

Minutes
Aurora Planning Commission Meeting
Tuesday, March 3, 2014, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main Street NE, Aurora, OR 97002

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

STAFF ABSENT: None

VISITORS PRESENT: None

1. CALL TO ORDER OF THE CITY COUNCIL MEETING

Meeting was called to order by Chairman Schaefer at 7:00 pm

2. CITY RECORDER DOES ROLL CALL

Chair Schaefer - Present
Commissioner Graham - Present
Commissioner Fawcett - Present
Commissioner Gibson - Present
Commissioner Rhoden-Feely - Late
Commissioner Weidman - Present
Commissioner Willman - Present

3. CONSENT AGENDA

- a) Planning Commission – February , 2015
- b) City Council Meeting Minutes – January, 2015
- c) Historic Review Board Minutes - NA

Motion to approve the consent agenda as presented was made by Commissioner Graham and is seconded by Commissioner Gibson. Motion approved by all.

4. CORRESPONDENCE –

- a) Email from City Planner, Chair Schaefer explains that this is an email between me and the City Planner regarding the text amendment. The City Planner explains that because she has not been in attendance in an attempt to save costs to the city I just wanted the entire Commission to be aware of the schedule and give them ample time to provide feedback.

Wakeley goes on to state that she has a few concerns specifically where you are calling out specific businesses regarding bars on windows, locks on garbage cans so I would like the City Attorney to go review the wording. Chair Schaefer states that he would be ok with the change he thought they had got the wording from the City of Ashland. Wakeley explains

that the Oregon Health Authority will be governing all aspects of back ground checks and so forth.

5. VISITORS

Anyone wishing to address the Aurora 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 Aurora Planning Commission could look into the matter and provide some response in the future.

Mary Vancleef, Aurora asks the Commission if we are thinking of allowing marijuana in our town. Chair Schaefer well the moratorium is almost over on this and we have to address it in our code.

No one else spoke at this time.

6. PUBLIC HEARING, Opens at 7:12 pm

a) Hearing on Conditional Use Permit 2015-01 Christ Lutheran Church, City Planner opens with public hearing procedures,

**CITY OF AURORA
PLANNING COMMISSION**

STAFF REPORT: Conditional Use Permit 2015-01 [CUP-15-01]
DATE: February 25, 2015 (for the March 3, 2015 Planning Commission meeting)

APPLICANT/OWNER: Christ Lutheran Church
15029 2nd Street NE, Aurora OR 97002

REQUEST: Conditional Use Permit approval for church uses, religious classes, and daycare and associated uses.

SITE LOCATION: 15029 2nd Street NE, Aurora OR
Map 041.W.12CD, Tax Lot 2600

SITE SIZE: 19,602 square feet or 0.45 acres

DESIGNATION: Zoning: Residential (R-1) with Historic Residential Overlay (HRO)

CRITERIA: Aurora Municipal Code (AMC) Chapters 16.20 Historic Residential Overlay and 16.60 Conditional Uses

ENCLOSURES: Exhibit A: Assessor Map
Exhibit B: Application and site plan
Exhibit C: Historic Review Board minutes (November 20, 2014)
Exhibit D: Request for Comments (RFC) responses
Exhibit E: Conditional Use Permit Approval File No. CU-96-4-

9659

I. REQUEST

Conditional Use Permit approval for church uses, religious classes, and daycare and associated uses as the existing conditional use permit on file is related to daycare uses in the parsonage only.

II. PROCEDURE

The application was determined by staff to be subject to a Conditional Use (CU) application as the proposed/current uses are only permitted with conditional use approval and a conditional use permit for the church and associated church uses is not on file with the City of Aurora. CU applications are processed as Quasi-Judicial Decisions under AMC 16.76. AMC 16.60 provides the criteria for reviewing Conditional Uses.

The application was received and fees paid on February 2, 2015. The application was determined complete by Staff and notice was mailed to surrounding property owners on February 11, 2015. The City has until **June 11, 2014**, or 120 days from acceptance of the application to approve, modify and approve, or deny this proposal.

III. APPEAL

Appeals are governed by AMC 16.76.260. An appeal of the Planning Commission's decision shall be made, in writing, to the City Council within 15 days of the Commission's final written decision.

IV. CRITERIA AND FINDINGS

The applicable review criteria for Conditional Use Permits are found in AMC Chapter 16.60-Conditional Uses.

16.60 *Conditional Uses*

A. The planning commission may approve a conditional use permit only when the applicant has shown that all of the following conditions exist:

1. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography and natural features;

FINDING: The property is currently used as a church and the applicant is seeking to memorialize the condition use as permitted for the church and related uses, religious classes, and a daycare within the church building and parsonage. The applicant has a conditional use permit on file for operation of a daycare within the parsonage (See Exhibit E). According to the applicant, there will be no new use on the property to that which is already occurring on site.

