

MINUTES

Creswell Planning Commission
Creswell Community Center—99 West 1st Avenue

December 21, 2006
7:30 p.m.

PRESENT: Keith Morgan, chair, David Christopher, David Grice, Wes Olson, Mike Ufford, members; Megan Banks, Denise Walters, staff; Mark Shrives, City Administrator; Scott Olson, Brent Erickson, Thomas Kidder, guests.

ABSENT: Lloyd Safley, Blake Oelke, members.

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

Audience

There was no one in the audience wishing to speak at this time.

Poll Members for Conflicts of Interest

Mr. Morgan polled commissioners for conflicts of interest or *ex parte* contacts. No members declared conflicts of interest or *ex parte* contacts regarding any of the items on the agenda.

Minutes of July 20 and November 16, 2006

Ms. Banks noted that the minutes of July 20 were pending from the City.

Mr. Christopher, seconded by Mr. Morgan, moved to approve the minutes of the November 16, 2006, meeting as submitted. The motion passed unanimously.

Commissioner Comments

Commissioners had no comments.

I. OLD BUSINESS

Mr. Morgan determined there was no old business, and moved to the next agenda item.

II. NEW BUSINESS

Application A: Administrative Decision on Case No. SUB-2006-02F, EGR & Associates, on behalf of Kachina Properties, has submitted a final subdivision plat for a 34-lot residential subdivision on tax lots

3201, 3202 and 3203, Assessor's Map 19-03-11 within the City limits (subdivision name Craig Estates). The site is located approximately three-quarters of a mile north of the center of the City of Creswell on the southeast corner of Harvey Road and Cobalt Lane.

Mr. Morgan noted that the item was an administrative decision and there would be no public hearing.

Ms. Banks introduced Denise Walters of Lane Council of Governments who would be providing staff support for the commission in the future. She noted that Ms. Walters had prepared the agenda items before the commission.

Ms. Banks briefly reviewed the application and pointed out the conditions of approval prior to construction, final plat and building permit approval. She said that Ron Staehlin, City Engineer, recommended approval of the final plat and Roy Sprout, Public Works Director, requested that the City obtain a letter of credit or cash for certain items and the developer, contractor or engineer request an inspection to identify those items, the details of which were in the Staff Report. She said the Fire Marshal had not received flow test data for the hydrant at Cobalt Lane and any new hydrants would require flow testing once final grading and paving had occurred.

Ms. Banks noted that while the entire street section, curb and gutter could be contained within the dedicated right-of-way, the proposed sidewalk would be outside the existing right-of-way by about two feet. She said dedicating additional right-of-way was not practical because of lot size so the proposal was to have the public utility easement along the westerly right-of-way along Hazelwood Court written as a "public utility and sidewalk easement" of 14 feet width. She said the other issue was payment of a one-time fee to cover maintenance of the 12-foot pedestrian easement. She stated that contingent upon completion of the items as stated in the findings and proposed conditions the staff recommended approval of the request.

Mr. Shrives asked if the items listed under section b related to final plat approval on page 5 of the draft Findings of Fact and decision were consistent with the conditions of approval in the summary and conclusions section on page 6, particularly that the specific financial conditions were included. Ms. Banks reviewed the list and concluded that Item b.v. could be added to the conditions. She said that the following language would be added as a sixth condition prior to signing the final plat:

6. Submit financial assurance in a form acceptable to the City for improvements on Harvey Road. Improvements shall include but are not limited to: sidewalks, bicycle lanes, storm drainage, street lighting, fire hydrants and traffic control. (Section 14.19)

Brent Erickson, EGR & Associates, representing the applicant, pointed out that the applicants statement had outlined costs for Harvey Road improvement, stormwater improvements and the maintenance fee but had not received confirmation from the City. He said that some of the figures were provided by the City.

Mr. Shrives indicated that the amounts were acceptable.

Mr. Ufford asked if the one-time fee for maintenance of the pedestrian path meant the City was responsible for maintenance in perpetuity. Mr. Shrives said it was a standard arrangement and minimal maintenance was required for a paved pedestrian path.

Mr. Morgan, seconded by Mr. Christopher, moved to approve the application with the addition of a sixth condition under Summary and Conclusions related to signing the final plat. The sixth condition is Item b.v. from page 5 of the Findings of Fact document. The motion passed unanimously, 5:0.

Application B: Administrative Decision on Case No. SUB-2005-03F, EGR & Associates, on behalf of Thomas V. Kidder/Longridge LLC, has submitted a final subdivision plat for a 23-lot residential subdivision on a portion of tax lot 4201, Assessor's Map 19-03-15-40 within the City limits (subdivision name Meadow Rose). The site is located in southwest Creswell, south and east of Butte Road, north of the urban growth boundary and west of South 9th Street.

