

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

**Development Review Board – Panel A
Minutes–EXCERPT Resolution No. 243
February 11, 2013 6:30 PM**

<p style="text-align: center;"><u>Approved</u> March 11, 2013</p>
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I. Call to Order

Acting Chair Lenka Keith 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.

III. Roll Call

Present for roll call were: Lenka Keith, Mary Fierros Bower, Simon Springall, Ken Ruud, and Jerry Greenfield. Councilor Liaison Susie Stevens arrived after Roll Call.

Staff present: Blaise Edmonds, Barbara Jacobson, Nancy Kraushaar, Michael Wheeler and Amanda Hoffman.

New Development Review Board (DRB) Panel A members Ken Ruud, Jerry Greenfield and Simon Springall briefly described their reasons for joining the Board.

Chair Keith noted Councilor Liaison Susie Stevens was not expected until after 7 p.m.

IV. Citizens’ Input This is an opportunity for visitors to address the Development Review Board (DRB) on items not on the agenda. There were no comments.

V. City Council Liaison Report

This agenda item was addressed following the public hearing on Resolution No. 243.

Councilor Stevens reported that on February 4, 2013, City Council:

- Approved amendments to the Parking Ordinance to allow motor homes and trailers to park overnight on the street for one night, providing travelers extra time to unload their vehicles after returning from a trip.
- Discussed numerous possible uses for the Visitor’s Information Center building located across from Goodwill during work session. Discussion about the issue would continue.
- Approved the hiring of a consultant to work on ways to streamline Smart Transit operations in the city, including evaluating Dial-a-Ride routes and every aspect of the public transit system to make it more efficient. Prior to her joining the Council, state and federal grant money was awarded to the City for the Transit Integration Project, which was now ready to be implemented.
- Awarded an engineering contract to Wallace Engineering to begin work on the rebuilding of the Memorial Park parking lot. The project is expected to come before one of the DRB panels for review.

Councilor Stevens noted the next City Council meeting was scheduled for February 21, 2013. She welcomed the new DRB members.

The Board continued to Public Hearing Item B. Resolution No. 244 at this time.

VI. Election of 2013 Chair and Vice-Chair:

- Chair

Simon Springall nominated Mary Fierros Bower for the 2013 DRB-Panel A Chair. Lenka Keith seconded the nomination. Mary Fierros Bower was unanimously elected as 2013 DRB-Panel A Chair.

- Vice-Chair

Mary Fierros Bower nominated Lenka Keith for the 2013 DRB-Panel A Vice-Chair. Ken Ruud seconded the nomination. Lenka Keith was elected as the 2013 DRB-Panel A Vice-Chair by a 4 to 0 to 1 vote with Lenka Keith abstaining.

VII. Consent Agenda:

- A. Approval of minutes of November 15, 2012 meeting

-Note: Due to a lack of quorum to approve minutes from the November 15, 2012 minutes in the normal fashion, staff has attained signatures of approval from all attendees. The board is asked to recognize those signatures as valid and therefore adopt those minutes as approved

Simon Springall moved to adopt the November 15, 2012 DRB-B minutes as approved. Mary Fierros Bower seconded the motion, which passed unanimously.

VIII. Public Hearings:

- A. **Resolution No. 243. Wilsonville Family Fun Center: Ben Altman, SFA Design Group – representative for Wilsonville Land Partnership and Darren Harmon, Wilsonville Family Fun Center – Owner and Applicant.** The applicant is requesting approval a Modified Stage I Master Plan, Stage II Development Plans, Site Design Review, Waiver and Type B Tree Removal permit for Wilsonville Family Fun Center to allow a 74' support tower for a zip line ride and minor associated site modifications. The site is located at 29111 SW Town Center Loop West on Tax Lots 100 and 109, Section 14D; T3S R1W; Clackamas County; Wilsonville, Oregon. Staff: Amanda Hoffman

Case Files: DB12-0070 – Modified Stage I Master Plan
DB12-0071 – Stage II Development Plan
DB12-0072 – Site Design Review
DB12-0073 – Waiver
TR13-0002 – Type B Tree Removal Permit

Chair Keith called the public hearing to order at 6:38 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.

Amanda Hoffman, Assistant 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. Hoffman presented the Staff report via PowerPoint, entered into the record as Exhibit A3, with these key additional comments:

- She entered the letter submitted by Holland Partner Group dated February 11, 2013 into the record as Exhibit D1. The letter had been emailed to the Board members earlier that day.
- The Family Fun Center proposed a zip line tower of 74 ft, which would be located east of Interstate 5 south of the new Jory Trail apartment complex and north of Town Center Loop West.

