

RESOLUTION NO. 649

**A RESOLUTION OF THE WILSONVILLE CITY COUNCIL
SETTING FORTH A DECISION ON A MASTER SIGN PLAN FOR
BURNS BROS., INC.**

WHEREAS, the City staff has prepared Findings and Conditions of Approval on the above-captioned subject which is attached hereto as Exhibit "A"; and

WHEREAS, the City Council has duly considered the subject and the testimony presented to them; and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilsonville does hereby adopt the Findings and Conditions of Approval attached hereto as Exhibit "A", with the recommendation(s) contained therein and further instructs that action appropriate to the recommendation(s) be taken.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 19th day of January, 1988, and filed with the Wilsonville City Recorder this same date.


WILLIAM E. STARK, Mayor

ATTEST:


VERA A. ROJAS, City Recorder

SUMMARY of Votes:

Mayor Stark	<u>AYE</u>
Councilor Edwards	<u>AYE</u>
Councilor Braymen	<u>AYE</u>
Councilor Clarke	<u>AYE</u>
Councilor Jameson	<u>AYE</u>

CITY COUNCIL FINDINGS

Project Overview

This matter came before the Wilsonville Design Review Board on the application of Burns Bros. Inc., for approval of a variance which would increase the allowable signage for the truck stop. Burns Bros., Inc. was represented in this matter by Larry E. Azeltine of Heath Signs and Steve Anderson, Senior Vice President, Burns Bros. truck stops.

The Design Review Board held a public hearing on Monday, February 23, 1987, at Wilsonville City Hall and denied the Master Sign Plan after finding that the applicant failed to satisfy the Wilsonville Code standards for approval of a variance request and design compatibility.

Subsequently, the applicant appealed the Board's decision to the City Council on March 6, 1987, and the Council set a public hearing date for April 6, 1987. Thereafter, the applicant requested that the hearing be delayed and then requested on July 7, 1987, that the City Council remand the matter back to the Design Review Board so that the Board could consider further changes that the applicant had made to the Master Sign Plan. The Council did remand this matter to the Board and the Board held a public hearing on July 27, 1987, to gather additional testimony and to consider the modification that the applicant proposed in the Master Sign Plan. After considering the changes and hearing additional evidence at the public hearing, the Board denied the applicant's request finding that the applicant did not satisfy the Wilsonville Code standards to allow a variance request and design compatibility.

The applicant appealed the Design Review Board's decision to the City Council on August 7, 1987, and the Council set a public hearing to consider the appeal for September 2, 1987, at the Wilsonville Community Center. After reviewing the record of proceedings of the Design Review Board, considering the staff report and the recommendations contained therein, and accepting additional testimony, the City Council continued the public hearing to October 5, 1987. On October 5, 1987, the City Council tabled this matter after instructing City staff and the applicant to work together to formulate a solution and to return to the Council for final approval. This issue was brought to the Council again at the Council's regular meeting held on November 16, 1987. At that time, the City Council directed staff to prepare findings to approve the Master Sign Plan and instructed the applicant to submit a Master Sign Plan for the Council's approval. The Master Plan was to be prepared and submitted with the following four elements:

1. An inventory of existing signs.
2. In the Master Planning, whether or not Burns Bros. would be requiring certain coordinated effect of those people who would be using their premises and asking for signs. The coordinate effect, i.e., proposed colors, types of signs, etc. would be controlled by Burns Bros.

3. That there be some statement within the plan that should there be a change in leasehold interest or should there be a change in signing, that the leasees would be required to meet the conformed look, even though the colors within it, they might have to make some adjustments because of logo or franchise agreements.
4. Whether or not, in looking at the numbers of existing signs, there would be any way to consolidate them to better inform the motoring public of what is there and to what degree they could see future consolidation.

Findings

1. Section 4.186 of the Wilsonville Code allows requests for variances to be granted after the prescribed public hearing(s) have been held and provided that the seven Conditions set forth in that Section are found to exist.
2. The subject property is owned by Burns Bros., Inc., and is located on Tax Lots 1503, 1504, 1505 and 1506, Section 12D, T3S-R1W. Burns Bros. owns and operates the "truck stop" facility; however, there are other businesses located on the property and these are leased to different operators.
3. The applicant requests:
 - A. Install one double-faced sign on the existing Chevron sign pole which is located just south of Elligsen Road. This sign would measure 8'4" x 11'3" and would contain advertising reading "Nendel's Valu Inn" (on top), "Burns Bros." (on the bottom) and an electronic changing message (in the center).
 - B. Install one double-faced directional and mileage board information sign that measures approximately 5'4" x 5'4". This sign is to be located next to the existing truck repair sign in the landscaped area near the entrance.
 - C. Allow the existing red "Nendel's Valu Inn" sign to remain in place, and
 - D. Allow the existing "B Bar B" restaurant sign to remain in place.
4. The applicant (Mr. Azeltine) and the City agree that the following figures are accurate and area to be used when calculating signage area for the Burns Bros. complex:

Total allowable signage	1,172 sq. ft.
Total existing signage	2,118 sq. ft.
Parkway signage to be subtracted	188 sq. ft.
Signs to be removed	<u>108 sq. ft.</u>
Net signage (per Wilsonville Code)	1,822 sq. ft.
Directional signs on site	260 sq. ft.
Proposed new signs	132 sq. ft.
Signage subject to 12-inch standard in the Code	657 sq. ft.
Signs erected without permits	166 sq. ft.
a. B-Bar-B	30 sq. ft.
b. Nendel's	136 sq. ft.