Ms. Walters distributed updated Findings of Fact.

Ms. Banks stated that the Planning Commission granted preliminary subdivision approval for the application on November 17, 2005. She pointed out conditions of approval on pages 2 and 3 of the Staff Report related to construction and construction document, final plat and building permit. She said that Mr. Staehlin recommended approval of the application and Mr. Sprout listed three conditions of approval: expansion of the public utility easement to adequate width, letter of credit or cash for certain items and an inspection to identify the items. She said the Fire Marshal had not received flow test data for the existing hydrant and any new hydrants had to be flow tested and results forward to him.

Ms. Banks reviewed the issues identified in the Summary and Conclusions section of the Findings of Fact and highlighted conditions included in the updated document, including the requirement that covenants, codes and restrictions (CC&Rs) be shown on the final plat. She said that conditions 2, 5, 6 and 7 were added to the original list.

Mr. Shrives said that a separate architectural review committee would be required for the CC&Rs as he would not be looking for those issues when he reviewed plans.

Thomas Kidder, applicant, indicated he was available to answer questions from the committee.

Mr. Morgan asked if problems were anticipated with construction of the stormwater interceptor trench. Mr. Kidder said he did not expect problems and explained that when the street was constructed some of the excavated soil was placed along the bank. He said the soil was a very fine power and different from other soil in the area and the recent storm had washed some of the soil down and plugged the drain tile. He said the bank had been reinforced and the problems, which were specific to construction activities, had been addressed.

Mr. Ufford asked why there was no flow test data for existing hydrants. Mr. Kidder replied that flow tests had been run and results indicated the flow was adequate. Mr. Erickson added that the test data had been provided to Mr. Sprout.

Mr. Christopher, seconded by Mr. Ufford, moved to approve the revised Findings of Fact and conditions of approval. The motion passed unanimously, 5:0.

Application C: Limited Land Use Decision on Case No. PAR-2006-03, Olson & Morris, on behalf of Norman McDougal, has submitted a preliminary partition application for tax lot 500, Assessor's Map 19-

03-14-14. The current parcel will be divided into two separate parcels, 1.25 and 4.72 acres in size. The site is zoned Commercial and is located on the south side of Melton Road, west of Emerald Parkway.

Ms. Banks said the partition request preceded the site review application and had to be approved before the applicant could proceed to the next step of site review. She said Mr. Staehlin recommended approval and no other comments were received either from City staff or members of the public. She reviewed the conditions of approval on page 20 of the Findings of Fact and indicated that staff felt the applicant could meet the Creswell Development Code requirements for a partition plat subject to those conditions and therefore recommended approval of the request.

Mr. Grice asked if the applicant could proceed with construction on the site if the commission approved the partition. He said he was concerned that the proposed construction of a model home sales display area at the City's entrance from the freeway was inconsistent with future plans for the Creswell area.

Ms. Banks stated that there would be an opportunity to discuss that issue during consideration of the next item on the agenda but it was not applicable to criteria for approving a partition. She said was the applicant was proposing was a permitted use under the current Code.

Scott Olson, representing the applicant, indicated there were no concerns with the findings and conditions of approval.

Mr. Morgan, seconded by Mr. Christopher, moved to approve the application for a partition with the conditions as set forth in the Staff Report and Findings of Fact. The motion passed unanimously, 5:0.

Application D: Limited Lane Use Decision on Case No. SITE-2006-01, Olson & Morris, on behalf of Norman McDougal, has submitted site plan review application for tax lot 500, Assessor's Map 19-03-14-14. The proposed development is for an Adair Homes sales office and home display. There is a concurrent partition for the same site submitted to the City (PAR-2006-03/Application C). The site is located on the south side of Melton Road, west of Emerald Parkway.

Ms. Banks reviewed the proposed development, including an office facility of 4,200 square feet with an additional product display area of approximately 1,700 square feet. She said no public hearing had been requested, Mr. Staehlin recommended approval, and Mr. Sprout had three comments regarding the application that were included in the Staff Report.

Regarding issues related to the application, Ms. Banks said the applicant proposed 23 parking spaces but based on the use of office building there could be no more than 14 parking spaces; the site plan would need to be revised to reflect that reduction. She said the sewer was a private system and the existing lift station would need to be activated to serve the development. She said landscape buffering of the building from parking and maneuvering areas was required and no building permits or addresses were to be issued before the site plan until the final plat for the previous partition had been recorded with Lane County. She reminded the commission that the previous item was preliminary plat approval and final plat approval was required. She reviewed the conditions of approval on page 26 of the Findings of Fact.

