



PLANNING COMMISSION MEETING AGENDA

September 15, 2021

Chair:

Jeremy Salvage

Vice Chair:

Don Robertson

Commissioners:

David McClain
Todd Prenoveau
Chad Munn
Josh Port
Lory Gerig-Knurowski

Community

Development Director

Kelly Hart

Work Session:

5:00 p.m.

Regular Meeting:

6:00 p.m.

WORK SESSION – 5:00 p.m.

1. Call to Order / Flag Salute
2. Roll Call
3. Work Session Discussion Items:
 - **Fueling Stations** – Discussion item on possible Development Code amendments regarding fueling station location and development standards within the City.
 - **Planning Commission Training** – The role of findings and conditions in Planning Commission decisions.

REGULAR SESSION – 6:00 p.m.

1. Call to Order / Flag Salute
2. Roll Call
3. Citizen Comments
(restricted to items not on the Agenda)
4. Commission Review:
 - a. **Public Hearing Planning File A-21-04**
 - Proposed Annexation (A-21-04) of a property on the north side of Walker Road, east of Stoltz Hill Road (12S02W15CD 3501).
 - b. **Public Hearing Planning File AR-21-05**
 - Development proposal for a 42-unit apartment complex on the northwest corner of S Main Road and Vaughan Lane (12S02W22A 07000 – 3180 S Main Road)
 - c. **Public Hearing Planning File CU-21-02**
 - Development and operation of a restaurant including a drive-through facility for the operation of a Dairy Queen on the east side of S Santiam Highway, north of the Walgreens (12S02W23B 114)
5. Commission Business & Comments
6. Adjournment



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: Kelly Hart, Community Development Director
Subject: Expansion of fueling stations into new zones discussion

Date: September 2, 2021

I. INTRODUCTION

During the August 2021 Planning Commission meeting, a work session was held to discuss expansion of fueling station siting opportunities throughout the City. The direction provided to staff during the work session included:

1. Zoning Considerations – Permit Fueling Stations in Highway Commercial (existing), Industrial, Mixed Use, and possibly Neighborhood Commercial zones.
2. Permit Considerations – Require a Conditional Use Permit application for at least the Mixed-Use Zone.
3. Development Standards – Establish development standards for fueling stations, specifically when adjacent to residential zones to establish minimum standards and clarity of expectations for the developers.

II. CURRENT REPORT

Based on the direction provided by the Planning Commission, staff has drafted proposed Development Code standards for consideration.

Zones and Permit Considerations:

- Highway Commercial (Existing) – Subject to Administrative Review – maintain current standards
- Industrial – Subject to Administrative Review – establish same standards as Highway Commercial
- Mixed Use – Subject to Conditional Use Permit – and NEW Development Code Standards
- Neighborhood Commercial – Subject to Conditional Use Permit – and NEW Development Code Standards

Development Standards – General – for properties in the Mixed Use and Neighborhood Commercial zones

- Minimum Lot Size: 12,000 square feet
- Location: There are no location standards required for the Commercial and Industrial zones. In Mixed Use and Neighborhood Commercial zones, Fueling Stations may be located at intersections of the following type of major intersections:
 - At the intersection of two Minor and/or Principal Arterials
 - At the intersection of an Arterial (Minor or Principal) and a Collector
- Canopy lighting: Lighting fixtures installed within the fueling island canopy shall not extend below the canopy ceiling. The lighting fixtures, illumination intensity and direction shall comply with LDC 16.19.050 (Exterior Lighting)
 - Section 16.19.050 – Exterior Lighting shall be designed, constructed, located, shielded, and directed in such a manner so as to not face directly, shine, reflect, or glare onto an adjacent residences, streets, and other land uses (i.e., lumens should not exceed 0.1 at all property lines).

Development Standards when adjacent to residentially zoned properties, or residential properties within the Mixed-Use zone:

- Landscape Standards: For interior property lines, the perimeter landscape buffer shall be a minimum of 10 feet and shall be subject to the high screen landscape standard identified in Chapter 16.15 of the development code.
- Fencing Standards: A full-sight-obscuring fence a minimum of 6-feet in height shall be utilized for all interior property line perimeter fencing located outside the vision clearance area. Full-sight-obscuring may include a chain link fence with full coverage privacy slats, wood or vinyl fencing, masonry walls, or similar fencing material as approved by the Planning Commission. Through the application of the Conditional Use Permit and evaluation of the surrounding conditions, the Planning Commission may dictate the minimum fencing standard.
- Lighting Standards: Lighting fixtures installed within the fueling island canopy shall not extend below the canopy ceiling. The lighting fixtures, illumination intensity and direction shall comply with LDC 16.19.050 (Exterior Lighting). When the fueling station is not in operation, the canopy lighting shall be shut off.
- Hours of Operation: For fueling stations located adjacent to residential properties in the Mixed Use and Neighborhood Commercial zones, the fueling station shall not maintain 24-hour operations, unless specifically approved by the Planning Commission through the Conditional Use Permit application.

For the September work session, the following policy direction is requested:

1. Determine which zones and type of permit is necessary for fueling stations in each zone.
2. Identify whether the proposed development standards are adequate to address the land use compatibility when adjacent to residential.
3. Provide staff with direction on whether to move forward with drafting an ordinance or determine not to move forward.

AGENDA ITEM

4.a.





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: Kelly Hart, Community Development Director
Subject: Planning File No. A-21-04

Date: September 7, 2021

I. BACKGROUND

Under consideration is the proposed annexation of the property on the north side of Walker Road, east of Stoltz Hill Road (12S 02W 15CD, tax lot 3501). The subject property is 0.54 acres in size, with approximately 140 feet of street frontage along Walker Road. Property to the west, east and south, including the public right-of-way is located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation.

The property is in a developed residential neighborhood. To the west, south, and east are residential properties within city limits with a zoning designation of Residential Mixed-Density (Z-RM) and improved with single family residences, with the property to the west being vacant. The property to the north is in the County within the City's Urban Growth Boundary, holds a comprehensive plan designation of Residential Mixed-Density (C-RM) and is improved with a single-family residence.

The subject property is currently vacant. City sewer, water service and storm drainage are available in Walker Road along the frontage of the subject property. Upon annexation, the Applicant will be able to connect the site to city utility services.

II. CURRENT REPORT

The Comprehensive Plan Designation for the site is Residential Mixed Density (C-RM). Per Table 16.26-1 in Section 16.24.040 of the Lebanon Development Code (LDC), the designated zoning classification for the site would be Residential Mixed Density (Z-RM). The Applicant has indicated acceptance of the zoning designation of Z-RM and is not proposing a Comprehensive Plan Map Amendment.

