

**Development Review Board – Panel A
Minutes–February 12, 2018 6:30 PM**

I. Call to Order

Chair Fred Ruby 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 during the Public Hearing.

III. Roll Call

Present for roll call were: Fred Ruby, Jennifer Willard, and James Frinell. Joann Linville was absent.

Staff present: Daniel Pauly, Barbara Jacobson, 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 December 11, 2017 DRB Panel A meeting
James Frinell moved to approve the December 11, 2017 DRB Panel A meeting minutes as presented. Jennifer Willard seconded the motion, which passed unanimously.

B. Approval of minutes of January 8, 2018 DRB Panel A meeting
Jennifer Willard moved to approve the January 8, 2018 DRB Panel A meeting minutes as presented. The motion was seconded by James Frinell and passed unanimously.

VI. Public Hearing:

A. Resolution No. 347. South Wilsonville 76 Station Digital Sign Conversion: Double R Products - Applicant for R.C. Petroleum LLC - Owner. The applicant is requesting approval Class 3 Sign Permit and Waiver to allow the previously approved changeable copy fuel station price sign to be converted to a digital sign, along with updates to station canopy signs and the freestanding sign along Interstate 5. The subject property is located at 30085 SW Parkway Avenue and is legally described as Tax Lot 103 of Section 23AA, T3S, R1W, Clackamas County; Wilsonville, Oregon. Staff: Kimberly Rybold

Case Files: DB17-0029 Class III Sign Permit Waiver

Chair Ruby called the public hearing to order at 6:36 p.m. and read the conduct of hearing format into the record. Fred Ruby and Jennifer Willard 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 on the South Wilsonville 76 Signs via PowerPoint, briefly noting the site's location and the locations of the existing 76 signs, with these key comments:

- The request for a Class III Sign Permit was necessitated by the waiver request for an electronic changeable copy sign for the proposed fuel sign along SW Parkway Ave. The main focus of the application was a brand refresh for the gas station signs, which involved refacing the highway sign, putting new sign cabinets on the freestanding sign along Parkway Ave, and some additional changes to the canopy sign.
- The existing location and size of signs were approved as a part of a DRB application in 2010. Some of the signs were older than that, but that approval granted all of the existing square footage that was allowed. It also incorporated previous sign waiver approvals that were granted for the LED price lights on the highway sign along I-5.
- She showed the proposed changes to the highway sign face and the proposed canopy sign. (Slide 4) The signs were all in line with the previous approval, so normally would not undergo a Class 3 approval process; however, they were included with the application so that the whole package was under one sign permit.
- The Development Code listed digital changeable copy type signs under the Prohibited Signs Section of the Sign Code. However, the DRB should look at it as something that could be conditionally permitted, which meant an applicant had to go through a waiver request and meet the specific conditions that were a part of the waiver. Those conditions included having automatic dimming technology on the LED displays and both day and night luminance limits on the signs.
 - Another important point was the Sign Code's definition of Changing Image versus Changeable Copy. The Sign Code did not allow Changing Image signs, which were signs with a frequency of copy change of less than once per 15 minutes. However, a Changeable Copy sign could be conditionally permitted by the DRB. Per the definition, the frequency of the copy change had to be no more than once per 15 minutes.
- The Sign Waiver Criteria were spelled out in the Sign Code and reflected the Sign Code Purpose Statement. These criteria included having improved functional and aesthetic design over what would otherwise be allowed; being more compatible and complementary, both to the site itself and the surrounding development in the zone; and either improving or not negatively impacting safety in the area. The sign's content was not considered as a part of the waiver criteria.
- The portion of the application subject to the waiver was the proposed digital fuel sign, which would result from the changes the Applicant made to the existing fuel price sign. (Slide 8)
 - The upper and lower cabinets without the price element were consistent in size with the existing sign. The same sign supports would be used and the cabinet would simply be switched out. The sign area, without the fuel price panel, was about 38.5 sq ft. The actual fuel price cabinet itself, by Code, was measured separately and not counted towards the approved allocation of square footage of the sign; however, the fuel displays could only be a maximum of 11 sq ft per type of fuel.
 - The overall cabinet was just over 25 sq ft in size, which was consistent with the City's current standards for fuel price cabinets.
 - The application proposed that fuel prices would change no more than a couple of times per day which would meet the 15-minute standard related to Changeable Copy.
- Staff recommended approval of the Class 3 Sign Permit and Waiver with the conditions as outlined in the Staff report.

