

SILVERTON PLANNING COMMISSION
REGULAR MEETING
SILVERTON COMMUNITY CENTER
421 S. WATER STREET
September 9, 2014 - 7:00 PM

AGENDA

I. ROLL CALL:

II. MINUTES:

Approval of Minutes from the Meeting held August 12, 2014.

III. BUSINESS FROM THE FLOOR:

Items not on this Agenda.

IV. AGENDA ITEMS:

PUBLIC HEARING

4.1 Continue Public Hearing Of Design Review Application, DR-14-01, 120 C Street O'Reilly Auto Parts From Regular Meeting Held August 12, 2014

Application to construct a new 7,385 square foot commercial building at 120 C Street. The use of the building will be a retail sales auto parts store. An adjustment to the 50% minimum window coverage has been requested for the east building wall facing Front Street.; Located on the east side of the intersection of C Street and North Water Street, Marion County Assessor's Map 061W34AD Tax Lot 01200.

V. REPORTS AND COMMUNICATION:

VI. ADJOURN:

Written comments may be filed with the Community Development Department, prior to the Public Hearing or you may attend the Hearing and testify in person or in writing on these applications. Additional information and/or review of this application may be obtained at Silverton City Hall, 306 South Water Street or by contacting the Community Development Department at (503) 874-2207. Copies of the staff report will be available seven (7) days prior to the public hearing. All documents will be available on our website at www.silverton.or.us.

AMERICANS WITH DISABILITIES ACT: *The City of Silverton intends to comply with the A.D.A. The meeting location is accessible to individuals needing special accommodations such as a sign language interpreter, headphones, or other special accommodations for the hearing impaired. To participate, please contact the City Clerk at 503-874-2216 at least 48 hours prior to the meeting.*

CITY OF SILVERTON
PLANNING COMMISSION MINUTES
Drafted for approval; subject to change and/or correction

7:00 P.M.

August 12, 2014

The Planning Commission of the City of Silverton met at the Silverton Community Center on August 12, 2014 at 7:00 PM with Chairman Flowers presiding.

I. ROLL CALL:

Present	Absent	
<u>X</u>	<u> </u>	Chairman Clay Flowers
<u>X</u>	<u> </u>	Vice-Chairman Gus Frederick
<u>X</u>	<u> </u>	Stacy Posegate
<u>X</u>	<u> </u>	Jeff DeSantis
<u> </u>	<u>Excused</u>	Joseph Pelletier
<u>X</u>	<u> </u>	Van Khieu
<u>X*</u>	<u> </u>	Phillip Appleton

STAFF PRESENT:

Community Development Director, Jason Gottgetreu; and Administrative Assistant/City Clerk, Lisa Figueroa

II. APPROVAL OF THE MINUTES FROM THE MEETINGS HELD MAY 13, 2014 AND JULY 8, 2014:

VICE CHAIRMAN FREDERICK MOVED TO APPROVE THE MINUTES OF THE MEETING HELD MAY 13, 2014 2014 AS PRESENTED. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

COMMISSIONER POSEGATE MOVED TO APPROVE THE MINUTES OF THE MEETING HELD JULY 8, 2014 AS PRESENTED. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

III. BUSINESS FROM THE FLOOR:

There were no comments.

IV. AGENDA ITEMS:

*Commissioner Appleton arrived at 7:04 p.m. Chairman Flowers reviewed the Public Hearing procedures before discussions.

1. Case: Design Review Application

Filed by: O'Reilly Auto Parts

Planning Department File No.: DR-14-01

Chairman Flowers opened the hearing at 7:05 p.m. and asked for declarations of ex parte contacts, conflicts of interest, and site visits. No Commissioners declared ex parte contacts or conflicts of interest. Chairman Flowers declared that he is employed with the Department of Transportation but that he was not involved with the review of the application. He stated that he feels that this will not influence his judgment on this application and can make a fair and impartial decision.

Community Development Director Jason Gottgetreu presented the Staff Report. He reviewed the Design Review criteria. He said the application is proposing an auto parts retail store and that the property is zoned General Commercial. He said the application complies with all the applicable provisions. He indicated the applicant would install sidewalks and frontage improvements along the Front Street Right-Of-Way and close the existing access on North Water Street. He said there will be a shared access with the adjacent business. He said a Traffic Impact Analysis (TIA) will be required prior to any building permits or public works permits are issued. He indicated the TIA must be conducted during the school year to capture school traffic and will have to come back to the Commission in a separate Public Hearing. He noted the applicant is proposing a vegetative screen along Front Street as an alternative to the 50% window treatment requirement.

