

City of Willamina
Planning Commission
Meeting and Public Hearing
Meeting Minutes
Tuesday April 23, 2024, 6:00 p.m.

Minutes taken by Deputy City Recorder Krystal Stevens

Meeting Location:

West Valley Fire Station
825 NE Main Street
Willamina, OR 97396

Present at Meeting:

Commissioner Jennifer Eckels
Commissioner Eric Wagner
Commissioner Ila Shunter
Commissioner Shana Reid (Acting Chair)
Commissioner Ginny Wymore joined via zoom at 6:35 p.m.
City Planner Holly Byram Mid-Willamette Valley Council of Governments (MWVCOG)

City Manager Bridget Meneley
Deputy City Recorder Krystal Stevens

Absent From Meeting:

Commissioner Chair Susan Richman

Guests Not Limited To:

None

Acting Commission Chair Reid called the meeting of the Willamina Planning Commission to order at 6:07 p.m.

Deputy City Recorder took the roll and a quorum was present.

Flag salute

ADDITIONS, DELETIONS, OR CORRECTIONS- None

CONSENT AGENDA-

Acting Commission Chair Reid called for a motion to approve the Meeting Minutes from Planning Commission Meeting February 27, 2024.

MOTION: Commissioner Wagner motioned to approve the Meeting Minutes from Planning Commission Meeting February 27, 2024. Commissioner Schunter seconded the motion. Motion carried with a unanimous vote.

PUBLIC HEARING

Acting Commission Chair Reid opened the Public Hearing at 6:10 p.m.

Acting Commission Chair Reid read aloud from the provided land use hearing legal script.

There were no objections from the audience regarding the public notice that was published.

Commissioner Wagner declared a conflict of interest being that he is the applicant. Commissioner Wagner recused himself from deciding on the land use files in the meeting, and moved seats to the speaker/applicant seat.

There was discussion regarding the lack of a voting quorum with the recusing of Commissioner Wagner. A fifteen-minute recess followed while the group attempted to reach another commissioner to join the meeting and constitute a quorum in order to avoid having to call another meeting. Commissioner Wymore, who had prearranged to have an excused absence for the meeting, was reached by phone and shortly after joined the meeting via Zoom in order to constitute this quorum at 6:35 p.m.

Commissioner Wymore declared no conflicts of interest and no ex-parte contact with the site.

City Planner Byram explained the staff report.

The land use application is for a partition. If a property is being divided into three or fewer parcels it is a partition, if it is being divided into four or more it is a subdivision. This property is in the R2 moderate density residential zone. The property being reviewed is located at 248 SW Hill Drive in Willamina. The applicant is Eric Wagner. The proposed land use is to partition off pieces of the property in order to create three lots, the other two which will be vacant parcels which are available for future residential development. There is a house that already exists on the property and it will be left intact. A partition does not require a public hearing but this one it is accompanied by two variance applications. This is why a public hearing is being held, to give neighbors a chance to comment. Notice was mailed to the neighbors to alert them to the proposal.

Parcel one is where the original house is located and will be just under 8,000 square feet. Parcels two

and three are proposed to be over 5,000 square feet each. The minimum lot size for this zone is 5,000 square feet. The variances for the application have to do with the shape of the lots. The minimum lot frontage width standard is 50 feet wide, and parcels two and three are proposed to be under 41 feet wide. The other variance is for the normal required depth to width ratio which is 2.5 but the proposal requests a ratio closer to 3. The applicant has set the boundaries of the partition as close to the existing house as possible to make the parcels as wide as possible. He has submitted site plans to show that homes can be placed on these sites and still meet the setback requirements of the R2 zone. Staff is supportive of these variances because the applicant has shown that these lots are using the property as efficiently as possible, given the location of the existing house. The priority is to maintain the existing house and provide additional housing.

Criteria-

1. Access- all new properties require access to a public street. All of these properties have access to SW Hill Drive.
2. Dimensional standards- all of the lots meet the 5,000 square feet minimum. The new lot line meets the five-foot minimum standard for the setbacks.
3. Public facilities- the existing house has water and sewer connections. The two new parcels will be required to have sewer and water connections to the city facilities. When sent to public works, city engineers and fire department for their comments, there were no concerns raised. There was a discussion during the preapplication meeting of whether there was sufficient water pressure for fire flow from the fire hydrant in the location and it was concluded that there was sufficient flow. The city has no concerns about the capacity for adding two more connections to water and sewer.
4. Frontage- there is an existing ditch and culvert along the front of the property. The applicant expects to and is required to enclose the ditch into a culvert for the full frontage of the property. Recommendation to bring the existing drive way into full compliance before platting, meaning paving it from the garage to the street which will help with erosion.

Development standards for land divisions-

Depth to width ratio, access, side lot lines are generally perpendicular to the right of way along the frontage. Standard utility easements are required which will be reviewed when the plat comes to city hall.

Improvement requirements- development pays for itself, meaning developers pay for streets and sidewalks, curbs and gutters etc. Willamina development code has a provision to allow the deferral of public improvements when certain conditions are met. One is the width of the frontage of the property, which in this case is less than 250 feet long. The applicant is eligible to request to defer those public improvements and he intends to do so. City engineers support the deferral with the stipulation that the frontage culvert and the driveway are completed before the city signs the plat for the partition. The city will be applying to receive SCA funding to improve SW Hill drive, and when that happens the applicant will participate in the improvements.

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Both variances are considered major variances. It is an unusual circumstance with the existence of the original house, and no other lot arrangements would work with this property. This is not a situation created by anything the applicant has done previously with the property, he purchased the property this way. He has done his due diligence in participating in a pre-application conference. Staff indicated they would be supportive of these variances with the priority being providing more housing in Willamina.

Recommendation is approval of the requested partition, subject to the conditions of approval.

Conditions of Approval:

1. Variances- both variances must be approved for the partition to be approved.
2. The applicant needs to record the partition in the form of a partition plat.
3. Compliance with the City Engineers comments which are attached to the staff report as exhibit A. These comments are primarily about the culvert, driveway, and the deferral agreement.
4. Improvements timing.
5. Stormwater culvert.
6. Driveway paving.
7. Compliance with development standards.
8. Standard utility easements- for example the front of all new properties has a utility easement for the installation of fiber internet.
9. Fire Department approval- they did not have any concerns about the distance to be able to serve this property from the right of way.
10. Building permits required from Yamhill County in partnership with Polk County.
11. Approval timeline is the standard timeline of one year with the option to extend.
12. Compliance with the conditions of approval shall be the sole responsibility of the applicant.

Option A is the recommended motion from staff.

Planning Commission offered no questions of the staff report.

Applicant presentation- Eric Wagner gave his presentation to the Planning Commission. He reiterated most of what was already covered by City Planner Byram and said he plans to comply with the conditions of approval.

It was discussed that each of the new houses will have their own driveway.

Applicant stated the each of the lots will have a big back yard.

It was discussed that a few trees will be taken down, but they will take down as few as possible.

No public testimony was offered.

No requests to continue the public hearing.

Public Hearing closed at 6:55 p.m.

No further discussion from Planning Commission.

MOTION: Commissioner Eckels motioned to approve concurrent Partition and Major Variance applications as submitted and adopt the findings and conditions of approval recommended by staff in the staff report. Commissioner Schunter seconded the motion. Motion carried with a unanimous vote.

REGULAR AGENDA

1. Planning Commission applications- two applicants applied to fill one position. The two applicants were Jace Kayden Maroney and Gordana Nichols.

It was discussed that one of the applicants was previously on the Planning Commission during the redevelopment of the Willamina Development Code. She did not attend meetings regularly.

There was discussion regarding one applicant having only lived in the community for six months, and whether that is allowed. The city charter was consulted and no ordinance regarding the length of residency was found.

It was discussed that the applicant that was not regular in her attendance previously, would not be the best qualifying applicant between the two. The lack of regular attendance did not show a commitment to the community.

MOTION: Commissioner Wagner made a motion to recommend that the City Council appoint Jace Maroney to fill the vacant position on the Planning Commission. Commissioner Eckels seconded the motion. Motion carried with a unanimous vote.

It was discussed that in the future it might be good to invite the applicants to attend the meeting where their applications are reviewed.

It was discussed that the events of the evening with trying to find a commissioner to make a quorum and the commission chair not attending the meeting were not appropriate and not professional. City Manager Meneley said with permission from the Planning Commission, city staff can have a conversation with the commission chair. She wants to be respectful of the commissioners' time, City Planner Byram's time, and the applicant's time. There is a significant amount of money required to make these meetings happen, and it is very costly to delay them each time, as well as delaying the development process for the applicants.

It was discussed that the cost of the planning process will be important to discuss with new planning commissioners. There was discussion regarding possible trainings for the planning commission through the MWVCOG or the League of Oregon Cities.

City Manager Meneley agreed to speak with the Commission Chair.

MOTION: Commissioner Schunter motioned to adjourn at 7:30 p.m. Commissioner Wagner seconded the motion. Motion carried with a unanimous vote.

The meeting was adjourned by acting Commission Chair Shana Reid at 7:30 p.m.

Time and Date of Next Planning Commission Meeting:

Willamina Planning Commission Meeting May 28, 2024 at 6:00pm
West Valley Fire Station
825 NE Main Street
Willamina, OR 97396

Information regarding the above meeting(s) and Zoom access information can be found on the City of Willamina website at <http://www.willamina.oregon.gov>

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**City of Willamina
Staff Report
FOR THE CITY COUNCIL MEETING OF May 28, 2024**

TO: MAYOR AND CITY COUNCIL

**FROM: BRIDGET MENELEY, CITY MANAGER read by
KRYSTAL STEVENS, DEPUTY CITY RECORDER**

SUBJECT: SWEARING IN OF PLANNING COMMISSION APPLICANT

ISSUE

Shall the City Council swear in Jace Maroney to the Willamina Planning Commission?

RECOMMENDATION:

Staff recommends that Planning Commissioner Chair swear in the Planning Commission applicant, Jace Maroney, to the Willamina Planning Commission.

SUMMARY AND BACKGROUND

The City of Willamina Planning Commission had one vacancy on it's Commission for some months due to the resignation of a previously appointed Commissioner. The Planning Commission reviewed the applications during the Commission meeting held on April 23, 2024 and recommended that Jace Maroney be selected as the candidate to present to the City Council for appointment.

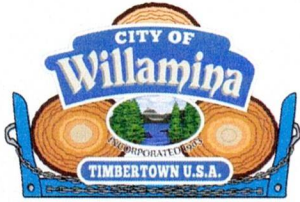
The City Council met on May 14, 2024. The Council accepted the recommendation of the Planning Commission; they moved to appoint Jace Maroney to fulfill the remainder of the Jason Foose's City of Willamina Planning Commsision position, which will expire on December 31, 2024.

Ordinance 643 Section 31.30 further provides that the Commission members shall be appointed by the City Council for terms of up to three (3) years, said terms to end on December 31 of the year of expiration. Terms of Planning Commissioners shall be staggered in order to establish an approximately equal number of expiring terms each year. Commissioners may be considered for reappointment at the discretion of the City Council. Appointees that fill a vacancy on the Commission shall serve for the remainder of the unexpired term.

Proposed Motion:

I move that the Planning Commission continue with the appointment process by the swearing in of Jace Maroney which will be done through an Oath of Office.

