

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, SEPTEMBER 9, 2024

6:30 PM

Consent Agenda:

1. Approval of minutes from the April 22, 2024 DRB
Panel A meeting



**DEVELOPMENT REVIEW BOARD PANEL A
MEETING MINUTES**

April 22, 2024 at 6:30 PM

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

A regular meeting of the Development Review Board Panel A was held at City Hall beginning at 6:30 p.m. on Monday, April 22, 2024. Chair Jean Svadlenka called the meeting to order at 6:30 p.m.

CHAIR'S REMARKS

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

ROLL CALL

Present for roll call were: Jean Svadlenka, Clark Hildum, Rob Candrian, and Jordan Herron. Yara Alatawy was absent.

Staff present: Daniel Pauly, Stephanie Davidson, Kimberly Rybold, Amy Pepper, Cindy Luxhoj, and Shelley White

CITIZENS INPUT – This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

CONSENT AGENDA

1. Approval of Minutes of the March 11, 2024 DRB Panel A meeting

Jordan Herron moved to approve the March 11, 2024 DRB Panel A meeting minutes as presented. Clark Hildum seconded the motion, which passed unanimously.

PUBLIC HEARINGS

2. **Resolution No. 433. Boberg Industrial Building Expansion.** The applicant is requesting approval of a Stage 2 Final Plan Modification, Site Design Review, and Type C Tree Removal Plan for addition of a one-story 9,540-square-foot industrial warehouse building connected by a breezeway to the existing building, with associated landscaping and other site improvements.

Case Files:

DB23-0014 Boberg Industrial Building Expansion

- Stage 2 Final Plan Modification (STG223-0007)
- Site Design Review (SDR23-0009)
- Type C Tree Removal Plan (TPLN23-0004)

Chair Svadlenka called the public hearing to order at 6:36 p.m. and read the conduct of hearing format into the record. Chair Svadlenka, Rob Candrian, and Clark Hildum declared for the record that they had visited the site. No board member, however, declared a conflict of interest, ex parte contact, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Cindy Luxhoj, Associate Planner, announced that the criteria applicable to the application were stated starting 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 and on the City's website.

Ms. Luxhoj presented the Staff report via PowerPoint, briefly reviewing the project's location and zoning, as well as the requested applications with these key comments:

- The Boberg Industrial Site was within the City's corporate boundary and zoned Planned Development Industrial, as were the surrounding properties except the residential zoning across SW Boberg Rd, to the east. (Slide 2)
- Proper noticing was followed for the subject application with notice mailed to all property owners within 250 ft of the subject property. Notice was also published in the newspaper, placed on the site, and on the City's website. No public comments were received during the comment period for the project.
- The three requests before the DRB tonight were objective in nature as they involved verification of compliance with Code standards; none required discretionary review.
- Stage 2 Final Plan Modifications. The subject site was originally developed in 1986 with an industrial building with a request for an additional pole barn approved in 1987. (Slide 5)
 - The current property owner, Griffith Franklin, submitted an application that was approved in September 2008 to replace the pole barn with a building addition for light manufacturing and storage. However, the approval expired, and the additional building was never constructed.
 - The current application sought to remove the existing pole barn and construct a new 9,540 sq ft warehouse building, similar to what was proposed in 2008. Additionally, a mixed solid waste and recyclable storage area was proposed at the northwest corner of the site, as well as site improvements to the landscaping, parking, and stormwater facilities.
- The Stage 2 Final Plan Modification reviewed the function and design of the proposed site modifications and improvements, including consistency with the previously approved Stage 1 Preliminary Plan for the site. Proposed site improvements met or exceeded City standards for parking, circulation, pedestrian connections, landscaping, utilities, and other site features.
 - The Screening and Buffering (SB) Overlay Zone, as defined in the Wilsonville Code, required appropriate screening and buffering for areas where residential and nonresidential land uses abut. The proposed site met the standards for the SB Overlay

Zone along the site's frontage on SW Boberg Rd, because adequate screening and buffering were provided to conceal the industrial uses from offsite view from residences in the mobile home park, outlined in red, in the FDA-H Zone to the east across SW Boberg Rd. (Slide 6)

