

Minutes
Aurora Planning Commission Meeting
Tuesday, May 07, 2013 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Renata Wakeley, City Planner

STAFF ABSENT:

VISITORS PRESENT: Bill Graupp, Aurora

1. Call to Order of Planning Commission Meeting

The meeting was called to order by Planning Chair Joseph Schaefer at 7:05 p.m.

2. City Recorder Did Roll Call

Chairman, Schaefer -	Present
Commissioner, Willman	Present
Commissioner, Gibson	Present
Commissioner, Graham	Present
Commissioner, Fawcett	Absent
Commissioner, Sallee	Present

3. Consent Agenda

Minutes

- I. Aurora Planning Commission Meeting –April 02, 2013
- II. City Council Minutes –
- III. Historic Review Board Minutes

No comments....

Correspondence

- I. **Information on Economic Development Grant Offered by Marion County for Private Sector Businesses.**

Councilor Bill Graupp explains, That Marion County has put together a fund for any business in the County that is looking to expand. City Planner Wakeley explains that one condition is to create jobs. Councilor Graupp informs the Commission that we are now an official Enterprise Zone.

A motion is made by Commissioner Gibson to accept the consent agenda as presented and is seconded by Commissioner Graham. Motion Passes Unanimously.

4. Visitor

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Planning Commission could look into the matter and provide some response in the future.

Councilor Graupp is in the audience as the Council Liaison as well as to inform the Planning Commission the deadline dates to sign up for the Ford Institute of June 15th.

Karen Townsend, Chairman of HRB wanted to explain to the Commission that they and their families are invited to attend the museum tour in hopes that they would gain additional appreciation for the Historic Preservation of our small City.

5. New Business

A. Discussion and or Action on Memo and Information on SDR 12-02, Chairman Schaefer I am a little confused we have a land use situation, and an applicant Mr. Connor, City Planner Wakeley I tried to summarize the criteria for approval, however now barely a month in business the applicant is not in compliance with his business plan as presented. The items in non compliance are as follows

- Food Cart and parking are in a different location,
- He did not propose seating
- Nor do we have a sign application for the many signs on 99E

Chairman Schaefer states that this is not ok we approved this based on the facts presented on the application.

City Recorder Richardson recaps her conversation with Mr. Connor to PC and City Planner Wakeley now shows the maps of the plan, I did talk with the health dept and he had told health dept there is no seating and now he has seating and he has stated that he uses the bathroom within the existing structure.

Commissioner Willman comments that if we can avoid him the expense of going through the process again that would be her vote. City Planner Wakeley points out though that it is a violation and needs dealt with.

It is the consensus of the Planning Commission to have him resubmit his business plan for review as it is now.

B. Discussion on Business License Smokin Salsa 21200 Highway 99E David Van Tassel. So my (Schaefer) initial comment is that I don't understand how we can do a land use decision on just a business license. I (Schaefer) was taken aback by the sink and potable water being pumped into a septic tank. (Renata)The reason I brought this to you is to show that on this property we are continuing to receive more applicants. I do believe there is potential for business the code however doesn't allow food pods and is this something we want to allow. I (Wakeley) am looking for feedback from the Planning Commission.

Chairman Schaefer asks about whether or not they have their ODOT permits, secondly the septic issue is a question and could be a deal breaker right there, for the Connor cart there is an extension cord ran to the cart and the health dept allows this (however he was supposed to run electrical to the cart) and they have a grey water tank but not sure how they dispose of the grey water. (City Recorder Richardson is asked to have Public Works check on this situation right away. Are they selling retail if so are we looking at commercial kitchen which means SDC's and so on. I think we need to be considerate of other established businesses that have to pay these items when they build a new building. Wakeley I don't

think it's a good idea to approve a new license when there are already violations on the property. Schaefer states we should not approve yet while violations exist, Wakeley currently we have Mr. Ross and Mr. Conner, and now the third application, maybe I suggest to the owner Mr. Erickson if he wants to create a food pod and be subject to site design review before any others are approved and Chairman Schaefer agrees.

Commissioner Graham asks does the parking and driveway have to be paved they do need to be dust free and they need to have curb stops and clear where they are and travel lanes ODOT may require something else as well. There needs to be traffic flow one way with enter and exit signs. Commissioner Graham how does Portland deal with it Wakeley it's a health dept rule that seating and a restroom be present.

I (Chairman Schaefer) feel this is a food processor is this even allowed in the zone? Commissioner Gibson do we make an allowance for the zone? unless you determine something different this is a food processor and it's not allowed in the commercial zone. Its and industrial zone, that allows this.

Chairman Schaefer let's get a consensus of the commission Commissioner Sallee states I think it needs to have all businesses in compliance before we approve anything else on site. Councilor Graupp gives a definition of a processing plant City Planner Wakeley states that your Industrial Zone is better equipped for this type of thing. The applicant himself states that this is a manufacturing of a product in his email.

A question is raised about the fence and City Planner Wakeley will check on this for Commissioner Gibson.