James Frinell noted Condition PD 6 required the freestanding sign to have an address and asked if the Applicant was relying on a waiver for the address rather than putting it on the sign.

Ms. Rybold replied that currently, the sign along Parkway Ave did not have an address; however, it was one of TVF&R's Code requirements, so the Applicant would either need to put it on the sign or submit a letter to Staff that stated TVF&R was not requiring it on that sign. Although a condition of approval, she did not know which option the Applicant would choose. However, the Applicant was present and could address that question.

Jennifer Willard confirmed the heights of the signs on Parkway Ave and along the highway were not changing.

Chair Ruby understood that back in history, a waiver was granted for both the installation of the digital lights and the 75 ft height for the highway sign.

Ms. Rybold said that was correct. She explained that the highway sign had a more storied history than any other sign because it predated Wilsonville and was brought into the city as a non-conforming sign. The waivers were granted back in 2009 with a request for the LED price signs. And then, due to some I-5 improvements, they wanted to move the sign, which was the impetus behind the application in 2010, which included a handful of waivers and variances that approved the existing height and location.

Chair Ruby called for the Applicant's testimony.

Brian Myers, Double R Products Construction, 901 NW E Street Grants Pass, OR, stated Double R would be performing the work on the site, and offered to answer any questions.

Chair Ruby asked if Mr. Myers could answer the earlier question about the address listing on the sign.

Mr. Myers answered that he was unfamiliar regarding those requirements, or any requirements or restrictions, as he was fairly new to the company.

Daniel Pauly, Senior Planner, explained that when the Sign Code was rewritten, TVF&R had used that as an opportunity to get a visible address, but most of the time, TVF&R would waive the requirement if asked, as long as the Applicant could prove the address was on the building and clearly visible from the street. It was a routine condition on almost every monument sign application that went through the City.

Mr. Frinell noted it looked like there was space available.

Mr. Pauly confirmed Staff would ensure the matter was addressed. He added that the address area was exempt from the other sign area.

Chair Ruby noted there was no one in the audience and closed the public hearing at 6:51 pm.

Jennifer Willard moved to approve Resolution No. 347. James Frinell seconded the motion, which passed unanimously.

Chair Ruby read the rules of appeal into the record.

VII. Board Member Communications

A. Recent City Council Action Minutes

Mr. Pauly commended the Board for a job well done listening to residents' concerns regarding the proposed changes at Memorial Park. After listening to same and hearing the discussion about Kolbe Ln, Project Staff members Mr. Rappold and Mr. Blankenship believed it prudent to take the matter back to City Council, which the City Council did affirm that was the direction they wanted to go in with the project. They were currently working on completing the design details and moving forward.

VIII. Staff Communications

Mr. Pauly announced Shanti Villarreal was appointed as a new DRB Panel A member. He did not believe DRB Panel A would meet next month, but he informed the Board that Staff had recently received two big applications, one of which was the first application for the Frog Pond area. He expected a few more applications in the next week or so, adding the Board would likely be quite busy after March.

Jennifer Willard asked if applications stayed with one Panel for the duration of a project like Frog Pond.

Mr. Pauly explained that with small projects, Staff usually stayed with one Panel, but with large master plan areas like Villebois or Frog Pond, Staff would utilize both Boards due to the volume of applications. He confirmed Ms. Villarreal would replace Ron Heberlein, who resigned following his appointment to the Planning Commission.

IX. Adjournment

The meeting adjourned at 6:59 pm.

Respectfully submitted,

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