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**Planning Commission
Community Auditorium and Zoom
1915 Main Street, Forest Grove, OR
Monday, February 7th, 2022, 7:00 pm**

1. CALL TO ORDER AND ROLL CALL:

Chair Phil Ruder called the Planning Commission public hearing to order at 7:00 p.m. via Zoom Video Conference.

COVID-19: Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the Planning Commission limited in-person contact and social distancing. **The Planning Commission conducted the meeting remotely by video conferencing.** The meeting was remotely video conferenced by Planning Commission Coordinator Shannon Reynolds as well as televised live from the projector screen at the Community Auditorium by Tualatin Valley Community Television (TVCTV) Government Access Programming LIVE Channel 30 on their website. To view the recorded meeting, please visit <http://tvctv.org/>. The public was allowed to attend via Zoom or observe in the Community Auditorium as space allowed. Written comments on items not on the agenda and written testimony regarding the public hearing were accepted if submitted by 3 p.m. on January 18th to Senior Planner Amy Kreimeier.

Roll Call:

Planning Commission Present via Zoom Remotely: Chair Phil Ruder; Commissioners Julie Danko, Lisa Nakajima, Joel Redwine, and Ginny Sanderson.

Planning Commission Excused:

Staff Present: Bryan Pohl, Community Development Director; Amy Kreimeier, Senior Planner (in the Auditorium); Shannon Reynolds, Planning Commission Coordinator (in the Community Auditorium); Cassi Bergstrom, Staff Support (in the Community Auditorium).

2. PUBLIC MEETING:

A. PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

None.

B. PUBLIC HEARING:

(1.) File No. 311-21-000042-PLNG – Planned Residential Development consisting of 133 single family detached and 32 attached residential lots located at the 700 Block of Watercrest Road, Washington County Tax Lot 1N4360003400

Chairman Phil Ruder opened the quasi-judicial public hearing at 7:00 p.m., reading the hearing procedures, criteria, and asked for disclosure of any conflicts of interest, ex-parte contacts, bias, or abstentions. There were no conflicts of interest and no challenges from the audience. Chair Ruder asked for a roll call vote for any commissioner abstentions to the hearing. A vote was taken and no abstentions were made.

Chair Ruder opened the quasi-judicial public hearing at 7:00 p.m., reading the hearing procedures, criteria, and asked for disclosure of any conflicts of interest, exparte contacts, bias, or abstentions. Commissioner Ginny Sanderson disclosed she is currently under contract for purchase of a Stone Bridge home in a separate development, but has had no communication with the applicant or with Stone Bridge Homes regarding her position on the Forest Grove Planning Commission. She believes she can continue participation without impartiality. Commission Nakajima also disclosed she serves as a board member for the Mountain View Memorial Cemetery and has had no prior contact with the applicant and feels she can continue her participation in the hearing without impartiality.

Senior Planner, Amy Kreimeier provided a staff report and Power Point presentation of the Planned Residential Development for Park View Terrace Planned Development (PD). Mrs. Kreimeier mentioned since the time the agenda was released to the public there have been two more written comments from the public that were emailed to the Commissioners prior to tonight's meeting.

The applicant is proposing to develop a 165-lot subdivision to be constructed in 2 phases.

- Of the 165 lots, 133 would be for single-family detached homes, while 32 lots would be for single-family attached homes.
- Four tracts would be set aside for common open space.
 - Tract A would be located at the projects entrance on Thatcher Rd.
 - Tract B would be located in the southeast corner of the project site, adjacent to Thatcher Rd. A pedestrian pathway would be created on Tract B to provide access between Rosebud Ct. and Thatcher Rd.
 - Tract D, located on the northwest edge of the project site, and Tract E, adjacent to Thatcher Park, would provide open space and natural resource and tree preservation.
 - Additionally, two pedestrian access tracts, tracts F and G, would be located between lots 100-101 and 112-113 to provide a pathway connection into Thatcher Park.
- Tract H would be located at the project's entrance on Thatcher Rd. and would be improved as a storm water facility.