- She noted the applications regarding the request, including the requested waiver to the 35-ft height limit in the PDC-TC Zone for the 74-ft zip line tower. The Type B Tree Removal Permit would allow removal of two trees for additional equipment to be located next to the tower.
- The tower is proposed to be 20 inches in diameter and tan in color to match the building.
- A photo simulation of the tower indicated the lines that run from the tower down to the beginning of the chair lift and the support guide wires that extend east into the parking lot. The simulation also depicted how the tower would appear in relation to the trees around the site. The photo simulation illustrated the view seen from the bank across Town Center Loop approximately 325 ft away.
 - Another slide simulated how the site would appear from a viewpoint further east along Town Center Loop toward the edge of the bank parking lot.
 - Another slide simulated what the site would look like with the apartment complex in the background, showing the trees behind the apartment complex. Photos at the bottom of the slide showed how the site appears today and what it would look like with approval of the application.
- She displayed a height comparison showing different places in the city with elements at the height limit of the proposed tower or higher. The Wilsonville Business Center towers were approved in 1988 with heights of 130-ft, 100-ft, and 80-ft. The 76 Station sign was approved at 75 ft in 2010. The movie theater tower was approved at 54 ft.
- The Applicant's argument in support of the request is a slim design, much like a cell tower, taller trees to the north that provide a good screening and buffering to the 74-ft tower. Tree heights to the north vary, but can be more than 100 ft with some adjacent trees being 90-ft tall.
- The entertainment use was compatible with the Town Center zoning. The Applicant would allow the Tualatin Valley Fire and Rescue to use the tower for safety training as well.
- The tower's height was determined by the clearance needed for the chair above the existing entertainment building. An illustration showing the dimensions was presented that indicated how the Applicant determined that 74 ft was necessary.
- When the Family Fun Center was approved in 1992, City Council restricted operation of the Fun Center batting cages to 10 p.m. due to the noise the facility created for residents of the Thunderbird Mobile Home Park. City Council also prohibited outdoor music and paging in 1992.
- Exhibit D1, the letter from Holland Partners, identified three requests: including a 10 p.m. restriction on operation of the zip line; the need for trees to provide additional screening, which was discussed with the Applicant; and addressing the outdoor music and paging, which was currently an ongoing issue even though City Council had prohibited it. These issues would need to be discussed with the Applicant.
- Otherwise, Staff recommended approval with conditions, including the 10 p.m. restriction for the zip line. She noted additional slides with more details about the tree issue were available.

Simon Springall asked how the tree screening and noise issue would be negotiated.

Ms. Hoffman replied it would be difficult to provide screening anytime soon. With a 74-ft tower, trees would take a number of years to grow tall enough to provide screening. At that point in time, it is unclear what the Family Fun Center's plans will be regarding its featured attractions. Trees may or may not help the situation. Planting a few trees to provide for potential screening in the future, or how tall the trees to be planted must be needed to be discussed with the Applicant. The Board needed to decide if the Applicant would be required to plant the trees.

Mary Fierros Bower asked about the zip line ride, how and how many times an hour it would operate; where people would queue up for the ride, etc.

Ms. Hoffman replied that some questions would have to be addressed by the Applicant who had more detailed information. She understood people would get on the ride near the bumper boats inside the gates and go up with their backs facing the tower. Once riders reach the tower, they would come back down

facing forward.

Ken Ruud stated that the outdoor music and paging issue was interesting. He visited the site and asked about the speaker locations. He noted some speaker systems would be needed to give people instructions about the rides. He confirmed that paging referred to paging specific people over the intercom and asked

Ms. Hoffman answered yes, according to the condition. She could not find that this requirement had been overturned at any point.

Simon Springall asked to see the additional slides about the tree screening.

Ms. Hoffman first displayed a slide highlighting the City Council conditions, which were included in the Staff report.

- Next, she presented the additional slides indicating two areas where an additional one or two trees might be placed. The trees would likely need to be evergreen.
- One area with deciduous trees created a gap, providing very little screening. She displayed the view from the apartment complex with deciduous, not evergreen, trees and a straight view toward the zip line tower's proposed location. Another area was at the end of the apartment complex where the windows had a sight line right through a gap.
- She was concerned that the areas available to provide trees were on the Holland property and would require negotiation between the Family Fun Center and Holland to plant new trees.

Chair Keith asked the height of the apartment building's top floor.

Blaise Edmonds, City Manager, Current Planning Director replied the peak of the building is about 45 ft, so each story is approximately 9 ft high.

Mr. Springall noted Staff's recommendation was to approve with the recommended conditions of approval. He asked what exactly the recommended conditions are.

Ms. Hoffman replied the approval would include all the conditions listed on Pages 4, 5, 6, and 7 of the Staff report. She noted that under the conditions of approval, the Building Division and Natural Resources did not have comments. She had missed including the table from engineering which stated that department did not have any comments either.

- She clarified that the trees discussed in the additional slides were not in Staff's conditions, but were mentioned in Exhibit D1, the letter Staff received from Holland Partner Group, which she read into the record.

Mr. Springall believed the conditions outlined in Holland's letter made sense. The 10 p.m. restriction was already in effect by Code, and while there seems to be a precedent of playing music, it made sense that the volume should be low to avoid disturbing neighbors. He asked if the ideas of adjusting the speaker placement and keeping the volume low could be expressed in Code.

Chair Keith stated that should be addressed with the Applicant.

Ms. Hoffman stated the problem was that the music playing is prohibited by the City Council decision and, therefore, could not be allowed by the Board.

Mr. Ruud confirmed that the issue regarded enforcement versus anything discussed at DRB and would be completely different than the subject application.