According to the applicant, the proposed addition will not create additional need for parking and accessibility and circulation will be improved by the proposed on site improvements to the front access.

Staff finds the current use of the property has been found to be suitable to date. Notice of the CUP application was mailed to property owners within 200 feet of the subject property and published in the Canby Herald.

Staff finds this criteria is met.

2. All required public facilities have adequate capacity to serve the proposal and are improved to the standards in Chapter 16.34;

FINDING: Lot 2600 fronts onto a public street on its south side, which is improved with 6 foot sidewalks along the frontage which are found by staff to be in good condition. The frontage does not have curbs, gutters or paved parking along the frontage but is rather gravel. The 2009 Transportation System Plan identifies 2nd Street as a local residential, requiring 54 feet of right-of-way, 32 feet of pavement width, and 5 foot sidewalks. 2nd Street has 90 feet of ROW and additional dedication is not required. Staff finds this criteria is met.

The proposed conditional uses are those currently being served on site and according to the applicant,

AMC section 16.28- Parking District Overlay only applies to properties located in the historic commercial overlay.

Staff finds the uses proposed for conditional use approval may lead to additional traffic or impacts to the site. However, according to the applicant, the proposed uses are currently already occurring on site. Staff does not recommend the conditional use application require frontage improvements to address required parking and impacts. The applicant has submitted a concurrent Site Development Review application (File No. SDR-2015-01) which reviews impacts to the site related to the additional development and on-site changes proposed. Site Development Review applications must show compliance with the AMC.

Staff finds this criteria is met.

3. The requirements of the zoning district are met;

FINDING: AMC 16.20.030.A allows churches as a conditional use and when authorized by the planning commission, "provided that all building setbacks shall be a minimum of thirty (30) feet from any property line". The existing structure meets setback requirements for the zone with the exception of the required thirty (30) foot minimum setback from the front property line required for churches in the zone. The minimum front setback in the HRO zone is fifteen (15) feet for other permitted uses. Staff finds the structure, shown by the County Assessor as constructed in 1952, is not increasing the non-conformity of the structure. Indeed, the application proposes to reduce the front setback by removing the main entrance porch which is constructed to the front property line and revises the structure to be setback twelve (12) feet from the front property line.

Staff finds that while this criteria cannot be met, the structure can be considered a pre-existing non-conforming use. Staff recommends a condition of approval of the condition use permit include that the applicant cannot increase the non-conforming setbacks as required by code.

A sign permit application was not included with the application. The applicant does include text in the site plan stating, “relocate sign” but no additional information or measurements were provided. If new or revised signage is proposed, the applicant shall be required to submit a sign permit application. This is included as a recommended condition of approval.

Additional development or uses on Lot 2600 not included with the application may be subject to additional land use requirements or applications. Staff finds this criteria can be met, with conditions.

4. The use is compatible with surrounding properties or will be made compatible by imposing conditions;

FINDING: Surrounding properties are residentially zoned and the use is permitted upon receipt of conditional use permit approval under 16.20.030.A. The use has been underway for some time and the applicant seeks to memorialize the conditional use permit for current uses for the file. Notice was mailed to property owners within 200 feet of the subject property and published in the Canby Herald in advance of the public hearing. Staff finds this criterion is met.

5. All parking and loading areas are designed and improved in accordance with the requirements set forth in Chapter 16.42;

FINDING: No additional parking or loading areas are proposed. Staff finds the uses proposed for conditional use approval may lead to additional traffic or impacts to the site. However, according to the applicant, the proposed uses are currently already occurring on site. The applicant has submitted a concurrent application for Site Development Review which reviews impacts related to the on-site development and changes. These are also summarized below.

Parking shall be in conformance with the HRO zone, Title 17, and 16.42. The HRO zone is not included in the Parking District Overlay (AMC 16.28) which may exempt some properties from meeting parking standards. AMC 16.42.030.B.1 requires one (1) space per four (4) seats or eight (8) feet of bench length. According to the applicant, the break out below summarizes the total square footage for the subject structure (see Exhibit B).

Large Assembly Space/Circulation:	6,347 SF
Vertical Circulation:	1045 SF
Small Classrooms:	1213 SF
Office:	313 SF
Restrooms:	758 SF
Food Preparation:	440 SF
Sanctuary Benches:	239 LF

Staff has attempted to break out the square footage requirements into the various components in compliance with AMC 16.42.040.A., “In the event several uses occupy a single structure or parcel of land, the total requirements of the several uses should be computed separately”.

