



**City of Sutherlin
Planning Commission Meeting
Tuesday, June 15, 2021
7:00 p.m. – Sutherlin Civic Auditorium
Agenda**

Pledge of Allegiance

Introduction of Media

Approval of Minutes

May 18, 2021 – Regular Meeting

Approval of Findings of Fact

- 1. THE FATHER'S HOUSE INTERNATIONAL, INC** – request for a Conditional Use Permit to authorize a Church within the existing building(s) and construction of a 24' x 36' accessory building on a total 0.83 acre property.

Monthly Activity Report

Public Comment

Commission Comments

Adjournment

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7:00 PM
TUESDAY, MAY 18, 2021**

COMMISSION MEMBERS PRESENT: William Lee, Richard Price, Gary Dagel, Adam Sarnoski and Lisa Woods

COMMISSION MEMBERS EXCUSED: Norman Davidson

COMMISSION MEMBERS ABSENT: None

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

AUDIENCE: John Banducci and Jeff Byars; no ZOOM audience

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

FLAG SALUTE

APPROVAL OF MINUTES

A motion made by Commissioner Price to approve the minutes of the March 18, 2021 Planning Commission meeting; second made by Commissioner Dagel.

In favor: Commissioners Dagel, Woods, Sarnoski, Price and Chair Lee

Opposed: None

Excused: None

Motion carried unanimously

QUASI-JUDICIAL PUBLIC HEARING

1. **THE FATHER'S HOUSE, INC**, request for a Conditional Use Permit to authorize a Church within the existing building(s) and construction of a 24' x 36' accessory building on a total 0.83 acre property located on the corners of E. First Avenue and E. Second Avenue with its intersection with Umatilla Street in the City of Sutherlin. The subject property is described as Tax Lot(s) 100, 200 and 2700 in Section 17DD, T25S, R5W, W.M.; Property I.D. Nos. R55568, R55561 and R55575. **PLANNING DEPARTMENT FILE NO. 21-S008.**

Chair Lee 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 Lee asked the Commission if there were any conflicts of interest or personal bias; Chair 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, entered Staff Exhibits 1-8, along with the Staff Report into the record. She then identified Oregon Department of Transportation (Micah Horowitz) as the only written comment received as of the mailing of the Staff Report. Mrs. Chartier then summarized the Staff Report, with the recommendation of action alternative number 1.

APPLICANT'S TESTIMONY

Jeff Byars, applicant and representative for the titleholder, gave a brief history of the church, stating the church relocated from outside City Limits to this location in 1993. In 2001 the Church applied for a Conditional Use Permit for an addition, but the application (and approval) did not include all the structures and uses. Mr. Byars explained that the 24' x 36' storage building would be located on 251 Umatilla, the existing RV cover will be removed and replaced with the proposed structure. Mr. Byars stated that he concurred with the staff report, but asked if the crosswalk location could be relocated to cross from E First Avenue instead of E Second Avenue, as stated in the 2001 and current Conditional Use Permit approvals.

TESTIMONY IN FAVOR

No testimony in favor.

TESTIMONY IN OPPOSITION

No testimony in opposition.

RECEIVE NEUTRAL

No neutral testimony present.

APPLICANT'S REBUTTAL

No rebuttal by the applicant.

With no further testimony, Chair Lee closed the public hearing portion for this application.

Commissioner Price discussed the crosswalk location and stated it seems more logical to locate the crosswalk to cross at E First Avenue (instead of E Second Avenue). Mrs. Chartier informed the commission and the representatives present that staff will have the Public Works Director conduct a site visit and decide which location meets City standards and safety.

A motion was made by Commissioner Price to recommend to approve the Conditional Use Permit to authorize the Church and construction of an accessory building per staff's recommendation of Action Alternative No. 1, with the possibility of amending condition number 2 at the discretion of the Public Works Director; Commissioner Sarnoski seconds the motion.