In accordance with Section 16.24.040 of the LDC, anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the Urban Growth Area are already accounted for in the City's Facilities Plans, including the Transportation System Plan. Annexation of the land in the Urban Growth Area is already factored into the City's Facility Plans, and no revisions of those plans are necessitated when, following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. As the Applicant is proposing to accept the automatic zoning designation of

Residential Mixed Use, no further analysis of modification to the Facility or Transportation Plan is necessary.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The subject property 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.

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 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.

RECOMMENDED FINDING: The application site is located within the City of Lebanon Urban Growth Boundary and is contiguous with city limits, therefore eligible for annexation per the Annexation Ordinance, and the Municipal and Development Codes. The annexation is not inclusive of a Comprehensive Plan Map Amendment and is accepting of the initial zoning designation of Residential Mixed Density, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation requirements.

2. 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.

RECOMMENDED FINDING: 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.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use, and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification in accordance with the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed-Density, with the zoning designation of Residential Mixed-Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. In addition, Table 6-5 in Chapter 6 of the Comprehensive Plan identifies the total number of estimated housing needs by type through 2025. The subject property is currently undeveloped; but being zoned Residential Mixed Density and over 9,000 square feet in size, the site can accommodate all different housing types from single-family detached to multi-family development. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for 291 acres of low-density development acreage, 92 acres of medium density, and 39 acres of high density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City, and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property, and the classification for residential mixed density would accommodate the identified need for any of the residential classifications, and upon development, could be built to provide affordable units, as such, would be consistent with the goals and policies of the Comprehensive Plan.

3. 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.)

RECOMMENDED FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits, therefore is eligible for annexation. The subject site is generally flat, with no steep slopes or environmental constraints, and generally within a developed neighborhood. The site is currently undeveloped. As the site is

located within a developed neighborhood, and does not contain any known environmental constraints, the property is eligible for annexation.

4. 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.

RECOMMENDED FINDING: The subject site is contiguous with the city boundary on the west, east and south side of the property and is therefore contiguous with existing City limits and eligible for annexation.

5. 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).

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

- (a) The site is contiguous with city limits along the western, eastern, and southern property lines.
- (b) The property is located within an already developed and urbanized portion of the Urban Growth Boundary and City. Surrounding the property include residential development with a mix of single-family, duplexes and townhome developments. The site can be serviced by city water, sewer, and storm drainage as the utility facilities are already located in Walker Road along the property frontage. As the property can be serviced by city facilities and transportation system, and the neighborhood is already improved with urban development, the property would be eligible for annexation.

6. 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.

RECOMMENDED FINDING: The application does not include a concurrent development proposal. Any future development proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

7. 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 sewer, 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 sewer, and streets, of existing development within the annexation territory.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated demands to access key City-provided urban utilities have already been considered. There is existing city water, sewer, and storm drainage utilities along the property frontage in Walker Road, and the existing transportation system can accommodate the inclusion of the property and the anticipated residential development.

8. 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 sewer, 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.

RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states “anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City’s Facilities Plans, including the Transportation System Plan.” No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. 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.

RECOMMENDED FINDING: Walker Road maintains a right-of-way width of 60-feet. The adopted 2018 Transportation System Plan identifies Walker Road as a Collector Street, which requires a minimum 60-foot right-of-way without on-street parking provided. The Engineering Department reviewed the annexation and determined that no additional right-of-way dedication from the subject property is necessary for the annexation.

10. 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.

RECOMMENDED FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. 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.

RECOMMENDED FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. 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.

RECOMMENDED FINDING: The subject site is generally flat, with no steep slopes or environmental constraints, and within a developed neighborhood. The site is currently undeveloped. As the neighborhood has already been previously developed with urban development, and the site does not contain any known environmental constraints, the property is eligible for annexation.

13. 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.

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

14. 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.

RECOMMENDED FINDING: The request does not contain a concurrent development request.

15. 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).

RECOMMENDED FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.

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 respective Residential Mixed Density (Z-RM) zone on the newly annexed property.

V. PLANNING COMMISSION ACTION - ANNEXATION

- A. The Planning Commission may either:
 1. Recommend City Council approval of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, adopting the written findings for the decision criteria contained in the staff report; or
 2. Recommend City Council approval of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, adopting modified findings for the decision criteria; or
 3. Recommend City Council denial of the proposed property annexation and establishment of the applicable Residential Mixed Density zone, specifying reasons why the proposal fails to comply with the decision criteria; and
 4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **September 15, 2021 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.:	A-21-04
Applicant:	Good Well Land, LLC
Location:	Walker Road
Map & Tax Lot No.:	12S02W15CD03501
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

Request: The applicant is requesting Annexation of approximately .54-acres comprised of one tax lot. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and will be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation.

Meeting Information: The public is invited to either participate in person at the Santiam Travel Station, or watch the meeting online on September 15, 2021 through the City of Lebanon's YouTube page at: <https://youtu.be/lhTIJKTWkuQ>. The Agenda and application materials will be available for review on the City's website at <https://www.ci.lebanon.or.us/meetings> seven days prior to the hearing.



Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, September 14, 2021**. Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. Members of the public may also provide comments on the agenda item in person at the Santiam Travel Station during the meeting.

If you are unable to attend the meeting and wish to address the Commission under Public Comments or for a Public Hearing, click:

https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_ipnNBgdCRXOMxDc4jp_JCw to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting. Please register **ONLY** if you wish to address the Commission. If you want to watch or listen to the meeting please click this link to do so on YouTube: <https://youtu.be/lhTIJKTWkuQ>.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address 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 seven 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.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

CURRENT



PROPOSED



Zoning Map

Legend

- Z-RL : Residential Low Density
- Z-RM : Residential Mixed Density
- Z-RH : Residential High Density
- Z-NMU : Neighborhood Mixed Use
- Z-MU : Mixed Use
- Z-NCM : Neighborhood Commercial
- Z-CCM : Central Business Commercial
- Z-HCM : Highway Commercial
- Z-IND : Industrial
- Z-PU : Public Use
- Taxlot
- City Limit
- Urban Growth Boundary

(See Lebanon Development Code Chapter 16.11 for Overlay Zones)





LAND USE APPLICATION

PROPERTY INFORMATION

Site Address(es): Unassigned

Assessor's Map & Tax Lot No.(s): 12S-02W-15CD Tax Lot 3501

Comprehensive Plan Designation / Zoning Designation: Residential Mixed Use (C-RM)

Current Property Use: Unimproved

Project Description:

Annexation of a 0.54-acre of Parcel 2 of Partition Plat 2020-12 with concurrent Zone Map Amendment to assign the Residential Mixed Use zone designation upon annexation.