Mr. Shrives asked if the Hill Creek easement was carried over. Ms. Walters said the deed was not on the site.

Scott Olson expressed concern about the condition requiring reduction in the number of parking spaces. He said the development would consist of a model home and sales office and Adair Homes felt that 14 spaces would be inadequate during peak times and they did not want overflow parking on the street. He said the applicant suggested a compromise number of spaces between 14 and 23. He also expressed concern about the requirement of a minimum five-foot buffer along the southwest side of the building. He said there was a display area in that part of the building and trucks pulled up to the overhead doors to unload large, bulky items; a five-foot buffer would cause problems with maneuvering trucks.

Ms. Banks said the site plans should be revised to identify that as a loading area instead of an office area that needed to be buffered. Scott Olson said that a sidewalk could be added between the buffer and the building. He illustrated on the site plans the location of the loading area and overhead doors and indicated that they would be for periodic loading, but not customer access.

Ms. Banks said it did not appear the area would require buffering and the condition of approval would be modified to reflect that. She said that the parking compromise proposal would require a variance to exceed the maximum allowed number of spaces for an office use or explain that it was a retail use, which allowed more parking, instead of an office use. She said the staff review was based on an understanding that the facility was intended for office use and she would need justification to generate revised findings and conditions of approval.

Scott Olson remarked that he did not want to delay the project but was reluctant to agree to 14 parking spaces as that would be unacceptable to the applicant. He asked what the timeline would be for obtaining a variance on parking spaces. Ms. Banks indicated the early hearing date would be February 2007.

Mr. Shrives asked when the applicant wanted to begin construction. Scott Olson replied in April or May 2007 but the final plat had to be approved before a building permit could be issued. He said the timing issue concern was related to the language of the land sale agreement.

Mr. Morgan said it did appear that more parking spaces were required for the intended use.

Based on a suggestion from Ms. Banks, Scott Olson requested a continuance of the matter to the Planning Commission's January 2007 meeting in order to submit revisions.

Mr. Grice reiterated his concern that an Adair Homes sales center at the entrance to the City was inconsistent with the community's vision. He did not perceive the business as increasing job opportunities in Creswell. Ms. Banks replied that was more related to comprehensive plan issues.

Wes Olson asked if the site had any issues related to an ODOT right-of-way. Ms. Banks said that ODOT did not respond to the application but she would follow-up with the agency. Mr. Shrives added that there was a 100-foot easement along Hill Creek on nearby property that should have been removed years ago and it was a good idea to follow-up with ODOT regarding its right-of-way.

Mr. Ufford asked if driveway placement was dictated by the first parcel developed. Ms. Banks replied that the placement of subsequent driveways was dictated by requirements for the distance between driveways.

In response to a question from Mr. Morgan regarding the lift station, Mr. Shrives said that there was no risk to the City, which would not issue building permits until it was confirmed that the lift station was operational.

The Planning Commission agreed to continue this application to their January 18 meeting provided the applicant submits additional materials by January 3, 2007.

III. OTHER

Development Code Public Hearing

Mr. Banks announced that a public hearing on the development code revisions was scheduled before the Planning Commission on January 18, 2007. She noted that the meeting would begin at 7 p.m. instead of the customary 7:30 p.m.

2006 Year-end Summary Draft

Ms. Banks distributed a draft report entitled *City of Creswell Planning: 2006 Year-end Summary*. She said the report would be presented to the City Council in early January and asked commissioners to review the draft and provide any comments to her by January 2, 2007.

Comprehensive Plan Update Phase 1 Work Program Draft

Ms. Banks said she would provide materials at the January 2007 meeting.

Mr. Shrives remarked that he was scheduling a City Council retreat in January or February 2007 and one of the discussion topics would be the need for additional planning resources. He referred to the draft summary of 2006 activities to illustrate the increase in planning activities. He said that discussions with Lane Council of Governments (LCOG) had resulted in the assignment of Denise Walters as the City of Creswell's "operational" planner with Ms. Banks moving into a "strategic" planning role. He hoped that would not increase costs under the LCOG contract as Ms. Walters would be taking over Ms. Banks current responsibilities and Ms. Banks efforts would be primarily grant funded.

Mr. Shrives thanked commissioners for their time and efforts during the past year.

IV. ADJOURNMENT

Mr. Morgan adjourned the meeting at 9:10 p.m.

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