5. The Wilsonville Code (Section 4.001 requires that: *The display surface or face of the sign, including all frames, backing, face plates, non-structural trim or other component parts not otherwise used for support. Where the sign has two parallel display faces mounted back-to-back on the same horizontal plane of which the distance between the opposing surfaces is less than 12", the area may be counted on one side only. (Amended Ordinance No. 254, 4-2-84).*)

This provision cannot be ignored when calculating the net signage for the Burns Bros. complex. There may be differing opinions about the wisdom or necessity of having such a provision, but to change this standard would require an amendment to the Code. The City must utilize the existing variance criteria set forth in the Code to allow signage in excess of 1,172 sq. ft. (total for Burns Bros. excluding the Parkway Cinema).

6. The City Council finds that there are several businesses located on this parcel which depend on good communication (signage) to let the public know what goods and services are available. Although the Burns Bros. truck stop is bordered by Elligsen Road on the north, Parkway Loop on the east and south, and a frontage road on the west, the businesses located in the complex depend on attracting freeway travelers for the majority of their business.

Despite the location near the freeway interchange, the site does not enjoy a high degree of visibility from I-5 due to topography and the design of the interchange itself. There are two signs that are highly visible from the Freeway which attract customers to this site. These are the large Burns Bros. pole sign and the Nendel's Valu Inn sign. These signs have good visibility to northbound travelers and less visibility to southbound traffic.

7. The Council finds that there are nine commercial businesses currently located on the subject parcel. The underlying property owners are Ralph and Shirley Elligsen. Burns Bros., Inc. is listed on the Washington County tax assessment roles as the contract purchaser of the property. The businesses located on the property are outlined as follows:

1. Grand Parkway Cinemas
2. Bob's Big Boy Restaurant
3. Chevron Service Station
4. Hair Styling
5. B-Bar-B Ranch Restaurant
6. Nendel's Motel
7. Burns Bros. Truck Plaza
8. Burns Plaza Office Building
9. Burnsville General Store

8. The applicant testified that the purpose of the additional signage is to direct automobile and truck traffic to the appropriate entrances and to reduce motorist confusion that apparently results from the high volumes of traffic that are attracted to the truck stop. The reasons for the new signage are to let the eastbound traffic on Elligsen know what services are available and designate the proper entrance for the desired service. This difficulty is one

that is unique to this site and is a situation that applies regardless of ownership.

9. The Nendel's sign that was erected without proper approvals or permits from the City was not an illegal act on the part of Burns Bros. or Mr. Azeltine. That sign was erected by Nendel's prior to the time that Burns Bros. acquired a substantial interest in the motel. The applicant is now attempting to resolve the issue because they have an interest in the motel, however, they are not directly responsible for causing the sign to be erected in the first instance. The B-Bar-B sign was erected after the applicant believed that he could replace the original sign with a new neon sign which was similar in size and was placed in a similar location. This is usually possible, however, the applicant should have acquired a Building Permit to install the new sign. This situation did not lead to this request for a variance to the allowable signage for the truck stop.

10. Due to a combination of large trucks and autos mixed on this large site and with a short time for drivers new to the area to know what to do, the new signage and electronic display will help eliminate confusion. There are approximately 80,000 vehicles per day traveling on I-5 and the signage is re-quired for those customers who are not familiar with the area.

With the elevation of the access ramps and overpass, the Burns Bros. complex is below the roadway elevation. The north area of the property appears to be ap-proximately three feet below Elligsen Road. When large trailer trucks move in and out of this parcel, the view is blocked to motorists trying to assimilate information to make a decision. A large sign will provide a better size that can be read at a greater distance between traffic breaks.

11. The City Council finds that the existing 136 square foot double-faced Nendel's pylon sign replaced an older sign that was about 286 square feet in size. The new sign represents an actual reduction of 150 square feet in total sign area for the Burns Bros. complex. The applicant has agreed to repaint the existing poles to a dark bronze to match the other freeway sign.

12. The City Council finds that the applicant agrees to remove six additional signs which total 108 square feet in area. The overall result of an approval of this variance is a net increase of 24 square feet in signage, however, the public would generally benefit from this change due to better directions on how to enter the property and a better separation of the automobile and truck traffic. This should increase the overall motorist safety within this area.

13. The City Council finds that the net result of approval of this variance compared to the situation two years ago is a net reduction in the total sign area for the Burns Bros. complex. This is due to the difference in the sizes of the old versus the new Nendel's signs (136 square feet versus 286 square feet).

14. Finally, the City Council finds that a Master Sign Plan has been prepared by the applicant and has been submitted for the Council's approval. The Council finds that the Master Plan, its purpose statement and the statement of intent by Burns Bros. to implement the Plan represents a valid and good faith attempt to address the issues raised during the public hearings.

Adoption of this Plan, while not an absolutely ideal situation, represents a significant step forward towards resolution of any remaining issues between Burns Bros. and the City.