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: Laura LaRoque, Udell Engineering and Land Surveying, LLC

Phone: (541) 990-8661

Address: 63 E. Ash Street

Email: laura@udelleng.com

City/State/Zip: Lebanon, OR 97355

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.

APPLICANT SIGNATURE

Laura LaRoque

Date: 8/4/2021

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: Jordan Schweiger, Good Well Land LLC

Phone: (503) 375-6205

Address: 2825 Foxhaven Dr. SE

Email: jordan.schweiger@gmail.com

City/State/Zip: Salem, OR 97306

OWNER SIGNATURE

DocuSigned by:
Jordan Schweiger, as Manager of Good Well Land LLC

Date: 8/9/2021 | 16:49 PDT

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Brian Vandetta, Udell Engineering and Land Surveying, LLC

Phone: (541) 451-5125

Address: 63 E. Ash Street

Email: brian@udelleng.com

City/State/Zip: Lebanon, OR 97355

Architect:

Phone:

Address:

Email:

City/State/Zip:

Other:

Phone:

Address:

Email:

City/State/Zip

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- Application and Filing Fee
- Narrative Describing the Proposed Development 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, Include other drawings if applicable
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

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	\$750	Planned Development – Preliminary	\$2,500
Administrative Review (Planning Commission)	\$1,500	Planned Development – Final (Ministerial)	\$500
<input checked="" type="checkbox"/> Annexation	\$2,500	Planned Development – Final (Administrative)	\$750
Code Interpretation	\$250	Planned Development – Final (Quasi-Judicial)	\$1,500
Comprehensive Plan Map/Text Amendment	\$2,500	Subdivision Tentative	\$1,500
Conditional Use	\$1,500	Subdivision Final	\$750
Fire District Plan Review	\$100	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Historic Preservation Review or Register	Varies	UGB Amendment	Actual Cost
Land Partition	\$750	Variance (Class 1 – Minor Adjustment)	\$250
Ministerial Review	\$250	Variance (Class 2 – Adjustment)	\$750
Non-Conforming Use/Development	\$750	Variance (Class 3)	\$1,500
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	File No.:

THE CITY THAT FRIENDLINESS BUILT

ANNEXATION APPLICATION

Submitted to: City of Lebanon
Planning Department
925 S. Main Street
Lebanon, Oregon 97355

Applicants/Property Owners: Good Well Land LLC
C/O Jordan Schweiger
2825 Foxhaven Drive SE
Salem, OR 97306
(503) 375-6205 / Jordan.schweiger@gmail.com

Applicant's Representative: Udell Engineering and Land Surveying, LLC
63 E. Ash Street
Lebanon, OR 97355

Contact: Laura LaRoque
Email: laura@udelleng.com
Phone: (541) 990-8661

Site Location: Unassigned
Parcel 2 of Partition Plat No. 2020-12 (CS 26789)

Linn County Assessor's Map No.: 12S-02W-15CD Tax Lot 3501

Site Size: 23,442 square feet

Existing Land Use: Unimproved

Zone Designation: UGA-UGM-10

Comprehensive Plan Designation: Residential Mixed Density (C-RM)

Surrounding Zoning: North: UGA-UGM-10
South: RM (across Walker Rd.)
East: RM
West: RM

Surrounding Uses: North: Single-Family Residential
South: Single-Family Residential
East: Single-Family Residential
West: Unimproved



APPLICATION SUMMARY

The applicant requests annexation of a 0.54-acre parcel known as, Linn County Tax Assessor's Map No. 12S-02W-15CD Tax Lot 3501 with a concurrent Zone Map Amendment to assign the Residential Mixed Use zone designation upon annexation.

The subject property is located north of Walker Road between South 12th Street and South 10th Street. The subject parcel's south, east, and west property boundaries are contiguous with the Lebanon city limits.

To the south, east, and west of the subject property are Lots 3 and 4 of Aspen Park Addition, Lots 1 and 2 of the Jamison Meadow Subdivision, and Lot 9, Block 4 of the Harmony Subdivision, which are within the Lebanon city limits. To the north of the subject property is Parcel 1 of Partition Plat 2020-12 (CS 26789) within the Lebanon Urban Growth Boundary (UGB) and portions of unincorporated Linn County.

All adjacent properties in unincorporated Linn County are zoned Linn County UGA-UGM with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). All adjacent properties within the Lebanon city limits are zoned Residential Mixed Use with the Residential Mixed Use Comprehensive Plan designation.

The Comprehensive Plan designation for the site is Residential Mixed Density (C-RM). In accordance with the Annexation Zoning Matrix of Table 16.26-1 in LDC 16.24.040 of the Lebanon Development Code (LDC), the proposed zoning classification for the site upon annexation is Residential Mixed Density (Z-RM).

The subject property is unimproved. City water, sewer, and storm drainage are available along the frontage of the property within the Walker Road right-of-way. However, no development is proposed with this application.

LEGISLATIVE REVIEW OF ANNEXATION

- A. The subject property is located within Lebanon's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in LDC 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. LDC Chapter 16.26 establishes the Annexation review criteria. LDC 16.26.010 and LDC 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 applicable zone is Residential Mixed Use.
- C. LDC 16.26.030 notes an annexation is necessary to establish the appropriate zone, consistent with the Annexation 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



19-285 Good Well, LLC Walker Rd
12S-02W-15CD Tax Lot 3501
Annexation Application

August 4, 2021
Page 2 of 8

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. LDC 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 are not required.
- E. LDC 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. LDC 16.26.060 contains the decision criteria for an annexation with specific requirements in LDC16.26.060(A). This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. The Annexation Ordinance and Comprehensive Plan decision criteria are essentially the same. To avoid duplication, and where applicable, the findings are combined. The decision criteria are written in **bold** followed by findings and conclusions.

1. Annexation Ordinance Section 1. This ordinance shall be known as the Annexation Ordinance for the City of Lebanon.

FINDING: 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.

FINDING: In accordance with Oregon Revised Statutes (ORS) 222.111, the applicant proposes annexation of a property known as Parcel 2 of Partition Plat 2020-12 and Linn County Tax Assessor's Map No. 12S-02W-15CD Tax Lot 3501 into the Lebanon City Limits by petition to the legislative body.

