



Mayor
Patricia Smith

Council President
Mark Clark

Councilors
Stanley Dirks

Timothy Clark

Scott Harden

**JOINT MEETING OF THE
WOOD VILLAGE CITY COUNCIL
AND PLANNING COMMISSION
December 11, 2012
MINUTES**

PRESENT: Mayor Smith, Council President Mark Clark, Councilors Stanley Dirks, Tim Clark, and Scott Harden, Planning Commissioners Jim Mott, Al Evans and Bruce Nissen, City Attorney Condit, City Administrator Peterson, Finance Director Minter, Public Works Director Mark Gunter, and interested parties.

ABSENT: Planning Commission Chair Craig Howard, and Commissioners Mary Clark and Todd Sturdavant.

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

PLEDGE OF ALLEGIANCE

PUBLIC SAFETY REPORT

Chief Deputy Jason Gates from the Multnomah County Sheriff's Office presented the report. Gates stated that the full report is not ready, but the general statistics have been compiled. There were 389 incidents which resulted in 200 hours for service and 46 written reports. Gates explained that most of the accidents were in shopping center parking lots which is typical for this time of year. Gates stated that a deputy developed a flyer to help educate residents on how to prevent property crimes, and what to do if you become a victim of a property crime. The idea is to put the flyer in an upcoming newsletter.

Smith asked when residents should use the non-emergency number instead of 911 when they see a potential incident occurring. Gates stated that they get people who call non-emergency when they should be calling 911, and 911 when it is a non-emergency. Gates explained that incidents in progress are always a 911 call. A cold vehicle prowler is a non-emergency call. Mark Clark asked if the non-emergency number had a live operator all the time. Gates stated that it is staffed by a live person 24/7, but the service is not always that great which is a BOEC issue. The Council liked the flyer and requested it be placed in an upcoming newsletter.

Gates stated that their annual toy drive at Wal-Mart is going very well and they are on track to reach their goal of 250 barrels. The toys that are collected will go to Snow Cap which will distribute them to families in East County.

The Council thanked Gates and the MCSO for their service.

REQUEST FOR TEXT AMENDMENT CONSIDERATION ON BEHALF OF GRESHAM TRANSFER

Peterson presented the item and stated that this is an opportunity for a potential text amendment process to move forward. Peterson stated that this is not a public hearing on the merits of a development, or authorizing a development. This process determines whether or not to proceed to a hearing on the text amendment. Peterson explained that this item is being brought forward before the Council and Planning Commission because the City's code only authorizes the Council or Commission to amend the code. There is not an option for an applicant to pay a fee and have a hearing. Peterson explained that if approved, the applicant will have the opportunity to present their text amendment to the Planning Commission, and then the City Council for approval. Peterson stated that the discussion tonight is whether or not the applicant gets the opportunity to present their text amendment.

Peterson stated that the Ulmer family is seeking to place a travel center on their property. The Ulmer family has about 30 acres, and uses about half of it to operate their trucking facility. Peterson explained that travel centers are classified as a truck stop under the City code, which is not currently allowed in the Commercial/Industrial Zone.

Peterson stated that the Commercial/Industrial Zone is north of I-84, and is a mixed use of freeway oriented activities to provide economic vitality to the community. Peterson explained that the zone was heavily modified in 2009-10 in order to achieve higher land and job value use, and to match up with Metro's Title 4 requirements. The revisions limited many previously authorized uses including trucking and warehousing. Peterson stated that there are no single properties in the City that are included in Metro's Title 4 significant industrial properties.

Peterson explained that additional revisions were made to the C/I zone this year to include industrial services. Industrial services are limited to 20% of the entire zone, which equates to about 20 acres for use as industrial services. There is one industrial service use in the zone which takes up about two acres. The City's definition of industrial service does not include truck stops. Peterson stated that the Council and Planning Commission have recognized the limited amount of land, and the importance of high land value and job creation.

Peterson stated that there is a developer ready to build a travel center in the C/I zone. Peterson explained that if the Planning Commission or Council agrees to allow the process to proceed, it does not mean that either group agrees with the development or land use. It simply allows the applicant to proceed to a public hearing to amend the text of the code. Peterson stated that the options are to allow the process to move forward, deny the opportunity, or decide not to take any action which would have the same result as denying the opportunity. Either group may decide to allow the opportunity to proceed.

