

DEVELOPMENT REVIEW BOARD MEETING
AUGUST 14, 2023
6:30 PM

Consent Agenda:

1. Approval of minutes of July 10, 2023 DRB Panel A meeting



**DEVELOPMENT REVIEW BOARD PANEL A
MEETING MINUTES**

July 10, 2023 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, July 10, 2023. Vice Chair Clark Hildum called the meeting to order at 6:33 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: Clark Hildum, Rob Candrian, and Jordan Herron. Jean Svadlenka and Yara Alatawy were absent.

Staff present: Daniel Pauly, Amanda Guile-Hinman, Kimberly Rybold, Stephanie Davidson, 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 June 12, 2023 DRB Panel A meeting

Rob Candrian moved to approve the June 12, 2023 DRB Panel A meeting minutes as presented. Jordan Herron seconded the motion, which passed unanimously.

PUBLIC HEARINGS

2. **Resolution No. 417. Charbonneau Marina Modernization.** The applicant is requesting approval of a Willamette River Greenway Conditional Use Permit, Site Design Review, Type C Tree Removal Plan and Abbreviated SRIR Review for parking lot and landscaping improvements at the Charbonneau Marina located at 8755 SW Illahee Court.

Case Files:

DB22-0010 Charbonneau Marina Modernization

- Willamette River Greenway Conditional Use Permit (CUP22-0001)
- Site Design Review (SDR22-00010)
- Type C Tree Removal Plan (TPLN22-0008)
- Standard SRIR Review (SRIR22-0005)

Vice Chair Hildum called the public hearing to order at 6:41 p.m. and read the conduct of hearing format into the record. Vice Chair 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.

Kimberly Rybold, Senior 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. Rybold presented the Staff report via PowerPoint, briefly noting the site's history, location, and features, with these additional comments:

- Proper noticing was followed for the application, mailed to all property owners within 250 ft of the subject property, and published in the newspaper. Additionally, postings were placed on both the site and the City's website.
 - No public comments were received during the project's comment period.
- Of the four requests before the DRB for the Charbonneau Marina application, three were objective in nature as they involve verifying compliance with Development Code standards, and the conditional use permit involved discretionary review.
- The Applicant proposed to expand the existing parking lot for a total of 15 automobile parking spaces and two golf cart parking spaces. The current parking lot is not striped. A picnic table is also proposed adjacent to the reconfigured parking lot. (Slide 5)
- The Applicant used appropriate professional services to design the parking area and associated landscaping. The overall design and landscaping of the proposed parking area consistent with the design of the existing development and the proposed landscaping materials met or exceeded City standards.
 - Due to risks posed from the recently discovered Emerald Ash Borer, a condition of approval required the Applicant to plant a comparable native tree species in lieu of the four Oregon Ash trees proposed adjacent to the parking area.
 - Of the 52 trees inventoried as part of the project, six trees greater than six inches in diameter, including cherry trees and a Big Leaf Maple, would be removed either due to health or their location relative to the proposed parking lot modification. All other trees surveyed would be preserved and protected during construction. (Slide 6)
- The Applicant requested approval of an abbreviated Significant Resource Impact Report (SRIR) for nonexempt development located within the Significant Resource Overlay Zone (SROZ) and its associated 25-ft impact area. The proposed development within the SROZ, included permeable pavement and gravel. (Slide 7)

- Proposed impacts were within the limits allowed by the SROZ Ordinance and would not disturb the riverbank as all new development was either proposed above the top of the riverbank or in-water improvements.
- The Applicant conducted a detailed site analysis consistent with Development Code requirements that was reviewed and approved by the City's Natural Resources Manager.
- The SRIR included a mitigation plan that featured plantings along the top of the riverbank, which were shown in the landscaping plans for the site.
- The request for the Willamette Greenway Conditional Use Permit involved discretionary review by the DRB. The marina had received approval as a conditional use in 1978 and would continue to operate in a similar manner consistent with the character of the site and surrounding area.
 - The proposal was considered an intensification of use due to the proposed parking lot modifications. Consequently, a Conditional Use Permit review by the DRB was required per the Development Code. The DRB could grant a Conditional Use Permit in the Greenway if they determined the Findings outlined on Slide 8 were met.
 - As outlined in the Staff report, the proposed parking lot modifications, associated landscaping, and tree removal for the project met those criteria. Therefore, allowing the DRB to approve the Greenway Conditional Use Permit.

Rob Candrian confirmed the marina was only for use by Charbonneau residents and asked if access to the dock was also limited to residents only.