- Landscaping was provided along the site frontage, highlighted in green on the left diagram; a 60 ft to 70 ft right-of-way separated the site from the mobile park; and the existing building, which sat back from the street, partially obscured the new building that would be located behind the existing building. Therefore, no additional screening or buffering was required to meet the standard.
- Site Design Review. The Applicant used appropriate professional services to design structures onsite that used quality materials. The new warehouse building was attractively designed and featured metal panels, CMU and brick accents, and black finish details to add visual interest. The design and materials of the addition complemented those of the existing building, resulting in a cohesive design. The proposed landscaping was professionally designed by a landscape architect and exceeded the area requirements, incorporating a variety of plant materials that demonstrated appropriate attention to the landscaping. (Slide 7)
- Type C Tree Removal Plan. The arborist report inventoried six trees on the subject property, outlined in red, one boundary tree, and eight offsite trees located on the property to the north, circled in green. The closest tree was 6.5 ft from the property boundary. Other vegetation on site, marked with Xs, were not trees, but large shrubs, including arborvitae and photinia. (Slide 8)
 - Species of onsite trees included red oak, Douglas fir, red maple, black walnut, and shore pine. All trees on the site, as well as the boundary tree, were proposed for removal to enable the proposed site improvements. The Applicant had provided a letter from the property owner to the north consenting to the removal of the boundary tree. The removed trees would be replaced with appropriate landscaped species, including two red sunset maple and four trident maples, to add variety and natural aesthetics to the site. A condition of approval would ensure that protective fencing was placed along the north property boundary to protect the drip line of preserved trees on the adjacent property prior to site grading and from other site work that could damage the trees.

Chair Svadlenka asked for clarification on the 300 ft spacing requirement for the access ingress and egress.

Amy Pepper, Development Engineering Manager, replied that the classification of Boberg Rd generally required a 300-ft spacing. Per the Traffic Memo, the spacing between the existing driveways and the driveways adjacent to them did not meet that spacing standard. A Code variance to document that variance was recommended by DKS because there was a low volume of vehicles entering and exiting the two access points at the subject site, no crash history, and adequate site distance with no other safety concerns. It was just a paperwork issue that required Staff to document that there was a variance from the 300-ft standard, but there were no safety issues that would prevent Staff from approving the variance.

Chair Svadlenka referenced Condition of Approval PF 2, which said that prior to issuance of the Public Works Permit, the Applicant will submit a request for a Public Works Standard deviation for access spacing or construction plans allowing the consolidation of driveways, and asked if the former was what would apply.

Ms. Pepper confirmed that the deviation was likely what would happen.

Chair Svadlenka asked if the City of Wilsonville 2040 Traffic Demand Model was new as of February 2024, adding she had not seen it before.

Ms. Pepper replied that traffic model dated back to when Incredible Universe created a lot of traffic issues. The City had taken a proactive approach and hired traffic consultant DKS to conduct all the City's traffic studies and create a model that DKS would update routinely as development occurs. The model looked at current traffic and also projected through 2040, which was a lot more robust than most jurisdictions. It also kept Staff on their toes as far as traffic issues that were likely to occur from development. She explained the traffic model was updated routinely with all development, and every three years, Staff wrote a report that looked at trends from the model and that was just recently done.

Daniel Pauly, Planning Manager, added DKS periodically checks with Staff to determine the number of homes that had been issued a certificate of occupancy to determine active trips and such things to keep the traffic model up to date.

Chair Svadlenka noted several items addressed in the application stated that no changes had been made since the previously approved application and asked if that was referring back to the 2008 application that was approved.

Ms. Luxhoj clarified the previously approved application was the original approval, not the 2008 expired approval, as that building was never constructed. She confirmed that an expired approval would not be referenced. Any reference back would be to what was originally approved on the site.

Chair Svadlenka referred to Finding A45 on Page 23 of 38 of the Staff report as an example.

Ms. Luxhoj explained that that Finding regarded the lighting on the building in the original approval when the building was constructed in 1986, not the 2008 application. No changes to the building lighting had been made since then. She confirmed the 2008 application had no impact whatsoever as it had expired, and that building was never constructed.

Chair Svadlenka asked if it was applicable to refer back to approvals from 1986, for example, because changes to the City Code had been made since then.

Ms. Luxhoj acknowledged changes to the Code had been made, but the compliance of the project had not changed. To her knowledge, the project had remained compliant with the Code.

Chair Svadlenka called for the Applicant's presentation.

