



# City of Aumsville



595 Main St., Aumsville, OR 97325  
Office (503) 749-2030 -- FAX: (503) 749-1852  
Email: cityadministrator@aumsville.us

## AUMSVILLE PLANNING COMMISSION MEETING

Thursday, May 2, 2019

The meeting was called to order at 6:00 PM in the Aumsville community center, 555 Main Street, Aumsville, Oregon by Vice Chair Russ Snow. Commissioners also present were Carrie Murphy and Walter Wick. Planning Commissioners absent were Tom Youmans and Dan Kluver. Staff present was City Administrator Ron Harding. There were 11 members from the public present.

### **PUBLIC HEARING: SDR 2017-04 11<sup>th</sup> Street LLC & Tia Street LLC, Extension (EXT 2019-02)**

The Public Hearing opened at 6:03 P.M. Vice Chair (VC) Snow read the Opening Statement, covered Preliminary Matters and asked if there were Declarations of Interests or conflicts in this matter. There were no objections to the notice given or the Commission's standing to decide the application.

Staff Report: was given by City Planner Lisa Brosnan. She reviewed the application for a three-year extension of SDR 2017-04. City Council approved the application on May 29, 2017. The developer had two years to meet substantial completions. Aumsville Development Ordinance 323 Section 21.07 B allows for a three-year extension with a written request from the applicant to the Planning Commission. The ordinance outlines criteria that must be met in order to grant the extension. Planner Brosnan addressed each of the four criterion beginning with:

- 1) No major modifications have been made to the approved site development review plan,
- 2) the applicant can show intent to complete construction as intended,
- 3) there have been no changes to the code regarding this type of application,
- 4) applicant can demonstrate that failure to get permits or begin construction was beyond the applicant's control.

Planner Brosnan concluded that all these criteria have been met by the applicant. The applicant was not able to obtain wetland mitigation permits as the process working through each of the state agencies to obtain such permits are lengthy.

Staff is recommending approval, subject to the conditions of approval. Planner Brosnan outlined a number of options for the planning commission.

Applicant Testimony: was given by Jerry Flowers. VC Snow asked Mr. Flowers if he had a time frame in which he thought the Department of State Lands (DSL) would approve his permits. He answered that he thought the permits could be approved later this year. He explained the different requirements of the application including; lot consolidation, ownership consolidation,

and environmental studies that have already been completed. Mr. Flowers also spoke about the complexity of this project and how it would be difficult to meet the time line.

There was no Proponents Testimony.

Opponent Testimony:

Bonnie Reed stated that she is not opposed to the project but has a concern regarding how the development will impact her property. Specifically, if the new fence will be able to be used by her and if it can be installed in advance. She also has concerns about the property and if it's being maintained properly.

CA Harding spoke about the requirements and addressed Mrs. Reed's concerns. He stated that a fence installed by a developer belongs to that development and is not necessarily a fence that belongs to each property owner. Commissioner Murphy suggested that Mrs. Reed and Mr. Flowers get together and work something out; they agreed to meet, however, the planning commission doesn't have the authority to require such an action.

Laurel Anderson stated that she recently moved here after the original approval. She said she doesn't have a clear picture of what the plans were specifically to 12<sup>th</sup> and 13<sup>th</sup> streets. Those roads would be extended as access to the development. She stated concerns that the current water and sewer systems and schools were not able to meet the demands of new connections. CA Harding explained the developer must install new water and sewer lines through the project at his expense as it impacts the current system. CA Harding invited the Andersons to meet with him at city hall and he would provide plans to review and talk about her overall concerns not related to this application.

Chris Chytka, a former planning commissioner, was not in favor of the project originally; but, the criteria being met, they had to approve the development. He is concerned about the amount of parking. He is also concerned that as the new vision work is being done, does this development meet that vision. He suggested waiting until the vision work is completed before approving the extension. The city is in process of updating codes and perhaps waiting to move this development forward would be wiser.

There was no Governmental Agency or General Testimony.

Mr. Flowers addressed the timing of the project; the wetlands, dust control, signs and the project in general.

The hearing closed at 6:44 P.M.

After Deliberations, Commissioner Murphy made a motion to approve the extension of SDR 2017-4. Seconded by Commissioner Wick. Voting in favor were Commissioners Snow, Murphy, and Wick. The motion passed unanimously.

**PUBLIC HEARING: Double R Products Site Development Review and Conditional Use (SDR 2019-03/CU 2019-03), 630 Main Street**

The Public Hearing opened at 6:50 P.M. SDR 2019 - 03. Vice Chair (VC) Snow read the Opening Statement, covered Preliminary Matters and asked if there were Declarations of Interests or conflicts in this matter. There were no objections to the notice given or the commission's standing to decide the application.

