

# CITY COUNCIL MONTHLY MEETING CALENDAR

November-14						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
Time Chg 2		3	4	5	6	7
Nyuzen Students Welcome Dinner 4pm-Comm Aud	Nyuzen Students Depart 7am Planning Comm 7pm	General Election	Municipal Court Rural Fire 7pm CCRT Open House 6pm - Comm Aud		EDC Noon	Community Shred Event 9am CFC Pruning Shop 9am - Talisman
9	10	11	12	13	14	15
	CITY COUNCIL 6:30 PM - WORK SESSION (B&C) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	CITY OFFICES CLOSED HOLIDAY		PAC 5pm CDBG 7pm	S&CC 1st Friday	
		CCI Dec 2nd: Lib Nov 17th	MPAC 5pm		Mayors' Luncheon	
16	17	18	19	20	21	22
	Chamber Luncheon (Prime Time) Lib Comm 6:30pm FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	Fernhill Wetlands 5pm	Municipal Court P&R 7am WEA Comm Noon CFC 5:15pm CWAC 5:30pm	Sustainability 6pm	ODF 8am	Community Leaf Drop-Off 10am - 22nd/Yew
			National League of Cities Conference (Mayor out)			
23	24	25	26	27	28	29
	CITY COUNCIL 5:30 PM - COUNCIL SWEARING-IN & RECOGNITION CEREMONY 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM			CITY OFFICES CLOSED HOLIDAY		
Mayor Returns		HLB 7:15pm	PSAC MPAC 5pm	Sustainability Nov 20th		
30						
December-14						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
	Planning Comm 7pm	CCI 5:30pm	Rural Fire 7pm		EDC Noon	Community Leaf Drop-Off 10am - 22nd/Yew Light Parade 5pm - Downtown
7	8	9	10	11	12	13
	CITY COUNCIL TVCTV HOLIDAY GREETING 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	CCI 5:30pm Library 6:30pm	Red Cross Blood Drive 1pm - 6pm - Comm Aud MPAC 5pm	PAC 5pm CDBG 7pm		
14	15	16	17	18	19	20
	Chamber Luncheon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	Fernhill Wetlands 5pm HLB 7:15pm	Municipal Court P&R 7am WEA Comm Noon CFC 5:15pm CWAC 5:30pm	Sustainability 6pm Kidd out - Dec 18-26	Mayors' Luncheon	Community Leaf Drop-Off 10am - 22nd/Yew
21	22	23	24	25	26	27
	CITY COUNCIL NO MEETING SCHEDULED	HLB Dec 16th	PSAC MPAC 5pm	CITY OFFICES CLOSED - HOLIDAY	Sustainability Dec 18th	Kidd returns
28	29	30	31			
January-15						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
				CITY OFFICES CLOSED - HOLIDAY	S&CC 1st Friday	
4		6	7	8	9	10
			Municipal Court Rural Fire 7pm	EDC Noon TBA PAC 5pm CDBG 7pm		
11	12	13	14	15	16	17
	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	CCI 5:30pm Library 6:30pm	MPAC 5pm			
18	19	20	21	22	23	24
	CITY OFFICES CLOSED - HOLIDAY	Fernhill Wetlands 5pm Planning Comm 7pm	P&R 7am WEA Comm Noon CFC 5:15pm CWAC 5:30pm	WEA Breakfast Sustainability 6pm	B&C Recognition Dinner - TBA	
25	26	27	28	29	30	31
Chamber Luncheon	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC MPAC 5pm			Annual Town Meeting
			Kidd out through Feb 15th			

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# FOREST GROVE CITY COUNCIL

## Monday, November 24, 2014

### Meeting Agenda

**5:30 PM – Council Swearing-In & Recognition Ceremony**

**7:00 PM – Regular Meeting**

**Community Auditorium  
1915 Main Street  
Forest Grove, OR 97116**

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**PETER B. TRUAX, MAYOR**

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

Ronald C. Thompson  
Elena Uhing  
Malynda H. Wenzl

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.

**FOREST GROVE CITY COUNCIL AGENDA  
NOVEMBER 24, 2014  
PAGE 2**

	<b>5:30</b>	<b><u>City Council Swearing-In and Recognition Ceremony</u></b> <i>The public is invited to attend the City Council Swearing-In and Recognition Ceremony at 5:30 p.m. in the Community Auditorium, 1915 Main Street.</i>	
	<b>7:00</b>	1.	<b><u>REGULAR MEETING:</u></b> Roll Call and Pledge of Allegiance
		2.	<b><u>CITIZEN COMMUNICATIONS:</u></b> Anyone wishing to speak to Council on an item <u>not on the agenda</u> may be heard at this time. <i>Please sign-in before the meeting on the Citizen Communications form posted in the foyer.</i> In the interest of time, please limit comments to two minutes. Thank you.
		3.	<b><u>CONSENT AGENDA:</u></b> See Page 3
		4.	<b><u>ADDITIONS/DELETIONS:</u></b>
		5.	<b><u>PRESENTATIONS:</u></b>
Rob Foster, Public Works Director	7:05	5. A.	<ul style="list-style-type: none"> <li>• <i>Washington County Land Use and Transportation Update: Request for Input about Potential Closure of Porter Road to Motor Vehicle Traffic at Bridge 1296 over Council Creek</i></li> </ul>
	7:15	5. B.	<ul style="list-style-type: none"> <li>• <i>Metro Quarterly Exchange Update, Kathryn Harrington, Metro Councilor District 4</i></li> </ul>
Jon Holan, Community Development Director Michael Sykes, City Manager	7:30	6.	<b><u>CONTINUE (DE NOVO) PUBLIC HEARING FROM NOVEMBER 10, 2014: ORDER NO. 2014-06 APPROVING GALES CREEK TERRACE PLANNED RESIDENTIAL DEVELOPMENT (FILE NO. PRD-14-00181). APPLICANT: GALES CREEK DEVELOPMENT, LLC (MORGAN WILL AND TRIPTI KENZER)</u></b>
Michael Sykes, City Manager	8:00	7.	<b><u>CITY MANAGER'S REPORT:</u></b>
	8:15	8.	<b><u>COUNCIL COMMUNICATIONS:</u></b>
	8:30	9.	<b><u>ADJOURNMENT</u></b>

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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 November 10, 2014.
  - B. Accept Library Commission Meeting Minutes of October 13, 2014.
  - C. Accept Planning Commission Meeting Minutes of October 20, 2014.
  - D. Accept Public Arts Commission Meeting Minutes of October 9, 2014.
  - E. Fire Chief Report from October 25 – November 7, 2014.
  - F. **RESOLUTION NO. 2014-85 MAKING APPOINTMENT TO COMMITTEE FOR CITIZEN INVOLVEMENT (APPOINTING MARTHA OCHOA, TERM EXPIRING JANUARY 31, 2016).**
  - G. **RESOLUTION NO. 2014-86 MAKING APPOINTMENT TO PUBLIC ARTS COMMISSION (APPOINTING YASMINE WEIL-POURFARD, STUDENT ADVISORY, TERM EXPIRING DECEMBER 31, DECEMBER 31, 2015).**
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*The public is cordially invited to attend*

# **Forest Grove City Council Swearing-In Ceremony**

*Monday, November 24, 2014*

*5:30 P.M.*

*Community Auditorium, 1915 Main Street*

*Refreshments following the ceremony*

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## ***Oaths of Office will be administered***

*by Anna D. Ruggles, CMC, City Recorder*

### *To Incumbents:*

- ***Mayor Peter B. Truax, 45<sup>th</sup> Mayor***

*Mayor Appointed 2009-2010; Elected 2010-2014; and 2014 Reelected Four-Year Term*

- ***City Councilor Thomas (TJ) L. Johnston***

*Elected 2002-2006; Reelected 2006-2010; Reelected 2010-2014; and 2014 Reelected Four-Year Term*

- ***City Councilor Ronald "Ron" C. Thompson***

*Elected 2002-2006; Reelected 2006-2010; Reelected 2010-2014; and 2014 Reelected Four-Year Term*

### *To Newly-Elected:*

- ***City Councilor Malynda H. Wenzl***

*2014 Elected Four-Year Term*

### *Special Recognition of Out-Going:*

- ***City Councilor Camille Miller***

*Elected 2006 – 2014*

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**FOREST GROVE CITY COUNCIL WORK SESSION  
(BOARDS, COMMITTEES, AND COMMISSIONS INTERVIEWS)  
NOVEMBER 10, 2014 – 6:30 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 6:30 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Camille Miller; Ronald Thompson; Elena Uhing; and Mayor Peter Truax. **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:

- **Yasmine Weil-Pourfard – Public Arts Commission, Student Advisor** (Sustainability Commission, Committee for Citizen Involvement, Library Commission, Parks and Recreation Commission, Public Safety Advisory Commission, Planning Commission, Community Forestry Commission, Budget Committee, Historic Landmarks Board and Economic Development Commission)
- **Martha Ochoa – Committee for Citizen Involvement**

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 applicants as noted above. Resolution making formal appointments 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 6:55 p.m.

Respectfully submitted,

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

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APPROVED

*Library Commission approved minutes as presented on Nov 17, 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 Oct 13, 2014.

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

**Members Absent:** Annie Hicks;

**Staff:** Colleen Winters, Library Director

**Council Liaison:** Peter Truax, Mayor

**Others:** None

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

3. **APPROVE LIBRARY COMMISSION MEETING MINUTES OF (Sep 9, 2014):**

**MOTION:** Doug moved, seconded by Nickie, to approve the Sep 9, 2014 minutes as amended. **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 Foundation board met last night, Oct 12, and elected new officers.

b) The "glass" portion of the Ed Carpenter art project for the library (called "Mollie's Garden") was installed in the ceiling/skylight area near the library's circulation desk over the 3-day Labor Day weekend. See Ed Carpenter's website for more info (and pictures) related to this project:

(<http://www.edcarpenter.net/home/home.html>)

c) This project includes participation and collaboration by metal artist Eric Canon and wood artist Greg Kriebel. Their contributions to the project will

focus on enhancement of the four wooden columns, and new light sconces, all under the skylight. These portions of the art work (and any other remaining necessary adjustments) may be installed during Nov 2014.

d) The dedication/celebration for the entire Ed Carpenter art project will not be scheduled until all the work is done. It is expected that a nice dedication event will be held in the Spring of 2015.

e) The Foundation has returned to fundraising efforts that will provide “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 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.

f) The annual Foundation “Friends & Family” fundraiser was held Tues Sep 30, 2014 from 5PM to closing at McMenam’s for those having dinner at the Ironwork Grill, with 50% of proceeds going to the Foundation. The Foundation raised \$2056 at this event.

g) A “Maggies Books & Buns” fundraiser will be held in Jan or Feb 2015.

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 met the previous week.

b) The Fall Used Book Sale will be held during the week of Nov 10, 2014, with setup starting Nov 4 and continuing that week until done. No more “\$5 bag deal” on Saturday (last day of sale), but members of the Friends get a 25% discount day on Monday (first day of sale).

c) The Fall 2014 Friends newsletter will be going out soon.

d) The Friends board is planning a retreat in the Spring of 2015 to think about the future of their fundraising efforts.

e) Some changes to the Friends budgeting process for the library are expected, in the method of allocating amounts to library staff requests, continuing efforts to have a more formal process. Library staff will respond with how the allocated money will be spent. The Friends help pay for “enhancements” to the library, not for basic library operations. Concerns over reduced funds from the used book sales.

f) Friends Cultural event “2jazzguitars” (2 musicians playing jazz standards, ballads, and blues) occurred Tues Oct 7, 2014.

g) Friends Cultural event “Mason Bees” will be held Wed Oct 15, presented by OSU Extension Service.

h) Dave Pauli and Susan Munger are in charge of planning of the Friends Cultural Series. Dave Pauli wishes to step down from this task after many

years in charge of the series.

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

**5c. COUNCIL LIAISON REPORT :**

a) City election (three City Council positions, and Mayor) coming up in Nov.

b) The League of Oregon Cities will hold a convention soon, in Eugene.

Mayor Truax will be the President of League of Oregon Cities in 2015. It's legislative priorities for the 2015 session of the Oregon Legislature are: (1) property tax finance reform, (2) a comprehensive transportation funding and policy package, (3) marijuana concerns, if legalized, (4) protect city right-of-way authority, and (5) mental health resources

c) GroveLink Summit coming Oct 21 at the City Auditorium. Public input on what to do when funding runs out after 2 year initial funding from various sources. 138 people a day now ride GroveLink.

d) Students coming for visit in October from sister city: Nzuyen, Japan.

e) The Times-Litho building property may be sold for \$900,000. Plans proceeding to sell to a hotel chain that might build a hotel on the property.

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

a) There is a new Forest Grove City Library web site. The site is no longer a simple "Plinkit" (old style) web site.

b) Amy Gregory hired as part-time Library Assistant, on-call status.

c) New employee protocol change: library employees to have the same kind of library cards as all other library patrons.

d) A new long-desired projector for the Rogers Room is coming soon, to help with presentations. Funding was from the Friends, the Library Foundation, and the City of Forest Grove.

e) Change in "Lucky Day" collection ability to self-checkout items.

f) Four new work-study students from Pacific will work at the library. They will be working with early education, computer classes in English and Spanish, with library volunteers, and with "Fun @ Four".

g) Changes to the library's Circulation Policy may be brought to the Library Commission at a future meeting.

**6. DISCUSSION OF ITEMS:**

a) Future of the Forest Grove City Library planning process continues. Jon's note document could be useful, and has a lot of information. Mike Smith will be invited to our next Library Commission meeting to discuss ideas for how to

proceed, as he has some experience with this from a similar study performed at another library. (This rather than forming a small committee to get started with the process.) Will also discuss pros & cons of using a formal Strategic Planning method. Also mentioned that it might be possible to discuss progress on all this at the next May "Gathering of the Groups" event.

7. **ANNOUNCEMENT OF NEXT MEETING:**

The next Library Commission meeting will be held on Mon Nov 17, 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 8PM.

Minutes respectfully submitted by:

Jon Youngberg, Library Commission Secretary

APPROVED

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1. **CALL TO ORDER:**

Chairman Beck called the meeting to order at 7:00 p.m.

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

**Absent:** Carolyn Hymes

**Staff Present:** Jon Holan, Community Development Director; Dan Riordan, Senior Planner; Rob Foster, Engineering & Public Works Director; Marcia Phillips, Assistant Recorder.

2. **PUBLIC MEETING:**

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

2.2 **PUBLIC HEARING:**

**A. PRD-14-00141 Silverstone PRD - A Planned Residential Development consisting of 204 single-family detached residential lots, several open space / recreational tracts, and several water quality tracts located at 2465 NW Highway. (Continued from September 15, 2014 meeting)**

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

Mr. Riordan explained that the applicant requested a continuance of the hearing in order to respond (Attachment A) to staff's concerns as written in the staff report. Riordan described the planned residential development (PRD) as consisting of 204 single-family detached residential lots, several open space/recreational tracts and several water quality tracts located south of David Hill Road.

In response to a question from Chairman Beck, Mr. Riordan stated that the County may begin construction of David Hill Rd. in 2018, and it may be done in phases, but the County has not announced when this will take place. Riordan said it is not known at this time whether or not the County's construction of David Hill Rd. will coincide with the Silverstone phases. The planned development can be built before the road is in, because David Hill Rd. is not a specific requirement for this subdivision to be built.

Mr. Riordan showed a copy of the latest revision of the site plan. He explained that the reason the applicant is requesting a planned development is to reduce the side yard setbacks to 5-feet for all lots and corner setbacks of 11-feet instead of 15-feet as required in a regular subdivision.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014-7:00 P.M.      **PAGE 2 of 11**

Mr. Riordan explained that the developer will relocate and improve the drainage way further to the south to coincide with the BPA easement. Staff recommends narrowing B Street and Main Street from 40-feet to 28-feet where they would impact the wetlands.

Chairman Beck asked how the residents will exit the development to the south since David Hill Rd. is not built.

Mr. Holan explained that in looking at the Silverstone phasing map, the applicant would have to extend Main St. for Phase I to provide access.

Chairman Beck said he did not see a Condition of Approval stating that Main St. must be built with Phase I, and it needs to be stated in writing so this PRD can be built.

Mr. Holan explained that there is a provision in the Development Code Section 10.1 that there must be access or building permit will not be issued.

Chairman Beck stated that this needs to be stated explicitly in the Conditions of Approval about road access as some citizens have concerns. He said this may mean the applicant will have to build David Hill Rd. from where it ends now to this subdivision (about 100-feet). Beck said narrowing the road for the wetlands is agreeable, but there should be a painted bike lane on the bridges.

Mr. Holan explained that there are no designated bike lanes in the subdivision, but if there is a need for a painted specific bike lane, it needs to be stated specifically.

Chairman Beck was agreeable to a painted bike lane across the bridges only for safety reasons – to alert motorists.

Mr. Riordan brought to the Commission's attention two handouts. Handout # 1 was an email from Kerry Vanderzanden dated October 15<sup>th</sup> stating his concerns about the unimproved gravel road extension of David Hill Rd. Vanderzanden stated in his email that the traffic from the proposed subdivision should only be allowed to enter or exit the proposed subdivision from the south. He said the proposed extensions up to the David Hill Road should be barricaded with bollards so that only emergency vehicles could use them, and this should be maintained until David Hill Road is completed.

Mr. Riordan explained that the staff report before the Commission this evening responds to the applicant's proposed revisions to the original staff report of September 15<sup>th</sup>. Mr. Riordan said Handout # 2 was a last minute revised site plan from the applicant of a cul-de-sac showing a revision to two of the lots. Instead of the two original flag lots, the site plan shows Street A connecting to David Hill Rd. with access for the two lots and providing pedestrian access.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014–7:00 P.M.

**PAGE 3 of 11**

Riordan stated that staff recommends a redesign of Street A to be a cul-de-sac with no connection to David Hill Rd. Staff also recommends that the pedestrian connection be placed between lots 43 and 44 which provides better line of sight from David Hill Rd. and improves pedestrian safety.

Mr. Riordan said another issue was Tract H. Originally the applicant had 11,500 sq. ft. but the applicant is amenable to 20,000 sq. ft. due to the amount of open space along the waterway. In response to a question from Commissioner Lawler, Mr. Riordan stated that the applicant would need to address whether or not residents would have access to walk along the waterway.

Mr. Riordan stated that another difference of opinion is whether the applicant should be required to build a masonry wall along David Hill Rd. and Hwy 47 or be allowed to build a wooden fence. He explained that staff recommends a masonry wall for noise mitigation and this would continue the design of Oak Hill Settlement's masonry wall to the west.

Mr. Riordan concluded by stating that staff recommends approval with the Conditions of Approval included in tonight's packet.

In response to a question from Chairman Beck, Mr. Foster said 4-inches of asphalt is fine for the pedestrian/bicycle pathway. Foster said an 8-foot width is typical, but 6-feet is narrow especially with fences running along each side – a tunnel effect.

In response to a question from Commissioner Nakajima, Mr. Riordan said Main Street and B Street are collectors.

Regarding the parcel at the northeast corner on Hwy 47, Commissioner Lawler asked if there will be a fence between it and the development.

Chairman Beck explained that once the fence leaves David Hill Rd. it would go back to a wooden "good neighbor" type fence between the development and that property. He said there should be a Condition of Approval stating that fences not along David Hill Rd. should be wooden "good neighbor" fences.

**APPLICANT:**

**Mimi Doukas, Venture Properties, 4230 Galewood St. Lake Oswego, OR, 97035.** Ms. Doukas gave a PowerPoint presentation showing the property layout and the four phases. She explained that the proposed development is 50-acres, and the land is very flat so drainage is more complicated. Doukas said the applicant has tried to turn the drainage ditch into an amenity for the residents by relocating the ditch to the south and having it tie into the wetlands. She said the ditch will be fully enhanced per Clean Water Services standards.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014-7:00 P.M.

**PAGE 4 of 11**

Ms. Doukas said Main St. and B St. will be collector streets clear through the development. She explained that the timing of construction of David Hill Rd. has changed during their application process. Due to an unfortunate traffic accident the County has accelerated the construction of David Hill Rd. Doukas said the applicant will be working with the City and County to move this along aiming for 2016, which does dovetail fairly well with the phasing of the Silverstone development. She stated that there is a drivable gravel road on Main St. that connects to David Hill Rd. and a fire barrier would be put across the entry point to Main St. from David Hill Rd. to prevent motorists from using it. Doukas said the applicant is hoping David Hill Rd. will be under construction as homes are being built in Phase I. She said the community park in the center of the development will be built in Phase II.

Ms. Doukas explained that the revision to A St. to end in a cul-de-sac allowed the enlargement of the open space. Doukas said Clean Water Services does not want heavy pedestrian traffic along the drainage way. It is to be more of a nature interactive area – a passive recreational space.

Ms. Doukas said on the frontage treatment staff and the applicant have agreed to disagree. She explained that the applicant is proposing a nice wood fence along David Hill Rd., and the Oak Hill Settlement Conditions of Approval do not call for a masonry wall so that is not a precedent. The wooden fence has a shelf life of 15-years, and the HOA is required to budget for this. Doukas stated that there is a mixture of frontage improvements along David Hill Rd. She agreed that Hwy 47 is different as there is truck traffic and the speed limit is 55 mph so a masonry wall is appropriate, where David Hill Rd. has a speed limit of 35 mph.

Commissioner Nakajima made the comment that there is also a safety factor with masonry vs. wood – the masonry would better prevent a car from impacting a residence. Nakajima said her issue is with sport court noise.

Commissioner Lawler stated that Oak Hill Settlement has a sport court, and asked if staff has had any complaints about noise.

Mr. Holan said that to his knowledge there have been no complaints.

Ms. Doukas showed the applicant's proposed revisions to the staff report.

Chairman Beck said he had a great concern about cars backing into the pedestrian way at the end of A St.

Mr. Holan explained that if this proposed design is approved, it is part of the PRD since City standards require all lots to have street frontage.

PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM

October 20, 2014–7:00 P.M.

PAGE 5 of 11

**PROPOSERS:** None.

**OPPOSERS:**

**Kyle Lynn, 1920 Hartford Dr., Forest Grove, OR.** Mr. Lynn stated that he owns a home just across from the proposed development. He said his desire is to maintain small town standards in Forest Grove. Mr. Lynn said there is a severe safety problem on Hwy 47, and now even more homes are proposed. He stated that there are Bald Eagles in the wetland just south of the proposed development, and the influx of people will have a negative effect on this wetland. Mr. Lynn said there are not 204 families looking for homes in Forest Grove – this is a “build it and they will come” project. He stated that this area will resemble Cornelius Pass Rd. in Hillsboro. He said Forest Grove is a beautiful small town and asked if such growth is a step toward a better place to live.

**Eldena Vanderzanden, 2603 NW Hwy 47, Forest Grove, OR.**

Ms. Vanderzanden stated that David Hill Rd. was deeded to the County in 1947, and the County has not maintained it. She said her family puts gravel on the east end of the road for access to the three homes there, and cars come down that gravel road trying to connect with the other subdivision that was built – it does not connect. Ms. Vanderzanden pointed out that this proposed development is along agricultural land and there will be a dust problem. She stated that cars and trucks should not be allowed to drive down the gravel road unless it is improved.

**Kerry Vanderzanden, 2603 NW Hwy 47, Forest Grove, OR.** Mr. Vanderzanden explained that he and his family own most of the property to the north of the proposed development, and he has great concerns. He said the David Hill Rd. emergency access (gravel road) has had no base put on it so it meets no standards for fire access, and needs to be brought up to standards before fire access is allowed. He said if there is no sign preventing truck traffic, there will be trucks on the gravel road. Vanderzanden said his family farms to the north of the development, and Mr. Speischart the farmer to the west has had complaints from the residents of Oak Hill Settlement subdivision which is south of his property. Mr. Vanderzanden said a masonry wall would help with dust and with traffic noise from David Hill Rd. Mr. Vanderzanden said he is an architect and knows that a masonry wall has a 100-year life which is a better solution, and he strongly suggests a masonry wall.

Mr. Vanderzanden said drainage is another concern, because along the south side of the creek it is already flooded. He said if there are pedestrian walkways connected to David Hill Rd. the water will drain across unless the road is developed.

In response to a question from Commissioner Lawler, Mr. Vanderzanden said his sister has a designated parking lot on her property for a truck line.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014-7:00 P.M.

**PAGE 6 of 11**

Chairman Beck asked staff if a Condition of Approval could be added stating that construction trucks cannot come through David Hill Rd.

Mr. Holan explained that the Commission can designate where construction equipment can come through, and the applicant can be required to improve the gravel road by adding more gravel.

**Brenda Stephen, 1717 Hartford Dr., Forest Grove, OR.** Ms. Stephen explained that her property is to the south of the proposed development - southwest of B St. She said she has lived in the area all her life, and has seen changes in Forest Grove that she does not like. Ms. Stephen said Forest Grove is turning into Hillsboro, and if she wanted to live in a big subdivision she would move there. Ms. Stephen said she has seen no plans to enlarge Forest Grove schools with 204 new families coming.

Ms. Stephen said she is concerned that moving the drainage ditch closer to her property will cause flooding, and asked if the ditch will be made deeper to prevent this. Ms. Stephen stated that with people walking down the BPA access road they have problems with vandalism, theft, etc. on their property now, and if this ditch area is turned into a walkway such issues will increase. Ms. Stephen stated her concern that more traffic will be added right where there is a bus stop on Hartford Dr. and B St. where people do not slow down now.

Mr. Holan pointed out that B St. is one of the only streets that go from Hwy 47 on the north to Hwy 47 to the south, which might be an enticement for motorists to use this route although the speed limit is 25 mph.

Mr. Foster explained that where there is a change there is the opportunity to put up stops - probably at Hartford Dr. and B St. and Hartford Dr. and Main St. intersections.

Chairman Beck explained that the Commission has no connection with the school district, so has no ability to do anything with schools. He said if a developer comes to the Commission with an application that meets all the criteria, the Commission cannot deny the project just because citizens do not want Forest Grove to grow. Beck stated that after hearing objections to a walking path, he did not believe the Commission would be doing that. Beck said he did not see that having a split rail fence along the vegetative corridor would increase foot traffic on the BPA access road.

**Irma Diaz-Ramos, 1858 Hartford Dr., Forest Grove, OR.** Ms. Ramos stated that it now takes 8-10 minutes to get from Bonnie Lane to Hwy 47, and it will take longer if traffic increases with the proposed subdivision.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014-7:00 P.M.

**PAGE 7 of 11**

Chairman Beck explained that once this project is all built, people will go up Main St. to Hwy 47 and the County plans to build a round-about at the intersection of David Hill Rd. and Hwy 47 so the drive time may actually decrease. He stated that it is a high priority to get David Hill Rd. built.

Mr. Holan explained that it will take about two years for each phase of the subdivision, it will not be built all at once so there will be incremental growth. He said the City knows David Hill Rd. will be constructed because the dollars are there to do it.

**Casandra Gelman, 1803 Hartford Dr., Forest Grove, OR.** Ms. Gelman stated that she owns property at the northeast corner of B St. and Hartford Dr. where the afore mentioned bus stop is located. She said there are ten children catching the bus there, and strongly encourages a 4-way stop at that intersection and perhaps speed bumps should be considered to slow down traffic. Ms. Gelman stated that when the addition to the high school was under construction there were a lot of big trucks coming through this area, and with this proposed development the trucks would probably come down Hartford Dr. She strongly recommended that David Hill Rd. be made more accessible to truck traffic.

Ms. Gelman said she is concerned about drainage, and the depth of the water and amount of current in the drainage ditch - with children around it could be a safety issue. She said she wants a solid fence along the ditch to provide safety for her children.

**OTHER:**

**Brenda Stephen, 1717 Hartford Dr., Forest Grove, OR.** Ms. Stephen wanted to know what will happen when Main St. and B St. are opened up.

Chairman Beck explained that when Phase II is built, Main St. will be built out to David Hill Rd., and if David Hill Rd. is not yet built there will be a fence blocking it off.

**REBUTTAL:**

Ms. Doukas said there had been quite a few questions about drainage. She showed a graphic of the drainage plan, and a cross section of the ditch. Ms. Doukas said the ditch will be very shallow (2.75-feet deep) and wide to allow for drainage. She also pointed out the other Water Quality Facilities (WQF) throughout the subdivision to control runoff and treat the storm water before it goes into the drainage ditch, and stated that the applicant is legally responsible for doing treating storm water. Ms. Doukas explained that the storm drainage along David Hill Rd. would have to be worked out with the County during construction.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014–7:00 P.M.

**PAGE 8 of 11**

Ms. Doukas said the applicant is willing to do a maintenance agreement to beef up the gravel road from David Hill Rd., since it is a good place for construction traffic and it makes sense to make a connection at the west end of the project to connect to David Hill Rd. until it is built. She said barricades will be put up at B St. and Main St. until David Hill is built. Ms. Doukas said the applicant is willing to do a masonry wall along Hwy 47, but not along David Hill Rd. She said the applicant still does not want to do a sport court due to noise nuisance, but plans to put in a toddler area, a picnic table, chess board & bench.

In response to a question from Commissioner Nakajima, Ms. Doukas said there will be no lighting in Tract H, because people do not need to be there after dark.

Chairman Beck closed the public hearing at 9:26 p.m.

**COMMISSION DISCUSSION:**

Chairman Beck asked staff to write a Condition of Approval regarding maintenance of the gravel road.

Mr. Holan read the additions and changes to the Conditions of Approval:

- Main St. and B St. are to be extended into the project
- The applicant shall install a wood “good neighbor” fence where not adjacent to David Hill Rd.
- The applicant shall install painted bike lanes on B St. and Main St. from Hartford Dr. to David Hill Rd.

Chairman Beck said that there is the issue in a subdivision of parked cars and bike lanes, so suggested that the bike lanes be painted just on the bridges through the wetlands where the road narrows as a signal for motorists to pay attention.

- Mr. Holan made that correction.
- The applicant shall improve and maintain the gravel road for construction traffic.

Chairman Beck said the applicant does not have to improve the gravel road – just maintain it.

Mr. Holan explained that right now the gravel road is not built to standards for construction traffic.

- With Phase III the applicant shall make a connection from the Silverstone PRD to the east end of the existing David Hill Rd. unless David Hill Rd. is built, then this is not required.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014-7:00 P.M.

**PAGE 9 of 11**

In response to a question from Commissioner Nakajima, Mr. Foster said until it is improved, David Hill Rd. is in the County's hands, but the homeowners can request a dead end sign at the east end of the existing David Hill Rd. to prevent people from driving down the gravel road.

Chairman Beck asked the Commissioners whether the width of the pedestrian path should be 5-feet or 8-feet.

Commissioner Lawler said he walks and bikes everywhere, and a narrow pathway with 6-foot tall fences on each side is like a narrow tunnel. He said he is in favor with the 8-foot width. The Commission agreed.

Chairman Beck asked the Commissioners where the pathway should be located in the cul-de-sac.

Commissioner Nakajima said she liked the original site plan.

Commissioner Lawler said he was uncomfortable that the applicant's new proposed site plan took away street frontage for two lots.

Chairman Beck agreed and stated that the pathway needs to be a straight shot for visibility and all lots need street frontage. The Commissioners agreed.

Commissioner Ruder said he could see the sport court as an amenity, but could also see it could be a nuisance.

Commissioner Lawler stated that he lives near Oak Hill Settlement and that court is well used. He explained that kids need to be active and playing and not sitting in front of the TV or committing crime. Lawler said the sport court would be a great amenity to the community, and there should be no lights so people would go home after dark.

Chairman Beck agreed that a hardscape is needed so people can use it not just when the grass is dry – it could be used most of the year. The court should also be placed in the center of Tract H for distance from adjacent homes. The Commissioners agreed to the sport court. Beck asked the Commissioners opinion on the wood vs. masonry fence on David Hill Rd.

Commissioner Lawler said he was in favor of the masonry wall on David Hill Rd. due to shelf life. He said he likes the look, it is lower maintenance and it provides a nicer buffer especially for run-away cars.

Commissioner Ruder said the wood fence is esthetically pleasing, and the HOA is required to collect fees to replace it every 15 years. He said the masonry fence crosses the line for him.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014–7:00 P.M.

**PAGE 10 of 11**

Commissioner Rojas agreed that a masonry fence should not be required on David Hill Rd.

In response to a question from the Commission, Mr. Holan explained that staff reviews the CC&Rs, but the City does no enforcement.

Chairman Beck said the HOA has a management company to collect the fees and replace the fence, so he favored the wood fence. The Commission agreed there should be a masonry fence along Hwy 47 except where the existing house is located.

Commissioner Lawler agreed that the wood fence would provide a better transition to the “good neighbor” fence, so he was fine with the wood fence.

**Commissioner Lawler made a motion to approve PRD-14-00141 Silverstone PRD with additions and corrections to the Conditions of Approval as noted. Commissioner Rojas seconded. Motion passed 6-0.**

**2.3 ACTION ITEMS:** None scheduled.

**2.4 WORK SESSION ITEMS:** None scheduled.

**3.0 BUSINESS MEETING:**

**3.1 APPROVAL OF MINUTES:** Commissioner Smith made a motion to approve the minutes of the October 6, 2014 meeting. Commissioner Ruder seconded. Motion passed 6-0.

**3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:** Commissioner Nakajima said the Parks & Rec. Master Plan is being looked at again and they are looking for a liaison from the Planning Commission.

Commissioner Lawler said staff went over the Comprehensive Plan Amendment with the Committee for Citizen Involvement and received their approval.

**3.3 DIRECTOR’S REPORT:** Mr. Holan announced that there was nothing on the docket for the November 3<sup>rd</sup> meeting, and an amendment to the Pacific University Master Plan is tentatively scheduled for the November 17<sup>th</sup> meeting.

