

# MEETING NOTICE FOR THE CITY OF HUBBARD

TUESDAY

AUGUST 17, 2021

PLANNING COMMISSION: HOLUM, STIERLE, COUNTRYMAN, KULIKOV

This meeting will be held **via Zoom**. This is to enable interested citizens to listen to the meeting. Except for the public hearing portion of the meeting, all public comment is suspended during this meeting due to platform restrictions. **Should you wish to speak during the public hearing portion of the meeting, you may sign up by completing the form on the City's webpage at: <https://www.cityofhubbard.org/bc/webform/sign-if-you-want-speak-meeting>, or calling City Hall 48 hours prior to the meeting.** Written comments may be provided in advance of the meeting by sending an email to [ynogle@cityofhubbard.org](mailto:ynogle@cityofhubbard.org) or mailing your written comments to the address provided below. If you desire to participate in the public hearing and are unable to provide written comments in of the meeting, and at least 48 hours in advance of the public hearing, please contact the Director of Administration/City Recorder, Hubbard City Hall, 3720 2nd St., Hubbard OR 97032 (Phone No. 503-981-9633) prior to the scheduled meeting time.

Join Zoom Meeting

<https://us02web.zoom.us/j/88230613147?pwd=MDRhdkR3hOY1BnRlQ1QT09>

Meeting ID: 882 3061 3147

Passcode: 567916

One tap mobile

+13462487799,,88230613147#,,, \*567916# US (Houston)

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Dial by your location

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Find your local number: <https://us02web.zoom.us/j/kcC2P37AQ8>

## \*\*\*\*\*ACCESSABILITY NOTICE\*\*\*\*\*

**Please contact the Director of Administration/City Recorder, Hubbard City Hall, 3720 2<sup>nd</sup> St., Hubbard OR 97032 (Phone No. 503-981-9633) prior to the scheduled meeting time if you need assistance accessing this electronic meeting. TCC users please call Oregon Telecommunications Relay Service at 1-800-735-2900.**

Agendas are posted at the Hubbard Post Office, City Hall, and the City website at [www.cityofhubbard.org](http://www.cityofhubbard.org). You may schedule Agenda items by contacting the Director of Administration/City Recorder Vickie Nogle at 503-981-9633. (TTY / Voice 1-800-735-2900)

SEE ATTACHED AGENDA

Posted 8/11/2021

4:00 p.m.

Vickie L. Nogle, MMC

Director of Administration/City Recorder

**HUBBARD PLANNING COMMISSION MEETING AGENDA**  
**CITY HALL: (503)981-9633, 3720 2<sup>nd</sup> Street**

**AUGUST 17, 2021 – 6:30 PM**  
**LOCATION: Online utilizing Zoom.**  
**HUBBARD CITY HALL (3720 2<sup>ND</sup> STREET)**

**(MEMBERS OF THE PUBLIC MAY CALL OR LOG IN WITH AN ELECTRONIC  
DEVICE -Refer to Cover Sheet for details)**

**MEETING Notice:** Members of the public may attend via conference call, electronic device, and YouTube. This is to enable interested citizens to listen to the meeting. Except for any public hearing portion of the meeting, all public comment is suspended during this meeting due to platform restrictions. **Should you wish to speak during the public hearing portion of the meeting, you may sign up by completing the form on the City's webpage at: <https://www.cityofhubbard.org/bc/webform/sign-if-you-want-speak-meeting>, or calling City Hall 48 hours prior to the meeting.** Written comments may be provided in advance of the meeting by sending an email to [vlno@cityofhubbard.org](mailto:vlno@cityofhubbard.org) or mailing your written comments to the address provided below. If you desire to participate in the public hearing and are unable to provide written comments in of the meeting, and at least 48 hours in advance of the public hearing, please contact the Director of Administration/City Recorder, Hubbard City Hall, 3720 2nd St., Hubbard OR 97032 (Phone No. 503-981-9633) prior to the scheduled meeting time.

- 1) **CALL TO ORDER.**
  - a) Flag Salute.
- 2) **APPROVAL OF THE JUNE 15, 2021, PLANNING COMMISSION MEETING MINUTES.**
- 3) **PUBLIC HEARINGS.**
  - a) Development Review #2021-02 (2714 Pacific Highway 99E, Hubbard). VLMK Engineering (Jennifer Kimura and Jason Sahlin) Site Development Review to construct a 10,880 sq. ft. Building for Reliable Auto.
- 4) **ADJOURNMENT.** (Next regular scheduled Planning Commission meeting September 21, 2021, at 6:30 p.m.)

**CITY OF HUBBARD  
PLANNING COMMISSION MINUTES  
JUNE 15, 2021**

**CALL TO ORDER.** The Hubbard Planning Commission meeting was called to order at 6:30 p.m. by Planning Commission Chair Scott Stierle via Zoom.

**Planning Commission Present:** Planning Commissioner Scott Stierle, Planning Commissioner Jessica Countryman, Planning Commissioner Nik Kulikov, Planning Commissioner Glenn Holum (arrived at 6:42)

**Staff Present:** Director of Administration/City Recorder Vickie Nogle, City Planner Holly Byram, MWVCOG, Public Works Superintendent Michael Krebs, Administrative Assistant/Court Clerk Julie Hedden.

**Visitor:** Fil Kartal

**FLAG SALUTE.** Planning Commission Chair Scott Stierle led the group in the flag salute.

**APPROVAL OF THE APRIL 20, 2021, PLANNING COMMISSION MEETING MINUTES.** MSA/Planning Commissioner Jessica Countryman / Planning Commissioner Nik Kulikov moved to approve the minutes from the April 20 meeting. Planning Commission Chairman Scott Stierle, Planning Commissioner Jessica Countryman, and Planning Commissioner Nik Kulikov were in favor. Motion passed unanimously.

**PARTITION APPLICATION PAR #2021-01 – Citihomes Group Corporations (2674 Pacific Hwy 99E).** City Planner Holly Byram read the staff report. She said the applicant is Citihomes Group Corporation and the property is 2.38 acres, and this is a proposed two-parcel partition of an Industrial -Commercial property. Parcel 1 is proposed to be 1.16 acres and parcel 2 is a flag lot proposed to be 1.22 acres. There is no development proposed with this application. Furthermore, she said that a partition is a Type 1 Level 2 action which is a limited land use decision, staff makes a recommendation to the Planning Commission, and the Planning Commission makes a decision on the application, there is no public hearing but public notice is sent to neighbors so they can comment.

City Planner Holly Byram said the property is zoned industrial/commercial and is surrounded by other properties that are zoned industrial/commercial or industrial and the majority of the property is undeveloped with one existing non-conforming dwelling on it, which pre-dated the zoning regulations.

City Planner Holly Byram said the subject property is Lot 5 of Block 1 of the Hubbard Industrial Park Subdivision that was created in 1983. She went on to say there have been 2 approved development reviews on this property, but neither of the approved developments were constructed and both approvals have expired. Furthermore, with this partition application there is not development proposed, they are only proposing to divide the lot.

**PAGE 2 – PLANNING COMMISSION MEETING MINUTES JUNE 15, 2021**

City Planner Holly Byram said this site is adjacent to Pacific Highway East, OR 99E, and is subject to state laws administered by ODOT. ODOT reviewed the proposed partition and what they found was that Parcel 1 has three access points and the new access point for Parcel 2 is not yet permitted, so ODOT is requiring the new access point for Parcel 2 be permitted and that 2 of the access points on Parcel 1 will need to be closed. This is the condition of approval from ODOT.

City Planner Holly Byram said Hubbard Public Works and the City Engineer reviewed the proposed partition and found that utilities are available so there are no concerns at this time.

City Planner Holly Byram stated prior to final plat approval by the City, the applicant secure ODOT approach permit approval for the proposed Parcel 2 access and remove 2 access points serving Parcel 1. Sidewalks and street trees are not required at this time but will be required of the applicant upon future development. Utility connections, streetlights, and fire hydrants will be reviewed upon future development applications to ensure that the location and size of the improvements are appropriate for the type and scale of future proposed developments.

City Planner Holly Byram said based upon the information contained in the submitted application, staff finds Partition 2021.01 meets the criteria in the Hubbard Development Code or can meet it through compliance with the recommended conditions of approval that are outlined in the staff report.

MSA/Planning Commissioner Jessica Countryman / Planning Commissioner Nik Kulikov moved to approve Partition file #PAR 2021-01 as presented, adopting the staff report findings and recommended conditions of approval. Planning Commission Chairman Scott Stierle, Planning Commissioner Jessica Countryman, Planning Commissioner Glenn Holum and Planning Commissioner Nik Kulikov were in favor. Motion passed unanimously

**ADJOURNMENT. (The next scheduled Planning Commission Meeting will be July 20, 2021 at 6:30 p.m.)** MSA/Planning Commissioner Glenn Holum/Planning Commissioner Jessica Countryman moved to adjourn. Planning Commission Chairman Scott Stierle, Planning Commissioner Glenn Holum, Planning Commissioner Nik Kulikov and Planning Commissioner Jessica Countryman were in favor. Motion passed unanimously. Meeting was adjourned at 6:50 p.m.

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Scott Stierle  
Planning Commission Chairman

**ATTEST:**

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Vickie L. Nogle, MMC  
Director of Administration/City Recorder  
Recording

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Julie Hedden  
Administrative Assistant/Court Clerk  
Transcribing

**CITY OF HUBBARD PLANNING COMMISSION  
STAFF REPORT**

REPORT: August 12, 2021

HEARING: August 17, 2021

FILE No.: Site Development Review, file #DR 2021-02

APPLICANT: VLMK Engineering & Design, consultant

OWNER: Reliable Auto Body & Services, LLC.

