too many concessions to City Code standards.

Chairman Beck thought that the site was unique and challenging. He too felt that there were too many concessions to City Code being requested. He noted that while open space was provided in the application, it wasn't centrally located. He further noted the Fire Department's concern about Dee Court and the proposed hammerhead turnaround. He concluded that an exclusively single-family detached project wasn't a good fit for this site; he felt something better was possible.

Commissioner Ruder concurred with the above comments and also expressed reservations about the traffic analysis. He also wasn't convinced that this area was appropriate for high density housing.

Commissioner Hymes was concerned about the number of homes proposed, and thought that doing both single- and multi-family would allow for the creation of more open space.

Commissioner Nakajima thought that the proposal didn't fit the property. She supported trying to be flexible, but the applicant's proposal of a single housing type wasn't very creative.

Commissioner Smith thought that the site should be developed with higher density – with a mixture of housing types - since it is close to downtown.

Commissioner Rojas concurred with all the above comments, but also noted that people – including himself – moved to Forest Grove to have a house with a yard.

At the conclusion of deliberations, the Commission voted 6-1 to deny approval of the project. Staff then prepared the Decision and Findings for the Commission's adoption at a special meeting on August 12<sup>th</sup>. That document is attached.

The following is staff's response to the issues raised in the appeal.

**APPEAL ISSUES** Under DC 10.1.640, the appellant (here, the Applicant) must identify the specific issues it intends to argue on appeal. That is, it must describe how it believes the Planning Commission erred and why a different decision is warranted. On August 27, the Applicant filed an appeal of the Planning Commission's decision in which it asserted twelve (12) issues. The issues and the Staff's response are set forth below.

**Issue 1:** The applicant asserts that the Planning Commission erred in its application of the approval criteria and that evidence was ignored. Essentially, the Applicant argues here that DC 10.4.220.C provides the exclusive criteria for a PD and that it met all four of the criteria listed in DC 10.4.220.C.

The applicant's conclusion is incorrect. First, the applicant is mistaken that the criteria listed in DC 10.4.220.C are the only criteria the City may consider when reviewing a proposed PD. Applicant's interpretation would require the City to simply ignore other parts of the code that directly apply to a proposed PD. For example, DC 10.4.220.C.4 itself requires the Planned Development to comply with the general development standards in DC Article 8. Moreover, DC 10.4.205.A expressly states that "Preliminary plan approval will only be granted when there is a reasonable certainty that the PD will fulfill all applicable requirements of the City Codes." Note the reference to plural "City Codes," which the City interprets to mean there are multiple codes and code sections that apply to its review of a proposed PD. If the applicant was correct, the statement would simply refer to the "applicable requirements of DC10.4.220.C," but it doesn't.

Accordingly, the City interprets DC 10.4.220.C to provide approval criteria for a PD but is not the exclusive list of such criteria.

The property is zoned RMH and DC 10.3.110.F expressly requires that “multi-unit residential buildings will be the predominant housing type in this zone. Here, the Applicant did not propose *any* multi-unit residential buildings, much less that such buildings would be the “predominant” housing type. The City interprets “predominant” in this context to mean more than 50-percent of the dwelling units; and in any case more than zero. The Planning Commission properly understood that it must consider compliance with all applicable criteria, not just those listed in DC 10.4.220.C, and denied the application because it does not comply with DC 10.3.110.F.

Finally, as noted in the background discussion above, the project as proposed also fails to meet three development standards in DC Article 8. Specifically, the length of Dee Court exceeds 200 feet (DC Section 10.8.610(K); and certain blocks exceed the limit for over-length block (600 feet versus the 330 feet per DC Section 10.8.905).

Ultimately, the Planning Commission considered all of the evidence and testimony before reaching its conclusion and, on the basis of that review, properly concluded that the application does not comply with the applicable criteria.

**Issue 2:** The applicant asserts that the Planning Commission incorrectly applied the RMH Zone.

The applicant notes that the development standards in the RMH zone apply unless superseded by the PD approval pursuant to DC10.4.215.A. The applicant is only partially correct. The PD process allows the City to supersede the “*development standards of the base zone*” that apply to the site. Here, the base zone is residential (RMH) and development standards for residential uses are set forth in DC 10.3.130. Accordingly, DC 10.4.215.A only allows the City to waive or modify the development standards in DC 10.3.130; it does not allow, much less require, the City to ignore the allowed uses in the zone. It also does not allow the City to vary other development standards such as the general development standards in Article 5 and Article 8.<sup>1</sup>

As noted in the staff report and the Planning Commission’s Order, DC10.3.110.F requires multi-unit residential buildings to be the “predominant” housing type in the RMH Zone. The applicant misinterprets DC 10.3.110F as a mere “intent statement” and argues that applying it to a specific development proposal would be erroneous. Instead, the Applicant argues that it should be interpreted as a “broadly stated expectation...”

The applicant misreads and misinterprets the DC. The “Purpose” of the City’s residential zones is set forth in DC 10.3.100. The specific use requirements for each residential zone are then set forth in DC 10.3.110. As noted above, under DC 10.3.110.F, multi-unit dwellings must be the “predominant” residential use in the RMH zone. The City interprets this provision in DC 10.3.110.F to be a substantive approval criterion for residential development in the RMH zone. Because the Applicant does not propose any multi-unit buildings, the Planning Commission properly found that the application does not meet the applicable criteria.

Moreover, if the City applied Applicant’s interpretation of DC 10.3.110F, it is likely that future applicants would request similar latitude, which would result in the incremental erosion of the very purpose of the RMH Zone; i.e., to provide for multi-unit housing.

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<sup>1</sup> As noted under Issue 1, the application fails to comply with certain criteria in DC Article 8.

Even assuming, theoretically, that multi-family units were not expected to be the predominant housing type in the RMH Zone, it was never contemplated that single-family detached would be the exclusive housing type in the zone. (It also renders the word "predominant" meaningless). The fact that housing types are "not restricted" in a planned development under DC 10.4.215.F is intended to allow for a variety of housing types within a project, not to provide a means to avoid the very purpose of the underlying zone. For example, a person may develop duplexes and attached housing in the Suburban Residential zone (which are not otherwise allowed under DC 10.3.110.A), provided single-family housing is the "predominant" housing type.

Finally, the Applicant argues that the phrase "there is no restriction on housing type" means that there are no restrictions on housing type in any residential zone, as long as the applicant develops the property as a PD. The City declines to read this statement so broadly. The Applicant's interpretation is further contradicted, and the City's interpretation supported, by DC 10.3.130.G which does, in fact, restrict single-family detached units in the RMH Zone:

*"Construction of new single-family detached units is restricted to existing lots smaller than 5,000 square feet in the RMH Zone in order to retain land for multi-family housing."*

The requirements of DC 10.3.110 are clear: construction of new single-family detached units is limited in the RMH Zone; instead, development in the zone must be predominately multi-unit residential.

### **Issue 3: RMH Intent Statement Versus Planned Development Approval Criteria**

This issue is a variation of the argument raised under Issue 2 above. The "development standards" for the RMH zone are set forth under DC 10.3.130. As noted above, DC 10.4.215 allows the City to apply the PD "*Development Standards*" to the details of site development; they do not apply to the requirements of DC 10.3.110 which, as was noted in the staff report and PC Order, requires multi-unit residential buildings as the predominant housing type in the RMH Zone. The findings do not ignore the applicant's evidence; they do reflect the direction of the Planning Commission.

The applicant then relies on a very narrow interpretation of the Planned Development Purpose Statement in DC 10.4.200: that it is "intended only to 'promote' flexibility and innovation, not to require it." (Emphasis in original). First, it is important to note that DC 10.4.200 is expressly a "purpose" statement and does not contain substantive approval criteria. Appellant also cites to but ignores the City's findings that the proposed PD is also contrary to the Forest Grove Comprehensive Plan.

More important, however, the Applicant's argument (1) acknowledges that the application is in fact for a conventional single-family detached subdivision without any special design attributes; and (2) that the application for this conventional subdivision should be approved simply because it is being reviewed as a planned development, regardless of the special design features - or lack thereof - in the proposal. The applicant fails to appreciate that a planned development *must* exhibit innovative design in order to *be* a planned development. Put another way, this planned development request could be viewed as a project designed around a series of variances to Development Code standards. The relaxation in the applicability of City Codes may be considered flexible, but cannot in and of itself be described as innovative, and the applicant did not demonstrate to the Planning Commission's satisfaction that the proposal exhibited any design characteristics that could be considered either creative or innovative.

#### **Issue 4: Minimum Lot Sizes**

The Applicant apparently objects to the Planning Commission's findings with respect to the lot size requirements. The Applicant misunderstands the Commission's decision. The staff report and Order noted the lot sizes only to demonstrate how small they would be as an illustration of the design and its "tightness". Nothing in the Order states that the applicant was or should be denied on this basis.

#### **Issue 5: Space Between Buildings.**

The Applicant apparently objects to the Planning Commission's findings with respect to DC 10.4.220.A, which states that the purpose of the PD process is to "promote innovation and flexibility in site design." Throughout the appeal document, the Applicant consistently confuses density with design. They are not interchangeable terms. Density refers to the number of units per acre. Design refers to how the components of the project would be arranged. The number of units possible on the development site is irrelevant to the discussion of space between buildings or any other site design features.

The applicant makes a comparison of this project versus a single-family attached subdivision where the lot areas are 2,000 square feet, as is allowed in the RMH Zone. What the applicant ignores is that the homes built in a conventional subdivision would have to comply with setback standards i.e. a minimum of 5 feet on the non-attached side, with a probable increase in setback based on building height. Two-story buildings are frequently set back 6-to-9 feet, depending on the height of the gable if it faces the side property line. At a minimum, buildings would be set at least 10 feet apart, compared the applicant's proposed 6 feet. The proposed lot areas and lot dimensions are also irrelevant to this discussion, as the issue is the distance between buildings. The conclusion can only be that buildings set only 6 feet apart would create a "tighter" neighborhood than one with buildings set 10 or more feet apart.

In any case, the Planning Commission did not rely on DC10.4.220.A to deny the application. The City Council may make its own determination whether it believes the proposed development achieves the purpose of the PD process – to "promote innovation and flexibility in site design."

#### **Issue 6: Development Standards**

This issue is a continuation of the argument raised above in Issue 3. The applicant continues to assert that innovative design isn't required, but also states that the proposal is innovative because it would be a single-family detached subdivision that would comply with the density requirements of the RMH Zone. This one element is apparently the single feature of the proposal that the applicant considers innovative in the RMH zone.

To achieve this innovation, the applicant requested waivers from or variances to a series of Development Code standards that would otherwise apply to a single-family development in the RMH zone. The applicant has objected to the City's use of the word "concession" so staff will use instead the words "waiver" or "modification." As noted above, a waiver from or modification to the applicable City Codes may be considered flexible but cannot, in and of itself, be described as innovative.

The Applicant's arguments regarding the lot sizes and building setbacks are discussed elsewhere in this memo and need not be reiterated here.

The applicant also states under this issue that the City's concern over street tree installation is misplaced because it is not a base zone standard. The applicant's conclusion is incorrect. All projects - whether they are reviewed as a planned development or not - have to comply with the Street Tree standards of Development Code Section 10.5.120 and hence this application was reviewed for compliance with those standards. As noted above, the development standards for residential development in the RMH zone are set forth at DC 10.3.130, which may be substituted by the PD development standards in DC10.4.215. However, DC 10.4.125 does not provide exceptions from the street-tree requirements in DC 10.5.120 for a planned development.

The applicant's solution about street trees planted too close to sidewalks and pavement is to eliminate the parkway altogether, shift the sidewalk next to the street, and place the trees in a "parkway" behind the sidewalk. Later in this memo we'll note how placing sidewalks next to the street decreases pedestrian safety. Here, it is enough to note that these would be street trees in name only. The adjoining residents would perceive trees located behind the sidewalk as their own; the City could not realistically be expected to regulate their pruning or removal, even if they were located within the right-of-way. Furthermore, fewer trees overall would be planted, since most front yards would be too small to allow for the installation of a second tree.

The applicant's solution to install street trees along Dee Court include (1) on the north side only; or (2) behind the sidewalk as described above; or (3) in a front yard easement. Taken in order, Development Code Section 10.5.120 requires street tree installation for all projects fronting a street. As development would front both sides of Dee Court, street trees would be required on both sides. As for (2) and (3), both are variations on a theme – placing street trees in the adjacent front yards. We've already described the problems with that approach.

For these reasons, the City finds that the application does not comply with DC 10.5.120 and that its requirements cannot be waived or modified through the PD process.

#### **Issue 7: Dwelling Type**

The Applicant objects to certain Planning Commission findings regarding housing type and style. These findings were adopted by the Commission in response to the Applicant's proposal to develop the site exclusively with single-family dwellings on individual lots. In this sense, the Commission found that the project was simply a residential subdivision masquerading as a PD in the multi-unit residential zone, "i.e. there would be no townhomes or multi-unit buildings of any kind."

The Commission also objected to the uniformity of housing design, noting that only one housing type is proposed. While the City agrees that there is no requirement for architectural diversity, the intent of the finding was to provide an example of how the site design would not be innovative, as only a single housing type – single-family detached – would be accommodated. By focusing exclusively on extraneous comments in the findings directed at architectural design, the Applicant misses the overall point of the finding and manner in which it demonstrates how the application does not comply with the applicable criteria.

The applicant then again asserts that single-family detached homes are unique products and that is what makes the project innovative. As discussed above, there is nothing unique about single-family residential dwellings. The applicant then describes how there would be a variety of lot widths and areas, and how there would be a range of home sizes. While potentially true, the

applicant misses the point: in a high-density residential zone, a meaningful variety of affordable housing options would include single-story homes, duplexes, apartments and the like, all of which are likely to be as or more affordable units than two-story single-family detached homes.

**Issue 8: Planning Commission / Applicant Work Session**

The finding in question is a simple factual statement. The Planning Commission did meet on the date noted and several Commissioners did discuss various housing types, including multi-family housing. The finding further notes that this application includes single-family homes exclusively; this too is a factual statement.

Moreover, because the comments are in the record and occurred prior to the date the application was submitted to the City, they are not “ex parte” communications under Oregon law or the DC. Accordingly, they do not provide a basis for rejecting the Planning Commission’s decision.

**Issue 9: Land Use Efficiency**

The applicant asserts that merely complying with minimum density requirements would result in efficient use of the land. While density standards can contribute to efficient use of land, they are by no means the exclusive methodology. Other methods such as multi-unit housing and the clustering of buildings have also been used to promote efficiency. In fact, planned developments have frequently been used to allow for the clustering of buildings.

The applicant then notes the expenses of extending off-site utilities, but does not explain how the extension of off-site utilities is in any way germane to the discussion of on-site efficiencies.

**Issue 10:**

Land Use Efficiency - The applicant continues the arguments noted in Issue 9, and again asserts that complying with minimum density standards is by definition “efficient.” As noted above, the clustering of units, or including multi-unit buildings, could be more efficient as they would perhaps allow for the shorter extensions of streets and utilities and could result in a commensurate decrease in on-site expenses.

The applicant then again notes the expenses of extending off-site utilities, but does not explain how the extension of off-site utilities is germane to the discussion of on-site efficiencies.

The applicant then suggests that because the topography is sloped, creating lots for single-family detached buildings would be more economical than lots for apartment buildings. This would not necessarily be true, as the pad site for a duplex or four-plex would not be significantly different than the pad site for a series – or even just a couple – single-family detached home sites.

The applicant then asserts that the project would be more efficient because the rights-of-way would be narrowed to limit cut-and-fill. However, the applicant also notes that the proposed street widths would be 32 feet. It is construction of the streets that would result in cut-and-fill, and if the applicant wished to decrease expenses and improve efficiency, then narrower street widths would have been one option to do so.

Tract N – The applicant asserts that Tract N would have direct access. That is not the case. Tract N would be located behind and below a tier of lots and would be accessed only through other tracts.

The issue of access does get to the Purpose Statement about incorporating landscape features and amenities into the design of the planned development (DC Section 10.4.200(C)). The location of Tract N would be on the fringe of the project site, and not integral to the design, as noted by both staff and the Planning Commission.

Floodplain – Use of a floodplain as open space is not uncommon. The issue is the year-round utility of that space for the recreational use of the residents. As the applicant acknowledges, there would be periods during the year when it would not be available for use. The applicant presumes that limitation would be only when the area is flooded. However, even when not flooded, the soccer field and basketball court would be unusable without proper drainage facilities to allow their use during the wet season. An additional water quality facility would also be required, at least for the impervious surface of the basketball court. Given the seasonal – perhaps only summer – availability, use of this area for active recreation is questionable, and the application and appeal are silent as to how drainage and water quality would be addressed.

Views – While first asserting that the finding is not applicable, the applicant then proceeds to try and demonstrate compliance. However, as noted in the finding, no analysis or evidence was submitted to demonstrate how the views would be preserved. The appeal document also does not have any analysis or evidence.

Architecture – The applicant discusses “distinguishing characteristics that differentiate and distinguish homes” but fails to address the theme of the finding: that only a single architectural style would be offered. The applicant notes that the intent is to sell the lots to multiple builders. On its face this would seem a viable solution, but the multiple builders the applicant has sold to most recently all construct homes using the same plan book.

Garage Setbacks – The applicant has offered to “increase” the garage setback to the City-standard 20 feet, but only for the lots in Phase 3 (86 lots). For the remaining 105 lots, the applicant suggests 20 feet would be available based on a variation of street section #6 (see applicant’s submittal sheet P306 for the original section, and the appeal document for the alternate section). Aside from now shifting the “street trees” into the front yards of the homes – which creates yet another set of issues – the alternate proposal would place the sidewalk right next to the street, thereby decreasing pedestrian safety as pedestrians would be that much closer to vehicular traffic, with no barriers (such as street trees) to offer any protection. Furthermore, to accommodate the driveways and maintain level sidewalks, the project would be built with sloped curbs versus vertical curbs. Vehicles could easily drive up onto the sidewalk, and small children riding trikes could easily roll into the street.

The photos submitted with the appeal would seem to support the finding, not counter it. The photos show average-sized vehicles with their front bumpers nearly touching the buildings, thus preventing residents from being able to walk around their vehicles, just as was noted in the finding. The photos do not include any larger vehicles, such as the increasingly common full size extended cab or four-door pickups. The sketch of the alternate street section noted above though, supports the observation that a larger vehicle requires a 20-foot-long driveway, as the pickup shown stretches from the property line with its front bumper virtually flush with the garage door.

Side Yard Setbacks – The applicant asserts that the concern about electrical meter base placement should not be applicable to this review. Staff disagrees, as it is the reduction in the side yard setback that is causing the problem. Furthermore, this issue would be applicable throughout the project, as all of the buildings are proposed to be set 3 feet or less to the side property line. The applicant correctly notes that this is a concern of the Light and Power Department; that department has consistently objected to a reduction in the side yard setback in this and other projects because reduced clearances around charged electrical equipment decreases the safety of those working on it.

The applicant proposes to shift resolution of this issue to the building plan review process, where it would be dealt with on a case-by-case basis. One “solution” noted by the applicant would be to place the meter on the front of the house. While this would satisfy the concerns of the Light and Power Department, what the applicant doesn’t tell you is that the home builders themselves have commented to staff that they don’t like this solution, as it decreases the attractiveness of the homes they’re trying to market.

Zero Lot Line (ZLL) Construction – The applicant has offered a ZLL option to allow builders to greater siting options to create more useable space. However, the buildings would not be any farther apart, and it is arguable as to just how usable a six-foot-wide side yard would actually be.

Application Completeness – The applicant did submit information in response to the incompleteness letter. However, staff never made a determination that the application was in fact complete. Review of the application had to proceed with the information submitted – complete or not – in order to comply with the applicant’s request pursuant to ORS 227.178(2)(a).

**Issue 11:** The applicant asserts that Dee Court was intended for future extension versus a permanent dead-end.

There is no certainty that this street would be extended, perhaps ever. Unlike Arterial streets or Collector streets, the Transportation System Plan (TSP) does not define future Local street extensions. Dee Court could remain a dead-end indefinitely, and in fact Forest Grove has several “temporary” dead-ends that have been in existence for decades.

The applicant then discusses a hammerhead turnaround versus a cul-de-sac, and notes that DC Section 10.8.610(F) allows temporary hammerhead turnarounds. The applicant, however, provided an incomplete citation. The sentence in question reads as follows: *“Temporary hammerhead turnouts or temporary cul-de-sac bulbs shall be constructed for stub streets in excess of 150 feet in length.”* (Emphasis added) As the staff report noted, the hammerhead had been considered by the Forest Grove Fire Marshal and found wanting, as it would complicate the Department’s response in emergency situations. It is the City - not the applicant – that has the discretion to determine what type of turnaround is acceptable, and it was determined that a hammerhead is not.

**Issue 12: Non-Contiguous Parcel.**

This issue seems not to be about whether the parcel at 1844 "C" Street should or should not have been included in the analysis, but rather with the proposed primary access into the development site: 19<sup>th</sup> Avenue or the applicant's proposal to use Pacific Avenue and "D" Street.

As noted in the staff report (p. 11), 19<sup>th</sup> Avenue has been designated on the City's Transportation System Plan as an Arterial to the site. Developments have to comply with the provisions of the TSP. Since 1844 "C" Street is within the 19<sup>th</sup> Avenue Arterial extension as identified in the TSP, it was included in staff's analysis of the project.

Furthermore, an application for a planned development does not supersede or allow exceptions to Comprehensive Plan requirements, of which the TSP is a part. It was not a question of whether the applicant's proposed routing was sufficient or not; it simply did not comply with the TSP and could not therefore be considered as an alternative.

**CONCLUSION:** The applicant's proposed design created a series of issues as identified in the Planning Commission staff report. The applicant has attempted to respond to those issues, both at the Commission hearing and in the appeal. The City does not believe the Applicant has carried its burden of demonstrating compliance with the applicable criteria. Moreover, because the applicant's latest proposed modifications and suggested conditions of approval have not been vetted by staff, nor incorporated into the design documents, the City cannot predict what the project would look like at build-out.

As noted in the opening paragraphs of this memo, the City Council has the discretion to decide whether to accept in part or in total all the waivers, deviations from and modifications to the City Code requested by an Applicant, and whether the project as proposed complies with the applicable criteria.

**ALTERNATIVES:** The City Council may –

1. Affirm the Planning Commission's decision and deny the appeal.
2. Overturn the Planning Commission's decision and approve the project as proposed. This would allow the project to proceed with no conditions or modifications. The City Council would also need to adopt findings of fact as to how the application complies with the review criteria.
3. Overturn the Planning Commission's decision and direct staff to prepare findings for approval and develop a set of approval conditions. This option would require an extension of the "120-day rule," as approval findings and draft conditions cannot be prepared prior to the September 19 deadline.

**RECOMMENDATION:** It is recommended that the City Council affirm the Planning Commission's decision and deny the appeal.

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# PLANNING COMMISSION

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**PLANNING COMMISSION MEETING MINUTES  
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**1. CALL TO ORDER:**

Chairman Beck called the meeting to order at 7:02 p.m.

**Planning Commission Present:** Tom Beck, Carolyn Hymes, Sebastian B. Lawler, Lisa Nakajima, Dale Smith, Phil Ruder and Hugo Rojas.

**Staff Present:** Jon Holan, Community Development Director; Chris Crean, City Attorney; James Reitz, Senior Planner; Rob Foster, Director of Engineer & Public Works; Marcia Phillips, Assistant Recorder.

**2. PUBLIC MEETING:**

**2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:** None.

**2.2 PUBLIC HEARING:**

**A. PRD-14-00181 Gales Creek Terrace -A Planned Residential Development consisting of 191 single-family detached residential lots, and several open space and recreational tracts. (1548 19<sup>th</sup> Avenue, 1844 "C" Street, and 1336 Pacific Avenue (Washington County Tax Lots 1S4 1-400 & 500; and 1S41AA-7200).**

Chairman Beck opened the public hearing, read the hearing procedures, and asked the Commissioners for disclosure of any conflicts of interest, ex-parte contacts, bias, or abstentions. There were none. Beck called for the staff report.

Mr. Holan explained that this site is zoned Residential Multi-Family High Density (RMH) for multi-family residential units. He said the question is what is the appropriate design type for this area. Holan said this is also a sensitive area due to the creek, and is close to downtown. He said on February 3, 2014, the Planning Commission held a work session with the applicant where the Commission made the suggestion to have a multi-family and single-family mix for more diversified housing types.

Mr. Reitz summarized the staff report, and pointed out the list of fourteen concerns (Page 3) staff has regarding this application. He explained that it appears the project could only be developed if the City agrees to a series of concessions to development Code standards and specifications.

Mr. Foster explained that the Forest Grove Transportation System Plan identifies 19<sup>th</sup> Avenue as the access to this property. He said the developer had a traffic analysis done which states the intersections around the site will not fail. Foster said there is a verbal agreement that the applicant would make improvements to "D" St. and half street improvements to 18<sup>th</sup> Avenue. He stated that the City would commit to develop 19<sup>th</sup> Ave. using TDT money from this project.

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Mr. Holan emphasized that staff wants to hear from the Planning Commissioners on concerns and which direction it wants to go with this application. Holan stated that staff is ready and willing to work with the applicant.

**APPLICANT:**

**Gordon Root, 485 South State St., Lake Oswego, OR 97034.** Mr. Root stated that the applicant has had several pre-application meetings with staff. He said it appears there are two main issues. Root said the first issue is transportation. He explained that the applicant is willing to donate the house at “C” St. and 19<sup>th</sup> Avenue and to make street improvements as agreed upon by staff and the applicant.

Mr. Root said the second issue is the type of housing proposed. He explained that the Forest Grove Comprehensive Plan designates this area as high-density, and it is zoned Residential Multi-Family High Density (RMH). Root stated that housing has evolved in the last 34 years, and perhaps Forest Grove’s code has not caught up with this. He said as a result of Metro’s density requirements the applicant has had to come up with a housing type than fits this area – a housing type now being built in Casey Meadows. Root stated that there have been three neighborhood meetings, and the neighbors have stated their preference for single-family not multi-family.

**Lee Leighton, Westlake Consultants, 15115 SW Sequoia Pkway, Portland, OR 97224.** Mr. Leighton stated that this is a constrained site. He explained that the applicant put a high priority on houses facing the street for the safety factor – a more visible/aware neighborhood. Leighton stated that the Forest Grove Development Code allows single-family attached houses in this zone, and the applicant is proposing to build them detached.

Mr. Leighton showed the site plan map and described the topography its constraints and the proposed design. He explained that the sewer line needs to be extended through City property from “B” St. and along Gales Creek to service the site. Leighton further explained that running the sewer line further north of Gales Creek was not feasible, because they could not get the depth needed to service all of the properties to the west. Mr. Leighton explained that the north/south streets are pretty steep due to topography, and he said the applicant has demonstrated that this road network will service this area. He stated that there will be a water quality facility for each phase, and per Clean Water Services the developer will have to do a great deal of wetland improvement along Gales Creek. Leighton explained that there is 1.98 acres of open space, and he stated that the trail along Gales Creek will help the City with the continuous loop trail around Forest Grove.

Mr. Leighton explained that the reason there is no north/south street on the long block is due to the steepness. He said after trying several scenarios they could not

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make a road work, so a pedestrian connection with stairs is proposed between 18<sup>th</sup> and 19<sup>th</sup> Avenues. In response to a question from Commissioner Ruder, Leighton explained that people coming down the pedestrian walkway could then take one of three paths to the east or west to get to the creek.

Mr. Will explained that with the block length of 600-feet, the mid-block pedestrian walkway allows owners to cut through to the next block without having to go clear around the block.

Chairman Beck made the comment that another reason for not having long blocks is so people do not have to drive so far.

**Morgan Will, Gales Creek Terrace LLC, 485 S. State St., Lake Oswego, OR, 97034.** Mr. Will said he had six points to make. He said that each neighborhood meeting was a little bit different, and they received a lot of feedback from neighbors, service providers, and staff. He explained that they used this feedback to prepare the application, and is hoping to hear input from the Planning Commission. Will showed a section from the Development Code, Type III Process Quasi-Judicial, and stated that the applicant is trying to meet code with the hope that the Planning Commission will suggest things that are within the bounds of the code. Will said there are five criteria of the code that need to be met to gain the Commission's approval, but the staff report is not clear on these.

Chairman Beck said the question before the Commission on these criteria is how flexible should the Commission be away from the code without throwing out the code.

Mr. Will responded that the short answer is whatever the applicant asks for has to meet purpose and standards of the code.

Chairman Beck explained that the long established question for a Planning Commission is should we approve your application. He said staff has given fourteen reasons why the Commission perhaps should not approve the application, and the applicant should be addressing those fourteen concerns.

Mr. Will stated that single-family attached are allowed outright in this zone per the code. He explained that the applicant is asking the Commission to allow them to build these houses as detached units. Will explained that in the proposal there are only fifteen lots less than 2,000 sq. ft.

Commissioner Nakajima asked for a visual of what the "skinny" houses would look like. Mr. Will showed examples of "skinny" detached houses being built in Casey Meadows.

Mr. Leighton explained that these styles of houses work because there is not a

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blank wall staring out at the street but rather doors and windows. He explained that this is a 24-hour environment where neighbors get to know one another.

In response to a question from Chairman Beck, Mr. Will stated that the natural areas are along Gales Creek at the south end of the development, but only part of which is within the development.

Mr. Root discussed the driveways and stated that people who buy these types of homes do not drive large pick-up trucks, but rather the shorter/smaller vehicles which fit nicely in the 18-foot driveways proposed.

Mr. Will said the applicant is asking the Commission to consider narrower rights-of-way in Phases 1&2, but not narrower streets. He explained that the difference would be in the width of the planter strip and sidewalk, and mentioned excessive cut/fill as the reason.

Chairman Beck made the comment that the reason the applicant is asking for this is because the site is not big enough to do what is wanted. Beck said that mentioning that the code allows attached and "oh by the way" the applicant wants to detach them is not a small difference.

Mr. Leighton referred to Handout # 1, which contained several graphics showing a top view of the proposed lots and the location of driveways, street trees, water meters, right-of-way cross sections, etc. for reference.

In response to a question from Commissioner Hymes, Mr. Will stated that in one location there will be no planter strip on one side of the street to allow a wider planter strip on the other side. He explained that the applicant is asking for narrower rights-of-ways and 18-foot setbacks for the driveways in Phases 1& 2 due to lot dimensional depths. Will showed a cross section graphic of the proposed 50-foot right-of-way and an alternative the Commission might consider. He said in Phase 3 the applicant will address staff's concerns about the 18-foot driveways and propose 20-foot drives and wider streets.

Mr. Root explained that the applicant decided to ask for 34-foot street width throughout the project, and then ask to alter the sidewalk and planter strip width. He stated that the applicant tried to put the bigger lots down by the creek.

In response to a question from Commissioner Nakajima, Mr. Will said the applicant's preference is a 3-foot planter strip on either side of the street and trees on both sides of the street. He explained that the applicant is just asking for flexibility in some areas.

Mr. Root explained that the applicant is proposing 11-foot front yard setbacks due to intrusion of the foundation into the right-of-way, which is consistent with Casey

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Meadows West. Root went through the fourteen staff concerns as stated in the staff report, and explained how the applicant has addressed each.

Mr. Will stated that the only staff concern with 3-foot sideyard setbacks are comments from the Light & Power Dept. regarding placement of electric meters. He explained that the applicant has talked with staff at Light & Power about their code section, and the applicant feels homes can be built that will comply. Will said in Casey Meadows fences must be behind the side mounted electric meters, and this could be done here. Will said the applicant is asking for flexibility for the builder to submit plans for zero lot line homes.

Mr. Root stated that given a chance to purchase attached or detached homes, 80% choose detached. He said in Casey Meadows the attached homes are not selling – the detached sell better. Root referred to the 8 1/2 x 11” photo in Handout # 1, and discussed traffic flow. He said homes will face Pacific Ave. with public alleys in the rear for vehicular access. Root showed the location of Tract N and explained that it is just over 1-acre, which he felt was ignored in the staff report along with the other tracts: Tract B at entryway (rose garden), and Tract W in the northwest corner of Phase 3 (younger children’s play area). He stated that the applicant wants the Planning Commission to give input on what type of recreational amenities are wanted in Tract N, which overlooks the creek.

Commissioner Ruder made the comment that the staff report said Tract N was “behind and below” rather than being centrally located in the project.

Regarding Dee Court, Mr. Will stated that the City preferred a public street, not a private street, due to future maintenance issues. He said this is a very steep area, so there is no opportunity for a cul-de-sac. Will explained that nearby lots to the east adjacent to this project may decide to ask for alternative street widths when they develop and may in future stub to this temporary dead end street (Dee Court). Will stated that the two tracts in this area are for additional landscaping and Tract D has some additional parking spaces. In response to a comment from the Commission regarding maintenance of the tracts, Mr. Will said Tract C could be made part of back yards, but Tract D could not. He pointed out that across Pacific Avenue from Phase 3 is Tom McCall school with a playground and ball fields.

Mr. Root stated that the applicant has spent endless hours over the past year working on this application.

**PROPOSERS:** None.

**OPPOSERS:**

**Kathy Corey, 1815 “D” St., Forest Grove, OR 97116.** Ms. Corey said she has been to several City Council and Planning Commission meetings and feels that the

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neighborhood has not been heard. She again asked for a buffer zone between her home on “D” Street and the high density in this project. Corey said the neighbors do not want ¼ acre lots jammed up against 2,000 sq. ft. lots. She stated that the entrances and exits to this project will mean more traffic and safety is a concern. Corey commented that the entrance/exit on Pacific Avenue will help alleviate traffic using 18<sup>th</sup> and 19<sup>th</sup> Avenues, which will make it easier on the existing neighborhood. She said drainage and runoff is a concern with building on this slope, and she is concerned about crime rates with high density housing.