The subject property is contiguous to the city limits along the south, east, and west property boundaries. It is, therefore, eligible for annexation per ORS 222.111(1) and the Lebanon Annexation Ordinance. Findings in response to LDC 16.26.060(A) of the Lebanon



Development Code, Lebanon Annexation Ordinance, and applicable Comprehensive Plan policies are provided below and incorporated here by reference.

- 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.

FINDING: The Annexation Ordinance policies are consistent with, and often reflect the Comprehensive Plan Annexation Policies. The Oregon Department of Land Conservation Development 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.)

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits along the south, east, and west property boundaries and, is therefore, eligible for annexation.

- 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.

FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits along the south, east, and west property boundaries and, is therefore, 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 subject site is located within the Urban Growth Boundary and contiguous to city limits along the south, east, and west property boundaries and, is therefore, deemed orderly based on this Section.

The 0.54-acre site is currently unimproved. At urban densities, the site is large enough to be further developed or redeveloped. City water, sewer, and storm drainage are available along the property's frontage within the Walker Road right-of-way and are adequate for future residential development. Therefore, the proposed annexation is also efficient.

Based on information contained in the Comprehensive Plan, there are no designated environmental constraints associated with the subject area.

- 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.

FINDING: The application does not include a concurrent development proposal, nor is one required per this Section or Policy.

- 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 sewer, 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 sewer, and streets, of existing development within the annexation territory.

FINDING: The subject property is unimproved. City water, sewer, and storm drainage are available along the property's frontage and adequate to serve future development. The site also has adequate frontage on and access to Walker Road. .

- 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 sewer, 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.

FINDING: The subject property is unimproved. City water, sewer, and storm drainage are available along the property's frontage and adequate to serve future development. The site also has adequate frontage on and access to Walker Road. The impacts from future residential development on the subject site will be minimal on City-provided services.

- 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.**

FINDING: Walker Road maintains a right-of-way width of 60-feet. The adopted 2018 Transportation System Plan identifies Walker Road as a Local Street, which requires a 50- to 60-foot right-of-way. Therefore, the existing right-of-way meets the minimum street right-of-way width standard.

- 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.**

FINDING: This subject property is designated Residential Mixed Density (C-RM) by the Comprehensive Plan. The applicant proposes the establishment of the Residential Mixed Use zone designation upon annexation in accordance with the Annexation Zoning Matrix, Table 16.26-1 of the LDC.

- 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.**

FINDING: This application is limited to the proposed annexation and establishment of the Residential Mixed Use zone designation and does not include a Comprehensive Plan amendment or corresponding zone amendment.

- 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.**



FINDING: 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.**

FINDING: This Section is not applicable, as it provides 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.**

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

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).**

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

17. **Section 16.26.060 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.**

FINDING: The applicant is not aware of any abatement issues related to the site.

18. **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.**

FINDING: There are no site-specific evaluation criteria that apply to the subject property.

19. **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: This subject property is designated Residential Mixed Density (C-RM) by the Comprehensive Plan. The applicant proposes to have the Residential Mixed Use zone designation assigned to the subject property upon annexation in accordance with the Annexation Zoning Matrix, Table 16.26-1 of the LDC.

Overall Conclusion

As proposed, the application for Annexation with concurrent zone map amendment to assign the Residential Mixed Density zone designation complies with the applicable review criteria as outlined above. Therefore, the applicant requests that the Planning Commission recommend the City Council approve the subject application.

Exhibits

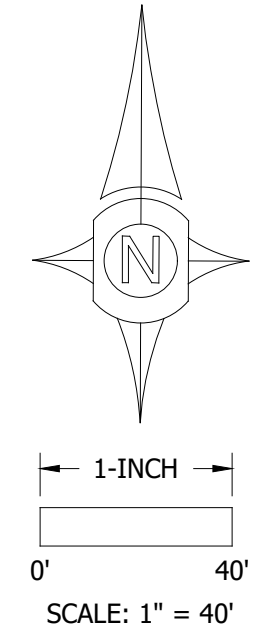
- A. Annexation Map
- B. Legal Description
- C. Partition Plat No. 2020-12 (Linn County Survey No. 26789)

Acronyms

C-RM	Residential Mixed-Density Comprehensive Plan Designation
LDC	Lebanon Development Code
Z-RM	Residential Mixed-Density Zoning District



ANNEXATION MAP
FOR GOOD WELL LAND LLC
LOCATED IN THE RUSSEL T. HILL, DLC NO. 77
IN THE SW 1/4 OF SEC. 15, T. 12 S., R. 2 W., W.M.
CITY OF LEBANON, LINN COUNTY, OREGON
 AUGUST 4, 2021



LEGEND:

- FOUND 1" IRON PIPES PER COUNTY SURVEY 2372 HELD
- () DATA OF RECORD
- [] CALCULATED DATA
- C.S. COUNTY SURVEY
- IR IRON ROD
- W/ YPC WITH YELLOW PLASTIC CAP

