

Cornelius

Oregon's Family Town

CORNELIUS PLANNING COMMISSION

MEETING MINUTES

Tuesday, November 28, 2023

Location: 1355 N Barlow Dr., Cornelius, OR - Council Chambers.

Commissioners Present: Chair Dave Waffle, Vice Chair Jared Hartrampf, Vickie Cordell, Nathan Braithwaite, and Greg Vaughn

Commissioner Absent: Venkatesh Guda

Staff Present: Barbara Fryer, Community Development Director; Tim Franz, Senior Planner

Chair Waffle called the Planning Commission meeting to order at 7:00 PM

A. WELCOME

B. APPROVAL OF PLANNING COMMISSION MINUTES – None

C. NEW BUSINESS – None

D. PUBLIC HEARINGS

Request: A Type III Site Design Review (DR-78-23) and Preliminary Land Partition (LP-01-23) application to divide the existing 2.32-acre lot into two new parcels with a tract of land. Parcel #1 will be approximately 46,619 sf in size and will include a Dental Office (4,800 sf) and a Coffee Shop (2,330 sf) with a drive-through window. The new building will be 7,130 sf in size, which includes a new on-site parking lot, trash enclosure, landscaping, storm water facility and frontage improvements. Parcel #2 will be approximately 36,291 sf in size and will include on-site parking lot improvements, frontage improvements and a storm water facility. A future building pad will also be created on Parcel #2, but not developed at the time. Tract A will be approximately 18,761 sf in size, which will be for a vegetated corridor and wetland.

Applicant: Nathan Palmer

Property Owner: Ann Snyder Tilde, Trustee Richard H. Tilden Administrative Trust

Location: SE Corner of S 1st Avenue & Baseline Street

Map: Township 1 South, Range 3 West, Map 4BB, Tax Lot #00300

Zone: Highway Commercial (C-2)

Review Criteria: Chapter 18.10 & 18.15, Application and Review Procedures; Chapter 17.05, Land Divisions; Chapter 18.45, Highway Commercial; Chapter 18.100, Site Design Review; Chapter 18.145, Off Street Parking and Loading; Chapter 18.155, Solar Access for New Development;

Chair Waffle read the opening statement and procedure for the public hearing.

Chair Waffle opened the hearing at 7:08 pm.

Chair Waffle requested that all Planning Commission members announce any potential conflicts of interest, bias, ex-parte contact, or if they had visited the site.

Commissioners Hartrampf, Cordell, Vaughn, Braithwaite, and Chair Waffle had no conflict, ex-parte contact, or bias; they all are familiar with the site.

Chair Waffle asked if any member of the audience wished to challenge the right of any commissioner to hear the matter before them for reasons of conflict of interest, bias, or ex-parte contact. There were no challenges.

Chair Waffle invited staff to present the staff report.

Senior Planner Tim Franz presented and entered into the record the staff report, for DR-78-23 and LP-01-23, dated November 28, 2023. Franz provided basic facts and background about the site and described the proposed preliminary land partition, easements, and crossover easements, noting an easement for the Welcome to Cornelius sign and crossover easements for trash enclosures and parking. With the final plat review, all of the easements such as the public utility easements and crossover easements, will be shown and noted on the plat to be recorded with the County. Franz described the proposed uses for Parcel 1, building size, and the City's requirements. Franz described the proposed developments for Parcel 2, including a drive aisle, parking, frontage improvements, and pad for future retail space; the exact size and building elevations are undecided. In the future, for Parcel 2, an appropriate Site Design Review application will be required for developing that pad; the applicant is proposing to complete the groundwork and prepare the site for future development. Franz reported the key dates regarding the application: the applicants held the required Neighborhood Review Meeting on June 13, 2023; the application was submitted on August 13, 2023; City staff deemed the application complete on September 21, 2023; the City mailed the required notice to property owners within 250 ft and affected agencies, including Divisions of State Lands (DSL), on October 26, 2023; and a Notice of the public hearing was published in the local paper on October 26, 2023. As of the date, no agency comments or public comments were received. Franz noted for the record that an email was received from Zply Fiber inquiring about conduit, the morning of the hearing. Conduit would be reviewed and approved by the Oregon Department of Transportation (ODOT) and the City Engineer as part of the final engineering plan for connecting utilities to the site. Zply's questions were forwarded to the City Engineer, ODOT, and the applicant. Franz shared and described a site plan map. The property to the east received first ODOT approval for access and the Community Development Director and the applicant have crafted the Condition of Approval concerning access to the site. The property owner to the east has precedent on access on the site. Franz went through the applicable review

