



450 E. Main Street  
John Day, OR 97845  
[www.cityofjohnday.com](http://www.cityofjohnday.com)  
Tel: (541) 575-0028  
Fax: (541) 575-3668

## Site Design Review (Type III) SDR-20-01

### STAFF REPORT

**Date Submitted:** June 29th, 2020

**Agenda Date Requested:** June 30<sup>th</sup>, 2020

**To:** John Day Planning Commission

**From:** Nicholas Green  
City Manager

**Subject:** Site Design Review for Dollar General Store

**Location:** 700 W. Main Street John Day, OR  
Map: 13S31E22D Tax Lot(s): 305 (Parcel 2)

**Type of Action Requested:**

<input type="checkbox"/>	<b>Resolution</b>	<input type="checkbox"/>	<b>Ordinance</b>
<input checked="" type="checkbox"/>	<b>Formal Action</b>	<input type="checkbox"/>	<b>Report Only</b>

---

### 1. BACKGROUND

The Zarembo Group is applying on behalf of Dollar General Corporation to site a new Dollar General retail store at 700 W. Main in John Day (Map No. 13S31E22D Tax Lot: 305 (Parcel 2)). The project will include construction of four main components: (1) 9,100 sf retail building; (2) one freestanding sign; (3) parking and landscape improvements with 36 parking spaces, including 2 ADA spaces; and (4) a 36 ft wide driveway with new access approach to U.S. Highway 26. The proposed location for this development is on a 1.58-acre parcel approved by the John Day Planning Commission and City of John Day through Land Partition 20-01.

## 2. APPLICABLE CRITERIA

The proposed development plan requires site design review. A public hearing is required for this application. The Planning Commission's review must focus on the relevant code criteria and follow the public hearing procedures for Type III (Quasi-Judicial) review under Section 5-4.1.040. The Planning Commission should approve the request, including the site plan, if it conforms to the approval criteria or if it can be made to conform to the criteria through the imposition of reasonable conditions.

The Site Design Review procedure can be conducted using a Type II procedure, consistent with Chapter 5-4.1 except for proposals exceeding the thresholds below which are reviewed using a type III procedure:

- A. The proposed use's estimated vehicle trip generation exceeds 100 average daily trips, based on the latest edition of the Institute of Transportation Engineers (ITE) Manual. (This is the equivalent of approximately 10 dwelling units or a 1,000 square foot bank with drive-thru window.); or the use exceeds 5,000 square feet of gross leasable floor area; or the project involves more than one (1) acre total site area.
- B. The proposal involves a conditional use.
- C. The proposal involves an adjustment to a development standard, as provided under subsection 5-4.2.060(B).
- D. The City Planning Official determines that, due to the nature of the proposal, a public hearing is the most effective way to solicit public input in reviewing the application.
- E. The proposal involves expansion of a non-conforming use.

Because this proposal exceeds 5,000 square feet of gross leasable floor area, the application shall be reviewed as a Type III procedure.

**Finding:** This request is being processed as a Type III procedure because the proposed development exceeds 5,000 square feet of gross leasable floor area, involves more than one acre of total site area, requests a new approach to U.S. Highway 26 and may exceed 100 average daily trips.

## 3. PLANNING COMMISSION CONSIDERATIONS

The Planning Commission's review must focus on the relevant code criteria and follow the public hearing requirements for a Type III Quasi-Judicial procedure under section 5-4.1.040. The Planning Commission should approve the request if it conforms to the approval criteria.

## 4. STAFF RECOMMENDATION

Staff recommends that the Planning Commission **approve SDR-20-01, subject to the conditions noted in the staff report.**

## 5. PUBLIC NOTIFICATION

The City of John Day mailed public notice to all affected property owners on May 29<sup>th</sup>, 2020 and published notice in the Blue Mountain Eagle 14 days prior to the planning commission hearing as required by the Development Code. No public comments were received.

## 6. BURDEN OF PROOF

The applicant has the burden of demonstrating that the proposal meets all applicable Code requirements. The applicant is also responsible for complying with building code requirements and applicable state or federal requirements. It is the Planning Commission's responsibility to interpret the Code based on findings of fact.

## 7. APPROVAL CRITERIA AND FINDINGS

The following section shown in italics provides the decision-making criteria as required by John Day Development Code Section 5-4.

### *5-4.2.060 Site Design Review - Approval Criteria; Adjustments*

*A. Approval Criteria. An application for Site Design Review shall be approved if the proposal meets all of the following criteria. The City decision making body may, in approving the application impose reasonable conditions of approval, consistent with the applicable criteria:*

- 1. The application is complete, as determined in accordance with Chapter 5-4.1 - Types of Applications and Section 5-4.2.050, above.*
- 2. The application complies with all of the applicable provisions of the underlying Land Use District (Article 5-2), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;*

**Finding:** The application is complete and complies with the provisions of the general commercial district see *preliminary plat approval criteria* for more information.