**3.4 ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be held on November 17, 2014.

**3.5 ADJOURNMENT:** The meeting was adjourned at 9:53 p.m.

**PLANNING COMMISSION MEETING MINUTES  
FOREST GROVE COMMUNITY AUDITORIUM**

October 20, 2014-7:00 P.M.

**PAGE 11 of 11**

Respectfully submitted by:  
Marcia Phillips  
Assistant Recorder

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30

APPROVED

Minutes approved by the PAC on November 13, 2014.

1) **CALL TO ORDER:** Kathleen Leatham called the meeting to order at 5:05 PM.

PRESENT: Kathleen Leatham, Helvi Smith, Pat Truax, Dana Zurcher, Laura Frye, Linda Taylor, Dana Lommen, Emily Lux and Kathy Broom. Staff Liaison: Colleen Winters and Council Liaison: Camille Miller. Guests: Ariel Yang and Chief Michael Kinkade

2) **CITIZEN COMMUNICATION:** Ariel Yang, Adult Services Supervisor for the library, was seeking information regarding movable displays. Dana Z. suggested several places to view display pieces. Ariel will research sites and builders and return to PAC with ideas for the Roger's Room space display.

3) **APPROVAL OF PAC MEETING MINUTES** Laura moved and Kathy seconded a motion to approve the corrected minutes from September 11, 2014, the vote was favorable.

4) **ADDITIONS/DELETIONS: Add**

- 1. Chief Michael Kinkade-regarding the fire station wall.

5) **BUSINESS:**

a) **Walking Brochure Project**-Kathleen, Dana Z., Pat T. and Emily met to plan this project. They recommend a 3-part roll out for the brochure. Part 1 would include all outdoor accessible art. Part 2 is rainy day indoor art, such as the Library, Police station and City Hall and part 3 contains related sites: historical, Pacific University, McMenemy's, etc.

Brochure ideas and public art strategies were shared from the cities of McMinnville and Lake Oswego. These cities use a variety of methods to procure and display art work from: purchase of pieces, giving the artist \$850 honorariums for displaying art, Citizens Art Choice contest and leasing pieces. City visitations and additional research were recommended. Helvi and Kathy have volunteered to bring a proposal to the next PAC meeting regarding the McMinnville and Lake Oswego information.

b) **Fire Station Art Work:** - Chief Michael Kinkade shared his journey and vision to procure some art work for the FG Fire Station. The company of Winsor Fireform was contacted to send information as they have similar projects in Portland and Corvallis. Emily volunteered to help with some research for preparing the brick walls of the station. The Chief was asked to return to the November PAC meeting for further discussion.

c) **Updates**

- Meet the Artist Dinner for community sundial – The event held at the home of Camille and Al Miller was a great success. \$945 was made from the sale of

tickets. Kudos to Camille and Al for the lovely site, delicious food and productive artists.

- FG Library Foundation Update - Colleen reports that Eric C. and Greg K. plan to complete their work by the third week in November. Plans for a special show event will be saved for the first part of 2015.
- Finances-The finances have been updated to reflect current balance.

**6) COMMISSIONERS COMMENTS:** Linda Taylor reported on a successful reception for the quilt project. She also reports that the Symphony Story time will be the third Wednesday from 10:15 to 11:00, and she will be presenting an art project at Valley Art during the Farmers Market from 5-7 with suggested donations of \$5.

Helvi invites everyone to attend the annual Open Art Studio program on Sunday, October 19. Dana L. encouraged us all to attend the TITG production of As You Like It.

**7) STAFF COMMUNICATIONS:** Colleen announced that the Friends and Family night held at McMenamins raised enough money to complete the library foundations commitment for the Ed Carpenter project.

**8) ADJOURNMENT:** The meeting adjourned at 6:20. The next meeting will be November 13, 2014, in the Rogers Room at the Library.

Respectfully Submitted by Pat Truax



# Fire Chief's Report

Reporting Period: October 25-November 7, 2014



3E



## SEPTEMBER UPCOMING EVENTS

- **November 11: Veterans Day Ceremony, Cornelius Veteran's Park, 1100-1200.**
- **December 6: Holiday Light Parade, MANDATORY EVENT, more details coming! 1600-1900.**
- **January 17: Crab Feed 2015! MANDATORY EVENT**
- **February 16: AIC/Officer Testing**

## Notable Calls and Events

- **Joint:** On November 4 the department celebrated the graduation of sixteen students from the Fall 2014 Recruit Academy, and the successful completion of probation and badge presentation for nine firefighters.
- **Joint:** On November 3 the kick off for the annual Toy Drive began, with volunteers helping to sort toys that have already been received. Applications for families that need help will be available November 10, donation bins will be set up the week of Thanksgiving in the community.





# Fire Chief's Report

Reporting Period: October 25-November 7, 2014



- Joint: On November 2 a live fire training exercise was conducted in a donated house next to Cornelius City Hall. Over 18 new firefighters from throughout Washington County participated in this training event. The two in the picture owe ice cream.
- Joint: On October 31 firefighters from Forest Grove and Cornelius handed out free light sticks to trick-or-treaters in downtown Forest Grove. Over 4000 light sticks were handed out in two hours. The intent of this program is to increase the visibility of these young children when they are trick-or-treating later in the evening. The program is funded by the Western Washington County Firefighter's Association.
- Forest Grove: Firefighter hosted 14 exchange students visiting from our sister city in Nyuzen, Japan, providing a tour of the station and facilities and providing a live fire demonstration using our fire simulator.
- Forest Grove: On October 29 crews from Forest Grove, Cornelius and Gaston responded to a reported apartment fire at Karen's Korner apartments. The fire was started by a pot of food left cooking on a stove, and damage was limited to smoke damage.
- Forest Grove: On October 29 crews responded to a 1-month old infant that was in cardiac arrest – advanced life support attempts to resuscitate the child were unsuccessful.





# Fire Chief's Report

Reporting Period: October 25-November 7, 2014



- Joint: On October 25 a high wind event hit the area – to handle the multiple fallen trees and lines down a partial EOC activation and modified response plan was implemented for six hours.
- Forest Grove: On October 25 crews provided standby medical coverage for the Verboort Sausage Feed, and ran multiple medical calls at the event.

## **Projects and Administration**

*Links to strategic goals are indicated by the SG# at the end of each update. See chart on page 1. To see the latest updates to our strategic plan use link:*

<https://www.dropbox.com/s/y85q1lh7zmixbuk/Strategic%20Plan%20-%20Strategies.pdf?dl=0>

- Joint: The Uniform Team met and reviewed current procedures and practices and developed a plan for continuing the purchase of coats.
- Joint: Nine Forest Grove and Cornelius firefighters successfully completed an NFPA Instructor I class we provided, taught by BC Patrick Wineman.
- Forest Grove: Fire Marshal David Nemeyer met with business representatives from Chaucer Foods to review their ammonia system and conducted final acceptance tests of their sprinkler, alarm and ammonia detection system. He also attended the ODOT meeting in Portland to improve safety on Highway 47.
- Joint: Completed re-design of weekly and bi-weekly reporting systems for department officers. Developed system of intern station maintenance assignments.

## **On-Going Projects**

- Joint: Update on Cooperative Work Efforts Study – The ESCI team visited last week – approximately 100 stakeholders were interviewed from Forest Grove, Cornelius, Banks and Gaston. The next action is the compilation of the matrices of the data that was collected. (SG5)
- Joint: Recruit Fire Academy for Fall 2014 was completed and graduation held on November 4. (SG6, SG4)
- Forest Grove: South Wall Art Mural: No updates this reporting period. (SG3)
- Joint: EOC Disaster Exercise, scheduled for November 19, Station 4. Planning continues with Daniel Robles. Draft MSEL has been completed, players have been invited. (SG2)



## Fire Chief's Report

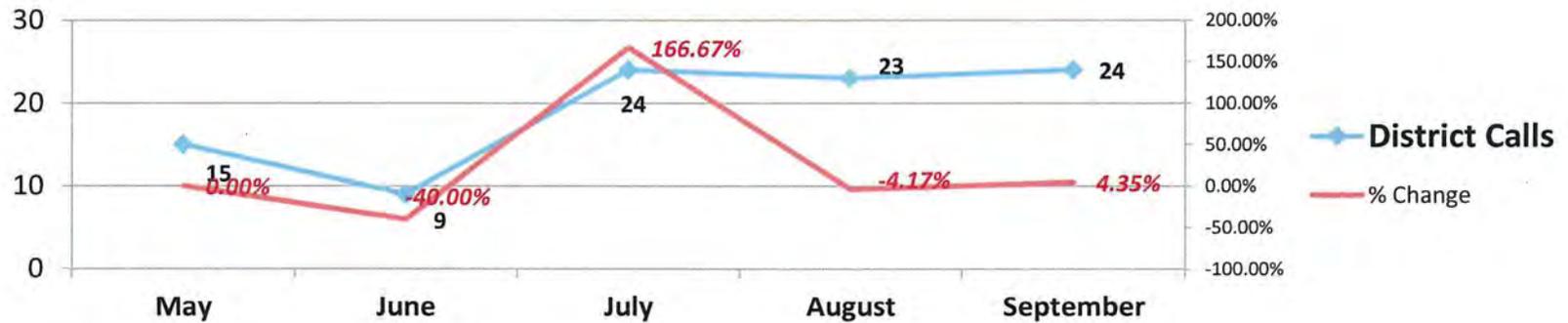
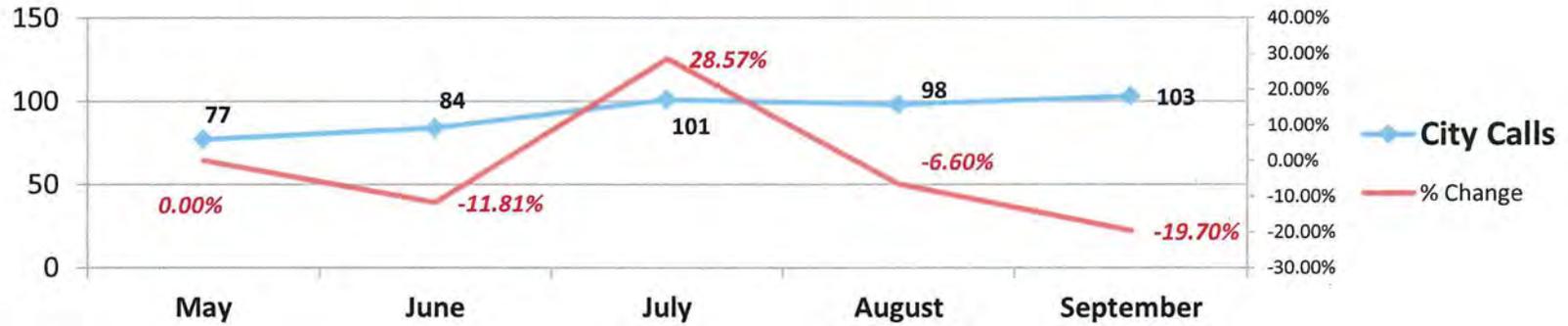
Reporting Period: October 25-November 7, 2014



- Joint: City Light Parade, continue to attend weekly planning meetings and recruiting volunteers, scheduled for December 6, 2014. Operational positions are being assigned (SG3)
- Cornelius: KME Type I engine is being built, still on schedule for spring/early summer delivery, no updates this reporting period. (SG1)
- Cornelius: Spartan Type I Tender has been ordered, on schedule for spring/early summer delivery, minor change order authorized which reduced cost by \$117. (SG1)
- Forest Grove: The new Spartan Type I Tender is in Hillsboro and is having finishing work done on it at True North. Started vehicle insurance for new tender, deliver to Station 4 either 11/7 or 11/10. (SG1)
- Forest Grove: HME Type III engine has been ordered, on schedule for spring/early summer delivery, no updates this reporting period. (SG1)
- Joint: Joint: TVID Update: Division Chief O'Connor met with TVID representatives in early October and provided location information and initial discussions for first hydrant installation. We proposed a location on Visitation Road. No updates this reporting period. (SG5)
- Joint: Met with Washington County administrator in early October to review possible plan to raise \$95 million for necessary radio infrastructure upgrades for Washington County. Discussed at Fire Defense Board on October 16 (SG2, 5)
- Cornelius: Crab Feed: BC Patrick Wineman continues the planning process for the annual Crab Feed. He is the IC, his team includes Planning Chief Kevin Ritcheson, Operations Chief Jason Lawson, Finance Chief Jeff Bade, and Logistics Chief John Phelan. Date is January 15, 2015. Mark your calendars. (SG3)
- Joint: COOP Project: Supplemental budget request was approved at October 27 City Council meeting. Minor revisions made to contract on November 6, awaiting final signature to begin process. (SG2)
- Forest Grove: Continue looking for a rental house close to the Gales Creek Station. Several leads were developed during the presentation to the Gales Creek Neighborhood Watch meeting on October 22, with one being visited at the intersection of Gales Creek Road and Highway 6 on November 5. (SG1)



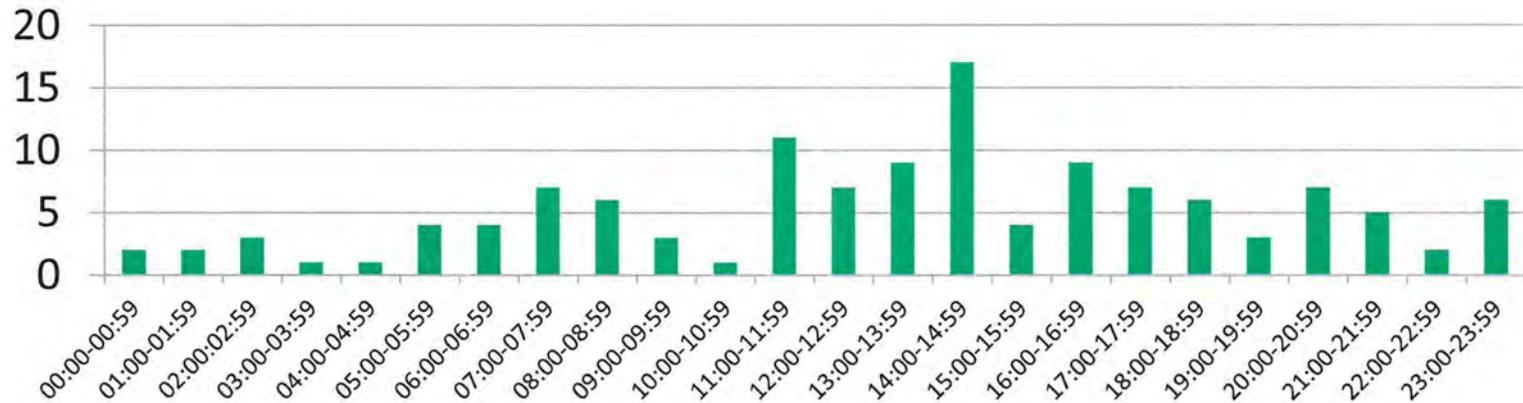
# How many calls did we run?



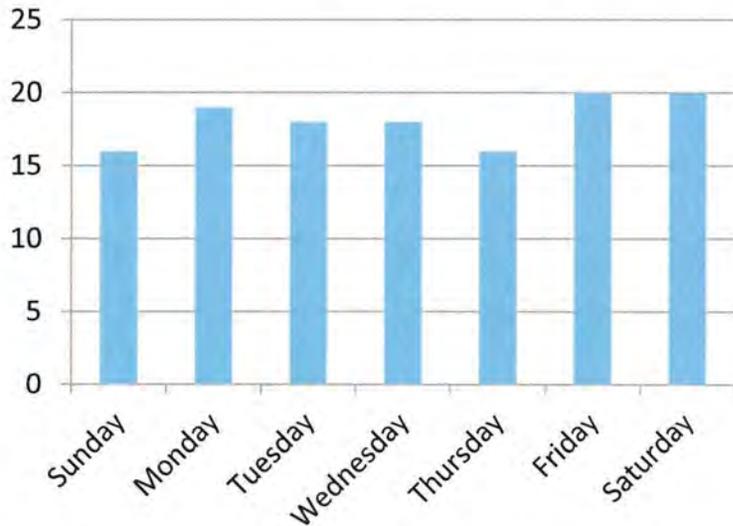


# When do our calls occur?

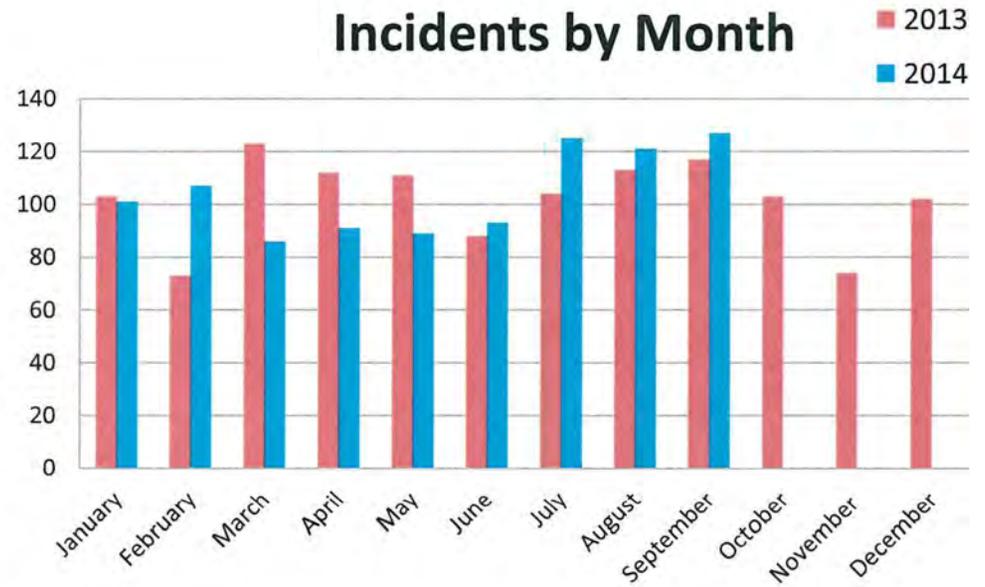
## Incidents by Hour



## Incidents by Day of Week

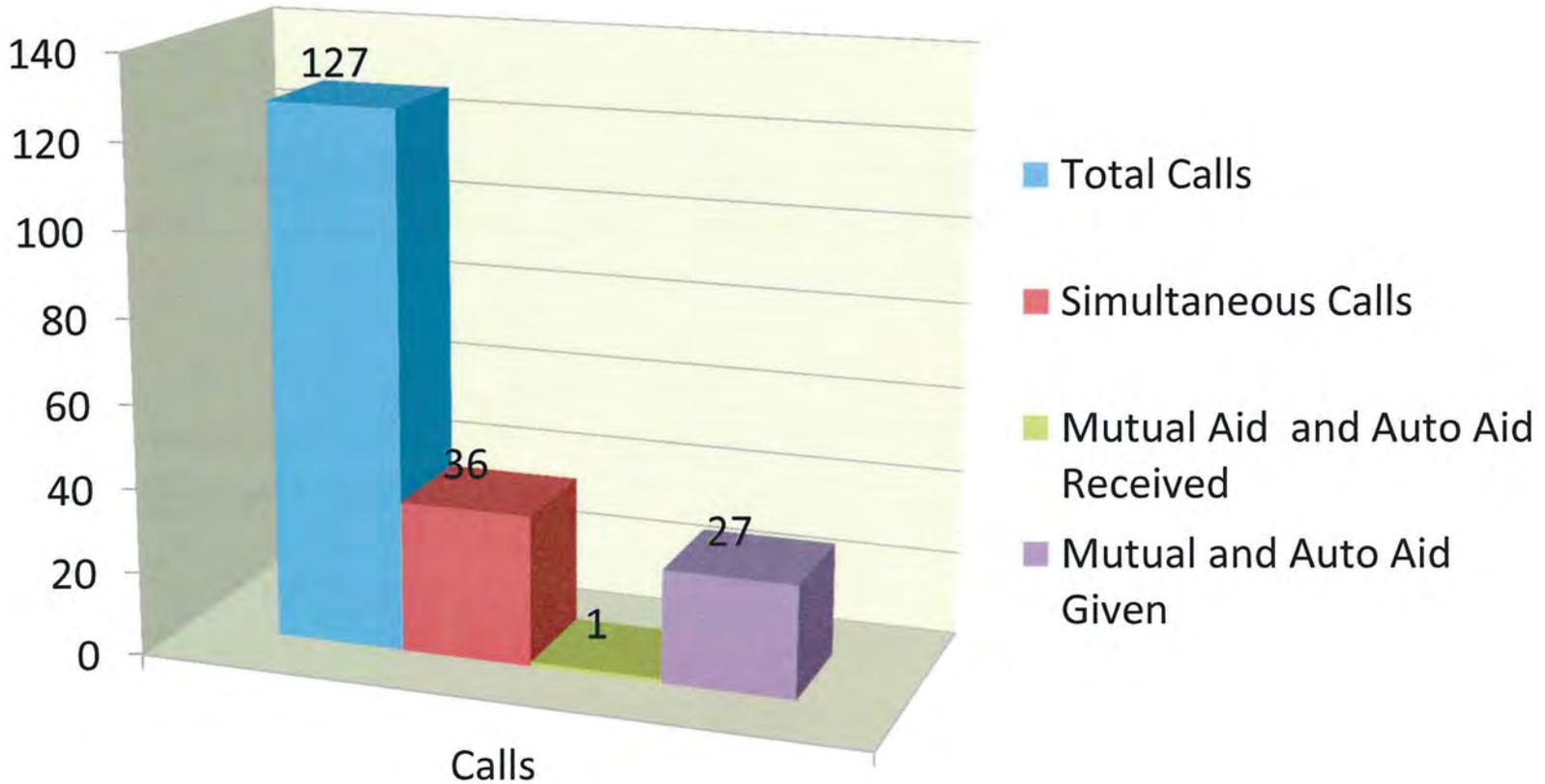


## Incidents by Month





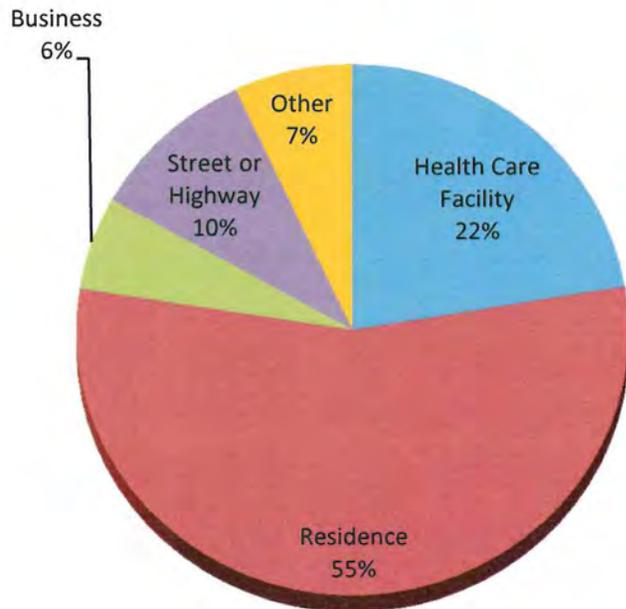
# Simultaneous Calls and Mutual Aid



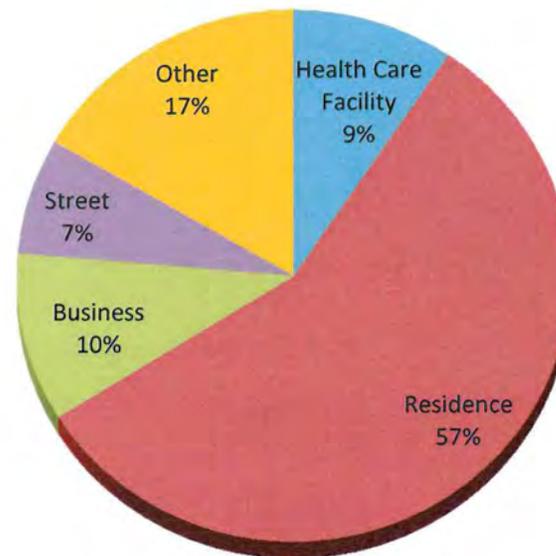


# Where are we going?

2013

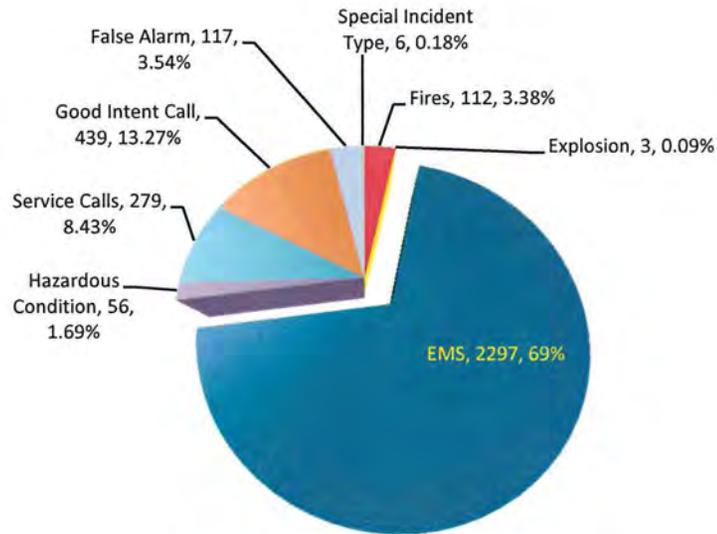


September 2014

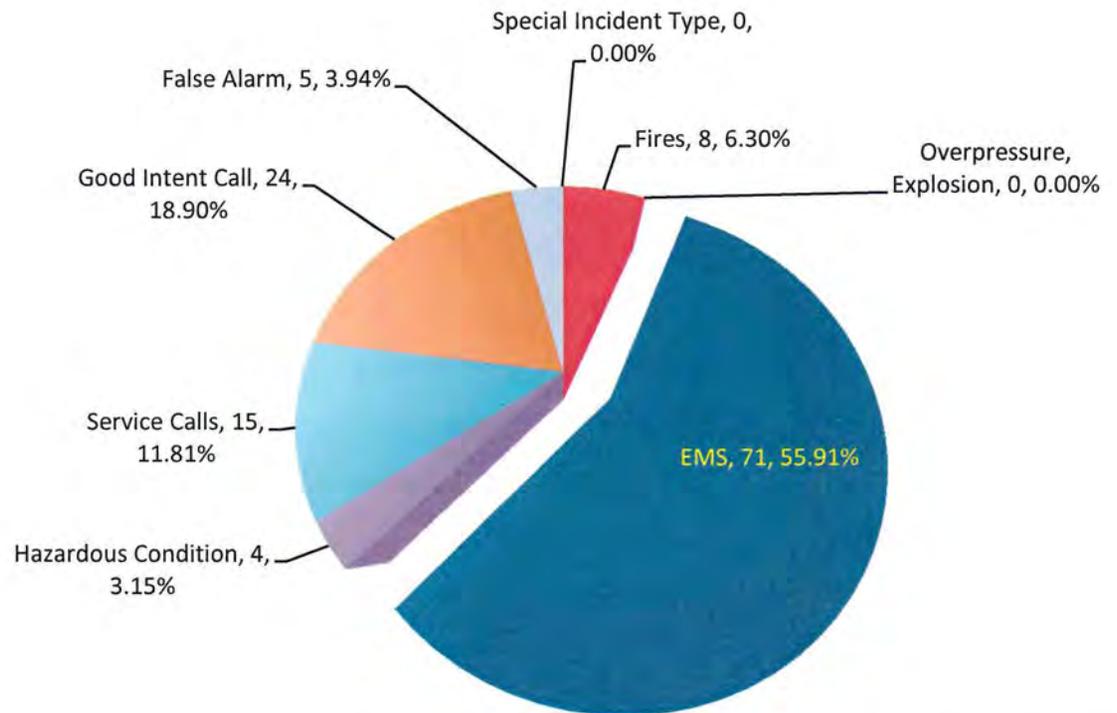




# What type of calls did we get called for?



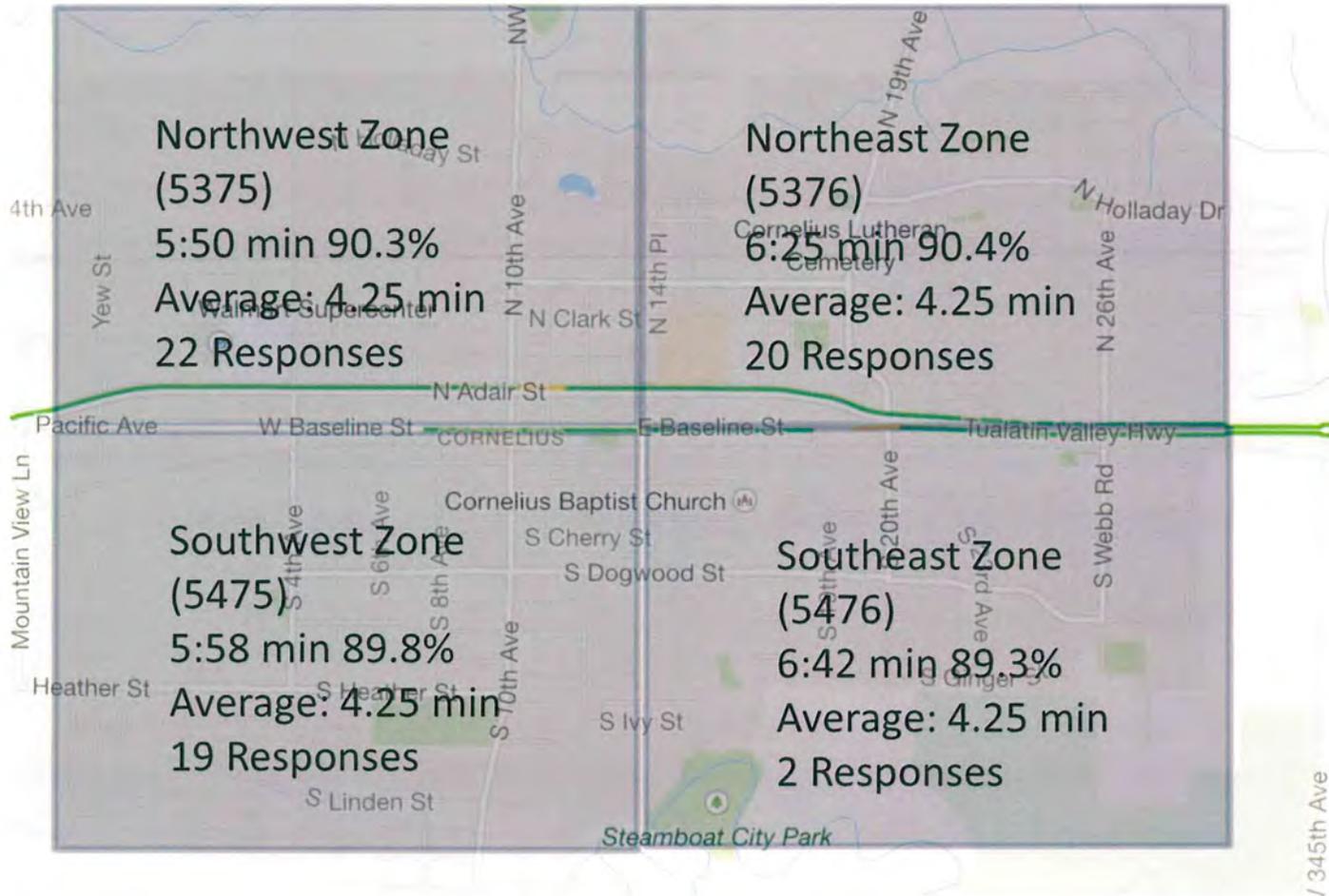
2013 Incident Types



September 2014 Incident Types



# How long does it take us to get there?





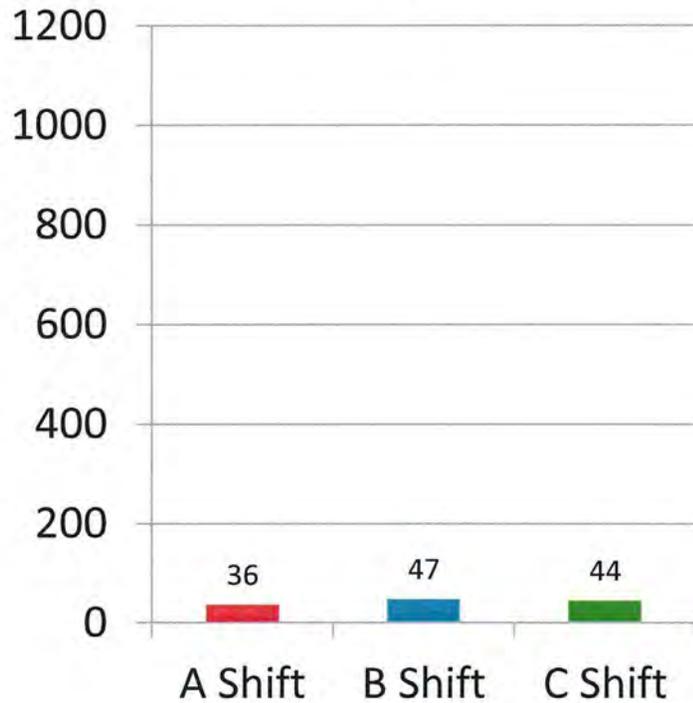
# Shift Performance Data

*B Shift turnout extended due to response to Clackamas fire which took several minutes to assemble the conflag equipment.*

