



**City of Sutherlin  
Planning Commission Meeting  
Tuesday, April 16, 2019  
7:00 p.m. – Sutherlin Civic Auditorium  
Agenda**

**Pledge of Allegiance**

**Introduction of Media**

**Approval of Minutes**

March 19, 2019 – Regular Meeting

**Quasi-Judicial Hearing(s)**

1. **FAITH & REASON MINISTRIES, INC**, request for a Conditional Use Permit to authorize a church to operate inside an existing commercial building located on the east side of Eagle Court in the City of Sutherlin. A club and/or religious institution is a conditionally permitted use in the C-3 zone. The proposed use will be located in the north side of the existing building. The subject 0.28 acre property is described as Tax Lot 5901 and 7800 in Section 16CB, T25S, R5W, W.M.; Property ID No(s). R41051 and R48071; and is addressed as 112 Eagle Court. It is designated Community Commercial by the Sutherlin Comprehensive Plan and zoned (C-3) Community Commercial. **PLANNING DEPARTMENT FILE NO. 19-S004.**

**Monthly Activity Report(s)**

**Public Comment**

**Commission Comments**

**Adjournment**

**CITY OF SUTHERLIN  
PLANNING COMMISSION MEETING  
CIVIC AUDITORIUM – 7PM  
TUESDAY, MARCH 19, 2019**

**COMMISSION MEMBERS PRESENT:** William Lee, Richard Price, Sam Robinson, Collin Frazier, Elainna Swanson and Norman Davidson

**COMMISSION MEMBERS EXCUSED:**

**COMMISSION MEMBERS ABSENT:** Adam Sarnoski

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

**AUDIENCE:** Gladys Robinson

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 January 15, 2019 Planning Commission meeting; second made by Commissioner Davidson.

In favor: Commissioners Price, Frazier, Robinson, Davidson and Chair Lee

Opposed: None

Motion carried unanimously, with Commissioner Swanson abstaining

**DLCD CODE AUDIT**

**Kristi Gilbert, Community Development Specialist,** gave the Commissioners a brief update and background on the DLCD Code Audit Project. The consulting firm's (3J Consulting and JET Planning) that were hired on behalf of DLCD is currently working on reviewing all of the cities codes, comprehensive plan, buildable lands inventory and any other documents that they see pertinent to the Sutherlin Development Code. The main objective for this code audit is to address the need for housing, more specifically multi-family housing need. The consulting firm will be at the next Planning Commission Meeting in March. At the next meeting they will go over a draft that will have suggested changes to the development code. Currently from you, the Planning Commission, they want to know any specific barriers you see with our current development code, any suggestions you may have or specific areas that need to be updated to help facilitate the need for housing. Mrs. Gilbert gave some ideas, for example changing the densities in some of our current zones, what is causing problems that limit housing developments, and other barriers we feel can be changed to help with the housing need.

The Planning Commissioner members had a list of code audit discussion questions in their packets. Discussion continued with Commission members and staff with ideas. Commissioner Robinson brought up looking at the Commercial zone on blocks off of Central Avenue, allowing them to change from commercial zone when a residence is already established. Mrs. Gilbert added to this that the city has commercial zoned properties in areas with pre-existing single family dwellings, these properties are hard to sell because are code does not allow for any changes, additions, or accessory buildings to be built unless the property owner/developer conforms to the current zoning regulations. **Jamie Chartier, City Planner**, the possibility of adding an application process for such properties and call it an Alternation of a Nonconforming Use, which would allow property owners/developers to apply for specific alterations if meeting the standards in place. A few ideas were discussed from Planning Commission Members regarding a possible overlay for a combination of commercial and/or residentially zoned property and also the thought of allowing Air, Bed and Breakfast vacation housing.

The Code Audit in the end will have reviewed the existing Sutherlin Development Code and regulations pertaining primarily to residential development. Mrs. Gilbert told the Planning Commission at the next scheduled meeting the consulting firms will have a draft code audit report for them to review. If before the March meeting if any members have any thoughts or ideas to let City Staff know.