In favor: Commissioners Dagel, Woods, Price, Sarnoski and Chair Lee
Opposed: None
Motion carried unanimously

ACTIVITY REPORT - Included in packet, no comments or questions.

COMMISSION COMMENTS – no comments or questions.

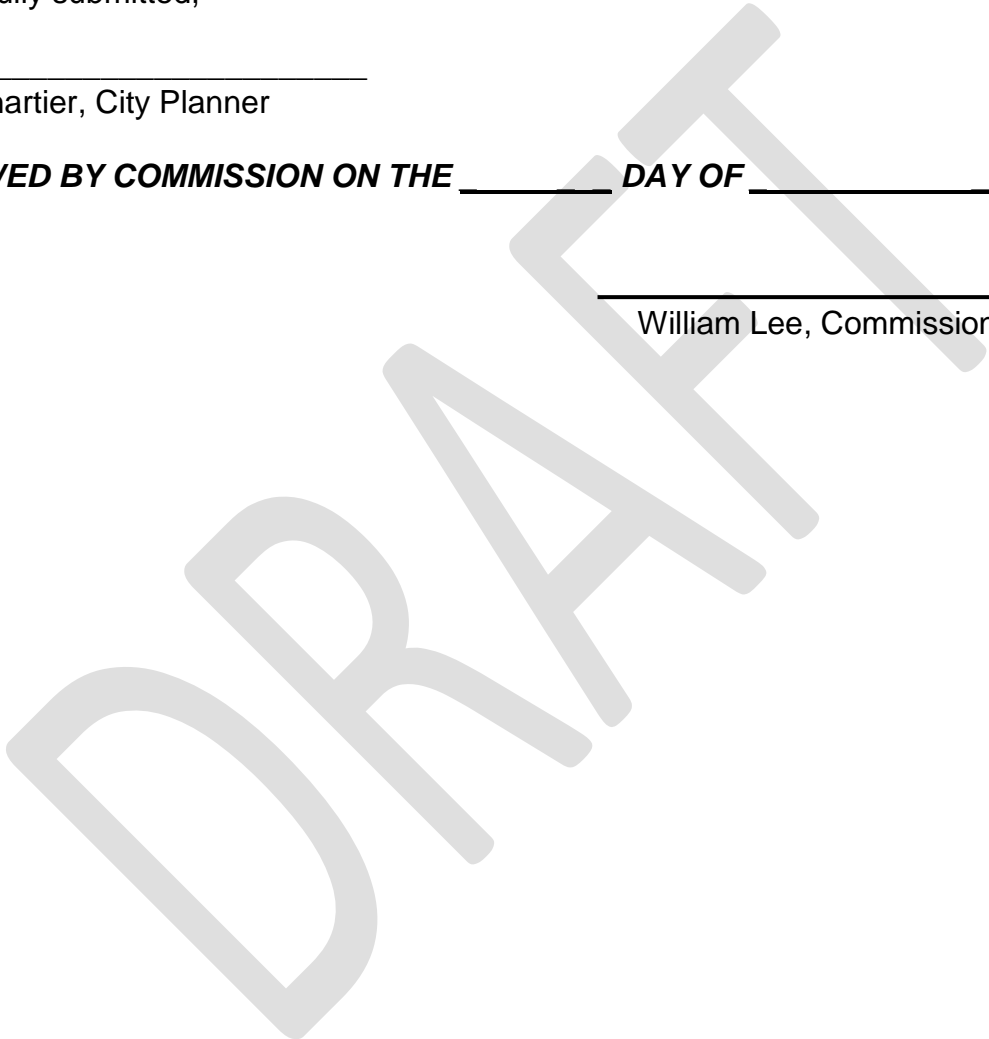
ADJOURNMENT - With no further business the meeting was adjourned at 7:19 pm.

Respectfully submitted,

Jamie Chartier, City Planner

APPROVED BY COMMISSION ON THE _____ DAY OF _____, 2021.

