



*Mayor*  
Patricia Smith

*Council President*  
Mark Clark

*Councilors*  
Stanley Dirks

Timothy Clark

Scott Harden

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**SPECIAL MEETING OF THE  
WOOD VILLAGE CITY COUNCIL  
September 24, 2013  
MINUTES**

**PRESENT:** Mayor Smith, Council President Mark Clark, Councilors Stanley Dirks\*, Tim Clark and Scott Harden, City Administrator Bill Peterson, Finance Director Peggy Minter, Public Works Director Mark Gunter, and interested parties.

**ABSENT:** City Attorney Condit.

**MAYOR SMITH CALLED THE MEETING TO ORDER AT 6:00 PM.**

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMENTS**

There were none.

**PRESENTATION: METRO UPDATE**

Metro Councilor Shirley Craddick gave the presentation. Craddick stated that the presentation will focus on transportation updates, urban growth management, climate smart communities, and the venues owned by Metro.

Craddick stated that the City was instrumental in the East Metro Connections Plan, and getting several major projects approved. Craddick explained that Metro received \$1 million in funding for the design work for the 238<sup>th</sup> improvement project. There is also \$6.5 million tentatively approved for the construction of the project. Craddick stated that the funding needs approval by the Oregon Transportation Commission before it is final. That funding would be allocated in the 2016 fiscal year.

Craddick stated that Gresham is working on improving the south end of 242<sup>nd</sup> near Powell and Burnside. Craddick explained that gateway project is important in the future capacity of the region. Craddick stated that the Regional Transportation System Plan is under review, and the main focus has been on the active transportation plan. Craddick explained that the active transportation plan is still a draft, but the hope is to have it approved in 18 months. The active transportation plan focuses on pedestrian and bicycle access and movement. Craddick stated that once the active transportation plan is approved, the projects in the plan can be eligible for funding.

Craddick stated that Metro is looking at the land supply for the growth of the region over the next 20 years. Craddick explained that the Urban Growth Management Report is set to be completed by the end of 2014. Metro staff and MPAC have been very involved in the report, especially with the population forecasts. Peterson stated that City staff will also be involved in the process by providing information on land inventory, development constraints, and overall employment levels. Craddick stated that the regional map that is developed from this report is used for long term planning of the entire region.

Craddick stated that the Climate Smart Communities initiative was instituted as part of the legislative update that requires the metro region to reduce greenhouse gas emission by 20% by the year 2035. Craddick explained that staff has been working on this plan for several years, and are developing several scenarios to help achieve the goal. Smith asked if reducing large truck emissions is part of the plan. Craddick stated that ODOT has been tasked with looking into freight emission reductions, and Metro was assigned cars and small trucks. Smith asked if there was any information about the reduction in freight emissions. Craddick stated that she will look into it, and report back to the Council.

Craddick stated that the natural areas restoration levy was approved by the voters, and the five year levy is predicted to generate about \$10 million a year. Craddick explained that while this is a temporary solution, it does provide time for Metro to find a permanent financing option. Craddick stated that there will also be grants available to local jurisdictions to take on their own restoration projects. There are several restoration projects planned for East County and include upgrades to Blue Lake and Chinook Landing.

Craddick stated that the Oregon Zoo is owned by Metro, and they are currently working on the construction of the new elephant habitat. Craddick explained that the zoo train will not be in operation while the construction is occurring, which is scheduled to take about a year. The Oregon Zoo has received several awards including a conservation award for the work of increasing the Columbia Pygmy Rabbit population. The zoo also received marketing awards for the efforts of promoting Packy's 50<sup>th</sup> birthday.

Craddick stated that the City of Portland and the County have approved an agreement with the Hyatt Hotel to develop a new hotel across from the Convention Center. Craddick explained that Metro will be involved with the agreement, and the plan is to build a 600 room hotel to accommodate large conventions. While the plan is not final, it is moving forward. Craddick stated that Metro also renamed the Performing Arts Center to the P5. Craddick explained that was done to help acknowledge that the center is actually five separate venues. Mark Clark asked if that includes the old armory building. Craddick stated that Metro does not own or operate that venue.