REFERENCE SURVEYS: C.S. 2372 (HARMONY SUBDIVISION), C.S. 22439, C.S. 26789

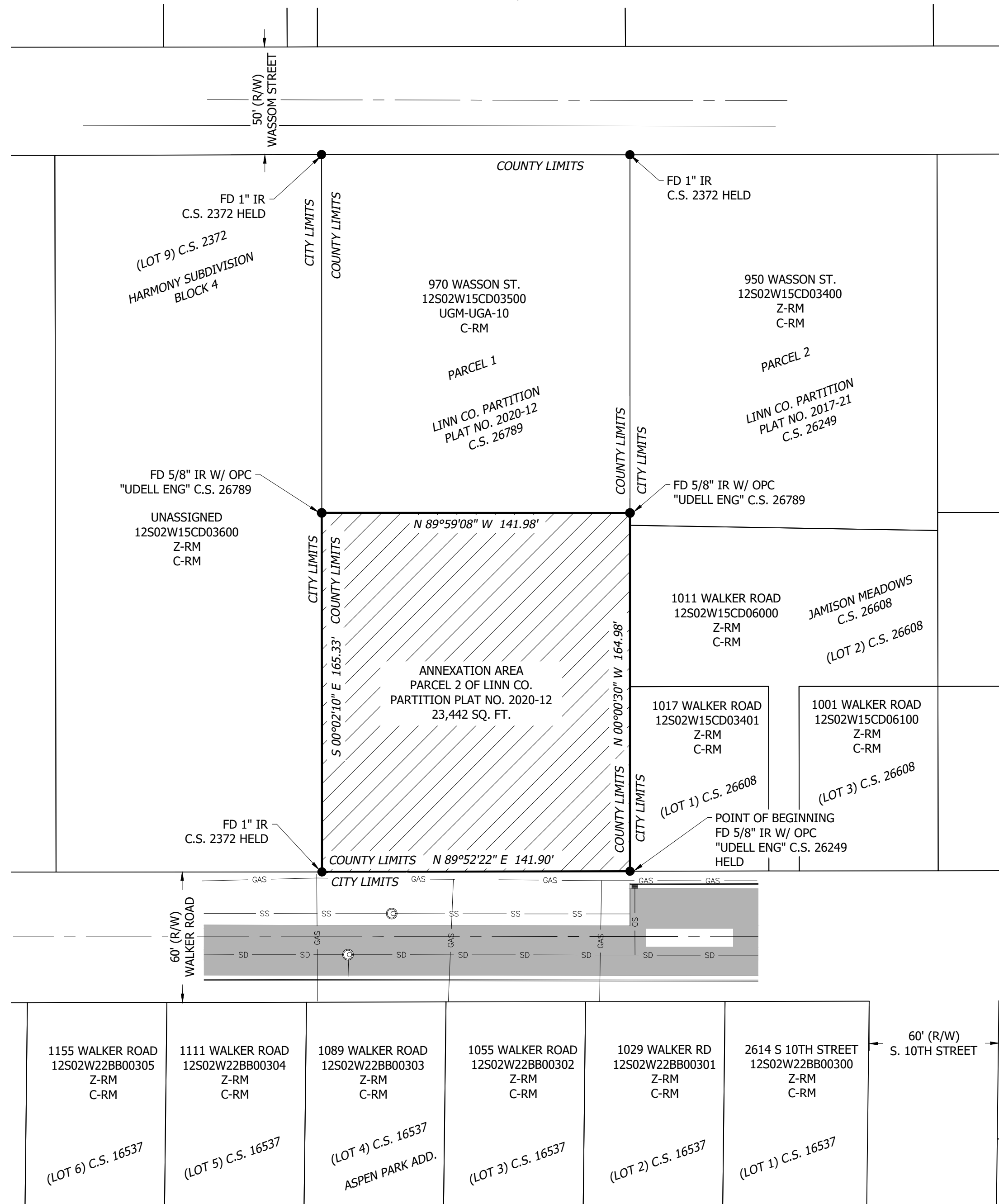
NARRATIVE:

THE PURPOSE OF THIS MAP IS TO DEPICT THE ANNEXATION OF A PORTION THE TERRITORY DESCRIBED IN LINN COUNTY DEED DOCUMENT NO. 2016-04534.

THE LAND DESCRIBED IN DEED DOCUMENT NO. 2016-04534 IS COMPRISED OF PARCEL 2 OF LINN COUNTY PARTITION PLAT NO. 2020-12 IN THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG" ON THE NORTH RIGHT OF WAY OF WALKER ROAD AND MARKING THE SOUTHEAST CORNER OF SAID PARCEL 2, THENCE NORTH 0°00'30" WEST 164.98 FEET TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG" MARKING THE NORTHEAST CORNER OF SAID PARCEL 2; THENCE NORTH 89°59'08" WEST 141.98 FEET TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG" MARKING THE NORTHWEST CORNER OF SAID PARCEL 2; THENCE SOUTH 00°02'10" EAST 165.33 FEET TO A 1-INCH IRON ROD MARKING THE SOUTHWEST CORNER OF SAID PARCEL 2 AND ALSO BEING ON THE NORTH RIGHT OF WAY OF WALKER ROAD; THENCE NORTH 89°52'22" EAST 141.90 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

CONTAINS 23,442 SQUARE FEET ±



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 13, 1999
 BRIAN VANDETTA
 51041-LS
 RENEWAL 6-30-2022

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

Good Well Land, LLC

Annexation Legal Description

An area of land being Parcel 2 of Linn County Partition Plat No. 2020-12 in the Southwest $\frac{1}{4}$ of Section 15, Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon being more particularly described as follows:

Beginning at a 5/8-inch iron rod with orange plastic cap stamped "UDELL ENG" on the North right of way of Walker Road and marking the Southeast corner of said Parcel 2, thence North $0^{\circ}00'30''$ West 164.98 feet to a 5/8-inch iron rod with orange plastic cap stamped "UDELL ENG" marking the Northeast corner of said Parcel 2; thence North $89^{\circ}59'08''$ West 141.98 feet to a 5/8-inch iron rod with orange plastic cap stamped "UDELL ENG" marking the Northwest corner of said Parcel 2; thence South $00^{\circ}02'10''$ East 165.33 feet to a 1-inch iron rod marking the Southwest corner of said Parcel 2 and also being on the north right of way of Walker Road; thence North $89^{\circ}52'22''$ East 141.90 feet along said right of way to the point of beginning.

Contains 23,442 Square Feet \pm

C.S. **26789**
 PARTITION PLAT NO. **2020-12**

AT THE REQUEST OF
GOOD WELL CONSTRUCTION AND JAMES & SANDRA RAGAN
 A REPLAT OF LOT 8, BLOCK 4, HARMONY SUBDIVISION
 LOCATED IN THE SW 1/4 SEC. 15, T. 12 S., R. 2 W., W.M.
 CITY OF LEBANON, LINN COUNTY, OREGON

FEBRUARY 05, 2020

LINN COUNTY NOTICE OF DECISION: PD20-0003

OWNER'S DECLARATION:

KNOW ALL PERSONS THAT JAMES N. RAGAN AND SANDRA J.M. RAGAN ARE THE OWNERS OF THE LAND DESCRIBED HEREON AND HAVE CAUSED THE SAME TO BE PARTITIONED INTO TWO PARCELS AS SHOWN.

James N. Ragan 2-27/2020
 JAMES N. RAGAN DATE

Sandra J.M. Ragan 2/27/2020
 SANDRA J.M. RAGAN DATE

ACKNOWLEDGMENT:

STATE OF OREGON)
) SS
 COUNTY OF LINN)

THIS IS TO CERTIFY THAT ON THIS 27th DAY OF February 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, JAMES N. RAGAN WHO IS KNOWN TO ME TO BE THE IDENTICAL PERSON NAMED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREIN NAMED.

Amanda Albert
 NOTARY SIGNATURE

Amanda Albert
 NOTARY PUBLIC - OREGON
 (PRINT NAME)

COMMISSION NO. 954293

MY COMMISSION EXPIRES September 11th, 2020

ACKNOWLEDGMENT:

STATE OF OREGON)
) SS
 COUNTY OF LINN)

THIS IS TO CERTIFY THAT ON THIS 27th DAY OF February 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, SANDRA J.M. RAGAN WHO IS KNOWN TO ME TO BE THE IDENTICAL PERSON NAMED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREIN NAMED.

