

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

**Development Review Board – Panel A  
Minutes– October 11, 2021 6:30 PM**

**Approved**  
November 8, 2021

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**I. Call to order:**

Chair Daniel McKay called the meeting to order at 6:30 p.m. –Palatino linotype

**II. Chairman’s Remarks:**

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

**III. Roll Call:**

Present for roll call were: Daniel McKay, Jean Svadlenka, Kathryn Neil, Rachelle Barrett, Ben Yacob

Staff present: Daniel Pauly, Barbara Jacobson, Philip Bradford, Kimberly Rybold, and Shelley White

**IV. Citizens’ Input:** None

**V. Consent Agenda:**

A. Approval of minutes of the May 10, 2021 DRB Panel A meeting  
Kathryn Neil moved to approve the May 10, 2021 DRB Panel B meeting minutes as presented. Ben Yacob seconded the motion, which passed unanimously.

**VI. Public Hearings:**

A. **Resolution No. 394. City of Wilsonville Public Works Facility: Brandon Dole, Scott Edwards Architecture – Representative for Delora Kerber, City of Wilsonville – Applicant/Owner.** The applicant is requesting approval of a Stage I Master Plan, Stage II Final Plan, Site Design Review, Type C Tree Removal Plan, Class 3 Sign Permit and Lot Line Adjustment for construction of a new public works facility for the City of Wilsonville. The subject site is located on Tax Lots 1800 and 1900 of Section 14A, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Philip Bradford

Case Files:	DB21-0017	Stage I Master Plan
	DB21-0018	Stage II Final Plan
	DB21-0019	Site Design Review
	DB21-0020	Type C Tree Plan
	DB21-0021	Class 3 Sign Permit
	AR21-0010	Lot Line Adjustment

**Chair McKay** 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.

**Philip Bradford, 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.

**Mr. Bradford** presented the Staff report (Exhibit A1) reviewing the background, summary of applications, and staff recommendation for the City of Wilsonville's proposed Public Works Complex via PowerPoint with these key comments:

- The subject property consisted of two tax lots located on SW Boberg Rd, east of the WES tracks and north of the SMART transit offices. Surrounding uses were mostly industrial and zoned PDI except for the Walnut Mobile Home to the east, which was Residential/Agricultural Holding-Industrial (RAH-I). The subject property was zoned PDI and had an Industrial Comprehensive Plan Designation.
- Proper noticing was followed, including clarifying background information about the project and outlined adaptations for the hearing process in providing testimony that were adopted by the City in response to Covid-19. The Public Hearing Notice was mailed on September 21, 2021 and an onsite notice was posted the same day. Notice was sent to each resident of the adjacent mobile home park rather than just the owner of the park to ensure residents were aware of the proposal. No public comments were received by Staff.
- While the application for the Lot Line Adjustment, AR21-0010, was applied for separately, it was included for review this evening because applications were normally reviewed as a complete package before the DRB.
- Stage I Master Plan. The subject property was not subject to any master planning area, so the applicable requirements all came from the Development Code. The proposed industrial uses included office space and warehousing, both permitted uses outright in the PDI Zone. As a whole, the site was a public facility, intended to serve the City of Wilsonville and its residents, which was also a permitted use within the PDI Zone.
- The Stage II Final Plan focused on the overall layout and function of the development. The Applicant proposed all the necessary facilities, such as stormwater, lighting, and access as part of the proposed development. The proposed layout of the public works facility met all the technical and functional requirements applicable to the Stage II Final Plan Review.
- The scope of the Site Design Review focused on architecture, materials, landscaping, and the overall appearance of the development. Overall, the redevelopment was attractively designed and complemented the look of adjacent industrial developments with extensive screening to soften the appearance of the service yard. Staff found that the development was professionally designed and met the intent and objectives of Site Design Review, which was primarily to avoid monotonous development and encourage a higher level of design. 15:00
  - The main office building utilized three different building materials that included gray natural concrete, black metal panels, and wood siding. These three materials avoided monotony and provided visual interest on a concrete tilt-up building. The selected

materials were durable and appropriate for an industrial zone. The other service yard structures primarily utilized the same metal panel in a grey color, which was cost-effective and low-maintenance.

