



PLANNING COMMISSION AGENDA

July 19, 2017

Chair:

Jeremy Salvage

Vice Chair:

Don Robertson

Commissioners:

Brenda Hall

Brian Daniels

David McClain

John Brown

Joshua Galka

Samuel Brackeen

Todd Prenoveau

Community

Development Director

Walt Wendolowski, AICP

Meeting Location:

Santiam Travel Station

750 S Third Street

Lebanon, Oregon 97355

Regular Meeting:

6:00 p.m.

1. Call to Order / Flag Salute
2. Roll Call
3. Minutes – June 19, 2017
4. Citizen Comments
(restricted to items not on the Agenda)
5. Public Hearings:

Planning File 17-06-22 – Annexation
Jeremy Rhoades

Planning File 17-06-23 – Subdivision
Larry Hellesto
6. Commission Business & Comments
7. Adjournment



City of Lebanon
Planning Commission
Meeting Minutes
June 21, 2017

Members Present: Chairman Jeremy Salvage, Commissioners John Brown, Brian Daniels, David McClain and Todd Prenoveau; and, Alternates Samuel Brackeen IV and Joshua Galka.

Staff Present: Community Development Director Walt Wendolowski, AICP; City Attorney Tre' Kennedy.

1. CALL TO ORDER/ FLAG SALUTE

Chairman Salvage called the meeting of the Lebanon Planning Commission to order at 6:00 pm in the Santiam Travel Station Board Room at 750 3rd Street and led the assembly in the flag salute.

2. ROLL CALL

Roll call was taken. Vice-Chair Don Robertson and Commissioner Brenda Hall were excused; a quorum was declared.

3. APPROVAL OF MEETING MINUTES

The March 15, 2017 Meeting minutes were approved as submitted.

4. CITIZEN COMMENTS - None

5. PUBLIC HEARING: Planning File 17-02-05

Chairman Jeremy Salvage opened the hearing. City Attorney Kennedy announced that the quasi-judicial hearing procedures apply and outlined the hearing process. Salvage asked if there were any *ex parte* contacts, conflicts or bias. Seeing none, Salvage directed staff to proceed.

Wendolowski presented the staff report noting the property's location on Stoltz Hill Road, size and existing development. The applicant wishes to annex the parcel into the City limits. As part of the Annexation, the property would automatically be rezoned to Residential Mixed Density. The purpose of the annexation is to extend public sewer to the property. The Department mailed notice of the application to affected agencies, area property owners and the DLCD. No comments were submitted.

Wendolowski noted the decision criteria for an annexation are found in the Lebanon Development Code: Chapter 16.26. He stated specific criteria and findings are contained in the staff report and provided a brief summary:

- Property lies within UGB
- Land within the City limits is located to the west.
- Being within the UGB the Plan recognizes this property as necessary to accommodate urban growth.
- The single needed service – sewer - can be extended to the site.

Upon annexation, the property is assigned a zone consistent with the Comprehensive Plan designation, in this case, Residential Mixed Density.

Chairman Salvage asked if there were any questions of staff. Commissioner McClain asked whether the applicant intends to connect to City water; Wendolowski noted that might occur in the future. McClain also asked staff to identify the City limits with Wendolowski stating it is on the west side of Stotlz Hill Road.

Commissioner Brackeen IV asked how the Commissioners could verify zoning on the site and whether the home is allowed. Wendolowski provided background on the Plan map and zoning, concluding the existing use is consistent with the zone. Chairman Salvage asked about the location of the sewer and water lines. Wendolowski believed they were located on the west side of the Road (*Editor's Note: sanitary sewer is on the west side of the Road and north of the site; City water on the east side.*).

Brackeen IV asked where the Annexation regulations could be obtained. Wendolowski stated the Annexation Ordinance references the Comprehensive Plan and Development Code and these are both included in the staff report. He also stated that there will be a training session for new members that will review this material as well as reviewing your roles as responsibilities as Commission members.

McClain asked whether the sewer connection was the sole purpose of the annexation. Wendolowski stated yes also noting annexation is required for the connection. He also stated the Council may extend sewer outside City limits to address a health hazard issue; this applied to the request. City Attorney Kennedy noted this occurred on occasion, especially in the Russell Drive area. He also stated Council does not force owners to annex.

Seeing no further questions of staff, Salvage effectively noted there was no one in the audience and closed the public testimony and moved to deliberations. No discussion or comments followed. Salvage then asked for a motion. Commissioner McClain made a motion to recommend Council approval of Planning File 17-04-11 subject to the findings in the staff report. Commissioner Daniels seconded the motion.

The motion passed 7-0.

6. COMMISSION BUSINESS & COMMENTS

Wendolowski introduced the three new Commission members: Todd Prenoveau as a Permanent member, Joshua Galka as an Alternate and Samuel Brackeen IV as an Alternate. Each new member provided a brief personnel background.

In conversation with Chairman Salvage, Wendolowski recommended the Commission postpone discussion of the private street standards until such time they review potential amendments to the Transportation System Plan. It did not make sense to potentially “re-invent the wheel” and make further changes. The Commission agreed. Wendolowski provided an update on the status of the TSP noting they are looking at alternatives to various issues. All members will be provided updated memorandums. No major issues to date, but some concerns with an airport expansion across Airport Road and possible change in the truck route.

Otherwise, there are no big projects on the horizon. Budget looks good for this and next year and staff will be retained. The old Ford dealer is now being modified and the East Airport Road extension has started. Wendolowski again reminded new members that a training session will be held. Wendolowski also noted potentially the last night for Kris’s Kitchen as they are closing shop – an alternative will be pursued.

Chairman Salvage requested an update on Mill Race. Wendolowski noted the Council amended the NW URD to allow the City to enter into development agreements with individual developers and also passed an agreement to assist with the public facility improvements for Mill Race. Any funds generated for reimbursement will be generated by the Mill Race property and not the entire URD. Salvage asked when they may start; Wendolowski noted likely this summer. Wendolowski also noted the annual Mayor’s Conference will be held in Lebanon at the end of July. The event is being supported by the Lebanon Downtown Association.

Commissioner Galka asked a question concerning staff reports. Wendolowski noted they must be available – by law – at least 7-days prior to the meeting. We also attempt to mail them out at that time. We can send via e-mail, although larger packets are usually mailed. Further, once a packet is received, the Commission may discuss the report and other material with staff.

7. ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:26 pm.

[Meeting minutes prepared by Walt Wendolowski, AICP]



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Walt Wendolowski, AICP
Subject: File #17-06-22

Date: July 12, 2017

I. BACKGROUND

- A. APPLICANT: Jeremy Rhoades.
- B. PROPERTY LOCATION: The subject area consists of three adjacent parcels located at the northeast corner of the intersection of South 9th Street and B Street. The area includes: 1131 South 9th Street (Township 12 South; Range 2 West; Section 10CD; Tax Lot 2500); 1171 South 9th Street (Township 12 South; Range 2 West; Section 10CD; Tax Lot 2700); and, land at Township 12 South; Range 2 West; Section 10CD; Tax Lot 2600.
- C. PARCEL SIZE: Total area is 0.56 acres.
- D. EXISTING DEVELOPMENT: Both 1131 and 1171 South 9th Street contain a single-family home while Tax Lot 2600 is vacant. All three front a public street and available services are limited to private wells and septic systems.
- E. ZONING: The property is designated Residential Mixed Density (C-RM) in the Lebanon Comprehensive Plan.
- F. ADJACENT ZONING AND LAND USE: Land to the east/northeast is zoned Residential Mixed Density and contains the Lebanon First Assembly of God Church. The remaining adjacent property is located within Linn County, designated Residential Mixed Density and contains single family homes on large lots or parcels.
- G. REQUEST: The applicant is requesting approval to annex the property, establishing the Residential Mixed Density (Z-RM) zone.
- H. DECISION CRITERIA: The decision to approve or deny shall be based on criteria contained in the Lebanon Development Code, Chapter 16.26 – Annexations.

II. APPLICATION SUMMARY

- A. The request would annex the three parcels and establish the Residential Mixed Density (Z-RM) zone. The purpose of the annexation is to allow eventual development of the property for urban uses.

- B. The Department mailed notice of the application to affected agencies, area property owners and the Department of Land Conservation and Development. City Engineering services reviewed the request and offered no comments. Linn County requested the annexation extend to the center of 9th Street.

III. CRITERIA AND FINDINGS

- A. The subject area is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.
- B. Chapter 16.26 establishes the Annexation review criteria. Sections 16.26.010 and 16.26.020 establish the purpose of an annexation and the first assignment of zoning. The annexation transfers jurisdiction from Linn County to the City and establishes the appropriate zoning on the property consistent with the Plan Map designation. In this case, the only applicable zone is Residential Mixed Density.
- C. Section 16.26.030 notes an annexation is necessary to establish the appropriate zone, consistent with the zoning matrix (Table 16.26-1). Plan map amendments are only required if there is a corresponding change in the Plan map. Further, proposed amendments to the Plan map (and corresponding zone map) must conform to provisions in Chapter 16.27. For the record, the application does not include a request to change the Plan designation and corresponding zone.
- D. Section 16.26.040 identifies the relationship between annexation and City facility plans. It notes anticipated densities and levels of development are factored into the City's facility plans, including the Transportation System Plan. Therefore, additional inquiries into the sufficiency of these services is not required.
- E. Section 16.26.050 stipulates all annexations be processed as legislative actions requiring hearings before both the Planning and City Council. This Section also lists application requirements. For the record, the application and process are consistent with the provisions in this Section.
- F. Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:
 - 1. Annexation Ordinance Section 1. – This Section identifies the document as the Annexation Ordinance for the City of Lebanon and does not contain decision criteria.

2. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement, and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA), and shall be consistent with applicable State law.

FINDINGS: For this criterion, the proposed annexation application and process conform to the requirements of the Annexation Ordinance.

3. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

FINDINGS: The Annexation Ordinance policies are consistent with, and often mirror, the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

4. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

FINDINGS: The proposed annexation complies as the subject area is within the City's UGB and can be developed for urban uses.

5. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

FINDINGS: City limits are located to the east/northeast of the subject property; therefore, the area is eligible for annexation.

6. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits, and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

FINDINGS: The proposed annexation complies with the above noted criteria as follows:

- (a) Since the area is contiguous to existing City limits, the annexation is considered orderly.
- (b) Public utilities are located at the 9th Street/Oak Street intersection to the north and the B Street/South 7th Street intersection to the east. Extension of these services would permit urban levels of development.
- (c) Based on information in the Comprehensive Plan, there are no *designated environmental constraints* associated with the site.

7. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

FINDINGS: This application does not include a concurrent development or redevelopment proposal.

8. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm

drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

FINDINGS: Needed City services (as noted) can be extended to serve the area.

9. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewerage, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

FINDINGS: Services can be extended to the site and there are no identified *capacity* issues regarding existing or potential development of the property.

10. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

FINDINGS: Additional right-of-way dedication and street improvements are unnecessary for the annexation. The County requested the annexation boundary extend to the center of 9th Street. Staff notes 9th Street is a County road and will remain under their jurisdiction. Extending the annexation boundary is only reasonable if there is a concurrent transfer of road ownership to the City.

11. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

FINDINGS: This subject area is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density.

12. Annexation Ordinance Section 12. - If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

FINDINGS: This application is limited to the proposed annexation and establishment of the RM zone and does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

13. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

FINDINGS: This Section does not apply, as the subject property does not include environmentally constrained property.

14. Annexation Ordinance Section 14. - An “urban use” is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

FINDINGS: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

15. Annexation Ordinance Section 15. - At the applicant’s discretion and with the City’s concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission’s hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

FINDINGS: The request is limited to the proposed annexation and does not contain a development or redevelopment proposal specific to the site.

16. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

FINDINGS: This Policy does not directly apply as the proposal simply incorporates an existing urbanizable parcel into the City limits.

- G. Section 16.26.060.B allows the City to require the abatement of non-conforming uses and/or structures prior to hearing an annexation request. Other provisions of this Code and the Lebanon Municipal Code may require abatement of certain kinds of situations before an annexation request can be approved. The City is not aware of any abatement issues related to the site.
- H. Section 16.26.060.C, allows the City to identify additional site-specific evaluation criteria based on the Lebanon Comprehensive Plan, the provisions of this Code, and the Lebanon Municipal Code. Site-specific criteria could include, but not be limited to, the

following: steep slopes, natural hazards, riparian zones, wetlands water bodies, overlay zones, infrastructure development, existing conditions and failing on-site services. Such site-specific criteria do not affect the eligibility of properties for annexation, but serve as an advisory to applicants of factors that may affect future development. There are no site-specific, evaluation criteria that apply to the subject property.

