



**City of Sutherlin
Planning Commission Meeting
Tuesday, January 15, 2019
7:00 p.m. – Sutherlin Civic Auditorium
Agenda**

Pledge of Allegiance

Introduction of Media

Election of Chair

Election of Vice-Chair

Approval of Minutes

December 18, 2018 – Regular Meeting

Approval of Findings of Fact and Decision

CHRISTOPHER OWENS, request for a Conditional Use Permit to reauthorize a Church within an existing building. **PLANNING DEPARTMENT FILE NO. 18-S025.**

Monthly Activity Report(s)

Public Comment

Commission Comments

Adjournment

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7PM
TUESDAY, DECEMBER 18, 2018**

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

COMMISSION MEMBERS EXCUSED: Elainna Swanson

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Jamie Chartier, City Planner, Brian Elliott, Community Development Director and Kristi Gilbert, Community Development Specialist

AUDIENCE: Gladys Robinson, Robert Moczowski and Chris Owens

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

FLAG SALUTE

INTRODUCTION OF MEDIA: None

SPECIAL PRESENTATION: Brian Elliott presented Chair Lusby with a certificate for his role and dedication on the Planning Commission.

APPROVAL OF MINUTES

A motion made by Commissioner Robinson to approve the minutes of the November 20, 2018 Planning Commission meeting; second made by Commissioner Price.

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

Opposed: None

Motion carried unanimously

APPROVAL OF FINDINGS OF FACT

WESTSIDE CENTER LLC, request for a Planned Unit Development (PUD) to be developed in two phases that total 22-zero lot line duplex lots, along with open space on a 18.92 acre parcel. **PLANNING DEPARTMENT FILE NO. 18-S017.**

A motion was made by Commissioner Price to approve the Findings of Fact for the WESTSIDE CENTER LLC, request for a Planned Unit Development to be developed in two phases that total 22-zero lot line duplex lots, along with open space on a 18.92 acre parcel (File No. 18-S017) presented at the November 20, 2018 Planning Commission meeting; motion seconded by Commissioner Lee.

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

Opposed: None

Motion carried unanimously

QUASI-JUDICIAL PUBLIC HEARING

1. **CHRISTOPHER OWENS**, request for a Conditional Use Permit to reauthorize a Church within an existing building on property located on the west side of Hawthorne Street in the City of Sutherlin. Churches and Places of Worship are conditionally permitted use in the R-1 zone. The subject 6.35 acre property is described as Tax Lot 200 in Section 19AD, T25S, R5W, W.M.; Property ID No. R50794; and is addressed as 450 Hawthorne Street. It is designated Light Industrial and Low Density by the Sutherlin Comprehensive Plan and zoned (M-1) Light Industrial and (R-1) Low Density Residential. **PLANNING DEPARTMENT FILE NO. 18-S025.**

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

Jamie Chartier, City Planner, entered Staff Exhibits 1-11, entering the Staff Report into the record. She then identified the parties in the matter, noting that Oregon Department of Transportation was the only written comment received as of the mailing of the Staff Report, indicating they had no comment. Mrs. Chartier summarized the Staff Report into the record, with the recommendation of action alternative number 1.

APPLICANT'S TESTIMONY

Christopher Owens indicated that he did not have any testimony to add.

TESTIMONY IN FAVOR

No testimony in favor.

TESTIMONY IN OPPOSITION

Robert Moczowski, 371 Hawthorne Street, Sutherlin, stepped forward and stated that he was an adjacent property owner and is happy to see that the building will no longer be vacant. He however expressed his concerns with the existing foot traffic that exists with the already growing businesses in the neighborhood over the years. Also street improvements have not been done (no sidewalks, curbs, gutters and open culverts), concerns with parking on Hawthorne Street and the speed limit at 20 MPH with kids playing needs to be addressed.

APPLICANT'S REBUTTAL

Christopher Owens stated that he has owned the property for three (3) months now and hopes that reopening the church that the unwanted traffic in the area would be alleviated.

Mrs. Chartier clarified that a recently approved Land Partition on an adjacent property located on Duke Avenue are required to do some road improvements prior to recording of the partition plat.

With no further testimony, Chair Lusby closed the public hearing portion for this application. The Planning Commissioner's discussed the road standards.

Commissioner Price motioned to approve the Conditional Use Permit (CUP) application per staff's recommendation of Action Alternative No. 1; Commissioner Frazier seconds the motion.

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

Opposed: None

Motion carried unanimously.

MONTHLY ACTIVITY REPORT

Jamie Chartier, City Planner, asked the Commissioners if they had any questions with the Activity Report that was given to them in their packets. Commissioner Price asked about the status of Tractor Supply Co., Mrs. Chartier replied that the City has not heard a current update, but believes they are still moving forward with coming to town. There were no other comments.

PUBLIC COMMENT - None

COMMISSION COMMENTS - None

ADJOURNMENT - With no further business the meeting was adjourned at 7:30 pm.

Respectfully submitted,

Jamie Chartier, City Planner

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2019.

