

I. Call to Order

Chair Shawn O’Neil called the meeting to order at 6:30 p.m.

II. Chair’s Remarks

The Conduct of Hearing and Statement of Public Notice were read into the record.

III. Roll Call

Present for roll call were: Shawn O’Neil, Richard Martens, Aaron Woods, and Samy Nada
Samuel Scull was absent.

Staff present: Daniel Pauly, Barbara Jacobson, Chris Neamtzu, Steve Adams, and Kimberly Rybold

IV. Citizens’ Input This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

V. Consent Agenda:

A. Approval of minutes of July 24, 2017 meeting

Aaron Woods moved to approve the July 24, 2017 DRB Panel B meeting minutes as presented. Richard Martens seconded the motion, which passed 3 to 0 to 1 with Samy Nada abstaining.

B. Approval of minutes of August 28, 2017 meeting

Richard Martens moved to approve the August 28, 2017 DRB Panel B meeting minutes as presented. Samy Nada seconded the motion, which passed unanimously.

C. Approval of minutes of September 25, 2017 meeting

Samy Nada moved to approve the September 25, 2017 DRB Panel B meeting minutes as presented. Shawn O’Neil seconded the motion, which passed 2 to 0 to 2 with Aaron Woods and Richard Martens abstaining.

VI. Public Hearings:

A. **Resolution No. 343. Site Modifications - 9600 SW Boeckman: Mac Martin, W-4 LLC – Applicant/Owner.** The applicant is requesting approval of a Stage II Final Plan Revision, Site Design Review and Type C Tree Plan for a parking lot expansion, associated landscaping modifications and trash enclosure modifications. The subject property is located at 9600 SW Boeckman Road on Tax

Lots 202, 282, and 292 of Section 14B, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Kimberly Rybold

Case Files: DB17-0008 Stage II Final Plan Revision
 DB17-0009 Site Design Review
 DB17-0010 Type C Tree Plan

This item was remanded back to the Development Review Board by City Council at the October 2, 2017 City Council meeting in order to give the applicant an opportunity to present its case for approval to the DRB and to address any questions and concerns of the Board.

Prior to the meeting, the Applicant distributed a four-page handout that included a conceptual picture of the building, diagrams of the site, and statistics about the project. The handout was entered into the record as Exhibit B3.

Chair O'Neil called the public hearing to order at 6:35 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Kimberly Rybold, Associate Planner, announced that the criteria applicable to the application were stated on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

Ms. Rybold presented the Staff report via PowerPoint, briefly reviewing the site's location and features, as well as the Applicant's requests with these key comments:

- The eastern portion of the site contained an existing manufacturing building of approximately 170,000 sq ft that was currently undergoing renovations.
- The Applicant's requests included a Stage 2 Final Plan Revision, Site Design Review, and a Type C Tree Removal Plan for the construction of an additional 246 parking spaces with associated landscaping and lighting, as well as modifications to the trash enclosures on site and a new building entry ramp.
- DRB review was required because the request involved the addition of more than ten parking spaces. Within the past year, a couple of other administrative approvals had been granted for the site, including revised windows, cornices, building colors, and a new building entryway.
 - The required parking on the site was calculated based on ratios for both manufacturing and office uses. The site currently had 156 parking spaces, and the application would bring that total to 402 onsite parking spaces. The Development Code standards did not indicate any parking maximum for manufacturing uses. Most of the additional proposed parking would be located along the Boeckman Rd frontage. Some other areas of the site that currently had parking would be restriped as a part of the proposed modification.

