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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	_____
FINAL ACTION:	_____

PLANNING COMMISSION STAFF REPORT

TO: *Planning Commission*

FROM: *Daniel Riordan, Senior Planner*
Jon Holan, Community Development Director

MEETING DATE: *May 30, 2017*

PROJECT TEAM: *Jon Holan, Community Development Director, Rob Foster Public Works Director, Richard Blackmun, Special Projects Engineer, Dan Riordan Senior Planner*

SUBJECT TITLE: *Recommendation to City Council to Approve the Westside Refinement Plan and Accompanying implementation measures (File No. 311-17-000013-PLNG)*

ACTION REQUESTED:

	Ordinance	X	Motion		Informational
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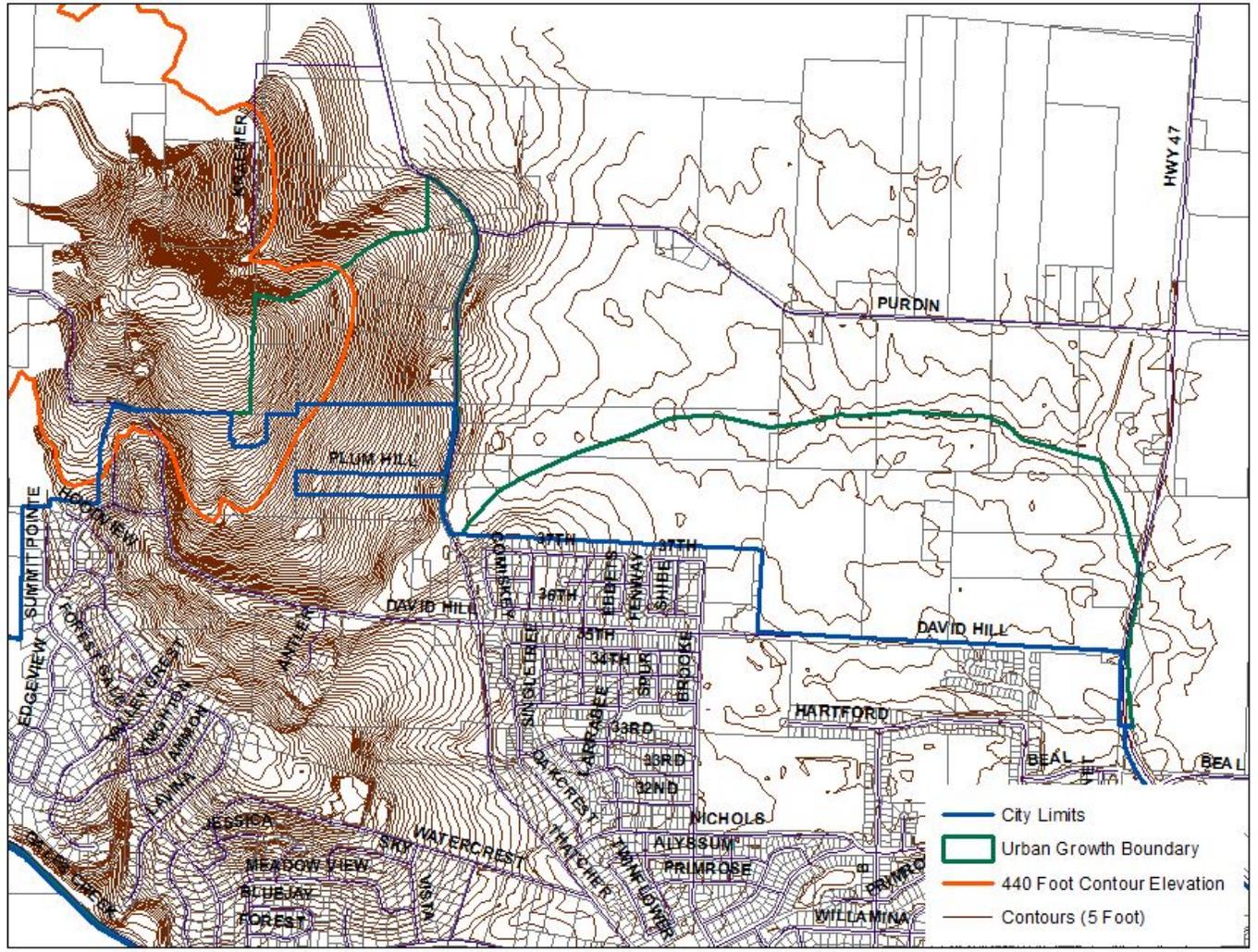
X all that apply

ISSUE STATEMENT: On May 15, 2017, staff provided the Planning Commission with a presentation on the proposed Westside Refinement Plan and accompanying implementation measures. As a result of the presentation the Planning Commission asked staff to provide additional information on several items. This report provides the additional information requested. In addition, this report provides responses to written public comments included in the record pertaining to the proposal.