- I. Upon annexation, Section 16.26.020 requires the subject property to be placed in the appropriate zone. Upon annexation, the territory will automatically be assigned a City zone in accordance with the adopted Comprehensive Plan Map, and Annexation Zoning Matrix (Development Code Table 16.26-1). The only decision criterion in this process is that the Zone Classification shall be consistent with the adopted Comprehensive Plan Map (Section 16.26.020.D).

FINDINGS: The subject property is designated Residential Mixed Density (C-RM) by the City's Comprehensive Plan. Per Table 16.26-1, the only applicable zone is Residential Mixed Density (Z-RM). Therefore, upon annexation, the property will be zoned RM, a zone classification consistent with the Plan designation.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for an Annexation and the establishment of the applicable zone. Therefore, staff recommends the Planning Commission recommend the City Council approve the Annexation of the subject area and establishment of the Residential Mixed Density (Z-RM) zone on the newly annexed property.

V. PLANNING COMMISSION ACTION

- A. The Planning Commission may either:
 1. Recommend City Council approval of the proposed annexation and establishment of the Residential Mixed Density zone, adopting the findings contained in the staff report;
 2. Recommend City Council approval of the proposed annexation and establishment of the Residential Mixed Density zone, adopting modified findings; or
 3. Recommend City Council denial of the proposed annexation and establishment of the Residential Mixed Density zone, specifying reasons why the proposal fails to comply with the decision criteria.
- B. Staff will prepare an Order of Recommendation for the Chair's signature based on the Commission's decision.



NOTICE OF PUBLIC HEARING LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on July 19, 2017 at 6:00 p.m. in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	17-06-22
Applicant:	Jeremy Rhoades
Location:	1131 & 1171 S 9 th St
Map & Tax Lot No.:	12S02W10CD02500, 2600 & 2700
Request:	Annexation



Request: The applicant is requesting Annexation of approximately a .56 acre territory comprised of three tax lots. The property is currently designated Residential Mixed Density (C-RM) and will be assigned a Residential Mixed Density (Z-RM) zoning designation.

Decision Criteria: Lebanon Development Code: Chapter 16.20 – Review and Decision-Making Procedures and Chapter 16.26 – Annexations.

Providing Comments: *CITIZENS ARE INVITED TO ATTEND* the public hearings and give written or oral testimony (after presentation of the staff report) that addresses applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least 7 days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

Upon request, the City will provide an interpreter for hearing impaired persons. To request an interpreter, please call 541-258-4906 no less than 48 hours prior to the public hearing.

DLCD Notice of Proposed Amendment or
 Periodic Review work Task Proposed Hearing or
 Urban Growth Boundary or Urban Reserve Area

THIS COMPLETED FORM, including the text of the amendment and any supplemental information, **must be submitted to DLCD's Salem office at least 35 DAYS PRIOR TO THE FIRST EVIDENTIARY HEARING** ORS 197.610, OAR 660-018-0020 and OAR 660-025-0080

Jurisdiction: **City of Lebanon**

Date of First Evidentiary Hearing: **07/19/2017**

Local File Number: **17-06-22**

Date of Final Hearing: **08/09/2017**

Is this a **REVISION** to a previously submitted proposal? No Yes Original submittal date:

Comprehensive Plan Text Amendment(s)

Comprehensive Plan Map Amendment(s)

Land Use Regulation Amendment(s)

Zoning Map Amendment(s)

Transportation System Plan Amendment(s)

Urban Growth Boundary Amendment(s)

Periodic Review Work Task Number _____

Urban Reserve Area Amendment(s)

Other (please describe): **Annexation**

Briefly Summarize Proposal in plain language IN THIS SPACE (maximum 500 characters):

Request to Annex .56 acres to the City of Lebanon, and, establish the Residential Mixed Density (Z-RM) Zone on the newly annexed property. Proposed Zoning conforms to Comprehensive Plan Map designation.

Has sufficient information been included to advise DLCD of the effect of proposal?

Yes, text is included

Are Map changes included: minimum 8½"x11" color maps of Current and Proposed designations.

Yes, Maps included

Plan map change from:

To:

Zone map change from: **UGA-UGM**

To: **Z-RM**

Location of property (Site address and TRS): **1131 & 1171 S 9th Street (T12S; R2W;S10CD; TL02500 2600 & 2700**

Previous density range: **1/du/ac**

New density range: **20du/ac**

Acres involved: **0.56**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Is an exception to a statewide planning goal proposed? YES NO Goal(s):

Affected state or federal agencies, local governments or special districts (It is jurisdiction's responsibility to notify these agencies.)

Local Contact person (name and title): **Walt Wendolowski, AICP**

Phone: **541-258-4252**

Extension:

Address: **925 South Main Street**

City: **Lebanon**

Zip: **97335-**

Fax Number: **541-258-4955**

E-mail Address: **wwendolowski@ci.lebanon.or.us**

- FOR DLCD internal use only -

DLCD File No _____

SUBMITTAL INSTRUCTIONS

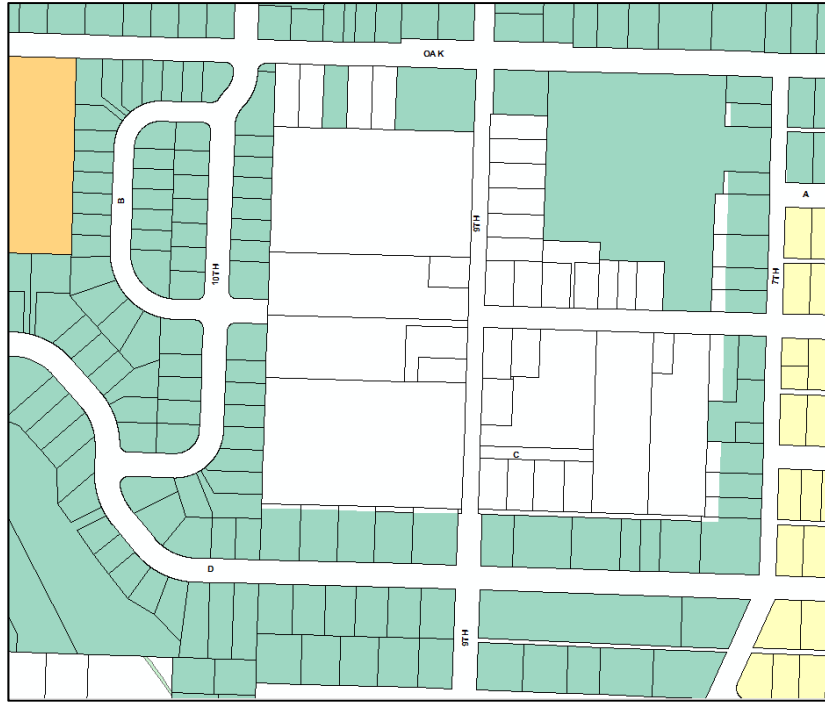
This form must be submitted to DLCD at least 35 days prior to the first evidentiary hearing.
per ORS 197.610, OAR Chapter 660, Division 18 and OAR Chapter 660, Division 25

1. This Form 1 must be submitted by a local jurisdiction. Individuals and organizations may not submit a comprehensive plan amendment for review or acknowledgment.
2. When submitting a plan amendment proposal, please print a completed copy of **Form 1** on light **green paper if available**.
3. **Text:** Submittal of a proposed amendment to the text of a comprehensive plan or land use regulation must **include the text** of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. **Please submit Form 1 with ALL supporting documentation.**
4. **Maps:** Submittal of a proposed map amendment must also include a map of the affected area showing existing and proposed plan and zone designations. The map must be legible, in color if applicable and printed on paper no smaller than 8½ x 11 inches. Please provide the specific location of property: include the site address (es) and Township/Range/Section/tax lot number. Include text regarding background, justification for the change, and the application if there was one accepted by the local government.
5. **Exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.
6. Unless exempt by [ORS 197.610\(2\)](#), proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in the Salem Office. The first evidentiary hearing is typically the first public hearing held by the jurisdiction's planning commission on the proposal.
7. Submit **one paper copy** of the proposed amendment including the text of the amendment and any supplemental information and maps (for maps see # 4 above).
8. Please mail the proposed amendment packet to:

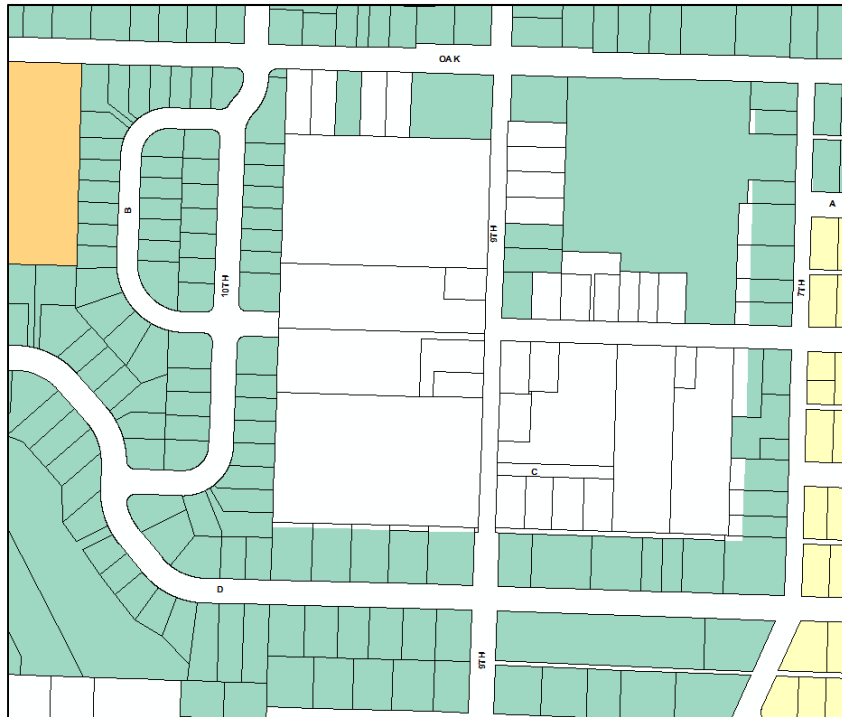
**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ x11 green paper if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

CURRENT ZONING



PROPOSED ZONING



- | | |
|---|--|
|  DEzoned - Formerly in City |  Z-NCM : Neighborhood Commercial |
|  Z-CCM : Central Business Commercial |  Z-PU : Public Use |
|  Z-HCM : Highway Commercial |  Z-RH : Residential High Density |
|  Z-IND : Industrial |  Z-RL : Residential Low Density |
|  Z-MU : Mixed Use |  Z-RM : Residential Mixed Density |



Community Development Department

925 S. Main Street
 Lebanon, OR 97355-3211
 (541) 258-4906 (541) 258-4955 Fax
 Email: cdc@ci.lebanon.or.us
 Web: www.ci.lebanon.or.us

LAND USE APPLICATION

File No.:

APPLICANT INFORMATION:

Name: Jeremy Rhoades Phone: 541-619-8998
 Address: 1802 Arroyo Ridge Cell Phone: Same
 CityStateZip: Albany OR 97321 Email: jrroadies72@gmail.com

APPLICANT CERTIFICATION:

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.

Signature of Applicant: Jeremy Rhoades Date: 6/19/17

PROPERTY INFORMATION:

Situs Address: 1131 + 1171 South 9th St Nearest Cross Street: 'B' Street
 Map Designations: Assessor Map &
 Comp Plan Map RM Tax Lot No(s): T123 RAW SEC 10 CD
 Zoning Map _____ Total Size of Site: TL 2500, 2600, 2700
 Overlay Zones (if any) NONE Development Size: 0.56 ACRES
 Current Property Use: _____
 (or indicate if vacant) _____

Surrounding Properties Land Uses:	Zoning/Comp Plan Designation:
North _____	_____
West _____	_____
South _____	_____
East _____	_____

GENERAL DEVELOPMENT DESCRIPTION:

Include Proposed Use(s), Activities, Hours of Operation, Etc.:
ANNEXATION

Will the Project be constructed in phases? _____ Yes No

If "Yes", please explain: _____

Number of Proposed Parking	Vehicle	Bicycle
Standard Spaces: _____		Open: _____
Compact Spaces: _____		Covered: _____
ADA Spaces: _____	N/A	N/A
Covered/Garage Spaces: _____		

RESIDENTIAL DEVELOPMENT ONLY:

Type	# of Dwelling Units	# of Bedrooms	Density (#DU/Acre)
	N/A		

Describe Open Space Included in Proposal: N/A

Number of Acres / Sq. Ft. in Open Space: N/A Percent of Site: N/A

FOR OFFICE USE

*If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.

