Minutes
Aurora Planning Commission Meeting
Tuesday, April 5, 2016, 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:	Jennifer Reneau, Aurora Warren & Bernice Bean, Hubbard Aron Faegre, Yamhill Tom Heitmanek, Aurora

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1. **CALL TO ORDER OF THE CITY COUNCIL MEETING**

   Meeting was called to order by Chairman Schaefer at 7:01 pm

2. **CITY RECORDER DOES ROLL CALL**
   Chair Joseph Schaefer - Present
   Commissioner Craig McNamara- Present
   Commissioner Bud Fawcett - Present
   Commissioner Jonathan Gibson - Present
   Commissioner Mercedes Rhoden-Feely - Present
   Commissioner Tara Weidman - Present
   Commissioner Open Position -

3. **CONSENT AGENDA**
   a) Planning Commission Minutes – April, 2016
   b) City Council Meeting Minutes – NA
   c) Historic Review Board Minutes – None

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

4. **CORRESPONDENCE –**
   a) NA

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.

Jennifer Reneau, 21367 Hwy 99E, we just wanted to let someone know we are continuing to work hard on getting a plan together. (She thought she was at the City Council meeting) We are requesting another month or two. Planning Chair Schaefer informs her she is at the wrong meeting and would need to appear next Tuesday at City Council.

6. **PUBLIC HEARING, Begins at 7:06pm**
   a) Discussion and or Action on Continuation of SDR-16-01 Application for Property 21317 Hwy 99E Warren Bean Owner.

Chair Schaefer summarizes the procedures and City Planner Wakeley asks for any ex-parte contact and none is declared. Notice requirements have been met and are complete. Wakeley goes over her staff report as included in the minutes. There is a brief discussion regarding conversations with ODOT and if parking is allowed on 99E. They then begin discussion on what frontage improvements need to take place and if it is feasible to do so or not. Staff recommendations are in the staff report;

CITY OF AURORA
PLANNING COMMISSION

STAFF REPORT:	Site Development Review 2016-01 [SDR-16-01]
DATE:	March 23, 2016 (for the April 5, 2016 Planning Commission meeting)
APPLICANT/OWNER:	Warren and Bernice Bean/Valerie Troyer P.O. Box 446, Hubbard OR 97032
REQUEST:	Site Development Review approval for construction of approximate 5,650 sq. ft. addition to rear of an existing structure; on-site improvements including approximately 2,050 sq. ft. of outdoor patio seating area and decorative pathways; provision of 36 on-site parking spaces; and installation of a new access drive from Highway 99E.
SITE LOCATION:	21317 Highway 99E NE, Aurora, OR Map 41.W.13BA Tax Lot 2300
SITE SIZE:	99,752 square feet or 2.29 acres
DESIGNATION:	Zoning: Commercial (C) with Historic Commercial Overlay (HCO)
CRITERIA:	Aurora Municipal Code (AMC) Chapters 16.22 Historic Commercial Overlay and 16.58 Site Development Review
ENCLOSURES:	Exhibit A: Assessor Map Exhibit B: Application and site plan Exhibit C: Historic District Inventory #122 and Historic Review Board minutes (February 25, 2016) Exhibit D: Request for Comments (RFC) responses

I. REQUEST

Site Development Review approval for construction of approximate 5,650 sq. ft. addition to rear of an existing structure; on-site improvements including approximately 2,050 sq. ft. of outdoor patio seating area and decorative pathways; provision of 36 on-site parking spaces; and installation of a new access drive from Highway 99E.