- 3. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 5.2, Non-Conforming Uses and Development;*
- 4. The proposal complies with all of the Design Standards in Article 5-3:*
  - a. Chapter 5-3.1 - Access and Circulation;*
  - b. Chapter 5-3.2 - Landscaping, Significant Vegetation, Street Trees, Fences and Walls;*
  - c. Chapter 5-3.3 - Parking and Loading, for automobiles and bicycles;*
  - d. Chapter 5-3.4 - Public Facilities and Franchise Utilities;*
  - e. Chapter 5-3.5 - Signs;*

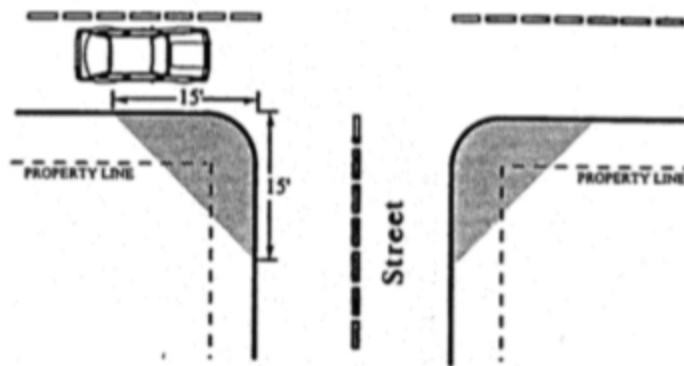
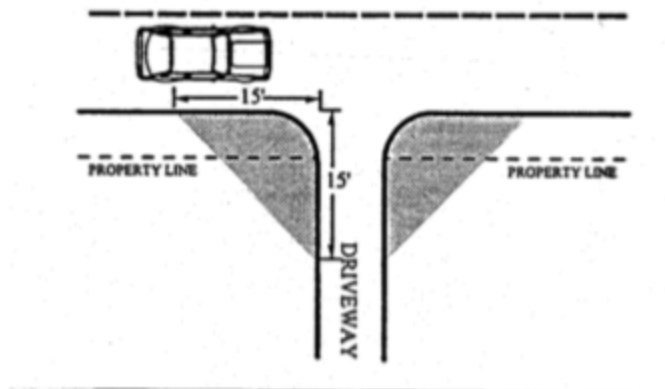
Chapter 5-3.1.020 Vehicular Access and Circulation

- **Access Permit Requirement:** *ODOT has confirmed the proposed approach will be permitted with the condition that the existing driveway at the westerly end of tax lot 305 be removed. A formal application for this access permit will be submitted after applicant receives planning commission approval.*
- **Traffic Study Requirement:** *Traffic Impact Analysis was completed in March 2020 and is included as exhibit C to this application.*
- **Number of Access Points:** *The number of street access points for commercial developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. This requirement is met by the applicant as only one access point is requested and the second unnecessary access point will be eliminated.*
- **Joint and Cross Access Requirement:** *When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways. This requirement does not apply to the development in question.*
- **Access Connections and Driveway Design.**

	<b>Code Requirement</b>	<b>Applicant's Proposal</b>
<b>Driveway Width</b>	For two-way access, each lane shall have a minimum width of 9 feet and a maximum width of 11 feet.	Three access lanes, each 10-feet in width. <b>Conforming.</b>
<b>Driveway Approaches</b>	Driveway approaches shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation. Construction of driveway accesses along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicular conflicts.	<b>Conforming.</b>
<b>Driveway Construction</b>	Driveway aprons are required in conformance with the Americans with Disabilities Act; 3 feet in width and with a cross slope not exceeding 2%.	Driveway aprons proposed with a slope of 1.5% per updated ODOT standards. <b>Conforming.</b>

- **Fire Access and Turnarounds:** *Driveway width proposed is 36 feet and site circulation was designed to accommodate a WB-67 truck as well as fire and garbage trucks.*
- **Vertical Clearances:** *This proposal meets the vertical clearance requirement of 13' 6" for the entire length and width.*
- **Vision Clearances:** *No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between three (3) feet and eight (8) feet in height will be placed in "vision clearance*

areas” at street intersections on streets, driveways, alleys, or mid-block lanes. There is an existing utility pole located about 16 feet east of the proposed driveway, however it should not interfere with the vision clearance triangles.