## Average Turnout Time



## Incidents by Shift



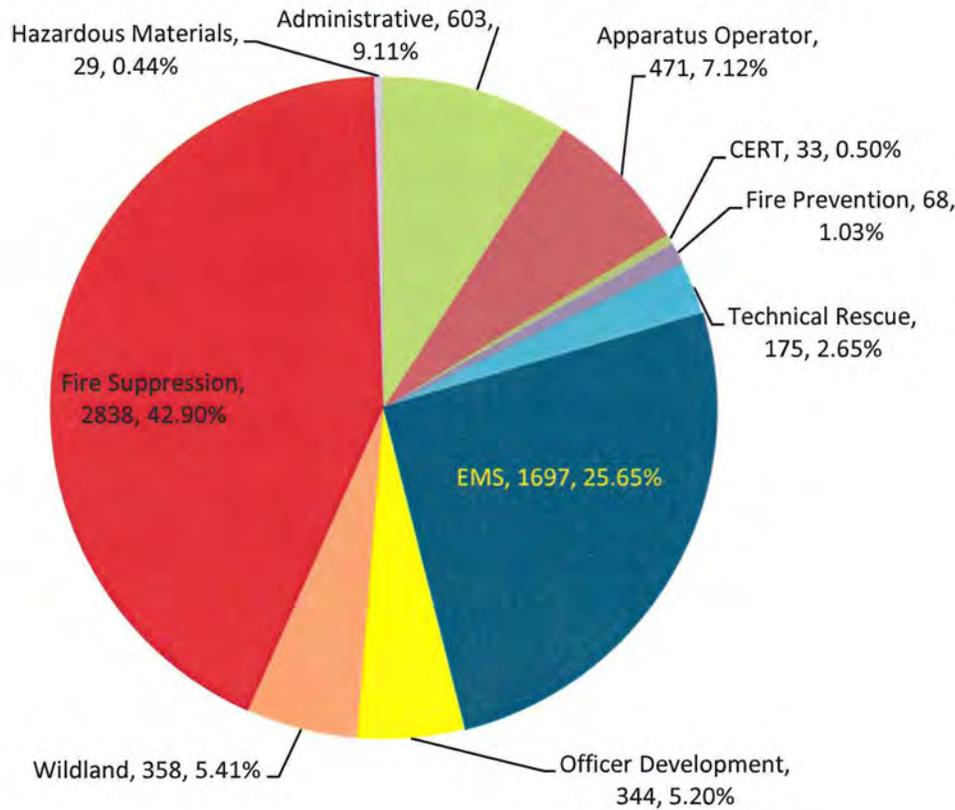
## Average Response Time



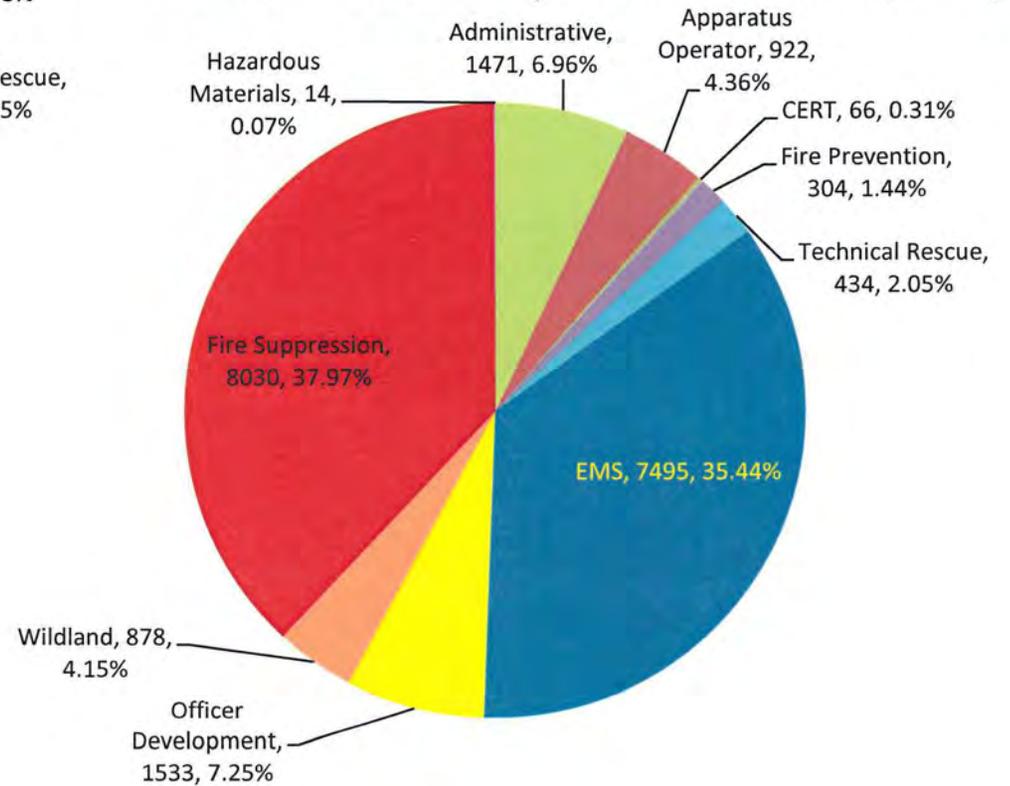


# Joint Training Activities

## Classes Provided (Total Classes 6660)



## Hours Provided (Total Hours 21,332)



# MEMORANDUM

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

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

**DATE:** November 24, 2014

**SUBJECT:** Appointment to B&C

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**BACKGROUND:**

City Council interviewed Martha Ochoa and Yasmine Weil-Pourfard in Work Session, held Monday, November 10, 2014, and made recommendation to appoint Ochoa to CCI to fill a vacant seat with term expiring January 31, 2016, and made recommendation to appoint Weil-Pourfard to fill a student advisory vacant seat with term expiring December 31, 2015. Staff has contacted both applicants who have advised staff that they are very interested in serving and filling the vacancies as noted above.

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**STAFF RECOMMENDATION:**

Staff is recommending the City Council consider approving at the Council meeting of November 24, 2014, resolutions making the above-noted appointment. If Council desires not to make appointment(s), Council may reject placing item(s) on the Consent Agenda and/or discuss separately.

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RESOLUTION NO. 2014-85



RESOLUTION MAKING APPOINTMENT  
TO THE CITY OF FOREST GROVE  
COMMITTEE FOR CITIZEN INVOLVEMENT

**WHEREAS**, Resolution No. 1991-57 has provided for a Committee for Citizen Involvement; 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 exist vacancies on the Committee for Citizen Involvement; and

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

**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 Committee for Citizen Involvement for the following term (new appointment noted in **CAPS** and **BOLD**):

<u>Last Name</u>	<u>First Name</u>	<u>Term Expires</u>
<b>OCHOA</b>	<b>MARTHA</b>	<b>JANUARY 31, 2016</b>

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

**PRESENTED AND PASSED** this 24<sup>th</sup> day of November, 2014.

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

**APPROVED** by the Mayor this 24<sup>th</sup> day of November, 2014.

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

Interview  
Nov 10, 2014  
6:40pm



CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED  
OCT 28 2014  
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 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 (1-10). Terms vary. (Please note: The meeting dates/terms are subject to change with advance notice).

- |   |                                   |  |   |
|---|-----------------------------------|--|---|
| <input type="checkbox"/> Budget Committee                             | 3-4 times in May                  | <input type="checkbox"/> Parks & Recreation Commission     | 3 <sup>rd</sup> Wednesday, 7am                |
| <input checked="" type="checkbox"/> Committee for Citizen Involvement | 3 <sup>rd</sup> Thursday, 6:30pm  | <input type="checkbox"/> Planning Commission               | 1 <sup>st</sup> & 3 <sup>rd</sup> Monday, 7pm |
| <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 type="checkbox"/> Sustainability Commission         | 4 <sup>th</sup> Thursday, 6pm                 |
| <input type="checkbox"/> Library Commission                           | 2 <sup>nd</sup> Tuesday, 6:30pm   |  |   |

NAME: Martha Ochoa HOME PHONE: [REDACTED]  
 RESIDENCE ADDRESS: [REDACTED] BUSINESS PHONE: [REDACTED]  
 MAILING ADDRESS: Forest Grove, OR 97114 E-MAIL: [REDACTED]  
 EMPLOYER: Forest Grove School District OCCUPATION/PROFESSION: Forest Grove School District

Years living in Forest Grove? 16 Live in City limits? YES How did you hear of this opportunity? members  
 How would you currently rate City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? Getting to the root cause of issues and addressing it with proper procedures and staff/volunteer support

Why are you interested in serving on the Advisory Board/Committee/Commission? Mostly to learn, but also to support and represent Latino cultural and residence at this community under represented

What contributions do you feel you can/will make to the Board/Committee/Commission? Support the work of people and organizations creating social change and working environments where teams can address challenges and opportunities openly and creatively.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Experienced intercultural and bilingual leader with over a decade of dedication to the citizen sector promoting stakeholder involvement, advocacy, effective program and capacity building.

Previous/current appointed or elected offices: Friends of Forest Grove Library, volunteer FG PD  
 Previous/current community affiliations or activities: Ford Foundation Co-host

If not appointed at this time, may we keep your name on file?  Yes  No  
 Signature: Martha Ochoa Date: 10/27/14  
 I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

(App 11/13)



**RESOLUTION NO. 2014-86**

**RESOLUTION MAKING APPOINTMENT  
TO THE CITY OF FOREST GROVE  
PUBLIC ARTS COMMISSION**

**WHEREAS**, Resolution No. 2006-06 has provided for a Public Arts 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**, the City Council has received application from a student desiring to serve on the Public Arts Commission, and subsequently interviewed student making application for service on this Commission; and

**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 Public Arts Commission for the following term (new appointment noted in **CAPS AND BOLD**):

<u>Last Name</u>	<u>First Name</u>	<u>Term Expires</u>	<u>Student Advisory</u>
<b>WEIL-POURFARD</b>	<b>YASMINE</b>	<b>DECEMBER 31, 2015</b>	<b>COLLEGE-LEVEL STUDENT</b>

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

**PRESENTED AND PASSED** this 24<sup>th</sup> day of November, 2014.

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

**APPROVED** by the Mayor this 24<sup>th</sup> day of November, 2014.

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

## CITIZEN ADVISORY BOARDS, COMMITTEES

Interview  
Nov 10, 2014  
6:30pm

SEP 06 REC'D  
BY: \_\_\_\_\_

(Please complete, sign and date)

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 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 (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice)

<u>9</u> Budget Committee	3-4 times in May	<u>5</u> Parks & Recreation Commission	3 <sup>rd</sup> Wednesday, 7am
<u>3</u> Committee for Citizen Involvement	3 <sup>rd</sup> Thursday, 5:30pm	<u>7</u> Planning Commission	1 <sup>st</sup> & 3 <sup>rd</sup> Monday, 7pm
<u>8</u> Community Forestry Commission	3 <sup>rd</sup> Wednesday, 5:15pm	<u>1</u> Public Arts Commission	2 <sup>nd</sup> Thursday, 5pm
<u>11</u> Economic Development Commission	1 <sup>st</sup> Thursday, Noon	<u>6</u> Public Safety Advisory Commission	4 <sup>th</sup> Wednesday, 7:30am
<u>10</u> Historic Landmarks Board	4 <sup>th</sup> Tuesday, 7:15pm	<u>2</u> Sustainability Commission	4 <sup>th</sup> Thursday, 6pm
<u>4</u> Library Commission	2 <sup>nd</sup> Tuesday, 6:30pm		

NAME: Yasmine Weil-Pourfard HOME PHONE: [REDACTED]  
 RESIDENCE ADDRESS: [REDACTED] Forest Grove OR, PHONE: [REDACTED]  
 MAILING ADDRESS: Same as listed above 97116 E-MAIL: [REDACTED]  
 EMPLOYER: N/A OCCUPATION/PROFESSION: student (college)

Years living in Forest Grove? 7 Live in City limits? Yes How did you hear of this opportunity? Phillip Thias  
 How would you currently rate City's performance? Excellent \_\_\_\_\_ Good ○ Fair \_\_\_\_\_ Poor \_\_\_\_\_  
 What ideas do you have for improving "Fair" or "Poor" performance? \_\_\_\_\_

Why are you interested in serving on the Advisory Board/Committee/Commission? I believe every community works best when it's citizens are involved and eager to share ideas for improvement to ensure a growing place we all call home.  
 What contributions do you feel you can/will make to the Board/Committee/Commission? I work best when I feel I am making a difference so I am very passionate. I also work very well in groups and am not afraid to speak in front of crowds.  
 What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? While attending FGHS for the past 4 years I have been in countless leadership positions and activities. I also was the student rep on the school board.  
 Previous/current appointed or elected offices: Forest Grove school board student rep 2012-20  
 Previous/current community affiliations or activities: Forest Grove community school volunteer

If not appointed at this time, may we keep your name on file?  Yes  No  
 Signature: [Signature] Date: August 14th 2014  
I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

(App 11/13)

**Date:** November 24, 2014

**POTENTIAL CLOSURE OF PORTER ROAD TO MOTOR VEHICLE TRAFFIC AT  
BRIDGE 1296 OVER COUNCIL CREEK**

**PROJECT TEAM:** Staff, Washington County DLUT  
Robert A. Foster, Public Works Director  
Michael J. Sykes, City Manager

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**ISSUE STATEMENT:** Washington County Land Use & Transportation has sent a notice that they would like input from the area on the possibility of closing Porter Road to vehicular traffic, at the Council Creek Bridge. Their reasons are, first, the bridge across Council Creek is failing and repairing it does not look promising. Secondly, Porter Road itself is in poor condition and will require maintenance dollars if vehicular traffic continues across it. Thirdly, there are alternate routes available. County staff is looking for input from road users in the area and will use that input in their report to County Commissioners on December 9. City staff will prepare a formal response from the input received at the Council Meeting.

**BACKGROUND:** The Council Creek Bridge is currently restricted to a 13-ton weight limit. The deteriorating bridge is 65 years old and at the end of its useful life. Ongoing repairs are not cost-effective and funding for replacement is not readily available. If the bridge closes permanently to vehicular traffic, emergency vehicles and local traffic would have access up to the bridge, but not across the bridge. Porter Road is classified as a local road.

**FISCAL IMPACT:** None.

**STAFF RECOMMENDATION:** Washington County staff will present this information at the Council Meeting.



# WASHINGTON COUNTY OREGON

November 12, 2014

To: Service Providers and Other Stakeholders

Subject: Request for Input About Potential Closure of Porter Road  
to Motor Vehicle Traffic at Bridge 1296 Over Council Creek

Washington County's Department of Land Use & Transportation is considering the potential permanent closure of Porter Road to all motorized vehicles, both northbound and southbound, at the bridge over Council Creek. We would like your input on how this closure might impact your organization's services and programs.

Due to its deteriorating condition, Bridge 1296 over Council Creek is restricted to vehicles under 13 tons. The county is looking at options including the potential closure of the nearly 65-year-old bridge because the structure is at the end of its useful life, ongoing repairs are not cost-effective, and funding for its replacement is not readily available.

If the bridge were closed to motor vehicles, then emergency vehicles, local residents and businesses would have access up to the bridge, but not across the bridge. Bicyclists and pedestrians would continue to have access across the bridge.

Porter Road is classified as a Local Road. Martin Road to the east of Porter is an Arterial that provides an alternate north-south route between Verboort Road and Highway 47.

Before making a recommendation to the Board of County Commissioners, we are interested in getting your input on how closure of this bridge to motorized vehicles would impact your organization's services and programs. Please let us know how this closure would effect you - by mail to the Operations & Maintenance Division at the address below, by phone at 503-846-ROAD (846-7623) or by email to [lutops@co.washington.or.us](mailto:lutops@co.washington.or.us). We would appreciate receiving your input by Monday, December 1.



If potential closure of the bridge to motor vehicle traffic moves forward, then opportunity for public input including a community open house will be offered.

Thank you!

Department of Land Use & Transportation · Operations & Maintenance  
1400 SW Walnut Street, MS 51 · Hillsboro, OR 97123-5625  
phone: (503) 846-7623 · fax: (503) 846-7620 · [www.co.washington.or.us](http://www.co.washington.or.us)



# Metro update

## Forest Grove City Council

Councilor Kathryn Harrington  
November 24, 2014

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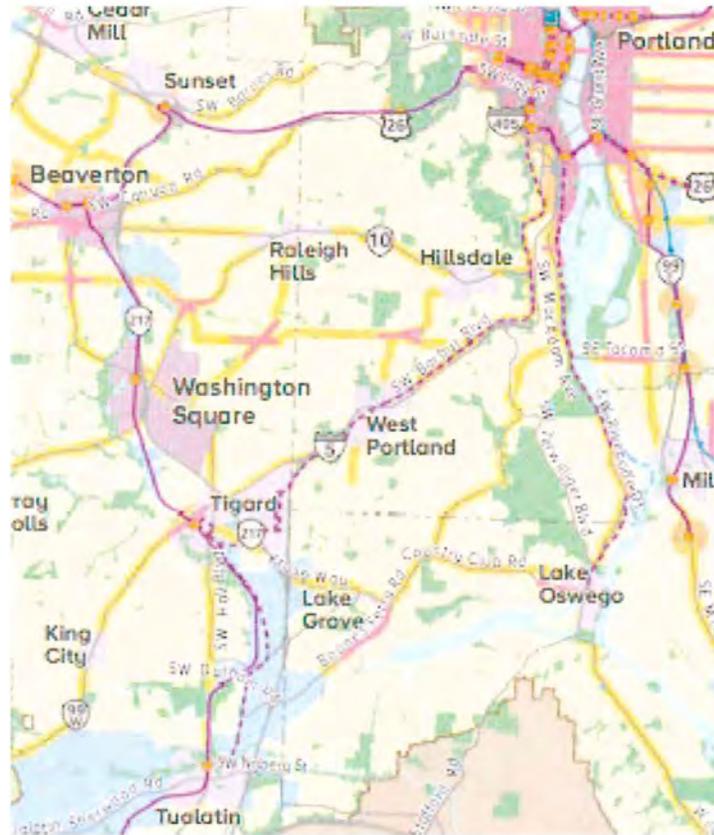
# Urban Growth Boundary



- Accommodating growth for the next 20 years
- Providing a variety of housing choices in our communities
- Protecting farm and forest land



# Southwest Corridor



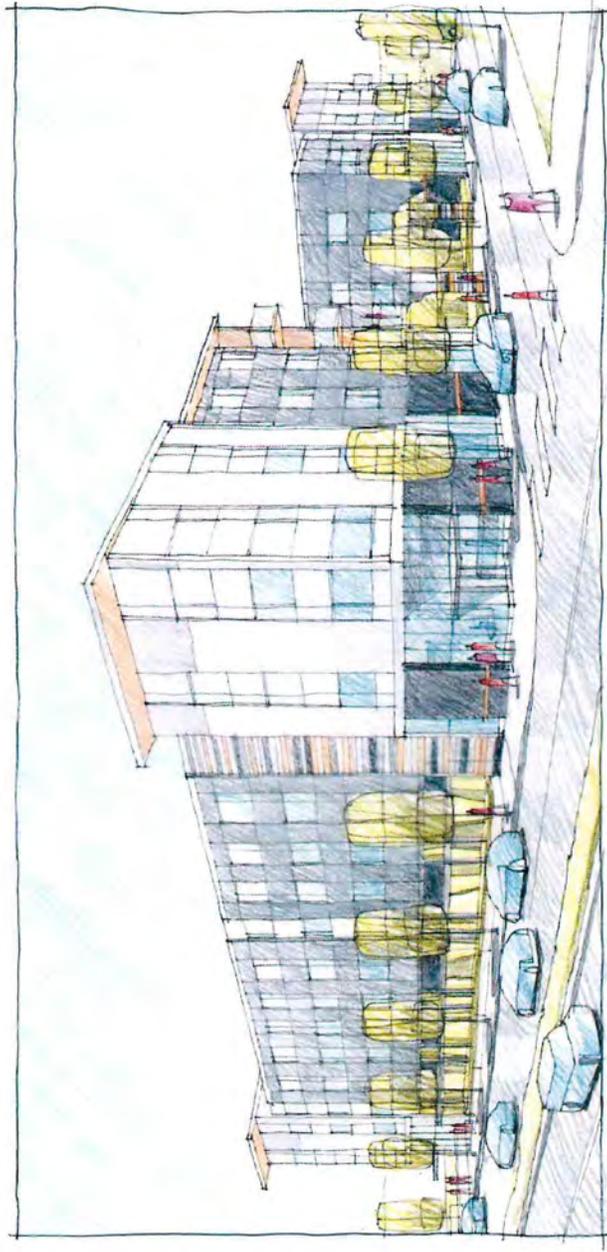
- Growth in southeast Portland and southeast Washington County requires thinking ahead about our aspirations for these parts of our community.

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# Vibrant Community Investments



- 4<sup>th</sup> and Main
- The Core and The Orchards at Orenco
- Alma Gardens
- Platform 14
- 206 at Cornell Rd. and 206th Ave.



ALPHABET STUDIO ARCHITECTS, INC.

## New investments

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# Climate Smart Communities



- Public comment period  
September 15-October 30
- MPAC/JPACT/Metro Council  
meeting on November 7
- Metro submits adopted  
approach to LCDC in January  
2015

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# Scouters Mountain

- Scouters Mountain Nature Park opened on Aug. 28
- 100 acres of forests, trails and great view of Mt. Hood



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# Nature in Neighborhoods Restoration and Community Stewardship grants – District 4



- \$25,000 grant to restore riparian habitat and forest along the Tualatin River
- \$15,000 for SOLVE to support efforts in Cornelius

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# Council Creek Regional Trail



- Multiple open houses
- Steering Committee is reviewing alignment
- Adopt master plan in 2015
- Learn more at [oregonmetro.gov/councilcreek](http://oregonmetro.gov/councilcreek)

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# Solid waste roadmap

Long-term look at region's solid waste system

## Let's Talk Trash Film Contest

- Engaging filmmakers in creating short features
- Gala event with NW Film Center, November 10

More events to come

[oregonmetro.gov/letstalktrash](http://oregonmetro.gov/letstalktrash)



# Portland's 5 Centers for Arts



## SCHNITZER

- Tony Bennett, Nov. 5

## KELLER

- Bob Dylan, Oct. 21
- World Beard & Moustache Championships, Oct. 25

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# Expo Center



- Antique and Collectible Show, Oct. 25-26
- Portland's Largest Garage Sale, Nov. 1
- Fall RV Show of Shows, Nov. 6-9
- America's Largest Christmas Bazaar, Nov. 28-30 and Dec. 5-7

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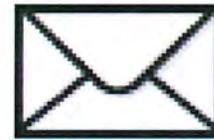
# Your questions...

Kathryn Harrington

Metro Councilor, District 4

503-797-1553

kathryn.harrington@oregonmetro.gov



[www.oregonmetro.gov/connect](http://www.oregonmetro.gov/connect)



Date: November 24, 2014

**PUBLIC HEARING TO CONSIDER THE GALES CREEK TERRACE PLANNED  
RESIDENTIAL DEVELOPMENT  
(FILE NUMBER PRD-14-00181)**

**PROJECT TEAM:**

Jon Holan, Community Development Director  
Daniel Riordan, Senior Planner  
Rich Blackmun, Engineering  
Rob Foster, Public Works Director  
Michael J. Sykes, City Manager

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**ISSUE STATEMENT:** Consideration of Gales Creek Terrace Planned Residential Development (PRD-14-00181).

**BACKGROUND:**

On November 10, 2014, City Council held a public hearing to consider the revised application for the Gales Creek Terrace planned residential development. Considerable public testimony was provided during the public hearing. In all, ten individuals provided testimony. Nine individuals expressed opposition to the proposal with one person in favor.

In general, testimony addressed several aspects of the project including the overall site plan, proposed density and approval process. The following sections of this staff report address topics raised during the public hearing. Edits to the proposed conditions of approval are also addressed in this report.

**Approval Process**

On September 8, 2014, the City Council scheduled the appeal public hearing on the Planning Commission action to deny the Gales Creek Terrace Planned Residential Development. On September 8<sup>th</sup> the applicant agreed to extend the 120-day review period by 90 days to address issues and concerns raised by the Planning Commission. The City Council concurred with the 90 day extension in order to provide an opportunity for staff to work through the Planning Commission concerns with the applicant.

Staff and the Applicant held two meetings in October to review the project and issues raised. As a result the applicant revised the project. The revisions were substantive

enough to warrant a new (de novo) public hearing and to allow for public testimony on the revised project. The revisions to the proposal are discussed below (beginning on Page 8) and are summarized on Attachment C to this report.

On September 27, 2014, City Council supported a staff request to hold a de novo hearing on the application including revisions to the proposal scheduled for November 10, 2014. Holding the public hearing on November 10<sup>th</sup> provided enough time for staff to mail notices of the public hearing to affected parties 20-days in advance of the hearing and to publish notice in the Forest Grove News-Times.

During the November 10<sup>th</sup> public hearing there was considerable discussion regarding the approval process followed for this application. The approval process followed is consistent with the Forest Grove Development Code and state law. Article 1 of the Forest Grove Development Code stipulates that an appeal to a Type III (quasi-judicial) Planning Commission decision can be heard by the City Council. City legal counsel advises that the Development Code does not provide for remanding decisions appealed to the City Council back to the Planning Commission for reconsideration. Therefore, the City Council is being asked to make the final local decision for this application which is consistent with the Development Code.

City Council is also being asked to make the final local decision at this time since under state law a final local decision on a development application is required within 120-days of the application being deemed complete unless the applicant requests an extension. The applicant requested a 90-day extension to the 120-day review timeline on September 8<sup>th</sup> to make revisions to the development plan to address issues regarding the proposal. As a result of the extension request a final local decision, including any local appeal must be made by December 7<sup>th</sup>. If the City does not make a final local decision on this application, including any further local appeals, the applicant could seek relief through circuit court by filing for a writ of mandamus. A writ of mandamus would compel the City to approve the application as submitted by the applicant.

### **Summary of Testimony Provided on November 10, 2014**

The following section of this report summarizes the public testimony provided during the public hearing. Testimony general addressed ten topics including:

1. Natural Features;
2. Parking;
3. Neighborhood Impact;
4. Zoning;
5. Small Town Ambiance;
6. Location of Attached Units;
7. Street Design;
8. Planned Development Criteria B and C;
9. Traffic; and
10. Schools

## **Natural Features**

Issue: Adequate protection of natural resources

Staff Analysis: Natural features within the urban growth boundary are subject to Clean Water Services regulations as well as Article 5 of the Forest Grove Development Code (Natural Resources Areas and Tree Protection). All natural resource areas subject to Article 5 are located within Clean Water Services Vegetated Corridors. Therefore the natural resource areas are subject to the Clean Water Services rules and regulations. The applicant submitted evidence into the record addressing potential impact of the proposed development on natural features. Clean Water Services is the agency charged with reviewing development proposals and assessing the potential impact to natural features such as vegetated corridors, watercourses and storm water quality facilities. The record includes a service provider letter from Clean Water Services submitted by the applicant which include specific conditions to protect and enhance natural features (Attachment A). The service provider letter requires that the applicant enhance 43,380 square feet of the Gales Creek vegetated corridor and meet other conditions to the satisfaction of Clean Water Services.

The May 16, 2014, application addresses natural resource areas beginning on page 26. As noted in the application, the Applicant has retained SWCA Environmental Consultants to delineate wetlands, inventory and assess conditions along the Gales Creek stream corridor and prepare a detailed plan to mitigate the impacts the proposed development will have on the natural resources. With this information, including the service provider letter from Clean Water Services and the analysis prepared by SWCA, the Applicant meets the burden of proof demonstrating compliance with regulations related to natural resources.

## **Parking**

Issue: Amount of off-street parking and on-street parking

Staff Analysis: The record demonstrates that the application exceeds the minimum off-street parking requirements as required by Article 8 (Table 8-5) of the Forest Grove Development Code. The Development Code requires one off-street parking space per single family detached and duplex unit. The Code does not specify whether the parking be provided within a garage or driveway. Both a garage and driveway qualify as an individual parking space. Each duplex will be provided with one off-street parking space per individual duplex unit. Each single family detached unit will be provided with a driveway and garage. Therefore, the standard City off-street parking requirement is met by this application.

The Development Code requires up to 1.75 parking space per single family attached unit (attached townhouse) depending on the number of bedrooms in the unit. Each single family attached unit will have a driveway and garage resulting in two off-street parking spaces. Therefore, this requirement is met.

On-street parking is provided on at least one side of the street. Guest parking is not required by the Development Code for single family detached or attached units. Although limited on-street parking could serve as guest parking. The Applicant anticipates one on-street parking space per two lots. This would require the pairing of driveways requiring greater scrutiny of building plans when submitted.

A concern was raised during the November 10<sup>th</sup> public hearing about the lack of parking for open space areas including the "Emerald Necklace" trail along the Gales Creek corridor. Active recreation areas are intended for use by neighborhood residents. The Applicant believes that most users of the open space will walk to the site. Regarding parking for the "Emerald Necklace" parking will be available off-site at designated trail heads including at the B Street trail.

### **Neighborhood Impact**

Issue: Potential impact of the development on the nearby neighborhood

Staff Response: Aspects of neighborhood impact are considered during the development review process (e.g. traffic, screening, building height, density). Development review is intended to address potential neighborhood impacts by requiring public improvements and project specific conditions of approval to mitigate impacts up to what is allowed in the Development Code. Such public improvements and conditions of approval must be based on factual evidence in the record such as traffic volume, water demand and sewage generation. The conditions of approval are intended to ensure compliance with specific code requirements and minimize neighborhood impacts. Traffic impacts are addressed below beginning on page 6.

### **Zoning**

Issue: The zoning of the subject property should be based on nearby existing development patterns.

Staff Analysis: The subject property is currently designated High Density Residential on the Comprehensive Plan map and Multifamily High Density (RMH) on the zoning map. While it could be argued that the site should be designated something else the fact remains the site has been designated for RMH development. This zone designation has remained unchanged since at least 1980. The density of the proposed development is approximately 14.5 dwellings per net acre due to the existing topography. This density is lower than the typical high density development which must achieve a density in the range of 16.22 dwellings per net acre to 20.28 dwellings per net acre. Furthermore, the zoning of property to the north and east of the subject property is RMH. The applicant has met the burden of proof that the development complies with the density requirements of the RMH zoning and includes housing types permitted as part of a planned development.

## **Small Town Ambience**

Issue: Impact of development on Forest Grove's small town ambience.

Staff Analysis: The potential impact to Forest Grove's small town ambience is an ongoing concern especially as the City continues to grow. The potential impact to Forest Grove's small town feel was considered as part of developing the Forest Grove Comprehensive Plan. The potential impact to the community is weighed against the consideration that land within the urban growth boundary should be made available for development necessary to meet projected housing and other needs. The density standards contained in the Development Code combined with the zoning of property help ensure that current and future housing needs are met.

The Development Code does not include small town ambience as an approval criterion. A decision on this land use application must be based on the approval applicable criteria contained in the Forest Grove Development Code which is generally quantifiable or measurable such as density, traffic generation, and impact to public utility capacity). Small town ambience is not readily quantifiable and therefore cannot be used to assess a quasi-judicial land use application.

## **Location of Proposed Attached Units**

Issue: Location of the attached housing units in Phase 4 of the project.

Staff Analysis: The proposed attached housing units could be placed in a variety of locations. The proposed locations of the attached units represents a decision made by the applicant based on the topography of the site, street system, adjacent land uses, impact to adjacent developed areas, marketability and other factors. The proposed location of the attached units appears to be based on areas within the project areas less constrained by slope. The location is generally an area with less than 10% slope. The proposed location also seem to take into account concerns raised by nearby property owners regarding privacy and other concerns since the attached units are located away from existing development along D Street. In addition, higher density development is often located near primary traffic routes for example the Pacific Avenue/19<sup>th</sup> Avenue couplet. The attached units in the Gales Creek PRD are near Pacific Avenue a primary traffic route serving the development.

## **Street design**

Issue: Narrow street rights-of-way proposed in the development.

Staff Analysis: The proposed street rights-of-way incorporated into the project design are narrow compared to conventional standards typically found within residential neighborhoods. Proposed roadway widths deviate from standard 58 foot street right-of-way and 32 feet minimum roadway width including on-street parking. The applicant proposes street rights-of-way ranging from 40 feet to 54 feet with roadway widths ranging from 28 feet (Dee Court and Street Design 6b) to 32 feet. Street Design 6b

applies to 18<sup>th</sup> and 19<sup>th</sup> Avenue east of G Street and west of E Street. Originally, these streets were designed as 32 feet in width. Through discussions with staff, they were narrowed to 28 feet to attain adequate parkway/planter strip widths. Most of the streets in the development, including most of 19<sup>th</sup> Avenue and 18<sup>th</sup> Avenue, would have a roadway width of 32 feet which is consistent with the typical local street standard.

The Planned Development review process allows for deviation from typical street standards. The City Engineer reviewed the proposed street designs and accepted the street layout as reasonable given the topographic constraints of the site, potential grade of streets and desire to minimize necessary cut-and-fill. Although street rights-of-way are narrow compared to the standard design, pavement/roadway widths are consistent with the typical local street cross-section.

### **Planned Development Purpose B and C (DC 10.4.200)**

Issue: Concern was raised during the November 10<sup>th</sup> public hearing that the application does not meet Planned Development purpose B and C as described below.

#### **Staff Analysis:**

Purpose B: Planned Development purpose B promotes efficient use of land and facilitates a more economical arrangement of buildings, circulation systems, land uses, and utilities when compared with conventional development patterns. The proposal promotes the efficient use of land by meeting the required density of the RMH zone after taking into account slope constraints. The reduced roadway rights-of-way are consistent with an economical arrangement of the circulation system by taking into account slope and reducing required cut-and-fill. Compared to the conventional development pattern the placement of structures promotes the efficient use of developable land and arrangement of buildings. If the City Council can make a defensible finding that this purpose statement is met the application should be approved.