- The landscaping utilized the General Landscaping Standard along the front and the High Screen Standard utilizing an opaque fence around the service yard. The Applicant had incorporated a large amount of new trees to soften the appearance of the development from SW Boberg Rd. Additional plantings within the Significant Resource Overlay Zone (SROZ) would enhance the riparian corridor. The site had stormwater facilities throughout, including a planter in the plaza between the office and warehouse buildings, another facility at the northeast corner of the service yard, and a large facility at the rear of the development. The proposed plaza was attractively designed and landscaped. It provided an area for Staff to utilize during breaks, as well as a pleasing pass-through area from the office to the more industrial uses at the western portion of the site.
- Type C Tree Permit. The Applicant's proposed removal of 89 trees was necessary for construction, and no practicable alternatives existed that would result in additional tree preservation on the subject property. The majority of the trees species proposed for removal were cottonwood trees. Within the SROZ, several trees were proposed for removal due to utility work. Others were in poor condition or noted as dead within the arborist's report. Several trees were proposed to the north of the site, north of the private access road. Overall, the Applicant had proposed 117 new trees be planted as part of site's development, which exceeded the one-to-one mitigation ratio.
- Class 3 Sign Permit. One monument sign was proposed near the entrance along SW Boberg Rd. The proposed sign measured 28 sq ft, which was below the allowable sign area for a single-tenant structure occupying more than 26,000 sq ft of building area. A condition of approval was included to ensure that the final placement met all applicable location and setback requirements that required the sign to be no farther than 15 ft from the property line and no closer than 2 ft to a public sidewalk.
- Lot Line Adjustment. During the initial review of the proposed development, the Building Department noted that the proposed office building crossed the parcel line as shown in the left image on Slide 13. A consolidation was required because a building could not cross property lines. Accordingly, the Applicant included a Lot Line Adjustment with their development to remove the line and create a new 7.64 acre parcel. The new lot met all standards for the PDI Zone, which did not contain a minimum lot size, lot coverage, or any area requirements. All setbacks were met by the proposed development.
- The Traffic Impact Study found that the proposed development would continue to meet or exceed all Level of Service (LOS) standards for each intersection studied as part of the analysis. Overall, the development would create 251 daily trips and add an additional 50 new PM Peak Hour trips, 11 inbound and 39 outbound.
- Parking. The roughly 17,200 sq ft office building required a minimum of 2.7 spaces per 1,000 sq ft of floor area, and a maximum of 4.1 spaces per 1,000 sq ft. The 17,900 sq ft warehouse portion required .3 spaces per 1,000 sq ft as the parking minimum, and .5 spaces per 1,000 sq ft as the maximum. The Applicant proposed 61 standard or compact spaces, which fell within the allowable total of 51 minimum and 80 maximum spaces. There were additional nonstandard spaces for oversized City vehicles, which were not included in the calculations for minimum and maximum street parking.

- Based on the findings of fact, information included in the Staff report, and information received from a duly-advised public hearing, Staff recommended that DRB Panel A approve with conditions all applications for the City of Wilsonville Public Works Facility.

**Jean Svadlenka** noted the office space was listed as 15,800 sq ft for traffic and parking calculations and 25,000 sq ft on Page 4 of Exhibit A. She asked which one was correct.

**Mr. Bradford** replied that overall, the building was 25,000 sq ft, but that included an underground parking deck that did not count towards that square footage, hence the smaller number. Because it was only for vehicle parking, it did not count as part of the usable floor area for parking calculations. There were 11 parking spaces in the below-grade deck of the building.

- He clarified that the below-deck parking spaces were for staff and did count toward the total available on the site. Bicycle parking would also be located underneath in the covered area, as well as three motorcycle spaces.

**Rachelle Barrett** asked for clarification on the total number of parking spots. From the presentation, she had noted 17 visitor, 33 staff, and 11 below deck parking spaces for a total of 61 spaces.

**Mr. Bradford** clarified there were also three additional Public Works spaces in the yard near the westernmost gate that counted towards the total, as well as five standard-sized spaces directly south of the stormwater facility. Those spaces, along with the 17 visitor, 33 staff, and the 11 parking spaces below deck comprised the total of 61 spaces.