William Lee, Commission Chair



BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a Conditional Use Permit to authorize a Church within existing building(s) and construction of a 24'x36' accessory building on the subject property in the R-2 zone on a 0.83 acre parcel. The property is identified as Tax Lot(s) 100, 200 and 2700 in Section 17DD, T25S, R5W, W.M.; Property I.D. Nos. R55568, R55561 and R55575; and is addressed as 356, 358 and 376 E Second Ave and 251 Umatilla Street. Property Owner: California Evangelistic Assoc and Grace International Churches and Ministries, Inc

FINDINGS OF FACT AND DECISION

Applicant: The Father's House International, Inc
Re: Conditional Use Permit (Church)
File No.: 21-S008

PROCEDURAL FINDINGS OF FACT

1. The Conditional Use Permit application was filed with the City on April 4, 2021, and was deemed complete on April 13, 2021.
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 April 23, 2021. One (1) written comment was received after the mailing of the Staff Report.
 - a. Micah Horowitz, ODOT Development Review Planner, commented that they do not have comments on this proposal.
3. The Planning Commission held a public hearing on this matter on May 18, 2021.
4. At the public hearing on May 18, 2021, 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:
 - Jeff Byars, Pastor and representative for the applicant
 - John Banducci, representative for the applicant
6. Reference was made to the May 11, 2021 Staff Report, and findings of fact addressing consistency to the applicable criteria of the Sutherlin Development Code, including Section 2.2 [R-2 zone] and Section 4.5 [Conditional Use Permits].
7. Planning Staff presented a summary of the Staff Report dated May 11, 2021, and entered Staff Exhibits 1-8 into the record.
8. The Planning Commission provided opportunity to receive clarifying oral testimony from

the applicant, Jeff Byars, who gave the Planning Commission a brief history of the church, stating the church relocated from outside City Limits to this location in 1993. In 2001 the Church applied for a Conditional Use Permit for an addition, but the application (and approval) did not include all the structures and uses. Mr. Byars explained that the 24' x 36' storage building would be located on 251 Umatilla, the existing RV cover will be removed and replaced with the proposed structure. Mr. Byars stated that he concurred with the staff report, but asked if the crosswalk location could be relocated to cross from E First Avenue instead of E Second Avenue, as stated in the 2001 and current Conditional Use Permit approvals.

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. No persons were present.
11. The Planning Commission provided opportunity to receive clarifying questions and oral testimony in rebuttal to the application. No testimony in rebuttal was needed.
12. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.

FINDINGS OF FACT RELATED TO DECISION

Commissioner Price discussed the crosswalk location, stating it seems more logical to locate across from E First Avenue. Commissioner Price recommends to move the location to E First Avenue. The Planning Commission would like the Public Works Director to look at the location and make the finally decision to insure safety. 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 Medium Density by the Sutherlin Comprehensive Plan and zoned (R-2) Medium Density Residential by the Sutherlin Development Code. In the R-2 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 May 11, 2021.

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-2 zone] and Section 4.5 [Conditional Use Permits] of the Sutherlin Development Code.

Finding No. 4. The Planning Commission finds, based upon the staff report and submitted application materials, that the existing church and its accessory uses utilized within the existing buildings and parking area on the subject property and adjacent public roads are consistent with the Sutherlin Development Code. Furthermore, the Planning Commission finds that based upon the nature of the proposed use on the subject properties and within the existing

buildings, no negative impacts due to noise, exhaust/emissions, light, glare, erosion, odor, dust, visibility or safety are anticipated.

Finding No. 5. The Planning Commission finds, based upon the staff report and submitted application materials, that the subject property, is surrounded by mixed existing residential and commercial zoned properties. No negative impacts are anticipated as part of this development, including to the adjacent commercial or residential properties and the surrounding transportation system. The application states that church has be existence since 1993, utilizing the existing buildings and the proposed 24' x 36 accessory structure will have minimal impact on the surrounding properties and their hours of business operations.

