

# MINUTES

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

October 20, 2005  
7:30 p.m.

PRESENT: Keith Morgan, Chair; David Christopher, Jeri-anne Cohen, Dennis Grice, Blake Oelke, Members; Megan Banks, Staff; Mark Shrives, City Administrator

ABSENT: Wes Olsen, Lloyd Safley

## Minutes of September 29, 2005

Mr. Morgan convened the meeting at 7:30 pm.

*Mr. Christopher, seconded by Mr. Oelke, moved to approve the minutes of September minutes. Motion passed unanimously.*

### I. OLD BUSINESS

There was no old business.

### II. NEW BUSINESS

Mr. Morgan called for declarations of *ex parte* contact or conflicts of interest. Seeing no declarations he moved the meeting on to the first agenda item.

**Case Number SITE-2005-04 A request by Olson and Morris on behalf of Alberts Development LLC, for site plan approval of Phase 2 of a four phase commercial development known as Creswell Commercial Center. The subject phase includes Lot 1 (Bi-Mart) and Lot 3 (commercial building with a drive through restaurant and three retail and/or office suites). The site is located on the north side of Melton Road, east of Ray's Food Place and Emerald Parkway. The site is zoned General Commercial with a Flood Hazard subzone and is designated as Commercial on the Creswell Comprehensive Plan Lane Use Map.**

City Planner Megan Banks provided the staff report. She noted that the evening's meeting was a limited land use decision and there would be no public testimony. She said Phase 2 of the development included two lots. Lot 1 would contain a Bi-Mart while Lot 3 would contain a commercial building with a drive through restaurant and three retail suites. She noted that a graveled building pad was also shown on Lot 2 and would require a separate site review during Phase 3 of construction. She said the planning commission had approved Phase 1 of the development during its August meeting.

Ms. Banks noted that the applicant had provided an updated traffic impact study for Phase 2 as required and had updated the report for the particular phase. She said the applicant was working with ODOT to determine when stop lights would be installed on Cloverdale Roads. She said the items related to transportation were separate from the approval because they were being resolved through the Oregon Department of Transportation. She said there were two existing drives that would provide loading access for Bi-Mart but noted that these were private roads.

Regarding parking, Ms. Banks noted that the applicant had met parking requirements and had entered into reciprocal parking agreements between Lots 1 and 3. She said staff concurred with the agreements since they were adjacent to each other. She said pedestrian needs and bicycle parking requirements were also met.

Ms. Banks said some utilities existed on the site already on Melton Road. She said a joint use maintenance agreement existed on the site and there would be a need to revise some of the utility lines so that they would not be located under buildings.

Regarding landscaping requirements, Ms. Banks noted that the site was located next to a residential area and would be required to provide a buffer. She said there was an existing berm on the site and residents were requesting that the berm be removed and replaced with a privacy fence. She said the applicant had agreed to the removal of the berm and noted that the City will require a 6-8 foot fence that met the requirements of the Creswell Development Code.

Ms. Banks noted that the City engineer recommended that the project be approved but added that the Fire Marshal offered some specific locations for the Hydrant to be installed. She said the Fire Marshal had requested that a third party do flow tests on the installed hydrant.

In response to a question from Mr. Oelke regarding a fence barrier between commercial and residential properties, Ms. Banks said the applicant had agreed to build a privacy fence in addition to required landscaping. She stressed that the fence would not be a sound wall since there was no provision in the Code to require a sound wall.

Ms. Banks outlined the conditions for approval that were listed in the staff report.

Ms. Banks noted that the applicant's letter had agreed to address the concerns of the neighboring residential development. She said the question of utilities would be addressed by the Public Works Director.

Regarding the condition for the planting of shade trees, Ms. Banks responded to the request that there be a corridor free of shade trees so the Bi-Mart sign could be visible after the shade trees matured. She said the number of shade trees was required by City code. Regarding the parking lot landscape plan, she said the placing of trees for every ten parking spaces was a code requirement and not a number that was arrived at arbitrarily.

**Scott Morris**, Olson and Morris, asked that condition 15 regarding replatting prior to construction plan approval be altered. He said he was expecting construction plan approval within 30 to 40 days and could

not complete the replatting in that time. He said the replatting could be completed before occupancy or under a deed restriction. He asked that construction could start when permits were ready.