- Tract C would be created just north of the City's water treatment plant. Per the City's water master plan, this area is needed in order to provide space for the construction of two new reservoirs. The City would acquire this tract.

A planned development is being requested in order to allow for the flexible application of the base zone standards of DC §17.3.120 and §17.3.130:

- Reduced corner lot side yard setbacks (11 feet versus the standard 14 feet).
- Reduced side yard setbacks (5 feet versus increasing the setback based on building height).
- Narrower lot widths (less than 50 feet).
- The 32 single-family attached homes would constitute about 19% of the project versus the allowed 8% (equal to 13 homes).

Parkview Terrace is proposed to be a two-phase project. DC §17.4.220(D) stipulates a time limit for planned developments. The final plat for the final phase must be submitted no more than 4 years from the date of tentative plat approval. If that final plat is not submitted within 4 years, the tentative plat will need to be resubmitted for review against the Development Code criteria in effect at that time.

Staff finds that the application has adequately demonstrated compliance with the applicable provisions of the Development Code. Based on the above, staff recommends that the Planning Commission approve the application for the Parkview Terrace Planned Development, subject to the following conditions: 1.

CORRESPONDENCE:

Notice of the Planning Commission public hearing was mailed to property owners within 300 feet of the property subject to the Site Development on December 13, 2021 for the previous hearing date and on January 18, 2022. Notice was also published in the Forest Grove News Times on January 27, 2022 as required by Development Code.

Four written responses from the public were received prior to the public hearing. Staff has received numerous calls regarding the application since release of the public notice and two more were received since the agenda was released to the public.

APPLICANT:

Venture Properties, Inc 4230 Galewood Street, Suite 100 Lake Oswego, OR 97035 & Cypress LLC and Scalene LLC, 2621 Covey Way Livermore, CA 94550

APPLICANT'S AGENT:

AKS Engineering & Forestry, LLC 12965 SW Herman Rd, Suite 101, Tualatin, OR 97062

Marie Holladay from AKS Engineering provided a presentation of the Parkview Terrace Planned Development Subdivision. She agreed with the description of the project site and development plan. The applicant stated this development would meet the City's incentive density requirement of 7.15 dwelling units per acre that complies with Metro's minimum housing density forecast. The main overview of the 165 lot subdivision has 133 detached units and 32 attached homes with several large estate lots available. There is approximately 4.6 acres of open space that allows for tree preservations and open green space. Pedestrian connections, on-site storm water treatment and a potential city water reservoir site will be constructed. The setbacks will be: Front yard – 20 ft., Side yard – 5 ft., Rear yard – 15 ft. and Street side yard – 11 ft. Parkview Terrace allows for a housing variety for various income levels. This project will provide frontage improvements to both Thatcher Rd. and Watercrest Rd. as well as a connection of these two roads. An extension of Vista Drive will also be made. These improvements are in accordance with the transportation plan that was adopted by the City. Parking is provided on both sides of the street throughout the subdivision with the exception of two small areas. In summary the benefits to the community are:

- Implementation of the City's land use pattern vision for the area
- Needed housing that is consistent with the Forest Grove Comprehensive Plan
- Nearby existing school amenities and Thatcher Park & Woods
- Implements the Westside Refinement Plan and Transportation System Plan
- Provides infrastructure improvements and connections
- System Development Charges (SDC's)

The applicant concurs with finding and conclusions found in the City's staff report and seeks the Planning Commission approval based on recommendations from staff.

Chair Ruder inquired of the elevation change from the upper lots and whether views would be blocked due to the proposed building. Marie stated there are maximum building height requirements written in the building code but also stated she feels the elevation change in that area would be sufficient in allowing for views to be maintained. Commissioner Nakajima asked about the required planned open space requirement. Marie responded that the subdivision is required to have 20% open space and they have met that requirement. Commissioner Nakajima also stated other than the existing parks, she doesn't see the addition of a park and that this is a typical required amenity for PD's. Marie noted that City staff voiced the desire to retain some of the existing old growth trees. This was in return a fair amount of acreage in which they feel is an added benefit to the existing park. Commissioner Joel Redwine asked for clarification on the term "duplexes". Marie clarified these are individual "townhomes" that are attached but on separate tax parcels. He questioned if school buses would have enough room to circulate the subdivision roads. Mimi Doukas of AKS Engineering & Forestry, LLC responded that buses will