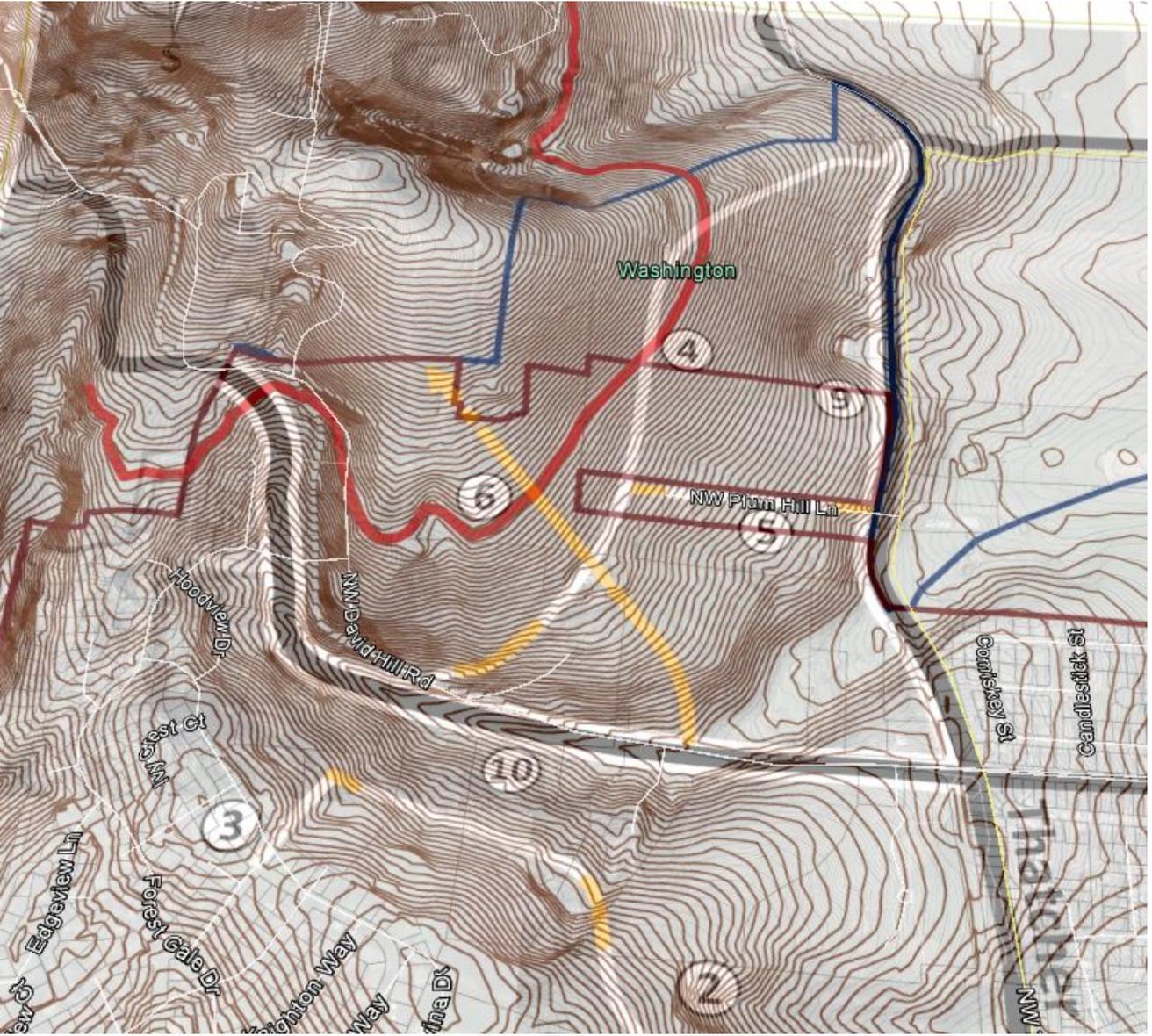
BACKGROUND: During the May 15th meeting the Planning Commission asked staff to provide additional information regarding the Westside Refinement Plan and accompanying implementation measures. The information requested is provided below. Also provided below are responses to written public comments included in the record pertaining to the proposal. Staff responses are shown in italics text.

Planning Commission Request: Provide a detailed map showing the 440 foot contour elevation.

Staff Response: A map showing the location of the 440 foot contour elevation is provided below. The 440 foot contour elevation is the orange line on the map. The other contour lines are spaced at five foot increments and provide a sense of relief. The 440 foot elevation serves as the current boundary of the Suburban Residential zoning district. The closely spaced contours south of David Hill Road in the Antler Lane area is the area indicate the general location of the historic landslide area. Additional information about the historic landslide area is discussed in this report.