**John White, 1715 15<sup>th</sup> Avenue, Forest Grove, OR 97116.** Mr. White said there has been a lot of discussion about the use of attached and detached homes, but he said he does not think this will achieve a higher level of satisfaction with the neighbors. White said this is a prime piece of property on the edge of town along the creek. He said larger lots along the creek could be off-set by high density to the north of the property. He said this is a goal the applicant could think about. White said if the applicant is going to keep this long block, they need to break it up with some green space – not just small lawns. White said he wonders about successful access to the community garden to bring in soil amenities and to carry out produce with the trail system shown. He encouraged the applicant to think about permeable surfaces to help with runoff. White pointed out that hammerheads need 3-point turn arounds. He stated there are parking problems that have not been addressed.

**Ron Thompson, 1728 “C” St., Forest Grove, OR 97116.** Mr. Thompson said this property has the same access problems it had in 2005-2006. He said “B” Street has a very dangerous intersection, and “C” St. is almost a one-lane now. Thompson inquired if there is any provision for replacement of his hedge if the street is put in, and asked what the applicant is going to do with his big trees down by Tract B.

Chairman Beck explained that it would depend on whether or not the hedge is in the public right-of-way.

**OTHER:**

**Lyndall Crawford, 1410 Pacific Ave., Forest Grove, OR 97116.** Ms. Crawford stated that she lives on Pacific Avenue and asked if she will lose access to her property if they build the alley. She also asked when sewer would be available to her property.

Chairman Beck said it would be a public alley, so Ms. Crawford could use it.

**John Schrag, 43518 SW Hvatt Rd., Forest Grove, OR 97116.** Mr. Schrag said he was at the meeting to represent his parents who live on “D” Street. He said he is not speaking for or against this project. Schrag said a lot of people who live on “D” Street have been using what is probably city property for parking and landscaping

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– they need clarification. He said the larger question is what is the role of Planned Residential Developments, because there is a right way to develop property but it will take more creativity than has been presented here.

Commissioner Nakajima asked Mr. Schrag what he thinks it should look like.

Mr. Schrag stated there is no multi-unit development here. He asked if there is a way to blend single-family and multi-family.

**Debbie Long, 1908 “D” St. Forest Grove, OR 97116.** Ms. Long said her biggest concern is where we are going to put the kids in our schools, because the schools are overloaded now.

**REBUTTAL:**

Mr. Leighton said at previous meetings some graphics showing Ms. Corey’s buffer zone have been presented. He said the applicant has had a professional traffic study done which shows these streets and intersections will work. Leighton stated that the new water quality facilities must provide for drainage runoff for this site, and are sized appropriately. Regarding Mr. White’s statement about using a different mix of units, Mr. Leighton explained that this local market can find buyers for skinny detached houses but multi-family does not sell. He said there will be significant good views from the homes. Leighton said the applicant has had discussions with City staff regarding a traffic light at 19<sup>th</sup> Avenue and “B” Street, and there may need to be a temporary 2-way light for safety, but the applicant has shown the intersection will work without it. He said the cost of the intersection needs to be attached to the larger TSP. Regarding Ms. Crawford’s question about the alley, Mr. Leighton said the alley will provide access to her property, and once the sewer is extended Ms. Crawford will be able to connect depending on where her property is located. Regarding the question about where we will put the kids, Mr. Leighton said the school district makes that decision. Mr. Leighton stated that the applicant has a plan that meets density requirements and being a developer knows people like skinny detached homes. He said could it be prettier and better – undoubtedly.

Chairman Beck closed the public hearing and brought the meeting back to the Commission for discussion.

**COMMISSION DISCUSSION:**

Commissioner Lawler stated that this property is close to downtown and to Gales Creek – a prime piece of property. He said this is not a small development – 191 units. He pointed out that the City would have to concede to ten code and four staff concerns per the staff report. Lawler said another issue is that in past meetings with the applicant the Commission has expressed that, due to the RMH zone

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designation, a mixture of housing types would be the desirable fit for this property, and not just single-family detached. Lawler said for these reasons he was not in favor of this application.

Chairman Beck said this property is unique in many ways and very beautiful, but challenging in shape and topography. He said the applicant's presentation was very good and very detailed about why each one of the aspects has to happen, but every single one of them is because they have to have 191 single-family detached homes, and they just do not fit. Beck said in the work session in February, the Commission said this is a high density multi-family residential area, and the code says the area should have a preponderance of multi-family units to meet that requirement. He explained that in the City's past this was violated in the Hawthorne area, which is a very different part of the City with very different geographical aspects to it. He explained that was a 60-unit development where this is a 191-unit development. Beck said there are so many different things that have to be adjusted to make this application work that this application just did not work for him. He said he can see this area develop with mixed housing types with more positive results than this application. Beck said he appreciated the housing market and how hard the applicant has worked, but the overriding issue remains- is this the right development for this area. Beck said the applicant has tried hard to make it work, but it does not.

Commission Ruder stated that he had the same misgivings as have been stated. Ruder explained that he sees a fundamental problem because this is a beautiful property along the creek, and we have an idea in our minds that we want to preserve that natural beauty as much as possible, but he felt it was zoned more densely than it ought to be. He said staff has mentioned that a couple of large multi-family units could be built there, but here we are on the western edge of Forest Grove and the Metro area. Ruder said we are not on the MAX line – we are on a bus line/MAX line and commutes are very inconvenient. Ruder said he finds himself very sympathetic to the developers arguments that they could build the multi-family, but then they would be sitting on this housing that nobody comes out here to buy. Ruder stated that the City of Forest Grove is not there yet, and will not be there for awhile – quite awhile. He went on say that in effect we are saying this property should remain undeveloped until we get that pressure for density that would make it worthwhile to develop such a dense project. Ruder said he saw that happening in the distant future – not five or ten years from now. Ruder said he found the arguments that detached single-family will sell here compelling even though there are problems, and mixed-use high density would be nice but he sees no pressure for high-density multi-family. Ruder said he sees the Burlingham Seed property right in downtown, and though it is just a gravel lot, he could see somebody building density there – if not there where. He said when he walks past there, he thinks Forest Grove is just not ready for that kind of high density housing.

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Commissioner Hymes stated that detached sells. She said the Commission has talked about doing a combination of both detached multi-family and single-family with views, which would allow more open space. Hymes said she was having a problem with the sheer mass of the number of houses in this application, because it does not seem suitable for this particular property.

Commissioner Ruder said he could not think of anywhere else in Forest Grove there is such dense housing. He explained that he lives in this general area across Pacific Ave. at "C" St., and has the same issues with traffic as the people giving testimony. He said he did not buy the results of the traffic study. Ruder said in places where there are blocks and blocks of little houses – these are pretty seedy places really on the low end.

Chairman Beck said one assumption was made that is not necessarily accurate, that this land will have to sit here with this zone for years. He said this area has real potential to do something better. Beck stated that in the long run we have to do something better with this property. He said he quoted to the developer at past meetings that for him this type of development is not appropriate for this area, and if they wanted to they could come back with a mixture of housing types. He pointed out the details such as the long dead end "D" St. with all the issues stated by the Fire Dept. He explained that there is a lot of open space, but you have to get down there – it is not centrally located as we have required in other developments which were a good deal smaller, but it cannot be done in other places on the site or they cannot get the 191 units required. He stated that this is a big piece of property, and there should not be so many problems trying to cram so much in there. Beck stated that if the Commission goes ahead with this application – then the opportunity for something better is gone, and something better can be done over time.

Commissioner Nakajima said she goes back to minimum lot sizes and dimensions that are permitted within the RML and RMH zones. She said varied lot sizes and dimensions are allowed and encouraged within the density ranges for RML and RMH zones, however, construction of new single-family are restricted to lots smaller than 5,000 sq. ft. in order to maintain land for multi-family housing. She said that is the bottom line - this application does not fit this piece of property. Nakajima said we want to be flexible, but the creativity in this application is one type of housing and to me that is not creative.

Commissioner Smith made the comment that back in February the Commission gave direction that there needs to be higher density because it is closer to downtown. He said he thought we need a mixture of housing types in that area.

Commissioner Rojas said he was torn – on one side he is with the other Commissioners but, for instance, he said he came to Forest Grove to have a house with a back yard. He said he felt he was in the middle. Rojas said there are valid

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concerns. He said the question is what is Forest Grove offering to people who want to move here.

Commissioner Lawler made a motion to approve PRD-14-00181 Gales Creek Terrace Planned Residential Development with no changes. Commissioner Ruder seconded. The motion failed 1-6.

Commissioner Lawler made a motion to not approve PRD-14-00181 Gales Creek Terrace Planned Residential Development. Commissioner Nakajima seconded. Motion passed 6-1. The application was denied by the Planning Commission.

**2.3 ACTION ITEMS:** None.

**2.4 WORK SESSION ITEMS:** None.

**3.0 BUSINESS MEETING:**

**3.1 APPROVAL OF MINUTES:** Commissioner Rojas made a motion to approve the minutes from the July 21, 2014 meeting. Commissioner Lawler seconded. Motion passed 7-0.

**3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:** None.

**3.3 DIRECTOR'S REPORT:**

Mr. Crean stated that there were a number of staff concerns with the application that did not meet code that caused the Commission to deny the application. He said staff will write findings and present them to the Commission for review. Crean said the Commission can only work on a majority quorum. Crean said the staff report presented to the Commission tonight does not contain all the testimony and information presented at this meeting, and he said he likes defensible decisions.

Mr. Reitz explained that staff has until September 19<sup>th</sup> to get an appeal up to City Council, so it will just fall within the 120 days.

Mr. Holan said staff will come back at the next meeting with the findings on Gales Creek Terrace PRD for the Commission's approval. He explained that staff was holding the next meeting open in case this application was continued, but since it was not, staff will present the zoning on the south Pacific area.

**3.4 ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be held on August 18, 2014.

**3.5 ADJOURNMENT:** The meeting was adjourned at 10:10 p.m.

**PLANNING COMMISSION MEETING MINUTES  
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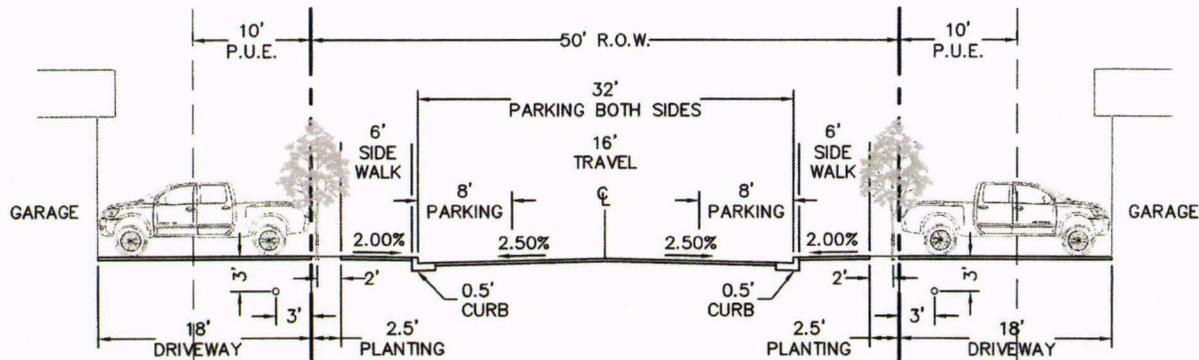
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Respectfully submitted by:  
Marcia Phillips  
Assistant Recorder

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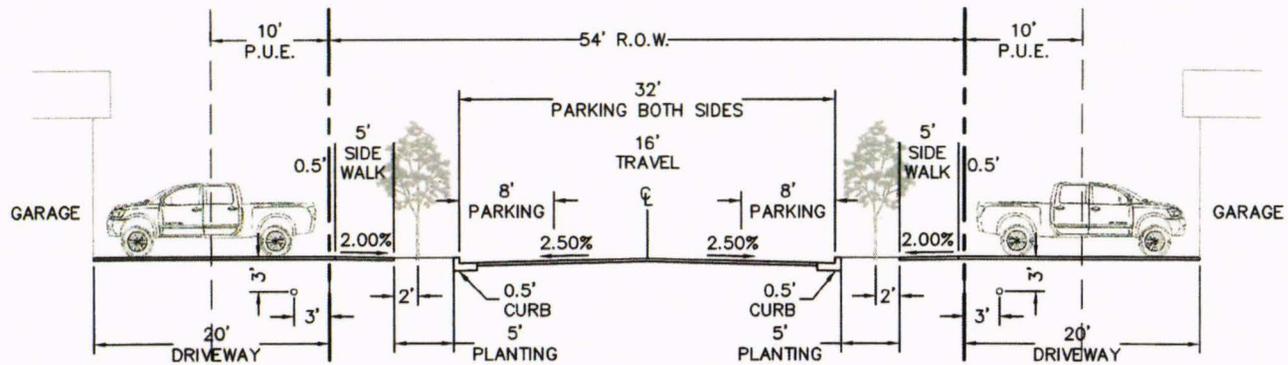




**6 ALTERNATE - PUBLIC STREET - 50' RIGHT-OF-WAY - CURBSIDE SIDEWALK**

SCALE: 1" = 10'

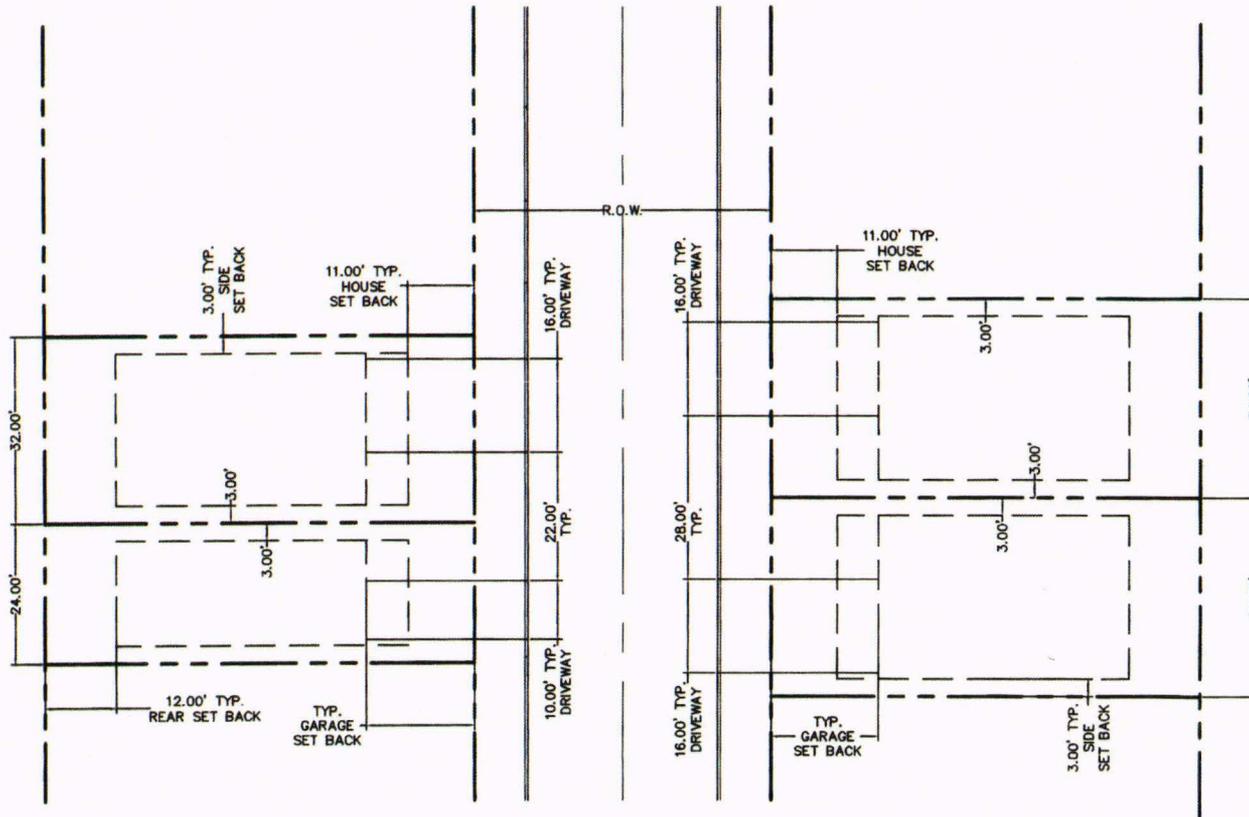
DATE	08/04/2014	 <b>WESTLAKE</b> CONSULTANTS INC. ENGINEERING * SURVEYING * PLANNING PACIFIC CORPORATE CENTER 15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 664-0552 TIGARD, OREGON 97224 FAX (503) 624-0157
DRAWN BY	PEK	
CHECKED BY	BEM	
REVISION	0	
JOB NO.	2410-001	



**12 - PUBLIC STREET - 54' RIGHT-OF-WAY**

SCALE: 1" = 10'

DATE	08/04/2014	<b>WESTLAKE</b> CONSULTANTS INC. ENGINEERING • SURVEYING • PLANNING PACIFIC CORPORATE CENTER 15115 S.E. BERTHOUD PARKWAY, SUITE 150 (503) 694-0952 TIGARD, OREGON 97224 FAX (503) 624-9197
DRAWN BY	PEK	
CHECKED BY	BEM	
REVISION	0	
JOB NO.	2410-001	



**CONCEPTUAL DRIVEWAY LAYOUT**  
SCALE: 1" = 20'

DATE	08/04/2014
DRAWN BY	PEK
CHECKED BY	BEM
REVISION	0
JOB NO.	2410-001

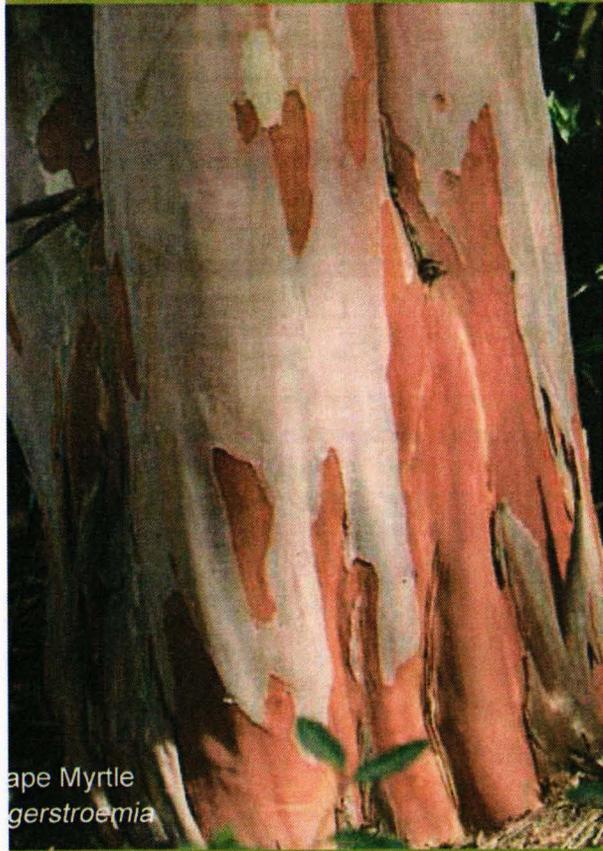
 <b>WESTLAKE</b> CONSULTANTS INC.	ENGINEERING * SURVEYING * PLANNING
	PACIFIC CORPORATE CENTER 15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 694-0658 TIGARD, OREGON 97224 FAX (503) 624-0167



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# City of Portland Approved Street Tree Planting List

5 & 3 to 3.5 Foot Planting Sites  
With or Without High Voltage Power Lines



Cape Myrtle  
*Myrica aspera*

**PORTLAND PARKS & RECREATION**

Healthy Parks, Healthy Portland

## City Nature Urban Forestry

Portland Parks & Recreation

10910 N Denver Avenue, Portland, OR 97217

ph: 503-823-4489 fax: 503-823-4493

email: trees@portlandoregon.gov

- Street tree planting permits
- Pruning and removal permits
- General street tree information
- Tree cutting on private property
- Park tree care
- Emergency tree response

For more information about the approved trees and the proper way to plant and care for trees, visit the City Nature Urban Forestry web site at:  
[www.portlandoregon.gov/parks/trees](http://www.portlandoregon.gov/parks/trees)

### Additional Resources

**Call Before You Dig** 503-246-6699  
Location of underground utilities

**Portland General Electric  
PacifiCorp** 503-736-5460  
888-221-7070  
Trees and power lines

**Friends of Trees** 503-282-8846  
Community and natural area tree planting

**Bureau of Development Services** 503-823-7526  
Trees on private property that are being removed,  
or on properties that are being developed

**Bureau of Maintenance** 503-823-1700  
Sidewalk Repair 503-823-1711  
Blocked traffic/street signs 503-823-7233

Printing courtesy of  
Portland General Electric



**PORTLAND PARKS & RECREATION**  
Healthy Parks, Healthy Portland



[www.PortlandParks.org](http://www.PortlandParks.org)  
Commissioner Amanda Fritz  
Director Mike Abbaté

Updated 12/13

## Why Plant Trees?

Because they:

- Filter our water
- Clean our air
- Cool the city
- Provide wildlife habitat
- Enhance livability
- Increase property value



## Help Us Make Portland Greener!

Maximize the benefits of trees by:

- Planting more trees to increase our canopy
- Increasing the diversity of trees planted
- Planting the right tree in the right place
- Planting the largest tree for the space

This approved street tree list identifies the most size-appropriate trees for your planting strip AND will improve the health of the urban forest by increasing overall diversity.

## Steps for Receiving Your Street Tree Planting Permit

 **Request a Planting Inspection**  
Call City Nature  
Urban Forestry 503-823-4489

 **Inspection**  
A Tree Inspector will mark the curb to  
indicate planting locations

 **Choose and Reserve a Tree**  
Select a tree species from the following  
list and reserve it at your local nursery

 **Request a Permit**  
Call your Tree Inspector with  
your tree selection

 **Permit is Issued**  
After receiving your permit in the mail,  
you are ready to plant!

## Approved Street Tree List For 5 to 5.5 Foot Planting Sites With or Without Overhead, High Voltage Power Lines\*

Common Name (Scientific Name)	Form	Size (height by width)	Features	Description
Osage (Rhamnus purshiana)	Round	30' x 25'	 	A small native tree with black berries that attract birds.
Chokecherry, Canada Red (Prunus virginiana 'Canada Red')	Round	25' x 20'	  	Purple leaves turn orange or red in the fall. Fruit attracts wildlife.
Crabapple, Purple Prince (Malus 'Purple Prince')	Round	20' x 20'	 	Purple to bronze foliage, pink flowers, good disease resistance, fast growing.
Crabapple, Royal Raindrops® (Malus 'JFS-KW5')	Upright	20' x 15'	  	Bright fall color complements deep purple cutleaf foliage. Magenta pink blossoms.
Crabapple, Tschonoskii (Malus tschonoskii)	Oval	30' x 15'	  	Striking silvery green foliage. White flowers. Outstanding fall color.
Grape Myrtle (Lagerstroemia cultivars)	Various	20' x 20'	  	Showy, long-lasting summer flowers. Interesting exfoliating bark. Vase shaped cultivars are best to plant.
Franklinia (Franklinia alatamaha)	Round	20' x 15'	 	Large, fragrant white spring flowers. Long, glossy green leaves turn shades of orange, red, and purple.
Laurel, Bay (Laurus nobilis)	Pyramidal	30' x 20'	  	Fragrant evergreen leaves can be used in cooking. Fruit attracts birds.
Linden, Summer Sprite® (Tilia cordata 'Halka' PP 10589)	Pyramidal	20' x 15'		Dense, compact form and dwarf size are perfect for small planting strips.
Magnolia, Butterflies (Magnolia 'Butterflies')	Pyramidal	20' x 15'		Tulip-like yellow flowers with a light lemon oil aroma. Hardy to both heat and cold.
Serviceberry, Autumn Brilliance® (Amelanchier x grandiflora 'Autumn Brilliance')	Round	25' x 20'	  	Outstanding red fall leaf color and showy, white spring flowers. Low maintenance tree.
Serviceberry, Spring Flurry® (Amelanchier laevis 'JFS-Arb' PP 15304)	Oval	30' x 20'	  	An exceptional tree form supports pure white blossoms in the spring and orange fall foliage.
Snowbell, Bigleaf (Styrax obassia)	Round	35' x 25'	 	Also called fragrant snowbell. Perfect white flowers with showy yellow stamens. Interesting bark at maturity.
Snowbell, Japanese (Styrax japonicus)	Round	25' x 25'	 	Perfect white, bell-shaped flowers bloom in the late spring.
Snowbell, Pink Chimes Japanese (Styrax japonicus 'Pink Chimes')	Round	20' x 15'	 	Fragrant pink flowers. Mature bark fissures, revealing attractive orange inner layer.
Snowbell, Snowcone® Japanese (Styrax japonicus 'JFS-D')	Pyramidal	30' x 20'		Dense, symmetrical structure creates a uniform crown. Resistant to twig die back.
Tree Lilac, Japanese (Syringa reticulata)	Oval	25' x 20'	 	Low maintenance, disease-resistant tree. Showy flower clusters attract butterflies and humming birds.
Elkova, City Sprite® (Zelkova serrata 'JFS-KW1' P.A.F.)	Oval	25' x 20'		A low-maintenance city tree. Fine textured foliage is bright green in the summer.



City Sprite® Zelkova



Butterflies Magnolia



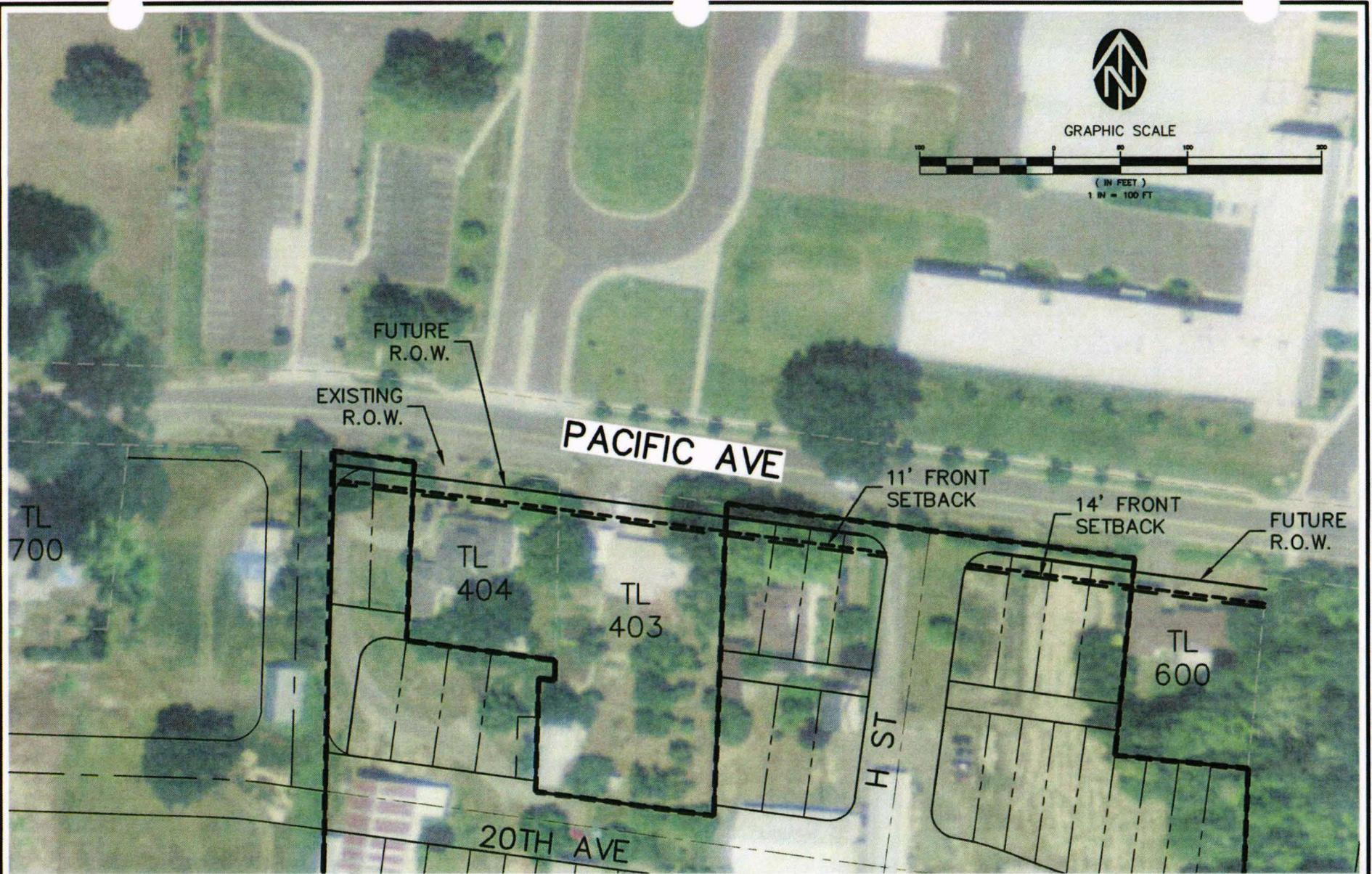
Bay Laurel

Features			
	Fall Color		Evergreen
	Native		Showy Flowers
	Fruits/Nuts for Wildlife		Texturized Bark

\* For approval of other species or varieties, contact your area Tree Inspector at Urban Forestry, 503-823-4489.

Photographs courtesy of OSU's Patrick Breen. <http://oregonstate.edu/dept/ldplants>

Drawing Name: J:\2410-001.13\Engin\CAD\Dwg\Exhibits\241001-PACIFIC AVE ROW.dwg Aug 04, 2014 - 10:19am - pek



**GALES CREEK TERRACE**  
FOREST GROVE, OREGON

DATE	08/01/2014
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CHECKED BY	BEM
REVISION	0
JOB NO.	2410-001

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# Planned Residential Development Staff Report and Recommendation

Community Development Department, Planning Division

**REPORT DATE:** July 28, 2014

**HEARING DATE:** August 4, 2014

**LAND USE REQUEST:** A Planned Residential Development consisting of 191 single-family detached residential lots, and several open space and recreational tracts

**FILE NUMBERS:** PRD-14-00181

**FILE NAME:** Gales Creek Terrace

**PROPERTY LOCATION:** 1548 19<sup>th</sup> Avenue, 1844 "C" Street, and 1336 Pacific Avenue  
Washington County Tax Lots 1S4 1-400 & 500; and 1S4 1AA-7200

**OWNERS/APPLICANT(S):** Applicants / Property Owners: City Redevelopment LLC (Rick Waible), 19995 SW Stafford Road, West Linn, Oregon 97068

Mark and Tripti Kenzer, 1336 Pacific Avenue, Forest Grove, Oregon 97116

Applicant's Representative: Westlake Consultants, 15115 SW Sequoia Parkway, Suite 150, Tigard, Oregon 97224

**ZONING AND PLAN DESIGNATIONS:** Comprehensive Plan Map Designation:  
High Density Residential (HDR)

Base Zone Designation:  
RMH Multi-Family (High Density) Residential

**APPLICABLE STANDARDS AND CRITERIA:** City of Forest Grove Development Code:

- Section 10.3.100 et. seq. *Residential Zones*
- Section 10.4.200 et. seq. *Planned Developments*
- Section 10.6.095 et. seq. *Subdivisions*
- Section 10.8.600 et. seq. *Public Improvements*
- Section 10.8.900 et. seq. *Land Division Standards*

**REVIEWING STAFF:** James Reitz (AICP), Senior Planner

**RECOMMENDATION:** Staff has no recommendation at this time. Staff requests that the Planning Commission provide direction to the applicant and staff as to how to proceed

## I. LAND USE HISTORY

Gales Creek Terrace is located on a site totaling 47.42 acres, of which 19.76 acres is proposed to be developed. The balance of the site is located outside the urban growth boundary and can't be developed since it is within the Gales Creek floodplain. Two other projects – also called Gales Creek Terrace – were approved previously. The most recent project was approved for a portion of the site in 2007. That project did not move forward due to the Great Recession.

On February 3, 2014 – before this application was filed - the Planning Commission held a work session on a concept proposed by the current applicant. While there are some differences between that concept and the one submitted, the overall approach of detached single-family is the same. The minutes of that work session and a follow-up discussion on March 3, 2014 about the development of the area generally, are attached as Exhibit B.

Public notice was mailed to property owners and residents within 300 feet of the site on July 21, 2014, as provided in the manner required by Development Code (DC) Section 10.1.610. Notice of this request was also published in the *News Times* on July 30, 2014. Copies of the application materials were provided to the Plans Review Board. As of the date of this report, no written responses to the public notices have been submitted.

## II. ANALYSIS

### A. OVERALL DEVELOPMENT APPROACH

Before examining specific aspects of the proposal, staff would like to discuss the overall project approach. The site is located in the Multifamily (High) Residential District (RMH). As expressed in the Development Code (Section 10.3.110(F)) -

*“Multi-unit residential buildings will be the predominant housing types in this zone.”*

In addition, this property is in a sensitive location adjacent to Gales Creek, with amenities and special site characteristics not found in other parts of the community. For example, the site is one of but a handful of residentially-zoned properties bordered by Gales Creek. Add to that the site's proximity to downtown, and its uniqueness becomes apparent.

From staff's perspective, care should be taken in the design review process as to the type of development of this site. Are views preserved? How good is the connection with Gales Creek? What is the amount of useable recreational and open space provided by the project? Where are those recreational and open space areas located?