LOCATION: 2714 (behind 2674) Pacific Highway 99E in Hubbard

ZONE: IC – Industrial-Commercial Zone

SIZE: 103,673 SF (2.38 Acres) Property was recently approved for partitioning. Parcel 2 (Parcel B) is approx. 1.22 acres.

**REQUEST: Site Development Review approval for the development of a 10,880 square foot automobile repair building with associated parking, landscaping, and other site improvements for Reliable Auto & Body.**

CRITERIA: Hubbard Development Code (HDC) 2.108 IC-Industrial Commercial Zone, Section 2.200 General Development Standards, and Section 3.105 Site Development Review.

EXHIBITS A: Combined comments from City departments and partner agencies  
B: Application submitted by applicant  
C: Notice of Decision from recent Partition #PAR 2021-01

**I. PROCEDURE & AUTHORITY**

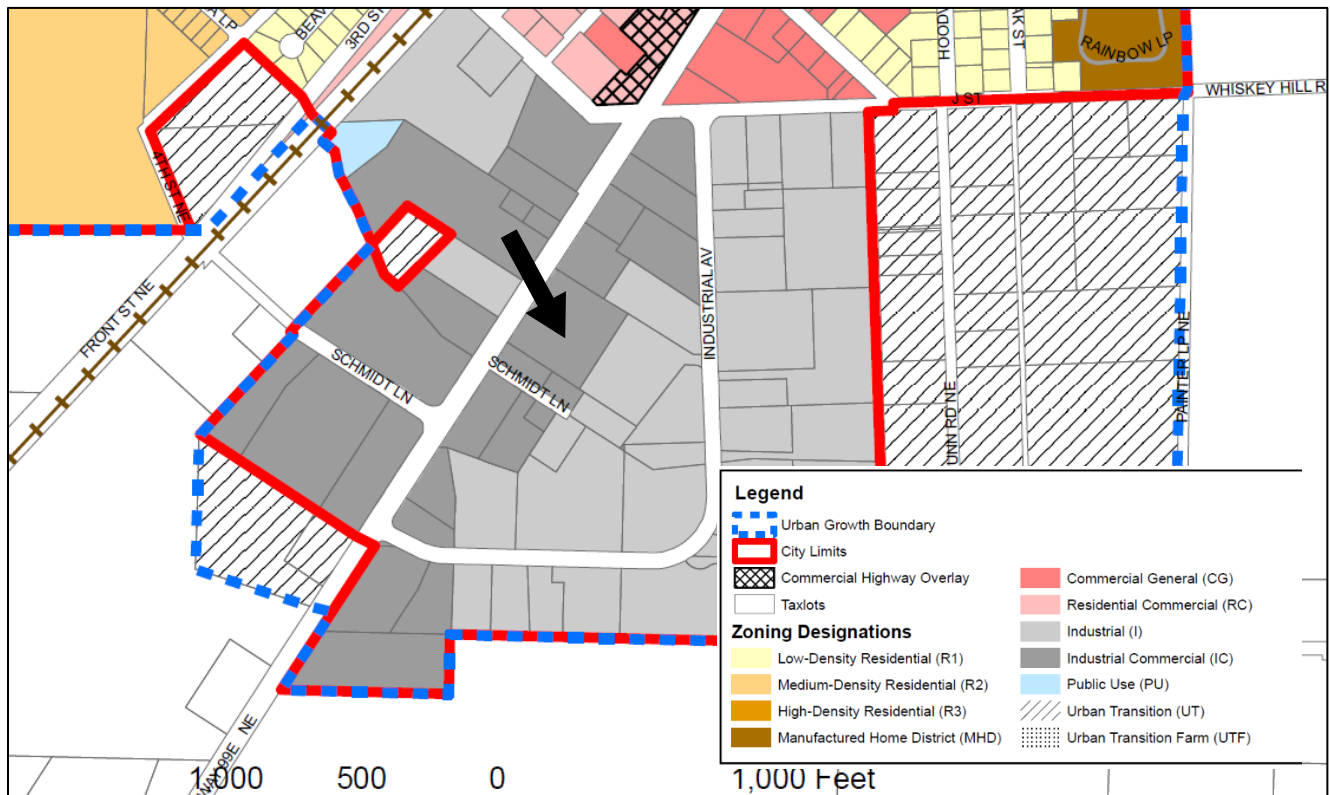
A Site Development Review is a Type II Action. A Type II action is a quasi-judicial review in which the Planning Commission applies a mix of objective and subjective standards that allow considerable discretion. Public notice and a public hearing are provided. An appeal of a Type II decision is to the City Council.

**II. BACKGROUND**

**A. LAND USE HISTORY**

The subject property is Lot 5 of Block 1 of the Hubbard Industrial Park Subdivision, created in 1983. A Property Line Adjustment (PLA) was conducted between Lots 5 and 6 in 2009. The property also had two approved Site Development Reviews; a commercial retail center mini-mall with file #DR 2006-02, and an Aquastore with file #DR 2010-01. Neither of the approved developments were constructed. Both approvals have expired. Most recently, the subject property was approved for a two-parcel partition with City file #PAR 2021-01. That partition has not yet been recorded by plat at Marion County. This development proposal plans for the partition to be recorded.

