

Site Design Review (Type III) SDR-20-02

STAFF REPORT

Date Submitted:	November 11, 2020
Agenda Date Requested:	November 18, 2020
То:	John Day Planning Commission
From:	Daisy Goebel John Day City Planner
Subject:	Innovation Gateway Industrial Park Site Design Review (Type III Quasi-Judicial)
Location:	433 Patterson Bridge Road Map: 13S31E22D Tax Lot: 2700
Type of Action Requested:	
[] Resolution [X] Formal Action	[]Ordinance[]Report Only

1. BACKGROUND

The City of John Day has proposed the development of a mixed use industrial/business park consisting of twelve one-acre parcels located south of Ironwood Estates in the Northeast Sub district of the John Day Innovation Gateway. The lot is zoned General Industrial (Map Number 13S31E22D, Tax Lot 2700). The proposed site design conforms to the previously approved Innovation Gateway area plan, adopted by ordinance on November 12, 2019, which approved new zoning for this proposed land use. This review includes plans for utilities and public facilities, transportation, storm drainage, flood hazard mitigation, and aesthetic design, as well as the preliminary subdivision plat.

2. APPLICABLE CRITERIA

Site Design Reviews are subject to the provisions of the John Day Development Code Section 5-4.2 and in cases where the project involves more than one (1) acre total site area, shall be processed as a Type III procedure, per Section 5-4.2.040

3. PUBLIC NOTIFICATION

The City of John Day mailed public hearing notices to the applicant and property owners within 100-feet of the subject site 20 days before the hearing date on October 27, 2020. Notice of the hearing was printed in The Blue Mountain Eagle on October 28, 2020.

4. 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.

5. 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 procedure under section 5-4.1.040. Minor modifications to this approval may be approved by staff as Type I or II procedures taking into consideration any recommendations the planning commission suggests in the course of this review. This approval, if granted, is effective for a period of one year unless an extension is granted. Construction in violation of the approved plan will void the approval.

6. STAFF RECOMMENDATION

Staff recommends that the Planning Commission <u>approve the request for Site Design</u> <u>Review SDR-20-02, subject to review and consideration of applicable public comments</u>. It is the applicant's responsibility to demonstrate compliance with the conditions of approval.

7. APPROVAL CRITERIA AND FINDINGS

John Day Development Code Section 5-4.2.060 Land Use Review and Site Design Review— Approval Criteria contains the applicable approval criteria for the Site Design Review. Section 5-4.3.070 Land Divisions and Property line adjustments—Approval Criteria: Preliminary Plat contains the approval criteria for the preliminary subdivision plat. The Planning Commission's evaluation of the project must focus on the relevant code criteria under Section 5-4.2 and 5-4.3 and follow the public hearing procedures for Type III (quasijudicial) 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:

- Pre-Existing Conditions (Exhibit A)
- Preliminary Plat (Exhibit B)
- Phase II Environmental Site Assessment (Exhibit C) Provided electronically
- Preliminary Wetland Delineation Map (Exhibit D) Full document provided electronically
- Transportation Impact Analysis (Exhibit E) Provided electronically

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

The application and staff report findings may be modified based on factual information entered into the public hearing record before the close of the record. Members of the public who have questions about the proposal or who would like to submit oral or written testimony are encouraged to appear at the public hearing or provide written testimony before the close of the hearing. Testimony should respond directly to the following criteria.

5-4.2.050 Site Design Review—Application Submission Requirements

- A. General Submission Requirements. An application for Site Design Review shall contain all of the information required for a Type II or Type III review, as applicable, under Sections 5-4.1.030-040, and provide:
 - 1. Public Facilities and Services Impact Study. The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study during the required pre-application conference (Section 54.1.060C). The study shall address, at a minimum, the transportation system, including required improvements for vehicles and pedestrians, the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standards;
 - 2. Traffic Impact Analysis, if required by the City or other road authority. Traffic Impact Analysis shall conform to the standards and procedures in Section 5-4.1.090; and
 - 3. In situations where this Code requires the dedication of real property to the City, the City shall either (1) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or (2) not require the dedication as a condition of approval.