Purpose C: Planned Development purpose C seeks to preserve to the greatest extent possible existing landscape features and amenities, and promotes incorporating such features into the design of the PD. To this end, the site plan, as proposed, preserves the Gales Creek Corridor vegetated corridor. The Clean Water Services service provider letter requirements enhancement to 43,380 square feet of the corridor as a condition of development approval. The site plan incorporates the Gales Creek Corridor into the site plan by providing public access to corridor for passive and active recreational use. Furthermore, the site plan takes into account the existing topography and incorporates this natural feature into the design of streets and lots as described in the application. Specifically the site design attempts to create terraces to minimize cut-and-fill by taking slope into consideration.

#### **Traffic**

Issue: Concern about traffic resulting from the proposed development was raised

during the public hearing.

Staff Analysis: The applicant submitted a traffic study including traffic impact analyses. The analyses were prepared by Charbonneau Engineering, a transportation consultant. The analysis prepared by Charbonneau shows that traffic will not result in impacts exceeding the City's minimum level of service (Level of Service D). The transportation analysis shows the following project intersection of Level of Service in 2016:

- D Street and Pacific Avenue: Levels of Service B;
- B Street and 18<sup>th</sup> Avenue: Level of Service B;
- B Street and 19<sup>th</sup> Avenue: Level of Service B;
- B Street and Pacific Avenue: Level of Service B; and
- C Street and Pacific Avenue: Level of Service C

The traffic analysis prepared by the Applicant shows that most of the traffic levels in 2016 are due to background traffic rather than from the project. This reflects overall growth in the City including areas to the north of the project site.

Attachment B shows the projected level of service for intersections near the project site as shown in the Forest Grove Transportation System Plan. The TSP shows a project Level of Service of C at Pacific Avenue and B Street. The City's adopted minimum Level of Service is D. The project levels of service are based on land use assumptions to the Year 2035 including the comprehensive plan designation of property and expected development. The traffic projections take into account future improvements to the street system shown on the financially constrained project list adopted as part of the Transportation System Plan. Such improvements include the 19<sup>th</sup> Avenue extension to E Street and the E Street/19<sup>th</sup> Avenue intersection improvements (i.e. preferred alternative: round-about).

The 19<sup>th</sup> Avenue extension of 19<sup>th</sup> Avenue at B Street is addressed more fully in the TSP as follows:

"This intersection would see a significant change in traffic patterns with the extension of 19<sup>th</sup> Avenue westerly to connect with Pacific Avenue at E Street and/or to continue west to connect with the existing terminus of Strasburg Drive. The major movement of traffic at this location would change from a heavy southbound left turn (nearly 600 vehicles per hour with the Preferred Alternative) to a more evenly balanced split between southbound lefts and eastbound through movements with the Added Street scenario. Traffic operations for the southbound movement would improve from LOS F to LOS B."

## Schools

Issue: Forest Grove School District capacity

Staff Analysis: The Forest Grove School District was notified of this application and did

not respond. Based on the School Element of the Forest Grove Comprehensive Plan, the Forest Grove School District has the capacity or can make capacity available to serve the development.

### **Planning Commission Review**

The Planning Commission considered several matters related to the project proposal. Many of the points considered by the Planning Commission related to specific development standards and requested deviations. This included:

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 lot frontages less than 50 feet (DC Section 10.3.120, Table 3-6)
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

The items identified above are addressed more fully below.

- **Alleys**. The Planning Commission expressed concern that the alleys in the project will be private rather than public access ways and will be designed at dead ends. The revised site plan shows the alleys and all streets as public access ways. The alleys will be designed to be consistent with typical street roadway widths with 24 feet of paved area. The site plan shows two private access easements serving two lots at the far northwest area of the development. Alleys within the development will connect to public streets and could be extended where they terminate at the site boundary.
- **Setbacks**. The Planning Commission expressed concern over the number of deviations requested to typical development standards. Attachment C shows a comparison between the initial project and the revised project. The revised development proposal still includes reductions to typical front-yard, side yard and most rear yard setbacks. The Applicant has revised the previously requested deviations to planter strips to a more typical 4.5 to 5 feet rather than the 3 foot planter strip previously requested. This will ensure adequate planter area for street trees planted within the planter strip.
- **Minimum Lot Sizes**. The Planning Commission expressed concern over the lots sizes proposed by the Applicant. The revised application eliminates the 24 foot

wide lots. All lots will range from 24 feet to 40 feet wide. Under the Development Code the typical lot width standard for single family detached units is 50 feet and 20 feet for single family attached units within the RMH zone. The Development Code requires 3,500 square feet of land area for single family detached units in the RMH zone. Approximately 80% of the lots in the proposed development intended for single family detached units would be less than 3,500 square feet. The planned development approval process allows for the flexible application of these standards.

- Street Design. The Planning Commission expressed concern regarding proposed street rights-of-way and roadway width. Specifically, the Planning Commission expressed concern with the length of Dee Court (more than 200 feet) and the design of the Dee Court hammerhead. The proposed street cross-sections were presented by staff during the November 10<sup>th</sup> public hearing. The proposed street layout is design to reduce the amount of cut-and-fill and to create a terrace effect taking slope into consideration. The design of the Dee Court hammerhead is also the result of slope constraints. Replacing the hammerhead with a cul-de-sac would result in the need for a twelve foot retaining wall and a street grade of approximately 6%. The design of Dee Court is also based on the street being extended to 17<sup>th</sup> Avenue in the future. As pointed out in previous staff reports there is no certainty that Dee Court will be extended.
- Garage Setbacks. The initial application showed 18 foot setbacks from the front property line to garages. This caused a concern due to the possibility of large vehicles overhanging sidewalks. In response, the applicant revised the application to include 20 feet of setback to garages throughout the development.
- Open Space. As a result of Planning Commission concerns the applicant made revisions to the open space areas in the development. The previously proposed active recreation area at the entrance to the development (Tract B) is not designated for passive recreation. Staff raised concern about active recreation being located at the periphery of the site at a primary entrance. The Applicant has also improved access to the open space area Tract N within the Gales Creek floodplain. Pedestrian access will be available via a pedestrian pathway located at Tract P. Tract P is also designated for active recreation with a play area and benches. Tract X is the primary recreation space internal to the development and is intended to be improved as a tot lot. Tract X provides for approximately 1,000 square feet of additional active recreation space as compared with the original open space tract (Tract W). Tract X is also more centrally located than the original Tract W which was located near the far northwest area of the development north of 20<sup>th</sup> Avenue and west of H Street.
- Street Trees. The revised site plan allows for planter strips on at least one side of the street. The planter strips will be 4.5 to 5 feet in width and will accommodate street trees. Therefore, based on the revised site plan street trees will be planted along at least one side of the street. Additional trees could be planted within front yards provided care is taken to ensure conflicts with underground utilities are avoided through building plans review.
- Space between Buildings. Concern was raised during the development review process regarding the space between buildings if three-foot side yard setbacks

are approved. With a three-foot side yard setback the separation between buildings is six feet. Although, this separation meets building code requirements it provides less separation than the typical 10 feet of separation or more required by the Development Code depending on building height. The revised project retains the three foot side yard setback as initially proposed with six feet of building separation.

### **Proposed Conditions of Approval**

The applicant proposed several changes to the proposed conditions of approval provided in the November 10<sup>th</sup> staff report. Attachment C identifies the proposed changes submitted by the applicant.

Staff supports that proposed changes with the condition that an easement be provided between homes if electrical meters are placed on the side of houses. This will ensure that electrical code requirements are met.

### **Next Steps in Approval Process**

To complete the decision making process staff is requesting that City Council close the public hearing on November 24<sup>th</sup> and adopt findings and conditions supporting the Council's decision on the Gales Creek Terrace Planned Residential Development application.

The applicant and persons providing testimony on the application during the public hearing process may appeal the City Council's decision to the Oregon Land Use Board of appeals. The appeal period is 21 days from the day notice of the City Council's decision is provided to parties.

**STAFF RECOMMENDATION:** Staff recommends that City Council adopt the accompanying Order with findings and conditions of approval supporting the final local decision on the Gales Creek Planned Residential Development. Staff also recommends that City Council authorize the mayor to review and sign the final findings and conditions consistent with the City Council decision.

### **ATTACHMENTS:**

- A. Clean Water Services Service Provider Letter
- B. Transportation System Plan Intersections Level of Service
- C. Gales Creek Terrace Project Comparison Chart (August 2014/October 2014)
- D. Memo from Gales Creek Terrace, LLC, November 10, 2014 (Suggested Edits to Proposed Conditions of Approval)



## Service Provider Letter

CWS File Number

13-003043

**This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 07-20).**

Jurisdiction:	<u>Forest Grove</u>	Review Type:	<u>Tier 2 Analysis</u>
Site Address / Location:	<u>Forest Grove, OR 97116</u>	SPL Issue Date:	<u>May 02, 2014</u>
		SPL Expiration Date:	<u>May 01, 2016</u>

<b>Applicant Information:</b>		<b>Owner Information:</b>	
Name	<u>GALES CREEK DEVELOPMENT LLC</u>	Name	<u>GALES CREEK DEVELOPMENT LLC</u>
Company	<u>19995 SW STAFFORD RD #B</u>	Company	<u>19995 SW STAFFORD RD #B</u>
Address	<u>WEST LINN OR 97068</u>	Address	<u>WEST LINN OR 97068</u>
Phone/Fax	<u></u>	Phone/Fax	<u></u>
E-mail:	<u></u>	E-mail:	<u></u>

<b>Tax lot ID</b>	<b>Development Activity</b>
<u>1S401AA07200, 1S4010000400, 1S4010000203</u>	<u>Gales Creek Terrace Subdivision</u>

<b>Pre-Development Site Conditions:</b>	<b>Post Development Site Conditions:</b>
Sensitive Area Present: <input checked="" type="checkbox"/> On-Site <input checked="" type="checkbox"/> Off-Site	Sensitive Area Present: <input checked="" type="checkbox"/> On-Site <input checked="" type="checkbox"/> Off-Site
Vegetated Corridor Width: <u>50</u>	Vegetated Corridor Width: <u>30-140</u>
Vegetated Corridor Condition: <u>Good/Marginal/Degraded</u>	

Enhancement of Remaining Vegetated Corridor Required: <input checked="" type="checkbox"/>	Square Footage to be enhanced: <u>43,380</u>
---	--

**Encroachments Into Pre-Development Vegetated Corridor:**

Type and location of Encroachment:	Square Footage:
<u>Access Road, Trail, Off-site Utility Infrastructure (Permanent Encroachment; Mitigation Required)</u>	<u>6,785</u>
<u>Stormwater Outfall Pipes (Temporary Encroachment; Mitigation/Planting-in-place)</u>	<u>5,113</u>

**Mitigation Requirements:**

Type/Location	Sq. Ft./Ratio/Cost
<u>On-site/ 1S4010000400</u>	<u>7,716</u>
<b>Total Area Required to be planted to District Density Standards:</b>	<b><u>56,209</u></b>

Conditions Attached    Development Figures Attached (6)    Planting Plan Attached    Geotech Report Required

**This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.**

## CRITERIA FOR ACCEPTANCE

Section 3.07.4.c., Criteria for Acceptance for a Tier 2 Alternatives Analysis, stipulates:

*1. The proposed encroachment area is mitigated in accordance with Section 3.08.*

On-site mitigation is proposed at a 1: 1 ratio. The 3-foot-wide exemption for the trail has not been taken since the trail will not be built as part of this development project and has not been designed yet.

*2. The replacement mitigation protects the functions and values of the Vegetated Corridor and Sensitive Area.*

The replacement mitigation is located in areas that will further protect the existing vegetated corridor and Gales Creek. The replacement mitigation locations were chosen to buffer the stormwater quality facilities and placed immediately upslope of the existing vegetated corridor in Tracts J and L as shown. The additional vegetated corridor for mitigation further protects the functions and values of the vegetated corridor and sensitive area.

*3. Enhancement of the replacement area, if not already in good condition, and either the remaining vegetated corridor on the site or the first 50 feet of width closest to the resource, whichever is less, to a good corridor condition.*

The existing *degraded* and *marginal* vegetated corridor on the urban portion of the site and the replacement vegetated corridor will be enhanced to *good* condition. The off-site permanently disturbed *degraded* vegetated corridor within the sewer line easement will be re-contoured and seeded, and mitigated for at a 1: 1 ratio on the project development site.

*4. A District Stormwater Connection Permit is likely to be issued based on proposed plans.*

The applicant reasonably expects to obtain a Stormwater Connection Permit based on the proposed plans.

*5. Location of development and site planning minimizes incursion into the vegetated corridor.*

The proposed development mainly occurs outside of the vegetated corridor. The water quality facilities have been moved upslope, outside of the vegetated corridor. The trail has also been moved upslope to minimize impacts to the vegetated corridor and has been allotted a narrow width to accommodate the City of Forest Grove's proposed "emerald necklace" trail plan. The sewer line easement is at the outermost 20 feet of the vegetated corridor.

The Applicant prepared an alternative sanitary sewer alignment within public street right-of-way that would have resulted in no impact. The alternative alignment would have resulted in 20' deep manholes. The alignment and sewer profiles were shared with the City of Forest Grove at pre-application meetings and were unacceptable to the City of Forest Grove Public Works staff due to the depths. Shallower depths were not possible because the sewer line must remain deep to provide gravity sewer to properties to the west which are required by the City's Sewer Master Plan to be served. The Applicant has therefore proposed to place the sewer alignment in the location that was previously approved by a Clean Water Services Service Provider Letter. In the currently proposed alignment the sewer line and manhole depths are more reasonable and acceptable to the City of Forest Grove.

The Applicant would be fine with mitigating the temporary impacts of sanitary sewer installation in place and returning the land to existing grade, but the Applicant has requested the impacts be considered permanent to satisfy the needs of the City for an off-street path and sewer maintenance vehicle access, both of which benefit the public.

*6. No practicable alternative to the location of the development exists that will not disturb the sensitive area or vegetated corridor.*

Although plans are preliminary, significant analysis of the site constraints have been done by the engineering and environmental consultants hired by the Applicant, and no satisfactory alternatives were found that could avoid impact while at the same time satisfy the public need to extend the sewer line at sufficient depths to serve property to the west beyond the site as required in the Sewer Master Plan, provide a path as required in the City Park's Department plans, and allow for efficient and regular development of the site and public street network.

The City of Forest Grove has an off-street path planned for the area, and there exists sections in the City of Forest Grove Development Code where the Director may require a path where a sewer easement alignment can also serve as a public easement for pedestrian and bicycle use. The Applicant is anticipating that the Director will require an easement for a path along the sewer alignment, so the Applicant is applying to Clean Water Services for the Service Provider Letter to allow the impact of the sewer installation to be permanent allowing the future construction of an off-street path along the same impact zone that would have only been temporary if only a sewer line was installed. The Applicant is also offering to mitigate on site for all impact associated with the improvements.

Since the sewer alignment will have a path above it the City of Forest Grove has requested in pre-application meetings that the path also serve as maintenance vehicle access to maintain the sewer line and access sewer manholes. The City standard for off street paths is 8' wide. There will need to be 2' gravel shoulders on each side for a total of about 12' of permanent non-vegetative surface. The remaining 8' of the proposed 20' wide tract impact will be in wall or engineered slope as the installation of the off-street path/access way will need to be terraced into the slope. The plan shows 5' for walls on both sides of the 20' tract leaving only 10' for a path/access

way, but effectively 1' or more of the gravel shoulder on each side will be above the wall footings as there will be +/- 14' between wall faces. The 20' wide tract is the minimum width necessary to accomplish the installation of the sewer line and area for walls and a path/access way.

**7. The proposed encroachment provides public benefits.**

The proposed encroachment approval allows the applicant to provide a sanitary sewer trunk line and necessary access for city vehicles for future maintenance and repairs, which will serve not only the site but all properties to the west and north that are in this basin as shown on the city's Sewer Master Plan. The area of the tract creating the encroachment will also serve as a permanent easement for a future city path, known in the parks master plan as the "emerald necklace." The dedication of this easement to the city will benefit the public, who will be able to enjoy the open space and stream corridor. The applicant is offering to incur the costs of mitigating these encroachments so the city will not be burdened with this during any future trail construction.

**In order to comply with Clean Water Services water quality protection requirements the project must comply with the following conditions:**

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 07-20, Chapter 3.
2. Prior to any site clearing, grading or construction the Vegetated Corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except as allowed by R&O 07-20, Section 3.06.1 and per approved plans.
3. If there is any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits.
4. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
5. Prior to ground disturbance an erosion control permit is required through the City. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with Clean Water Services' Erosion Prevention and Sediment Control Planning and Design Manual, shall be used prior to, during, and following earth disturbing activities.
6. Prior to construction, a Stormwater Connection Permit from Clean Water Services or its designee is required pursuant to Ordinance 27, Section 4.B.
7. Activities located within the 100-year floodplain shall comply with R&O 07-20, Section 5.10.
8. Removal of native, woody vegetation shall be limited to the greatest extent practicable.
9. The water quality facility shall be planted with Clean Water Services approved native species, and designed to blend into the natural surroundings.
10. Should final development plans differ significantly from those submitted for review by Clean Water Services, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.

**SPECIAL CONDITIONS**

11. The Vegetated Corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
12. For Vegetated Corridors up to 50 feet wide, the applicant shall enhance the entire Vegetated Corridor within the urban growth boundary to meet or exceed good corridor condition as defined in R&O 07-20, Section 3.14.2, Table 3-3.
13. Removal of invasive non-native species by hand is required in all Vegetated Corridors rated ""good."" Replanting is required in any cleared areas larger than 25 square feet using low impact methods. The applicant shall calculate all cleared areas larger than 25 square feet prior to the preparation of the required Vegetated Corridor enhancement/restoration plan.
14. Prior to any site clearing, grading or construction, the applicant shall provide Clean Water Services with a Vegetated Corridor enhancement/restoration plan. Enhancement/restoration of the Vegetated Corridor shall be provided in accordance with R&O 07-20, Appendix A, and shall include planting specifications for

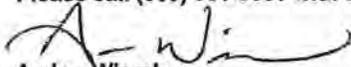
- all Vegetated Corridor, including any cleared areas larger than 25 square feet in Vegetated Corridor rated "good."
15. Prior to installation of plant materials, all invasive vegetation within the Vegetated Corridor shall be removed per methods described in Clean Water Services' Integrated Pest Management Plan. During removal of invasive vegetation care shall be taken to minimize impacts to existing native tree and shrub species.
  16. Clean Water Services or the City shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Landscape Requirements (R&O 07-20, Appendix A).
  17. Maintenance and monitoring requirements shall comply with R&O 07-20, Section 2.11.2. If at any time during the warranty period the landscaping falls below the 80% survival level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.
  18. Performance assurances for the Vegetated Corridor shall comply with R&O 07-20, Section 2.06.2, Table 2-1 and Section 2.10, Table 2-2.
  19. For any developments which create multiple parcels or lots intended for separate ownership, Clean Water Services may require that the entire (within and outside of the UGB) sensitive area and Vegetated Corridor be contained in a separate tract and subject to a "STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY" to be granted to Clean Water Services.

#### FINAL PLANS

20. Final construction plans shall include landscape plans. In the details section of the plans, a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials is required. Plantings shall be tagged for dormant season identification and shall remain on plant material after planting for monitoring purposes.
21. A Maintenance Plan shall be included on final plans including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
22. Final construction plans shall clearly depict the location and dimensions of the sensitive area and the Vegetated Corridor (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
23. Protection of the Vegetated Corridors and associated sensitive areas shall be provided by the installation of permanent fencing and signage between the development and the outer limits of the Vegetated Corridors. Fencing and signage details to be included on final construction plans.

This Service Provider Letter is not valid unless CWS-approved site plan is attached.

Please call (503) 681-3653 with any questions.

  
Amber Wierck  
Environmental Plan Review

Attachments (6)







**WESTAKE CONSULTANTS INC.**  
 ENGINEERING • SURVEYING • PLANNING  
 1000 WEST 10TH AVENUE SUITE 100  
 DENVER, COLORADO 80202  
 PHONE: (303) 733-7777  
 FAX: (303) 733-7778

**GALES CREEK TERRACE  
 FOREST GROVE, OR  
 POST-DEVELOPED VEGETATED CORRIDOR  
 OVERLAY PLAN**

NO.	DATE	DESCRIPTION

SHEET **E4**  
 JOB NO. 2410-01  
 DATE: 03/07/2014



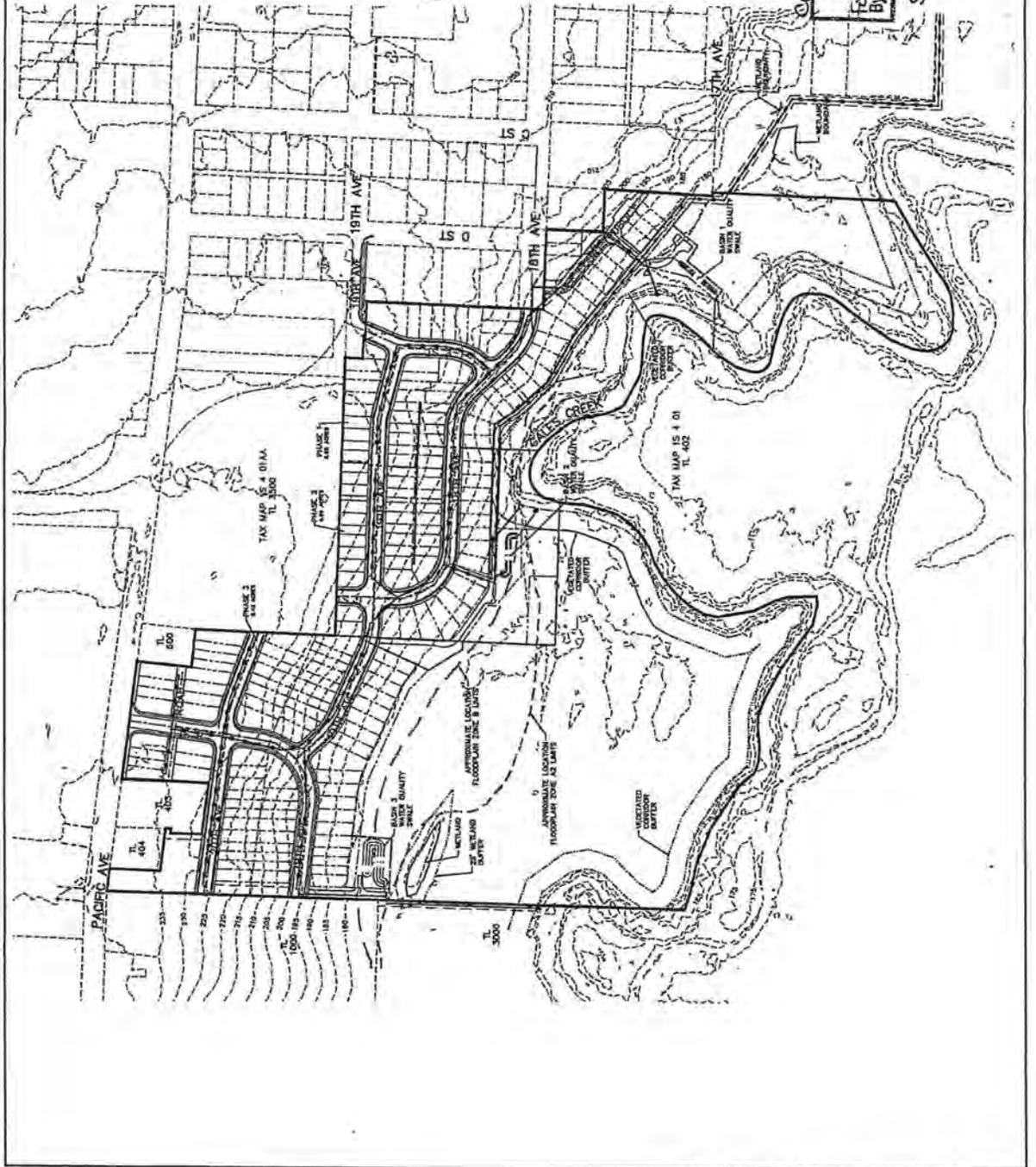
**NOTES**

1. SHOWN LOCATIONS OF WATERS IN ZONE A2 AND ZONE B PLANS PER THE MAP PLAN, VEGCORRIDOR.
2. ZONE A2 DETENTION AREAS OF 100-YEAR FLOOD PLANE FLOOD ELEVATIONS AND FLOOD HAZARD.
3. ZONE B DETENTION AREAS BETWEEN LINES OF 100-YEAR FLOOD AND 500-YEAR FLOOD OR WITH AVERAGE ELEVATION LESS THAN ONE FOOT OF THE 100-YEAR FLOOD ELEVATION ARE INDICATED BY LINES THAT ARE THICKER THAN THE FLOOD ELEVATION.

**LEGEND**

—	PROPERTY LINE
---	ELEVATION LINE
---	PHASE LINE
---	PROPOSED LOT/TRACT BOUNDARY LINE

**CRUIS FILE NO. 13-003013**  
 Approved  
 Clean Water Services  
 FOR ENVIRONMENTAL REVIEW  
 BY: **AW** Date: **5/2/14**  
 SIL ATTACHMENT  
 of 6







No.	Intersection	Operational Standard	2035		
			Level of Service (LOS) <sup>1</sup>	Average Delay (Seconds) <sup>2</sup>	Volume / Capacity (V/C) <sup>2</sup>
24	Bonnie Lane/B Street	LOS D	B	10.5	0.36
Signalized Intersections					
25	Highway 47/Sunset Drive	V/C=0.99	B	16.1	0.50
26	Pacific Avenue/Quince Street	V/C=0.99	D	53.4	0.97
27	Pacific Avenue/Mt. View Lane	V/C=0.99	B	11.4	0.84
28	Pacific Avenue/B Street	LOS D	C	28.4	0.65
29	Pacific Avenue/Main Street	LOS D	A	9.7	0.55
30	Pacific Avenue/College-Council	LOS D	C	27.1	0.39
31	Pacific Avenue/Elm Street	LOS D	B	11.1	0.61
32	Pacific Avenue/Maple Street	LOS D	C	20.4	0.96
33	Highway 47/David Hill Road	V/C=0.99	F	>200	1.54

\* The atypical signal control at this intersection is treated as a four-way stop for LOS calculations.

1 First value is free movement, second value is worst stopped movement.

2 Worst stopped movement for minor street average delay reported for unsignalized intersections.

3 Development of local street connections may divert added WB traffic to this location requiring improvements. Monitor.

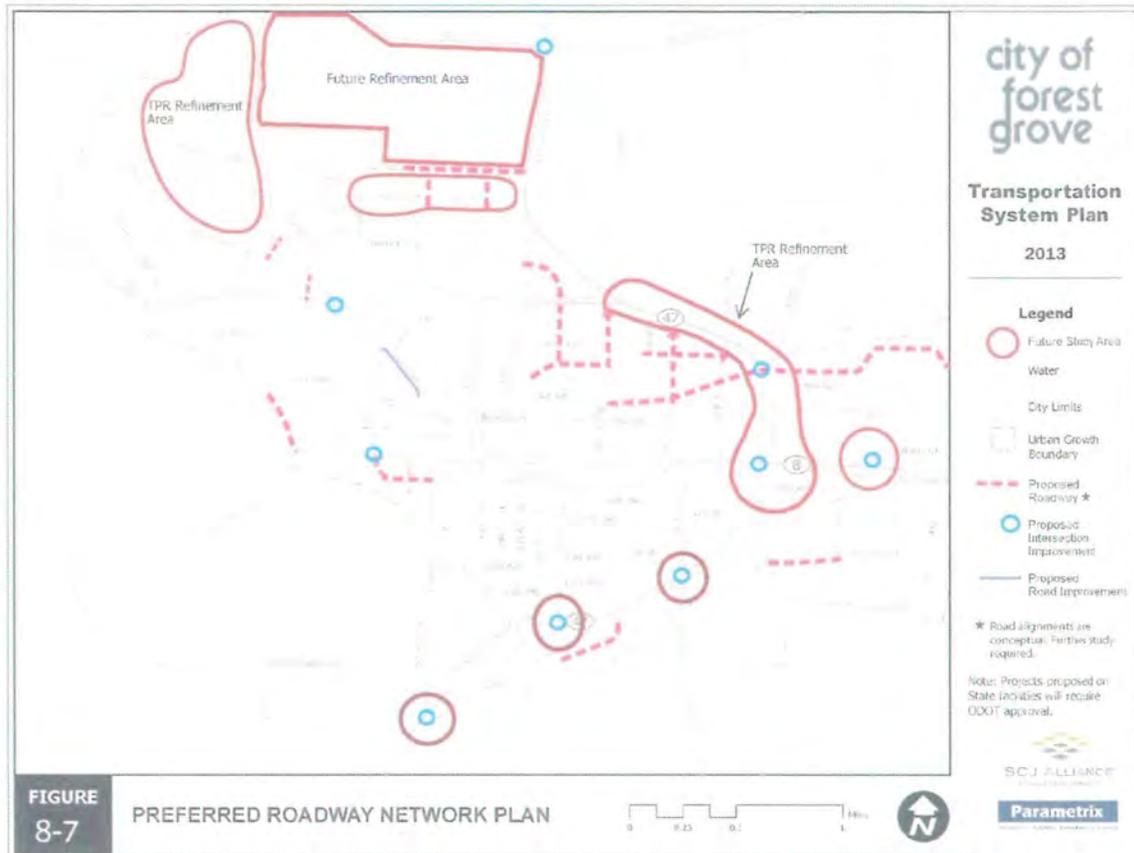
Source: SCJ Alliance

Thatcher Roads. Without these improvements it will be necessary to signalize or otherwise improve traffic operations at the Gales Creek/Thatcher intersection. With these road extensions, major improvements would not be needed.

- **Highway 47 at Verboort Road/Purdin Road:** A redistribution of traffic onto Verboort Road from destinations to the north and east would result in increased westbound right turn volumes at the intersection of this street with Highway 47. This redistribution is destined, in part, to the proposed mixed use development in the northwestern portion of the city facilitated by the extension of David Hill Road to intersect with Highway 47. This redistribution also draws westbound traffic away from the Highway 47/Martin Road intersection, helping to address expected future congestion problems at this location.
- **Highway 47 at Martin Road and 24<sup>th</sup> Avenue:** As noted above, the addition of new local and arterial street connections in the northwestern portion of the City will help to reduce regional traffic entering the city via Martin Road. However, these intersections would be significantly affected by the addition of a street connection to the west of Highway 47, aligning with Martin Road. This new street will connect with 23<sup>rd</sup> Avenue, ultimately serving a potential future Transit-Oriented Development growth area. The addition of this new east/west collector street would help to reduce through traffic volumes along Highway 47, but would worsen traffic operations at Martin Road, exacerbating the need for intersection improvements that could include signalization. This in turn affects the operation of Highway 47 at 24<sup>th</sup> Avenue which lies in close proximity to Martin Road.

- **19<sup>th</sup> Avenue at B Street:** This intersection would see a significant change in traffic patterns with the extension of 19<sup>th</sup> Avenue westerly to connect with Pacific Avenue at E Street and/or to continue west to connect with the existing southern terminus of Strasburg Drive. The major movement of traffic at this location would change from a heavy southbound left turn (nearly 600 vehicles per hour with the Preferred Alternative) to a more evenly balanced split between southbound lefts and eastbound through movements with the Added Streets scenario. Traffic operations for the southbound movement would improve from LOS F to LOS B.

