

STAYTON PLANNING COMMISSION AGENDA

7:00 pm

Monday, October 28, 2024

HYBRID MEETING

The Stayton Planning Commission will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also be "attended" virtually. If you would like to virtually participate in the meeting, please contact the Planning and Development Department at wcudd@staytonoregon.gov to receive an invitation to the online meeting.

- 1. CALL TO ORDER** **Vice Chair Watts**
- 2. MEETING MINUTES – Approval of September 30, 2024, Minutes**
- 3. LAND USE FILE #10-06/24 – PUBLIC HEARING (Continuation)- Application for a Site Plan Review to develop a vacant lot at 101 Whitney Street in an Interchange Development (ID) zone into a 10,640 sq. ft. commercial building for a proposed Dollar General, including parking, access, and landscaping.**
 - a. Staff Introduction and Report**
 - b. Applicant Presentation**
 - c. Questions from the Commission**
 - d. Questions and Testimony from the Public**
 - e. Applicant Summary (Planning Commission continued the Public Hearing)**
 - f. Staff Summary**
 - g. Close of Hearing**
 - h. Commission Deliberation**
 - i. Commission Decision**
- 4. OTHER BUSINESS**
- 5. ADJOURN**

DATE OF NEXT MEETING: Monday, November 25, 2024

**STAYTON PLANNING COMMISSION
MEETING MINUTES**

Monday, September 30, 2024

COMMISSIONERS: Larry McKinley -Chair
Dixie Ellard
Peter Bellas
Richard Lewis
Amy Watts -Absent
Lucas Joyce- Student Representative

STAFF MEMBER: Jennifer Siciliano, Community & Economic Development Director
Windy Cudd, Planning Assistant, City of Stayton

OTHERS PRESENT: Juli Bochsler, 1660 Mountain Dr, Stayton OR 97383

1. **CALL TO ORDER:** Chair McKinley called the meeting to order at 7:02 pm
2. **APPROVAL OF MINUTES:** Peter Bellas moved, and Richard Lewis seconded to approve the minutes from August 26, 2024, as presented. Passed 4:0.
3. **LAND USE FILE #3-01/24 -PUBLIC HEARING (Continuation) -Application for Preliminary Partition Plan to divide 313 N Evergreen Ave into 3 parcels, Ross Bochsler, Kardboard Box LLC, PO Box 516, Stayton OR**

Commencement of Public Hearing- Chair McKinley read the opening statement and opened the hearing at 7:04 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex-parte* contact, or bias by members of the Planning Commission.

- a. **Staff Introduction and Report-** Siciliano reiterated the issue before the Commission is a public hearing on an application for a Preliminary Partition Plan to divide 313 N Evergreen into 3 parcels. Sidewalk requirements were discussed and outlined.
 - b. **Applicant Presentation-** None
 - c. **Questions from the Commission-** None
 - d. **Questions and Testimony from the Public-** None
 - e. **Applicant Summary -** None
 - f. **Staff Summary-** Nothing more to add
 - g. **Close of Hearing-** McKinley closed the hearing at 7:09pm.
 - h. **Commission Deliberation-** None
 - i. **Commission Decision-** Bellas moved and Ellard seconded to move the Stayton Planning Commission to approve the application for a Preliminary Plan for Kardboard Box, LLC and Ross Bochsler for 313 N Evergreen Avenue, (Land Use File #03-01/04) and adopt the draft order presented by staff. Approved 4:0
4. **LAND USE FILE #09-12/23 - PUBLIC HEARING – Legislative Amendments to permit use “General Merchandise Stores” in the Interchange Development ID Zone**

Commencement of Public Hearing- Chair McKinley read the opening statement and opened the hearing at 7:04 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex parte* contact, or bias by members of the Planning Commission.

- a. **Staff Introduction and Report-** Siciliano explained the issue before the Planning Commission is to consider adding a permitted use, with Site Plan Review, of “# 17 General Merchandise Stores” to the Interchange Development (ID) Zone.

Due to a procedural issue, The Planning Commission will provide a written recommendation either for or against the proposed land use code amendment. The Planning Commission voted to not act in favor of a change to the land use code at their August 26, 2024, meeting, but did not vote on a written recommendation. All testimony that the previous Public Hearing on August 26, 2024, will be considered as part of the record.