Planner Brosnan read into record the rights and requirements of the hearing process and rights under Oregon land use law.

Staff Report: was given by City Planner Lisa Brosnan. The applicant is seeking Conditional Use and Site Development Review approval for an automotive filling station, which will consist of four fuel pumps, one propane tank, and related parking, landscaping, and site improvements. The criteria can be found in the Aumsville Development Ordinance, Section 14 Conditional Use and Section 21 Site Development Review. The proposal was reviewed by the City Engineer and by Marion County. Their comments are incorporated into the findings and conditions of approval throughout this report and can be found in their entirety in Exhibits G and H.

Planner Brosnan concluded that all criteria have been met by the applicant and recommends approval with the following conditions of approval.

### **General**

- 1) Site development review approval shall be effective for a period of two (2) years from the date of approval.
- 2) The term of an approved conditional use development permit is one year. The Commission may extend such term for a period not to exceed one additional year, if upon written application, justification can be found and approved by the Commission.
- 3) Site development review approval shall be voided immediately if development on the site is a departure from the approved plan or development use.
- 4) If required site improvements cannot be completed before the issuance of an occupancy permit, a performance bond or other guarantee acceptable to the city attorney may be required.
- 5) Development shall not commence until the applicant has received all of the appropriate land use and development approvals.
- 6) Construction of public improvements shall not commence until the city has approved all required public improvement plans.
- 7) Compliance with the Conditions of Approval shall be the sole responsibility of the applicant.

### **Water**

- 8) Water service to the existing building is provided off of Washington Street. The meter shall be relocated off the private property to the new sidewalk.
- 9) If the number of water fixture units increases inside the building, the meter shall be upsized in accordance with City Standards.

### **Sanitary Sewer**

- 10) Prior to occupancy, the existing sewer service shall be located, and video inspected. The video report shall be delivered to the City for review and approval. Any repairs required by the City shall be in accordance with City Standards.
- 11) The new fueling station has a canopy with a catch basin draining to the sanitary sewer. An oil-water separator is shown on the site plan as required for this facility. Grading outside of the canopy is critical to prevent rainwater from outside the canopy area from draining to the catch basin under the canopy. Grading must adequately drain the area outside the canopy to the storm drain system. A grading plan addressing the issue of storm drainage must be approved by the City Engineer at the time of the building permit.

## **Streets**

- 12) Washington and Main Streets are proposed to be widened with curb and sidewalk. The final design shall be subject to the City Engineer's approval and shall include the following:
  - a. Pavement tapers shall be provided at the transitions, allowing pedestrians on the new sidewalk access to the turnpike street section.
  - b. Cross sections shall be provided at 20' intervals to insure the new curb and sidewalk match the existing street.
  - c. Improvements to Main Street shall be subject to Marion County approval.
  - d. A 20' radius right of way dedication shall be provided at 7th and Washington and 7th and Main.
  - e. ADA ramps shall be constructed at the street intersections in accordance with ADA standards.
  - f. 2" electrical conduit with 3 junction boxes for future decorative lighting shall be located along the Main Street frontage as approved by the City Engineer.
- 13) Prior to the issuance of building permits, the Developer shall be required to obtain County and City design approvals and a County Major Construction Permit to construct access, parking, and pedestrian improvements, including an ADA compliant ramp at the intersection of Main Street and 7th Street, along the Main Street property frontage. Prior to final building inspection, the Developer shall acquire County final inspection approval of the Main Street improvements.
- 14) At the time of application for building permits, the developer shall apply for an Access Permit with Marion County Public Works for changes being made to the Main Street access.
- 15) The Developer shall dedicate a 20-foot property line corner radius at the Northwest corner of the property for public right-of-way purposes, prior to final building inspection, such that the re-constructed ADA ramp will not be on private property.

## **Grading and Drainage**

- 16) All drainage for the site is proposed to drain to Washington Street, Detention is required in accordance with Marion County Standards.
- 17) The site plan shows a new private storm drain pipe between the right of way and existing building on Washington Street. This private storm drain pipe shall not be located in the public right of way. The Developer shall propose a different location for the private storm drain with the approval of the City Administrator, or the City will consider entering into an encroachment agreement to allow the private storm to drain to be located in the right of way if no other alternative exists.
- 18) The site plan shows a low point on the west side of the driveway off of Washington Street. A catch basin shall be provided to pick up the drainage at this location.
- 19) The area between the existing building and the new canopy shall be graded to insure rainwater does not drain to the catch basin under the canopy. A new catch basin may be needed in this area to provide positive drainage away from the canopy.
- 20) All existing rain drains shall be connected to the new storm drain system through the detention system.
- 21) Grading or improvements shall require compliance with City Public Works standards regarding storm drainage.