- In addition to providing required ADA parking, the Applicant also proposed adding 20 carpool/vanpool spaces and nine electrical charging stations near the building's proposed new entryway.
- Pedestrian connections would be provided throughout this part of the parking lot, as well as from the Boeckman Rd sidewalk to the main building entryway.
- A couple of trash enclosures would be located both on the south and east sides of the building. The new entry ramp would be installed on the building's east elevation, adjacent to one of the trash enclosures. The enclosures and the space provided for trash storage exceeded Code standards for mixed solid waste and recyclable storage, and were proposed to be appropriately screened.
 - To meet parking lot screening and landscaping requirements, a mix of trees and evergreen shrubs would form a continuous screen along Boeckman Rd to screen the parking lot and along the east side of the property to screen the proposed trash containers. The Applicant had proposed a couple of plant options to provide some flexibility at the time of landscape installation.
- For parking lot lighting, the Applicant had proposed using the prescriptive option, and the proposed lighting generally met Code requirements for both wattage and lighting levels. The Significant Resource Overlay Zone (SROZ) areas on the west side of the property required either a greater setback distance for luminaires or the installation of a house-side shield.
- Normally the reuse of a building for the same type of use did not require a traffic study; however, the City worked with the Applicant to do an updated study for this site, as the previous analysis was more than 25 years old and had not been done with the level of detail as was done currently. It was important to note that information was not to be used as criteria to approve or deny the current request. It was meant to provide the City with information about the amount of traffic expected to be generated from the site going forward, and to anticipate future transportation needs, as well as provide inputs for other transportation studies that might occur.
 - The traffic study considered the renovation of the existing building into a combined office and manufacturing space as one phase. It also looked at a second, later phase of development that could support up to 70,000 sq ft of high-tech manufacturing and a 4,000 sq ft sit-down restaurant. In both phases of development, all of the intersections that were looked at in the study met the City's Level of Service (LOS) standard for the PM Peak Hour, as well as ODOT's operating standards.
 - While Phase 1 of the traffic study covered the improvements that were currently ongoing, additional DRB review and action through a public hearing process would be required to implement any additional phase of development.
 - No comments had been received regarding traffic or traffic safety.
- The site had four large tree stands, most of which were located on the western and southern portions of the property. In addition, 71 individual trees were inventoried in the arborist's report. Of those trees, seven were proposed for removal either due to poor health or to accommodate construction. Of those seven trees, six were in fair or poor condition and one was in good condition. The mitigation plan for the removal of the trees proposed replacement with a variety of different species as noted on the Landscape Plan.

- Based on the foregoing information, Staff recommended approval of the Stage 2 Modification Site Design Review and Type C Tree Removal Plan applications with the conditions noted in the Staff report.

Samy Nada asked if the new design had been approved by the fire department with regard to fire vehicle access.

Ms. Rybold replied that Staff conducted an internal review of the application and the fire department had an opportunity to review improvements to the existing building and provide comments. The Applicant was adding an area where the fire department could circulate through, so the fire department did not offer any specific comments about access on the site.

Chair O'Neil asked if the City's arrangement with ODOT to help with traffic had been factored into the traffic study.

Steve Adams, Development Engineering Manager, replied ODOT had reached out to Nancy Kraushaar in late August/early September about doing a study on I-5 access, which was mandated by the recently-passed laws in the State. The City agreed to hire the public relations firm, while ODOT agreed to hire the traffic engineer, and together the four intersections between Elligsen Rd and the second exit south of I-5 would be studied. That work had just begun, and the goal was to have some recommendations by June 2018 that could be included in the 2018 Regional Transportation Plan (RTP). However, because the process had just started within the last two months, it was not included in the traffic study.

Mr. Nada noted the roundabout was not in the traffic study. He asked if the roundabout was considered an intersection and what the criteria had been when selecting intersections to be included in the traffic study.

Mr. Adams replied the roundabout was considered to be an intersection, but it was not included because for Zach Weigel's project, the roundabout had been studied and clearly had sufficient capacity. Scott Mansur (DKS) had studied the roundabout for the Kinsman Rd extension and that information was already on hand, so it was not worth reviewing the roundabout a second time.

Mr. Nada asked if it would normally show up in future traffic studies.

Mr. Adams replied that to his knowledge, the roundabout project was three months ahead of schedule and might open as early as March or April 2018 rather than that summer. Other projects that come in would definitely look at the roundabout. Generally, when a new road was built, Staff would go back in nine months or so to see how well it was working and how much actual traffic it was drawing.

Chair O'Neil called for the Applicant's testimony.

Mac Martin, 7565 NE Emerald Way, Bainbridge Island, WA, stated the Applicant proposed redeveloping an existing warehouse built 35 years ago into a high-tech manufacturing hub for DW Fritz, who would move from their two buildings in Wilsonville into this new one. DW Fritz had approached the Applicant a year or so ago to help them accommodate their growth. New construction was not an option due to the limited land available, but the old OrePac building was a perfect fit. The City did a lot of things administratively to get the ball rolling faster for the Applicant, so quite a bit of shell work and seismic upgrades were already done, including the installation of 20-ft windows that would let in a lot of light. It was a great model and template for Wilsonville on how to redevelop an old building. He believed it would be a good project for the whole area.