II. PROCEDURE

The application was submitted to the City on February 4, 2016 but was determined incomplete by staff on February 17, 2016. The applicant submitted supplemental materials on February 17th and 22nd. The request for comments to interested parties and notice to property owners within 100 feet of the subject property was mailed on 2/23/17- 7 days prior to the Planning Commission meeting. Aurora Municipal Code (AMC) requires notice to surrounding property owners 14 days prior to the Planning Commission meeting and notice published in the paper 20 days prior to the Planning Commission meeting under Limited Land Use decisions, AMC 16.78. Time constraints and submission of supplemental required application materials did not allow for sufficient notification requirements so the Planning Commission continued the hearing to April 5, 2016. Notice was mailed to property owners on March 18, 2016 and notice was published in the Canby Herald on March 16, 2016 in compliance with the AMC.

The City has until **June 20, 2016**, 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 Commercial (C) with a Historic Commercial Overlay (HCO). According to the Marion County assessor, the existing structure was built in 1865 and includes an approx. 993 sq. ft. main floor, 693 sq. ft. finished attic and 693 sq. ft. unfinished basement. The existing structure is estimated to be 30 feet from the front property line with a brick patio within the front yard. The applicant proposes an approx. 5,650 sq. ft. addition to rear (west) of the existing structure with on-site improvements including approximately 2,050 sq. ft. of outdoor patio sq. ft. and a gravel parking area with an estimated 36 parking spaces. Staff finds the property and proposal meet the HCO zone requirements for lot depth, width, and height. AMC 16.22.040.D. states, "no front setbacks shall be permitted, except as necessary to maintain visual clearance areas. No rear or side setbacks are required. The existing structure is setback approximately 30 feet from the front property line and can be considered a pre-existing non-conforming use to the no front setback code requirements.

The existing structure is also identified in the Aurora Historic Building Inventory as the Maria Mohler House (Resource #122), and has a Primary Significant classification.

AMC section 17.040.020.A. governs additions to contributing commercial structures (which applies to the existing structure/subject property as follows:

1. New additions may only be placed on the rear elevation. Architectural detailing including roofing, siding, trim, doors, and windows shall match the existing structure in design and materials unless supported by evidence in the historic inventory.
2. Previous additions to the original structure that were added prior to 1921 shall be subject to the same standards and criteria as the original portion of the structure; however, in the event that the addition does not match the original, the exterior features of the addition may be altered to match the original.
3. Additions to contributing structures that were built in 1921 or later may be removed, and following removal, the exterior materials on that portion of the structure must match the remainder of the structure.
4. Additions to commercial structures are exempt from the parking requirements in Title 16.

Staff believes requiring new construction be placed in front of the historic structure or parallel to the existing would be in conflict with AMC 17.040.020 and staff finds the proposed addition to the rear of the historic structure satisfies both AMC section 16 and 17.

AMC 16.22.040.I states all properties, uses, and structures in the historic commercial overlay shall be subject to the requirements of Title 17, Historic Preservation. The Aurora Historic Review Board (HRB) reviewing the application at a February 25, 2016 meeting and comments from the HRB are included under Exhibit C. Staff finds the proposed addition and site improvements (see Exhibit B) can meet the requirements of AMC Title 16 and Title 17- Historic Preservation.

Staff finds this criterion can be met, with conditions.

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

FINDINGS: Exhibit B11 provides a contour map of the property, as well as the location of the existing structure and proposed new construction. The most significant slope on the property is located along the frontage of Highway 99E and to the west of the existing structure and proposed new construction. According to the applicant, the "proposed addition to the existing building fits nicely into the existing topography, as does the parking area".

Staff finds this criterion is met.

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 subject property measures approx. 99,752 square feet or 2.29 acres. The property abuts the urban growth boundary and city limits to the west and Highway 99E to the east. The property to the

north is zoned HCO and is buffered by approximately 150 feet of existing landscaping proposed to remain (see Exhibit B11). The property to the south is zoned Commercial but is outside the Historic Commercial Overlay. The lot to the south of the subject property measures approximately 50 feet to the south of the existing structure and proposed addition. The applicant proposes installation of a new asphalt parking area to the south of the existing structure and addition and proposes to buffer the parking area with five (5) ft. fence (see Exhibit B18).

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. This is included as a recommended condition of approval.

