

City of Molalla

STAFF REPORT/RECOMMENDATION TO THE MOLALLA PLANNING COMMISSION

File: M001-14-SDR, Site Design Review
Applicant: Joyce Ryan
Hearing Date: July 8, 2014 (Planning Commission)
Planning Staff: Clay Glasgow
Report Date: June 30, 2014

I. GENERAL INFORMATION

- A. **Proposal:** applicant proposes development of Subway restaurant on the property. The use as proposed is allowed outright in the underlying C2 Zone, subject to Site Design Review.
- B. **Legal Description:** T5S, R2E, Section 7A, Tax Lot 2400
- C. **Location:** 31330 S. Highway 213
- D. **Zone:** C2, General Commercial
- E. **Comprehensive Plan Designation:** Commercial
- F. **Site Information:** The subject property is approximately one (1) acre in size; and has historically been in residential use. The site is currently vacant. City water, sewer and other infrastructure is available. The property is in the General Commercial Zone, C2, and fronts on Highway 213, just north of the Safeway development. The site is generally level with no known significant natural features.
- G. **Vicinity Description:** Safeway et.al. adjacent to the south and east, residential use to the north, along Highway 213. Across the Highway to the west is a wrecking yard and a Les Schwab Tire store.

II. FINDINGS and CONCLUSIONS

This request is subject to applicable criteria of 17.12, 19.04, 19.08 and the Community Design Standards generally of Title 18 of the Molalla Development Code (MDC). The applicant has submitted information relative to applicable criteria and standards.

Planning staff has reviewed this request in reference to the applicable provisions of the MDC. Based upon this review, staff makes the following findings and conclusions:

1. Chapter 17.12 of the MDC identifies allowed uses within the C2 Zone. Restaurants, not including drive-thru is listed as a permitted use. Permitted uses in the C-2 are subject to Site Design Review. 17.12.20 provides further detail on Land Uses and Development Standards. Applicant provides responses to these requirements. Staff finds applicable standards are satisfied with this proposal.

Subsection 17.12.030 deals with setbacks yards and buffers. This appears to be an attempt to encourage pedestrian-oriented development and provide flexibility in design. As proposed, this development does not conflict with provisions in this subsection.

Subsection 17.12.050 deals with building orientation and block layout. This also appears to attempt pedestrian oriented development. The building as proposed is oriented to the street with front door facing Highway 213, with access directly to and from the highway. Circulation will be provided as shown. Landscaping will be provided. Building materials and colors are discussed. Staff is able to find the proposal meets the intent of this section.

Subsection 17.12.060-070 discuss building height and architectural design standards. Submitted plans show a structure that appears almost barn-like. The Planning Commission should discuss the building, as well as site design.

2. Title 18 of the MDC discusses Community Design Standards. Chapter 18.4 focuses on Access and Circulation. Subsection 18.04.020 deals specifically with vehicle access and circulation. The submitted site plan shows access directly onto Highway 213. Staff had questioned the city, ODOT and the applicant regarding any potential cross-over easements that may have been required as part of the Safeway development, adjacent to the south. This in an attempt to consider internal circulation via existing driveways for Safeway. No information was submitted to staff indicating such cross-over access easement is in place. As part of decision on this request a condition is warranted requiring the property owner provide cross-over easement to the property adjacent to the south, at a location approved by the city. At such time as that property redevelops, the second half of the cross-over easement will be required, a drive-aisle between the two developments constructed and direct access to/from Highway 213 for this property shall be closed. The Planning Commission should consider this during review of the application, such that current development does preclude future

shared access with property to the south. ODOT submitted written comments in response to notice of this application. Recommended conditions of approval from that Agency are included, below. As conditioned, the proposal meets requirements of this subsection.

Subsection 18.04.030 deals with pedestrian access and circulation. See submitted site plan. This subsection is satisfied.

