City of Maupin
PO Box 308
Maupin, OR 97037

Tel: 541-395-2698
Fax: 541-395-2499

MEETING NOTICE
CITY OF MAUPIN PLANNING COMMISSION

Tuesday, May 14, 2019
6:00 p.m.
At Maupin City Park, 206 Bakeoven Road, Maupin OR

The meeting is open to the public and location is accessible to persons with disabilities.

AGENDA

1) Call Meeting to Order / Roll Call of Commission and Staff / Pledge of Allegiance

2) Public Hearing to receive public testimony and consider a request for a Site Plan Review Application by Andrew Kreipe dba Deschutes River Adventures for addition of an 8' x 12' pre-fab building to use as a Q&A kiosk and serve drinks and snacks

3) Consider amendment to the proposed comprehensive plan/zoning map amendment of Zac & Celine Adair

4) Audience Participation. This time is set-aside for public to speak on any subject which does not later appear on the agenda. Three minutes per person will be allowed. The maximum amount of time for all public comments under this agenda item will be 15 minutes. If a response by the Commission is requested, the speaker will be referred to Administrative Staff for further action. The issue may appear on a future meeting agenda for Commission consideration.

5) Communications

6) Next Meeting

7) Adjourn

Public Testimony

The Commission places great value on testimony from the public. People who wish to testify are encouraged to:

- Provide written summaries (8 copies to the City Recorder prior to the agenda item)
- Recognize that substance, not length, determines the value of testimony
- Endorse, rather than repeat, testimony of other witnesses with whom you agree
- The Chairman may limit time for testimony on any item and may set time limits (usually 3 minutes) for individual speakers

Thank you for taking the time to present your views.

Note: Because of the uncertain length of time needed, the Commission may deal with any item at any time in the meeting. Anyone wishing to be heard on any item should arrive when the meeting begins to avoid missing an item of interest.

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05012019

NOTICE TO PROPERTY OWNERS
NOTICE OF PUBLIC HEARING

The Maupin Planning Commission will conduct a quasi-judicial public hearing beginning at 6:00 p.m. on Tuesday, May 14, 2019 in the Community Building of the Maupin City Park, 208 Bakeoven County Road, Maupin, Oregon. The purpose of the hearing is to receive public testimony and consider a Site Plan Review Application by Andrew Kreipe dba Deschutes River Adventures for addition of an 8' x 12' pre-fab building to use as a Q&A kiosk and serve drinks and snacks.

The property is located in the General Commercial Zone at 602 Deschutes Avenue. It is described by the Wasco County Assessor's Records as Tax Lot 8500 of T4S-R14E-32DC. The review and approval criteria for a Site Plan Review are contained in Section 8.3 of Maupin Zoning Ordinance No. 249.

A copy of the applications and all other information related to the proposal are available for review at Maupin City Hall, and can be supplied at a reasonable cost. The public hearing process begins with the staff report, if any, followed by testimony from the proponents of the application. This will be followed by testimony from opponents to the application. Finally, a rebuttal by the applicant or proponent will be allowed. The public hearing portion of the procedure will then be closed and the Planning Commission will consider the information and testimony received and may render a decision. Written or oral testimony will be received during the hearing. Written comments should be sent to the Maupin Planning Commission, P.O. Box 308, Maupin, OR 97037 before 4:00 p.m. on May 13, 2019. Failure to raise an issue during the local public hearing process with sufficient specificity to allow the decision makers to address it may preclude appeal to the Maupin City Council and Land Use Board of Appeals.

Additional information may be obtained by contacting City Recorder DeOra Patton at Maupin City Hall; 541-395-2698.

DeOra M. Patton
City Recorder

TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3775 CRATES WAY
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

April 29, 2019

City Planning Commission
City of Maupin
P.O. Box 308
Maupin, Oregon 97037

Subject: Site Plan Review-Andy Kreipe
Staff Report

Dear Commissioners:

The Applicant, Andy Kreipe, has filed a Site Plan Review application with the City to place a pre-built structure in front of the existing building at 602 Deschutes Avenue, further described as 4S 14E 32 DC 8500 per the Wasco County Assessor's Office. The property is zoned General Commercial (GC).

