

Neighborhood Meeting Notes – West Union Chevron

Meeting Date: March 30, 2022
Project: West Union Chevron
3J No.: 18509

Presenters: Mercedes Serra (3J Consulting), Bob Barman (West Union Chevron)

In preparation for the submission of a land use application for the West Union Chevron, the applicant conducted a neighborhood meeting with residents within proximity to the project site.

The neighborhood meeting was conducted virtually via Zoom, with meeting information posted online and available for download. The meeting started at 6:00 p.m. on Wednesday, March 30, 2022.

The neighborhood meeting included information via PowerPoint on the site zoning, proposed uses, the land use process, the proposed development and improvements, the neighboring wetlands and vegetative corridor, the fuel storage system and safety protocols. The end of the meeting included time for public comment and questions, which was facilitated using the Zoom Q&A function.

CPO Secretary Brandon Philips provided a statement on his campaign against the project proposed on this site.

The following is a list of questions which were answered during the meeting.

Q – In case this is not discussed, what are the planned hours of operation for the location?

A – All of our stores operate 24 hours a day.

Q – Please review any mitigation feature for runoff from paved areas in the development.

A – The project will be providing both treatment and detention with a stormwater system located on site catching any runoff from the paved areas. The runoff will be treated and detained prior to releasing it into the system in accordance with County and Clean Water Services standards.

Q – How has the “half street requirement” been addressed?

A – In this case because there is a capital improvement project planned for the street in front of the property, we are paying into that capital improvement project and that improvement will be made by the County. In the interim we will be providing sidewalk and landscaping along the frontage of the property.

Q – Please specifically address any attempt to mitigate runoff from paved areas into the wetlands, or any attempts to monitor runoff from paved areas into the wetlands.

A – As stated before, we will provide a stormwater system. County and CWS requirements require us to capture all runoff and treat and detain that. We will be meeting the requirements through the County and CWS.



**Q – Hudson Hood here, 8 years old from Bethany. I would like to make a statement
Q - I'd like to make a statement.**

A – We see a couple of people would like to make statements. This is not a public hearing. The CPO does make a statement as part of the neighborhood meeting. We are going to get through the comments and questions posted. We'd encourage you to provide your statement here and we will read it, or you can submit a statement to us via email or directly to the County.

Q - I submitted information on a real-time water quality monitoring system developed at Oregon State University and deployed in Corvallis and Grand Rapids, MI to both 3J and WashCo. Is there any attempt to monitor runoff water quality in real time?

A – We do not have a plan for that type of system for here. We will comply with all local, state, and federal regulations as they are currently imposed.

Q - On the Fuel Management System side, will someone save those men from inside the tanks? I won't be comfortable filling my vehicle here knowing those laborers are trapped within the tanks.

A – The fuel management system is a computer system that is able to be monitored from inside the convenience store. There will not be people inside the tanks monitoring the system.

Q – Do you know the timing of that improvement by the county?

A – The County does not have a schedule set for the project.

Q - Is surface runoff not captured by the drainage system included?

A – We have addressed this. All surface water runoff will be captured by the drainage system.

Q - How many millions of gallons are estimated to be delivered and stored with the new tank design? The old estimate was 3.6 Million gallons a year.

A – The pump ability depends on a lot of factors. The 3.6 million gallon a year estimate is not accurate, and we aren't sure where this number came from. A traditional station is about 1.8 million a year.

Q - Can you please specify or show a slide of the runoff management system proposed for this property?

A – The stormwater report is being generated and will be submitted with our land use application which will be available to the public for review. We do not have a slide today to show of the stormwater system.

Q - Where does the captured storm water go?

A – The stormwater will be captured and treated through mechanical treatment. It will then be released at a metered rate into the stormwater system.

Q - Has anyone talked with THPRD about this proposed development?

A – Yes, the project team has been working with THPRD on the proposed development. They have requested mitigation options. We will be providing vegetation enhancement, a fence along the



property line, removal of encroachments on their property and fixing a portion of the sidewalk off the property that provides pedestrian connection to the east.

Q - How can the public access the stormwater system report?

Q - What is it treated with, details please

A - The report will be submitted to the County as part of the land use application. The County will provide notice to the neighbors when the application is submitted which will allow for review and public comment on the submitted materials. Those materials will be made available to you at your request.

Q - Has the developer prepared a funding model for decommissioning the gas station? How will that be covered if the company goes insolvent or bankrupt?

A - This is not related to land use, and not typically done as part of a development. We understand why you are asking this question. The developer has not prepared a funding model for decommissioning the gas station. The development has been designed to be long lasting with future use.

Q - Your presentation cited other properties developed by Mr. Barman. Do you see this development as differing in any way from Mr. Barman's previous developments?