## **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 Robinson inquired about the Transportation System Plan (TSP) code audit, and asked if they are looking at turning south onto Exit 136 onramp and onto Parkhill Lane. There were no further comments from the Commissioners regarding the activity report.

**PUBLIC COMMENT** - None

**COMMISSION COMMENTS** - None

**ADJOURNMENT** - With no further business the meeting was adjourned at 7:42 pm.

Respectfully submitted,

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Jamie Chartier, City Planner

***APPROVED BY COMMISSION ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.***

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William Lee, Commission Chair



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# City of Sutherlin

April 9, 2019

## STAFF REPORT

TO: Sutherlin Planning Commission

FROM: Jamie Chartier, City Planner

RE: **FAITH & REASON MINISTRIES, INC.**, request for a Conditional Use Permit to authorize a church to operate inside an existing commercial building located on the east side of Eagle Court in the City of Sutherlin. A club and/or religious institution is a conditionally permitted use in the C-3 zone. The proposed use will be located in the north side of the existing building. The subject 0.28 acre property is described as Tax Lot 5901 and 7800 in Section 16CB, T25S, R5W, W.M.; Property ID No(s). R41051 and R48071; and is addressed as 112 Eagle Court. It is designated Community Commercial by the Sutherlin Comprehensive Plan and zoned (C-3) Community Commercial. **PLANNING DEPARTMENT FILE NO. 19-S004.**

## STAFF EXHIBITS

1. Notice of Public Hearing
2. Property Owners within 100 Feet
3. Staff Report
4. Conditional Use Permit application and attachments
5. Vicinity Map
6. Assessor Map
7. Zoning Map
8. Water Utility Map
9. Sewer Utility Map
10. Aerial Photograph

## **INTRODUCTION**

The applicant, Faith & Reasons Ministries, Inc., requesting a Conditional Use Permit to authorize a church to operate inside an existing commercial building located on the east side of Eagle Court in the City of Sutherlin. A club or religious institution is a conditionally permitted use in the C-3 (Community Commercial) zone.

The proposed use will be located in the north portion of the existing building located at 112 Eagle Court. The existing commercial building is currently owned and operated by the Zolezzi Insurance Agency (Zolezzi Living Trust). The applicant will be leasing the space from Zolezzi Insurance Agency for use as a church. The subject property is described as Tax Lot(s) 5901 and 7800 in Section 16CB, T25S, R5W, W.M.; Property I.D. No's R41051 and R48071. The property is designated Community Commercial by the Sutherlin Comprehensive Plan and zoned C-3 by the Sutherlin Development Code. The surrounding properties to the east, west and south and west are all zoned C-3, while properties to the north are zoned R-2.

During the public hearing, the Planning Commission will accept public testimony and make a decision on the application after the hearing. This application is being processed as a Type III procedure for a Conditional Use Permit, subject to the applicable criteria of Section 2.3 [C-3 zone] and Section 4.5 [Conditional Use Permits] of the Sutherlin Development Code. As part of the hearing, the Planning Commission will review the applicant's request for compliance with the applicable criteria and render a decision on the matter.

## **PROCEDURAL FINDINGS OF FACT**

1. The requested application was filed with the City on March 12, 2019, and deemed complete on March 20, 2019.
2. Notice of a Public Hearing on the Conditional Use Permit application before the Planning Commission was given in accordance with Section 4.2.140.C as a Type III procedure. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on March 25, 2019.
  - a. At the time of the mailing of this staff report, no other written comments or remonstrances have been received.
3. Present Situation: The subject property is developed with an existing commercial building and parking lot. The proposed church use will be located in the north portion of the building.
4. Plan Designation: Community Commercial (CC).
5. Zone Designation: (C-3) Community Commercial.
6. Public Water: The subject property has existing public water from the City of Sutherlin.
7. Sanitary Sewer: The subject property has existing sanitary sewer from the City of Sutherlin.
8. Transportation System: The subject property fronts onto Eagle Court at its intersection with E. Central Avenue in Sutherlin; there is an existing alley located behind the

commercial building. E. Central Ave is a designated Collector roadway where it borders the subject property, while Eagle Court is designated as a Local road.