Findings: The proposal complies with standards for public facilities and has been developed with consultation from the public works director, DKS Associates (transportation engineer) and Sisul Engineering (civil engineer).

Traffic Impact Analysis. DKS Associates completed a Traffic Impact Analysis (TIA) for the Innovation Gateway, which included traffic counts at the intersection of US 26 and Patterson Bridge Road in anticipation of future developments associated with the Innovation Gateway and this proposed industrial/business park. The count data indicates that approximately 898 vehicles use Patterson Bridge Road to cross the John Day River during an average weekday. The highest number of vehicle crossings occurred during the p.m. peak hour at 4:00 p.m., with 100 crossings at Patterson Bridge. Motor vehicle conditions were evaluated during the p.m. peak hour at the intersection of US 26/W. Main Street and Patterson Bridge Road, which DKS determined during the peak hour operated well within the adopted mobility standards for this location. The most recent five years of available collision data (2013 - 2017) for the study intersection was obtained from Oregon Department of Transportation (ODOT) and used to evaluate the collision history. Only one crash was recorded, at the W. Main Street / Patterson Bridge Road intersection, over the five-year period. Internal site circulation will also be facilitated by the street extension to Valley View Drive to the northeast and in the future by the intersection to the planned 7th Street Extension. As a result, we anticipate adequate circulation to and from this location today and improved circulation once this project area is fully developed.

Public Facilities and Services Impact Study. An inventory of existing public facilities was also conducted for the John Day Innovation Gateway Area plan adopted in November 2019. which summarized current pedestrian and bike facilities within the project area. The Gateway plan and TIA noted both pedestrian and bicycle amenities were lacking throughout the project area, and due to the rural nature of the abutting land uses and historic development patterns, many streets in the project area have not been improved to urban standards and generally lack accommodation for pedestrian and bicycle users. As a result, the City acquired the land from Iron Triangle LLC for this proposed development, along with an area sufficient in scale to allow for the Innovation Gateway trail system to connect to NW Valley View Drive and in the future to the John Day River along the proposed 7th Street Extension. This will allow for improved bike/pedestrian circulation as well as local vehicle circulation within the proposed business park. Water, sewer and power already exist to the remaining shop at the property and power extends along the southern property line. The Oregon Trail Electric Cooperative (OTEC) has planned and funded substation equipment upgrades which will improve power generation capacity to this proposed site as well as the proposed housing to the north (Ironwood Estates II/III). The City has also applied for funding through the Economic Development Administration (EDA) to extend commercial fiber optic access to the site in partnership with OTC Connections.

<u>Real Property Dedication</u>. The City executed purchase and sale agreements with Iron Triangle LLC and Russ & Tara Young on May 15, 2020 and closed on the property purchase on June 30, 2020. City now holds fee simple title for both properties, the 14.61 acre proposed development of the Innovation Gateway industrial/business park and the 2.37 acre right of way for the planned street improvements to Valley View Drive. City owned the surround land previously, and as a result, no easements for access or utilities are required for this development. City will provide a public right-of-way dedication for the proposed streets once they have been developed to city standards.

- B. Site Design Review Information. In addition to the general submission requirements for a Type III review (Section 5-4.1.040) an applicant for Site Design Review shall provide the following additional information, as deemed applicable by the City Planning Official. The Planning Official may deem applicable any information that he or she needs to review the request and prepare a complete staff report and recommendation to the approval body:
 - Site analysis map. At a minimum the site analysis map shall contain the following:

 The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions and gross area shall be identified;

Findings: Existing Site Conditions map and Site Plan are compliant.

b. Topographic contour lines at 2-foot intervals for slopes, except where the Public Works Director determines that larger intervals will be adequate for steeper slopes;

Findings: Existing Site Conditions map is compliant.