This development will establish a neighborhood pattern for this part of the city for many years to come. This is particularly important since a planned development process is being pursued to allow this project. That is, the applicant is requesting flexibility in the development standards to achieve the design they propose. It is the responsibility of the City to determine that the flexibility being requested would in fact promote the flexibility and innovation in site design as called for under the Planned Development Purpose statement (DC Section 10.4.200(A))

and that the project would promote an efficient use of land ... when compared with conventional development patterns (DC Section 10.4.200(B)).

The proposed development would be exclusively single-family detached residential that would not reflect the development pattern contemplated in the RMH District, even on a limited basis. While it may be argued that an exclusive single-family detached approach is not a conventional development pattern for a multi-family area, it is very conventional approach for a single-family detached development project.

The overall concern is that only single-family housing would be developed under this proposal. Planning Commission members at the February 3, 2014 work session suggested that the developer consider a variety of housing types including some multi-family residential. While staff does not object to providing some single-family detached development, we concur with the Commission's comments at the work session about integrating some multi-family unit development into the concept. This would not only diversify the housing types available in this neighborhood, but it may also address some of staff's concerns as discussed below.

Staff is particularly concerned because it appears the project could only be developed if the City agrees to a series of concessions to Development Code standards and specifications, including:

1. The length of Dee Court exceeds 200 feet (DC Section 10.8.610(K))
2. Dee Court would have a hammerhead instead of cul-de-sac bulb (DC Section 10.8.610 Table 8-8)
3. 11-foot front yard setbacks instead of 14 feet (DC Section 10.3.130 Table 3-7)
4. 18-foot garage setbacks instead of 20 feet (DC Section 10.3.130 Table 3-7)
5. 3-foot side yard setbacks or zero-lot-line construction instead of the 3:1 ratio (DC Section 10.3.130 Table 3-7)
6. An over-length block (600 feet versus the 330 feet per DC Section 10.8.905)
7. 3-foot-wide parkways (DC Section 10.5.120(A)(4)(h))
8. No parkways (DC Section 10.5.120(A)(1))
9. Single-family detached lot areas of less than 3,500 square feet (DC Section 10.3.120 Table 3-6); 80% of the lots would be smaller than 3,500 square feet
10. Single-family detached lot frontages less than 50 feet (DC Section 10.3.120 Table 3-6). Only 26 lots (about 14% of the total) would have street frontages of 50 feet or more; most of them are corner lots.

In addition, staff also has concerns about the following issues:

11. Limited on-street parking due to narrow lots
12. Dead-end alleys
13. Street trees located less than 6 feet from a water meter
14. Street trees located on top of sanitary sewer laterals

Staff met with the applicants on July 18 to discuss the above concerns. Their responses from that meeting are noted throughout in this report.



The applicant's intended market is the "first-time home buyer ... attracted to detached homes on small lots for reasons of affordability, low maintenance and ... location" (Narrative p. 13). The applicant acknowledges that this is a "housing niche" (Narrative p. 17). While staff accepts that such a market exists, staff is concerned about the reasonableness and desirability of developing an exclusive single-family detached subdivision in an area where it was never anticipated to be. This was also an issue discussed by the Commission at its work session last February. The site is located in the RMH Zone, and as noted in the Development Code, "Multi-unit residential buildings will be the predominant housing type in this zone."

Furthermore, planned developments are intended to "promote flexibility and innovation in site design...." The application is strong on flexibility i.e. there are many deviations requested from Development Code standards, but weak in innovation e.g. neighborhood amenities.

Tracts B and W for instance, are the only areas proposed for active recreation. These tracts total 11,544 square feet (0.26 acres) or only 1.32% of the 19.76-acre development site. Tract W would also be constrained by a driveway, further limiting its usefulness, and the applicants propose to re-purpose Tract B to passive recreation, due to staff's concern about its proximity to an arterial street.

Passive recreation tracts would also be established; two would be small (tracts C and D, totaling 5,953 square feet) but appear to be set aside because they couldn't be readily incorporated into developable lots. Another tract (N) is also proposed for passive recreation and potentially a community garden. At 43,873 square feet (1.01 acres) this would be the largest of the recreational tracts, but its location behind and below the nearby homes makes it less accessible and less useful to the greater neighborhood than it could be.

Amenities that could be incorporated into the design include a larger and more centrally-located active recreation space, improved access points to the creek (perhaps including a fishing platform, a canoe launch, a swimming beach, or some combination thereof); and re-vegetating the floodplain with native plants.

### **C. SITE EXAMINATION**

The site consists of 47.42 acres. About half of the site (25 acres) is proposed for development; the balance is located in the Gales Creek flood plain. The majority of the site is in pasture or agricultural use, with trees located along Gales Creek. There are two single-family homes and several outbuildings that would be removed. In addition, a home located at 1844 "C" Street would be removed to provide for the extension of 19<sup>th</sup> Avenue.

**D. EXISTING COMPREHENSIVE PLAN DESIGNATION AND ZONING OF SITE AND AREA:**

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONE DISTRICT	LAND USE
Site	High Density Residential (HDR)	Multi-Family High Density Residential (RMH)	Agriculture and Rural Residential
North	High Density Residential (HDR)	Multi-Family High Density Residential (RMH) and Institutional (INST)	Rural Residential and Elementary School
South	(County) Exclusive Farm Use (EFU)	(County) Exclusive Farm Use (EFU)	Agriculture
East	High Density Residential (HDR)	Multi-Family High Density Residential (RMH)	Single-Family Residential
West	Medium Density Residential (MDR)	Multi-Family (Low) Density Residential (RML)	Agriculture and Rural Residential

The Forest Grove Comprehensive Plan describes the High Density Residential district as follows:

*The High Density Residential district corresponds to the Residential Multifamily High zone district. The RMH zone is intended for development at a target density of 20.28 dwelling units per net acre. Multi-unit residential buildings will be the predominant housing type in this zone. RMH zoning is generally applied near existing or planned transit service and adjacent to commercial or employment districts. The RMH zone also allows for a limited range of non-residential uses to help provide services for residents and enhance the quality of the higher density neighborhood.*

The Forest Grove Development Code describes the Residential RMH zone as follows:

*The RMH zone is intended for development at a target density of 20.28 dwelling units per net acre. Multi-unit residential buildings will be the predominant housing type in this zone. RMH zoning is generally applied near transit streets and adjacent to commercial districts. The RMH zone also allows a limited range of non-residential uses to help provide for residents and enhance the quality of the higher density neighborhood.*

**E. DENSITY**

The proposed project includes 191 single-family detached units to be constructed on 13.13 net acres of land (the area above the floodplain, and not including the open spaces or street rights-of-way). Development is required to achieve 80% of the target density. The RMH zone district has a target density of 20.28 units per net acre, which calculates to 266 units based on 13.13 net acres (13.13 x 20.28 = 266.28). The minimum required to comply with the 80% standard would be 213 units.

Density can be reduced in sloped areas (DC Section 10.3.130 Table 2-4). The applicant has submitted an analysis documenting the slopes within the project

site (Narrative pp. 10-11 and Exhibit C). The analysis indicates that the minimum number of lots would be 190. With 191 units proposed, the project would barely exceed the minimum density required by the Development Code.

## **F. SITE DESIGN**

The project design is for a conventional single-family detached subdivision. Streets and blocks are laid out in a modified grid. Streets would have a primarily east/west orientation, joined by shorter segments of north/south streets. All streets have a grade of less than 10%, in compliance with City standards. Blocks would also be more linear than the city's traditional square-shaped blocks, and one block would be over-length (more on that below).

Three streets (19<sup>th</sup> and 20<sup>th</sup> avenues, and G Street) could be extended off-site as the neighborhood continues to develop (Note: street names will need to be revised to conform to the City's naming conventions).

Several tracts – scattered about the site – would be set aside for active or passive recreation. The active recreation tracts would be Tract B and Tract W, located at the northeast and northwest corners of the project site respectively. Tract B would also be located adjacent to a future arterial street (the extension of 19<sup>th</sup> Avenue). Because of staff's concern about encouraging children to cross the street at what would become one of the primary entrances into the neighborhood, and the concern about balls or flying disc toys being hurled into traffic, the applicant agreed to convert Tract B to a passive, neighborhood entry feature. Staff does not know if a compensatory active play area tract will be proposed, or where it might be located.

Passive recreation tracts would be located on Dee Court (tracts C and D); E Street at 19<sup>th</sup> Avenue (Tract A); and Tract N (located behind lots 98-103). Tract N is also proposed to be used for a community garden. Staff is concerned that a location behind and below the adjacent homes would not be as safe as a site open to viewing from the street, especially if no pedestrian path is constructed (more on that below). Visibility would be further compromised once the vegetation in the water quality facility in Tract O becomes mature. Access to the garden would be indirect, through tracts M and S. The applicant has noted that additional access can be provided through Tract P, although stairs would likely be necessary due to the grade change.

Portions of tracts E, M and S would be available for development as a pedestrian pathway. The applicant does not propose to develop this pathway, but would grant the City an easement over the tracts to allow the City to do the improvements and maintain them. Staff has consulted with the Parks and Recreation Director, who has declined this offer.

Other tracts within the development site would be used for pedestrian access (tracts K, Q, R and S), or storm water quality facilities (F and T). All other tracts would be located along the Gales Creek stream corridor and would be passive open space and / or retained by the applicant. There would be no direct access provided to Gales Creek.

Staff observes that the size and location of the recreational tracts generally do not appear integral to the design. They appear to be remnant parcels programmed for recreational space simply because they couldn't be developed as home sites due to their shape or area

Furthermore, staff notes that the two active play area tracts (B and W) are both small and located on the fringes of the neighborhood, rather than being larger (and therefore more useful for active play) and centrally located for better access by the residents. Staff also observes that Tract W would be constrained by a driveway, thereby further limiting its use as a play area.

This area is bereft of any City parks. The closest parks are Knox Ridge, Talisman, Lincoln and Rogers, but all are located more than half a mile from the site. Staff would therefore recommend that this project include a single, large active play area tract, preferably located along the south side of the project site and contiguous with the garden tract. That location would be more central to all of the future residents, and open to the street for much improved visibility. It would also provide an area for all residents to gather and enjoy the view. Furthermore, combining the two areas would allow gardening parents to keep an eye on their children at play nearby.

Staff would further recommend the elimination of tracts C and D, in combination with a redesigned Dee Court. Passive recreation tracts at the end of Dee Court would be of little use to the residents.

The block containing lots 33-49 and 71-91 would be 600 feet long east to west. DC Section 10.8.905 stipulates that "in residential subdivisions ... no block shall be more than 330 feet. This length can be exceeded up to a maximum length of 660 feet" provided one or more of the following conditions exist: physical conditions including topography, wetlands, mature trees, creeks, drainages, and rock outcroppings; buildings or other existing development on adjacent lands that preclude street extensions; barriers such as freeways or railroads; or an average slope in excess of 15%.

Based on the applicant's slope analysis (Exhibit C) it does not appear that the average slope in this block would exceed 15%, and none of the other exceptions would apply, as there are no wetlands, trees, drainages, etc. located there. Staff would therefore recommend that the block be configured to comply with the standard cited above. At the very least, the proposed pedestrian walkway through the block should be more centered.

### **G. SETBACKS**

The applicant proposes to modify all yard setbacks, as follows:

- Front yard setbacks are proposed to be 11 feet to the dwelling. The standard dimension is 14 feet.

Staff generally has no objection to an 11-foot front yard setback. The one exception would be along Pacific Avenue. The project would wrap around several existing properties that have already been developed with single-family homes. Because new construction brought forward toward the street in ways that cause misalignment disrupts the rhythm of the historic development pattern, new construction should be setback in line with the existing development pattern. It would then fit better into the streetscape.

If the new buildings are setback only 11 feet, staff notes that the misalignment might be perpetuated indefinitely, as the adjoining parcels may never redevelop. Even if the adjoining parcels do redevelop, the new buildings would have to maintain the 14 to 20 foot setbacks stipulated in the

Development Code, meaning the streetscape rhythm would still be disrupted. The applicant believes that the setbacks of the new homes would not be materially different from the existing homes, and will be preparing a graphic to demonstrate.

- Front yard setbacks are proposed to be 18 feet to the garage. The standard dimension is 20 feet. While staff initially supported the shorter length in other planned developments, staff has observed that the reduced length is proving inadequate, because it does not provide enough room for people to walk around their parked cars. The length is only adequate for compact up to mid-size vehicles. For mid-size vehicles, the front bumper of the car has to be right at the garage door to ensure the rear bumper does not hang over the sidewalk. Larger vehicles (e.g. any full-size pick-up truck) would either extend over the sidewalk or have to park in the street, thereby increasing the on-street parking demand. Staff concludes that the driveway lengths should remain at 20 feet to ensure that as many vehicles as possible can be accommodated on each home-site.
- Rear yard setbacks would be 15 feet for the south tier of lots closest to Gales Creek (approximately 50 lots, or 26% of the total). This would comply with City standards. For all other lots (approximately 74%), the rear yard setback would be reduced by 20% to 12 feet.

Homes built out to the rear setback line would negate the ability for residents to erect a second floor deck or ground floor patio cover. Homes with rear yards facing south would particularly benefit from patio covers to provide some shade, but those residents would not be allowed to install them.

- Side yard setbacks would vary (see Narrative pp. 14-15 and 18; and Exhibit I), but would maintain 6 feet between structures. The City standard for a side yard is a minimum of 5 feet with a potential increase based on building height.

The applicant proposes to "coordinate home siting to allow a detached 'zero-lot-line' configuration" throughout the project. On the ZLL side yard, the edge of the footing would be located near the property line, while the wall would be set back approximately one foot. On the non-ZLL side, the setback would be five feet. The total distance between units (wall-to-wall) would be six feet.

Side yard setbacks in this project would be three feet (the "standard" setback), or less (for ZLL construction). In other projects, the Light and Power Department has consistently objected to setbacks of three feet or less. Setbacks are measured from the property line, and structures set back three feet or less to the property line limit meter base clearances and complicate service conduit and conductor routing.

The use of ZLL construction doesn't necessarily increase the amenity when homes are separated by only six feet. Reducing both side yard setbacks and rear yard setbacks results in the useable outdoor space being even further constrained. Locating the electrical meter base on the side wall in compliance with the electrical code is a further complication if the building is less than three feet from the property line.

Staff would support a 5-foot side yard setback (with or without ZLL construction) as it would allow the Light and Power Department to service

clearances and would provide more useable yard space for the residents. A 5-foot wide side yard setback would still be a reduction from the City's standard (using the 1-foot of setback to 3 feet of building height ratio). The City has permitted a 5-foot side yard in one other project, the Pacific Crossing PRD.

#### H. PARKING

DC Section 10.8.515 Table 8-5 *Parking Requirements* stipulates a minimum of one off-street parking space for each single-family detached home. Each home in Gales Creek Terrace is proposed to have a garage for at least one car, and an 18-foot-long driveway. Each lot would therefore have at least two off-street parking spaces.

As noted in the Setbacks section above, the garage setback should be increased to a City standard 20 feet to maximize on-site parking. Limited parking on-site creates further demand for on-street parking, in addition to the demand created by visitors.

Parking would be permitted on both sides of most streets within the project site. However, due to the width of the proposed lots, on-street parking would appear to be severely limited.

Lot widths would vary, but the predominant widths would be 34 feet, 32 feet, and 24 feet. For the first two examples, those homes would have two-car garages with 17-foot-wide driveways. The lots 24 feet wide would have a single-car width driveway of 10 feet.

On either side of every driveway is a 3-foot wide wing. So for driveways serving two-car garages, the total driveway width at the curb would be 23 feet (17+3+3). For a single-car width driveway, the total width would be 16 feet (10+3+3). Looked at another way, 2/3 of the frontage of most lots (excluding corner lots) would be taken up with the driveway and the wings.

City standard parallel parking stalls are at least 20 feet long (see DC Section 10.8.525 Figure 8-7 *Parking Stall and Aisle Dimensions*). This would be the minimum distance required between the outer edges of wings.

For the following examples, assume two lots with the same dimensions are located side-by-side (i.e. 34+34; 32+32; and 24+24), and that the driveway for each lot is at the "outside" property line, leaving space for a potential parking stall between the driveways.

- 34(2) = 68 feet of frontage; 68 - 46 = 22 feet available. One space would be allowed.
- 32(2) = 64 feet of frontage; 64 - 46 = 18 feet available; no parking would be allowed, although staff would conclude that the driving public will perceive these spaces as available for parking and will do so, whether or not they partially block the adjacent driveways.
- 24(2) = 48 feet of frontage; 48 - 32 = 16 feet available; no parking allowed. As above though, the driving public may perceive these spaces as available for parking. Staff anticipates a perennial enforcement problem due to the blockage of adjacent driveways.

The applicant anticipates the availability of one on-street parking space per two lots. The applicant will be preparing a map showing where this parking might be located. To provide on-street parking, driveways would have to be paired. This would place an additional burden on the home builder and staff to ensure that the site plans and building plans are so coordinated.

## I. STREETS

The applicant has proposed off-site improvements to "D" Street, 18<sup>th</sup> Avenue, and 19<sup>th</sup> Avenue from the site to "C" Street.

- The proposed improvement to "D" Street would be to repave it. "D" Street lacks curb and gutter, and has a sidewalk on only one side.
- Improvements to 18<sup>th</sup> Avenue would be the construction of a two-lane travel way from the project site through to "C" street. The width would taper from west to east, from 32 feet to 20 feet (see Exhibit A sheet P700).
- 19<sup>th</sup> Avenue would be constructed to Arterial standards from "C" Street.

The applicants have submitted several traffic analyses, based on a variable lot yield. Each concludes that none of the nearby intersections would fail once the project is completed and all of the homes are built. Staff acknowledges and accepts this conclusion. Staff's concern however, has been more focused on traffic circulation and the impact of traffic on the adjoining neighborhood.

Staff has had multiple meetings with the applicants to address both capacity and circulation issues, and what off-site improvements would be necessary to provide access. Many alternatives have been discussed.

**19<sup>th</sup> Avenue** is intended to provide the primary access into the site. The Transportation System Plan designates 19<sup>th</sup> Avenue as an Arterial to the site; it would provide direct access into the greater neighborhood. Staff notes that the improvement of 19<sup>th</sup> Avenue to Arterial street standards from "C" Street to the project site would be in compliance with the adopted Transportation System Plan. This street would eventually be 40 feet wide curb-to-curb, with standard sidewalks and street trees on both sides, in a 66-foot-wide right-of-way. (The segment from "D" Street west to the project site would only be 24 feet wide until additional off-site right-of-way is dedicated and the adjoining property developed.) Because 19<sup>th</sup> Avenue is a designated Arterial street, the City would pay oversizing costs (the difference between a 32-foot-wide street and a 40-foot-wide street). The City would also require that this street be constructed in time to serve the first project phase.

Extending 19<sup>th</sup> Avenue as described above would provide the most direct route into and out of the project site. It would also offer the greatest benefit to the applicants, as it would provide a fully-improved and attractive route to the site.

Extending 19<sup>th</sup> Avenue would also be the least disruptive choice for the existing neighborhood, as traffic would be less likely to use the alternative: Pacific Avenue to "D" Street. The latter street has not been built to City standards; it has a substandard base, and lacks curbs, sidewalks on one side, storm drainage, and street trees. In addition, all of the

abutting "D" Street from Pacific Avenue to 19<sup>th</sup> Avenue have been developed with homes. Encouraging the residents of the first two phases of Gales Creek Terrace (106 lots) to use this route would be disruptive to the residents of "D" Street, given the 100 trips per peak hour projected to be generated by this project.

Staff is anticipating however, that some residents would do just that. The City has therefore prepared this option for the applicants to consider: for every dollar put into improving "D" Street, the City will match that amount for the 19<sup>th</sup> Avenue improvement.

**Dee Court** is proposed to be 370 feet long more or less. This is nearly twice the length (200 feet) allowed by Development Code Section 10.8.610(K)

The Fire Marshal has noted that long dead-end streets cause them concern. With a dead end road, any cars parked on the street and any traffic trying to leave while fire engines are arriving hampers the ability of firefighters to operate safely and efficiently. This issue would only be partially mitigated by residential fire sprinkler systems, as the department responds to more medical calls (approximately 2/3 of the calls) than fire calls.

Also problematic for the Fire Department is the proposed hammerhead turnaround. The applicant asserts that a hammerhead "meets code." This assertion is incorrect. Development Code Section 10.8.610 Table 8-8 only provides for a cul-de-sac and does not include any provision allowing hammerheads. While the Fire Code may allow for hammerhead turnarounds, the Forest Grove Fire Department has permitted those only in rural settings. In the city, the Fire Marshal has expressed a strong preference for a City-standard cul-de-sac bulb versus the proposed hammerhead.

A hammerhead has to be secured to prevent parking by residents and visitors. The Fire Marshal has fielded an increasing number of neighborhood complaints regarding parking and the blockage of fire lanes, such as what would be created with a hammerhead turnaround. The complaints have been nearly constant in the Hawthorne Meadows neighborhood (Hawthorne Street and 23<sup>rd</sup> Place). Staff notes that this neighborhood even has an off-street parking area, in addition to on-site and street parking, yet it is proving inadequate. Fire Department staff is obviously concerned that they have access to a property during a fire or other emergency; they shouldn't also have to try and enforce parking restrictions every day to ensure they have that access.

To try and prevent the use of the hammerhead for neighborhood parking, it would be blocked with bollards or a chain. However, in order to use the turnaround, Fire Department personnel would have to remove the bollard or chain across the fire lane, and then move their equipment. While cul-de-sacs may still require a multi-point turn (due to the length of the equipment involved), those turns aren't as time-consuming as they would be in a hammerhead. Because the department is increasingly called out on multiple calls at the same time, being able to quickly and efficiently turn the equipment around improves their response time to the next (or concurrent) call-out.

Staff would also note that the residents of Dee Court (and other nearby neighbors) would have to contend with waste pick-up vehicle back-ups.

FED-EX. No such alarms would be necessary with a standard cul-de-sac as the traffic would only move in a forward direction. The applicants believe that residents would get used to back-up alarms and that it wouldn't be an issue for them.

Staff would further note that the gang mail box for Dee Court would be located at the 18<sup>th</sup> Avenue intersection, due to USPS policy to not have their vehicles back up in the street. This would be an inconvenient location for those living nearly a block away at the far end of Dee Court. If a standard cul-de-sac bulb were built, the mailbox could be sited in a more central location for Dee Court residents.

The applicants have suggested that a hammerhead is the best choice given the topography, in order to minimize cut and fill. In reviewing the grading plan however, staff does not come to the same conclusion. The area for a cul-de-sac bulb would be in approximately the same location as the proposed hammerhead and adjacent lots. The grading required for that design would not appear to be substantially different than that needed for a cul-de-sac bulb. The applicant indicated that they would address this issue at the meeting.

**Other Streets** – Most of the streets within the project site are proposed to have a 32-foot width. This width would allow for unrestricted on-street parking. This width would normally require a 58-foot-wide right-of-way, but the applicant proposes to construct these streets in 50-foot-wide rights-of-way for 18<sup>th</sup> Avenue, 19<sup>th</sup> Avenue, G Street, and H Street south of 20<sup>th</sup> Avenue. These streets comprise the majority of streets in the project. The 8-foot difference between a 58-foot and 50-foot right-of-way would be made up by reducing the parkway width, or eliminating it altogether. Further discussion on this topic follows in the Narrow Parkways and Street Trees section below.

#### **J. DEAD END ALLEYS**

The design of the dead-end alleys paralleling Pacific Avenue appears to be predicated on their future extension. Such extensions can't be guaranteed or even presumed, as the adjoining parcels may 1) never redevelop or 2) redevelop without partitioning. Absent partitions of *all three parcels* (or very small planned developments) the City cannot compel the extensions of these alleys.

Staff anticipates that the alleys will be used for parking, at least partially blocking the vehicular access to those homes. For example, the alley in Hawthorne Meadows is frequently blocked by parked cars, to the point where that homeowner's association has reached out to City staff to aid with additional signage and enforcement. Staff anticipates a similar problem with this application, with regular Police Department enforcement necessary to ensure that the travel way remains clear. Staff believes that constantly patrolling the alley to ensure it remains unobstructed would not be an efficient use of Police Department resources.

The applicant believes that the parking issue can be mitigated by modifying the width or design of the alleys, and may be making a proposal to do so. Staff would note that any modified design would also have to take into account the revised front yard setbacks for these lots as described above.

#### K. NARROW PARKWAYS AND STREET TREES

The parkway is the location for all of the water meters, street lights, rain drains, street signs, fire hydrants, mailboxes, and street trees. The City has standards for where each of these is located in the right-of-way. As the parkways get smaller (both in width and length) the ability to provide all of these features becomes compromised. Street trees are the last item to be installed.

Staff tries to implement the minimum street tree spacing standards stipulated in Development Code Section 10.5.120(A)(4). As noted in that section, trees must be located such that the visibility of traffic control signs is not obscured. They must be located some distance from intersections and driveways to maintain vision clearance. They must be located at least two feet from any pavement (the street, the sidewalk and driveways). Additional spacing standards apply.

Not stipulated in the Development Code but still put into practice, staff does not install street trees closer than six feet to a water meter, in order to minimize root conflicts. Staff also tries not to install street trees over sanitary sewer laterals - if those locations are marked on the curb - for the same reason.

Even if the parkway appears long enough to install a street tree, the ability to do so decreases – and may be eliminated entirely - if that parkway is already too crowded with utility connections. That probability increases with narrow lots, as all the utilities must be still be installed regardless of how much area is available to do so. The probability of installing street trees is further decreased if there is a fire hydrant, or a street sign, or a street light, or a gang mailbox located in the parkway. At most, staff anticipates only one street tree per two lots (with more on corner lots) but that may be optimistic given the conflicts cited above. In fact, the stipulation that street trees be located at least 2 feet *from any pavement* means that *no trees* would be installed in the 3-foot-wide parkways proposed for 18<sup>th</sup> Avenue, 19<sup>th</sup> Avenue, G Street, and H Street south of 20<sup>th</sup> Avenue. These streets would provide most of the access within the project site (of the remaining streets, E Street would have a 5-foot-wide parkway on one side, and no parkway on the other; and Dee Court would have a parkway only where it intersects 18<sup>th</sup> Avenue).

Even if the utility conflicts can be minimized, a three-foot-wide parkway is simply inadequate to provide sufficient root zones for street trees. There is much greater probability of street trees damaging adjacent sidewalks (as evidenced by narrow parkways throughout Forest Grove), resulting in greater expense to the adjacent homeowner both for sidewalk repair and also potential street tree replacement. Staff has fielded countless calls over the years from residents complaining about having to repair sidewalk damages caused by a City-required street tree, and further complaining about having to replace said tree if it needs to be removed. Staff cannot endorse a design that will create widespread and constant maintenance and code enforcement issues.

No parkway on one side of E Street means that there would be no street trees installed at all on that side. No parkway on either side of Dee Court for most of its length means that no street trees would be installed at

Staff discussed two options with the applicant: reduce the width of the streets from 32 feet to 28 feet, or eliminate the 3-foot-wide parkways on both sides in favor of a single 5-foot wide parkway on one side (the 1-foot difference results from a 6-foot-wide curb tight sidewalk on the non-parkway side of the street).

Reducing street width could further restrict on-street parking options, pursuant to Table 8-8 Footnote #1. It would however, provide larger root zones in those parkways where trees could be installed.

The second option would eliminate trees entirely on one side of the street. As with the first option, it would provide larger root zones in those parkways where trees could be installed, but the residents on the non-parkway side of the street would not enjoy the benefit of having street trees adjacent to their properties.

*None* of the options (3-foot-wide parkways, reduced street width and 5-foot-wide parkways, or a 5-foot-wide parkway on one side only) would result in the kind of tree-lined street common throughout the rest of the community, due to the conflicts cited above and because – with narrow lots – much of the streetscape would be dominated by driveways. As noted in the Parking section above, 2/3 of the frontage of most lots (excluding corner lots) would be taken up with the driveways.

#### **L. ARCHITECTURE / STRUCTURE TYPE**

The applicant proposes to continue with the single-family detached housing types approved for Casey Meadows 1 through 4 and Casey West 1 and 2 (a.k.a. Giltner Glen). With the exception of the lots fronting Pacific Avenue, all would be front-loaded designs and would exhibit gable-front facades. In combination with the subdivisions cited above, approximately 350 homes would be constructed in this style.

As noted above, the applicant's intended market is the "first-time home buyer ... attracted to detached homes on small lots for reasons of affordability, low maintenance and ... location" (Narrative p. 13).

The applicant would seem to be offering the future residents of Gales Creek Terrace a narrow choice of housing types: all 3-bedroom, 2-bath, 2-story homes all built to the same architecture and with the same detailing. If the lots in Gales Creek Terrace are sold to the same building consortium presently constructing homes in Casey Meadows, staff can envision those same half-dozen house plans being reproduced in this project.

Staff further notes that while the applicant's intent to provide affordable housing is desirable, such housing can take many forms. Single-story homes can be constructed for less money than two-story homes. Two-bedroom homes can also be more affordable, as can duplex homes, townhomes, condominiums and apartments. Particularly and especially in a high-density residential zone, such variety is not only acceptable, it is encouraged.

As noted at the beginning of this staff report, at the February 3, 2014 Planning Commission work session, several Commissioners noted the demand for and even the desirability of multi-family housing in the project

## **M. CITY SERVICES**

**Sanitary Sewerage** – Limited City sanitary sewer facilities are currently available. To serve this project, the Forest Grove Sanitary Sewer Master Plan stipulates that a gravity system be constructed from the existing pump station located on “B” Street just south of 16<sup>th</sup> Avenue.

The off-site extension would traverse City-owned property through an existing easement. The City acquired this property concurrent with a previous proposal to develop the Gales Creek Terrace site. The site is contaminated but a letter of No Further Action has been issued by DEQ. Staff would condition the project to require that the applicant mitigate any new contamination issues that *may* result from the sewer line installation, and to sign a hold harmless agreement indemnifying the City from those potential expenses.

Once installed, this sanitary line would allow all properties to the west of Gales Creek Terrace to develop. Because it would be an over-sized line, the City can participate in over-sizing expenses.

**Water** – Six-inch cast iron water lines have been installed in D Street, 19<sup>th</sup> and 18<sup>th</sup> avenues. Eight-inch lines would be installed within Gales Creek Terrace. These facilities would be adequate to provide domestic service and fire flows, although water quality in the Dee Court water line will suffer due to its length, limited flow and dead-end design (i.e. it would not be part of a looped system).

**Storm Drainage** – No City-standard storm drainage lines exist in this area. The applicant would be responsible for constructing City-standard storm drainage facilities throughout the project site.

**Fire Protection/Access** – As noted above, the Fire Department is opposed to the proposed Dee Court hammerhead turnaround.

**Electrical Service** – The project is proposed to be served by underground utilities. This coincides with current Light and Power policies for new residential subdivisions. FGLP has experienced the following issues in other small lot projects which would have to be addressed in this project as well:

- Transformer to combustible structure clearance. While the Fire Code requires a minimum 8-foot clearance, FGLP has settled for 8 feet but would prefer 10 feet. Even the 8-foot-distance has proven problematic in several instances; home builders prepare site plans based solely on setbacks and rarely confirm the distance to nearby transformers. The actual home plans have had to be adjusted since the homes are already located at the minimum setbacks. This results in increased review time for staff and increased expense to the home builders.
- Public Utility Easement (PUE) encroachment. The City requires a 10-foot-wide front yard easement for all “dry” utilities (power, phone, TV, and natural gas). In other projects with a 10-foot front yard setback, both the foundation and eaves would project into the easement. As homebuilders don’t always take the easement into account when preparing their site plans, several requests to allow encroachment have been requested.

Requiring a minimum 11-foot-wide front yard easement should eliminate such encroachments.

- Smaller side yard setbacks limit meter base clearances and complicate service conduit and conductor routing. FGLP would prefer side yard setbacks of at least 3 ½ feet (versus the proposed 3 feet) to minimize these conflicts.
- Street light placement is difficult with curb-tight sidewalks (such as those proposed on E Street and Dee Court) and paired driveways.

### III. REQUIRED APPROVALS AND FINDINGS

Staff will defer preparing findings until after the Planning Commission provides its direction. Development Code Section 10.4.220(C) *Approval Criteria* authorizes the Planning Commission to approve a Planned Development if it finds that all of the following approval criteria are met.

1. The plan fulfills the purpose for PDs stated in DC Section 10.4.200 (as follows);

The purpose of the Planned Development (PD) provisions is to provide greater flexibility in the development of land for residential, commercial or industrial purposes than allowed by the conventional standards of the Development Code. The PD provisions are intended to:

- A. *Promote flexibility and innovation in site design and permit diversity in the location of structures;*
  - B. *Promote efficient use of land and facilitate a more economical arrangement of buildings, circulation systems, land uses, and utilities when compared with conventional development patterns;*
  - C. *Preserve to the greatest extent possible existing landscape features and amenities, and incorporate such features into the design of the PD;*
  - D. *Combine and coordinate architectural styles, building forms and building relationships within the PD; and*
  - E. Provide the applicant with reasonable assurance of ultimate approval before requiring detailed design and engineering, while providing the City with assurances that the project will retain the character envisioned at the time of approval.
2. The plan meets the submittal requirements of DC Section 10.4.220(B) *Preliminary Plan Review*;
  3. Adequate public services exist or can be provided to serve the proposed PD; and
  4. Where a tentative subdivision plat is requested, the requirements of DC Article 8 *Land Division Standards* are met.

#### IV. 120-DAY REVIEW DEADLINE CONSIDERATIONS

The application was submitted on March 11, 2014. On April 10, the City issued a letter of incompleteness, detailing the items that were missing or that required further explanation. On May 16 a revised application was submitted; staff determined that the application was still incomplete, and requested further information from the applicant.