Commissioner Khieu questioned whether there is anything in place to keep them from altering the landscape in the future. Community Development Director Gottgetreu indicated that it is a discretionary criterion and suggested that the Commission apply a more stringent condition requiring the applicant to get City authorization prior to altering the landscape. Commissioner Posegate asked if the General Commercial Zoning specifies how much retail space can be used for warehousing. Community Development Director Gottgetreu indicated that uses are considered based on their primary use. The Commission discussed if semi-trucks would be able to deliver inventory with only one access. Community Development Director Gottgetreu indicated that the TIA would be able to take that issue into consideration and said he would forward the Commission's concerns to the Engineer when the TIA is conducted. Community Development Director Gottgetreu said the Commission may continue the Public Hearing to a later date for additional consideration. The Commission discussed whether the construction and style of the building is cohesive with the other nearby buildings. Community Development Director Gottgetreu noted that nearby buildings are similar with the concrete façade and listed compatible materials such as; masonry, tile stucco, wood. He listed incompatible materials such as unadorned poured or tilt up concrete or metal siding. The Commission discussed the aesthetic design of the building.

Commissioner DeSantis requested that the applicant include lighting along the backside of the building for safety reasons. Community Development Director Gottgetreu said that is a discretionary design that the Commission can require of the applicant. Commissioner DeSantis requested they include dormers on the building or give it an old style look even if the applicant used the proposed materials. The Commission recalled a previous design review proposal that

presented a mock-train station look. Community Development Director indicated that he informed the applicant of that design. The consensus of the Commission expressed that the proposed design is not compatible with the town's atmosphere. Chairman Flowers agreed with the concerns of the Commission. There was a consensus of concern from the Commission regarding the box-style design of the building. Following additional discussion, Chairman Flowers opened the floor for public testimony.

Applicants Testimony:

The applicant was not present to provide testimony.

Public Testimony:

There were no comments.

Proponent Testimony:

There were no comments.

Opponent Testimony:

Jim Prince, 600 Shelokum Drive; addressed the Commission. He said he owns the building East of Front St and co-own one along C Street. He expressed concern regarding the proposed style of the building. He said he feels the style of the building could affect the neighboring businesses. He stated that the windows should be required because that side of the building faces other businesses.

Dana Smith, 514 S. Water St.; read from a prepared statement in regards to concerns about the design of the building. She said if the site plan were flipped where the building were up against Water Street with parking on the east, and it had proper weather protection and transparency standards on the north, west and east (all street facing facades), it would meet the Code criteria. She referenced several General Commercial District Design Standards including;

- Section 2.3.180
- Section 2.3.150(F)(1)
- Table 2.3.120
- Figure 2.3.170B
- Section 2.3.170
- Section 2.3.180(C)(3)
- 2.3.180(C)(4)
- 2.3.180(C)(7)

Ms. Smith submitted her written testimony for the record. The Commission reviewed and discussed Ms. Smith's concerns. Commissioner DeSantis asked if there are underground utilities and Right-Of-Ways that would prevent the building from being rotated. Community Development Director Gottgetreu indicated that there is a utility easement on the corner of N.

Water and C Streets that contains a splice box. The Commission discussed the possibility of switching the building with the parking lot. Community Development Director Gottgetreu said that there is a subjective standard that exempts it from the elements of Section 2.3.150 as listed. He said it allows the Commission some flexibility and discretion in the orientation standards.

Neutral Testimony:

There were no comments.

Community Development Director Gottgetreu indicated he did not receive any written testimony. The Commission discussed continuing the Public Hearing.

COMMISSIONER DESANTIS MOVED TO CONTINUE THE PUBLIC HEARING UNTIL THE NEXT REGULAR MEETING ON SEPTEMBER 9, 2014. VICE CHAIRMAN FREDERICK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

2. Case: Annexation application

Filed by: Kelvin and Angela Mann

Planning Department File No.: AN-14-02

Chairman Flowers opened the Public Hearing at 8:17 p.m. and asked for declarations of ex parte contacts, conflicts of interest, and site visits. No Commissioners declared ex parte contacts or conflicts of interest.

Community Development Director Gottgetreu presented the Staff Report noting this is an annexation application to allow the property to connect into the City water system. He said the roadway is under County jurisdiction. He said the property does not have a well and currently does not have a dedicated secure source of water. He reviewed the annexation criteria.

The Commission reviewed the application.

Applicants Testimony:

Kelvin Mann, 3340 High Oaks Lane, Molalla; addressed the Commission. He said in 2003 when the first chance came up, he lived out of state, and was led to believe that they would have an opportunity in the future, and he stated he is willing to pay the System Development Charges. The Commission did not have any questions.