Finding No. 6. 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 extension of public services is required. 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. 7. 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-2 zoning district; and the applicable design standards of Chapter 3. The Planning Commission finds that authorizing the church within the existing buildings 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. 8. The Sutherlin Public Works Director conducted a site visit to the subject properties to inspect the crosswalk location from the 2001 Conditional Use Permit file. He concluded that he concurs with the finding from file number CUP-2001-02-28.

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 to approve the application per Action Alternative No. 1 as amended and seconded by Commissioner Sarnoski 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:

- a) Provide final documentation (i.e. final plans) for the proposed development demonstrating continued compliance with the landscaping, vehicle and bicycle parking standards of the Sutherlin Development Code (SDC).
- b) The applicant shall install a new crosswalk across Umatilla Street at the location specified in the Decision document in coordination with the School District, and

as directed by the Sutherlin Public Works Director. The crosswalk shall meet applicable City standards and include a wheelchair (ADA) ramp. The applicant shall also install north and southbound Pedestrian Crossing signs.

- c) Obtain the necessary Planning Clearance Worksheet approval from the Community Development Department, once the above conditions have been met authorizing the Accessory Building.

DATED THE _____ DAY OF _____, 2021.

William Lee, CHAIR

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City of Sutherlin

Date: June 8, 2021
 To: 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.

COMMUNITY DEVELOPMENT

Ford's Pond

We are expecting for construction to be finished for Project 1 and Project 2A (Phase 1) by late spring early summer 2021.

The improvements will consist of: new asphalt parking area with a total of 39 spaces including four ADA spaces, curbs, gutters, storm water drainage, utilities (water, low pressure sewer and electrical), a new trail from parking area to perimeter trail, perimeter trail 0.8 miles (length will depend on bid amount), interpretative areas, signage, landscaping and seating.

Request for Proposal (RFP) for Project 1 (Phase 2) and Project 2A & 2B was advertisement on April 16th and 19th. This RFP is for Design and Construction management for construction of an ADA-accessible restrooms, 600 feet of connectivity sidewalk, two inclusive natural children's play area, three shaded picnic pavilions, site furnishings, security cameras and 0.9 miles of the perimeter path.

SCHEDULE FOR RFP EVENTS

RFP Advertised	April 16 and 19, 2021
Deadline for Additional Information Request	April 26, 2021, by 3:00 p.m. (PDT)
Site Visit with city staff and the Friends	April 27, 2021, 10 a.m. to 12 p.m. (PDT)
Response to Additional Information Requests	April 28, 2021, by 3:00 p.m. (PDT)
Proposal Package Due	April 30, 2021, by 1:00 p.m.(PDT)
Interviews Scheduled (subject to city's discretion)	April 30, 2021
Interviews (subject to city's discretion)	May 5-6, 2021
Contract Negotiation w/ Selected Consultant	May 7-10, 2021
Council Consideration of Contract	May 17, 2021
Award of Project	May 18, 2021
Start Design	May 18, 2021
Complete Design	July 23, 2021
Present Final Design to City Council	August 9, 2021
Bid process	August 2021
Council Consideration of Contract	September 13, 2021
Award Contract Notice to Proceed	September 14, 2021
Start Construction	September 30, 2021
Complete Inclusive Playground Area	November 30, 2021
Complete Construction	June 30, 2022
Consultant to Present Final Report to City Staff	July 11, 2022

Below is a list of grants that have been submitted in 2020 for additional improvements at Ford's Pond.

- RTPG due June 15, 2020 Pending Notice to Proceed- \$240,808; construction of 0.9 miles of the path.
- LGGP due April 8, 2020 - \$517,814; ADA Restrooms, sidewalks, two natural play areas and three shaded picnic pavilions.
- LWCF due April 13, 2020 **Pending Sub-Surface Archeologist Survey** and Notice to Proceed - \$205,775; construction of 0.9 miles path. On January 14, 2021 City of Sutherlin was notified that the National Park Service would be delaying their grant approval procedures. The delay is due to reduced funds from lottery dollars; do to the repercussions of COVIC-19.
- OSMB grant application was submitted on March 8, 2021 in the amount of \$383,500. If successful, this grant would be for a launch ramp with dock, gravel parking area and a vaulted toilet with concrete ADA parking. **On June 3, 2021 City of Sutherlin was notified that we were unsuccessful with our OSMB grant. OSMB staff encourages the City to seek additional matching funds and have permits approved (archaeological survey).**

Central Plaza Park

Construction is near completion. The garden fountain has been installed.