Matt Newman, NW Engineers, 3409 NE John Olsen, Hillsboro, OR, 97124, representing Applicant, displayed the Stage 2 Final Plan Modification Slide in Staff's PowerPoint and summarized Griffith Franklin's proposal with these key comments:

- He clarified that had entered into the Applicant's findings that there was no pole lighting on the property. However, there was a streetlight out front and lighting on the building, which is why he said that nothing had changed; no changes were proposed to the front portion of the site in terms of lighting.
- The subject proposal was similar to the 2008 Plan with a few exceptions. The 2008 proposed building was a more expensive, concrete block attached building, which brought seismic issues. The subject proposal separated the original and proposed buildings by 10 ft, which met the Building Code for separation.
- The Applicant had proposed a breezeway attachment to avoid having to provide another water meter and sewer connection. Mr. Franklin had the sewer repaired in the last two years, which was expensive, and it went out to the street. The proposed design was able to tie into that, via the breezeway, and would not have to cut into the street for sewer or water. The proposed building was metal, as opposed to concrete block.
- There was no feasible way to close the second access. Additionally, he was unsure how ADA requirements would be met with only the north access open, so it made sense to keep it as originally designed.
- The Applicant's stormwater plan was another significant difference from the 2008 plan. The Applicant had proposed detention and treatment that would outfall into a spreader, meaning it would mimic historic and pre-existing conditions of water running to the west. With the long spreader, whatever did not infiltrate would flow onto the property as it always had.
- The Applicant was excited to get moving, as they had started working on the proposal last summer.

Chair Svadlenka noted the letter from Republic Services stating the location of the waste area was fine and asked if they had seen the plans when the waste area was 2-ft away, or the required 3-ft distance.

Mr. Newman believed it was the 2-ft, adding the Applicant could show Republic Services again. The Applicant had considered a couple of different locations on the site, but those had not met Republic Services' turnaround requirements, so Republic Services had suggested the proposed location as they would not have to back out from it. The proposed location also met Republic Services' criteria best because to the south of the waste area was a little back-out area that would allow the garbage trucks to turn around. Whether it was 2-ft or 3-ft, he was unsure, but it had been shown to Republic Services. He confirmed the 1-ft made no difference and Republic Services would be able to turn their trucks around.

Chair Svadlenka noted the application mentioned an improvement to the west fence but not the east, north, or south fences. She asked if the Applicant was aware that the east chain link fence had a big hole in it.

Griffith Franklin, 28025 Ladd Hill Rd, Sherwood, OR, 97140 stated he was the owner of the property and at present, the fence would be replaced if the terrain allowed it and the breezeway was high enough.

- The north, west, and south fencing would be replaced with plastic slats that would create a buffer. One fence person had advised him that the west fence might not have to be replaced, and if it turned out it did not need replacing, it likely would not be.
- He hoped to leave the south end of the west fence open for fire access, as opposed to installing a gate, as gate installation required a minimum of 10-ft which would necessitate moving everything to the right to achieve the required width. If he could leave the south end of the west fence open, he would also leave the north side open, as the fence was not a deterrent anyway. It was full of holes that had been cut into it and that would likely happen again.

Chair Svadlenka called for public testimony regarding the application and confirmed with Staff that no one was present at City Hall to testify and no one on Zoom indicated they wanted to testify.

Chair Svadlenka confirmed there were no further questions or discussion and closed the public hearing at 7:06 pm.

Rob Candrian moved to approve the Staff report as presented. Jordan Herron seconded the motion. The motion passed unanimously.

Rob Candrian moved to adopt Resolution No. 401 including the approved Staff report. The motion was seconded by Clark Hildum and passed unanimously.

Chair Svadlenka read the rules of appeal into the record.

BOARD MEMBER COMMUNICATIONS:

3. Results of the March 14, 2023 DRB Panel B meeting
4. Results of the March 25, 2023 DRB Panel B meeting
5. Results of the April 8, 2023 DRB Panel B meeting
6. Recent City Council Action Minutes

Daniel Pauly explained why there had been so many meetings, noting that in any proceeding, any participant could ask that the record be left open for seven days, and when that happened, the applicant had seven days to make their final argument. Following that, the Board had to be called back to make a decision, but the hearing was not re-opened; Board members were there

to make motions and discuss. He confirmed that process applied to both City Council and Development Review Boards and had recently happened in March with DRB Panel B.

Chair Svadlenka asked if anyone could request the record be left open for seven days or only the applicant.

Stephanie Davidson, Assistant City Attorney, clarified that the term in the State statute was participant, which certainly included the applicant, but she was not sure what the extent of the term meant.

Mr. Pauly replied that as he understood it, a neighbor could make that request as well if they wanted to present more evidence

STAFF COMMUNICATIONS

Daniel Pauly, Planning Manager, noted that Staff anticipated the next meeting would be canceled as there were no agenda items at present.

ADJOURN

The meeting adjourned at 7:06 p.m.

Respectfully submitted,

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