Figure 8-7. Preferred Roadway Network Plan



## Gales Creek Terrace Proposed Planned Development (PRD-14-00181)

Topic	Original Proposal – August 4, 2014 Hearing	Revised Proposal – October 16, 2014																																						
<b>Number of Units</b>	191	197																																						
<b>Dwelling Type</b>	<p>Exclusively single family detached homes</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="padding-left: 20px;">0 Duplex</td><td style="text-align: right;">0.0%</td></tr> <tr><td style="padding-left: 20px;">0 Corner Attached Units</td><td style="text-align: right;">0.0%</td></tr> <tr><td style="padding-left: 20px;">0 Attached Units</td><td style="text-align: right;">0.0%</td></tr> <tr><td style="padding-left: 20px;">23 Detached on 24 foot wide lots</td><td style="text-align: right;">12.1%</td></tr> <tr><td style="padding-left: 20px;">24 Detached on 24 foot wide lots</td><td style="text-align: right;">12.6%</td></tr> <tr><td style="padding-left: 20px;">3 Detached on 28 foot wide lots</td><td style="text-align: right;">1.5%</td></tr> <tr><td style="padding-left: 20px;">7 Detached on 29/30 foot wide lots</td><td style="text-align: right;">3.7%</td></tr> <tr><td style="padding-left: 20px;">54 Detached on 32 foot wide lots</td><td style="text-align: right;">28.3%</td></tr> <tr><td style="padding-left: 20px;">39 Detached on 34 foot wide lots</td><td style="text-align: right;">20.4%</td></tr> <tr><td style="padding-left: 20px;">5 Detached on 40 foot wide lots</td><td style="text-align: right;">2.6%</td></tr> <tr><td style="padding-left: 20px;">36 Corner/Irregular Lots</td><td style="text-align: right;">18.8%</td></tr> <tr><td style="padding-left: 20px;">191 Total Dwelling Units</td><td style="text-align: right;">100.0%</td></tr> </table>	0 Duplex	0.0%	0 Corner Attached Units	0.0%	0 Attached Units	0.0%	23 Detached on 24 foot wide lots	12.1%	24 Detached on 24 foot wide lots	12.6%	3 Detached on 28 foot wide lots	1.5%	7 Detached on 29/30 foot wide lots	3.7%	54 Detached on 32 foot wide lots	28.3%	39 Detached on 34 foot wide lots	20.4%	5 Detached on 40 foot wide lots	2.6%	36 Corner/Irregular Lots	18.8%	191 Total Dwelling Units	100.0%	<p>Single family detached, duplex, attached townhouses:</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="padding-left: 20px;">20 Duplex (2 per lot)</td><td style="text-align: right;">10.2%</td></tr> <tr><td style="padding-left: 20px;">8 Corner Attached Units</td><td style="text-align: right;">4.1%</td></tr> <tr><td style="padding-left: 20px;">12 Attached Units</td><td style="text-align: right;">6.1%</td></tr> <tr><td style="padding-left: 20px;">18 Detached on 26 foot wide lots</td><td style="text-align: right;">9.1%</td></tr> <tr><td style="padding-left: 20px;">78 Detached on 32 foot wide lots</td><td style="text-align: right;">39.6%</td></tr> <tr><td style="padding-left: 20px;">61 Detached on 34 to 40 foot wide lots</td><td style="text-align: right;">30.9%</td></tr> <tr><td style="padding-left: 20px;">197 Total Dwelling Units</td><td style="text-align: right;">100.0%</td></tr> </table>	20 Duplex (2 per lot)	10.2%	8 Corner Attached Units	4.1%	12 Attached Units	6.1%	18 Detached on 26 foot wide lots	9.1%	78 Detached on 32 foot wide lots	39.6%	61 Detached on 34 to 40 foot wide lots	30.9%	197 Total Dwelling Units	100.0%
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78 Detached on 32 foot wide lots	39.6%																																							
61 Detached on 34 to 40 foot wide lots	30.9%																																							
197 Total Dwelling Units	100.0%																																							
<b>Density</b>	Approximately 14.5 dwellings per net acre with slope reduction	Approximately 15 units per net acre with slope reduction																																						
<b>Street design</b>	<p>Variety of street cross-sections to accommodate slope and reduce required cut/fill:</p> <p>28 foot to 58 foot right-of-way                      Typical right-of-way 50 foot to 54 foot                      15 to 20 foot wide alley</p> <p>Smallest pavement width: 24 feet</p>	<p>Variety of cross-sections to accommodate slope and reduce required cut/fill:</p> <p>40 foot right-of-way to 54 foot right-of-way                      24 foot alley</p> <p>Smallest pavement width: 28 feet</p>																																						
<b>Sidewalk design</b>	Curb tight with rolled curb in some locations	<p>Curb tight with parkways</p> <p>Curb tight sidewalks will be 6 feet wide rather than standard five feet</p> <p>Developer will construct a sidewalk along the west side of D Street</p>																																						
<b>Driveway design</b>	18 feet depth at some locations	20 feet depth throughout development																																						
<b>Parkway design</b>	2 foot planting area	4.5 to 5 foot planting area (2 feet in right-of-way)																																						
<b>Dwelling elevation</b>	Similar to Casey Meadows	<p>Variety of trim levels with highest level near primary development entrance and along Gales Creek</p> <p>50% of units could have higher trim level with masonry</p>																																						

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Agenda:  
Item #9



Gales Creek Development, LLC  
11/10/14

Desired edits to proposed conditions of approval for the revised

Gales Creek Terrace Planned Development:

COA #25. (PDF Page 253)

Edit to DELETE the text segment "...including electrical meters..."

- That text is not included in the referenced code section (DC 10.8.645).
- The code reference is to subsection A.2. "Underground Utilities." The type of surface mounted utilities the subsection was intended to address are those mounted on the surface of the soil and connected to undergrounded utilities, like transformers, pedestals and water meter boxes placed in the Public Utility Easement on the front of the lots, not electrical meters which are mounted to a structure such as a private residence.

COA #27. (PDF Page 253)

DELETE entire proposed condition #27

- It duplicates the language of proposed COA #49, which is better written since it leaves the duty of review and approval of placement locations of electrical meters with the appropriate authority: Forest Grove Light and Power.

COA #52. (PDF Page 255)

DELETE entire proposed condition #52.

- The Forest Grove Development Code does not require screening of electrical meters placed on the front of buildings.
- It is also not practical to place fencing or landscaping in front of a meter to screen it from the street adjacent to the driveway.
- The screening will also be ineffective since it will only block view of the meter when standing directly in front of the meter. A pedestrian or passenger in a passing vehicle could easily see the meter from an angle.
- There is little to no need for screening to protect the aesthetic of a structure with a meter on the front of the building if the meter color matches the siding color.

bikeways through the dedication of easements or rights-of-way.

- B. Cost of Construction. Development permits issued for planned unit developments, conditional use permits, subdivisions, and other developments which will principally benefit from such bikeways shall be conditioned to include the cost or construction of bikeway improvements.
- C. Minimum Width. Minimum width for bikeways within the roadway is five (5) feet per bicycle travel lane. Minimum width for two-way bikeways separated from the road is eight (8) feet.



#### 10.8.645 UTILITIES

- A. Underground Utilities. All utility lines in new developments shall be placed underground, and:
  - 1. The developer shall make all necessary arrangements with the serving utility to provide the underground services;
  - 2. The City reserves the right to approve location of all surface mounted facilities;
  - 3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
  - 4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.
- B. Information on Development Plans. The applicant for a development shall show on the development plan or in the explanatory information, easements for all underground utility facilities, and:
  - 1. Plans showing the location of all underground facilities as described herein shall be submitted to the City Engineer for review and approval; and
  - 2. Care shall be taken in all cases to ensure that above ground equipment does not obstruct vision clearance areas for vehicular traffic.
- C. Exception to Under-Grounding Requirement for Infill Development. An applicant for infill development, which is served by above ground utilities, may be exempt from the requirement for undergrounding utilities. This exception shall apply only to existing utility lines.

#### 10.8.650 AGREEMENT

For projects involving public improvements, the applicant shall enter into an agreement with the City Engineer prior to any site preparation or, where there is a partition or subdivision, prior to approval of the final map. The agreement shall be in a form as approved by the City Engineer. At a minimum, it shall include detailed plans for public improvements and provide adequate assurance to guarantee the installation of the improvements (known as Performance Assurance) and the workmanship and material of the installation (known as Maintenance Assurance). The agreement may be waived by the City Engineer if the level of work is considered minor. However, the assurances shall be required for any public improvements. The assurance shall be





WRITTEN CORRESPONDENCE

TO: City of Forest Grove, Mayor and City Council  
FROM: Gales Creek Development, LLC  
DATE: November 17, 2014

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11/17/14

To: City of Forest Grove - Mayor Truax, Council President Johnston, and Council Members

From: Gales Creek Development, LLC

Some citizens have expressed opposition to the proposed Gales Creek Terrace Planned Development (GCT PD). Their opposition and the decision of the Planning Commission may have been strongly influenced negatively by a list of design elements wrongfully labeled as “concessions” on Page 3 of the 8/4/14 Staff Report written to describe an earlier rendition of the project. This list was also used as findings to support the Planning Commission’s decision, Order 2014-04. This list was thoroughly debunked in the Applicants Appeal Petition dated 8/27/14, particularly on pages 14-16. As described in the Appeal, many of the issues described in the list are things actually allowed out right by the code, and other items are promoted in a planned development. Some also no longer apply as the Applicant newly revised proposal has addressed them with changes to the plan. This is why the current 11/10/14 Staff Report no longer list the items as a concern, but rather recommends approval of the project.

The newly revised GCT PD meets the development code and the approval criteria for a Planned Development (PD) as stated in the 11/10/14 Staff Report. We, the Applicant, encourage the City Council to accept the City Staff’s 11/10/14 recommendation for Approval with Conditions, and vote to approve the Gales Creek Terrace Planned Development.

In support of this we are pleased to have the opportunity herein to highlight some of the existing information in the record that demonstrates how our proposed GCT PD meets requirements, while also specifically addressing the concerns raised about the current plan. We do this by addressing five major themes:

- ZONING AND DENSITY
- HOUSING AND THE COMMUNITY
- NATURE AND PARKS
- TRANSPORTATION AND PARKING
- UTILITY SERVICES AND SAFETY

## ZONING AND DENSITY

As previously mentioned, the City of Forest Grove went through an extensive Comprehensive Plan update process in the last year where zoning of the properties that include the site and adjacent land was specifically analyzed and discussed. The process included significant public outreach, public workshops, public comment periods, a vote recommending approval by the Planning Commission and approval of the City Council. The result of the Comprehensive Plan update adoption was the retention of the current high density residential (RMH) zoning designations for the site of the proposed GCT PD.

Some opponents of the project may not be happy with that result, but Comprehensive Plan does determine the zoning that applies to the proposed project. Moreover, all but three properties adjacent to the site have also retained the same high density zoning, one west of the site and two smaller lots at the east end of Dee Court have medium density zoning, RML. So although the adjacent lots owners have not yet re-developed their property to its highest and best use, that should not limit the Applicant from developing the site as allowed by the zone under the City's PD code.

How the project meets density requirements is discussed on page 4, page 7, and under Attachment G of item 9 of the Staff Report for the 11/10/14 Council meeting. The zone actually allows a more intense use of the property than proposed, more than 260 dwelling units. The proposed density of 197 dwelling units is only 5 dwelling units more than the 192 unit minimum. Opponents state that there are too many units, however the Applicant has designed the project to have very few units relative to the maximum density allowed, thereby meeting the code and the desires of the community for fewer new dwellings. Based on this the Council can approve this project knowing the approval criteria are met and the concerns of the community are addressed.

## HOUSING AND THE COMMUNITY

Whenever a new residential planned development subdivision project is proposed the Forest Grove Development Code requires public involvement. This is met by one neighborhood meeting and a public hearing.

The proposed GCT PD will have had three public hearings allowing public comment prior to a Council vote for approval. The first public hearing was held at the Planning Commission on 8/4/14 and the other two at the City Council on 11/10/14 and 11/24/14. The project was also on the agenda for the City Council on 9/8/14 and 10/27/14. In addition development of the site was discussed at two work sessions at the Planning Commission on 2/3/14 and 3/3/14, and draft concept plans and transportation studies for the project were submitted into the record in 2013 as part of public comment and discussion of the City's Comprehensive Plan and Transportation System Plan (TSP) updates. Much of the supporting material demonstrating how the application meets the applicable code and decision criteria has been in the record for many months, and therefore available to the public for review. Only the recent changes made in October 2014 to building elevations, arrangement of some lots and tracts, a couple street sections, and concept plans for pocket parks were revised and are new to the public. Prior to the 11/24/14 City Council hearing there will have been sufficient time and opportunity for public review of that new material and all existing studies material submitted by the Applicant. The need for public review has been satisfied, and the requirement for a public hearing has been met.

The Applicant has exceeded the requirement for a neighborhood meeting since it has held three (3). The first on 9/24/13 targeted property owners surrounding proposed Phase 1 & Phase 2. The second on 11/20/13 targeted property owners surrounding Phase 3 & Phase 4. The third on 12/9/13 targeted property owners surrounding all phases. Record of this is in the Application Packet dated May 16, 2014 under Exhibit B.

The intent of the neighborhood meetings is for the Applicant to share details of the proposed project and consider public input when designing the project. Some of the public input received by the Applicant could be summarized as follows: Some neighbors want "No Development." Some want to preserve the view from their homes to the creek and their ability to access the creek. Others were concerned about traffic and other impacts of new housing units the development would bring. There was no overall desire for high intensity uses such as multi-family apartments units for the site. The Applicant has been responsive to public comment in the design of the project. This has been done in several ways.

One design element used to address the public's concerns about impacts is the yard orientation and setbacks. Rear yards of new lots have been oriented, where possible, toward existing dwellings on adjacent lots. Where this is not possible, the proposed plan requires the standard five (5) feet side setback for side yards of new buildings on the exterior of the development site. Furthermore, the proposed maximum building height for the project is thirty-five (35) feet, ten (10) feet less than the forty-five feet allowed by a standard subdivision in this zone. This information is addressed on page 23 of the Staff Report and under proposed Building Setback Conditions of Approval on page 31. The proposed project mitigates new building impacts to adjacent property owners because the impacts are less than a standard development would create.

The chosen housing types are also suited to the site's topography. The proposed single-family detached homes, two-unit single-family attached townhouses, and duplex units constructed to appear to be single family dwellings from the street will give the project a scale that fits in with surrounding existing structures. There will be no large blockish apartment buildings, five-plexes or parking lots, all of which would be allowed by the code in a standard development, but which would require massive cuts and fills to be built on the site's steep slopes. The proposed project's housing types will require minimum excavation compared to what would be required for apartment buildings. There will be just ten feet elevation difference typical from front to rear of a structure to accommodate daylight basements. The Council can be assured that scale of the housing in the proposed project fits in with the neighborhood.

Concerns expressed by neighbors about access to Gales Creek have been met by the project design's inclusion of five pedestrian access points to the open space corridor along Gales Creek. They are from Dee Court, Tract K, Tract P, and from both the east and the west end of Tract S. These access ways tie into Tract E, M, & S created for the future off-street City loop path known as the "Emerald Necklace." City Staff has expressed plans for the City to construct the path over Tract E, M, & S concurrent to site development and housing construction since the Applicant will leave the area for the path level following construction grading. Approval of the project will facilitate legal and perpetual access to the Gales Creek corridor for all residents of the community.

Through these means and more the proposed GCT PD has addressed the concerns of the public expressed during neighborhood meetings. The project will establish additional housing and amenities that enhance the greater community of Forest Grove.

## NATURE AND PARKS

City Councilors have expressed a desire to understand how the Gales Creek corridor is being protected. The Planning Commission and the public have expressed similar concerns. The Applicant shares this concern as the Gales Creek area is the name sake of the project and a real amenity for future residents. This issue is addressed in the Staff Report on pages 4-5 & pages 13-16. It is the goal here to describe the background leading to the preservation of this natural resource and how the applicable code and decision criteria are met by this development application.

The jurisdiction with the responsibility for protection of Gales Creek, the stream bank and any wetlands is Clean Water Service (CWS). The City of Forest Grove will not accept any development application as complete without a Service Provider Letter (SPL) from CWS (Section 10.3.305.B). The Applicant applied for and received a SPL on 5/2/14 (CWS File Number 13-003043). It is a ten page document that has been available for review since it was submitted with the 5/16/14 development Application Packet under Exhibit E. Fears that the proposed development does not protect the creek are unwarranted. The request for a SPL was accompanied by a report prepared by an independent professional biologist after completing a wetland delineation, vegetation conditions inventory, and significant survey work to establish the status of the stream corridor, which was mostly degraded due to a long history of agricultural practices near the top of the stream bank. The SPL requires with development of the site the preservation of the stream bank area in separate tracts. The SPL also calls for thousands of square feet of enhancements with native plants. So contrary to accusations by opponents the development is proposed too close to the creek. The SPL is evidence that Gales Creek Corridor will be preserved and improved for native flora and fauna through the habitat restoration plantings that will be completed with development of the site. The Council can be assured that a vote for approval of the development project protects Gales Creek.

Opponents contend that open space requirements do not meet approval criteria. How the open space requirements are met is addressed on pages 24-25, which references Exhibit K, and on page 20 of the Staff report. The basic contention is that the open space in the Gales Creek corridor does not count toward the required amount for a PD because it is in the flood plain. This is based however on a false assertion by opponents that open space can only be developable uplands sacrificed for open space use. This assertion is not backed up by code, since nowhere in the code are sensitive lands excluded from open space calculations.

The Forest Grove Development Code Section 10.8.205 B. specifically states that “areas retained to comply with clean water services (CWS)...shall be considered open space.” It goes on to state these sensitive areas can be considered active recreational open space if “designed to be integrated with a development’s site design and available for access for residents in the development.” (Also see 10.8.310 D.3). This applies to Tract N where a ball field and picnic area is proposed, and to Tracts E, M & S where a trail is proposed. All of the open space tracts along the Gales Creek corridor count to meet the requirement for open space, both passive and active use areas, in the GCT PD.

The purpose of the Planned Development (10.4.200.C) is to “Preserve to the greatest extent possible existing landscape features and amenities, and incorporate such features into the design

of the PD.” The key “existing” feature is the Gales Creek Corridor. The proposed GCT PD site layout “preserves” the open space features by placing them in separate tracts and “incorporates” them by connecting residents to them through pedestrian paths and designating them for trails, picnicking and ball field use. In this way the proposed plan exceeds the common open space requirement by 1.5 times, as demonstrated by the record (see Exhibit K), and the purpose of the PD is met. Therefore, the Council should be confident to approve this project on the basis that open space requirements have been met.

Furthermore, the project has been criticized because the open space is not “central” to the project or “direct access” is not provided. Neither of these quoted terms is stated in the code or approval criteria for PD open space requirements. However, the Applicant’s recent changes to the proposed site plan addressed these criticisms anyway. The Applicant moved the active open space with a playground structure previously located near the NW corner of the project in Tract W (eliminated), to the newly proposed Tract X, which is “centrally” located at the intersection of proposed H Street and 19<sup>th</sup> Avenue. Tract P was also newly expanded with active park amenities. It is a second tract large enough for play equipment where only one is required by code (Section 10.8.205.C.2). Both Tract X & Tract P provide “direct access” to common open space from a public street. “Direct access” to the future Emerald Necklace path over Tracts E, M & S can also be found from proposed Dee Court, Tract K & P, and from two points off 19<sup>th</sup> Avenue via Tract S. Proposed Tract N is also an active open space which will have an additional “direct access” from 18<sup>th</sup> Avenue via the newly propose path in Tract P and the access originally proposed from 19<sup>th</sup> Avenue via Tract S. The project goes above and beyond the minimum approval criteria to meet the community’s desires for centrally located open space with direct access.

Finally Tract A, Tract B & Tract C are smartly placed to provide passive open space that enhances the community’s aesthetics while also serving as buffer areas. Tracts A & B are at the intersection of 19<sup>th</sup> Avenue and the proposed on-site E Street segment in the NE corner of the site. These open spaces will act not only as a visual amenity at the entrance to the development, but a buffer zone between the site and the future arterial one-way couplet street extension, of which 19<sup>th</sup> Avenue will be the southern leg. Tract C acts as a slope transition zone in a steep area and as a landscape buffer between the dwellings on the two adjacent lots and the proposed Dee Court.

## TRANSPORTATION AND PARKING

### OFF-SITE

It is understandable that residents on the edge of town or on a dead end street are concerned about traffic impacts of new development in their area. It can be additionally difficult as Forest Grove transitions from a small town with low traffic volumes to a suburban bedroom community with more intense traffic to which local residents are not accustomed. The Applicant heard these concerns at neighborhood meetings.

The Forest Grove Development Code addresses this concern by requiring a PD Applicant to prepare a traffic study to address impacts of a proposed land development like GCT PD. The Applicant initially looked at development of Phase 1 and 2, and engaged a professional traffic engineer, Frank Charbonneau, to study traffic impacts. Under the request of the Applicant, Charbonneau took a three-pronged approach, which is described more fully in the Traffic Analysis Summary prepared 11/15/13. It was provided to the City at one of a series of Pre-Application Conferences the Applicant scheduled with City Staff in November and December of 2013 where after review the City Engineer concurred with its findings. The study looked at a development of the site area known as Phase 1 and Phase 2 with a total of 110 dwelling units projecting impacts out into the future.

- The first analysis considered only one access way to the site from Pacific Avenue via D Street, and then west from D Street on 19<sup>th</sup> Avenue to the site.
- The second analysis looked at access via two routes, from Pacific Avenue via D Street and via a partially improved 18<sup>th</sup> Avenue from C Street.
- The final analysis looked at access via three routes: D Street, 19<sup>th</sup> Avenue east from C Street, and 18<sup>th</sup> Avenue also east from C Street.

The results from all of the studies showed positive results. Charbonneau found that the streets had capacity, whether used in isolation or in combination, to handle the added traffic capacity of 110 additional dwelling units. The report also analyzed major intersection function off-site, such as 18<sup>th</sup> Ave & B St, 19<sup>th</sup> Ave & B St, Pacific Ave & D St, and Pacific Ave & B St. The reports stated that no warrants exist for off-site traffic control improvements. A performance analysis concluded that none of the intersections would fail to achieve the City's standards of function. With a score of D as the minimum all the above intersections scored B or better.

The City of Forest Grove Development Code Section 10.8.610.A.3 states, "New development shall be connected to a collector or arterial by a paved street." This criterion is met in the proposed Phase 1 two times over by the Applicant's proposed connection with two paved streets to two separate arterial streets. One is to Pacific Avenue through off-site improvements to 19<sup>th</sup> Avenue and D Street, and the second to B Street through off-site improvements to 18<sup>th</sup> Avenue. This is reflected in Sheets P700 and P800 in the 5/16/14 Application Packet under Exhibit A. The City has improvement of 19<sup>th</sup> Avenue west of B Street as a goal in the TSP, and the Applicant proposes to support this public improvement through donation of needed right-of-way at the C Street intersection. The result will be multiple paved connections to an arterial street in Phase 1, exceeding the requirement in the code.

Opponents concerns about negative traffic impacts to their street above acceptable limits are unwarranted based on the following. Traffic generated by the 102 proposed dwelling units in Phase 1 & Phase 2 will be less than the 110 considered in the traffic study, so impacts of the actual development of these two phases will be less than shown in the study which concluded capacity exists. Also, the project is proposed in multiple phases, so the impacts from Phase 1, which only has 56 lots, about half of those in the study, means Phase 1 will have about half of the impact described in the study. Note that any impact will be preceded by roadway improvements, such as a new overlay of D Street from 19<sup>th</sup> Avenue north to Pacific Avenue. Only after Phase 2 is fully built out with all of the houses will impacts of the 102 lots begin to approach the number of trips shown in the study for the 110 lots. The worst-case scenario would be one vehicle every 48 seconds. That includes both directions, existing and new trips. The City's planned improvement to 19<sup>th</sup> Avenue west of B Street, as outlined in the TSP, will likely reduce traffic on D Street and 18<sup>th</sup> Avenue as shown in the Applicant's traffic studies.

The Applicant's public street improvements generated by approval of this project will be of a standard to serve the development. New traffic from the development site will not be directed along the D Street segment between 18<sup>th</sup> Avenue and 19<sup>th</sup> Avenue so it will not impact existing residents living on that street directly. The Applicant is actually adding sidewalks to the west side of D Street from 19<sup>th</sup> Avenue to Pacific Avenue, an off-site improvement not typically requirement by will support pedestrian connectivity in the area. City initiated improvement of 19<sup>th</sup> Avenue west of B Street will help the City meet future transportation needs of the community, especially since the City's extension of 19<sup>th</sup> Avenue just east of the site, and the extension of sanitary sewer through GCT to properties north of the site, will facilitate those properties north of the site moving forward with development and thereby allowing for full extension of the one-way couplet system from B Street to the intersection of E Street and Pacific Avenue. Approval of the GCT PD and the associated public improvements will help the City of Forest Grove achieve TSP goals, which will benefit transportation needs of the entire western part of the City.

The Applicant also engaged a professional traffic engineer, Frank Charbonneau, in preparation of a traffic study to consider the impacts of the western phases of the GCT PD. At the time the work was commissioned the project included three additional lots west of the current project boundaries. Therefore, the Applicant requested Charbonneau consider the impacts of up to 170 dwelling units in these western phases on adjacent Pacific Avenue and major intersection.

The assumption was made that the 110 units of the eastern phases had already been constructed and built. The report was issued on 11/15/13 and shared with City Staff, including the City Engineer who concurred with the findings. The results were similar to the first study in that they all met the City's level of service standard. Major intersections continued to function and no off-site traffic improvements were warranted based on the projected impacts. Cut through traffic from the western phases across the eastern phases was analyzed and considered negligible.

Subsequent to completion of the report and submission to the City for review, those three lots west of the current site boundary were excluded from this development application since the Applicant no longer has a purchase agreement in affect on the property. However, the traffic

study was already completed so it has been used to determine the traffic impacts of Phase 3 and Phase 4 of the GCT PD, which now only has 95 dwelling units on 85 lots. The 95 dwelling units proposed for Phase 3 and Phase 4 are a little more than half of the 170 units used in the study. Thus, the anticipated traffic impacts of the western phases of the project will now only generate half of the impacts considered, which means they will function even farther above acceptable standards and continue to serve the proposed western phases of the development.

During public comment concern was expressed about school related traffic on Pacific Avenue. So that issue was discussed between the Applicant, Charbonneau and the City Engineer. The intersections at the school driveways on Pacific Avenue were included in the traffic study analysis. In short, street capacity exists for additional trips in the A.M. peak hour and the P.M. peak hour to serve the development. Most exiting trips from the site at Pacific Avenue will be stop controlled right turns, and return trips will be left turns that don't conflict with school driveways, plus the P.M. peak hour for return trips to the site will be later than the after school rush.

It is understandable that there is concern about added traffic following development of a PD project such as the one proposed at GCT. However, the proper analysis was completed by a professional traffic engineer, and it was determined by the studies performed traffic capacity exists to serve the proposed development, and City Staff has determined that impacts are mitigated by proposed improvements and ensured by the proposed conditions of approval recommended. In addition the project will generate significant transportation development tax revenue to support transportation system development in the City. For these reasons the City Council can vote to approve the GCT PD with assurance that off-site transportation needs are met.

#### ON-SITE

Both the approval criteria for a PD (10.4.200.B) and the street standards under Article 8 (10.8.610.E) allow the Council to approve a variety of street sections. This flexibility is needed in this PD for three primary reasons: 1) The sites irregular shape, 2) The sites steep slopes, and 3) The sites odd cross slope. The applicant's primary intent in the proposed street sections is to maintain 32 feet of pavement width from curb face to curb face which is the City Standard. The standard sidewalks, planter strips, and on-street parking on both sides of the street with a 32 feet pavement width is achieved in the proposed GCT PD on all streets, except for three street segments where the alternative City standard 28 feet of pavement width is applied. The 28 feet pavement width is an acceptable local street pavement width found in both the Forest Grove Development Code and the Transportation System Plan, and is used on many projects locally in Forest Grove and in nearby jurisdictions.

The 28 feet wide pavement width sections are applied in the GCT PD to 18<sup>th</sup> and 19<sup>th</sup> Avenues between E Street and G Street, and to Dee Court.

On 18<sup>th</sup> and 19<sup>th</sup> Avenues the 28 feet pavement width is proposed to avoid excessive cut and fills in an area where the site dimension is also particularly constrained. On-street parking is proposed on both sides of these streets. The Applicant has proposed several other sections for

these two street segments. The 28 feet wide section is the alternative the Applicant and City Staff determined most acceptable during the recent work sessions following the 9/8/14 City Council meeting. These street segments will be ended with temporary hammerhead turnarounds in Phase 1 and extended as through streets upon completion of Phase 2. During final design review by the City Engineer it may be advantageous to temporarily restrict on-street parking to one side of the street only while temporary turnarounds are in use to improve circulation and access. However, after Phase 2 the applicant believes the streets will function for two way traffic.

On Dee Court the 28 feet pavement width is proposed to avoid cut and fill and due to the irregular shape of the site in this area. In the previously approved project on this site Dee Court was approved as a private street, but was also conditioned to be stubbed for future extension. The Applicant originally proposed Dee Court as a private street again, stubbed for future extension. At the request of the City Engineer the Applicant has now proposed it as an alternative public street design to allow unencumbered City maintenance of underground public utilities and to achieve the 28 feet wide pavement width standard. Dee Court only serves dwellings on one side of the street. So, parking has also been proposed for one-side only. This parking restriction also benefits improved circulation on the street as there will be 20 feet wide travel lane free of obstruction from parked vehicles.

Street trees will be planted on both sides of all streets as proposed and conditioned. Standard 5 feet wide sidewalks will be installed, except they will be the standard 6 feet wide where proposed to be curb tight.

The City Engineer approves of the proposed on-site streets as described in the 11/10/14 Staff Report on pages 10-12. City Council can be assured that the proposed on-site street improvements will serve needed circulation.

## PARKING

Concern has been expressed about the sufficiency of parking in the proposed GCT PD. There are two types of parking to be considered: off-street parking and on-street parking. In both cases the parking needs of the proposed project are met satisfying the conditions of approval and applicable code.

Two off-street parking spaces are required on each lot. All lots will have four off-street parking spaces (2 in the garage and 2 in front of the garage) except the 26 feet wide lots and the duplexes. The 26 feet wide single family lots and the townhouse lots will have 2 off-street spaces per lot (1 in the garage and 1 in front of the garage) meeting the standard.

Duplexes are proposed on lots that will be a minimum of 26 feet wide at the alley, which will allow for at least three side-by-side 8 feet wide off-street parking pads on the lots oriented perpendicular to the direction of travel in the alley. That leaves at least a one-foot setback on each side from the property line. The 24 feet wide paved alley is sufficiently wide to accommodate backing and turning movements to serve these perpendicular parking spaces. Duplexes will also have one on-street parking space per unit, since they are alley loaded there is no front yard driveway curb cut to restrict parking. So, each duplex lot will have four parking

spaces or two per dwelling unit. At least six extra on-street parking spaces are available for guests of duplex lots on both sides of proposed H St north of the alley.

The development code does not specifically require on-street parking, but the Applicant understands its value and would like to outline here what on-street parking will be provided with the project by street.

Since all lots will exceed the minimum requirement of two off-street spaces by two times except the 26 feet wide lots let's take a look at proposed 20<sup>th</sup> Avenue first. From its west stubbed terminus to its east it will have about 10 on-street spaces on each side of the street and at least four around the corner on H Street (south of the Alley). That equals at least 24 on-street spaces on 20<sup>th</sup> Avenue and H Street. There are 39 dwelling units on 20<sup>th</sup> Avenue and H Street. So on this most demanding street there will be more than one on-street space per dwelling unit. There are also two proposed 32 feet wide lots on 20<sup>th</sup> Avenue that will have four off-street parking spaces, and the corner attached conceivably could have an additional third off-street space if the driveway is wider to allow second car parked in front of the garage.

Dee Court will have all dwellings 34-40 feet wide. On-street parking will be across the street where there are no driveway conflicts. Each lot on Dee Court will therefore have at least one on-street parking space per lot. The street serves 9 lots so there will be at least 9 on-street spaces (three east of the hammerhead turnaround and six or more west of it).

E Street will have driveways only on the east side of that street where all seven lots are 34 feet wide with four off-street parking spaces each. There are also open space tracts on both sides of the street. The west side of E Street will have at least 12 spaces and the west side probably four, making a total of 16 spaces for 7 dwellings, or more than two on-street spaces per lot. G Street is similar. It probably could accommodate four on-street spaces for no dwellings. Thus for the 47 lots on 18<sup>th</sup> Avenue, where there are likely about 23 on-street spaces, there are many extra on E Street and G Street. With the same analysis for 19<sup>th</sup> Avenue consider that from east to west there are 74 lots on 19<sup>th</sup> Avenue, where there are likely 37 on-street parking spaces, there are extras near E Street, G Street, H Street and Tract X.

All together a rough summary of the estimated on-street spaces listed above is 125 on-street parking spaces for 197 dwelling units. That is almost two on street spaces for every three dwelling units. The Council can be assured that dwellings on Pacific Avenue, H Street, 20<sup>th</sup> Avenue, Dee Court, and all other streets with four off-street parking spaces per lot will have their needs met for on-street parking.

## UTILITY SERVICES AND SAFETY

The entire GCT PD site will be served with the necessary public utilities. Sanitary sewer will be extended to the site from B Street and stubbed along with temporary dead end streets. Water lines and storm sewers will also be built to serve the respective phases. The City's Engineers will approve the final design for these facilities, and key elements like fire hydrant location, as part of the site construction drawings review.

The importance of emergency vehicle access on site is an important issue the Applicant takes seriously, and has addressed it by the proposed street network for GCT PD. All phases are provided with two emergency access ways, and temporary dead-end streets stubbed for future extension are designed with hammerhead turnaround. The streets are designed for the local street standard 32 and 28 feet pavement widths to allow sufficient space for travel lanes and on-street parking. On Dee Court a cul-de-sac was considered (10/11/14 Staff Report page 10), but it was found by the City Engineer that the proposed hammerhead turnaround design is the "preferred design solution" (Staff Report page 11 under Street Design 4).

One of the safety concerns addressed by this project is related to a transportation goal in the TSP met by this project. That goal is for a second access way from 19<sup>th</sup> Avenue west to Pacific Avenue. Currently Pacific Avenue west of E Street is the only roadway providing emergency vehicle access to the school facilities on the north side of that segment of Pacific Avenue. Should that roadway ever be blocked near the intersection during an emergency event at the school the only alternative vehicle access route to reach the school or residents on Pacific Avenue involves a long circular trip through the country side from Pacific Avenue south on B Street to Stringtown Rd, then west to Ritchey Rd, and then back north on Ritchey Rd, which turns into Pacific Avenue. This emergency route would be a trip of about five miles and ten minutes that crosses several bridges over creeks known to flood. Construction of the phases of the proposed GCT PD would create a shorter and quicker second paved street access to Pacific Avenue and the nearby school.

## CONCLUSION

In summary, the City Council should be certain that Staff have completed a thorough review of the GCT PD in preparing the Staff Report and a recommendation for Approval with Conditions. There are no concessions, the proposed GCT PD meets the requirements of applicable code and satisfies the decision criteria. This is evidenced by the record, including the Applicants application for development, plans, supplemental supporting documents, and this overview. The scale of the project suits the zoning and required density. Housing types fit in with existing residences and provide the community with a mix of housing options from rentals to home ownership. The natural features of the site are preserved and parks are created to enjoy them in active and passive ways. The transportation needs of the residents are served by the proposed street improvements, including sidewalk extensions, and the fact that transit is only a few blocks away. The majority of the lots will have ample parking with four off-street spaces per lot, while others will have two, leaving on-street spaces at a rate of one per every two dwellings in front, and a few more extra on the side streets. Sewer will be extended to the project site and stubbed for adjacent properties to be able to develop, as well as the other improvements necessary to provide utility, safety, and standard public services to the residents.