CONDITIONS OF APPROVAL

The following Conditions of Approval are hereby adopted to assure implementation of the Master Sign Plan for Burns Bros.:

1. No permit for any proposed additional signage shall be approved until:
 - A. Burns Bros., Inc., or their representative, shall contact the Wilsonville Building Official and acquire all necessary Building Permits needed for the "B-Bar-B" and "Nendel's Valu Inn" signs. The Building Inspector shall collect all fees and perform any inspections necessary to insure that the signs are properly and safely installed.
 - B. Burns Bros., Inc. shall remove all signage they have identified for removal in the Master Sign Plan and/or testimony to the City Council.
 - C. Burns Bros., Inc. shall cause the sign on the Truck Repair Shop at the east end of the diesel island to be repainted to the Chevron colors (red, white and blue).
 - D. Burns Bros., Inc. shall repaint the island entrance signs (located on fascia of service bays) from red and black to red and white.
 - E. Burns Bros. shall paint all existing metal sign poles to a dark bronze or brown. This is intended to apply directly to the Nendel's Valu Inn sign, the Northwest Truck Repair pole sign and the Chevron logo pole sign (located south of Elligsen Road).
 - F. That the blue and white tire center sign be removed or the applicant apply for a temporary use through the Planning Department.
2. After Conditions 1.A. through 1.E. are completed, the applicant may request for Building Department and Planning Department permits of the proposed signage as approved in the Master Sign Plan. Such signage shall not be installed until all City permits are issued.

BURNS BROS.
MASTER SIGN PLAN
WILSONVILLE, OREGON

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Master Sign Plan Purpose
Statement of Obligation and Intent
Master Sign Plan
Square Footage of All Signs
Plot Plan of the Development
Picture Inventory of signs

MASTER SIGN PLAN PURPOSE

The purpose of this Master Sign Plan is to coordinate all signing pertaining to placement, size configuration, and types (building - freestanding) to accomplish communication to the general public.



HEATH SIGNS

YAKIMA, SEATTLE, PORTLAND, SPOKANE, KENNEWICK, WENATCHEE

City Council
City of Wilsonville
Wilsonville, OR 97070

SUBJECT: BURNS BROS...MASTER SIGN PLAN

Due to the franchise with Standard Oil Company of California, Burns Bros. is obligated to use the Chevron colors. Consequently, any changes being done on the signage will portray the Standard Oil Company colors in a harmonious way. Due to some of the tenants that are in the complex, this may not always be true, but Burns Bros. will encourage this to the best of their ability. It is fortunate that most of the tenants on the site have these colors as their national logos.

In this regard, Burns Bros. has instructed the Truck Repair Shop that has the sign painted on the building at the east end of the diesel island to redo the sign to the Chevron colors. Burns Bros. is also going to repaint the island entrance signs (those showing the kinds of service available) currently red and black to red and white. This should dramatically have an immediate affect on the appearance from the street of the complex.

It should be noted that if sometime in the future there is a brand change of the products Burns Bros. may use, then they would want to change their colors to portray that image. This could include buildings, all signs (including pylon signs on the property) without the city placing restrictions on the size, height, or numbers to the change.

It is difficult to project into the future of what changes may occur with this development in regard to future sign needs. Burns Bros. is constantly analyzing the traffic flow and the communication requirements for the betterment of the general public on all properties. Due to the constant perceived needs of the general public, signage is required to change. When these times occur or when construction improvements are made on the development, Burns Bros. will always look at trying to consolidate and improve on the esthetic value and consideration of the placement of each sign for the improvement of the development and the community. Normally the building mounted signs will be in a horizontal configuration. The height above grade will depend on the architecture of the building since each building is different in style.



- BURNS BROS. TRUCK STOPS
- SECURITY CHAIN CO.
- AUTOMOTIVE JOBBERS WAREHOUSE
- CAPS AUTO PARTS STORES
- BURNS BROS. TIRE AND WHEEL
- LUMILITE PRODUCTS CO.
- BURNS BROS. INTERNATIONAL
- RESTAURANT DIVISION

516 SE Morrison, Suite 1200 • Portland, Oregon 97214 • (503) 238-7393 • TWX 759 851

MASTER SIGN PLAN CONTROL

When any Leasing of space is made to any business on this development, Burns Bros. assumes responsibility to implement the stated Master Sign Plan Purpose.

Burns Bros. hereby acknowledges that they have a primary responsibility to insure that this Master Plan is implemented and that future Lessees will be informed of the requirements to obtain sign permits from the City of Wilsonville and the proposed signage must substantially comply with this Master Sign Plan as approved or amended.

Steve Anderson
Senior Vice President
Burns Bros. Truck Stops

BURNS BROS...WILSONVILLE

Total signage	2,118	square feet *
Subtract cinema signage	<u>188</u>	square feet
	1,930	square feet
Signs that have been removed	<u>108</u>	square feet
	1,822	square feet
Signs that are of directional type	<u>260</u>	square feet
	1,562	square feet
12" Rule deletion totals	<u>657</u>	square feet
	905	square feet
Addition of directional & mileage signs	<u>25</u>	square feet
	930	square feet

*This is a reduction in number due to a 136 square foot error on sign number 23.