Craddick handed out several documents, and explained that one item is a contact card to receive her monthly updates. Subscribers can also elect to receive updates from Metro, and other Metro Councilors. Craddick explained that the Willamette Falls Legacy project is an exciting new opportunity for the public to take back the second largest waterfall by volume in the nation. Craddick stated that the site went into bankruptcy, and Metro is working with several partners on developing a master plan for the site. The site is full of history, and tours are available every Friday.

Tim Clark asked about funding for the project. Craddick stated that a private company has an option to purchase the property, and that developer may make a great partner in the project. Tim Clark stated that he has been to the site, and it has a lot of potential. Craddick stated that another benefit of the site is there is no contamination to cleanup.

The Council thanked Craddick for the presentation.

#### **PUBLIC WORKS DIRECTOR'S REPORT**

Gunter presented the report and stated that the slurry seal project is moving along with the slurry portion scheduled for this Friday. Gunter explained that storm drainage improvements were also made on 236<sup>th</sup> as part of the project. Gunter stated that the project is going well, and the final step depends on the weather.

Gunter stated that the fire hydrant replacement project has been completed for this year. 11 hydrants were replaced, and the older hydrants in the City were repainted. Gunter stated that a Parks Commission meeting was held to discuss additional improvements to the park. Specifics of that plan will be presented to the Council at a future meeting. Gunter explained that new chlorine tanks have been installed at the all wells. The crew also conducted tree trimming operations along several roads to clear low hanging branches.

Gunter stated that the Hawthorne Building has been emptied in anticipation of the building being removed. Gunter explained that the City attempted to offer the building for free, but the insurance requirements prevented private parties from taking the building. Peterson stated that the City tried to work around the liability, but the building will ultimately be brought down by City staff.

Gunter stated that the pet waste stations have been installed, and the sewer hot spot cleaning has occurred. Gunter explained that the crew removed the children at play signs, and there were only a few comments regarding that project. Gunter stated that the reservoir painting project is underway, and the project will depend on the weather. Gunter explained that there is a code enforcement report in the packet, and overall things are going well.

Peterson stated that in terms of development, the Pilot Travel Center representatives have been discussing their project with the property owners again. The Famous Dave's building permit will expire at the end of December, unless construction begins. Peterson stated that the owner of the former Greyhound Park has had interest in demolition permits, but the City has not received an actual permit at this time.

## **CONSIDERATION OF ORDINANCE 9-2013: TOWN CENTER TEXT AMENDMENT**

\*Dirks arrived at 6:30pm.

Peterson stated that this is the continuation of the proposed amendment to the Zoning and Development Code and affects all commercial areas, but the only actual impact is to the Town Center. Peterson stated that it has been a full year since this issue has been discussed, and recent notice was provided to permit a legislative land use hearing. Peterson stated that the preferred method would be to present the staff report, open the hearing, and then commence with the discussion of the ordinance.

Smith read the Land Use Hearing Statement.

Smith asked if there were any conflicts of interest, or ex parte contacts. Mark Clark stated that he has discussed this issue with other Councilors and some residents, but does not have any actual property interest in the proposed area. Peterson stated that having conversations with others is okay, but they should be disclosed if they occurred with other elected officials or parties with a property interest. Smith stated that she discussed the issue with other elected officials. Harden stated that he discussed the issue with other elected officials, and posted the meeting notice online. Tim Clark stated that he discussed the issue with other elected officials. Dirks stated that he discussed the issue with the Mayor.

Peterson stated that this text amendment was presented to the Council a year ago, and would amend section 710.210 and 710.240. The Council may make findings to approve, deny or modify the proposed revision. Peterson explained that this proposal was brought before the Council in December of 2011 when the Council authorized Fred Meyer to submit a text amendment request. Peterson stated that the text amendment was approved by the Planning Commission in June of 2012, and was brought before the Council in September of 2012. Peterson explained that the Council elected to continue the item for one year in order to get a better perspective of the development that may occur in the Town Center.

Peterson stated that in the year since the issue was tabled, the casino measure failed, the Council authorized fueling centers in the Commercial/Industrial Zone, and the Port of Portland purchased the large property along Glisan which has mostly been certified as industrial employment lands. Peterson explained that the only development in the Town Center was a tenant improvement of 4,000 square feet for a restaurant.