A - Each project is different. Mr. Barman tries to utilize many of the same strategies in his designs for his green gas stations, so many of those elements will be utilized here and have been utilized elsewhere. The size of the market and the number of pumps will change depending on the site.

Q - Are there any neighborhood cleanup initiatives being coordinated or considered by the leaders of this project, given a 24/7 convenience store typically brings in a considerable amount of foot traffic that wasn't there before and has direct correlation to littering.

A - At this time we are not proposing any neighborhood cleanup initiatives prior to the development of the project. This would be something that could be addressed if there was an issue, but at this time there is not an issue to be addressed.

Q - Oregon DEQ data shows that other sites owned by Bob Barman have had tank cleanup and removal of materials contaminated with petroleum. Can Bob share the costs for those cleanups?

A - For the Cornelius Station, Union Oil cleaned up the site, we bought it and they were responsible for the cleanup after we had purchased it. We are not sure what the cost of cleanup was for them. We have not had a cleanup cost that was our liability.

Q - Can you specify any features of this design - adjacent to a wetland - that differ from Mr. Barman's sites not adjacent to sensitive environmental areas?

A - On this site, we are providing mitigation and enhancement of the sensitive area on site including the vegetative corridor. The site currently has a degraded vegetative corridor. It is a Clean Water Services (CWS) jurisdictional area. We are meeting all CWS, state, and federal requirements for Goal 5 habitat.

Q - Will the recording for this meeting be available for later viewing? If so, where?



A – We are recording this meeting for our records and will be typing up meeting minutes based on these notes. We will post the meeting minutes to the drop box link that was provided in the invitation and will be providing the minutes to the CPO chair. We won't circulate the video these files are very large and difficult to circulate.

Q – 24-hour operation will have profound effects on wildlife near here - and especially nesting waterfowl. How to address lighting/noise? Do you find this important?

A – We will be putting landscaping between our station and the area to the south to help mitigate light pollution. The goal is to keep the lighting on the property. We hire consultants to help prepare our lighting plans. We are utilizing a two-story building to help minimize light pollution off site. We'd encourage you to take a trip to Murray/Allen at night to see the station. All of the lights are recessed to help minimize lighting on site.

Q – I am happy to host the video on my website if needed.

A – We will look into this. The meeting minutes will be the best source for circulating.

Q – I'm interpreting your response to my previous question as there are no approaches to mitigating environmental damage from the impact of a gas station unique to this site. In other words, siting this gas station is no different from an environmental contamination standpoint than any station Mr. Barman has developed at any street intersection. Is this interpretation correct?

A – We are not mitigating environmental damage that hasn't occurred. We are providing preventative measures through our design to prevent any contamination from occurring with our tank system which has advance monitoring. We will be meeting all CWS, County, State and Federal requirements for protection of habitat.

Q - Would you consider an art installation along the wetland side of the development that would enhance the view and further block light?

A – This would have to be done in partnership with THPRD and CWS. They have asked for a fence along the property line, and we are providing this fence to meet the request. An art installation visible on their side of the property would really have to go through them.

Q - What is meant by "near net zero" for the solar roof? By my calculations the roof would cover a fraction of a percent of the energy of the gasoline sold. So, is this "near net zero" definition covering the electrical requirements for the pumps, lighting, etc.

A – The site will utilize both a geothermal heat pump and solar panels to help mitigate the energy used by the station. These will be used along with other green strategies outlined previously

Q - Is there any mitigation planned to limit the amount of gas vapors that are leaked into the surrounding area?

A – The State and County have regulations and requirements which we will meet.

Q - Has Mr. Barman ever developed a gas station adjacent to a wetland?

A – We've discussed Mr. Barman's other projects. They are not adjacent to a wetland.



Q - Will services such as Propane and Propane accessories be provided at this location? Like what Megalo Mart provides?

A - We typically just provide cylinder replacements rather than tanks for filling up.

Q - Are you not concerned that a large portion of the neighborhood that does not want your station in our community due to noise and environmental concerns not important to you? Would you propose a similar station adjacent to Lake Oswego?

A - We are aware of the neighborhood and we are working to address to the best of our abilities many of the concerns the neighborhood has brought up while still providing for the needs of the gas station. We acknowledge your concern and appreciate your attendance tonight. Our application will meet the requirements outlined by the County for this type of development.

Q - Will there be any electric car charging stations?

A - Yes, it is planned to provide an EV charging station.

Q - The previous design stored 52,000 gallons of petroleum in underground storage tanks near the wetlands. You mentioned that there are only two tanks now. What is the new total storage?

A - The total storage will now be 40,000 gallons.

Q - Are you going to have tires and accessories for sale out front - and banners advertising various products?

A - Fuel stations are categorized as a Special Use within the County which provides requirements for displays like those you mentioned. Any displays we would provide would comply with the County requirements.

