

**Date of Meeting:** December 5, 2017

**Subject:** Preliminary Plat: Fountain Square

**Purpose of Report:** The applicant requests review and approval of a Preliminary Plat for Fountain Square to create 7 commercial lots and 2 outlots at property addressed as 1409 S Western Rd.

**Background:** The property was developed as the Fountain Square Shopping Center in 2004. The applicant seeks to develop a second phase with the ability to sell lots for commercial uses rather than lease space. Most of the property is zoned CS, Commercial Shopping; however, a small portion is zoned A, Agriculture which contains the FEMA designated floodway and a portion leased for a cell tower.

The applicant has requested approval of a subdivision exception with this preliminary plat to allow for three of the proposed lots to not have direct frontage on Western Rd. Rather, due to the floodway, the lots would be accessed via a private shared access easement.

**Application Processing Information:**

Applicant/Owner – Barry Patton of Fountain Square, LLC  
Notice – Letters mailed to property owners within 300 feet  
Assigned Planner – Tom Coots, Planner 1

**Processing Track:**

Submittal Date – September 14, 2017  
Planning Commission – December 5, 2017

**Project/Site Design Data/Details:**

Zoning – CS, Commercial Shopping and A, Agriculture  
Existing Use – Commercial Shopping Center  
Proposed Use – Commercial  
Lot – 7 proposed commercial lots and 2 outlots

**Adequate Public Facilities Findings/Improvements:**

- Streets/Traffic: The property has frontage on Western Rd, a minor arterial.
- Transit Facilities/Bike Lanes or Trails/Sidewalks: Western Rd is a designated bike route. A multi-modal trail is adjacent to the property. The property is served by the OSU Brown Route.
- Water Service: City water service is available.
- Sanitary Sewer Service: City sewer service is available.
- Electric: City electric service is available.

- Engineering/Drainage: The preliminary drainage letter has been accepted. Additional information will be needed for the Final Plat. The property is within the FEMA designated floodplain; however, grading has been performed to physically raise the commercial lots above the floodplain elevation.

**Applicable City Plans/Policies:**

The C<sup>3</sup> Plan: High-Density commercial (Page 10-8)

**Discussion:** The proposed plat would allow for a second phase of the Fountain Square development with some shared facilities similar to the existing Fountain Square development. The property has already been graded and filled to remove the commercial lots from the designated floodplain; however, the official FEMA documentation has not yet been completed.

The applicant seeks approval of a subdivision exception with the preliminary plat to allow three of the proposed lots to access a public street by a private access easement and with no frontage on a public street. The Land Development Code requires that all proposed lots have frontage on a public or private street, although for commercial lots no specific length of frontage is specified. The subject lots are separated from Western Rd by an outlot which would be made up of FEMA designated floodway. Access to the lots across the floodway is not practical.

**Findings:**

1. The Preliminary Plat, as presented, requires the approval of a subdivision exception by the Planning Commission due to three lots not having any street frontage.
2. The Preliminary Plat otherwise meets all zoning and subdivision requirements and is in conformance with the C3 Plan.
3. A portion of the platted area is within the FEMA designated floodplain and floodway. All floodplain development requirements apply.

**Alternatives:**

1. Accept findings and approve the proposed preliminary plat as presented and grant the subdivision exception request.
2. Find that the preliminary plat does not conform to city codes, specify deficiencies, and table to a certain date.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date. However, action must be taken within 60 days of the public hearing.

<b>Prepared by:</b>	Tom Coots, Planner I
<b>Reviewed by:</b>	Paula J. Dennison, DS
<b>Date of Preparation:</b>	November 28, 2017
<b>Attachments:</b>	Area Map, Preliminary Plat, Subdivision Exception Request
<b>Map Designation:</b>	SW