PROCESS

Per the Maupin Municipal Code, all building construction, movement, and alterations require a building permit to be obtained from the City Recorder. Before a building permit is obtained, the Applicant must gain site plan approval from the Site Plan Committee to ensure all zoning requirements are met. The Applicant submitted a Site Plan Review application on March 21, 2019.

DISCUSSION

From the information provided with this application, staff made findings in the subsequent sections of pertinent City ordinances. The Applicant is not applying as a new business with this application, and the new structure is an extension of the existing use. This new structure will hopefully mitigate the amount of customer foot traffic inside the existing building. I met with the applicant on the site on April 20. Several items became immediately apparent. First and foremost the new pre-fab structure does not sit tight against the existing building as shown on the site plan drawing. It will abut the existing wooden awning in place on the side of the existing building, leaving an approximate 4' walkway between the two structures. This will allow access to the existing restroom facility and entrance into the main structure. In conversations with Mr. Kreipe, he indicated that this new structure would serve during the summer months as a walk-up coffee and pastry kiosk. It is his intention to use the driveway to allow drive-through traffic for coffee and pastry sales during the offseason months. I had been under the impression this structure was just to provide service to his existing clients, and that the coffee-donuts were to be offered free to them as part of the registration process. This changes the scope of the application

and brings the Wasco County Health Department into the application process. Commercial sales of coffee and food are regulated by that Department in the County.

A troubling event has occurred in recent days, in that Mr. Kreipe appeared at City Hall and announced to City Recorder Patton that as far as he was concerned his Site Plan had been approved because of the time lapse between his submittal and the scheduled Planning Commission Hearing on the matter. The Site Plan Review procedures in the City's Zoning Ordinance provides that if an application for Site Plan Review is not acted upon by the Planning Commission within 30 days of submittal, the application shall be deemed approved. The application was submitted on March 21. But, the delay in putting the matter before the City Planning Commission was at the applicant's request. This is very disconcerting, and should the applicant continue to hold this position, given the circumstances, it will be Staff's recommendation the matter not be considered further by the Planning Commission and forwarded on to the City Council for final action.

ORDINANCE REQUIREMENTS

The subject property is zoned GC; therefore, the proposal must comply with Section 3.7 of the City of Maupin's Municipal Code. Additionally, the site plan must meet all the requirements of Section 8.3 Site Plan Review.

Section 3.7 – General Commercial "GC"

A. Permitted Uses

Finding: The Applicant has proposed the use of a pre-built structure for purposes of offering drinks and snacks, as well as a question/answer kiosk. **Criterion met.**

C. Dimensional Standards

1. Height: 35' max height limit

Finding: The proposed structure with a maximum height of 10.5'. **Criterion met.**

2. Area: No minimum lot area required

Finding: The proposed structure is 96 sf. (8' x 12'). **Criterion met.**

a. Yards: None required except where abutting a residential zone, the setback requirement of the residential zone shall apply to all abutting yards.

Finding: The proposed front yard setback of the structure is 12' from Deschutes Avenue. However, the subject property is adjacent to the MD-R zone to the north (rear of the parcel) by way of an alley; therefore, setbacks must comply with the MD-R rear setback standards. The MD-R rear yard setback requirements have provisions for accessory structures adjacent to a platted alley, requiring a 3' setback. The Applicant is proposing to place the pre-built structure on the south side of the building, in front of the existing commercial structure. The new structure will not alter the existing setback established by the existing commercial building. **Criterion met.**

D. Parking Regulations

Finding: The proposed use will require 1 off-street parking space, citing Criterion 4.e. of Section 4.8 which states: "Outdoor Commercial Use-ie, rafting, outside food service or outside display." The Applicant has proposed 11 total off-street parking spaces on the subject property; however, these spaces are provided for the existing business. The Applicant did not provide square footage totals of the existing business; therefore, staff was unable to determine if the off-street parking requirements will be satisfied for both proposed and existing uses. It does not appear that the placement of the Coffee Kiosk will result in a loss of a parking space. The Applicant has stated that during business hours, guests will be able to park in an adjacent gated parking lot used for vehicle storage during off-hours. The actual parking arrangement could be better explained, a simple drawing showing the distances involved will be required. Staff finds that the new building will be an extension of services currently provided on-site, and the parking impact will be minimal **Criterion met with Conditions.**

E. Sanitation Regulations

Finding: The Applicant did not state whether the pre-built structure will be connected to the city sewer system; however, facilities exist in the existing commercial building. There is a restroom immediately available in the main building on the site. However there has been no plan submitted to deal with gray water from the coffee operation. The City will require that all water/sewer discharge (gray water) from operations in the pre-built structure be connected to or disposed of in the city sewer system. No discharge will be permitted across the parking lot. Further, since this proposal is apparently morphing into a coffee kiosk, the Wasco County Health Office must be notified and a permit issued. **Criterion met with conditions.**

F. Lighting: Section 3.7 G states: Artificial lights shall be subdued and shall not shine, cause glare or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the viewshed and shall be shielded on hooded to prohibit glare to impact adjoining properties.