Land Use Review Process	Fee	Land Use Review Process	Fee
Administrative Review	\$450	Planned Development – Preliminary	\$2500
Annexation	\$1500	Planned Development – Ministerial	\$200
Code Interpretation	\$100	Planned Development – Final (Administrative)	\$450
Comprehensive Plan Map Amendment	\$2000	Planned Development – Final (Quasi-Judicial)	\$750
Comprehensive Plan Text Amendment	\$2000	Subdivision Tentative	\$2000 + \$15/lot
Conditional Use	\$1500	Subdivision Final	\$800 + \$15/lot
Historic Preservation Review or Register	Varies	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Land Partition	\$450	Urban Growth Boundary Amendment	Actual Costs
Ministerial Review	\$150	Variance (Class 1 – Minor Adjustment)	\$150
Modification of Approved Plan	25% of Application	Variance (Class 2 – Adjustment)	\$450
Non-Conforming Use/Development	\$450	Variance (Class 3)	\$1000
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$1000

REVIEW PROCESS

Ministerial Review Process (LDC 16.20.030)	Quasi-Judicial Review Process (LDC 16.20.050)
Administrative Review Process (LDC 16.20.040)	Legislative Review Process (LDC 16.20.060)

APPLICATION RECEIPT & PAYMENT

Date Received: _____	Date Complete: _____	Pay't Info: _____
Received By: _____	Total Fee: _____	Receipt No.: _____

REQUIRED SUBMITTALS:

- ___ Application and Filing Fee
- ___ Narrative describing the Development Proposal and addressing the Decision Criteria
 - * LDC Article Two Land Uses and Land Use Zones
 - * LDC Article Three Development Standards
 - * LDC Article Four Review & Decision Requirements
 - * LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- ___ Site Plan(s) drawn to scale with dimensions, Elevation Drawing(s) if applicable, Other Drawings
 Site boundaries, points of access, topography, flood plains, water courses, significant vegetation, existing roads, utilities, pedestrian or bikeways, existing easements.
- ___ Copy of current Property Deed showing Ownership, Easements, Property Restrictions

PROPERTY OWNER SIGNATURES:

<p>Owner 1: <u>Jeremy Rhoades</u></p> <p>Address: <u>1802 Arroyo Ridge Dr</u></p> <p>CityStateZip: <u>Albany OR 97321</u></p>	<p>Phone #: <u>541-619-8998</u></p> <p>Cell #: <u>same</u></p> <p>Email: <u>jrhadess72@gmail.com</u></p>
<p>Owner 2: <u>James Volkman</u></p> <p>Address: <u>2010 E. 34th St.</u></p> <p>CityStateZip: <u>Albany, Oregon 97322</u></p>	<p>Phone #: <u>541-971-8136</u></p> <p>Cell #: _____</p> <p>Email: _____</p>
<p>Owner 3: _____</p> <p>Address: _____</p> <p>CityStateZip: _____</p>	<p>Phone #: _____</p> <p>Cell #: _____</p> <p>Email: _____</p>

CONTACT INFORMATION:

<p>Applicant's Representative: _____</p> <p>Address: _____</p> <p>CityStateZip: _____</p>	<p>Office #: _____</p> <p>Cell #: _____</p> <p>Email: _____</p>
<p>Applicant's Engineer/Surveyor: _____</p> <p>Address: _____</p> <p>CityStateZip: _____</p>	<p>Office #: _____</p> <p>Cell #: _____</p> <p>Email: _____</p>
<p>Applicant's Architect: _____</p> <p>Address: _____</p> <p>CityStateZip: _____</p>	<p>Office #: _____</p> <p>Cell #: _____</p> <p>Email: _____</p>
<p>Applicant's Other: _____</p> <p>Address: _____</p> <p>CityStateZip: _____</p>	<p>Office #: _____</p> <p>Cell #: _____</p> <p>Email: _____</p>

Rhoades
Annexation Area

The lands described in Linn County deed document No. 2016-21680, Linn County deed microfilm records volume 626, page 988 and Linn County deed microfilm records volume 737, page 08 and being in the Southwest corner of Section 10, Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon.

Being more particularly described as follows:

Beginning at the northwest corner of the land described in Linn County deed document No. 2016-21680, also being on the east right-of-way of Ninth Street and bearing South 0°00'00" East 64.00 feet along said east right-of-way from the Northwest corner of Lot 21 in Hyland Addition; thence leaving said east right-of-way, along the North line of that land described in said deed document No. 2016-21680, North 89°43'00" East 140.00 feet to the northeast corner of that land described in deed document No. 2016-21680; thence South 0°00'00" East 116.00 feet to the southeast corner that land described in Linn County deed microfilm records volume 626, page 988; thence along the south line of that land described in said deed microfilm record volume 626, page 988, South 89°43' 00" West 70.00 feet to the Northeast corner of that land described in Linn County deed microfilm records volume 737, page 08; thence along the east line of that land described in said microfilm record volume 737, page 08, South 0°00'00" West 112.00 feet to a point on the north right-of-way of B Street, also being the Southeast corner of that land described in said deed microfilm record volume 737, page 08; thence along said north right-of-way, South 89°43'00" West 70.00 feet to the intersection of said north right-of-way with the said east right-of-way of Ninth Street; thence along said east right-of-way, North 0°00'00" East 228.00 feet to the point of beginning.

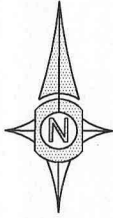
This legal description is based on Linn County Survey No. 10418.



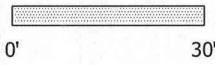
LOT 20
HYLAND
ADDITION

LEGEND

- CITY LIMITS
- () DATA OF RECORD
- [] CALCULATED DATA
- DEED 1 DATA OF RECORD PER DN 2016-21680
- DEED 2 DATA OF RECORD PER MF VOLUME 626, PG 988
- DEED 3 DATA OF RECORD PER MF VOLUME 737, PG 08
- DN LINN COUNTY DEED DOCUMENT NO.
- MF LINN COUNTY DEED MICROFILM RECORDS
- R/W RIGHT OF WAY



SCALE:



[S0°00'00"E 64.00']
(SOUTH 64.0') DEED 1

NW CORNER
LOT 21
HYLAND ADDITION

POINT OF BEGINNING
NW CORNER
DN 2016-21680

(MF VOL 539, PG 878)
ANNEXATION BOUNDARY

[N89°43'00"E 140.00']
(EAST 140.0') DEED 1

LOT 22
HYLAND
ADDITION

DN 2016-21680

[N0°00'00"E 116.00']
ANNEXATION BOUNDARY

[58.00']
(NORTH 58.0') DEED 1

[140.00']
(WEST 140.0') DEED 1

[58.00']
(SOUTH 58.0') DEED 1

ANNEXATION AREA

[24,080 SF]

MF VOL 626, PG 988

[58.00']
(NORTH 58.0') DEED 2

[58.00']
(SOUTH 58.0') DEED 2

[140.00']
(WEST 140.0') DEED 2

EXISTING CITY LIMITS
BOUNDARY

[N 0°00'00" E 228.00']

NINTH STREET
(40.00' R/W)

[70.00']
(EAST 70.0') DEED 3

[S89°43'00"W 70.00']
(DN 2009-14823)

MF VOL 737, PG 08

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Brian Vanetta

OREGON
JULY 13, 1999
BRIAN VANETTA
51041-LS
EXPIRES 06-30-2018

[N0°00'00"E 112.00']
(NORTH 112') DEED 3

[S0°00'00"E 112.00']
(SOUTH 112') DEED 3

ANNEXATION BOUNDARY

[S89°43'00"W 70.00']
(WEST 70') DEED 3

SW CORNER
LOT 21
HYLAND ADDITION

ANNEXATION BOUNDARY

B STREET (60' R/W)

SURVEYOR
BRIAN VANETTA
UDELL ENGINEERING &
LAND SURVEYING, LLC
63 EAST ASH STREET
LEBANON, OR 97355

APPLICANT
JEREMY RHOADES
1802 ARROYO RIDGE DR
ALBANY, OR 97321
(541) 619-8998

PROPERTY
ASSESSORS MAP: 12S-02W-10CD
TAX LOT: 2500, 2600 AND 2700
SITE ADDRESS: 1131 & 1171 S. 9TH ST.

SHEET 1
of 1

SCALE: AS NOTED



Date 6/22/2017
Project 17-141
Drawn by AAP
Checked by KWL

ANNEXATION MAP

JEREMY RHOADES
1131 & 1171 S. 9TH ST
LEBANON, OREGON

**UDELL ENGINEERING
AND
LAND SURVEYING, LLC**
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Walt Wendolowski, AICP
Subject: File #17-06-23

Date: July 12, 2017

I. BACKGROUND

- A. APPLICANT: Larry Hollesto.
- B. PROPERTY LOCATION: The subject property is located on the north side of Wassom Street, approximately 500-feet east of its intersection with Stoltz Hill Road. The site address is 975 Wassom Street and the Linn County Assessor map places the property within Township 12 South; Range 2 West; Section 15CD; Tax Lot 1900.
- C. PARCEL SIZE: Approximately 0.92 acres.
- D. EXISTING DEVELOPMENT: The vacant parcel fronts a public street and served by public utilities.
- E. ZONING: The property is zoned Residential Mixed Density (Z-RM).
- F. ADJACENT ZONING AND LAND USE: Property to the west, southwest, east and southeast is also zoned RM. Land to the north, northwest and south is located within Linn County and designated Residential Mixed Density (C-ZM). The dominant land use is single family homes on large lots or parcels.
- G. REQUEST: The applicant is requesting approval to create a 4-lot, duplex Subdivision.
- H. DECISION CRITERIA: The decision to approve or deny the request shall be based on the criteria contained in Lebanon Development Code, Chapter 16.22 (Subdivision).

II. APPLICATION SUMMARY

- A. The current proposal will create a new subdivision and include the following features:
 - 1. The project will include four lots ranging in size from 7,533 square feet to 9,254 square feet. Each lot is designed to accommodate a duplex. The applicant anticipates platting to occur in a single phase.

2. Proposed Lot 1 will have direct access to Wassom Street. The remaining three lots will be accessed by a 30-foot wide easement that also includes a "T" turn-around. Parking will be provided on each lot. Parking along the roadway will be prohibited.
 3. Sanitary sewer, water and storm facilities are in Wassom Street and will be extended to serve the lots.
- B. The Department sent requests for comments to affected agencies and area property owners. City Engineering Services reviewed the request and provided comments which are summarized below:
1. General
 - a. All public improvements must:
 - (1) conform to the latest "City of Lebanon Standards for Public Improvements."
 - (2) require completion of a Drawing Review Application and a Public Improvements Permit prior to beginning construction.
 - (3) be designed by a professional engineer registered in the State of Oregon.
 - b. An engineered site plan will be submitted for review and approval. The site plan must be submitted with an Application for Site Plan Review and associated fee. The site plan shall detail all site improvements necessary for the proposed development together with a grading and drainage plan.
 - c. All elevations shown on plans submitted to the City must be on the NAVD 88 vertical datum to provide compatibility with the City computer aided mapping system.
 - e. All private, onsite utilities must be reviewed and approved by the City Building Official.
 - e. Provide verification of approval by the Lebanon Fire District.
 - f. Cost recovery assessments are due prior to connections to any public facilities.
 2. Transportation
 - a. City standard half street improvements including City standard sidewalk will be required on the north side of Wassom Street.
 - b. Site plans should indicate the location of any proposed signs.
 - c. Site lighting cannot glare or shine onto adjacent public streets or neighboring properties.
 - d. Provide verification of Republic Services approval of location and access to garbage and recycling containers shown on site plans prior to approval of detailed engineering site plans.
 - e. Provide verification of United States Postal Service for community mailbox location.
 - f. All pedestrian ways must be constructed to comply with current ADA rules.

3. Water
 - a. Identify any on-site wells on the engineered drawings. Wells proposed for removal must be abandoned per state and county regulations prior to connection to the public water system. Approved back flow prevention assemblies are required for any City meters serving properties with a well.
 - b. Provide fixture counts and water meter demand calculations for each proposed meter (including irrigation) with the site plan compliant with AWWA C700.
 - c. Contact the Lebanon Fire Marshal for additional requirements.
4. Sewer
 - a. Any on-site septic systems must be abandoned per city and county regulations prior to construction of public improvements.
5. Drainage
 - a. The drainage system and grading plan shall be designed so as not to adversely impact drainage to or from adjacent properties. Storm drainage facilities must be designed and constructed to ensure historical rates of site discharge are not exceeded. A detailed design including engineering calculations shall be submitted as part of site plan review. With the engineering drawings, provide a grading plan for the sites that indicates existing and proposed elevations. Drainage improvements may be required at the site boundaries to prevent adverse impacts. The engineering drawings must provide a detailed design of the drainage improvements and mitigation of any impacts to adjacent properties.
6. Landscaping
 - a. Submit a landscape and irrigation plan for any proposed landscape improvements to the City Engineer for review. Any landscaping proposed in the public right of way shall have a maximum mature height of no more than 24 inches above the street grade and at least 3 feet from any fire hydrant. All landscaping proposed in the yard setback areas adjacent to public streets shall have a maximum mature height of no more than 36 inches above the street grade.
 - b. Vision clearance areas shall be provided at intersections of all streets and at intersections of driveways and alleys with streets to promote pedestrian, bicycle, and vehicular safety per Subsection 16.12.030.H of the Lebanon Development Code. A clear-vision area shall contain no plantings, fences, walls, structures, utility pedestals, or temporary or permanent obstruction exceeding 2-1/2 feet in height, measured from the top of the curb.
 - c. Provide City standard street trees in compliance with the City of Lebanon street tree policy.

