

SITE PLAN & ARCHITECTURAL COMMISSION AGENDA JANUARY 4, 2019



Commission Members

Jim Quinn, Chair

Bill Chmelir, Vice Chair

Jeff Bender

Jim Catt

David Culbertson

Bob Neathamer

Marcy Pierce

Milo Smith

Rick Whitlock

City Council Liaison - Dick Gordon

City Council Liaison Alt. - Tim D'Alessandro

Regular Commission meetings are held on
the first and third Fridays of every month

Beginning at 12:00 Noon

City of Medford

Council Chambers,

Third Floor, City Hall

411 W. 8th Street

Medford, OR 97501

(541) 774-2380



Site Plan and Architectural Commission

Agenda

Public Hearing

January 4, 2019

12:00 noon

Council Chambers, City Hall, Room 300
411 West Eighth Street, Medford, Oregon

-
10. Roll Call.
 20. Consent Calendar. None.
 30. Minutes.
 - 30.1 Consideration for approval of minutes from the December 21, 2018, meeting.
 40. **Oral and Written Requests and Communications.**
Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**
 50. **Public Hearings.**
Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**
- Continuance Request.**
- 50.1 **AC-18-126** Consideration of a proposal for the construction of a 2,849 square foot restaurant with a drive-thru (KFC) on a parcel totaling 0.76-acres, located at the corner of Garfield Street and Center Drive (1408 Center Drive) in the Regional Commercial (C-R) zoning district (371W32B TL 4801 & 3605); (Barry Thriot, Applicant; Phillip Moss, Agent; Dustin Severs, Planner).
Applicant has requested this item be continued to the January 18, 2019, meeting.
60. Written Communications. None
 70. Unfinished Business. None
 80. New Business. None
 90. Report from the Planning Department.
 100. Messages and Papers from the Chair.
 110. Propositions and Remarks from the Commission.
 120. City Council Comments.
 130. Adjournment.

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.



Site Plan and Architectural Commission Minutes

From Public Hearing on December 21, 2018

The regular meeting of the Site Plan and Architectural Commission was called to order at noon in the Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Jim Quinn, Chair
Jeff Bender
Jim Catt
Dave Culbertson
Bob Neathamer
Marcy Pierce
Milo Smith
Rick Whitlock

Staff Present

Kelly Evans, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Doug Burroughs, Public Works/Eng. Development Services Mgr.
Steffen Roennfeldt, Planner III
Debbie Strigle, Recording Secretary

Commissioners Absent

Bill Chmelir, Vice Chair, excused

10. Roll Call.
20. Consent Calendar/Written Communications. None.
30. Minutes.
 - 30.1 The minutes for the December 7, 2018, meeting, were approved as submitted.
40. Oral and Written Requests and Communications. None.
50. Public Hearings.

Eric Mitton, Deputy City Attorney, read the rules governing the public hearings.

New Business.

50.1 **AC-18-171** Consideration of a major modification consisting of the addition of four dwelling units to previously approved plans for an apartment building (AC-18-094) on approximately 1.1 acres located on the south side of East Barnett Road, approximately 600 feet east of Ellendale Drive within the MFR-30 (Multiple Family Residential – 20 to 30 dwelling units per gross acre) zoning district (371W32AB500); (Stylus Development LLC, applicant; ORW Architecture, Agent; Steffen Roennfeldt, Planner).

Chair Quinn asked for any potential conflicts of interest, ex-parte communications, or site visits. Commissioner Bender declared he is the applicant and agent for this application. He recused himself and sat in the audience.

Steffen Roennfeldt, Planner III, read the approval criteria, and gave a PowerPoint presentation of the December 12, 2018, Staff Report. Staff recommended approval.

Commissioner Whitlock had questions about the building length issue and asked Mr. Mitton, Deputy City Attorney, for his opinion. He stated he has concerns about the Finding that would justify the special

approval. If the standard does not apply he has concerns about whether it meets the special approval standards.

Mr. Mitton, Deputy City Attorney, answered that the new standards for building length do not apply to this application. The building is the same length it was when it had the original approval under the old standards. He added the building has not been lengthened further and any change to the footprint around the vestibule has no impact on the building length. The approval as to the building length under the old standards is still valid and there's no need to revisit the Findings about building length under the new standards because that issue was already approved.

Commissioner Whitlock asked if the moving of the building footprint would cause any concerns. Mr. Mitton replied it does not change his analysis. Shifting the building one way or another does not change the fact that there is a pre-existing approval for a building of that length.

Commissioner Whitlock wanted to know if adding more units changed Mr. Mitton's opinion. Mr. Mitton answered no, a major or minor modification does not create a reset button or de novo review of the entire project.

Commissioner Whitlock asked if staff felt a need for this Commission to make any Findings relative to whether the design complies with the special approval standards. Mr. Roennfeldt answered no.

Commissioner Neathamer pointed out that the survey was not included in the agenda packet. He also said the county did not have one on file. Commissioner Neathamer wanted to know where the survey was. Mr. Roennfeldt said the exhibit was what he received from the applicant. Commissioner Neathamer stated that he wanted to see a survey.