Bridget Meneley
Bridget Meneley, City Manager



Mayor Ila Skyberg

Council Members:

Rita Baller, Council President
Craig Johnson
Barry Wilson
Vickie Hernandez
Karl Klym
Jennifer Pederson

City Management:

City Manager: *Bridget Meneley*
Finance Manager: *Scott Clark*
Finance/HR Manager: *Marissa Matias*
Public Works Director: *Jeff Brown*
Library Director: *Sarah Frost*

City of Willamina Planning Commission Meeting Process

- Commission Chair: Call the meeting to order and state the time**
- Commission Chair: Request for roll call**
- Commission Chair: Request everyone to stand for the flag salute**
- Commission Chair: Request agenda additions, deletions, and corrections.**

- Commission Chair: Request approval of the consent agenda**
- State the subject of the consent agenda

Two motions and a vote will be required

- Upon the motion of 1, state – “I have a motion on the floor is there a second?”
- Upon the motion of 2, state – “I have a motion and a second, can I get a vote?”
- Upon a vote of the majority, state - “motion carries”

- Commission Chair: Move to the regular agenda**
- State the subject of the regular agenda

Two motions and a vote will be required

- Upon the motion of 1, state – “I have a motion on the floor is there a second?”
- Upon the motion of 2, state – “I have a motion and a second, can I get a vote?”
- Upon a vote of the majority, state - “motion carries”

- Chair & New Person: Upon the carried motion, the Commission Chair and the new Commissioner will go to the American Flag.**
- The Chair will explain that a few words will be read at a time and the new Commissioner will repeat afterwards.
 - The Chair will request the applicant to raise their right hand.
 - The Chair will move forward with reading the Oath of Office.

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- Deputy City Recorder:** **Please take a picture of the Chair and new Commissioner**
- 1 while they are shaking hands
 - 1 picture with them standing sided by side, holding the Oath in front of them.

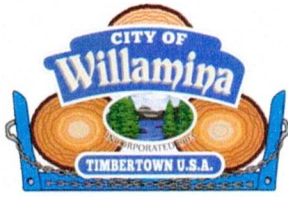
- Chair & New Person:** **Sign the Oath of Office documents**
- One will be for the City Records
 - One will be for the new Commissioner

- Commission Chair:** **Public Hearing**
- Open the Public Hearing by reading through the attached script
 - Close the Public Hearing, when appropriate as outlined on the script

- Commission Chair:** **Will request a motion.**
- Two motions and a vote will be required
- Upon the motion of 1, state – “I have a motion on the floor is there a second?”
 - Upon the motion of 2, state – “I have a motion and a second, can I get a vote?”
 - Upon a vote of the majority, state - “motion carries”

- Commission Chair:** **Public Input**
- Request Public Input from business in the audience for both in person and online.
 - read aloud: Public Input: Presentations not scheduled on the Agenda are limited to three (3) minutes. Longer presentations should be submitted to the City Recorder prior to the meeting.

- Commission Chair:** **Will request a motion to adjourn**
- Two motions and a vote will be required
- Upon the motion of 1, state – “I have a motion on the floor is there a second?”
 - Upon the motion of 2, state – “I have a motion and a second, can I get a vote?”
 - Upon a vote of the majority, state - “motion carries”
- Adjourn the meeting and state the time.



Mayor Ila Skyberg

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Planning Commissioner Roles and Responsibilities

The Planning Commission serves an important role in guiding the development of Willamina's built and natural environments to improve the quality of life for all residents and support a diverse economy.

Primary Staff Contacts:

- City of Willamina Planning Team, planning@ci.willamina.or.us

Planning Commission Description

The Planning Commission is an appointed, seven-member panel that is responsible for making recommendations to the City Council on all legislative land-use and planning matters.

Commissioners serve as vital volunteers, who bring vital community-led solutions and critical oversight to local government.

City Planning requires focus on the physical form, economic functions, and social impacts of the urban environment – and on the location of different activities within it – to promote the public health, safety, and welfare of all community members. Planning involves technical analysis and solutions as well as citizen involvement so that City projects meet the needs and interests of the public.

The roles and responsibilities of the Planning Commission include evaluating new and existing policies and plans that guide and regulate future growth and development in Willamina in a way that furthers the community's existing goals and commitments to sustainability, inclusivity, economic vitality, and livability.

The Planning Commission ensures new policy recommendations are consistent with the City's existing planning policies, and reviews and makes recommendations on all proposed amendments to the Comprehensive Plan, development policies and zoning code. As such, Commissioners are expected to gain in-depth knowledge of applicable City Code provisions.

- The City's Comprehensive Plan is an official statement of the goals, policies, implementation measures, and physical plan for the development of the city.
- The City's Development Code helps the community realize the vision, by regulating the design, uses, and development of land, including residential, commercial, industrial, public facilities, natural and open spaces.
- Master Plans cover one or more distinct areas in the city, providing detailed components for development in those areas. Thus, the Planning Commission's recommendations, at times, include transportation and public transit improvements, including the layout and location of

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streets, sidewalks and bike lanes, improvements to housing conditions, and the establishment of regulations that might apply to specific zones or districts, including building design and landscape standards.

The Comprehensive Plan, City Code, and master plans are periodically reviewed to make sure that they comply with any modified Federal, State, and County standards and policies, and to make sure that they still meet the needs of the community. A legislative review process to amend the City's governing land use documents or to adopt a new Plan is first undertaken by the Planning Commission, which then makes a recommendation to the City Council. Throughout this process, citizens are invited to participate.

Given the important role of the Planning Commission, the City seeks to appoint membership that accurately represents the diversity of Willamina's population. Planning Commissioners represent the citizenry and work directly with members of the community. Diversity within the Commission is critical to ensure that City policies, programs and services serve people of every race, ethnicity, gender, sexual orientation, religion and ability.

The Planning Commission may include no more than two non-resident members. To be considered, a non-resident must work, operate a business or own property within Willamina, Oregon and provide relevant expertise.

Members of the Planning Commission typically serve a term of three years; those appointed to replace a Commissioner who vacates a seat are appointed until the conclusion of the existing term.

Planning Commissioners are expected to attend all Planning Commission meetings and to devote time for study of relevant issues prior to each meeting. Commissioners receive staff support from the contracted City Planner, Contract Engineers, Public Work Director, and City Planning team, which provides in-depth reports and supporting material for Commissioners to review.

We seek a diverse group of individuals that, collectively, have the following skills and qualifications:

- A history of working successfully within a consensus-building framework.
- An ability to establish, maintain, and foster positive working relationships and work constructively with people having significantly differing perspectives.
- Skills to address difficult or contentious issues in a constructive manner.
- Sufficient engagement within Willamina to understand the special and valued attributes of our community, neighborhoods, people, and businesses.
- A willingness to engage fully in long-term policy discussion and development, understanding that the outcomes may not occur or become apparent until years in the future.
- The desire to seek out answers to questions first; an ability to listen, understand, and clarify to gain understanding of the issues and policies at hand. An ability to read English-language text and review information provided by staff in preparation of meetings.
- Critical thinking, using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions, or approaches to problems, considering the impacts of potential actions, and making sound recommendations.
- Effective communication and community-building skills; an ability to represent ideas and recommendations clearly in public at both formal hearings and informal events.
- Experience incorporating the perspectives of multiple communities, in the consideration of impacts and outcomes of a decision-making process.

- Experience presenting to / working directly with people from diverse racial, ethnic, and socioeconomic backgrounds. Ability to respond to issues and concerns of the public and City Council.
- Ability to speak a second language.
- An understanding of the concepts of institutional and structural racism and bias and their impact on underserved and under-represented communities.
- Knowledge of (professional, educational, or volunteer experience in) urban planning, architecture, public policy or administration, geography, environmental sciences, or a closely related field of study.
- Knowledge of comprehensive planning and/or the development process; prior experience serving on a board or commission in the City or elsewhere.
- Knowledge of the legislative process and/or applicable Federal, State, and local laws, codes, and regulations.

Meeting Schedule

Evening: 6 pm – until meeting conclusion (typically one – 2 hours)
 Day of the week: Tuesday
 Date range: The fourth (4th) Tuesday of each month
 Volunteers needed: Total 7 person commission panel
 Hours needed: Dependent on Meeting Agendas (typically 2-4 hours including meeting)
 Term: Three year term, unless fulfilling the completion of term

In closing, thank you to all the Planning Commissioner's for their willingness to dedicate their time and being committed to assist with the land use process while providing guidance with the navigation of future growth & development in the City of Willamina.

Many of the City staff have grown up, left, returned, or have lived in the area for many years. Please know we are building a tremendous team. As with each of you, we are very passionate about creating trusting relationships with our community and collaborating agencies.

Planning Commission meetings are traditionally held on an as needed basis; if we have a land use application that requires of the Planning Commissions approval, a meeting is required. Regular meetings and Public hearings are very costly to the applicant(s) and to the City. Without a quorum, the meetings and/or Public Hearings need to be continued to a future date - incurring costly financial impacts due to the prices of additional publications, neighbor notices, staff time for both the City & the COG, and create significant financial impact due to delays for the Developer.

We never want to mistakenly create a false perception that could potentially jeopardize the integrity of the Planning Commission. Thank you again to all of you who are just beginning their journey as a public servant to the City of Willamina and to those who continue to be dedicated to the future development and growth of our beautiful community.

Thank you,

Bridget Meneley
 Bridget Meneley
 City Manager

STAFF REPORT TO THE WILLAMINA PLANNING COMMISSION

I. BACKGROUND

MEETING: Tuesday, May 28, 2024

FILE: #SDR 23-02 and #CUP 23-01 "B&B Auto Service"

OWNER/APPLICANT: Brian O'neil

PROPOSAL: **Conditional Use Permit approval to operate an automotive repair service business in the C1 – General Commercial Zone, and concurrent Site Plan Review approval to convert an existing warehouse shop structure with five overhead bay doors into a new automotive repair business with an office, waiting room, paved parking, landscaping, etc. Vehicles may be stored behind (north of) the building abutting nearby residential. The large gravel lot zoned R3 – Medium Density Residential is only proposed to provide an access easement to the rear of the new business, and will not be developed at this time.**

PROPERTY: 220 NW Main Street (existing building).
Note: there are three properties at this location.

CRITERIA: Willamina Development Code, Sections: 2.104 C1-General Commercial Zone, 2.200 – 2.209 General Development Standards, 2.308 Vehicular Sales Service and Related Uses, 3.103 Conditional Use Permits, 3.105 Site Plan Reviews.