Finding: The Applicant has not proposed any lighting with this application. Staff will include the lighting requirements of the City's Municipal Code as a condition of approval for all lighting. **Criterion met with conditions.**

Sign Ordinance No. 276

The Applicant did not specify any proposed signs on the Site Plan Review application; however, a new sign was listed on the submitted site plan. All proposed signage within the City is required to comply with Sign Ordinance #276. Due to the lack of sign specifications included with this application, staff was unable to make a determination for compliance, furthermore resulting in no criteria being met. The Applicant will be required to submit sign specifications to the approving authority prior to the installation of all new signage. **Criterion met with conditions.**

AGENCY REQUIREMENT

No agency comments received.

STAFF RECOMMENDATION

As mentioned in the above findings, some material must be provided by the Applicant for further review; however, these criteria can easily be met through conditions of approval. Staff has provided the following conditions of approval:

1. The new structure will require a building permit submitted to Wasco County for review, prior to the placement of the structure on-site.
2. A drawing or sketch showing the off street parking lot arrangement, with distances will be required to assure there are 9 spaces in the lot.
3. All new signage on the site must be reviewed by the approving authority prior to installation.
4. All lighting must comply with Section 3.7 (F) of the Municipal Code.
5. The new structure must be connected to or provisions provided to use the City's wastewater system. No discharge across or into the parking lot will be permitted. A permit from the Wasco County Health Department must be obtained before actual sales commence.

In closing, please note this staff report has been prepared by both myself and Tenneson Engineering's new Associate Planner, Joshua Chandler. Mr. Chandler will be joining me in future work of the next several months.

Respectfully Submitted,

/s/ Dan Meader

Dan Meader
Senior Planner

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SITE PLAN REVIEW #_____

Date Submitted: 3/21/19 Date determined complete: _____ Fee: 200.00

Applicant/Owner Information:

Applicant(s) Andy Kreipe **Property Owner(s)** Dave Livermore

Mailing Address PO box 371 **Mailing Address** 38858 Pioneer Blvd

Maupin OR 97037 Sandy OR 97055

Phone (H) 5035396523 **(W)** 1800 723 8464 **Phone (H)** 503 887 2023 **(W)**

Property Information:

Parcel Address 602 Deschutes Ave

City Lot No.(s) 13 & 14 **Block No.** 37

Township 4S **Range** 14E **Section** 32DC **Tax Lot No. (s)** 8500

Square Footage 3920 sq' **Lineal Feet of Frontage** 49'

Comprehensive Plan Map/Zoning Designation GC

Legal Lot Determination:

Deed No. **Date Filed** March 21

The deed(s) and a map showing the parcel(s) described in the deed(s) must accompany this application

Project Information:

[ ] New Construction [X] Expansion/Alteration [ ] Change of Use [ ] Amend Approved Plan

Current use of parcel Raft outfitter / commercial

Proposed use of parcel Q&A Kiosk & Serve drinks & Snacks

Use of adjacent parcels CRT & MDR

Briefly explain the Project moving a Pre made building to Property

Proposed Building(s) Footprint Size (in square feet) 96

REQUEST INFORMATION

Dimensions, materials, exterior lighting, setbacks, roads, driveways, and underground activity of proposal:

8'x12 building w/cedar wrapped w/ steel roof. 12 foot Setback from sidewalk

Purpose for request:

expand services to clientel

Operational Characteristics (hours of operation, number of employees, number of Average Daily Trips, etc.):

open mid may - mid sept 7 days a week from 6am 2 pm

1-2 employees

Request is for a home occupation [ ] Yes [X] No

Request is for a Business Complex or Enterprise [ ] Yes [ ] No

Proposed Signs [ ] Yes [X] No

If yes, refer to Maupin Sign Ordinance No. 276, and attach:

[ ] Sign Permit Application & Scale Drawing of the Plan and Plot Plan

[ ] Integrated Signage Plan if Business Complex or Business Enterprise

SITE INFORMATION:
Existing Improvements (structures, fences, roads, easements, etc.)

