

CITY OF COTTAGE GROVE PLANNING COMMISSION

Minutes of the Regular Public Hearing

April 19, 2023

CALL TO ORDER

Chair Rigel called the meeting to order at 7:00 p.m.

ROLL CALL

Recording Secretary Tina MacDonald called the roll. The following were:

PRESENT IN THE

COUNCIL CHAMBERS

Ashley Rigel, Garland Burback, Thomas Munroe and Jeff Gowing,
David Christopher, Vice Chair Beau Solesbee

PRESENT VIA

GOTOMEETING

Tim Burns

ABSENT:

**STAFF PRESENT IN
THE COUNCIL
CHAMBERS:**

City Planner-Eric Mongan, Assistant Planner-Allison Crow
Public Works & Development Director- Faye Stewart
Recording Secretary-Tina MacDonald

**APPLICANT PRESENT
VIA GOTOMEETING:**

Bailey Williams-A&O Engineering, Colin Kelley-Pine Spings,
LLC, Teresa Bishow-Bishow Consulting.

MEDIA PRESENT:

None

Staff advised that this hearing had been advertised and publicized and notices posted as required by law. It was asked that any correspondence received be noted as a part of the item on the agenda.

ITEMS TO BE ADDED

None

MINUTES

March 15, 2023

IT WAS MOVED BY COMMISSIONER JEFF GOWING AND SECONDED BY COMMISSIONER THOMAS MUNROE TO APPROVE THE MINUTES FOR MARCH 15, 2023.

Vote on the motion as follows:

VOTE	Commissioner Rigel	Commissioner Burback	Commissioner Gowing	Commissioner Burns	Commissioner Munroe	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X		X	X	X
NAYES							

Minutes for March 15, 2023 are approved.

OLD BUSINESS

None

EX PARTE CONTACT

None

7:05 PM Public Hearing for MPD 1-23 Opened

- (a) PINE SPRINGS, LLC -- MASTER PLANNED DEVELOPMENT (MPD 1-23) Applicant is seeking to develop a 121-unit apartment complex on Lot 3 of the Village Green Subdivision (TL 20-03-27-20), Relevant Criteria: 14.45.110 Master Planned Development – Applicability. Applicant: Pine Springs, LLC, 3025 West 7th Place, Eugene, OR 97402. Hearing Date: April 19, 2023 at 7:00 PM, Council Chambers and virtually (see www.cottagegroveor.gov for meeting link), Cottage Grove City Hall; 400 E Main Street, Cottage Grove, OR 97424

MATERIALS TO BE PART OF THE RECORD

City of Cottage Grove File(s): MPD 1-23

- Applicant's Application
- Applicant's Narrative
- Minutes and information from Community Meeting dated February 1, 2023
- Applicant's Exhibits A-I
- Applicant's Design Documents (civil, landscaping, architectural)
- City of Cottage Grove Completeness Correspondence
- Affidavit of Posting
- Affidavit of Notice
- Engineering Comments dated March 31, 2023
- Memorandum, dated April 19, 2023

City Planner Mongan presented MPD 1-23.

Proposal:

This Type III Master Planned Development application is to develop a Multi-Family Apartment complex on the future Lot 3 of the Village Green Subdivision located at 725 Row River Road (Map/TL: 20-03-27-20-*03701/2*), Cottage Grove, OR. The subject property, future Lot 3 of

the Village Green Subdivision, was approved by the Cottage Grove Planning Commission on March 15, 2023. The property owner has not, as of the time this staff report was published, submitted the Final Plat of the Village Green Subdivision. Completion of that subdivision process shall be completed prior to the issuance of occupancy certificates.

This property is currently zoned CT – Commercial Tourist and generally vacant in the area where the Pine Springs Development is proposed. Multi-family development is permitted in the CT Zone with the approval of a Master Planned Development per Chapter 14.45, hence this application. The Master Planned Development application process is a two-step process in that this application will consider the “overlay zone and concept plan,” which establishes the use and design of the development site and the second part is the “detailed design plan” that will show compliance with the conditions of approval from the concept overlay plan. Compliance with Section 14.45.150 is shown in the staff report attached.