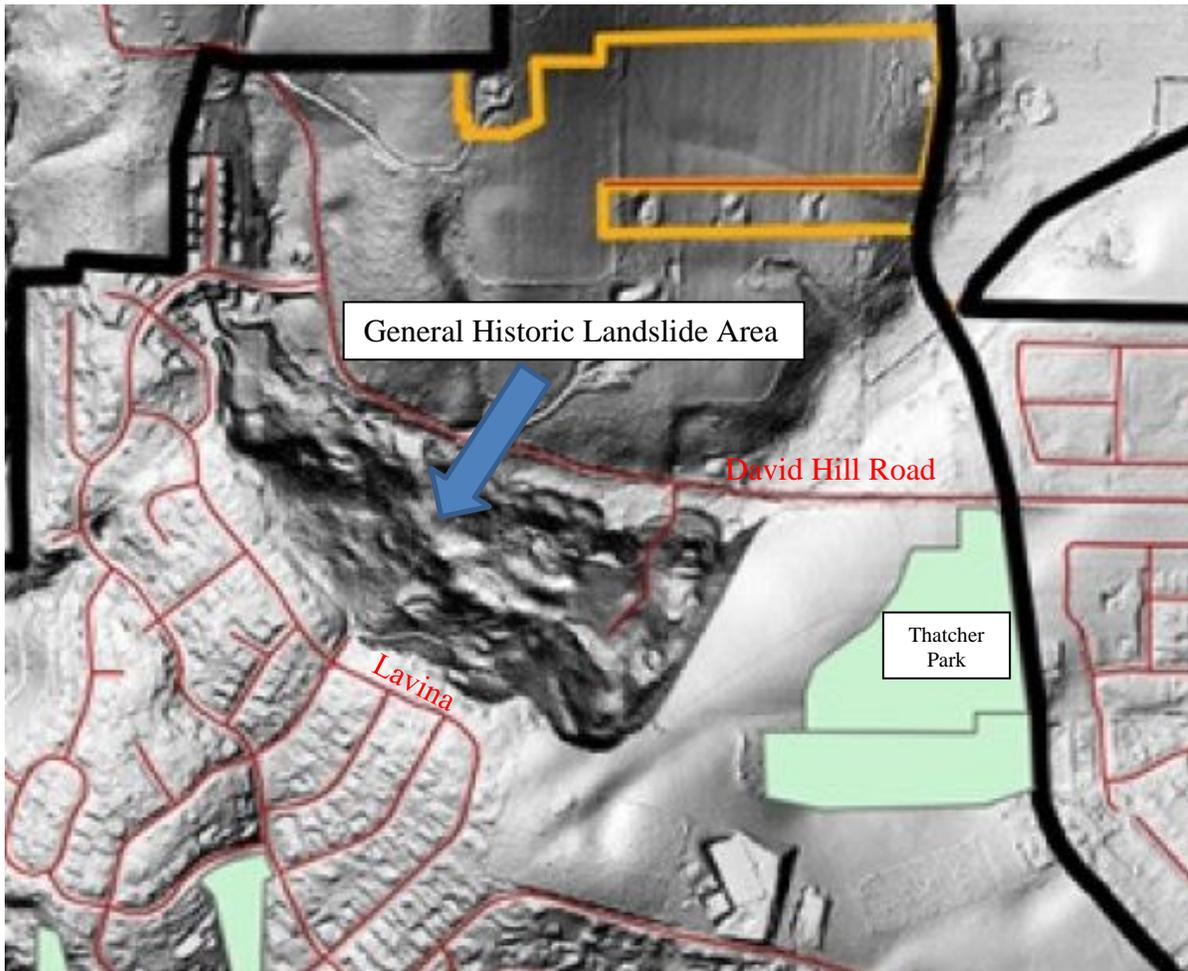


The map below shows elevation contours superimposed on the conceptual collector road network. The thick red line represents the 440 foot elevation. The blue line represents the urban growth boundary and the maroon line shows the city limits. The gold coloring along roadways represents street segments exceeding 12% slope.



Planning Commission Request: Provide a detailed map showing the historic landslide area south of David Hill Road.

Staff Response: A map showing the location of the historic landslide area is shown below. The identified historic landslide area is approximately 38 gross acres. This estimate is based on generalized information from the Oregon Department of Geology and Mineral Industries and LiDAR imaging. The map below shows LiDAR imagery and provides a general approximation of the area affected. The affected area is the hummocky area characteristic of prior slope movement. Prior construction activity and grading can remove surface indicators used to assist in identifying slope instability features. Therefore, field verification is needed to determine the full extent of the area affected. Although a precise boundary has not been determined knowing the general location provides a sufficient factual basis for amending the Development Code to require geotechnical and engineering analysis prior to development. This provides an opportunity to address development constraints through engineering solutions such as soil ground improvements such as cement treating to strengthen weak or potentially expansive soils, over excavation to remove poor soil conditions, and deep foundations or ground improvements as applicable. Engineering solutions would be determined by the project engineer of record and Building Official.

