# Tualatin Planning Commission

**MINUTES OF April 20, 2023 (ADOPTED)**

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| **TPC MEMBERS PRESENT:** | **STAFF PRESENT:** |
| William Beers, Chair | Steve Koper |
| Janelle Thompson, Vice Chair | Erin Engman |
| Ursula Kuhn, Commissioner | Madeline Nelson |
| Randall Hledik, Commissioner | Lindsey Hagerman |
| Brittany Valli, Commissioner |  |
|  | **GUESTS:** |
|  | Beth Goodman- ECONorthwest |
| **TPC MEMBERS ABSENT:** | Mimi Doukas-AKS Engineering |
| Daniel Bachhuber, Commissioner | Melissa Slotemaker- AKS Engineering |
| Zach Wimer, Commissioner | Austin Cole- AKS Engineering |
|  | Dana Krawczuk- Stoel Rives LLP |
|  | Brendan Buckley- Johnson Economics |
|  | Todd Mobley- Lancaster Mobley |
|  | Spencer Anderson- LSW Architects |

**CALL TO ORDER AND ROLL CALL:**

The meeting was called to order at 6:30 p.m. and roll call was taken.

**APPROVAL OF MINUTES**

October 20, 2022 and November 17, 2022 minutes were approved with roll call revision.

6 AYE

0 NAY

MOTION PASSED UNANIMOUSLY.

**COMMUNICATION FROM CITY STAFF**

1. **Informal presentation on Tualatin’s Equitable Funding Action Plan**

Erin Engman, senior planner, introduced Beth Goodman consultant with ECONorthwest. Ms. Goodman started her presentation. She explained Tualatin’s recent housing planning work including the 2019 Housing Needs Analysisand 2021 Housing Production Strategy.

Ms. Goodman explained the Equitable Funding Action Plan provides the next step towards affordable, fair and equitable housing outcomes. She went on to explain that this was an informational presentation that could be used to support development of housing affordable to moderate income households.

She spoke about the projects schedule and timeline with primary tasks.

Ms. Goodman went over existing housing conditions when it comes to affordability. She explained that 30% of Tualatin’s population are cost burdened, spending more income on housing, and 50% are severely cost burdened. She shared what an examples of household earnings and what housing a family could afford. She noted the increase of interest rates after this study was held in 2020. She noted that over 5,000 households are forecasted to need more affordable housing in the next 20 years.

Ms. Goodman noted that affordable housing typically relies on state or federal subsides. She explained how the City of Tualatin can directly influence factors that affect housing development through public policy, land, and infrastructure. She moved onto different tools for strategic actions that were considered in this project. She went through the following: Local construction excise tax, urban renewal area revenue, nonprofit low income tax exemption, multiple unit property tax exemption, system development charge exemption, homeownership assistance, and other tools/affordable housing trust fund.

Ms. Goodman explained that not all HPS actions considered in this plan. She then went into greater detail regarding benefits and challenges of each potential actions under consideration.

She spoke about construction excise tax in how it adds revenue to the City through new local regulation.

Ms. Goodman moved on to explain that CET provides flexible revenue that can serve low and moderate income households. She noted the City can choose to focus on programs that have specific equitable outcomes to meet the Cities goals. She spoke about some key challenges with state statute limited the options for what can be done with the funds. She cautioned that a residential CET would add cost to market rate units in favor of lowering costs for affordable housing.

Ms. Goodman discussed the potential action of Urban Renewal Area Revenue. She explained this would provide local funding for capital projects to support URA plan goals. She shared examples of where this would be used, such as infrastructure investments like a new water line, new intersection, purchasing land and private parcels city purchase and work with partner to work on it for affordable and market rate housing with mixture of income levels. She noted they estimated $2.5 million available for multiple uses in the urban renewal district. Chair Beers asked if the $2.5 million would be over the next five years. Steve Koper, Assistant Director Community Development, answered yes and it depends on how quickly the increment is selected and development comes into the area as well.