** PROPOSED SIGN **

I-5

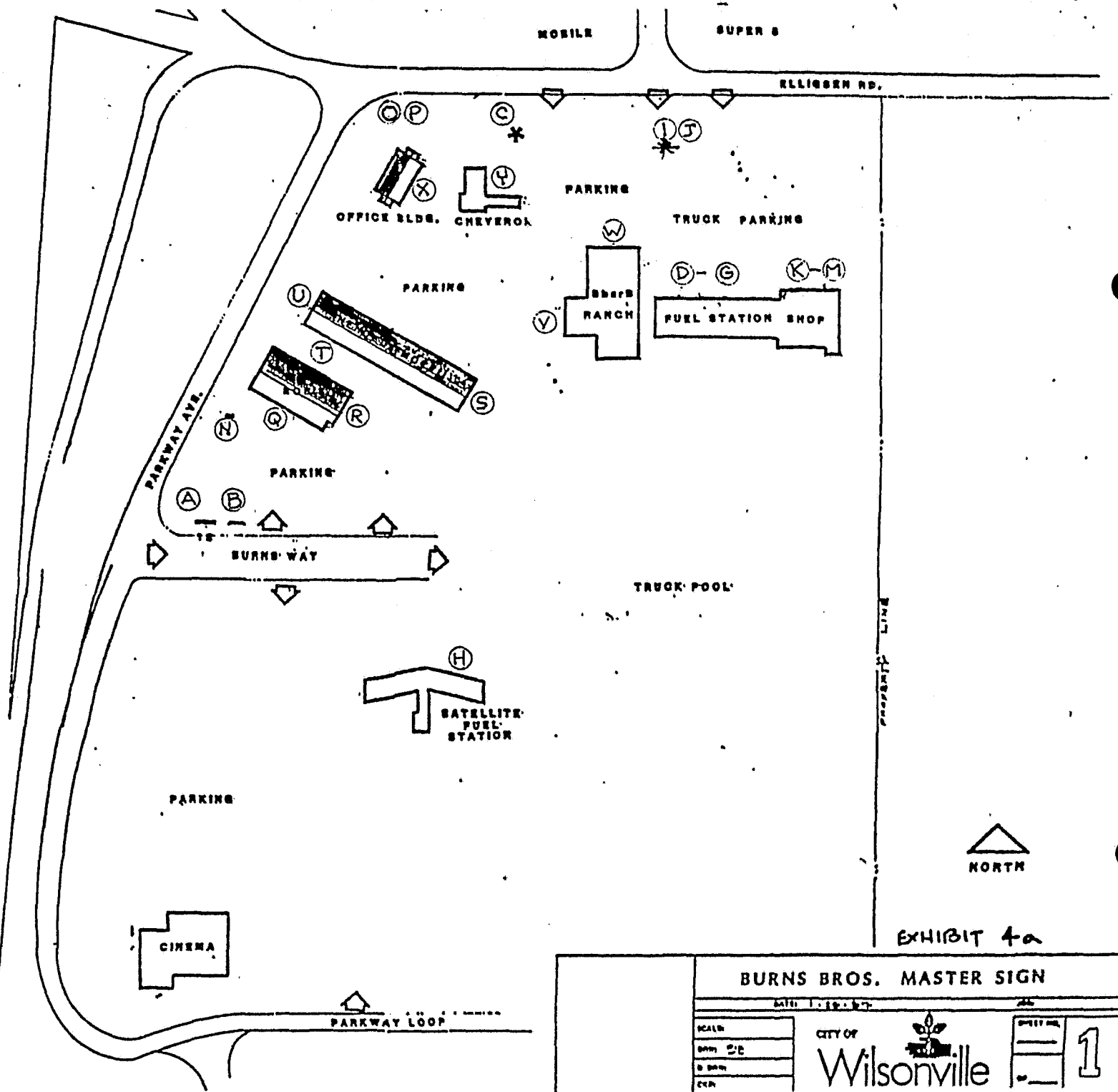
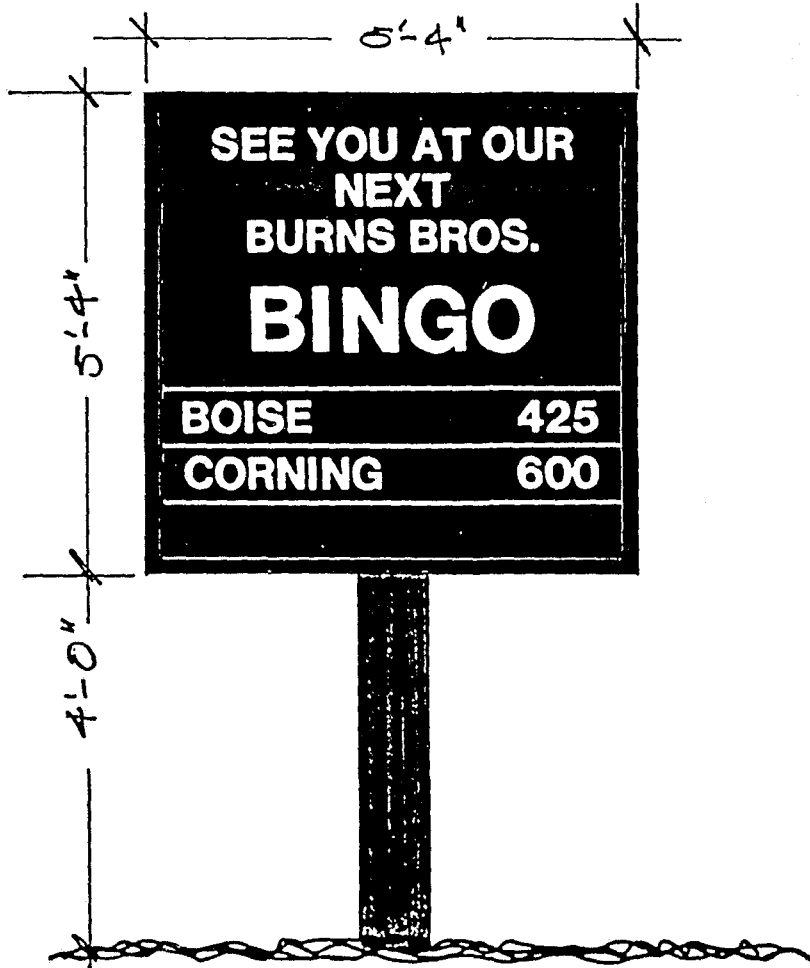