USE	16.42 REQUIREMENT	SUBJECT APPLICATION	SPACES NEEDED
Sanctuary	16.42.100.B.1, Church or meeting rooms:	239 linear feet	Minimum of 30

benches	1 space per 4 seats or 8 feet of bench length. If no fixed seats or benches, 1 space per 60 square feet	(6347 sf ft of assembly space)	parking spaces
Small Classrooms	16.42.100.B.1 above of 1 space per 60 sq ft; or 16.42.100.B.2 for Library, reading room: 1 space per 400 square feet; or 16.42.100.B.5 for pre-school nursery or kindergarten: 5 spaces plus 1 space per classroom	1,213 sq ft	Between 3, 6, or 20 parking spaces depending upon interpretation of use
Office	16.42.100.C.2: Retail, bank, office, medical, dental: 1 space per 400 square feet but not less than 3 spaces per establishment	313 square feet (1 new office)	3 spaces minimum

Using the table above, a **minimum of 36 spaces** should be available for use by the church. This calculation does not include the parsonage. According to the applicant, the gravel parking lot is above to accommodate eleven (11) parking spaces on site. According to AMC 16.42.130, one can assume ten (10) feet of curb length is needed per 90 degree on-street parking space. The subject property also has approximately 120 feet of frontage along 2nd Street, minus access drives, which could accommodate an additional twelve (12) parking spaces. **This still leaves a deficit of 13 parking spaces, at a minimum.**

No ADA parking is indicated on-site on the abutting public street. Staff recommends the Planning Commission defer to the building inspector to determine whether ADA parking is required on-street or on site. If ADA parking is required, it shall be constructed in accordance with the Uniform Building Code, in conformance with AMC 16.42.100. This is included as a recommended condition of approval.

16.42.050.A. states, "All parking and maneuvering surfaces shall have a durable, hard and dustless surface such as asphalt, concrete, cobblestone, unit masonry, scored and colored concrete, grasscrete, compacted gravel, or combinations of the above". Staff finds the parking areas along the street, required to be meet the minimum parking requirements for the structure, are in poor condition. The parking lot to the east of the structure is also in poor to very poor condition.

16.42.050.J states, "J. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line or a street right-of-way". 16.42.050.K requires, "The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height, and at least three feet from the lot line or any required fence. Staff recommends the on-street parking and parking lot to the east be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. This is included as a recommended condition of approval.

According to the applicant, the existing parking lot and on-street parking are adequate for the existing church and the proposed addition/remodel does not create the need for additional parking.

Alternatively, the Planning Commission can choose to waive some of the AMC parking requirements for the property and/or require that the applicant provide all 36 parking spaces on-site, with no on-street improvements to the gravel on-street parking.

Staff finds this criteria can be met, with conditions.

6. All landscaping is designed and improved in accordance with the requirements set forth in Chapter 16.38;

FINDING: Beyond the frontage improvements for access and paving, no additional landscaping is proposed.

The lot measures 19,602 square feet. According to the Marion County Assessor, the on site improvements include 5,623 sq ft for the main level of the existing church. The parsonage is not included on the Marion County Assessor records. Based upon the site plan provided and the proposed additional impervious surfacing, it does not believe the 50 percent impervious surface limitation has been exceeded.

If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2. This is included as a recommended condition of approval.

7. All public improvements are designed and constructed in accordance with the requirements set forth in Chapter 16.34;

FINDING: See AMC 16.60.A.2. summarized above. Staff finds this criterion is met.

8. All facilities for the handicapped are designed in accordance with the requirements set forth in the ADA requirements;

FINDING: The applicant has submitted a concurrent application for Site Development Review (File No. SDR-2015-01) for improvement to pedestrian and ADA accessibility to the site. Staff finds this criteria can be met with SDR approval.

9. The provisions of all applicable chapters of this title are satisfied; and

FINDING: Staff finds the applicant can meet the zone criteria under the HRO, with conditional use approval.

10. Properties located in the historic commercial or historic residential overlay comply with the requirements set forth in Title 17 of the Aurora Municipal Code. A certificate of appropriateness approved by the historic review board shall satisfy this requirement.

FINDING: The property is located in the Historic Residential Overlay and is identified as the Christ Lutheran Church (Historic Non-Contributing, Secondary Significant, Resource #80) in the Aurora

Historic Building Inventory from 1985 and is listed as constructed in 1903 and extensively remodeled in the 1950's.

The Historic Review Board (HRB) reviewed the proposed Site Development Review approval on November 20, 2014. See Exhibit C.