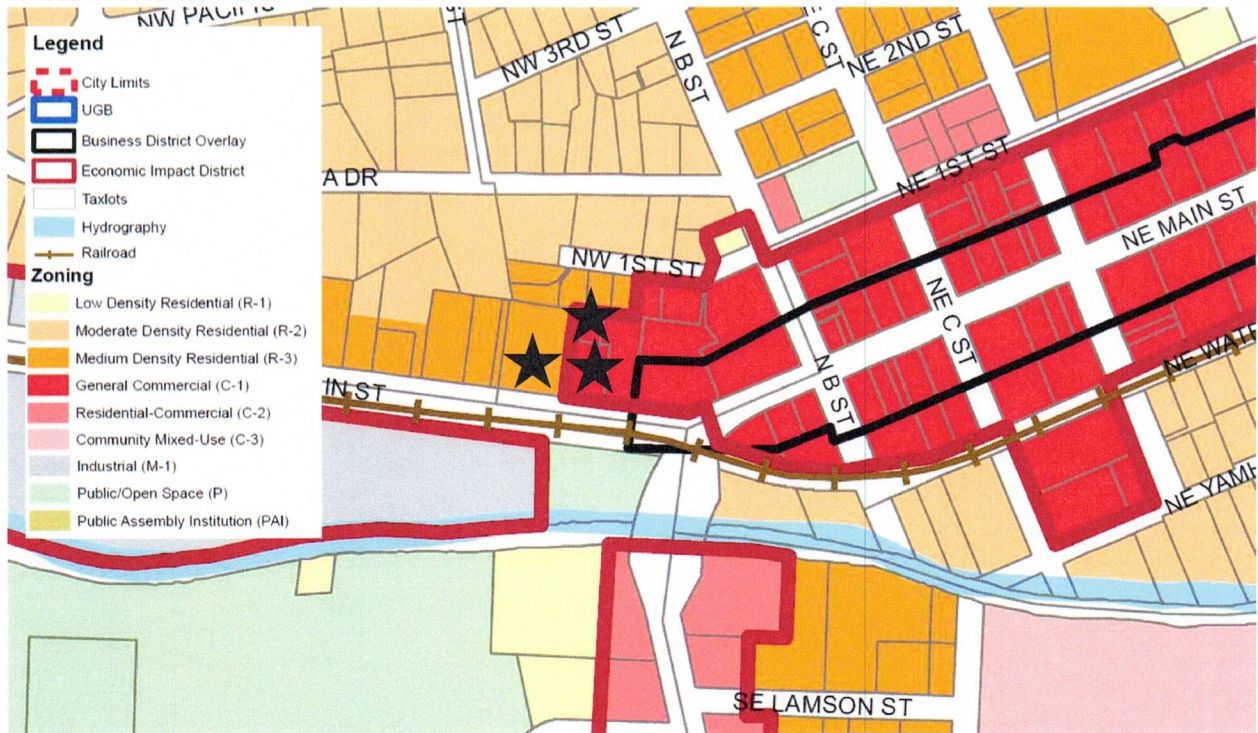
II. LAND USE APPLICATION PROCEDURES & FILE TIMELINE

Pursuant to Willamina Development Code procedures (WDC 3.101.02), a Site Plan Review is a Type I-B ministerial action reviewed by the Planning Commission, based on generally clear and objective standards, with public notice, but no public hearing required. A Conditional Use Permit is a Type II action; a quasi-judicial review in which the Planning Commission applies a mix of objective and subjective standards that allow discretion, with public notice and a public hearing. Land use applications submitted concurrently may be considered and decided consistent with the higher type. In this case that is the Type II procedure.

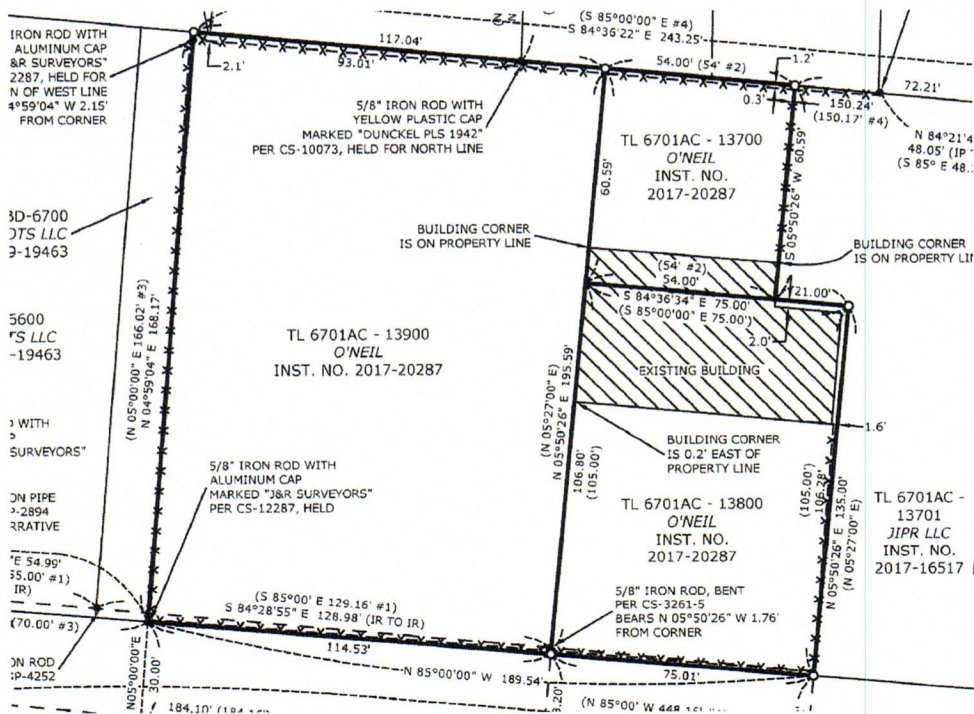
The concurrent applications were initially submitted with a check received October 30, 2023. The applications were deemed incomplete in a letter to the applicant dated November 29, 2023. The applicant submitted a revised application package with significantly more detailed information and responses to the decision criteria on March 11, 2024. The concurrent applications were then deemed complete for the purposes of scheduling a hearing by the Planning Commission.

III. REFERENCE MAPS & PLANS

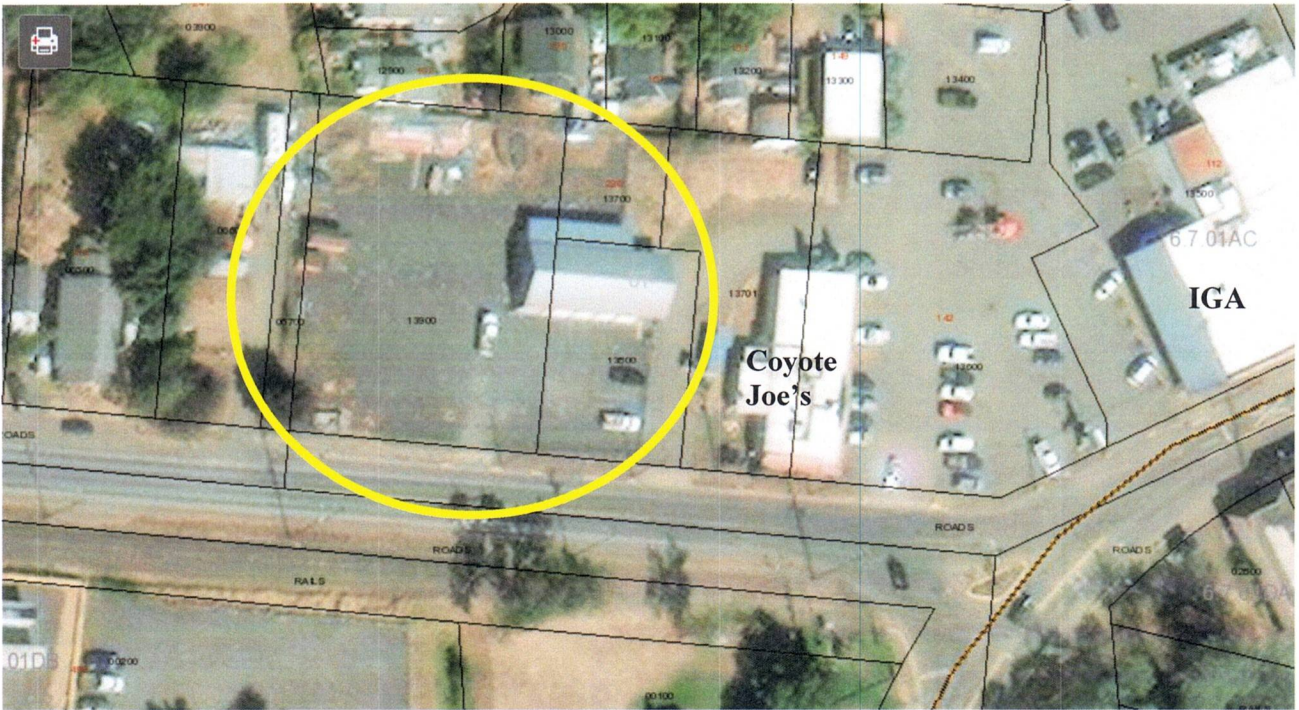
A. VICINITY & ZONE MAP



B. EXISTING CONDITIONS SHOWING LOCATION OF BUILDING AND BOUNDARIES (Cropped to zoom)



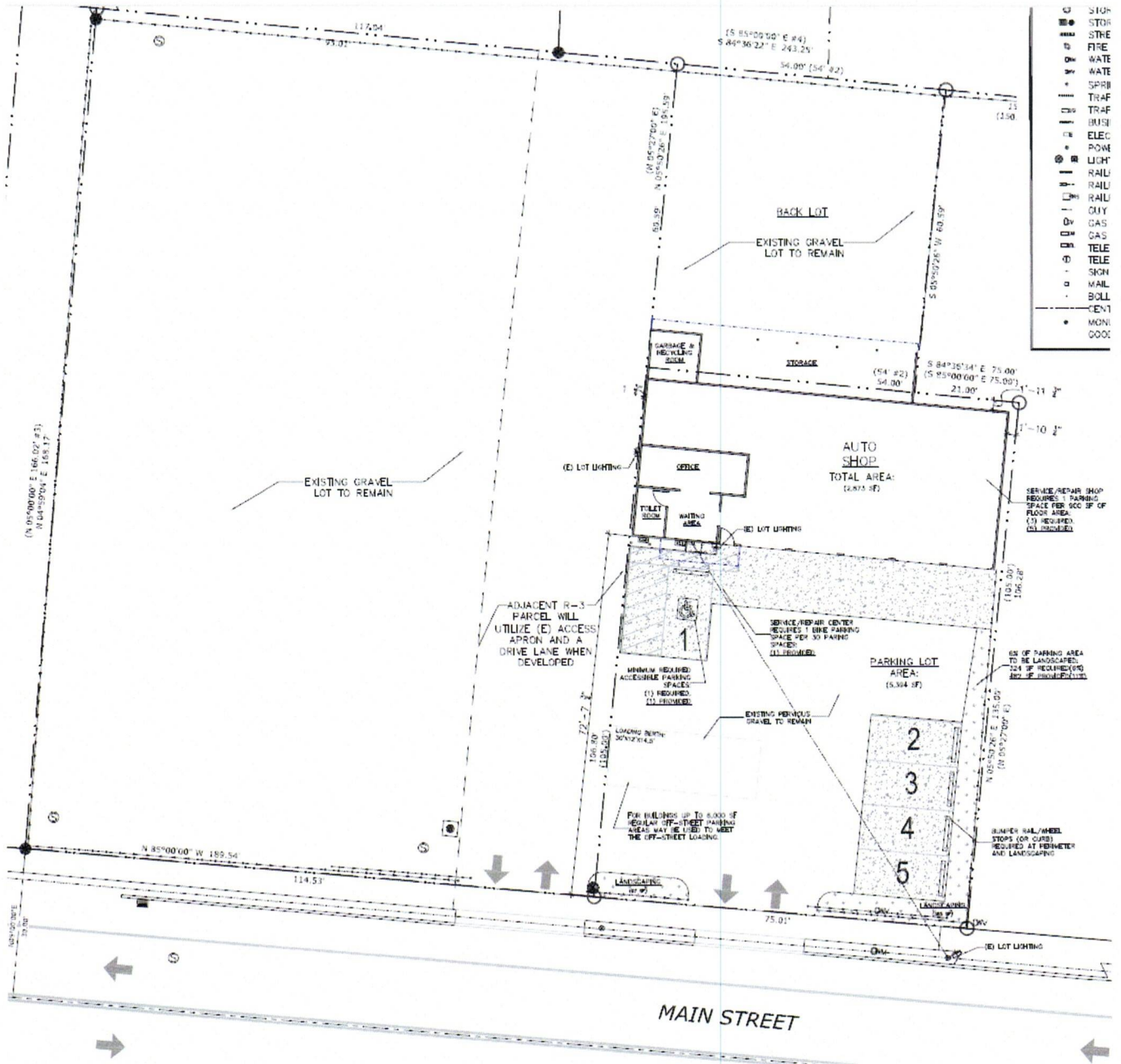
C. EXISTING CONDITIONS AERIAL IMAGE. Source: Yamhill County GIS, 2024. Note: image offset.