Bob Wells, Lance Mueller & Associates Architects, 130 Lakeside, Suite 250, Seattle, WA, 98122 understood the hearing was for the site approval, as the building and building design had already been approved. He noted it was a pretty conventional site plan that would add more to the existing parking due to more intense use of the site going forward.

Mr. Martin confirmed the restaurant was still only at the location phase. The restaurant was not part of the subject application, but had been added due to the traffic study because it would impact the same intersection in the future.

Chair O'Neil understood from the previous presentation, the traffic study would be the same one utilized later when the restaurant was presented to the DRB.

Ms. Rybold believed Mr. Adams had stated the traffic study would be valid for a 5-year period and would be used for any development applications that came in within that timeframe.

Daniel Pauly, Senior Planner, added if the Board disagreed with some component of the traffic study related to the restaurant or the future use not currently being reviewed, the Board could say the traffic study was not valid in relation to that use in light of the information they had before them at that point. The Board was not necessarily approving the entire traffic study as it related to those other things.

Barbara Jacobson, City Attorney, agreed.

Chair O'Neil said he only wanted to know if the Board would have another opportunity to examine potential traffic further at a later date when the restaurant went in, or would only the traffic study be used.

Mr. Adams explained that Ms. Kraushaar had allowed the traffic study to be used for five years. The Applicant had been reluctant to pay for a traffic study because it was an existing use building, so Staff worked with the Applicant and brought up various scenarios that a traffic study would cover. The Board would have the option to comment on it in the next five years should the tech building or the restaurant come before the Board. In the meantime, the City would go back and study the intersections, as done with many new projects in town, so there

would be other information available based on other projects or on City-generated traffic studies.

Chair O'Neil confirmed the current traffic study would not foreclose the Board from an opportunity to revisit traffic in the future.

Mr. Pauly added the Applicant might not have to pay for as much of a traffic study in the future; perhaps only a memo update would be needed.

Aaron Woods noted the application/Staff report stated that currently, DW Fritz needed a minimum 364 parking spaces, and asked if that was to support the company's current employees.

Mr. Martin responded that was to support DW Fritz's goal of 2020 employment. They did not have that many employees currently, so that was a projection

Mr. Woods stated the difference between the parking requirement and the Applicant's proposal was about 38 spaces. He asked what the logic was for the increase in spaces.

Mr. Martin replied that it was easier to add the parking now since all of the site work was being done anyway. Also, with loans, the bank would often require a certain amount per square foot. He believed it was all for future expansion and growth.

- He confirmed the EV Parking would be located just to the south of the main entrance at the northwest corner of the building.
- He also confirmed dedicated, covered bike parking would be inside the building for 27 bicycles, in addition to exterior parking.

Mr. Wells added two bicycle parking spaces would be near the lobby.

Mr. Nada asked if delivery trucks were expected, and if so, what route would they use.

Mr. Wells answered delivery trucks could go clockwise or counterclockwise. There would be on-grade and dock doors in the south area, as well as two existing dock doors that faced north.

Mr. Nada noted the site was close to the railway and had an island in the middle, so he was unsure how trucks coming from the east entrance would be able to turn within the site without blocking the railway.

Mr. Wells believed trucks at the east entrance would go counterclockwise, pull up in front of the dock, back down, and then go straight out. The Applicant believed the design was actually quite good for trucks.

Mr. Martins noted that OrePac and other previous tenants had a lot more truckload capacity, up to dozens of trucks per day. DW Fritz would have a lot fewer, and smaller, trucks than previous tenants.

Mr. Nada asked if there would be any access to Kinsman Rd.

Mr. Pauly confirmed the City had said no.

Chair O'Neil confirmed there was no public testimony regarding the application and closed the public hearing at 7:00 pm.

Samy Nada moved to approve Resolution No 343, adopting the Staff report as presented with the addition of Exhibit B3. Shawn O'Neil seconded the motion, which passed unanimously.

Chair O'Neil read the rules of appeal into the record.