- 22) Prior to the issuance of any building permit or the construction of any proposed improvements to the site, the applicant must submit and receive City approval for the engineering plans for all stormwater improvements.
- 23) If stormwater drainage from the site is going to be connected directly to the public stormwater system within Main Street, the Developer shall be required to comply with Marion County stormwater discharge design standards as part of the onsite and offsite design prior to final building inspection.

#### **Private Utilities**

- 24) In accordance with the City's Design Standards, all private utilities must be located underground. The existing overhead service on the back side of the building is not required by Public Works to be placed underground.

#### **Business District Design Standards**

- 25) The front façade of the existing building shall be constructed to provide a minimum of 20 percent windows and 20 percent brick or other material approved by the City Administrator.

#### **Parking**

- 26) The developer shall provide one bicycle parking space, meeting the requirements for bicycle parking as outlined in Section 18.114 of the Aumsville Development Code.

#### **Landscaping**

- 27) Prior to the issuance of any building permit or the construction of any proposed improvements to the site, a detailed landscaping plan, showing a minimum of 5 percent of the gross land area devoted to landscaping and mitigating the effect of head-in parking, and enclosed garbage outlets shall be submitted to and approved by the City Administrator.

#### **Outside Storage and Display**

- 28) Outside storage and display of merchandise is not permitted.

VC Snow asked about how the traffic impact numbers were developed. He wanted to make sure that he understood how the numbers were reached. VC Snow asked why no signs were proposed. CA Harding explained that, in the SDR process, the city prefers the applicant to focus on site development issues related to signs, meaning identifying a location but not submitting for approval. The city has a separate sign permit application process that applicants are required to follow.

VC Snow asked about the location and whether it was on a corner. CA Harding stated that the pumps were on the corner lot but the building itself was not. The pumps are not subject to the elements of our design standards. The city has offset that by requiring the owners to meet certain building design requirements by wrapping the stone around the corner of the building part way down to enhance the corner visual of the building. The conditions of approval have asked for the City Administrator to sign off on final design of the downtown design elements and landscaping to make sure the project meets the intent of the city downtown design standards. CA Harding provided more details about the landscaping and the examples of what he was referring to.

CA Harding did ask the planning commission to require the two lots to be consolidated as part of their decisions. CA Harding discussed the Westech engineering report and drainage. The engineer will confirm the drainage requirements with the applicant.

Commissioner Murphy asked about bike parking and where it may be location. CA Harding stated that it wasn't identified at this time.

VC Snow asked the applicants if they had any issues with the requirements the city has asked for. The applicants responded that they can meet the requirements and have no additional issues.

There were no Proponents, or Opponents Testimony.

Marion County submitted comments from a Governmental Agency.

General Testimony: KC Parker addressed the planning commission with some questions. She asked about the size of the propane tank and the fuel tanks. The applicants responded that the propane tank would be under 500 gallons and the fuel tanks will be two 15,000 gal tanks. Mrs. Parker ask if they were going to have any diesel exhaust fluid tanks, the applicants responded they have none proposed.

Staff recommends adding two conditions to approval; an enclosed trash receptacle and the consolidation of the two lots into one lot.

VC closed the public hearing at 7:24 pm.

After deliberations: Commissioner Wick made a motion to approve application SDR 2019-03 subject to the revised conditions of approval to include the requirement of an enclosed trash receptacle and adding condition 29 to requiring the applicant to consolidate the lots before occupancy. Commissioner Murphy seconded the motion. Voting for the motion were Commissioners Snow, Murphy, and Wick. The motion passed unanimously.

CA Harding had a housekeeping issue regarding a previous application for Recology. The application was for a phase two development that had a number of requirements including a wet land permit. Phase one is extending the concrete curing pad but wanted to make sure he was interpreting the conditions appropriately. The condition was written in general and he wanted to know if he could interpret the conditions not to apply to phase one.

The general consensus of the planning commission members was that phase one does not need to meet all the conditions of approval.

The Planning commission approved the February 7<sup>th</sup>, 2019 minutes with changing an error the word 'flavors' to 'influence' in the first paragraph of the public hearing. They also approved the Work

Session minutes from April 19<sup>th</sup>, with capitalizing Walter Wick's last name and changing the word walk to walked. Commissioner Murphy motioned to approve both minutes with the changes as noted. Commissioner Wick seconded. Voting for the motion were Commissioner Snow, Murphy, and Wick. The motion passed unanimously.

The planning commission discussed the next meeting. They will have a minor public hearing for a garage and then would like to spend the remainder of the meeting having a work session to discuss procedures.

**NEXT MEETING:** May 16<sup>th</sup>, 2019 – Community Center 555 Main Street, Aumsville, Oregon 97325.

**ADJOURNMENT:** 7:47 P.M. without objection.

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Planning Chair

ATTEST:

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Ron Harding City Administrator