## B. VICINITY MAP:

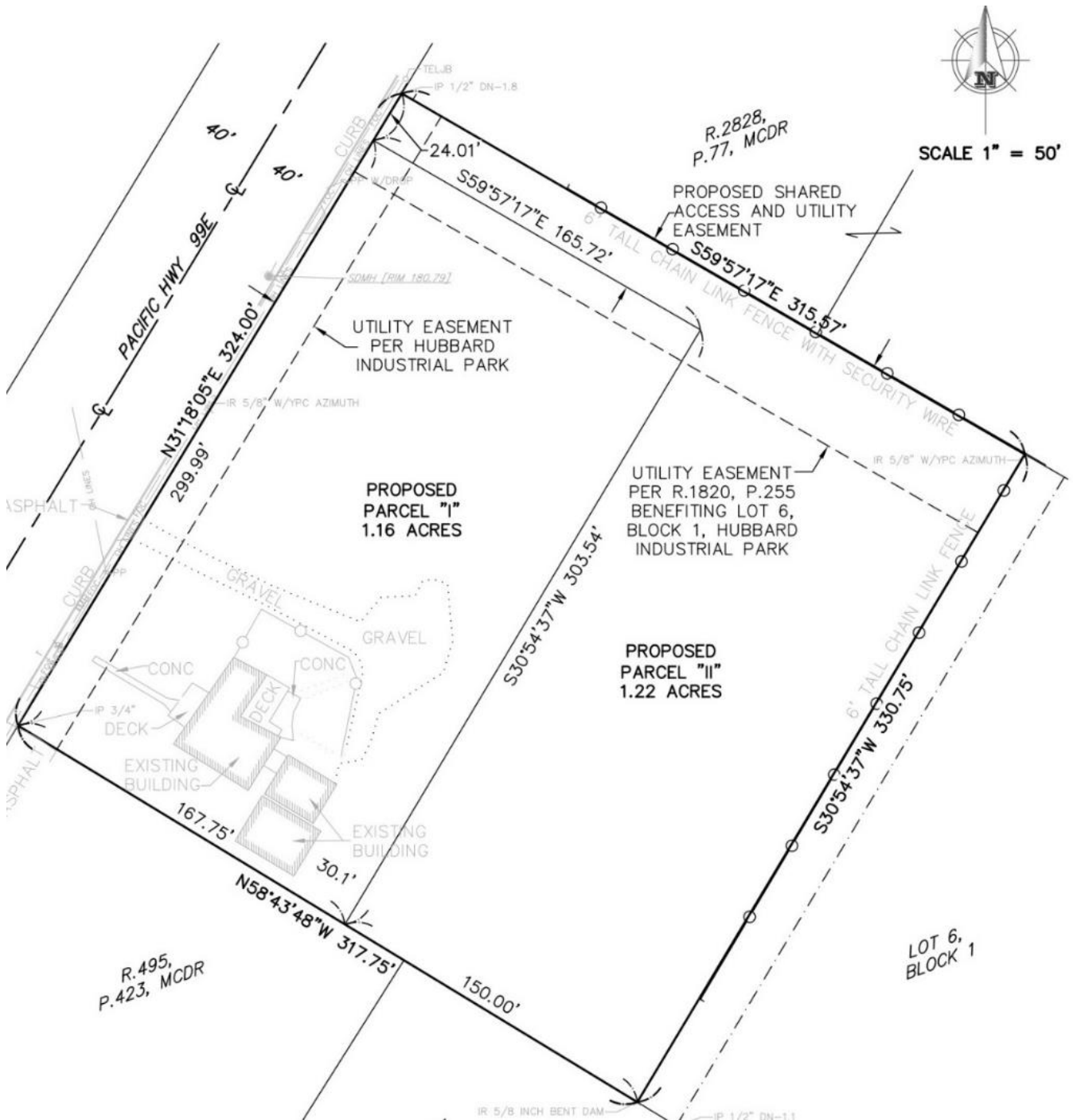


## C. EXISTING CONDITIONS (Source: Google Streetview, Image from 2019)



D. RECENT PARTITION # PAR 2021-01

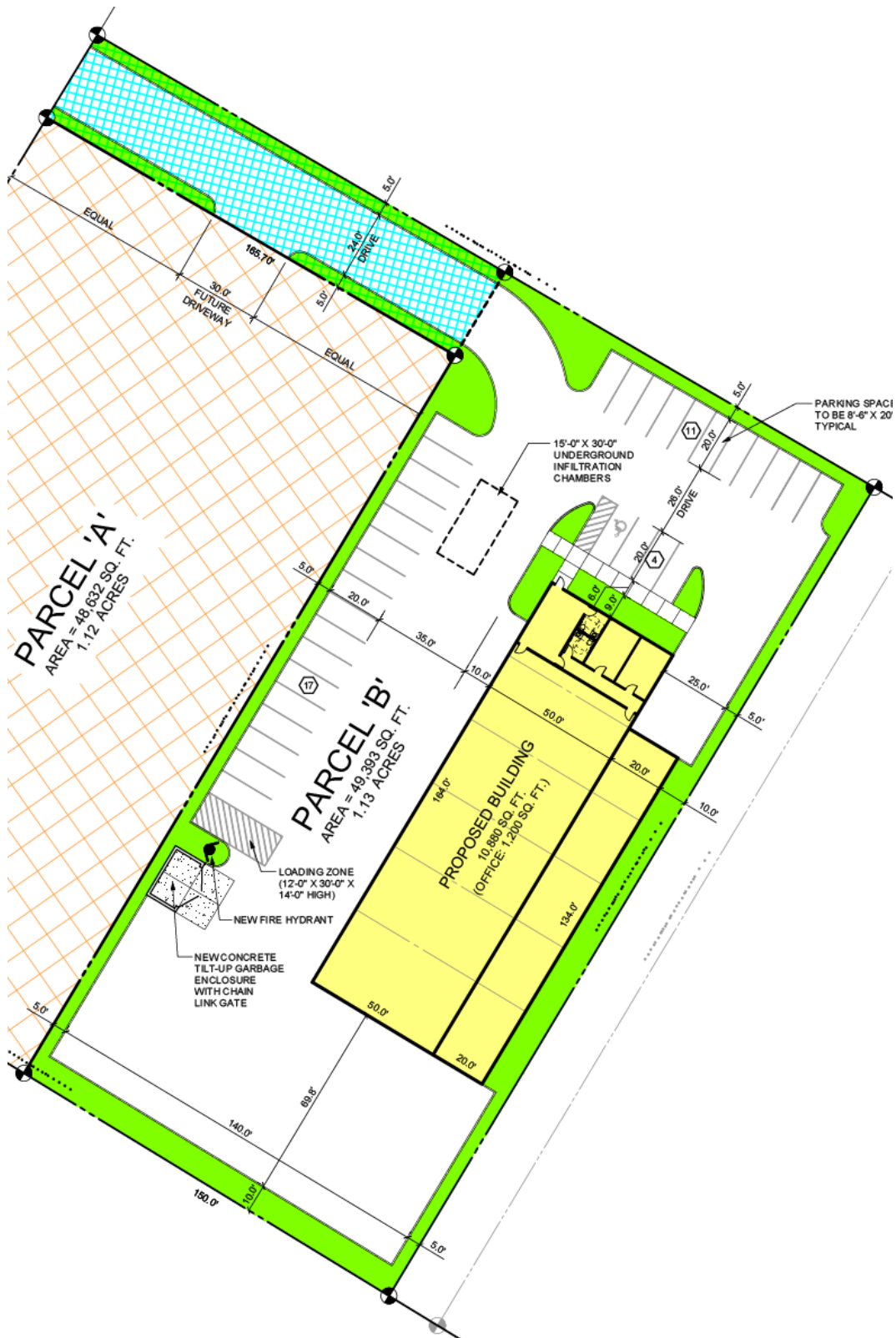
Approved by Hubbard Planning Commission with conditions. Notice of decision is attached as Exhibit C. Approval dated June 29, 2021. Applicant has two years to record approved partition plat.





### III. PROPOSED DEVELOPMENT

Site plan is cropped to enlarge. Full plan is included in Exhibit B.





#### **IV. REVIEW STANDARDS/CRITERIA**

The purpose of this section is to assist the Planning Commission in their analysis of the applicable decision criteria for the proposed development. The following standards and criteria are found in the Hubbard Development Code (HDC).

##### ***3.105 SITE DEVELOPMENT REVIEW***

##### ***Section 3.105.06 Evaluation of Site Development Plan***

***The review of a Site Development Plan shall be based upon consideration of the following:***

##### ***A. Characteristics of adjoining and surrounding uses;***

**STAFF FINDINGS:** The subject property is zoned IC - Industrial Commercial. Properties along this section of Pacific Highway 99E corridor are generally zoned IC along the highway, and I – Industrial to the east, along Industrial Avenue. The subject property is largely a vacant grass field, with one non-conforming residential dwelling along the frontage. That dwelling is proposed to stay, and would be located on Parcel 1 (Parcel A). There is also a non-conforming residential dwelling to the south of the subject property. The Hubbard development code allows non-conforming uses and structures to be grandfathered, remaining for as long as the use is continued. There are active industrial uses immediately to the north with Sunbelt Rentals and to the east with TPI.

The proposed land use in this development is a 10,880 SF auto repair shop, which includes approximately 1,200 SF of office space. The permitted land uses in the IC district are identified in HDC section 2.108.02. This list includes (A) All uses permitted in the Industrial (I) District. The permitted land uses in the I district are listed in HDC 2.107.02. This list includes (C) Automotive repair. The proposed office use is accessory to the primary use of the auto repair shop.

Dimensional standards for the IC district are found in HDC 2.108.04. Required minimum setbacks are front yard 20 feet, side yard abutting an industrial district 10 feet, rear yard abutting an industrial district 10 feet. The proposed structure meets these minimum setbacks. Consistent with the conditions of approval for the recent partition file #PAR 2021-01, “front” is the property side parallel with Pacific Highway 99E (west). For setbacks, abutting zones, not uses, are considered. In this case, the two abutting non-conforming dwellings are not considered because the long-term intention is for those properties to be converted to an industrial or commercial use, consistent with their zoning. The maximum building height of the IC zone is 80 feet. The proposed building is 20 feet 8 inches in height.

HDC 2.207.03 Landscaping Minimum Area Requirements, states that C) industrial developments shall provide a minimum of 10 percent of the gross land area for landscaping. The applicant’s submitted site plan states that the proposed landscaping area is 8,107 SF, which is approximately 16.41% of the gross land area. The applicant has not submitted a detailed landscaping and irrigation plan. They state that one will be provided at a later date. This is included as a condition of approval.

Staff recommends a condition of approval that all future fences are constructed in compliance with the HDC Section 2.401.09 Fences, Walls and Hedges, and consistent with the Clear Vision Area guidelines.

No lighting is shown in the submitted plan set. The Hubbard Police Department generally recommends perimeter lighting as well as monitored security systems, to aid nighttime patrol and crime deterrence. If the applicant decides to erect lighting on site, any light used to illuminate a parking or loading area shall be arranged to be directed entirely onto the loading or parking area, shall be deflected away from any residential use, and shall not cast a glare or reflection onto moving vehicles on public rights-of-way. The applicant will need to submit a lighting plan for review and approval by Public Works, to include fixture catalogue cuts showing illumination patterns, prior to issuance of a building permit.

No signage is shown on the site plan. Staff recommends a condition of approval requiring sign review and permitting for all future signs on this property, consistent with HDC 2.206.

Screening and buffering are discussed below.

In consideration of the proposed development, the characteristics of surrounding uses, and conditions, staff concludes the proposed use can be made compatible with other uses in the vicinity. This standard can be met through compliance with the recommended conditions of approval.

***B. drainage and erosion control needs;***

STAFF FINDINGS: HDC 2.204 addresses storm drainage requirements. The provisions of that section apply to industrial development. HDC 2.204.03 (A) states that “No construction of any facilities in a development shall be permitted until a storm drainage and erosion control plan for the project is prepared by an engineer in the State of Oregon, and approved by the City.” The proposed development changes the amount of impervious surface on the site. The applicant has not submitted a stormwater [drainage] report, but stated that they would do so at a later date. The site plan shows a 15-foot by 30-foot “underground infiltration chambers” under the parking lot of the proposed development. Staff has included a condition of approval for a stormwater [drainage] report, consistent with the City’s standards. Staff finds that the application can meet the drainage and erosion criteria through compliance with the recommended conditions of approval.

***C. public health factors;***

STAFF FINDINGS: Public health factors pertain to required connections to public water and sewer utilities. Public water and sewer lines are located in Pacific Highway 99E to the west, and may be available through an existing easement to Industrial Avenue to the east. The applicant has not specified the location and size of the proposed utilities. Public Works and the City Engineer did not express concerns about the City’s ability to serve the proposed development. The applicant will need to submit to the City an estimate of water usage (meter size), as well as detailed construction plans consistent with the City of Hubbard Public Works Design Standards. Private service connections to those lines are reviewed by Marion County with a plumbing permit. Staff finds that the applicant can meet the public health factors through compliance with the recommended conditions of approval regarding public works standards and procedures.

***D. traffic safety, internal circulation and parking;***

**STAFF FINDINGS:** The proposed development labeled as “Parcel B” is also referenced as “Parcel 2” of the recently approved partition with City file # PAR 2021-01. Parcel 2 is a flag lot that will take access from Pacific Highway 99E. The approved flag lot pole was conditioned to be a minimum of 25 feet wide to meet the City’s access standards. The submitted site plan shows a 24-foot wide driveway with 5-foot landscaping strip on either side, suggesting that the flag pole for Parcel 2 is in fact 34 feet wide. This needs to be reconciled between the partition plat and the site plan.