**Gales Creek Terrace Planned Development  
(City of Forest Grove Case File # PRD-14-00181)**

**Applicant's Rebuttal Statement for Issues Raised in  
Opponents' Testimony to Forest Grove City Council  
at the November 10, 2014 Appeal Hearing**

**Submitted November 17, 2014**

The Applicant for the Gales Creek Terrace Planned Development application (PRD-14-00181) presents the following information as rebuttal testimony, responding to issues raised by various individuals in their testimony to the City Council. To maintain focus on the applicable development standards and approval criteria, the responses below are organized by assertions and issues, without reference to the names of the parties who raised them in testimony.

**Assertion/Issue #1: Density.**

**Applicant's Response:** Numerous individuals expressed disagreement with the City's adopted land use designation of the Subject Property, which is High-Density Residential (RMH). Less than one year ago, that designation was the subject of focused mapping of alternative and policy analysis by staff in the City's Periodic Review process; testimony by citizens at public hearings; discussion, deliberation and voting by the Planning Commission on recommended land use designations in the area; and further testimony, deliberations and voting at the City Council level. At that time, the City of Forest Grove changed the designation of land areas to the west of the Subject Property to lower-density designations, but retained the RMH designation on the parcels making up the Subject Property.

Oregon State Law requires local jurisdictions to review land development applications using the development standards in place on the date the application was submitted, if it is timely completed for processing. That is that case for the Gales Creek Terrace Planned Development application (GCT): when it was submitted, when it was deemed complete, and even now, the Subject Property's land use designation has been RMH. The Applicant has demonstrated compliance with the density requirements of the RMH district (zone), near the minimum allowed density ratio rather than near the maximum.

Testimony to the effect that the GCT plan contains too many units is factually in error with respect to the applicable land use regulations. These opponents' disagreement is with the City's adopted land use policy, and the review of this development application is the wrong forum in which to raise that question.

**Assertion/Issue #2: Floodplain/Resource Area Impacts.**

**Applicant's Response:** In preparing the GCT proposal, the Applicant retained expert wildlife biologist Mirth Walker of SWCA Environmental Consulting to inventory and assess the condition of resource features in the Gales Creek corridor, including wetlands,

the stream channel, vegetated corridor areas (or “buffers”) alongside it, and upland areas within the flood plain boundary designated by the City of Forest Grove, which corresponds to elevation 180 feet. Ms. Walker participated with the design team to ensure that development will not impact wetland areas, and guided the design team’s shaping of the development plan to avoid impacting vegetated corridor areas that are in “good” condition.

Ms. Walker then prepared plans for vegetated corridor restoration and enhancement. She submitted her plans to Clean Water Services (CWS), the agency responsible for protecting water quality in the urban areas of Washington County, which has jurisdiction.

Among other strategies to improve surface water quality, CWS requires development projects adjacent to wetlands and streams to perform landscaping activities that restore native plants and related native habitat conditions in vegetated corridors. Permitting for such enhancement activities by CWS is required in conjunction with submittal of land development applications throughout Washington County and its cities.

The CWS review and approval process involved meetings and dialogue with CWS staff, followed by revisions to ensure that CWS standards were met. The resulting permit from CWS (File Number 13-003043) identifies a total area of 56,209 square feet (1.29 acres) of vegetated corridor to be planted to meet CWS standards to help restore degraded buffer areas to a “good” condition. (See copy of the CWS permit in Exhibit E of the application materials.)

So, contrary to opponent’s unsupported claims, in fact the approval and construction of the proposed project will result in stream bank restoration efforts that will remove invasive plants, establish native species, improve water quality in Gales Creek and downstream areas, and restore higher quality habitat functions to support native plants, animals and fish.

Outside the Gales Creek stream corridor and its vegetated corridor, there are substantial upland areas that lie between the stream corridor and the urban area (elevations above 180 feet). These areas have historically supported some agricultural production because they are only infrequently subject to flooding (the FEMA “100-Year Floodplain” designation is based on a 1% chance of inundation in a given 1-year period). They are generally flat and suitable for recreational use, including ball fields. In particular, Tract N of the proposed development plan can provide areas for sports activities as well as picnicking, community garden plots, and other seasonal recreational uses. These facilities will be accessible to residents by way of pedestrian access ways nearby in Tracts S and P, as well as by way of the Emerald Necklace trail (Tracts E, M and S) and pedestrian accesses to it from Dee Court, Tract K and, at the west end of the project, Tract S’s frontage on 19<sup>th</sup> Avenue.

Notably, Tract N is not located within a floodway area, where velocity flows can create dangerous conditions and cause erosive impacts. When a “100-Year” flood event occurs, the water level can be expected to rise and decline in the areas south of the UGB without

a lot of lateral flow volume or velocity. As a result, improvements can be designed to tolerate occasional inundation without experiencing damage.

Finally, one individual testified that it could be problematic to locate storm water treatment facilities in the flood plain because if they were inundated in a flood event they would not function “when they were needed most.” This reasoning is based on a fundamental misunderstanding of the design and functioning of such facilities.

Storm water quality treatment facilities function primarily during dry months when occasional storms occur, and during the transition from summer to the fall rainy season. Their purpose is to remove phosphorus, oils/grease and other pollutants that accumulate in streets during dry weather from storm water runoff. They accomplish this by slowing the flow of water down, flowing it through grassy swales or other filter media, and enabling plants, soil organisms and soil chemistry to take up those chemical elements, effectively reducing the level of pollutants and turbidity (generally, suspended soil particles) from the storm water runoff before it is released into the natural drainageway (in this case, Gales Creek). During the rainy season, the concentrations of such pollutants is generally much lower because the volume and frequency of rain events is much higher. Moreover, since the facilities are designed to treat relatively low-volume flows, during high-volume storm events the runoff spills over into a bypass structure that conveys the excess volume directly to the stream. Which is to say that under conditions leading to flooding, the storm water management facilities are virtually irrelevant rather than “needed most.” They merely need to be engineered and constructed so as not to be damaged by infrequent flood events. While there is no guarantee there will not be more than one such event every hundred years, there is just a one-percent chance of such an event in any given year, according to the Federal Emergency Management Agency (FEMA).

### **Assertion/Issue #3: Site Suitability.**

**Applicant’s Response:** Opponents’ have asserted that a better design approach for the sloping site would be to use more multi-unit buildings, such as apartments or condominiums; however, no evidence has been presented to illustrate how grading for larger buildings could be achieved, much less that the result would be more compatible with the character of Forest Grove. Because buildings generally seek to maximize the area of level interior floor space, a building with a large footprint on a sloping site will result in larger grade differences at the building line than individual smaller buildings.

As a simple illustration, a 200-foot wide site with a 10% cross-slope will be 20 feet higher on one side than on the other. A level building 150 feet long along that frontage would have to use some combination of fill placement and/or excavation (or subterranean embedding) to flatten out a difference of 20 feet. Within such a building, interior areas adjacent to the uphill side of the property would have no windows or access to air and light (with the possible exception of light wells extending several feet below the adjacent ground surface).

By contrast, a set of five separate buildings on 40-foot wide lots can be fitted to such a cross slope in a series of five steps of four feet each (more precisely, four at four feet each between buildings within the site, plus two at two feet each at the outside edges. This can be achieved by setting the finish floor elevations of the homes at four-foot intervals and making up the four-foot difference across the side yards. In this configuration, the incremental differences in height between neighboring buildings are reduced, and the development pattern can remain better fitted to the native topography of the development site. Such a development pattern can also better integrate with the scale and landscape character of the existing community, which is predominantly characterized by single-family residences rather than large, multi-story apartment buildings.

Claims that multifamily development would be a better approach for development, particularly in the more steeply-sloped parts of the Subject Property, simply run counter to the reality outlined above: for level buildings on sloping sites, buildings with larger footprints necessarily generate larger grade differences at the building walls, and therefore (1) require greater site grading manipulations; (2) may cause some interior locations to have no windows, or curtailed window access to air and light; and (3) typically result in greater differences in building height and scale in relation to adjacent properties, as compared to smaller buildings that allow incremental grade transitions to be made between them.

Such claims attempt to compare the proposed development plan, which the Applicant's design team has developed to a substantial level of detail including street alignments and vertical profiles, utility system alignments and vertical profiles, and mass grading plans demonstrating the project's feasibility, against a vague notion that impacts on surrounding properties and recreational resources would somehow magically be reduced by a different plan using more multifamily buildings. That concept is impractical because it runs counter to the realities that confront siting larger buildings on sloping sites. The claims amount to little more than wishful thinking. Moreover, the argument is unsupported by any evidence illustrating – even at a basic conceptual level – how a suitable number of dwelling units could be sited on the sloping Subject Property while better achieving livability objectives such as dwelling unit orientation, access to air and light, views, circulation and parking, and limiting extreme differences in scale and height adjacent to neighboring properties.

Another argument brought against the proposed plan is that recreational open spaces should be provided within the land area suitable for development, rather than adjacent to it within the flood plain. At a large, partially constrained site like the Subject Property, with substantial land areas both within and outside the flood plain, it would be inefficient to allocate scarce buildable land to a function that can be satisfactorily achieved by adjacent land that is not suitable for buildings to be occupied by people. Importantly, achieving efficient use of buildable land resources is one of the purposes of the City's Planned Development standards (see also Assertion/Issue #10 below). Proposed Tract X does provide an active play area as well as benches for picnicking and sitting, at a central location within the proposed neighborhood. Similarly, Tract P will provide benches and a play structure adjacent to a pedestrian path linking the neighborhood to the Emerald

Necklace Trail and recreational areas adjacent to Gales Creek. Grading for both of those sites has to manipulate the existing topography to provide even a modest platform area where play structures for children can be properly located. Those two Tracts illustrate why the sloping topography of the site's upland area outside the flood plain is simply not conducive to larger-scale recreational sites with capacity for ball fields. By contrast, proposed Tract N is a substantial, relatively flat upland area located within the flood plain but outside resource boundaries (wetlands, the Gales Creek stream corridor, and corresponding buffers). The land in Tract N is clearly suitable for recreational uses that require or benefit from level terrain, including potentially a ball field, a basketball court, and other recreational amenities. These facilities will be usable at the very least seasonally, but potentially on a year-round basis too, depending mainly on the rainfall pattern in a given year.

Finally, there is no fairness or veracity in making comparisons between a detailed, actual proposed development plan and an idealized hypothetical concept with which the community would presumably be happier. Call it the 'greener grass' alternative: it appears more attractive for the simple reason that it is by nature an idealized image that has not been weighed down by having to respond to practical limitations and real-world compromises. No community and no developer can actually build that dreamy place, which is frustrating because it is always more satisfactory than reality in every way. Rhetorical comparisons between such gauzy imagery and the real, well-thought out development plans prepared by the Applicant simply have no substance.

#### **Assertion/Issue #4: Traffic Impacts. .**

**Applicant's Response:** The individuals who have expressed traffic concerns have done so on the basis of their perceptions, worries and assumptions about how traffic patterns will be affected by the proposed project. By contrast, the Applicant has submitted technical analyses by licensed Traffic Engineer Frank Charbonneau, whose reports include projections of traffic impacts and functioning at key intersections in the community. Those reports are in fact the only substantial evidence in the record.

City staff's review of the Applicant's evidence resulted in staff recommendations for approval of the proposal, including findings that the package of street improvements proposed by the Applicant (with compliance assured through Conditions of Approval) will result in operating capacities and safety characteristics meeting the City of Forest Grove's performance standards.

Some individuals asserted that the City's plan to construct improvements in 19<sup>th</sup> Avenue concurrent with development of Gales Creek Terrace inappropriately allows the developer to shift costs onto Forest Grove taxpayers. The City's Transportation System Plan, including revisions adopted in conjunction with Periodic Review less than a year ago, designates 19<sup>th</sup> Avenue as an Arterial as far west as E Street. Construction of roadway improvements in 19<sup>th</sup> Avenue is not only consistent with, but also integral to, that long-range transportation system planning by the City to meet growing community needs. Because trips originating or terminating from within GCT will represent only a

small share of the volumes to be accommodated by that Arterial street, City staff correctly determined that burdening the developer of GCT with such construction costs would run counter to the Constitutional requirement that development exactions bear a nexus and rough proportionality relationship with the actual impacts of development.

The Applicant's evidence demonstrates that an alternative set of proposed improvements can satisfactorily accommodate GCT travel demand by alternative routes. Moreover, making those alternative-route improvements will better enable the local street system to handle traffic needs, including emergency access, while the segment of 19<sup>th</sup> Avenue to be improved to Arterial standards is under construction.

Staff estimated the cost of Arterial improvements in 19<sup>th</sup> Avenue at approximately \$750,000. Because that system improvement is eligible for funding through the Washington County Transportation Development Tax (TDT) program, it is relevant to consider TDT revenues that home construction within GCT will generate. According to Table 12, Revised Phase-In Schedule (Appendix A to Washington County Ordinance 746), the TDT fee per detached single-family residence in the 2014-15 fiscal year (July 1- June 30) is \$6,665 and the TDT fee per residential condominium/townhouse is \$3,976. Using those figures, the 157 detached homes within GCT will generate \$ 1,046,405 and the 40 attached units will generate \$ 159,040, for total TDT revenue of \$ 1,205,445. Note that site construction and final platting is required prior to issuance of residential building permits, so it is not likely that any permits will be issued prior to the 2015-16 fiscal year. Subject to a determination to be made by the Washington County Board on April 30, 2015, the fee amounts are scheduled to increase to \$8,225 per single-family detached unit and \$4,919 for condominium/townhouse units, producing corresponding TDT revenues of \$ 1,291,325 and \$ 196,760, respectively, for a combined TDT revenue total of 1,488,085. In other words, TDT revenue collections anticipated from development of homes in Gales Creek Terrace will generate revenue roughly double the projected cost of the planned 19<sup>th</sup> Avenue Arterial improvements by the City.

#### **Assertion/Issue #5: Public Involvement.**

**Applicant's Response:** The Applicant conducted a total of three neighborhood meetings prior to submitting the planned development application. Documentation of those meetings has been submitted as part of the application materials. The neighborhood meeting process is designed to facilitate dialogue prior to a land use submittal, but it does not require an applicant to make design changes that may be suggested or demanded by meeting participants. The City Council's continuation of the appeal hearing, from November 10 to November 24, 2014, has provided participants additional time to prepare and submit information for the record, as well as another opportunity to testify orally.

#### **Assertion/Issue #6: Appeal Procedure and Council Jurisdiction.**

**Applicant's Response:** The changes made by the Applicant in response to comments from the Planning Commission are not before that panel because, rather than provide feedback and invite the Applicant to respond at a continued hearing, the Planning

Commission proceeded immediately to deny the application, making an appeal to the City Council the only procedural option available to the Applicant. The Applicant's revised materials, reflect and were prepared in order to respond to and address the Planning Commission concerns and after multiple meetings and discussions with City staff. The result is the revised proposed project which in fact satisfies the applicable approval criteria by making certain specific changes, which can be required as conditions of land use approval. Finally, because the City Council is the final local decision-making authority, it is clearly within the Council's jurisdiction to issue such a decision without further review by the Planning Commission.

**Assertion/Issue #7: Parking.**

**Applicant's Response:** The Forest Grove Development Code's minimum off-street parking standard for detached or attached single-family homes is one parking space per dwelling unit. For multifamily units, required minimum off-street parking is based on the number of bedrooms: 1.75 per 3-bedroom unit, 1.50 per 2-bedroom unit, 1.25 per 1-bedroom unit, and 1 per unit of less than 500 square feet.

For all of the single-family homes in Gales Creek Terrace, off-street parking will be available in garages as well as off-street spaces between the street and the garage. An off-street parking tally can be produced by extending the table of unit types/lot widths from the Lot Types Index Map submitted by the Applicant (October 2014):

<u>Unit Type/Lot Width</u>	<u>Total Units</u>	<u>Garage Type</u>	<u>Off-Street Parking</u>		<u>Total</u>
			<u>Garage</u>	<u>Surface</u>	
Duplex (2 per lot)	20	none	0	30 *	30
Corner Attached	8	1-car	8	8	16
Attached	12	1-car	12	12	24
Detached 26'	18	1-car	18	18	36
Detached 32'	78	2-car	156	156	312
Detached 34-40'	<u>61</u>	2-car	<u>122</u>	<u>122</u>	<u>244</u>
<b>Total Dwelling Units:</b>	<b>197</b>		<b>316</b>	<b>316</b>	<b>632</b>

\* Based on providing perpendicular parking on an apron at the rear of the ten proposed duplex lots (Lots 149-150, 155-162), with three parking spaces per two dwelling units, accessible by public alleys or by private access easement over Lot 145.

**With a total of 632 off-street parking spaces for 197 dwelling units, Gales Creek Terrace's parking ratio is more than three times the minimum requirement in the Forest Grove Development Code.**

Additionally, by locating driveways side-by-side to create on-street parking between paired driveways, throughout the single-family portion of the Planned Development there

will be an average of one on-street parallel parking space per two houses. (Although there will be some exceptions, such as in the vicinity of street intersections, there are also side yard street frontages with no driveways, where more than one parallel parking space can be located to make up the difference.) The corresponding number of parallel parking spaces is therefore estimated at 169 attached or detached single-family lots (excluding duplex- and corner attached lots) divided by 2, or 84 spaces.

Summing off-street and estimated on-street parking yields a **total figure of 716 parking spaces** for 197 units – an overall parking ratio of more than 3.6 spaces per dwelling unit, which is about 3.6 times the minimum parking requirement.

Some detractors speculate that available parking will be overwhelmed by large numbers of non-GCT residents or their guests, who will use on-street parking to access the recreational areas in Tract N, the linear trail in Tracts E, M and S, and the play lots in Tracts P and X. (Such popularity, were it to occur, would certainly be a testament to the success of the Gales Creek Terrace planning effort, creating recreation areas that attract users from outside the immediate community!) Such suppositions are based on an inflation of the target audience for these recreation amenities to a level appropriate for City parks or school facilities, such as multiple-field areas for soccer tournaments, etc. – which happen to actually be located nearby within the school properties just north of Pacific Avenue.

Within GCT, the scale and proportions of the proposed open space tracts and their facilities is designed to accommodate moderate use primarily by residents of Gales Creek Terrace and their guests. The tracts will not be public parks, but private property owned jointly by all GCT homeowners, and managed and maintained by the homeowners' association. There is no reason to expect that residents would tolerate programming for excessive use (such as competitive team sports) that would create nuisances or burdens affecting their quiet enjoyment of their homes. In short, many structural and practical barriers will operate to curtail the hypothetical, and furthermore extremely unlikely, scenario envisioned by some detractors.

**Assertion/Issue #8: Dee Court constructed with a hammerhead turnaround, rather than a cul-de-sac.**

**Applicant's Response:**

1. Where a street is stubbed to enable a future extension or through connection to occur, the FDC allows hammerhead turnarounds.
2. The proposed turnaround design exceeds applicable dimensional standards.
3. Steeply sloping ground in that area would result in an unacceptable cross-slope at the cul-de-sac bulb, or would require twelve-foot high retaining walls; for that reason, the staff report states, "Due to the slope constraints of the area, the City Engineer accepts the hammerhead turn-around as the preferred design solution." (Staff Report at page 11/PDF Page 233.)
4. Comments in the record state that service vehicles such as garbage trucks often need to make backing movements even in cul-de-sacs; it is not clear that there is a significant performance difference between cul-de-sac and hammerhead designs for such vehicles.
5. The proposed design for Dee Court may make it possible to retain some mature trees in the area of Tract C north of the Dee Court turnaround; the regarding and retaining walls needed for a cul-de-sac bulb would surely eliminate them.

For all of the above reasons, taking into account the constraints present in the southeast portion of the Subject Property, the hammerhead turnaround is the preferable design solution.

**Assertion/Issue #9: Detrimental Effects on Neighboring Properties.**

**Applicant's Response:** As discussed above, the City has previously considered the zoning pattern in the area between Gales Creek and Pacific Avenue (Cemetery Road), and retained Residential Multi-family High (RMH) zoning of the Subject Property as well as four parcels located north of, and partially surrounded by, the Subject Property. Only at points farther to the west did the City amend the zoning, changing it to Residential Multi-family Low (RML) immediately to the west, and Single Family (R-10) beyond that, extending west to Ritchey Road.

The RMH zoning is specifically not consistent with the existing pattern of development that exists on the Subject Property and its RMH-zoned neighbors. This reflects a deliberate policy choice by the City to prepare the way for infill redevelopment in this area that will help the community meet the housing needs of a growing population. This policy choice does not compel any property owner to abandon the use and enjoyment of his or her property, because even a "nonconforming" situation or land use can be perpetuated indefinitely if it remains continuously in use.

The claim that the City should constrain the proposed plan to better preserve the context surrounding its neighbors could be reasonable, if the City's zoning policy aimed at preserving those neighbors' properties in their present condition (or at least at their

present low density of development). But that is clearly not the case. As a matter of policy, the City has decided that the current pattern of development is not the highest and best use of land at this location within the community. Simply put, the zoning reflects the intention to see the area redeveloped at higher density to meet growing housing needs over time. In that context, it would be counterproductive for the City to make developers alter development plans to avoid impacting adjacent properties that are also zoned for redevelopment at similar densities, just because their owners do not wish to take them to market at a particular point in time.

Concerning setbacks along the Pacific Avenue Frontage, the Applicant has submitted graphic evidence showing the future right-of-way width and proposed building setbacks in relation to the positions of existing residences and garages. Although the existing homes give the impression of being set back a long way from the right-of-way, it is because the existing right-of-way and pavement have yet to be widened to meet the future Collector standard that applies along this frontage. The actual difference in building setback will be limited to a few feet, based on the exhibit provided by the Applicant. It is also worth noting that the proposed new duplex dwelling units will face Pacific Avenue, with doors and windows facing the street, creating “eyes on the street” for surveillance. This configuration, together with improvements the developer will make in Pacific Avenue, including widened pavement, curbs and sidewalks, tree planting and street lighting, will contribute to a much safer pedestrian environment at all hours of the day and night.

**Assertion/Issue #10: Failure to Meet Planned Development Approval Criterion 10.4.220.(C).1.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.”**

**Applicant’s Response:** The proposed streets’ pavement widths are consistent with City of Forest Grove requirements for local streets. The operating capacity and safety of the proposed streets within GCT will not be compromised. The overall configuration still includes the features that provide pedestrian safety and amenity, such as wide sidewalks, street trees and lighting.

These adjustments, together with reduced front and rear yard setbacks, make it feasible to plat four rows of north-south-oriented lots, served by two east-west-oriented streets, within an area of limited width between the UGB line and the north property boundary in the eastern part of the Subject Property. In the proposed configuration, Phases 1 and 2 together produce 102 lots for detached single-family residences. This is important by comparison to previously approved (and long since expired) development plans that required two streets and an alley oriented east-west, and as a result could serve only three rows of lots with a yield limited to 88 units. These figures demonstrate that, particularly as compared to a previously approved but unbuilt proposal, the current design achieves a more efficient use of the available land area of the Subject Property. A conventional design utilizing wider rights-of-way and larger building setbacks would not be able to

replicate the four-rows/two-streets pattern that the Planned Development approach makes possible, and for that reason would produce fewer lots to meet community housing needs.

For the above reasons, the proposed Planned Development does in fact “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.” It is clear that the costs to construct and maintain the transportation and infrastructure elements needed to serve the Subject Property can be apportioned among a correspondingly higher number of dwelling units than a conventional plan can achieve. This approval criterion is met.

**Assertion/Issue #11: Failure to Meet Planned Development Approval Criterion 10.4.220.(C).1.c, “Preserve to the greatest extent possible existing landscape features and amenities, and incorporate such features into the design of the Planned Development.”**

**Applicant’s Response:** As discussed in detail above under Assertion/Issue #2, the portions of the Subject Property located between Gales Creek and the developable area outside the designated flood plain boundary contain a variety of valuable open space resources. These areas have been integrated into the design to address a corresponding variety of needs and goals: riparian habitat preservation, water quality enhancement, occasional seasonal flood storage capacity, visual amenity, and active recreational uses ranging from picnicking to community garden plots to ball courts and fields. Since most such outdoor activities are most popular during the dry summer months (and relatively less popular when it is cold and rainy), such uses of low-lying areas is a widely accepted “Best Management Practice” consistent with good urban and recreational resource planning.

Even within the upland areas of the Subject Property, the principal, defining characteristic that makes the property unique and special is simply its broadly south-facing slope, providing sweeping views into the Gales Creek riparian corridor and the broad valley surrounding it. The proposed design responds to that characteristic by creating terraces on both sides of streets that run generally east-west across the slope, with lots downhill to the south and uphill to the north. The houses on those lots will have front- or rear windows that face the greenway corridor, with a vantage point that is typically several feet higher than their neighbors’ homes in the foreground. (There are a few exceptions, such as the east-west-oriented Lots 1 through 7, where a north-south street is necessary and having back yards adjacent to the neighboring property to the west is preferable.)

For the above reasons, the design of the proposed Gales Creek Terrace Planned Development satisfies this approval criterion.

**Assertion/Issue #12: Ownership vs. Rental Tenancies.**

**Applicant's Response:** Approval criteria for land uses in the FDC are based on dwelling unit types and physical characteristics. The approval criteria do not – and should not – attempt to distinguish between ownership and rental tenancies, or to consider assumptions about the duration of occupancies. This highly speculative argument is unresponsive to applicable standards, and has no relevance to the review and approval of the proposed development.

**Assertion/Issue #13: School Capacity.**

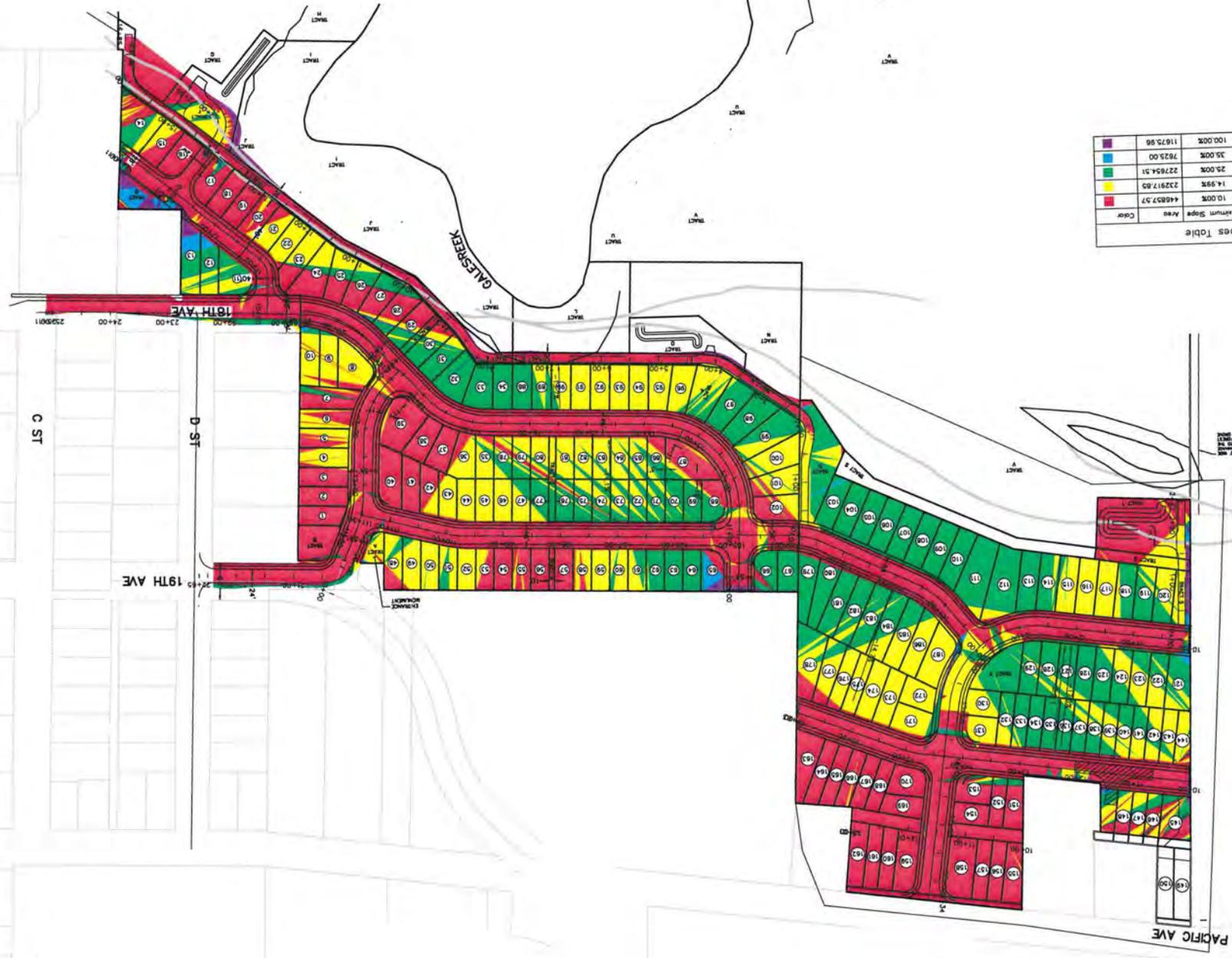
**Applicant's Response:** School districts and other service providers in the community have opportunities to participate in the legislative planning process, which has produced the high-density residential (RMH) land use designation that applies to the Subject Property. The RMH designation allows residential development with a target density of 20.28 dwelling units per acre. (FDC §10.3.110.F, RMH District Intent Statement.) In planning for school capacity needs, the School District should estimate future attendance based on projections using that target density for all areas bearing that designation on the Comprehensive Plan Map (Zoning).

As reported in a summary table staff provided in the Council packet at PDF Page 257, the density of the proposed Gales Creek Terrace Planned Development is “Approximately 15 units per net acre with slope reduction.” It follows that the proposed number of dwelling units is significantly lower than the target figure that would be based on the Forest Grove Development Code (FDC) at 20.28 units per acre, and therefore will not exceed reasonable projections by the School District. In fact, there is no evidence in the record to suggest that the proposed development's unit count is inconsistent with School District attendance projections.

Additionally, the school district is notified of land development applications and has the opportunity to raise issues of concern during the review procedure. There is no evidence that the School District raised any concerns. The question of school capacity is addressed in the staff report and recommended findings, which arrives at the following conclusion:

The Forest Grove School district has adequate capacity available or will make capacity available to serve the development. The City does not have the authority to deny a development application based on school capacity concerns. (Staff report, page 12.)