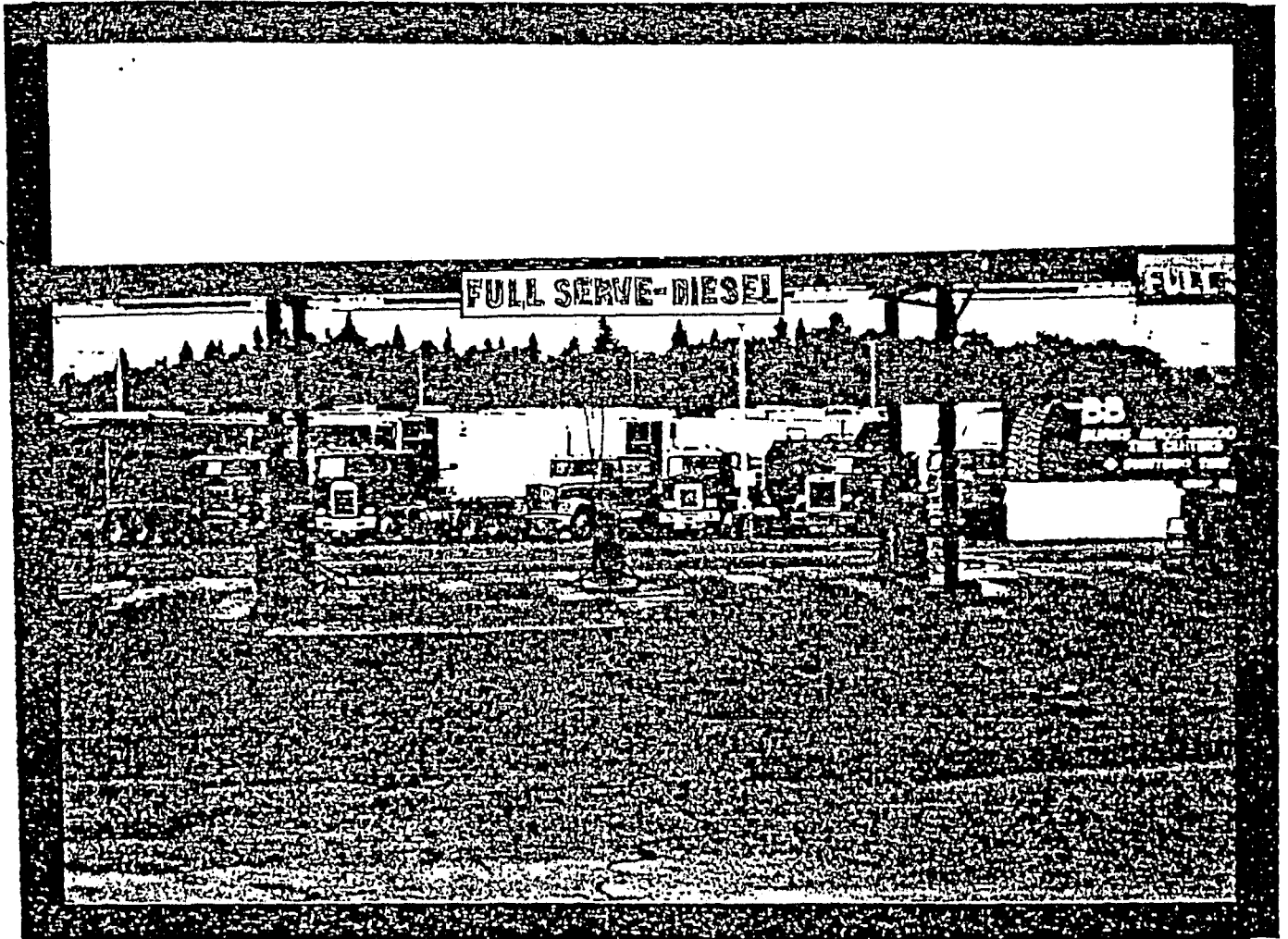
EXHIBIT 4a

BURNS BROS. MASTER SIGN

SCALE:	CITY OF	 Wilsonville	SHEET NO. 1
DRAWN BY:			
CHECKED BY:			
DATE:			



PROPOSED SIGN TO
REPLACE SIGN (I) (J)