Staff finds this criterion can be met, with conditions.

D. Residential private outdoor areas:

FINDINGS: Staff finds this criterion does not apply.

E. Residential shared outdoor recreation areas:

FINDINGS: Staff finds this criterion does not apply.

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

FINDINGS: The proposed outdoor space abuts the proposed structures. However, the property is completely under private ownership and staff finds this criterion does not apply.

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

FINDINGS: Staff finds this criterion does not apply as the space is private, commercial property.

I. Crime prevention and safety:

1. In residential developments, interior laundry and service areas shall be located in a way that they can be observed by others;

2. Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;

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 places 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. The lighting plan must also show that lighting shall not reflect onto surrounding properties. Staff will ensure the HRB has an opportunity

to review the proposed lighting plan, as requested under Exhibit B. 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: Comments from the Aurora Rural Fire District are included under Exhibit D and included as recommended conditions of approval. The applicant proposes to close the existing access to the property and add a new access further south along Highway 99E at the location of the proposed parking area. The Oregon Department of Transportation (ODOT) provided comments on the application under Exhibit D.

Based upon their comments, recommended conditions of approval for the approved access permit to be submitted to the City of Aurora prior to occupancy permit approval and dedication of 2 feet of right-of-way in compliance with the Aurora TSP are included below.

Staff finds this criterion can be met, with conditions.

K. Public transit;

FINDINGS: Access to the property is proposed via Highway 99E. No transit stops abut or are adjacent to the subject property. 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 AMC 16.22 for the historic commercial overlay zone and Title 17-Historic Preservation. AMC 16.22.040.F. states, "Parking shall be in accordance with Chapter 16.42 except as specifically exempted by Chapter 16.28 and Title 17, and should be located to the rear of the building. The planning commission may approve parking to the side of the building where parking to the rear is not feasible. AMC 17.40.020.A.4. states, "Additions to commercial structures are exempt from the parking requirements in Title 16". Staff finds parking is not required.

As the applicant does propose parking and while parking space minimums are exempt under the HCO, proposed parking shall still be required to conform with the public works standards under 16.38 and 16.42 for screening and buffering as the property does not abut residentially zoned property. Additionally, the proposed location of the parking area to the south of the existing structure and proposed addition appears to provide good access and least impact upon existing topography. Staff recommends the planning commission approve the proposed parking to the side of the building as parking to the rear has the potential to have a greater impact upon existing property slope.

No ADA parking is shown on the proposed site plan. Staff recommends the Planning Commission defer to the building inspector to determine whether ADA parking is required on site. If ADA parking is

provided or required, it shall be constructed in accordance with the Oregon Structural Specialty 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". According to the applicant, "we concur with this requirement" and the applicants representative has stated the parking area will be gravel with the exception of the first twenty (20) feet at the property line, which would be asphalt as required by ODOT. In addition, there may be a small area paved for ADA parking.

Criteria under 16.42.050.B-I. contain requirements for service drives and/or residential developments and are found not to apply to the subject property and application.

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. This is included as a recommended condition of approval.

Staff finds this criterion 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 with minor improvements for outdoor seating and pathways is included under Exhibit B. AMC 16.38 require properties larger than twenty thousand (20,000) square feet in size shall have at least ten (10) percent of the total lot area landscaped. Staff finds this criterion is met.

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. Applicant shall be required to provide the caliper of all trees proposed for removal to the City. Trees with a caliper larger than 24 inches requires approval by the HRB pursuant to 17.04.050.B.2.

AMC 16.38.50.D. requires any refuse container or disposal area and service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area, shall be screened from view by placement of a solid wood fence, masonry wall or evergreen hedge between five and eight feet in height. All refuse materials shall be contained within the screened area. According to the applicant, the garbage enclosure will be screened with concrete masonry units and the exterior would be wood siding painted white to match the building. Staff recommends inclusion of screening of refuse containers, disposal areas and service facilities to be screened in compliance with 16.38.050.D be included as a condition of approval.