Ms. Hoffman added that after hearing from the Applicant, they could discuss having Holland meet with the Family Fun Center to negotiate the type of trees that would be placed and determine what was reasonable.

Chair Keith called for the Applicant's presentation.

Ben Altman, SFA Design Group, 9020 SW Washington Square Dr, Portland, OR 97223 representing the Fun Center introduced Fun Center General Manager Darren Harmon to respond to any specific operational questions. He thanked Ms. Hoffman for her extra help with the somewhat unique application being a request for a height waiver for a specific use.

- The Applicant has reviewed the Staff report and generally agreed with the findings and conclusions except for some minor adjustments on one of the conditions.
- He noted the application also included a Master Plan update that provides for future anticipated improvements and modernization of the Fun Center over the next several years. These improvements would be subject to subsequent design review for the specific actions when that stage is reached.
 - One key improvement involved removing the batting cage and expanding the entertainment building to create more indoor space. The batting cages are outdated and not one of the more popular activities.
 - The Applicant also anticipated expanding the building to the north where the patio and large umbrellas currently exist, to expand the dining room area. These revisions would return to the Board with specific applications at some future date. The Applicant believed these expansions were consistent with the general recreational entertainment characteristics of the Fun Center that have already been approved within the context of the Town Center.
- In the present Application for the zip line, the primary issue the Applicant sought to address was the height, requesting a waiver for the height to exceed the 35-ft standard. This was a unique request because the design of the facility requires distance and height to make it work. The only way this could be achieved was to provide the start point inside by the boat pond and extend the cables and the tower outside into the parking lot.
- He understood someone on the Board had a question about the original intent of the walled in area versus the parking lot. He explained the general intent of the walled area in the original application was to control the entry points to the entertainment options or features, providing some type of crowd control area so visitors come into the building and then back out to the entertainment area.
 - Although the facility required that the tower be extended outside, the access remains inside the wall, which was consistent with the original layout. If there was a concern about the design setting precedence, he noted this had never been an issue during his time in Wilsonville, as the City reviews every application on a case-by-case basis and considers circumstances for anything similar that might come up in the future. At this point, the Applicant did not anticipate a similar structure. The other planned improvements were mostly with the building itself and activities that would take place inside.
 - The other controlling aspect was the City's landscaping and parking requirement. The Applicant was right at the threshold for the parking requirements, and the landscaping requirements were fulfilled. There was not much room on the site to add more parking, so the Applicant was locked into the remaining area unless more property could be acquired, but none was available.
 - If any issue were to arise, it would come back for review by the Board.
- Another issue raised was the fact that the tower is not lighted. While an FAA beacon would be installed on top as required by Federal Aviation, the Applicant has considered, but decided against lighting. Lighting was not needed for safety or security because access to the zip line was internal to the center like all other events and activities that take place at the facility. Participants on the ride would only be outside for a few seconds. Existing ambient lighting from the parking lot, apartments to the north, and street lights would be sufficient to light the area. Anyone in a zip line chair would be looking down at the lighted parking lot.

- The only safety issue he could think of was if a cable were to get hung up, which would prompt a need for fire and rescue, who would have spotlight provisions.
- Working with the City's lighting standard, the Applicant did not want to push the limits and add unnecessary lighting.
- One issue raised by Holland included outdoor music.

Darren Harmon, General Manager, Family Fun Center, understood there was a 100-ft limit from the wall for the placement of amplified sound devices. The sound device was facing north now because previously, the area to the north was unoccupied. When Brenner (Daniels) came by, the Applicant had already removed all the northward-facing sound devices as well as those located on the golf course.

Mr. Altman stated the Applicant could work with Staff if an enforcement issue existed or a misunderstanding about that condition.

- **Mr. Harmon** had spoken with Holland Group about planting additional trees; however, not much space is available onsite to do much. The Applicant acknowledged the need to replace the two trees being removed, and the Applicant was willing to work with Holland to some extent, even if it involved working on Holland Group's side of the wall to provide additional screening.
 - The Applicant was concerned about setting limits to ensure the Applicant was not doing what Holland Group should have done in light of the fact that their facility was recently built knowing that the Fun Center was adjacent to their property. Holland Group could have planted more trees for screening themselves; however, the Applicant would not mind planting a couple trees to fill gaps in a few areas.
- The Applicant understood the 10 p.m. limit addressed the noise sensitivity of the residential area to the north, and did not have a problem with shutting the zip line down at 10 p.m. in general. However, historically, the Fun Center has had special event nights like Grad Night and Boy Scouts/Girl Scouts nights during which the center operates for extended hours in the summer. The Fun Center would like to maintain the extended hours during these events, especially now that the zip line would be a new attraction.
 - The Applicant understood that the sound of the bats hitting the balls was the main concern with the batting cages. The zip line would not have the same type of noise with exception of occasional screams.
 - The Applicant requested some flexibility for special event nights with extended hours beyond 10 p.m. The extended hour activities would take place approximately 20 to 25 nights during the year. The Applicant recognized the sensitivity regarding noise to the north. However, if the neighbors know about the events ahead of time and the events do not take place every night, the Applicant hoped that the extended hours would be allowed.