Ms. Goodman moved onto speaking about nonprofit low income tax exemption. She explained the estimated tax exemption would be $90,000 for 100 units over 5 years. Chair Beers asked for clarification on the tax exemption. She shared that Tualatin is about 16.5% of the tax roll and noted the top districts include Tigard-Tualatin School District, Washington County, City of Tualatin, and Tualatin Valley Fire and Rescue. Commissioner Kuhn asked if this was on new units. Ms. Goodman answered correct for this tax exemption.

Ms. Goodman moved onto the next action, multiple unit property tax exemption. She explained this is a 10 year exemption and the City can decide on where it wants to place the exemption and under what exceptions. She explained a private developer would apply and City Council would decide if they would exempt them or not.

Ms. Goodman moved onto system development charge exemption. She explained the plan takes estimates City controlled system development charges only, which are Parks and Water. She noted this reduces upfront development fees. This would have to be in agreement with a developer and the City. She noted findings that Tualatin could provide an exemption for its two SDC’s but would have to backfill the forgone revenue. She explained the impact would be an estimated cost of $750,000 for 100 units over 5 years. She went over the equity benefits and challenges for SDC’s.

Ms. Goodman went over the potential actions of down payment assistance. She explained this is estimated to cost $75,000-$500,000. This action can benefit households who have been historically excluded from homeownership, allows household to build intergenerational wealth through home equity, ensures longer term stability low-income homeowners, and can provide resources for disabled residents and seniors to make accessibility improvements. Challenges include higher cost per household means that assistance serves relatively fewer people.

Ms. Goodman moved onto their recommendations for building in equity. She noted that if the City establishes revenue sources for affordable housing then it could establish an Oversight committee. She explained this committee could ensure representation from underrepresented groups. She noted another way could be through a partnership with nonprofits who provide culturally specific types of support.

Commissioner Hledik asked if it was 30% of households are cost burdened in Tualatin. Ms. Goodman answered 38% of the existing population. Commissioner Hledik asked who developed the recent affordable housing development that the Commission went over. Mr. Koper answered non-profit Community Partners Affordable Housing (CPAH).

**ACTION ITEMS**

1. **The Planning Commission is asked to make a recommendation to the City Council on a request for a Plan Map Amendment (PMA) from Medium-Low Density Residential (RML) and Institutional (IN) to High-Density High Rise (RH-HR) located on a 9.2-acre site at 23370 SW Boones Ferry Road.**

**The Planning Commission is asked to make a recommendation to the City Council on a request for a Plan Text Amendment (PTA) that would remove the locational factors from the High-Density High Rise (RH-HR) purpose statement in Tualatin Development Code Section 44.100 and revise Table 44-3 to limit the structure height to 4 stories or 50 feet in the RH-HR zoning district south of Norwood Road, which would be applicable to the subject site.**

Madeleine Nelson, Assistant Planner started her presentation with an overview of the project scope. She explained AKS Engineering & Forestry LLC applied on behalf of Vista Residential Partners and Property Owner, Horizon Community Church propose two land use applications located on a 9.2- acre site at 23370 SW Boones Ferry Road. She went over the applicant’s proposal.

Ms. Nelson explained the Plan Map Amendment (PMA) would change the existing zoning from Medium Low Density Residential (RML) and Institutional (IN) to High Density High Rise (RH-HR). She explained any future development would require submittal and approval of an Architectural Review application subject to compliance with design and siting standards applicable to the RH-HR District.

Ms. Nelson explained the Plan Text Amendment (PTA) would remove the locational factors from the High Density High Rise (RH-HR) purpose statement in Tualatin Development Code Section 44.100. She noted this would revise Table 55-3 to limit structure height to 4 stories or 50 feet in the RH-HR zoning district south of Norwood Road, which would be applicable to the subject site. She shared the proposed zoning map for reference.

Ms. Nelson explained the Text Amendment found in Chapter 44 High Density High Rise Zone (RH-HR) TDC 44.100 purpose of the High Density High Rise (RH-HR) zone is to provide areas of the City that are suitable for high density apartment or condominium. She explained current wording limits where development can be build. She explained the text amendment also updates the maximum height.