On May 22, the applicant sent this email:

*In regards to File Number: PRD-14-00181, we believe we have responded fully pursuant to ORS 227.178(2)(a) providing evidence needed to address all of the missing information shown as items listed in the April 10, 2014 letter from James Reitz (RE: Gales Creek Terrace Completeness Review), and we request that the City of Forest Grove commence processing the application File Number: PRD-14-00181 by deeming it complete on this date, Thursday, May 22, 2014. We ask that this letter (sent via email) be written notice pursuant to ORS 227.178(2)(b) should the City determine that not all of the missing information in the 4/10/14 letter has been received. Naturally, we ask that staff bring any issues of concern to our attention immediately in the course of the review process, so we can respond appropriately.*

The applicant has since submitted additional information, but in a piecemeal manner, which has complicated staff's review and analysis of this proposal.

The City is bound by the applicant's request to consider the application complete as of May 22, 2014. Therefore, the City must render its decision – including all local appeals – by September 19, 2014. Because of all of the concerns described above, staff cannot make a recommendation at this time. Staff is concerned that the City will be able to complete the decision-making process and allow for local appeals prior to September 19, 2014. If a decision is made by August 18<sup>th</sup>, staff believes the local process can be completed within the 120-day time line. However, given the number of issues, we are concerned that appropriate findings and conditions of approval for this complex project can be completed between August 6<sup>th</sup> and August 18<sup>th</sup>. To allow sufficient time, the applicant may need to grant a time extension to the 120-day deadline.

*In an email received from the applicant on June 30, the applicant states that "(we) understand that...should a decision not be obtained by the Planning Commission by the conclusion of the August 4, 2014 hearing (and) if the hearing is requested to be continued or the record to remain open, then Staff will be requesting that the Applicant approve extension of the 120 (day) "clock" in order to allow sufficient time to process the application as required. The Applicant is aware of the potential for the request and is apt to acquiesce."*

## V. SUMMARY AND RECOMMENDATION

The staff report identifies a number of concerns with the design of the project. Staff recommends that the Commission discuss these issues at the August 4, 2014 hearing, provide direction to staff, and continue the hearing to August 18, 2014. As noted above, it is questionable to staff that a decision on the project can be achieved by August 18<sup>th</sup>. Given the 120-day deadline constraints, the applicants may have to consent to a time extension or the Commission could deny the application without prejudice - to allow the applicant to reapply the current proposal - or deny based on the concerns expressed above.

## VI. ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the PRD as proposed.
2. Approve the PRD with conditions.
3. Continue the matter to a date certain for further consideration.
4. Deny the application, stating reasons for doing so.

As noted above, if the Commission's review would extend beyond August 18<sup>th</sup> for any reason, then the applicant would have to consent to a time extension or the Commission should deny the application.

## VII. LIST OF ATTACHMENTS

The following attachments were received, marked, and entered into the record as evidence for this application at the time this staff report was written. Attachments of evidence received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the Public Hearing is opened, prior to oral testimony.

**Attachment A** Application Materials, prepared and submitted by Westlake Consultants, Inc.

**Attachment B** Planning Commission meeting minutes of February 3 and March 3, 2014

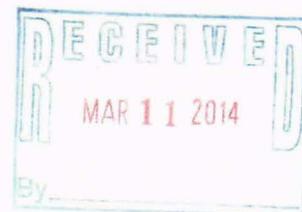
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# Gales Creek Terrace Planned Development and Subdivision

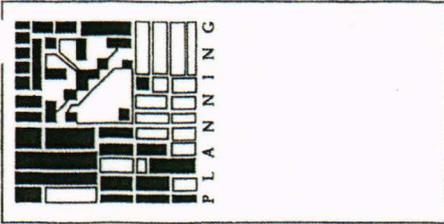
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**City of Forest Grove  
Land Use Application**

**March 10, 2014**



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# CITY OF FOREST GROVE

F-LUAPP

## LAND USE APPLICATION

### Application For:

- Site Plan Approval
- Conditional Use
- Variance
- Appeal to \_\_\_\_\_

### Zoning Ordinance Amendment

TEXT  MAP

### Land Division

SUBDIVISION  PARTITION   
 TENTATIVE PLAT  FINAL PLAT

### Establish a Planned Development

PRD  CPD  PID

### Comprehensive Plan Amendment

TEXT  MAP

Other \_\_\_\_\_

### Applicant Gales Creek Development LLC

Name Morgan Will, Project Manager

Address 485 S. State Street

City Lake Oswego

State Oregon Zip 97034

Phone 503-305-7647 Fax \_\_\_\_\_

e-mail morgan@staffordlandcompany.com

### Property Owner

Name See Supplement

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

e-mail \_\_\_\_\_

### Property Description

Site Address \_\_\_\_\_

Map and Tax Lot (please attach legal description) \_\_\_\_\_

Map No. See Supplement

Total Acres or Square Feet \_\_\_\_\_

Acres \_\_\_\_\_ Sq. Ft. \_\_\_\_\_

### Property Use Description

Existing Land Use Residential & Agricultural

Existing Zoning RMH

Proposed Zoning (if applicable) RMH

Proposed Use Planned Unit Development & 186-lot subdivision in three phases.

### Additional Information

In order to expedite and complete the processing of this application, the Planning Division requires that all ten copies of pertinent material required for review be submitted at the time application is made. If the application is found to be incomplete, review and processing of the request will not begin until the application is made complete. The submittal requirements relative to this application may be obtained from the specific sections of the Zoning or Land Division Ordinances pertaining to this application and from Planning Division staff. Pre-application conferences with Planning Division staff are encouraged. If there are any questions as to submittal requirements, contact the Planning Division prior to formal submission of the application. In submitting this application, the applicant should be prepared to give evidence and information which will justify the request. *The filing fee must be paid at the time of submission. This fee is \$1000.*

## City of Forest Grove Land Use Application – Supplemental Information

### Gales Creek Terrace Planned Development & Subdivision Request

#### Property Description

Tax Map/Lot	Address	Area	Use	Owner/Applicant
Map 1S4 01 Lot 400	[no site address]	19.90 Acres	Vacant Land	Gales Creek Development, LLC Gordon Root, Managing Member 485 S State Street Lake Oswego, OR 97034 Phone: 503-305-7647 morgan@staffordlandcompany.com
Map 1S4 01AA Lot 7200	1548 19 <sup>th</sup> Avenue	0.21 Acres	Residence	

Tax Map/Lot	Address	Area	Use	Owner
Map 1S4 01 Lot 500	1336 Pacific Avenue	9.67 Acres	Residence & Agriculture	Mark S. Kenzer and Tripti Kenzer 1336 Pacific Avenue Forest Grove, OR 97116
Map 1S4 01 Lot 401	[no site address]	18.42 Acres	Agriculture	

All Subject Parcels are in the **RMH Zone**.

Total Land Area: 48.2 Acres +/-

- Land Area Proposed for Development: 25.7 Acres +/-
- Land Area Retained by Applicant: 22.5 Acres +/-

See attached Legal Descriptions for Subject Property parcels





# GALES CREEK DEVELOPMENT LLC

## LEGAL DESCRIPTION

### PARCEL I:

A portion of the Northeast one-quarter of Section 1, Township 1 South, Range 4 West of the Willamette Meridian, City of Forest Grove, Washington County, Oregon, more particularly described as follows:

154 01  
400

Beginning at the Southwest corner of Lot 9 of HENDRICKS ADDITION (Washington County Plat Records); thence along the Westerly and Southerly boundary lines of said HENDRICKS ADDITION, South 02° 15' 53" West, 370.32 feet; thence South 87° 52' 07" East, 210.00 feet; thence South 02° 15' 53" West, 150.00 feet; thence South 87° 52' 07" East, 110.68 feet to a point on the West line of GALES CREEK ADDITION (said Plat Records); thence along the Westerly and Southerly boundary lines of GALES CREEK ADDITION, South 03° 26' 06" West, 285.50 feet; thence South 89° 17' 16" East, 9.00 feet to the Northwest corner of the tract of land to Karban Rock, Inc., described in Document No. 80034835 of the Washington County Deed Records; thence South 02° 18' 41" West along the West line of the Karban Rock, Inc. tract 486.00 feet to the centerline of Gales Creek; thence Northwesterly along the center of said creek (the North 41° 41' 17" West, 1189.32 feet) to the most Easterly Northeast corner of the tract to Epler described in Book 597, Page 343 of said Deed Records; thence North 88° 01' 36" West along the most Easterly North line of said Epler Tract 372.82 feet to the Southeast corner of the tract of land to Caples described in Book 82, Page 413, said Deed Records; thence North 02° 19' 10" East along the East line of said Caples Tract 579.43 feet to the Southwest corner of the tract to Paterson described in Book 202, Page 331, said Deed Records; thence South 87° 57' 02" East along the South line of said Paterson Tract 724.18 feet to the Northwest corner of the tract of land to the City of Forest Grove described in Book 878, Page 931, said Deed Records; thence South 02° 07' 56" West along the West line of said City of Forest Grove Tract 46.26 feet to the Southwest corner thereof; thence South 87° 57' 02" East along the South line of said Forest Grove Tract 52.00 feet; thence leaving said South tract line, South 02° 15' 33" West, 100.00 feet; thence South 87° 57' 02" East, 98.00 feet to said Southwest corner of Lot 9 of HENDRICKS ADDITION and the point of beginning.

### PARCEL II:

A portion of the Northeast one-quarter of Section 1, Township 1 South, Range 4 West of the Willamette Meridian, City of Forest Grove, Washington County, Oregon, more particularly described as follows:

154 01AA  
7200

Beginning at a point on the West line of Lot 9 of HENDRICKS ADDITION, from which the Northwest corner thereof, being the initial point of said plat, bears North 02° 15' 53" East, 4.74 feet; thence South 02° 15' 53" West, along said West line of Lot 9, 95.26 feet; thence leaving said West lot line, North 87° 57' 02" West, 98.00 feet; thence North 02° 15' 53" East, 95.26 feet to the South right-of-way line of 19th Avenue, being 51.00 feet from the North right-of-way line thereof; thence, along said South right-of-way line, South 87° 57' 02" East, 98.00 feet to said West line of Lot 9 and the point of beginning.

KENZER PROPERTY  
154 01 401 & 500

**Exhibit "A"**

Real property in the County of Washington, State of Oregon, described as follows:

**PARCEL I:**

PART OF THE T.G. NAYLOR DONATION LAND CLAIM NO. 37, IN SECTION 1, TOWNSHIP 1 SOUTH, RANGE 4 WEST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF FOREST GROVE, COUNTY OF WASHINGTON AND STATE OF OREGON;

BEGINNING AT A POINT ON THE SOUTH LINE OF PACIFIC AVENUE (COUNTY ROAD NO. 335) IN FOREST GROVE, OREGON; 30 FEET SOUTH OF THE SOUTHEAST CORNER OF THE HENRY BUXTON DONATION LAND CLAIM NO. 62, SAID POINT BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT TO GLEN H. EPLER AND RECORDED IN BOOK 597, PAGE 0243, WASHINGTON COUNTY DEED RECORDS;  
THENCE SOUTH 150.0 FEET ALONG THE WEST LINE OF SAID TRACT;  
THENCE SOUTH 83°56' EAST 170 FEET TO THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT TO GLEN W. VANDYKE AND MARIANNE R. VANDYKE RECORDED IN BOOK 1082, PAGE 0837, WASHINGTON COUNTY DEED RECORDS;  
THENCE NORTH ON THE WEST LINE OF SAID VANDYKE TRACT 150.0 FEET TO A POINT ON THE SOUTH LINE OF SAID PACIFIC AVENUE;  
THENCE NORTH 83°56' WEST ON THE SOUTH LINE OF SAID PACIFIC AVENUE 170 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO JOHN G. TERHORST RECORDED JUNE 19, 1979, FEE NO. 79023730, IN THE NORTH ONE-HALF OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 4 WEST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF FOREST GROVE, COUNTY OF WASHINGTON AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TERHORST TRACT, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF PACIFIC AVENUE;  
THENCE ALONG THE EAST LINE OF SAID TERHORST TRACT, SOUTH 00°00'00" WEST, 135.00 FEET;  
THENCE PARALLEL WITH THE RIGHT-OF-WAY OF PACIFIC AVENUE, NORTH 83°56'00" WEST, 112.00 FEET;  
THENCE NORTH 00°50'43" EAST, 134.80 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF PACIFIC AVENUE;  
THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 83°56'00" EAST, 110.00 FEET TO THE POINT OF BEGINNING.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

**PARCEL II:**

PART OF THE T.G. NAYLOR DONATION LAND CLAIM NO. 37, IN SECTION 1, TOWNSHIP 1 SOUTH, RANGE 4 WEST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON.

BEGINNING AT A POINT ON THE SOUTH LINE OF PACIFIC AVENUE (COUNTY ROAD NO. 335) IN FOREST GROVE, OREGON, 30 FEET SOUTH OF THE SOUTHEAST CORNER OF THE HENRY BUXTON DONATION LAND CLAIM NO. 62, SAID POINT BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT TO GLEN H. EPLER AND RECORDED IN BOOK 597, PAGE 0243, WASHINGTON COUNTY DEED RECORDS;

THENCE SOUTH 150.0 FEET ALONG THE WEST LINE OF SAID TRACT TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;  
THENCE SOUTH 83°56' EAST 158 FEET TO THE MOST WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT TO GLEN W. VAN DYKE AND MARIANNE R. VAN DYKE RECORDED IN BOOK 1082, PAGE 0837, WASHINGTON COUNTY DEED RECORDS;  
THENCE SOUTH ON THE WEST LINE OF SAID VAN DYKE TRACT 85.0 FEET;  
THENCE SOUTH 83°48' EAST 135.35 FEET TO A POINT ON THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED RECORDED IN BOOK 82, PAGE 0413, WASHINGTON COUNTY DEED RECORDS;  
THENCE SOUTH 00°45' WEST 861.6 FEET ALONG SAID WEST LINE:  
THENCE SOUTH 83°56' EAST 400.1 FEET;  
THENCE SOUTH 89°42' EAST 372.82 FEET, MORE OR LESS, TO THE CENTER OF GALES CREEK;  
THENCE SOUTHERLY AND WESTERLY AND FOLLOWING THE CENTER LINE OF GALES CREEK TO ITS INTERSECTION WITH THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT TO GEORGE L. HENDRICKS AND LENA HENDRICKS, RECORDED IN BOOK 157, PAGE 0039, WASHINGTON COUNTY DEED RECORDS;  
THENCE NORTH 0°45' EAST AND FOLLOWING THE WEST LINE OF SAID HENDRICKS TRACT 1,320 FEET, MORE OR LESS, TO A POINT 180.0 FEET SOUTH OF THE SOUTHEAST CORNER OF THE HENRY BUXTON DONATION LAND CLAIM NO. 62, AND THE TRUE POINT OF BEGINNING.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

PARCEL III:

BEING PART OF THE T. G. NAYLOR AND WIFE DONATION LAND CLAIM NO. 37 IN SECTION 1, TOWNSHIP 1 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON AND BEGINNING AT AN IRON PIPE ON THE SOUTH LINE OF THE COUNTY ROAD LEADING WEST FROM FOREST GROVE TO NAYLOR CEMETERY; (COUNTY ROAD 335), SAID IRON PIPE BEARS SOUTH 78°17' EAST 301.2 FEET FROM THE SOUTHEAST CORNER OF THE HENRY BUXTON SR. DONATION LAND CLAIM;  
THENCE SOUTH 83°56' EAST 400 FEET TO THE NORTHWEST CORNER OF E.L. NAYLOR'S 99 ACRE TRACT;  
THENCE ALONG THE WEST LINE OF SAID NAYLOR'S TRACT AND THE EAST LINE (AND ITS NORTHERLY EXTENSION) OF THAT LAND DESCRIBED IN A LAND SALE CONTRACT RECORDED JULY 08, 1977 IN BOOK 1181, PAGE 0505, SOUTH 0°45' WEST 1096.6 FEET TO AN IRON PIPE ON THE MOST EASTERLY NORTH LINE OF THAT SAID DESCRIBED IN A LAND SALES CONTRACT TO GLEN H. EPLER RECORDED APRIL 20, 1966 IN BOOK 597, PAGE 0243;  
THENCE NORTH 83°56' WEST 400 FEET ALONG SAID LINE TO AN IRON PIPE;  
THENCE NORTH 0°45' EAST ALONG THE MOST NORTHERLY EAST LINE OF SAID EPLER TRACT 1096.6 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT TRACT CONVEYED TO ROY F. MCCURTZ, ET UX, BY DEED RECORDED DECEMBER 16, 1947, IN DEED BOOK 281, FEE NO. 4244, DEED RECORDS OF WASHINGTON COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE ON THE SOUTH OF THE COUNTY ROAD LEADING WEST FROM FOREST GROVE TO NAYLOR'S CEMETERY; SAID IRON PIPE BEARS SOUTH 78°17' EAST 301.2 FEET FROM THE SOUTHEAST CORNER OF THE HENRY BUXTON, SR. DONATION LAND CLAIM;  
THENCE RUNNING SOUTH 83°56' EAST 400 FEET TO THE NORTHWEST CORNER OF THE GEORGE G. PATERSON PROPERTY AND THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;  
THENCE ON THE WEST LINE OF SAID PATERSON'S PROPERTY SOUTH 0°45' WEST ALONG THE WEST LINE OF THE SAID PATERSON PROPERTY 145.37 FEET;  
THENCE NORTH 89°15' WEST 99.76 FEET;  
THENCE NORTH 0°45' EAST 154.83 FEET;  
THENCE SOUTH 83°56' EAST 100 FEET TO THE PLACE OF BEGINNING.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

**Contents**

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*APPLICATION PROCESS AND PROCEDURES* ..... 2  
*TYPE III PROCESS – QUASI-JUDICIAL LAND USE DECISIONS* ..... 4  
*GENERAL INFORMATION ON LAND USE REVIEWS*..... 5  
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*SITE DEVELOPMENT REVIEW*..... 6  
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*PLANNED DEVELOPMENTS* ..... 12

**Exhibits**

- A Gales Creek Terrace Plan Drawings (11 x 17”, not to scale)
- B Neighborhood Meeting Documentation
- C Slope Analysis and Area Calculation Mapping
- D Open Space Area Calculations
- E Gales Creek Corridor Impact Mitigation Documentation
- F Certification Letters (City Engineer; Forest Grove Light & Power)

## Project Description

**Gales Creek Terrace** is a proposed Planned Development community. Located within walking distance from Forest Grove's historic business district, its plan is tailored to the sloping land that rises from the northern edge of the Gales Creek corridor in the southwestern part of the city. The pattern of streets and detached single-family homes is designed to hug the existing terraced topography of the land, while also complying with City of Forest Grove standards for development density, horizontal street alignments, vertical street profiles, and other planning and public works requirements for safety and efficiency of services. (See plan set in Exhibit A.)

Gales Creek Terrace includes substantial open space amenities that derive in part from its close relationship with Gales Creek, whose centerline forms the southern boundary of the subject property. To meet the open space and recreational needs of residents, Gales Creek Terrace includes some shared open spaces as well as a linear tract of land along the northern edge of the Gales Creek basin. Within that linear corridor, which extends along the entire east-west length of the project, the City of Forest Grove can extend its public trails system in accordance with the Forest Grove Community Trails Master Plan. The Gales Creek Terrace plan includes four pedestrian points of connection from public streets to the Gales Creek trail corridor, one of which can be designed for accessibility in accordance with Americans with Disability Act (ADA) standards (the other three will be too steep as a result of topographic conditions at the site).

Project implementation is proposed to occur in three construction phases. The phases will progress from east to west as the developer completes extensions of the existing public sanitary sewer system from its existing terminus southeast of the subject property.

Phase 1:	58 Lots/Homes
Phase 2:	48 Lots/Homes
Phase 3:	80 Lots/Homes
Total:	186 Lots/Homes

The subject property consists of four parcels of land. The Applicant/Owner intends to retain ownership of tracts that are not included in the Planned Development. Here is a summary breakout of the overall acreages:

### Gales Creek Terrace Land Allocation Summary

	<u>Acres</u>	% of PD
Gross Area [1]	47.42	
Area Retained by Owner (non-urban)	-22.50	
Planned Development Area	24.92	100%

#### Allocations:

Area in Proposed Lots	12.87	52%
Public Rights-of-Way	5.02	20%
Contiguous Common Open Space [2]	5.14	21%
Other Common Open Spaces	1.89	8%

[1]: Parcel area figures from CAD system differ from nominal areas on tax maps.

[2]: Gales Creek linear trail corridor and adjacent open space tracts.

The plans submitted by the Applicant demonstrate how all of the necessary extensions and connections of public infrastructure (utilities and streets) to serve the additional residences will be constructed in each phase.

This document identifies applicable provisions of the City of Forest Grove's zoning and development standards (*quoted in italic type*), and provides responses from the Applicant to demonstrate how the proposed Gales Creek Terrace project complies with all applicable requirements.

## ***APPLICATION PROCESS AND PROCEDURES***

### ***10.1.200 PURPOSE***

*This section of the Code describes the general procedures that apply to land use permit reviews. It contains the step-by-step land use application processing requirements.*

### ***10.1.205 CONSOLIDATED REVIEW***

*Where a proposal involves more than one application for the same property, the applicant may submit concurrent applications. The applications shall be consolidated for review in accordance with the highest numbered procedure. For example, a minor adjustment (Type I) can be consolidated with a conditional use (Type III), but it will be subject to Type III procedures.*

**Response:** This is an application for consolidated review of a Planned Development and Subdivision, with implementation in three phases of construction and final platting. The Planned Development application requests approval for special design sections for certain public streets within the project, as well as for reduced or offset building setbacks at some locations.

### ***10.1.210 INITIATION AND WITHDRAWAL OF LAND USE APPLICATION***

*Land use applications shall be initiated by one of the following:*

*A. Application by all the owners or all the contract purchasers of the subject property, or any person authorized in writing to act as agent of the owner or contract purchasers;*

*...*

*The Director may withdraw any application at the written request of the applicant, prior to the final written decision. Fees for applications withdrawn at the request of the applicant shall be refunded, less the actual costs incurred by the City in processing the application..*

**Response:** The Applicant is the owner/contract purchaser of the subject properties and so is eligible to submit pursuant to subparagraph A.

### ***10.1.215 PRE-APPLICATION CONFERENCE***

*The director shall not accept a Type II, III or IV land use application for processing unless the applicant or the applicant's representative has attended a pre-application conference, or the Director has, in his or her discretion, signed a waiver of the pre-application conference.*

*[detailed provisions omitted for brevity]*

*The Director shall schedule the pre-application conference within seven (7) working days of the request. The Director shall identify and prepare a summary of topics to be discussed and shall provide the applicant with a written summary of the conference.*

*If a complete application relating to the proposed development action that was the subject of the pre-application conference has not been submitted within one (1) year of the conference, a new pre-application conference or waiver is required.*

**Response:** This complex development application has been the subject of numerous meetings between City staff and the Applicant's design team in the time period prior to submittal. Such pre-application meetings occurred at City of Forest Grove offices on October 17, November 20, December 2 and 18, 2013. This requirement is met.

#### **10.1.220 NEIGHBORHOOD MEETING**

*When the Director determines that a proposed project has the potential to raise concerns of neighborhood or community impact, the applicant shall initiate, attend and conduct a neighborhood meeting. The purpose of the neighborhood meeting is to allow the neighbors and other interested parties to become familiar with the proposal and to identify issues that may be associated with an application. The Director shall identify the need for the meeting within seven days after the pre-application conference is held.*

*The neighborhood meeting is intended to result in an application that is responsive to neighborhood concerns, reducing the likelihood for delays and appeals of the application. The City expects an applicant to take the reasonable concerns and recommendations of the neighborhood into consideration when preparing an application. The City expects the neighbors will work with the applicant to provide such input.*

*Neighborhood meetings must be conducted before the City will accept an application on any portion of the proposal. The applicant can request a sign-in sheet from the Community Development Department or provide his or her own sign-in sheet, which must be completed on the night of the neighborhood meeting and submitted to the City at the time of application as verification that the meeting was held. The sign-in sheet should indicate the date, time and location of the meeting, a brief heading describing the subject of the proposal, and the signatures of those in attendance at the meeting. The City shall retain the sign-in sheet as part of the record in the land use case file.*

*Those notified of the neighborhood meeting shall, at minimum, include all surrounding property owners and residents located at the notification distance of the greatest level permit or 300 feet if the permit type is not known, as well as any other interested parties identified by the Director.*

**Response:** The Applicant provided notices per these requirements and conducted a neighborhood meeting on Tuesday, September 24, 2013, beginning at 6:00 p.m. at the Rogers Conference Room of the Forest Grove City Library. Neighborhood meeting documentation is provided in Exhibit B

#### **10.1.225 APPLICATION CONTENTS**

*A land use application shall consist of at least the following:*

*A. A completed city application form with the following information:*

- 1. Property description and assessor map parcel number(s);*
- 2. Name, address, telephone number of the applicant(s), property owner(s) or contract purchaser(s), and, if applicable, the same information of the authorized agent of the applicant, property owner or contract purchaser*
- 3. A complete list of the approvals sought by the applicant.*

*B. A narrative description of the proposed development, existing site conditions, and pertinent background information.*

*C. Findings that discuss how the approval criteria of the Code are or can be met.*

*D. Transportation study may be required by the Director when determined at the pre-application conference the proposed project would have potential circulation or safety impacts, need for off-site street improvements or would increase traffic on City streets by at least 50 peak hourly trips, or a Transportation Impact Study is required by the Oregon Department of Transportation. The Director may also require a transportation study for any one project or multiple projects where there may be cumulative traffic impacts from two or more projects affecting one or more transportation facilities.*

*E. Duplicates of the above information as required by the Director. (Note: The pre-application conference summary will provide guidance on what specific information is required and how many copies must be submitted.)*

*F. All required application fees.*

*G. An 8 ½ x 11 copy of the site plan for the public notice.*

*H. Additional applicable information required by other sections of this Code.*

**Response:** The Applicant has paid application fees, and has prepared and submitted drawings, technical evidence, this narrative/findings document, and other materials to demonstrate compliance with applicable Code standards, as required by this Section.

#### **10.1.230 APPLICATION SUBMITTAL AND ACCEPTANCE**

#### **10.1.235 RECOGNITION OF INTERESTED PARTIES TO RECEIVE NOTICES**

*[detailed provisions omitted for brevity]*

**Response:** These provisions provide procedural guidance and do not require a response from the Applicant.

#### **TYPE III PROCESS – QUASI-JUDICIAL LAND USE DECISIONS**

**10.1.600 DEFINITION**

*A land use decision, as defined in ORS 197.015(10), includes final decisions or determinations concerning the adoption, amendment or application of the goals, a comprehensive plan provision, a land use regulation, or a new land use regulation.*

*In general, land use decisions require the greatest amount of discretion and the evaluation of subjective approval standards. Land use decisions that are site-specific in nature are classified as Type III quasi-judicial decisions and land use decisions that apply to the general population and prescribe policy are classified as Type IV legislative decisions.*

**10.1.605 TYPE III APPLICATIONS AND APPROVAL CRITERIA**

*Applications so designated throughout the Development Code are reviewed under the Type III process based on the requirements and criteria for each application set forth in other sections of this Code. Examples of these applications include:*

*[detailed provisions omitted for brevity]*

*Any application that is not specifically designated in the Code as being under one of the four review processes, and which the Director determines is similar in impact and scope to other Type III applications, shall be processed as a Type III application.*

**Response:** The Applicant has been advised by City staff that a Type III review procedure is appropriate for this consolidated application.

**10.1.610 NOTICE**

**10.1.615 NOTICE CONTENT**

**10.1.620 DECISION AUTHORITY**

**10.1.625 ANNOUNCEMENT OF DECISION**

**10.1.630 BASIS FOR DECISION**

**10.1.635 NOTICE OF DECISION**

**10.1.640 APPEALS**

*[detailed provisions omitted for brevity]*

**Response:** These provisions provide procedural guidance and do not require a response from the Applicant.

**GENERAL INFORMATION ON LAND USE REVIEWS**

### **10.2.050 INTRODUCTION**

*The Development Code uses a combination of nondiscretionary and discretionary reviews to evaluate land use proposals for compliance with the use and development requirements of the code. The nondiscretionary reviews provide the certainty needed in most situations by providing clear and objective criteria. Discretionary reviews provide needed flexibility by allowing more subjective criteria, and providing for the modification of regulations in response to specific site conditions.*

### **10.2.060 FUNCTION OF REVIEW CRITERIA**

*A. Review criteria set the bounds for the issues that must be addressed by the applicant and which may be raised by the City or affected parties.*

*B. The review criteria have been derived from and are based on the Comprehensive Plan. Reviews using the goals and policies of the Comprehensive Plan are not required unless specifically stated.*

*C. When review criteria refer to the request's meeting a specific threshold, such as adequate services, the threshold includes any proposed improvements, mitigation measures, or limitations. All proposed improvements, mitigation measures, and limitations must be identified prior to a final decision by a review body.*

### **10.2.070 BURDEN OF PROOF**

*The burden of proof is on the applicant to show that all applicable review criteria are met.*

### **10.2.080 CONDITIONS OF APPROVAL**

*The City may attach conditions to the approval of a land use decision in order to ensure that the proposal will conform to the applicable review criteria.*

### **10.2.090 RELATIONSHIP TO OTHER REGULATIONS**

*Approval of a land use application based on review criteria in this Code does not relieve the applicant of responsibility for compliance with other applicable codes, ordinances, statutes or regulations.*

**Response:** These provisions establish the framework for the City's review of the recommended findings submitted by the Applicant, below.

#### **DESIGN REVIEW**

#### **SITE DEVELOPMENT REVIEW**

*[detailed provisions omitted for brevity]*

**Response:** In the Code provisions for Planned Developments, Section 10.4.205.D. provides as follows:

*D. Site development/design review. The PD approval may remove the requirement for subsequent site development or design review of individual buildings, if the PD includes building elevations and sufficient information to demonstrate compliance with the applicable site development/design review standards. The PD decision shall expressly state whether individual buildings within the PD (such as commercial or multifamily buildings) require site development or design review approval.*

Gales Creek Terrace is designed to offer detached single-family residences on separate lots, in a variety of styles and sizes to meet the needs and desires of Forest Grove households. Detached single-family residences are not among the building types for which Design Review is required, pursuant to Section 10.2.310. Following approval and implementation of this proposed Planned Development and Subdivision, Site Development Review may be appropriate prior to issuance of permits for new construction on individual lots; however, it would be premature in conjunction with this application.

## **RESIDENTIAL ZONES**

### **10.3.100 PURPOSE**

*The City of Forest Grove has established five residential zones to implement the Residential designations of the Comprehensive Plan. The zones provide the flexibility for a range of lot sizes and housing types. The five zones are distinguished primarily by the number of dwelling units permitted per net acre. Target densities are established for each zone. The Code also provides an opportunity for a density bonus in each of the five zones to encourage special design features and amenities when a Planned Development (PD) process is followed. The regulations of the residential zones are intended to protect the livability of existing and future residential neighborhoods by encouraging primarily residential development with compatible non-residential development at appropriate locations and at an appropriate scale. Another purpose of these regulations is to encourage a full range of owner-occupied and rental housing at affordable prices.*

### **10.3.110 LIST OF RESIDENTIAL ZONES**

...

#### **F. Residential RMH**

*The RMH zone is intended for development at a target density of 20.28 dwelling units per net acre. Multi-unit residential buildings will be the predominant housing type in this zone. RMH zoning is generally applied near transit streets and adjacent to commercial districts. The RMH zone also allows a limited range of non-residential uses to help provide services for residents and enhance the quality of the higher density neighborhood.*

**10.3.120 USE REGULATIONS**

Refer to Article 12 for information on the characteristics of uses included in each of the Use Categories.

- A. *Permitted Uses.* Uses allowed in the Residential zones are listed in Table 3-2 with a “P”. These uses are allowed if they comply with the development standards and other regulations of this Code.
- B. *Limited Uses.* Uses that are allowed subject to specific limitations are listed in Table 3-2 with an “L”. These uses are allowed if they comply with the limitations listed in the footnotes to the table and the development standards and other regulations of this Code.
- C. *Conditional Uses.* Uses that are allowed if approved through the conditional use process are listed in Table 3-2 with a “C”. These uses are allowed provided they comply with the conditional use approval criteria, the development standards, and other regulations of this Code. The conditional use process and approval criteria are stated in Section 10.2.200.
- D. *Not Permitted Uses.* Uses listed in Table 3-2 with an “N” are not permitted or prohibited. Existing uses may be subject to the regulations of Section 10.7.100, Nonconforming Development.
- E. *Accessory Uses.* Uses that are accessory to a primary use are allowed if they comply with specific regulations for accessory uses and all development standards.

**TABLE 3-2  
Residential Zones: Use Table (excerpt)**

USE CATEGORY	RMH
RESIDENTIAL	P
Household Living	
Group Living	L[1]
Transitional Housing	C
Home Occupation	L[2]
Bed and Breakfast	L[3]
HOUSING TYPES	L[4]
Single Units, Detached	
Single Units, Attached	P
Accessory Units	L[6]
Duplexes	P
Manufactured Homes	L[7]
Manufactured Home Park	C
Multi-Family Units	P

Table Footnotes:

[1] Group living with five (5) or fewer residents permitted by right; group living with six (6) or more residents requires conditional use approval.