- **Conditions and Exceptions:** *The proposed development accommodates expected traffic to the site. Staff does not recommend any conditions or exceptions to city Vehicular Access and Circulation requirements unless suggested by the Planning Commission.*

#### Chapter 5-3.1.030 Pedestrian Access and Circulation

##### **Site Layout and Design:**

- 1. Continuous Walkway System:** *Curblin sidewalks are proposed by the applicant per ODOT standards which will connect to the current pedestrian walkway system.*
- 2. Safe, Direct, and Convinient:** *Proposal does not deviate unnecessarily from a straight line, does not involve a significant amount of out-of-direction travel for likely users, is reasonably free from hazards, provides a direct route of travel between destinations, and provides access to the primary building entrance.*
- 3. Connections within development:** *Parking areas are appropriately broken up and walkways are appropriately designed for pedestrian access.*

## **Walkway Design and Construction:**

1. **Vehicle/Walkway Separation:** *Walkways shall be raised 6 inches and curbed along the edge of the driveway/street.*
2. **Crosswalks:** *Where a walkway crosses a parking area, driveway, or street (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., light-color concrete or pavers inlaid between asphalt), which may be part of a raised/hump crossing area. The reviewing body may approve painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.*
3. **Walkway Width and Surface:** *Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least four (4) feet wide in residential projects and at least six (6) feet wide in all other projects. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide, or as required by the roadway authority or park district, as applicable.*
4. **Accessible routes.** *Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.*

### Chapter 5-3.2 - Landscaping, Significant Vegetation, Street Trees, Fences and Walls:

*Landscaping Plan will be submitted for final review as a condition of approval. Applicant must comply with code requirements and any additional restrictions imposed by the planning commission (if applicable.) Planning staff will make final approval determination during final plan review.*

### Chapter 5-3.3 - Parking and Loading, for automobiles and bicycles

#### **Automobile Parking Standards:**

##### **A. Vehicle Parking- Minimum Standards by use**

*Code Requirement for Retail Sales: 2.5 spaces per 1,000 sq. ft. minimum and 4 spaces per 1,000 sq. ft. maximum.*

*Applicant Proposal: 36 total spaces for 9,100 square feet of building space (Compliant.)*

##### **B. Vehicle Parking- Minimum Accessible Parking**

*Code Requirement: when 26 to 50 spaces are provided, 2 accessible spaces are required, one of which must be van accessible.*

*Applicant Proposal: 2 ADA spaces are provided, one of which is van accessible (Compliant.)*

##### **C. On Street Parking: Not Applicable**

##### **D. Shared Parking: Not Applicable**

##### **E. Off-site Parking: Not Applicable**

##### **F. General Parking Standards**

1. *Location: Compliant*
2. *Mixed Uses: Not Applicable*
3. *Availability of facilities: Not Applicable*
4. *Lighting: Outdoor lighting specifications will be submitted with final plans in compliance with code requirements and any additional restrictions imposed by the planning commission if applicable.*

5. *Screening of Parking Areas: Applicant will install a 6' chain link fence with privacy slats to mitigate light nuisance to adjacent residential use.*

**G. Parking Stall Design and Minimum Dimensions**

*Code Requirement: 8' 6" minimum width, 18' minimum depth*

*Applicant Proposal: 9' width 20' depth (Compliant.)*

**Bicycle Parking Standards**

**A. Minimum Required Spaces**

*Code Requirement: 1 per 20 vehicle spaces*

*Applicant Proposal: 2 spaces (Compliant.)*

**B. Exemptions: Not Applicable**

**C. Location and Design: Compliant**

**D. Visibility and Security: Compliant**

**E. Lighting: Outdoor lighting specifications will be submitted with final plans in compliance with code requirements and any additional restrictions imposed by the planning commission if applicable.**

**F. Reserved Areas: Compliant**

**G. Hazards: Compliant**

**Loading Areas**

*No loading spaces are required for buildings with less than 20,000 square feet of total floor area.*

**Public Facilities**

**5-3.4.010 Transportation Standards**

**A. Development Standards and Criteria**

*Adequate transportation facilities are available to this site with the exception of pedestrian sidewalk amenities which will be expanded by the developer. See Exhibit C, Traffic Impact Analysis for more information. Any street and access improvements will be subject to approval by the Oregon Department of Transportation upon the Public Works Director's acceptance of said Improvements.*

**Public Use Areas**

*Not applicable to this proposal*

**Sanitary Sewer and Water Service Improvements**

*Development permits for sewer and water improvements will not be issued until the Public Works director has approved all sanitary sewer and water plans in conformance with City standards.*

**Storm Drainage Improvements**

*Storm drainage will be retained on site and infiltrated in swales.*

**Utilities**

**A. Underground Utilites:** *All proposed utilites will be placed underground in accordance with the Code.*

**B. Easements:** *The developer has made provisions to dedicate utility easements necessary*

*to provide full services to the development as determined by the Public Works Director. All easements will be recorded upon approval of the final plat.*

**Signs**

*A wall cabinet sign and a freestanding sign are proposed for this development. A freestanding sign is proposed which exceeds the size that is permitted outright. The developer is requesting a variance in order to erect a 21’ sign with the store name. Dimensions of the proposed signs are included as exhibits F and G.*

**8. PRELIMINARY PLAT APPROVAL CRITERIA**

Section 5-4.3.070 contains approval criteria for preliminary plats. The Planning Commission’s evaluation of the project must focus on the relevant code criteria under Section 5-4.3.070 and follow the public hearing procedures for Type III (quasi-judicial) review under Section 5-4.1.040.