Chairman Schaefer summarizes,

1. No new business license should be issued with pending violations on site.
2. Food processing use is not permitted in commercial zone
3. Application references waste water into septic, we have concerns on this, which is not permissible.
4. With the growth of the businesses on the site the consensus is the entire property now needs a site development review.

C. **Discussion on Farmers Market**, Chairman Schaefer is asked to add this item on the agenda because the representative is here and I believe that Councilor Graupp is here to present this concept, this would be considered a temporary use and there are several sections that show that it would not comply and I think (Wakeley) that if council does a resolution to allow this on a case by case situation it should follow the process.

Applicant (Mary Birkmeier) this is for 1st and 3rd weekends for 10 weekends.

Schaefer states it doesn't really fall under this consecutive 7 days to me it's a spot type market and you would put up and take down each evening, Wakeley I think that this would be a non compliance issue.

Townsend, Aurora HRB Chairman, the intent was to avoid a garage sale for months and a flea market operation for long periods of time.

I think the discussion with the council needs to be had....

- 16. 52.030 section 5 for tents issue which brings us to 7 the temporary use within the city right away. I (Wakeley) stated that a letter needs to be written from Council to allow. This is by second street restroom in the gravel.
- Richardson states that I misunderstood that the council had not already approved this and I went ahead and issued a business license I apologize but it sounded as though this was already

approved emails had stated lets move forward on this and I thought that meant approval to move forward so I issued it.

A certificate of appropriateness needs to be issued, From HRB as well.

The applicant gives her plan and so far without approval I have not pushed the issue and so it will be small for this first year I have 3 vendors so far. I had a maximum that I had proposed 9 vendors it's the largest I can go, and I feel that would be a miracle.

Townsend removing her HRB hat addresses the PC as a business owner and as such on a Saturday the parking would be an issue. We have many people visiting the businesses on the weekends and blocking 2nd street off will be an issue with the other businesses. Vendor vehicles could be accommodated down Martin Street, the applicant states that after hearing your comments and recommendations there would be no reason to block 2nd street.

Chairman Schaefer states that you may be more successful leaving it open.

Procedurally what needs to happen at this point Wakeley stated something needs to go before council to approve this, Schaefer it's a new use in a zone that is not allowed and so I think this is putting the kart before the horse. It's the City right away so it would go before the Council,

They clarify a few items with the applicant,

- Do you really need to block off 2nd street
- It is proposed that because 2nd is 90 feet wide you could have it in the grass
- Applicant is fine with it in the grass
- It is the consensus of the group to have a temporary use in the wide area of 2nd street in the grass so there is no need to block off 2nd street.
- Applicant has put in sign application through HRB.
- Richardson apologizes for this misunderstanding with business license.

6. Old Business

A. Review of Title 17 Revisions, March 25th version.

- Chairman Schaefer would like to review the changes, the second thing I would like to review is the sign section the HRB has been working on it and I want to go over there proposal.
- City Planner Wakeley is concerned about notifications that need to go out to DLCD, I will phone them to clarify those dates.
- It is briefly discussed if this would fall under a measure 56 and it is determined that it would be the City Attorney that would make that call.
- City Planner Wakeley will research the code language requirements and provide a summary to the Planning Commission.
- Chairman Townsend of HRB states that it would be discourteous not to inform the property owners in the Historic District.
- It is then decided that the Public Hearing be held in July so there is enough time for posting requirements and notifications to be sent out.

Original 3 topics,

1. **17.04.50** I made some grammar changes,
 - As per the City Attorney we cannot remove the ORD reference so we need to put those back in

2. **17.36.010** regarding moving contributing structures I added wording for flood plain zone regarding unstable soil and that it must be relocated in Historic District.

- Discussion is that we may want to provide some lee way here because if there is no property available then we do not want to destroy the building.
- A 3 is new language along with D

3. **17.40.110** next change is to tighten up the language of original features, Townsend says it doesn't quite say what the Secretary State Standards say that if a piece is bad you do not have to replace the entire piece.

4. **17.40.130** we need a list of paint colors.

- 3 items that won't go before HRB is paint, landscape under \$2,500 and a black roof.
- Primary, white or cream.

5. **17.04.050** discussion in this section is to place the list in HRB guidelines so that they are able to update the list of colors when needed.

6. **17.40.200** exempt paint colors.

Commissioner Sallee informs the Planning Commission that she thought the formatting would be quick and easy however it has been long and tedious Townsend states that we may look at City of Keizer's for some help.

City Planner Wakeley reviews the time schedule

- May 23 will be the last review
- July 2nd PC Public Hearing
- Notification to DLCD on 29th of May

7. **Commission Action/Discussion**

A. City Planning Activity (in Your Packets)
Status of Development Projects within the City.

- Vision update at the August meeting
- Do we need to notify Shippo Councilor Graupp will research this?

9. **Adjourn 9:05 P.M.**

A motion to adjourn the May 07, 2013 meeting is made by Commissioner Sallee and seconded by Commissioner Graham. Motion Passes Unanimously.



Chairman, Schaefer

ATTEST:


Kelly Richardson, City Recorder