D. EXISTING CONDITIONS STREET VIEW. Source: Google, 2024



D. PROPOSED SITE PLAN SUBMITTED BY APPLICANT (cropped to zoom)



IV. ANALYSIS OF DECISION CRITERIA & DEVELOPMENT STANDARDS

The purpose of this section is to provide the Willamina Planning Commission a summary of the applicable sections of the Willamina Development Code (WDC) and findings related to the submitted application materials.

3.105 SITE PLAN REVIEW

3.105.6 Evaluation of Site Development Plan

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

- A. Compliance with the Permitted Uses section of the applicable zone district, or Conditionally Permitted Uses section with an approved Conditional Use Permit.*

FINDINGS: The applicant initially approached City Hall for a business registration application for a new automotive service/repair shop in the existing building. Consistent with WDC 2.104.06, "All new development and expansion of an existing structure or use in the General Commercial District shall be subject to the Site Development Review procedures of Section 3.105." It was at this time the applicant was notified that a land use review was required.

The project site is composed of three properties, referenced as tax lots 13700, 13800, and 13900. Together, these contiguous properties are split zoned. The large gravel lot on the west side is zoned for R3 Medium Density Residential, but it is not proposed to be developed with this application beyond a vehicular access easement, allowing the auto repair shop to access the rear of the building. The other two properties are zoned C1 – General Commercial. The applicant reports that the site "was a storage yard and vehicle service building for the city, prior to becoming a construction storage yard and service building.

Standards for new development and expansions in the C1 zone are found in 2.104 of the Willamina Development Code (WDC). The purpose of the C1 General Commercial zone is "To provide areas for a wide range of retail, wholesale, transportation, and service uses along Highway 18. To assure compatibility between these uses and adjacent residential and industrial uses, special design standards are specified."

The subject property is located inside the Economic Impact District (EID), but just outside the Business District Overlay (BDO). There are no implications to land use criteria from the EID. Pursuant to WDC 2.104.03, "Automobile service stations" are listed as conditionally permitted uses, allowed to be located in the C1 zone only with an approved conditional use permit (CUP), subject to the development provisions in WDC 2.308. The purpose of the CUP procedure is to allow an additional layer of notice, review, and comments from neighboring property owners to ensure that the proposed use does not have adverse impacts to the district. This is the reason for the concurrent CUP application.

The building located on tax lot 13800 is reported to be 2,873 SF, and is addressed as 220 NW Main Street. The footprint and shell of the building is existing, so no changes are proposed to either the

setbacks or height with these applications. The building is surrounded on all sides by gravel lots. Site improvements such as parking, paving, and landscaping are required, and discussed below.

It is not known at this time what the current building occupancy classification is. Staff has included a recommended condition of approval requiring the applicant to confirm with the Yamhill County Building Department that the current building occupancy is consistent with the proposed business.

B. Conformance with the General Development Standards contained in this Ordinance including:

1. Streets

FINDINGS: Upon receipt of the resubmitted application package, staff circulated a request for comments to City departments and partner agencies. The Oregon Department of Transportation (ODOT) confirmed that this section of NW Main Street was not within their jurisdiction. The street is within City jurisdiction for the purposes of construction standards and permitting procedures, where required.

The recently-updated Willamina Transportation System Plan (TSP) 2022 contains a map of street classifications. This section of NW Main Street is classified as a "Minor Arterial." With that designation comes adopted street right-of-way widths and cross section widths for sidewalk, curb, gutter, planting strips, parking lane, bike lanes, driving lanes, etc. Available survey maps show an existing right-of-way width of 60 feet. The current width meets or exceeds the minimum width for a minor arterial. Consequently, no additional right-of-way is required to be dedicated with this development. This section of NW Main Street is paved and there are existing curbs and sidewalks along the frontage of the subject property. The sidewalks and driveway drops are in varying states of disrepair. The City Engineers commented that they have the authority to inspect the existing conditions to determine which sections, if any, are required to be replaced with this development. The purpose of replacement would be both to restore the integrity of facilities abutting the public right-of-way as well as to protect pedestrian safety. Further, it is the City Engineer's recommendation that the new/replacement sidewalk be constructed to match the existing width, rather than to replace to full 6-foot standard.

This standard can be met through the applicant's compliance with the recommended conditions of approval related to streets and access.

2. Off-street parking

FINDINGS: Off-Street Parking and Loading Standards are provided in WDC 2.203. Specifically, the minimum required parking ratios provided in WDC 2.203.05. "N. Service or repair shop, retail store handling exclusively bulky merchandise such as automobiles and furniture - 1 space per 900 s.f. of floor area." Using the building size of 2,873 SF and rounding up, the development is required to provide a minimum of four (4) vehicle parking spaces, at least one of which would meet ADA standards, consistent with WDC 2.203.06. The site plan shows four standard parking spaces and one ADA space near the front door. The parking spaces have bumper wheel stops.

Pursuant to WDC 2.203.08(A) *Surfacing*, all driveways, parking, and loading areas shall have a durable, hard surface. Further, parking spaces shall be a minimum of 9 feet wide by 18 feet in length, and two-way driveways shall be paved a minimum width of 20 feet. Not all portions of the front or rear parking lots are proposed to be paved on the submitted site plan. These standards are included as a recommended condition of approval.

WDC 2.203.11 *Bicycle Parking* is required for commercial development at the ratio of 2 spaces per primary use or 1 per 5 vehicles, whichever is greater. Two spaces are required. A standard inverted 'U' or "staple" style bike rack can accommodate 2 bicycles each. Subsection (C) details bike rack dimensions and location. Compliance with this section is included as a recommended condition of approval.

There is an additional section of the Willamina Development Code which applies to the proposed development due to the nature of the vehicle-oriented new business.

2.308 MANUFACTURED HOME, TRAILER, AND VEHICULAR SALES, SERVICE AND RELATED USES

2.308.1 Scope

The provisions of this Section shall apply to the following uses:

A. Automobile service stations;

2.308.2 Standards

In addition to other development standards established elsewhere in this Ordinance, the following standards shall apply to the development of the uses listed in Subsection 2.308.01, above.

A. All parking areas, loading areas or areas used for storage of boats, automobiles, manufactured homes, recreational vehicles, trucks, trailers, motorcycles or other vehicles shall be paved with a concrete or asphalt surface.

B. The lot shall be screened from adjoining residentially zoned properties in accordance with the provisions of Section 2.207.

C. When not displayed for public sale, all merchandise and supplies, other than vehicles, manufactured homes and trailers, shall be stored within a building.

D. All applicable permits from the state and federal must be obtained prior to development.

Ongoing compliance with the standards listed above is the responsibility of the applicant. Staff has included these standards as recommended conditions of approval.

This application can be found to meet these standards through compliance with the recommended conditions of approval related to off-street parking.

3. Public facilities, including storm drainage, and, utility lines and facilities

FINDINGS: Within the Willamina Development Code, storm drainage is addressed in 2.204 *Storm Drainage*, and utilities are addressed in 2.205 *Utility Lines and Facilities*. The submitted plan set was reviewed by the City Engineer, Public Works Director, and the Fire District. There are existing connections to City utilities at this site. No additional connections or upsizing is proposed or required. The City Engineer comments require the applicant to comply with the City's adopted stormwater standards. The application can be found to meet these standards through compliance with the recommended conditions of approval.

4. Signs

FINDINGS: The application package indicated that the applicant would be replacing the face of the existing wall sign attached to the building. No new signs are proposed, reviewed, or approved with this application. A face change is permitted outright without additional review. All other signs are subject to the City sign standards found in WDC 2.206.

5. Site and landscaping design

FINDINGS: The applicant's resubmitted site plan shows landscaping strips along the front of the property abutting Main Street, as well as the east side of the parking area. Additional detail is needed to confirm compliance with the adopted standards.

Pursuant to WDC 2.104.06 C1 Zone Development Standards (E), *"All development in the General Commercial District shall provide a minimum landscaped area equal to 10 percent of the gross site area. Landscaping improvements shall be installed and maintained in accordance with Section 2.207 of this Ordinance.*

While somewhat redundant with the standards in the subsequent section addressing screening, WDC 2.203.010 'Parking Lot Landscaping and Screening Standards' specifies that *"Parking abutting a property line should be screened by a three (3) foot landscaped strip. Where a buffer between zones is required, the screening should be incorporated into the required buffer strip, and will not be additional requirement."* Screening is required for outdoor storage areas, and where a commercial use abuts a residential zone, a six-foot sight obscuring fence or wall shall be installed along the full length of the property line.

Staff has included a recommended condition of approval requiring compliance with WDC 2.207 Site and Landscaping Design.

C. Drainage and erosion control needs;

FINDINGS: The application states “Existing parking lot is being minimally impacted with improvements. The perimeter planting beds are at the bottom of the sloped lot, will catch and filter surface sheeting stormwater not being directed to the existing catch basin by warped gravel lot.”

D. Public health factors;

FINDINGS: Generally public health factors relate to municipal water and sewer connections. These have been previously discussed. There are no additional concerns related to public health.

E. Traffic safety, internal circulation and parking;

FINDINGS: The subject properties have two existing driveway drops onto NW Main Street; one to the C1 commercial property and the other to the R3 residential property. The applicant states that the rear (north) side of the existing building may be used for overflow vehicle storage/parking. That commercial property is currently landlocked, as it does not appear to have legal access to the public street right-of-way. For this reason, the applicant will need to record an access easement across the R3 property to ensure that the rear lot retains legal access, should the R3 property change hands. Alternatively, the applicant could perform a lot consolidation to combine the two commercial properties. A recommended condition of approval is included requiring the applicant to demonstrate an easement is recorded between the properties.

F. Provision for adequate noise and/or visual buffering from non-compatible uses;

FINDINGS: More than one section of the Development Code addresses screening and buffering standards, including WDC 2.203.08 Parking and Loading Area Development Requirements and 2.2.203.10 Parking Lot Landscaping and Screening Standards. Specifically,

“Screening: When any commercial, industrial, or public development’s parking or loading area is within a residential zone or abutting a residential use, such parking or loading area shall be screened from all residential properties and uses with an ornamental fence, wall, or hedge a minimum of six (6) feet in height. Along alleys, the fence, wall, or hedge shall be a minimum of four (4) feet in height.”

And

“Screening Abutting Property Lines: Parking abutting a property line should be screened by a three (3) foot landscaped strip. Where a buffer between zones is required, the screening should be incorporated into the required buffer strip, and will not be additional requirement.”

And

“Screening. Screening shall be required for the following: 1. All outdoor storage areas, except for merchandise displays, shall be screened by a six- foot sight-obscuring fence or wall.”

And

“Where a commercial use abuts a residential zone, a six- foot sight- obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the clear-vision area.”

The submitted site plan shows the garbage and recycle receptacles are enclosed in the rear of the building. The site plan can be found to comply with the screening and buffering standards through the applicant's compliance with the recommended conditions of approval regarding parking lot perimeter landscaping and screening fence along the rear vehicle overflow parking/storage area.

G. Retention of existing natural features on site; and

FINDINGS: There are no documented natural features existing on site. All three properties under common ownership are graveled with a chain link fence around the perimeter. This standard does not apply.

H. Problems that may arise due to development within potential hazard areas.

FINDINGS: The property is not located within a mapped FEMA floodplain, nor are there steep slopes on site. No potential hazard areas are identified with this application.