Commissioner Whitlock asked if City regulations require a survey to be done to justify the density calculation. He noted that the City Surveyor often makes comments on projects but he had not seen any for this application.

Mr. Roennfeldt replied that the City Surveyor would have seen the exhibit but had made no comments. City code does not require that a survey be done.

Commissioner Culbertson asked staff to elaborate on the three two-wheeled spaces. He asked if the Commission needed to give their consent for those three to qualify as part of the total calculation. Mr. Roennfeldt replied no, that code allows for a certain percentage to be included in the overall parking. It has to do with the dimensions and not the amount of parking. This has been addressed as a condition of approval.

The public hearing was opened and the following testimony was given:

a) David Wilkerson, applicant/agent, said they agree with everything that Mr. Mitton stated previously and they are not looking at anything that was previously approved including the building length. The only reason they mentioned the building's location is because it got them out of the floodplain and felt it was important to include that in their Findings this time. Mr. Wilkerson noted they could make that survey available but have never had to do that in the past.

Mr. Wilkerson stated they have never included an official survey in any of their applications because they are not required. He said they take all the information on the survey and put it onto their site plan and then it's reviewed by the City Surveyor.

Commissioner Neathamer said he only asked about the survey because part of the decision is based on the area provided by the survey which is not in the packet. He wanted to know how this Commission can make a decision without the survey or City Surveyor comments.

Mr. Wilkerson noted that the last application and approval before this Commission did not have an official survey in that submission either. He reiterated they have never provided an official survey for any of their projects because they are not required.

Commissioner Neathamer pointed out that the applicant is basing part of this decision on the survey which was specifically noted in their Findings. He wanted to know where the survey was.

Mr. Wilkerson stated he would be happy to provide the survey.

Commissioner Whitlock asked if the applicant had any desire for this Commission to make Findings relative to whether the special approval criteria had been met. Mr. Wilkerson answered no, they did not.

Commissioner Catt asked if the miscalculation was the lot size and the survey was a different one. Mr. Wilkerson explained it is the same survey. When they initially calculated, it was to the property line, which is what they use for anything other than residential projects. Residential projects are based on density and the area to the center line. They recalculated to take advantage of the extra area.

The public hearing was closed.

Motion: Adopt the findings as recommended by staff and adopt the Final Order of approval for AC-18-171 per the Commission Report dated December 21, 2018, including Exhibits A-M, and the including the following:

- The staff report to be modified regarding the erroneous references as per Mr. Roennfeldt during his presentation
- The staff report be modified to include the legal conclusion that the clear and objective standards of MLDC 10.717(b)(1) related to the length of the building are not applicable to this project rather than accept the Findings related to those architectural special approvals
- The legal survey is to be provided and must reflect all the area, dimensions, and calculations as set forth in the record, page 45, Exhibit K of the agenda packet

Moved by: Commissioner Whitlock

Seconded by: Commissioner Neathamer

Commissioner Whitlock commented he thought this was a great project and appreciated that the applicant's had added the extra units as they are much needed.

Commissioner Neathamer stated he also liked the project and would still like to see the official survey.

Roll Call Vote: Motion passed, 7-0.

60. Written Communications. None.

70. Unfinished Business. None.

80. New Business. None.

90. Report from the Planning Department.

90.1 Ms. Evans announced there is business scheduled for both the January 4th and 18th meetings.

90.2 Ms. Evans reported that City Council had adopted some wetland analysis into the Comprehensive Plan and had approved a GLUP map amendment.

90.3 Ms. Evans stated that staff did not have any business before City Council in January.

90.4 Ms. Evans reminded the Commissioners of the Boards and Commissions Luncheon on January 11, 2019, noon, at the Inn at the Commons.

90.5 Ms. Evans thanked all the Commissioners for their service, time, and energy, and wished everyone a Merry Christmas and Happy New Year.

Commissioner wanted to know if City Council had made a decision regarding who would be on the selection committee for the Ward 4 Council position. Ms. Evans answered they had not.

100. Messages and Papers from the Chair. None

110. Propositions and Remarks from the Commission.

110.1 Commissioner Neathamer stated he would not be able to attend the January 18, 2019, meeting.

110.2 Commissioner Whitlock wished everyone Happy Holidays, Merry Christmas, and a Happy New Year.

120. City Council Comments. None.

130. Adjournment

130.1 The meeting was adjourned at approximately 1:35 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:



Debbie Strigle
Recording Secretary

Jim Quinn

Site Plan and Architectural Commission Chair

Approved: January 4, 2019



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT – CONTINUANCE REQUEST

for a Type-III quasi-judicial decision: **Site Plan and Architectural Review**

PROJECT KFC
 Applicant: Barry Thiriot
 Agent: Phillip Moss

FILE NO. AC-18-126

TO Site Plan and Architectural Commission *for January 4, 2019 hearing*

FROM Dustin Severs, Planner III

REVIEWER Kelly Evans, Assistant Planning Director

DATE December 28, 2018

BACKGROUND

Proposal

Consideration of a proposal for the construction of a 2,849 square foot restaurant with a drive-thru (KFC) on a parcel totaling 0.76-acres, located at the corner of Garfield Street and Center Drive (1408 Center Drive) in the Regional Commercial (C-R) zoning district (371W32B TL 4801 & 3605).