- [2] Home occupation permitted as an accessory use in all residential zones, subject to compliance with the home occupation standards in Article 7.
- [3] Bed & Breakfast Inn limited to three (3) guest rooms in the SR, R-10, R-7, R-5 and RML zones and twenty-seven (27) guest rooms in the RMH zone, subject to compliance with the Bed & Breakfast Inn standards in Article 7.
- [4] To preserve RMH land for development of multi-family housing, new detached single-family units (including manufactured homes) shall only be allowed on existing lots of record smaller than 5,000 square feet.
- [6] Accessory dwelling units are allowed in conjunction with a single-family dwelling in any residential zone, subject to compliance with the accessory dwelling unit standards in Article 7.
- [7] Manufactured homes on individual lots are permitted except within national historic districts, subject to compliance with the standards in Article 7. Manufactured homes are prohibited within a national historic district.

**Response:** Gales Creek Terrace is designed to accommodate a total of 186 lots for single-family detached residential construction. Compliance with density requirements is demonstrated below in the response to Section 10.3.130, Residential Development Standards. Development and use of the resulting platted lots will be required to comply with the above use standards.

**10.3.130 RESIDENTIAL DEVELOPMENT STANDARDS**

*A. Residential Densities*

The City of Forest Grove regulates residential development primarily by density rather than minimum lot size. Density is calculated based on net site area. Within the density limits of each of the five residential zones, a variety of housing types and lot sizes are permitted. This approach allows more sites to be developed with the flexibility of a Planned Development.

All residential subdivisions and multi-family developments are required to develop at a minimum of 80% of the targeted density.

**TABLE 3-3**

**Residential Zone Density Standards (excerpt)**

Zoning District	Average Lot Size	Target	Minimum	Incentive*
RMH	--	20.28	16.22	23.32
Density = dwelling units / NET ACRE Minimum Density = 80% of Target Incentive Density = 115% of Target except for SR and R-10, which is 120% of Target				

\* only allowed a part of a Planned Development (see Section 10.4.200)

*B. Calculating Potential Densities*

The number of dwelling units allowed on a parcel in any of the five residential zones is calculated using Table 3-3. Density calculations count dwelling units (not structures), i.e., a duplex is counted as two (2) dwelling units. Accessory dwelling units are not counted as dwelling units for the purpose of calculating density.

1. The Target Density is permitted outright.

2. *The Minimum Density is required to ensure:*
  - a. *Land is being used at the appropriate intensity planned for the area;*
  - b. *Enough dwelling units can be developed to accommodate the projected need for housing; and*
  - c. *Compliance with the Metro Functional Plan.*
3. *The Incentive Density provides the opportunity for a density bonus to reward design features, amenities, and/or other improvements which can be shown to increase the value of the residential development for neighborhood residents and the general public and/or provide affordable housing. Incentive Density is only allowed as part of a Planned Development (see Article 4, Section 10.4.200).*

C. *Density Reductions Due to Slope*

*All densities (target, minimum and incentive) listed in Table 3-3 shall be reduced based on the slope of the property as shown below. Where a parcel has areas of different slopes, the property shall be divided up into areas of like slopes, and the reductions applied to those areas. If the areas of similar slopes do not fit into the categories below, the Director shall use a percentage reduction that is based on the slope-to-density reduction relationship expressed in Table 3-4 (For example, an area of 13% to 18% slope would receive a reduction of around 25%).*

**TABLE 3-4: Density Reduction for Slopes**

<i>Average Slope</i>	<i>Reduction in Density</i>
<i>10% to 14.9%</i>	<i>10%</i>
<i>15% to 24.9%</i>	<i>30%</i>
<i>25% to 34.9%</i>	<i>50%</i>
<i>35% and above</i>	<i>100%</i>

*For development sites over two (2) acres that have an average slope greater than 20% (see definition), development is only allowed through approval of a Planned Development.*

**Response:** The Applicant has prepared computerized slope analysis mapping of the net area of the Subject Property using the slope categories in Table 3-4. (See Exhibit C.) That analysis results in the following tabular summary, which concludes that a minimum yield of 186 dwelling units is required to meet the minimum density requirement:

<b>Slope Category</b>	<b>Min. Slope</b>	<b>Max. Slope</b>	<b>Area (SF)</b>	<b>Area (Acres)</b>	<b>RMH Density (Min.)</b>	<b>Density Reduction (Table 3-4)</b>	<b>Adjusted Density (Min.)</b>	<b>Minimum DU's Required</b>
1	0%	10%	216,405	4.97	16.22	0%	16.22	80.6
2	10%	15%	213,833	4.91	16.22	-10%	14.60	71.7
3	15%	25%	126,812	2.91	16.22	-30%	11.35	33.1
4	25%	35%	3,334	0.08	16.22	-50%	8.11	0.6
5	35%	>35%	62	0.00	16.22	-100%	0	0.0
			<b>560,446</b>	<b>12.87</b>				<b>185.9</b>

The proposed development contains 186 lots for single-family residential development, i.e., one dwelling unit per lot. The proposed development therefore complies with these provisions.

*D. Exemptions from Minimum Density Standards*

*1. Small Parcels. The minimum density standards set forth in Table 3-3 focus primarily on subdivisions and multi-family developments. The standards do not apply to individual single family building permits on existing parcels or to partitions or development on parcels smaller than one-half (½) acre. The City does not want to inhibit infill development or require densities that are out of scale with established neighborhoods with the application of minimum density standards to small parcels. However, this exemption does not reduce the target density allowed outright on parcels smaller than one-half (½) acre; it only removes the requirement for a minimum number of units.*

**Response:** This provision is not applicable because no exemption from the Minimum Density Standards is requested.

*E. Incentive Density*

*Planned Developments may request a density bonus up to a maximum of the Incentive Density shown in Table 3-3 and shall be based on the following discretionary criteria:*

*[detailed provisions omitted for brevity]*

**Response:** This provision is not applicable because no Incentive Density bonus is requested.

*F. Minimum Lot Size and Dimensions (SR, R-10, R-7 and R-5 Zones)*

*[detailed provisions omitted for brevity]*

**Response:** These provisions are not applicable to the Subject Property because it is in the RMH Zone. Refer to Subsection G below.

*G. Minimum Lot Size and Dimensions (RML and RMH Zones)*

*Varied lot sizes and housing types are permitted and encouraged within the density ranges established for the RML and RMH Zones. However, construction of new single family detached units is restricted to existing lots smaller than 5,000 square feet in the RMH Zone in order to retain land for multi-family housing. The following base minimum lot size and dimensional standards apply after the potential number of units has been determined using Table 3-3.*

*[detailed provisions omitted for brevity]*

*H. Setback Standards*

*[detailed provisions omitted for brevity]*

*I. Building Height*

*[detailed provisions omitted for brevity]*

**Response:** This application for Planned Development approval is subject to the provisions of the Planned Development Chapter of the Code, under Section 10.4. Section 10.4.215, PD Development Standards, subsection A, provides that "The development standards of the base zone apply unless they are superseded by the standards of this section or the PD approval." This request includes

specific development standards for Gales Creek Terrace that will supersede the base zone standards pursuant to that provision. Detailed discussion is provided below under Section 10.4.215.

### **10.3.140 RESIDENTIAL DESIGN STANDARDS**

*All residential development is subject to the design standards found in Section 10.8.880.*

**Response:** Homes proposed for construction within GCT will be required to demonstrate compliance with the applicable design standards. Detailed responses are provided below for that Code Section.

### **PLANNED DEVELOPMENTS**

#### **10.4.200 PURPOSE**

*The purpose of the Planned Development (PD) provisions is to provide greater flexibility in the development of land for residential, commercial or industrial purposes than allowed by the conventional standards of the Development Code. The PD provisions are intended to:*

*A. Promote flexibility and innovation in site design and permit diversity in the location of structures;*

**Response: .**

*B. Promote efficient use of land and facilitate a more economical arrangement of buildings, circulation systems, land uses, and utilities when compared with conventional development patterns;*

**Response: .**

*C. Preserve to the greatest extent possible existing landscape features and amenities, and incorporate such features into the design of the PD;*

**Response: .**

*D. Combine and coordinate architectural styles, building forms and building relationships within the PD; and*

**Response: .**

*E. Provide the applicant with reasonable assurance of ultimate approval before requiring detailed design and engineering, while providing the City with assurances that the project will retain the character envisioned at the time of approval.*

**Response: .**

#### 10.4.205 PROCEDURES

*A planned development is reviewed through a two-step process.*

*A. Preliminary plan. The preliminary plan is reviewed under Type III procedures. The preliminary plan review examines the PD plan with respect to items such as density, including the number, type, and location of dwelling units; parking; impacts on surrounding areas; adequacy of services; and conceptual plan for service improvements. Preliminary plan approval will only be granted when there is a reasonable certainty that the PD will fulfill all applicable requirements of the City Codes.*

*B. Final plan. The final plan for the PD is reviewed under Type II administrative procedures. The applicant must submit the detailed and technical information necessary to demonstrate that all applicable City standards, requirements, and conditions have been met. Approval will only be granted if the final plan is in substantial conformance with the preliminary plan.*

*C. Concurrent land division. A PD may be filed and processed concurrently with a partition or subdivision application. All of the submittal requirements and review standards of Article 6 will apply to a concurrent PD/land division request. The tentative plat will be combined with the preliminary PD review and the final plat will be combined with the final PD review.*

*D. Site development/design review. The PD approval may remove the requirement for subsequent site development or design review of individual buildings, if the PD includes building elevations and sufficient information to demonstrate compliance with the applicable site development/design review standards. The PD decision shall expressly state whether individual buildings within the PD (such as commercial or multifamily buildings) require site development or design review approval.*

#### 10.4.210 PROFESSIONAL DESIGN TEAM REQUIRED

*The PD applicant must certify, in writing, that a member of each of the following professions will be used in the planning and design process for the proposed PD:*

*A. A licensed architect or professional urban designer.*

*B. A licensed landscape architect, a certified nurseryman, or landscape designer approved by the Director.*

*C. A registered civil engineer or land surveyor.*

*One of the above professionals shall be designated by the applicant to act as a liaison between the Community Development Department, the design team, and the applicant during the two-step PD review process. The Planning Commission or City Council may require the expertise of other professionals on the design team if it is determined that the site merits special consideration to unique or adverse features or conditions.*

#### 10.4.215 PD DEVELOPMENT STANDARDS

*A. Base Zone Standards. The development standards of the base zone apply unless they are superseded by the standards of this section or the PD approval.*

**Response:** Gales Creek Terrace is proposed as a Planned Development to create a specific neighborhood scale, context, and range of home styles. The Planned Development process allows the City of Forest Grove to evaluate and approve a specific set of dimensional standards that is unique to Gales Creek Terrace, in lieu of using base zone standards designed for general applicability outside the Planned Development approval process. Specific development standards are provided in detail and discussed under the specific subsection headings below.

*B. Site Size. There are no minimum or maximum size limitations for a PD.*

**Response:** The proposal complies with this provision.

*C. Calculation of Density. The number of dwelling units allowed in residential zone PDs shall be calculated on the basis of Table 3-2 in Article 3. All residential development shall be at a minimum of 80% of the target density for the parent zone. A request for incentive density may be approved for the PD, based on the criteria in Section 10.3.130 E.*

**Response:** The Applicant's response to Section 10.3.130 Residential Development Standards, above in this document, demonstrates compliance with the residential density requirements of the RMH base zone. This application does not include a request for an incentive density bonus.

*D. Multiple Base Zones. When a proposed PD site includes more than one base zone, the uses may be allocated throughout the site without regard to zoning boundaries.*

**Response:** The entire Subject Property is located within the RMH base zone.

*E. Lot Sizes. There are no required minimum lot sizes.*

**Response:** The proposal complies with this provision.

*F. Housing Types Allowed. Housing types in zones that allow residential uses are not restricted in the PD.*

**Response:** The principals of Gales Creek Development, LLC, previously developed the Casey Meadows and Casey Meadows 2 Planned Developments in Forest Grove. The Gales Creek Terrace concept is based on the Applicant's experience with that project, as well as numerous other projects in the region.

Gales Creek Terrace responds to several factors influencing housing choices and availability:

- Aspiring first-time home buyers are often young working adults seeking to settle where they can enjoy an easy (and preferably short) workplace commute;
- People in that demographic need a home that is within reach financially but can help them meet anticipated housing needs – frequently including starting a family;

- Detached single-family homes on separate lots are strongly preferred, in comparison with multifamily or attached residences;
- Homes with vehicular access on an alley are not as desirable as homes with their driveway/garage access directly from the street, in the front or side yard. Such lots are significantly slower to sell, and obtain lower prices.

Gales Creek Terrace seeks to address this housing niche at an opportune location on the terraced land north of Gales Creek, a short distance from the historic business district. The topography allows terraced streets running east-west, with lots primarily oriented north-south (preferable for solar access). While the RMH base zoning requires a relatively high number of dwelling units (at least 16.22 units per net acre, before slope adjustments), recent new home designs with smaller footprints – particularly structure widths – make it possible to satisfy the density requirement using a more broadly desirable dwelling type: detached single-family homes. The Planned Development provisions are designed to foster such flexibility, i.e., to use dwelling unit types other than those specified for typical development in the RMH zone, as long as density requirements are satisfied.

*G. Height. The height limits of the base zone apply.*

**Response:** The proposed maximum building height in Gales Creek Terrace is 35 feet, characteristic of neighborhood areas in single-family residential zones. This maximum building height limit does not exceed the RMH Zone standard of 45 feet, therefore the proposal complies with the applicable maximum building height requirement.

*H. Building Setbacks. Building setbacks are established as part of the preliminary development plans approval.*

**Response:** The Applicant requests approval for the following set of dimensional requirements and guidelines within Gales Creek Terrace:

**Lot Dimensional Requirements  
Gales Creek Terrace Planned Development**

Housing Type	Minimum Lot Dimensions [1]	
Single-family Detached	Depth: 65 feet	Width: 23 feet
Single-Family Attached	Depth: 65 feet	Width: 20 feet

Footnotes: [1] Lot width is measured at the front building line.

**Setback Requirements  
Gales Creek Terrace Planned Development**

Front Yard, Dwelling	11 feet
Front Yard, Garage	18 feet
Interior Side Yard	For detached residences and exterior sides of attached dwellings: <ul style="list-style-type: none"> <li>• Minimum 6 feet between structures</li> <li>• May be centered on property line, i.e., 3 feet on both sides; or</li> </ul>

	<ul style="list-style-type: none"> <li>Offset alignment may be specified by developer for paired lots across a shared interior side property boundary, e.g., <ul style="list-style-type: none"> <li>0 feet + 6 feet,</li> <li>1 foot + 5 feet,</li> <li>2 feet + 4 feet, or</li> <li>fractional values that sum to a minimum of 6 feet.</li> </ul> </li> </ul> <p>For interior (attached) sides of attached dwellings:</p> <ul style="list-style-type: none"> <li>Zero (i.e., common wall at property boundary).</li> </ul>
Corner Side Yard	Minimum 5 feet or 1 foot more than Public Utility Easement width
Rear Yard	For lots with rear yards abutting the Gales Creek corridor pedestrian path tracts: 15 feet  For all other lots: 12 feet

*I. Open Space. In residential zones, at least 40% of the PD not in streets and driveways must be devoted to open space. In nonresidential zones, at least 20% of the PD not in streets and driveways must be devoted to open space. At least half of the open space in all zones must be in common ownership and at least half of that space be contained in one tract. The tract's configuration shall be 45% of the site's overall length and width with a minimum dimension of 20 feet.*

**Response:**

The Planned Development meets the City's open space requirements. The private open space can be found on the lots in the yards. The plan proposes offset side yard setbacks (often called a "Zero Lot Line" configuration) to allow each lot to have a usable 6-foot wide side yard in addition to its 12-foot rear yard (15 feet for lots adjacent to the Gales Creek corridor). The resulting yard areas of homes (front yard excluding driveway, side and rear yards) typically amount to 32% to 39% of each interior lot, with higher ratios on corner lots (with a wider street side setback) and non-rectangular lots. Thus the requirement for open-space in private ownership is met. (See calculations in Exhibit D.)

The Code bases open space calculations on percentages "of the PD not in streets and driveways." (In the context of this planned development, since there are no shared accesses, or "driveways", the area calculations include all of the land area in proposed lots, deducting the public rights-of-way.) The basis figures below are from the Applicant's residential density calculations presented above:

Slope Category	Min. Slope	Max. Slope	Area (SF)	Area (Acres)
1	0%	10%	216,405	4.97
2	10%	15%	213,833	4.91
3	15%	25%	126,812	2.91
4	25%	35%	3,334	0.08
5	35%	>35%	62	0.00

			560,446	12.87
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This 12.87-acre figure is the basis for analyzing compliance with the three factors that apply to residential planned developments:

- (1) *"In residential zones, at least 40% of the PD not in streets and driveways must be devoted to open space."*
- (2) *[not applicable – applies only in nonresidential zones]*

Multiplying the 12.87-acre figure above ("PD not in streets") by 40% produces a **minimum open space requirement of 5.15 acres.**

Gales Creek Terrace includes numerous open space tracts. A detailed phase-by-phase listing of the proposed tracts is provided in Exhibit D. Summarizing from those tables:

Phase	Contiguous Open Space (acres)	% of PD Total	Other Open Space (acres)	% of PD Total	Total PD Open Space (acres)	% of Total Minimum Requirement
1	2.63	55%	0.69	37%	3.32	64%
2	1.85	39%	0.37	20%	2.22	43%
3	0.29	6%	0.82	44%	1.11	22%
<b>PD Total</b>	<b>4.77</b>	<b>100%</b>	<b>1.89</b>	<b>100%</b>	<b>6.63</b>	<b>129%</b>

The proposed Planned Development includes open space tracts totaling 6.63 acres, which is 129% of the minimum requirement, exceeding the minimum by 1.48 acres. Note that open space provision is weighted heavily toward the initial phases of development: Phases 1 and 2 alone will provide a total of 5.54 acres of open space, or 108% of the total minimum project requirement.

- (3) *"At least half of the open space in all zones must be in common ownership and at least half of that space be contained in one tract."*

This provision mandates that at least half of the minimum required open space be "contained in one tract." Half of the minimum required open space area (5.15 acres) would be **2.08 acres.**

As the listing of 4.77 acres of "Contiguous Open Space" listed in the table above suggests, Gales Creek Terrace includes an open space feature that is more than twice the minimum required size (229%).

The following sets of proposed tracts, as illustrated in the lot layout/phasing drawings, together will comprise a contiguous open space that can be implemented logically in increments keyed to development phasing. These tracts will satisfy the intent of this requirement on a phase-by-phase basis as well as for the project as a whole:

Plat Phase	Tract Letter	Description / Notes	Contiguous Open Space
1	E	20-foot Wide Pedestrian Trail Corridor, Typ., with: <ul style="list-style-type: none"> <li>• Public Sanitary Sewer Easement</li> <li>• Pedestrian Access Easement</li> <li>• Easement to allow HOA to construct &amp; maintain retaining wall in northerly 5 feet of easement corridor</li> <li>• Utility Vehicle Access Easement</li> </ul>	0.40
	I	Gales Creek Vegetated Corridor	1.72
	J	Open Space (Scenic and Passive Use)	0.48
	K	Pedestrian Access between Tract E and 18 <sup>th</sup> Avenue (may require stairs due to steep slope)	0.03
	<b>Open Space Totals - Phase 1 (Acres)</b>		
... As Percent of Category Total for Project			55%

Plat Phase	Tract Letter	Description / Notes	Contiguous Open Space
2	L	Gales Creek Vegetated Corridor	0.29
	M	20-foot Wide Pedestrian Trail Corridor, Typ., with: <ul style="list-style-type: none"> <li>• Public Sanitary Sewer Easement</li> <li>• Pedestrian Access Easement</li> <li>• Slope Easement</li> <li>• Utility Vehicle Access Easement</li> </ul>	0.28
	N	Open Space - Community Lawn and Gardens	0.72
	P	Open Space - Community Lawn and Gardens	0.30
	T	Pedestrian and Utility Vehicle Access in a temporary easement over tax lot 500, to be platted as a tract in Phase 3	0.26
	<b>Open Space Totals - Phase 2 (Acres)</b>		
... As Percent of Category Total for Project			39%

Plat Phase	Tract Letter	Description / Notes	Contiguous Open Space
3	U	20-foot Wide Pedestrian Trail Corridor, Typ., with: <ul style="list-style-type: none"> <li>• Pedestrian Access Easement</li> <li>• Utility Vehicle Access Easement</li> </ul>	0.29
	<b>Open Space Totals - Phase 3 (Acres)</b>		
... As Percent of Category Total for Project			6%

<b>Analysis Summary:</b>	
<b>Gales Creek Terrace Area Not in Streets (Acres)</b>	<b>12.87</b>
<b>Gales Creek Terrace Contiguous Open Space Total (Acres)</b>	<b>4.77</b>
<b>... As Percent of PD Area Not in Streets</b>	<b>37%</b>

The proposed configuration of contiguous open space tracts meets this requirement.

(4) *The tract's configuration shall be 45% of the site's overall length and width with a minimum dimension of 20 feet.*

The key organizing element of the contiguous open space feature is formed by Tracts E, M and U. The three tracts are typically 20 feet wide, but wider in some locations where necessary to accommodate other needs, such as service vehicle access to storm water treatment facilities. Open space resources to the south include protective areas for Gales Creek and a vegetated corridor ("buffer") alongside it, and an area GCT homeowners can use for picnicking, gardening or other activities. To the north, pedestrian connections to the public street system are provided in tracts.

Comparing the dimensions of the pedestrian trail tracts with their corresponding development phases yields the following results:

<b>Open Space Dimensional Analysis</b>	<b>Linear Feet +/-</b>	<b>Notes</b>
<b>Phase 1</b>		
Development Area (north-south)	1000	
Development Area (east-west)	685	
Open Space Area	840	Tract E linear corridor length
<i>OS Dimension as Percent of Max. Dimension</i>	84%	
<b>Phase 2</b>		
Development Area (north-south)	580	
Development Area (east-west)	510	
Open Space Area	560	Tract M linear corridor length
<i>OS Dimension as Percent of Max. Dimension</i>	97%	
<b>Phase 3</b>		
Development Area (north-south)	840	
Development Area (east-west)	700	
Open Space Area	700	Tract U linear corridor length
<i>OS Dimension as Percent of Max. Dimension</i>	83%	

For each segment, the length of the tract exceeds the 45% requirement, and the 20-foot dimension of the tract meets the width requirement (even without considering the much larger Gales Creek open spaces alongside the trail corridor tracts). This requirement is met.

*J. Parking. The base zone parking requirements apply. Common parking and maneuvering areas must be set back at least twenty (20) feet from the boundary of the PD.*

**Response:** Each lot and house will be required to comply with on-site parking requirements. Additionally, to meet parking needs, the proposed curb-to-curb paved widths of the Avenues are wide enough to allow on-street parking.

*K. Water Features. Water features such as streams or ponds must be left in a natural state unless altered to improve the natural values of the water feature or to improve stormwater drainage. Water features and their edges should be kept in common ownership.*

**Response:** The Applicant has retained SWCA Environmental Consulting to perform on-site delineations of wetlands and related biological studies, prepare plans for vegetated corridor enhancements, and work with jurisdictional agencies (such as Oregon Department of State Lands and Clean Water Services) for approval of the proposed impact mitigation plans. (See Exhibit E.) The Gales Creek Terrace project will be required to perform vegetated corridor enhancement activities along Gales Creek adjacent to the urban area, located generally between the top of bank on the north side of the stream and the pedestrian trail corridor along the southern edge of the residential development area.

There are portions of the property that are not needed for development which will be retained by the Declarant

*L. Facilities and Services. It is the responsibility of the applicant to provide all service facilities necessary for the functioning of the PD. Service facilities such as streets, water supply facilities, sanitary sewers, and storm water detention facilities must be dedicated to the public if they are to provide service to any property not included in the PD. However, the review body may approve private service facilities with the consent of the appropriate service provider.*

**Response:** Phased construction of Gales Creek Terrace will proceed from east to west because it is necessary to extend the public sewer trunk line from its existing terminus southeast of the Subject Property to serve the area (as well as, ultimately, other properties to the west of the Subject Property). In each phase, the developer will construct streets, water services and storm drainage systems, including storm water quality facilities to serve each new development area. Where public water, sewer and storm facilities cannot be located within public street rights-of-way, they will be routed through tracts or public utility easements. The Applicant has provided preliminary utility plans to demonstrate the feasibility of constructing and operating all of the needed utility systems. (See Exhibit A.

*M. Underground Utilities. All service facilities must be placed underground except those that by their nature must be on or above ground, such as fire hydrants and open water courses. The applicant is responsible for making the necessary arrangements with utility companies and other appropriate entities when installing all service facilities.*

**Response:** All franchise or “dry” utility services (such as natural gas, electricity, telephone, and cable TV) will be provided underground within Public Utilities Easements located along all public street right-of-way edges.

*N. Construction to Standards. All service facilities dedicated to the public must be constructed to City standards. All private service facilities must be designed by a qualified civil engineer to City standards or comparable design life as determined by the City Engineer.*

**Response:** Preliminary engineering plans submitted by the Applicant demonstrate the feasibility of constructing required service facilities to meet City standards in the proposed alignments. Compliance will be assured through the Public Work Permit review/issuance process following land use approval, prior to construction.

*O. Building Size Standards. For areas designated as Planned Shopping Center by the Comprehensive Plan, commercial retail is limited to 20,000 square feet and commercial office is limited to 10,000 square feet.*

**Response:** This provision is not applicable because the subject property is designated only for residential use.

#### *10.4.220 PRELIMINARY PLAN REVIEW*

*A. Procedure. Preliminary plan reviews are processed through a Type III procedure.*

*B. Submittal Requirements. Applications for a preliminary plan review must contain the information stated below in addition to that required by Section 10.1.225.*

*1. General statement. A statement of how the purpose of Section 10.4.200 will be achieved by the proposed PD. The statement should include sketches or illustrations of the proposed character of the development, a description of how the PD will relate to surrounding land uses and whether other land use reviews are requested.*

*2. Summary report. A summary report identifying the different land uses, including the amount of land for housing, non-residential uses, open areas, streets and parking; the number and type of housing units; the amount and type of commercial or industrial areas, if any; and a statement of how necessary services will be provided and whether the services will be publicly or privately owned and operated.*

*3. Drawings of existing site conditions. A drawing or drawings must be submitted which display and inventory existing site conditions including the items listed below.*

- a. Ground elevations shown with contour lines at two (2) -foot intervals or less.*
- b. Areas of moderate or severe landslide potential, as identified on City maps or documented by an engineering geologist or geotechnical engineer.*
- c. General soil types as identified on City maps or as documented by an engineering geologist or soils engineer.*

- d. Existing natural features, including rock outcroppings, trees and tree groves, fish and wildlife habitats, ponds, wetlands, and watercourses.
- e. Existing on-site or abutting sanitary sewage, storm drainage, and water supply facilities. If such facilities are not on or abutting the site, indicate the direction and distance to the nearest ones.
- f. Width, location, and purpose of all existing easements of record on or abutting the site.
- g. A description of the traffic circulation system on or abutting the site, including street sizes, level of improvements, and condition of the streets.
- h. A description of areas abutting the PD, indicating zoning districts, land uses, densities, circulation systems, public service facilities, natural features, and approximate locations of nearby structures.
- i. Any additional information about existing site conditions required for a concurrent subdivision application.

4. *PD Site Plan.* The site plan must include the information stated below.

- a. Setbacks for houses and the placement and bulk of other buildings.
- b. The traffic circulation system, including connections to existing public rights-of-way, off-street parking, and the ownership of streets and parking areas.
- c. Conceptual plans for pedestrian and bicycle circulation systems.
- d. Conceptual plans for all necessary services, including their location and whether the services will be publicly or privately owned and maintained.
- e. Conceptual plans for all facilities for the control and disposal of storm water and groundwater.
- f. Conceptual plans for the location and design of public and private open areas or structures.
- g. Treatment proposed for the periphery of the site, including the approximate amount, location, and type of any required landscaping.
- h. Conceptual guidelines for multi-family and commercial structures, including such things as building heights, sizes, areas, roof shapes, exterior materials, and types of parking areas.

5. *Phased PDs.* PDs being developed in phases require a description of each phase, including the size, uses, and timing.

6. *Drawings.* Drawings showing the existing site conditions and the proposed site plan must be at a reasonable size and scale to clearly show all required information. The drawings must display the following:

- a. Name of the proposed PD;
- b. Date, north arrow, and scale of the drawing;
- c. Legal description of the PD sufficient to define its location and boundaries;
- d. Names, addresses, and telephone numbers of the owner, applicant, and design team;
- e. Appropriate identification of the drawing as a preliminary plan.

C. *Approval Criteria.* The preliminary plan will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

1. The plan fulfills the purpose for PDs stated in Section 10.4.200;

**Response:** Please refer to the Applicant's responses above under "10.4.200 PURPOSE".

2. *The plan meets the submittal requirements of Section 10.4.220 B;*

**Response:** This narrative/findings document, together with drawings and supporting technical evidence presented by the Applicant, satisfy the submittal requirements.

3. *Adequate public services exist or can be provided to serve the proposed PD; and*

**Response:** The Applicant has obtained letters from the City Engineer and from Forest Grove Light & Power indicating that services exist in or near the property, and can be extended and/or otherwise improved to meet the service needs of the proposed Planned Development.

4. *Where a tentative subdivision plat is requested, the requirements of Article 8 are met.*

**Response:** This narrative/findings document, together with drawings and supporting technical evidence presented by the Applicant, satisfy the requirements of Article 8 for review of the proposed subdivision.

*D. Time Limit. Preliminary plan approval is valid for three (3) years and may not be extended. The three (3)-year period will not begin until any appeals beyond the jurisdiction of the City are completed. Within the three (3) year time period, the applicant must submit a final development plan for the entire site, or for the first phase if the PD has been approved for phased development. The applicant must submit final development plans for any subsequent phases within the time limit specified for the phases.*

**Response:** This Section provides procedural guidance and requires no evidence from the Applicant.

#### *10.4.225 FINAL PLAN REVIEW*

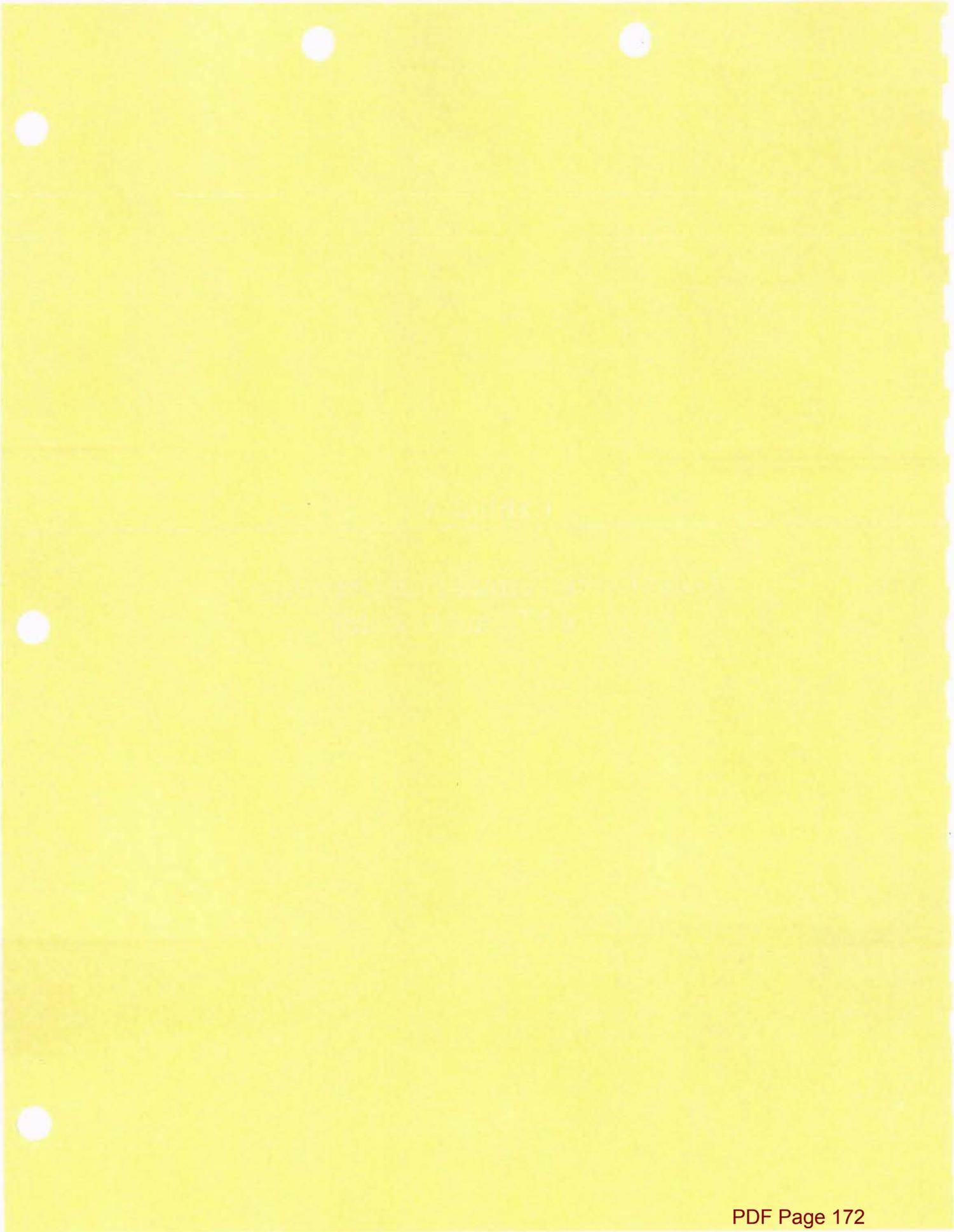
*[detailed provisions omitted for brevity]*

**Response:** This Section provides standards for the review and approval of a Final Plan. For this proposal, which will involve a Subdivision Final Plat, Final Plan Review under this section is best undertaken at that time, in a coordinated process.