The applicable code criteria are provided below in *italics* typeface; staff’s findings follow each code provision in regular typeface. The findings, which are based on information submitted by the applicant, are preliminary. The plans, exhibits, and narrative submitted by the applicant and used in making the findings are attached to this report and include:

- Site Design Review Application (Exhibit A)
- Concept Site Plan (Exhibit B)
- Traffic Impact Analysis (Exhibit C)- provided virtually
- Concept Building Design (Exhibit D)
- Proposed Elevations (Exhibit E)
- Sign Proposal (Exhibits F & G)

All of the above documents are hereby incorporated and made part of the public record.

*5-4.3.070 Approval Criteria: Preliminary Plat*

*A. General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

*1. The proposed preliminary plat complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this Article, and the applicable chapters and sections of Article 5-2 (Land Use Districts) and Article 5-3 (Design Standards) shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Article 5-5;*

**Findings:**

<i>Standard</i>	<i>General Comercial (GC)</i>	<i>Application</i>	<i>Finding</i>
Minimum Lot Area	2,000 sf.	1.5 Acres	Compliant
Min. Lot Width	20 ft.	345 ft.	Compliant
Min. Lot Depth	2 times min. width (40 ft.)	280 ft.	Compliant
Building Height	45 ft. Maximum	18 feet	Compliant



Lot Coverage	90% Maximum	47%	Compliant
Landscape Area	10% Minimum	55%	Compliant
Min. Front Setback	0 ft.	N/A	Compliant
Side Setback	0 ft.	N/A	Compliant
Rear Setback	0 ft.	N/A	Compliant

*Build-to line: At least one primary building entrance shall be built no farther from the street right-of-way than the build-to line... The build-to line may also be increased through Site Design Review when pedestrian amenities are provided between a primary building entrance and the street right of way (See Section 5-2.3.090).*

**Findings:** The build-to line distance for this proposal is 105 feet while the code requires a 60 ft. build-to-line in the General Commercial zone. Because pedestrian access is provided from the proposed sidewalk to the building entrance, this increase is permitted if approved by the planning commission.

*2. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

**Findings:** No conflicts exist with ORS 92.

*3. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;*

**Findings:** The proposed facilities conform to the plat of adjoining partition to the west. All public improvements are identified on the preliminary plat.

*4. All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat; and*

**Findings:** Not applicable.

*5. Evidence that any required State and federal permits have been obtained, or shall be obtained before approval of the final plat;*

**Findings:** ODOT access permit shall be obtained before approval of the final plat. Floodplain development permit must also be approved by planning official prior to final plan approval in compliance with federal and local requirements.

*6. Evidence that improvements or conditions required by the City, road authority, Grant County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and*

**Findings:** No additional conditions are required unless requested by the planning commission.

*7. If any part of the site is located within an Overlay Zone, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.*

**Findings:** The site is not located within a current Overlay Zone or previously approved Master Planned Development.

*B. Layout and Design of Streets, Blocks and Lots. All proposed blocks (i.e., one or more lots bound by public streets), lots and parcels conform to the specific requirements below:*

**Findings:** Not applicable.

*C. Conditions of Approval. The City may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties. See Chapter 5-3.4 Public Facilities.*

**Findings:** Outdoor Lighting and Landscaping Plans will be submitted by the applicant and approved by the planning official during final plan review. Final plans must be in compliance with the city code and any additional restrictions imposed by the planning commission. If variances are requested prior to final plan review, an additional planning commission hearing will be required and applicant must comply with the relevant sections of Article 5-5 of the city code.

A Floodplain Development permit is required for this property. Planning Official will approve final development plans in compliance with the city code and FEMA requirements.

Additional conditions may be imposed if recommended by a majority of planning commissioners.

## **9. PLANNING COMMISSION MOTION**

After hearing the staff presentation and any public testimony, including any rebuttal, the commission will close the hearing and deliberate. The following motion is suggested:

“I move to approve SDR 20-01 based on the findings contained in the staff report with conditions.”

*The staff report may be amended during the course of the hearing.*

Respectfully submitted this 29<sup>th</sup> day of June 2020,



Nicholas Green  
City Manager / City Planning Official  
City of John Day

Enclosures