criteria and noted that the conditions are being met, or can be met with the recommended Conditions of Approval in the Staff Report. Franz shared photos and proposed site design maps. Franz discussed the wetland on the site; it has been identified by the City as a wetland and inventoried as site TD3. It is recognized as a wetland by Clean Water Services (CWS) and in their service provider letter they impose several conditions in their approval. The applicant will be required to meet all applicable CWS standards. Franz noted that the City sent notice to DSL and received no comments. Typically, for significant wetlands or sites, the DSL will submit comments for staff to include in the staff report; in this case the City did not receive any. The wetland has is a degree of protection from CWS. The applicant is proposing to create the wetland as Tract A and restore and improve the habitat. Franz explained that street trees are not shown on the submitted site plan; there is a condition of approval and finding stating that street trees are not necessary. Street trees do not necessarily have to be in the right-of-way, but abutting the right-of-way. Staff will work with the applicant in submitting a revised site plan showing street trees to City standards. Franz described street tree requirements further. A City recommended Condition of Approval includes for the applicants to move the utility lines underground, with the exception of the high voltage lines. Franz discussed the tree canopy requirements for parking lots, based on an Oregon Administrative Rule (OAR). The applicants have not yet met the OAR requirement; staff has included a Condition of Approval for the applicants to submit a revised site plan that meets the tree canopy coverage requirements. Franz shared further site plan designs that show building dimensions and the trash enclosure design. Franz discussed the Conditions of Approval. City staff has one clerical amendment to COA #4, to change “approval” to “submitted.” Based on the facts finding in the staff report dated November 21st 2023, staff recommends the Planning Commission approves DR-78-23 and LP-01-23, the Palmer Commercial Development, with amendment to Condition of Approval #4 and all other Conditions of Approval within the staff report. Franz offered to answer any questions.

Commissioner Cordell asked if the neighboring property has already been granted access to the driveway to this parcel and how that works.

Director Fryer answered that the neighboring property has a crossover access easement requirement, as part of their final plat, between the two properties. That property received a one-year extension last October, it expires October 2024. If it expires, then the applicant could then apply for the access if they chose to. This would also be possible if someone purchases the neighboring property and relinquishes the access point. For the neighboring property, the access in question is the property’s only access. There are no options for access from 4th. If the proposal today were to be given the access, they would be required to include the crossover easement access, just as the other project has been required.

Commissioner Cordell asked if it is likely that this project will be finished in time for the October 1st deadline.

Director Fryer answered it could be, and added that because the other project came in first it has the legal access at this point in time. Unless this property owner works out a deal with the other property owner, or works out some private agreement legally, the City has to honor that the first development receives the access.

Commissioner Cordell asked if the property owner could work out an agreement to use the driveway access from the other property.

Director Fryer answered that it is possible, if the applicant is able to achieve an agreement with the neighboring property. Fryer discussed the tree canopy requirements and the Climate Friendly and Equitable Communities requirements. Franz noted that applicants are subject to the rules and requirements in effect when an application is submitted. Franz discussed the changes, and possible changes, that are occurring with those requirements. City staff believes the applicants can reach the requirement by including the street trees along Baseline and adding additional trees.

Chair Waffle asked if the applicant would like to speak.

Melissa Slotemaker and Cody Street, with AKS Engineering, introduced themselves. Slotemaker noted that other project team members were in attendance online and can answer any questions as they arise. Slotemaker explained the partition and site design review combined application, and the plan to complete it in phases. The first phase is to build a building and provide a dentist office and coffee shop. The second phase is yet to be determined. Slotemaker described the site and proposed uses. Slotemaker discussed the Welcome to Cornelius sign, and the plans to maintain the existing sign. Slotemaker explained there are two parcels, the parcel to the west will include the first phase previously discussed, and the parcel to the east will be for phase 2 and any future commercial development. Slotemaker pointed out there's an underground storm water facility as well as an above ground storm water facility. The storm water will be handled individually for each parcel. The preliminary plan for Phase 2 includes additional parking, a building pad, and additional trees. Future development will come back to the City for a future Site Design Review. Slotemaker shared a rendering of the proposed building with a sample board of materials and colors. The applicants are comfortable with the Conditions of Approval as amended by City staff and anticipate working with City staff on the tree requirements, as well as the access to the east. Slotemaker offered to answer any questions.

Chair Waffle asked if any of the Commissioners have questions for the applicant.

Commissioner Vaughn asked about the Welcome to Cornelius sign being "new," noting that it looks very outdated.

Slotemaker answered the sign is refurbished.

Chair Waffle added that the sign had a previous version and the current sign is in better condition.

Commissioner Vaughn added that it looks like a mismatch between the proposed modern building and the old rustic sign. Vaughn asked if there is an opportunity with the grading and landscape improvements to update the sign.