**Chair McKay** asked for further clarification, noting Page 5 of the Staff report stated, “The Applicant proposes 50 parking spaces for visitors and staff and another 37 parking spaces located in the service yard” which was a total of 87 parking spaces.

**Daniel Pauly, Planning Manager**, replied that some of those spaces were storage for fleet vehicles.

**Mr. Bradford** confirmed the 37 spaces located in the service yard were inclusive of the nonstandard vehicle spaces. He had not separated those out in the traffic and parking section, but had in the Findings on page 32 of the Staff report.

**Mr. Pauly** explained some of the service yard spaces could accommodate standard vehicles. Staff could park their personal vehicle there and then take a work truck, and some were striped spaces for storage of City equipment.

**Chair McKay** asked if those spaces counted towards the minimum/maximum number of spaces. He noted the maximum number of allowed spaces was 80, but it appeared that 87 spaces were proposed. He asked if the Applicant needed to apply for a waiver.

**Mr. Bradford** replied that he did not interpret those as needing to be counted because per the Code definition, the parking space standard was 9 ft x 18 ft, which was the basis for his

calculations. Those other spaces were significantly different in size, so he did not interpret them as either a standard or compact parking space, both of which had prescriptive sizes in the Code.

**Mr. Pauly** added that more importantly, those spaces could be considered storage under the Code because they were intended for equipment storage. Even car dealerships had that differential, where some spaces were counted as parking spaces to meet the minimum for staff and customers, while others were counted as storage for vehicle inventory, although both looked the same on the ground. Trucking and warehousing developments typically had a lot of striped truck parking spaces that did not count toward the maximum because that was where truck and trailers were stored. This was the same idea.

**Mr. Bradford** confirmed there was a discrepancy in the numbers, but the total numbers contained in the Finding B33 on Pages 31 to 33 of the Staff report were accurately measured from the Applicant's plans.

**Ben Yacob** expressed concern about traffic as every industrial facility in the area hit the same rush hour between 3 p.m. and 5 p.m. He asked about the additional traffic being added by the facility to Boberg Rd, which was already inundated with traffic now. He understood it was a needed facility, and asked if the City or Planning Department had thought about offsetting some of the traffic with any mitigation. Did the paved easement go all the way through?

**Mr. Bradford** confirmed that both the subject site and an existing industrial user to the west took access through the private easement road on the north end of the property. However, there were no conditions or recommendations in the DKS Traffic Impact Study, as all of the intersections studied maintained their LOS D or higher.

**Mr. Pauly** reminded that the Traffic Study included all existing and planned developments, including any approved, unfinished project. All intersections continued to perform without additional mitigation required. He clarified that KSF in the Traffic Study meant 1,000 sq ft.

**Chair McKay** stated that directly to the east of the subject site was the mobile home park. He understood that during the Nicoli development, there was concern about noise and construction vehicles. He asked what sort of vehicles would be stored on site and whether any before or after hours noise would be generated from the development.

**Mr. Bradford** replied that based on information provided by the Applicant, there would only be after-hours activity on the site if there was an emergency. Otherwise, the typical use would be during normal City business hours. He believed the DP Nicoli development had both Comprehensive Plan and Zone Map Amendments along with conditions for vehicle traffic, whereas the subject property was already zoned Industrial, so it was a slightly different context.  
[34:05]

**Mr. Pauly** added that the main prohibition was within 100 ft. Once the right-of-way and office building were added to the subject property, any after-hours operations would be well beyond that distance.

**Ms. Svadlenka** noted in Table 5 "Future Intersection Operations" on Page 6 of the Staff report, the last column on the right, "Existing + Stage II + Project" showed that the Boeckman Rd/Boberg Rd intersection would potentially generate a LOS D. She asked if that would trigger a traffic amendment to that intersection.

**Mr. Pauly** answered no, stating that LOS D met City standards, so it was not a failing intersection, which would be LOS F. He understood the LOS could be confusing. LOS D could be good because it meant an intersection was not overbuilt, but was efficiently operating at capacity. LOS D was not like a school grading scale. If everything operated at LOS A, it would mean the City had overbuilt and spent too much money on roads.