- B. **Resolution No. 344. Republic Services: Temporary Storage Area for Drop Boxes. Ben Altman, Pioneer Design Group, LLC – Representative for Republic Services–WRI – Owner/Applicant.** The applicant is requesting approval of a Three (3) Year Temporary Use Permit for a gravel-surfaced storage yard for drop boxes at the Republic Services property at 10295 SW Ridder Road. The site is located on Tax Lot 1400, Section 2C, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Daniel Pauly

Case File: DB17-0026 3-Year Temporary Use Permit

Chair O'Neil called the public hearing to order at 7:01 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Daniel Pauly, Senior Planner, announced that the criteria applicable to the application were stated on page 2 of the Staff report, which was entered into the record. Copies of the report were made available at the side of the room.

Mr. Pauly presented the Staff report via PowerPoint, briefly noting the site's history and location with these key additional comments:

- The Master Plan for the Republic Services campus had seen a number of changes through various applications over the last couple of years. (Slide 3) Waste management was a changing industry that served a lot of businesses and households, and the Applicant had plans for the future.
- Currently the Applicant was borrowing space from Interstate Trucking to the south to store its drop boxes; however, the Interstate Trucking property had recently undergone an ownership change and had asked that the drop boxes be removed.

- Republic Services planned to build a paved area on the northern portion of their property the drop boxes' storage in phases as funding became available. However, space was needed to fill in the gap temporarily, so the Applicant proposed laying gravel and storing the drop boxes in the area near the Ritter/Garden Acres Rd intersection that would be paved in the future.
- The application met the temporary use criteria and the duration was reasonable. The Applicant had justified the three-year duration and a realistic plan to move the drop boxes within that requested time frame. Given all the temporary use criteria, Staff saw the request as approvable.
- The main issue when graveling a vegetative area was screening. To meet the high-screen standard in the Code, the Applicant would extend the existing fencing, and plant shrubs and trees that would grow up to six feet tall to create a screen as required by the Landscape Code. That screening would remain long-term as Republic Services continued to expand in the area.
- As far as stormwater management, the Applicant had planned the storm facilities to handle the future paved areas, so the existing storm facilities could handle stormwater runoff from the proposed pervious area as well.
- Shifting the storage area from across the street would likely eliminate a couple trips from crossing Ritter Rd, but no other traffic impact was anticipated.
- As is standard with temporary uses, a condition of approval required the area to be restored to the precondition use within the three years; however, if approved to build something else in that area, the Applicant could install long-term pavement there.
- He clarified he was not familiar with the proposed temporary space, and the size of the space being used down at Interstate Trucking was not in the application.

Richard Martens asked if the site had some sort of mitigation for stormwater runoff prior to stormwater entering the system and going on to the river.

Mr. Pauly reiterated the Applicant already had existing facilities to handle stormwater. Because they were planning to pave the area in the future, they had built new stormwater facilities a few years ago that were immediately southeast of the temporary storage area. Those facilities were adequate to serve for retention and quality, and the stormwater would be treated.

Ben Altman, Pioneer Design Group, 9020 SW Washington Square Dr, Suite 170, Portland, OR, 97223 noted that Frank Lonergan, Operation Manager for Republic Services, would have been present tonight, but was serving on the city council for the City of Woodburn. He explained that the long-term use of the subject area was for future expansion of the addition of C&G Truck fueling stations and it would be paved. Currently, there were 30 fueling stations that were constructed two years ago for the initial portion of Republic's fleet service, but over time, all 60 of their trucks would be converted to C&G as corporate funding came in. The Applicant's top priority was to put in additional parking for the shop and operations office and that would include the paved container area, but corporate funding was holding up the project at this time.

- Unfortunately, Republic Services Corporation recently put a hold on all capital construction because of disaster relief expenditures in Texas and Florida. Revenue sources needed to be recovered prior to any further capital projects. As soon as that funding was approved, the added parking and paved container area would be the next phase to be constructed, along with or followed by the additional fueling stations that would replace the temporary storage.
- He explained the existing storm facility located just south of the fueling stations was designed to accommodate the full 14 acres that was currently developed, including the future expansion paving. The facility provided both water quality treatment and detention. There was also an existing swale that provided additional treatment for the parking area closer to Ridder Rd. As development occurred to the north, a new storm facility would be provided in conjunction with the new paving and landscaping. He anticipated the new storm system to be more consistent with current City Codes and have a more low-impact design.
- He concluded that the requested Temporary Use Permit would be a temporary fix to allow Republic Services to get by until funding became available to build the paved surface.

Aaron Woods asked what the size of the proposed temporary storage would be compared to the previous location across the street.