Amanda Albert
 NOTARY SIGNATURE

Amanda Albert
 NOTARY PUBLIC - OREGON
 (PRINT NAME)

COMMISSION NO. 954293

MY COMMISSION EXPIRES September 11th, 2020

RECORDER'S STATEMENT:

STATE OF OREGON)
) SS
 COUNTY OF LINN)

I HEREBY CERTIFY THAT THE PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY RECORD OF PARTITION PLATS AS

PLAT NO. 2020-12, ON THIS 2nd DAY OF March,

2020, AT 10:02 O'CLOCK AM, TARGET SHEET RECORDED IN DEED

RECORDS DOCUMENT NO. 2020-4212

STEVE DRUCKENMILLER BY: *Sam Smith* DEPUTY CLERK
 LINN COUNTY CLERK

APPROVALS:

LINN COUNTY NOTICE OF DECISION PLANNING FILE CASE NO. PD20-0003. WE THE UNDERSIGNED HAVE EXAMINED AND APPROVED THE PORTION OF THIS PLAT AS REQUIRED BY THE DESIGNATED AUTHORITY OF OUR RESPECTIVE OFFICES.

Robert Wheelan 03/02/2020
 DIRECTOR, LINN COUNTY PLANNING & BUILDING DEPT. DATE

Thomas Conroy 03/02/2020
 LINN COUNTY SURVEYOR DATE

SURVEYOR'S CERTIFICATE

I, KYLE W. LATIMER BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS PER ORS 92 THE EXTERIOR BOUNDARY AND INTERIOR PARCEL CORNERS AS SHOWN HEREON, THE EXTERIOR BOUNDARY LOT 8, BLOCK 4, HARMONY SUBDIVISION IN THE CITY OF LEBANON, AND WHICH IS DESCRIBED MORE SPECIFICALLY AS FOLLOWS:

BEGINNING AT A 1" IRON ROD MARKING THE NW CORNER OF LOT 8, BLOCK 4, HARMONY SUBDIVISION, RECORDED IN BOOK OF PLATS, VOLUME 9, PAGE 10; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF WASSOM STREET SOUTH 89°57'17" EAST, A DISTANCE OF 142.06 FEET TO A 1" IRON ROD; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 00°00'30" EAST, A DISTANCE OF 329.96 FEET TO A 5/8" IRON ROD ON THE NORTH RIGHT-OF-WAY OF WALKER ROAD; THENCE ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 89°52'22" WEST, A DISTANCE OF 141.90 FEET TO A 1" IRON ROD; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, NORTH 00°02'10" WEST, A DISTANCE OF 330.39 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S STATEMENT:

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID

AS OF THE 2nd DAY OF March, 2020.

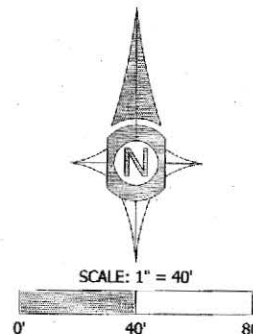
Christopher Conroy DEPUTY
 LINN COUNTY TAX COLLECTOR/ASSESSOR

NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO DIVIDE THE LAND DESCRIBED IN LINN COUNTY DEED DOCUMENT VOLUME 1481, PAGE 298 AS PERMITTED IN THE CITY OF LEBANON PLANNING FILE NO. PD20-0003.

THE EXTERIOR BOUNDARY MONUMENTS FOR LOT 8, BLOCK 4, HARMONY SUBDIVISION SET IN COUNTY SURVEY 2372 AND COUNTY SURVEY 26249 WERE RECOVERED AND HELD AS SHOWN HEREON.

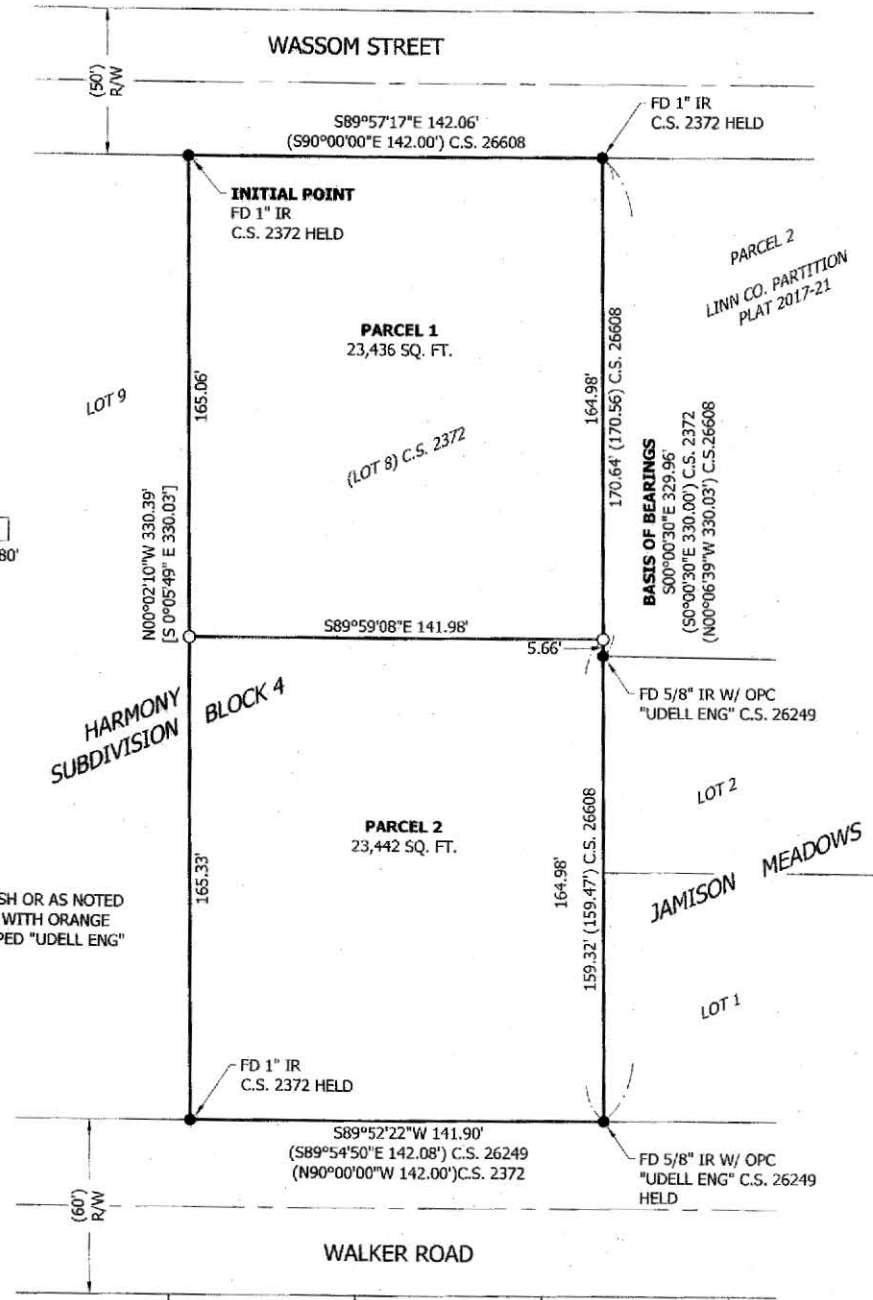
THE BASIS OF BEARING WAS ESTABLISHED ALONG THE EAST LINE OF LOT 8, BLOCK 4, HARMONY SUBDIVISION, PER COUNTY SURVEY 2372.