David Ulmer stated that he and his family operate a trucking business at the proposed site. The property was purchased in 1992, and they have since developed the top portion to operate their trucking business. There is a maintenance facility, storage yard, fuel island, and truck wash at their site. Ulmer stated that their business employs about 160 people, with about 100 working out of the Wood Village location. The Ulmer family has been in Wood Village since 1969, and their father was a former Mayor of the City. Ulmer explained that they are successful at their operation, and plan to be in the City for many years. Ulmer stated that when the zone was modified in 2009, he expressed concerns about the significant changes in zoning. An opportunity has presented itself which utilize the remaining site, and will benefit the City. Ulmer explained that Pilot Truck Center is interested in leasing a portion of the property to build a travel center. Ulmer stated that he is asking for the opportunity to further discuss the opportunity and development.

Rick Ulmer stated that the family feels this would be a positive development for the City. They will continue to operate their trucking business regardless of the decision. Rick Ulmer stated that this development would add jobs for the community, and they would like to opportunity to bring the project to a public hearing.

Smith asked what exactly is being proposed. David Ulmer stated that Pilot Truck Center is a nationwide chain that offers a variety of amenities, and a representative from Pilot is here to answer any specific questions about their operation. David Ulmer stated that he was told in 2009 after the C/I zoning revisions were approved that he could come back to the Council to discuss potential developments, and that is what he is requesting. Mark Clark stated that he remembers that conversation.

Bill Mulligan the VP of Development for Pilot presented a brief history of the Pilot Company. Pilot was founded in 1959 and developed travel centers in the eastern US. They have expanded over the past 50 years, and now operate 476 travel centers with gross revenues in excess of \$30 billion a year. They employ over 20,000 people nationwide, and are also involved in the energy business. Mulligan stated that they formally owned the Flying J in Troutdale, but an FTC ruling forced them to sell that and 27 other properties to a competitor. Mulligan explained that this proposed development would be built on the eastside of the Ulmer property, and would include an 11,000 square foot facility with a restaurant and rest facilities. There would be eight diesel lanes, and six gas lanes as well and an LNG facility. Mulligan stated that this size of development typically employs about 40 people, and the restaurant would employ an additional 50 people.

Mulligan stated that they pay above minimum wage, and all employees receive healthcare. Full time employees are also offered a 401k plan. Mulligan stated that they would not own the restaurant, and it would be a local franchisee who would handle that operation. Most of their restaurants are fast food chains. All employees except the general manager would be hired from

the area. Pilot is also focused on giving back to the local community. Mulligan explained that the location is ideal being on a dead-end street just off the interstate. Traffic flow will be uninterrupted, and four out of five customers are passenger vehicles, not semi-trucks. They operate a fast, friendly, safe and clean facility, and this development would be about an \$8.5 million investment with a 150 day construction period.

Mark Clark asked if LNG is the same as CNG. Mulligan stated that it is not. LNG is liquefied natural gas, and CNG is compressed natural gas. CNG is heavier and is not used by many over the road trucks. It is also more expensive to compress the gas compared to LNG which is also lighter. Dirks asked how many employees are typically full and part time. Mulligan stated that about 70% of their employees are full time. Mulligan presented photos of typical travel centers that they operate.

Mott asked if they are a 24/7 operation. Mulligan stated that they are, and they were the first fueling station open after hurricanes Sandy and Katrina. City contract Planner Carol Connell asked if they service trucks as well. Mulligan stated that while some of their facilities have a service center, that is not planned for this location. Connell asked if truckers will be allowed to sleep on the lot. Mulligan stated that truckers can park for extended periods of time, and there will be about 85-90 spots for trucks. Connell asked about the flow of traffic and freight movement. Mulligan stated that the Ulmer's are already operating a heavy haul trucking business in that location with no issues.

Mulligan presented a tax break down for the facility. There will be about \$1.5 million in annual payroll, and the state would receive about \$4.7 million in gas tax. Mulligan explained that Gresham Transfer would not go away, and this will be an enhanced use of the site.

Smith asked why the FTC forced Pilot to sell some of their properties. Mulligan stated that it was a decision that he does not fully understand, and there was no president set in their case. Smith asked if they would be open to having more wood and natural materials for the construction and aesthetics of the facility. Mulligan stated that they have done that before and are open to it.

Smith asked if the Planning Commission is ready to vote.

Upon motion by Mott, seconded by Nissen and passing 3-0, a land use hearing on a proposed text amendment to the C/I zone enabling truck stops was approved. It was expressly understood that the approval does not indicate support of the amendment, simply that a public hearing and decision process will be initiated.

ADJOURN

Upon motion by Nissen, seconded by Evans and passing 3-0, the Planning Commission adjourned at 7:00pm.



Patricia Smith
Mayor

1-9-2013

Date

ATTEST:



Greg Dirks
City Recorder