Pacific Hwy 99E is classified as a major arterial in the Hubbard Transportation System Plan (TSP). The adopted right-of-way width is listed as 101 feet. The current width of Pacific Hwy 99E is shown as 80 feet. Consequently, the applicant was required to dedicate 10 feet along the frontage to public street right-of-way to bring the width from center line from 40 feet to 50 feet, as a condition of the Partition. A shared access driveway is proposed for the flag pole of Parcel 2. Pacific Hwy 99E is Oregon Department of Transportation (ODOT) jurisdiction facility. ODOT Region 2 Staff Casey Knecht reviewed the proposed partition and commented as follows:

*The site is adjacent to Pacific Highway East, No. 081 (OR-99E), and is subject to state laws administered by ODOT. The city’s Notice of Decision for the partition request (PAR 2021-01) includes several conditions of approval that pertain to the state highway. They are:*

- *Condition (C): Prior to plat approval, final plat shall dedicate 10 feet (or 50 feet from centerline) of frontage along Pacific Hwy 99E for public right-of-way purposes.*
  - *ODOT will be the recipient of the dedication. Please contact me to begin that process.*
- *Condition (E): Prior to plat approval, the applicant shall submit to the City a copy of an approved ODOT State Highway Approach permit for the proposed new Parcel 2 flag pole access driveway.*
  - *The applicant can find the permit application on the ODOT website, or by contacting the ODOT District 3 Permits office at 503-986-2900.*
- *Condition (F): Prior to plat approval, the applicant shall submit to the City a copy of ODOT confirmation that two existing highway approaches were removed or consolidated, so that Parcel 1 has one highway approach remaining, or as otherwise approved by ODOT.*
  - *The removal of two existing approaches will be permitted at the same time as the new approach for Parcel 2.*
- *Condition (G): Prior to plat approval, the applicant shall construct curbs and driveway cuts to City and ODOT standards and procedures, consistent with the ODOT approach approvals described above. Sidewalks and street trees shall not be required with this land division, but shall be required with future development applications.*
  - *Standard Drawings are available online for curbs and driveways.*

HDC 2.203 addresses off-street parking and loading area development requirements. Section (A) states that all driveways, parking, maneuvering, and loading areas shall have a durable hard surface. Two-way drives are required to have a minimum improved width of at least 20 feet, exclusive of parking spaces. The two-way access driveway appears to meet the minimum width of the 20 feet.

HDC 2.203.05 establishes off-street parking ratios required by development type. A ‘service or repair shop’ is required to provide off-street parking at a ratio of 1 space per 200 square feet of gross floor area. Office uses are subject to the same ratio of 1 space per 200 SF of gross floor area. The proposed structure is 10,880 SF / 200 SF = 54.4 = 55 parking spaces. The applicant’s site plan shows a total of 32

parking spaces. No variance has been requested. The applicant will need to supply an additional 23 parking spaces to meet the requirement and/or reduce the size of the building. The applicant had identified the southern portion of the property as a generic outdoor storage area. That area will likely need to be converted to parking spaces in order to meet this code section. This can be performed on a revised site plan, as included in a recommended condition of approval.

HDC 2.203.06 establishes off-street loading requirements. Industrial buildings between 5,000 and 30,000 SF in size are required to provide a minimum of one loading zone at least 12 feet wide by 30 feet long by 14 feet in height. The submitted plan shows one loading zone. Typically loading zones are connected to the building, though that is not required by the code. This standard is met.

HDC 2.203.09 establishes bicycles parking standards. The applicable ratio for auto-oriented services is 2 or 0.33 spaces per 1,000 SF, whichever is greater.  $10,880 \text{ SF} / 1,000 * 0.33 = 3.59 = 4$  bicycles spaces total. The applicant's site plan does not identify the location of proposed bicycle parking. Staff has included a related recommended condition of approval.

Staff finds the proposed development can meet all traffic safety, internal circulation, and parking requirements through compliance with the recommended condition of approval.

***E. provision for adequate noise and/or visual buffering from non-compatible uses;***

**STAFF FINDINGS:**

HDC 2.207 states the following about required screening and buffering.

***2.207.05 Screening and Buffering***

***A. Screening shall be used to eliminate or reduce the visual impacts of the following:***

- 1. service areas and facilities, including garbage and waste disposal containers, recycling bins and loading areas;***
- 2. outdoor storage and outdoor display areas;***
- 3. parking areas for 20 or more vehicles for multi-family developments, or 30 or more vehicles for commercial or industrial uses;***
- 4. at and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners; and***
- 5. any other area or use as required by this Ordinance.***

***B. Screening may be accomplished by the use of sight-obscuring plant materials (generally evergreens), earth berms, walls, fences, building parapets, building placement or other design techniques.***

***C. Buffering shall be used to mitigate adverse visual impacts, dust, noise or pollution, and to provide for compatibility between dissimilar adjoining uses. Where buffering is determined to be necessary, one of the following buffering alternatives shall be employed:***

- 1. Planting Area: Width not less than fifteen (15) feet, planted with the following materials:*
  - a. at least one row of deciduous or evergreen trees staggered and spaced not more than fifteen (15) feet apart;*
  - b. at least one row of evergreen shrubs which will grow to form a continuous hedge at least five (5) feet in height within one (1) year of planting; and*
  - c. lawn, low-growing evergreen shrubs or evergreen ground cover covering the balance of the area.*
- 2. Berm Plus Planting Area: Width not less than ten (10) feet, developed in accordance with the following standards:*
  - a. Berm form should not slope more than forty (40) percent (1:2.5) on the side away from the area screened from view. The slope for the other side (screened area) may vary.*
  - b. A dense evergreen hedge shall be located so as to most effectively buffer the proposed use.*
- 3. Wall Plus Planting Area: Width must not be less than five (5) feet developed in accordance with the following standards:*
  - a. a masonry wall or fence not less than five (5) feet in height; and*
  - b. lawn, low-growing evergreen shrubs, and evergreen ground cover covering the balance of the area.*
- 4. Other methods which produce an adequate buffer considering the nature of the impacts to be mitigated, may be used, as approved by the Planning Commission.*

The applicant states that an outdoor storage area is proposed. This will likely be converted to parking to meet the minimum required off-street parking. Additionally, there are residential dwellings to the west and south. While the underlying zone districts of those dwellings is intended for industrial development, the buffering code provisions reference “dissimilar uses” rather than zoning. For this reason, staff recommends a condition of approval requiring the applicant comply with buffering along the western and southern property boundaries abutting the dwellings, especially to block headlights from shining into the residential windows, and screening where otherwise required, including around the dumpster service area enclosure.

Staff finds this criterion can be met by compliance with the conditions of approval addressing screening and buffering.

***F. retention of existing natural features on site;***

**STAFF FINDING:** The subject property is predominantly vacant field. Some trees and shrubs exist on site, but none are indicated for retention on the site plan. A recommended condition of approval requires the applicant to submit a detailed landscaping and irrigation plan to address proposed vegetation on site. No other natural features have been inventoried on the subject property. Staff finds this standard can be satisfied through the applicant’s compliance with the conditions of approval.

***G. connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities; and***

STAFF FINDING: The submitted site plan does not demonstrate an internal pedestrian connection between the building and the parking, or between the development and the public right-of-way on Pacific Highway 99E. A condition of approval requires marked accessways. Staff recommends the Planning Commission discuss whether a dedicated pedestrian connection to the right-of-way is required, or whether the existing 24-foot wide access driveway provides sufficient visibility for vehicles, bicycles, and pedestrians sharing the two-way driveway.

***H. problems that may arise due to development within potential hazard areas.***

STAFF FINDING: No hazard areas are identified, although drainage is always a concern with hydric soils in the area. Poor area drainage increases the importance of an engineered and functional drainage plan. Staff finds that this criterion can be met through the applicant's compliance with the recommended condition of approval related to a stormwater drainage plan.

**V. STAFF CONCLUSIONS & RECOMMENDATION**

Based on the findings contained in this report, Staff concludes that the application (File DR 2021-02) can be found to comply with the applicable criteria, subject to compliance with the recommended conditions of approval listed below.

**VI. RECOMMENDED CONDITIONS OF APPROVAL**

**Staff recommends APPROVAL of the application, subject to the following conditions of approval:**

A. It is the responsibility of the applicant to obtain copies of and be familiar with all applicable codes and standards, including but not limited to required bonds. Conformance to City of Hubbard Design and Construction standards is required. Compliance with Conditions of Approval shall be the sole responsibility of the applicant.

B. **COST OF IMPROVEMENTS**: Applicant shall be responsible for all costs of public and private infrastructure improvements associated with the development.

C. **REVISED SITE PLAN**: Prior to building permits, the applicant shall submit a final site plan which demonstrates compliance with these conditions of approval. Plans shall clearly show all existing and proposed easements on the subject property.

D. **DRAWINGS**: Detailed design drawings shall be submitted for all public improvements. All public improvements shall be designed in accordance with the Hubbard Design and Construction Standards.

E. **BUILDING PERMITS**: A copy of all Marion County Building Permit(s) shall be furnished to the City.



F. AS-BUILTS: As-built plans shall be submitted to the City for review and approval at the completion of construction. Submit three (3) paper copies and one (1) electronic file in Arcview/ArcGIS 9 format.

G. PARTITION: Prior to building permits, the applicant shall record a partition plat consistent with City approval of file #PAR 2021-01.

H. FRONTAGE IMPROVEMENTS: Required frontage improvements shall be limited to the frontage of the Parcel 2 flag pole width, unless otherwise conditioned by ODOT with the approach permits required with partition #PAR 2021-01. The remaining frontage of Parcel 1 shall be improved upon future development of that property, to include sidewalks and street trees.