D THRU G TRUCK BAY SIGNS
BACKGROUND - WHITE
COPY - RED

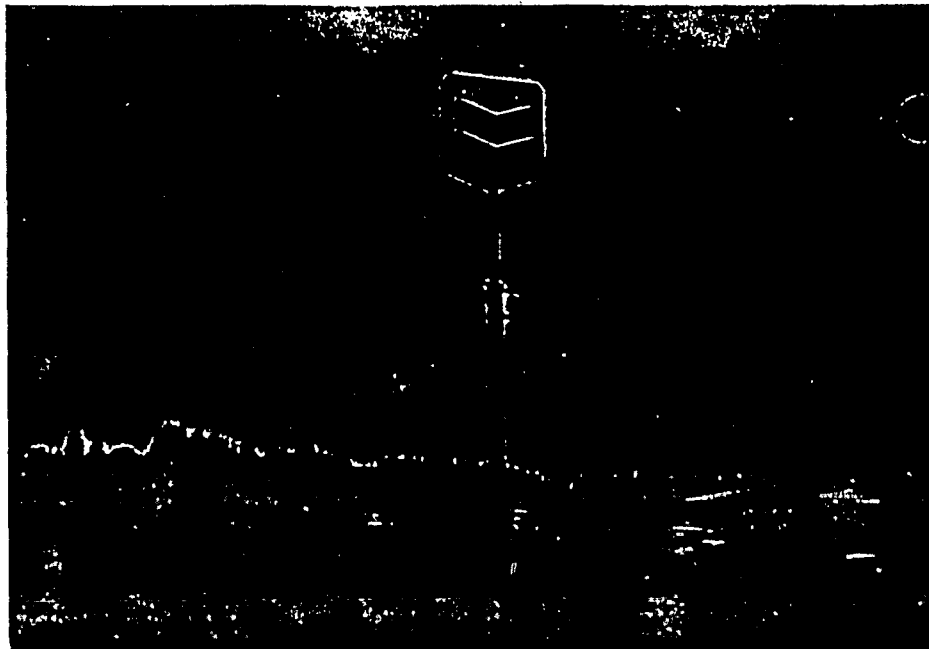


A



B (Valu-Inn)

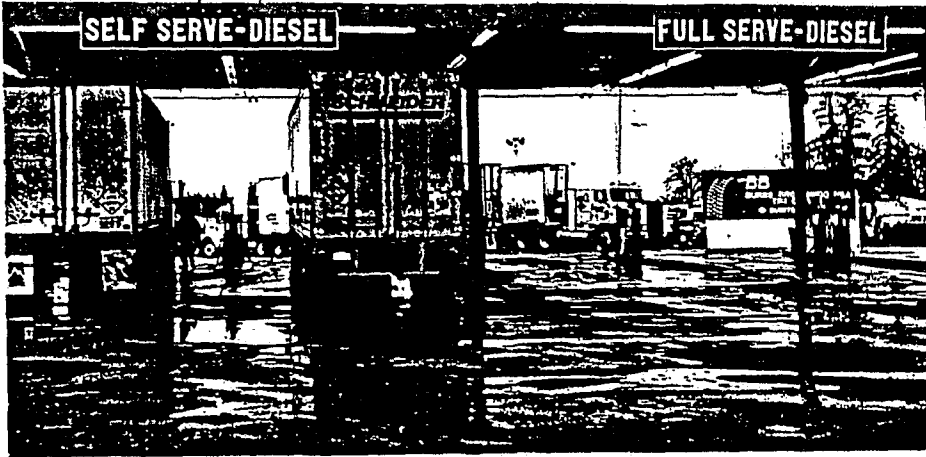
SIGN POLES PAINTED
DARK BRONZE



C

LOCATION OF PROPOSED SIGN

899

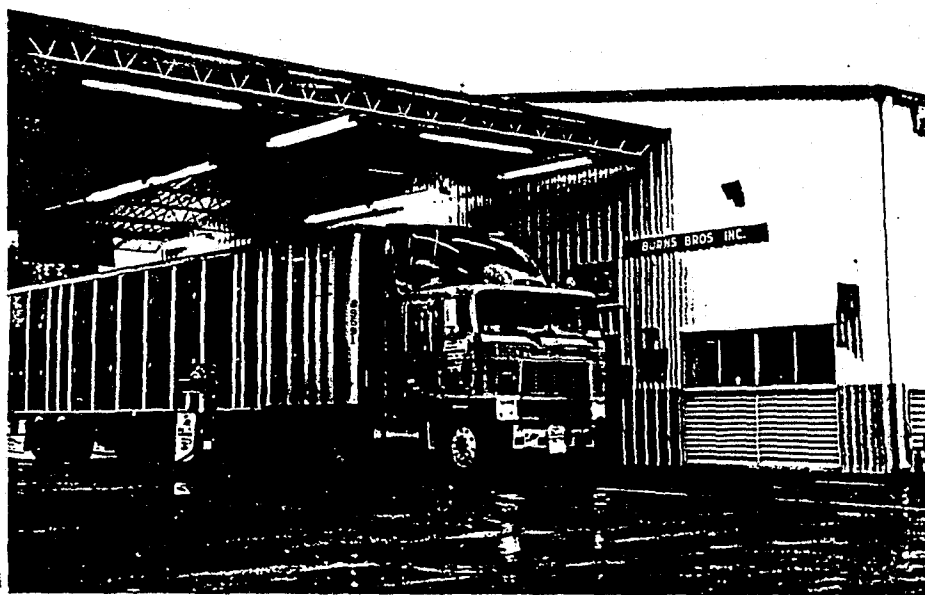


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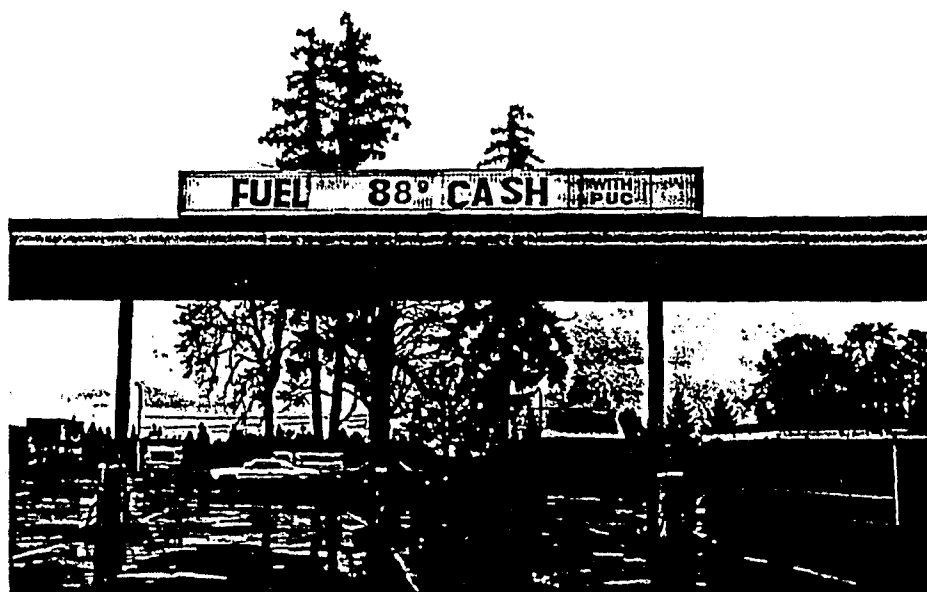