C. No other agency or area property owner responded.

III. CRITERIA AND FINDINGS

- A. Chapter 16.22 establishes the standards for reviewing partitions and subdivisions, with Sections 16.22.030 to 16.22.090 establishing specific requirements for submittal and review. The applicable provisions are reviewed in the following Sections.
- B. Subsections 16.22.030 A. and B., establish the general requirements for subdivisions. This is a two-step process requiring the submittal – and approval - of a preliminary plat before a final plat can be approved and recorded. In addition to the land division requirements in Chapter 16.22, the proposal must comply with regulations regarding public works improvements, official maps or development plans, Development Code provisions, Fire District requirements and similar regulations.

FINDINGS: The Commission hearing addresses the preliminary plat. If approved, the applicant must submit a final plat that conforms to provisions in this Chapter.

- C. Section 16.22.030.C notes that subdividing residential zone into large lots (i.e., greater than four times or 400 percent the minimum lot size allowed by the underlying land use zone), the City may require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this Code. To meet this requirement a re-division plan must be submitted.

FINDINGS: The lots are designed to accommodate specific residential uses, and based on the square footages, would not be considered “large” by provisions in this Section.

- D. Section 16.22.030.D establishes provisions for lot averaging, thereby allowing the creation of some lots below the minimum lot size. Subsection “E.” notes the proposal must comply with floodplain provisions.

FINDINGS: Lot averaging does not apply in this case. Subsection “E.” does not apply as the site is not located within the identified 100-year flood hazard area.

- E. Section 16.22.040 indicates the applicant may request a pre-application meeting, as well as subsequent individual meetings, to review a subdivision.

FINDINGS: For the record, City staff conducted a pre-application meeting.

- F. Section 16.22.050 contains special transportation provisions and associated decision criteria. Subsection “A.” requires notification of the Oregon Department of Transportation (ODOT). For the record, while the agency was contacted, the development does not impact a State highway. Subsection “B.” requires plans to address specific access related decision criteria, which are noted as follows:

- 1. Section 16.22.050.B.1 - Driveway Access Placement: Driveway access shall be properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access.

FINDINGS: The lots have sufficient frontage to allow placement of a driveway without impacting sight distance. Final location is determined when building plans are submitted.

2. Section 16.22.050.B.2 - Road/Street System and Building Access: The road/street system shall provide adequate access to the buildings for the appropriate users, such as residents, visitors, patrons, employees, service and delivery vehicles, and emergency vehicles.

FINDINGS: As designed, three of the Lots will front on a shared easement. Per Development Code Section 16.12.020.B.3, an access easement may serve up to six dwelling units. This Section requires a 30-foot wide easement with a minimum of 24-feet of paving. A shared maintenance agreement is also required. The layout conforms to that requirement and the agreement may be placed as a condition. The remaining lot (Lot 1) will access Wassom Street.

3. Section 16.22.050.B.3 - Pedestrian and Bicycle Facilities: An internal system of sidewalks and/or pathways for pedestrians and bicyclists shall provide connections to both motor vehicle and bicycle parking areas, and entrances to the development and its buildings, as well as open space, recreational and other community facilities associated with the development. Streets shall have sidewalks on both sides, unless other configurations have been approved. Pedestrian and bicycle linkages shall connect to the peripheral street system.

FINDINGS: The private easement effectively provides pedestrian and bicycle access; additional improvements are unnecessary due to the anticipated low volumes and as the easement is not a through street carrying outside traffic.

4. Section 16.22.050.B.4 - Consistency with Transportation System Plan: All access shall be consistent with the access management standards of this Code, the City's Transportation System Plan, and the Lebanon/Linn County Urban Growth Management Agreement.

FINDINGS: The subdivision is accessed by a private easement, off an existing local street.

5. Section 16.22.050.B.1 Conditions of Approval to Mitigate Significant Impacts or Effects on Transportation Facilities: In situations in which proposed land use actions may cause a significant negative impact or effect on a transportation facility, the Planning Commission may impose additional conditions for approval, such as:
 - a. A Traffic Impact Analysis (or other traffic studies) if the City Engineer finds that the proposed development will have a significant negative impact or effect on the surrounding transportation network. (See Chapter 16.12, Subsection 16.12.010.B).

- b. The operator of the affected transportation facility shall receive notice of the proposed land use. Such operators may include, but are not limited to, the City, Linn County, the State (e.g., ODOT, Oregon Department of Aviation), and rail road companies. This notice shall include the applicant's full site plan submitted to the City and any traffic impact study or traffic counts, as well as the information noted in paragraph "a." immediately above.
- c. The determination of transportation impacts or effects and the scope of any impact study shall be coordinated with the Planning Official, the City Engineer and the operator of the affected transportation facility.
- d. Dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed land use.
- e. Transportation-related improvements where the existing transportation system may be burdened by the proposed land use.

FINDINGS: Given the number of lots and point of connectivity, the Engineering Division did not require a traffic impact analysis. Nothing in this action impacts aviation or similar State transportation facilities.

- G. Section 16.22.060 notes that after a pre-application meetings and/or consultations the applicant submits a subdivision application on the proscribed form. For the record, the applicant submitted the necessary material consistent with this Section.
- H. Section 16.22.070 establishes the procedural issues. Regarding the *applicable* material, Subsection "A.2." requires preliminary subdivision applications to be processed as a quasi-judicial review with a hearing before the Planning Commission, while the final plat is reviewed by staff as a ministerial decision ("B."). Preliminary plat approval is valid for three years and allows for phasing up to 10-years ("C.", "D." and "E."). Modifications to an approved preliminary plat are allowed, subject to procedures in Development Code Chapter 16.24 ("F.").

FINDINGS: As a subdivision, the hearing before the Planning Commission complies with provisions in this Section ("A.2."). All subsequent provisions apply to the administration, review or modification of an approved preliminary plat.

- I. Section 16.22.080 establishes the preliminary plat submittal requirements. The applicable provisions include:
 - 1. Section 16.22.080.A.1. and 2. – This Section requires submittal of public facilities and services study (including transportation facilities) and a traffic impact study.

FINDINGS: Per the Engineering Division, water, sanitary sewer and storm drainage facilities are available and can be extended to serve the lots. All improvements must comply with City design requirements, and regarding storm drainage, not increase the level of storm runoff on adjacent properties.

2. Section 16.22.080.A.3 lists additional information that will or may be required:
- a. Section 16.22.080.A.3.a - Correspondence from appropriate and applicable State and Federal Wetland regulatory agencies.

FINDINGS: This section does not apply as the Wetland Inventory map does identify jurisdictional wetlands on the site.
 - b. Section 16.22.080.A.3.b - Correspondence from the County or ODOT if access is proposed to any facility under their jurisdiction.

FINDINGS: A local public street provides access to the site with three of the lots served by a private easement.
 - c. Section 16.22.080.A.3.c - Correspondence from Oregon Department of Aviation if the proposed development is within the approach or noise impact overlay zones of the Lebanon State Airport.

FINDINGS: Based on the maps in Development Code Chapter 16.11, the property is not located within the designated Airport Overlay Zone that restricts development.
 - d. Section 16.22.080.A.3.d - Documentation prepared by a licensed and qualified professional demonstrating that development proposed within a 100-year floodplain or floodway complies with appropriate FEMA, NFIP and City's Floodplain Regulations (see Section 16.11.070 in Chapter 16.11).

FINDINGS: Based on current Flood Insurance Rate Maps, no part of the subdivision is located within the identified 100-year flood hazard area.
 - e. Section 16.22.080.A.3.e - Documentation showing compliance with applicable Special Area Plans.

FINDINGS: The property is not located within a "Special Area Plan".
 - f. Section 16.22.080.A.3.f - Documentation showing compliance with the all applicable codes and requirements of the Lebanon Fire District.

FINDINGS: The layout, emergency vehicle turn-around and provisions for hydrants, must comply with Lebanon Fire District requirements. This may be placed as a condition of approval.
 - g. Section 16.22.080.A.3.g - Documentation showing that the proposed land division will not violate any existing property restrictions of record including easements.

FINDINGS: This project remains under a single consolidated ownership.

- h. Section 16.22.080.A.3.h - Documentation prepared by a licensed and qualified professional demonstrating that areas of soil cut and fill will comply with erosion control and building code requirements.

FINDINGS: This determination is made by the Building Official at the time building plans are submitted.

- i. Section 16.22.080.A.3.i - Documentation prepared by a licensed and qualified professional demonstrating that areas of geologic and/or of soils instability can be developed according to applicable City, State and Federal Environmental Standards.

FINDINGS: The flat site is not subject to Steep Slope Development Overlay Zone requirements. However, Engineer Division may require the use of a geotechnical engineer to assess the private street.

- j. Section 16.22.080.A.3.j - Other information determined by the Planning Official and/or City Engineer. Upon the receipt or presentation of credible evidence, the City may require studies or exhibits prepared by qualified and/or licensed professionals to address specific site features or project impacts (e.g. noise, natural resources, environmental features, natural hazards, cultural/archeological, site stability, wetlands, hazmat assessments, etc.), in conformance with this Code, other State and/or Federal regulatory requirements.

FINDINGS: Based on information in the Comprehensive Plan and associated maps, staff finds additional application material is not required.

- 3. Section 16.22.080.B.1., 2. and 3. Establish submittal requirements. For this review, the applicant submitted the necessary material for staff to proceed with the application.

- J. The City may approve, approve with conditions or deny a preliminary plat based on the criteria contained in Section 16.22.090, subsections "A.", "B." and "C.". Provisions in subsection "A." include the following:

- 1. Section 16.22.090.A.1 - The proposed preliminary plat complies with the applicable Development Code Sections and adopted Master Plans. At a minimum, the provisions of this Chapter, and the applicable Chapters and Sections of Article Two (Land Use and Land Use/Development Zones) and Article Three (Community Development and Use Standards) of this Code shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant Sections of Chapter 16.29.

FINDINGS: Findings in this section review provisions in Articles Two and Three.

2. Section 16.22.090.A.2 - The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92 and the County Surveyor.

FINDINGS: The proposed subdivision plat name will be verified at the time of submittal to the County Surveyor.

3. Section 16.22.090.A.3 - The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water facilities are laid out as to conform or transition to the plats of subdivisions and partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat.

FINDINGS: Three of the lots will be served by a private access easement. As previously noted, the easement and improvement widths comply with Development Code requirements. The remaining lot fronts on Wassom Street and is not impacted by the easement.

4. Section 16.22.090.A.4 - All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat.

FINDINGS: The shared “common space” includes the private easement. Per Code requirements, an agreement will need to be in place to ensure maintenance of the easement.

5. Section 16.22.090.A.5 - Evidence that all City, County, State and Federal regulatory agency identified or mapped special management areas have been accurately and effectively identified on the appropriate maps and plans submitted to the City.

FINDINGS: As noted, preliminary information indicates the site does not contain special management areas.

6. Section 16.22.090.A.6 - Evidence that improvements or conditions required by the City, road authority, Linn County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met.

FINDINGS: All improvements will be located within the City and are subject to City public works design and construction standards.

7. Section 16.22.090.A.7 - If any part of the site is located within a Special Area Plan or District, Overlay Zone, or previously approved Planned Development, it shall conform to the applicable regulations and/or conditions.

FINDINGS: The site is not located in special plan area, district or overlay zone.

K. Section 16.22.090.B establishes the criteria for the layout of the subdivision and includes the following:

1. Section 16.22.090.B.1 - All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use zone (Chapters 16.05 – 16.10), and the standards of Chapter 16.12 (Subsection 16.12.030.K, Street Connectivity and Formation of Blocks).

FINDINGS: Within the RM zone, the minimum lot size for a duplex site is 7,000 square feet with a minimum lot width of 50-feet. Based on the submitted layout, the lots comply with the dimension requirements. The block layout provisions in Chapter 16.12 and the design provisions in Chapter 16.13 are not directly applicable as the subdivision can only be served by a single access. The private access easement, serving three lots, conforms to Code requirements.

2. Section 16.22.090.B.2 - Setbacks shall be as required by the applicable land use zone (Chapters 16.05 – 16.10).

FINDINGS: Setbacks are reviewed when a building permit is submitted.