Peterson stated that four separate transportation reports were written for this amendment, and the last one was done in August of 2012. Peterson explained that the County reaffirmed that this amendment would not create a substantial traffic impact. The findings have been summarized in the staff report. Peterson stated that this amendment is a legislative item, and specifics about the site plan and design will be done at a different time if the amendment is approved.

Peterson stated that there were significant discussions about the design and location of the site when this item was brought up a year ago. Peterson explained that while particulars of the site will not be discussed, the site that was proposed last year is no longer being considered. Fred Meyer is looking to site the fueling station on their property.

Peterson presented the findings from the Planning Commission and stated that while the transportation item has been met, the other findings can be revised to meet the Council's desired outcome. Peterson explained that the Council may elect to find that this amendment fits and compliments the zone, or is a detriment to the zone. A matrix of options was created to assist in either decision. Peterson stated that concludes his report.

Smith opened the Public Hearing.

Jim Coombes from Fred Meyer introduced Bob Currey-Wilson who is the Vice-President of Real Estate for Fred Meyer. Currey-Wilson stated that this amendment is important to their store and customers. Currey-Wilson explained that fueling stations at Fred Meyer go back to the first store. Overtime Fred Meyer built several fueling and service stations as part of their stores, but eventually sold off those interests in the 1950's and 60's. In the early 2000's Fred Meyer started adding fueling stations again. Currey-Wilson stated that now about 75% of all Fred Meyer stores have a fueling center. The main question he receives is how to get the remaining stores a fueling station. Currey-Wilson stated that while there are big issues to discuss, this project is important to their business and customers.

Lee Leighton from Westlake Consultants stated that he is a planning consultant here on behalf of Fred Meyer. Leighton stated that the City's staff has been great to work with on this project. Leighton presented a map of customers who purchase their fuel at the Gresham store, but primarily shop at the Wood Village location. Leighton explained that these shoppers buy their household goods in Wood Village, but have to drive to the Gresham store to get their gas. Adding a fueling center to the Wood Village store would reduce that traffic while adding convenience.

Leighton stated that Fred Meyer does not want their fueling station to be overly visible, or to dominate the landscape. The proposed code provision tries to accomplish that by including certain limitations. Leighton explained that the limitations include having the fueling station

branded as a specific retailer, the station must be at least 150 feet from an arterial road and residential area. The site cannot be more than 30% of the retail floor space of the main retailer. Leighton stated that at least four electric vehicle charging stations must also be added. Leighton explained that looking at the City's 2030 vision statement, there is a section that discusses increased efficiencies to reduce emissions. Leighton stated that adding this fueling station could help achieve that vision by reducing traffic movements to other locations. Other updates to the overall site would be part of the design process if the code is approved.

Leighton stated that people are needed to create a successful Town Center. People need to visit the Town Center, and have time to enjoy themselves. Leighton explained that amenities and convenient commerce need to be in place. The overall vision of the Town Center can remain, and this fueling center can help achieve that goal.

Brent Aaron from Group McKenzie stated that he discussed the transportation analysis at the meeting last year. Aaron explained that the analysis focused on the traffic movements regarding the fueling station. The analysis indicates that this facility would have little if any impact on the roadways and intersections. Aaron stated that he recently contacted Multnomah County regarding the study, and the County provided an email response acknowledging that the study is still valid. Harden asked if traffic movements inside the Town Center were analyzed as part of the proposed site change. Aaron explained that the analysis focused on traffic movements across Wood Village Blvd, and there were no concerns with those movements. Aaron stated that there will be less of an impact with the fueling station on the same site. Harden asked if the partnership with Shell will have an impact on customers. Currey-Wilson stated that they have not updated their customer analysis, but anecdotally customers tend to prefer to use their rewards at a Fred Meyer instead of a Shell station.

Leighton stated that concludes their prepared remarks, and asked that they be provided an opportunity to respond to questions or concerns that may come up during the remainder of the testimony.

Smith asked for Testimony from the public.