Chair Keith inquired about safety in the area of the parking lot; was there a way to prevent items like cell phones from dropping into the parking lot and on people's heads.

Mr. Harmon replied that the company that makes the zip line equipment also makes chair lifts for ski resorts; therefore, they do not have such procedures. The Fun Center would like to put something in place to address the issue. Participants on some of the current rides are required to empty their pockets and put their belongings in a secure box and remove flip flops. This would likely be part of the procedures for the zip line. As soon as an incident occurs, the Fun Center generally writes a procedure addressing the issue. Falling items was expected to be one of the procedures that the Fun Center would need to put into place.

Mr. Ruud asked if installing the zip line would put the Applicant over the parking requirement.

Mr. Altman replied the Applicant was still be within the minimum range. Currently, the facility had a couple parking spaces over the limit. While two spaces were being removed to put the tower in, they would remain within the required range by two or three spaces.

Jerry Greenfield acknowledged the contribution the Family Fun Center has made to Wilsonville for nearly two decades. He had concerns, but stated that the Applicant had addressed them very well.

Ms. Fierros Bower asked how much noise the ride would generate, how often it would go up and down and how fast.

Mr. Harmon replied that the ride is not very fast and would take approximately 45 seconds from beginning to end. The thrill was not the same as a typical zip line; however, the ride would be thrilling enough that people would want to go on the ride multiple times and bring their children. Passengers on the ride would be in a chair lift with double seatbelts controlled by a computer. The seatbelts, once engaged, would not reengage unless a signal was received from the ride's base.

Mr. Springall asked for a characterization of any mechanical noises associated with the ride.

Mr. Harmon responded that the ride is mostly quiet as an electric motor does the lifting. The area with the motor would be screened because it would be located on the golf course where people put. The stopping mechanisms have baffles, so the air brakes would not be audible. The zone in front of Holland's Building 6 was the only area where ride participants would be seen. Riders would face the freeway when going up on the lift chair, so voices would project that direction.

Mr. Rudd inquired about the car track's and bumper boats' hours of operation during special events.

Mr. Harmon replied that those attractions operate all night. Grad Nights involve 14 or 15 nights from late May to mid-June. The Fun Center might operate all night during these nights, depending on what schools attend. Fundraisers and church nights were also all night events that could last until 3:00 a.m.

Chair Keith asked how many back-to-back runs can be made on the ride in an hour.

Mr. Harmon stated he hopes to have at least 20 to 25 maximum runs in an hour.

Mr. Altman noted that getting in and out of the chair would likely take longer than taking the ride.

Mr. Harmon added the zip line would be one of the 11 attractions for kids to choose from during the late event nights. Protecting the Grad Nights was his primary concern. These events have a maximum of 600 students in the park spread across all the available attractions, except the batting cages due to safety reasons and the noise restriction. He did not anticipate a significant number of zip line rides taking place at the overnight events.

Mr. Greenfield understood the Applicant was already aware of the critical nature of the parking situation and that the Board would consider that closely. He asked if the Applicants had estimated the anticipated increase in their patronage.

Mr. Harmon stated if the Fun Center added the 25,000 square feet by removing the batting cages, more than likely, 12,000 square feet would be a footprint for an attraction housing 10 people. Right now, the Applicant had no plans for modifications, but wanted to do two things at once [update the Master Plan] because they were coming before the Board with the subject application.

- The Applicant knew the batting cages would eventually go away, and more indoor space is needed to stay competitive since many new entertainment facilities are very large and indoors. The newness of the Family Fun Center has worn off after 20 years and the Applicant would like to appeal to peoples' desire to play inside. As a result, they were considering a motion-based theater or miniature bowling alley. However, this would take up a large footprint without necessarily generating more parking or traffic. The aim was to allow guests to come inside when the park is slow during the winter, when people tend to go to indoor facilities.

Mr. Greenfield asked whether the expansion of Bullwinkle's would have a greater impact.

Mr. Harmon replied that part of the restaurant would likely be removed anyway to make room for something right now. It was not a 40-ft expansion of the restaurant because the facility needed to expand the game room.

Mr. Altman stated this would be addressed when the Applicant returned for those specific applications. Essentially, the parking requirement is driven by square footage relationships, and the Applicant would work with Staff because the Fun Center does not have a normal building footprint. There would be some tradeoffs of existing space for future or new space, and the Applicant would have to determine those net numbers.

Mr. Greenfield believed he had read the margin was more like fifty parking spaces being available.

Mr. Altman said he did not remember that part, but believed plenty of parking existed for now.

Chair Keith called for public testimony in favor of, opposed and neutral to the application. Seeing none, she closed the public hearing at 7:25 p.m.

Councilor Susie Stevens arrived at 7:25 p.m.

Ms. Feirros Bower inquired whether the Board wanted to add verbiage about having the Family Fun Center negotiate with Holland Group regarding the specifics of adding additional trees.

Mr. Ruud did not believe that was something to be addressed with the current application. Holland knew they were building next to an existing amusement park and those choosing to live there were aware of the surroundings.