- b. **Applicant Presentation-** None
- c. **Questions from the Commission-** None
- d. **Questions and Testimony from the Public-** None
- e. **Applicant Summary-** None
- f. **Staff Summary-** Nothing to add
- g. **Close of Hearing-** McKinley closed the hearing at 7:15pm.
- h. **Commission Deliberation-** Bellas pointed out that there is a specific zone for a reason. This consideration does not fit the need, Ellard agreed. Lewis stated that General Merchandise is non-compliant with the ID Zone. That the large sized building would just be an “ugly sight”, and that it would welcome future building development to be proposed at the same large size.
- i. **Commission Decision-** Ellard moved and Bellas second to move the Stayton Planning Commission recommend to the Stayton City Council that the Land Use Code not be amended to allow “#17 General Merchandise” use in the Interchange Development (ID) Zone and adopt the draft order presented by staff.

5. LAND USE FILE #10-06/24 – PUBLIC HEARING - Application for a Site Plan Review to develop a vacant lot at 101 Whitney Street in an Interchange Development (ID) zone into a 10,640 sq. ft. commercial building for a proposed Dollar General, including parking, access, and landscaping.

Commencement of Public Hearing- Chair McKinley read the opening statement and opened the hearing at 7:18 pm. No objections were made by the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, *ex parte* contact, or bias by members of the Planning Commission.

- a. **Staff Introduction and Report-** The applicant asked for a continuance of the Site Plan Review to the next scheduled Planning Commission meeting which is September 30, 2024. Then on September 23, 2024, they sent a letter to continue this hearing until October 28, 2024.
- b. **Applicant Presentation-** None
- c. **Questions from the Commission-** None
- d. **Questions and Testimony from the Public-** None
- e. **Applicant Summary-** None
- f. **Staff Summary-** The staff recommends continuing the Public Hearing until October 28, 2024, and requesting that the applicant provide and extension to the 120-day review period, as allowed under ORS 227.18.
- g. **Close of Hearing-** McKinley closed the hearing at 7:23pm.
- h. **Commission Deliberation-** Ellard moved and Bellas seconded for the Stayton Planning Commission continue the public hearing on the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) until October 28, 2024.

6. OTHER BUSINESS –None

7. ADJOURN –Chair adjourned the meeting at 7:30 pm.

City of Stayton

MEMORANDUM

TO: Chairperson Larry McKinley and Planning Commission Members
FROM: Jennifer Siciliano, Director of Community and Economic Development
DATE: October 21, 2024
SUBJECT: Site Plan Review, Dollar General for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street
120 DAYS ENDS: December 11, 2024. (Extended)

ISSUE

The issue before the Planning Commission is a public hearing on an application for a Site Plan Review to develop a vacant lot into a 10,640 square foot commercial building with 8,750 square feet of retail floor space for a proposed Dollar General with required parking, access, and landscaping at 101 Whitney Street in an Interchange Development (ID) zone.

The applicant asked for a continuance of the Site Plan Review. There is a scheduled public hearing at the City Council for November 4, 2024. This public hearing will determine if “general merchandise will be allowed in the Interchange Development (ID) zone.

BACKGROUND AND ANALYSIS

See the previous staff reports from August 19, 2024, and September 23, 2024, for additional information regarding the Site Plan Review.

RECOMMENDATION

The staff recommends continuing the Public Hearing until November 25, 2024, and requesting that the applicant provide an extension to the 120-day review period, as allowed under ORS 227.178. It would make sense to continue this Public Hearing, due to the determination the City Council will make at their November 4, 2024, meeting.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Planning Department recommends the first option until the City Council hears the Public Hearing regarding the amendment to the Land Use Code is made.

1. Continue the hearing until November 25, 2024.

I move the Stayton Planning Commission continue the public hearing on the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) until November 25, 2024.

2. Deny the application, adopting the draft order as presented.

I move the Stayton Planning Commission deny the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) and adopt the draft order presented by Staff.

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3. Approve the application, directing staff to modify the draft order.

I move the Stayton Planning Commission approve the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) and direct staff to modify the draft order to reflect the Planning Commission's discussion and bring a revised draft order for Planning Commission approval at the November 25, 2024, meeting.

4. Close the hearing but keep the record open for submission of written testimony.

I move the Stayton Planning Commission close the hearing on the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) but maintain the record open to submissions by the applicant until November 4, allowing 7 days for review and rebuttal and then an additional 7 days for the applicant to reply, with final closure of the record on November 25, 2024.

5. Close the hearing and record and continue the deliberation to the next meeting.

I move the Stayton Planning Commission continue the deliberation on the application for a Site Plan Review for 6S DG Stayton OR, LLC/ Sam Moore at 101 Whitney Street (Land Use File #10-06/24) until November 25, 2024.