be able to circulate throughout however there may be a few areas they won't travel as students will walk to the appropriated bus stop. Commissioner Sanderson inquired if the "tree grove" will be open space available to all homes and not just custom homes lots. Commissioner Danko asked if emergency services would be able to access the areas that are one lane. Marie, responded open space is available to all members of the community and emergency vehicles would be able to access all areas. There are some lots with homes designated to require fire sprinklers to be installed.

PROPOSERS:

Brent Heesacker, 1880 Thatcher Rd. Forest Grove, OR 97116

Mr. Heesacker said he may have mistakenly signed up as a proposer. He agrees with building of homes in town however, does not like to see development on existing farm land. His main concern is the traffic speed on Thatcher Rd. of 40 mph and how the new development would be impacted by this speed. He questioned the possible need for a traffic signal to be installed. Marie responded that the application had a required traffic impact study and has been completed. The current speed limit for Thatcher Road is maintained by Washington County however, AKS Engineering has addressed their public concerns with the current speed limit as well. Further issues or concerns will have to be addressed with the Washington County (WACO) Engineering Department. The access point showed plenty of sight distance and was approved by the AKS Transportation Engineer as well as the WACO Engineering Department. Chair Ruder expressed similar concerns and stated more discussion on this topic is needed. The Planning Commissioners wrote a letter several years ago and he feels an additional letter should be drafted.

Jack Milnes, 1860 Thatcher Rd, Forest Grove, OR 97116

Mr. Milnes had to leave prior to testimony.

OPPONENTS:

Phoebe Jared, 414 Sky Lane, Forest Grove, OR 97116

Ms. Jared stated she has read the traffic impact study that was completed and stated it was not informative. The study states the roads meet the minimum site distance requirements and that is all. The side roads have 25 mph speed limits with no sidewalks and these are consistently exceeded. Thatcher Rd. itself has drivers clearly exceeding the 40 mph coming down the hill. She has witnessed several pedestrians almost hit at various times in this area. She would like to know when an updated traffic impact study will be completed. Ms. Jared stated the applicant has several requested exemptions such as reduced solar access, increased lot density and decreased lot sizing. They would like to further review these with an expert. She would like to know how this development will impact the nearby creek. She feels the applicant is targeting children and young families and would like to know how they plan to make school crossing safer. She is concerned about the large tree growth that will be removed as well as the animal habitats that will be directly impacted. She is requesting the record be held open for an additional month

to allow for the Commission to further contemplate this PRD as well as collect further input from surrounding neighbors.

Hazel Smith, 1605 Juniper St, Forest Grove, OR 97116

Ms. Smith stated her main concern is student increase as this development is targeted towards young families. High school attendance will be dramatically impacted. The new school bonds will most likely not go towards a high school but rather towards elementary schools in Cornelius. She would like to see the plans from the school district regarding additional schools in Forest Grove prior to this PRD approval. She is also requesting the record to remain open for an additional month to allow adequate time for the Commission to consider all points. Lastly, the beautiful views that will be affected from this area should be preserved as well as possible.

Reilly Loveland, 5812 SE 22nd Ave, Portland, OR 97202

She is here in support of the students who spoke prior in representation of their community. She is requesting the commission sincerely consider and heavily weight their concerns. She is concerned in regards to the green spaces. She too is requesting the application be held open for an additional month to allow the Commission ample time to decide what is best for the community as a whole.

Anne Milnes, 1860 Thatcher Rd., Forest Grove, OR 97116

Ms. Milnes addressed speed concerns on Thatcher Rd. She has rarely seen any police traffic stops made on this road. She agrees with the first speaker in regards to all safety issues of this road. With the proposed amount of people this PUD would bring and without any planned traffic changes or updates, she feels this would have a severe impact to the safety of this area. She often has to wait for 10+ cars to go by before she can leave her driveway.