c. Identification of slopes greater than fifteen (15) percent, with slope categories identified in 5 percent increments (e.g., 0%-5%, >5%-10%, >10%-15%, >15%20%, and so on.);

Findings: Proposal does not identify any slopes greater than 15%.

d. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;

Findings: Existing Site Conditions Map is compliant.

e. Potential natural hazard areas, including, as applicable, the base flood elevation identified on FEMA Flood Insurance Rate Maps or as otherwise determined through site specific survey, areas subject to high water table, and areas designated by the City, County, or State as having a potential for geologic hazards;

Findings: Base Flood Elevation is shown on the Existing Site Conditions. The majority of the site is minimally located within the 100-year flood plain. Staff will review and approve the floodplain development permit prior to approval of the final plat. No other geologic hazard areas have been designated by the City, County, or State.

f. Resource areas, including marsh and wetland areas, streams, and wildlife habitat identified by the City or any natural resource regulatory agencies as requiring protection;

Findings: City completed a wetland delineation as part of its Phase I/II environmental site assessments. The wetland delineation has been submitted to the Department of State Lands (DSL for approval). The DSL file number is WD 2020-0439 and the submitted report is available at this link: <u>https://docs.dsl.state.or.us/PublicReview/ElectronicFile.aspx?docid=3676296&dbid=0</u>. Wetlands were identified in the southwest and northwest portions of the property (subject to DSL review) but will not impact proposed development as submitted in this plan (see map, Exhibit D).

g. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;

Findings: Existing Site Conditions map identifies existing structures and natural features.

h. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;

Findings: No known historic or cultural resources exist on this site.

i. The location, size and species of trees and other vegetation having a caliper (diameter) of six (6) inches or greater at four feet above grade;

Findings: No significant vegetation is identified on the site.

j. North arrow, scale, names and addresses of all persons listed as owners of the subject property on the most recently recorded deed;

Findings: Site Plan and Existing Site Conditions Map are compliant.

k. Name and address of project designer, engineer, surveyor, and/or planner, if applicable.

Findings: Site Plan and Existing Site Conditions Map are compliant.

Proposed Site Plan. The site plan shall contain the following information:
 a. The proposed development site, including boundaries, dimensions, and gross area;

Findings: Site Plan is compliant.

b. Features identified on the existing site analysis maps that are proposed to remain on the site;

Findings: Site Plan is compliant.

c. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;

Findings: Site Plan is compliant. Two buildings are identified in the proposal to be removed (office and storage shed). These buildings have already been removed.

d. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;

Findings: Site Plan is compliant.

e. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;

Findings: Site Plan is compliant. One existing structure (Shop) will remain on the site. Proposed utilities and pavement are shown on the site plan. An alternative extension of the street is shown on the plan for future development. Future street and trail extensions are shown on the plan as well.

f. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;

Findings: Site Plan is compliant. Pedestrian and bicycle access are not proposed within the industrial/business park but will be provided adjacent to it along the new connector street to Valley View Drive and via the future 7th Street Extension.

g. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);

Findings: Site Plan is compliant. Parking is not proposed for this site at this time. Individual developments will be required to provide sufficient parking for each proposed use.

h. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;

Findings: Trail Extension is shown in compliance with the innovation gateway master plan. Internal pedestrian and bicycle circulation areas are not proposed within the development.

i. Loading and service areas for waste disposal, loading and delivery;

Findings: Loading and service areas are not required at this time. Individual developments will be required to provide sufficient loading and service areas for their proposed use.

j. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;

Findings: Outdoor pedestrian improvements are not included in this proposal.

k. Location, type, and height of outdoor lighting;

Findings: Lighting plan has not been included in this proposal. Staff will review future street lighting plan for compliance with the nuisance code, taking any commission recommendations into consideration.

l. Location of mail boxes, if known;

Findings: Not Applicable

m. Name and address of project designer, if applicable;

Findings: Site Plan is compliant.

n. Locations of bus stops and other public or private transportation facilities;

Findings: There are no designated bus stops or transportation facilities proposed at this site. The people mover may request a bus stop at this site after development is complete.

o. Locations, sizes, and types of signs;

Findings: Signage has not been included in this proposal. Staff will review future sign plan for compliance with the City's sign permitting standards in the Development Code, taking any commission recommendations into consideration.