I. STORMWATER: Applicant shall submit a storm water drainage report prepared and sealed by a Registered Engineer in the State of Oregon in accordance with the Hubbard Design and Construction Standards.

J. DEQ: Applicant shall submit to the City a copy of a DEQ 1200c permit.

K. FIRE: Fire flows, fire hydrant locations, FDC locations, access to building, turning radius, and drive aisle layout shall be in accordance with the International Fire Code and Hubbard Fire District requirements. Provide documentation that the Hubbard Fire District is satisfied with the proposed improvements.

L. BACKFLOW: Backflow prevention device(s) are required after the water meter in accordance with Hubbard Municipal Code, Chapter 13.25, Cross Connection.

M. WATER: Applicant to submit water meter calculations.

N. CAR WASH: If applicable, water used to wash vehicles shall not be permitted to discharge into the stormwater system prior to treatment.

O. FLAG LOT POLE WIDTH: Applicant shall reconcile difference between approved preliminary plat of 25-foot width and site plan which shows 34-foot width.

P. LANDSCAPING: Prior to building permits, applicant shall provide detailed landscaping and irrigation plan, in compliance with HDC 2.207. Prior to final occupancy, landscaping and irrigation shall be installed, and a one-year guarantee submitted to the City.

Q. UTILITIES:

1. Private water, sanitary sewer and storm drain systems on private property are reviewed and approved by Marion County (Plumbing Permit).

2. All utility work must be in accordance with the Oregon Health Authority (OHA) and the Oregon Department of Environmental Quality (DEQ).

R. PARKING: Prior to building permits, the applicant shall submit a revised site plan showing compliance with the parking provisions of HDC 2.203. The number of spaces shall be 1 space per 200 SF of gross floor area (10,880 SF / 200 SF = 55 spaces). Parking spaces shall meet the minimum dimensions of 8.5 feet by 20 feet. Hard surfaced parking areas shall be developed in compliance with specifications of HDC 2.203.07 and the Public Works Design Standards.

S. PARKING MAINTENANCE: The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

T. BICYCLE PARKING: Prior to building permits, the applicant shall submit a revised site plan showing compliance with the bicycle parking provisions of HDC 2.203.09. The number required for auto-oriented services shall be 0.33 spaces per 1,000 SF, totaling 4 spaces. Prior to final occupancy, the applicant shall demonstrate installation of the required bicycle parking.

U. PEDESTRIAN ACCESS: Prior to building permits, the applicant shall demonstrate marked pedestrian accessways on a revised site plan. Where pedestrian accessways cross driveways, they shall be raised, paved, or marked in a manner that provides convenient access for pedestrians.

V. WHEEL STOPS: Prior to final occupancy, parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail at least 4" high, located a minimum of 3 feet from the property line, to prevent a motor vehicle from extending over an adjacent property.

W. CLEAR VISION AREAS. Clear vision areas shall be maintained in accordance with HDC 2.209.07.

X. LIGHTING: Perimeter lighting is recommended by the Hubbard Police Department. If lighting is proposed, applicant shall submit a lighting plan for review and approval by Public Works. Any light used to illuminate a parking or loading area shall be arranged to be directed entirely onto the loading or parking area, shall be deflected away from any residential use and shall not cast a glare or reflection onto moving vehicles on public rights-of-way. The applicant shall provide fixture catalogue cuts showing illumination patterns.

Y. SCREENING & BUFFERING: Prior to building permit, the applicant shall submit a revised site plan demonstrating an acceptable buffering method along the western and southern property boundaries adjacent to the neighboring residential uses, consistent with HDC 2.207.05. Prior to occupancy, the applicant shall install required buffering and a screened enclosure for the waste and recycling bins, consistent with HDC 2.207.05.

Z. FENCES: All fences shall be constructed in compliance with the HDC 2.401.09 Fences, Walls, and Hedges.

AA. SIGNS: The applicant is advised that signs must comply with Section 2.206, and may require a building permit prior to installation. Applicant shall submit renderings and plans for all signs to the City, and must receive all applicable approvals prior to installation.

AB. ADDRESS: Prior to final occupancy of the new structure, the applicant shall post the address in minimum six-inch numbers.

AC. EXPIRATION OF APPROVAL: Site Development Review approvals shall be effective for a period of two (2) years from the date of written approval. If substantial construction of the approved plan has not begun within the two (2) year period, the approval shall expire. The applicant may request an extension of the approval for a period of one (1) year. A request for an extension of approval shall be submitted in writing at least thirty (30) days prior to the expiration date of the approval period. The project shall be constructed according to all approved plans. The approval shall be voided immediately if construction is a departure from the approved plan.

## **VII. PLANNING COMMISSION OPTIONS**

- A. Motion to APPROVE Site Development Review file #DR 2021-02, and adopt the recommended findings and conditions of approval contained in the Staff Report dated August 12, 2021, as presented.
- B. Motion to APPROVE Site Development Review file #DR 2021-02, and adopt the recommended findings and conditions of approval contained in the Staff Report dated August 12, 2021, as REVISED by the Planning Commission (stating those revisions).
- C. DENY Site Development Review file #DR 2021-02 with amended findings that the application does not meet the applicable approval criteria.
- D. CONTINUE the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are sufficiently addressed.

**EXHIBIT A:  
COMBINED DEPARTMENT AND AGENCY RESPONSES**

**1. Oregon Department of Transportation (ODOT)**

Thank you for notifying the Oregon Department of Transportation (ODOT) of the proposal at 2674 Pacific Hwy East in Hubbard. Please include these comments in the public record and notify ODOT of the decision by sending a copy to [odotr2planmgr@odot.state.or.us](mailto:odotr2planmgr@odot.state.or.us) when available.

The site is adjacent to Pacific Highway East, No. 081 (OR-99E), and is subject to state laws administered by ODOT. The city's Notice of Decision for the partition request (PAR 2021-01) includes several conditions of approval that pertain to the state highway. They are:

- Condition (C): *Prior to plat approval, final plat shall dedicate 10 feet (or 50 feet from centerline) of frontage along Pacific Hwy 99E for public right-of-way purposes.*
  - ODOT will be the recipient of the dedication. Please contact me to begin that process.
- Condition (E): *Prior to plat approval, the applicant shall submit to the City a copy of an approved ODOT State Highway Approach permit for the proposed new Parcel 2 flag pole access driveway.*
  - The applicant can find the permit application on the ODOT website, or by contacting the ODOT District 3 Permits office at 503-986-2900.
- Condition (F): *Prior to plat approval, the applicant shall submit to the City a copy of ODOT confirmation that two existing highway approaches were removed or consolidated, so that Parcel 1 has one highway approach remaining, or as otherwise approved by ODOT.*
  - The removal of two existing approaches will be permitted at the same time as the new approach for Parcel 2.
- Condition (G): *Prior to plat approval, the applicant shall construct curbs and driveway cuts to City and ODOT standards and procedures, consistent with the ODOT approach approvals described above. Sidewalks and street trees shall not be required with this land division, but shall be required with future development applications.*
  - Standard Drawings are available online for curbs and driveways.

The approach permitting process can take up to 90 days for approval. The right-of-way dedication processing can happen concurrently, but most of the work for that is done by the applicant prior to submittal (preparing survey and descriptions, gathering documents, etc.). Please contact me with any questions.

Casey Knecht, P.E.

Development Review Coordinator | ODOT Region 2

**2. Portland General Electric (PGE)**

PGE would just like any existing PUEs to be retained.

Laurie Howell

Property Services Specialist

### 3. Marion County Surveyors Office

Related to the partition, these steps must be taken to record the approved partition plat:

- ☒ 2. Parcels ten acres and less must be surveyed.
- ☒ 3. Per ORS 92.050, plat must be submitted for review.
- ☒ 4. Checking fee and recording fees required.
- ☒ 5. A current or updated title report must be submitted at the time of review.

Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

### 4. Hubbard Police Department

The police department recommends... Numbers to be seen by the roadway, adequate lighting, and a security system.

*David J. Rash*

Chief of Police

### 5. Woodburn Fire District (answered because Hubbard Fire Marshal was assigned on fires)

I will give you my comments on this project as if it were in the Woodburn Fire District and maybe Michael can comment.

It is not clear the type of construction (could not find it on any of the documents). I am basing the following comments that the type of construction is Type V-B:

1. 2019 Oregon Fire Code Appendix B reflects the gpm required for the square footage is 2,750 gpm for a duration of 2 hours. Our district rarely will approve the reductions that some AHJ's approve because we are mainly a volunteer, one crew on duty, fire department. This allows the paid and volunteer the gpm and number of fire hydrants to be more successful in firefighting and helps support safety protection for the community.
2. 2019 Oregon Fire Code Appendix C reflects the 2,750 gpm requires 3 fire hydrants and the drawings show only 1 fire hydrant. One fire hydrant needs to be with 225 feet from the main road entry into the access road to the building and the spacing between all three fire hydrants cannot exceed 450 feet.
3. It is hard to determine if the access road and around the property meets the width, height clearance, turning radius, ability to get to all sides of the first floor within 150 feet because the drawing does not reflect compliance and I cannot measure from drawings sent via email or printed up from email attachments. We do not usually allow reducing the minimum requirements, again, based on mainly the fire department being a volunteer fire department with limited resources in comparison to a full fire department such as Salem or Portland.