Ms. Nelson went over the applicant has suggested and agreed to conditions of approval with an offsite improvements as recommended. She noted this includes a new signal at the SW Norwood Rd & SW Boones Ferry Rd prior to occupancy of future site development. She mentioned the applicant suggested placing a 60- foot buffer along SW Norwood Rd to preserve trees that do not need to be removed for the future access or public roadway improvements. The applicant also suggested limiting the height allowed at the subject site to 4 stories or 50 feet as described in the Plan Text Amendment.

Ms. Nelson spoke about the applicable criteria found in TDC 33.070. She noted the highlights of this criteria include public interest. She explained the plan must conform to Tualatin Community Plan and consider development trends, health and safety, natural resources. She also noted the Amendment is Consistent with Oregon Statewide Planning Goals and Administrative Rules including compliance with the Transportation Planning Rule TPR (OAR 660-012-0060)

Ms. Nelson noted the applicant stated the public interest is best protected by granting the Plan Map Amendmentat this time due to Tualatin having few vacant lands with the ability to provide housing at the needed density established by the 2019 Housing Needs Analysis (HNA) She noted the applicant said this would be a Multifamily housing opportunity near anticipated employment zone (Basalt Creek Planning Area). The applicant referenced that there is a 27-acre surplus of RML lands and a 4-acre deficit of RH-HR land. Public interest would be with installation of a traffic signal at SW Norwood Road and SW Boones Ferry Road.

Ms. Nelson spoke about the Plan Text Amendment and the applicant stated public interest protected by granting current areas Current areas zoned RH-HR are constrained by public ownership, lack of direct public access and environmental factors such as the existing wetlands and floodplains. The current locational language does not allow the RH-HR zoning to be permitted in a location that is considered buildable, and in effect precludes practical application of the RH-HR zone. She noted this would allow RH-HR to be permitted on other properties with access to facilities, services, and without the constraints of the wetlands, floodplains and lack of public access

Ms. Nelson spoke about amendment conforms to the Tualatin Community Plan by a number of policies. She stated the Comprehensive Plan goals and policies serve as the adopted expression of the public interest. The applicant has provided evidence that the proposed Map Amendment would satisfy several existing Plan policies and goals.

Ms. Nelson went over Goal 3.1 Housing Supply explaining that 20-year land supply is designated and has urban services planned to support the housing types and densities identified in the Housing Needs Analysis. She noted the applicant found through the Housing Needs Analysis Tualatin needs 4 acres of RH-HR zoning to provide additional housing.

Ms. Nelson spoke about how the same goals and regulations would need to apply to the Text Amendment. She shared the applicant the existence of the locational language does not allow the RH-HR zoning to be permitted in a location that is considered buildable.

Mr. Koper shared some framing around code criteria. He noted The Recommendation consciously considers the characteristics of city, land development trends, health and safety, natural resources. He noted the analysis concludes significant effect due to traffic study and would need to have a signal at Boones Ferry Road/ Norwood Road and westbound left turn lane.

Ms. Nelson shared the applicant’s response for the Map Amendment recommendation. The applicant stated the site is located near public transportation bus lines, future goods and services and employment areas. The applicant noted location is not in an area with known environmental constraints, and would not be in need of environmental protection. The applicant noted it is located near areas that are experiencing housing development. (Autumn Sunrise Subdivision, Plambeck Gardens Apartment) The applicant noted nearby service and planned improvements to include water, sanitary sewer, storm water and transportation

She highlighted any future development must go through an Architectural Review and any future development will be required to comply with Tualatin Development Code requirements to address safety, health and aesthetic factors.

Ms. Nelson shared the applicant response to the recommendation for Text Amendment.

In response the applicant stated the removal of the removal of the locational code criteria by itself is not anticipated to have an impact on the elements listed above, considerations of these factors would be applicable on where to apply the zone. The applicant’s text amendment proposal requests to revise the height limitation of development to four stories or 50 feet for future projects on the subject site. The applicant proposed a 60-foot buffer of vegetation to remain along SW Norwood Road to create a visual barrier to the site.

Mr. Koper explained The Amendment is Consistent with Oregon Statewide Planning Goals and Administrative Rules including compliance with the Transportation Planning Rule TPR (OAR 660-012-0060). He went through “reasonable worse-case analysis” must be performed to show no significant impact of the change through the year 2040. He noted under both zoning under both zoning scenarios the intersection of Boones Ferry Road/Norwood Road does not meet this standard without signalization. The analysis concludes the significant effect due to the proposed zoning change is mitigated with the inclusion of a signal at Boones Ferry Road/Norwood Road and a separate striped westbound left turn lane.