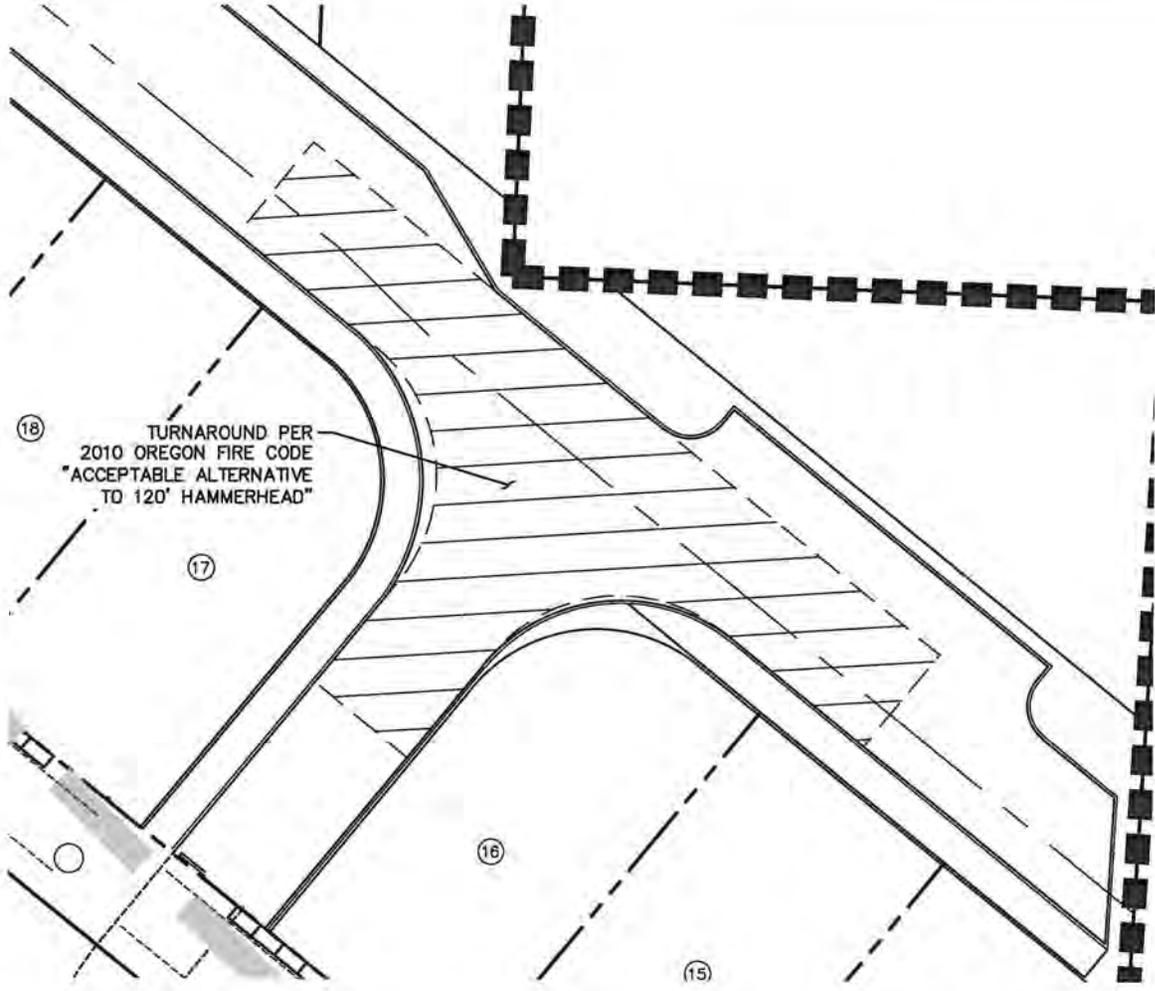
17TH AVE



Slopes Table

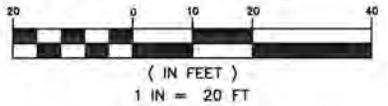
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	10.00%	44827.57	Red
2	10.00%	14.99%	222917.85	Yellow
3	15.00%	25.00%	227654.51	Green
4	25.00%	35.00%	7825.00	Blue
5	35.00%	100.00%	11675.98	Purple

Drawing Name: J:\2410-001\13\Engin\CAD\Drawg\Production\Land Use Re-Submittal 10-10-14\241001-DEE COURT TURNAROUND.dwg Nov 13, 2014 - 3:05pm - rkc



TURNAROUND PER  
2010 OREGON FIRE CODE  
"ACCEPTABLE ALTERNATIVE  
TO 120' HAMMERHEAD"

GRAPHIC SCALE



# GALES CREEK DEE COURT FIRE TRUCK TURNAROUND

DATE	11/13/2014
DRAWN BY	RKC
CHECKED BY	BEM
REVISION	0
JOB NO.	2410-01

**WESTLAKE**  
CONSULTANTS INC.

ENGINEERING + SURVEYING + PLANNING

PACIFIC CORPORATE CENTER  
10110 S.W. BRIDGEMAN PARKWAY, SUITE 100 (503) 984-0888  
TIGARD, OREGON 97124 FAX (503) 984-0187

**TABLE 12  
REVISED PHASE-IN SCHEDULE**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14	Column 15	Column 16	Column 17	Column 18
			Rates 7/1/2010 - 6/30/2010		Rates 7/1/2010 - 6/30/2011		Rates 7/1/2011 - 6/30/2012		Rates 7/1/2012 - 6/30/2013		Rates 7/1/2013 - 6/30/2014		Rates 7/1/2014 - 6/30/2015		Rates 7/1/2015 - 6/30/2016		7/1/16 - 6/30/17 (to be determined on 4/30/16 based on index - but not more than 10% increase)
Land Use Category	ITE Code	Unit*	TDT Prior to Discount	With 20% Discount	TDT Prior to Discount	With 10% Discount	TDT Prior to Discount	With 5% Discount	Full Rate	Revised Phase-In	Full Rate (to be determined on 4/30/13 based on index)	Revised Phase-In	Full Rate (to be determined on 4/30/14 based on index)	Revised Phase-In	Full Rate (to be determined on 4/30/15 based on index)	Revised Phase-In	
<b>Residential</b>																	
Single Family Detached	210	/dwelling unit	\$4,589	\$3,671	\$5,807	\$5,227	\$7,016	\$6,885	\$8,225	\$6,865		\$6,665		\$6,665		\$8,225	
Apartment	220	/dwelling unit	\$3,585	\$2,868	\$3,736	\$3,352	\$4,550	\$4,325	\$5,381	\$4,325		\$4,325		\$4,325		\$5,381	
Residential Condominium/Townhouse	230	/dwelling unit	\$2,717	\$2,174	\$3,401	\$3,106	\$4,185	\$3,976	\$4,919	\$3,976		\$3,976		\$3,976		\$4,919	
Manufactured Housing (in Park)	240	/dwelling unit	\$2,252	\$1,801	\$2,873	\$2,588	\$3,491	\$3,320	\$4,118	\$3,320		\$3,320		\$3,320		\$4,118	
Assisted Living	254	/bed	\$1,474	\$1,180	\$1,830	\$1,647	\$2,189	\$2,077	\$2,542	\$2,077		\$2,077		\$2,077		\$2,542	
Continuing Care Retirement	255	/unit	\$1,452	\$1,165	\$1,845	\$1,660	\$2,208	\$2,097	\$2,571	\$2,097		\$2,097		\$2,097		\$2,571	
<b>Recreational</b>																	
Park	411	/acre	\$732	\$585	\$948	\$883	\$1,169	\$1,105	\$1,379	\$1,105		\$1,105		\$1,105		\$1,379	
Golf Course	430	/hole	\$7,129	\$5,703	\$9,625	\$9,063	\$12,122	\$11,516	\$14,619	\$11,516		\$11,516		\$11,516		\$14,619	
Golf Driving Range	432	/tee	\$6,595	\$5,276	\$8,099	\$7,289	\$9,533	\$9,342	\$11,567	\$9,342		\$9,342		\$9,342		\$11,567	
Multipurpose Recreational/Arcade	435	/T.S.F.G.F.A.	\$1,259	\$1,005	\$1,698	\$1,526	\$2,136	\$2,029	\$2,575	\$2,029		\$2,029		\$2,029		\$2,575	
Bowling Alley	437	/lane	\$406	\$327	\$501	\$480	\$634	\$659	\$837	\$659		\$659		\$659		\$837	
Multiplex Movie Theater	445	/screen	\$60,322	\$48,337	\$78,794	\$79,995	\$97,146	\$92,289	\$115,509	\$92,289		\$92,289		\$92,289		\$115,509	
Health/Fitness Club	492	/T.S.F.G.F.A.	\$3,450	\$2,760	\$5,333	\$4,800	\$6,118	\$6,380	\$8,099	\$6,380		\$6,380		\$6,380		\$8,099	
Recreation/Community Center	495	/T.S.F.G.F.A.	\$4,658	\$3,726	\$6,289	\$5,660	\$7,921	\$7,524	\$9,552	\$7,524		\$7,524		\$7,524		\$9,552	
<b>Institutional/Medical</b>																	
Elementary School (Public)	520	/student	\$208	\$166	\$271	\$244	\$323	\$317	\$396	\$317		\$317		\$317		\$396	
Middle/Junior High School (Public)	522	/student	\$223	\$177	\$278	\$288	\$374	\$355	\$450	\$355		\$355		\$355		\$450	
High School (Public)	530	/student	\$302	\$241	\$407	\$387	\$513	\$487	\$619	\$487		\$487		\$487		\$619	
Private School (K-12)	536	/student	\$324	\$179	\$302	\$272	\$340	\$361	\$458	\$361		\$361		\$361		\$458	
Junior College	540	/student	\$328	\$261	\$443	\$389	\$540	\$513	\$647	\$513		\$513		\$513		\$647	
University/College	550	/student	\$523	\$418	\$709	\$636	\$849	\$845	\$1,073	\$845		\$845		\$845		\$1,073	
Church	580	/T.S.F.G.F.A.	\$1,982	\$1,586	\$2,457	\$2,211	\$2,931	\$2,785	\$3,406	\$2,785		\$2,785		\$2,785		\$3,406	
Day Care Center/Preschool	585	/student	\$632	\$506	\$844	\$760	\$1,056	\$1,004	\$1,269	\$1,004		\$1,004		\$1,004		\$1,269	
Library	590	/T.S.F.G.F.A.	\$8,189	\$6,559	\$10,790	\$9,714	\$13,087	\$12,717	\$15,980	\$12,717		\$12,717		\$12,717		\$15,980	
Hospital	610	/bed	\$1,579	\$1,264	\$2,133	\$1,919	\$2,606	\$2,551	\$3,239	\$2,551		\$2,551		\$2,551		\$3,239	
Nursing Home	620	/bed	\$843	\$635	\$753	\$680	\$924	\$877	\$1,114	\$877		\$877		\$877		\$1,114	
Clinic	630	/T.S.F.G.F.A.	\$11,345	\$9,076	\$13,268	\$13,741	\$18,190	\$18,231	\$23,113	\$18,231		\$18,231		\$18,231		\$23,113	
<b>Commercial/Services</b>																	
Hotel/Motel	310	/room	\$1,138	\$911	\$1,537	\$1,383	\$1,935	\$1,836	\$2,334	\$1,839		\$1,839		\$1,839		\$2,334	
Building Materials/Lumber	812	/T.S.F.G.F.A.	\$4,003	\$3,202	\$5,406	\$4,895	\$6,507	\$6,467	\$8,209	\$6,467		\$6,467		\$6,467		\$8,209	
Free-Standing Discount Superstore with Groceries	813	/T.S.F.G.F.A.	\$6,196	\$4,957	\$10,828	\$9,743	\$13,081	\$12,897	\$15,693	\$12,597		\$12,597		\$12,597		\$15,693	
Specialty Retail Center	814	/T.S.F.G.L.A.	\$5,322	\$4,257	\$7,186	\$6,467	\$8,650	\$8,597	\$10,913	\$8,597		\$8,597		\$8,597		\$10,913	
Free-Standing Discount Store without Groceries	815	/T.S.F.G.F.A.	\$8,683	\$6,946	\$11,402	\$10,261	\$14,321	\$13,415	\$16,840	\$13,415		\$13,415		\$13,415		\$16,840	
Hardware/Paint Store	816	/T.S.F.G.F.A.	\$8,816	\$7,054	\$9,112	\$8,201	\$11,407	\$10,837	\$13,702	\$10,837		\$10,837		\$10,837		\$13,702	
Nursery/Garden Center	817	/T.S.F.G.F.A.	\$4,730	\$3,785	\$5,389	\$4,750	\$6,406	\$6,444	\$9,704	\$7,644		\$7,644		\$7,644		\$9,704	
Shopping Center	820	/T.S.F.G.L.A.	\$5,734	\$4,587	\$7,087	\$6,828	\$9,440	\$9,968	\$11,293	\$9,968		\$9,968		\$9,968		\$11,293	
Factory Outlet Center	823	/T.S.F.G.F.A.	\$5,126	\$4,100	\$5,370	\$5,733	\$7,618	\$7,234	\$8,659	\$7,234		\$7,234		\$7,234		\$8,659	
New Car Sales	841	/T.S.F.G.F.A.	\$6,209	\$4,967	\$6,819	\$7,541	\$10,249	\$10,021	\$12,719	\$10,021		\$10,021		\$10,021		\$12,719	
Automobile Parts Sales	843	/T.S.F.G.F.A.	\$5,973	\$4,779	\$5,065	\$7,289	\$10,157	\$9,850	\$12,249	\$9,850		\$9,850		\$9,850		\$12,249	
Tire Superstore	849	/T.S.F.G.F.A.	\$5,317	\$4,253	\$5,752	\$6,077	\$8,188	\$7,778	\$9,623	\$7,778		\$7,778		\$7,778		\$9,623	
Supermarket	850	/T.S.F.G.F.A.	\$12,987	\$9,994	\$15,834	\$14,870	\$19,201	\$18,241	\$22,768	\$18,241		\$18,241		\$18,241		\$22,768	
Convenience Market (24-hour)	851	/T.S.F.G.F.A.	\$13,682	\$10,466	\$17,864	\$15,897	\$22,246	\$21,133	\$26,828	\$21,133		\$21,133		\$21,133		\$26,828	
Convenience Market with Fuel Pump	853	N.F.P.	\$12,815	\$10,252	\$17,133	\$15,418	\$21,444	\$20,374	\$25,761	\$20,374		\$20,374		\$20,374		\$25,761	
Wholesale Market	860	/T.S.F.G.F.A.	\$4,230	\$3,384	\$4,603	\$4,803	\$6,776	\$6,487	\$8,548	\$6,487		\$6,487		\$6,487		\$8,548	
Discount Club	861	/T.S.F.G.F.A.	\$10,796	\$8,436	\$13,289	\$11,780	\$15,864	\$14,615	\$17,678	\$14,615		\$14,615		\$14,615		\$17,678	
Home Improvement Superstore	862	/T.S.F.G.F.A.	\$3,587	\$2,878	\$4,590	\$4,134	\$5,569	\$5,310	\$6,586	\$5,310		\$5,310		\$5,310		\$6,586	
Electronics Superstore	863	/T.S.F.G.F.A.	\$5,158	\$4,121	\$5,496	\$5,046	\$6,803	\$7,413	\$9,111	\$7,413		\$7,413		\$7,413		\$9,111	
Office Supply Superstore	867	/T.S.F.G.F.A.	\$5,973	\$4,779	\$6,095	\$7,259	\$10,187	\$9,850	\$12,249	\$9,850		\$9,850		\$9,850		\$12,249	
Pharmacy/Drugstore without Drive-Thru Window	880	/T.S.F.G.F.A.	\$5,973	\$4,779	\$6,095	\$7,259	\$10,187	\$9,850	\$12,249	\$9,850		\$9,850		\$9,850		\$12,249	
Pharmacy/Drugstore with Drive-Thru Window	881	/T.S.F.G.F.A.	\$5,873	\$4,779	\$6,095	\$7,259	\$10,157	\$9,850	\$12,249	\$9,850		\$9,850		\$9,850		\$12,249	
Furniture Store	890	/T.S.F.G.F.A.	\$988	\$799	\$1,181	\$1,063	\$1,403	\$1,295	\$1,545	\$1,295		\$1,295		\$1,295		\$1,545	

**TABLE 12  
 REVISED PHASE-IN SCHEDULE**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14	Column 15	Column 16	Column 17	Column 18
			Rates Through 6/30/2010	Rates 7/1/2010 - 6/30/2011	Rates 7/1/2011 - 6/30/2012	Rates 7/1/2012 - 6/30/2013	Rates 7/1/2013 - 6/30/2014	Rates 7/1/2014 - 6/30/2015	Rates 7/1/2015 - 6/30/2016	7/1/16 - 6/30/17 (to be determined on 4/30/16 based on index - <u>but</u> <u>not more than</u> <u>10% increase</u> )							
Land Use Category	JTE Code	Unit*	TDT Prior to Discount	With 20% Discount	TDT Prior to Discount	With 10% Discount	TDT Prior to Discount	With 5% Discount	Full Rate	Revised Phase-in	Full Rate (to be determined on 4/30/13 based on index)	Revised Phase-in	Full Rate (to be determined on 4/30/14 based on index)	Revised Phase-in	Full Rate (to be determined on 4/30/15 based on index)	Revised Phase-in	
Bank/Savings: Walk-in	911	/T.S.F.G.F.A.	\$12,715	\$10,172	\$16,500	\$15,237	\$21,145	\$20,068	\$25,360	\$20,068		\$20,068	\$20,068		\$25,360		
Bank/Savings: Drive-in	912	/T.S.F.G.F.A.	\$13,082	\$10,466	\$17,664	\$15,897	\$22,244	\$21,133	\$26,828	\$21,133		\$21,133	\$21,133		\$26,828		
Quality Restaurant (not a chain)	931	/T.S.F.G.F.A.	\$12,183	\$9,747	\$16,239	\$14,615	\$20,295	\$19,260	\$24,351	\$19,260		\$19,260	\$19,260		\$24,351		
High Turnover, Sit-Down Restaurant (chain or stand alone)	932	/T.S.F.G.F.A.	\$11,452	\$9,165	\$13,454	\$13,017	\$17,446	\$16,573	\$20,427	\$16,573		\$16,573	\$16,573		\$20,427		
Fast Food Restaurant (No Drive-Thru)	933	/T.S.F.G.F.A.	\$13,082	\$10,466	\$17,664	\$15,897	\$22,244	\$21,133	\$26,828	\$21,133		\$21,133	\$21,133		\$26,828		
Fast Food Restaurant (With Drive-Thru)	934	/T.S.F.G.F.A.	\$13,082	\$10,466	\$17,664	\$15,897	\$22,244	\$21,133	\$26,828	\$21,133		\$21,133	\$21,133		\$26,828		
Drive-Thru Restaurant (No Seating)	935	/T.S.F.G.F.A.	\$13,082	\$10,466	\$17,664	\$15,897	\$22,244	\$21,133	\$26,828	\$21,133		\$21,133	\$21,133		\$26,828		
Drinking Place/Bar	936	/T.S.F.G.F.A.	\$11,083	\$9,266	\$15,077	\$13,534	\$18,492	\$17,568	\$21,947	\$17,568		\$17,568	\$17,568		\$21,947		
Quick Lubrication Vehicle Shop	941	/Service Stall	\$11,066	\$9,853	\$13,532	\$12,269	\$16,198	\$15,388	\$18,764	\$15,388		\$15,388	\$15,388		\$18,764		
Automobile Care Center	942	/T.S.F.G.L.A.	\$6,317	\$4,973	\$6,364	\$7,554	\$10,571	\$10,043	\$12,748	\$10,043		\$10,043	\$10,043		\$12,748		
Gasoline/Service Station (no Market or Car Wash)	944	/V.F.P.	\$10,389	\$8,319	\$12,298	\$11,068	\$14,197	\$13,488	\$16,097	\$13,488		\$13,488	\$13,488		\$16,097		
Gasoline/Service Station (with Market and Car Wash)	946	/V.F.P.	\$10,389	\$8,319	\$12,298	\$11,068	\$14,197	\$13,488	\$16,097	\$13,488		\$13,488	\$13,488		\$16,097		
<b>Office</b>																	
General Office Building	710	/T.S.F.G.F.A.	\$4,428	\$3,542	\$5,829	\$5,246	\$7,230	\$6,869	\$8,632	\$6,869		\$6,869	\$6,869		\$8,632		
Medical-Dental Office Building	720	/T.S.F.G.F.A.	\$15,307	\$12,246	\$19,954	\$17,958	\$24,600	\$23,370	\$29,246	\$23,370		\$23,370	\$23,370		\$29,246		
Government Office Building	730	/T.S.F.G.F.A.	\$30,417	\$24,358	\$35,388	\$35,449	\$48,329	\$45,912	\$57,270	\$45,912		\$45,912	\$45,912		\$57,270		
U.S. Post Office	732	/T.S.F.G.F.A.	\$38,661	\$30,929	\$50,747	\$45,222	\$61,833	\$58,741	\$73,419	\$58,741		\$58,741	\$58,741		\$73,419		
Office Park	750	/T.S.F.G.F.A.	\$6,670	\$5,336	\$8,252	\$7,426	\$9,833	\$9,341	\$11,414	\$9,341		\$9,341	\$9,341		\$11,414		
<b>Port/Industrial</b>																	
Truck Terminal	030	/T.S.F.G.F.A.	\$2,140	\$1,712	\$2,489	\$2,600	\$3,639	\$3,457	\$4,388	\$3,457		\$3,457	\$3,457		\$4,388		
General Light Industrial	110	/T.S.F.G.F.A.	\$3,116	\$2,493	\$4,022	\$3,620	\$4,929	\$4,682	\$5,835	\$4,682		\$4,682	\$4,682		\$5,835		
General Heavy Industrial	120	/T.S.F.G.F.A.	\$621	\$536	\$666	\$779	\$1,069	\$1,008	\$1,256	\$1,008		\$1,008	\$1,008		\$1,256		
Manufacturing	140	/T.S.F.G.F.A.	\$1,718	\$1,374	\$2,215	\$1,994	\$2,712	\$2,577	\$3,210	\$2,577		\$2,577	\$2,577		\$3,210		
Warehouse	150	/T.S.F.G.F.A.	\$3,190	\$1,752	\$2,334	\$2,590	\$3,477	\$3,303	\$4,120	\$3,303		\$3,303	\$3,303		\$4,120		
Mini-Warehouse	151	/T.S.F.G.F.A.	\$1,158	\$924	\$1,482	\$1,334	\$1,810	\$1,719	\$2,137	\$1,719		\$1,719	\$1,719		\$2,137		
Utilities	170	/T.S.F.G.F.A.	\$3,044	\$2,435	\$3,478	\$3,490	\$4,712	\$4,476	\$5,546	\$4,476		\$4,476	\$4,476		\$5,546		

\* Abbreviations used in the "Unit" column:  
 T.S.F.G.F.A. = Thousand Square Feet Gross Floor Area  
 T.S.F.G.L.A. = Thousand Square Feet Gross Leaseable Area  
 V.F.P. = Vehicle Fueling Position

Note: all index adjustments per 3.17.050F

WRITTEN CORRESPONDENCE  
RECEIVED

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Written testimony  
Nov 24, 2014  
CC Metz

**From:** [CUDAKATHY@aol.com](mailto:CUDAKATHY@aol.com)  
**To:** [Anna Ruggles](#)  
**Subject:** Gales Creek Terrace  
**Date:** Tuesday, November 18, 2014 8:09:46 PM

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Regarding the Gales Creek Terrace development plan.

Anna: Please share this with the city council members and the planning commission, for them to ponder prior to the meeting on the 24th . I would like to know who receives this email it and when if possible. I would like to make sure they have time to read and contemplate this information before Monday. Thanks KC

Esteemed Forest Grove Mayer, City Counsel, and Planning Commission Members.

I think you should be able to see that the Property Development company's proposal is not as simple as creating a fence along the Gales Creek side of the property. Rather than move away from the wetlands, creek and the vegetative corridor, they are going to bury the wetlands and vegetative area along the creek. The development company is stating they are not building in the wetlands, vegetative cooridoor or flood plain, Well of course they aren't, they are going to dump thousands and thousands of yards of debris fill and dirt on it, enough to make it 4 foot higher in elevation my gosh that is a lot of fill. so I guess it's correct they are not building on it. they are burying it! they are changing the slope and are jumping right into destructing that which we would like to save. How many thousands of cubic yards of fill are they dumping to make a 4 ft change? where will it come from? is it changing the topography of both where they took it from and where they are dumping it? If the builder is not building in the flood plain, or in the wetlands then why should they be allowed to bury it, why would that be necessary! I think we need to see a very specific drawing and elevation of this land fill project. How it will effect surrounding areas and how will the soil be contained after all the runoff water turns it into soup. Maybe I am incorrect in what I heard?

What is the plan for D street between 18th and 19th, I can not find that anywhere in the proposal and would like to know what to expect? I have heard plans for D street from 19th to Pacific, but I feel someone is holding information back ,not letting us know what to expect for 18th to 19th on D, will we have any say in this? We would like to know before any plan approval as this directly effects the residents.

Is there a copy of the full and redefined plan that the residents can view other than the little simple one page drawing? other than the notations available online as I am not seeing a new plan to reflect any of the positive changes. Regarding the information shown at the last city council meeting. I do not see any improvement in parking with only 1 on street parking space for 2 housing units and none for the duplexes. At this time my home has parking for at least 14 vehicles (not on the street) if you include the shop and garage as the builder does. I do not see enough parking, not even close. look at the Casey meadows projects, I have and can tell you that area will have problems when it is built out, The streets were full on both sides of the streets and only one side of the street was built on when I looked (which was on a weekend morning). Photos available,

I believe for these reasons and more that the City Council should Deny the developers plans. The developer needs to start over and the plan needs to be approved by the planning commission. Is the City Council expert in building plans, land fill, retaining walls, sewer and storm drainage needs? you are all extremely intelligent people, I just believe this may be a planning commission area of discussion. And it appears to me the plan has indeed changed, not just a simple revision.

Thank you for sharing  
Thank you for listening

Kathy Corey  
1815 D St

Forest Grove, OR 97116



**ORDER NO. 2014-06**

**ORDER APPROVING THE GALES CREEK TERRACE PLANNED RESIDENTIAL DEVELOPMENT (FILE NO. PRD-14-00181)**

**WHEREAS**, the "Applicant", Gales Creek Terrace, LLC filed an application for Planned Residential Development known as "Gales Creek Terrace" within the City of Forest Grove ("City") on March 11, 2014; and

**WHEREAS**, the application was deemed complete on May 22, 2014; and

**WHEREAS**, the Forest Grove Planning Commission ("Planning Commission") held a public hearing on the application on August 4, 2014; and

**WHEREAS**, after considering the evidence in the record including the application, staff report, and testimony from the applicant and the public, and considering the evidence against the applicable criteria, the Planning Commission voted to deny the application; and

**WHEREAS**, the Applicant filed a written appeal of the Planning Commission decision on the record on August 27, 2014; and

**WHEREAS**, the City Council held a public hearing on Planning Commission denial on the record on September 8, 2014; and

**WHEREAS**, the Applicant has revised the Gales Creek Terrace Planned Residential Development Application subsequent to the September 8, 2014, City Council hearing to address issues raised during the public hearing process; and

**WHEREAS**, the revised application includes 20 duplex, 20 attached single family attached dwellings and 157 detached single family homes on a variety of lot sizes; and development site is 47.42 acres, of which the application proposes to develop 13.2 net acres; and

**WHEREAS**, the revisions constitute a departure from the original proposal that was denied by the Planning Commission and requires the City Council to consider new evidence; and

**WHEREAS**, the City Council held a duly-noticed public hearing on the revised application on November 10, 2014, at which time the City Council received additional written evidence from the applicant and heard testimony from the applicant and members of the public; and

**WHEREAS**, on October 21, 2014, notice of the City Council's November 10, 2014, public hearing was mailed to affected parties within 300 feet of the subject property and to persons that previously participated in the application review process; and

**WHEREAS**, notice of the City Council's November 10, 2014, public hearing was published on November 5, 2014 in the *Forest Grove NewsTimes* as required by the Forest Grove Development Code.

**NOW, THEREFORE, THE FOREST GROVE CITY COUNCIL ORDERS AS FOLLOWS:**

**Section 1.** After full consideration of the application, including revisions made after initial submittal, the staff report and evidence in the record, the City of Forest Grove City Council hereby adopts the Findings (Gales Creek Terrace Planned Residential Development, PRD-14-00181) attached as Exhibit A to this Order.

**Section 2.** This Order shall be effective immediately upon its enactment by the City Council.

**PRESENTED AND PASSED** on the 24<sup>th</sup> day of November, 2014.

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Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 24<sup>th</sup> day of November, 2014.

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Peter B. Truax, Mayor

## EXHIBIT A

### Gales Creek Terrace Planned Residential Development PRD-14-00181

#### Findings

##### General Findings

1. The site consists of 47.72 gross acres. About one-half of the area is proposed for development amounting to 25 gross acres. The balance of the site is within the Gales Creek floodplain. The net developable area of the site is approximately 13.20 acres.
2. The urban growth boundary crosses the property and generally follows the 180 foot elevation contour and the Gales Creek floodplain.
3. A majority of the site is in pasture or agricultural use with trees located along Gales Creek. There are two single-family homes and several out buildings that would be removed for the development.
4. The site is currently designated as High Density Residential on the Forest Grove Comprehensive Plan map and Multifamily High Density (RMH) on the Zoning Map. The target development density is 20.28 units per net acre with a minimum development density of 16.18 dwellings per net acre. The proposed development meets the density requirements of the zone.
5. , the area to the west of the development site is designated Multifamily High Density. The area to the east is designated Multifamily Low Density. The area to the north is designated Institutional. The area to the south is in the Gales Creek Floodplain and is designated Exclusive Farm Use by Washington County.
6. The site is located in proximity to the Gales Creek floodplain. In general, for this site the location of the 100-year floodplain elevation establishes the location of the urban growth boundary (UGB). Research indicates the UGB was established based on a 1974 floodplain study prepared by Washington County.

##### City Services

Sanitary Sewer – Limited sanitary sewer facilities are currently available to the site. A sewer line exists at D Street and at Pacific Avenue east of E Street. A sewer line exists in the 18<sup>th</sup> Avenue right-of-way just east of the D Street intersection.

The City Engineering has indicated that sanitary sewer service could be extended to serve the site at the developer's expense. The Forest Grove Sanitary Sewer Master Plan stipulates that a gravity sewer line be constructed from the existing pump station located at B Street just south of 16<sup>th</sup> Avenue. The Sanitary Sewer Master Plan shows a 10 inch trunk line extension along the south edge of the development site.

The off-site sanitary sewer 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. This site is contaminated but a letter of No Further Action has been issued by the Oregon Department of Environmental Quality.

The project conditions of approval stipulate that the applicant must enter into a hold harmless agreement with the City to mitigate possible environmental contamination encountered as part of the sewer line installation.

Once installed, the sanitary sewer line would allow all properties west of Gales Creek Terrace to develop. Because the line will be oversized, the City may participate in the oversizing expenses.

Water – Six inch cast iron water lines have been installed in D Street, 19<sup>th</sup> Avenue and 18<sup>th</sup> Avenues. Eight inch water lines will be installed by the developer within the Gales Creek Terrace development. These facilities would be adequate to provide domestic service and fire flows. The water line along Dee Court will not be a looped system. Adequacy of water quality and flow will be addressed through the public improvement agreement to be executed between the developer and the City's Public Works Department.

Storm Drainage – No City-standard storm drainage line exists in the Gales Creek Terrace area. The Forest Grove Waste Water System Master Plan shows a 12 inch PVC line along Pacific Avenue adjacent to Tom McCall Middle School. The applicant is responsible for constructing City-standard storm drainage facilities throughout the project site to the satisfaction of the City Engineer.

Fire Protection/Access – The Forest Grove Fire Department has the ability to provide emergency response to the Gales Creek Terraced development. Fire hydrants will be installed consistent with Fire Code requirements. Blue reflective pavement markers will be also be installed at street center lines to highlight the location of fire hydrants. The Fire Department has expressed concern about the Dee Court hammerhead turn-around. The hammerhead is less desirable than a cul-de-sac configuration. A cul-de-sac may not be possible in this location due to site constraints including slope. A hammerhead should be secured to prevent parking by residents and visitors. The City's Engineering Division has determined that cul-de-sac at the end of Dee Court would result in a 12 foot high retaining wall at the property line. In addition installation of a cul-de-sac will result in the elimination of 2 lots.

Electrical Service – The project will be served by underground utilities including for electrical service. Extension of electrical service will be at the developer's expense. Forest Grove Light and Power provided documentation in the record that the Gales Creek Terrace project could be served by Forest Grove Light and Power. Forest Grove Light and Power has experienced the following issues in small lot projects which will be addressed by this project as well through project conditions of approval

Streets – The site plan shows several east-west streets including an extension of 18<sup>th</sup> Avenue and 19<sup>th</sup> Avenue. The street system appears logical and takes existing slope characteristics into consideration. In addition the site plan shows a new east-West Street identified as 20<sup>th</sup> Avenue. 19<sup>th</sup> Avenue and 18<sup>th</sup> Avenue are identified to have 54 feet right-of-way. 20<sup>th</sup> Avenue is identified with a 54 foot right-of-way except adjacent to abutting tax lot 403 where the right-of-way will be 46 feet until developed in the future.

The proposal includes several street cross-sections (Attachment F to the November 10, 2014 staff report). These street cross-sections address the topographical character of the development site and strive to reduce cut and fill. In general, streets are designed to act as terraces parallel to Gales Creek. The typical street cross-sections are described below.

Street Design 2b – Street design 2b applies to Dee Court. The cross-section includes a 40 foot right-of-way with two 10 foot wide, paved travel lanes. An eight foot wide parking strip is provided along the north side of the street. A 4.5 foot landscaped strip/parkway is provided along the north side of the street. The south side of the street includes a 6 foot wide sidewalk. The standard for a local street in areas with slope constraints is 50 feet of right-of-way with a minimum roadway width of 15 feet if traffic is one way and parking is not permitted. Such a cross-section requires approval of the City Engineer. A deviation from the Development Code standard is required for this cross-section.

Street Design 4 – Street design 4 applies to the Dee Court hammerhead. This cross-section includes a 28 foot right-of-way which is somewhat larger than the proposed alleys at 24 feet in width. Under the Development Code, cul-de-sacs must terminate with a turnaround (DC 10.8.610(K) (1)). Use of a turnaround configuration other than circular must be approved by the City Engineer. Due to the slope constraints of the area, the City Engineer accepts the hammerhead turn-around as the preferred design solution.

Street Design 5b – Street design 5b applies throughout the development including E Street, H Street, 18<sup>th</sup> Avenue east of E Street, 19<sup>th</sup> Avenue, and 20<sup>th</sup> Avenue east of H Street. Street design 5b includes a 54 foot wide right-of-way with two 8 foot wide travel lanes and two 8 foot wide parking strips on both sides of the street. A five foot wide planting strip is provided on both sides of the street. A five foot wide sidewalk is provided on both sides of the street. The standard local street cross-section is 58 feet of right-of-way with 32 feet of roadway width. A deviation from the Development Code standard is required for this cross-section.

Street Design 6b – Cross-section 6b applies to 18<sup>th</sup> Avenue and 19<sup>th</sup> Avenue east of G Street and west of E Street. Street design 6b includes a 46 foot wide right-of-way with two foot wide travel lanes and an 8 foot wide parking strip on both sides of the street. This cross-section includes a six foot wide sidewalk on the north side of the street and a five foot wide sidewalk on the south side of the street. A five foot planting strip is provided along the south side of the street. The standard local street cross-section is 58 feet of right-of-way with 32 feet of roadway width. A deviation from the Development Code standard is required for this cross-section.

Street Design 8b – Street design 8b applies to 20<sup>th</sup> Avenue west of H Street. Street design 8b includes a 46 foot wide right-of-way with a sidewalk on one side of the street. The cross-section includes two 8 foot wide travel lanes with 8 feet of parking on both sides. This cross-section also includes a five foot planter strip on the south side of the street and a five foot sidewalk also on the north side of the street. A 2.5 foot area is provided between the curb and property line on the north side of the street. This cross-section generally applies to 20<sup>th</sup> Avenue. A deviation from the Development Code standard is required for this cross-section.

Street Design 10b – This design is for the alleys within the development. This cross-section includes 24 feet of right-of-way with two concrete 9 foot wide travel lands. There will be 3 feet of right-of-way on either side of the travel lanes within the 24 feet of right-of-way. The alleys will be posted for no parking. The standard alley improvement is a minimum right-of-way of 15 feet with 12 feet of pavement (DC Table 8-8 – Street Standards).