E





(G)



(H)



①



②

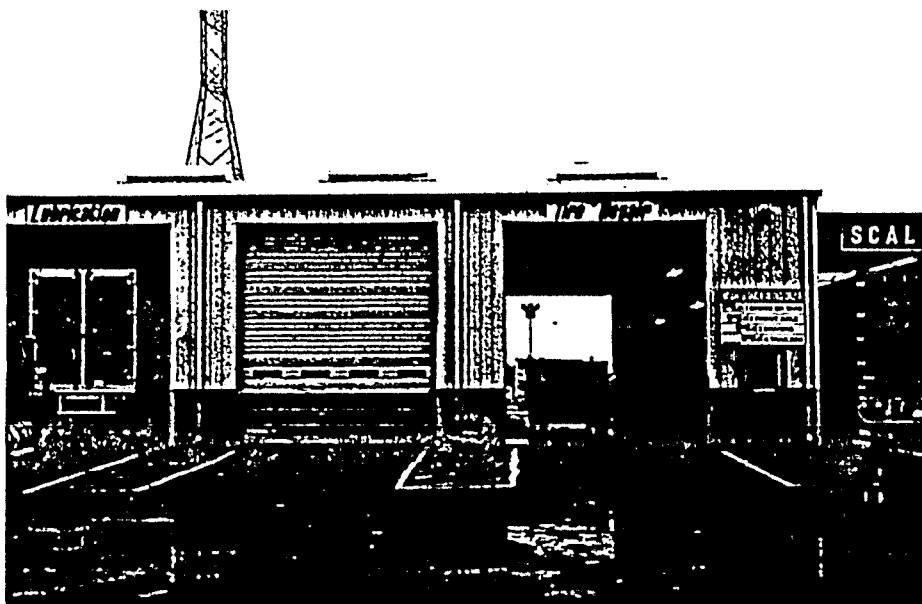
TO BE REPLACED
WITH LOW PROFILE
P/F SIGN.