Mr. Springall agreed nothing specific needed to be added to the application; however, the Applicant stated he would be happy to negotiate with Holland about the placement of additional trees. The Applicant and Holland could come up with a reasonable solution without the Board making it a condition.

Mr. Ruud agreed the two parties should be left to negotiate, and the negotiations should not be required.

Chair Keith did not believe any screening would be effective for many years.

Mr. Ruud asked about the Staff's recommendation on noise. He had asked about the bumper boats and cars because they tend to be attractions that generate noise from excited participants. If additional people were on the zip line, he was curious how much added noise would be generated. With no existing time limit restrictions on the existing rides, he asked if restrictions should be imposed for the new ride.

Mr. Edmonds stated when this project was reviewed years ago, there was always ambient noise from the freeway. The Applicant had been conditioned to conduct a sound study a year later and the Fun Center

was found to be within the State decibel requirements for being next to a residential area. It was difficult to distinguish the ambient noise of cars and trucks on the freeway, which is noisier when wet, from the noises coming from the batting cages and go karts, which are on a lower plane. The Applicant was conditioned to construct a 10-ft concrete wall to provide a noise buffer. The wall was pretty effective, but at that time, City Council was concerned about the paging system and loud music. He did not have the evidence in front of him to verify Mr. Harmon's testimony about sound equipment being a certain distance from the wall.

- He noted that during his years with the City, the Applicant has operated a very good business and has had very few complaints. In the beginning, there were concerns about sound and complaints about litter being thrown over the wall, but the Applicant has always been responsive and tried to be a good neighbor to the previous Thunderbird Mobile Park residents. He did not believe those efforts would stop with the new residents.

Mr. Springall inquired about Staff's recommendation that the park impose a 10 p.m. limit on the ride; however, remaining open late during special events appeared to be an important part of the Applicant's business.

Mr. Edmonds replied that traditionally Staff honors previous DRB and Council decisions. The condition was imposed on the batting cages due to the piercing sound of pinging metal bats. The Board could decide if the Applicant's proposal was reasonable and adjust that condition.

Mr. Springall asked if specifying that a 25-night maximum per year be allowed for extended hours would be acceptable.

Mr. Edmonds explained the hearing would need to be reopened if the Board wanted to discuss that proposal with the Applicant.

Chair Keith asked if the issue could be reassessed after the ride had been operating.

Mr. Springall noted the Applicant would not be able to operate the new ride during Grad Night and the zip line would be the big appeal.

Ms. Jacobson advised that the Board could make a change, or approve the recommendation in the Staff report as presented. The Applicant could return or be invited to return after some period of time to offer testimony as to why that issue should be reopened. If the Board made the decision to open the park for the specified nights, it would be a binding decision.

Ms. Fierros Bower supported that proposal.

Mr. Ruud inquired whether the Applicant could give neighboring properties advance notice seven or twenty-one days prior to those nights with extended hours.

Mr. Edmonds stated that because the late nights are consecutive, there would have to be advance notice of the grouping of the upcoming late nights.

Chair Keith reopened the hearing at 7:36 p.m.

Mr. Springall asked the Applicant if changing the condition to allow 25 nights per year of extended zip line operation would be acceptable if advanced notice of those nights was given to the neighbors to the north.

Mr. Harmon asked it be no less than 25 nights because right now, the Fun Center was pushing that number due to the Grad Nights and a few other events already scheduled. He and the Jory Trail property manager have spoken often and he has invited the manager to contact him with any problems. He agreed to 25 nights and would notify the neighbors in advance of those nights. He noted that Holland has a newsletter that is sent to their residents. A calendar could be used to notify about the June nights. The remaining late nights would be sprinkled throughout the year

Mr. Springall clarified the proposed 25-night limit would apply to the zip line because the other operations of the Fun Center would be unaffected.

Mr. Ruud noted the line of sight and noise would not be an issue when the facility operates after 10 p.m. because of the blocking; however line of sight and the potential for screaming and more noise could be an issue with the zip line on special event nights.

Mr. Altman reminded that the batting cages were not operating beyond 10 p.m. at all due to the prior condition.

Mr. Harmon added the music does not operate on Grad Nights either; it did when no neighbors were to the north. No overnight music was played when the Thunderbird Mobile Park was there, nor was the instructions announced for go karts. Now that residents live adjacent to the Fun Center, the facility would resume its prior operations. Go kart safety instructions could be verbally given while students are on the bus.

Chair Keith asked whether all night operations would be allowed for the 25 nights per year.

Mr. Harmon asked that a time limit not be placed on those nights because closing times vary.

Mr. Edmonds confirmed that no City Ordinance limits business operations at night; however a noise ordinance does exist; but it was difficult to administer. Determining what residents here is difficult because Staff must stand behind the wall as they did not have permission to stand on someone's third story balcony at 3 a.m. Administrating the noise ordinance is based on complaints. If enough complaints are received about noise, Code Enforcement would contact Mr. Harmon and determine how to mitigate it.

Mr. Springall commented that the noise would still be subject to the City's noise ordinance in all cases.