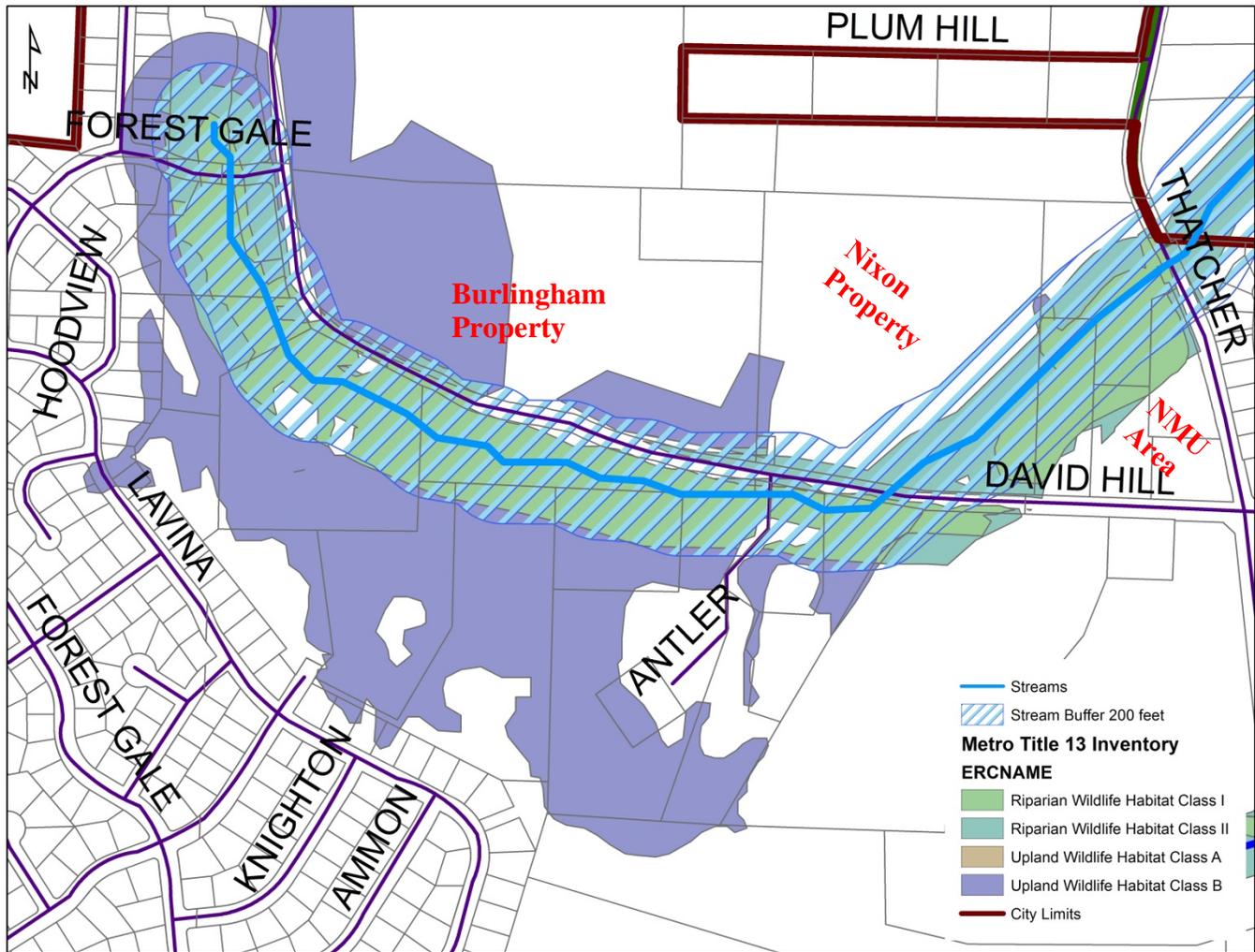


Planning Commission Request: Identify how much area is developable in the area south of David Hill Road near the stream corridor.

Staff Response: The map below shows the riparian area south of David Hill Road. Development potentially affecting riparian areas is subject to Clean Water Services construction standards and Article 5 of the Forest Grove Development Code pertaining to natural resource areas.

The subject area south of David Hill Road is approximately 56.7 acres. Of this area approximately 39.9 acres (approximately 70.4%) has some development potential since this area is located outside of Riparian Wildlife Habitat Class I and Class II shown on the map below. This development potential is predicated on ability to address soil stability issues associated with the historic landslide area.

Development Code Article 5 (§10.5.005 through §10.5.050) includes clear and objective standards and an alternative discretionary review process for development potentially impacting certain natural resource areas. Land identified as Uplands Class A and Class B within the Urban Growth Boundary, as of January 5, 2006, are not subject to the natural resource area restrictions contained in Article 5. Therefore, these requirements do not apply to this area since it has been in the urban growth boundary since 1980. However, areas identified as Riparian Wildlife Habitat Class I and Class II are subject to the Article 5 development standards and Clean Water Services construction standards. Generally, development is restricted within 200 feet of the riparian area.



Planning Commission Request: Identify how much area is developable on the Nixon property.

Staff Response: The Nixon property, shown on the map above, is approximately 18.8 gross acres in area. Factoring in the area shown as Riparian Wildlife Habitat Class I and II and area, stream buffer, and necessary area for public rights-of-way to serve development the net developable area of the site is approximately 13.1 acres.

The Development Code allows a reduction in density if the slope of the site is greater than 10%. The slope of the developable area generally ranges from 11.5% to 13.7%. However, there are isolated areas with slopes exceeding this range. Approximately 2.5 acres exceeds 25% slope. The slope deduction could decrease density by about 13%.

Under the R-10 zoning designation the Nixon site could support as many 52 homes based on net acreage and a 13% slope reduction. Under the Neighborhood Mixed Use (NMU) designation approximately 144 homes could be constructed based on a target density of 12 dwellings per net acre. If allowed incentive density of 13.8 dwellings per net acre is applied the Nixon site could support 166 dwellings. Incentive density is only allowed if a project is approved as a planned development.