Commissioner Thompson asked for clarification on what it takes in account for traffic trips for future development. Mr. Koper answered it does take in account current and future development.

Commissioner Hledik asked about the peak hours and how does the average daily traffic fit in this criteria. Mr. Koper answered the total average daily trip is greater but meets requirements.

Ms. Nelson shared staff has received a volume of comments both in favor and opposed. She noted the comments are in the packet noted as exhibit R. She explained the action the Planning Commission asked to make for recommendation.

Mimi Doukas, with AKS Engineering on behalf of the applicant Vista Residential Partners started her presentation with introductions of her team. She explained they applied for a map and text amendment to allow multifamily development (RH-HR Zone) in other locations in the city. She noted they are both necessary to allow for a multifamily project at this site.

Ms. Doukas explained why the applicant choose the particular area of land. She noted the following: little residential land available, easy access to major collector roadways, bus service, proximity to the future park planned, expansion of southern part of city, and accessibility to jobs and close to residential projects.

Melissa Slotemaker explained why RH- HR. She shared that there are numerous State, Metro, and City policies point to the desire to increase multifamily opportunities. She stated the 2019 Tualatin Housing Needs Analysis (HNA) identified a specific deficit of RH-HR Zoning for multifamily housing. She spoke about how Tualatin has identified a need for a minimum of 1,014 units 45% multifamily through Housing Needs Analysis. She spoke about how currently there is no buildable RH-HR zoned land. She noted this application is “an opportunity to add to the City’s inventory of buildable residential land.”

Ms. Slotemaker explained some of the Cites housing goals that align with their application.

She shared the City’s Comprehensive Plan 2040 goals and polices along with some clips of strategic actions. She noted how this application meets Tualatin’s needs in Housing Needs Analysis (2019), Housing Strategy (2019) and Housing Production Strategy (2021). She noted Tualatin’s needs greater housing affordability and availability to renter, and need for people to live and work in Tualatin.

Ms. Slotemaker moved onto talk about their primary areas of concerns received being: traffic impacts, height, tree removal, and lack of public parks. She spoke more about traffic impacts with explaining they did a full transportation impact analysis along with City’s engineer and Washington County transportation agreeing with analysis and scope.

Ms. Slotemaker spoke about height concern with explaining the current RH-HR Zone allows up to 6 stories and maximum of 64 feet. She noted down the current Institutional zoning has a 50- foot height limit and application does not increase the allowable height for the majority of the site.

Ms. Slotemaker spoke about tree preservation concerns. She noted their commitment to condition of approval for a 60- foot buffer from the original SW Norwood Road right-of-way line. She noted if trees have to be removed applicant commits to replanting. She noted their arborist Todd Prager and Associates report with recommendations.

Commissioner Hledik asked if the map shown of trees were accurate. Ms. Slotemaker answered it is fairly accurate as depicted.

Ms. Slotemaker spoke about concerns of lack of public parks. She noted The City recognizes the need for open space and parks in the Basalt Creek Area. She shared connections to planned city park along with new development under its way and where the new signal will be placed for safe pedestrian crossing.

Ms. Doukas shared their desire of approval criteria and shared detailed of abiding state and local policies along with compliance with transportation showing documentation of compliance. She noted making a judgement call with Tualatin needing more housing and where to be located.

Commissioner Hledik asked how many units would be multifamily that are currently passed land use applications. Ms. Slotemaker answered and said roughly 300 units. Mr. Koper noted it’s also in the ballpark of roughly 300. Ms. Doukas noted the Housing Needs Analysis from 2019 is good to reference. She noted 45% of the needs come from multifamily.

Commissioner Kuhn’s share her opinion on Tualatin’s ongoing issue of lack of developmental land vs. need of this land.

Commissioner Thompson asked how they came to conclusion to change the text amendment to what it is now in the whole area and not a specific property. Ms. Dukas spoke about the challenges of zoning in this area for multifamily. She noted how it sounds more intense then what it is.