I. Connectivity of internal circulation to existing and proposed streets, bikeways and pedestrian facilities.

FINDINGS: The City Engineer comments observed that frontage sidewalk and existing driveway drops onto NW Main Street are aging. Some portions are cracked and may need to be replaced because they are unsafe for pedestrian, bicycle, and/or vehicle access. Those improvements within the public right-of-way would be subject to City of Willamina Public Works standards, procedures, permits, and inspections.

3.103 CONDITIONAL USE PERMITS

3.103.3 Criteria for Approval

Conditional Use Permits shall be approved if the applicant provides evidence substantiating that all the requirements of this Ordinance relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

A. The use is listed as a conditional use in the underlying district.

FINDINGS: The site is composed of multiple properties under common ownership. The larger western property is zoned R3 – Medium Density Residential. No development is proposed for the R3 zoned property. The two smaller properties where the existing building is located are zoned C1 General Commercial zone. An automotive service station is listed in the conditionally permitted uses of the C1 zone. This criterion is met.

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

FINDINGS: The two smaller properties are developed with an existing shop building, and the applicant's site plan appears to demonstrate that it is feasible for the properties to be brought into compliance with the City's adopted development standards, including but limited to paved parking, landscaping, and stormwater standards. These have already been discussed in detail.

C. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use.

FINDINGS: The proposed new business takes access from NW Main Street, which is a developed public street in city jurisdiction. The existing building has utility connections in place to city water and sewer. Neither Public Works nor the City Engineers expressed concern about the City's ability to serve this business. The City Engineer comments are attached in Exhibits. They identify the aging sidewalks and driveway drop along the property frontage are aging and cracked; sections may need to be replaced. This can be met by the applicant through compliance with the recommended conditions of approval. No other capacity concerns were identified.

D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.

FINDINGS: The subject properties are located within the main commercial corridor of the community; adjacent to a mix of commercial and residential properties. The Willamina Development Code provides for screening and buffering to minimize impacts to abutting residential where possible. Landscaping around the perimeter of the front parking lot and screening of the rear overflow parking area with a six-foot sight-obscuring fence are included as recommended conditions of approval, consistent with those applicable code sections. Once the site improvements are developed, the new business is not expected to negatively impact the character of the surrounding area.

E. The proposal satisfies any applicable goals and policies of the Comprehensive Plan which apply to the proposed use.

FINDINGS: The purpose of the Willamina Development Code is to implement the Willamina Comprehensive Plan. The Comprehensive Plan generally contains policies about the city's goal to support a diverse and successful local economy, including a variety of small businesses which provide services and jobs for local residents.

F. The authorization of such conditional use will not be materially detrimental to the public health, safety and welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

FINDINGS: The application package states "The proposed auto service business is similar to previous uses allowed to conduct business and with the proposed improvements to the site and building will improve its appearance and fit into the objectives of the City plan or policy."

Staff finds that after the replacement of any potentially dangerous sections of frontage pedestrian sidewalk, paved driveways to prevent gravel from impacting the public right-of-way, perimeter landscaping around the front parking lot, and screening against the abutting residential properties in the rear, no detrimental impacts are expected to result from the Planning Commission authorizing the proposed conditional use.

V. STAFF CONCLUSION AND RECOMMENDATION

After consideration of the submitted land use application materials as well as the applicable standards, staff finds that the concurrent Site Plan Review and Conditional Use Permit can be made to comply with the applicable development standards and decision criteria. Staff recommends that the Planning Commission APPROVE the two concurrent applications and ADOPT the findings and recommended conditions of approval contained in this staff report.

NOTE: Due to late nature of the staff report, if any party requests additional time to review the application and staff report materials, the Planning Commission is obligated to grant a continuation of the first hearing. For this reason, a motion to continue is highlighted below.

VI. RECOMMENDED CONDITIONS OF APPROVAL

1. **CONDITIONAL USE.** Site Development Review file #SDR 23-02 shall only be approved with the concurrent approval of Conditional Use Permit # CUP 23-01 for an automotive service shop to be located at 220 NW Main Street.
2. **SITE IMPROVEMENTS.** Conditional Use Permit file #CUP 23-01 shall only be approved with the applicant's satisfaction of the concurrent Site Plan Review conditions of approval to mitigate potential impacts to abutting properties, and public improvements.
3. **REVISED SITE PLAN.** Applicant shall submit a revised site plan for City review and approval demonstrating compliance with the adopted conditions of approval.
4. **CITY ENGINEER COMMENTS.** Applicant shall demonstrate compliance with the City Engineer comments, attached in Exhibit A and memorandum.
5. **FRONTAGE SIDEWALK & DRIVEWAY REPAIR.** Consistent with the City Engineer's comments, applicant shall replace sections of sidewalk and driveways deemed to be detrimental to public safety and/or the public street right-of-way.
6. **PARKING LOT PAVING.** Pursuant to WDC 2.203.08(A) 'Surfacing' and WDC 2.308, all driveways, parking, loading, and vehicle storage areas shall be paved. Further, parking spaces shall be a minimum of 9 feet wide by 18 feet in length, and two-way driveways shall be paved a minimum width of 20 feet.

7. WESTERN DRIVEWAY APRON. If the western driveway from the R3-zoned property is to be used as a secondary access point, applicant shall pave a minimum of 20-foot length driveway apron back onto the property to mitigate the amount of gravel entering the right-of-way.

8. ACCESS EASEMENT. To prevent the rear C1 property from being land-locked, the applicant shall provide to the City a copy of a recorded access easement granted from the R3-zoned property to both smaller C1-zoned commercial properties, allowing access to the rear of the existing building and site circulation through both driveways.

9. LANDSCAPING. On a revised site plan, applicant shall demonstrate compliance with the landscaping standards of the C1 zone and WDC 2.207 Site and Landscaping Design. Specifically, a minimum of 10% of gross site area (to include both C1-zoned properties, but not the R3-zoned property), and a minimum of 3-foot landscaping perimeter around the parking lot(s). If planted, stormwater detention areas may be counted toward overall landscaping count.

10. STORMWATER. Applicant shall coordinate with City Engineers for stormwater plan approval.

11. SCREENING. Applicant shall screen rear vehicle overflow parking area from abutting residential properties with a six-foot tall sight-obscuring fence along the rear property line, in accordance with WDC 2.207.

12. BICYCLE PARKING. Pursuant to WDC 2.203.11, two bicycle parking spaces are required. A standard inverted 'U' or "staple" style bike rack can accommodate 2 bicycles each. Subsection (C) details bike rack dimensions and location.

13. OCCUPANCY. Applicant shall confirm that the building occupancy on record with the Yamhill County Building Department is consistent with the proposed business. A change of occupancy may be required. The first step would be a Building Compliance Application submitted to the City of Willamina.

14. CAR WASH. No vehicle wash is proposed or approved for this site.

15. R3 PROPERTY. No development is either proposed or approved for the large gravel property zoned R3 residential. Outdoor storage or display of vehicles, equipment, or materials is not a permitted land use in the R3 zone.

16. SIGNAGE. No new signage is reviewed or approved with these applications. All new signage is subject to WDC 2.206 standards and procedures.

17. VISION CLEARANCE. Pursuant to WDC 2.209.08, maintenance of the front driveway vision clearance area shall be the ongoing responsibility of the applicant.

18. CONDITIONAL USE PERMIT. CUP approval shall apply to the specific business and site plan submitted with these concurrent applications. CUP approvals are not transferable between properties or applicants.

19. LAND USE APPROVAL TIMELINE. Pursuant to WDC 3.105.08, Site Plan Review approval shall be effective for a period of one year from the date of approval. Substantial construction of the approved plan shall begin within the one (1) year period. Site Plan Review approval shall be voided immediately if construction on the site is a departure from the approved plan. Substantial conformance, as defined in Section 1.200, is determined according to Section 1.101.05. Time extensions may be granted subject to the criteria and procedures of WDC 3.105.08(C).

VII. PLANNING COMMISSION OPTIONS


- A. Motion to APPROVE concurrent land use files, Conditional Use Permit #CUP 23-01 and Site Plan Review #SDR 23-02 as submitted, and adopt the recommended findings and conditions of approval contained in the staff report; or
- B. Motion to APPROVE concurrent land use files, Conditional Use Permit #CUP 23-01 and Site Plan Review #SDR 23-02 as submitted, and adopt the recommended findings and conditions of approval contained in the staff report, AS REVISED by the Planning Commission (stating desired revisions); or
- C. Motion to DENY Conditional Use Permit # CUP 23-01 and/or Site Plan Review #SDR 23-02, with revised findings supporting denial, as detailed by the Planning Commission; or
-  D. Motion to reopen and CONTINUE the public hearing on the concurrent land use files to the next regular meeting of the Planning Commission on Tuesday, June 25, 2024, (indicating specific additional information needed to allow for a future decision, if any).

EXHIBIT A

CITY ENGINEER COMMENTS:

SEE ATTACHED MEMO FROM KELLER ASSOCIATES.

Thu 5/23/2024 2:34 PM

Hi Holly,

I've discussed your questions with Peter. Our recommendation is to replace the sidewalk without widening it to the 6-foot standard. If we were to widen the sidewalk, we'd likely need to remove the small planter strip that currently acts as a buffer between the highway and the sidewalk, as well as provides space for utility poles and water meters. As City Engineers, we have the authority to assess the condition of the sidewalks and determine whether replacement is necessary.

Regarding the driveway apron for the R3 zoned yard, we do share your concern about gravel being dragged into the street ROW. We would recommend extending the paved driveway apron further into the yard than the existing to prevent excess gravel from entering the ROW.

Additionally, regarding the existing sewer and storm connections, they should be of sufficient size for the location and proposed use. It shouldn't be necessary to install an oil-water separator, as they've stated that they will slope the surface runoff to the planter beds for detention and filtration. Jeff, please chime in if you disagree or would prefer them to have an oil-water separator.

Please let us know if you have any further questions or need additional clarification.

Thanks,

AUSTIN EMERICK

Keller Associates, Inc.

EXHIBIT A

City Engineer Recommended Conditions of Approval

May 20th, 2024

Project: 220 NW Main CUP
Owner: Brian & DeAnn O'Neal
Zoning: C-1
Tax Lot: TL 6701AC-13800 & 6701AC-13700
Client: City of Willamina

The following comments are recommended conditions of approval for the Ridgeview Subdivision:

- **General**
 - Back of lot 13700 which abuts residential lots 13000 and 13100 to be screened with a sight obscuring fence per 2.104.6F & 2.308.2B.
- **Off Street Parking & Loading- 2.203**
 - Loading berth is to be paved with a durable hard surface per 2.203.8A & 2.308.2A, gravel is not sufficient.
 - Any areas used for storage of automobiles, recreational vehicles, trucks, trailers, motorcycles, or other vehicles shall be paved with a concrete or asphalt surface per 2.308.2A
- **Storm Drainage - 2.204**
 - Property is required to meet all stormwater quality and detention requirements outlined in section 2.204.
- **Streets and Frontage Improvements - 2.202**
 - Sidewalk and driveways are in disrepair and need to be brought up to city standards per 2.202.3F

City of Willamina
411 NE "C" Street
PO Box 629
Willamina OR 97396
Telephone: 503-876-2242
Fax: 503-876-1121
ci.willamina.or.us

REC'D MAR 11 2024

EXHIBIT B
PLANNING APPLICATION
FORM

Property Address: 220 NE Main Street-Willamina, OR 97396

Assessor's Map & Tax Lot Polk Yamhill

Tax Lot(s) TL 6701AC-13800 & TL 6701AC-13700

Zoning General Commercial (C-1)

Project Type (Please check all applicable):

- Annexation
- X Conditional Use
- Home Occupation
- Lot Line Adjustment
- Non-Conforming Use
- Partition
- Signs
- Similar Use
- Subdivision and Planned Unit Development
- Variance
 - Minor
 - Major
- Zone Change
- Other:

Size of the Project (# of units, lots, sq. ft., etc.): Two Lots
11, 262 square feet; building 2,873 square feet

Attachments:

- (4) folded Maps/Site Plan to scale (if larger than 11" x 17")
- (1) 8 1/2" x 11" reduced copy of site plan
- Written Narrative/Response to Criteria
- Power of Attorney (if applicable)

Description of Request

(include name of project and proposed uses)

B&B Automotive Convert existing shop and lot to automotive service and repair

(For Office Use)

COMPLETE PER: Engineering _____
(Req'd Zn Chg, SPR, & Land Divisions)
Planning _____

Property Owner: Brian & DeAnn O'Neal
Address: 39195 SW Oak Lane- Willamina OR 97396
Phone: 503.991.0237

Applicant: Brian O'Neal
Address: 39195 SW Oak Lane- Willamina OR 97396

Phone: 503.991.0237

Authorized Representative (if different from applicant):

Address: _____

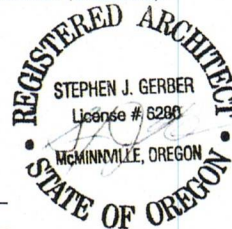
Phone: _____

Surveyor or Engineer or Architect(if applicable):

Gerber Architect, llc / Stephen Gerber
Address: 9340 SW Youngberg Hill Road - McMinnville
OR 97128

Phone: 503.459.7737

CERTIFICATION: I hereby certify that the information on this application is correct and that I own the property or the owner has executed a Power of Attorney authorizing me to pursue this application (attached).



