



Planning & Community Dev.
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Findings of Facts and Decision

File No.: P27-2017

Parcel or Taxlot: Township 5 South, Range 2 East, Section 09 C, Tax lot 01800

Address: 117 Center Ave, Molalla OR 97038

Applicant: Sanitech

Owner: Eric Hefley

Proposal: Central Commercial Building

Current Use: two storage structures

1. Overview & Background

Planning & Land Use Application P27-2017 proposes to create a new central commercial building on a parcel located at 117 Center Ave in the City of Molalla. The subject parcel is .21 +/- acres in size, and adequate infrastructure exists nearby to facilitate the proposed development. The parcel currently contains two buildings that are vacant, in which the western structure will remain on the site. The property is in the central commercial zone and the property abuts two central commercial retail stores. Proposed building plans show the retail being a two-story structure. The applicant may reduce the building height to one story. The site fronts 117 Center Ave. The access of the parcel will be located on a connected alley street. The driveway will provide access to the proposed development. The applicant will be required to reconstruct frontage on Center Ave. and sidewalk improvements to City standards. In addition, the applicant will be required to construct full alley improvements along the south side of the subject property. Applicant will be reimbursed for final design and construction costs for the south half of the alley. Alley shall be designed and constructed per Public Works Standards, be constructed in concrete, and designed with a valley gutter to a storm drain system.

2. Public Notice

Notice was sent December 14, 2017 to all landowners within 500 feet of the parcel.

Notice was placed on the City of Molalla Website on December 20, 2017 under the general news feed.

3. Attachments & Exhibits

Exhibit 1. Copy of Notice sent to local landowners, interested parties and posted on the City website.

Exhibit 2. Applicant submittal package prepared by Sanitech, dated December 18, 2017.

4. Party Status & Public Comments

Property owner Eric Hefley representing Sanitech. He reviewed the application and affirms the report.

5. Procedural Findings:

The application will be reviewed based on criteria set forth by the Molalla Municipal Code, section 19.08.060 Site Design Review—Approval criteria (in bold and italics), and Staff findings, are as follow

1. The proposed land use or development is permitted by the underlying land use district (Title 17);

Findings: As stated in the applicant’s submission the parcel is located in C-1 (Central Commercial) zone. The proposed uses of office/retail are permissible in the underlying zoning district. This criteria has been met.

2. The land use, building/yard setback, lot area, lot dimension, density, lot coverage, building height and other applicable standards of the underlying land use district and any applicable overlay district(s) are met (Title 17)

Findings: The development proposal aligns with the Title 17 standards for land use, building height, setback and lot coverage. The central commercial district building orientation build to line provision is allowed since the building is abutting the alley way which considered a street.

4. When development is proposed, the applicable sections of Title 18, Design Standards, are met.

17.12.050 Commercial Districts – Building Orientation and Commercial

Title 18 standards apply as follows:

Findings: Chapter 18.04 ACCESS AND CIRCULATION. The access of the development will be through the alley way off Center Ave. Since the alley is considered a street, it meets the build to line provision. Commercial Zones required driveways and parking lots be paved. The entrance on the proposed site plan illustrates the entrance being gravel, which is not allowed. Commercial Zones require access/parking lots on site to be paved in order to maintain fluidity for vehicle circulation. In the proposed site plan there is an access to the building via a sidewalk. 18.04.030 Pedestrian access and circulation requires pedestrian connectivity to the commercial buildings main access points. There is sidewalks to the proposed development and will be conditions to have sidewalk walk connection. There is sufficient space for vehicles to access and circulate the site. This criteria will be met if conditions are followed.

Findings Chapter 18.08 LANDSCAPING, STREET TREES, FENCES AND WALLS. As stated in the submittal landscaping will be incorporated in the development. Central Commercial Zones require 5% landscaping. As shown in the site plan the development incorporates the landscaping requirement. Percentage is not shown and in order to confirm percentage an updated site plan will be required. As a result a change in landscaping shall have a landscaping plan as required in the condition below. In addition trees that will be retained shall be shown. No wall or fence is proposed. This criteria has been met.

Findings: Chapter 18.12 PARKING AND LOADING. Adequate access has been provided as illustrated on applicant's submittal to facilitate parking within the project. Compliance with the standards of this section will be demonstrated at the time of building permit review. All development shall comply with the requirements of the current version of the Public Works Standards.

Findings: Chapter 18.20 SURFACE WATER MANAGEMENT. The project's storm water management system will be constructed in accordance with applicable Public Works Design Standards.

4. Meet the requirements of Section [19.04.260](#), *Traffic Studies*;

Findings: No traffic study was required as a result of this proposal because the anticipated trip generation fell below threshold requirements. MCC 19.12.080.1.f does not apply.

6. Decision

Based upon the submitted materials and the findings of this report, the City of Molalla Planning Commission **Approves** application P27-2017 pursuant to the following conditions:

1. This approval shall remain valid from 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 of the MMC.
2. The applicant shall obtain any required (building) permits from Clackamas County, and comply with the requirements of the permits.
3. Building plans shall be reviewed at the time of submittal.
4. The applicant shall provide a landscape plan complying section 18.08.030 (Landscaping) for the site, and install that landscaping prior to occupancy of the new structure.
5. Final certificate of occupancy shall not be granted until all conditions of the design review approval have been met.
6. Any changes in the design review plans shall be submitted and approved prior to implementation or construction.
7. On-site lighting shall comply with subsection 21.08 (Dark Skies) and those portions of Title 17 applicable to lighting.
8. All driveways, circulation routes, and parking lots shall be paved.
9. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets.
10. Landscape percentage and trees to be retained shall be shown on an updated site plan.
11. Walkways shall comply with applicable Americans with Disabilities Act (*ADA*) requirements.
12. The applicant shall acquire written approval from the local fire marshal regarding compliance with Oregon Fire Code prior to Final Occupancy.
13. Access will need to be provided within 150 ft. of all portion so f the first floor of the building.
14. Address numbers will need to be posted with number 4 in. in height with a stroke width of not less that on half in. The must contrast with the background on which they sit.
15. Egress light/exit signing may be required.
16. Fire extinguishers will be needed a minimum of one for each floor.