Micah and Chelsey Dorr, 526 Meadow View Drive, Forest Grove, OR 97116

They agree with all the prior safety concerns mentioned thus far. The Watercrest and Thatcher corner is a very dangerous intersection. They have real concerns about how the added traffic will impact this even more. They are also concerned with Vista Drive becoming a super highway. There are no sidewalks and the safety of the neighborhood is of high concern due to the amount of young children playing. They inquired if sidewalks or speed bumps will be added to any of the interior roads affected by this PD. Additionally they asked if the HOA will limit the number of rental units. Their final concern was how the views would be impacted in this area. With more than 300+ new residents, will these people have means of employment locally? Finally, what type of community members will this new subdivision be attracting?

Dan Blue, 2035 Thatcher Rd. Forest Grove, OR 97116

Mr. Blue stated he would like to thank the City's consideration on the preservation of some of the large tree growth areas already. He appreciates that they have addressed several of his concerns with the PUD. He would like to point out with an

“equity lens” that the larger homes are at the top of the hill with great views, whereas the lots at the bottom of the hill are the higher density homes with less or no view. He lives toward the lower portion of the hill and has made the walk up to the open space. He does not feel this will be an accessible site to all members of this development. He feels the PRD should not be a maximum density area, but rather should stay at the minimum density requirement. He also does not feel that Thatcher Park should be considered an amenity to Parkview Terrace thus they should still be required to provide additional park or neighborhood amenities. Mr. Blue inquired about Tract D and if this was a buildable lot or will this remain an open space. He can confirm the presence of bobcat, elk, deer, raccoon, birds etc. One of the code requirements is to add value to the neighborhood, he questions if this subdivision is fulfilling that requirement. With the high school to the east there is no safe passage to the school from this point. He has lost two pets on Thatcher Rd. due to traffic and speed issues. There are two existing historical homes, he would like to see lots 119 and 120 at a minimum be changed to one large custom home site to allow it to stay in character with the existing type of homes next to it. An additional option would be to have these two lots remain as a green space option which would allow better access for those living near the lower portion of the neighborhood. Lastly, he inquired if written comments could still be provided citing individual sections of the development code after the close of this meeting. Chair Ruder said they would consider his request during the commissioner’s deliberations.

Alisa Johnson, 605 Watercrest Rd. Forest Grove, OR 97116

She resides at the top of the hill adjacent to the PRD. She currently has a beautiful four mountain view and is concerned with how this view will be impacted. She inquired of how many stories high the homes on lots 61-69 would be built. She noted there are plans for 3-story homes and if these are allowed on the mentioned lots, she will lose her view. She requested information on where to file for damages if this view is lost. Washington County has informed her that property taxes will increase as she will no longer be considered “farm deferred” status. She inquired of the type of fence that will be used as she will have 11 new neighbors. She strongly agrees with all the previous traffic concerns and impacts to this area. She wanted to reiterate the issue of wildlife in the area and how this would impact her property as they would likely migrate there.

Brian Gamble, 2406 Antler Drive, Forest Grove, OR 97116

Mr. Gamble stated his property abuts tract D in the upper corner. His concern is in regard to access to tract D should this become future “park space”. He feels there is no way to differentiate his property from what would be considered access to Tract D. He would like to have more conversation should this be determined park space and how the current lots around tract D would be affected.

Norma Hill, 1101 Nichols Lane, Forest Grove, OR 97116

Ms. Hill stated she has an old well on the west side of her property that has since been covered. When they develop across the street from her their covered

well became a sink hole. She is concerned with the water tables and issues that may arise due to the amount of new homes being established in this area. She has three neighbors that have had septic issues due to the same. She voiced concerns regarding current homes along Thatcher Road that may be affected in the same way if water tables are impacted.

OTHER:

Lorren Fletcher, 518 Sky Lane, Forest Grove, OR 97116

Mr. Fletcher stated he feels the layout of the PUD subdivision is wrong and should have the streets running East and West to create a terrace. This would allow for views to be maintained. The current plan does not create views for the homes in the subdivision.