**Exhibit A**

---

Gales Creek Terrace Plan Drawings  
(11" x 17", not to scale)

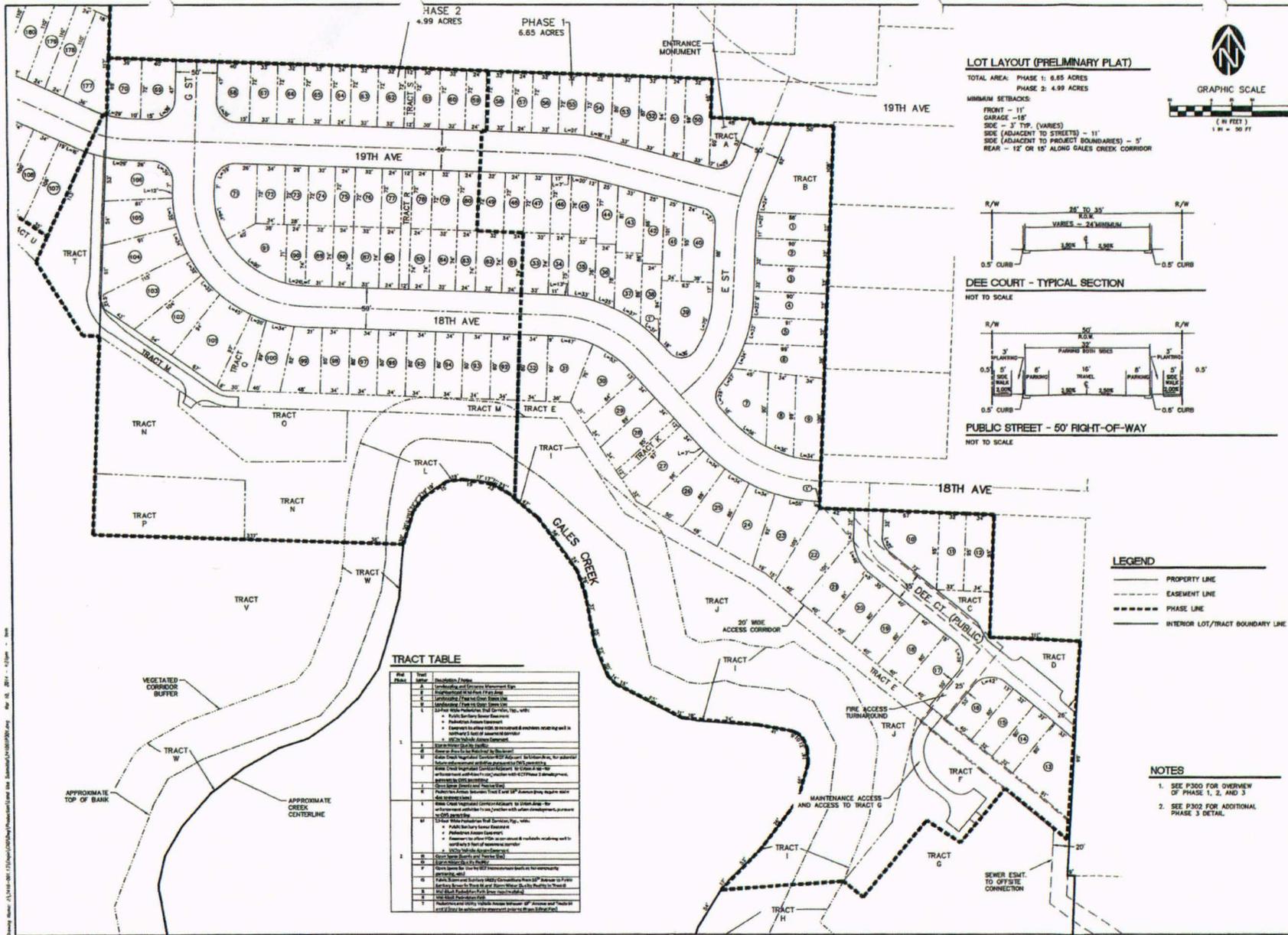






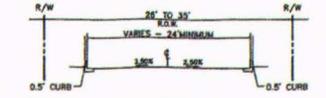
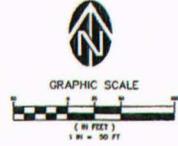




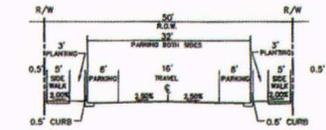


**LOT LAYOUT (PRELIMINARY PLAT)**

TOTAL AREA: PHASE 1: 6.65 ACRES  
 PHASE 2: 4.99 ACRES  
 MINIMUM SETBACKS:  
 FRONT - 11'  
 GARAGE - 15'  
 SIDE - 3' TYP. (VARIES)  
 SIDE (ADJACENT TO STREETS) - 11'  
 SIDE (ADJACENT TO PROJECT BOUNDARIES) - 5'  
 REAR - 15' OR 10' ALONG GALES CREEK CORRIDOR



DEE COURT - TYPICAL SECTION  
 NOT TO SCALE



PUBLIC STREET - 50' RIGHT-OF-WAY  
 NOT TO SCALE

**LEGEND**

- PROPERTY LINE
- - - EASEMENT LINE
- PHASE LINE
- INTERIOR LOT/TRACT BOUNDARY LINE

**NOTES**

1. SEE P300 FOR OVERVIEW OF PHASE 1, 2, AND 3
2. SEE P302 FOR ADDITIONAL PHASE 3 DETAIL.

**TRACT TABLE**

TRACT	AREA (ACRES)	DESCRIPTION / NOTES
1	6.65	PHASE 1: 6.65 ACRES
2	4.99	PHASE 2: 4.99 ACRES
3	0.15	VEGETATED CORRIDOR BUFFER
4	0.15	APPROXIMATE TOP OF BANK
5	0.15	APPROXIMATE CREEK CENTERLINE

**WESTLAKE CONSULTANTS INC.**  
 ENGINEERING • PLANNING  
 1000 S. MAIN STREET, SUITE 100  
 DENVER, COLORADO 80202  
 TEL: 303.733.1100  
 FAX: 303.733.1101

**GALES CREEK TERRACE**  
 FOREST GROVE, OR  
 PRELIMINARY PLAT - EAST

DATE: 03/07/2014  
 SHEET: P301  
 JOB NO.: 2410-01  
 31104P300

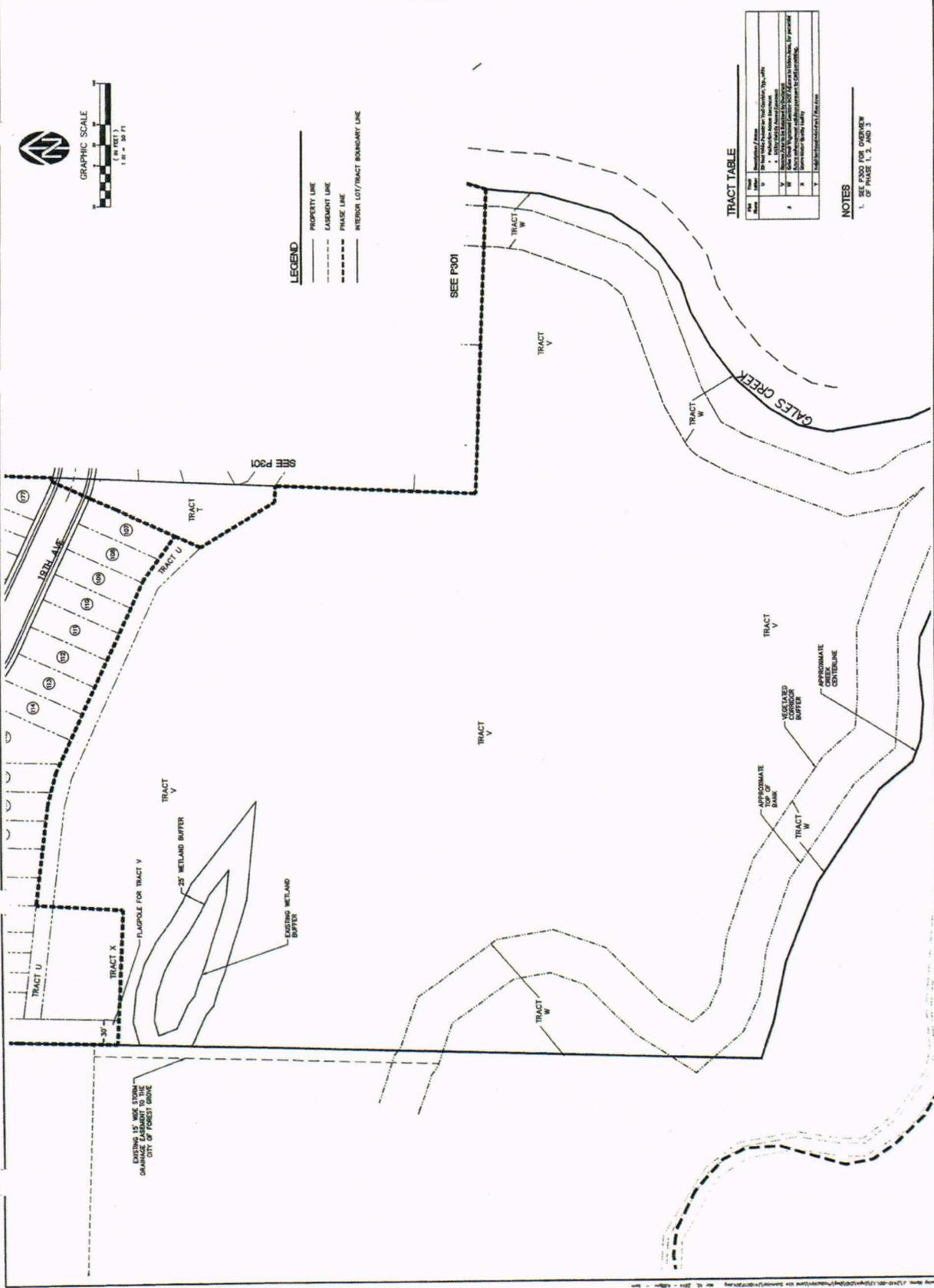
03/07/2014 PLANNING SUBMITTAL



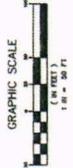


# GALES CREEK TERRACE FOREST GROVE, OR PRELIMINARY PLAT - SOUTHWEST

**WESTLAKE CONSULTANTS, INC.**  
 ENGINEERING • SURVEYING • PLANNING  
 10000 NE SUNNYVALE AVENUE, SUITE 100  
 PORTLAND, OREGON 97228  
 TEL: (503) 253-8200 FAX: (503) 253-8201



- LEGEND**
- PROPERTY LINE
  - - - EASEMENT LINE
  - - - - - PHASE LINE
  - - - - - INTERIOR LOT/TRACT BOUNDARY LINE

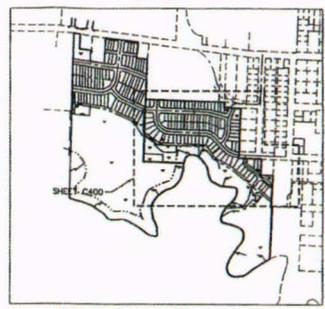
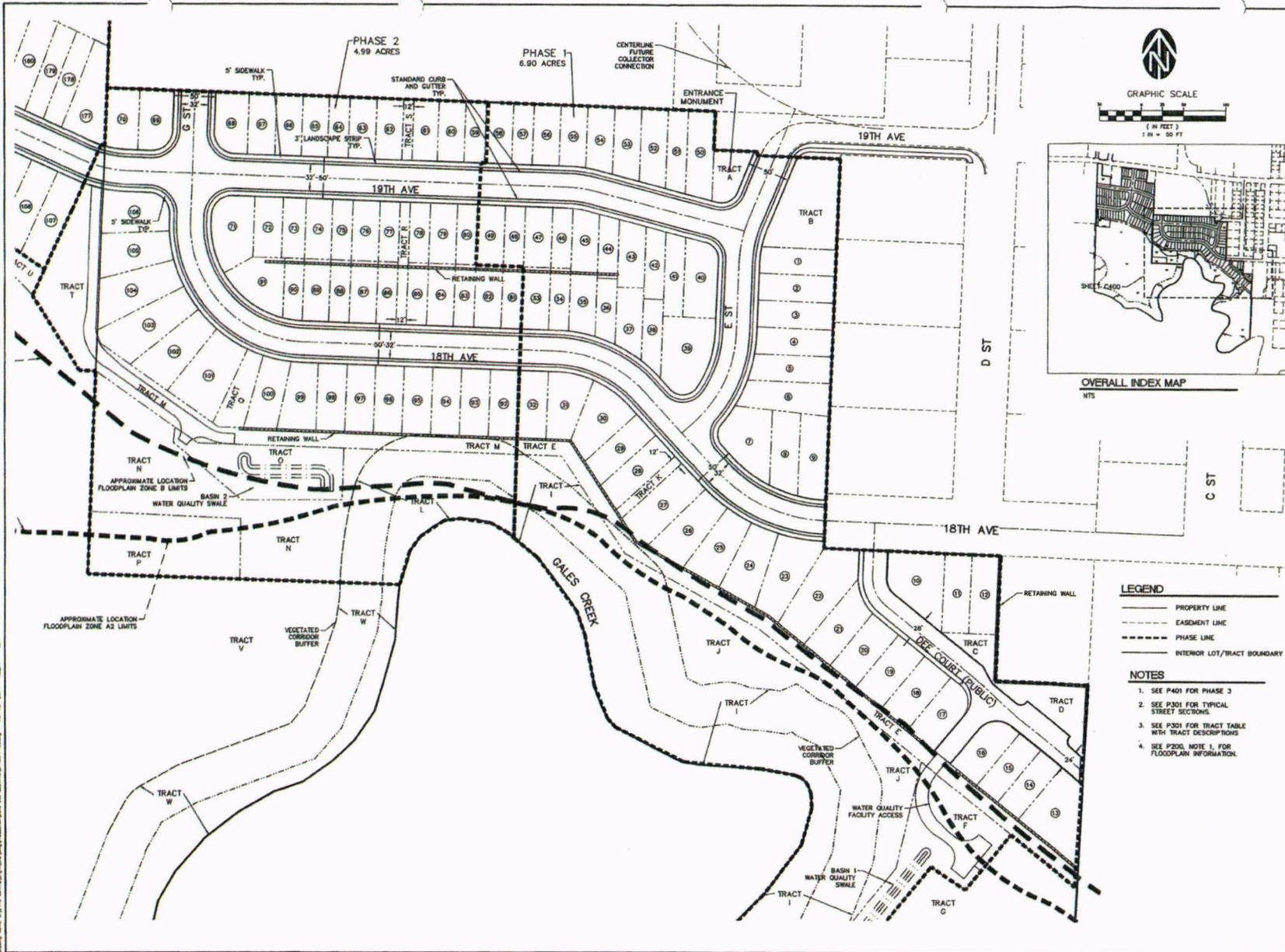


**TRACT TABLE**

TRACT NO.	ACRES	DESCRIPTION
U	1.25	RESIDENTIAL
V	15.5	WETLAND
W	0.5	WETLAND BUFFER
X	0.2	RESIDENTIAL
Y	12.0	WETLAND BUFFER

- NOTES**
- SEE P300 FOR OVERVIEW OF PHASE 1, 2, AND 3

**P304**  
 SHEET  
 JOB NO. 2410-01



- LEGEND**
- PROPERTY LINE
  - - - EASEMENT LINE
  - - - PHASE LINE
  - INTERIOR LOT/TRACT BOUNDARY LINE

- NOTES**
1. SEE P401 FOR PHASE 3
  2. SEE P301 FOR TYPICAL STREET SECTIONS.
  3. SEE P301 FOR TRACT TABLE WITH TRACT DESCRIPTIONS
  4. SEE P200, NOTE 1, FOR FLOODPLAIN INFORMATION.

**WESTLAKE**  
CONSULTANTS INC.  
ENGINEERING • SURVEYING • PLANNING  
1000 WESTLAKE DRIVE, SUITE 100  
WESTLAKE, TEXAS 76068  
PHONE (817) 444-2222  
FAX (817) 444-2222

**GALES CREEK TERRACE**  
FOREST GROVE, OR  
PRELIMINARY SITE PLAN - EAST

**REVISIONS**

NO.	DATE	DESCRIPTION

SHEET **P400**  
JOB NO 2410-01  
DATE 03/07/2014  
PLANNING SUBMITTAL

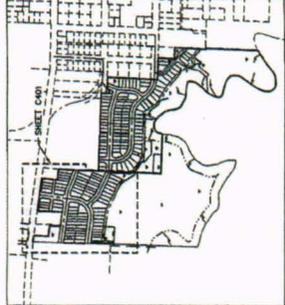
REVISIONS	DATE	DESCRIPTION

**P401**  
SHEET  
JOB NO. 2410-01  
SHEET NO.

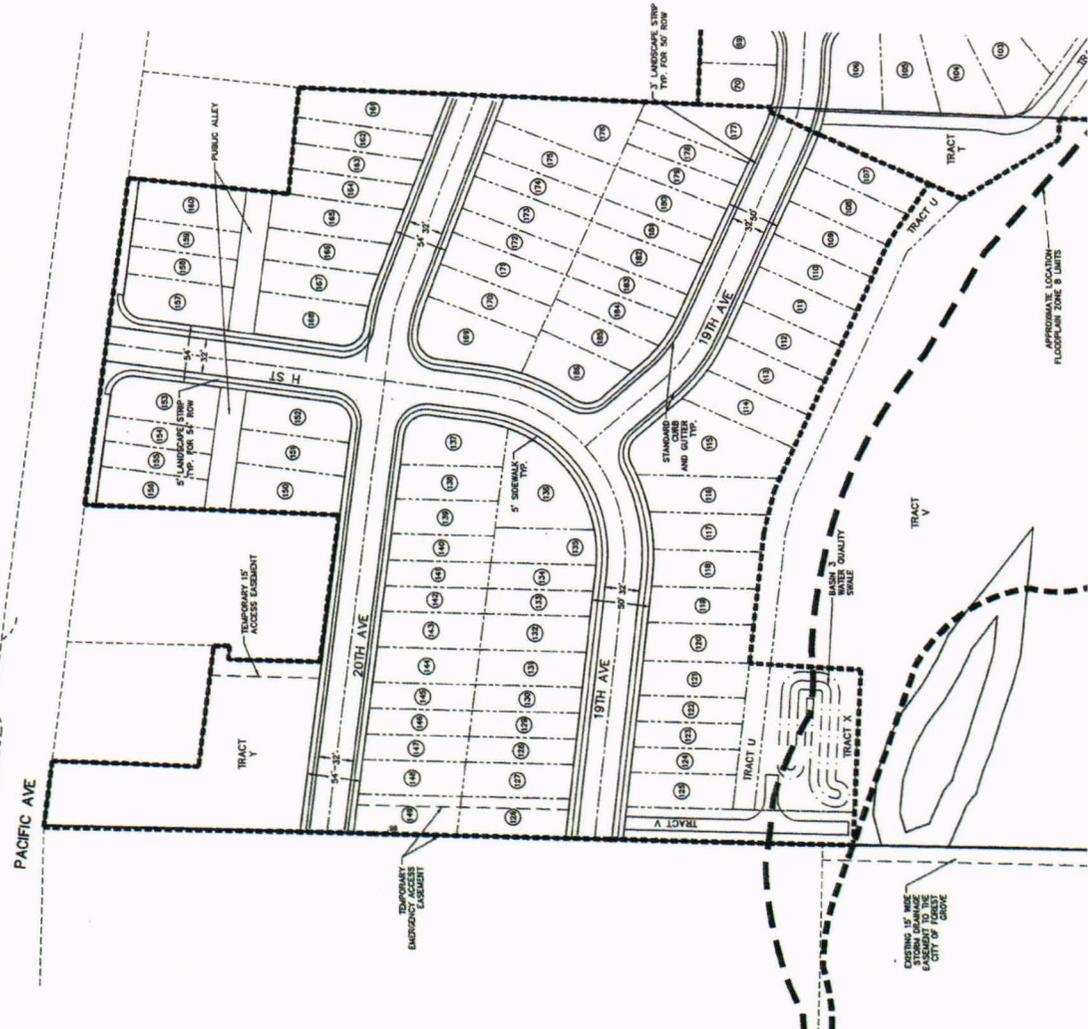
**GALES CREEK TERRACE**  
FOREST GROVE, OR  
PRELIMINARY SITE PLAN - WEST

**WESTLAK**  
CONSULTANTS  
ENGINEERING • SURVEYING • PLANNING

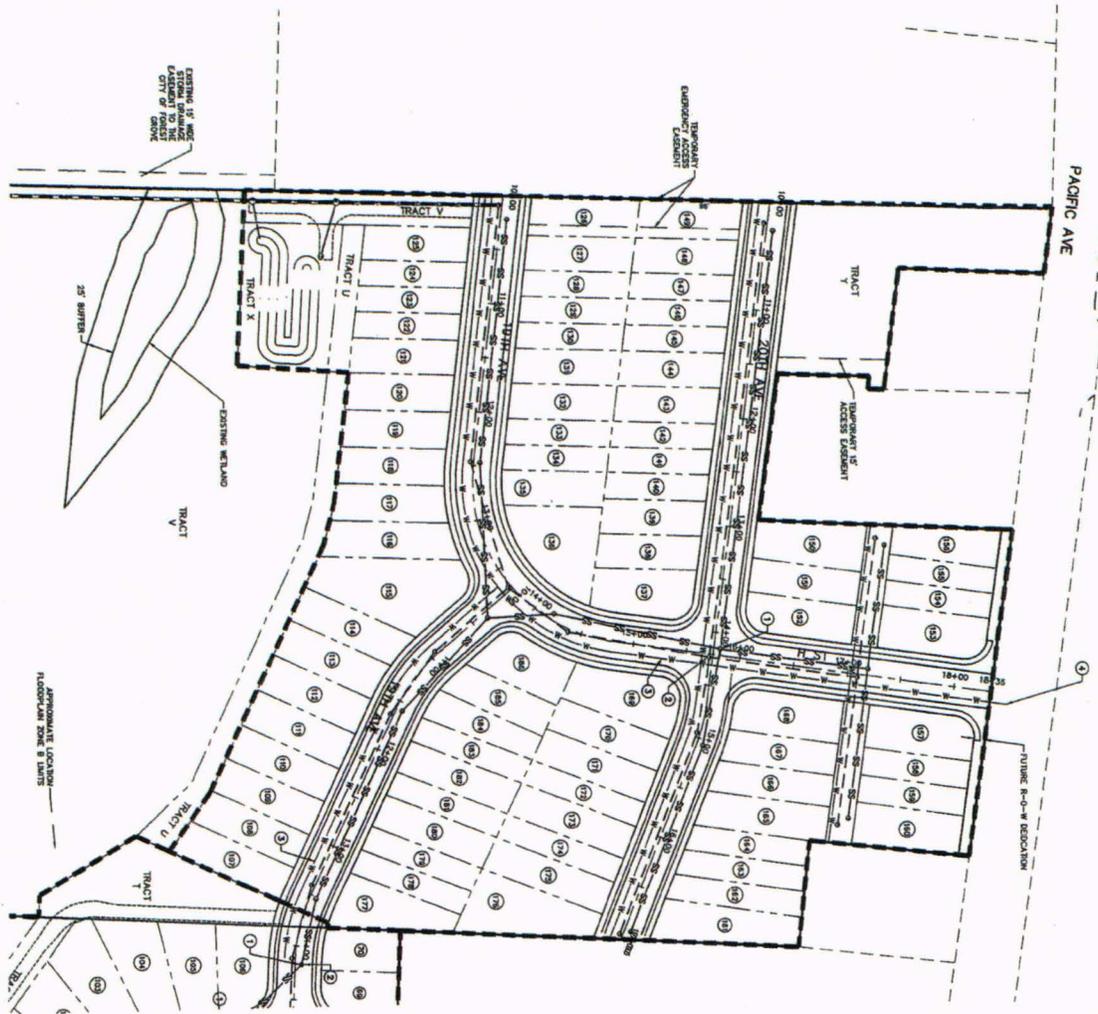
10000 NE 28th Street, Suite 100  
Portland, OR 97219  
503.253.8800  
www.westlak.com



- LEGEND**
- PROPERTY LINE
  - - - EASEMENT LINE
  - - - - PHASE LINE
  - - - - INTERIOR LOT/TRACT BOUNDARY LINE
- NOTES**
1. SEE P400 FOR PHASE 1 AND PHASE 3.
  2. SEE PLAN FOR TYPICAL RIGHT-OF-WAY.
  3. SEE P402 FOR TYPICAL SECTION - 34" WIDE.
  4. SEE P403 FOR TRACT TABLE WITH TRACT DESCRIPTIONS.
  5. FLOODPLAIN INFORMATION.







EXISTING ISLAND  
 EXISTING EASEMENT  
 CITY OF FOREST GROVE

25' SETBACK

EXISTING ISLAND

TRACT V

APPROXIMATE LOCATION  
 FLOODPLAIN ZONE B LIMITS

TRACT U

TRACT

TEMPORARY  
 EASEMENT ACCESS  
 EASEMENT

TEMPORARY  
 ACCESS EASEMENT

PACIFIC AVE

FUTURE R-O-W DISLOCATION

- LEGEND**
- W — W — WATER LINE
  - S — S — STORM LINE
  - SS — SS — SANITARY LINE
- NOTES**
1. SEE FRONT END PHASE 1 & 2 UTILITY PLAN.
  2. SEE PLAN AND P&I FOR TRACT TANGLES AND TRACT T.
  3. SEE FRONT END P&I FOR FLOODPLAIN INFORMATION.

- CONSTRUCTION KENNOTES**
- 1 INSTALL 48" STANDARD SANITARY MANHOLE
  - 2 INSTALL 48" STANDARD STORM MANHOLE
  - 3 INSTALL WATER MAN.
  - 4 CONNECT TO EXISTING WATER MAN.



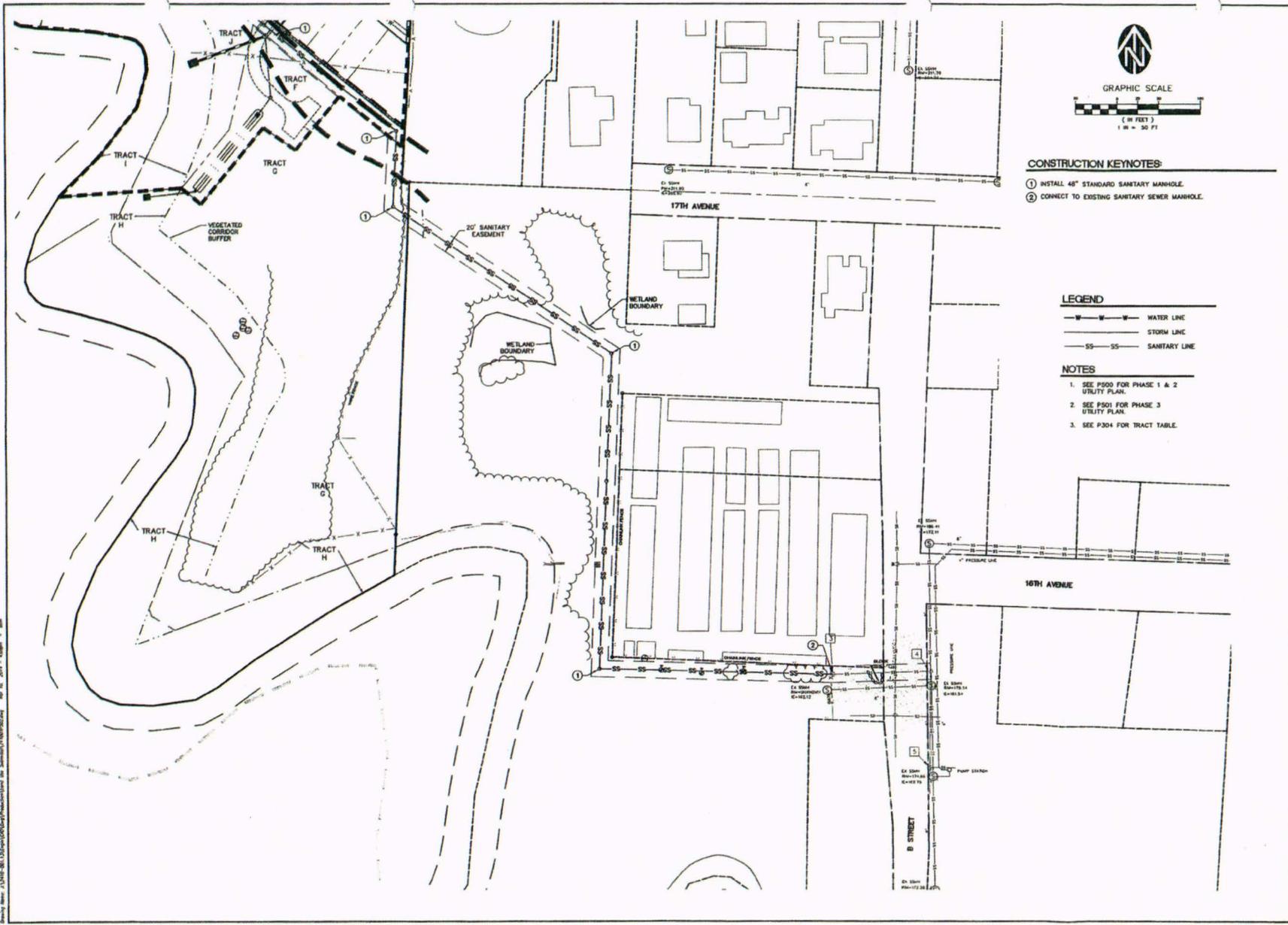
NO.	DATE	DESCRIPTION	BY	CHK

SHEET: **P501**  
 JOB NO. 2410-01  
 2/23/2014

**GALES CREEK TERRACE**  
 FOREST GROVE, OR  
 PRELIMINARY UTILITY PLAN - WEST

**WESTLAKE CONSULTANTS INC.**  
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 10000 N. W. 24th Ave., Suite 100, Forest Grove, OR 97116  
 (503) 834-2888  
 FAX (503) 834-2287

07/07/2014 PLANNING SUBMITTAL



GRAPHIC SCALE



**CONSTRUCTION KEYNOTES:**

- ① INSTALL 48" STANDARD SANITARY MANHOLE.
- ② CONNECT TO EXISTING SANITARY SEWER MANHOLE.