Public Works Conditions

1. Specific Requirements To This Site:
 - A. Street:
 1. The general office building proposal will not require a traffic impact analysis update. The proposed development will add a total of 15 trips and the threshold for a traffic impact analysis is 300 trips.
 2. Center Avenue: Center Avenue is a Neighborhood Street under City of Molalla jurisdiction. Current right-of-way width is approximately 65 feet and approximate pavement width is 42-44 feet. Neighborhood streets (w/TL, w/PK) require 50 feet of right-of-way and 40 feet of pavement. Applicant will not be required to dedicate right-of-way and but will be required to reconstruct curb and sidewalk improvements to City

standards. Applicant will also be required to dedicate a 10 foot Public Utility Easement fronting Center Avenue.

3. Public Alley: Applicant will be required to construct full alley improvements along the south side of the subject property. Applicant will be reimbursed for final design and construction costs for the south half of the alley. Alley shall be designed and constructed per Public Works Standards, be constructed in concrete, and designed with a valley gutter to a storm drain system.
4. Access to public streets and alleys shall be limited to the location in the northwest and southeast corners of the property as shown by the applicant. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width of accesses shall meet the Public Works Standards. Stop sign shall be placed at entrance to Center Street
5. Applicant proposes to construct a pedestrian sidewalk along the south side of the parcel. Sidewalk shall be designed and constructed onsite with Type C curb along alley to avoid vehicle and pedestrian conflict.
6. Transportation SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. SDC's shall be calculated based on 1000 SF gross floor area in accordance with the SDC methodology.

B. Storm:

1. Center Avenue: A 12 inch storm main exists fronting the property along Center Avenue. Applicant will be required to provide onsite detention and water quality per the public works standards and may be incorporated into the landscaped areas. Stormwater shall be extended to at least one catch basin centered in the reconstructed alleyway.
2. Stormwater SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from stormwater SDC charges. SDC's shall be calculated based on the total impervious surface divided by 2,640 SF times the current rate per equivalent dwelling unit in accordance with the SDC methodology.

C. Sanitary:

1. Center Avenue: An 8-inch sanitary main exists on Center Avenue. Applicant proposes to connect to this system. This parcel has an active sewer account and is connected to the City sewer system. Applicant will be required to connect to existing service or abandon existing service and construct a new service.
2. Public Alley: A 6-inch sanitary main exists along the alley. Depending on condition of main line applicant may be required to replace the 6-inch line to the clean out as part of the alley reconstruction. The City will reimburse the applicant for the cost of reconstruction. Applicant may also chose to connect to the sewer line in the alleyway reducing the length of their lateral.
3. Sanitary SDC's – In accordance with MMC 13.14 this design review permit does not increase the impacts to the public improvement facility and is therefore exempt from sanitary SDC charges.

D. Water:

1. Center Avenue: A 10-inch water main exists on Center Avenue. Applicant proposes to connect to this system. This parcel has an active water account and is connected to the City water system. Applicant will be required to connect to existing service or abandon existing service and construct a new service.
2. Water SDC's – In accordance with MMC 13.14 this design review does not increase the

impacts to the public improvement facility and is therefore exempt from water SDC charges.

E. Parks:

1. Parks SDC's – In accordance with SMC 13.70.110 this commercial design review is exempt from parks SDC charges.

F. Franchise Utility Services:

1. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city.

DESIGN REQUIREMENTS & POLICIES

a. General Requirements:

- A. From the materials submitted, it appears that the storm drain, domestic water and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of these public utilities will be required.
- B. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff, and Staff is notified a minimum of 24 hours in advance.
- C. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.
- D. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Work's Standards.
- E. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- F. Plans submitted for review shall meet the requirements described in Section 1 of the Public Works Standards.
- G. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
- H. Sanitary sewer designs require review by Oregon Department of Environmental Quality. Applicant shall be responsible for submission of plans to state agency and all associated fees.

- I. All utilities will be stubbed out to the far end of each street for future extension. The project shall utilize existing water, sewer, and storm water 'stub-outs' wherever possible. Water for domestic and fire protection shall be looped through the proposed site. Any 'stub-outs' determined to be not needed for the proposed development or any future development of the subject property shall be abandoned in accordance with the Public Works Standards.
- J. All public improvement designs shall meet the requirements of the Public Works Standards as amended by the Public Works Director.
- K. General Easements – A 10-foot wide public utility easement shall be dedicated to the City adjacent to all public right-of-way and no structures are allowed to encroach into the easement. Applicant shall be required to submit a legal description and exhibit map for review and sign City easements. Once completed, applicant will be required to record easements with the County Recorder's Office and return a copy to the City of the recorded document prior to final occupancy.
- L. General Erosion Control – The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.

Dated this _____ Day of February, 2018.

Rae-Lynn Brotford
Commission Chair

Aldo Rodriguez
Community Planner