Mary & Mike Hutchens, 625 Sky Lane, Forest Grove, OR 97116

Mr. Hutchens stated he wrote a letter in regards to the increase of vermin. With just the initial stages of planning in this area, they have already noted an increase. They have not heard a response from the developers on how they plan to handle this and would like to hear from the Planning Commission as well.

Chat Log Responses:

Micah and Chelsey, they would like to voice agreement with Dan Blue in his assessment on the green space and equity issues mentioned. The biggest homes have the largest amount of available green space and the smallest home are left with minimal access or available green space and are designated closest to busy streets.

Jennifer Dyson inquired about the street trees that will be planted in the development and how they may affect the views should they grow 50' or more.

Dan Blue, for the record I testified as a neutral party but wanted to be able to weigh my concerns and recommendations and allow for answers to my questions. I would like to recommend an extension of the process and allow more time for public comment. I do not support or oppose the development.

REBUTTAL:

Marie from AKS Engineering provided a rebuttal. They have submitted a letter in regards to the rodent control issue. Amy Kreimeier also addressed this in her staff report. Marie requested a 5-10 minute recess to allow them a few minutes to respond to the above mentioned comments. Chair Ruder suggested a response from Bryan Pohl prior to a recess.

Bryan mentioned the original hearing for this application was postponed at the applicants request, therefore this is the first evidentiary hearing that has occurred. State statute does allow for a continuance regardless of cause. Therefore any party in this hearing can ask for a continuance and the written record must be left open.

City Attorney Chris Crean expanded further on ORS 197.797 which explains anyone can request that the record be held open to submit additional evidence. Once the request is made the record must be held open. For the 7-7-7 process, the record will remain open for the first 7 days for any additional written evidence and testimony, the next 7 days is used for anyone to provide response to the evidence or testimony presented in the first 7 days. The last 7 day period is for the applicant to provide any final written rebuttals they may have.

Mimi Doukas of AKS Engineering provided a brief rebuttal to the comments presented thus far. AKS will use the 7-7-7 period to provide a more detailed rebuttal response as well. In the initial planning of this PUD with the incentive density development, careful consideration of location was given. During the site design of this property, development of community resources was carefully considered as to whether those resources were created or already existing. With the current housing crisis, there is a need for housing and we believe this property is an excellent site to accommodate the incentive density plan for the City of Forest Grove. Unique relationships to the existing park, woods and school were present. These current amenities will allow more community members to have access to these featured resources with while adding strong pedestrian connections to each. The site has significant topography all across. In regards to the home placement, higher density homes need to be placed on flatter portions of the property. Great consideration was taken into the topography of the site when choosing lot placement. Larger homes can adapt to topography and deal with steeper slopes. These homes are also typically better suited to have the required fire sprinklers and therefore are placed in areas where access is a bit more restricted by narrow passageways. This project allows for a variety of houses and types and provides a good combination for the community. This site also details the potential location for a water reservoir to be constructed. This is not always an available option when planning a PUD. They have partnered with the City to take advantage of this location and access to the planned storm water facility. As far as questions regarding rentals, it is fairly unusual for a new PRD's to turn into rentals immediately. They don't foresee this as being an issue. The interior site plan has very good pedestrian connections however they do struggle a bit with the surrounding areas and will give this more thought and address through the rebuttal process. It is their desire to provide safe connections.

Todd Mobley of Lancaster Mobley (321 SW 4th Suite 400 Portland 97204) spoke to the traffic study concerns. A safety analysis was completed on Thatcher road and Watercrest Rd. The site distance standards were met on both, and the county has reviewed the study as well. Mr. Mobley discussed the common occurrences of a rural road trying to meet the standards of incoming urban development and the challenges this can bring. It is important to remember the development project does include significant frontage improvements and road character changes that will improve traffic operations. These changes can be a driving force to get public agency's to lower speed limits and make additional safety modifications.

Additionally Mimi Doukas clarified that traffic analysis was also reviewed by both city and county staff.