John Minor from 2969 NE Arata Road stated that he had been a resident of Wood Village for several years, and has recently moved back to the City. Minor explained that he had been in the City since 1968, and a lot of positive development has occurred in the City since that time. Minor stated that he has spoken to the County about the future improvements to Arata Road and feels that the project will be an asset.

Minor explained that he has not reviewed this traffic analysis in great detail, and does not have strong feelings one way or the other on the project. Minor stated that the issue for him is pedestrian safety. Traffic on Arata Road is fast, and Wood Village Blvd has not been fully

constructed. Minor stated that there are a lot of families that walk to and from the Town Center, and pedestrian safety needs to be looked at.

Smith stated that Arata Road will be fully reconstructed in the spring of 2014. Tim Clark stated that the Council is also concerned about pedestrian safety and access, and has worked hard to gain additional pedestrian improvements. Peterson stated that pedestrian improvements to the Wood Village Blvd. extension will be part of the Arata Road project.

Tatyana Leontyuk from Wood Village stated that she likes the idea of the project, but is also concerned about pedestrian safety. Leontyuk stated that vehicles do not always stop at crosswalks, and it is scary for people to walk to the Town Center. Leontyuk explained that she is also concerned about the maintenance and appearance of the facility.

Currey-Wilson stated that Fred Meyer is concerned about safety, and those concerns can be addressed during the site review if the text amendment is approved.

Smith closed the floor to public testimony.

Mark Clark stated that he spoke with a lot of his neighbors regarding this amendment, and they all wanted a fueling station at the Town Center. Mark Clark stated that the vision of a pedestrian oriented town center did not matter to them. Mark Clark explained that he spoke with other people from the area who shop at the Wood Village store, but they have to drive to the Gresham store to get their fuel. Mark Clark stated that he does not like the idea of a fueling station, but he cannot see how to deny the request given what he has heard.

Dirks stated that he remembers the service stations that Fred Meyer used to operate. Dirks stated that he also remembers when there was a gas station on almost every corner. While the stations are no longer there, the buildings are. Dirks asked how long a fueling station in the Town Center will last, and what will be the long term impacts. Dirks stated that he feels amendments to the Town Center are piecemealed, and a comprehensive look is needed.

Tim Clark stated that his feelings about the amendment are known, and wants to allow Fred Meyer to have a corporate advantage and additional service. Tim Clark explained that he agrees a comprehensive vision of the Town Center is needed, but the original vision may not be practical. Tim Clark stated that the Council should consider the potential of stores closing if the Town Center is not updated.

Harden stated that he spoke with employees at the store, and they seemed excited about the possibility of a fueling station. Harden explained that when the issue was brought up at the Planning Commission, he had a lot of concerns. Now there is excitement about the possibility for the Town Center to grow and be more vibrant. Harden stated that he is concerned about the economic health of the Town Center. Harden explained that he researched other town centers

across the county and found that several allow fueling stations because of the convenience they offer to customers. Harden stated that while his research may be anecdotal, it did relieve some of his concerns. Harden explained that a lot of the transportation plan update focused on pedestrian connectivity, but feels that the Town Center may not be as pedestrian oriented as originally planned any time soon.

Smith stated that some town centers are much larger than the one in the City, and a fueling station could be tucked away with no issues. Smith explained that she still wants the original vision of the Town Center with high end construction and facilities. Smith stated that those facilities will not want to be located adjacent to a fueling station. Smith explained that she wants to the Town Center to grow in its own time, and be safe for pedestrians. Smith stated that she cannot go along with this plan.

Tim Clark stated that he is concerned about the visibility of a fueling station, and how easily a fueling station can be redeveloped. Peterson explained that if the text amendment is approved, the applicant can file a site plan which would have a lot of specific details regarding the building and location. Peterson stated that a provision could be added that would require the removal of the structure if it were closed.

Smith Opened the Public Hearing

Coombs stated that they had discussed the effects of a fueling station during their presentation last year. Coombs explained that they did not find any negative responses from having a fueling station, and it was viewed as either neutral or positive. Coombs stated that along with the fueling station, they would conduct other upgrades to the property including the pedestrian plaza. Specifics of those plans would be presented during the plan review.