The HRB provided the following comments: (1) the flat roof shall be screened with a parapet. Proposed conditions of approval to address HRB comments are included as recommended conditions of approval below.

B. In reviewing an application for a conditional use, the commission shall consider the most appropriate use of the land and the general welfare of the people residing or working in the neighborhood. In addition to the general requirements of this title, the commission may impose any other reasonable conditions deemed necessary. Such conditions may include, but are not limited to:

- 1. Limiting the manner in which the use is to be conducted, including restrictions on the hours of operation;*
- 2. Establishing additional setbacks or open areas;*
- 3. Designating the size, number, location and nature of vehicle access points;*
- 4. Limiting or otherwise designating the number, size, location, height and lighting of signs;*
- 5. Requiring fences, sight-obscuring hedges or other screening and landscaping to protect adjacent properties;*
- 6. Protecting and preserving existing soils, vegetation, wildlife habitat or other natural resources.*

FINDINGS: The property abuts residential properties to the north, south, east and west. The uses have been ongoing for a number of years and notice of the conditional use permit application was mailed to property owners within 200 feet and published in the Canby Herald.

Staff has included as a recommended condition of approval that any changed or additional signage shall be subject to a sign permit application.

The Aurora nuisance code (AMC section 8.04.040) provides limitations of noise generally between 7 a.m. and 10 p.m. Staff finds the city nuisance code is sufficient to restrict impacts upon surrounding properties.

Staff finds the criteria for Conditional Use approval under AMC 16.60.B can be met, with conditions as recommended below.

V. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings in the staff report, staff recommends that the Planning Commission **approve** the application for Conditional Use Permit (CUP-2015-01) based upon the following:

- 1) The applicant cannot increase non-conforming setbacks, as required by the AMC 16.20.030.A, as part of their conditional use permit approval.
- 2) If additional or revised signage is proposed, the applicant shall be required to submit a sign permit application.

- 3) The Conditional Use permit approve shall be remain valid for the length of ownership by the current property owner but may be revoked upon transfer of ownership, suspension of use as a church for more than two years, or noncompliance with any of the conditions of approval as part of this application, pursuant AMC 16.60.090. Additional development or uses on Lot 2600 not included with this application may subject the property to additional land use requirements or applications.
- 4) The on-street parking fronting upon Lot 2600 and the on-site parking area to the east of the existing structures shall be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. Final inspection of the improvements by the City of Aurora shall be required prior to final occupancy approval.
- 5) The flat roof shall be screened with a parapet.
- 6) If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2

VI. PLANNING COMMISSION ACTION

- A. Approve the conditional use permit (CUP-2015-01) for
 1. As recommended by staff, or
 2. As determined by the Planning Commission stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or
- B. Deny the request for a conditional use permit approval for CUP 15-01 stating how the application does not meet the applicable approval criteria.
- C. Continue the hearing to a time certain or indefinitely (considering the 120 day limit on applications).
 - City Planner Wakeley then calls out #3 transfer of ownership this is not a code requirement it is one we added. If another church comes in they would have to come before you.
 - NO questions from the Planning Commission on the staff report and Chair Schaefer opens it up to the audience for and comments.
 - Visitor Comments, Pastor Craig introduces himself along with the architects on the project. Richard Rothweiler informs the group that I am here to answer any questions you may have at this time.
 - There are no questions at this time

Hearing Closes at 7:30 pm

Planning Commission discuss briefly item number 3 question, is the permit revoke able upon sale. The discussion is that presumably a new church wouldn't need review however if it sells to someone else and they propose a different use completely they of course they need to come back.

Motion to accept the staff report and amend number 3 is made by Commissioner Gibson and is seconded by Commissioner Fawcett. Passes by all.

b) Hearing on Site Development Review Application Christ Lutheran Church,

**CITY OF AURORA
PLANNING COMMISSION**

STAFF REPORT: Site Development Review 2015-01 [SDR-15-01]
DATE: February 25, 2015 (for the March 3, 2015 Planning Commission meeting)

APPLICANT/OWNER: Christ Lutheran Church
15029 2nd Street NE, Aurora OR 97002

REQUEST: Site Development Review approval for modification to the existing structure to improve pedestrian circulation and ADA improvements, such as to the restrooms, stairs, and front entrance. The proposal also includes the addition of a new entry tower.