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/sizing of water, sewer, or storm drainage improvements are required to comply with Chapter 16.34 and the City of Aurora public works design standards and City of Aurora and State of Oregon development, building and fire codes. This is included as a recommended condition of approval.

Water: According to the city engineer, a 2" water line serves the property. Depending upon final design, if flows for the existing and proposed development larger than this are required, the water line will need to be upgraded in compliance with the Aurora Water Master Plan at the developer's cost. According to the building inspector, the Aurora Water Master Plan calls for a 10" water main to cross Highway 99E and would need to connect to existing water main at the east end of Highway 99E and Bobs Avenue (see Exhibit D).

The existing water service requirements will need to be reviewed and upgraded as necessary in accordance with the Public Works Design Standards and Water Master Plan, prior to building permit approval. Appropriate backflow prevention devices, as necessary, will need to be reviewed and approved by the Marion County Building Department and Fire Marshall. This is included under recommended conditions of approval.

Fire protection- Unless otherwise approved by the Fire District, fire hydrants are required within 250 feet of any new structure. The Fire Chief reviewed the subject application and has stated that a hydrant will be required at that location as lines cannot cross a major arterial. Prior to building permit approval, the developer shall provide documentation that the Aurora Fire District has reviewed and approved all fire protection devices, systems, and access routes. This is included as a recommended condition of approval.

Sewer: Comments from public works and building inspector are included under Exhibit D. Depending upon final design for the addition and kitchen and restroom facilities, the existing 4" sewer line may not be adequate. Sanitary sewer requirements in compliance with the Aurora public works design standards will be determined prior to building permit approval. All upgrades will be at the expense of the developer.

Storm water: Storm water detention will need to be provided in accordance with the Aurora and Marion County Public Works Design Standards. Prior to building permit approval, the developer shall submit to the City for review and approval engineered storm water plans and a drainage study/calculations conforming to the Public Works Standards. It is the responsibility of the developer to provide a suitable discharge location for storm water from the development. Storm water operation and maintenance of a private detention facility will be the obligation of the property owner. An operation and maintenance agreement, if required, shall be reviewed and approved by the City prior to building permit approval.

Transportation: The Aurora Transportation System Plan (TSP) defers to the Oregon Department of Transportation (ODOT) for frontage improvements along Highway 99E, classified as a State Principal Arterial. Tax assessor maps show that the current ODOT right-of-way is 80' along the frontage. Table 3-1 of the Aurora TSP and AMC 16.34.030 recommends 84' of right-of-way. Staff recommends the Planning Commission require the dedication of 2 feet of right-of-way to comply with the TSP. This is included as a recommended condition of approval.

Staff does not believe the subject Site Development Review application will require completion of a Traffic Impact Analysis (TIA) as the proposed application is not determined by staff to result in more than 25 peak hour trips or 250 vehicle trips per day. The Aurora TSP specifies development resulting in more than 250 vehicle trips per day shall require at TIA (Appendix F-9). According to the Trip Generation Manual[i], the estimated 2,350 sq ft of dining space with an estimated 1,000 sq ft of the 2,050 sq ft outdoor space for dining, and the existing 993 main floor of the existing structure for retail space (estimated) can be expected to average 15 dining peak hour trips and 5 retail peak hour trips, respectively.

Highway 99E along the frontage contains half-street improvements located along the east side of the Highway from Bob's Avenue and north. These improvements were completed by the City and ODOT. Table 3-1 of the Aurora TSP and AMC 16.34.030 show the recommended street section. **A half-street improvement consisting of paving, curb and gutters, sidewalks and storm drainage is recommended.** ODOT has stated they do not require frontage improvements but will rather defer to the City and TSP.