9. Transportation Connectivity: Connectivity is provided in the surrounding area.
10. Pedestrian & Bicycle Access: E. Central Avenue is a designated pedestrian path and bicycle way under the Transportation System Plan.
11. Overlay: The subject property is not located within the 100 year flood plain or subject to any other overlays.

**FINDING:** The procedural findings noted above are adequate to support the Planning Commission's decision on the request Conditional Use Permit.

### **APPLICABLE CRITERIA & FINDINGS**

The proposed Conditional Use Permit is considered a Type III procedure, subject to the applicable criteria of Sutherlin Development Code, including Section 2.3 [C-3 zone] and Section 4.5 [Conditional Use Permits].

Based upon the application materials and information submitted by the applicant and other evidence provided, staff presents the following findings to address the applicable criteria:

### **DEVELOPMENT STANDARDS (SECTION 2.3, C-3 ZONE)**

1. The subject property is designated Community Commercial by the Sutherlin Comprehensive Plan and zoned (C-3) Community Commercial by the Sutherlin Development Code. Clubs and religious institutions, together with their accessory uses, are conditionally permitted uses in the C-3 zone.
  - a. Table 2.3.130 provides the following development standards for the C-3 zone:
    - i. Minimum zone size: None
    - ii. Maximum building height: 35 feet, or 50 feet when at least 10,000 sq ft of floor area is residential
    - iii. Yard Setbacks: Front – 0 feet (minimum) or 20 feet (may be increased to provide a pedestrian plaza, extra sidewalk, or outdoor seating area (maximum); Side & Rear – 0 feet, except 10 feet minimum adjacent to a residential district.
    - iv. Lot Size & Dimensions: No standard
    - v. Lot Coverage: 75% maximum

**FINDING:** The proposed church use will be going into an existing commercial building. The existing building height is less than 35 feet. The sidewalks in front of the building are able to accommodate pedestrian and downtown traffic. No additional development is proposed with this application.

2. The requested application requires review of the vehicle and bicycle parking standards in Section 3.4 of the Sutherlin Development Code.

3. Table Section 3.4.120.A outlines the required vehicle parking standards. Churches and similar places of worship require one space per every 100 square feet of combined sanctuary and school spaces (and accessory uses).

- a. As indicated in the application, the area of the proposed church is approximately 750 sq. ft., including two offices and restroom.

**FINDING:** Based upon the size of the commercial space, 8 off-street parking spaces are required for the proposed use. The application states that ten (10) parking spaces and one (1) ADA compliant space is available on the subject property. The application also states that the proposed church will be utilizing the same parking spaces used by Zolezzi Insurance Agency for its gatherings. The amount of available parking spaces is consistent with the parking requirements of the SDC.

#### **CONDITIONAL USE PERMIT CRITERIA (SECTION 4.5)**

4. The requested conditional use permit is subject to the applicable criteria of Section 4.5 of the Sutherlin Development Code. As indicated previously, clubs and religious institutions, together with their accessory uses, are conditionally permitted uses in the C-3 zone.
5. Pursuant to Section 4.5.120, the applicant has provided the following narrative as part of their request, which states, in part:

*Narrative documenting compliance:*

*Faith & Reason Ministries Inc. church will be in compliance with all existing & proposed restrictions & covenants.*

*There are no planned, needed or desired changes which will be made to the property or building with negligible impact is expected on traffic flow. Faith & Reason Ministries is not requesting or making any changes to building or property.*

*Impact study:*

*The public facilities & services impact will be negligible to nonexistent. The few folks who attend the church on Sundays will not have a discernible impact on transportation including pedestrian ways & bikeways. Drainage system, parks, water, sewer and noise impact will be negligible to nonexistent. No improvements of any kind are needed to any system as a result of the church as the impact will be negligible. No additional or new dedication by the city of real property is requested or needed.*

