



Staff Report

Meeting Date: August 3, 2020
From Emily Meharg, Senior Planner
SUBJECT: 20-029 EXT Eagle Park Improvements Extension

Background:

The applicant previously applied to change the zoning designation for the subject property from Light Industrial (I-2) to Industrial Park (I-1) in 2014 (File No. 14-028 ZC). The zone change request was reviewed by the Planning Commission at a public hearing on March 23, 2015 and forwarded for City Council approval at a public hearing on May 4, 2015. On June 1, 2015, the City Council adopted a first reading of Ordinance No. 2015-03 and a second reading was adopted on June 15, 2015. In Ordinance No. 2015-03 the City Council conditioned the applicant to sign a contract specifying the terms and timelines associated with the zone change and established a trip cap for the property.

A Non-Statutory Development Agreement was recorded between the City of Sandy and Michael Maiden on August 5, 2016 that includes a timeline for the remaining steps, including a requirement that the applicant complete all building upgrades within three (3) years from the date of design review approval. On May 25, 2018 the Development Services Director granted the applicant an extension until July 29, 2019. On March 20, 2019, the applicant applied for a design review modification, which was approved on June 19, 2019. The approval included a condition that prior to July 29, 2019, the applicant shall apply for another extension by submitting a letter request and paying the fee. On July 9, 2019 the Development Services Director granted the applicant a second extension until July 29, 2020.

Following the two extensions the applicant was advised by the Director to ask the City Council to grant an extension for one additional year to July 29, 2021 or another date as approved by the City Council.

The approved building modifications would incorporate SandyStyle design elements into the facades of these highly visible buildings (visible on Highway 26, 362nd Drive, and Industrial Way). In addition, the building modifications would allow for higher and more diverse uses with the eventual zone amendment to Industrial Park (I-1).

The legal notice regarding this request was published in the Sandy Post on July 29, 2020.

Recommendation:

Staff supports granting an extension to the applicant. Staff recommends the City Council hear the extension request through a quasi-judicial hearing procedure including hearing from the applicant and the public. After the public hearing the City Council should make a decision on granting an extension. If City Council grants an extension it shall be to July 29, 2021 or another date as approved by the Council.

Code Analysis:

EXHIBITS

- A. Extension Request Letter from Applicant
- B. May 25, 2018 Extension Letter from the Development Services Director
- C. July 9, 2019 Extension Letter from the Development Services Director

Budgetary Impact:

None

June 30, 2020

City of Sandy
Development Services Department
39250 Pioneer Blvd
Sandy, OR 9055

Hello Kelly: RE: Michael Maiden Building Upgrades

Since we began our efforts to upgrade our buildings we encountered delays and unforeseen engineering challenges. The project was mostly redesigned using a new local architect to achieve our goals in an affordable and practical way. We have finally completed the planning and now have building permits in place. The building at 16600 has been under construction for about 6 months now.

Our original goal of three years for completion proved to be lofty and wishful. We are committed to complete the up grades as designed at a steady pace. Our project is self funded, which is slower but without long term debt.

We realize we made a commitment to upgrade and change the zone to I-1, which we still intend to accomplish. We respectfully request an extension of five years to accomplish the approved improvements on our 362nd Avenue Park.

We look forward to enhancing the western gateway into the City of Sandy.

Sincerely,



Michael Maiden

MICHAEL MAIDEN LLC



**CITY OF
SANDY**

39250 PIONEER BOULEVARD ♦ SANDY, OR 97055 ♦ (503) 668-5533

May 25, 2018

Michael Maiden
16600 SE 362nd Drive
Sandy, OR 97055

Dear Mr. Maiden

This letter regards our conversation on May 11, 2018 and your email request on May 15, 2018 to extend the design review approval for the Maiden Façade Change approved with File No. 16-007 DR. The original expiration date as set forth in the design review final order is July 29, 2018. The extension I am permitting with this letter allows for a modified expiration date of **July 29, 2019**.

However, this extension will not modify the requirement that all buildings shall be modified within three years of the design review approval per the City Council decision in File No. 14-028 ZC. All buildings on the site shall be modified by July 29, 2019 to have the zone change effective -or- you shall obtain an extension on this requirement from City Council.

If you have any questions about this letter, you are welcome to call the City of Sandy Development Services Department at (503) 668-0880 for additional information.

Thank you,

Kelly O'Neill Jr.
Planning & Building Director
koneill@cityofsandy.com
direct line: (503) 489-2163

July 9, 2019

Michael Maiden
16600 SE 362nd Drive
Sandy, OR 97055

Dear Mr. Maiden

This letter regards our conversation on June 28, 2019 and your email request on July 9, 2019 to extend the design review approval for the Maiden Façade Change approved with File No. 16-007 DR. The original expiration date as set forth in the design review final order was July 29, 2018. At your request I extended the design review approval to July 29, 2019. The extension I am permitting with this letter allows for a modified expiration date of **July 29, 2020**.

However, this extension will not modify the requirement that all buildings shall be modified within three years of the design review approval per the City Council decision in File No. 14-028 ZC. All buildings on the site shall be modified by July 29, 2020 to have the zone change effective -or- you shall obtain an extension on this requirement from City Council. As the Planning & Building Director I cannot grant any further extensions.

If you have any questions about this letter, you are welcome to call the City of Sandy Development Services Department at (503) 668-0880 for additional information.

Thank you,



Kelly O'Neill Jr.
Planning & Building Director
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