Chair Keith confirmed with Mr. Edmonds that there was nothing to stop the neighbors from filing a formal noise complaint. If the zip line is operated 25 nights a year, the neighbors could always object to the noise if there was a problem and return to negotiate shorter hours.

Mr. Ruud added it would not be valid if the ride did not comply with the noise ordinance.

Mr. Springall did not believe the noise of the zip line could be significantly greater than the noise of the go karts, which are pretty loud and run all night. He asked if any noise complaints had been received about the go karts or the water.

Mr. Altman explained that even at night, the freeway generates ambient noise that could be heard over the go karts.

Mr. Harmon stated that before the residents moved in, he listened from the third floor balcony of the apartments and could hear the occasional go kart, but mostly the freeway. The sound barrier erected along the freeway has become a tunnel for the freeway sound instead of minimizing it. Sound study technicians

in the past have been unable to get a baseline because the freeway is so loud.

Chair Keith believed the ride should be allowed to operate at extended hours 25 nights a year, and if it became a problem, it could be addressed at that point.

Chair Keith closed the hearing at 7:44 p.m.

Mr. Greenfield noted that given the two decade-long relationship, he considers the Fun Center to be a partner with the City.

Jerry Greenfield moved to amend the Staff report to include Exhibit A3, Staff's PowerPoint, and Exhibit D1, the letter dated February 11, 2013 from Holland Partner Group. Chair Keith seconded the motion, which passed unanimously.

Chair Keith moved to adopt Resolution No. 243 accepting the Staff report with the modification of Condition PDB 3 to allow zip line operations 24 hours a day for a maximum of 25 nights a year with notification to surrounding neighbors and property owners. The motion was seconded by Ken Ruud and passed unanimously.

Chair Keith read the rules of appeal into the record.

The Board returned to the Council Liaison Report at this time.

- B. Resolution No. 244. Ron Tonkin Gran Turismo: LRS Architects. – Representative for RTGT Properties LLC DBA Ron Tonkin Gran Turismo – Applicant/Owner.** The applicant is requesting approval of a Stage II Final Plan, Site Design Review, Type C Tree Removal Plan and Master Sign Plan Modification for remodel and expansion of an existing automobile dealership. The site is located on Tax Lots 200 and 300, Section 02A; T3SR1W, City of Wilsonville, Washington County, Oregon. Staff: Michael Wheeler

Case Files: DB12-0060 – Stage II Final Plan
 DB12-0061 – Site Design Review
 DB12-0063 – Type C Tree Removal Plan
 DB12-0068 – Master Sign Plan Modification

This agenda item was addressed following the City Council Liaison Report.

Chair Keith called the public hearing to order at 7:54 p.m. and read the conduct of hearing format into the record.

Mary Fierros Bower declared a conflict of interest because the Applicant's representative, LRS Architects, was her employer. She stepped down from the dais.

All remaining 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.

Michael Wheeler, 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.

Mr. Wheeler presented the Staff report via PowerPoint, the exhibits of which were included in the meeting packet, with the following key comments:

- The displayed exhibits could be referenced on pages 12 and 13 of the Staff report.
- The application's four components included a Stage II Final Plan for a proposed remodeling to expand the existing automobile sales and service facility; Site Design Review to consider the design of the improvements, circulation, landscaping, required on-street parking; Type C Tree Removal Plan for the removal of 12 trees, and modifications to an existing Master Sign Plan for the proposed improvements.
- He noted two corrections to the Staff report:
 - The last sentence of Finding A28 on Page 20 of 45 was corrected to state, "...property line (~~Exhibits~~ *See Conditions* PFA 8, PFA 20 and PFA 21)."
 - The first sentence of Finding D7 on Page 36 of 45 was corrected to state, "Master Sign plan (Case File DB42 05-0006;..."
- The application received several comments from City divisions as well as Tualatin Valley Fire and Rescue (TVFR), which were included in the Staff report, and where appropriate, conditions of approval were recommended for the application.
- The application was to increase the floor area of an existing facility to approximately 22,500 square feet. Parking will be reconfigured. Circulation will be largely the same, but the improvements to the facility would be more modern and better for the environment. As a result, the proposal included an expansion of the showroom facility at the west end of the existing building, an enlargement of the service area to the east, outside waste and recyclable storage that would be covered, and an enclosed, locked storage area for fuels and other fluids.
- He displayed maps showing surrounding parcels in the vicinity of the existing facility and site of the proposed improvements off Parkway Avenue with Elligsen Road to the south and Interstate 5 to the west.
- The rendering on the cover page depicted the prominence of the proposed architectural alterations to the structure.
- All the exhibits discussed had been included in the record and He reviewed the items addressed in the Staff report with these key comments:
 - The site includes a loop drive with two access points on Parkway Avenue, which would remain in place following some modifications to the site in the form of demolitions. Parking east of the loop drive is very limited, and circulation through the drive was expanded in the northeast area. Most parking in the past had been into opposing bay areas on the driveway that takes drivers back out to Parkway Avenue.
 - The Applicant's revisions called for new parking to the south and east, which would be screened from view and would be reserved for employee parking or service parking that would be used during the day and vacated at night.
 - The Utility Plan illustrated the extent of paving improvements that would be made in replacing the driveway system and adding the parking. The surface would be pervious rather than impervious and would funnel the runoff through the layer of proposed pavement into catch basins directing it to a treatment facility along the south edge of the property and finally to the street through a weep hole at the curb. The northern portion of the site was always served by storm drainage that flows to the north along the north property line and out to an existing storm drainage system flowing to the west.
 - The Applicant proposed to remove 12 trees in the process of constructing the improvements, three of which were in the vicinity of the front street trees. The area would be graded and built up for a terrace to display vehicles. The 12 trees will be removed or relocated and then mitigated with the Applicant planting 31 trees, which would enhance the landscape significantly.
 - The Applicant intends to meet the requirement that inventory stored onsite be screened from view offsite. A stretch of landscaping would act as a screen to buffer the view from the west. Plantings along the east boundary would serve the same purpose for the public site owned by TVFR.