Subsection 18.08 discusses Landscaping, Street Trees, Fences and Walls. Subsection 18.08.020 deals with landscape conservation. The landscape plan submitted to the city is lacking in detail relative to species and site percentage.

Subsection 18.08.030 details criteria for landscaping. Minimum required landscape area in the C-2 zone is 15%. It would appear this percentage is met, though no calculations are provided. The submitted landscape plan does not provide enough detail on this or other required features. Also, a minimum of five (5) street trees will be required. Other applicable criteria from this subsection are discussed in the application materials. The Planning Commission should consider landscaping, and at a minimum include a condition of approval requiring submission of accurate, complete landscape plan. As conditioned the proposal could meet applicable criteria.

Subsection 18.08.050 lists standards for fences and walls. Staff is unable to find detail on fencing. This should be discussed by the P.C. As conditioned, this criterion can be met.

3. Chapter 18.12 of the MDC deals with Parking and Loading. The applicant has provided information relative to standards in this Chapter. Subsection 18.12.020 lists general standards, met as shown.

Section 18.12.030 details automobile parking standards. Submitted site plans show detail for parking. This type of use requires a minimum of eight (8) parking spaces per thousand square feet of floor area. A total of 16 on-site parking spaces are shown. With building area of approximately 2,000 square feet this meets the minimum number of parking spaces. At least two of the spaces in the southwest portion of the parking area could be problematic as far as maneuverability. A condition of approval should be added that applicant submit detailed parking plan.

4. Chapter 18.16 discusses Public Facilities. Developer is responsible for extending necessary services.
5. Chapter 18.20 lists applicable standards for surface water management. A condition of approval will require the applicant provide a drainage report has been prepared and will be submitted to the City for review.
6. Chapter 18.32, Signs, discusses standards relating to signs on the subject property. No signs are proposed through this application. Any future signage will be reviewed for compliance with City sign and design review code. As conditioned

this proposal can be applicable criteria.

- 7 Title 19 of the MDC, Administration of Land Use and Development lists approval types and processes. The proposed development requires a Type 3 Site Design Review process with review and decision by the Planning Commission.

Subsection 19.04.250 details requirements for traffic studies. ODOT is not requiring a traffic study for the proposal.

- 8 Subsection 19.08.050 deals with Site Design Review. As conditioned, below, applicant has provided adequate information to satisfy submittal requirements.

III. RECOMMENDATION

The City is authorized to approve Site Design Review applications pursuant to Subsection 19.04.040 of the MDC. Planning staff recommends approval of this site design review application, based on the submitted application materials and subject to the following conditions:

1. This approval shall remain valid for one year following the date of approval. If a building permit has not been issued by that date, this approval shall expire unless an extension is granted pursuant to Subsection 19.04.160(A) of the MDC.
2. The applicant shall obtain required permits from Clackamas County. The applicant shall comply with the requirements of the permits.
3. The applicant shall obtain a grading permit, if required, from Clackamas County for any proposed grading and fill. The applicant shall comply with the requirements of the permit.
4. New mechanical equipment and garbage receptacles shall be screened as required by the MDC.
5. On-site lighting shall comply with Subsections 21.80 (Dark Skies) and those portions of Title 17 applicable to lighting.
6. New utility lines shall be placed underground unless prohibited by the utility service provider. New roof-mounted fixtures and utility cabinets or similar equipment shall be visually screened from public view as required by the MDC.
7. The applicant shall submit a letter to the city from the franchise hauler indicating approval of a plan for trash/recycling storage and collection.
8. The applicant shall submit detail for on-site parking, to include striping for a minimum of 16 parking spaces. This plan to be submitted to staff and approved prior to occupancy.