3. Section 16.22.090.B.3 - Each lot shall conform to the standards of Chapter 16.12 (Access and Circulation).

FINDINGS: The minimum lot frontage for a street access is 14-feet, with a corresponding 12-foot driveway (Section 16.12.020.B). As shown on the submitted plans, all lots can comply – in fact exceed – these requirements.

4. Section 16.22.090.B.4 - Landscape or other screening may be required to maintain privacy for abutting uses. See Chapters 16.05 – 16.10 (Land Use Zones), and Chapter 16.15 (Landscaping, Street Trees, etc.).

FINDINGS: In this case, the landscaping requirement is limited to street trees along Wassom Street. Otherwise, specific landscaping improvements or fences are not required for individual lots. This does not prohibit the installation of such improvements in compliance with applicable standards.

5. Section 16.22.090.B.5 - In conformance with the Oregon Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public or private road or approved access drive. See Chapter 16.12 (Access and Circulation).

FINDINGS: The 30-foot access easement and 24-foot improvement complies with this requirement and all homes will be within 150-feet of a street or easement. There is also a “T” turnaround for emergency vehicles.

6. Section 16.22.090.B.6 - Where a common drive is to be provided to serve more than one lot, a reciprocating access easement and maintenance agreement shall be recorded with the approved subdivision or partition plat.

FINDINGS: The layout does not contain a shared driveway.

7. Section 16.22.090.B.7 - All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.

FINDINGS: Services can be extended and all facility plans must conform to City standards and be reviewed and approved prior to platting the subdivision.

- L. Section 16.22.090.C allows the City to establish conditions to carry out Code provisions and other applicable ordinances. Recommended conditions to meet this requirement were incorporated in the report and contained in the Section V. of this report.
- M. Sections 16.22.100 to 16.22.140 establish administrative procedures for recording plats, improvement agreements and bonding. For the record, the applicant and City staff must comply with these requirements to record a final plat.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for a Subdivision and recommends approval of the application subject to the adoption of the following Conditions of Approval:

- A. The applicant shall participate in a conference with the applicable facility providers for the purpose of coordinating facility improvements. This conference shall occur prior to submitting engineering drawings. At a minimum, it is recommended the participants include the Lebanon City Engineer, the Lebanon Fire District and private utility providers.
- B. The applicant shall submit an engineering plan for the development to City of Lebanon City Engineer for review and approval. The engineering plan and associated improvements shall comply with requirements listed in Condition "F."
- C. Upon approval of the engineering plans by the City, the developer shall install public facility improvements within the subdivision. Improvements shall comply with approved engineering plans and adequate bonding or other financial security consistent with Lebanon Development Code provisions shall be obtained to complete the improvements.
- D. Upon completion of the requirements in Condition "C.", a final plat, complying with provisions in ORS Chapter 92, shall be submitted and recorded within three years of the final decision. Platting shall be subject to the following:
 1. The final plat shall substantially conform to the proposal, containing a maximum of 4 lots and include the proposed access easement.

2. The developer shall create a homeowner's association or similar agreement for the maintenance of the private access easement. The agreement shall be on a form acceptable to the City and recorded against the deed record of each affected lot.
- E. Building permits shall not be issued until such time all required facilities are in place in compliance with approved engineering plans, or, the submittal of appropriate bonding approved by the City.
- F. The following facility improvement provisions shall apply:
1. General
 - a. All public improvements shall:
 - 1) conform to the latest "City of Lebanon Standards for Public Improvements";
 - 2) require completion of a Drawing Review Application and a Public Improvements Permit prior to beginning construction; and,
 - 3) be designed by a professional engineer registered in the State of Oregon.
 - b. An engineered site plan shall be submitted for review and approval. The site plan shall be submitted with an Application for Site Plan Review and the associated fee. The site plan shall detail all site improvements necessary for the proposed development together with a grading and drainage plan.
 - c. All elevations shown on plans submitted to the City shall be on the NAVD 88 vertical datum.
 - e. All private, onsite utilities shall be reviewed and approved by the City Building Official.
 - f. The applicant shall verify Lebanon Fire District approval of the site plan.
 - g. Cost recovery assessments shall be paid prior to connections to any public facilities.
 2. Transportation
 - a. City standard half street improvements including City standard sidewalk will be required on the north side of Wassom Street.
 - b. The site plan shall indicate the location of any proposed signs.
 - c. Site lighting shall glare or shine onto adjacent public streets or neighboring properties.
 - d. The developer shall provide verification of Republic Services approval of location and access to garbage and recycling containers prior to approval of detailed engineering site plans.
 - e. The developer shall provide verification of United States Postal Service for community mailbox location.
 - f. All pedestrian ways shall be constructed to comply with current ADA rules.
 3. Water
 - a. Engineering drawing shall identify any on-site wells. Wells proposed for removal shall be abandoned per state and county regulations prior to

connection to the public water system. Approved back flow prevention assemblies shall be required for any City meters serving properties with a well.

- b. The developer shall provide fixture counts and water meter demand calculations for each proposed meter (including irrigation). These shall be included with the site plan and compliant with AWWA C700.
- c. The developer shall contact the Lebanon Fire Marshal for additional requirements.

4. Sewer

- a. On-site septic systems shall be abandoned per city and county regulations prior to construction of public improvements.

5. Drainage

- a. The drainage system and grading plan shall be designed so as not to adversely impact drainage to or from adjacent properties. Storm drainage facilities must be designed and constructed to ensure historical rates of site discharge are not exceeded.
- b. A detailed design including engineering calculations shall be submitted as part of site plan review. Engineering drawings shall include a grading plan that indicates existing and proposed elevations. Drainage improvements *may* be required at the site boundaries to prevent adverse impacts. The engineering drawings shall provide a detailed design of the drainage improvements and mitigation of any impacts to adjacent properties.

6. Landscaping

- a. Engineering plans shall include a landscape and irrigation plan for any proposed improvements. Any landscaping proposed in the public right of way shall have a maximum mature height of no more than 24 inches above the street grade and at least 3 feet from any fire hydrant. All landscaping proposed in yard setback areas adjacent to public streets shall have a maximum mature height of no more than 36 inches above the street grade.
- b. Vision clearance areas shall be provided at intersections of all streets and at intersections of driveways and alleys with streets. A clear-vision area shall contain no plantings, fences, walls, structures, utility pedestals, or temporary or permanent obstruction exceeding 2-1/2 feet in height, measured from the top of the curb.
- c. The applicant shall install street trees along Wassom Street in compliance with the City of Lebanon street tree policy.

- G. Compliance with these conditions of approval, applicable portions of the Lebanon Development Code, building requirements, Lebanon Public Works Standards and similar requirements shall be the sole responsibility of the developer.

V. PLANNING COMMISSION ACTION

- A. The Planning Commission may either:
1. Approve the proposed Subdivision application, adopting the findings and conditions contained in the staff report;
 2. Approve the proposed Subdivision application, adopting modified findings and/or conditions; or
 3. Deny the proposed Subdivision application, establishing findings of fact in support of the denial.
- B. Staff will prepare an Order of Recommendation for the Chair's signature based on the Commission's decision.



NOTICE OF PUBLIC HEARING LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on July 19, 2017 at 6:00 p.m. in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	17-06-23
Applicant:	Larry Hellesto
Location:	975 Wassom Street
Map & Tax Lot No.:	12S02W15CD01900
Request:	Subdivision



Request: The applicant is requesting approval of a tentative Subdivision Plat that includes four duplex lots. Please see proposed subdivision plat on back.

Decision Criteria: Lebanon Development Code: Chapter 16.05 – Residential Land Use Zones; Chapter 16.20 – Review and Decision-Making Procedures; and Chapter 16.22 – Land Divisions.

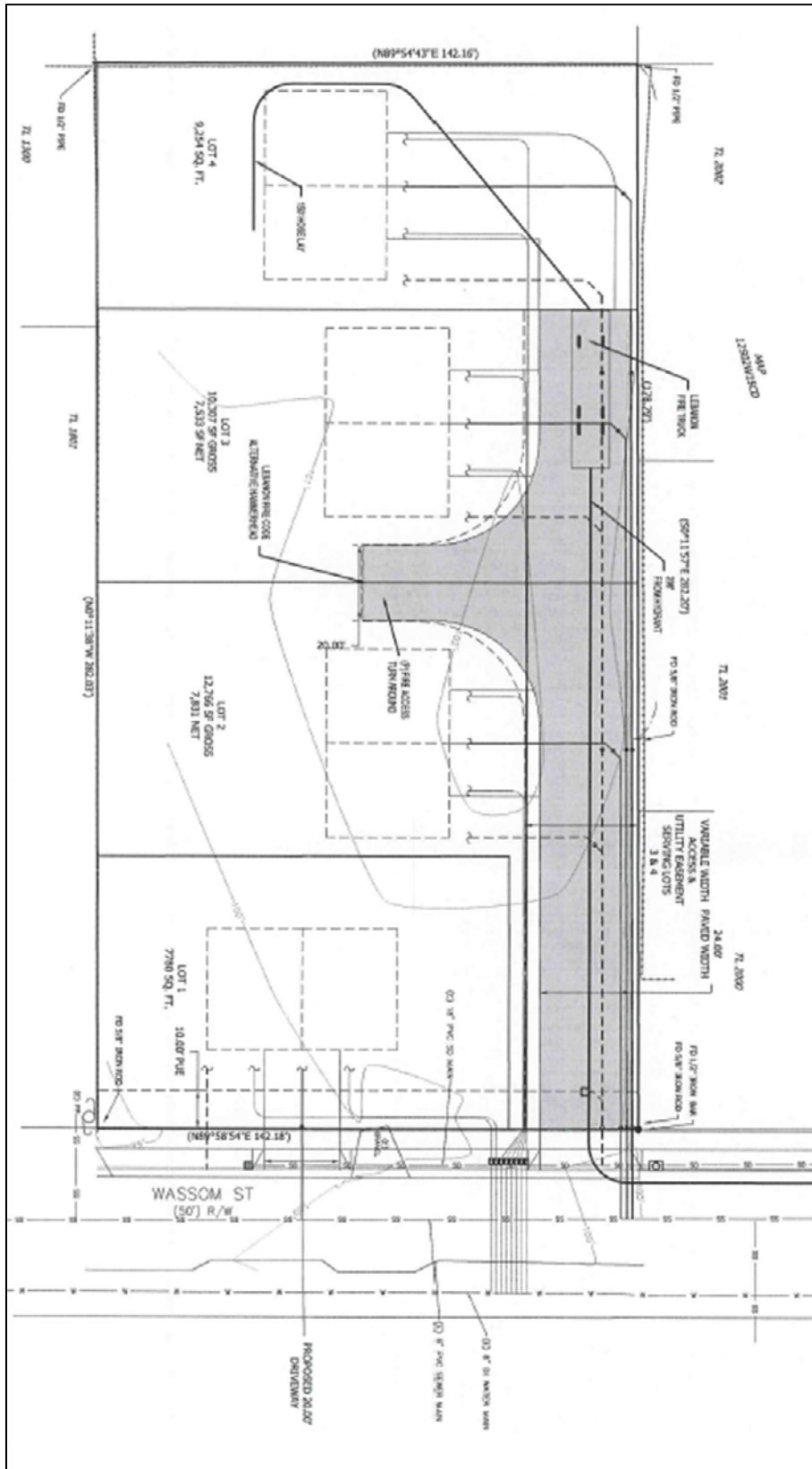
Providing Comments: *CITIZENS ARE INVITED TO ATTEND* the public hearings and give written or oral testimony (after presentation of the staff report) that addresses applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least 7 days so such material may be reviewed.

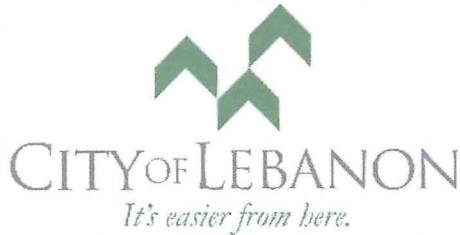
Appeals: Failure to raise an issue in the hearings, in person or by letter, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. Decisions of the Planning Commission may be appealed to the Lebanon City Council within 15 days following the date the Commission's final written decision is mailed. Only the applicant, a party providing testimony, and/or a person who requests a copy of the decision has rights to appeal a land use decision. The appeal must be submitted on the appeals form as prescribed by City Council with appropriate fee paid, and must set forth the criteria issues that were raised which the applicant or party deems itself aggrieved. Please contact our office should you have any questions about our appeals process.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

Upon request, the City will provide an interpreter for hearing impaired persons. To request an interpreter, please call 541-258-4906 no less than 48 hours prior to the public hearing.