The proposed Pine Springs Development includes the development of 16 eight-unit two-story apartment buildings and a live-in leasing office arranged around a central common open space area with a park/campus like feel with mature trees being retained, new trees and landscaping, stormwater detention and treatment facilities, and a connected system of ADA accessible pedestrian paths. As a condition of utilizing the Master Planned Development process the developer/property owner shall “dedicate” 15% of the development site to common open space. For the Pine Springs Development this totals 1.19 acres. The applicant has proposed a total of 3.82 acres of common open space. The common open space will be for the use of the residents and guests of the Pine Springs Development. The common open space will be maintained by a separate legal entity as is permitted by Chapter 14.45.

The design of the apartment buildings is wood frame construction with a pitched roof and dormers over the building entrances. Each unit will have a covered porch or balcony that includes storage space. The design meets the standards of the CT Zone. The 120 units will be 968 sf two-bedroom, two-bath units with a washer and dryer.

The applicant has proposed 235 total parking spaces with four van accessible ADA spaces and four ADA spaces, 61 long-term bicycle parking spaces and six short-term spaces. The proposed number of parking spaces exceeds the minimum number of parking spaces required for two-bedroom multi-family (180), but does not exceed the maximum allowed at 150% of the minimum.

The Pine Springs Development proposal largely meets the clear and objective standards of the CT Zone with the exception of building built-to line standards and building orientation to the right-of-way. Both of these standards can be modified through this Master Planned Development application as shown in 14.45.130. No other modifications to Chapter 2 and 3 of the Development Code are requested in this application.

COMMENTS RECEIVED

Comments were received from Damien Gilbert, City of Cottage Grove Engineer on March 31, 2023. These comments are addressed in the staff report in the Exhibits and included in conditions of approval.

A Neighborhood Meeting was held on February 1, 2023 in compliance with Section 14.41.800 of the Cottage Grove Municipal Code. The meeting materials are included in this staff report and shown in Exhibit G.

No other written comments were submitted.

Eric provided a revised list of recommended conditions of approval. These minor revisions are as the provided memo outlines meant to clarify the original conditions of approval and do not alter the findings of fact.

Staff is recommending approval of MPD 1-23 with the revised conditions of approval shown in the memorandum dated April 19, 2023.

IN FAVOR Teresa Bishow spoke on behalf of the applicant. Thanked City Staff for support through the process. Supports the changes listed in the memo. Mentioned that herself, Colin Kelly and Bailey Williams are available for any questions.

NEUTRAL None

AGAINST None

Commissioner Rigel closed public meeting for MPD 1-23 at 7:17 pm, and brought it back to the Commission.

COMMISSION COMMENTS

None

IT WAS MOVED BY COMMISSIONER BURBACK AND SECONDED BY COMMISSIONER GOWING TO APPROVE MPD 1-23 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

VOTE	Commissioner Rigel	Commissioner Burback	Commissioner Munroe	Commissioner Burns	Commissioner Gowing	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X		X	X	X
NAYES							

Motion carries.

7:19 PM Public Hearing for CUP 1-23 Opened

(b) E & M REMODELING & CONCRETE – CONDITIONAL USE PERMIT (CUP 1-23) FOR QUICK VEHICLE SERVICING (GAS STATION). Applicant is seeking to develop a six-pump gas station with convenience store at 77967 (2604) South 6th Street (Map/TL 21-03-04-21-00800). Relevant Criteria: Section 14.44.400 Conditional Use Permit. Applicant: E & M Concrete & Remodeling, 16498 Brown Road, Dallas, OR 97338. Hearing Date: April 19, 2023 at 7:00 PM, Council Chambers and virtually (see www.cottagegroveor.gov for meeting link), Cottage Grove City Hall; 400 E Main Street, Cottage Grove, OR 97424

City of Cottage Grove File(s): CUP 1-23 and SDR 1-23

- Applicant's Application
- Applicant's Narrative
- Site Plan
- Traffic Impact Memorandum, March 31, 2023
- Minutes and information from Community Meeting dated March 15, 2023
- City of Cottage Grove Completeness Correspondence
- Affidavit of Posting
- Affidavit of Notice
- Engineering Comments dated April 6, 2023
- Written Comments submitted by Parker, dated March 15, 2023 and April 18, 2023
- EPUD Comments

Eric Mongan presented CUP 1-23.