9. Prior to site development the applicant shall submit a complete landscape plan, addressing all required elements.
10. The proposed landscaping shall be installed prior to occupancy and shall be continuously maintained. Landscape maintenance shall be the responsibility of the owner.
11. All signs shall meet the provisions of Subsection 18.32 of the MDC.
12. Paving shall comply with city standards. Plans shall be submitted to the city for approval prior to construction.
13. This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA), including provisions for curb ramps.
14. Installation of curbs and sidewalks, if necessary, shall be constructed to city standards.
15. Property owner to provide cross-over access easement to property to the south (Safeway) at a location approved by the city. When the property to the south re-develops, reciprocal cross-over easement to be granted to subject property. Driveway to be constructed at that time to provide for internal circulation between the two properties.
16. At such time as cross-over easements are effected and internal driveway constructed, driveway at 213 will be abandoned and removed.
17. Construction of storm drainage improvements associated with the development shall be consistent with city standards. Storm water detention area to meet or exceed NPDES regulations and be reviewed by the City engineer. Compliance with the drainage requirements of the plumbing code administered by Clackamas County.
18. Water and sanitary sewer improvements shall be constructed to City standards, with plans to be submitted to the City for approval prior to construction.
19. Final certificate of occupancy shall not be granted until all conditions of the design review approval have been met.
20. Any changes in the approved design review plans shall be submitted and approved prior to implementation.
21. Prior to issuance of a final occupancy permit, required improvements shall be installed and existing streets and other public facilities damaged during development shall be repaired or the developer shall file a financial guarantee of performance in a form acceptable to the city attorney. The financial guarantee must be valid until the improvements are complete or the damages repaired, as determined by the city.

22. Curb, sidewalk, bikeways and road widening shall be constructed as necessary to be consistent with local Transportation System Plan and ODOT/ADA standards.
23. Right-of-way dedication as necessary to accommodate the planned cross section identified in the local Transportation System Plan (see requirements from ODOT.)
24. An ODOT approach permit for access to the state highway shall be obtained.
25. The applicant shall record cross-over access easements to the adjacent properties with state highway frontage with the County Assessor.
26. An ODOT Miscellaneous Permit must be obtained for all work in the highway right-of-way.
27. An ODOT Drainage Permit is required for connection to state highway drainage facilities (see comments/conditions from ODOT.)



Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

RYAN JOYCE
504 N WATER ST
SILVERTON, OR 97381

Site Address: **31330 S HWY 213**
 Taxlot Number: **52E07A 02400**
 Land Value: **323789**
 Building Value: **870**
 Total Value: **324659**

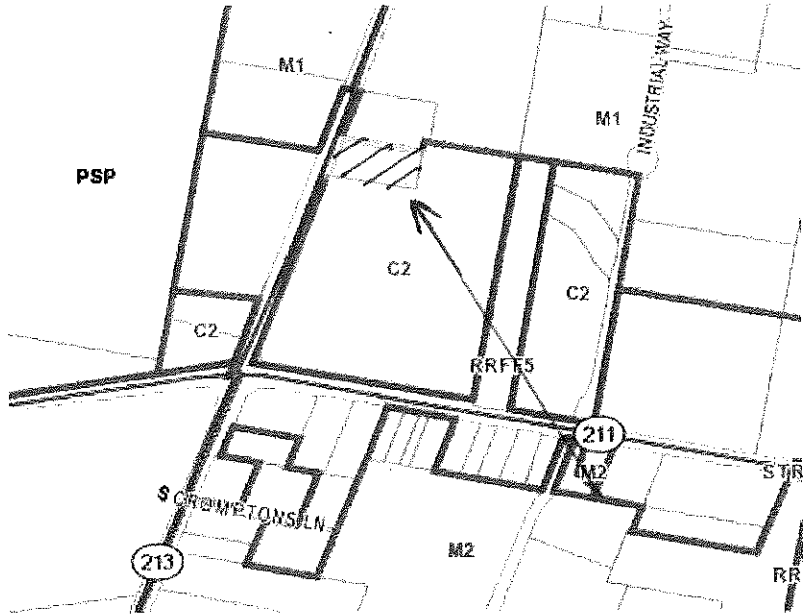
Acreage:
 Year Built:
 Sale Date: **12/27/2013**
 Sale Amount: **0**
 Sale Type: **S**

