

Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon

**Approved**  
October 23, 2017

**Development Review Board – Panel B  
Minutes–September 25, 2017 6:30 PM**

**I. Call to Order**

Chair Shawn O’Neil called the meeting to order at 6:31 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, Samy Nada, and Samuel Scull. Richard Martens and Aaron Woods were absent.

Staff present: Daniel Pauly, Barbara Jacobson, 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

Approval of the July 24, 2017 DRB Panel B meeting minutes were postponed due to the lack of a voting quorum.

**VI. Public Hearing:**

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

**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 condition, as well as the requested applications, with these key additional comments:

- She confirmed the Applicant was not yet present, but had been notified about tonight's hearing via email. The Applicant had stated a week ago, when the Staff report was published, that they would attend tonight's meeting.
- The site was approximately 24.5 acres in size and currently zoned Planned Development Industrial (PDI) and had a Comprehensive Plan Map Designation of industrial use. The site had a significant number of trees and some Significant Resource Overlay Zone (SROZ) on its western portion. Currently, the existing manufacturing building of approximately 170,000 sq ft on the eastern portion of the site was undergoing renovations.
- The applications were requested to support the construction of additional parking and associated landscaping and lighting for the site, as well as modifications to trash enclosures and a new building entry ramp. Major components of tonight's review were the addition of 246 parking spaces and the associated landscaping improvements for the parking area.
  - DRB review was required because the modification involved the addition of more than ten parking spaces. Within the past year, other administrative approvals for the site had been granted for revised windows, cornices, and building colors, along with a new building entryway.
- Parking and Site Circulation. Required parking for the site was based on ratios for manufacturing and office uses. Presently, there were 156 parking spaces on site. The application proposed a total of 402 parking spaces, which met the Development Code standards as no parking maximum was listed for manufacturing uses. Most of the additional parking would be located along the Boeckman Rd frontage closest to the new building entryway at the northwest corner of the building. Other portions of existing asphalt would be restriped, which was how the site would achieve 402 spaces.
  - In addition to providing the required ADA parking, 20 carpool and vanpool spaces were proposed near the building's front entry, as well as nine electrical charging stations.
  - Pedestrian connections would be provided throughout the parking lot and also from the sidewalk along Boeckman Rd to the building entryway.
  - The trash enclosures would be located in two different places, one on the south end and one on the east side of the property. A new entry ramp would be installed on the building's east elevation, which was adjacent to one of the proposed trash enclosures. The area for the trash enclosures, along with an additional trash container that would be located on the east side of the building, exceeded Code standards for mixed solid waste and recyclable storage and would be appropriately screened.
- Landscaping. A variety of trees and shrubs was proposed to meet screening and parking lot landscaping requirements. A mix of trees and evergreen shrubs was proposed to form a continuous screen along the Boeckman Rd frontage to screen the parking, while shrubs and trees that met the high screen standard would screen the proposed trash storage and container area on the east side of the building.

- In most of the planting areas, the Applicant proposed a choice of plant options that might be used at the time of installation to provide flexibility. After reviewing the proposed plant materials, Staff did not support using Marshall Seedless Ash trees due to the potential vulnerability in the future to the emerald ash borer. Staff added a condition of approval to address that concern and asked the Applicant to utilize the other tree option.
- Outdoor Lighting. The Applicant proposed using the prescriptive option, and the proposed lighting generally met Code requirements for wattage and lighting levels. The SROZ on the southwestern portion of the property required either greater setback distances for luminaires in that area along the driveway or the utilization of a house-side shield. A condition of approval was added to ensure those requirements were met at the time of building permit review.
- Traffic. Although the reuse of a building that maintained the same type of use did not require a traffic study, the City worked with the Applicant to perform one as the previous traffic analysis for the site was more than 25 years old. It was important to note that although that information was not being used as a criterion for approval or as justification to deny the request, the City wanted to get more current information about the traffic expected to be generated for this use on the site. The information would help anticipate future transportation needs in the area and provide inputs for other future transportation studies that might be undertaken.
  - The traffic study evaluated both the current use of the building, as well as the potential later phase of development that would have 70,000 additional sq ft of high tech manufacturing uses, as well as a 4,000 sq ft sit-down restaurant. In both the current and future development phase, the studied intersections met the City's level of service (LOS) D, PM peak operating standard, as well as ODOT operating standards for the highway segments involved. She noted that to get to the second phase of development, DRB action would be required to implement those uses.
  - She confirmed the southbound I-5 onramps were shown to be at close to capacity in all the scenarios that were tested.
- Type C Tree Removal. The arborist's report for the proposed project noted four larger tree stands on the site, which were not proposed to be affected by the parking lot or any of the site modifications, as well as an inventory of 71 individual trees. Of the 71 trees, seven were proposed for removal, either due to poor health in general or to accommodate some of the construction activities. Six of the trees were in Fair or Poor condition, and only one was shown to be in Good condition. A number of trees were proposed as part of the Landscaping Plan to mitigate the loss of the seven trees, and the varieties and species of those trees was noted in the Plan.
- Staff recommended approval of the Stage 2 modifications, site design review, and Type C Tree Removal Plan applications with the conditions noted in the Staff report.