*Conditional use application:*

*Application for church to meet at 112 Eagle Court (Suite B).*

*We have a small service on Sunday mornings along with a small Bible studies during the week and would like to have space appropriate worship and community services. The office will be staffed by one person on a part-time basis. In the future this could turn into full-time. We anticipate allowing other church association groups use of the space for meetings.*

*In the future, if we out grow out of the current meeting area and the landlord doesn't require the space back, we anticipate the office suite to be our primary church office.*

*Proposed Signs:*

*Unlit signage will be in both of the two (2) front windows.*

*UP to four (4) unlit A frame folding signs will be place temporarily, during services.*

## **FINDINGS:**

6. Section 4.5.130 of the SDC identifies the applicable criteria and standards for a conditional use permit: The planning commission City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following:
7. Conditional Use Criteria (Section 4.5.130.A)
  - a. *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;*
    - i. The applicant will utilize a portion of an existing commercial building that has been vacant. No physical changes or alterations to the building are proposed. Based upon the size of the commercial space, 8 off-street parking spaces are required for the proposed use. The church will utilize the same parking areas available to Zolezzi Insurance Agency, which is located in the south portion of the existing commercial building. The amount of parking spaces provided will be consistent with the requirements of the Sutherlin Development Code. Furthermore, based upon the nature of the proposed use within the existing building, no negative impacts due to noise, exhaust/emissions, light, glare, erosion, odor, dust, visibility or safety are anticipated.
  - b. *The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval; and*
    - i. The subject property, including the area for the proposed church use, is surrounded by existing properties within the City's community commercial district. No negative impacts are anticipated as part of this development, including to the adjacent commercial and residential properties along with the surrounding transportation system. The application states that church services will be held on Sundays mornings, along with a small Bible study during the week, which will have minimal impact on the surrounding properties and their hours of business operations. If in the future the church expands to include additional church services, including other days of the week, it is still anticipated to have minimal impact on the surrounding properties due to its small size and location. The applicant has demonstrated compliance with the applicable parking requirements. No mitigating conditions are necessary for the requested use.



c. *Public facilities have adequate capacity to serve the proposal or will be made adequate by the applicant.*

i. The subject property is currently served by existing public utilities, including public water and sanitary sewer. No physical changes or alterations to the building are proposed, including any new extension of public services. No negative impacts from the proposed use are anticipated to the existing public facilities serving the subject property.

8. Site Plan Criteria (Section 4.5.130.B), which states the criteria for site plan review approval (Section 4.3.150) shall be met.

a. 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-3 zoning district; and the applicable design standards of Chapter 3, including off-street parking. The proposed church will be a new use on the property, but will complement the current commercial use on the property. The existing church facility is not considered a non-conforming use or development on the property, and is not part of a phased development.

9. Conditions of Approval (Section 4.5.130.C)

a. The city may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized.

b. If approved, the conditions of approval should require the applicant to:

i. Existing and/or proposed signs shall comply with the Sutherlin Development Code Section 3.7. The applicant shall obtain a Planning Clearance Worksheet approval from Community Development for each proposed sign.

ii. Applicant shall pay \$25.00 fee to the City of Sutherlin for the issuance of an address and to coordinate with Community Development.

iii. Obtain the necessary Planning Clearance Worksheet approval from the Community Development Department, once all above conditions has been met authorizing the Conditional Use Permit.