The issue at a past Planning Commission meeting was the presence of the riparian corridor separating the other NMU area at the northwest quadrant of Thatcher Road and David Hill Road. Because of this riparian corridor, the Commission found there was inadequate connectivity between the Nixon site and the NMU

area. However, as reflected in the written testimony from Matt Newman provided the Planning Commission on May 15th, the Nixon property is being considered as part of a development of the Burlingham property to the west where there is no such riparian separation.

WRITTEN PUBLIC COMMENTS RECEIVED

Staff received comments from the several persons for Planning Commission consideration. The comments and staff responses are provided below.

Lyle Spiesschaert (Letter Dated May 15, 2017) Attachment A

- Why is there 2.4 acres proposed for a local station? Has the FG Rural Fire Board been involved in this proposal?

Staff Response: The original location for a new fire station serving the David Hill area is the site at Thatcher Park being used as a dog park. The property was purchased years ago and Chief Kinkade is not aware of a station deployment analysis being conducted to support selection of the site. Chief Kinkade provided a rationale for the proposed fire station location in an E-mail dated June 12, 2015 (Attachment B). The rationale is summarized below:

- *The location in the new urban growth boundary area provides better coverage from a primary response area for current and future development in Forest Grove*
 - *Secondary response to simultaneous calls is a critical consideration. A deployment analysis prepared by the Fire Department indicates the proposed location is ideally suited to provide that secondary response. Chief Kinkade provided information stating the Thatcher Park location is the worst location for this consideration.*
 - *Chief Kinkade indicated response to fires requires the Department to not just dispatch the closest unit but must also assemble an effective response force in a minimal amount of time. The Thatcher Park location is a poor location for this consideration.*
 - *The proposed location provides better coverage for the north end of the Rural Fire District.*
 - *In consideration of future fire service consolidation planning supported by the Department's Cooperative Services Study, the proposed location will provide better coverage, operational and logistical response for all of the proposed models.*
 - *The Thatcher Park location is inadequately sized for fire station needs and is situated at a low-visibility intersection. A two acre lot is needed to accommodate training needs for this new station. The training area at Station 4 is severely limited currently.*
 - *The Thatcher Park location is being used as a dog park. The dog park is a popular amenity for park users.*
- What is the approximate size of the proposed stormwater facility and is it allowed in Rural Reserves. Should it not be placed east of Council Creek?

Staff Response: The size of the storm water facility has not been determined. The locations of the facilities are conceptual only. It is expected the facilities will be located within public rights-of-way either on property dedicated to the City or County as part of development driven road construction or improvement project or on property acquired by the jurisdiction controlling the roadway. The June 24, 2016, Infrastructure Report indicates the storm water system will need to be designed to meet Clean Water Services development standards. Stormwater modeling is required to prior to final design to verify locations, sizes and elevations of each facility. It can't be precisely determined whether there is sufficient right-of-way along Thatcher Road to provide the storm water facilities indicated. According the Oregon Department of Land Conservation and Development, construction and operation of stormwater treatment facilities in the rural reserve area along the east side of Thatcher Road is permitted under state statutes (OAR 660-033-130(1)(A)).

- Due to the elevation, would this major collector (Plum Hill Lane) be better situated elsewhere? Maybe further south or congruent with the access point being developed for the Green Grove Co-Housing Development?

Staff Response: The overall grade of Plum Hill Lane is about 12.5% from Thatcher Road to the end of the street. Situating this collector elsewhere requires steeper grades and significant cut and fill or results in potential impacts to vegetative corridors and riparian areas north of David Hill Road near the stream channel. Moving the east-west street connection north to the Green Grove project increases the roadway slope to 14.9%. Further to the north slopes increase to 17.7%. Moving the collector street to the south reduces the roadway grade from 12.7% to 12.1% but the road would impact the vegetative corridor and stream. Another consideration is Thatcher Road sight distances are problematic in areas where Thatcher Road curves. Several maps showing slope for various locations north of David Hill Road and west of Thatcher Road are provided below.

