

# MINUTES

Creswell Planning Commission  
Creswell Community Center—99 West 1<sup>st</sup> Avenue

January 17, 2008  
7:30 p.m.

PRESENT: David Christopher, Lloyd Safley, Dennis Grice, Blake Oelke, Wes Olson, members; Denise Walters, staff.

ABSENT: Jack Gradle, Stacey Giles.

Mr. Oelke called the meeting of the Creswell Planning Commission to order.

## Election of President and Vice-President

Mr. Christopher, seconded by Mr. Grice, nominated Mr. Oelke for the position of Planning Commission President. The motion passed unanimously, 5:0.

Mr. Oelke, seconded by Mr. Safley, nominated Mr. Grice for the position of Planning Commission Vice President. The motion passed unanimously, 5:0.

## Minutes of November 27, 2007

Mr. Christopher offered the following correction to page 2, paragraph 6:

Mr. ~~Christopher~~, **Morgan**, seconded by Mr. Christopher, moved to approve the revised staff report and adopt the revised findings of fact as amended by staff. The motion passes unanimously, 7:0.

Mr. Safley, seconded by Mr. Oelke, moved to approve the November 27 2007, minutes as corrected. The motion passed, 5:0.

## Audience

There was no one wishing to speak.

## Commissioner Comments

Mr. Safley proposed changing the start time of Planning Commission meetings to 7:00 p.m. Following a brief discussion, Ms. Walters agreed to check with other Commissioners on the proposal, and report back at the next meeting.

## Poll Members for Conflicts of Interest

Mr. Oelke asked commissioners to declare any conflicts of interest or *ex parte* contacts. No conflicts or *ex parte* contacts were declared.

### I. OLD BUSINESS

None.

### II. NEW BUSINESS

**Application A: Quasi-Judicial Decision (Public Hearing) Case No. SITE-2007-04**, A REQUEST BY Olson & Morris on behalf of Fairway Development Group LLC, for site design review approval of a new Reality Homes sales center with product display and office on assessor's map 19-03-14-14 tax lot 300. The site is zoned General Commercial and designated Commercial on the Creswell Zoning and Comprehensive Land Use Diagram. The application was reviewed under the following Sections of the Creswell Development Code: Section 4.1.400, Type III Procedure; Sections 4.2.500 and 4.2.600, Site Design Review Procedure and Approval Criteria; Chapter 2.3, Commercial Districts; Article 3, Community Design Standards, and other applicable sections of the Creswell Development Code.

Mr. Oelke opened the public hearing.

Ms. Walters distributed a document entitled *Creswell Planning Commission Revised Staff Report Reality Homes Site Design Review (Site-2007-04)*, and reviewed the changes and sought Planning Commission feedback related to:

- Parking.

Responding to a question from Mr. Oelke, Ms. Walters said staff developed findings that demonstrated the number of parking spaces was appropriate and consistent with Adair Homes project. Based on the existing use and number of employees, the applicant's request was reasonable.

Mr. Oelke asked for input from the applicant's representative.

Scott Morris, identified himself as a representative from Olson and Morris.

Responding to a question from Mr. Oelke, Mr. Morris said there would be times, such as staff meeting, when all of the employees were at the site, supporting the need for the requested number of parking spaces.

Responding to a question from Mr. Olson, Mr. Morris concurred that the display model was intended to be a permanent structure that would be available for other commercial uses in the future.

Ms. Walters noted the Planning Commission was in general agreement on parking issues.

Responding to a question from Mr. Olson, Ms. Walters confirmed that construction of the lift station that had been previously reviewed by the Planning Commission as part of PAR-2006-03 would need to be completed prior to issuance of any certificate of occupancy.

- Section 2.3.170—Architectural Design Standards Subsection (C)(5) & (C)(7).

Ms. Walters said staff was looking for guidance from the Planning Commission as to whether the proposal met the intent of the code given the required weather protection would adversely impact the function of the garage/product display area and weather protection would be provided for the main easterly facing client entrance. There was consensus by the Planning Commission that the proposal was consistent with the intent of the code.