Director Fryer answered that from the City's perspective, for public entryways and things of that nature, typically there is a design contest or opportunity for someone to design it. The sign is not on the City's immediate radar. It is one of the Urban Renewal Projects listed in the Urban Renewal Plan, however the City does not have that planned currently. Fryer noted that the sign is in a maintenance easement and asked if that was correct.

Slotemaker answered it is whatever is in the City's Condition of Approval.

Director Fryer added if it's just a maintenance easement it's not likely the City could replace it with something fancier or newer; it may be limited based on the type of easement so that may

be a further conversation with the applicant before they do their final plat, to ensure whatever easement is there, if the City needs to or wants to replace the sign in the same footprint the City can do that without requiring additional easements.

Slotemaker commented the owner would not have a problem with the City updating the sign.

Commissioner Cordell asked what the extended dry basin, shown on the plat behind the second phase 2 parcel, means.

Street explained that the extended dry basin is an above ground water facility; essentially a storm pond which will be collecting water from the surface and dissipating it to pre-developed flows.

Commissioner Vaughn asked if the dry basin is going to be river rock and what the plan is.

Street answered that there are requirements for water quality facilities and that comes with planning requirements, it will be a vegetative facility.

Chair Waffle asked if the applicant had considered moving the building toward Baseline Street and put the parking to the rear.

Street answered a multitude of layouts were considered and discussed, noting the consideration for circulation, access for emergency services, and the access to the coffee shop drive aisle that was taken.

Chair Waffle explained the question was from curiosity, not a suggestion to alter the design. The circulation is well done. He explained that the address is not “west” Baseline, or “east” Baseline, it is just “Baseline.”

Chair Waffle asked if there is anyone wishing to speak in favor of the proposal. There were no comments.

Chair Waffle asked if there is anyone to speak against the proposal. There were no comments.

Chair Waffle asked if there were any questions in general. There were no comments.

Chair Waffle asked if the applicants had any rebuttal. There was no rebuttal.

Chair Waffle asked if there were additional comments from staff. There were no additional comments from staff.

Chair Waffle asked staff if the easement questions should be addressed in the Conditions of Approval.

Director Fryer answered if there are any changes needed the City can work with the applicants to ensure that when the final plat is submitted it is included.

Chair Waffle closed the hearing at 7:42 pm.

Commissioner Vaughn made a motion that the application for a Type III Site Design Review (DR-78-23) and Preliminary Land Partition (LP-01-23) be approved based on the facts findings and conclusions presented in the staff report, public testimony, and evidence in this hearing with the following changes for Condition of Approval #4, the application is required to submit the plan not have approved on that date. Seconded by Commissioner Hartrampf.

Chair Waffle asked the Commissioners for any discussion.

Commissioner Cordell commented that the application is well done and expressed appreciation that the parcel will have dual utilization.

Chair Waffle noted that at a previous Planning Commission Meeting the Economic Opportunity Analysis identified potential growth in employment in medical and health services. Waffle expressed appreciation in the inclusion of a dental clinic in the proposed development, noting that is an important part of health services.

Commissioner Vaughn expressed appreciation for the inclusion of a coffee shop.

Motion Passed 5-0. Ayes: Chair Dave Waffle, Vice Chair Jared Hartrampf, Vickie Cordell, Nathan Braithwaite, and Greg Vaughn

E. **PRESENTATION** – None

F. **OLD BUSINESS** – None.

G. **ANNOUNCEMENTS** – Upcoming Planning Commission Schedule

Director Fryer announced the next Planning Commission meeting will be a work session on December 12th, 2023. The City's attorney will be in attendance. Fryer will be attending the Legal Issues workshop and will be learning more about recent legal issues and court cases that have come up in the last year. The City's attorney will present basic information on how to be a good Planning Commissioner. The two of them will discuss changes that were made in the last legislative session. Fryer will also update the Commissioners on what to expect in the coming year. There will be a joint Planning Commission and Economic Development Commission meeting on January 9th. Fryer will notify the Commissioners where that meeting is to take place.

Chair Waffle reported that the City has started a community visioning process. As part of the future joint meeting with the Economic Development Commission meeting, Waffle and Fryer will lead a 15 to 20 minute discussion about the community and the future.

Director Fryer discussed further the topics the Commissioners can expect at the joint meeting with the Economic Development Commission. Discussion continued about Commissioner availability and meeting time preferences.

Commissioner Hartrampf asked if there is any way to track what projects have been passed by the Planning Commission, and to see the status of those projects.

Director Fryer answered that there is a page on the City's website devoted to projects in the city. Fryer noted that City staff does their best to keep those projects updated with the supporting documents from the Planning Commission meetings. Fryer reported brief updates on the projects in progress in the city.

H. **ADJOURNMENT**

Chair Waffle adjourned the meeting at 7:58 p.m.

Date Approved

Dave Waffle, Planning Commission Chair

DRAFT