

**CITY OF SUTHERLIN  
PLANNING COMMISSION MEETING  
CIVIC AUDITORIUM – 7PM  
TUESDAY, JULY 16, 2019**

**COMMISSION MEMBERS PRESENT:** William Lee, Richard Price, Sam Robinson, Adam Sarnoski, Norm Davidson and Elainna Swanson

**COMMISSION MEMBERS EXCUSED:** None

**COMMISSION MEMBERS ABSENT:** Collin Frazier

**CITY STAFF:** Jamie Chartier, City Planner and Kristi Gilbert, Community Development Specialist

**AUDIENCE:** Bobbie Jo Srikureja, Gladys Robinson, Mobile Diesel Service (Smalley's), Dana Wells, Cheryl Atterbury and Don Shaw

Meeting called to order at 7:00 pm by Chair Lee.

**FLAG SALUTE**

**INTRODUCTION OF MEDIA:** None

**APPROVAL OF MINUTES**

A motion made by Commissioner Price to approve the minutes of the May 21, 2019 Planning Commission meeting; second made by Commissioner Robinson.

In favor: Commissioners Robinson, Price, Sarnoski, Swanson and Chair Lee

Opposed: None

Excused: Davidson

Motion carried unanimously

**APPROVAL OF FINDINGS OF FACT**

DEBBIE ROBERTSON-SHAW, approval of Findings of Fact for Conditional Use Permit (CUP) to authorize an Office within an existing building on property located at 446 S. Calapooia Street. **PLANNING DEPARTMENT FILE NO. 19-S007.**

A motion was made by Commissioner Davidson to approve the Findings of Fact for DEBBIE ROBERTSON-SHAW, request for a Conditional Use Permit to authorize an Office within an existing building (File No. 19-S007) presented at the May 21, 2019 Planning Commission meeting; motion seconded by Commissioner Price.

In favor: Commissioners Robinson, Price, Swanson, Sarnoski, Davidson and Chair Lee

Opposed: None

Motion carried unanimously

## QUASI-JUDICIAL PUBLIC HEARING

**MOBILE DIESEL SERVICE, INC**, request for a Conditional Use Permit to authorize Vehicle Service (repair) within an existing building on property located on the corner of N. Calapooia Street and W. First Avenue in the City of Sutherlin. Vehicle Sales and Services, including fuel sales are conditionally permitted use in the C-1 zone. The subject 0.46 acre property is described as Tax Lot(s) 5900 and 6000 in Section 17DC, T25S, R5W, W.M.; Property ID No(s) R56030 and R56023; and is addressed as 239 W. First Avenue. It is designated Commercial Business District by the Sutherlin Comprehensive Plan and zoned (C-1) Downtown Commercial. **PLANNING DEPARTMENT FILE NO. 19-S012.**

Chair Lee opened the hearing, with the disclosure statement; all persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable criteria to be relied upon in making a decision.

Chair Lee asked the Commission if there were any conflicts of interest or personal bias; hearing none, Lee asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Lee asked for the Staff Report.

**Jamie Chartier, City Planner**, identified the parties in the matter. Stating Oregon Department of Transportation (ODOT) responded with no comments and Dana Wells, an adjacent property owner responded with concerns with how semi-trucks will exit the facility and will they exit on the alley or not and then summarized the Staff Report into the record. Mrs. Chartier entered Staff Exhibits 1-10, including the Staff Report into the record. Commissioner Price asked about the hours of operation, Mrs. Chartier responded that the applicant would be able to better address this.

## APPLICANT'S TESTIMONY

**Jason Smalley with Mobile Diesel Service, Inc and Gary Fadness, applicant's representative and with Buglin Heights Drafting and Design** came forward to give clarification of how they want the business to look and the measure they are taking to limit noise. Mr. Smalley clarified weekend work is for emergency, roadside service, not in shop work. Mr. Fadness added the design of the building remodel proposed will help buffer any noise from the shop to adjacent commercial and residential properties, while keeping the noise focused towards the industrial zoned lands to the north. The end bay of the shop will be used to park the service trucks.

Commissioner Davidson asks how much of the work is conducted within the shop, compared to roadside. Mr. Smalley responded that approximately 65% of the work they do is in the shop. Commissioner Davidson then asked if the shop doors will be towards the alley to the south. Mr. Fadness stated that the design they are going with will not have doors that access onto the alley way. Chair Lee asked staff about the timeframe allowed for landscaping; staff responded that the Conditional Use Permit application is granted with conditions for two (2) years, so there are two (2) years to complete the conditions. Commissioner Robinson asked the applicant's timeframe for remodel. Mr. Fadness responded that the building that Mobile Diesel Service is currently leasing had damage from the snow storm and is deemed unsafe and they need to

move out as soon as possible. Commissioner Robinson then asked about the type of exhaust system to muffle noise and affixation. It was explained that the vehicles being worked on within the shop are not left running.

### **TESTIMONY IN FAVOR**

There was no testimony in favor of the matter.

### **TESTIMONY IN OPPOSITION**

**Don Shaw, 217 W. Central Avenue (River Valley Realty), Sutherlin**, stepped forward and stated that they are a tenant in the building and is not opposed at this point. He is concerned with noise and safety with the location near the intersection. Along with asking about the traffic coming to the shop, will there be trailers attached to trucks? If this business creates a negative impact in the neighborhood, his business would have to relocate.

Commissioner Price clarified that access will be onto W. First Avenue and N. Calapooia Street and that the existing train that goes through town is the only that will block traffic.

### **NEUTRAL COMMENTS**

There was no testimony with neutral comments to the matter.

### **APPLICANT'S REBUTTAL**

Mr. Fadness addressed the traffic concerned and stated that the majority of the vehicles being worked on are pick-up trucks, with the driving route to tend to head north towards Oakland. The design of the building and with building codes will help buffer noise to adjacent properties. Mr. Smalley added that they work on all makes and models of diesel trucks, not anticipating a lot of noise. Also, the EPA is going the way of the future in regards to smoke/exhaust with the new filters available. Mr. Fadness further added that tractor/trailer trucks are few and far between at the shop and all vehicles will be locked up inside the shop at night.

With the above applicant's rebuttal, Don Shaw came back forward and stated he visited the proposed site today and with the testimony he withdraws some of his concerns.

With no further testimony, Chair Lee closed the public hearing portion of the hearing.

### **COMMISSION DISCUSSION**

Commissioner Swanson noted that their current diesel shop is in Oakland where she works and they have not received any complaints. Commissioner Price added that with his experience with diesel shops, smoke does not exist with these systems in place.

A motion was made by Commissioner Davidson to approve the Conditional Use Permit (Vehicle Service) (Action Alternative No. 1 per the Staff Report); second made by Commissioner Sarnoski.

In Favor: Commissioners Robinson, Price, Sarnoski, Davidson, Swanson and Chair Lee  
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 agreed that Valentine Road improvements are looking good. No other questions were asked with regards to the activity report.

**PUBLIC COMMENT** – Don Shaw stated that he worked closely with Planning Staff and that they all do a fantastic job.

**COMMISSION COMMENTS** – None

**ADJOURNMENT** - With no further business the meeting was adjourned at 7:35 pm.

Respectfully submitted,  
*Jamie Chartier*

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Jamie Chartier, City Planner

**APPROVED BY COMMISSION ON THE 12<sup>th</sup> DAY OF August, 2019.**

*William Lee*

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William Lee, Commission Chair