TRANSPORTATION

Sidewalk/ADA Ramps (This project is completed)

Design is complete. On March 8, 2021 City Council Awarded the Construction Contract to Guido Construction in the amount of \$98,609.

Project: Extend sidewalk from Wildwood Lane to existing sidewalk, west of Grove Lane. Approximately 665' in length and will include two ADA ramps in this location and one ADA ramp replacement at Central Park.

UTILITIES

WWTP Improvement (This project is completed)

Schoon Mountain Storage Tank and Sixth Avenue & Oak Street Pump station improvements (This project is completed)

- Substantial completion is complete. Construction contractor is currently working on a punch list.
- Sixth and Oak Pump station is on-line-no operational issues reported
- Schoon Mt. Storage Tank is on-line.

Nonpareil Water Treatment Plant Improvement

No changes, still on schedule.

The Design Contract was awarded on January 27, 2020 to The Dyer Partnership Engineers & Planners, Inc. for Engineering Services and Construction Management. On February 24, 2021 @ 2:00pm bids were opened, Stettler Supply & Construction submitted the lowest bid in the amount of \$4,810,485 and has sufficient experience and qualifications to satisfactorily construct the project. On March 8, 2021 City Council Awarded the Construction Contract to Settler Supply Company in the amount of \$4,810,485. Construction started April 2021 and is expected to be completed in June of 2022.

Revised schedule

- ~~Start design February 2020~~
- ~~60% design meeting September 2, 2020~~
- ~~90% design meeting October 7, 2020~~
- ~~Present Final design to City Council January 11, 2021~~
- ~~Bid process and contract award February/March 2021~~
- ~~Council Consideration of Contract March/April 2021~~
- ~~Construction NTP April/May 2021~~
- Complete construction May/June 2022

LAND USE ACTIVITY

Building Worksheets

- 2021-01 -51 on previous Activity Report(s)
- 2021-52 – 1000 E Central Ave, Sp 5 – repair/replacement of subfloor
- 2021-53 – 1659 Scardi Blvd – SFD
- 2021-54 – 720 Slazenger Ct – SFD
- 2021-55 – 204 Robinson – remodel/roof
- 2021-56 – 834 Medina Ave – SFD
- 2021-57 – 881 Medina Ave – SFD
- 2021-58 – 220 Jaswant Ave – SFD
- 2021-59 – 111 W Central Ave – addition to Commercial Bldg
- 2021-60 – 160 E Fifth Ave – remodel
- 2021-61 – 109 & 111 W Central Ave – siding on Commercial Bldg
- 2021-62 – 226 Addison Ave – SFD
- 2021-63 – 254 Addison Ave – SFD
- 2021-64 – 240 Addison Ave – SFD
- 2021-65 – 538 Fairway Estates Dr – SFD
- 2021-66 – 556 Fairway Estates Dr – SFD
- 2021-67 – 639 Wildcat Canyon – replaces WS2018-66
- 2021-68 – 1028 Forest Heights – replaces WS2019-40
- 2021-69 – 998 Forest Heights – replaces WS2019-42
- 2021-70 – 694 Divot Loop – replaces WS2018-131
- 2021-71 – 854 Durham Ave - SFD
- 2021-72 – 888 Medina Ave - SFD

Active Land Use Applications

- 21-S001 – 21-S009 on previous Activity Report(s)

Right of Way Applications

- 21-01 – 21-10 on previous Activity Report(s)
- 21-11 – 215 Mardonna Way – Marc Bever
- 21-12 – 412 W Central Ave – Robinson Brothers