



**City of Sutherlin
Planning Commission Meeting
Tuesday, September 18, 2018
7:00 p.m. – Sutherlin Civic Auditorium
Agenda**

Pledge of Allegiance

Introduction of Media

Approval of Minutes

August 21, 2018 – Regular Meeting

Approval of Findings of Fact and Decision

- 1. RODNEY LINTON (representative for Saint Vincent de Paul)**, request for a Conditional Use Permit to authorize Vehicle **PLANNING DEPARTMENT FILE NO. 18-S010**.

Monthly Activity Report(s)

Public Comment

Commission Comments

Adjournment

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, AUGUST 21, 2018**

COMMISSION MEMBERS PRESENT: John Lusby, Sam Robinson, Richard Price, Collin Frazier, Adam Sarnoski and Elainna Swanson

COMMISSION MEMBERS EXCUSED: William Lee

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Jamie Chartier, City Planner

AUDIENCE: Gladys Robinson and Rodney Linton

Meeting called to order at 7:03 pm by Chair Lusby.

FLAG SALUTE

INTRODUCTION OF MEDIA: None

APPROVAL OF MINUTES

A motion made by Commissioner Sarnoski to approve the minutes of the July 17, 2018 Planning Commission meeting; second made by Commissioner Swanson.

In favor: Commissioners Robinson, Price, Frazier, Sarnoski, Swanson and Chair Lusby

Opposed: None

Motion carried unanimously

QUASI-JUDICIAL PUBLIC HEARING

1. **RODNEY LINTON (representative for Saint Vincent de Paul)**, request for request for a Conditional Use Permit to authorize Vehicle Sales on property located on the north side of E. Everett Avenue in the City of Sutherlin. Vehicle Sales and Services are a conditionally permitted use in the C-1 zone. The subject 0.12 acre property is described as Tax Lot 11500 in Section 17DC, T25S, R5W, W.M.; Property ID No(s). R56310; and is addressed as 117 E. Everett Avenue. It is designated Commercial Business District by the Sutherlin Comprehensive Plan and zoned (C-1) Downtown Commercial. **PLANNING DEPARTMENT FILE NO. 18-S010. Continued from the June 19, 2018 and July 17, 2018 meetings.**

Chair Lusby re-opened the hearing, and called for public testimony.

APPLICANT'S TESTIMONY

Rodney Linton, Applicant's Representative, stepped forward and reported to the Commission and Staff that the property owner has elected to pave the subject properties parking lot (fulfill condition number 6).

TESTIMONY IN OPPOSITION

There was no testimony in opposition.

With no further testimony, Chair Lusby closed the public hearing portion of the hearing and the Commission deliberated to a decision.

A motion made by Commissioner Sarnoski to approve the request for Conditional Use Permit to authorize Vehicle Sales per staff's recommendation of Action Alternative No. 1; second made by Commissioner Price.

Opposed: None

Motion carried unanimously

MONTHLY ACTIVITY REPORT

Mrs. Chartier asked the Commissioners if they had any questions with the Activity Report that was given to them in their packets. Commissioners asked about the interior remodel worksheet in the previous Ray's Building (worksheet 2018-77). Mrs. Chartier explained that Tractor Supply Company has come to an agreement with the property owner to utilize the western portion of the building. No further questions were asked with the activity report.

PUBLIC COMMENT - None

COMMISSION COMMENTS - None

ADJOURNMENT - With no further business the meeting was adjourned at 7:12 pm.

Respectfully submitted,

Jamie Chartier, City Planner

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2018.

John Lusby, Commission Chair



Community Development
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City of Sutherlin

September 11, 2018

TO: Applicant and All Parties

FROM: Jamie Chartier, City Planner

RE: **RODNEY LINTON (representative for Saint Vincent de Paul)**, request for a Conditional Use Permit to authorize Vehicle sales on property located on the north side of E. Everett Avenue in the City of Sutherlin. Vehicle Sales and Services, including fuel sales are a conditionally permitted use in the C-1 zone. The proposed use will be located on the subject 0.12 acre property and within the existing building. The subject property is described as Tax Lot 11500 in Section 17DC, T25S, R5W, W.M.; Property ID No(s). R56310; and is addressed as 117 E. Everett Avenue. It is designated Commercial Business District by the Sutherlin Comprehensive Plan and zoned (C-1) Downtown Commercial. **PLANNING DEPARTMENT FILE NO. 18-S010.**

Official notice is hereby given of the decision of the Sutherlin Planning Commission in the above referenced request for which a public hearing was held on August 21, 2018.