Proposal: This Type III Conditional Use Permit application with concurrent Site Design Review (SDR 1-23) application is to construct a six-pump gas station with 2,940 sf convenience store where the current Hillcrest Market is located at 2604 South 6th Street (21-03-04-21-00800). The site location has operated as a convenience store for several decades and previously had a two-pump gas station. That gas station was discontinued in the 1990's. The applicant's proposal included the demolition of the existing structures on the site and a complete redevelopment. The property is zoned C2P Community Commercial and the proposed use of "quick vehicle servicing is permitted per Table 14.23.110 as "Conditionally Permitted Use with Standards (Section 14.23.180), hence this application. Section 14.41.800 requires the applicant to host a noticed neighborhood meeting within six-months of application date. The applicant completed a notice to adjacent property owners within 300' of the development site and completed an on-site posting. The meeting was held on March 14, 2023 and there were three attendees. The notes from that meeting are attached to this staff report.

Per Table 14.23.110 drive-up uses are conditionally permitted and shall meet the standards shown in Section 14.23.180, hence this Type III Conditional Use Permit Application. Following the consideration of this Conditional Use Permit application, CUP 1-23, if approved as proposed or approved with additional/revised conditions the Planning Commission will hold a Public

Hearing on Site Design Review application SDR 1-23, which will review the proposed development for compliance with Chapter 14.23 and Chapters 14.30 through 14.38.

Per Section 14.23.180, the siting of the proposed drive-up shall not be placed between the main building entrance and the right-of-way as shown in the included graphic.

The applicant has proposed the location of the drive-up facility (gas pumps) to be located at the west side of the proposed development between the right-of-way and the entrance to the walk-up retail space located on the eastern half of the development site. There are parking spaces for the retail space located on the north side of the proposed new building with a direct pedestrian connection to the convenience store. The proposed layout does not meet the code standards for location of the drive-up use, however given the constraints of the development site, the adjacent un-incorporated uses of single-family dwellings abutting the subject property to the north, east, and south, and the concerns expressed by the neighbors regarding vehicle movements, including delivery vehicles, the proposed layout is the best use of the development site that also mitigates the impacts to adjacent uses while providing adequate space for vehicle movements. To address pedestrian access to the convenience store from the right-of-way to the entrance of the building the applicant has proposed a raised ADA accessible path from the right-of-way east to the store entrance along the northern boundary of the site. The applicant submitted a Traffic Impact Memo demonstrating vehicle movements and reviewing trip generation to the site. This memo was reviewed by the City Engineer and their comments are included in the Engineering Comments in Exhibit A.

The subject site is adequate for the proposed use and the impacts to adjacent uses is mitigated through the proposed design of the development and conditions of approval such as the requirements regarding lighting, parking, screening and placement of mechanical equipment etc.

COMMENTS RECEIVED

Comments were received from Branch Engineering, City of Cottage Grove Engineer on April 6, 2023. The comments are addressed in this staff report and included in the conditions of approval.

Per Chapter 14.41.800 of the Code, a Neighborhood Meeting was held on March 14, 2023. Minutes submitted by the applicant are included as an exhibit.

Comments were received from Michael and Lizette Parker, 77969 S 6th Street, Cottage Grove, OR 97424 dated March 15, 2023 and where relevant are addressed in the staff report.

Comments were received from Chris Silva, Emerald Peoples Utility District (EPUD), on April 5, 2023.

Additional comments were submitted by Michael and Lizette Parker, 77969 S 6th Street, Cottage Grove, OR 97424, on April 18, 2023. They were received after this staff report was published. They have been provided for your consideration.

Commission read through the comments and concerns submitted by the Parkers. Some of the comments are relevant to this application and some are more relevant to the SDR 1-23 application. Eric addressed that some of the comments are not relevant to the code.

Staff is recommending approval of CUP 1-23 with the recommended conditions of approval and findings included in the staff report.

IN FAVOR Paul Johal spoke about the fuel trucks. They will be coming at night so as to not disturb the neighbors.

NEUTRAL Michael Parker spoke about his concerns, the main one being the large wall on his property line. He is not necessarily against the store. Spoke about access always being a problem. He would like a fence built between the parking and the store. He does not want anyone on his property.

AGAINST None

Commissioner Rigel closed public meeting for CUP 1-23 at 7:37 pm, and brought it back to the Commission.

COMMISSION COMMENTS

Commissioner Burback asked if they could really build right on the property line and wondered how that was possible without having access to property bordering it. It is possible.

The landscape hedge was mentioned. It is on the North side and can be kept as 10% of the lot must have landscaping.