**Ms. Svadlenka** asked what the unit of measurement was for the delay column in Table 5.

**Mr. Pauly** replied it was seconds. Additionally, Matt Huxley from Tetra Tech, who had worked with the Engineering Team on the review of the Traffic Study, was present and could correct anything as necessary. He confirmed the Boeckman Rd/Boberg Rd intersection was a four-way stop, not a traffic light.

**Ms. Svadlenka** asked for a description of the dewater/decant facility.

**Mr. Bradford** deferred to the Applicant, noting the Public Works Staff would be best suited to describe the different facilities in the storage yard.

**Mr. Pauly** suggested entertaining any other questions for Planning Staff, and allow the Applicant could address that during their presentation. Essentially, the facility was used to clean off items from sewer operations and such.

**Chair McKay** stated it sounded like some fairly nasty chemicals would be stored at the facility and asked if anything in the Code addressed distance requirements from residential areas for things like chemical spills, cleanup, mitigation, etc.

**Mr. Pauly** advised tabling that question for the Applicant as well.

**Ms. Barrett** noted that Pages 12 and 13 of Exhibit A1 included quite a few Engineering Division conditions that had to be met by the Applicant. She asked how it was feasible to meet them all as the plans did not appear to have met them, specifically those conditions regarding stormwater areas and fire hydrants.

**Mr. Pauly** replied that if a condition substantially changed the layout of a site, Staff did their best to resolve it prior to land use because it interrelated with the overall design and layout of the site. If it was something underground, or the location of a single item, such as a fire hydrant, there was more flexibility and it made more sense to work it out during construction drawings when they got to a higher level of design. Staff had not identified anything in the Public Works requirements or conditions of approval that would substantially alter the Site Plan.

**Ms. Svadlenka** noted Condition PFA 8 suggested eliminating the water quality facility and asked how to identify it on the design.

**Matt Huxley, Tetra Tech**, replied it was a small island facility in the northeast corner of the site. His one concern was having maintenance stuck up in the corner. Additionally, the Utility Plan showed that it connected to the stormwater facility to the southwest, so there was no need to provide treatment twice. Therefore, it could be eliminated to provide additional space for parking or other uses. It was a minor comment.

**Ms. Svadlenka** asked if the City had decided to eliminate it or leave it there.

**Mr. Pauly** deferred to the Applicant, noting that typically, it would be left as landscaping. He agreed it was fairly minor because under the Code, it was considered substantially compliant. He invited the Applicant to clarify if they had come to a resolution about the facility. Oftentimes such an issue was resolved during the final stormwater design when the capacity numbers were confirmed as the exact design was dialed in.

**Mr. Yacob** asked if the only purpose of stormwater facilities was to retain water during rain.

**Mr. Pauly** responded different facilities had different purposes. Some facilities were used for water retention during a storm event while others had special soils to percolate and clean or treat the water.

**Ms. Svadlenka** noted the Landscaping Plan shown on Slide 10 of the PowerPoint and on Page 7 of the Staff report listed Boberg Rd as Borberg Rd. On Page 25, Finding B11 under Traffic Concurrency discussed the Traffic Impact Analysis in Exhibit B7, but she had not received that exhibit and asked if it was notated incorrectly.

**Mr. Bradford** clarified it should read "Exhibit ~~B7~~ B1".

**Chair McKay** confirmed there were no further questions of Staff and called for the Applicant's testimony.

**Delora Kerber, Public Works Director, City of Wilsonville**, provided background on the proposed project, stating that in 2015, the City had drawn up a Facility Master Plan with two top goals to accomplish, to give both the police department and Public Works better facilities than what they had. Currently, both occupied the old City Hall building across the street. The Public Works administrative offices occupied the top floor of the old City Hall, but the yards were located all over the city, including the Three Bay at Memorial Park, which was allowed under a Temporary Use Permit that was due for renewal, if needed, in 2024.

- To meet these needs, the City had purchased the subject site in 2016 and began the conceptual design plan process, which concluded with the Final Design Plan being presented tonight. In working through the development of the facility, function drove form. Public Works had to maintain the facility, so they had pondered at length what would be best to maintain and

created a long-term plan to sustain the Public Works Department at least 30 years. Because Public Works employees were first responders, they wanted to ensure the facility would be able to withstand any major disaster, so seismic resiliency was a key component.