While the City TSP identifies frontage improvements as recommended and the City may require these improvements along the frontage of the subject property, there are slope constraints and concerns of whether the development justifies the need for this level of improvement when there are not sidewalks, curbs and gutters to the north or south of the property. In addition, the City and ODOT completed a substantial improvement to the east side of Highway 99E in this area and it appears that completion of this eastern portion of 99E is a higher priority to the City in providing bike and pedestrian access to the area. The City Engineer suggests two options:

a) Prior to building permit approval, the developer shall submit to the City for review and approval a street improvement plan conforming to ODOT, Aurora Public Works Design Standards and the Aurora TSP. Frontage improvements in conformance with the street improvement plan shall be required prior to occupancy permit approval.

OR

b) If the City defers the requirement for frontage improvements, applicant shall be required to record a non-remonstrance agreement for paving, curb and gutters, sidewalks and storm drainage prior to building permit approval. Frontage improvements may be required in the future if the City is able to gather non-remonstrance agreements for a majority of properties in this area of western Highway 99E.

Parking is discussed under criteria L.

An erosion and sediment control plan shall be submitted for review and approval by the City prior to any site grading or earth disturbing activities.

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 includes new construction which will be subject to Oregon Structural Specialty Code requirements and ADA requirements. Remodel, if applicable, 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 can meet the zone criteria under the HCO 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 zero front yard setback, the applicant is proposing for the new construction to be complementary and subordinate to the existing historic structure. The applicant has also shown the slope considerations of the site which would make construction along the front property line much more difficult than would be possible for smaller properties in the HCO zone to the north of the subject property.

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-2016-01) with the conditions of approval summarized in the staff report and below:

1) Develop the subject property in accordance with plans approved by the city. Documentation shall be provided to the City that the plans and specifications have been approved/permitted by all applicable local, state and federal agencies having jurisdiction over the work. This may include, but not limited to, the City of Aurora, Aurora Fire District, ODOT, DHS-DWP, DEQ, etc.

2) Comply with all City of Aurora and State of Oregon building and fire codes in applicable at the time of *building permit application*. If applicable, Systems Development Charges will be applied at the time of issuance of a building permit.

3) The developer shall be responsible for all costs relating to the required improvements identified for the project within the Aurora Municipal Code, Public Works Design Standards, and the conditions of approval.

4) A lighting plan in conformance with AMC 16.58.100.C.2. and 16.58.100.I.3-4. shall be submitted for City review and approval *prior to building permit approval*. The lighting plan shall also show that lighting will not reflect onto surrounding properties. The approved lighting plan shall be installed *prior to final occupancy permit approval.*

5) An ODOT approved access permit shall be submitted to the City of Aurora *prior to occupancy permit approval.*

6) In accordance with 16.42.50.J.-K., 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. 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. Parking improvements shall be completed *prior to occupancy permit approval.*

7) If ADA parking is provided or required, it shall be constructed in accordance with the Oregon Structural Specialty Code, in conformance with AMC 16.42.100.

8) The existing water service requirements will need to be reviewed and upgraded as necessary in accordance with the Public Works Design Standards and Water Master Plan, *prior to building permit approval*. Appropriate backflow prevention devices, as necessary, will need to be reviewed and approved by the Marion County Building Department and Fire Marshall. All upgrades, if applicable, will be at the expense of the developer.

9) Sanitary sewer requirements in compliance with the Aurora public works design standards will be determined *prior to building permit approval*. All upgrades will be at the expense of the developer.

10) *Prior to building permit approval*, the developer shall provide documentation that the Aurora Fire District has reviewed and approved all fire protection devices, systems, and access routes.

11) Storm water detention will need to be provided in accordance with the Aurora and Marion County Public Works Design Standards. It is the responsibility of the developer to provide a suitable discharge location for storm water from the development. *Prior to building permit approval*, the developer shall submit to the City for review and approval engineered storm water plans and a drainage study/calculations conforming to the Public Works Standards. Storm water operation and maintenance of a private detention facility will be the obligation of the property owner. An operation and maintenance agreement, if required, shall be reviewed and approved by the City *prior to building permit approval*.