Daniel Pauly, Planning Manager stated he believed there was a secure door on the top of the dock.

Ms. Rybold understood the parking area and picnic table were accessible to the public, but deferred to the Applicant for confirmation.

Jordan Herron asked for clarification on how many trees would be impacted by the project and if more trees would be planted elsewhere.

Ms. Rybold replied a total 17 trees would be impacted. Six trees were 6-in or greater in diameter, five cherry and one Big Leaf Maple. The parking lot area would have four trees, and there would be additional mitigation trees along and above the riverbank.

Vice Chair Hildum called for the Applicant's presentation.

Jim Meierotto, General Manager, Charbonneau Country Club, stated that the marina was open to residents first and any remaining slips were offered to the public. Currently, roughly about half were open to the public.

Ms. Rybold invited Mr. Meierotto to speak to the application as Ben Altman was having connection problems.

Mr. Meierotto stated he was new to the process and not prepared to speak but offered to answer any questions or concerns.

Vice Chair Hildum asked if a retaining wall was proposed in the new parking lot area, noting he only saw a wall in one of the drawings provided.

Ms. Rybold confirmed there was a proposed retaining wall. The visualization of it was most evident on the sheets showing the proposed grading, as well as the Landscape Plan.

Mr. Candrian requested some background or context about why the parking lot was being expanded and why improvements were being made.

Mr. Meierotto replied the parking lot was pretty small for a marina with 36 boat slips, resulting in congestion. Additionally, the Applicant wanted to add paddleboard and kayak options and storage which would bring even more people. For those reasons, they wanted to expand the parking lot, and the space gave them a good opportunity to do that.

Mr. Pauly confirmed Ben Altman was experiencing audio issues via Zoom, so Mr. Altman would provide comment via phone.

Ben Altman, Senior Planner/Project Manager, Pioneer Design Group, 9020 SW Washington Square Rd, Suite 170, Portland, OR, 97223, clarified that originally, the Applicant had planned to extend the dock to the west, so it was more directly aligned with the access ramp, but that was out of the budget, so other than the parking lot and picnic area improvements, the primary focus to replace the deck of dock with a new dock, widening it, and going to double slips instead of single slips, which was a much-needed improvement. As mentioned in the Staff report, the dock had been there since 1978 and was pretty well deteriorated, so the improvements were overdue.

- He stated the Applicant agreed with the Staff report and recommended conditions of approval. He confirmed that a retaining wall was proposed.

Vice Chair Hildum noted the retaining wall was shown on one drawing but not others, and consequently he was concerned because he did not know its size or how visible it would be to the homes across the river.

Mr. Altman replied the wall would be on the south side of the parking lot and visible from the parking lot of the [inaudible] facility but not visible from the river at all.

Vice Chair Hildum 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.

Rick Schram, Property Manager, Charbonneau Country Club, stated the Country Club was really excited about moving forward with the project to give Charbonneau residents ~~of~~ more access to the marina, a picnic area, and more access to the river for paddleboarding and kayaking. He noted Clackamas County Sheriff's Dept was located at the boathouse. The Country Club hoped to get the project underway, adding the DRB's approval would be really great.

Amanda Guile-Hinman, City Attorney, asked Ms. Rybold if any modifications needed to be made given that the dock would not be extended.

Ms. Rybold replied that was not addressed anywhere in the Findings, adding that Page 4 of the Staff report clarified that the in-water items were not subject to the Conditional Use Permit review as the water was under State jurisdiction. A correction could be made, but doing so was not critical as the Findings were not related to it.

Mr. Candrian understood all the Findings were related to the parking lot improvements.

Ms. Rybold confirmed that was correct. All Findings were related to anything happening on the land.

Vice Chair Hildum confirmed there were no further questions or discussion and closed the public hearing at 7:08 pm.

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

Rob Candrian moved to adopt Resolution No. 417 including the approved Staff report. The motion was seconded by Jordan Herron and passed unanimously.

Vice Chair Hildum read the rules of appeal into the record.

BOARD MEMBER COMMUNICATIONS:

3. Recent City Council Action Minutes
There were no comments.

STAFF COMMUNICATIONS

Daniel Pauly, Planning Manager, stated a DRB Panel A meeting was anticipated on August 14, 2023. He then introduced new Assistant City Attorney Stephanie Davidson.

Stephanie Davidson, Assistant City Attorney, stated she was excited to be at the City and thanked the Board for allowing her to listen and learn tonight.

ADJOURN

The meeting adjourned at 7:12 p.m.

Respectfully submitted,

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