- Sustainability was addressed through the Department's own hybrid of LEED, as well as Green building. Energy efficiency was achieved through solar panels on the warehouse. The proposed facility would be cost-effective, modest, durable, and most important for Public Works, it was maintainable.

**Brandon Dole, Project Designer**, thanked Ms. Kerber, City Staff, members of the Board, and Mr. Bradford for his summary earlier. He stated the project team was excited to talk about the project and answer any questions Board members had. It was an exciting moment for Public Works and the City of Wilsonville. He presented details about the proposed project via PowerPoint with these comments:

- As mentioned, the subject site contained a SROZ that included a cluster of trees and a drainage way to the south of the site. It was a critical feature the Applicant had tried to limit impact to and had ensured to remain clear of any buffers required for that feature.
- The office building would house all of the operations staff, admin, and some storage areas for emergency operations. A large warehouse building would occupy the center of the site. It was a pre-engineered metal building that would store vehicles. Some of the vehicles in the fleet had chemicals and fluids in them that needed to be tempered and stored and prevented from any freezing. Additionally, open-air, covered storage would allow for future expansion or could be enclosed at some point, if needed.
  - To the north of the covered storage area was a carwash station to give Staff and the Department the ability to maintain and clean their vehicles. It was very similar to a carwash facility.
- The dewatering facility was key to any public works operations crew. Essentially, crews collect materials out of sewers and the ground that is wet, and that moisture and water needed to be disposed of as water added to the weight and cost. That material was discharged out of the equipment at the dewatering facility, where all the water is removed, lightening the load and providing cost savings.
- Due to a lot of bulk materials stored on site, a bin storage facility was provided, as well as recyclable storage for the large amount of materials the operations crews pick up. There was also a fairly significant trash enclosure.
- In the proposed two-story, administrative building, the ground-floor would contain open-air parking, a locker room, an emergency supply area, and janitorial spaces. The second floor included Staff offices, conference rooms, and an Incident Operations Center. Although not a true emergency operations facility, it could function as such, if there was an emergency deployment. Additionally, there were crew rooms for each Public Works division, a large break room, and a public lobby and reception area.
- The vehicle storage building would have staging for loading and unloading, shop spaces, storage for each individual crew, as well as vehicle storage. Pallet racks separated each bay for loading and unloading vehicles.
- Although the facility was a standard concrete tilt building, a lot of emphasis and value had been incorporated in terms of materiality to ensure durability and pleasing aesthetics. To that end, there were multiple metal panel profiles and nice wood cladding in addition to the



concrete. The wood siding and metal panels were concentrated in areas to get the best public exposure and user experience, such as around the main entry.

- The administrative building embraced the topography and was purposely sited to limit any cut and fill. As such, from Boberg Rd, it would appear as a one-story building.

**Ms. Svadlenka** confirmed with Mr. Dole that the dotted line shown to the north of the office building on Slide 2 represented space reserved for possible future expansion of the building, and that the Oregon white oak trees being planted would be removed, if the building was expanded.

**Martin Montalvo, Public Works Operations Manager**, clarified the trees in the future expansion area were not white oaks. The only existing white oak was on the north side of the paved easement.

**Ms. Svadlenka** noted the planting schedule showed 14 Oregon white oaks would be planted.

**Mr. Montalvo** replied that would need to be clarified as they would not plant Oregon white oak in any future expansion area.

**Mr. Yacob** understood the City planned to build a pedestrian bridge over I-5 to connect to the WES Station and asked if that was considered in the design. He noticed the sidewalk shown in Slide 10 looked normal.

**Ms. Kerber** responded that the I-5 pedestrian bridge overpass was not part of this development.

**Mr. Montalvo** clarified the access road was not a public road, but an access easement granted to Old Castle, the industrial property just west of the subject site. The access road was limited to Old Castle's and the City's use as the City was the grantee. The road was not public and did not connect to any other roads. It only provided access to the Old Castle property.

**Mr. Yacob** clarified he was referring to the Boberg Rd sidewalks, which looked like normal sidewalks with a bike lane. He asked if any consideration had been made for additional potential vehicle, pedestrian, or bicycle traffic from the west.