Land Class:
201
 Building Class:

Neighborhood:
Area 02 commercial
 Taxcode Districts: **035039**

Fire: **Molalla RFPD #73**
 Park: **N/A**
 School: **Molalla River**
 Sewer: **N/A**
 Water: **N/A**
 Cable: **City**
 CPO: **City**
 Garb/Recyc: **Molalla Sanitary**
 City/County: **Molalla**

Location Map:



Site Characteristics:

UGB: **MOLALLA**
 Flood Zone: **Not Available**

Zoning Designation(s):

| Zone | Overlays: | Acreage: |
|------|-----------|----------|
| C2 | N/A | 1.01 |

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

12600

35-02

M1

TRACT 39

2500
2.80 Ac.
31291

20.70 Ac.

5-13

2602
0.01 Ac.
5501

2

MARKET ROAD TWO 5/8 IN

STATE

HIGHWAY

M1

-39UR

TRACT 38

C2

16.92 Ac.

SHAVER

TRACT 37

1992-189

P.P. 2010

C2

DUSTRIAL

600
9.40 Ac.
12786

702
1.99 Ac.
1400

700
8.81 Ac.
31176

706
1.00 Ac.
PARCEL 6

708
1.14 Ac.
512

709
1.00 Ac.
1320

705
0.96 Ac.
506

701
4.95 Ac.
410

PARCEL 1
(5.71 Ac.)

2300
1.25 Ac.
31302

2400
1.00 Ac.
31330

2200
13.94 Ac.
1515-1585

2100
2.91 Ac.
12843

2000
0.92 Ac.
PARCEL 2

1900
0.91 Ac.

1901
4.01 Ac.
12863

1803
3.69 Ac.

1804
7.12 Ac.
12933

R3

SEE

MA

5

2E

TOLIVER

5

2E

P.P. 2006

P.P. 2000

P.P. 2006

P.P. 2005

P.P.

181

18

45

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18

(COUNTY ROAD NO. 428)

BOARDWALK

AVE.