Mr. Altman replied that he never saw the previous location or compared the two areas, but he assumed it was about the same size because Republic was using a portion of Interstate's truck trailer parking on the south end of the property. The subject area was simply the area Republic had available on site. Any drop boxes that did not fit on the proposed temporary storage site would be stored at other Republic Services facilities in the region.

Samy Nada asked what construction phase of the Master Plan was currently being done.

Mr. Altman replied the Applicant was doing two things that were not originally on the Master Plan, the temporary storage and a covered facility for recycled glass storage. The next anticipated phase, Phase 5, would be the bioenergy facility on the northeast end of the site. That facility was currently awaiting franchise approval from Metro. SORT was just this month selected as one of two finalists from Metro, along with Waste Management. Metro was currently conducting interviews to make a final decision by the end of the year. The next priority phase for Republic was the parking and the paved area. The additional parking was critical to freeing up other areas of the site and to better align parking with the shop and operations office.

Mr. Nada asked what was currently in the proposed temporary storage area.

Mr. Altman replied the area was just grass; it was unimproved, as was the future storage area. Those ten acres were just annexed as part of the approvals for the SORT facility, which also allowed Republic to do the future expansion planning for that, but currently the ten acres to the north line was undeveloped.

Mr. Nada asked why not put the drop boxes in the location they would eventually be anyway instead of using a temporary location and then moving them.

Mr. Altman replied there were no storm facilities in the future permanent location. The temporary area would be paved eventually, so the gravel was a natural first step that would be regraded and paved for the future expansion of the fuel stations.

Chair O'Neil confirmed there was no public testimony regarding the application and closed the public hearing at 7:22 pm.

Richard Martens moved to approve Resolution No. 344, adopting the Staff report as presented. Aaron Woods seconded the motion, which passed unanimously.

Chair O'Neil read the rules of appeal into the record.

VII. Board Member Communications:
A. Recent City Council Action Minutes

Daniel Pauly, Senior Planner, reported Staff had been working on a design standards book for Old Town Neighborhood Plan and some proposed Code changes to the Old Town Overlay Zone, which City Council heard at work session. The Planning Commission recommended approval to Council and on November 6th, Council would review those documents for potential adoption.

- He noted the Old Town design standard reviews would no longer come before the DRB and explained that when the City Council accepted the Old Town Neighborhood Plan in 2011 there was a direction to get an architectural pattern book with components that the neighborhood had worked on adopted as part of the Old Town Overlay Zone. State statutes also required clear and objective standards, particularly for housing and single-family housing, which Wilsonville did not have for Old Town, so the Old Town Code changes would correct that as well.

Barbara Jacobson, City Attorney, clarified that if an applicant wanted to deviate from the proposed pattern book, the application would come before the DRB. Only if a proposal met the narrow standards would DRB not hear it.

Mr. Pauly anticipated that most builders would stay within the confines of the design guidelines book.

Chair O'Neil referenced the September 25, 2017 meeting, which the Applicant failed to attend, and stated he did not believe his view was properly addressed at City Council. In general, when an applicant was not present or did not provide written testimony, he could only vote to deny the application. He had voted against applicants that did appear and testify, but only agreed with the Staff report and could not answer questions because they were not prepared. He

would have to reconsider voting differently on applications if the applicant appeared to be unprepared to present their application and he were to approve applicants who did not bother to attend the hearing. Comments had been made at the City level about the due process of the applicant, but his concern was the due process of all applicants that chose to show up. Everybody had to be treated equally. He did not believe City Council had addressed the issue properly.

VIII. Staff Communications

Daniel Pauly, Senior Planner, added that in his experience, the September 25th meeting was the first time no representative showed up. He had spoken with Staff and moving forward, Staff would be more formal in confirming attendance one week prior to the meeting, including who exactly would be attending on the applicant's behalf and that they would be prepared to make a presentation that gave their perspective and answer questions.

Chair O'Neil clarified his comments were not meant to criticize Staff. He believed treating all applicants the same was missing and not raised by City Council.

Mr. Woods agreed confirming the applicant's attendance was extremely important. Even though the City had not had a formal confirmation process before, Staff had identified it as a need, and it was a good change to make so the Board would not have to worry in the future about whether or not an applicant would show up.

IX. Adjournment

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for
Shelley White, Planning Administrative Assistant