LEGEND:

- MONUMENT FOUND FLUSH OR AS NOTED
- SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG"
- () DATA OF RECORD
- AC ACRES
- DLC DONATION LAND CLAIM
- C.S. COUNTY SURVEY
- C.R. COUNTY ROAD
- FD FOUND
- IR IRON ROD
- R/W RIGHT OF WAY
- W/ WITH
- OPC ORANGE PLASTIC CAP

REFERENCE SURVEYS:
 2372, C.S. 26249, C.S. 26608



EASEMENTS OF RECORD:

A PUBLIC RECORDS TITLE REPORT NO. 7081-3329339 REVEALED THE FOLLOWING EASEMENT OF PUBLIC RECORD:

- UNDERGROUND POWER TRANSMISSION FACILITY EASEMENT IN FAVOR OF CONSUMERS POWER, INC., AN OREGON CORPORATION, RECORDED JUNE 20, 2014 AS DOCUMENT NO. 2014-07346. INSUFFICIENT DESCRIPTION TO ACCURATELY PLOT HERE

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.
Kyle W. Latimer
 KYLE W. LATIMER

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Kyle W. Latimer
 OREGON
 JUNE 12, 2013
 KYLE W. LATIMER
 #80442
 EXPIRES 12-31-2020

Udell
 ENGINEERING & LAND
 SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OR 97355
 PH. (541) 451-5125
 FAX (541) 451-1366
 19-285 GOOD WELL WALKER PP

AGENDA ITEM

4.b.





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: Charmain Salvage and Planning Commissioners Date: September 1, 2021
From: Kelly Hart, Community Development Director
Subject: Development proposal for a 42-unit apartment complex at northwest corner of Vaughan Lane and S Main Road (AR-21-05)

I. BACKGROUND

The subject property is located on the northwest corner of the intersection of Vaughan Lane and South Main Road. The Applicant, Prism Manor, LLC, is proposing to develop the currently vacant property with a 42-unit apartment complex. Under consideration is an application for an Administrative Review (AR-21-05) for the development of the apartment complex.

II. CURRENT REPORT

Project Location and Zoning Designation – The subject parcel is 1.73 acres (75,346 square feet) and located at the northwest corner of Vaughan Lane and South Main Road. The property is zoned Residential Mixed-Density (Z-RM). Surrounding the property to the north and east are single-family residential homes located in the City and county unincorporated areas with the comprehensive plan and zoning designation of Residential Mixed Density (C-RM). To the south is single family homes in the county with the comprehensive plan designation of C-RM, as well as the Kids & Company of Linn County day care center in city limits with the zoning designation of Z-RM. To the west is a single-family home subdivision in the Residential Low-Density zone (Z-RL).

Development Proposal – The Applicant is proposing to develop a 42-unit apartment complex. As indicated on the site plan, there would be a total of two 3-story apartment buildings and an office building. Both apartment buildings and the office building are located on the southern half of the property, with the parking area located on the northern half of the property. The two apartment buildings are separated by the internal drive aisle to provide access from Vaughan Lane.

In terms of setbacks, per Section 16.05.090 of the Lebanon Development Code (LCD), the minimum observed setbacks shall be a 10/15-foot front setback and street side setbacks, 5-foot side setbacks, and a 20-foot rear setback. As indicated on the site plan, the front setback (on Vaughan Lane) would be 15-feet. The street side setback (on South Main Road) would be 10-feet, the side setback (northern property line) would be 5 feet, and the rear setback (western property line) would be 20-feet.

For maximum building coverage, Section 16.05.090 authorizes 60% of the property for building coverage. As proposed the building coverage would be 17.8%, meeting this standard. For building height, the maximum height authorized in the Z-RM zone is 40 feet. Elevation plans have been provided in architectural plan package included in the record which shows the building height to be less than 40 feet, complying with this standard.

For Density, the minimum lot size for a multifamily use in the RM zone is 9,000 square feet. At 1.73 acres (75,346 square feet), the subject property exceeds this standard. Section 16.05.160 of the LDC indicates the minimum site area for different unit sizes: 1,550 square feet for a one-bedroom unit; and 2,000 square feet for a two-bedroom unit.

Unit Type	Number of Units	Total Square Footage
One-Bedroom	21	32,550 sq. ft. required
Two-Bedroom	21	42,000 sq. ft. required
TOTAL		74,550 sq. ft. or 1.71 acres

Open space requirements identified in Section 16.05.170 of the LDC include 25% of the project development area to be designated for open space/landscaping. Of this open space area, at least 50% shall be usable open space (i.e., not designated for storm drain facilities, etc.), and at least 25% of this usable open space shall be located in one area. In addition, a 500 square foot children’s play area shall be provided. The remainder of the open space area may be distributed throughout the site. As proposed, the applicant is providing 38.9% of the site as landscaping, 59% of the landscaping (9,419 square feet) would be designated for usable open space that is not dedicated for storm drainage or wetlands. 25% of the usable open space (2,340 square feet) is located in the western portion of the site to the west of the building block and parking area. The required children’s play area would also be located in this area. Based on the provided site plan, the development proposal meets the minimum requirements for open space.

The western portion of the property contains delineated wetlands as shown on the existing conditions plan, with a small portion of the wetlands proposed to be filled. The remaining of the wetland area and western site would be utilized for open space for the development. Section 16.05.170.E.8 indicates that no more than 20% of the common open space requirement shall be on land with delineated sustained wetlands. As shown on the site plan, the areas designated for common open space (as indicated with a hatched line) do not include areas of sustained delineated wetlands. As such, this section of the code has been satisfied.