- The Demolition Site Plan showed the removal of asphalt, replacement of the parking and resulting circulation.
- Two areas of expansion were proposed, one to the showroom in the southwest corner of the building, and a service-related expansion in the southeast vicinity. A plaza or terrace would be built up at the southwest corner of the building for the display of vehicles and a canopy would enhance its appearance. Two other minor areas of improvement were the fluid storage on the east side of the property, and the covered waste and recycling facility accessible to hauling utilities directly south of the fluid storage.
- Current elevations of the structure, proposed demolition changes and the existing location of the Grand Prix Import sign on the south wall of the facility were displayed. In the proposed remodel, the storefronts would be rebuilt and enhanced, and the canopies would be extended along the southwest corner and on the west side of the building. The signage would be relocated farther west.
- Code requires that when changes are made to electrical lighting facilities beyond a certain threshold, all must be brought up to current Code. The City adopted the Dark Sky Ordinance about three years ago to prevent lights from shining on the stars and clouds; to be available only when needed and then diminished or shut off by a certain time at night. The Applicant chose one of two methods for implementing the outdoor lighting ordinance. The proposed lighting levels were displayed. The Applicant was not proposing as much illumination as allowed; therefore, the lighting levels would meet the Code requirements.
- The Applicants provided a color and materials board, which was represented in the prospective drawing and another, more elevated drawing to the southwest. [of the southwest elevation] The Applicant could provide more detail about the materials and their use.
- One graphic showed all the components involved with the modifications to the Master Site Plan.
- He reviewed the existing and proposed placement of the signage shown on Exhibit A401. The proposed signage, would be placed farther west on the fascia, as well as the service sign. The new monument sign would consist of the pair of monuments approximately 15 feet tall and be placed just off the terrace that would be built along Parkway Avenue.
- He reviewed Staff's four minor areas of concern with the application, noting that conditions of approval had been recommended for each area to bring the proposal into full compliance with the criteria, except that regarding the exterior display.
 - In the site design, the curb line for the parking spaces along the east edge and the three spaces along the south edge were five feet from the east and south property lines. Code requires a minimum of seven feet of landscaping from the property line when parking overhangs the curb, to avoid interfering with potential sidewalks. Because the Applicant only has five feet, wheel stops must be placed in each pair of parking spaces to prevent vehicles from hanging over the curb. Otherwise, the Applicant could redesign the parking areas to move cars away from the east and south property lines to comply with the requirement.
 - The monument sign was being moved from its former location and rebuilt into what appeared to be a pair of monument signs. The proposed sign area would comply with the approved sign area amounts of the previous approval. Only one monument sign was approved in the Master Site Plan.
- Staff assumed that the area beneath the canopy on the west side of the building would be used for outdoor display. An exterior sales display opportunity is built into the Code; however, the area must be fully covered. In the prospective drawings, the placement of vehicles for display on the plaza would not comply. Because the Code governs compliance, and not a condition of approval, Staff simply noted the requirement.
- Staff disagreed with the Applicant's calculation of four bicycle parking spaces as a minimum is required for each type of use specified in the Parking Standards, resulting in a total of eight bicycle parking spaces being required. The Applicant has proposed one area for bicycle parking, but other areas might be available to split the eight required spaces up.

- He concluded, stating that Staff recommended approval of the four components of the application with conditions.

Chair Keith called for the Applicant's presentation.

Daniel Drake, LRS Architects, 720 Northwest Davis, Portland, Oregon 97209, thanked Staff for their presentation and for working with the Applicant.