**EXHIBIT B:**

**APPLICATION MATERIALS SUBMITTED BY APPLICANT**



## SITE DEVELOPMENT REVIEW APPLICATION

### CITY OF HUBBARD

3720 2nd Street (P.O. Box 380)

Hubbard, OR 97032

Phone: (503) 981-9633; Fax: (503) 981-8743

<http://www.cityofhubbard.org>

To Be Filled Out by Staff:

FILE: \_\_\_\_\_

DATE: \_\_\_\_\_

FEE: \_\_\_\_\_

RECEIPT NO: \_\_\_\_\_

---

APPLICANT: Jennifer Kimura and Jason Sahlin - VLMK Engineering + Design

MAILING ADDRESS: 3933 S Kelly Ave Portland, OR 97239

PHONE: 503-222-4453

EMAIL

ADDRESS: jenniferk@vlmk.com

OWNER(S) (If different from above): Reliable Auto Parts

PHONE: \_\_\_\_\_

EMAIL

ADDRESS: 2795 Pacific Hwy 99 Hubbard, Oregon

ADDRESS: \_\_\_\_\_

PROPOSED STRUCTURE/IMPROVEMENT: Proposed construction of a 9,167 sf building and associated site work

SQUARE FOOTAGE: 10,880sf

ESTIMATED VALUE OF STRUCTURE/IMPROVEMENT: \$385,000.00

---

### PROPERTY DESCRIPTION:

ADDRESS: 2714 Pacific Highway 99E

MAP PAGE AND TAX LOT NO: 41W33DD/1900 & 2000

ZONE: IC

CURRENT USE/STRUCTURES: \_\_\_\_\_ SQUARE FOOTAGE OF SITE: 103,656 sf

ZONE: \_\_\_\_\_

---

### SUBMITTAL REQUIREMENTS:

Please submit one (1) legible copy, drawn to scale on 8 ½ x 11 or 11 x 17 inch paper and one (1) electronic copy (PDF format preferred); OR eight (8) full-size copies (typically 18 x 24-inch or larger paper), one (1) reduced-size copy (8 1/2 x 11 or 11 x 17-inch), and one (1) electronic copy (PDF format preferred) of the following application materials:

Revised: 9/19/08

1. Site Analysis

- ☐ Existing site topography;
- ☐ Identification of areas exceeding 10% slopes;
- ☐ Site drainage, areas of potential flooding;
- ☐ Areas with significant natural vegetation;
- ☐ Classification of soil types;
- ☐ Existing structures, roadway access and utilities; and
- ☐ Existing and proposed streets, bikeways, and pedestrian facilities within 200 feet.

2. Site Plan

- ☐ Proposed grading and topographical changes;
- ☐ All proposed structures including finished floor elevations and setbacks;
- ☐ Vehicular and pedestrian circulation patterns, parking, loading and service areas;
- ☐ Proposed access to public roads and highways, railroads or other commercial or industrial transportation systems;
- ☐ Site drainage plan including methods of storm drainage, sanitary sewer system, water supply system and electrical services. Inverse elevations may be required for all underground transmission lines;
- ☐ Proposed landscape plan, to include appropriate visual screening and noise buffering, where necessary, to ensure compatibility with surrounding properties and uses;
- ☐ Proposed on-premise signs, fencing or other fabricated barriers, together with their heights and setbacks; and
- ☐ A schedule of expected development.

**EVALUATION CRITERIA**

In addition to compliance with the standards of the Development Code, the review of a Site Development Plan shall be based upon consideration of the following:

1. Characteristics of adjoining and surrounding uses;
2. Drainage and erosion control needs;
3. Public health factors;
4. Traffic safety, internal circulation and parking;
5. Provision for adequate noise and/or visual buffering from non-compatible uses;
6. Retention of existing natural features on site; and
7. Problems that may arise due to development within potential hazard areas.

**I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT; AND THAT THE REQUEST DOES NOT VIOLATE ANY DEED RESTRICTIONS THAT MAY BE ATTACHED OR IMPOSED UPON THE SUBJECT PROPERTY. (NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.)**

07-09-21

Date

07-09-21

Date

Date

Applicant

Owner(s)

Owner(s)

---

Date

---

Owner(s)

### **SITE DEVELOPMENT REVIEW INFORMATION SHEET**

The purpose of the site development review process is to guide future growth and development in accordance with the Hubbard Comprehensive Plan and Development Code, provide an efficient process and framework to review development proposals, and resolve potential conflicts that may arise between proposed developments and adjacent uses.

#### **☒ SITE DEVELOPMENT REVIEW REGULATION**

Site development review is required for all new developments, major remodeling of existing developments, and change of occupancy, as defined by the Uniform Building Code, and/or change of use for commercial and industrial developments, except:

- 1) single-family detached dwellings;
- 2) a duplex;
- 3) any commercial or industrial remodel that does not exceed 25% of the total square footage of the existing structure, or
- 4) any new development, change of occupancy, or commercial or industrial remodel, that does not intensify use of the property by increasing the number of customers, vehicle or pedestrian traffic top the site, parking requirements, etc.

Site development review procedures are listed in Section 3.105 of the Development Code.

#### **☒ APPLICATION PROCESSING**

Once an application is submitted, along with all pertinent filing information, City staff will review it for completeness, and if additional material is necessary, you will be contacted. Once the application is determined to be complete, a public hearing at the Planning Commission will be scheduled. Staff will prepare a report for Planning Commission review. The staff report is available seven days prior to the Planning Commission meeting. You will have the opportunity to testify on behalf of your application at the Planning Commission meeting. The Planning Commission decision can be appealed to the City Council.

#### **☒ EFFECTIVE DATE OF APPROVAL**

The site development review shall be effective 12 days after the date of the notice of the decision by the Planning Commission unless the decision is appealed to the City Council.

#### **☒ ADDITIONAL INFORMATION**

For additional information, call Hubbard City Hall at (503) 981-9633.



EXHIBIT A

LAND USE FEE SCHEDULE ACKNOWLEDGMENT

as of 2/11/2020 (attachment to Resolution No. 686-2020)

Resolution No. 685-2020 requires land use applications to reimburse the City for the actual costs associated with the applications. The City requires a deposit for land use application as required in section 3.206.03 in the Hubbar Development Code. Staff collects the deposit at the time of application.

Costs and time are paid out of the deposit. If it appears the costs exceed the initial deposit, the Director c Administration/City Recorder may require an additional deposit for costs that may be incurred to complete the project. A the end of the project a final bill will be prepared, and the City will either request additional funds or issue a refund check

The following are examples of the most common types of charges and amounts per hour that will be incurred for land us projects in the City. These rates are provided for example purposes only, and you will be charged the actual cost incurred by the City as required by Resolution 685-2020. These example rates will therefore be reviewed annually an updated as necessary. You may request a copy of the most recent example rates at any time by contacting the Director c Administration/City Recorder.

**City Planner** **\$85.00**

*(The City Planner prepares staff reports, final actions, and makes presentations at Planning Commission and Council meetings.)*

**City Engineer** **\$165.00**

*(The City Engineer may be requested to investigate or review plans submitted by the applicant, and may make presentations at required meetings)*

**Director of Admin/Recorder** **\$90.00**

**Admin Assistant** **\$45.00**

*(The Planning Secretary prepares applicants files, prepares comments for other departments, prepares public hearing notices, posts and mails notices, answers applicants questions and attends all meetings)*

**Public Works Director/Superintendent** **\$84.00**

**Public Works Admin Manager** **\$68.00**

**Utility Worker II** **\$58.00**

**Utility Worker I** **\$37.00**

**Admin Assistant** **\$20.00**

*(The Public Works personnel reviews applications and comments regarding water, sewer, streets, backflow devices, and storm drain issues)*

**Police Chief** **\$83.00**

*(The Police Chief reviews plans and looks into safety concerns such as lighting and addressing issues)*

**City Attorney** **\$235.00**

*(Review of documents, negotiation of conflicts, litigation and enforcement issues)*

**Office Copies** (Black & White 8 1/2 X 11) .25 per page  
Color .35 per page  
(Black & White 11X 17) .50 per page  
Color .70 per page

**Long Distance Phone Calls** \$3.00 per call  
**Fax** \$2.00 per fax + .50 per page

I have read this information and understand that the land use fee is a deposit and the application may cost more or less.

  
Applicants Signature

7/19/21

Date

1. Site Analysis

- ☐ Existing site topography;
- ☐ Identification of areas exceeding 10% slopes;
- ☐ Site drainage, areas of potential flooding;
- ☐ Areas with significant natural vegetation;
- ☐ Classification of soil types;
- ☐ Existing structures, roadway access and utilities; and
- ☐ Existing and proposed streets, bikeways, and pedestrian facilities within 200 feet.

2. Site Plan

- ☐ Proposed grading and topographical changes;
- ☐ All proposed structures including finished floor elevations and setbacks;
- ☐ Vehicular and pedestrian circulation patterns, parking, loading and service areas;
- ☐ Proposed access to public roads and highways, railroads or other commercial or industrial transportation systems;
- ☐ Site drainage plan including methods of storm drainage, sanitary sewer system, water supply system and electrical services. Inverse elevations may be required for all underground transmission lines;
- ☐ Proposed landscape plan, to include appropriate visual screening and noise buffering, where necessary, to ensure compatibility with surrounding properties and uses;
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**EVALUATION CRITERIA**

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1. Characteristics of adjoining and surrounding uses;
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3. Public health factors;
4. Traffic safety, internal circulation and parking;
5. Provision for adequate noise and/or visual buffering from non-compatible uses;
6. Retention of existing natural features on site; and
7. Problems that may arise due to development within potential hazard areas.