**Samy Nada** asked about Exhibit B2 DB17-0008 et. al., as he was confused by the dates and whether or not DW Fritz would have access.

**Ms. Rybold** clarified the Applicant's authorized representative stated that the 2017 date was a typo and should be 2018. Because the chapel was a temporary user of the site only on weekends, the parking was calculated only on the base use of the office and manufacturing.

**Samuel Scull** understood the future usage of an additional 70,000 sq ft and a potential 4,000 sq ft restaurant would be additional structures.

**Ms. Rybold** confirmed that was correct. The additional separate structures would be located on the western portion of the site where there was no SROZ. Parking for the restaurant was not assumed in the current amount of parking. She asked if Mr. Adams knew if the Applicant intended to share any of the parking in the future.

**Steve Adams, Development Engineering Manager**, replied that the Applicant had never mentioned anything about parking sharing on site. There had been initial pushback about doing a traffic study because there was an existing use building. When Staff allowed the Applicant to tie the current study to potentially adding a 70,000 sq ft warehouse and 4,000 sq ft restaurant, Community Development Director Nancy Kraushaar agreed that the traffic study would be good for a period of five years, so if the Applicant wanted to build either structure within the next five years, including the restaurant, the current traffic study would apply. When one of the two structures was built that would be the time to question the Applicant about how they planned to accommodate parking.

**Chair O'Neil** called for the Applicant's presentation and noted that at 6:51 pm, the Applicant was not in attendance. Mr. Pauly had mentioned that he did not think the Applicant was required under Code to be present. He disagreed with the adjudication process of that, but was open to guidance from the city attorney.

**Barbara Jacobson, City Attorney**, stated that ideally the Applicant should be present to state that they agree with the conditions of approval. Since the Applicant was not present, if the Board was satisfied with the testimony presented by Staff, they could vote to approve it. The Applicant would then have the normal period to appeal. If the Board had questions that had to be answered by the Applicant, the hearing could be continued to a future date on which the Applicant could appear and answer questions.

**Chair O'Neil** stated that it had been established that the Applicant had notice of tonight's hearing, adding the Board could decide to make a decision without their testimony.

**Ms. Jacobson** confirmed the Board could make a decision without the Applicant's testimony or take a five-minute recess while Staff attempted to call the Applicant.

**Chair O'Neil** said he would call for a recess so Staff could attempt to contact the Applicant. He added that he was inclined to move in a way that might not be too helpful based on an Applicant not being present, but he was open to a phone conference with the Applicant.

**Chair O'Neil** called for a brief recess at 6:53 pm and reconvened the meeting at 6:58 pm.

**Ms. Rybold** stated she was able to reach the Applicant, who told her the Board could call him with any questions.

**Chair O'Neil** asked if the Applicant's intention was to not be present tonight.

**Ms. Rybold** explained the Applicant had gotten confused because he had asked her at one point if the architect needed to present, and she had told him no, given the nature of the project.

**Ms. Jacobson** confirmed the Board could move forward without the Applicant's presentation. It did not seem like the Applicant intended to attend tonight's hearing, perhaps because he was unclear about whether he had to be present. If anyone on the Board disagreed, they could voice that disagreement; however, the Board did not have to call the Applicant, as it was not their burden to do so.

The Board consented to move forward without the Applicant's testimony.

**Chair O'Neil** noted for the record that no one was in the audience and closed the public hearing at 7:01 pm.

**Samy Nada moved to approve Resolution No. 343. Samuel Scull seconded the motion.**

**Chair O'Neil** stated that he had a problem with an applicant that had notice, but failed to show up to an adjudicated body and to present testimony, especially when citizens volunteered on the Board, took time to go review the site. He had questions for the Applicant about the restaurant and traffic that could not be explained in the Traffic Study or in the Applicant's proceedings.

**Motion failed 1 to 2 with Chair O'Neil and Samy Nada opposed.**

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

- VII. Board Member Communications:**
- A. Results of the September 11, 2017 DRB Panel A meeting
  - B. Recent City Council Action Minutes
    - August 24, 2017 City Council Action Minutes
    - September 7, 2017 City Council Action Minutes

There were no comments or questions.

**VIII. Staff Communications:** There were none.

**IX. Adjournment**

The meeting adjourned at 7:05 p.m.

Respectfully submitted,

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