Smith asked if Fred Meyer has asked any tenants from the Town Center about the proposal. Coombs stated they have not asked all the tenants directly, but there was support from several stores. Peterson stated that Lowes and Khol's are on record as being in support of the amendment. The previous owners of the Town Center were also in support, but he has not heard from the new ownership group.

Harden stated that the staff report seems to be written in support of the amendment. Peterson stated that while the staff report may come across as advocating for the amendment, it is simply written to acknowledge what the Planning Commission found and approved. Peterson explained that the Council may vote how they want, and the staff report does include a matrix of findings that can support either decision.

Tim Clark asked about the typical Fred Meyer fueling station design, and if there were any alternative ideas. Coombs stated that they have modified their typical design in other areas. The paint scheme can be changed, as well as other aesthetic building options.

Dirks asked about the original design phase of the Fred Meyer store and how those involved did not want to keep with the Town Center's original design concepts. Peterson stated that is not a fully fair statement. Peterson explained that from his readings of the reports, the developers did indicate that the intended design features were not practice, but several compromises were made. Currey-Wilson stated that they compromised on several aspects with the largest being the second level. Mark Clark asked if the second story design is working. Currey-Wilson explained that apparel would prefer to be on the same floor as the general merchandise. Tim Clark stated that he likes the design of the Wilsonville store, but was disappointed with their fueling station. Currey-Wilson stated that was an old Chevron station. Coombs stated that they will not take the attitude of it is our way or no way in the design review process.

Smith closed the public hearing

Harden asked about the motion and if the reading has to be unanimous. Peterson stated that the vote could be split, but in order for the second reading to occur, the first reading has to be unanimous. Peterson explained that there has to be two readings before the adoption vote. If the first reading is not approved, the process ends there.

Upon motion by Harden, seconded by Tim Clark and passing 3-2 with Tim Clark, Mark Clark, and Harden Yea, and Smith and Dirks Nay, the first reading by title only of Ordinance 9-2013 amending the Zoning and Developing Code to permit fueling stations was approved.

Peterson read Ordinance 9-2013 amending the Zoning and Developing Code to permit fueling stations by title only.

Peterson stated that second reading of the Ordinance will occur at the October 8<sup>th</sup> City Council meeting. No discussion on the subject will be planned.

#### **FINANCE DIRECTOR'S REPORT**

Minter presented the report, and stated that it covers the second month of the new fiscal year. The expenses are on track, and revenues are increasing but are still down from this time last year. Minter stated that the investment level is at \$4.25 million. Minter explained that the accounting software conversion is going well, and that is in part because of staff member Beck Gallien. Peterson stated that Minter is also a large part of the success of the project. Minter stated that the auditors will be at the City during the week of October 21<sup>st</sup>.

#### **CITY ADMINISTRATOR'S REPORT**

Peterson presented the report, and stated that the APP update is in the packet. Overall staff is on track or ahead of the projects. Peterson stated that the slurry seal is scheduled for this Friday, and staff is doing all that can be done to minimize the impacts.

### **CITY COUNCIL REPORTS**

Tim Clark stated that EMCTC has been working on the active transportation plan. The goal is to get through the first phase of the project in order to apply for funding. Smith stated that EMEA focused on economic development, and several state programs were presented.

Smith stated that a deputy is needed for her neighborhood watch meetings. Smith explained that the deputies that were assigned to the meetings have been reassigned, and no other deputy has taken their place yet. Peterson stated that he will contact the MCSO to have a liaison assigned.

Smith stated that the Parks Commission met and discussed several projects to update the park. Peterson stated that more information on that will be presented at the next Council meeting. Tim Clark stated that the annual League of Oregon Cities Conference is this week, and encouraged the Council to attend at least one session.

The Council requested that the November meeting be moved to November 14<sup>th</sup> in order to allow them to attend the East County Elected Officials Reception on the 12<sup>th</sup>. Peterson stated that the meeting will be moved, and an RSVP made for the Council.

### **ADJOURN**

With no further business coming before the Council, and upon motion by Smith, seconded by Dirks and passing, the Council adjourned at 8:27pm.



Patricia Smith  
Mayor

10-8-2013

Date

ATTEST:



Greg Dirks  
City Recorder