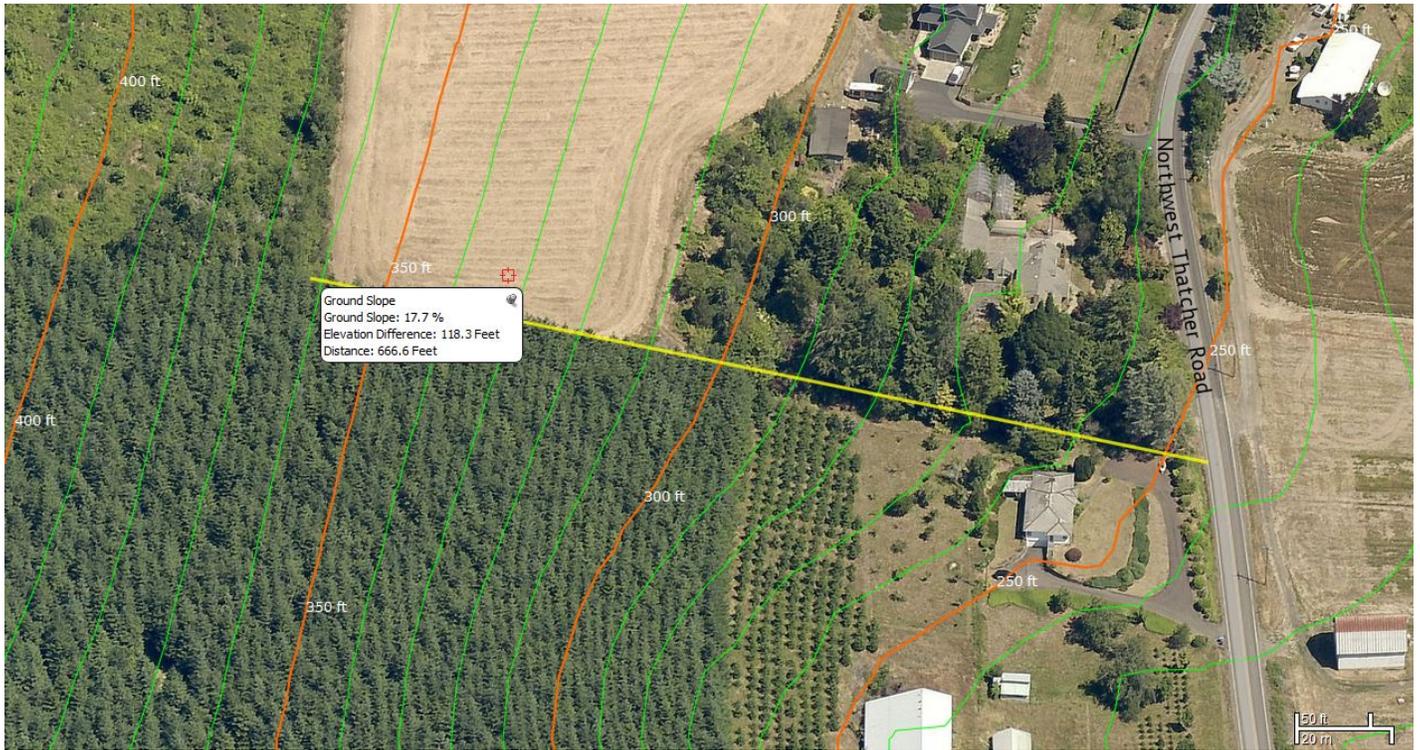
Plum Hill Lane (12.5% Slope)



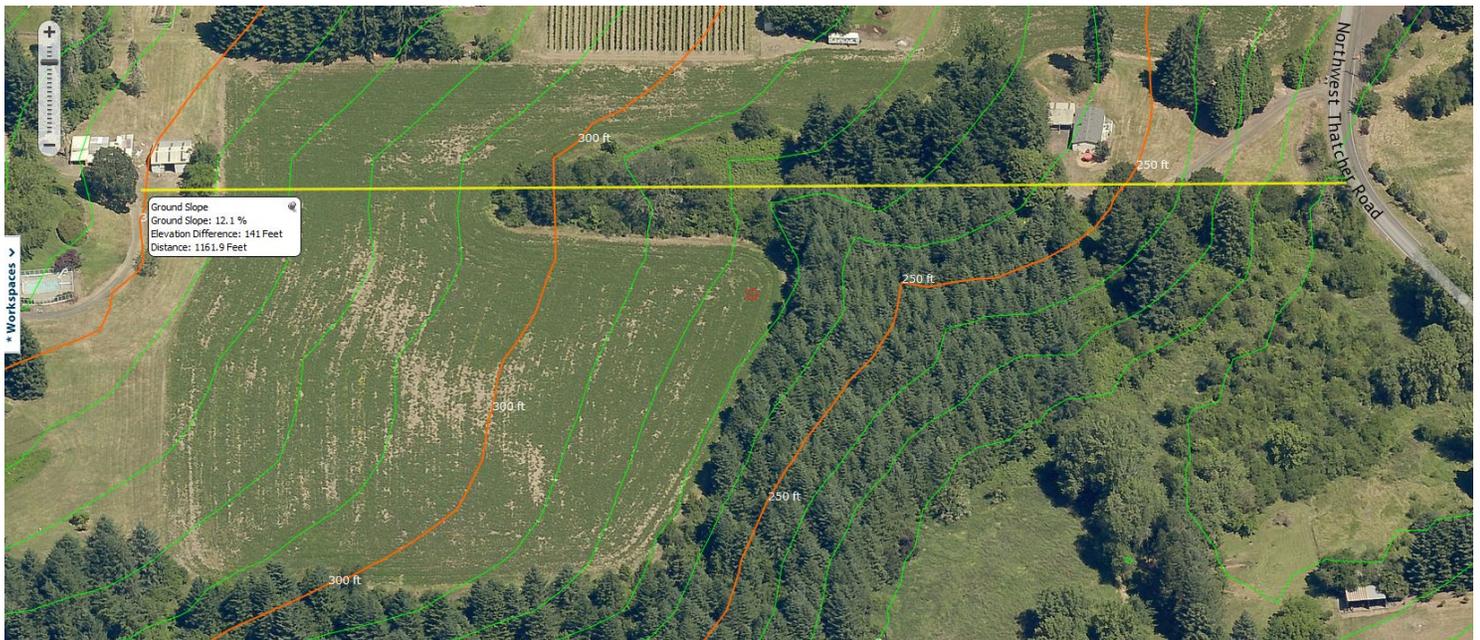
Green Grove Site (14.9% Slope)



Northern Thatcher Road Approximately 600 feet North of Green Grove (17.7% slope)



Southern Thatcher Road Approximately 1,100 feet north of David Hill Road (12.1% slope)



- The consideration to place the bike path along the Council Creek corridor may be worthy. However, consideration should be given to protecting the riparian area and maybe merge it with the pedestrian trail system.