SITE LOCATION: 15029 2nd Street NE, Aurora OR
Map 041.W.12CD, Tax Lot 2600

SITE SIZE: 19,602 square feet or 0.45 acres

DESIGNATION: Zoning: Residential (R-1) with Historic Residential Overlay (HRO)

CRITERIA: Aurora Municipal Code (AMC) Chapters 16.20 Historic Commercial Overlay and 16.58 Site Development Review

ENCLOSURES: Exhibit A: Assessor Map
Exhibit B: Application and site plan
Exhibit C: Historic Review Board minutes (November 2, 2014)
Exhibit D: Request for Comments (RFC) responses

I. REQUEST

Site Development Review approval for modification to the existing structure to improve pedestrian circulation and ADA improvements, such as to the restrooms, stairs, and front entrance. The proposal also includes the addition of a new entry tower.

II. PROCEDURE

The application was determined by staff to be subject to Site Development Review (SDR) as the application proposed a height increase of more than 35 feet and the potential remodel/revisions could be considered to intensify the use of the property. SDR applications are processed as Limited Land Use decisions under AMC 16.78. The application was also determined by staff to be subject to a Conditional Use (CU) application as the proposed use is only permitted with conditional use approval. CU applications are processed as Quasi-Judicial Decisions under AMC 16.76. AMC 16.58 provides the criteria for reviewing Site Development Reviews.

The application was received and fees paid on February 2, 2015. The application was determined complete by Staff and notice was mailed to surrounding property owners on February 11, 2015. The City has until **June 11, 2014**, or 120 days from acceptance of the application to approve, modify and approve, or deny this proposal.

III. APPEAL

Appeals are governed by AMC 16.78.120. An appeal of the Planning Commission's decision shall be made, in writing, to the City Council within 15 days of the Commission's final written decision.

IV. CRITERIA AND FINDINGS

The applicable review criteria for Site Development Review are found in AMC 16.58.

16.58.100 Approval Standards

The review of a Site Plan shall be based upon consideration of the following:

- A. Provisions of all applicable chapters;*

FINDINGS: The subject parcel is zoned Residential (R-1) with a Historic Residential Overlay (HRO).

The applicant has submitted a concurrent application for conditional use approval (CUP-2015-01) along with site development review approval. AMC section 16.20.030.A. permits churches as a conditional use, pending planning commission approval and provided that all building setbacks shall be a minimum of thirty (30) feet from any property line. While the existing structure has a zero (0) front yard setback, the application proposed to remove the main entrance porch/portico for a new front setback of twelve (12) feet. While this does not meet the requirement of the zone, it does reduce the front yard setback to twelve (12) feet to better align with the primary buildings footprint and neighboring parsonage. Staff finds this criterion can be met.

16.20.040.J requires all properties, uses, and structures in the HRO to meet the requirements of

Title 17, Historic Preservation. Comments from the Historic Review Board are included under Exhibit C. Staff finds this criterion is met.

- B. Buildings shall be located to preserve topography and natural drainage and shall be located outside areas subject to ground slumping or sliding;*

FINDINGS: The site is an already developed site that has been in place since 1903 with major revisions made on site around 1953. The subject application makes minor revisions to elements outside of the existing footprint of the current structure for increase accessibility, including new stairs and ADA ramp. Significant changes to topography and slope will not occur and staff finds minor impacts to drainage may occur with the 2.8% increase in impervious surface, according to the applicant. Staff finds this criteria does not apply.

- C. Privacy and noise;*

- 1. Buildings shall be oriented in a manner which protects private spaces on adjoining residential properties from view and noise;*
- 2. On site uses which create noise, lights, or glare shall be buffered from adjoining residential uses;*

FINDINGS: The applicant is not proposing the creation of private spaces beyond the gathering area fronting upon 2nd Street which currently serves as the main entrance to the structure. Staff finds this criteria does not apply.

According to the applicant, the new entry tower and ADA accessibility improvements will include lighting to illuminate public access areas. A lighting plan was not included with the subject application. A lighting plan in conformance with criteria 16.58.100.C.2. and I.3-4. shall be submitted for City review and approval prior to final occupancy permit approval and in order to keep the conditional use permit application valid.

Staff finds this criteria can be met, with conditions.

- D. Residential private outdoor areas:*

FINDINGS: Staff finds this criteria does not apply.

- E. Residential shared outdoor recreation areas:*

FINDINGS: Staff finds this criteria does not apply.

- F. Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;*

FINDINGS: The applicant is not proposing the creation of outdoor recreation space beyond the gathering area fronting upon 2nd Street which currently serves as the main entrance to the structure. Staff finds this criteria does not apply.

- H. Demarcation of public, semipublic, and private spaces;*

FINDINGS: Staff finds this criteria does not apply as the space is private property.

I. Crime prevention and safety:

3. Exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime;

4. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps and abrupt grade changes. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person.