## **ACTION ALTERNATIVES**

Based on the applicant's findings, the city staff report and the testimony and evidence provided during the public hearing, the Planning Commission can close the public hearing and move to either:

1. **APPROVE** the requested Conditional Use Permit on the subject property addressed as 112 Eagle Court, based upon the findings of the staff report and/or testimony brought forward through the public hearing process, which recognize the approval criteria can be met at this time, subject to the following conditions:

- a. Existing and/or proposed signs shall comply with the Sutherlin Development Code Section 3.7. The applicant shall obtain a Planning Clearance Worksheet approval from Community Development for each proposed sign.
  - b. Applicant shall pay \$25.00 fee to the City of Sutherlin for the issuance of an address and to coordinate with Community Development.
  - c. Obtain the necessary Planning Clearance Worksheet approval from the Community Development Department, once all above conditions has been met authorizing the Conditional Use Permit.
11. **APPROVE** the requested Conditional Use Permit on the subject property addressed as 112 Eagle Court, with modifications and/or conditions of approval, based on Findings of Fact and/or testimony brought forward through the public hearing, which recognize the approval criteria can be met at this time.
  12. **CONTINUE THE PUBLIC HEARING** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal; or
  13. **DENY** the requested Conditional Use Permit on the subject property, based on Findings of Fact and/or testimony brought forward through the public hearing, on the grounds that the proposal does not satisfy the applicable approval criteria.

### **STAFF RECOMMENDATION**

City Staff recommends that the Planning Commission select Action Alternative #1 and **APPROVE** the requested Conditional Use Permit, as outlined in the application, on the subject property addressed 112 Eagle Court.

N:\Planning\2019 Land Use\19-S004 Faith and Reason Ministry CUP\19-S004\_FaithReason Ministries\_CUP(church)\_PC Staff Report.docx



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## City of Sutherlin

Date: April 9, 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 final punch list on-going.

#### **Valentine Ave Paving Improvement**

Project advertises on March 29, 2019, Bid Opening – April 17, 2019, City Council consider contract Award – April 22, 2019, Finalize contract with Contractor – May, 2019 and Construction to begin in June, 2019 and completed by the end of August, 2019.

#### **Transportation System Plan (TSP)**

Consultants are working on Task Memo #4, addressing Future Transportation Operations. The first Open House is tentatively scheduled for the end of April, 2019.

#### **Code Audit Update**

Consultant is preparing the draft Code Audit based on the Planning Commission discussion at the March 19, 2019 meeting. Bi-Weekly conference calls continue between Staff, DLCD and Consultants.

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### **UTILITIES**

**Tapani Construction, Inc.** is in full swing of construction on the Wastewater Treatment Facility. Construction of the new Everett Pump Station started on March 11, 2019. We are still on schedule.

**Schoon Mountain Storage Tank and Sixth Avenue & Oak Street Pump station improvements.** Still on schedule:

RFP Deadline was February 21, 2019. Three RFP's were submitted. Interviews of the three firms were held on March 6, 2019, with The Dyer Partnership Engineers and Planners Inc. was award the contract at the March 11, 2019 Council Meeting. Schedule continues as follows:

Start Design	Mar. 12, 2019
Complete Design	Sept. 27, 2019
Start Construction (Tentative)	Mar. 2020
Complete Construction (Tentative)	Nov. 2020

## **LAND USE ACTIVITY**

### **Building Worksheets**

- 2019-001 - 2019-022 on previous Activity Report(s)
- 2019-023 – 500 E Fourth – placement of modular bldg
- 2019-024 – 580 Wildcat Canyon – Single Family Dwelling
- 2019-025 – 586 Wildcat Canyon – Single Family Dwelling
- 2019-026 – 104 Frontier Ct – addition to SFD
- 2019-027 – 280 W Sixth Ave – Foundation repair/replacement
- 2019-028 – 1430 W Central Ave – MH
- 2019-029 – 1005 W Central Ave – Change in Use
- 2019-030 – 2059 Sawgrass Ct – Single Family Dwelling
- 2019-031 – 1200 E Central Ave – Awning

### **Active Land Use Applications**

- 19-S001 – 19-S003 on previous Activity Report(s)
- 19-S004 – Faith & Reason Ministry – CUP
- 19-S005 – Rotary Club of Sutherlin - TUP

### **Right of Way Applications**

- 19-01 – 19-S02 on previous Activity Report(s)
- 19-03 – Avista Utilities – 152 N Calapooia St