Proposed Subdivision Plat





Community Development Services

925 S. Main Street
 Lebanon, OR 97355-3211
 (541) 258-4906 (541) 258-4955 Fax
 Email: cdc@ci.lebanon.or.us
 Web: www.ci.lebanon.or.us

LAND USE APPLICATION

File No.: 17-06-23

APPLICANT INFORMATION:

Name:	<u>Larry Hellesto</u>	Phone:	_____
Address:	<u>33750 SE Melody Lane</u>	Cell Phone:	<u>541 760-1462</u>
CityStateZip:	<u>Corvallis, OR 97333</u>	Email:	<u>lhellesto@gmail.com</u>

APPLICANT CERTIFICATION:

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.

Signature of Applicant: *Larry Hellesto* Date: 6/14/17

PROPERTY INFORMATION:

Situs Address:	<u>975 Wassom Street</u>	Nearest Cross Street:	<u>Stoltz Hill Road</u>
Map Designations:		Assessor Map &	
Comp Plan Map	<u>C-RM</u>	Tax Lot No(s):	<u>12S-02W-15CD/TL 1900</u>
Zoning Map	<u>Z-RM</u>	Total Size of Site:	<u>40,107 SF (0.92 ac)</u>
Overlay Zones (if any)	<u>AS-OZ</u>	Development Size:	<u>40,107 SF (0.92 ac)</u>
Current Property Use: (or indicate if vacant)	<u>VACANT</u>		
Existing Structures: (or indicate if vacant)	<u>VACANT</u>		
Surrounding Properties Land Uses:		Zoning/Comp Plan Designation:	
North	<u>Residential</u>		<u>UGA/UGM-10, C-RM</u>
West	<u>Residential</u>		<u>Z-RM/C-RM</u>
South	<u>Wassom Street right-of-way</u>		<u>n/a</u>
East	<u>Residential RM/ UGA-UGM 20</u>		<u>Z-RM/C-RM</u>

GENERAL DEVELOPMENT DESCRIPTION:

Include Proposed Use(s), Activities, Hours of Operation, Etc.:

Four lot subdivision with lots large enough to accomodate two duplexes. Lots will be access via street frontage on Wassom Street, and a shared access & utility easement over a 24.00 foot wide paved private road.

Will the Project be constructed in phases? Yes No

If "Yes", please explain: _____

Number of Proposed Parking	Vehicle	Bicycle
Standard Spaces: _____		Open: _____
Compact Spaces: _____		
ADA Spaces: _____		Covered: _____
Covered/Garage Spaces: _____		

RESIDENTIAL DEVELOPMENT ONLY:

Type	# of Dwelling Units	# of Bedrooms	Density (#DU/Acre)

Describe Open Space Included in Proposal:

Number of Acres / Sq. Ft. in Open Space: _____ Percent of Site: _____

FOR OFFICE USE			
*If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.			
Land Use Review Process	Fee	Land Use Review Process	Fee
Administrative Review: Res / Com / Ind / PU	\$450	Planned Development – Preliminary	\$2500
Annexation	\$1500	Planned Development – Ministerial	\$200
Code Interpretation	\$100	Planned Development – Final (Administrative)	\$450
Comprehensive Plan Map Amendment	\$2000	Planned Development – Final (Quasi-Judicial)	\$750
Comprehensive Plan Text Amendment	\$2000	x Subdivision 2,000+15/LOT = 2060	Varies
Conditional Use: Res / Com / Ind / PU	\$1500	Tree Felling Permit (Steep Slopes only)	Varies
Historic Preservation Review or Register	Varies	Urban Growth Boundary Amendment	Varies
Land Partition	\$450	Vacating Public Lands and Plats	Varies
Ministerial Review	\$150	Variance (Class 1 – Minor Adjustment)	\$150
Modification of Approved Plan	Varies	Variance (Class 2 – Adjustment)	\$450
Non-Conforming Use/Development	\$450	Variance (Class 3)	\$1000
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$1000
REVIEW PROCESS			
Ministerial Review Process (LDC 16.20.030)		Quasi-Judicial Review Process (LDC 16.20.050)	
Administrative Review Process (LDC 16.20.040)		Legislative Review Process (LDC 16.20.060)	
APPLICATION RECEIPT & PAYMENT			
Date Received: <u>6/28/17</u>	Date Complete: _____	Pay't Info: <input checked="" type="checkbox"/>	
Received By: <u>[Signature]</u>	Total Fee: <u>\$2000.</u>	Receipt No.: <u>5188</u>	

REQUIRED SUBMITTALS:

- Application and Filing Fee
- Narrative describing the Development Proposal and addressing the Decision Criteria
 - * LDC Article Two Land Uses and Land Use Zones
 - * LDC Article Three Development Standards
 - * LDC Article Four Review & Decision Requirements
 - * LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- Site Plan(s) drawn to scale with dimensions, Elevation Drawing(s) if applicable, Other Drawings
 Site boundaries, points of access, topography, flood plains, water courses, significant vegetation, existing roads, utilities, pedestrian or bikeways, existing easements.
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

PROPERTY OWNER SIGNATURES:

Owner 1:	<i>Jenny Bellato</i>	Phone #:	
Address:	<i>33750 SE Melody</i>	Cell #:	<i>541 760-1462</i>
CityStateZip:	<i>Corvallis OR 97333</i>	Email:	
Owner 2:		Phone #:	
Address:		Cell #:	
CityStateZip:		Email:	
Owner 3:		Phone #:	
Address:		Cell #:	
CityStateZip:		Email:	

CONTACT INFORMATION:

Applicant's Representative:		Office #:	
Address:		Cell #:	
CityStateZip:		Email:	
Applicant's Engineer/Surveyor:	<i>Udell Engineering & Land Surveying, LLC</i>	Office #:	<i>(541) 451-5125</i>
Address:	<i>63 East Ash Street</i>	Cell #:	
CityStateZip:	<i>Lebanon, OR 97355</i>	Email:	<i>andy@udelleng.com</i>
Applicant's Architect:		Office #:	
Address:		Cell #:	
CityStateZip:		Email:	
Applicant's Other:		Office #:	
Address:		Cell #:	
CityStateZip:		Email:	

KATE'S ADDITION
SUBDIVISION APPLICATION

APPLICATION NARRATIVE

APPLICANT: Larry Hellesto
33750 SE Melody Lane
Corvallis, OR 97333

PROPERTY OWNER: Same as applicant

**ENGINEER/
SURVEYOR:** Udell Engineering and Land Surveying, LLC
Brian Vandetta
63 E. Ash St.
Lebanon, OR 97355
541-451-5125

PROPERTY LOCATION: 12S-2W-15CD Tax lot 1900

TYPE OF APPLICATION: Subdivision

Overview of Proposal

The proposal is to subdivide the existing 0.92 acre property shown on Linn County Assessor's Map 12S-2W-15CD as tax lot 1900 into 4 duplex lots. All lots exceed the minimum lot area for duplex development (7,000 ft²) for the applicable zone (Z-RM).

Approval Criteria:

City of Lebanon Development Code Criteria are shown in boldface type.

LDC 16.22.090 A. – Decision Criteria: Preliminary Plat for Partitions and Subdivisions

A. General Decision Criteria

- 1. The proposed preliminary plat complies with the applicable Development Code Sections and adopted Master Plans. At a minimum, the provisions of this Chapter, and the applicable Chapters and Sections of Article Two (Land Use and Land Use/Development Zones) and Article Three (Community Development and Use Standards) of this Code shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant Sections of Chapter 16.30.**

The proposed subdivision is located in the residential mixed density zone. The proposed lots exceed the minimum 7,000 ft² lot size and minimum 50 feet for interior lots and 60 feet for corner lots width requirements.

- 2. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92 and the County Surveyor.**

The proposed subdivision will be named “Kate’s Addition” which conforms to the applicable ORS and Linn County Surveyor requirements.

- 3. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of the subdivisions and of partitions already approved for adjoining property as to width, general direction and in all other aspects. All proposed public improvements and dedications are identified on the preliminary plat.**

The proposed subdivision will be creating a 30.00 foot wide shared access and utility easement with a 24.00 foot wide paved private driveway. All lots will be accessed by private driveways over a shared access easement or along public street frontage. Public utilities will be extended within the easement from the existing street stubs.

- 4. All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat.**

The proposed Plat does not involve any such common areas. Therefore this criterion does not apply.

- 5. Evidence that all City, County, State, and Federal regulatory agency identified or mapped special management areas have been accurately and effectively identified on the appropriate maps and plans submitted to the City for review.**

A review of local and state inventory maps has revealed no special management areas exist on the property.

- 6. If any part of the site is located within a Special Area Plan or District, Overlay Zone, or previously approved Planned Development, it shall conform to the applicable regulations and/or conditions.**

The proposed subdivision plat lies within the AS-OZ overlay zone. The proposed land use will not conflict with the height restrictions of the conical surface.

B. Layout and Design of Streets, Blocks, and Lots

- 1. All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use zone (Chapters 16.05-16.10), and the standards of Chapter 16.12(Subsection 16.12.030.K., Street Connectivity and Formation of Blocks).**

The proposed subdivision is located in the residential mixed density zone. The proposed lots exceed the minimum 7,000 ft² lot size and 50.00' minimum lot width requirements (60.00' corner lots) for duplex residential development. All of the proposed lots will access Wassom Street, via frontage, easement or a flag strip.

- 2. Setbacks shall be as required by the applicable land use zone (Chapters 16.05-16.10).**

The proposed lots allow adequate space for development conforming to the residential mixed density setback requirements. Specific building configurations and setbacks will be addressed in a subsequent development application.

- 3. Each lot shall conform to the standards of Chapter 16.12 (Access and Circulation).**

All of the lots will have direct access to public streets via frontage, easement or a flag lot.

- 4. Landscape or other screening may be required to maintain privacy for abutting uses. See Chapters 16.05-16.10 (Land Use Zones), and Chapter 16.15 (Landscaping, Street Trees, etc.)**

The proposed land use is a subdivision; landscaping and screening requirements will be addressed in a subsequent development application.

- 5. In conformance with the Oregon Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that area located more than 150 feet from a public or private road or approved access drive. See Chapter 16.12 (Access and Circulation).**

The proposed subdivision includes a 20 foot minimum width fire access lane with modified hammerhead turnaround to provide fire vehicle access to within 150.00 feet of any structure.

- 6. Where a common drive is to be provided to serve more than one lot, a reciprocating access easement and maintenance agreement shall be recorded with the approved subdivision or partition plat.**

The proposed Plat has a 30' private access easement over proposed lot 2 and lot 3 to allow for future home placement conforming to the Lebanon Fire Code access requirements. This easement will include reciprocating access rights and will have maintenance provisions. This easement will be created on the subdivision plat.

- 7. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.**

The proposed Subdivision layout allows for lots to be served by private & franchise utilities with connections to proposed public utilities within the proposed right-of-ways, and franchise utilities within a 10.00 public utility easement or the shared access & utility easement. Service lateral connections are all proposed within the Wassom Street right-of-way to existing facilities. The proposed lots will be served by streets, utilities, surface water management practices, and easements which meet the applicable engineering design standards imposed by the City of Lebanon.

Summary:

The proposed Subdivision involves the creation of four lots, a 10' public utility easement, and a private access and utility easement to serve lot 2, lot 3, and lot 4. The proposed lots conform to the lots size standards in the City of Lebanon Development Code and have adequate access to public utilities and public services. The proposed lots can be developed in a manner consistent with the City of Lebanon Development Code.