Mr. Morris said he was not asking for a reduction in the total number of trees but to place them in a different configuration so that the Bi-Mart sign could remain visible. He said he agreed to all other conditions.

Mr. Morris requested that only the dilapidated portions of the existing fence along the property line be replaced by the applicant.

City Administrator Mark Shrives said it made more sense to build a new fence on the applicant's property so there would be no dickering about what types of specific fences would be built for private property owners.

Regarding the required trees in the parking lot, Ms. Banks said that all parking areas with more than 20 spaces required landscaped islands with trees to break up the parking area. She remarked that Mr. Morris was requesting a deviation from the Code requirement.

Mr. Morris acknowledged the deviation and pointed out the proposed tree configuration in Lot 1 on the site plan.

Mr. Grice said the applicant's request was not unreasonable. He said as the trees grew the area would fill in.

Ms. Banks said the commission could determine that the applicant met the over all intent of the tree requirement but would need to state justifiable means for doing so.

Mr. Shrives stressed that if the exception were granted it needed to be for a reason that conformed to City Code.

Mr. Morris said he was more concerned with the condition of completing the replatting before the construction plan was approved.

Ms. Banks said she could change the word 'complete' to 'initiate.' She explained that the intent was not to have the development completed without getting around to fixing the existing lots.

Mr. Morris said he would have the property lines adjusted by the time of occupancy.

Ms. Cohen raised concern over the timing of the replatting. She remarked that there were instances where requirements were not met by the completion of construction and were therefore overlooked. She suggested that there be an agreement that the replatting be initiated at the time of construction permits being granted.

Mr. Shrives suggesting setting a time table tied to something other than occupancy such as when the foundation was poured.

There was general consensus to have the lot line adjustments initiated before construction permits were issued and complete the lot adjustments three months after the permits were issued.

Mr. Shrives suggested that the commission authorize the chairperson to approve the final documents after staff and Mr. Morris had determined an appropriate plan.

There was general consensus to revise condition 15 based on staff discussion with the applicant.

There was general consensus not to waive the tree requirement.

*Mr. Christopher, seconded by Mr. Oelke, moved to authorize the chair to review the final list of conditions. The motion passed unanimously.*

*Mr. Christopher, seconded by Mr. Morgan, moved to adopt the findings and facts and approve the staff report. The motion passed unanimously.*

### **III. OTHER**

**Case Number ANNEX -2005-04 A request by Geomax Engineering, on behalf of Valley Development LLC, for annexation of approximately 20 acres in southeast section of Creswell, located north of Cloverdale Road, east of Dale Kuni Road and west of Lane County's Cinderella Park (Assessor's Map 19-03-13, Tax Lots 2500, 2504, 2506 and 900)**

Ms. Banks provided a summary of the staff report. She said there were no direct issues resulting from the annexation application. She said the lots were inside the urban growth boundary, adjacent to the City limits and met the comprehensive plan criteria as well as Oregon statewide planning goals related to urbanization. She called attention to page 5 of the staff report and noted the site was not currently served with sanitary sewer facilities. She said preliminary engineering suggested that waste water could be pumped to a station near Cloverdale Road and then pumped across Interstate Five to connect with Creswell's existing sanitary sewer system. She said the applicant was proposing to run a line from the east side to the west side of Creswell. She said the applicant had discussed the matter with ODOT and determined that the plan was feasible. She said the City may up size the line to accommodate future growth. She said the City Council would discuss the matter on October 24.

**Ron Rice**, GeoMax Engineering, said ODOT prefers that the line did not go under the bridge that was planned across Interstate Five and would prefer that the applicant bore under the highway. He said the applicant was leaning toward the boring process and had determined that it was economically feasible.

In response to a question from Mr. Grice regarding how the line could be increased in size, Mr. Shrives said the city would make the decision before the boring was done.

In response to a question from Mr. Oelke regarding what the long term plan for sewage on the east side of the Highway, Mr. Shrives said that was the topic for discussion at the City Council level. He said it was a policy question for the City Council to decide.

Ms. Banks stressed that the applicant could provide services to the area of annexation.

*Mr. Oelke, seconded by Mr. Christopher, moved to make a recommendation to the City Council to approve the annexation.*

*The motion passed unanimously.*

### **Code Assistance Project Update**

Ms. Banks reported that Phase 2 work scope had been signed and was moving forward. She said there would be work shops and meetings starting in December.

The meeting adjourned at 8:50 pm.

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