FINDINGS: Criteria I.1 and I.2 are related to residential development and found not to apply. A lighting plan for the site was not provided by the applicant. A lighting plan in conformance with the above criteria shall be submitted for City review and approval prior to final occupancy permit approval and in order to keep the conditional use permit application valid. The lighting plan must also show that lighting shall not reflect onto surrounding properties. This is included as a recommended conditional of approval.

J. Access and circulation;

1. The number of allowed access points for a development shall be as determined by the City Engineer in accordance with standard engineering practices for city rights-of-way, as determined by Marion County for county rights-of-way, and as determined by the Oregon Department of Transportation for access to Highway 99E.

2. All circulation patterns within a development shall be design to accommodate emergency vehicles.

FINDINGS: The subject property is currently developed and in use. A Request for Comments was submitted to the Aurora Rural Fire District and State Fire Marshall on February 10, 2015 and no comments were returned at the time of this staff report. Staff finds this criteria is met.

K. Public transit;

FINDINGS: Pedestrian access to the property is proposed via 2nd Street which contains six (6) foot sidewalks in good condition. No transit stops abut or are adjacent to the subject properties. Staff finds this criterion does not apply.

L. All parking and loading requirements shall be design in accordance with the requirements set forth in Chapter 16.42.

FINDINGS: Parking shall be in conformance with the HRO zone, Title 17, and 16.42. The HRO zone is not included in the Parking District Overlay (AMC 16.28) which may exempt some properties from meeting parking standards. AMC 16.42.030.B.1 requires one (1) space per four (4) seats or eight (8) feet of bench length. According to the applicant, the break out below summarizes the total square footage for the subject structure (see Exhibit B).

Large Assembly Space/Circulation: 6,347 SF
 Vertical Circulation: 1045 SF
 Small Classrooms: 1213 SF
 Office: 313 SF
 Restrooms: 758 SF
 Food Preparation: 440 SF
 Sanctuary Benches: 239 LF

Staff has attempted to break out the square footage requirements into the various components in compliance with AMC 16.42.040.A., "In the event several uses occupy a single structure or parcel of land, the total requirements of the several uses should be computed separately".

USE	16.42 REQUIREMENT	SUBJECT APPLICATION	SPACES NEEDED
Sanctuary benches	16.42.100.B.1. Church or meeting rooms: 1 space per 4 seats or 8 feet of bench length. If no fixed seats or benches, 1 space per 60 square feet	239 linear feet (6347 sf ft of assembly space)	Minimum of 30 parking spaces
Small Classrooms	16.42.100.B.1 above of 1 space per 60 sq ft; or 16.42.100.B.2 for Library, reading room: 1 space per 400 square feet; or 16.42.100.B.5 for pre-school nursery or kindergarten: 5 spaces plus 1 space per classroom	1,213 sq ft	Between 3, 6, or 20 parking spaces depending upon interpretation of use
Office	16.42.100.C.2: Retail, bank, office, medical, dental: 1 space per 400 square feet but not less than 3 spaces per establishment	313 square feet (1 new office)	3 spaces minimum

Using the table above, a **minimum of 36 spaces** should be available for use by the church. This calculation does not include the parsonage. According to the applicant, the gravel parking lot is above to accommodate eleven (11) parking spaces on site. According to AMC 16.42.130, one can assume ten (10) feet of curb length is needed per 90 degree on-street parking space. The subject property also has approximately 120 feet of frontage along 2nd Street, minus access drives, which could accommodate an additional twelve (12) parking spaces. **This still leaves a deficit of 13 parking spaces, at a minimum.**

No ADA parking is indicated on-site on the abutting public street. Staff recommends the Planning Commission defer to the building inspector to determine whether ADA parking is required on-street or on site. If ADA parking is required, it shall be constructed in accordance with the Uniform Building Code, in conformance with AMC 16.42.100. This is included as a recommended condition of approval.

16.42.050.A. states, "All parking and maneuvering surfaces shall have a durable, hard and dustless surface such as asphalt, concrete, cobblestone, unit masonry, scored and colored concrete, grasscrete, compacted gravel, or combinations of the above". Staff finds the parking areas along the street, required

to be meet the minimum parking requirements for the structure, are in poor condition. The parking lot to the east of the structure is also in poor to very poor condition.

16.42.050.J states, "J. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line or a street right-of-way". 16.42.050.K requires, "The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height, and at least three feet from the lot line or any required fence. Staff recommends the on-street parking and parking lot to the east be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. This is included as a recommended condition of approval.

According to the applicant, the existing parking lot and on-street parking are adequate for the existing church and the proposed addition/remodel does not create the need for additional parking.

Alternatively, the Planning Commission can choose to waive some of the AMC parking requirements for the property and/or require that the applicant provide all 36 parking spaces on-site, with no on-street improvements to the gravel on-street parking.