Q - Will the decrease in storage capacity to 40,000 gallons 80 ft from the wetlands increase the delivery frequency?

A - We've removed the diesel fuel from the site, so this would not change the delivery frequency, but rather would change the type and would not include diesel.

Q - Is there anything that can be raised as a concern tonight that would prevent this gas station to move forward?

A - We as the applicants do our best to take in neighbor's comments and questions while still moving forward with the development that we are proposing. It is our intention to move forward with the development, which is consistent with all County requirements.

Q - One last question...how many gas stations in the Portland metro area are adjacent to wetlands?

A - We do not know how many gas stations are adjacent to wetlands in the Portland Metro area.

Q - Will Diesel be provided as well?

A - Diesel will not be provided on the site. The number of tanks and pumps have been reduced and diesel has been removed.



Q - Why did you waste our time with repeated delays and reschedules and only now have an open session for Q&A?

A – We’ve had a neighborhood meeting in the past related to a previous land use application. At the hearing for the previous application, we heard from a lot of neighbors that setbacks were a major concern along with other concerns. We decided to take a look at the design of the project and redesign the market to meet the setbacks. In the redesign it was decided to add a new drive-thru use which requires a new land use application. If we were able to just revise the previous application we would, however the County requires us to go through this process again.

Q - How can you take in concerns if you don’t listen to community statements?

A – We are utilizing the Q&A function tonight to take in questions and concerns. We are happy to take in these statements and read them. In the Zoom format it is difficult to promote everyone and have everyone make statements, so we are requesting that you provide those in the Q&A function. If your statement is longer, we would invite you to provide that via email or send it to the County.

Q - When will construction begin?

A – We are slated to submit land use in the next month or so. The land use review timeline is 120-days. Once we have a land use decision, we will begin the permitting process. We do not have a specific construction date set yet.

Q - Will we be compensated for the value of our property devalued?

A – No, we will not be compensating neighbors for property devaluation.

Q - What ITE code and edition are you using for the drive-thru use and how much will it increase traffic when compared to the previous design?

A – We do not have our traffic engineer here with us, but we will be submitting a traffic impact analysis with our application. We will be using the most current and required edition by the county. It is estimated that the drive-thru use will increase traffic, but that it will be within the capacity of the surrounding system.

Q - I live in Rock Creek and I am against the gas station plans on West Union. I think it’s a bad idea because it could harm the animals’ habitat. Signed, Hudson Hood (8 years old)

A – Thank you for providing your statement.

Q - Bob seems to have no concern for the neighborhood. I WILL NOT BE A CUSTOMER.

A – Thank you for providing your statement.

Q - Why do you believe this is the right thing to do for the environment?

A – Fossil fuels are still utilized in the current market. Mr. Barman does his best to provide an energy efficient station to the best of his ability while still providing this product. We look at our projects as a lesson in how to do ecofriendly buildings in commercial development.

Q - You mentioned an automatic shutoff system. Can you provide some details on that system and how it links to the dispensers? For example, in October of 2021 1,300 gallons leaked from a dispenser in Pasadena, CA when the automatic shutoff valve was fouled from a car crashing into it.



A – We do not have the designer of the tanks with us tonight. The system will be detailed in the permitting process. We are not familiar with the case in California that you mentioned. All fuel tanks are double walled and double lined. We have monitoring shut off valves that shuts down the system. We do daily, monthly, and annual testing which is submitted to DEQ.

Q - This community has existed and grown for the past 30 years without a gas station. How can you take the stand that it is necessary?

A – We thank you for your comment. This is the developer's choice as a businessman and developer to provide a gas station on this site based on what will be economic for the neighborhood. We understand that many may not feel the same way and appreciate your comment.

Q - How many people total are in attendance at this meeting?

A – The participate list has changed off and on throughout the meeting. We currently have about 16 attendees in the meeting.

Q – Is Bob aware that the zip codes that this gas station will be servicing is adopting EVs 3x faster than the average in Oregon? In fact, 97229 has the highest EV registration per capita of any zip code in the state. The data is available on the Oregon DMV website in GIS format.

A – We understand that this may or may not be true, but this is not necessarily impactful to this project.

Q – Specifically, why would you build this next to a wetland knowing there is any sort of risk?

A – We are going to be meeting all state and federal requirements for environmental protection. We understand your concerns about the risk for development. We are mitigating and preventing for any potential risk. We always treat the development with respect from an environmental standpoint.

Q - How do you guarantee the stewardship though? Are you prepared to fund a trust or put liens against other properties to guarantee funding in case of an accident?

A – We are not new; we have been recognized as great stewards. We will not be funding a trust or put liens against other properties.

The meeting concluded at approximately 7:00 p.m.