IT WAS MOVED BY COMMISSIONER BURBACK AND SECONDED BY COMMISSIONER SOLESBEE TO APPROVE TO COUNCIL CUP 1-23 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion as follows:

VOTE	Commissioner Rigel	Commissioner Burback	Commissioner Munroe	Commissioner Burns	Commissioner Gowan	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X		X	X	X
NAYES							

Motion carries.

7:40 PM Public Hearing for SDR 1-23 Opened

(c) E & M REMODELING & CONCRETE – SITE DESIGN REVIEW (SDR 1-23)
CONSTRUCT SIX-PUMP GAS STATION WITH 2,940 SF RETAIL STORE. Applicant is seeking approval to construct a six-pump gas station with 2,940 sf retail store at 77967 (2604) South 6th Street (Map/TL 21-03-04-21-00800). Relevant Criteria: Section 14.42.600

Site Design Review Approval Criteria. Applicant: E & M Concrete & Remodeling, 16498 Brown Road, Dallas, OR 97338. Hearing Date: April 19, 2023 at 7:00 PM, Council Chambers and virtually (see www.cottagegroveor.gov for meeting link), Cottage Grove City Hall; 400 E Main Street, Cottage Grove, OR 97424

Eric Mongan presented SDR 1-23

City of Cottage Grove File(s): CUP 1-23 and SDR 1-23

- Applicant's Application
- Applicant's Narrative
- Site Plan
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- Affidavit of Notice
- Engineering Comments dated April 6, 2023
- Written Comments submitted by Parker, dated March 15, 2023 and April 18, 2023
- EPUD Comments

This Type III Site Design Review (SDR 1-23) application is to construct a six-pump gas station with 2,940 sf convenience store where the current Hillcrest Market is located at 2604 South 6th Street (21-03-04-21-00800). The site location has operated as a convenience store for several decades and previously had a two-pump gas station. That gas station was discontinued in the 1990's. The applicant's proposal included the demolition of the existing structures on the site and a complete redevelopment.

The applicant has proposed the location of the drive-up facility (gas pumps) to be located at the west side of the proposed development between the right-of-way and the entrance to the walk-up 2,940 sf retail space located on the eastern half of the development site. There are parking spaces for the retail space located on the north side of the proposed new building with a direct pedestrian connection to the convenience store. To address pedestrian access to the convenience store from the right-of-way to the entrance of the building the applicant has proposed a raised ADA accessible path from the right-of-way east to the store entrance along the northern boundary of the site. The proposed building will be 21' tall flat roof structure with a raised parapet roof and 24' tall parapet at the entrance to the building. The street facing façade meets the build-to standards at 60' or less from the right-of-way at 53'. Other development standards such as building height, lot coverage, glazing, and landscaping are met as proposed and demonstrated in the applicant's submitted plans. The applicant has proposed to build the retail space on the east and south property lines. This is permitted in the C2P Zone. The proposal includes a total of four parking spaces with one space being a van accessible ADA space. The minimum requirement for the code is a total of four spaces (two for the drive-up use and two for the retail space). The applicant submitted a Traffic Impact Memo that was reviewed by the City Engineer. The review of the traffic impact memo is included in the engineering comments. The conditions of approval for CUP 1-23 shall apply to this Site Design Review.

As proposed staff recommends approval of SDR 1-23 with the recommended conditions of approval and findings included in the staff report.

IN FAVOR None

NEUTRAL None

AGAINST None

Commissioner Rigel closed public meeting for SDR 1-23 at 7:45 pm, and brought it back to the Commission.

COMMISSION COMMENTS

Commissioner Rigel asked how the applicant can be meeting code if they are building right on the property line. Eric stated that it is the best use of the lot space with the store being actually a fairly large, full service establishment. Commissioner Rigel also stated that it would be a very neighborly thing to do to build the fence to separate from the neighbors.

IT WAS MOVED BY COMMISSIONER BURBACK AND SECONDED BY COMMISSIONER SOLESBEE TO APPROVE TO COUNCIL SDR 1-23 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion as follows:

VOTE	Commissioner Rigel	Commissioner Burback	Commissioner Munroe	Commissioner Burns	Commissioner Gowan	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X		X	X	X
NAYES							

Motion carries.

INFORMATION FROM STAFF

None

AUDIENCE COMMENTS

None

COMMISSION COMMENTS

None

ADJOURNMENT

There being no further business, Commissioner Ashley Rigel adjourned the Planning Commission meeting at 7:48 p.m.

ATTEST:

Tina MacDonald, Recording Secretary

APPROVED:

Ashley Rigel, Chair