19<sup>th</sup> Avenue Right-of-Way – 19<sup>th</sup> Street will be improved to city standards to development site. The full right-of-way is 66 feet wide. A parcel and existing home lie within the full 19<sup>th</sup> Street right-of-way. The property is currently owned by the developer. The home and land will be donated to the City in the future. The terms of the transfer of the land and home will be included in the developer agreement for public improvements with the City. The home and land will likely be transferred when the developer receives a construction loan or no later than issuance of 20<sup>th</sup> building permit within the phase served by 19<sup>th</sup> Avenue. The City will improve 19<sup>th</sup> Avenue after the home and land is transferred to the City and the roadway is needed to serve the development.

19<sup>th</sup> Avenue will provide primary access to the western portion of the development site. The Transportation System Plan identifies 19<sup>th</sup> Avenue as an Arterial street to the development site. 19<sup>th</sup> Avenue from C Street to the development site will be improved to arterial standards with a 66 foot right-of-way. This street will eventually be 40 feet wide curb to curb with standard sidewalks and street trees on both sides of the road.

18<sup>th</sup> Avenue will also provide access via D Street. 18<sup>th</sup> Avenue within the development site will have a 54 foot wide right-of-way with a 16 feet paved street lanes and 8 feet of parking on both sides of the street.

E Street is intended to be a primary access point into the development. Other access points include G Street and H Street.

Schools – Tom McCall Upper Elementary School is the closest school facility to the Gales Creek Terrace development site. The facility is generally within walking distance of the Gales Creek Terrace development. According to the Forest Grove Comprehensive Plan (2014), Tom McCall west has a capacity of about 500 students. Tom McCall west has a capacity of about 300 students but is designed to accommodate an additional 200 students. Current enrollment is approximately 960 students.

The Forest Grove School district has adequate capacity available or will make capacity available to serve the development. The City does not have the authority to deny a development application based on school capacity concerns.

Alleys – Alleys are proposed within Phase 3 and will serve the duplex housing units. Alleys will be constructed to standard 10b described above. This cross-section includes a 24 foot wide right-of-way and 18 feet of pavement and asphalt aprons. The standard alley improvement is a minimum right-of-way of 15 feet with 12 feet of pavement (DC Table 8-8 – Street Standards).

This application is reviewed based on the Development Code criteria for planned developments and subdivisions. The criteria are identified below.

#### Planned Development Approval Criteria

1. The plan fulfills the purpose for Planned Developments in Section 10.4.200;
2. The plan meets the submittal requirements of Section 10.4.220(B);
3. Adequate public services exist or can be provided to serve the proposed Planned Development; and
4. Where a tentative subdivision plan is requested the requirements of Article 8 are met.

#### Analysis of Planned Development Approval Criteria (DC 10.4.220(C))

1. The preliminary Gales Creek Terrace Planned Development fulfills the purpose of Planned Development as identified in Development Code Section 10.4.200.

- a. Promote flexibility and innovation in the site design and permit diversity in the location of structures.

Applicants Response: The Applicant's application narrative (May 16, 2014), p. 12-13 provides an overview of how the application meets criterion a. above:

The Gales Creek Terrace Planned Development is designed to address a need for a housing product that is not anticipated or accommodated by the City's base zone standards for the RMH zone. Specifically, the base zone standards permit attached unit types and assumes their construction is necessary to realize the City's target density range for the RMH zone, i.e. between 16.22 and 20.28 dwelling units per net acre of land. The applicant intends to apply flexibility and innovation in site design and location of structures which will allow construction of a development with "Single Units, Detached," duplexes, and attached townhomes. Single unit detached housing is a housing type identified in Table 3-2 and with lot dimensions similar to those of single family attached as shown in Table 3-6:

<u>Housing Type</u>	<u>Minimum Lot Size</u>	<u>Lot Dimensions <sup>[1]</sup></u>	
Single-family detached	3,500 SF	Depth: 70ft	Width: 50ft
Manufactured home	3,500 SF	Depth: 70ft	Width: 50ft
Duplex	4,200 SF	Depth: 70ft	Width: 60ft
Single-family attached	2,500 SF	Depth: 70ft	Width: 25ft
Single-family attached (RMH zone only)	2,000	Depth: 70 ft/ 65ft <sup>2</sup>	Width: 20ft
Multi-unit	7,000 SF	Depth: 70ft	Width: 100ft
Other uses	5,000 SF	Depth: 70ft	Width: 50ft

Jurisdictions throughout the Portland Metropolitan Area – including Forest Grove – have implemented a series of changes in zoning and development regulations over the past two decades. The primary purpose has been to reduce sprawl and to ensure that actual development as it occurs will be consistent with housing land need projections to accommodate population trends in the community.

In the private market for new housing, these policies and market forces (notably, costs for raw land and improvements) have combined to produce a trend toward siting houses on smaller lots to achieve efficiencies while meeting demand for a popular preferred housing type. Designs for detached single family dwellings have evolved in response, with the result that increasing numbers of buyers – especially first-time home buyers – are attracted to detached homes on small lots for reasons of affordability, low maintenance, and (as always) location.

Gales Creek Terrace satisfies the RMH-zone residential density standard using a variety of lot sizes for detached single-family residential homes that will be suitable and attractive for many households in Forest Grove.

Staff Analysis: The development concept, as proposed, requires flexibility in order to accommodate the variety of housing types proposed and to address slope constraints as documented in the application. The applicant proposes creating a residential neighborhood with 197 housing units including duplexes, attached townhomes, and single family detached dwellings on lot sizes ranging from 26 feet to 40 feet in width. The 24 foot wide lots originally proposed have been removed from the site plan. The number of housing units proposed for the development site is consistent with the density requirements of the Multifamily High Density (RMH) residential zone. This development concept is not possible without the flexibility provided by the Planned Development section of the Development Code including reducing lot sizes, reducing side yard and front yard setbacks and deviating from typical street cross-sections to address slope constraints. For the reasons stated above, this criterion is met.

- 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.

Applicant Response: The applicant's response is provided on page 13 of the applicant's May 16, 2014 narrative. This response was modified on October 16, 2014 to incorporate a variety of housing types including duplexes and attached townhomes.

Staff Analysis: The development concept promotes the efficient use of land. This is achieved by meeting the density requirements of the RMH zone as demonstrated by the density analysis provided by the applicant. The deviation from typical single family residential lot widths facilitates a more economical arrangement of buildings, circulation systems, land uses and utilities when compared with typical single family residential developments. For the reasons stated above, this criterion is met.

- c. Preserve to the greatest extent possible existing landscape features and amenities, and incorporate such features into the design of the Planned Development.

Applicant Response: The subject property's dominant characteristic is its proximity to the Gales Creek corridor. The property's natural topography slopes downhill from a bench adjacent to Pacific Avenue, resulting in a series of terraces that can be used to frame and enhance south-facing views for new homes. Specifically, the east-west streets form terraces parallel to the Gales Creek corridor at successively higher elevations as one proceeds farther to the north. The north-south oriented lots make a transition, such that homes on lots to the north will have their principal finish floor elevations several feet above the neighboring homes to the south. The effect is similar to elevated tiers of seats in an auditorium, improving view relationships.

In addition, to framing attractive views into the Gales Creek riparian corridor from streets and home sites, the project includes creation of a tract in which the City of Forest Grove can extend a planned off-street path along the Gales Creek corridor. The project will preserve stream setbacks and create an open space adjacent to the stream and path corridor for use by residents. These design features comply with the approval criterion.

Staff Analysis: The development concept preserves the existing Gales Creek corridor and incorporates this amenity into the design of the Planned Development. This is achieved by establishing several tracts to preserve the Gales Creek corridor.

The site plan shows Tract P intended to provide pedestrian access to the Creek for enjoyment by neighborhood residents.

As noted above, the streets are designed to create terraces paralleling the Gales Creek corridor. The attached slope profile shows how the building and streets relate to slope contours. For the reasons stated above, this criterion is met.

- d. Combine and coordinate architectural styles, building forms and building relationships within the Planned Development.

Applicant Response: Within the Planned Development, the Applicant intends to coordinate home siting to allow a detached "zero-lot-line" configuration in which building setbacks are specified to maximize the functional utility of each home's side and rear yard areas. The proposed minimum six-foot building separation along the side lot lines can be shifted in relation to the property line so that each home can have on usable six-foot wide side yard or two three-foot side yard on both sides. A "zero-lot-line" is achieved using one-foot/five foot building setbacks in relation to property line, with easements to clarify issues of occupancy/use, access for building maintenance and repair, and so forth. A successful example of this configuration can be found in the recently approved Casey Meadows developments.

Within the context of these prescribed building relationships, lots within the site are suitable for a variety of home styles and sizes, and can be constructed by multiple home builders in order to achieve an interesting mix of architectural treatments and styles that will add interest and character to newly created neighborhood areas. This proposal meets this criterion.

Staff Analysis: The revised development plan includes combining duplexes, attached townhomes and detached single family dwellings in the development. For the reasons stated above, this criterion is met.

- 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 time of approval.

Applicant Response: The complex topography of the site has required the Applicant's design team to "push the envelope" of civil engineering design farther than a more typical (or at least a less topographically complicated) site would require. Owing to the site's topography, the requirement to extend the gravity sewer trunk line, and the need to ensure the horizontal and vertical alignments of streets will be feasible, have required substantial effort devoted to civil engineering design for the site's utility system components and access/circulation routes. The submitted plans document the results of these investigations and design problem-solving efforts. Approval of the plans will enable the Applicant to proceed with confidence into the next phase of the development process i.e. preparing detailed plans for construction, a subdivision final plat, and all of the supporting documents they require.

Staff Analysis: City Council acceptance of the revised development concept will provide the applicant with reasonable assurance of approval of the final plan. In addition, City Council acceptance of the revised development concept will provide the City and nearby property owner's assurance that the project will retain the character envisioned at time of approval. For the reasons stated above, this criterion is met.

#### Planned Development Standards (DC 10.4.215)

- A. Base Zone Standards. The development standards of the base zone apply unless they are superseded by the standards of Planned Development section of the Development Code or the Planned Development approval.

Applicant 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.

Staff Analysis: The base zone is Multifamily High Density (RMH). The application addresses the base zone standards including density, housing type, and lot dimensions. The planned development process allows for the flexible application of clear and objective development standards applicable to the base zone. For the reasons stated above, this criterion is met.

- B. Site Size. There are no minimum or maximum size limitations for a Planned Development.

Applicant Response: The proposal complies with this provision.

Staff Analysis: The site area is approximately 49 gross acres. For the reasons stated above, this criterion is met.

- C. Calculation of Density. The number of dwelling units allowed in Planned Developments in residential zones 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 Planned Development, based on the criteria in Section 10.3.130(E).

Applicant 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 zone. The application does not include a request for an incentive density bonus.

Staff Analysis: According the analysis prepared by the applicant the required number of units necessary to meet the minimum residential development density of the RMH zone is 191 units. This assessment includes reduction in density due to the topography of the site. The applicant proposed 197 units. Therefore, the minimum density requirement is exceeded. For the reasons stated above, this criterion is met.

- D. Multiple Base Zones. When a proposed Planned Development site includes more than one base zone, the uses may be allocated throughout the site without regard to zoning boundaries.

Applicant Response: The entire Subject Property is located within the RMH base zone.

Staff Analysis: The entire site is designated Multifamily High Density (RMH). For the reasons stated above, this criterion is met.

- E. Lot Sizes. There are no required minimum lot sizes.

Applicant Response: The proposal complies with this provision.

Staff Analysis: Lot sizes range from a width of 26 feet to 40 feet. The revised application does not include the 24 foot wide lots originally proposed. With 6 feet total side yard setbacks, this would allow houses ranging in 20 to 30 feet in width. This would result in a housing product that would void a crowding appearance and create useable interior spaces. For the reasons stated above, this criterion is met.

- F. Housing Types Allowed. Housing types in zones that allow residential uses are not restricted in the Planned Development.

Applicant Response: The Applicant recently developed two other Planned Developments in Forest Grove. The Gales Creek Terrace concept is based on the Applicant's experience and success with development of those projects, as well as numerous other projects in the region.

Proposed Gales Creek Terrace housing types respond 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 workplace commute;
- People in that demographic need a home that is within reach financially but can help them meet anticipated housing needs 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 alley are not desirable as homes with their driveway/garage access directly from the street, in the front or side yard.

Gales Creek Terrace seeks to address a housing niche. While the RMH base zoning requires at least 16.22 units per net acre, before slope adjustments, a density requirement normally only met by using attached dwelling units, recent new home designs with smaller footprints – particularly structure widths – make it possible to satisfy density requirements with 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 developments in the RMH zone, as long as density requirements are satisfied.

Staff Analysis: Housing types are established by the base zone. The project proposal includes duplexes, attached townhomes, and single family detached dwellings. Each of these housing types are permitted in the base zone (RMH). For the reasons stated above, this criterion is met.

G. Height. The height limits of the base zone apply.

Applicant Response: The proposed maximum building height in Gales Creek Terrace is 35 feet, characteristic of neighborhood areas in single family zones. This maximum building height limit does not exceed RMH Zone standard of 45 feet; therefore the proposal complies with the applicable maximum building height requirement. On lots that have daylight basement rear building height will be relatively higher than front building height.

Staff Analysis: The height limitation for dwellings in the RMH zone is three stories or 45 feet. As proposed homes would be two or two stories tall and approximately 29 feet in height. The proposed maximum building height is 35 feet within the development. For the reasons stated above, this criterion is met.

H. Building Setbacks. Building setbacks are established as part of the preliminary development plans approval.

Applicant Response: The Applicant requests approval for the following set of dimensional requirements and guidelines within Gales Creek Terrace:

Staff Analysis: The planned development proposal would establish front, side, and rear yard setbacks. Setbacks would be 11 feet for the front yard, 3 feet for the side yard, and 12 feet for the rear yard except for the southern tier of lots, closest to Gales Creek, which would have a rear yard setback of 15 feet. The setbacks will contribute to a well-designed streetscape by providing adequate separation from the streetscape and structures. For the reasons stated above, this criterion is met.

I. Open Space. In residential zones, at least 40% of the Planned Development not in streets and driveways must be devoted to open space. At least half 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 percent of the site's overall length and width with a minimum dimension of 20 feet.

Applicant Response: The applicant's revised open space analysis is attached to this report.

Staff Analysis: The site plan identifies several open space tracts as shown on the attached site plan. The applicant has provided an analysis of the open space areas. The analysis is attached to this report. Some tracts are set-aside for passive recreational use whereas others are set-aside for active recreational use. The open space tracts are identified below:

Open Space Tracts

Tract Letter	Description
A	Landscaping and Entrance Monument Sign
B	Landscaping and Possible Entrance Monument Sign
C	Eliminated
D	Landscaping / Passive Open Space
E	20-foot wide pedestrian easement and utility easement
F	Storm water quality facility

G	Reserved
H	Reserved
I	Gales Creek vegetated corridor
J	Open space (scenic and passive use)
K	Pedestrian access
L	Gales Creek vegetated corridor
M	20-foot wide pedestrian and utility easement
N	Community lawn and garden open space tract
O	Storm water quality facility
P	Pedestrian Path
Q	Mid-block pedestrian path (may require stairs)
R	Mid-block pedestrian path
S	Various easements over eastern part of future Tract S / 20-foot wide pedestrian trail corridor
T	Storm water quality facility
U	Gales Creek Vegetated Corridor
V	Reserved
W	Eliminated
X	Neighborhood Mini-Park / Play Area

Overall the development includes 5.10 acres of contiguous open space, 1.53 acres of other open space and 6.64 acres of combined open space yielding a total of 13.27 acres. For the reasons stated above, this criterion is met.

- J. Parking. The base zone parking requirements apply. Common parking and maneuvering areas must be set back at least (20) feet from the boundary of the Planned Development.

Applicant 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.

Staff Analysis: Development Code Section 10.8.515, Table 8-5 establishes minimum off-street parking requirements. Off-street parking includes driveways and garages. The minimum for single family residential development is one off-street parking space for unit. The single family attached and detached homes will have a garage for at least one car as shown on the attached building elevations. In addition, homes will have parking available on driveways with a minimum length of 20 feet. Therefore, each single family home will have at least two off-street parking spaces. The development includes off-street and on-street parking opportunities. The duplex units will have at least one parking space on a driveway. On-street parking will be provided as shown by the street cross-sections. For the reasons stated above, this criterion is met.

- 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.

Applicant 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 (Application Exhibit E). There are portions of the property that are not included in the development which will be retained by Declarant.

Staff Analysis: The site plan shows several tracts adjacent to Gales Creek. These open space tracts will be kept in common ownership and will ensure that the creek corridor remains in a natural state. For the reasons stated above, this criterion is met.

- L. Facilities & Services. It is the responsibility of the applicant to provide all service facilities necessary for the functioning of the Planned Development. Service facilities shall be dedicated to the public if they are to provide service to any property not included in the Planned Development. However, the review body may approve private service facilities with the consent of the appropriate service provider.

Applicant Response: Phased construction of Gales Creek Terrace will generally proceed from east to west because it is necessary to extend the public sewer trunk line from the existing terminus to serve the area (as well as, ultimately, other properties to the west and north 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 plants to demonstrate the feasibility of constructing and operating all of the needed utility systems. (Applicant Narrative Exhibit A). Note: the phasing plan was modified on October 30, 2014, to include a fourth phase comprised of the proposed attached dwelling units. Phase 4 could be constructed prior to or concurrent with Phase 1.

Staff Analysis: The applicant will be required to provide all public service facilities necessary for the functioning of the Planned Development. The Applicant will enter into an agreement with the Public Works Department for installation of required public improvements. For the reasons stated above, this criterion is met.

- 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.

Applicant Response: All franchise or "dry" utility services (such as electricity, telephone, and cable TV) will be provided underground within Public Utility Easements located along all public street right-of-way edges.

Staff Analysis: The Development Code requires undergrounding of utilities. Utilities will be undergrounded where required by Code. For the reasons stated above, this criterion is met.

- 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.

Applicant 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.

Staff Analysis: The Applicant will be required to enter into an agreement with the Public Works Department regarding the construction and installation of public improvements. For the reasons stated above, this criterion is met.

- O. Building Size Standards. For areas designed 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.

Applicant Response: This provision is not applicable because the subject property is designated only for residential use.

Staff Analysis: This standard is not applicable to the subject site. For the reasons stated above, this criterion is met.

#### Subdivision Criteria (DC 10.6.110)

- A. The tentative subdivision plat complies with all applicable requirements for submittal.

Staff Analysis: The tentative subdivision plat complies with all applicable requirements for submittal. The applicant has provided a revised application, graphics showing the revised site plan, a written statement describing the proposed uses and development objectives. The information attached to this staff report supplements materials previously provided including the land use application dated March 10, 2014 and subsequently modified in May 2014. For the reasons stated above, this criterion is met.

- B. The subdivision plat complies with all applicable standards and design requirements of the Development Code.

Staff Analysis: The tentative subdivision plat complies with the requirements for Planned Development, the requirements of Development Code, including Article 8 (General Development Standards), and facility master plans. Specifically the tentative subdivision plat and supplemental information contained in the record addresses: access and circulation; open space, recreation facilities and common areas; off-street parking; public facilities; building design and development standards; and land division standards. For the reasons stated above, this criterion is met.

- C. Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and addressed in the design of the tentative plat.

Staff Analysis: The preliminary plan addresses site topography, floodplains and vegetation. The proposed street circulation plan has been designed to minimize cut and fill. The application includes a slope analysis and documentation regarding mitigation of impacts to the Gales Creek corridor. For the reasons stated above, this criterion is met.

- D. All lots shall be suitable for their intended use. No parcel shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the occupants of such lot or subdivision.

Staff Analysis: The lots proposed are suitable for their intended use. Intended uses include residential development, open space, and recreational activities. The lots proposed for residential development are 26 feet wide to 40 feet wide and are designed

to accommodate residential structures of various types. While these lots are narrow compared with traditional single family development they are sufficient in size to support the proposed development concept including duplexes, attached townhomes and detached single family residences. The open space tracts are of adequate size to accommodate open space preservation and active recreational uses. Tract X is the largest open space tract proposed for active recreational use. The smallest dimension of the tract is 86 feet. For the reasons stated above, this criterion is met.

- E. Development of any remainder of property under the same ownership can be accomplished in accordance with the Development Code.

Staff Analysis: The development concept includes four phases. Development of any remainder of property under the same ownership can be accomplished in accordance with the Development Code. For the reasons stated above, this criterion is met.

- F. Adjoining land can be developed or is provided access that will allow its development in accordance with the Development Code.

Staff Analysis: The preliminary plan demonstrates that adjoining land is provided access that will allow its development in accordance with the Development Code. Specifically Tax lot 600, located east of H Street is provided with alley access. This tax lot also has frontage on Pacific Avenue. In addition, Tax lot 403, located north of 20<sup>th</sup> Avenue is provided with alley access. This tax lot also has frontage on Pacific Avenue. Both 20<sup>th</sup> Avenue and 19<sup>th</sup> Avenue will terminate at the western edge of the development site. These streets could be extended to serve future development immediately to the west of the site.

- G. The proposed street plan provides safe, convenient, and direct options for pedestrian, bicycle and vehicular circulation.

Staff Analysis: Safe, convenient and direct options for pedestrian and bicycle access are shown on the site plan via the sidewalk system and through various tracts including Tracts K, Q, and R. These tracts are designed to be 12 feet in width which is adequate to accommodate pedestrian and bicycle access. Vehicular circulation is shown on the preliminary plan via the street system. The plan identifies several streets providing access to individual lots. Points of access to Pacific Avenue include Street H, the extension of Street G and E Street. Access to the site will also be provided by 18<sup>th</sup> Avenue and 19<sup>th</sup> Avenue. For the reasons stated above, this criterion is met.

- H. Adequate public facilities are available or can be provided by the applicant to serve the proposed subdivision.

Staff Analysis: The developer is responsible for extending water and sewer lines to serve the site. The applicant has provided certification letters from the City Engineer and Forest Grove Light and Power demonstrating that utilities could be extended at the developer's expense to serve the site. Extensions will occur based on the proposed development phasing plan. For the reasons stated above, this criterion is met.

## CONDITIONS OF APPROVAL

### General Requirements

1. The applicant is bound to the project description made by the applicant during the

- application and modified during the decision making process.
2. Duplex, attached townhomes and single family detached housing products are required in the general locations shown on the October 16, 2014 plan submittal as subsequently amended by the applicant.
  3. Development and construction shall conform substantially to the preliminary plan prepared by Westlake Consultants and dated October except as modified by the conditions below.
  4. Compliance with the Conditions of Approval is the responsibility of the applicant or the applicant's successor in interest.
  5. All plans submitted to date are considered conceptual only. Detailed plans and specifications must be submitted that demonstrate compliance with standards and regulations adopted by the City of Forest Grove and/or all other agencies that have jurisdiction.
  6. No home building permits for any phase of the development will be issued until all required public improvements to serve that phase have been constructed and accepted by the City of Grove and other agencies having jurisdiction, except as modified by these conditions.
  7. Preliminary plan approval is valid for (3) three years and may not be extended. The applicant must submit a final development plan for the first phase of the development within this (3) three year time period.
  8. The applicant shall provide to the City all required copies of documents from Washington County or Clean Water Services related to the development.
  9. The ongoing operation of the property shall comply with the applicable requirements of the Forest Grove Development Code, Forest Grove Municipal Code and approved Covenants, Conditions and Restrictions (CC&Rs). The applicant shall submit a copy of the CC&R document as required by Forest Grove Development Code 10.4.225(C)(7) and 10.8.1000.
  10. This approval does not negate the need to obtain required permits, as appropriate from other local, state, or federal agencies even if not specifically required by this decision.
  11. The applicant shall enter into an agreement with the City Engineer prior to approval of the final map and shall include detailed plans for public improvements and shall assure the workmanship and material of installation.
  12. The applicant shall assume responsibility for any mitigation due to contaminated soils as a result of installing the sewer line.

#### Streets, Alleys, and Driveways

13. Barricades shall be installed at the end of all stubbed streets to be extended. Barricades shall be designed and installed meeting the City of Forest Grove Engineering Specifications. It is recommended that a sign be affixed to the barricade stating the street may be extended in the future.
14. Developer shall dedicate the required right-of-way adjacent to Pacific Avenue as required by Washington County.
15. No street names shall be used which will duplicate or be confused with the names of existing streets except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area and shall be approved by the Community Development Director.
16. The alleys shall be posted no parking on both sides and the Dee Court turn around shall be posted no parking on the south side.
17. Final detailed street cross-sections shall be prepared for each of type of street or alley that illustrates utility locations, street improvements including grade and elevation, and sidewalk location including grade and elevation. Cross sections shall be included in the plan set and submitted to the City Engineer for review and approval.

18. Street name signs conforming to names approved by the Community Development Director shall be placed at all street intersections (DC 10.8.610(Y)).
19. No portion of a curb cut shall be located closer to an intersection street right-of-way line than 20 feet on a local street (DC 10.8.130(C)(4)).
20. Street grades shall be approved by the City Engineer in accordance with Development Code 10.8.610(M).
21. Prior to final acceptance of on-site public improvements for Phase 1, the applicant shall enter into a development agreement with the City and complete of-site street improvements including:
  - a. Installation of a 5 foot wide sidewalk in the existing right-of-way along the west side of D Street from 19<sup>th</sup> Avenue to Pacific Avenue.
  - b. Pavement of a 22 foot wide, 1.5 inch thick pavement overlay of D Street from the intersection of D Street with 19<sup>th</sup> Avenue to Pacific Avenue.
  - c. Construction of a partial street improvement of 18<sup>th</sup> Avenue between the development site frontage with 18<sup>th</sup> Avenue and C Street substantially conforming to that shown on Sheet P700 of the Application, providing the Phase with one of two paved connections to an arterial street (B Street via 18<sup>th</sup> Avenue).
  - d. Construction of a partial street improvement of 19<sup>th</sup> Avenue between the site's frontage with 19<sup>th</sup> Avenue and D Street substantially conforming to that shown on Sheet P800 of the Application.
22. Prior to final acceptance of on-site public improvements for Phase 1, the applicant shall complete frontage improvements including:
  - a. Half-street improvements to 18<sup>th</sup> Avenue along the site's frontage substantially conforming to those shown on Sheet P700.
  - b. Half-street improvements to 19<sup>th</sup> Avenue along the site's frontage substantially conforming to those shown on Sheet P800.
23. Prior to final acceptance of on-site public improvements for Phases adjacent to Pacific Avenue, the applicant shall complete frontage improvements along Pacific Avenue including:
  - a. Improvements to Pacific Avenue along the respective phase's site frontage as required by Washington County, at a minimum, sidewalk, curb and pavement.
24. All signage (including but not limited to, street names, vehicular parking restrictions, and vehicular and pedestrian traffic protection and direction) for public rights-of-way and easements; pavement striping and marking; and pavement reflectors (including, but not limited to, blue fire hydrant markers), shall be shown on the approved plans and installed by the developer, as required by the Engineering Department. To minimize conflict with driveway locations and street trees, signs shall be attached to utility poles wherever possible.

#### Utilities

25. All on-site utilities shall be placed underground as required and the developer shall make all necessary arrangements with the serving utility to provide services underground. The City reserves the right to approve locations of all surface mounted utilities.
26. Public water meters and water lines, as well as sanitary and storm sewer service lines may be installed within a public utility tract, or the Public Utility Easement (PUE) on the front lot line with approval of City Engineer.
27. The applicant shall record easements along all side property lines where dwellings are constructed for electrical service.

#### Fire Suppression

28. New fire hydrants shall be installed per City requirements. Hydrants shall be equipped with a four inch Storz connection and their locations identified with blue reflective pavement markers at the street centerline.
29. "No Parking – Fire Lane" signs shall be posted on both sides of the southern leg of the hammerhead turn around at Dee Court (Street Section 2) and the curbs shall be painted red from the radius to the southern terminus and "No Parking – Fire Lane" signs shall be posted on both sides of all other temporary turn-arounds serving stubbed streets in the project.
30. Fire hydrant spacing shall comply with Table C105.1 in Appendix C of Municipal Code Chapter 5, Section 5.635.
31. Phase 3 will have a paved second access following development of Phase 2.

#### Building Setbacks

32. Garage setbacks from the public right-of-way shall be 20 feet.
33. Front yard setbacks shall be at least 11 feet from the property line throughout the development.
34. Interior side yard setbacks shall be at least 3 feet from building to the side yard property line.
35. Street yard setbacks shall be one (1) foot greater than the public utility easement (PUE) on the side street.
36. Side yard setbacks, where the side yard is on the side of a dwelling adjacent to one of the site's exterior property boundary lines shall be five (5) feet.

#### Trees

37. Existing trees proposed to remain on-site that may be adversely affected by street or utility extensions or on-site grading shall be identified on construction plans and protected with appropriate best management practices. Proposed protection measures shall be included on the grading plans and shall be in place prior to any grading activity. Install tree protection measures around all trees to be saved.
38. Significant off-site trees, outside of required improvements in existing public rights-of-way, shall be protected with appropriate tree protection measures as shown on the construction plans. Such measures shall remain in place for the duration of construction.
39. Submit a tree protection plan prepared by an arborist as required by Forest Grove Development Code Section 10.5.115 (Tree Protection Plan and Protection Requirements) and 10.5.130 (Trees on Developable Land, Prior to and During Development).
40. A City issued tree removal permit is required for removal or major pruning of any tree greater than 6 inches in diameter or any Oregon white oak 3.5 inches or greater in diameter measured 4.5 feet above natural grade.
41. For all lots where the approved street plan results in a curb tight sidewalk along the frontage, then planting the street tree in the front yard is required prior to occupancy permits. Front yard trees will be addressed in the CC&Rs requiring respective lot owners of the care for a front yard trees as if they were located in the parkway consistent with regulations in DC 10.5.120 allowing both the HOA and/or the City to enforce that regulation like the City would any other street tree in a parkway in the subdivision. Trees may not be removed or pruned by more than 20% without review by the City and issuance of a tree removal permit.

#### Open Space and Recreational Areas

42. A six-foot tall cedar solid or "good neighbor" fence or equivalent shall be installed near west and east property lines of Tract P and the property line of Tract X outside the public utility easement.
43. Tract B shall be improved for passive recreational use, and like Tract A, it will have a monument sign, decorative plantings as well as large species trees and native shrubs
44. Tract Q and R are mid-block paths and as required by code shall be a minimum of 10 feet in width, or 12 feet, if needed to accommodate construction of stairs. Tract K shall also be a minimum of 10 feet, or 12 feet if needed to accommodate stairs. Pedestrian paths shall be at least 5 feet in width.
45. Tracts N, P, & X shall be developed for active recreational use and shall include a picnic table, bench, ball court or play structure, lawn area, and landscaped area, preferably with native plantings.

### Architecture and Building Features

46. Front elevations shall not be replicated more than five (5) times along a block-face on both sides of a street segment as required by Forest Grove Development Code Section 10.8.880(C)(3). Replication includes mirrored images (where main features such as windows, door location, garage location, roof peak, etc. are reversed), and minor trim and paint changes.
47. A higher level of front façade treatment is required on a minimum of 50% of dwelling units in an individual phase. Higher level trim shall include but not be limited to masonry trim along the front façade.
48. Duplex units shall be designed and constructed to give the impression from the street of one single-family unit or on corner lots the impression of two different units facing different directions.
49. Electrical meters placement location(s) shall conform to the clearance requirements of Forest Grove Light and Power, and if different they shall be submitted to and approved by Forest Grove Light and Power prior to submission of building plans to the Building Department for review.
50. All driveways within the development shall be a minimum 20 feet in length.
51. When a monument sign is installed at the entrance to the development on a Tract or easement, the sign shall not exceed 8 (eight) feet height and 40 (forty) square feet in area. The sign shall be non-illuminated or indirectly illuminated (DC 10.8.830(B)(1)).

### Erosion Control and Grading

52. Prior to issuance of an erosion control or grading permits, Developer shall submit erosion control and grading plans for City review.
53. Obtain the required erosion control and grading permit(s), and provide a copy of the approved and signed permits to the City prior to holding a pre-construction meeting or beginning any development or construction activity.
54. Any existing wells, septic systems, and underground storage tanks shall be abandoned in accordance with Oregon state law and verification shall be provided to the City Engineer.
55. A demolition permit shall be obtained from the Building Division prior to demolishing any structures.

### Other

56. House numbers assigned by the City shall be affixed in a conspicuous location, which is clearly visible from the fronting street. Numbers shall be of contrasting colors to the surface upon which they are affixed. Numbers may be painted or metallic, wooden or ceramic fixtures, or other material that will not rust or corrode and must be at least four inches high.
57. Mailboxes are required; locking mailboxes in clusters are recommended. Mailboxes shall be located in the vicinity of streetlights. Clustered mailboxes shall be installed prior to occupancy permit for the first home being served by that mailbox in that phase. Placement locations and specifications of mailboxes shall be approved by the Forest Grove Post Office prior to installation.
58. Any existing wells, septic systems, and underground storage tanks shall be abandoned in accordance with Oregon state law and verification shall be provided to the City Engineer.
59. Two access ways for each phase meeting the requirements of the City of Forest Grove Fire Marshall to accommodate emergency vehicles.

### Final Plat Requirements

60. The final plan and subdivision plat must comply with Development Code Sections 10.4.225 (Final Plan Review) and 10.6.160 (Final Plat Approval and Recording).
61. The developer shall establish easements for pedestrian access over Tracts Q and R on the plat when recorded
62. The developer shall establish pedestrian access easements for Tracts K and P, and Tracts E, M, &S, for the respective phase, upon recording of each plat.
63. The street names on the plat for each phase shall reflect the street names approved by the Community Development Director following a formal request by the developer for approval of all proposed street names.