, Commission Chair

BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a Conditional Use
Permit to reauthorize a Church within an
existing building on the subject property in
the R-1 zone on a 6.35 acre parcel located
on Hawthorne Street. The property is
identified as Tax Lot 200 in Section 19AD,
T25S, R5W, W.M.; Property I.D. No.
R50794; and is addressed as 450
Hawthorne Street; Owner: Christ
Community Center LLC

] **FINDINGS OF FACT AND DECISION**
] Applicant: Christopher Owens
] Re: Conditional Use Permit (Church)
] File No.: 18-S025
]
]
]

PROCEDURAL FINDINGS OF FACT

1. The Conditional Use Permit application was filed with the City on October 29, 2018, and was deemed complete on November 8, 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 November 20, 2018. One written comment was received.
3. The Planning Commission held a public hearing on this matter on December 18, 2018.
4. At the public hearing on December 18, 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:
Christopher Owens, applicant
John McDonald, Development Review Planner, ODOT
Robert Moczowski, adjacent property owner
6. Reference was made to the December 11, 2018 Staff Report, and findings of fact addressing consistency to the applicable criteria of the Sutherlin Development Code, including Section 2.2 [R-1 zone] and Section 4.5 [Conditional Use Permits].
7. Planning Staff presented a summary of the Staff Report dated December 11, 2018, and entered Staff Exhibits 1-11 into the record.
8. The Planning Commission provided opportunity to receive clarifying oral testimony from the applicant, Christopher Owens, who clarified the proposed church and stated that he concurred with the finds and recommendation of the staff report.
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. One person was present, adjacent property owner Robert Moczowski.
11. The Planning Commission provided opportunity to receive clarifying questions and oral testimony in rebuttal to the application. Brian Elliott, Community Development Director and Jamie Chartier, City Planner responded with answers pertaining to Mr. Moczowski's concerns.
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 Light Industrial and Low Density by the Sutherlin Comprehensive Plan and zoned (M-1) Light Industrial and (R-1) Low Density Residential by the Sutherlin Development Code. In the R-1 (portion the church is proposed within) zone, churches and places of worship, are conditionally permitted uses.

Finding No. 2. The Planning Commission adopts by reference the findings of the Staff Report dated December 11, 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 2.2 [R-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 R-1 zone. As indicated in the application, parking spaces are available around 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 church and the intent to operate a pre-K school, daycare and home school group 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 reauthorization of a church within an existing building, is surrounded by mixed existing residential and industrial properties within both the industrial zone and residential zones. No

negative impacts are anticipated as part of this development, including to the adjacent industrial or residential properties and the surrounding transportation system. The application states that existing building will be used for a church and also in the future a pre-K school, daycare and home school group 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.

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 R-1 zoning district; and the applicable design standards of Chapter 3, including parking. The Planning Commission finds that reauthorizing a church within the currently vacant building 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 Price and seconded by Commissioner Frazier to approve Action Alternative #1 and **APPROVE subject to condition(s)** 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 condition(s) of approval:

1. Obtain necessary Planning Clearance approval(s) from the Community Development Department once all above conditions have been met.

DATED THE _____ DAY OF _____, 2019.

, CHAIR



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www.ci.sutherlin.or.us

City of Sutherlin

Date: January 7, 2019
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 completing the final punch list.

Valentine Ave Paving Improvement

90% plans sheets have been submitted by I.E. Engineering. They are currently being reviewed by city staff.

Transportation System Plan (TSP)

First Advisory Committee (PAC) meeting was held on December 18, 2018. Committee comments to the proposed technical memos are due by January 8, 2019.

Code Audit Update

Bi-Weekly conference calls continue between Staff, DLCD and Consultants. Staff will bring discussion points to the February Planning Commission Meeting to assist the Consultants who are currently working towards a draft Code Audit to propose to the Planning Commission at their regular scheduled meeting in March.

UTILITIES

Tapani Construction, Inc. is in full swing of construction on the Wastewater Treatment Facility. No changes, still on schedule.

LAND USE ACTIVITY

Building Worksheets

- 2018-01 - 2018-126 on previous Activity Report(s)
- 2018-127 – 107 Valentine Ave – Carport
- 2018-128 – 865 W Central Ave – Interior Remodel
- 2018-129 - 724 Divot Loop – Single Family Dwelling
- 2018-130 – 680 Divot Loop – Single Family Dwelling
- 2018-131 – 694 Divot Loop – Single Family Dwelling
- 2018-132 - 624 Divot Loop – Single Family Dwelling
- 2018-133 – 702 Divot Loop – Single Family Dwelling
- 2018-134 – 746 Divot Loop – Single Family Dwelling

- 2018-135 – 1088 Mountain View Rd - MH
- 2018-136 – 115 W Central Ave – Change in Use
- 2018-137 – 534 Wildcat Canyon Rd – Single Family Dwelling
- 2019-001 – 1828 Garnet Ct – Garage
- 2019-002 – 639 Valley Vista St – Single Family Dwelling

Active Land Use Applications

- 18-S001 – 18-S025 on previous Activity Report(s)
- 18-S026 – Robinson – Land Partition
- 19-S001 – Powell Property Inv. - PLA

Right of Way Applications

- 18-01 – 18-37 on previous Activity Report(s)