- 3. Architectural Drawings; Architectural drawings showing one or all of the following shall be required for new commercial, commercial/residential, industrial and multifamily buildings, and major remodels of the same:
 - a. Building elevations (as determined by the City Planning Official) with building height and width dimensions;

Findings: No buildings or major remodels have been proposed.

b. Building materials, colors and type;

Findings: Not Applicable.

c. The name of the architect or designer

Findings: Not applicable, no buildings have been proposed.

4. Preliminary Grading Plan. A preliminary grading plan prepared by a registered engineer shall be required for development sites one-half (½) acre or larger. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. Surface water detention and treatment plans may also be required, in accordance with Section 53.4.040.

Findings: Grading and storm water drainage plan are included in the Site Plan. Existing Conditions Map contains existing slopes and elevations.

- 5. Where a landscape plan is required, it shall show the following:
 - a. The location and height of existing and proposed fences, buffering or screening materials;

Findings: Landscaping plan has not been included in this proposal. Staff will ensure code requirements are met for industrial landscaping buffers, taking any planning commission recommendations into consideration.

b. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;

Findings: No aesthetic or recreational improvements have been proposed at this time.

c. The location, size, and species of the existing and proposed plant materials (at time of planting);

Findings: Landscaping plan is not available at this time.

d. Existing and proposed building and pavement outlines;

Findings: There is no existing pavement on the site, the existing building will remain on the site. The proposed pavement outlines are shown on the Site Plan.

e. Specifications for soil at time of planting, irrigation if plantings are not drought tolerant (may be automatic or other approved method of irrigation) and anticipated planting schedule;

Findings: Soil Specifications are included in the Environmental Site Assessment (Exhibit C). Anticipated planting schedule is not available at this time.

6. Deed Restrictions. Copies of all existing and proposed restrictions or covenants, including those for access control.

Findings: No deed restrictions exist.

7. Narrative. Letter or narrative report documenting compliance with the applicable approval criteria contained in Section 5-4.2.060 Approval Criteria.

Findings: Narrative has been incorporated into this staff report.

8. Traffic Impact Analysis, when required, shall be prepared in accordance with the road authority's requirements. See Section 5-4.1.090, and Section 5-3.4.010 for relevant standards.

Findings: Traffic Impact Analysis for the Innovation Gateway was completed in March 2020 and is available at this link:

https://www.cityofjohnday.com/sites/default/files/fileattachments/planning/page/3089/john_day_gateway_transporation_impact_analysis.pdf.

9. Other Information. Determined by the City Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), in conformance with this Code.

Findings: No additional information is required by the City.

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 may 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.

Findings: The application does not include a lighting, signage, or landscaping plan. Planning Commission may suggest recommendations or impose conditions on the approval of this plan to govern lighting, signage, or landscaping.

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;

Findings: Proposal is consistent with the standards of the General Industrial Zone as well as the Innovation Gateway master plan.

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;

Findings: The site is not in nonconforming status. Nonconforming buildings have been removed.

4. The proposal complies with all of the Design Standards in Article 5-3: a. Chapter 5-3.1 - Access and Circulation;

Findings: This proposal complies with the access and circulation standards of Chapter 5-3.1 with the exception of pedestrian circulation requirements. No sidewalks, crosswalks, or walkways are proposed for this development.

b. Chapter 5-3.2 - Landscaping, Significant Vegetation, Street Trees, Fences and Walls;

Findings: This proposal does not include the removal of significant vegetation. Landscaping plan is not available at this time.

c. Chapter 5-3.3 - Parking and Loading, for automobiles and bicycles;