**Mr. Dole** replied that nothing beyond a standard sidewalk and bike lane had been considered.

**Chair McKay** asked if the City planned to look at that to assess if a revision would be beneficial.

**Kim Rybold, Senior Planner**, stated she was a part of the Staff working on the pedestrian bridge project. The scope of that project was to bring the bike/ped bridge across and along the Boones Ferry Rd frontage. The bridge would come down to grade at the Barber St/Boones Ferry Rd intersection, at which point it would be a shared-use path that would transition bicyclists onto the on-street bike lanes on Barber St. No changes were proposed as a part of that project that extended beyond that intersection. The existing bike lanes on both Barber St and Boberg Rd would be able to accommodate any bicycle traffic from that project and pedestrians could connect to the existing pedestrian network.

**Ms. Svadlenka** asked if the existing chain-link fence on the southern boundary adjacent to the SMART transit building would be removed or was it intended to provide security for the Public Works building.

**Mr. Dole** clarified the chain-link fence would be maintained. The security fencing for the Public Works building would be added and run along the red dash line. (Slide 2) The two fences would not impact each other.

**Mr. Pauly** confirmed that 14, 3-in caliber Oregon white oaks were shown in the Planting Plan. He encouraged the Applicant to state what they intended to plant in those locations, if not Oregon white oak because changing that out could be considered a substantial change.

**Ms. Kerber** replied they would resubmit to show the current Planting Plan.

**Ms. Svadlenka** noted the Staff report/application incorrectly stated black cottonwoods were not native, which could be confirmed via the Oregon Forest Resource Institute or the native tree list at [www.portland.gov](http://www.portland.gov). Per the Planting Plan, the percentage of native plants for trees, shrubs, grasses, and ground cover looked great. If the Oregon white oaks were planted, 51.5 percent of the planted trees and 67.5 percent of shrubs were native; however, for total plantings, only 38.6 percent of the grasses being planted were native. She asked if adding more native species could be considered as some were very similar to and could replace the non-native species listed. This would add interest and be something Public Works could be proud of.

**Mr. Dole** responded the Applicant could definitely go back to the landscape architect to get a higher percentage of native species.

**Ms. Svadlenka** asked if the proposed monument sign would only say Wilsonville as shown in the Staff presentation. (Slide 12)

**Mr. Dole** clarified “Public Works Department” would also be incorporated into the sign.

**Chair McKay** asked Staff if a condition of approval should be added about the Applicant resubmitting an updated Planting Plan.

**Mr. Pauly** responded if the Board had specific direction for that revision, it could be added as a condition of approval.

**Chair McKay** asked the Applicant to clarify that the proposal did not include potential future demolition of the Oregon white oaks.

**Mr. Dole** confirmed that was correct. The Applicant would confirm the plant species called for those two trees to verify and confirm no white oaks would be impacted by any future expansion of the facility.

**Chair McKay** asked if there was any potential danger to nearby residents if a chemical spill or leak occurred at the site.

**Mr. Dole** replied that they saw no potential danger to the public. The site was fully contained internal to the operations yard with multiple layers of protection.

**Chair McKay** confirmed with Staff that there was no public testimony and called for any additional questions or comments Board members had for Staff or the Applicant.

**Ms. Barrett** noted the Staff report listed the office building as being 15,800 sq ft on Page 8 and 17,200 sq ft on Page 31. The square footage was also different on Page 37 in the solid waste calculation, but perhaps that was not important because it still fell within the guidelines. She asked if that should be fixed.

**Mr. Pauly** replied the square footage should be consistent.

**Mr. Bradford** deferred to the Applicant for the correct square footage of the building, noting there were numerous discrepancies in square footage throughout the materials. Having a final square footage that was accurately measured would be good.

**Ms. Kerber** asked if the DRB wanted the square footage of the administrative building itself or the occupiable space. She reiterated that half of the lower floor was parking, which did not count toward the occupiable space and was not used in the calculation.

**Mr. Pauly** confirmed the parking space would not count, only the climate-controlled tempered space.

**Andrew Kraus, Scott Edwards Architects**, clarified the total building area for the administrative building included both levels.