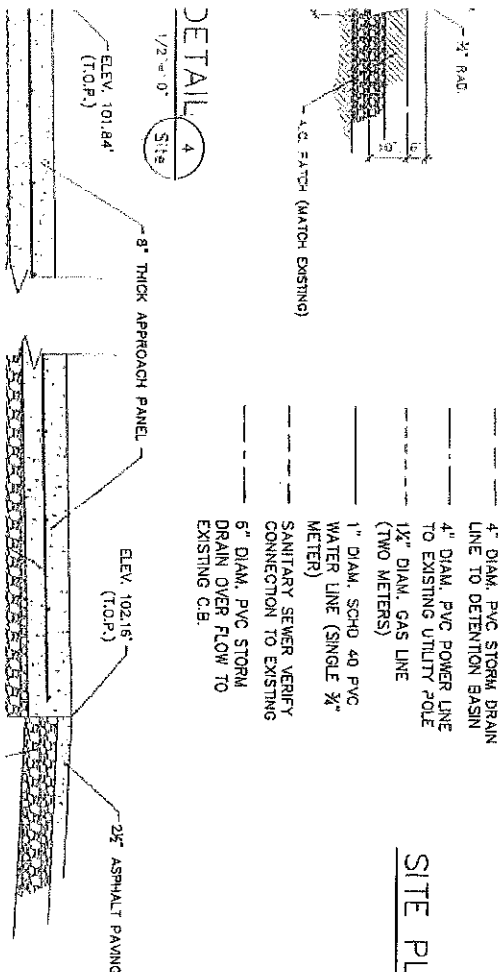
ROSE MAP

WAY

TRACT 35

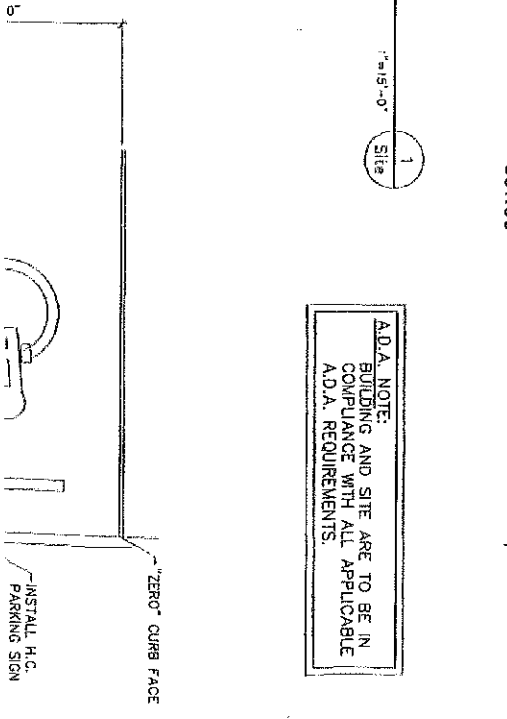
TR. "A"

C.E.



- 4" DIAM. PVC STORM DRAIN LINE TO DETENTION BASIN
- 4" DIAM. PVC POWER LINE TO EXISTING UTILITY POLE
- 1 1/2" DIAM. GAS LINE (TWO METERS)
- 1" DIAM. SCHED 40 PVC WATER LINE (SINGLE 3/4" METER)
- SANITARY SEWER VERIFY CONNECTION TO EXISTING
- 6" DIAM. PVC STORM DRAIN OVER FLOW TO EXISTING C.B.

SITE PLAN



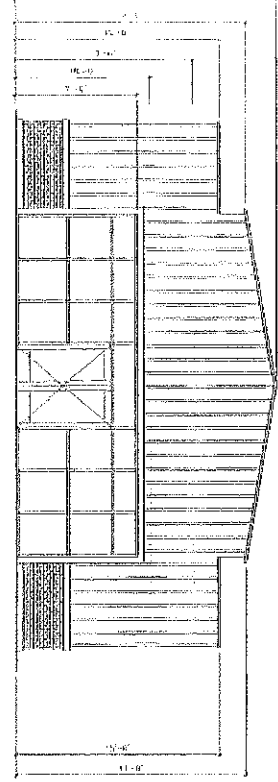
A.D.A. NOTE:
 BUILDING AND SITE ARE TO BE IN COMPLIANCE WITH ALL APPLICABLE A.D.A. REQUIREMENTS.

AY
 Hwy. #213
 , OR 97038

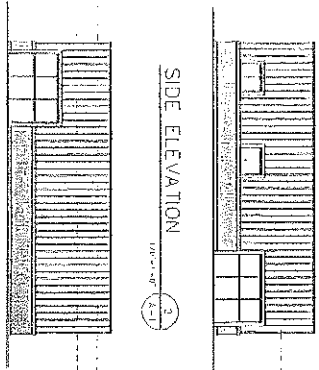


Pacific NorthWest Engineering, Inc.
 4242 Silver Falls Dr. N., Silverton, OR 97381
 Ph. (503) 873-3184 Fax. (503) 873-3907





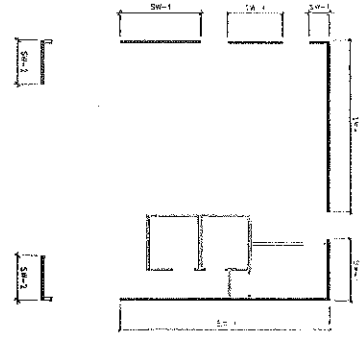
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SHEARWALL LAYOUT