Staff Response: The Council Creek trail alignments are conceptual. Detailed engineering is required prior to construction of trail segments. Under Clean Water Services standards (§3.05.8) paths 12 feet or less in width, including any structural embankment are allowed in a vegetative corridor provided the following conditions are met:

- *Paths shall be constructed so as to minimize disturbance to existing vegetation and maintain slope stability;*
- *For sensitive areas other than along the Tualatin River, the path shall be located in the outermost 40% of the vegetative corridor.*
- *The path construction shall not remove native trees greater than 6” diameter at chest height.*

Paths greater than 12 feet but less than 14 feet in width shall be considered an allowed use if constructed using low impact development approaches.

- What are the proposed setbacks to protect the already established native vegetation on the south side of Council Creek (New Urban Growth Boundary Area)? How will this meet the sustainability goals in Forest Grove’s Vision Statement?

Staff Response: Development must comply with Clean Water Services Design and Construction Standards and City of Forest Grove Development Code requirements pertaining to impacts to Natural Resource Areas. Required setbacks vary between 50 and 200 feet based on resource classification. In contrast to the Development Code, the Forest Grove Vision Statement is aspirational and does not apply to specific development proposals. However, the statement includes in part, “a community recognized for its commitment to conserve, preserve, protect and restore our natural assets.” Since this area has been degraded due to past agricultural practices, the Clean Water Services and City development requirements would not only establish a buffer, but that buffer would require restoration.

- What is the exact northern boundary of this planning area (New Urban Growth Boundary Area)? What is the relationship to the current channel i.e. {center, north bank, south bank, etc.)?

Staff Response: The northern boundary of the new urban growth boundary area is the south bank of Council Creek (Metro Resolution No. 11-4245).

- Determining on the final method of funding will landowners need to pay anything prior to any development on their property? Will any District cause payments before any urban development on their own property?

Staff Response: An outcome of the Westside planning process includes identification of funding approaches for needed infrastructure. Establishing a final method of payment for infrastructure is not part of the current Westside Refinement Plan adoption package. Funding will be established at a later date as part of updating the City’s infrastructure facility plans and Transportation System Plan. This provides the opportunity to consider Westside needs and project costs comprehensively with other City needs. At this time property owners will not be required to pay anything prior to development on their property as a result of the adoption of the Westside Refinement Plan. Applicable fees will be assessed at time of building permit application based on the fee scheduled adopted by City Council in effect at that time.

- What impact is anticipated on adjacent land owners related to improvement of Thatcher Road north of David Hill Road? If the road is raised will additional right of ways be needed?

Staff Response: A section of the roadway may be raised to allow for a gravity sewer line to cross over the existing drainage located approximately 900 feet north of David Hill Road. Engineering is required to design this street segment. This will determine whether additional right-of-way is

necessary for the improvement. At this, time it appears the street segment could be accommodated within the existing right-of-way. The estimated cost for improving Thatcher Road does not assume right-of-way acquisition.

Brad and Linda Taylor (Green Grove Cohousing Community) Attachment C

- Explore a more flexible and expansive approach to planning for and funding infrastructure development in the David Hill area.

Staff Response: As noted above specific funding approaches will be explored further before adoption and implementation. The current approach for funding infrastructure is that growth pay its own way. The funding approaches identified in the Funding Approach report prepared for the Westside Refinement Plan identifies options considering project costs and area of primary benefit. Funding options for initial evaluation included development agreements, utility fees, system development charges, local improvement districts, bonding, local option levy, reimbursement district and urban renewal district. These options were evaluated based on equity, reliability of the funding stream, market acceptance, ease of implementation, ability to address near-term costs, and ability to address long term costs. From this evaluation of options the project consultant recommended funding approaches to evaluate further. These approaches are described in the written staff report provided to the Planning Commission for the May 15th meeting. Additional detail is provided in Funding Approach report appended to the Westside Refinement Plan.

- Steep grades and geological and waterway challenges beg the question of whether proposed development costs are commensurate with benefits and how the costs will impact the affordable housing question.

Staff Response: The development challenges noted above will likely increase the cost of development. Whether development costs are commensurate with benefits is a policy determination to be made by City Council. The cost of development on David Hill will be higher than on less constrained lands. It should be noted that with the exception of the NMU area, the proposed land use designations are either the same or reduced from that established in 1980 when the Comprehensive Plan was adopted. The Westside Plan and implementation measures are needed to accommodate future development.

The City's ad-hoc affordable housing committee established by City Council is looking at ways to promote affordable housing throughout the City. The committee's recommendations will be presented to City Council for consideration later in 2017. It is an open question whether David Hill provides the best location for affordable housing opportunities given land costs, development challenges and lack of complementary services such as transit, shopping, and medical offices in the short term.