- Section 3.4.200—Public Use Areas and associated condition of approval Number 22.

The applicant had requested this condition of approval be required prior to certificate of occupancy rather than prior to construction document approval to coordinate more with the City in determining which route to pursue while being able to move forward with Site Design Review approval. Staff recommended approval of the amendment to condition of approval Number 22 which would read: Prior to applying for and issuance of a certificate of occupancy, 0.033 acre of land would be dedicated for public use with improvements and amenities stated in the Revised Staff Report, or the applicant would pay a fee in lieu of the required land dedication and park improvements.

Responding to a question from Mr. Oelke, Mr. Morris said the applicant would eventually pay the fee, but had been caught off guard by the language that required providing a public part on privately owned property. Ms. Walters added if the fee in lieu option were pursued, the fee could be credited toward the project's Systems Development Charges (SDCs) if the applicant followed the provisions of 3.4.200(B).

Responding to a question from Mr. Oelke, Ms. Walters said staff was working on Development Code amendments to clarify the code and will combine these with Development Code Amendments that could result from the Comprehensive Plan update process.

Ms. Walters facilitated a review of the several Conditions of Approval as delineated beginning on page 35 of a document entitled *Creswell Planning Commission Proposed Final Order/Findings of Fact and Decision Reality Homes Site Review (SITE-2007-04)* included in the agenda packet.

1. *The driveway shall be reduced from 36' in width to 20' in width, (2.3.150(C)(4)(b)) & (3.1.200(K)(3)(e)).* Ms. Walters said code required that the driveway not be any wider than 20 feet when parking is proposed between the building's main entrance and street right-of-way.

2. *Ground floor windows or window displays shall be provided along at least 30% of the office's street-facing elevation in the GC District (2.3.170(C)(5)).* Staff would amended the findings as discussed at the January 17, 2008 Planning Commission meeting.

3. *The street facing elevations of the office shall be designed with weather protection such as awnings, canopies, overhangs or similar features that project a minimum of four (4) feet and a maximum of eight (8) feet over sidewalks or other pedestrian space. (2.3.170(C)(7)).* Staff would amended the findings as discussed at the January 17, 2008 Planning Commission meeting.

22. *Dedicate 0.0.33acre of land for a mini-park; install seating, weather protection, canopies, awnings, or similar weather protection, enter into a legal agreement with the City stating applicant's ownership of the park area, assuring City residents will have access to the park, describing the types of park uses and facilities that shall be provided, defining park operating hours, establishing ongoing maintenance responsibilities; and record the legal agreement with Lane County; **OR** Pay a fee in lieu of the above required land dedication and park improvements. (3.4.200)* Ms. Walters said the applicant would need to pay the fee prior to issuance of a certificate of occupancy.

23. *No certificates of occupancy shall be issued until the lift station on Melton Road is made functional as required in land use application PAR-2006-03 and PAR-2006-03F, (3.4.300(B)).* Ms. Walters said the applicant would be required to meet this condition of approval prior to issuance of a certificate of approval.

Ms. Walters stated that based on the findings in the *Draft Findings of Fact*, staff found that the applicant could meet the requirements of the Creswell Development Code Ordinance No. 449 amended by Ordinance No. 451 as conditioned.

Mr. Oelke asked for comments from the public.

Mr. Morris stated the 20 foot driveway width was still pretty narrow, noting residential driveways were 24 feet. He added his client could accept the 20 foot width.

Ms. Walters iterated the code said driveways could not be greater than 20 feet wide per the Development Code when parking is provided between the main entrance and the street right-of-way. If the parking were moved to the rear of the buildings, different driveway widths would apply. Ms. Walters said the issue of driveway width when provided between the main entrance and street right-of-way could be examined during the code revision process. She added the provision was in the code to encourage commercial buildings to be closer to the street and have parking areas in the back of those buildings in order to be more pedestrian oriented and of human scale (as opposed to vehicle).