SHEET INDEX	
1	- COVER SHEET
2	- EXISTING CONDITIONS/DEMO
3	- TENTATIVE LOT LAYOUT
4	- TENTATIVE GRADING
5	- TENTATIVE UTILITY PLAN
6	- TENTATIVE FIRE ACCESS

PROPERTY
 TAX MAP: 125-02W-15CD
 TAX LOT: 1900
 LEGAL: LOT 18, BLOCK 3, HARMONY SUBDIVISION
 SITE ADDRESS: 975 WASSOM STREET
 LEBANON, OR 97355
 ZONING: RESIDENTIAL MEDIUM DENSITY

OWNER
 LARRY & ERIK HELLESTO
 33750 SE MELODY LN
 CORVALLIS, OR 97333

DESIGN TEAM

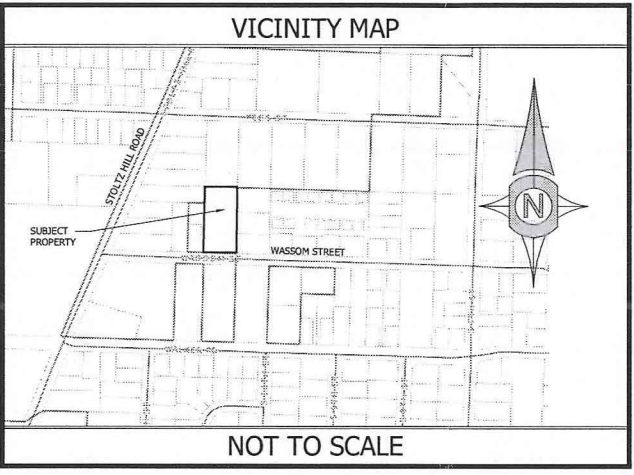
CIVIL ENGINEER
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125

SURVEYOR
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125



CLIENT:
 LARRY & ERIK HELLESTO
 33750 SE MELODY LN
 CORVALLIS, OR 97333

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON 97355
 (541) 451-5125 PH.
 (541) 451-1366 FAX



COVER SHEET
 KATE'S ADDITION
 975 WASSOM ST
 LEBANON, OREGON

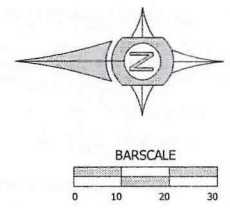
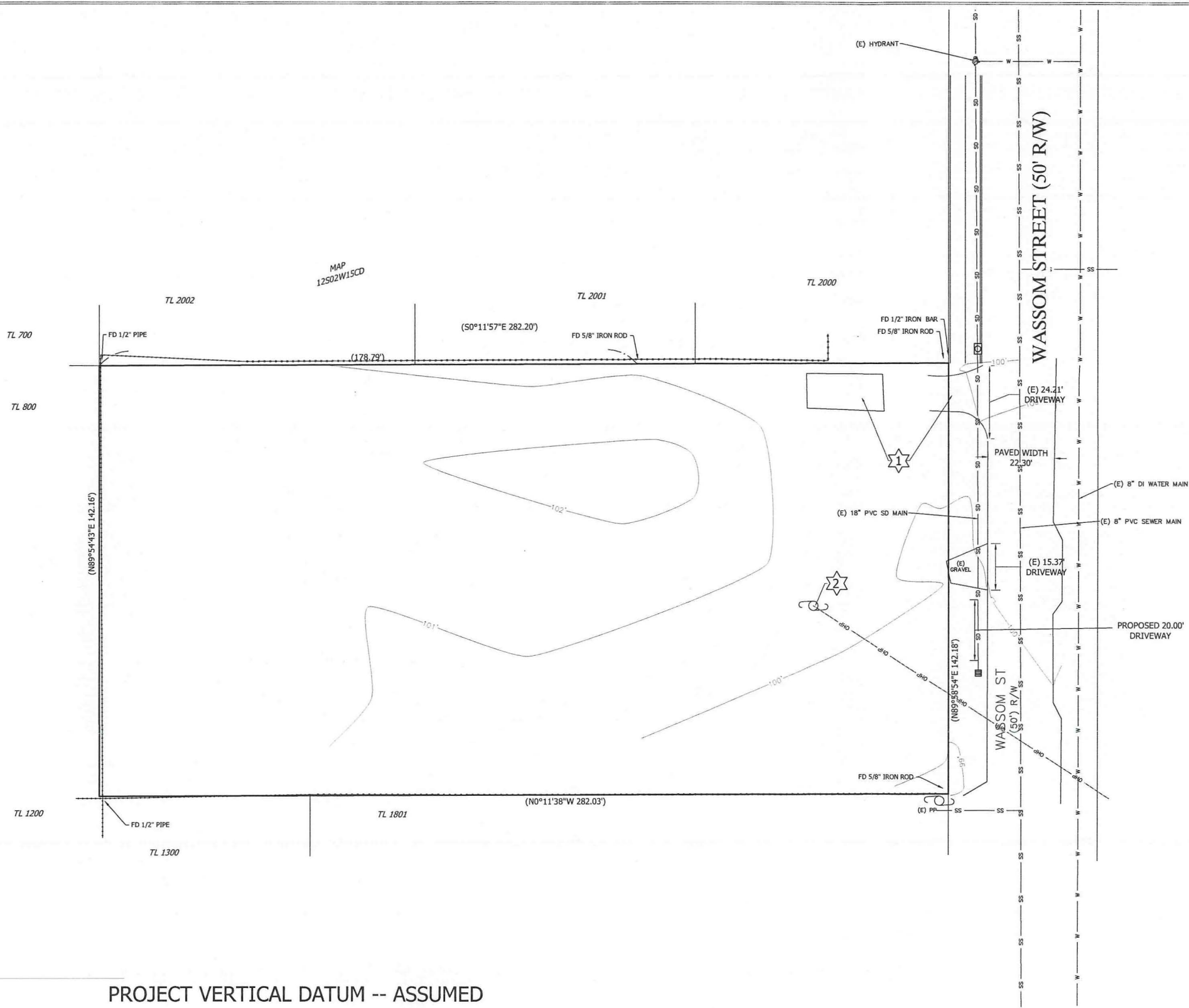
PROJECT LEGENDS		
EXISTING SYMBOL LEGEND		
	- EXISTING CONTROL - PK NAIL	
	- EXISTING GAS VALVE	
	- EXISTING WATER VALVE	
	- EXISTING WATER METER	
	- EXISTING FIRE HYDRANT	
	- EXISTING POWER POLE	
	- EXISTING 6' CYCLONE FENCE	
	- EXISTING 6' WOOD FENCE	
	- EXISTING SD LINE LOCATE	
	- EXISTING SS LINE LOCATE	
	- EXISTING WATER LINE LOCATE	
	- EXISTING PHONE LINE LOCATE	
	- EXISTING UNDERGROUND POWER LOCATE	
	- EXISTING OVERHEAD POWER	
	- EXISTING GAS LINE LOCATE	
	- EXISTING COMMUNICATION LINE LOCATE	
	- EXISTING CONTOUR ELEVATION	
ABBREVIATIONS LEGEND		
SS	- SANITARY SEWER	
SD	- STORM DRAIN	
MH	- MANHOLE	
CB	- CATCH BASIN	
CO	- CLEAN OUT	
PP	- UTILITY POLE	
IE	- INVERT ELEVATION (FLOW LINE)	
FF	- FINISH FLOOR	
R.O.W.	- RIGHT-OF-WAY	
FD	- FOUND	
CS	- COUNTY SURVEY	
IR	- IRON ROD	
R	- RADIUS	
BO	- BLOWOFF	
S.L.	- STREET LIGHT	
TC	- TOP FACE OF CURB	
FH	- FIRE HYDRANT	
CI	- CURB INLET	
T.O.P.	- TOP OF PIPE	
FL	- FLOW LINE	
PUE	- PUBLIC UTILITY EASEMENT	
EX OR (E)	- EXISTING	
(P)	- PROPOSED	
PE	- PLAIN END	
FLGD OR FLG	- FLANGED	
MJ	- MECHANICAL JOINT	
D.I.	- DUCTILE IRON	
W/L	- WATERLINE	
TW	- TOP OF WALL	
SDAD	- STORM DRAIN AREA DRAIN	
GRADING LEGEND		
	S = 0.00% - SURFACE DRAIN DIRECTION	
	P 000.00 (E) - EXISTING TOP OF PAVEMENT ELEVATION	
	G 000.00 (E) - EXISTING GROUND ELEVATION	
	P 000.00 - DESIGN TOP OF PAVEMENT ELEVATION	
	W 000.00 - DESIGN TOP OF WALK ELEVATION	
	TC 000.00 - DESIGN TOP OF CURB ELEVATION	
	GR 000.00 - DESIGN TOP OF GRAVEL ELEVATION	
	GND 000.00 - DESIGN TOP OF GROUND ELEVATION	
DESIGN SYMBOL LEGEND		
	- DESIGN WATER METER	
	- DESIGN CURB INLET	
	- DESIGN DITCH INLET	
	- DESIGN SS MANHOLE	
	- DESIGN SD MANHOLE	
	- DESIGN WATER VALVE	
	- DESIGN FIRE HYDRANT	
	- DESIGN 4" SEWER SERVICE	

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987).

PLAN REVISIONS	DATE

REVIEW COPY
 NOT FOR
 CONSTRUCTION

DATE: JUNE 8, 2017
 PROJECT: 16-112 HELLESTO
 DRAWN BY: GSR, AMP
 CHECKED BY: RWL



DEMOLITION NOTES

1 REMOVE AND DISPOSE OF EXISTING CONCRETE AND ASPHALT DRIVEWAYS.

2 REMOVE EXISTING POWER POLE AND OVERHEAD LINES.

PROJECT VERTICAL DATUM -- ASSUMED
 ALL ELEVATIONS ARE SHOWN WITH AN ASSUMED DATUM.



CLIENT:
 LARRY & ERIK HELLESTO
 33750 SE MELODY LN
 CORVALLIS, OR 97333

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
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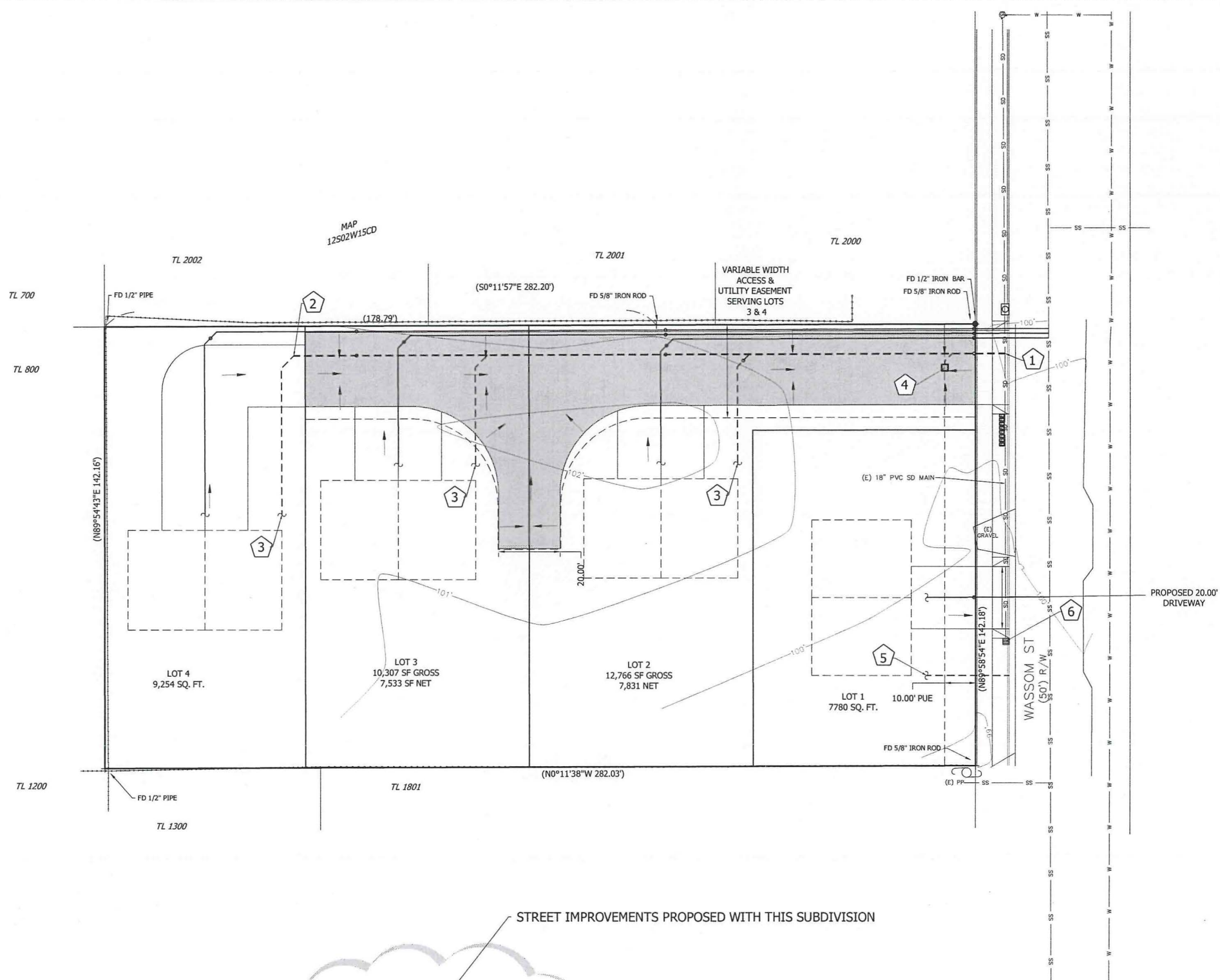
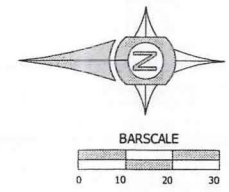
EXISTING CONDITIONS/DEMO
 KATE'S ADDITION
 975 WASSOM ST
 LEBANON, OREGON