The Planning Commission took action on the requested Conditional Use Permit on the subject 0.12 acre property. The Conditional Use Permit was **APPROVED subject to conditions.**

A copy of the Sutherlin Planning Commission Findings of Fact and Decision are enclosed with this notice. This decision will become effective fifteen (15) days from the date the decision was mailed unless review is sought pursuant to Section 4.2.140.H of the Sutherlin Development Code. An information sheet for appeal is attached to this notice.

Enclosures

BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a Conditional Use]
Permit to authorize Vehicle sales on the]
subject property in the C-1 zone on a 0.12]
acre parcel located on E. Everett Avenue.]
The property is identified as Tax Lot 11500]
in Section 17DC, T25S, R5W, W.M.;]
Property I.D. No. R56310; and is addressed]
as 117 E. Everett Avenue; Owner: Daniel]
R. Lang.]

FINDINGS OF FACT AND DECISION

Applicant: Rodney Linton
Re: Conditional Use Permit (Vehicle sales)
File No.: 18-S010

PROCEDURAL FINDINGS OF FACT

1. The Conditional Use Permit application was filed with the City on May 16, 2018, and was deemed complete on May 17, 2018.
2. Notice of the Public Hearing on the requested application before the Planning Commission was given in accordance with Section 4.2.140.C as a Type III procedure. Notice was mailed to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on May 29, 2018. One written comment was received.
3. The Planning Commission held a public hearing on this matter on June 19, 2018; continued the public hearing on this matter to July 17, 2018; and then re-opened the public hearing on August 21, 2018.
4. At the public hearing(s) on June 19, 2018; July 17, 2018 and August 21, 2018, there were no declarations of ex parte contact, bias or other conflicts of interest made by the Planning Commission. No objections were raised by the audience, and the Commission was qualified to hear the matter.
5. The Planning Commission declared the following as parties to the hearing:
Rodney Linton, representative for Saint Vincent de Paul
6. Reference was made to the June 12, 2018 Staff Report, and findings of fact addressing consistency to the applicable criteria of the Sutherlin Development Code, including Section 2.3 [C-1 zone] and Section 4.5 [Conditional Use Permits].
7. Planning Staff presented a summary of the Staff Report dated June 12, 2018, and entered Staff Exhibits 1-10 into the record.
8. The Planning Commission provided opportunity to receive clarifying oral testimony from the applicant, Rodney Linton, who clarified the nature of the existing adjacent business, the proposed vehicle sales and stated that he has concerns with the paving design standards (condition number six of the staff report) and asked staff and the commission for alternatives to paving the existing parking area.
9. The Planning Commission provided opportunity to receive clarifying questions and oral

testimony from persons in favor or neutral to the application. No persons were present.

10. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from persons in opposition to the application.
11. The Planning Commission provided opportunity to receive clarifying questions and oral testimony in rebuttal to the application. None was provided.
12. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.

FINDINGS OF FACT RELATED TO DECISION

1. The Planning Commission expressed no objections to the proposed request.

FINDINGS OF FACT

Finding No. 1. The Planning Commission finds the subject property is designated Commercial Business District by the Sutherlin Comprehensive Plan and zoned (C-1) Downtown Commercial by the Sutherlin Development Code. In the C-1 zone, vehicle sales and services, including fuel sales, are conditionally permitted uses.

Finding No. 2. The Planning Commission adopts by reference the findings of the Staff Report dated June 12, 2018.

Finding No. 3. The Planning Commission finds the requested Conditional Use Permit was processed as a Type III procedure, subject to the applicable criteria of Section 2.3 [C-1 zone] and Section 4.5 [Conditional Use Permits] of the Sutherlin Development Code.

Finding No. 4. The Planning Commission finds the proposed use is compatible on the subject property in the C-1 zone. As indicated in the application, parking spaces are available in front of and besides the existing building. The Planning Commission finds that the amount of available parking spaces is consistent with the parking requirement of the SDC.

Finding No. 5. The Planning Commission finds, based upon the staff report and submitted application materials, that the proposed vehicle sales will utilize an existing building and parking area on the subject property. No physical changes or alterations to the building are proposed. Furthermore, the Planning Commission finds that based upon the nature of the proposed use on the subject property and within the existing building, no negative impacts due to noise, exhaust/emissions, light, glare, erosion, odor, dust, visibility or safety are anticipated.

Finding No. 6. The Planning Commission finds, based upon the staff report and submitted application materials, that the subject property, including the area for the proposed vehicle sales, is surrounded by existing properties within downtown commercial zone. No negative impacts are anticipated as part of this development, including to the adjacent commercial properties and the surrounding transportation system. The application states that business services will be Monday - Saturday, from 10 a.m. to 6 p.m. and will have minimal impact on the surrounding properties and their hours of business operations. The applicant has also demonstrated compliance with the applicable parking requirements. The Planning

Commission finds that the business hours will be listed as a condition necessary for the requested use.