**Mr. Pauly** stated it was typical to be off by a couple thousand square feet as the plans would be refined during final construction drawings. The range was 15,000 sq ft to 17,000 sq ft. He believed it was acceptable to confirm the final square footage, and make those corrections in the report.

**Chair McKay** noted the Applicant and Staff would update the Staff report and applicable application documents to provide a consistent measure on the office building's square footage.

**Mr. Pauly** confirmed that Staff had erred towards a larger square footage number when making their calculations. The proposed parking was not close to the maximum, so that was not a concern.

- He informed the Board that typically with public projects like this, once financing was secured, last-minute changes would occur due to value engineering or affordability. The Applicant would be able reassess what they could afford.
- The language in the Code stated, "substantially compliant," which involved three levels of review. If it was substantially the same and would not change any land use findings in the Staff report, it was reviewed administratively as a Class I. Something more substantial but

that did not increase or decrease the building size more than 1,250 sq ft, add or remove ten parking spaces, or substantially change the architecture was done through a Class II and the Board would receive Notice. Anything more substantial than that would have to come back before the Board. Because the Finance Plan was still unknown for this application, there would likely be refinements.

**Mr. Kraus** stated he agreed entirely with Mr. Pauly's comments. He confirmed that the administrative building was roughly 23,900 sq ft divided on two floors, and the warehouse building was approximately 19,900 sq ft. Those numbers were updated as of tonight. He also agreed the final square footage could vary slightly, but the difference would be within hundreds, not thousands, of square feet. He confirmed the 23,900 sq ft included the non-climatized area; it was the gross building area and included the parking.

**Mr. Dole** stated the first floor parking area was approximately 6,000 sq ft, so the 18,000 sq ft number in the report was the accurate number.

**Chair McKay** confirmed there were no further questions or points of discussion. He proposed two conditions of approval for discussion:

- A condition that the Applicant resubmit a Planting Plan that did not include future demolition of Oregon white oaks.
- A condition that the Applicant and Staff update the Staff report and any application materials to provide a uniform number on square footage for each of the buildings.

**Ms. Svadlenka** asked that a condition be added stating that the Applicant would add more native species to the Planting Plan.

**Mr. Kraus** stated that while he appreciated the desire for more native species, he did not understand why the Board would want to require that as a condition. The landscape architect was responsible for not only choosing the best species, but also for considering survivability and maintenance. Their selections were intended to cover all of those grounds. They were happy to discuss that but questioned making it a condition of approval.

**Mr. Pauly** suggested using language like "encouraged" rather than creating a new standard that required a new percentage.

**Chair McKay** agreed "encouraged" would work, and would not include a requirement for any change. The Board's request would be on the record that the Applicant readdress the plant selection.

**Ms. Svadlenka** stated she agreed.

**Chair McKay** closed the public hearing at 7:49 pm.

**Daniel McKay moved to adopt Resolution No. 394 with corrections to the square footages listed in the Staff report and two new conditions of approval:**

- **Condition that the Applicant resubmit a planting plan that does not include future demolition of Oregon White Oak**
- **Condition to encourage a plant selection plan for including additional native plants to the maximum extent possible.**

**Jean Svadlenka** seconded the motion, which passed unanimously.

**Chair McKay** read rules of appeal into record.

## **VII. Board Member Communications:**

- A. Results of the May 24, 2021 DRB Panel B meeting
- B. Results of the September 27, 2021 DRB Panel B meeting
- C. Recent City Council Action Minutes

**Chair McKay** asked for a brief update about the last DRB Panel B meeting involving the Villebois Village Center project.

**Mr. Pauly** explained it involved development adjacent to existing residential units and concern about traffic and parking from neighbors had been expressed, particularly about the proposed surface parking lot, which was allowed. Typically, properties were rezoned concurrent with development applications. For the Village Center project, about half of the project had previously been rezoned, leaving two parcels that had not. DRB Panel B continued the meeting to address additional questions and to give the Applicant time to gather more information, particularly from neighbors. They did forward to City Council the recommendation to rezone that last piece to Village, consistent with the rest of Villebois, and City Council did adopt it on first reading on October 4. The remaining development applications would be heard by Panel B on October 25, 2021. The amount of public testimony resulted in a late meeting, which concluded before 11:00 p.m.