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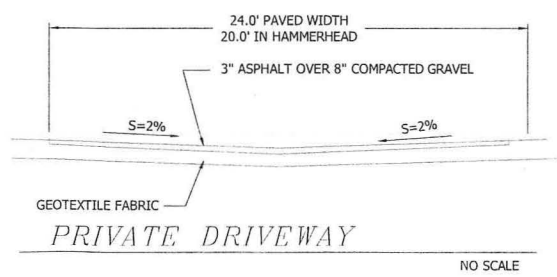
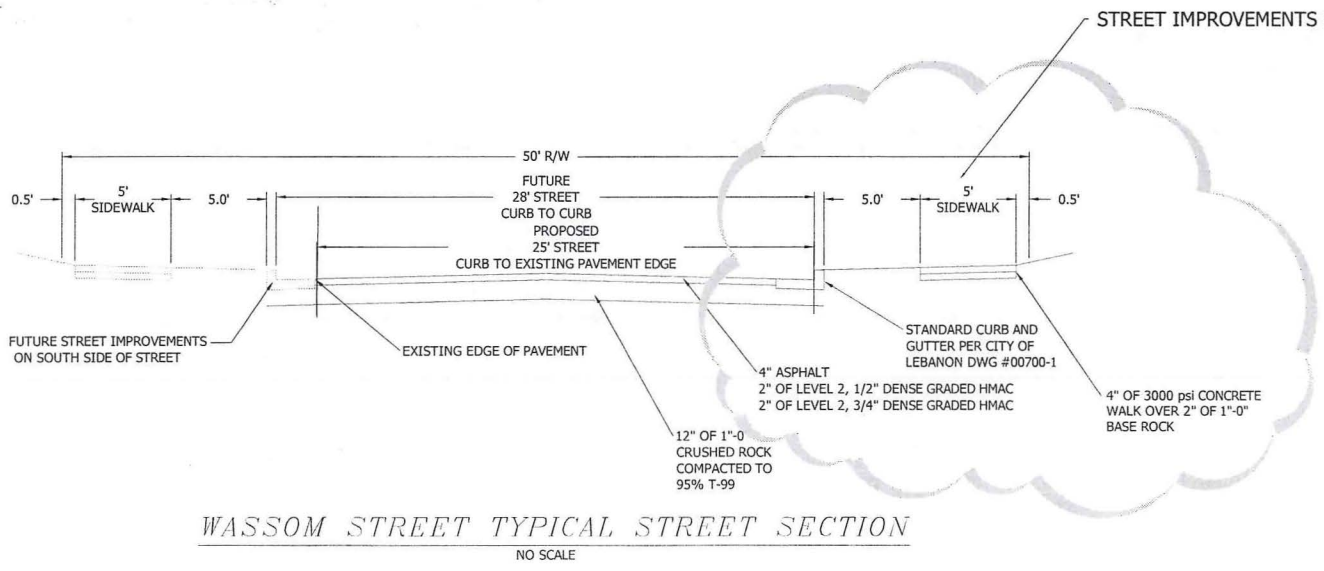
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PLAN REVISIONS	DATE

Sheet **2**
 of **5**
 SCALE: SEE BARSCALE



STORM DRAIN NOTES	
1	CONNECT 6" PRIVATE STORM DRAIN TO PUBLIC MAIN.
2	EXTEND PRIVATE 6" STORM DRAIN TO PROPOSED LOT 4.
3	CONSTRUCT 4" STORM LATERAL FOR ROOF AND FOUNDATION DRAINS.
4	CONSTRUCT PRIVATE CATCHBASIN WITH FLOW CONTROL ORIFICE.
5	CONSTRUCT 4" STORM DRAIN FOR ROOF AND FOUNDATION DRAINAGE WITH CURB WEEPHOLE.
6	REPLACE CATCHBASIN WITH CURB INLET.



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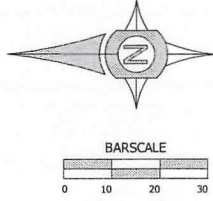
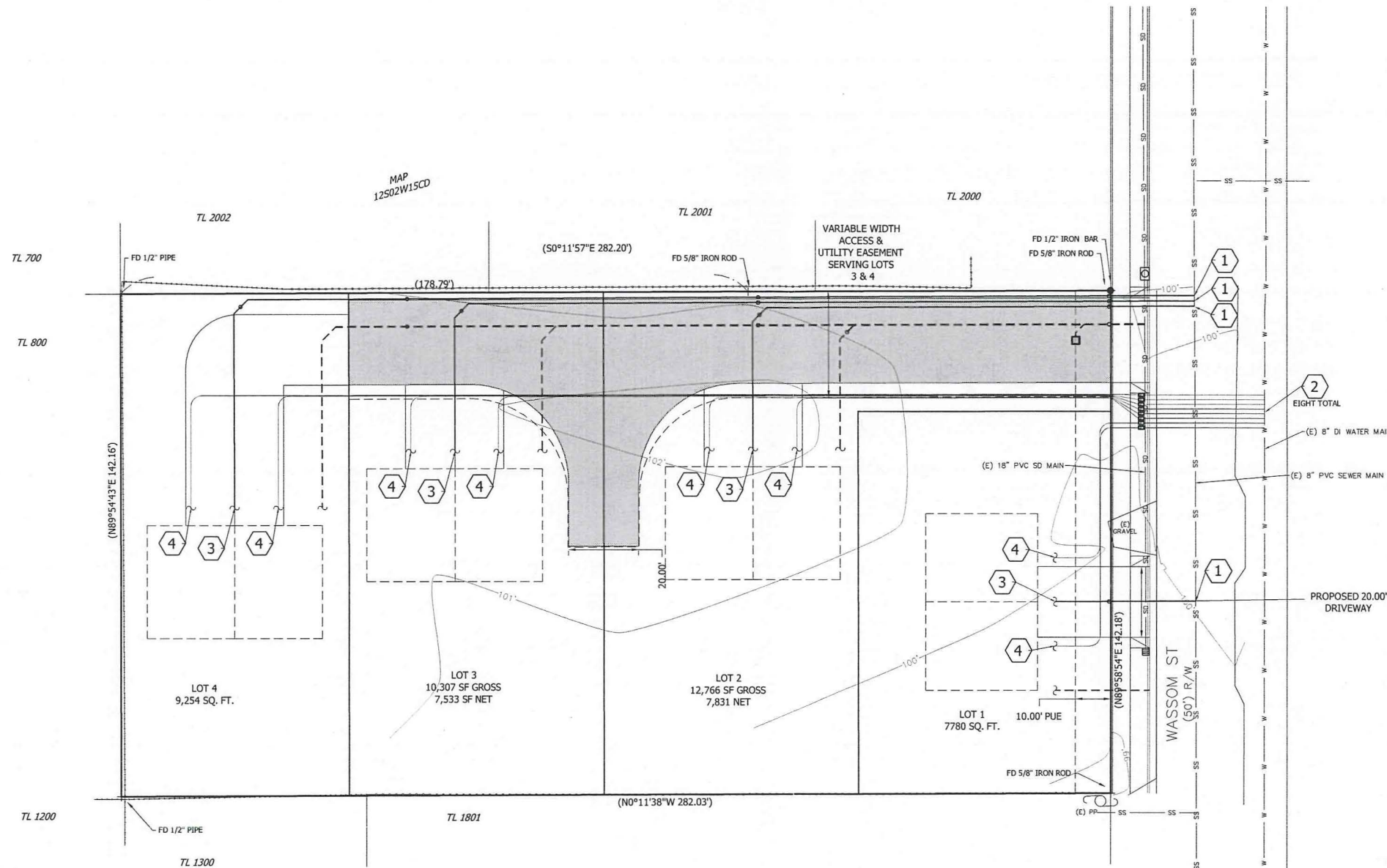
TENTATIVE GRADING PLAN
KATE'S ADDITION
975 WASSOM ST
LEBANON, OREGON

DATE: JUNE 8, 2017
PROJECT: 16-12 HELLESTO
DRAWN BY: GSR, ANP
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PLAN REVISIONS	DATE

Sheet 3 of 5
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UTILITY NOTES	
1	INSTALL NEW SEWER SERVICE W/CO AT PROPERTY LINE
2	INSTALL NEW WATER SERVICES FOR EACH DWELLING UNIT AND WATER METERS PER CITY OF LEBANON SPECIFICATIONS.
3	INSTALL PRIVATE 4" SEWER TO WITHIN 5' OF EACH BUILDING PER STATE PLUMBING CODE.
4	INSTALL PRIVATE DOMESTIC WATER SERVICE TO WITHIN 5' OF EACH BUILDING PER STATE PLUMBING CODE.

NOTE: FRANCHISE UTILITIES TO BE PLACE IN PROPOSED 10' PUE



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TENTATIVE UTILITY PLAN

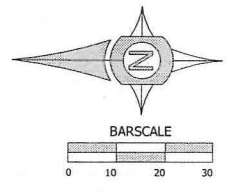
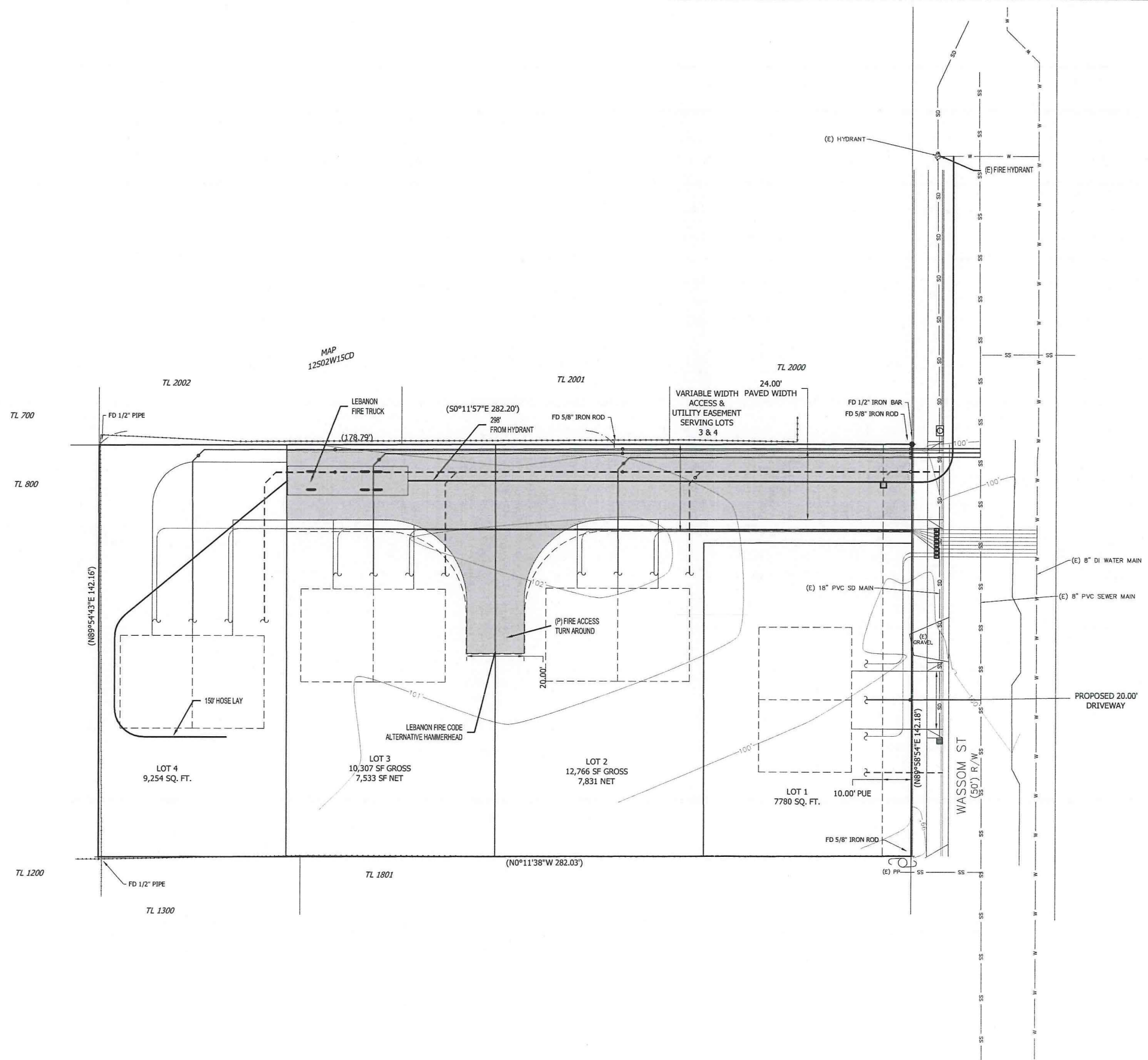
KATE'S ADDITION
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DRAWN BY:	GSP, AMP
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Sheet **4**
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TENTATIVE FIRE ACCESS
 KATE'S ADDITION
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Sheet 5
 of 5
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