Request

The applicant has requested that the item be continued to January 18, 2019, in order to provide additional time to make revisions to the site plan.

EXHIBITS

- A Continuance request, received December 27, 2018.
 Vicinity Map

COMMISSION AGENDA:

JANUARY 4, 2019

Dustin J. Severs

From: Phillip Moss <PMoss@vmarch.com>
Sent: Thursday, December 27, 2018 4:20 PM
To: Dustin J. Severs
Subject: KFC Center Street

Dustin,
We would like to continue the SPAR hearing for the KFC to the next SPAR hearing.

Thank you,

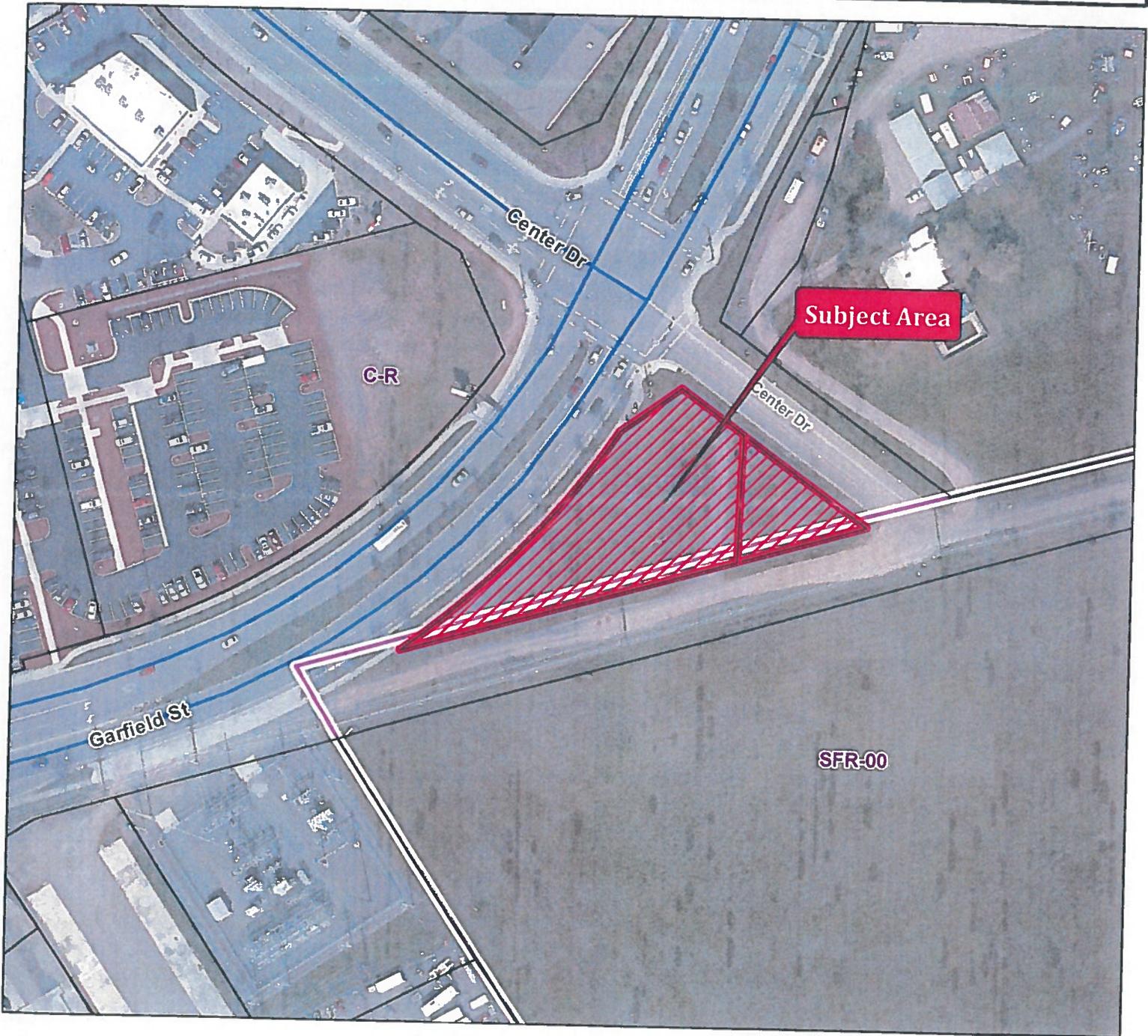
Phillip Moss, AIA, NCARB
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CITY OF MEDFORD
EXHIBIT # A
File # AC-18-126



Project Name:

KFC

Map/Taxlot:

371W32B TL 3601 & 4801

Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

12/21/2018