**Mr. Yacob** asked what the instigator was for the people in Villebois and if there were as many neighbors present as at Panel A's meeting with the Canyon Creek scenario.

**Mr. Pauly** replied the Villebois Village scenario was a bit different. The project had been discussed since the beginning of Villebois, and some residents had purchased homes in anticipation of the completion of the Village Center. Although the majority of public speakers were opposed to the surface parking lot portion of the project, there was a lot of support in the written record for the project overall. Additionally, what was allowed was clearer for the Village Center project because it was part of the Villebois Master Plan, so there was not as much discretion regarding the rezone like there was with the Canyon Creek project. He believed fewer people attended the Village Center hearing than Canyon Creek, but there were similar comments. He noted fewer people lived near the Village Center project.

**Mr. Yacob** added it was important to ensure future meetings, so development was not halted by 10 to 15 people that did not want development.

**Kathryn Neil** asked why the retail spaces in the Villebois Village Center were not filled.

**Mr. Pauly** replied he did not know all of the reasons why. That said, it was very expensive to convert retail space to restaurant space, there could be leasing issues, etc. He understood there was more to it than a lack of demand, although he did not know what that entailed other than financial or structural issues.

**Ms. Svadlenka** asked why there was a vote if the public hearing was continued.

**Mr. Pauly** replied there had been a motion to approve that was voted down in order to do something else. Because there was no question about the zone change, Panel A approved that portion and continued the remaining items, which could be done with component applications, although it was rare.

**Ms. Barrett** asked when future meetings would be in person and not online.

**Mr. Pauly** stated one Planning Commission meeting and a number of City Council meetings had been conducted in person in July and August. As soon as conditions allowed, in-person meetings would resume. He noted the State legislature had passed a bill that required all meetings to be both online and in person, so the public could continue to participate remotely though the Board would meet in person when health protocols allowed.

**Barbara Jacobson, City Attorney**, confirmed there would always be an option for citizens to attend remotely.

**Mr. Pauly** noted that for Board members, meetings would be either all in person or entirely virtual, though the public would have the option. Board members would be given as much advance notice as possible when meetings resume in person. A November meeting was anticipated for Panel B, and it would be virtual.

#### **VIII. Staff Communications:**

Regarding Canyon Creek subdivision

**Daniel Pauly, Planning Manager**, updated on conditions related to the Board's April/May meetings, noting the Board could expect written correspondence about the information as well. One added condition stated, "City Staff will assess the Applicant's proposal of designing and installing a new outfall on Boeckman Creek in an effort to reduce site and slope disturbance and tree removal; however, the preferred approach is to minimize the number of new outfalls to reduce impact to Boeckman Creek. City Staff shall ensure any changes that revise lot layout or stormwater utilities for the process of division meet all adopted standards and Code criteria."

- He explained the issue concerned an existing easement in a neighbor's backyard where a storm manhole was located and to explore alternatives in an attempt to avoid disturbing their backyard.
- After further inspection and exploration, City Staff and the City's engineering consultants determined the best alternative was to connect to that existing manhole, which was the plan the City was moving forward with. He assured that due diligence was done on all possible alternatives, which were also discussed with the affected property owner.

- He clarified there would not be a new outfall going into the Boeckman Creek Corridor. The storm drain would connect to the existing manhole and go through the existing outfall.

**Chair McKay** reminded that if Board members wanted to continue on the DRB, they needed to submit their volunteer interest form.

**Mr. Pauly** noted that only certain members' terms were due to expire and they were eligible for reappointment. He had already spoken to them, confirmed their interest, and had forwarded that on. An email had recently gone out for Board members to RSVP if they wished to continue.

- He reminded that a retreat was planned for February and asked Board members to mark their calendars if they could attend.

**Chair McKay** said he had received an email regarding reappointment, which might have been a mistake.

**Mr. Pauly** replied it might have been, adding he had conversations with all members whose terms were expiring, but were eligible for reappointment.

**Mr. Yacob** stated he had received the RSVP email for the February retreat; however, he understood his appointment was only for one year.

**Mr. Pauly** said he believed Mr. Yacob's term was for two years, but he would confirm that.

## **IX. Adjournment**

**Chair McKay** adjourned the meeting at 8:11 pm.

Respectfully submitted,

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