Commissioner Thompson asked why Iowa and Boones Ferry is not on the list for traffic study.

Todd Mobley answered they went through the city and county to scope with intersection out the project. He noted trips to Boones Ferry get account for but the minor street approaches don’t.

Commissioner Thomason asked if it was similar to Wilsonville I-5. Mr. Mobley answered similarly it was far enough away where the site from development determined by jurisdictions.

Commissioner Thompson asked if Tualatin Heights was a part of the traffic study. Ms. Doukas answered it was a part of the traffic study for 20 year analysis for build out. Mr. Mobley noted down the daily trip analysis and pointed out intersections have more congestion in morning verses evening.

Commissioner Thompson asked if Tualatin 2040 was taken in account for traffic study. Mr. Mobley answered traffic modeling done in planning efforts but it doesn’t have granularity and development in consideration.

Chair Beers asked if the plan had set units per acre. Ms. Doukas answered yes.

Chair Beers asked where currently Tualatin has high-rise zoned and if it can be built on currently. Mr. Koper answered and explained currently where it’s zoned and properties currently are.

Commissioner Thompson asked if it was taken in account students going to Horizon Christian church. Mr. Mobley noted they didn’t make a specific reduction for the high school.

Commissioner Hillier noted how the roadways are small to handle additional traffic every day.

Ms. Dukas spoke about the County involvement and intersection for turns on the development. She spoke about three lanes will be onto Boones Ferry and work with County for transition and tree preservation. She noted understand tree sensitivity but ultimately up to Washington County for the lanes.

Commissioner Hillier asked about access for the site and noted nearby congestion of traffic. Mr. Mobley noted traffic studies did take in account for existing and future volumes. He noted Autumn Sunrise has direct access to Boones Ferry to the South and take account to additions to Norwood.

Ms. Doukas noted about emergency gated access to the rising campus in South. She noted having two access point would add conflict point verses singular controlled access. Mr. Mobley noted one access helps with tree perseveration and emergency access. He noted the entrance is sufficient to serve the site.

Chair Beers asked what the current parking standards are for multi-family still one per unit. Mr. Koper stated it is.

Commissioner Kuhn asked if parking location mattered in code. Mr. Koper answered per parking spaces location is not requirement.

Commissioner Kuhn noted her opinion on how the decision wouldn’t affect land decision due to its location with wetlands. She asked if any protection would be taken away. Mr. Koper noted how this particular zone change and other components. Location suitable for system currently for one map system. He spoke about comp plan changes a one map system didn’t make sense have criteria in each zone. He noted on how every time a change is made a review is required.

Chair Beers asked if a property owner would have to go through plan/text map amendment to add more floors for high-rise. Mr. Koper answered yes a plan map amendment.

Mr. Mobley answered question about traffic study with Tualatin Heights being in the study. He let commissioners know it was not included specifically but far enough from site. He noted about background growth rate and projects in account for further projects.

**COMMUNICATION FROM THE PUBLIC**

Jackie Mathys shared their opposition opinions. She noted this proposal would drastically alter the neighborhood, limit resources and infrastructure. She also shared why she choose to live in Tualatin for twenty years.

Tim Neary shared their opposition opinions. He noted the height next to single family homes, and how can see into their home. He shared he feels there are biases for development occurring.

Chad Fribley shared their opposition opinions. He spoke about current and future handle of Tualatin’s traffic, infrastructure, tolls, and emergency services. He noted to think about if this is good for here right now.

Scott Olson shared their in favor opinions. He shared noted about growth of the city and families and importance of Horizon Christian Church land to the community. He shared how Horizon would like to continue to provide to the growing community. He shared how hard it is to find housing in the area with rising costs.

Stan Russel shared their in favor opinions. He noted about number of people that attend their church and school along with ways they give back to the community. He noted the traffic signal being proposed would improve safety currently, and how hard it is to find housing in the area with rising costs.

John Pries shared their in favor opinions. He shared change of growth throughout Tualatin over the years. He shared how he has confidence in the city planning process and was a project manager for Horizon Christian Church.

