

CITY OF WILLAMINA
411 NE C Street – P O Box 629
Willamina, OR 97396
503-876-2242 fax 503-876-1121

NOTICE OF PLANNING COMMISSION (PC) ACTION
DATE: November 2011 *(See signature page for written decision date.)*

I. BACKGROUND

Owner: Assembly of God Church
Applicants: Randy and Janine Long
Location: Yamhill County Assessor's Map and Tax Lot Numbers:
6 7 01DD/2800, 2900, 3000, and 3100
Property Address: 330 SE Main Street (with property frontage also on Barber Avenue)
Size: TL 2800 – 7200 square feet, TL 2900 – 4800 square feet, TL 3000 – 4800
square feet, and TL 3100 – 5887 square feet (combined: 22,687 - .52
acre)
Current Use: Site is currently used as a church (religious organization) that includes a
fellowship hall
Comprehensive Plan/ Zoning: Commercial Residential (C-2) (parking lot within R-3 zone district)
(Willamina Development Code, Section 2.105)
Request: Approval of a Site Plan Review to allow the operation of a for-profit
coffee shop (approximately 717.5 square feet in size) within an existing
structure used as a church with coffee shop hours of operation proposed
during the days of Monday through Saturday (Monday through Thursday:
6:00 a.m. to 5:00 p.m. and Friday/Saturday from 6:00 a.m. to 9:00 p.m.)
Standards/Reqmnts/
Site Plan Review: Willamina Development Code, Section 3.105
Attachments: Attachment A: Property location

II. EVALUATION – SITE PLAN REVIEW

According to the Development Code, Section 3.105.06, evaluation of a site development plan shall be based upon consideration of the following:

- A. Conformance with the General Development Standards contained in this Ordinance: As provided by the applicant, the proposed owners of the coffee shop are “requesting parking to be deferred as church and business raise funds.” During the operation of the business, the site “will be using the same drainage, water, & sewer as the church. Church will enter into an agreement for improvement of streets as funds are made available. Sign is incidental type under 6 sq. ft. Landscaping no required—no expansion” (of parking lot).

- B. Characteristics of adjoining and surrounding uses: “There are some businesses and some residences. Entrance of business is not next to any residences.”
- C. Drainage and erosion control needs: “Drainage and erosion control are adequate due to the building being used by church and has been established for number of years.”
- D. Public health factors: “Building inspector and fire inspector will have been notified and brought on site for clearance.” The applicants indicated at the hearing that the Building Inspector determined that the Yamhill County Department did not need to investigate the property in regards to the use.
- E. Traffic safety, internal circulation and parking: “Hours of operation will be different than church hours” and are as indicated in the “request” statement.
- F. Provision for adequate noise and/or visual buffering from non-compatible uses: “Building blocks from any residence for visual as well as noise.”
- G. Retention of existing natural features on site: “No changes made.”
- H. Problems that may arise due to development within potential hazard areas: The property is not located within the 100-year flood plain or mapped with any significant wetlands and is fairly level. The property does not appear to contain any hazard areas.
- I. Connectivity of internal circulation to existing and proposed streets, bikeways and pedestrian facilities: “Streets are not constructed to city standards but church will participate when city wide upgrades are done.”

III. PLANNING COMMISSION DECISION - CONDITIONS OF APPROVAL

The Planning Commission voted to approve approval of a Site Plan Review to allow the operation of a for-profit coffee shop (approximately 717.5 square feet in size) within an existing structure based upon the property owner/developer complying with all of the following conditions of approval.

ACCESS, PARKING, CIRCULATION, STREET IMPROVEMENTS

- A. To satisfy the Code, Section 2.201.03, and to ensure construction of street improvements (including sidewalks) and as indicated in the applicant’s statement, for the distance Barber Avenue abuts the property (4 lots), enter into a non-remonstrance (to be signed by an authorized agent of the property owner). Prior to operating the business, the agreement shall be recorded “against” the property by the property owner with Yamhill County Clerk/Recorder Office and a recorded copy of the agreement presented to the City within 30 days of the recording.
- B. As required by the Code, Section 2.308.02 C., store all merchandise and supplies (other than vehicles), when not displayed for public sale, within a building.

- C. To help limit impact on adjacent residentially zoned properties and in compliance with the Code, Section 2.105.04 C., no “drive-through” (drive-up window) shall be permitted.

SIGNAGE

- D. Limit signage (on-site and exterior to the structure) to the incidental sign a maximum of six (6) square feet (as indicated in the application). The City’s sign requirements are as listed in the Code, Section 2.206. Apply for and receive approval of a sign permit.
- E. If a sign is placed adjacent South Main Street/Highway 18-Business Loop, provide evidence from the Oregon Department of Transportation (ODOT) whether or not ODOT approval is required for the location of the on-site signage. For additional information, contact Wendy.S.ELSTUN@ODOT.state.or.us and the phone number is: 503-986-3650.

PUBLIC UTILITIES

- F. At the time of any changes in use of City’s water and sanitary systems, comply with the Public Facilities Improvements Requirements according to the Willamina Development Code, Section 2.201.03, as approved by the City Engineer and/or Public Works Director.

COMPLIANCE WITH CONDITIONS OF APPROVAL AND ADDITIONAL PERMITS

- G. In compliance with Section 2.308.02 D. and prior to development, obtain all applicable permits from the state and federal departments or agencies. Note that obtaining any applicable permits is the responsibility of the Applicant/Owner. The City of Willamina land use and review and approval process does not take the place of, or relieve the Applicant/Owner of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use permit approval herein does not remove, alter, or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.
- H. Note that compliance with the Conditions of Approval shall be the sole responsibility of the applicant.

LOT CONSOLIDATION

- I. Consider filing with the City of Willamina for a lot consolidation using a lot line adjustment process to combine the property (4 lots) into one unit of land to avoid the need to meet required property line setbacks and other City and Country standards/regulations based upon the location of property lines. An application may be filed using a form provided by the City of Willamina.

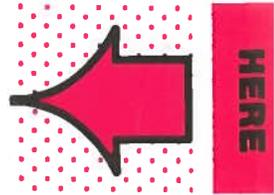
IV. DECISION AND APPEAL DATES

APPROVED BY A VOTE BY FIVE (5) PLANNING COMMISSIONERS WITH ONE (1) ABSTENTION ON THE 2nd DAY OF November, 2011, GRANTING approval of a Site Plan Review to allow the operation of a for-profit coffee shop (approximately 717.5 square feet in size) within an existing structure for property addressed as 330 Southeast Main Street and also referenced as Yamhill County Assessor's Map and Tax Lot Numbers: 6 7 01DD/2800, 2900, 3000, and 3100.

DATED at Willamina, Oregon, this _____ day of November, 2011.

ATTEST: *Loyal Hamilton* 11-4-11
Loyal Hamilton, Commission Chairperson Date

ATTEST: *Debbie Bernard* 11-4-11
Debbie Bernard, Planning Secretary Date



The decision becomes final at the conclusion of the appeal period.

THIS DECISION MAY BE APPEALED TO THE WILLAMINA CITY COUNCIL IN WRITING WITHIN FOURTEEN (14) CALENDAR DAYS OF THE NOTICE OF WRITTEN DECISION (Code, subsection 3.205.01) and based upon the signature date.

If there are questions regarding this application or the appeal process, please contact the City of Willamina at **503-876-2242**.