A.S. NOTE
BUILDING AND SITE ARE TO BE AS
SHOWN ON ALL APPLICABLE
4.0-A REQUIREMENTS

SECTION SUBMITTALS SHALL BE:
1) CIVIL PLAN SET
2) STRUCTURAL EQUIPMENT
3) LIGHTING LAYOUT

GENERAL NOTES

1. ALL WORK IS TO BE DONE WITH THE LATEST APPROVED VERSION OF THE 2008 IBC AND 2008 ACI 308R. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 IBC AND 2008 ACI 308R. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 IBC AND 2008 ACI 308R.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
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4. ALL EXISTING WALLS TO BE REMOVED SHALL BE REMOVED TO THE FINISH SURFACE OF THE EXISTING FOUNDATION. ALL EXISTING WALLS TO BE REMOVED SHALL BE REMOVED TO THE FINISH SURFACE OF THE EXISTING FOUNDATION.
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FOUNDATION NOTES

1. FOUNDATIONS ARE TO BE CONSTRUCTED WITH 3000 PSI CONCRETE AND #4 REINFORCING BARS. ALL FOUNDATIONS SHALL BE CONSTRUCTED WITH 3000 PSI CONCRETE AND #4 REINFORCING BARS.
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FRAMING NOTES

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LATERAL ENGINEERING NOTES

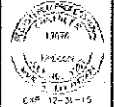
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SUBWAY
31330 Hwy. #213
Molalla, OR 97038

Pacific NorthWest Engineering, Inc.
4242 Silver Falls Dr. N., Silverton, OR 97381
Ph. (503) 873-3184 Fax. (503) 873-3907



DATE: 04-11-11
SCALE: VARIOUS
DRAWN: MASE
CHECKED: MASE
JOB: 14-008
SHEET: A-1

Sadie Cramer

From: Dan Huff <dhuff@cityofmolalla.com>
Sent: Wednesday, July 02, 2014 4:08 PM
To: Sadie Cramer
Subject: Planning Commission Agenda
Attachments: M001-14-SDR Subway staff_20140701075334.pdf; M001-14-SDR Subway_20140701074708.pdf; M001-14-SDR agenda_20140701080909.pdf

From: Glasgow, Clay [mailto:clayg@co.clackamas.or.us]
Sent: Tuesday, July 01, 2014 9:06 AM
To: Grant Sharp; Jake Burroughs; Jason Griswold; Jerome Beattie; Joseph Harrison; Laura Ferris; Mary Lynn Jacob; Penny Welty; Rhonda Ruppel; Stephen Clark; Pat Ross; Patrick Nesbitt; Susan Hansen
Cc: Dan Huff
Subject:

Hello,

I have attached the staff report for next week's land use hearing. This for a proposed Subway restaurant on property just north of the Safeway.
Hope to see you all on July 8th, 2014.

Clayton Glasgow

Clayton Glasgow
Planner, Clackamas County
Molalla and Gladstone
(503) 742-4520, clayg@clackamas.us

*BEGINNING JULY 8, 2013, the Department of Transportation and Development's hours are:
Monday thru Thursday, 7:30 AM to 4:30 PM and Friday, 8:00 AM to 3:00 PM.
2nd and 3rd floor LOBBY HOURS are Monday through Friday 8:00 AM to 3:00 PM.*

Sadie Cramer

From: Dan Huff <dhuff@cityofmolalla.com>
Sent: Wednesday, July 02, 2014 4:08 PM
To: Sadie Cramer
Subject: Planning Commission Agenda
Attachments: M001-14-SDR Subway staff_20140701075334.pdf; M001-14-SDR Subway_20140701074708.pdf; M001-14-SDR agenda_20140701080909.pdf

From: Glasgow, Clay [mailto:clayg@co.clackamas.or.us]
Sent: Tuesday, July 01, 2014 9:06 AM
To: Grant Sharp; Jake Burroughs; Jason Griswold; Jerome Beattie; Joseph Harrison; Laura Ferris; Mary Lynn Jacob; Penny Welty; Rhonda Ruppel; Stephen Clark; Pat Ross; Patrick Nesbitt; Susan Hansen
Cc: Dan Huff
Subject:

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