Mimi responded to the issue of view impedance. The majority of lots are located downhill from existing homes with views. The development sits in a low spot and will be lower than existing homes in the area. This doesn't mean they won't be affected at all however the current views will be protected as much as possible. They also attended the scheduled neighborhood meeting to discuss concerns regarding views with the community. They have worked with several neighbors in response to that meeting in regards to tree preservation, view, and fencing.

The public hearing was closed at 9:06 p.m. while leaving the written record open for 3 additional weeks. The Planning Commission will review the responses and continue a closed hearing on March 7th, 2022.

COMMISSIONER DISCUSSION:

Chair Ruder inquired as to the visual impact if a 3-story home was built on lots 61-69. Commissioner Nakajima stated she has incentive density concerns and wondered if certain lots could be limited to single story only. She has safety concerns with Thatcher Rd as well. She would like to put further pressure on the county to reduce speeds. She mentioned the need to be proactive vs. reactive when it comes to safety concerns. Commissioner Sanderson reminded the commission that this is not the first time Thatcher Road. has come before us as an issue and reiterated the applicant has their own safety concerns as well. She feels the importance of continued pressure toward WACO for traffic safety changes.

Bryan Pohl summarized the 7-7-7 continuance period for this hearing to be established as follows:

1st 7 Day: 2/8-2/15 by 5 p.m.: This will be an additional open comment period for anyone wishing to address staff. Staff will be post comments and responses on the city's website.

2nd 7 Day: 2/16-2/23 by 5 p.m.: This will be comments in response to the additional comments that have been submitted.

3rd 7 Day: 2/24-3/2 by 5 p.m.: This will be for the applicant's rebuttal comments.

All comments and information can be found on the Forest Grove Website under Projects & Land Use. Comments can be submitted electronically or hand delivered to City Hall staff at 1924 Council St. Forest Grove, OR 97116.

Chair Ruder responded that this hearing will be continued on March 7th, 2022.

C. ACTION ITEMS:

None.

- D. **WORK SESSION ITEMS:**
None

3. **BUSINESS MEETING:**

A. **APPROVAL OF MINUTES:**

Commissioner Nakajima moved to approve the minutes of the January 18th meeting. Commissioner Sanderson seconded. Motion passed 5-0.

B. **NOMINATION TO APPOINT NEW VICE CHAIR & UPDATE ON MEMBER VACANCIES AND APPLICATIONS:**

Ginny Sanderson moved to nominate Lisa Nakajima as Planning Commission Vice-Chair. Commissioner Julia Danko seconded. Motion passed 5-0

Bryan updated there have been a couple interviews for possible candidates, however does not know if those positions have been filled.

- C. **COMMISSIONER/SUBCOMMITTEE REPORT:**
None

D. **DIRECTORS REPORT:**

The joint work session with the City council went very well, he has received great feedback from staff and general public. He inquired of the Commissioners if they were interested in holding a work session prior to adoption hearings or rather just have the adoption hearings serve as the “work session”? Chair Ruder mentioned it would be beneficial to hold the work session prior, especially with new members joining the Commission.

Chair Ruder suggested at the next Planning Commission meeting to allow time for a work session on HB 2001.

Commissioner Nakajima asked about the apartment complex across from Safeway and was concerned with the amount of fill that was brought in for that location. Bryan Pohl was not aware of any issues.

Joel inquired about the current cannabis location ordinances and the items that need further review prior to allowing these businesses to open. Bryan responded they have a list of items to present to the commission and this will be discussed.

Bryan updated the Commissioners on a few projects. The Design Review for the Development Services Annex Building is complete and permits are in process. He anticipates Design Review applications sometime in March for the Fresh Foods store coming to Forest Grove.

E. **ANNOUNCEMENT OF NEXT MEETING:**

The next meeting is scheduled for Monday, March 7th, 2022 at 7 p.m.

F. **ADJOURNMENT:**

The meeting was adjourned at 9:43 p.m.

Respectfully submitted by:

Shannon Reynolds
Planning Commission Coordinator