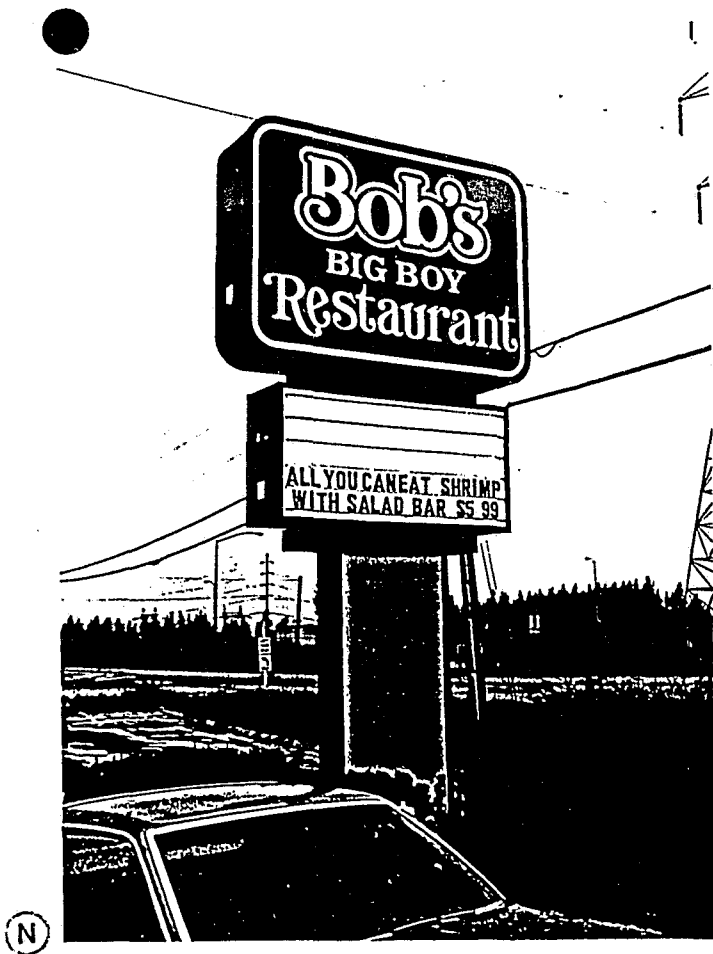


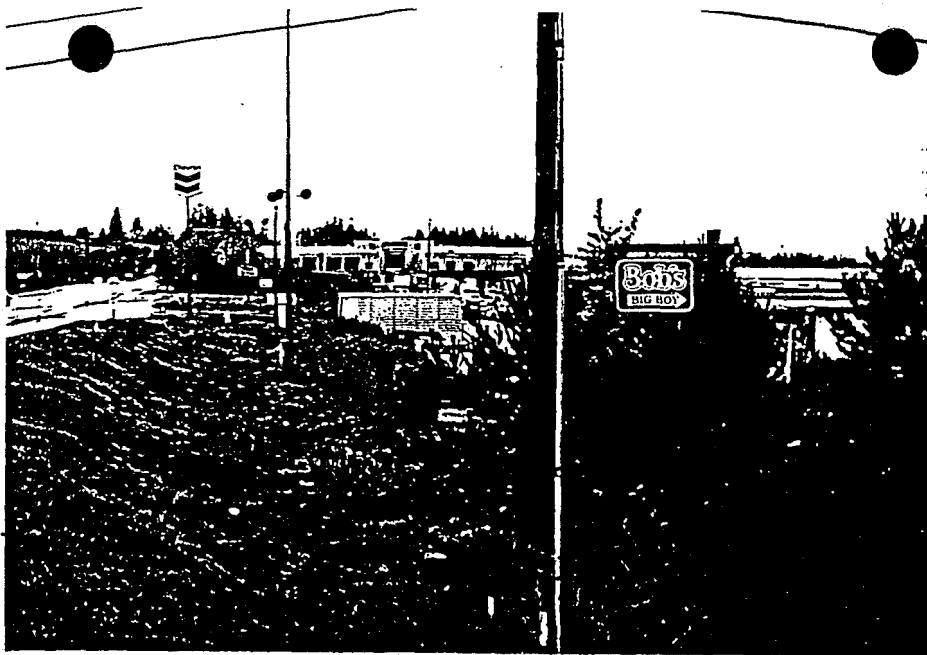
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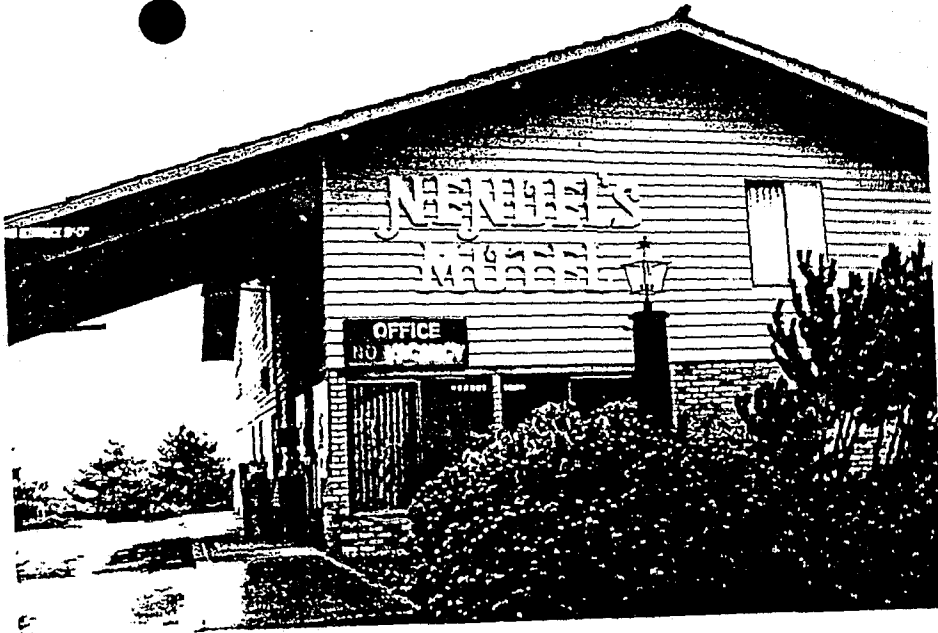


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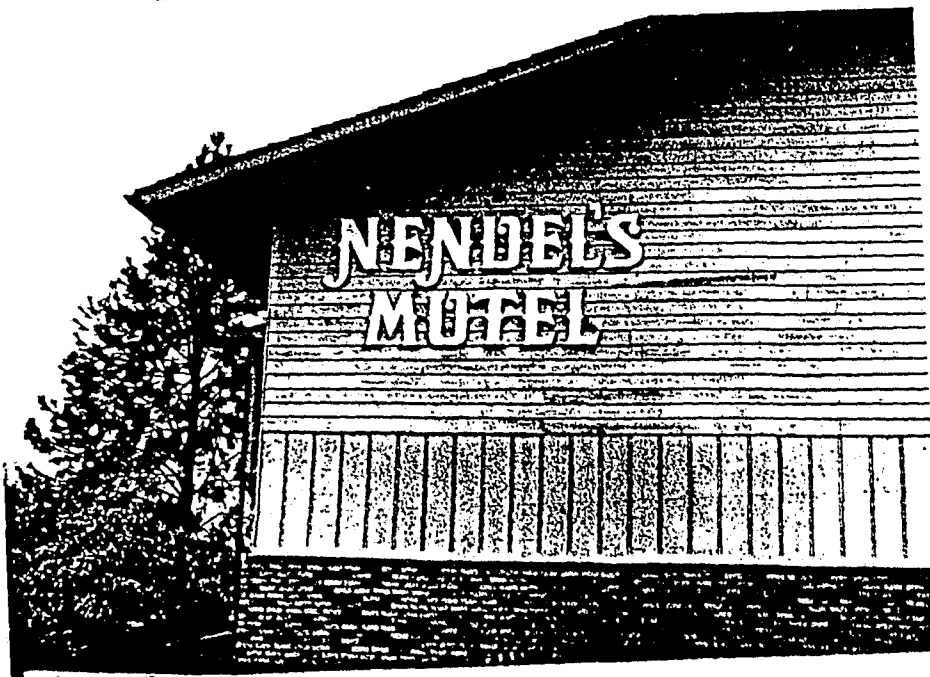


Q.





S E



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