Staff finds this criteria can be met, with conditions.

M. All landscaping shall be designed in accordance with the requirements set forth in Chapter 16.38.

FINDINGS: A preliminary landscape plan was not provided by the applicant. Additional impervious surface is proposed along from the frontage. According to the applicant, this will reduce the landscape coverage by 2.8%, leaving over 30% of the property landscaped. The HRO zone states impervious surfaces shall not cover more than fifty (50) percent of a lot or parcel. The lot measures 19,602 square feet. According to the Marion County Assessor, the on site improvements include 5,623 sq ft for the main level of the existing church. The parsonage is not included on the Marion County Assessor records. Based upon the site plan provided and the proposed additional impervious surfacing, it does not believe the 50 percent impervious surface limitation has been exceeded.

If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2. This is included as a recommended condition of approval.

N. All public improvements shall be designed in accordance with the requirements of Chapter 16.34.

FINDINGS: The subject property is generally considered developed extension of water, sewer, or storm drainage improvements are not required. The application shall be subject to City of Aurora and State of Oregon development, building and fire codes. This is included as a recommended condition of approval.

While street improvements are not required as additional right-of-way dedication is not required at this time and the Site Development Review application does not require completion of a Traffic Impact Analysis as the proposed application is not determined by staff to intensify the use of the property by more than twenty-five (25) percent (AMC 16.58.060.A.5), the property does use on-street parking in order to meet the minimum parking requirements for the use according to AMC 16.42. Parking is discussed under criteria L. above with recommended conditions of approval for the on-site and on-street diagonal parking.

Staff finds this criterion can be met, with conditions.

O. All facilities for handicapped shall be designed in accordance with the requirements set forth in the ADA requirements;

FINDINGS: The subject application include ADA improvements to the existing restrooms, pedestrian access, and installation of an elevator. Remodel and construction shall be required to comply with all City of Aurora and State of Oregon development, building and fire codes. This is included as a recommended condition of approval. Staff finds this criterion can be met, with conditions.

P. All of the provisions and regulations of the underlying zone shall apply.

FINDINGS: Staff finds the applicant meets the zone criteria under the HRO, pending conditional use approval by the planning commission, and can meet the criteria for Site Development Review approval, with recommended conditions of approval. The application meets the minimum side and rear yard setbacks and meets the height limitation of 35 feet. While the application does not meet the minimum front yard setback of 35 feet for churches as a conditional use in the HRO zone, the applicant is proposing to reduce the non-conformity of the pre-existing non-conforming use.

Staff finds this criterion is met.

V. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings in the staff report, staff recommends that the Planning Commission **approve** the application for Site Development Review (SDR-2015-01) based upon the following:

- 1) Develop the subject property in accordance with plans approved by the city.
- 2) Comply with all City of Aurora and State of Oregon development, building and fire codes.
- 3) A lighting plan in conformance with AMC 16.58.100.I. shall be submitted for City review and approval prior to business license approval. The lighting plan shall also show that lighting shall not reflect onto surrounding properties. A lighting plan in conformance with criteria 16.58.100.C.2. and I.3-4. shall be submitted for City review and approval prior to final occupancy permit approval and in order to keep the conditional use permit application valid. The lighting plan shall show that lighting shall not reflect upon surrounding

properties.

- 4) The on-street parking fronting upon Lot 2600 and the on-site parking area to the east of the existing structures shall be improved to meet the Aurora public works design standards for parking areas as well as AMC 16.42.050.L. to provide curb bumpers along the portions of the private parking lot that abut residential properties and the on-street parking that abuts the public sidewalks. Final inspection of the improvements by the City of Aurora shall be required prior to final occupancy approval.
- 5) If landscaping improvements exceed \$2,500, review and approval by the Historic Review Board (HRB) is also required in conformance with AMC 17.04.050.B.2.

VI. PLANNING COMMISSION ACTION

- C. Approve the site development review application (SDR 2015-01) for minor additions, remodel and addition of the steeple:
 1. As recommended by staff, or
 2. As determined by the Planning Commission stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or
- B. Deny the request for site development review approval for SDR 15-01 stating how the application does not meet the applicable approval criteria.
- C. Continue the hearing to a time certain or indefinitely (considering the 120 day limit on applications).

Richard Rothweiler, architect again I am here to answer any questions our goal here is to increase access to the site with a new entrance and elevator. Chair Schaefer asks if the large red brick structure is staying no it will go away. The City Planner asks if the flat roof is visible from 2nd street and he states no it is behind a parapet as requested by HRB. Commissioner Graham asks if they have a lighting plan no not at this time as move further along in the project we will submit one for approval. Most of what we are considering is down casting light onto the retaining wall. Commissioner Fawcett asks about ADA and Wakeley informs them that would be uniform building code requirements and take care of at building permit stage.