- He addressed the architectural portion of the building's exterior, noting the expansion of the existing automotive facility to increase some presence along the frontage, beautifying it with new metal panels and a two-story jewel box. The Applicant also wanted the opportunity to do some exterior display, as noted by the City Code, up to five percent and allowable by 10 percent of the DRB. Elements of glass and light metals were used to lighten up the building. The terracing was also extended around the corner and brought down through the plaza area and landscaping was added to soften the edge. The building would open from the inside via a couple doors to create a plaza area in the summertime to allow customers to interact on the outside, such as during private dinner functions.
- The service bay was enlarged by creating a new service area. In doing so, the parking had to be reconfigured. As a result of working with Staff, some impervious surface was removed, and a pervious paving area was created to control a lot of the storm water onsite and create less impact to the City's sewer system. Landscaping would also be increased, which would also help absorb storm water. The service area would be screened to reduce the impact of the visual implications commonly associated with an auto dealership in the neighborhood. Employee parking would be vacated at night as well as customer parking.
- Through the requirements of the Dark Skies Ordinance, LED lighting would be used to reduce energy impacts on the facility and also reduce the light level at night and the impact to the city.
- The Applicant would like to work with Staff to address the vehicle overhang in the parking areas on the east and south property lines by considering either low rubber bumpers for low exotic cars or to relocate the curb westward to obtain the seven-foot clearance from the property line.
- Staff's comments about the bicycle parking had been incorporated into the drawing, and the Applicant would address those comments on their resubmittal.
- The Applicant reviewed the previous conditions of approval for the facility as far as the building sign and site sign through the Master Sign Plan. The Applicant was working to incorporate the dual totems onto a single pylon to create a more uniform, one sign approach. The Applicant ensured the sign would remain within the area and height requirements based on the previous Master Sign Plan, and therefore, was requesting a modification to the plan.
- A foam board exhibit was displayed to more clearly illustrate that vehicles could be accommodated underneath the canopy overhang. The exhibit was a modification of Exhibitb41. He noted the staging area might be moved further away from the building; consequently the overhang might need to be increased about two feet to accommodate complete overhead coverage. The Applicant would like to work with Staff and the owner to determine that increase and ensure the overhang would still comply with the allowable percentage area of exterior display, which would be 10 percent as approved through the DRB.
- He concluded by offering to answer any questions.

Chair Keith asked if any lighting intrusion impact was anticipated on hotel property.

Mr. Drake replied the Applicant hired a lighting designer at MFIH to go through the site. The LEDs have incorporated cutoff shields, so light would cut off at the property line. Additional landscaping would be added to the existing landscaping along the south property line as noted in one of the exhibits included in the packet. Additional lighting would be used through the canopies within the incorporated seeding/landscaped tiered area to shine down onto the walkways for safety purposes. Impervious pavers were being incorporated in that area as well. This added lighting would ensure people are stepping in

correct areas.

Chair Keith called for public testimony in favor of, opposed or neutral to the application. There was none.

Simon Springall stated he was slightly confused about the exterior sales limit, whether it was 5 percent or 10 percent and if the application was in compliance.

Mr. Wheeler deferred the question to the Applicant as he was unaware where the numbers were specifically calculated in the Applicant's narrative. He stated that the displayed illustration seemed to be a revision of an earlier drawing in which two vehicles were depicted beneath the canopy, which would satisfy the requirement of outdoor display of merchandise. The vehicle on the west side of the building had not appeared to be beneath the canopy, which was likely the reason for caution. He did not know whether the canopies would exceed five percent of the total floor area.

Mr. Drake apologized for not having the exact number for percentages; however, the canopies' area was below five percent. The Applicant should still be below five percent if the lower canopy on the west side had to be extended two feet. He clarified that the DRB has the authority to increase the maximum to 10 percent. He was not 100 percent sure the Applicant would not need to increase that limit, but he would get the exact number for Staff. Looking at the size of the buildings for the canopies, it appeared the proposal would be below five percent, but that would need to be verified. If the DRB approved the 10 percent, the Applicant could work with Staff. He emphasized the Applicant was not proposing to increase the percentage any more, except for the two feet to cover the vehicles as requested.

Jerry Greenfield asked if the Applicant planned to extend the canopies to the north.

Mr. Drake answered no. The canopy on the west side would be extended two feet as Staff requested.

Blaise Edmunds entered the foam board exhibit displayed by the Applicant into the record as Exhibit B42.

Mr. Drake clarified the new exhibit only showed that vehicles were able to fit under the canopy; no canopies had been extended.

Mr. Ruud confirmed the Applicant would work on adding the required bicycle spaces and would work with Staff on extending the vehicle overhang beyond curb, and the exterior sales display limits.

Mr. Drake agreed the Applicant was willing to work with Staff on all the noted items. The Applicant had no issues with the conditions.

Mr. Greenfield complimented the Applicant's design, adding it was a handsome plan overall.

Chair Keith believed the proposal would be a great improvement. She confirmed there were no further questions and closed the public hearing at 8:32 p.m.

Chair Keith moved to amend the Staff report adding Exhibit B42, the foam board displayed by the Applicant showing that vehicles could fit under the west canopy of the building, and including the following corrections:

- The last sentence of Finding A28 on Page 20 of 45 should state, "...property line (*See Conditions* PFA 8, PFA 20 and PFA 21)."
- The first sentence of Finding D7 on Page 36 of 45 should state, "Case File DB05-0006;..."

Ken Ruud seconded the motion, which passed unanimously.

Simon Springall moved to adopt Resolution No. 244. The motion was seconded by Jerry Greenfield and passed unanimously.

Chair Keith read the rules of appeal into the record.

IX. Board Member Communications:

- A. Meeting notes from January 28, 2013 DRB Panel B Meeting

X. Staff Communications:

There were none.

XI. Adjournment

The meeting adjourned at 8:37 p.m.

Respectfully submitted,

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