**LEGEND**

- W — W — WATER LINE
- S — S — STORM LINE
- SS — SS — SANITARY LINE

**NOTES**

1. SEE P500 FOR PHASE 1 & 2 UTILITY PLAN.
2. SEE P501 FOR PHASE 3 UTILITY PLAN.
3. SEE P304 FOR TRACT TABLE.

**WESTLAKE**  
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ENGINEERING • SURVEYING • PLANNING  
10000 WESTLAKE DRIVE, SUITE 100  
WESTLAKE, TEXAS 76091-1000  
TEL: (817) 881-4100  
FAX: (817) 881-4101

**GALES CREEK TERRACE**  
FOREST GROVE, OR  
OFFSITE SANITARY SEWER EXTENSION PLAN

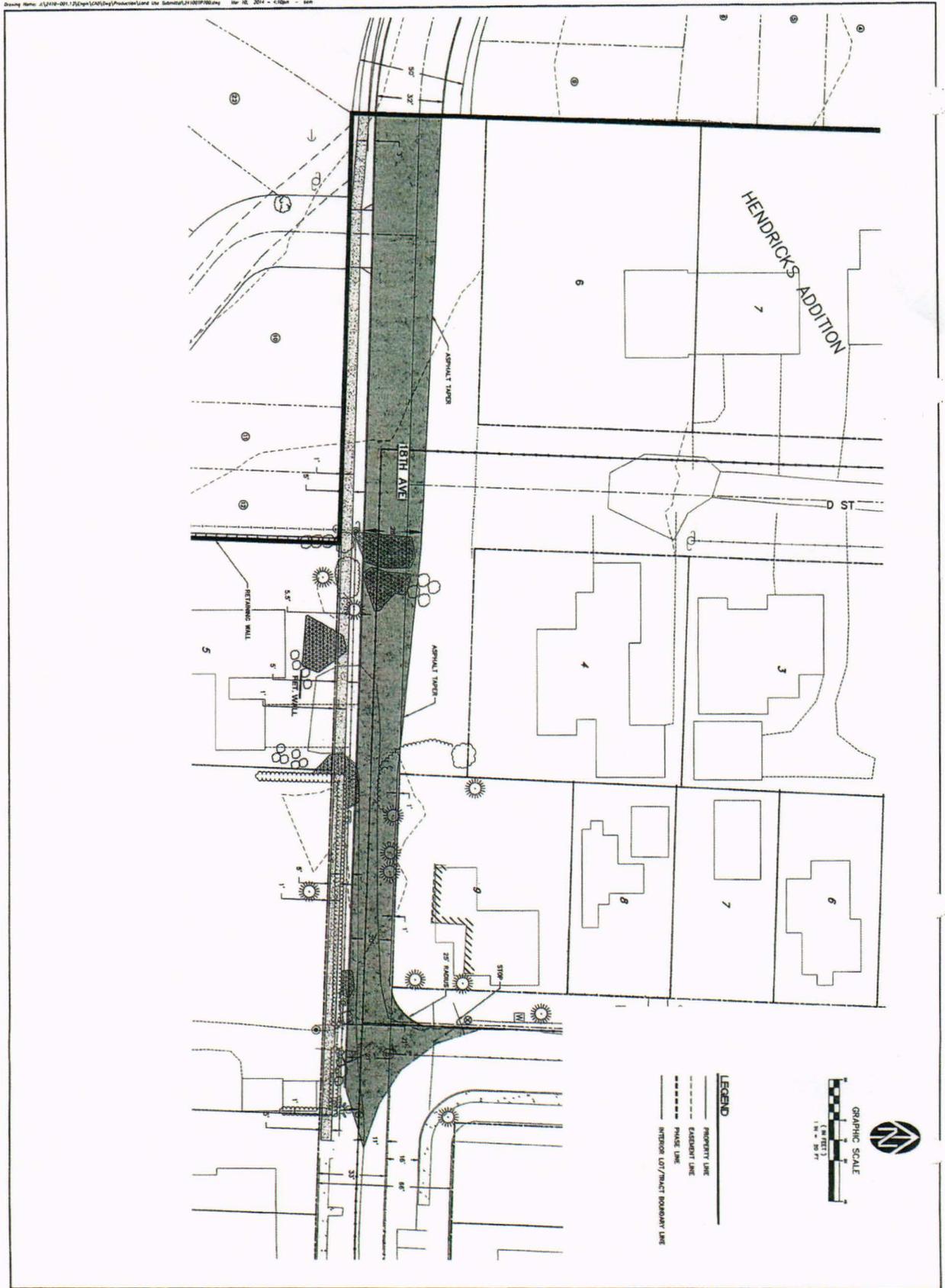
REVISIONS	DATE	DESCRIPTION	BY	CHK

SHEET  
**P502**  
JOB NO. 2410-01

03/07/2014 PLANNING SUBMITTAL

131304P300

Drawing Name: J:\14100-01\14100-01\14100-01\14100-01.dwg Date: 03/07/2014 10:00:00 AM



**REVISIONS**

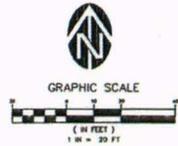
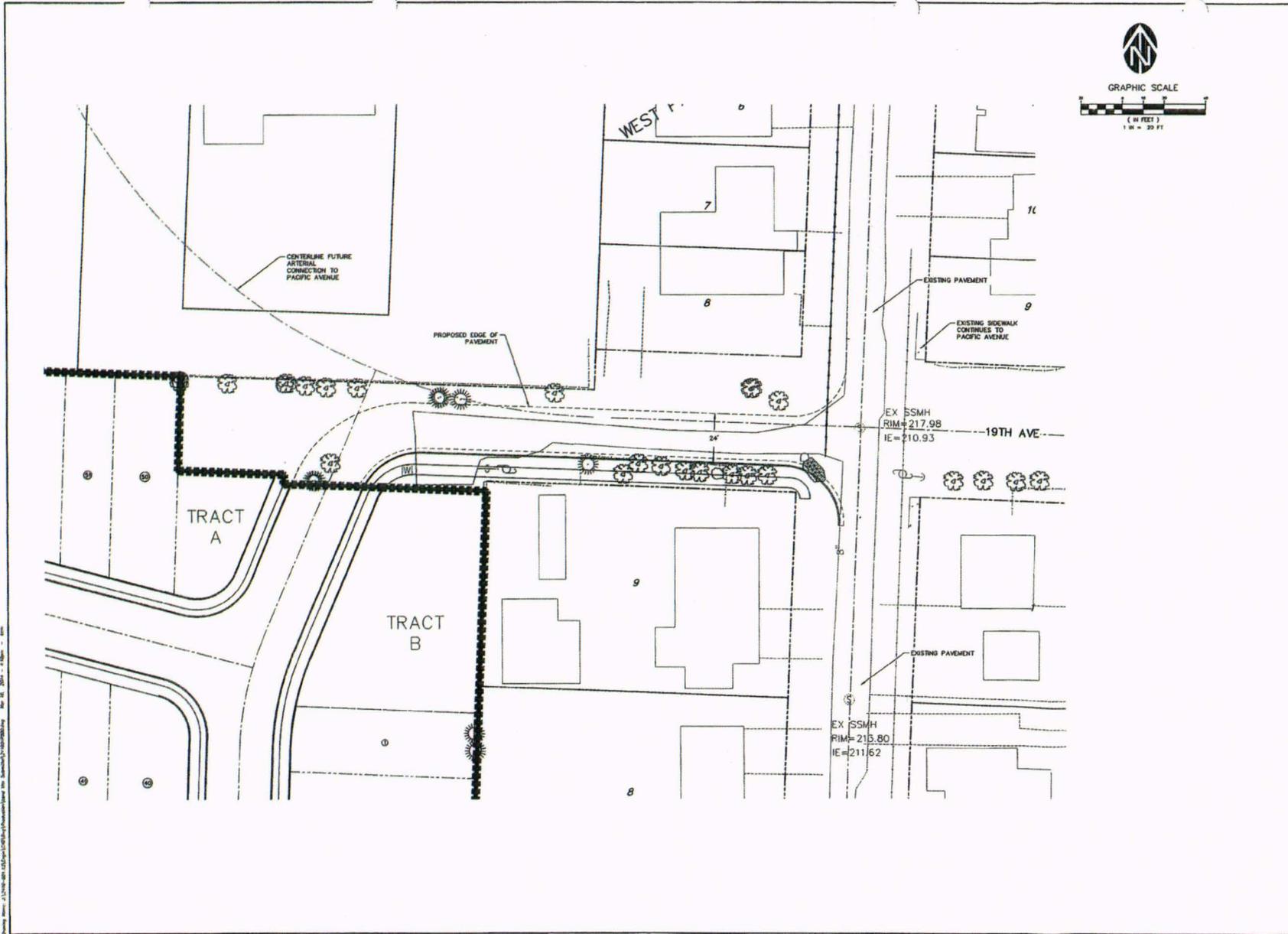
NO.	DATE	DESCRIPTION	BY	CHKD.

**DATE** 03/10/2014  
**SCALE** P700  
**APP NO.** 2410-01  
**DATE** 03/10/2014

**GALES CREEK TERRACE**  
 FOREST GROVE, OR  
**18TH AVENUE IMPROVEMENTS**

**WESTLAKE CONSULTANTS INC.**  
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 1000 S. W. PHOENIX AVENUE SUITE 100  
 TREATY CREEK, OREGON 97138  
 (503) 264-2200  
 FAX (503) 652-0200

07/2014 PLANNING SUBMITTAL



**WESTLAKE CONSULTANTS**  
 ENGINEERING • SURVEYING • PLANNING  
 10000 S.W. 10TH AVENUE, SUITE 100  
 MIAMI, FLORIDA 33156-2200  
 TEL: (305) 551-2200 FAX: (305) 551-2201

**GALES CREEK TERRACE**  
 FOREST GROVE, OR  
 19TH AVENUE IMPROVEMENTS



NO.	REVISIONS	DATE	DESCRIPTION	BY	CHK.	APP.

SHEET  
**P800**  
 JOB NO. 2410-01

DATE: 07/01/01 BY: DANIMIC SI (RMITTA)

331504P800



**First American  
Title Company of Oregon**

Customer Service Department  
121 SW Morrison Street Suite 300 - Portland, OR 97204  
Phone: 503.219.TRIO (8746) Fax: 503.790.7872  
Email: cs.portland@firstam.com  
Today's Date : 9/4/2013

**OWNERSHIP INFORMATION**

Owner	: Community Financial Corp	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 1S401AA 07200		
Site Address	: 1548 19th Ave Forest Grove 97116	Parcel Number	: R0440838		
Mail Address	: 412 A Ave #150 Lake Oswego Or 97034	T: 01S	R: 04W	S: 01	Q: NE QQ: NE
Telephone	:	County	: Washington (OR)		

**PROPERTY DESCRIPTION**

Map Page Grid : 591 H5  
Census Tract : 331.01 Block: 1  
Neighborhood : FGOT  
Subdivision/Plat :  
School District : Forest Grove  
Building Use : Single Family Res  
Land Use : 1010 Res,Improved  
Legal : ACRES .21  
:  
:

**ASSESSMENT AND TAX INFORMATION**

Mkt Land : \$100,370  
Mkt Structure : \$148,430  
Mkt Total : \$248,800  
%Improved : 60  
M50AssdTotal : \$182,340  
Levy Code : 01519  
12-13 Taxes : \$3,305.47  
Millage Rate : 18.1281  
Zoning : RMH

**PROPERTY CHARACTERISTICS**

Bedrooms	: 3	Year Built	: 1970	Patio SqFt	: 90
Bathrooms	: 2.00	EffYearBlt	: 1970	Deck SqFt	:
Heat Method	: Heat Pump	BsmFin SF	:	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud/shtg
Lot Acres	: .21	BldgSqFt	: 1,963	Roof Shape	: Gable
Lot SqFt	: 9,148	1stFlrSF	: 1,963	Roof Matl	: Composition
Garage Type	: Carport	UpperFISF	:	Porch SqFt	: 238
Garage SF	: 350	Attic SqFt	:	Paving Matl	: Concrete

**TRANSFER INFORMATION**

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Community Financial Corp	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:



**First American  
Title Company of Oregon**

Customer Service Department  
 121 SW Morrison Street Suite 300 - Portland, OR 97204  
 Phone: 503.219.TRIO (8746) Fax: 503.790.7872  
 Email: cs.portland@firstam.com  
 Today's Date : 9/4/2013

**OWNERSHIP INFORMATION**

Owner	: Community Financial Corp	Bldg #	Of
CoOwner	:	Ref Parcel Number	: 1S40100 00400
Site Address	: *no Site Address* Forest Grove 97116	Parcel Number	: R1492334
Mail Address	: 412 A Ave #150 Lake Oswego Or 97034	T: 01S	R: 04W S: 01 Q: QQ:
Telephone	:	County	: Washington (OR)

**PROPERTY DESCRIPTION**

Map Page Grid :  
 Census Tract : 326.03 Block: 1  
 Neighborhood : 4TL1  
 Subdivision/Plat :  
 School District : Forest Grove  
 Building Use :  
 Land Use : 1900 Vacant,Res,Potential Devel  
 Legal : ACRES 19.90, UNZONED FARMLAND-  
 : POTENTIAL ADDITIONAL TAX LIABILITY,  
 : UNZONED FARMLAND LIEN, \$25729.27

**ASSESSMENT AND TAX INFORMATION**

Mkt Land : \$566,980  
 Mkt Structure : \$6,690  
 Mkt Total : \$573,670  
 %Improved : 1  
 M50AssdTotal : \$520,300  
 Levy Code : 01519  
 12-13 Taxes : \$9,432.04  
 Millage Rate : 18.1281  
 Zoning : EFU

**PROPERTY CHARACTERISTICS**

Bedrooms	:	Year Built	:	Patio SqFt	:
Bathrooms	:	EffYearBlit	:	Deck SqFt	:
Heat Method	:	BsmFin SF	:	ExtFinish	:
Foundation	:	BsmUnfinSF	:	Const Type	:
Lot Acres	: 19.90	BldgSqFt	:	Roof Shape	:
Lot SqFt	: 866,844	1stFlrSF	:	Roof Matl	:
Garage Type	:	UpperFISF	:	Porch SqFt	:
Garage SF	:	Attic SqFt	:	Paving Matl	:

**TRANSFER INFORMATION**

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
: Community Financial Corp	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

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**Exhibit B**

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Neighborhood Meeting Documentation

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**Len Schelsky**

---

**From:** Morgan Will [morgan@metrolandcompany.com]  
**Sent:** Monday, September 23, 2013 4:31 PM  
**To:** Len Schelsky  
**Subject:** RE: Neighborhood meeting

Len,

Sorry I didn't get you a copy of this:

Dear Neighbor,

Gales Creek Development, LLC, represented by Westlake Consultants, Inc., plans to develop the property located at 1548 19<sup>th</sup> Ave in Forest Grove, OR along with the adjacent acreage (Tax Map 1S4 01, Tax Lot 400 and Tax Map 1S4 01AA, Tax Lot 7200), in the RMH Zoning District, as shown on the attached location map. We are preparing a proposal for a 100+ Lot Planned Development for detached single family home construction. Prior to applying to the City of Forest Grove for approval of our development proposal we would like to take the opportunity to share the Concept Plan with you. You are invited to a Neighborhood Meeting:

**Date:** Tuesday September 24, 2013  
**Time:** 6:00 p.m. to 7:00 p.m.  
**Location:** Rogers Conference Room, Forest Grove City Library  
2114 Pacific Ave, Forest Grove, OR 97116

The purpose of this meeting is to provide an opportunity for the surrounding property owners/residents to review the proposal and share any special information about the property involved. The intent is that any issues may be considered before the formal application is turned into the City. We will attempt to answer questions which may be relevant to meeting development standards in the City of Forest Grove.

Please note this meeting will be an informational meeting on preliminary development plans. These plans may be altered prior to submittal of the application to the City. Depending upon the type of land use action required, you may receive official public notice from the City of Forest Grove of the application approval process.

We look forward to discussing the project with you.

Sincerely,

*Morgan Will*

Morgan Will, Project Manager

Attached: Concept Plan and Location Map

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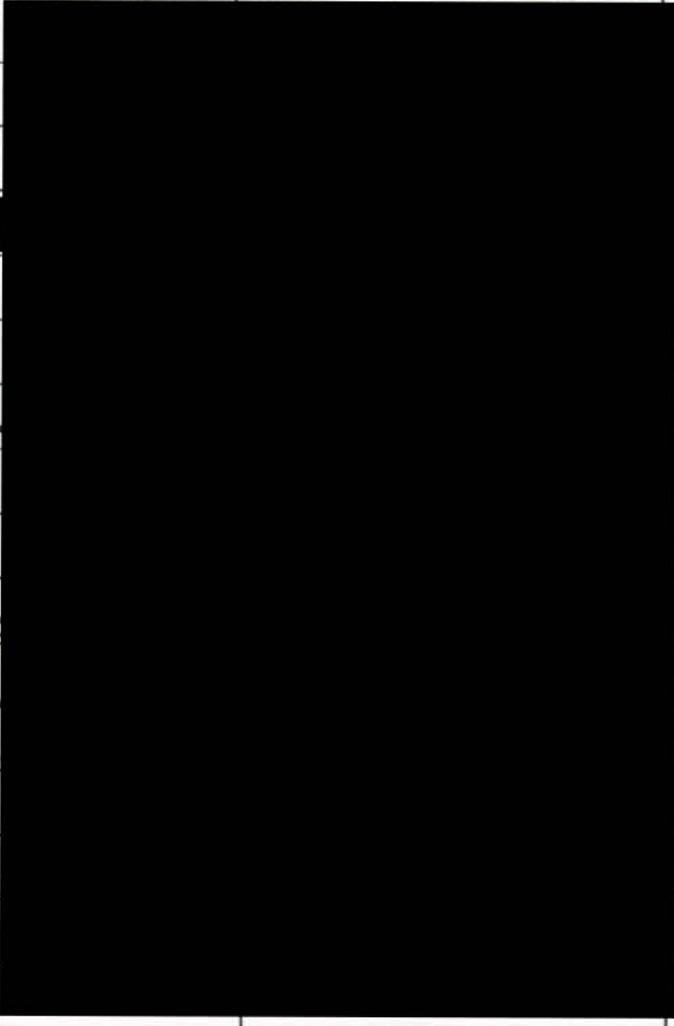
# Gales Creek Terrace

Proposed 96 Lot Subdivision

Neighborhood Meeting, September 24, 2013, 6:00 PM

Forest Grove Public Library

## Sign In Sheet

Name	Address	Phone	E-mail
Morgan Will	19995 SW Stafford Rd, West Linn, OR		
Nick Lane	4404 Settlers Loop		
Don + Debbie Long	1908 D St. Forest Grove, OR		
Jeff + Jenny Maden	1830 D St		
Doug + Ann	1228 C. ST		
Rich Waible	Stafford Rd.		
John Schwarz	1810 D. Street		
Graff Bergdorf	29351 SW Baker Road		
Olaf + Stilla Sobuog	1810 D Street		
Suzanne Root			
Heather Ryan	1837 D St.		
Todd Wiza	1815 D St		
Kathy Conroy	1815 D St		
John White	1715 17th Av		
Len SATELSKY	15115 SW SEQUOIA TRAIL		

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PHONE 503.684.0652

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<b>DATE OF MEMO:</b>	September 25, 2013	<b>PROJECT NAME:</b>	Gales Creek Terrace
<b>DATE OF MEETING:</b>	September 24, 2013	<b>PROJECT NUMBER:</b>	2410-01
<b>LOCATION:</b>	Forest Grove Library		
<b>PRESENT:</b>	Len, Morgan, Gordon, Rick, and attached sign up sheet		
<b>DISTRIBUTION:</b>	Planning file		
<b>SUBMITTED BY:</b>	Len		

---

Purpose of the Tuesday evening meeting was to meet with neighbors regard a proposed 96 lot development near 19<sup>th</sup> and D Street in the western section of Forest Grove. A notice was forwarded to all adjacent landowners per city requirements 2 weeks prior to the meeting (see attached notice).

A signup sheet was provided for attendees (see attached)

Morgan Will with Metropolitan Land Company opened the meeting and introduced himself and others with the development group (Len Schelsky, Gordon Root, Ric Waible and Geoff Bourgeois). Morgan then presented an overview of the project describing the lot sizes, types of homes, density allowed, and traffic access and circulation. Morgan pointed out that the primary access routes would be 19<sup>th</sup> and 18<sup>th</sup> Avenues that provide connection to Pacific Avenue and B Street. In addition, Morgan pointed out the route for the sanitary sewer connection, location of flood plain, Gales Creek open area and the UGB line.

Flood Plain – Morgan pointed out that the city is using the 180' contour for their basis for development purposes. He stated that FEMA has mapped an elevation along Gales Creek in this area at 172'. Question was asked about flooding for homes and Morgan noted all lots would be above the 172 and 180 foot contour lines. Another question was asked about 96 flood and impact on site. Morgan responded that an answer would require research of photo history at city.

Density - A number of questions were presented about the density on the property and why such a high number (20.28 units per acre). This was especially confusing to neighbors because the majority of the lots in the adjoining neighborhoods were larger lot single family homes. Gordon Root, Morgan and Len responded by describing the Metro process of UGB expansions and assigning density to new areas. The city adopted the density for the project area several years ago and their discussions and findings were open to public hearings. One gentleman in the audience noted that he attended several of the meetings and that city council opted for the RMH zone for this area of the city.

It was noted that the proposed development is targeting the minimum number of housing units allowed for the site. The site plan presented at the meeting is close to 16-17 units per net useable acre which is roughly 80% of allowed maximum. It was also noted that all the units will be detached single family homes and that no attached units are planned at this time.

Homes styles and price - Gordon stated that all the homes would be 2 story. Some will have challenges due to the topography and a few may have daylight basements. Size of homes will vary from 1200 to 2000 sq.ft. and prices will range from \$260 – \$340 thousand. Gordon noted that good examples of their current home construction is at Casey Meadows. Grading between the row of lots may require block walls to reduce grade and allow more yard space.

Traffic - A good part of the discussion centered around traffic circulation and improvements to existing streets. Morgan responded to number of questions regard 19<sup>th</sup>, D Street and 18<sup>th</sup> Street. He stated that traffic analysis was prepared that analyzed a number of intersections at Pacific and D, 18<sup>th</sup> and B, 19<sup>th</sup> and B, and a couple of others. Basically, levels of service at these intersections are at level B which are very acceptable for new development. 19<sup>th</sup> and B did not function as well if all the new development was directed to this intersection from 19<sup>th</sup>.

The landowner at the NW corner of 19<sup>th</sup> and D asked several questions regard the tree in 19<sup>th</sup>. Prior project saved the tree and created an island. Morgan explained the future requirements for 19<sup>th</sup> and its arterial status and that eventually the tree would be removed. The landowners like the tree but did understand that it may not be preserved. More of a concern is that they have access to both 19<sup>th</sup> and D for driveways.

Morgan and Gordon went into more depth on the data from the traffic analysis and pointed out that by incorporating 2 access roads (18<sup>th</sup> and 19<sup>th</sup>) it would reduce the impact to Pacific and D and allow it to function properly. Additional discussion took place regard improvements to D Street for safety purposes. Morgan explained that additional improvements would be constructed on this street to widen the pavement and replace asphalt as necessary. Sidewalks would also be reviewed and added if necessary. Discussions will take place with the city and landowners to identify improvements that would benefit the street. D street will be improved from 19<sup>th</sup> to 18<sup>th</sup> to allow adequate traffic circulation. The neighbor understood that the gate would be removed for a new roadway.

Several questions were asked about the adequate right of way on 18<sup>th</sup> to construct a useable street. Morgan noted that the current right of way is 33 feet in width and that a street can be built within these limits along with a sidewalk. Another question was raised about extending 19<sup>th</sup>. Gordon noted that there is not adequate right of way at this time and the current rock road may be blocked to prevent traffic along the narrow right of way.

A question was raised regard timing and response was provided that construction of roads and utilities were planned for summer of 2014.

A couple of questions were asked about schools and location of attendance for new homes and were deferred to school district.

Landowners adjacent to east line of project were concerned about location and height of homes. Gordon responded with providing setback limits and height of home. Developer was encouraged to build one level homes in this area.

1S104AA 00150  
Martin & Isidra Villegas  
13 SW Frenwood Way  
Beaverton, OR 97005-0739

1S104AA 00153  
Charles Bryan Paddock  
126 SW Frenwood Way  
Beaverton, OR 97005-0739

1S104AA 00156  
Madalyne Wheeler  
72 SW Frenwood Way  
Beaverton, OR 97005-0741

1S104AA 00159  
Rigoberto & Reyna Amador  
60 SW 130th Ave  
Beaverton, OR 97005-0769

1S104AA 00164  
Teri Schudel  
125 SW 130th Ave  
Beaverton, OR 97005-0768

1S104AA 00167  
Alvin Lynn Schroeder  
215 SW 130th Ave  
Beaverton, OR 97005-0766

1S104AA 00178  
Donald Doris Larson  
210 SW 130th Ave  
Beaverton, OR 97005-0765

1S104AA 00181  
Daniel Gregg  
100 SW 130th Ave  
Beaverton, OR 97005-0767

1S104AA 00184  
James & Linda Bednarz  
105 SW Frenwood Way  
Beaverton, OR 97005-0740

1S104AA 00187  
Debbie McMurrick  
181 SW Frenwood Way  
Beaverton, OR 97005-0701

1S104AA 00151  
Kelli & Gavin Silaski  
162 SW Frenwood Way  
Beaverton, OR 97005-0739

1S104AA 00154  
Eileen & Ronald Roden  
108 SW Frenwood Way  
Beaverton, OR 97005-0739

1S104AA 00157  
Yuki Tanaka  
54 SW Frenwood Way  
Beaverton, OR 97005-0741

1S104AA 00162  
Matthew Fleskes  
65 SW 130th Ave  
Beaverton, OR 97005-0770

1S104AA 00165  
Wade Trine  
155 SW 130th Ave  
Beaverton, OR 97005-0768

1S104AA 00168  
Daniel Seger  
1890 SW Filmont Ave  
Portland, OR 97225-4822

1S104AA 00179  
Daivati Bharadvaj  
180 SW 130th Ave  
Beaverton, OR 97005-0767

1S104AA 00182  
Bethany & Escolastico Herrera  
35 SW Frenwood Way  
Beaverton, OR 97005-0742

1S104AA 00185  
Sandra Golden  
115 SW Frenwood Way  
Beaverton, OR 97005-0740

1S104AA 06100  
Paula Lynn Horrell  
12760 SW Washington Ave  
Beaverton, OR 97005-0773

1S104AA 00152  
Joan Brambani  
144 SW Frenwood Way  
Beaverton, OR 97005-0739

1S104AA 00155  
Camille Garrison  
90 SW Frenwood Way  
Beaverton, OR 97005-0741

1S104AA 00158  
Mary Crivelli  
90 SW 130th Ave  
Beaverton, OR 97005-0769

1S104AA 00163  
Dan Bernard  
95 SW 130th Ave  
Beaverton, OR 97005-0770

1S104AA 00166  
Mark Tomseth Jr.  
185 SW 130th Ave  
Beaverton, OR 97005-0768

1S104AA 00177  
Michael Anthony Hilbers  
240 SW 130th Ave  
Beaverton, OR 97005-0765

1S104AA 00180  
Carlos Orlando Chavez  
140 SW 130th Ave  
Beaverton, OR 97005-0767

1S104AA 00183  
John Sapper  
65 SW Frenwood Way  
Beaverton, OR 97005-0742

1S104AA 00186  
Phyllis Kainz  
145 SW Frenwood Way  
Beaverton, OR 97005-0740

1S104AA 06200  
David Snider  
12790 SW Washington Ave  
Beaverton, OR 97005-0773

1S104AA 06300  
Ibrahim & Nadia Shaer  
2820 SW Washington Ave  
Beaverton, OR 97005-0714

1S104AA 06400  
S Arlene Short  
12850 SW Washington Ave  
Beaverton, OR 97005-0714

1S104AA 06500  
George Haldeman  
12880 SW Washington Ave  
Beaverton, OR 97005-0714

1S104AA 06600  
Floyd & Dana Halvorsen  
12910 SW Washington Ave  
Beaverton, OR 97005-0712

1S104AA 06700  
Kathy Bernard  
12940 SW Washington Ave  
Beaverton, OR 97005-0712

1S104AA 06800  
Carmen Morales-Mayoral  
12945 SW Washington Ave  
Beaverton, OR 97005-0713

1S104AA 06900  
Entiqueta Nunez Huls  
12875 SW Washington Ave  
Beaverton, OR 97005-0715

1S104AA 07000  
Todd & Elizabeth McCollum  
12855 SW Washington Ave  
Beaverton, OR 97005-0715

1S104AA 07100  
Stephen Gerald Kolberg  
12845 SW Washington Ave  
Beaverton, OR 97005-0715

1S104AA 07300  
Francoise Denison Metens  
11760 SW Lanewood St  
Portland, OR 97225-5734

1S104AA 07400  
Michael Moomaw  
12805 SW Washington Ave  
Beaverton, OR 97005-0715

1S104AA 07500  
Arette Pang  
12755 SW Washington Ave  
Beaverton, OR 97005-0716

1S40100 00200  
Doug & Laurie Clapshaw  
1722 17th Ave  
Forest Grove, OR 97116-2704

1S40100 00401  
Mark & Tripti Kenzer  
1334 Pacific Ave  
Forest Grove, OR 97116-3081

1S40100 00402  
Thomas Epler  
43465 SW Hiatt Rd  
Forest Grove, OR 97116-7112

1S40100 00500  
Mark & Tripti Kenzer  
1334 Pacific Ave  
Forest Grove, OR 97116-3081

1S40100 00500  
Mark & Tripti Kenzer  
1334 Pacific Ave  
Forest Grove, OR 97116-3081

1S401AA 03400  
Donald Long Sr.  
1908 D St  
Forest Grove, OR 97116-2313

1S401AA 03500  
Lucy Paterson  
2017 Main St  
Forest Grove, OR 97116-2334

1S401AA 03501  
Robert Martial Oriet  
Po Box 624  
Carlton, OR 97111-0624

1S401AA 03502  
Robert Martial Oriet  
Po Box 624  
Carlton, OR 97111-0624

1S401AA 03600  
Jesus Espinoza  
1836 D St  
Forest Grove, OR 97116-2730

1S401AA 03700  
Jeffery Maslen  
1830 D St  
Forest Grove, OR 97116-2730

1S401AA 03800  
Stella Schrag  
1810 D St  
Forest Grove, OR 97116-2730

1S401AA 04000  
Danny Mathies  
17452 Lake Vera Purdon Rd  
Nevada City, CA 95959-9455

1S401AA 04100  
Beulah Spiering  
1811 D St  
Forest Grove, OR 97116-2729

1S401AA 04200  
Kathryn Louise Corey  
1815 D St  
Forest Grove, OR 97116-2729

1S401AA 04300  
Dannie Jones Jr.  
1833 D St  
Forest Grove, OR 97116-2729

1S401AA 04400  
James & Heather Obrist  
1837 D St  
Forest Grove, OR 97116-2729

1S401AA 04900  
Jean Lemire  
1810 C St  
Forest Grove, OR 97116-2728

1S401AA 05000  
David Norris  
04 C St  
Forest Grove, OR 97116-2728

1S401AA 05900  
Forest Grove City  
Po Box 326  
Forest Grove, OR 97116-0326

1S401AA 06400  
Charles Woods  
1706 18th Ave  
Forest Grove, OR 97116-2713

1S401AA 06500  
Ronald & Linda Thompson  
1728 C St  
Forest Grove, OR 97116-2742

1S401AA 06501  
John White  
1715 17th Ave  
Forest Grove, OR 97116-2703

1S401AA 06600  
Jon Johanson  
Po Box 142  
Forest Grove, OR 97116-0142

1S401AA 07200  
Community Financial Corp  
412 A Ave #150  
Lake Oswego, OR 97034-3075

1S40100 00202  
Aym Partnership  
Po Box 2879  
Vancouver, WA 98668-2879

1S40100 00203  
Forest Grove City  
Po Box 326  
Forest Grove, OR 97116-0326

1S401AA 07400  
Michael Gambee  
35070 SW Cloudrest Ln  
Hillsboro, OR 97123-9165

1S401AA 07500  
Michael Gambee  
35070 SW Cloudrest Ln  
Hillsboro, OR 97123-9165

1S401AA 07700  
Kelly Garland  
1824 C St  
Forest Grove, OR 97116-2728

1S401AA 07800  
Mike Gambee  
30570 SW Cloudrest Ln  
Hillsboro, OR 97123-0000

1S401AA 07900  
Mike Gambee  
30570 SW Cloudrest Ln  
Hillsboro, OR 97123-0000

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*First American  
Title Company of Oregon*

Date of Production: Wednesday, September 04, 2013

The ownership information enclosed is time sensitive and should be utilized as soon as possible.

This mailing list was produced with the use of tax assessor maps available online from OR Maps ([www.ormap.org/maps/index.cfm](http://www.ormap.org/maps/index.cfm)) as well as data purchased from the Portland Metro regional government and Real Estate Solutions Inc.

We assume no liability in connection with this service.

**Thank you for your business and for using First American Title.**

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**Exhibit C**

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Slope Analysis and Area Calculation Mapping

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0 7,80  
feet

300 Foot Radius  
15-18 15th Ave

Subject Parcels  
Notification Area  
Radius  
Tracors

This information is deemed reliable  
but is not guaranteed.



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**Exhibit D**

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Open Space Area Calculations

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**Lot Area Open Space Typical Examples**

**Typical Interior Lot Examples**

Dimensions (Ft)

	A	B	C	D
Depth	80	72	72	80
Width	34	32	24	40
<b>Lot Area (Sq Ft)</b>	<b>2720</b>	<b>2304</b>	<b>1728</b>	<b>3200</b>

Minimum Setbacks

Front	11	11	11	11
Garage	18	18	18	18
Rear	12	12	12	15
Side (may be offset; 6' between houses min.)	3	3	3	3

Driveway/Walkway Width

	22	22	14	22
--	----	----	----	----

Yard Areas (Sq Ft)

Front (setback x width except driveway/walkway)	132	110	110	198
Rear (setback x width)	408	384	288	600
Sides (between front/rear yards)	321	273	273	303
<b>Sum of Yard Areas (Sq Ft)</b>	<b>861</b>	<b>767</b>	<b>671</b>	<b>1101</b>
<b>Yard Areas as % of Lot Area</b>	<b>32%</b>	<b>33%</b>	<b>39%</b>	<b>34%</b>

**Gales Creek Terrace**  
**Open Space Area Calculations (§10.4.215.I)**

**Phase 1 & Phase 2 (East)**

<i>Open Space Requirements</i>	<i>%</i>	<i>SF</i>			
PD Area Not in Streets & Driveways	100%				298133
Total Open Space Requirement (Min.)	40%			119253	
Max. Private Ownership (Yards, etc.)	50%		59627		
Min. Common Ownership (Tracts, etc.)	50%		59627		
One Tract Must Contain at Least	50%	29813			

<i>Proposed Open Space Tracts</i>	<i>Note</i>	<i>Total SF</i>	<i>Contiguous</i>		<i>Outside PD</i>
			<i>"One Tract"</i>	<i>Other OS</i>	
A - Landscape / Monument Sign		2210		2210	
B - Neighborhood Mini-Park / Play Area		7622		7622	
C - Landscaping / Passive OS		1744		1744	
D - Landscaping / Passive OS		4533		4533	
E - Pedestrian Trail Corridor		17266	17266		
F - Storm Water Quality Facility		14112		14112	
G - Reserve Area Retained by Declarant	[1]	103158			103158
H - Reserve Area Retained by Declarant	[1]	116821			116821
I - Gales Creek Vegetated Corridor		74918	74918		
J - Scenic/Passive Use		21085	21085		
K - Pedestrian Access to Trail Corridor		1150	1150		
L - Gales Creek Vegetated Corridor		12583	12583		
M - Pedestrian Trail Corridor		12267	12267		
N - Community Lawn & Garden		31176	31176		
O - Storm Water Quality Facility		10785		10785	
P - Community Lawn & Garden		13282	13282		
Q - Public Storm & Sewer Connections		2684		2684	
R - Mid-Block Pedestrian Path		1752		1752	
S - Mid-Block Pedestrian Path		864		864	
T - Pedestrian and Vehicular Access to Trail Corridor		11203	11203		

<b>Planned Development Totals</b>	<i>Contiguous</i>		
	<i>Total SF</i>	<i>"One Tract"</i>	<i>Other OS</i>
<b>Open Space Total - Phases 1 &amp; 2 (SF)</b>	241236	194930	46306
<b>Open Space Total - Phases 1 &amp; 2 (Acres)</b>	5.54	4.47	1.06
<b>... as Percent of PD Area Not in Streets</b>		65%	16%
<b>... Combined Percent of PD Area Not in Streets</b>		81%	

**Notes:**

[1] - Remainder Areas Retained by Declarant are considered to be outside the Planned Development Boundary and are not considered to contribute to Planned Development Open Space Requirements.