- City code does not recognize co-housing as a form of dwelling. Cohousing should be defined and incorporated into the Development Code. We believe cohousing in general and the Green Grove project should be calculated at the townhouse/condominium rate as it more truly reflects the transportation impact of cohousing on transportation infrastructure.

Staff Response: Staff agrees that cohousing as wells as cottage housing should be identified as housing types in the City's Development Code. This will be considered further by the City's ad-hoc affordable housing committee. The Transportation Development Tax (TDT) applied to development projects is based on land use categories contained in the Transportation Development Tax ordinance adopted by the Washington County Board of Commissioners. The land use categories are based on the Institute of Traffic Engineers (ITE) Manual. Determination of the TDT category to apply to housing at the Green Grove development is outside the scope of the Westside Refinement Plan.

- Green Grove Cohousing Community represents a development approach that features sustainability at its core....the use of rainwater catchment, green roof on the carport structure, narrow and permeable footpaths and roadways, a pond and cistern all contribute to best practices for on-site storm water processing and storage.

Staff Response: Integration of low impact design elements for addressing storm water at the Green Grove site is laudable. However, information contained in the Geological and Geotechnical Assessment Report indicates presence of poorly draining soils on David Hill Road. Area-wide use of low impact design methods for addressing storm runoff may not be appropriate on David Hill. Piping the storm water runoff may be necessary to address drainage and to mitigate potential impacts.

- In regard to sewer infrastructure...an exploration of the cost benefits and environmental benefits of all available sewerage systems [including Septic Tank Effluent Gravity (STEG) System] should be foundational to decisions regarding the future financing of the Westside Planning project.

Staff Response: Evaluation of alternative method for addressing sanitary sewer needs is outside the scope of the Westside Refinement Plan. Although such methods may have merits the Westside Plan reflects standards adopted by Clean Water Services. Clean Water Services, as the regional sanitary sewerage agency, is the appropriate agency to contact regarding suitability and acceptance of alternative sewerage systems.

Kerry Vanderzanden (Letter Dated May 12, 2017) Attachment D

Mr. Vanderzanden raises a concern about the proposal to include commercial land uses north of David Hill Road between Main Street and B Street. Mr. Vanderzanden states the areas for commercial should include the Sunset Drive and Highway 47 area and Martin Road and Highway 47 area. Mr. Vanderzanden also expressed concern about the potential impact to downtown since the proposed commercial will reduce the need for people to go downtown.

Staff Response: The proposed Neighborhood Mixed Use designation provides an opportunity for complementary land uses serving nearby residential neighborhoods. This approach is consistent with the Comprehensive Plan. The Planning Commission has discretion to recommend the amount of commercial development deemed appropriate for the area in order to serve the area. The proposed Neighborhood Mixed Use Area between Main Street and B Street is approximately 25 gross acres. This is about the same area as the Sunset Drive and Highway 47 mixed use area to the south. The Sunset mixed use area is about 23 gross acres. The target residential density in the Sunset mixed use area is 12 dwellings per acre net acre and the minimum density is 9.6 dwellings per net acre. The minimum required commercial development for this area is 25,000 square feet in a "village center". The maximum commercial space is 130,000 square feet. The maximum building footprint allowed is 50,000 square feet.

For comparison, and to assist the Commission with recommending minimum and maximum commercial in in the new urban growth boundary area; the proposed Stonewood Center on Pacific Avenue west of Highway 47 includes three commercial buildings totaling 45,278 square feet. The space is proposed as follows

- *Building 1: 13,910*
- *Building 2: 7,778*
- *Building 3: 11,795*
- *Building 4: 11,795*

The Stonewood Center site approximately 3 acres. A rendering of the proposed site layout is provided below.



For purposes of discussion, if the amount of commercial space in the Neighborhood Mixed Use area north of David Hill Road is limited to 50,000 square feet approximately 3.8 acres of land would be required if building space occupied 30% of the commercial area and the buildings are one story. If the minimum commercial amount is 15,000 square feet approximately 1.1 acres would be required if buildings occupied 30% of the commercial area and the building is one story. If the remaining land area is developed as residential the site could yield approximately 203 to 229 dwellings at a target density of 12 dwellings per net acre.

Options for addressing the comment about commercial land use in the new urban growth boundary include:

- Retaining the Neighborhood Mixed Use area and not establishing minimum and maximum commercial area. This would allow the market to respond to need. With this approach it is uncertain whether commercial activity would occur since commercial development typically lags residential development. Once land is absorbed for residential uses the opportunity for commercial activity is lost.*
- Retaining the Neighborhood Mixed Use area and establishing a minimum and maximum amount of commercial development.*
- Designating the proposed Neighborhood Mixed Use Area as Multifamily Residential Low since residential development densities would be the same (12 dwellings per net acre).*
- Designating the proposed Neighborhood Mixed Use Area as Single Family Residential such as B-Standard (6.22 dwellings per net acre/7,000 square foot lots on average).*

ATTACHMENT(s):

- A. Lyle Spiesschaert Letter, May 15, 2017
- B. Fire Department Fire Station Analysis Provided by Fire Chief Kinkade
- C. Brad and Linda Taylor Written Comments, May 15, 2017
- D. Kerry VanderZanden Letter May 12. 2016