12) An erosion and sediment control plan shall be submitted for review and approval by the City prior to any site grading or earth disturbing activities.

13) Screening of refuse containers, disposal areas and service facilities shall be screened in compliance with 16.38.050.D., *prior to occupancy permit approval*.

14) 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. Applicant shall be required to provide the caliper of all trees proposed for removal to the City. Trees with a caliper larger than 24 inches requires approval by the HRB pursuant to 17.04.050.B.2.

15) Dedication of two (2) feet of right-of-way along Highway 99E to the Oregon Department of Transportation (ODOT) in compliance with the Aurora TSP shall be required *prior to building permit approvals*. Dedication shall be to "The Public for public road purposes" and in compliance with ODOT approved procedures.

16) In accordance with the Aurora TSP, the Planning Commission may require frontage improvements along the subject property.

    a. Prior to building permit approval, the developer shall submit to the City for review and approval a street improvement plan conforming to ODOT, Aurora Public Works Design Standards and the Aurora TSP. Frontage improvements in conformance with the street improvement plan shall be required prior to occupancy permit approval.

OR

b. If the City defers the requirement for frontage improvements, applicant shall be required to record a non-remonstrance agreement for paving, curb and gutters, sidewalks and storm drainage prior to building permit approval. Frontage improvements may be required in the future if the City is able to gather non-remonstrance agreements for a majority of properties in this area of western Highway 99E.

17) In accordance with AMC 16.34.140.A, prior to beginning any construction, the applicant shall assure the completion and maintenance of improvements by securing a bond, or placing cash in escrow, an amount equal to one hundred twenty-five (125) percent of the estimated cost of the improvements. Further, the applicant shall execute an agreement with the City Attorney regarding the repair, at the applicant's expense, of any public facilities damaged during development.

18) AMC 16.76.360.A states approvals issued pursuant to this chapter shall be effective for a period two years from the date of approval. In accordance with 16.58.050.A.3, a development agreement containing the conditions of approval shall be signed by the developer and recorded with Marion County.

VI. PLANNING COMMISSION ACTION

A. Approve the site development review application (SDR 2016-01) for new construction/additions to the existing structure, on-site landscaping improvements including approx. 2,050 sq. ft. of outdoor patio seating area and decorative pathways; provision of 36 on-site parking spaces; and installation of a new access drive from Highway 99E.

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 2016-01 stating how the application does not meet the applicable approval criteria.

D. Continue the hearing to a time certain or indefinitely (considering the 120-day limit on applications).

Chair Schaefer calls for any questions and at this time the applicant Mr. Bean has questions and concerns regarding the steep drop off and slopes of the site for sidewalks and lack of safety. Mr. Bean would prefer not to sign a non-remonstrance agreement because of the potential cost involved because of the slope of the site. I ask that they remove it all together and not require those frontage improvements based on the lot. Mrs. Bean asks the reason for the sidewalk maybe we can come up with a better alternative that suits both parties. Chair Schaefer well it is a requirement however I do see the issues associated with the site. Applicant agrees that the crosswalk would be nice however if we change our application ODOT will need to see the changes and that could be a lengthy process with ODOT. Schaefer also brings in ADA requirements and the fact that those will need to be met.

They go on to discuss the SDC charges and the possibility of a 10 inch main in order to fulfill city requirements and that again is at quite a cost so I would ask that the city help in some small way so

this project stays in check and more affordable. Chair Schaefer while its highly unlikely to forgive street improvements however I encourage you to continue talks with the Public Works Department and city to see if there are areas of help that can be achieved.

At this point most discussion has stopped and Chari Schaefer closes the hearing at 7:37 pm to begin the Planning Commissions discussion on the matter.

Chair Schaefer begins the discussion and begins with the frontage improvements that lot is going to require extensive costly improvements and I simply don't see how we can require them. I don't know the answer to a non-remonstrance waiver. This again in the future would be very costly on your end.