**Phase 3 (West)**

<i>Open Space Requirements</i>	<i>%</i>	<i>SF</i>		
PD Area Not in Streets & Driveways	100%			262313
Total Open Space Requirement (Min.)	40%		104925	
Max. Private Ownership (Yards, etc.)	50%		52463	
Min. Common Ownership (Tracts, etc.)	50%		52463	
One Tract Must Contain at Least	50%	26231		

<i>Proposed Open Space Tracts</i>	<i>Note</i>	<i>Contiguous</i>			<i>Outside PD</i>
		<i>SF</i>	<i>"One Tract"</i>	<i>Other OS</i>	
U - Pedestrian Trail Corridor		12764	12764		
V - Reserve Area Retained by Declarant	[1]	587864			587864
W - Gales Creek Vegetated Corridor (NOT URBAN)	[1]	172241			172241
X - Storm Water Quality Facility		11824		11824	
Y - Neighborhood Mini Park / Play Area		24018		24018	

<b>Planned Development Totals</b>	<i>Contiguous</i>		
	<i>Total SF</i>	<i>"One Tract"</i>	<i>Other OS</i>
Open Space Total - Phase 3 (SF)	48606	12764	35842
Open Space Total - Phase 3 (Acres)	1.12	0.29	0.82
... as Percent of PD Area Not in Streets		5%	14%
... Combined Percent of PD Area Not in Streets		19%	

**Combined Open Space Compliance Summary**

<i>Open Space Requirements</i>	<i>%</i>	<i>SF</i>		
PD Area Not in Streets & Driveways	100%			560446
Total Open Space Requirement (Min.)	40%		224178	
Max. Private Ownership (Yards, etc.)	50%		112089	
Min. Common Ownership (Tracts, etc.)	50%		112089	
One Tract Must Contain at Least	50%	56045		

<b>Planned Development Totals</b>	<i>Contiguous</i>		
	<i>Total SF</i>	<i>"One Tract"</i>	<i>Other OS</i>
Open Space Total (SF)	289842	207694	82148
Open Space Total (Acres)	6.65	4.77	1.89
... as Percent of PD Area Not in Streets		37%	15%
... Combined Percent of PD Area Not in Streets		52%	

**Notes:**

[1] - Remainder Areas Retained by Declarant are considered to be outside the Planned Development Boundary and are not considered to contribute to Planned Development Open Space Requirements.

**Gales Creek Terrace**

Plat Phase	Tract Letter	Description / Notes	Contiguous Open Space	Other Open Space	Outside PD (Remainders)
1	A	Landscaping and Entrance Monument Sign		0.05	
	B	Neighborhood Mini-Park / Play Area		0.17	
	C	Landscaping / Passive Open Space Use		0.04	
	D	Landscaping / Passive Open Space Use		0.10	
	E	20-foot Wide Pedestrian Trail Corridor, Typ., with: Public Sanitary Sewer Easement Pedestrian Access Easement Easement to allow HOA to construct & maintain retaining wall in northerly 5 feet of easement corridor Utility Vehicle Access Easement	0.40		
	F	Storm Water Quality Facility		0.32	
	G	Reserve Area Retained by Declarant			2.37
	H	Reserve Area Retained by Declarant			2.68
	I	Gales Creek Vegetated Corridor Adjacent to Urban Area - for enhancement activities in conjunction with GCT Phase 1 development, pursuant to CWS permitting	1.72		
	J	Open Space (Scenic and Passive Use)	0.48		
	K	Pedestrian Access between Tract E and 18 <sup>th</sup> Avenue (may require stairs due to steep slope)	0.03		
<b>Open Space Totals - Phase 1 (Acres)</b>			<b>2.63</b>	<b>0.69</b>	<b>5.05</b>
... As Percent of Category Total for Project			55%	37%	

**Gales Creek Terrace**

Plat Phase	Tract Letter	Description / Notes	Contiguous Open Space	Other Open Space	Outside PD (Remainders)
2	L	Gales Creek Vegetated Corridor Adjacent to Urban Area - for enhancement activities in conjunction with urban development, pursuant to CWS permitting	0.29		
	M	20-foot Wide Pedestrian Trail Corridor, Typ., with: Public Sanitary Sewer Easement Pedestrian Access Easement Easement to allow HOA to construct & maintain retaining wall in northerly 5 feet of easement corridor Utility Vehicle Access Easement	0.28		
	N	Community Lawn & Garden	0.72		
	O	Storm Water Quality Facility		0.25	
	P	Community Lawn & Garden	0.30		
	Q	Public Storm and Sanitary Utility Connections from 19 <sup>th</sup> Avenue to Public Sanitary Sewer in Tract M and Storm Water Quality Facility in Tract O		0.06	
	R	Mid-Block Pedestrian Path (may require stairs)		0.04	
	S	Mid-Block Pedestrian Path		0.02	
	T	Pedestrian and Utility Vehicle Access between 19 <sup>th</sup> Avenue and Tracts M and U	0.26		
<b>Open Space Totals - Phase 2 (Acres)</b>			<b>1.85</b>	<b>0.37</b>	<b>0.00</b>

... As Percent of Category Total for Project

39%

20%

**Gales Creek Terrace**

Plat Phase	Tract Letter	Description / Notes	Contiguous Open Space	Other Open Space	Outside PD (Remainders)
3	U	20-foot Wide Pedestrian Trail Corridor, Typ., with: Pedestrian Access Easement Utility Vehicle Access Easement	0.29		
	V	Reserve Area to be Retained by Declarant			13.50
	W	Reserve Area to be Retained by Declarant			3.95
	X	Storm Water Quality Facility		0.27	
	Y	Neighborhood Mini-Park / Play Area		0.55	
	<b>Open Space Totals - Phase 3 (Acres)</b>			<b>0.29</b>	<b>0.82</b>
... As Percent of Category Total for Project			6%	44%	

**Analysis Summary:**

<b>Gales Creek Terrace Area Not in Streets (Acres)</b>	<b>12.87</b>	
	<b>Contiguous Open Space</b>	<b>Other Open Space</b>
<b>Gales Creek Terrace Open Space Totals (Acres)</b>	<b>4.77</b>	<b>1.89</b>
<b>... As Percent of PD Area Not in Streets</b>	<b>37%</b>	<b>15%</b>

**Gales Creek Terrace**

**Open Space Area Calculations (§10.4.215.I)**

**Open Space Dimensional Analysis**

Phase I

	<u>Linear Feet</u>	<u>Notes</u>
Development Area (north-south)	1000	
Development Area (east-west)	685	
Open Space Area	840	Tract E linear corridor segment length
OS Dimension as Percent of Max. Dimension	84%	

Phase II

Development Area (north-south)	580	
Development Area (east-west)	510	
Open Space Area	560	Tract M linear corridor segment length
OS Dimension as Percent of Max. Dimension	97%	

Phase III

Development Area (north-south)	840	
Development Area (east-west)	700	
Open Space Area	700	Tract U linear corridor segment length
OS Dimension as Percent of Max. Dimension	83%	

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**Exhibit E**

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Gales Creek Corridor Impact Mitigation Documentation

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Clean Water Services

Permitting Information

Pending

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**Exhibit F**

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Certification Letters  
(City Engineer; Forest Grove Light & Power)

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February 19, 2014

Len Schelsky, PLS  
Principal  
Westlake Consultants, Inc.  
15115 SW Sequoia Parkway, Suite 150  
Tigard, OR 97224

RE: Proposed Gales Creek Terrace Subdivision  
Certification of Sufficient Services

Len,

Thank you for your letter dated January 31, 2014, regarding available public facility to serve the proposed Gales Creek Terrace Subdivision. Specifically, the proposed subdivision includes tax lot 400,401,500 1S4 Section 1 and tax lot 7200, 1S4 Section 1AA, comprising approximately 47 acres. The following is the City's assessment of the available public facilities to the site.

Sanitary Sewer Service – The proposed development can be served via a sewer line located at 16<sup>th</sup> Avenue and 'B' Street that can be extended to the site through an existing easement specifically for that purpose. The City's Sewer Master Plan designates this line as 10" diameter to accommodate future build out. Since the standard minimum pipe size is 8" diameter the City may participate in the cost for over-sizing.

Water Service – Water service is available by extending the existing water mains currently located in 18<sup>th</sup> and 19<sup>th</sup> Avenue.

Storm Sewer Service – There is no storm sewer available immediately adjacent to the proposed development site at this time. Extending existing lines in the general area of your site would not provide service due to topographic limitations. Nonetheless, a localized site storm sewer with outlet to the Gales Creek drainage is possible provided it meets very specific design criteria.

Street Access – In your letter you indicated that the development will include property that has frontage on Pacific Ave. Based on the requirements of Code section 10.6.105, paragraph D, Pacific Avenue provides legal access to a City street that can meet City standards.

For these reasons, the proposed project as described in your letter is certified for purposes of submitting a development application with the City of Forest Grove.

Thank you and please contact me if you have any questions.

Sincerely,

Robert A. Foster  
Director of Public Works  
City of Forest Grove

February 26, 2014

Len Schelsky, PLS  
Principal  
Westlake Consultants, Inc.  
15115 SW Sequoia Parkway, Suite 150  
Tigard, OR 97224

RE: Proposed Gales Creek Terrace Subdivision  
Certification of Sufficient Services

Len,

Regarding the proposed subdivision includes tax lot 400,401,500 1S4 Section 1 and tax lot 7200, 1S4 Section 1AA, comprising approximately 47 acres. I'm forwarding Forest Grove Light & Power's assessment.

Light and Power - Currently, insufficient electrical infrastructure exists to serve the proposed development. The proposed development can be served by FGL&P after upgrades are made, at the developer's expense, to existing facilities on 19<sup>th</sup> Avenue west from C Street, on 18<sup>th</sup> Avenue west from B Street and on D Street south from Pacific Avenue. Additionally, it will be necessary to extend the above mentioned lines, facilities and infrastructure to and within the site through existing and future developer acquired right of way and easements.

Sincerely,

Michael Stoltz  
Engineering Manager  
City of Forest Grove  
Light & Power Department

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TRANSMITTAL

ENGINEERING ♦ SURVEYING ♦ PLANNING

Phone: 503 684-0652  
Fax: 503 624-0157

Date: March 10, 2013

Project No.: 2410-001

To: Morgan Will  
Gales Creek Development, LLC

Project Name: Gales Creek Terrace

WILL CALL

From: Lee Leighton, AICP

CC:

Re: Gales Creek Terrace Initial Submittal

No. of Copies	Dated	Description
12	March 10, 2014	Gales Creek Terrace Planned Development and Subdivision (Bound Initial Submittal Documents) <ul style="list-style-type: none"> <li>• 10 for City of Forest Grove</li> <li>• 2 for GCD LLC</li> </ul>
2	March 10, 2014	Full size plan set

**Comments:**

*Thank you for the timely redline comments today, and for completing the submittal to City of Forest Grove.*

COMMUNITY DEVELOPMENT DIV  
CITY OF FOREST GROVE  
P.O. BOX 200  
FOREST GROVE, OR 97112

LDL

UMP 3-11-14

Fax

No. of Pages (including cover)

Fax No.

Mail

Messenger

Overnight

Hand Delivery  WILL CALL

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**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

February 3, 2014-7:00 P.M.

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APPROVED

**1. CALL TO ORDER:**

Chairman Beck called the meeting to order at 7:02 p.m.

**Planning Commission Present:** Tom Beck, Carolyn Hymes, Lisa Nakajima, Dale Smith, Phil Ruder and Sebastian B. Lawler.

**Absent:** Al Miller

**Staff Present:** Jon Holan, Community Development Director; James Reitz, Senior Planner; Rob Foster, Director of Engineering & Public Works; Marcia Phillips, Assistant Recorder.

**2. PUBLIC MEETING:**

**2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:** None.

**2.2 PUBLIC HEARING:** None.

**2.3 ACTION ITEMS:** None.

**2.4 WORK SESSION ITEMS:**

**A. Work Session Items: Gales Creek Terrace PRD.**

Chairman Beck called the meeting to order, and asked staff to give their presentation.

Mr. Holan: We do not usually have work sessions on projects such as this, but staff felt a need to familiarize the Planning Commission with the project. Handout # 1 is the project map included in the Commission packet, and my comments will be based on this map. Handout # 3 is a map revised by the applicant. No formal application has been submitted.

Mr. Holan: Handout # 2 is a map showing the zoning for this area, which is being reviewed by the City Council. The map shows R-7 (Single Family Residential Low Density) to the far west and RML (Residential Multi-family Low Density) adjacent to the Gales Creek Terrace property. The Gales Creek Terrace Property is zoned HD (Multi-family High Density).

Mr. Holan: Items to discuss tonight include: private streets, parcels fronting Pacific Ave., cul-de-sac length/fire access/connection to Ritchie Rd., access to site from the east, trail along Gales Creek and location and usability of open space.

Chairman Beck: A topographical map with riparian areas noted would be helpful.

Mr. Holan: It might be prudent to have this applicant get current approval from Clean Water Services.

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Chairman Beck: I would like staff to tell us the difference between public and private streets.

Mr. Holan: The Development Codes does not address private streets.

Mr. Reitz: That is correct. With a Planned Residential Development (PRD) the streets are under the Planning Commission's approval.

Mr. Holan: This concludes my presentation.

**Morgan Will, Representative for Gales Creek Development LLC, 485 S. State St., Lake Oswego, OR 97034.** Mr. Will gave the Commissioners a new revised map (Handout # 4).

Mr. Will: There are only four properties under contract with us, some of the other property owners have decided not to develop. The sewer line needs to be extended from "B" St. through an easement to the property. It will be an oversized trunkline that avoids the wetlands, and hugs the lots to the south. Clean Water Services (CWS) will review the application. We are currently working on the sewer alignment, which is complicated by topography. The storm water facilities will also be reviewed by CWS. The path and the sewer line are outside the city limits in the Urban Growth Boundary (UGB), so there should not be a problem.

Chairman Beck: Is having the path outside the city limits a potential problem?

Mr. Holan: We already have pathways outside the city limits, so it should not be an issue. It is my understanding that in the outer 20% of a riparian area, pathways are allowed, and CWS wants natural materials on the pathway.

Mr. Foster: We have not figured out how the City will access the manholes for the sewer line. The access must be in an easement.

Chairman Beck: The Planning Commission and the City Council will be very concerned about how the sewer may impact this area.

Mr. Will: The property owners to the west have the right to sewer service. Taking the sewer further north is problematic due to topography – it would have to be too deep to allow flow.

Mr. Will: The expectation is the homes along the creek will have a short wall on the creek side to allow flat backyards. The homes will have daylight basements, with the street level and front of the house being 10-15-feet higher than the back. This plan shows single-family detached homes, which is an option with a PRD. We have worked hard to put as many single-family detached units on the property

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as possible. We show 173 lots, and believe we are 20-30 lots short of the required density. We may need to build some attached homes to reach the minimum density. Just a note that increasing the roads decreases the number of lots. The area south of the creek in the UGB could potentially be used as a soccer field or community garden.

Mr. Holan: 16 dwelling units (du) per net acre is the minimum density, and 20 du per acre is the target density.

Commissioner Nakajima: We realize development occurs on flat land, and we realize this property has its challenges. So if we can, we may need to cut down on density.

Mr. Holan: The Planning Commission needs to think about where townhouses should be located in this development if it is needed to achieve density.

Commissioner Nakajima: Working from north to south seems more appropriate.

Commissioner Ruder: Putting high density across the street from nice creekside homes does not seem right.

Chairman Beck: Our conundrum is we have the property zoned high density, the applicant wants to build single-family detached homes, but that does not work well here. In my opinion you want to start the multi-family units near the city center and build out from there.

Chairman Beck: The private streets are a big concern. We need some serious discussion about where we want roads in this area, before it develops. Private streets in my opinion are a "no-no". The property owners must maintain these private streets. What type of homes are you proposing to build?

Mr. Will: These homes would be 2-stories with 2-car garages.

Chairman Beck: Another issue is that we envision a traffic circle on "E" St., then "E" St. will bend into 19<sup>th</sup> Avenue. Do we have the authority to regulate that alignment?

Mr. Holan: To this point the City has avoided eminent domain to acquire property.

Chairman Beck: Single-family does not work well here. We are trying too hard to make it work. This area is zoned high density.

Commissioner Hymes: The open spaces appear to be just undevelopable lots that do not really service the development.

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Chairman Beck: Why not make the little triangle lots part of the adjoining lots so they can take care of them. Otherwise in ten or twenty years they become weed patches. Is it possible to have more than one HOA in a development this size so people to the west are not responsible for things to the east?

Mr. Holan: There is nothing to prevent be more than one HOA although this may impact the ability of the HOA's maintaining common areas and private streets. The intent of the high density area is multi-family. This developer wants to do single-family detached, which makes meeting density very difficult. If the developer had one or two apartment buildings with more open space around them, this would help to meet density.

**Kathy Khoury, 1815 "D" St., Forest Grove, OR:** I have a ¼ acre lot on "D" St., which is a dead end street. I know I cannot stop the high density, but is there any way we can get a buffer between the high density and the properties on "D" St? I am concerned about traffic in the area.

Chairman Beck: Would a street behind the homes on "D" St. be a good idea?

Ms. Khoury: Yes, it would provide a barrier.

**John White, 1715 17<sup>th</sup> Avenue, Forest Grove, OR:** Sustainability is my concern and it is challenging. The thing I see as potentially challenging is the creek. Creeks change their course due to erosion, which could impact the trail and the development. This much run-off is another challenge, and I am glad to hear the developer is working with CWS. I like the idea of a community garden space – growing food close to the community. I am concerned about parking. Garages fill up and people start seeking street parking. Low impact lighting should be a priority.

**John Schrag:** I am here tonight representing my parents who are currently out of town. My parents live at 1810 "B" St. At the first neighborhood meeting with the developer, it was brought out that some people (such as my parents) did buy the view when they purchased their lots. They were told by the broker there would be no development below the flood plain line, but this line was in error and since then the flood plain line has been studied and corrected. This is our third developer with this area. The second developer had a decent plan, but I see things here that look like a big step backwards. Since this developer has not been able to acquire some adjacent property – it has affected the whole development. Their density numbers do not work now. When something is this hard, it just makes sense to build what it is zoned. Are we not ready for market forces to enable apartment buildings to be viable? I agree a street buffer behind the homes on "D" St. would be nice. Those crazy little pockets of open space are created by the developer. They can be redesigned.

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**Ron Thompson:** As a potential property buyer, if they told me it was my responsibility to maintain the private street, I would be long gone. Access to the area is still a major problem.

John White: Perhaps we are thinking in old ways. The Orenco Station area is something more than apartment buildings. If we can get the developer to think what kind of development could fit in this space that would invite people to walk downtown this would take advantage of the high density.

Mr. Will: Thanks to the citizens who came tonight to give their input. I am taking notes and will share them with the design team. I would like to address some of the issues mentioned.

Mr. Will: The cost to put a street behind the “D” St. homes falls on the property owners along that new street. Building homes along such a street would be like stair steps due to topography.

Chairman Beck: It just seems to me there are more creative ways to deal with that area.

Mr. Will: Another issue that was mentioned was erosion along the creek. We are also concerned and will study it. Remember that we are making it possible for a portion of the Emerald Necklace trail to be built.

Mr. Will: A community garden would be owned by the HOA, and therefore not be open to the public.

Mr. Will: We are going to try to show on-street parking visually to help everyone better visualize it. We have done various traffic studies regarding street alignment, safe turning radiuses, etc.

Mr. Will: Dealing with these densities may move us towards multi-family, so it is good to hear some citizens here tonight would be agreeable to this. The open spaces/parks/improvements are paid for by the home buyers. It is included in the cost of the home. We are trying to sell houses in the \$250,000 range.

Commissioner Smith: I would like to see high density homes along the homes on “D” St. This is a good place for high density - near the town center.

The work session ended at 10:07pm.

**3.0 BUSINESS MEETING:**

- 3.1 APPROVAL OF MINUTES:** Commissioner Smith made a motion to approve the minutes from the December 16, 2013 meeting. Commissioner Ruder

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seconded. Motion passed 5-0.

- 3.2    **REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:** None.
- 3.3    **DIRECTOR'S REPORT:** Mr. Holan said he has an Excel spreadsheet showing the outcome of the Annual Town Meeting, and will email it to each of the Commissioners. He said there will be no meeting on February 17<sup>th</sup>, and will probably be a meeting on March 3<sup>rd</sup>.
- 3.4    **ANNOUNCEMENT OF NEXT MEETING:** The next meeting date TBD.
- 3.5    **ADJOURNMENT:** The meeting was adjourned at 10:28pm.

Respectfully submitted by:  
Marcia Phillips  
Assistant Recorder

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

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APPROVED

**1. CALL TO ORDER:**

Chairman Beck called the meeting to order at 7:05 p.m.

**Planning Commission Present:** Tom Beck, Carolyn Hymes, Al Miller, Lisa Nakajima, Phil Ruder and Sebastian B. Lawler.

**Absent:** Dale Smith

**Staff Present:** Jon Holan, Community Development Director; Marcia Phillips, Assistant Recorder.

**2. PUBLIC MEETING:**

**2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:** None.

**2.2 PUBLIC HEARING:** None.

**2.3 ACTION ITEMS:** None.

**2.4 WORK SESSION ITEMS:**

**A. Clean Water Services Presentation by John Dummer, Sheri Wantland, and Diane Tanaguchi-Dennis, Clean Water Services, 2550 SW Hillsboro Hwy., Hillsboro, OR 97123.**

Ms. Tanaguchi-Dennis: We want to thank the Planning Commission for allowing us to come here tonight and make this presentation.

Chairman Beck: The City of Forest Grove wants to thank Clean Water Services (CWS) for transforming our area.

Mr. Dummer: Tonight we want to talk a little bit about CWS's mission/commitment, our goals for Fernhill, and give an update on the project being undertaken at our Forest Grove location. (Mr. Dummer showed an aerial map of the Fernhill area.) The project goals include treatment, the environment, and the public.

Mr. Dummer: Treatment involves the year-round WWTP operation. The north (upper and west) treatment wetlands are primarily for ammonia removal. The south treatment wetlands are primarily for temperature reduction. Secondary treatment objectives are removal of phosphorus and contaminants of concern. CWS recently purchased a property to the north (formerly Merix), and the future plan is to access through this property off of Poplar St. Our current access floods at times during the year.

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Mr. Dummer: Our environmental goals include the promotion of biodiversity, utilization of native plants, enhancement of the habitat, and preservation of the floodplain.

Mr. Dummer: CWS's public goals are to create a "restorative water garden", to provide recreational opportunities for birding, hiking, etc., and to support public education opportunities. CWS has a vision for Fernhill. We want to provide something more and this is represented by aesthetic amenities such as open water, trees and community values. In the water garden people can spend time with nature. We want to honor Native American heritage. We want to invite the public "into the garden" through programs such as Birds and Brew 2012 and 2013 which was very successful. Research continues so we can continue to improve the area. Our grand opening is scheduled for May 1<sup>st</sup>.

Ms. Wantland: The Fernhill project has attracted media coverage, which brings more people. We are working hard to keep people where they should be, and giving the birds first priority.

Mr. Dummer: In 2012 CWS restored native plants to the Fernhill area, built a restroom and picnic shelter, developed the Water Garden with walking paths and bridges, and developed a 2 acre treatment wetland. In 2013 CWS put in a new parking lot, made improvement to access, proceeded with ongoing planting and continued with design and research.

Mr. Dummer: Current activities include entry area/access improvements. We are at 15% design for the south wetlands. There is a pilot study being conducted for the upper and west wetlands. In 2014 one of our next steps will be to continue the pilot study and our goal is to reach 30% design. We have a contractor we want to have onboard to help with the design/construction. The contractor is experienced with this type of construction, which will be very helpful. CWS has been in communication with Rob Foster, Director of Engineering/Public Works regarding the intersection of Hwy 47 and Maple St.

Chairman Beck: It is very difficult to get across Hwy. 47 from Maple St. We are hoping CWS will work with us to improve that intersection. It is unsafe. Thank you for your presentation.

**B. Urban Renewal and Urban Reserves Update (PowerPoint Presentation)**

**Urban Renewal**

Mr. Holan: I just wanted to update the Planning Commission on urban renewal and reserves. The City Council held a work session to discuss the establishment of an urban renewal program in Forest Grove and preparation of an urban renewal plan. The proposed urban renewal area focuses on the Town Center and Pacific Avenue

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corridor to just east of Quince Street. After considerable discussion, the Council directed staff to pursue finalizing the urban renewal plan and subsequently conduct the public hearing process required under state law. Next steps include reconvening the Stakeholder Advisory Committee to review the draft urban renewal plan. Following review by the Stakeholder Advisory Committee, the Planning commission will be asked to conduct a public hearing to consider whether the urban renewal plan is consistent with the Forest Grove Comprehensive Plan. In order to comply with notice requirements, the public hearing will likely occur in late-April or early-May.

Commissioner Nakajima: Will you please email the PowerPoint presentation to all of the Commissioners. It was very informative.

Mr. Holan: From a taxpayer's perspective, there is no change at all. There has to be a degree of detail about how we are going to spend the money. Urban Renewal funds are the most flexible funds available to government to close the funding gap on development costs.

Chairman Beck: Urban Renewal districts can be good or bad – depending on how they are managed.

**Urban Reserves**

Mr. Holan: The State Appellate Court issued its decision on the reserves decision made by LCDC. The Court rejected numerous arguments made by petitioners including:

- (1) the validity of the rules governing the designation of urban and rural reserves in this case (OAR Chapter 660, Division 27)
- (2) Metro's authority to designate reserves outside of its service district boundary
- (3) whether too much land was designated as urban reserve under OAR 660-027-004092)
- (4) whether the designation complies with particular Statewide Planning Goals.

The Court also upheld nine fundamental legal premises underlying LCDC's review of the designation. The Court rejected most of petitioners' contentions concerning whether LCDC properly applied the substantial evidence standard of review.

The Court remanded the decision back to LCDC based on the following four points: LCDC erred in (1) approving Washington County's misapplication of the rural reserve factors pertaining to agricultural land; (2) concluding that Multnomah County had adequately "considered" the rural reserve factors pertaining to Area 9D (area in the northwest portion of Multnomah County in

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vicinity of Cornelius Pass Road); (3) concluding that it has authority to affirm a local government's decision where its findings are inadequate if the evidence "clearly supports" the decision; and (4) failing to meaningfully explain why Metro and the counties' designation of Areas 4A to 4D (commonly referred to as Stafford) as urban reserves is supported by substantial evidence.

Mr. Holan: For Forest Grove, the most significant aspect of this decision pertains to rejecting Washington County's approach for Rural Reserves. The result of the decision, according to the City's legal staff, is that all of the reserves do not exist. Prior to the issuance of the decision, legislation was introduced to override the legal decision (referred to as the Great Bargain). The legislation focuses on Washington County and seeks to finalize the urban and rural reserves. The City has advocated for Purdin Road being the northern boundary. The Farm Bureau proposed the northern boundary as an east-west water course located about half way between Purdin Road and the city limits. Other urban reserve areas including the David Hill Area (7A) and south Forest Grove (7E) would remain unchanged..

**C. Land Use for South of Pacific Area**

Because there were several people in the audience interested in the south of Pacific area, it was decided Item C on the agenda would proceed Item B.

Mr. Holan: At the conclusion of the work session on the potential Gales Creek Terrace project, several Commissioners indicated the desire to re-examine the proposed land use for the area south of Pacific Ave. Several factors need to be considered if further analysis is warranted, and staff needs guidance for that further analysis. A committee including citizens could be formed, or staff could hold a meeting and invite interested parties.

Commissioner Ruder: I would like to have a discussion on this area, and not just proceed because the applicants on the Gales Creek Terrace development are vested. Mr. Will and others are here tonight, and I would like to hear what they have to say.

**Morgan Will, Gales Creek Terrace LLC, 385 S. State St., Lake Oswego, OR.**

Mr. Will: Originally we were in contract with the areas in orange and gold shown on the map, and we were planning to do a development of high density all the way across that area. Then the City proposed a rezone of the area to the west (orange and gold). We paused to wait for the City to complete that process, and we were in favor of the change. By spreading out across the area, we could meet densities. Then we could not meet contractual demands of the property owners on the west end, so we fell out of contract. Now we are proposing to develop the high density area only. We do not need the zone change. Businesswise – we cannot afford to

**PLANNING COMMISSION MEETING MINUTES  
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wait for a down zone.

**Kathy Corey, 1815 "D" Street, Forest Grove, OR.**

Ms. Corey: The homes along "D" Street are on ¼ to ½ acre lots, and it appears we will backup to high density. I am here to plead for some kind of barrier between us and the high density development.

Chairman Beck: Until the Commission actually receives an application for the high density area, we do not know what they plan to do. There will be public hearings, and we welcome your input. I sent an email to everyone on the Commission stating my opinion that we do not need the transition zones. That area in orange and gold is further away from the town center, and more rural. I am not sure how much more information we need, other than an actual application and to see what the public thinks of it.

Commissioner Nakajima: I am happy to leave the zoning as it is.

Chairman Beck: We had property owners under contract when we made the decision about the rezoning.

Commissioner Hymes: I made my decision when we thought the development would be across the whole area. I would be open to a discussion about the area.

Commissioner Ruder: Now we have the high density backed right up to those "D" Street properties. I would be open to further discussion.

Commissioner Lawler: The status of the property has changed. I would be open to a public discussion about this area.

Commissioner Ruder: I would not want to undo and make the areas to the west more dense.

Commissioner Miller: We made the changes and part of the decision was based on maybe. I would rather see it stay as it is until something comes in, instead of changing and changing.

Chairman Beck: I suggest if the orange and gold areas were R-5 and R-10, I would consider having a public discussion. I think this would be a reasonable discussion.

Mr. Holan: I would suggest a work session with alternatives and an invitation to the public. Staff could come up with three or four alternatives.

Commissioner Ruder: This would be good to do while we have no current

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

March 3, 2014-7:00 P.M.      **PAGE 6 of 6**

applications pending.

Chairman Beck: My issue is that the public take it seriously. Let us have Mr. Holan do some research and make a decision on how to proceed.

The Commissioners were in agreement with Chairman Beck to have staff research and make a decision on how to proceed.

**3.0    BUSINESS MEETING:**

**3.1    APPROVAL OF MINUTES:** Commissioner Ruder made a motion to approve the minutes from the February 3, 2014 meeting. Commissioner Miller seconded. Motion passed 6-0.

**3.2    REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:** None.

**3.3    DIRECTOR'S REPORT:**

Mr. Holan stated that staff has received an application for the Silverstone PRD that is currently being reviewed for completeness, and an 8-lot PRD has been submitted. Holan said it sounds like Gales Creek Terrace will submit an application soon.

**3.4    ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be held on April 7, 2014.

**3.5    ADJOURNMENT:** The meeting was adjourned at 9:15pm.

Respectfully submitted by:  
Marcia Phillips  
Assistant Recorder



# 89<sup>th</sup> ANNUAL LOC CONFERENCE

September 25-27, 2014 • Hilton Eugene



## Designation of Voting Delegate at Annual Membership Meeting

The annual membership meeting will be held Saturday, September 27, at 8:00 a.m. Each city is entitled to cast one vote at the membership meeting; however, all city officials are encouraged to attend the meeting.

Use this form to indicate those persons who will represent your city as a voting delegate and alternate delegate. The voting delegate or alternate should pick up a voting card at the Conference Registration Desk on Saturday morning prior to entering the membership meeting.

**NOTE:** *Delegates may not vote without a voting card, and voting cards will be issued only to a person indicated on this form. Voting by proxy will not be permitted.*

FOR THE CITY OF \_\_\_\_\_

### VOTING DELEGATE:

Name \_\_\_\_\_ Title \_\_\_\_\_

### ALTERNATE:

Name \_\_\_\_\_ Title \_\_\_\_\_

**Return this form by Sept. 12 to:**

League of Oregon Cities  
Attn. Jennifer Marks  
Fax: (503) 399-4863  
[jmarks@orcities.org](mailto:jmarks@orcities.org)  
1201 Court St. NE, Suite 200  
Salem, OR 97301

Submitted by \_\_\_\_\_  
(Signature)

Name \_\_\_\_\_

Title \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_



1201 Court Street NE, Suite 200 • Salem, Oregon 97301  
(503) 588-6550 • (800) 452-0338 • Fax: (503) 399-4863  
[www.orcities.org](http://www.orcities.org)

August 27, 2014

TO: City Managers, Administrators and Recorders

FROM: Kim Bentley, Office Manager

Enclosed is the **voting delegate** form for the League's annual conference, to be held September 25-27 at the Hilton Eugene. If you have officials attending this year's annual conference, we ask that this form be completed and returned to the League office by Friday, September 12.

The *voting delegate* form tells us who will be voting on behalf of your city during the Annual Membership Meeting on Saturday morning, September 27. Please note that delegates ***may not vote without a voting card***, and voting cards will be ***issued only to the voting delegate or alternate listed on the enclosed voting delegate form***. Voting by proxy will not be permitted. The voting cards will be available the morning of the 27th just prior to the business meeting. Members will be asked to vote on the Board of Directors for 2015.

Thank you, and please let us know if you have any questions. We look forward to seeing many of you in Eugene.

Enclosures