Mr. Grice said several Creswell residents had expressed concerns that the applicant would have large signs similar to the Adair Homes sign on I-5. Responding to a question from Mr. Grice, Mr. Morris anticipated the applicant would want their sign to be as big as the code would allow.

Mr. Oelke asked for additional comments from the audience.

Brian McBeth, 33938 Martin Road, Creswell, stated he could not see how this proposal could be accepted by the Planning Commission and addressed several issues he had with the document:

- Code 2.3.100—the proposal did not comply with the code, noting structures did not address the street and there were many pedestrians in the area.
- The model home structure, which was a residential unit, was in a commercial district, and had no future residential use.
- The development standard for commercial districts requires built-to lines.
- Architectural requirements for compatibility and harmony in the district.
- Did not meet pedestrian oriented development.
- The model home would not meet the requirement for 30 percent window coverage.
- The garage door of the office would look like a maintenance building.
- Issues with architectural design standards were not addressed.
- The property was within the 100 and 500 year flood event, and someone had added quite a bit of fill to the area.

Ms. Walters said the findings addressed a number of Mr. McBeth's concerns. The sales site, as a model home, would be considered a display, but would not be hooked up to sewer and water and other utilities. Pedestrian pathways connected to the sidewalk providing pedestrian connectivity. Parking issues were met with conditions applied. The display would have 30 percent window coverage as stated in the conditions of approval. The applicant noted in the proposal that the site could be used for commercial uses such office, insurance, day care or other uses when it was no longer used as a display site. The floodway analysis had been addressed during the subdivision process creating the lots.

Mr. Morris stated a comprehensive flood analysis which was on file with the City had been completed for the Creswell Market Place planned unit development (PUD) in the 1990's.

Mr. McBeth asserted a substantial amount of earth work, including bringing in fill, consisting of hundreds of dump-truck loads, occurred about one and one-half years ago.

Mr. Morris stated most of the fill had come from the Bi-Mart development which was part of the PUD approval.

Mr. McBeth stated a residential sales center would be better served in a residential district where a conditional use permit (CUP) could be made for a commercial office. He asserted this did not meet the goal of the Creswell Market Place criteria.

Mr. Oelke opined the applicant did meet the applicable criteria.

Mr. Christopher asserted if the project was placed in a neighborhood with a CUP, neighbors would oppose the project due to noise and traffic concerns.

Mr. Oelke closed the public hearing.

Mr. Grice, seconded by Mr. Christopher, moved to accept the staff report with the conditions and amendments. The motion passed unanimously, 5:0.

### III. OTHER

- Comprehensive Plan Update-Progress Report—Ms. Walters said a Citizen Involvement Committee (CIC) was working on the comprehensive plan update and developing polices needed to meet the statewide planning goals. Six of the fifteen goals had policies that had been reviewed by the CIC. A joint work session with the City Council and the Planning Commission would be held in the spring.
- Ms. Walters said a joint work session with City Council and Planning Commission was scheduled for February 11, 2008 at 5:30 p.m. to discuss the Interchange Area Management Plan, a Transportation System Plan Update, and a Local Street Plan.
- Planning Commissioner Training Information—Ms. Walters distributed a handout entitled *Oregon Chapter American Planning Commission Planning Commissioner Training* that described a nine-part training series for planning commissioners being streamed live on the web beginning October 2007 through June 2008. Access to the videos is free on the website.
- Hand Out New Binders with Code Amendments per Ordinance 451 Annexations—Ms. Walters distributed binders to those present.

### IV. ADJOURNMENT

Ms. Walters confirmed that the February meeting would start at 7:30 p.m. while other dates and times were researched. She said agenda items included a CUP for Space Age Fuels for a gas station and fast foods, noting under the new code, CUPs required site review criteria needed to be considered.

Mr. Oelke adjourned the meeting at 8:35 p.m.

*(Recorded by Linda Henry )*