Findings: The proposal does not include parking. Individual developments will be required to provide sufficient parking for each proposed use.

d. Chapter 5-3.4 - Public Facilities and Franchise Utilities;

Findings: City has made provisions for new water lines to be extended throughout the project area. The new sewer line will be installed as part of the new wastewater treatment plant project, currently in final design and scheduled for construction in 2021-2022. OTEC is upgrading all electrical components and power service to this site and City has teamed with OTC Connections to provide fiber optic service. Both OTEC and OTC are operating under current/valid franchise agreements.

e. Chapter 5-3.5 - Signs;

Findings: Signage is not proposed for this development at this time.

f. Chapter 5-3.6 - Other Standards.

Findings: No other standards apply to this proposal.

5. Adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact are avoided; or where impacts cannot be avoided, they are minimized.

Findings: No adverse impacts are currently anticipated. Adjacent property owners were invited to submit public testimony on the proposal and no comments were received.

6. Existing conditions of approval required as part of a prior land use decision, if any, are be met.

Findings: This property is not subject to any conditions from prior land use decisions.

- 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: Proposal complies with standards of the underlying zone. No variance is requested.

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

Findings: Proposed plat name "Gateway Industrial Park" is not recorded for another subdivision and complies 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: Proposed transportation plan is configured to transition into adjoining properties and streets. Public improvements are identified on the plat; no property dedications are proposed.

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

Findings: Private common areas and private improvements are not proposed at this time.

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

Findings: Floodplain Development permit shall be obtained before approval of the final plat.

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 vertical development/improvements are proposed at this time. Future developments will be subject to the standards of the Development Code, including the City's floodplain permit ordinance.

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: Site is located within the Innovation Gateway overlay and conforms with the previously approved Innovation Gateway Master Plan.

- 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:
 - 1. All lots shall comply with the General Development Standards of the applicable land use district (Article 5-2), and the standards of Section 5-3.1.020.J Street Connectivity and Formation of Blocks.

Findings: Site plan complies with the development standards for street connectivity and block formation.

2. Setbacks shall be as required by the applicable land use district (Article 5-2).

Findings: No structures are proposed at this time.

3. Each lot shall conform to the standards of Chapter 5-3.1 - Access and Circulation.

Findings: Site Plan complies with access and circulation standards. Because of the nature of the development no sidewalks or crosswalks have been proposed at this time.

4. Landscape or other screening may be required to maintain privacy for abutting uses. See Article 5-2 Land Use Districts and Chapter 5-3.2 Landscaping and Screening.

Findings: A landscaping plan has not been submitted at this time. The Code requires a minimum of 10% of the overall site to be landscaped in industrial zones. The planning commission may require additional landscaping, fences, or walls as necessary to mitigate adverse effects on adjacent properties.

5. In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See Chapter 5-3.1 Access and Circulation.

Findings: Site Plan is compliant with the Uniform Fire Code. No vertical improvements are proposed.

6. Where a common drive is to be provided to serve more than one lot, a reciprocal easement for access and maintenance rights shall be recorded with the approved subdivision or partition plat.

Findings: Individual property access is not planned at this time.

7. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.

Findings: Site plan complies with design standards.

8. 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: No conditions of approval are recommended unless imposed by the planning commission at this time.

8. PLANNING COMMISSION MOTION

After hearing the applicant's presentation and any public testimony, the Planning Commission must allow the applicant an opportunity to rebut any opposing testimony. Then the Commission will close the hearing and deliberate. The following motion is suggested:

"I move to approve Site Design Review SDR-20-02 based on the findings and subject to the conditions of approval contained in the staff report."

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

Respectfully submitted this 11th day of November, 2020

Daisy Goebel, Associate City Planner City of John Day

Attachments:

- Pre-Existing Conditions (Exhibit A)
- Preliminary Plat (Exhibit B)
- Phase II Environmental Site Assessment (Exhibit C) Provided electronically
- Preliminary Wetland Delineation Map (Exhibit D) Full document provided electronically
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