(Signature of Owner or Attorney-in-Fact) 2-26-2024
Date

(Signature of Additional Owner) 3-9-2024
Date

(For Office Use)

Date Application Received: _____

Date Application Complete: _____

Pre-app required? Y N Pre-app # _____

Fee Paid: _____ Initials: _____

File Number: _____

City of Willamina
411 NE "C" Street
PO Box 629
Willamina OR 97396
Telephone: 503-876-2242
Fax: 503-876-1121
ci.willamina.or.us

REC'D FEB 26 2024

**PLANNING APPLICATION
FORM**

Property Address: 220 NE Main Street-Willamina, OR 97396

Assessor's Map & Tax Lot Polk Yamhill

Tax Lot(s) TL 6701AC-13800 & TL 6701AC-13700

Zoning General Commercial (C-1)

Project Type (Please check all applicable):

- Annexation
- X Conditional Use
- Home Occupation
- Lot Line Adjustment
- Non-Conforming Use
- Partition
- Signs
- Similar Use
- Subdivision and Planned Unit Development
- Variance
 - Minor
 - Major
- Zone Change
- Other: _____

Size of the Project (# of units, lots, sq. ft., etc.): Two Lots
11, 262 square feet; building 2,873 square feet

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Description of Request

(include name of project and proposed uses)
B&B Automotive Convert existing shop and lot to automotive
service and repair

(For Office Use)

COMPLETE PER: Engineering _____
(Req'd Zn Chg, SPR, & Land Divisions)
Planning _____

Property Owner: Brian & DeAnn O'Neal
Address: 39195 SW Oak Lane- Willamina OR 97396
Phone: 503.991.0237

Applicant: Brian O'Neal
Address: 39195 SW Oak Lane- Willamina OR 97396

Phone: 503.991.0237

Authorized Representative (if different from applicant):

Address: _____

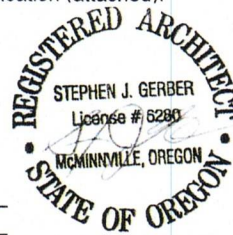
Phone: _____

Surveyor or Engineer or Architect(if applicable):

Gerber Architect, llc / Stephen Gerber
Address: 9340 SW Youngberg Hill Road - McMinnville
OR 97128

Phone: 503.459.7737

CERTIFICATION: I hereby certify that the information on this
application is correct and that I own the property or the owner
has executed a Power of Attorney authorizing me to pursue this
application (attached).



(Signature of Owner or Attorney-in-Fact) 2-26-2024
Date

(Signature of Additional Owner) Date

(For Office Use)

Date Application Received: _____

Date Application Complete: _____

Pre-app required? Y N Pre-app # _____

Fee Paid: _____ Initials: _____

File Number: _____



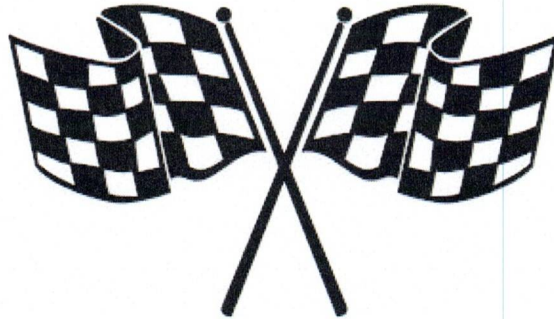
GERBER

ARCHITECT

LLC.

B & B Auto Service

AUTOMOBILE SERVICE RENOVATIONS



City of Willamina Land Use Application

February 16, 2024

Type II Conditional Use Review Application
Type I Site Plan Review Application

Project Team:

-B & B Auto

-Gerber Architect, LLC.

-Surveyor: Leland McDonald & Assoc., LLC



100 HIGH STREET S.E., Suite 200 | SALEM, OREGON 97301 | www.mwvcog.org
T: 503.588.6177 | F: 503-588-6094 | E: mwvcog@mwvcog.org
An equal opportunity lender, provider, and employer

November 29, 2023

Bradley O'neil & Brian O'neil
B & B Automotive
39195 SW Oak Lane
Willamina, OR 97396

RE: Incomplete land use applications

Mr. O'neil,

The City of Willamina has received the following items:

- A. Business license application + \$100 (Receipt #12439) for B & B Automotive submitted by Bradley O'neil, dated 10/20/23.
- B. Portions of two different land use application packets, for Site Plan Review and Conditional Use Permit, dated 10/27/23.
- C. Check for the land use applications for \$1,000 (Receipt #12445) from Brian O'neil dated 10/30/23.

The purpose of this letter is to inform you that the two land use applications have been deemed "incomplete," and cannot be processed or reviewed by the Planning Commission until additional information is received.

Please provide the following information to City Hall. PDF versions are requested, when possible.

1. The front page of the general land use application form which identifies the property location, property owner, application type, etc. A property owner signature is required.
2. Copy of deed or title report showing legal description of subject property(ies).
3. Written responses to the Site Plan Review Criteria found in WDC 3.105.06.
4. Written responses to the Conditional Use Permit Criteria found in WDC 3.103.03.
5. An existing conditions site plan showing all boundaries of property parcels, tax lots, building footprints, building setbacks from property boundaries, easements, driveways, utilities, dumpsters, fencing, signage, etc.

6. A Site Development Plan showing all proposed improvements to the property: paving, parking, driveways, landscaping, fencing, outdoor storage areas, dumpsters, etc. with dimensions of each.
7. Stormwater: What is the total NEW impervious surface area? What is the plan for stormwater control?
8. Utilities: Are any new utility connections are proposed?
9. Questions related to the proposed land use:
 - a. What substances/chemicals will go down the drain into the public sewer system?
 - b. Will vehicles be washed on-site? Is a catch basin proposed?
 - c. Is any land use proposed for the large gravel western portion of the site (residential zone)?
 - d. Where will vehicles be stored when not in the building?
 - e. Will wrecked vehicles, inoperable vehicles, or vehicle parts be stockpiled or stored long term on site?
 - f. Will tow trucks be stored on site?

Attached to this letter are some of the applicable code sections contained in the Willamina Development Code. This is the type of information typically provided in a Pre-Application Conference.

Also attached are some old surveys related to these properties. Staff is not able to find the recorded survey instrument(s) that created the current tax lot line alignment, but there may be helpful documents in the title report. Please note that there is a difference between tax lots (for tax purposes only) and legal lots of record created by a formal land division. A licensed surveyor may be necessary to assist with this project.

Please note that City Hall cannot approve your business license to operate in Willamina until these land use issues are addressed.

Thank you,

Holly Byram,

Consulting City Planner, MWVCOG

Hbyram@mwvcog.org

Cc. Bridget Meneley, Willamina City Manager

Due diligence notes related to your application:

- Based upon the adopted zoning map for the City of Willamina, the subject properties are split-zoned. The eastern portion is zoned C1 – General Commercial. The western portion is zoned R3 – Medium Density Residential. The Business District Overlay does not apply. The Economic Impact District does apply.
- Permitted Uses and Development Standards for the C1 zone are found in Willamina Development Code (WDC) 2.104.

2.104.3 Conditional Uses

The following uses are allowed subject to obtaining a conditional use permit and completing a Site Plan Review:

A. Automobile service station, including towing service, vehicle washing and polishing facility and services, and, subject to the development provisions in Section 2.308.

- Dimensional standards for the C1 zone are found in WDC 2.104.05.
- Development Standards for the C1 zone are found in WDC 2.104.06.

2.104.6 Development Standards

All developments in the General Commercial District shall comply with the applicable provisions of Section 2.400 of this Ordinance. In addition, the following specific standards shall apply:

A. Off-Street Parking. Off-street parking shall be as specified in Section 2.203.

E. Landscaping. All development in the General Commercial District shall provide a minimum landscaped area equal to 10 percent of the gross site area. Landscaping improvements shall be installed and maintained in accordance with Section 2.207 of this Ordinance.

F. Screening. Screening shall be required for the following:

- 1. All outdoor storage areas, except for merchandise displays, shall be screened by a six-foot sight-obscuring fence or wall.*
- 2. Where a commercial use abuts a residential zone, a six-foot sight-obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the clear-vision area.*

- WDC 2.203 Off-Street Parking and Loading. See this section for more details...

2.203 OFF-STREET PARKING AND LOADING

N. Service or repair shop, retail store handling exclusively bulky merchandise such as automobiles and furniture - 1 space per 900 s.f. of floor area

2.203.8 Parking and Loading Area Development Requirements

All parking and loading areas shall be developed and maintained as follows:

A. Surfacing: All driveways, parking, and loading areas shall have a durable, hard surface. In residential areas, either a minimum of 2 1/2 inches of asphalt over a 6 inch aggregate base or 4 inches of Portland cement concrete over a 2 inch aggregate base shall be

provided. In commercial and industrial areas either a minimum of 3 inches of asphalt over an 8 inch aggregate base or 6 inches of Portland cement concrete over 2 inches of aggregate base shall be provided.

B. Parking Spaces: Parking spaces shall be a minimum 9 feet wide and 18 feet in length.

C. Driveway Dimensions...

E. Screening...

F. Lighting...

M. Parking at Boundary...

2.203.06 Requirements for Accessible Parking Spaces constructed to ADA Standards...

2.203.10 Parking Lot Landscaping and Screening Standards...

2.203.11 Bicycle Parking...

- WDC 2.204 Storm Drainage...
- A Conditional Use Permit is a Type II Action, which is a quasi-judicial review in which the Planning Commission applies a mix of objective and subjective standards that allow considerable discretion. Public notice and a public hearing are provided.
- Conditional Use Permit criteria are found in the Willamina Development Code (WDC) Section 3.103.

3.103.3 Criteria for Approval

Conditional Use Permits shall be approved if the applicant provides evidence substantiating that all the requirements of this Ordinance relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

A. The use is listed as a conditional use in the underlying district.

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

C. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the use.

D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.