Install of pre built structure

Proposed parking area, including number of spaces and dimensions of spaces (9'x19' min.), surface material:

11 total 9x19, 9 spaces to west of existing building. 2 Parrallel spots in front of building

In addition to all other required information, the proposed site plan must demonstrate how:

[ ] Traffic congestion is avoided
[ ] Pedestrian, vehicular safety and welfare are protected
[ ] Vision Clearance Area is preserved and maintained, where applicable
[ ] Significant features and public amenities are preserved and maintained
[ ] There will be minimal adverse effect on surrounding property

PLANS AND OTHER INFORMATION REQUIRED:

[ ] At least 12 copies of concept site plan.
[ ] At least one 11 x 17 concept site plan.
[ ] At least 12 copies of a separate vicinity map indicating location of the proposed development
[ ] State Highway or County Road Access Permit, where applicable

Signatures: Applicant(s)	Date 3/21/19
	Date
Property Owner(s)	Date
	Date

LOCAL GOVERNMENT INFORMATION/APPROVAL

Date Application Filed: 3/21/19

Date Fee Paid: 3/25/19

****

Application [ ] Approved as submitted

[ ] Approved with conditions _____

_____

_____

[ ] Denied

Signed: _____ Date _____
Planning Commission Chair

NOTICE TO APPLICANT

LAND USE DEVELOPMENT FILING FEE AND REIMBURSEMENT FOR ADMINISTRATIVE COSTS

Dear Applicant:

The City of Maupin, like many cities in Oregon, is faced with a severely reduced budget for the administration of the City's ordinances. The land use planning process in the State of Oregon has become increasingly complex. To properly process your land use application, the City must rely upon professional consultants to assist in preparing the legal notices, conducting on-site inspection, preparation of staff reports and attendance at the Planning Commission and/or City Council meeting. The City utilizes a consultant to ensure your application is processed fairly and promptly. Because of the reduced budgets, the City finds it necessary to transfer those administrative costs to you, the applicant, as a part of the land use planning process. Therefore, you are asked to read and sign the statement below indicating you understand the requirement.