**I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT; AND THAT THE REQUEST DOES NOT VIOLATE ANY DEED RESTRICTIONS THAT MAY BE ATTACHED OR IMPOSED UPON THE SUBJECT PROPERTY. (NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.)**

07-09-21

Date

07-09-21

Date

7-9-21

Date

Applicant

Owner(s)

Owner(s)



## REVISIONS

[illegible]

DATE JULY 2021	
SCALE AS NOTED	PROJ. NO. 20200453
DRAWN KAN	CHECKED JCS

## SITE PLAN







## PLAN REVIEW RESPONSE

**Project:** Reliable Auto & Body, LLC  
2674 & 2714 Pacific Hwy. 99E  
Hubbard, Oregon 97032

**Date:** July 22, 2021

**Project Number:** 20200453

**To:** Mid-Willamette Valley Council of  
Governments (MWVCOG)  
100 High Street SE, Suite 200  
Salem, Oregon 97301

**Permit Number:** #DR 2021-02

**Attention:** Holly Byram, Assoc. Planner

Dear Holly,

Please find attached the response to your email/letter on July 12, 2021.

Item	Reference	Response
1	Land Use Fee Payment	Holly to verify with Vickie.
2	Signature on Application	Fil stated this was signed by the owner.
3	Deed from Partition Application	There should have not been a change in ownership at the time of application.
4	Fee Acknowledgment Page	This has been signed by the applicant.
5	Parcel 'A' and Parcel 'B' Flag Lot	Area summary has been revised on sheet G1.0 – Site Plan to include the flagpole area to Parcel 'B'.
6	Proposed Land Use	The tenant is Reliable Auto & Body. Their use is Auto Repair and Maintenance. These parcels are zoned "IC" Industrial Commercial.
7	Parking Ratios	1 space per 200 sq. ft. of building floor area.
8	Min. Parking Dimensions	The min. parking dimensions are shown on sheet G1.0 as 8'-6" wide x 20'-0" long.
9	Loading Zone	A new loading zone (12'-0" wide x 30'-0" long x 14'-0" high) has been located adjacent to the new garbage enclosure.
10	Bike Parking	Land Use is Automotive related, so the table reads "2 spaces or .33 space for every 1,000 sq. ft. of building whichever is greater. Therefore 3 bike parking spaces are required. Location is show on sheet G1.0.
11	Building Height	Ridge height of the building is 20'-8" A.F.F.
12	Fenced Site	No perimeter fencing will be erected.
13	Storage Yard	The new Lay-down storage area will be gravel.

14	Fenced Storage Yard	No fencing will be erected at the new storage yard.
15	Emergency Access Turnaround	No fencing will be erected, so no emergency access turnaround is required.
16	Fire Hydrant	A new fire hydrant is located near the middle of the site. This location may change once we receive a survey locating existing utilities and easements.
17	Dumpster Facility	Location of new garbage enclosure is located next to the new fire hydrant and loading area. It will consist of concrete tilt walls with a chain link gate with sight obscuring slats. Walls to be painted to match building.
18	Utilities Connection	This will be addressed once we receive a survey locating existing utilities and easements.
19	Anticipated Water/Sewer Usage	There will be (2) toilets and (2) lavatories being installed in the office portion. Possible hose bibbs and utility sinks may be installed but will need to be verified with the tenant/owner.
20	Identify All Existing Easements – Parcel 'B'	This will be addressed once we receive a survey locating existing utilities and easements.
21	Landscape and Irrigation Plan Submittal	These plans will be submitted, but not at this time.
22	Stormwater Calcs Submittal	Stormwater Calcs will be submitted, but not at this time.
23	Lighting Plan Submittal	Lighting Plan will be submitted, but not at this time.
24	Written Response to the SDR Criteria	Yes. This is the written response to the SDR Criteria you sent via email to Jennifer Kimura at VLMK.
25	Proposed Signage along 99E	Signage is a possibility but will be discussed with the tenant/owner at a future date.

Please feel free to give me a call if you have any questions: 503.680.2910.

Thank you.



**KURT NAKASHIMA**  
SENIOR PROJECT COORDINATOR



320 Church St. NE, Salem, OR 97301  
PHONE (503)581-1431 FAX (503)364-8716

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## STATUS OF RECORD TITLE

Riley Edwards  
Barker Surveying  
3657 Kashmir Wy. SE  
Salem, OR 97317  
Your Reference No. 041W 33DD 2000

March 18, 2021  
Title Number: 421461AM  
Title Officer: Carlee Novak  
Fee: \$200.00, Update #1 for \$50

### **We have searched the status of record title as to the following described property:**

A tract of land being a portion of Lot 5 of the Plat of Hubbard Industrial Park, Marion County, Records, located in the Southeast one-quarter of Section 33, Township 4 South, Range 1 West, Willamette Meridian, City of Hubbard, Marion County, Oregon, being more particularly described as follows:

Lot 5, Block 1, HUBBARD INDUSTRIAL PARK, Marion County, Oregon as recorded December 30, 1983 in Volume 38, Page 7, Record of Town Plats for Marion County, Oregon.

EXCEPTING the following described portion of said tract of land:

Beginning at the most Southerly corner of said Lot 5, of the Plat of Hubbard Industrial Park, thence along the Southeasterly line of said Lot 5, North 30°59'53" East 331.26 feet to the most Easterly corner of said Lot 5, thence along the Northeasterly line of said Lot 5, North 59°49'10" West 20.00 feet; thence leaving said Northeasterly line, along a line parallel with and 20.00 feet Northwesterly of said southeasterly line of Lot 5 South 30°59'53" West 330.84 feet to the Southwesterly line of said Lot 5, thence leaving said parallel line, along said Southwesterly line South 58°37'55" East 20.00 feet to the point of beginning.

### **Vestee:**

**Reliable Auto Body & Services, LLC, an Oregon limited liability company**

and dated as of **March 3, 2021** at 7:30 a.m.

### **Said property is subject to the following on record matters:**

#### **Tax Information:**

Taxes assessed under Code No. 01511115 Account No. 599744 Map No. 04S-01W-33DD 02000

NOTE: The 2020-2021 Taxes: \$3,444.37, are Paid

1. City liens, if any, of the City of Hubbard.  
(No inquiry has been made. If no search is requested, this exception will remain in the policy. A charge of \$20.00 per account will be added if a search is requested)
2. The property lies within and is subject to the levies and assessments of the Marion Soil and Water Conservation District.
3. Easements as shown on the official plat of said land.

4. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Gene R. Hastie and Lois A. Hastie  
Recorded: August 8, 2001  
Instrument No.: [Reel: 1820 Page: 255](#)
5. A Oregon Employment Department Tax Warrant for the amount herein stated, plus interest and statutory charges.  
Warrant No.: F3814  
Recorded: July 27, 2018  
Instrument No.: [Reel: 4104 Page: 197](#)  
Amount: \$2,440.94  
Debtor: Reliable Auto Body & Service LLC
6. Rights of tenants under existing leases or tenancies.
7. Personal property taxes, if any.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

***"Superior Service with Commitment and Respect for Customers and Employees"***

After Recording Return to: ✓  
Andrew D. Hahs  
Bittner & Hahs, P.C.  
4949 SW Meadows Road, Ste 260  
Lake Oswego, OR 97035

Until a change is requested, all tax  
statements shall be sent to the  
following name and address:

Reliable Auto Body & Services, LLC  
2795 Pacific HWY #99E  
Hubbard, OR 97032

The true and actual consideration paid  
for this transaction is: \$350,000.00

REEL 4452 PAGE 404

MARION COUNTY

BILL BURGESS, COUNTY CLERK

02-22-2021 02:36 pm.

Control Number 641537 \$ 96.00

Instrument 2021 00011081

### Statutory Warranty Deed

Max L. Marcott, Trustee of The Max L. Marcott Living Trust, Dated March 15, 2013, and any amendments thereto, as Grantor, conveys and warrants to Reliable Auto Body & Services, LLC, an Oregon limited liability company, as Grantee, the following-described real property:

Legal descriptions of the real property appears in Exhibit A

Physical Addresses of the property: 2674-2714 Pacific HWY #99E, Hubbard, OR 97032

Tax Account #: R99744

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424,

**EXHIBIT A**  
**LEGAL DESCRIPTION**

A tract of land being a portion of Lot 5 of the Plat of Hubbard Industrial Park, Marion County, Records, located in the Southeast one-quarter of Section 33, Township 4 South, Range 1 West, Willamette Meridian, City of Hubbard, Marion County, Oregon, being more particularly described as follows:

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Excepting the following described portion of said tract of land:

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**REEL: 4452**

**PAGE: 404**

**February 22, 2021, 02:36 pm.**

CONTROL #: 641537

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEE: \$ 96.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

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## Business Name Search

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## Business Entity Data

07-12-2021 15:55

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
699571-90	DLLC	ACT	OREGON	07-07-2010	07-07-2022	
Entity Name	RELIABLE AUTO BODY & SERVICE, LLC					
Foreign Name						

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## Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	2795 PACIFIC HWY					
Addr 2						
CSZ	HUBBARD	OR	97032		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT			Start Date	06-06-2017	Resign Date	
Name	SERGEY		ZUBKOV					
Addr 1	2795 PACIFIC HWY							
Addr 2								
CSZ	HUBBARD	OR	97032		Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS				
Addr 1	2795 PACIFIC HWY					
Addr 2						
CSZ	HUBBARD	OR	97032		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER					Resign Date		
Name	SERGEY		ZUBKOV						
Addr 1	734 NORTH CT								
Addr 2									
CSZ	WOODBURN	OR	97071		Country	UNITED STATES OF AMERICA			

Type	MEM	MEMBER					Resign Date		
Name	DANIIL		SHEVCHENKO						
Addr 1	489 TURNBERRY AVE								
Addr 2									
CSZ	WOODBURN	OR	97071		Country	UNITED STATES OF AMERICA			