Chairman Flowers opened the floor for public testimony, but heard no comments.

VICE CHAIRMAN FREDERICK MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Chairman Flowers closed the Public Hearing at 8:29 p.m.

COMMISSIONER POSEGATE MOVED TO RECOMMEND TO THE COUNCIL THE APPROVAL OF THE PROPOSED ANNEXATION AS IT MEETS THE REVIEW CRITERIA AND RECOMMEND THE CITY COUNCIL ADOPT FINDINGS EXEMPTING THE ANNEXATION FROM BEING REQUIRED TO BE APPROVED BY A MAJORITY VOTE AMONG THE ELECTORATE. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

The Commission adjourned for a break at 8:30 p.m. and reconvened the Meeting at 8:35 p.m.

3. Case: Urban Growth Boundary Amendment

Filed by: City of Silverton

Planning Department File No.: UGB-14-01

Chairman Flowers opened the Public Hearing at 8:35 p.m. and asked for declarations of ex parte contacts, conflicts of interest, and site visits. No Commissioners declared ex parte contacts or conflicts of interest.

Community Development Director Gottgetreu presented the Staff Report noting this is an amendment to add 40 acres of land adjacent to Ike Mooney Road into the City of Silverton Urban Growth Boundary (UGB). He said the proposed use is for a community park. He reviewed the UGB criteria. He said Ike Mooney Road would be improved as part of the Pioneer Village Phase 4. He provided a history of how the City obtained the property and indicated he has been working with Marion County, because if approved, the UGB amendment would need to go before the Marion County Board of Commissioners.

Community Development Director Gottgetreu said the transportation system that would service the park would be Ike Mooney Road, which would be improved as part of the Pioneer Village Phase IV subdivision. He said the property is currently outside the UGB and when the amendment is made, it would be designated as public so it could be developed as a park in the future. Commission reviewed the application. Vice Chairman Frederick asked if the property would be used for a disc-golf course. Community Development Director Gottgetreu indicated that the proposed use would be a community park, but the amendment was prompted by public comment received at a City Council Meeting. Commissioner Appleton asked if there is a well on the property. City Manager Bob Willoughby said yes, and that it serves the barn that is on the property.

Public Testimony:

Proponent Testimony:

There were no comments.

Opponent Testimony:

Heidi Mudrick, 5183 Madrona Drive; addressed the Commission. She said she was concerned

with the notification and questioned how easy would it be to change the property to housing in the future. City Manager Willoughby indicated that there was a restriction to use the property of the park. She asked if there would be any improvements along Evans Valley Road. Commissioner DeSantis indicated that the road is under County jurisdiction and would not be subject to any improvements from the City. The Commission inquired if Staff has discussed the issue with the County. Community Development Director Gottgetreu said discussions have not included Evans Valley Road. He indicated that there may be requirements from the County in the future as the City goes through the development process.

Chairman Flowers opened the floor for additional public testimony, but heard no comments.

VICE CHAIRMAN FREDERICK MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Chairman Flowers closed the Public Hearing at 8:57 p.m.

COMMISSIONER POSEGATE MOVED TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF THE PROPOSED URBAN GROWTH BOUNDARY AMENDMENT AND COMPREHENSIVE PLAN DESIGNATION AS IT MEETS THE REVIEW CRITERIA. COMMISSIONER DESANTIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

V. REPORTS AND COMMUNICATIONS:

Community Development Director Gottgetreu stated that the City has hired a Public Works Director, Paul Eckley, who will start on August 20. He said there have been seven Land Use Applications submitted to the Community Development Department recently and 42 single-family dwelling permits issued. He reported the annual downtown tree trimming would occur in the next few weeks. He said everything has been ordered for the downtown bike racks, but the City is finalizing the asphalt anchors for the bollards.

He indicated that Staff is working with the Urban Renewal Agency to solidify the forgivable loan process. The downtown kiosks have been fabricated, but there is some additional graphic and mapping that needs to be completed. He noted a grant issue for the East Park when the library was constructed was reconciled, which resulted in \$25,000 being released for Pioneer Park. He said it allows the City to apply for more Land Use and Conservation funds in the future.

Vice Chairman Frederick noted there is an exhibit of the original Homer Davenport cartoons through the month of August at the Borland Gallery.

VI. ADJOURNMENT:

COMMISSIONER DESANTIS MOVED TO ADJOURN THE MEETING. COMMISSIONER POSEGATE SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

The Meeting adjourned at 9:05 p.m.

Respectfully submitted,

/s/Lisa Figueroa,
Administrative Assistant/City Clerk

DRAFT