LAND USE DEVELOPMENT FILING FEE AND ADMINISTRATIVE COST REIMBURSEMENT

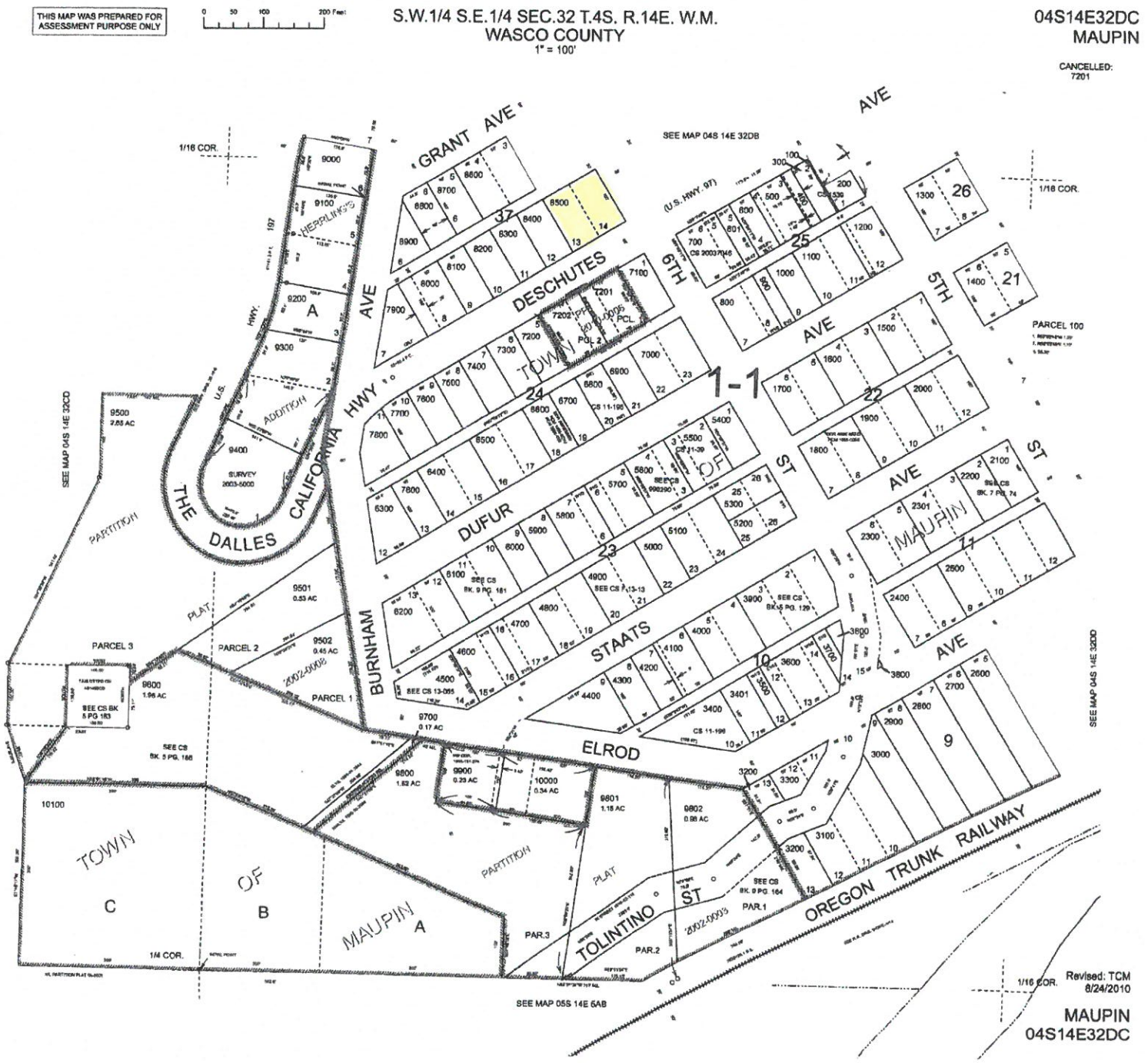
I/We, the applicant(s), Andy Kreipe, agree that **in addition** to the Land Use Filing Fee per City of Maupin Fee Schedule, to reimburse the City of Maupin for actual cost of Contract Planner and Attorney.

Signed this 21 day of March, 2019

Property owner(s): _____

_____

9x Daytime Parking
19
9
Property lines
Trailer/Bus Parking
60' TE
37'
12'
18'
9.08"
Proposed Building
New Sign on front of Proposed building
12'
602 DESCHUTES AVE
Height of Proposed building 10'5"
Front door
Drive way
49'
2x Customer Parking
19
79
SIDE WALK
DESCHUTES AVE
Stop
5TH ST
N


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY
0 50 100 200 Feet
S.W.1/4 S.E.1/4 SEC.32 T.4S. R.14E. W.M.
WASCO COUNTY
1" = 100'
04S14E32DC
MAUPIN
CANCELLED:
7201
SEE MAP 04S 14E 32DB
SEE MAP 04S 14E 32CD
SEE MAP 05S 14E 6AB
SEE MAP 04S 14E 32DD
1/16 COR.
1/4 COR.
GRANT AVE
DESCHUTES
DUFUR
STAATS
BURNHAM
ELROD
TOLINTINO ST
OREGON TRUNK RAILWAY
HWY. 197
U.S. HWY. 97
CALIFORNIA HWY
THE DALLES
HERRLINKS
ADDITION
PARTITION PLAT
TOWN OF MAUPIN
1-1
PARCEL 1
PARCEL 2
PARCEL 3
PAR.1
PAR.2
PAR.3
PARCEL 100
SURVEY 2003-5000
SEE CS BK. 5 PG. 166
SEE CS BK. 5 PG 183
SEE CS BK. 9 PG. 164
SEE CS 13-055
SEE CS 11-196
SEE CS 21-39
SEE CS 992290
9500 2.65 AC
9501 0.53 AC
9502 0.45 AC
9600 1.96 AC
9700 0.17 AC
9800 1.83 AC
9801 1.15 AC
9802 0.88 AC
9900 0.23 AC
10000 0.34 AC
10100
'2002-0008
'2002-0003
Revised: TCM 8/24/2010
MAUPIN
04S14E32DC