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## Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
RELIABLE AUTO BODY & SERVICE, LLC	EN	CUR	07-07-2010	

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## Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	06-07-2021		FI		
	AMENDED ANNUAL REPORT	05-28-2020		FI		
	AMENDED ANNUAL REPORT	05-28-2019		FI		
	AMENDED ANNUAL REPORT	06-22-2018		FI		
	AMENDED ANNUAL REPORT	06-06-2017		FI	Agent	
	AMENDED ANNUAL REPORT	06-15-2016		FI		
	ANNUAL REPORT PAYMENT	06-19-2015		SYS		
	ANNUAL REPORT PAYMENT	06-05-2014		SYS		
	ANNUAL REPORT PAYMENT	06-11-2013		SYS		
	ANNUAL REPORT PAYMENT	06-07-2012		SYS		
	AMENDED ANNUAL REPORT	06-20-2011		FI		
	ARTICLES OF ORGANIZATION	07-07-2010		FI	Agent	

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**NOTICE OF DECISION  
CITY OF HUBBARD PLANNING COMMISSION**

**NOTICE DATE:** June 29, 2021

**FILE No.:** PAR 2021-01

**APPLICANT:** Citihomes Group Corporation, Attn. Fil Kartal

**OWNER:** Reliable Auto Body & Services, LLC

**LOCATION:** 2674 & 2714 Pacific Hwy 99E Hubbard, Oregon  
Lot 5, Block 1, Hubbard Industrial Park Subdivision

**MAP TAX LOT:** 041W33DD02000

**ZONE:** IC – Industrial Commercial Zone

**SIZE:** 2.38 Acres (103,673 SF)

**REQUEST:** Proposed two-parcel partition of an Industrial-Commercial property. Parcel 1 is proposed to be 1.16 acres. Parcel 2 is a flag lot proposed to be 1.22 acres. No development is proposed with this application.

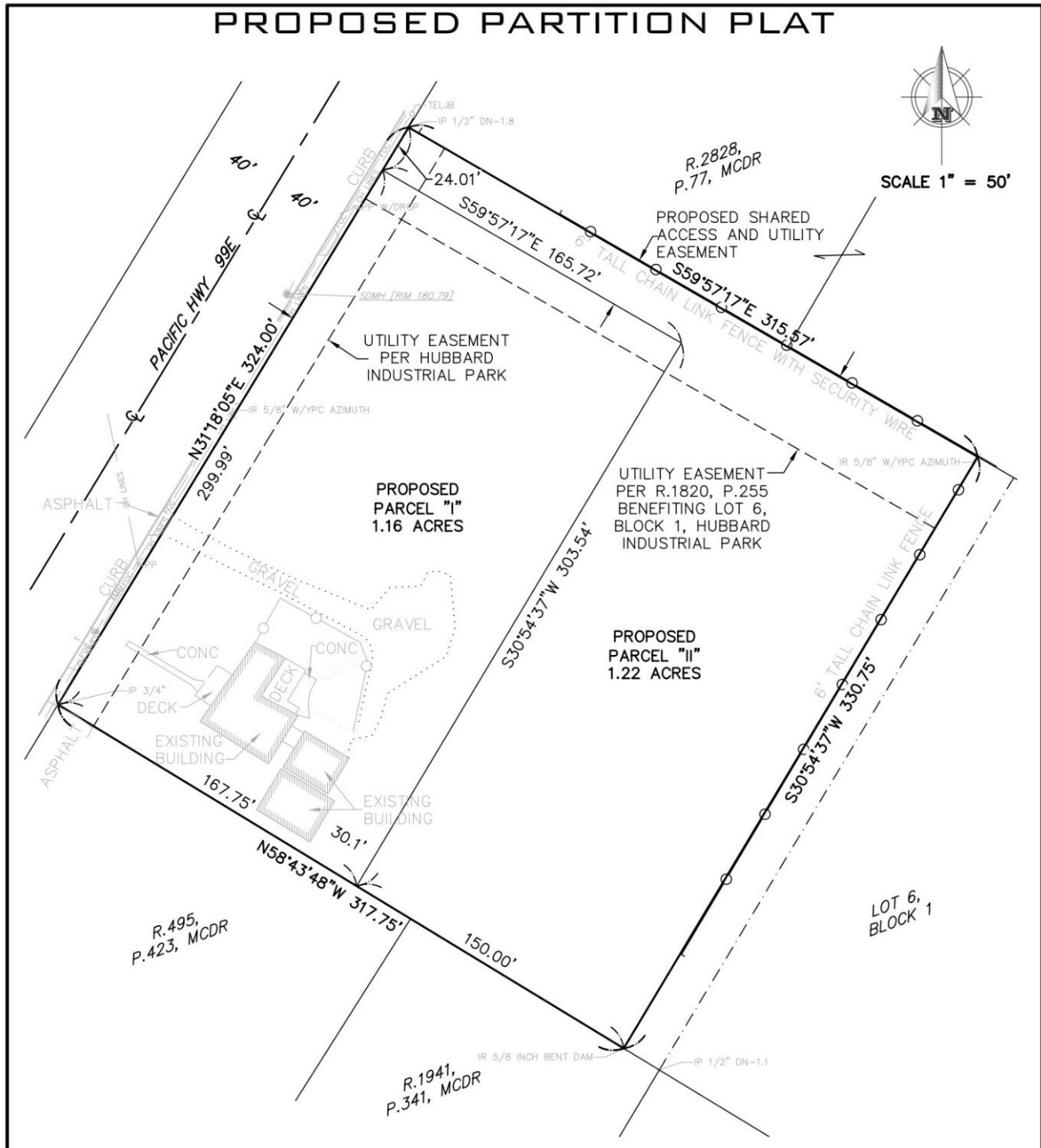
**I. PROCEDURE & AUTHORITY**

Pursuant to the Hubbard Development Code Section 3.101.01, a Partition is a Type I Level 2 Action. Type I Level 2 Actions are limited land use decisions in which the Planning Commission apply clear and objective standards. Staff makes a recommendation to the Planning Commission, and the Planning Commission makes a decision on the application, but does not conduct a public hearing. Public notice is provided as required for a Type I Action, Section 3.201.01, which provides property owners within 100 feet of the subject property a 14-day comment period, prior to the decision. A request for comments (RFC) is also provided to City departments, consultants, and partner agencies.

**II. DECISION**

In a public meeting hosted by Zoom video conference on Tuesday, June 15, 2021, the Hubbard Planning Commission **APPROVED** the requested partition, and adopted the findings and conditions in the staff report dated June 9, 2021.

### III. APPROVED PRELIMINARY PARTITION (Submitted by the Applicant)



#### IV. CONDITIONS OF APPROVAL

- A. Partition approval is valid in perpetuity, upon recording of the final surveyed plat.
- B. No parcel within an approved partition may be redivided within the same calendar year in which it was recorded, except through the subdivision process.
- C. Prior to plat approval, final plat shall dedicate 10 feet (or 50 feet from centerline) of frontage along Pacific Hwy 99E for public right-of-way purposes.
- D. Prior to plat approval, final plat shall be revised to provide Parcel 2 the minimum “flag pole” access strip frontage width of 25 feet on Pacific Hwy 99E.
- E. Prior to plat approval, the applicant shall submit to the City a copy of an approved ODOT State Highway Approach permit for the proposed new Parcel 2 flag pole access driveway.
- F. Prior to plat approval, the applicant shall submit to the City a copy of ODOT confirmation that two existing highway approaches were removed or consolidated, so that Parcel 1 has one highway approach remaining, or as otherwise approved by ODOT.
- G. Prior to plat approval, the applicant shall construct curbs and driveway cuts to City and ODOT standards and procedures, consistent with the ODOT approach approvals described above. Sidewalks and street trees shall not be required with this land division, but shall be required with future development applications.
- H. Consistent with HDC 2.208.03(E), the property line running parallel to the access road (Pacific Hwy 99E) shall be considered the front yard line and shall be used to calculate front yard setback requirements upon future development of Parcel 2.
- I. Utility easements shall be provided on lot areas where necessary to accommodate public utilities upon future development of the subject property(ies).
- J. Within two (2) years of the signed notice of approval of this application by the Planning Commission, the applicant shall submit the proposed final plat to the City for review. The final plat shall substantially conform to the approval granted by the Planning Commission. Pursuant to HDC Section 3.106.06, the Planning Commission may extend the approval period for any partition for a period of not more than one (1) year. Requests for extension of approval shall be submitted, in writing, at least thirty (30) days prior to the expiration date of the approval period accompanied by payment of the required fee.
- K. Consistent with general comments from the Marion County Surveyor’s Office, the applicant shall:
  - a. Per ORS 92.050, plat must be submitted for review.
  - b. Checking fee and recording fees required.
  - c. A current or updated title report must be submitted at the time of review.

- L. The applicant shall record the final approved Plat with the Marion County Clerk. After recording, the applicant shall submit the recorded plat in paper and pdf format to the City of Hubbard.

**V. APPEAL**

Pursuant to the Hubbard Development Code, Section 3.205, the decision of the Planning Commission shall be final unless a notice of appeal is received by the City within 12 days of the date of the final written notice. Appeal requests shall be made on forms provided by the City and shall state the alleged errors of the Commission based upon the approval criteria or other local, state, or federal regulation that applied to the application.

Signed,



\_\_\_\_\_  
Holly C. Byram, City Planner  
For the Hubbard Planning Commission

June 29, 2021

\_\_\_\_\_  
Date