Deborah Mayes shared in favor opinions. She noted her family history dating back from WWII. She shared the amount of change and how there was no careful planning and development like there is today. She noted sometimes difficult choices need to be made

Armando Juanez shared his favor opinions. He shared he is one of the lead pastors at Spanish speaking church and Horizon Christian Church has shared love of serving the community. He shared how he feels about the community with hard workers and hardships of affordable housing.

Joel Augee shared their opposition opinions. He shared feelings about new traffic light and development. He noted 940 units have been approved and already meets the goal of housing crisis.

Jill Hernandez shared their opposition opinions. She shared feelings living on Iowa with high school nearby traffic and traffic light won’t solve issues currently have with traffic.

Lorraine Hager shared their opposition opinions and mentioned she used to be on the City Council Board. She noted she was on the planning team for Basalt Creek and what was a part of the concept plan. She noted this was not on their concept plan provision. She shared about City survey and biggest complaint is traffic.

Chris McReynolds shared their opposition opinions. He noted low income housing and what numbers are actually affordable. He spoke about pro-growth and tree preservation. He shared his opinion on building a sustainable housing in Tualatin for the long run.

Carly Cais shared their opposition opinions. She shared to consider just the Plan Text Amendment and there is no requirement of pace of development. She noted the pace must comply with infrastructure, traffic and pushed by developers. She shared about pushing the breaks on current development and looking at current unmet needs of the existing community.

Commissioner Thompson shared her opinion on what is affordable housing at market rate. She shared her friends recently shared rent is over $3,000 in Tualatin. She pointed out Basalt Creek Housing area barley can afford employment living in the area being caped out at $60,000. She noted working and living wouldn’t be affordable. She noted how careful the planning was done for Basalt Creek concerns with traffic.

Chair Beers noted about model verses reality for traffic. He shared how he won’t drive near Tualatin High School during rush hour. He stated a model cannot capture the experience accurately. He shared he wished there were more neighborhood commercial in the area and how difficult decision to put housing without services and grocery stores nearby.

Commissioner Thompson noted the need for housing but zoning done mindfully. She noted about having light rail transportation only being in portion of Tualatin. She noted having core area being higher density of housing.

Chair Beers shared about amenities and hard to think about added units without services.

Commissioner Kuhn shared her family who goes and works at the high school traffic difficulty in 2018. She shared her opinion that Tualatin can’t do anything about it but just part of the community engagement and deal with Washington County, ODOT, and Wilsonville. She noted about difficulty of living and working in town. She noted about change and community that needs to happen.

Chair Beers shared his thoughts of how the Plan Text Amendment is written for a specific reason to have a hub area vision for Tualatin.

Commissioner Kuhn shared how it was written for that intent but have had difficulty for developers. She shared bigger spaces downtown are limited and ability to develop is difficult.

Commissioner Thompson noted timing hasn’t been very long. She noted how change and progress will take time.

Commissioner Hillier noted about traffic on Boones Ferry and if this growth is to accommodate. She noted about affordable housing, public transportation, and traffic. She noted about developer’s intent and traffic increase on Boones Ferry and I5.

Commissioner Hledik shared his thoughts on the request. He provided a written statement that is available. He noted the proposed multi-family is not regulated affordable housing or cost burdened. He noted the project does not adequately address Goal 3.1 of Comprehensive Plan. He noted the Housing Analysis only notes deficit of four acres. He shared his opinions on updating the Housing Analysis and until then don’t have enough data. He spoke about criteria objective support wide range of housing types with greatest access amenities and how this doesn’t support it.

Commissioner Hillier noted about the styles of communication from the public. She mentioned her opinion that 2040 is a while off and provides time to build out the area in the future. She feels the current infrastructure of the area does not support the growth rate.

Chair Beers made MOTIN for recommendation to City Council to deny PMA23-0001/PTA23-0001 and add in Commissioner Hledik’s comments to the packet. Commissioner Thompson SECONDED the motion.

4 AYE

1 NAY

**ADJOURNMENT**

A motion to adjourn was made by Chair Beers and seconded by Commissioner Kuhn.

5 AYE

0 NAY

MOTION PASSED UNANIMOUSLY. The Planning Commission meeting was adjourned at 10:30 p.m.