E. The proposal satisfies any applicable goals and policies of the Comprehensive Plan which apply to the proposed use.

F. The authorization of such conditional use will not be materially detrimental to the public health, safety and welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

- A Site Plan Review is a Type I-B Action, which is a ministerial Action reviewed by the Planning Commission based on generally clear and objective standards with some discretion.
- Site Plan Review criteria are found in the Willamina Development Code (WDC) Section 3.105.

3.105.6 Evaluation of Site Development Plan

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

- A. Compliance with the Permitted Uses section of the applicable zone district, or Conditionally Permitted Uses section with an approved Conditional Use Permit.*
- B. Conformance with the General Development Standards contained in this Ordinance including:
 - 1. Streets*
 - 2. Off-street parking*
 - 3. Public facilities, including storm drainage, and, utility lines and facilities*
 - 4. Signs*
 - 5. Site and landscaping design**
- C. Drainage and erosion control needs;*
- D. Public health factors;*
- E. Traffic safety, internal circulation and parking;*
- F. Provision for adequate noise and/or visual buffering from non-compatible uses;*
- G. Retention of existing natural features on site; and*
- H. Problems that may arise due to development within potential hazard areas.*
- I. Connectivity of internal circulation to existing and proposed streets, bikeways and pedestrian facilities.*

- **WDC 2.209.08 Clear Vision Areas**

2.209.8 Clear Vision

A. A clear vision area shall be maintained on the corner of all property at the intersection of two (2) streets or a street and a railroad, alley or driveway. A clear vision area shall contain no planting, sight-obscuring fence (open chain link excluded), wall, structure, or temporary or permanent obstruction exceeding two and one-half feet in height (30 inches), measured from the ground. Trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight feet above the ground.

B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines along the intersecting streets, and the third side of which is a straight line connecting points on the lot lines at a distance specified below from the intersection of these lot lines. Where the lot lines have rounded corners, the lot lines shall be extended to their point of intersection in order to measure this distance. The distance used to establish the clear vision triangle shall be as follows:

- 1. In a residential zone thirty (30) feet, or at intersections including an alley or a private driveway, ten (10) feet.*
- 2. In all other zones, where front and side yards are required, the minimum distance shall be fifteen (15) feet, or at intersections including an alley or a private driveway, ten (10) feet.*

- **2.209.09 Fences, Walls, and Hedges**

- 2.308 Manufactured Home, Trailer, and Vehicular Sales, Service, and Related Uses

2.308 MANUFACTURED HOME, TRAILER, AND VEHICULAR SALES, SERVICE AND RELATED USES

2.307.12.308.1 Scope

The provisions of this Section shall apply to the following uses:

A. Automobile service stations;

2.308.2 Standards

In addition to other development standards established elsewhere in this Ordinance, the following standards shall apply to the development of the uses listed in Subsection 2.308.01, above.

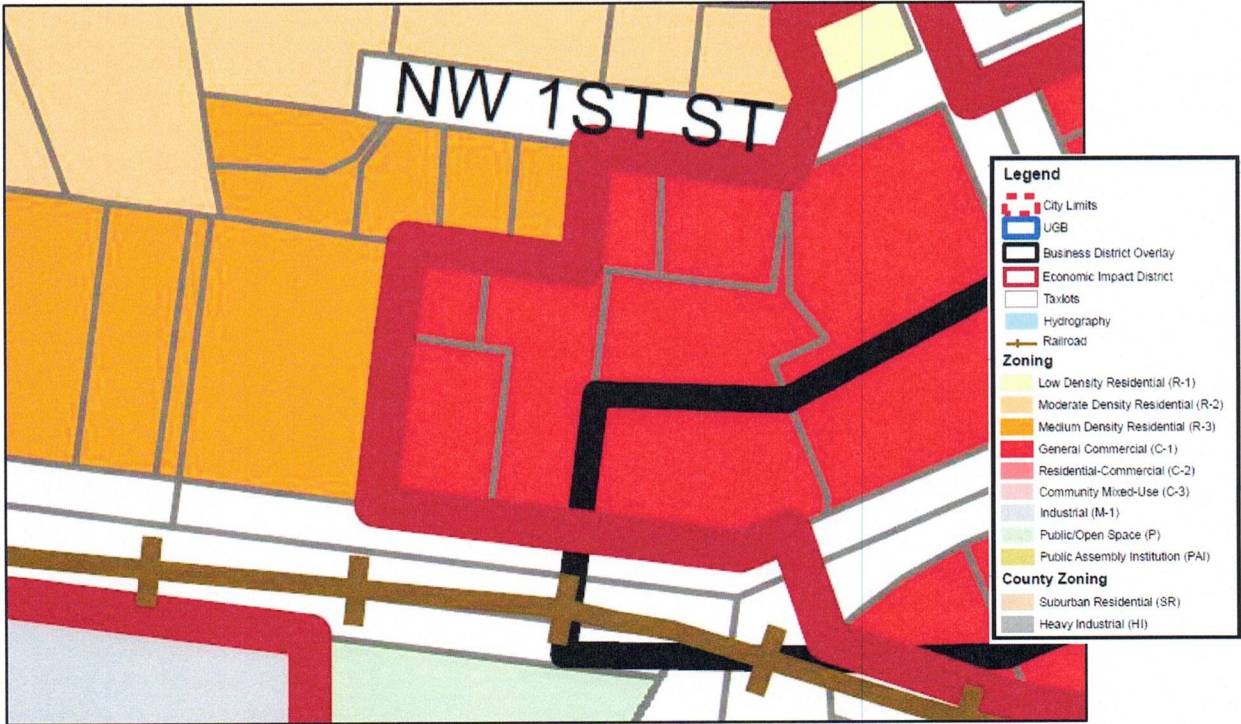
A. All parking areas, loading areas or areas used for storage of boats, automobiles, manufactured homes, recreational vehicles, trucks, trailers, motorcycles or other vehicles shall be paved with a concrete or asphalt surface.

B. The lot shall be screened from adjoining residentially zoned properties in accordance with the provisions of Section 2.207.

C. When not displayed for public sale, all merchandise and supplies, other than vehicles, manufactured homes and trailers, shall be stored within a building.

D. All applicable permits from the state and federal must be obtained prior to development.





Note: Some off-set is observed between the aerial image and property lines.



COUNTY

ROAD

STATE HIGHWAY

MAIN STREET

STREET

FIRST STREET

STREET

FAIRVIEW

STREET

C.S. NO. 2894

C.S. NO. 2907

ADDITION

BLOCK NO. 1

ORIGINAL TOWN

N. 5° 00' E. 196.02

S. 85° 00' E. 184.16

N. 85° 00' W. 194.16

N. 00° 55' S. 196.02

N. 85° 00' W. 244.0

S. 50° 30' E. 71.5

15 M. CORNER
BLOCK NO. 1

POB AT AN IRON PIPE AT
POINT 353.76 SOUTH AND
1932.46 WEST OF THE
1/4 POST ON THE EAST SIDE
OF SECTION 1 T. 6S. R. 7W.

C.S. No. 2894

SECTION 1 TOWNSHIP 6S. RANGE 7W.
YAMHILL COUNTY OREGON
SURVEY MADE APRIL 6, 1939
FOR G. E. BEERS IN WILLIAMINA, ORE.
SCALE 1" = 50'
L. O. MANGUM
DEPUTY COUNTY SURVEYOR

County Survey # 2894 made for H.C. Burre on the 6th day of April 1939 Walter Prohman and Raymond Prohman duly sworn beginning at iron pipe at the intersection of Main Street and County Road in the City of Willamette, Oregon, said point being 540.30' N 75.8 feet from the SW corner of block 1 of original townsite and 1353.76 ft South and 1932.4 feet West of the 1/4 post and the East side of Section 1 in T. 6 S. R. 7 W. of the Will. Mer. Oregon, and being a part of the Willamette Branch D. & C. Notification # 670 claim # 1 & 3.

184.16 Thence N 85°00'W along center of County Road 264.0 ft. set point for initial or beginning point of this survey.

184.16 Thence N 85°00'W along center County Road set point for S.W. corner this tract.

196.02 Thence N 5°00'E set iron pipe for N.W. corner this tract.

184.16 Thence S 85°00'E set iron pipe for N.E. corner this tract.

196.02 Thence S 5°00'W to beginning and set iron pipe 30 feet N 5°00'E from the S.E. and S.W. corners for the northerly margin of County Road

Hedderberg
County Surveyor
by L. H. Mangum Deputy.

County Survey # 2895 made for L. Caslermanche and Mrs. Sophie on the 15th day of May 1939, L.H. Mangum and Raymond Prohman duly sworn.

beginning at stake set at the N.E. corner of the Joseph Hickman D. & C. notification # 1269 claim # 50 in T. 6 S. R. 7 W. of the Will. Mer. Oregon corner set from witness trees set in County Survey # 2869 an oak 70" in diam. bear N 64°E 48 1/2' limbs and the stump of oak 20" in diam 56 1/2' 98' the

2027.0 Thence N 89°50'W with North line of claim as run in 08 22 69 to stake at division corner between east and west halves of claim as set in 06 22 69 from which trees marked in said survey, 200' as follows: a fir 12" 500' E, 4 1/2' limbs and a fir 18" 380' W 3 1/2' limbs

807.4 Thence N 89°45'W to stake set at east N.E. corner of said claim from witness trees set in 06 22 69 an oak 12" diam 527'30" E 16' limbs and an oak 8" diam 588' E 17 1/2' limbs

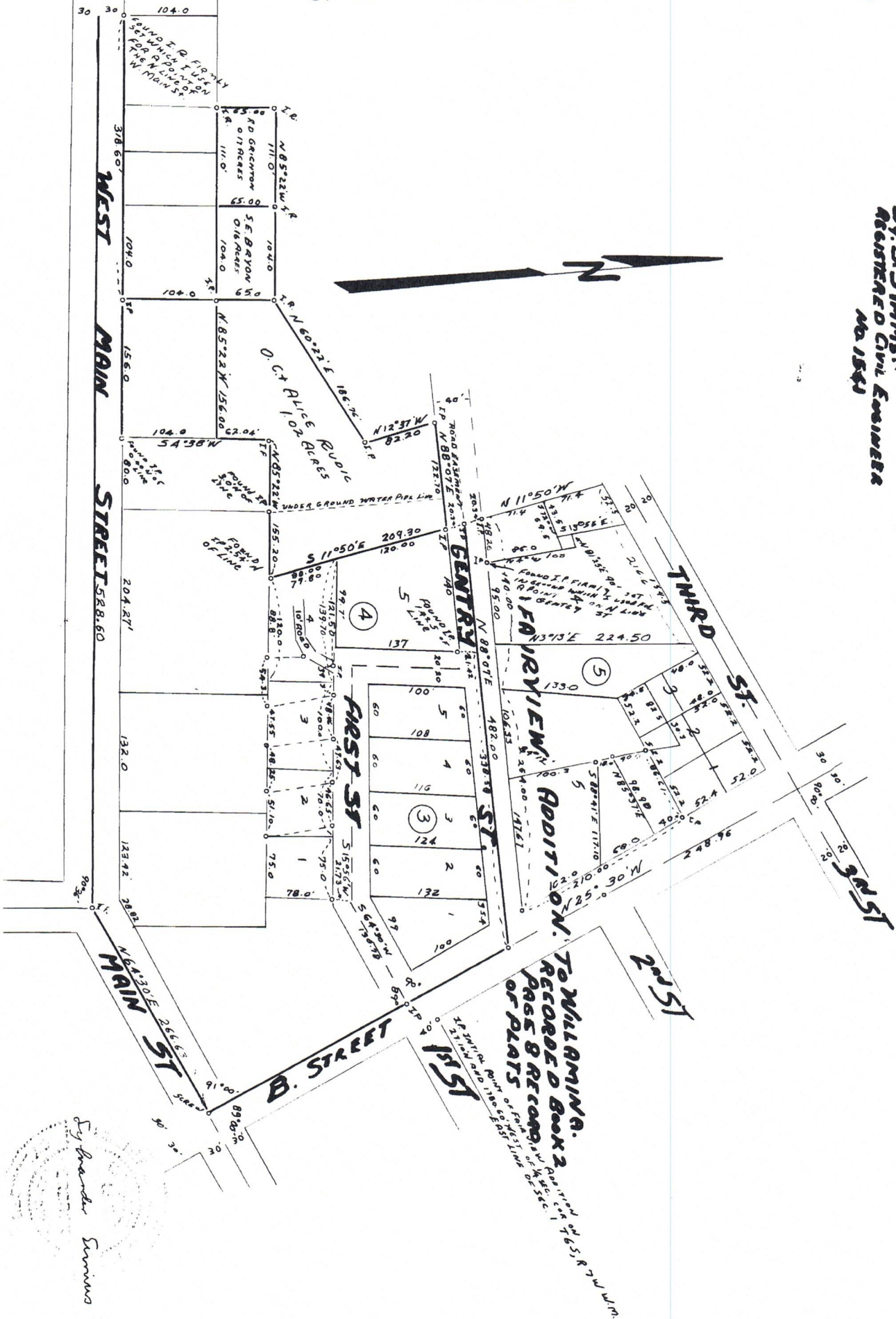
1036.5 Thence S 0°03'E to stake at angle corner on north line of said claim from witness trees set in 06 22 69 a pear 2 1/2' diam 10" in diam, bear 547'30" 62 3/4' limbs and an oak 22" 730' E 389 1/4' limbs