Finding No. 7. The Planning Commission finds, based upon the staff report and submitted application materials that the subject property is currently served by existing public water and sewer. The Planning Commission further finds that no physical changes or alterations to the building are proposed, including any new extension of public services. The Planning Commission finds that no negative impacts from the proposed use are anticipated to the existing public facilities serving the subject property.

Finding No. 8. The Planning Commission finds, based upon the criteria outlined in Section 4.3.150 [Site Plan Review Approval Criteria], the submitted application will comply with the applicable provisions of the C-1 zoning district; and the applicable design standards of Chapter 3, including parking. The Planning Commission finds that bringing the proposed vehicle sales business will be beneficial to the property; and that the proposed use is not considered a non-conforming use or development on the property, and is not part of a phased development.

Finding No. 9. The Planning Commission finds, based upon the staff report and submitted application materials, and oral testimony provided, that due to the nature of the proposed use, it is found to be compatible with the existing uses in the vicinity.

CONCLUSION

1. A motion was made by Commissioner Sarnoski and seconded by Commissioner Price to approve Action Alternative #1 and **APPROVE subject to conditions** the requested Conditional Use Permit; the motion passed unanimously.

2. The Commission adopts the findings of the staff report in support of their decision.

NOW, THEREFORE, based upon the foregoing findings of fact and the oral testimony provided, the Sutherlin Planning Commission **APPROVES** the requested Conditional Use Permit, subject to the following conditions of approval:

1. The applicant and/or property owner shall provide documentation (i.e. final plan) for the proposed use demonstrating continued compliance with the landscaping and vehicle parking standards of the Sutherlin Development Code (SDC).
2. Operating Hours to be 10 a.m. to 6 p.m., Monday through Saturday.
3. Inoperable and/or dismantled vehicle(s) shall be stored within a fenced area or enclosed building.
4. The approved use shall comply with the City Nuisance Ordinance of the Sutherlin Municipal Code, Chapter 8.16.
5. Existing and/or proposed signs shall comply with the Sutherlin Development Code, Section 3.7. The applicant shall obtain Planning Clearance Worksheet approval from the Community Development Department for each existing and/or proposed sign.

6. The applicant and/or property owner shall meet all the requirements of Section 3.2.110(R) (Driveways, parking areas, aisles, and turn-arounds shall be paved with asphalt, concrete or comparable surfacing, etc) of the Sutherlin Development Code.
7. Obtain necessary Planning Clearance approval(s) from the Community Development Department once all above conditions have been met.

DATED THE _____ DAY OF _____, 2018.

JOHN LUSBY, CHAIR

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City of Sutherlin

Date: September 11, 2018
To: Sutherlin Planning Commission
From: Community Development
Re: Monthly Activity Report

This report is provided in an effort to keep you apprised of recent land use and other relevant activities.

TRANSPORTATION

Central Avenue Paving Improvement

Guido Construction is working on the substantial completion list, once this is completed, Guido Construction will start on completing the final punch list.

Valentine Ave Paving Improvement

No changes to this project still on schedule.

Transportation System Plan (TSP) ODOT has completed the negotiations to the contract with Kittelson and Associates and issued the Notice to Proceed on August 30, 2018.

UTILITIES

Tapani Construction, Inc began construction on the Wastewater Treatment Facility on May 29, 2018. Construction is underway and on schedule. No changes, still on schedule.

LAND USE ACTIVITY

Building Worksheets

- 2018-01 – 2018-84 on previous Activity Report(s)
- 2018-85 106 E Central Ave – Interior Remodel
- 2018-86 500 E Fourth Ave – Accessory Bldg
- 2018-87 1511 Farrah Ct – Foundation Repair
- 2018-88 427 Glen Ave – Accessory Bldg
- 2018-89 734 South Side Rd – Single Family Dwelling
- 2018-90 720 South Side Rd – Single Family Dwelling
- 2018-91 680 South Side Rd – Single Family Dwelling
- 2018-92 800 Forest Heights St – Single Family Dwelling
- 2018-93 951 Forest Heights St – Single Family Dwelling
- 2018-94 620 Brooks Loop – Single Family Dwelling
- 2018-95 576 Wildcat Canyon – Single Family Dwelling
- 2018-96 564 Wildcat Canyon – Single Family Dwelling
- 2018-97 506 Wildcat Canyon – Single Family Dwelling

Active Land Use Applications

- 18-S001 – 18-S012 on previous Activity Report(s)
- 18-S013 – Short PLA
- 18-S014 – Talton Home Occupation

18-S015 – Wansley Street Vacation, Replat and PLA

Right of Way Applications

18-01 – 18-24 on previous Activity Report(s)

18-25 – C-2 Utilities – 1347 and 1355 E Third St to Casa de Loma

18-26 – Avista Utilities – 162 Mardonna Way