Motion to approve the SDR application as per staff report is made by Commissioner Gibson and is seconded by Commissioner Fawcett. Passed by all present.

Public Hearing closes at 7:50 pm

7. NEW BUSINESS

- a) Discussion and or Action on Senate Bill 534 Provision for City Services to an Airport. Chair Schaefer goes down the sign in sheet for comments at this time.

Scott Caufield, no comment

Spud Sperb, reserve comment for later

Lance Lyon, not at this time.

Craig Johnson nothing at this time.

Roger Kaye, I am with friends of Marion County which was established in 1998 and our mission is to protect farm land in the county. We are opposed to SB 534 because we see danger in expansion at the airport and if you allow connection to city services this will be inevitable. At which point you will be giving up control of the growth. Chair Schaefer poses a question are you opposed to annexation or Aurora providing services to the airport? We are opposed either way.

Ben Williams, friends of French Prairie, I have a letter here of our stance which is in opposition to this bill. This bill is written state wide but really it is a request to Aurora which I believe was requested by Aurora. Chair Schaefer I am not sure that is correct information as we don't sponsor this bill. There is a brief discussion regarding the run way expansion at the airport and the impacts to the surrounding area. Again Chair Schaefer poses the question are you opposed to annexation or Aurora providing services or both. We are opposed to the city providing water and believe that annexation is the only way. Ultimately we like to see more data and the airport solve their own problems.

Greg Leo, I am here representing City of Wilsonville and Mayor Knapp and the city opposes this bill and asks Aurora to join us in doing so. According to the League of Oregon Citites this bill is unnecessary because they have the ability to do so already we need to keep control at the local level. Chair Schaefer ask clarification and Leo states annexation would be the only remedy then it gives the ability to regulate and provide services accordingly.

Ron and Mary Van Kleef, Aurora with everything I am hearing here this doesn't appear to benefit the City of Aurora at all. We can barley provide water to our own community let alone to the Airport. Chair Schaefer well we wouldn't just allow them to hook up without it costing them a great deal of money to make infrastructure upgrades to our system.

Commissioner Weidman, why is this discussion happening right now why would they not just approach us and provide a plan on what they are proposing.

Mayor Graupp goes on record to say I need a plan and engineering to present to the city to show what they are proposing. Van Kleef can they force us in anyway no they cannot unless an emergency is declared and then there is still a process.

Mike Iverson, they really need to solve their own problem with their own wells.

Spud Sperb, Aurora I have been here for 37 years I think one of the longest here at this meeting and from what I am hearing here tonight it is 100% in opposition on this. Last summer we were regulated on outside use of water we simply should not consider this. If they want to do these things they just need to annex into the city not go backdoor.

Schaefer just for clarification if they annex then they could get services no I think they should solve their own problems if they can't then have them make a pitch to the city.

Commissioner Willman, what is it that we are trying to decide here tonight.

Greg Taylor, Aurora this is really a much bigger situation this involves land use law and it has much more potential to affect the city, if we were to put infrastructure in place it would mean expansion. There are three other bills coming up that is a much larger issue that will affect the land surrounding the airport.

Craig McNamara, if passed is there anything to circumvent the wish of annexation no it says may not shall. So this doesn't change anything really both sides need to agree.

Schaefer it would be highly unlikely that the city would provide services without annexation. Unless they brought us a plan and data that would be good for the both of us.

Gibson, so do you feel annexation wouldn't need to be a condition, maybe however there rates and charges would not be the same so they could cover the costs involved to do business.

Spud Sperb, would that be legal to charge them more. Well it would be in the contract and the cost to do business.

Commissioner Graham if I were to live out of the city I would have to annex so they should too.

Weidman, well I think it is presumptuous to say that it won't pass because Council didn't think it would get this far so I think we shouldn't be so presumptuous.

Rhoden-Feeley, This conversation seems to be repeating itself and I hear an overwhelmingly amount of opposition to this bill.

A motion is made to make recommendation to City Council to oppose Senate Bill 534 by Commissioner Willman and seconded by Commissioner Graham. 5 ayes and 1 nay by Chair Schaefer.

8. OLD BUSINESS

a) NA

9. Commission Action/Discussion

a) City Planning Activity (in your packet) Status of Development Projects within the City.

10. ADJOURN

Chair Schaefer adjourned the March 03, 2015 Aurora Planning Commission Meeting at 9:35 P.M.



Chair Schaefer

ATTEST:



Kelly Richardson, CMC
City Recorder