Wakeley this is not a small development a 5,000 square foot addition is going to require aprox 36 parking spaces and this will significantly increase the traffic and trips to the site.

The rest of the Commissioners share a few thoughts regarding the site and its significant slope and the costs that would be involved to do frontage improvements. There is some additional conversations regarding the possible crosswalk however there are also some major concerns for crossing 99E. Discussion is leaning to not require improvements and to waive the non-remonstrance.

A motion is made to approve the SDR-16-02 as recommended by staff by deleting 16b completely and adding a new condition for ADA access to the north end of the driveway throat by Chair Schaefer and is seconded by Commissioner Fawcett. Approved by all.

7. NEW BUSINESS

a) Discussion and or Action on Updated Historic Design Guide Completed by the Board. Chair Schaefer really felt the document was very well written.

b) Discussion Regarding New Annexation Law, 1543 bill, Currently the City of Aurora has voter approved annexation however not with the passage of SB 1543 it will now be approved by the City Council. Unless the property is not contiguous then it requires a city election for annexation and voter approval. The city cannot force annexation it must be per property owner's whishes.

c) Discussion/Reminder to Complete Economic Interest Statements for 2016,

8. OLD BUSINESS

a) Discussion and or Action on Orchard View Subdivision Storm Drain issues. No one is here so there is no update.

Motion to recommend to City Council to take action on taking ownership of tract A and 'B every effort has been made to work with them is made by Chair Schaefer and seconded by Commissioner Fawcett. Passes. Chair Schaefer adds to the motion to encourage development of tract A and is seconded by Commissioner McNamara. Passed by all.

b) Discussion and or Action on Possible Urban Growth Boundary Expansion for the Airport. Chair Schaefer states, The Mayor and I have met with Thousand Friends yesterday it was productive and they suggested all or nothing. I don't think we have a way to force annexation, I asked in email do they know of a way to do that so we will see. We also met with group of government

people and airport owners they are exploring the possibilities to get more police services and they are of varied minds some are friendly and some not so much. They are very concerned with costs involved they are concerned with what the tax amount would be and I have asked the Mayor to investigate with Marion County tax assessor to see what they would be. Scott Brotherton, Wilsonville, when you and Bill go meet with people is this official meeting and is this decision meeting or just a fact finding meeting and Schaefer this is official fact finding and final decision would be made through the City Council as it should be. Normally if we were a larger city this would be a staff duty but since we are not many of this will fall on its volunteers such as our selves. Now switching to the EOA this is what Council approved and this is a draft document I filled it out and I sent it to DLCD it will go to council next week. The next step would then be to develop a document RFP and RFQ for consultant to do this type of work. No questions or comments from Commission,

Schaefer again the result of this is how many acres the airport needs and what sizes of property do they need and the site characteristics would they need and what mix is there. What type of businesses with or without employees?

c) Discussion and or Action on TGM Grant Application, this will go to City Council in May this funding would be to supplement our TSP plan update or road plan for the Airport or to the Airport. To hire consultant to figure out how you would map out the road system and how it would fit in. Wakeley might be able to do both EOA and TGM transportation.

Schaefer I have spoken to John Rankin he represents many owners between here and the airport nothing is schedule yet but we will be meeting with many of those folks. Introduce ourselves and answer questions at this point.

Marion County proposes UGB the new rule and exploring this for level of interest thus far we are planning to go through the old rule. So far no one has told us otherwise and so our assumption to move forward under the old rule. No date schedule as of yet for this workshop.

9. COMMISSION/DISCUSSION

a) City Planning Activity (in your packets) Status of Development Projects within the City. Nothing more to report at this time.

10. ADJOURN

Chair Schaefer adjourned the April 5, 2016 Aurora Planning Commission Meeting at 8:44 P.M.

Chair Schaefer

ATTEST:

Kelly Richardson, CMC
City Recorder