1967.6 Thence S 89°50'W with North line of claim to stake at the N.W. corner of said claim from which the original survey was a fir 26" diam 72' E 80' limbs and a fir 20" marked in 06 22 69 bear 747' W 43' limbs

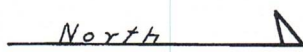
This line was run for the purpose of relocating the line and corner for fencing.

Hedderberg
County Surveyor.

C. S. P 3184-2
SURVEY IN WILLAMINA OREGON
IN SECTION 1 T6S R7W W.M.
YAMHILL COUNTY, OREGON
SURVEYED 2-46
BY S. S. SIMMS.
REGISTERED CIVIL ENGINEER
NO 1541

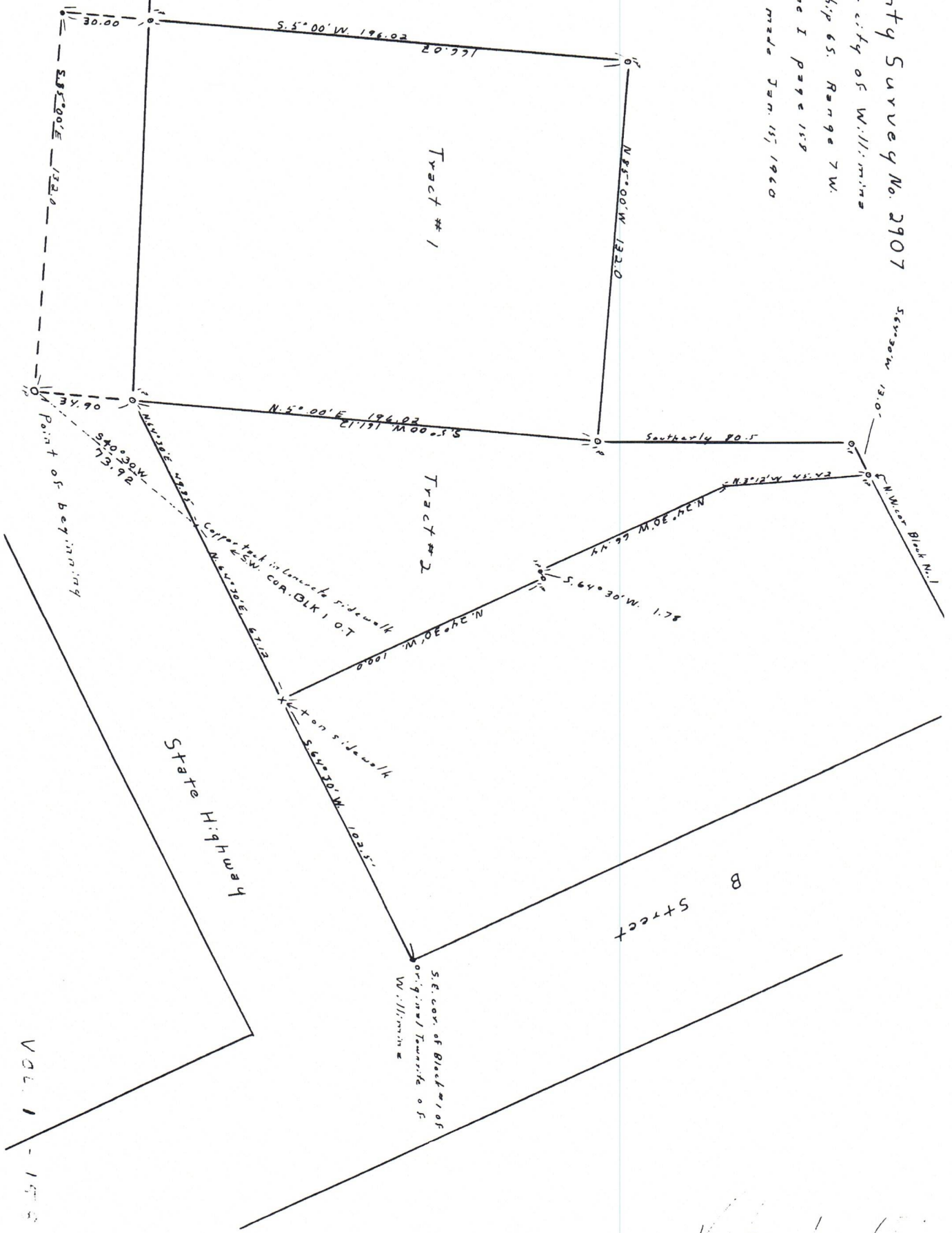


By *Simms*
S. S. SIMMS
REGISTERED CIVIL ENGINEER
NO 1541



SCALE 1" = 30'

County Survey No. 2907
In the city of Williams
Township 6S. Range 7W.
Volume I page 158
Plat made Jan. 15, 1960



State Highway

B Street

S.E. cor. of Block of original Township of Williams

County Survey No. 2907 made for Ora Hodsey
 on the 2nd day of April, 1940
 L. H. Mangum and Stiller Petros, chorones,
 duly sworn.

Feet Beginning: at official city Monument being angle in Main
 Street now State Highway in the City of Tillamook, Oregon
 said point being $S46^{\circ}30'W$. 73.92 feet from the southwest corner
 of Block #1 of the Original Plat of the Townsite of Tillamook
 as recorded on page 92 in Volume "5" of Deed Records
 of Yamhill County.

196.02 thence $N5^{\circ}00'E$ at 34.90 feet set iron pipe on the Northerly
 margin of said Main Street
 set iron pipe for N.E. corner first tract surveyed.
 thence $N85^{\circ}00'W$.

132.00 set iron pipe
 thence $S5^{\circ}00'W$ at 166.02 feet set iron pipe on Northerly
 margin of Great Main Street

196.02 to bench of Street
 thence $S85^{\circ}00'E$

132.00 to beginning being tract 1 this survey.

also beginning at copper tack in concrete sidewalk at the
 S.E. corner of Block #1. Original townsite of Tillamook,
 Oregon. thence $N64^{\circ}30'E$ along southerly line of Block
 #1 to 4 on sidewalk at point $S64^{\circ}30'W$. 102.50 feet from
 the S.E. corner of said Block #1.

67.12 thence $N24^{\circ}30'W$.

100.00 to iron pipe.
 thence $S64^{\circ}30'W$.

1.98 to iron pipe.
 thence $N24^{\circ}30'W$.

66.44 to North corner of Lot #3 on the Northwesterly line of Block #1.
 thence $N3^{\circ}12'W$. Along Northwesterly line of Lot #2 and line of
 Block #1

45.42 to an iron pipe at the N.W. corner of said Block #1
 thence $S64^{\circ}30'W$.

13.0 set iron pipe
 thence southerly

80.5 to iron pipe at the N.E. corner of tract #1 this survey.
 thence $S5^{\circ}00'W$ with said line.

161.12 to iron pipe set on the Northerly margin of Main Street
 thence $N64^{\circ}30'E$.

49.85 to beginning.

I find on the ground at the N.W. corner of Lot #2 Block #1
 there is a building 24.1 feet long paralleling First Street of
 which 9.4 feet end on Lot #2 and 14.7 feet is on ground lying
 easterly of said Lot #2.

I also find that from the Northwesterly corner of the building
 easterly 12.8 feet there is a pipe at the S.E. corner of a new
 concrete sidewalk at what is supposed to be the N.E. corner
 of Lot #1 of Block #4 in Fairview Addition to said city of
 Tillamook.

That the line as now used for the East line of Lot #1 of Block
 #4 Fairview Add. to iron pipe at the N.E. corner of tract #1
 this survey bears $S5^{\circ}41'E$ 78.0 feet.

H. H. Herring
 County Surveyor.



GERBER

ARCHITECT

LLC.

B & B Auto Service

AUTOMOBILE SERVICE RENOVATIONS



Written Statement & Responses to Incomplete Letter Items

(CoW Incomplete Letter Dated November 29, 2023)



GERBER

ARCHITECT

LLC.

B&B AUTOMOTIVE SHOP

2/14/2024

Written responses to City of Willamina (CoW) Incomplete Letter dated 11/29/2023

B&B Automotive is looking to convert an existing shop and its property to an automotive repair shop. The modifications to the existing building are minimal. It has 5 existing bays with overhead doors, an office, waiting room, and ADA accessible toilet room.

The site is currently lighted, fenced, and graveled with an access apron and gate from SE Main Street. There is existing concrete curb, sidewalk, and catch basin along SE Main St. right-of-way. The applicable CoW development code requires the site to be improved in various ways, which are further described within the application written responses and proposed site plan.

The Incomplete land use application letter outlined items needing to be provided or clarified. The following items are responses to those.

1. The general land use application form has been provided with property owner's signature.
2. Copy of deed or title report has been provided within the application documentation.
3. Written responses to Site Plan Review Criteria within development code WDC 3.105.06 have been provided within the application documentation.
4. Written responses to Conditional Use Permit Criteria within development code WDC 3.103.03 have been provided within the application documentation.
5. An existing conditions site plan has been provided with the incomplete letter response documents.
6. A proposed Site Development Plan has been provided with the incomplete letter response documents.
7. Existing gravel pervious lot is 5,394 sq.ft.; new impervious concrete slab-on-grade is 1,724 sq.ft.; new planting beds is 482 sq.ft.
8. There are existing sewer, electric, natural gas utilities to and onto the site.
9. Answer to questions related to the proposed land use:
 - a. Hand cleaner and water will go down drains. All other chemicals will be captured, contained, and recycled.
 - b. No car wash facility is being proposed or utilized.
 - c. The adjacent parcel zoned R-3 is not being developed or utilized for the proposed use.
 - d. Vehicles waiting to be picked up by clients will be stored within the extra parking spaces being proposed. If there are extra vehicles waiting to be picked up, they can be stored on the parcel zoned C-1 to the North of improved proposed parcel zoned C-1.
 - e. Wrecked or inoperable vehicles and parts will not be stored on site. They will be recycled or disposed of on a regular basis.
 - f. There will not be tow trucks stored on site. Towing services will be hired out to existing towing companies within the region.