For parking, Section 16.14.070 of the LDC requires 2.25 vehicle parking spaces per unit, and 0.5 bicycle parking spaces per unit. This would require 94 vehicle parking spaces, and 21 bicycle parking spaces. In addition, Section 16.14.030 identifies authorized parking reduction of up to 15% when additional covered and uncovered bicycle parking is provided. The applicant is only proposing a 11% reduction. With the code authorized reduction, the minimum required vehicle parking would be 80 spaces, and the minimum required bicycle parking would be 71 spaces, 42 covered, and 21 uncovered. The development has proposed to meet the minimum vehicle parking with 84 open parking spaces along the internal drive aisle. Bicycle racks would also be provided throughout the site the meet the 29 uncovered bicycle parking requirements, and a total of 42 covered bicycle parking spaces would be provided including covered racks, and storage in each unit, exceeding the minimum requirements.

Project Access and Transportation – The site would be accessed from two driveways, one on Vaughan Lane and one on South Main Road. These driveways would provide access to the internal drive aisle and parking fields. Two points of access are required to meet Fire District standards. The access and internal circulation have been designed to meet Fire Code standard for access and turnaround requirements.

For Vaughan Lane, the adopted Transportation System Plan (TSP) identifies Vaughan Lane as a Minor Arterial, which requires a minimum right-of-way width of 75-feet. The current width of Vaughan is 50-feet. The Engineering Department has reviewed the proposed development and has request a land dedication along Vaughan Lane of 10-feet for future right-of-way expansion.

Regarding traffic considerations, Section 16.20.110 identifies the criteria for a project to automatically trigger the requirement of a traffic impact analysis (TIA). These criteria include triggering over 300 average daily trips per day, if the project is located near a major intersection on the highway and there are safety concerns, whether there is a change in zoning proposed or if the driveways proposed do not meet the vision clearance requirements. In accordance with the International Traffic Engineers manual, a mid-rise apartment complex would result in a daily average of 5.44 trips per unit. With 42 units, this would equate to 229 average daily trips, below the threshold to require a TIA. In addition, the project is not located near a major intersection on a highway, there is no change in zoning proposed, and the driveways proposed meet the vision clearance requirements identified for intersections and driveways per Section 16.12.030.H of the development code. As such, the project does not trigger the requirement for a TIA. In addition, the Engineering Department has reviewed the proposal and has not indicated a traffic concern that would warrant a TIA at this time.

Utilities – There is an existing 12-inch public sanitary sewer mainline in South Main Road along the property frontage. This project would connect to that existing sanitary sewer at an existing manhole in the intersection of Vaughan Lane and South Main Road. An 8-inch public mainline would be constructed with this project, west in the Vaughan Lane right-of-way, the full length of the subject property. Service laterals would be extended into the project from the newly constructed public sanitary sewer.

There is an existing 12-inch public water main the full length of the subject property within both the South Main Road right-of-way and the Vaughan Lane right-of-way. Fire water and domestic water service connections would be made on Vaughan Lane to serve the proposed development. There are existing Fire Hydrants located at the intersection of Vaughan Lane and South Main Road, Quail Place and Vaughan Lane and on Wagon Wheel Drive approximately 100 feet east of South Main Road. A new fire hydrant is proposed at the entrance of the apartments off of Vaughan Lane.

There is an existing 12-inch public storm drain main near the southeast corner of the subject property in Vaughan Lane. The proposed project would drain its developed stormwaters into this existing storm drainage system. The proposed private storm drainage system would include a flow control orifice and onsite detention pond. These proposed private storm drainage features will limit the developed stormwater run-off rates to the calculated stormwater run-off rates for pre-development conditions during a 10-year storm event.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The Applicant is requesting consideration of an Administrative Review for the development of a 42-unit apartment complex. Below is an analysis of the review criteria (Section 16.20.040.D of the LDC) and recommended findings:

1. The proposal shall conform to use, height limits, setbacks and similar development requirements of the underlying zone.

RECOMMENDED FINDING: The underlying zone of the property is Residential Mixed Density. Minimum setbacks include 10/15-foot front and street side setback, 20-foot rear, and 5-foot side setbacks; the maximum height permissible in the zone is 40-feet; and the maximum lot coverage is 60%. For multi-family development, a minimum 25% of the development site shall be open space, including a children's play area and common open space. The development proposal conforms with all these standards, observing setbacks that meet or exceed the minimum standard with a 15-foot front setback (on Vaughan Lane), 10-foot side setback (on South Main Road), a 20-foot rear setback from the western property line, and 5-foot setback to the fence line to the north. The lot coverage for the project is 17.8% which is well below the maximum coverage. The maximum proposed building height within the development is 40-feet, meeting the maximum permissible.

For open space, the development provides 38.9% of the site as landscaping, 59% of the landscaping (9,419 square feet) would be designated for usable open space that is not dedicated for storm drainage or wetlands. 25% of the usable open space (2,340 square feet) is located in the western portion of the site to the west of the building block and parking area. The required children's play area would also be located in this area. Based on the provided site plan, the development proposal meets the minimum requirements for open space.

The western portion of the property contains delineated wetlands as shown on the existing conditions plan, with a small portion of the wetlands proposed to be filled. The remaining of the wetland area and western site would be utilized for open space for the development. Section 16.05.170.E.8 indicates that no more than 20% of the common open space requirement shall be on land with delineated sustained wetlands. As shown on the site plan, the areas designated for common open space (as indicated with a hatched line) do not include areas of sustained delineated wetlands. As such, this criteria has been satisfied.

2. The proposal shall comply with applicable access and street improvement requirements in Chapters 16.12 and 16.13, respectively.

RECOMMENDED FINDING: The site would be accessed from two driveways, one on Vaughan Lane and one on South Main Road. These driveways would provide access to the internal drive aisle and parking fields. Two points of access are required to meet Fire District standards. The access and internal circulation have been designed to meet Fire Code standard for access and turnaround requirements.

For Vaughan Lane, the adopted Transportation System Plan (TSP) identifies Vaughan Lane as a Minor Arterial, which requires a minimum right-of-way width of 75-feet. The current width of Vaughan is 50-feet. The Engineering Department has reviewed the proposed development and has request a land dedication along Vaughan Lane of 10-feet for future right-of-way expansion.

Regarding traffic considerations, Section 16.20.110 identifies the criteria for a project to automatically trigger the requirement of a traffic impact analysis (TIA). These criteria include triggering over 300 average daily trips per day, if the project is located near a major intersection on the highway and there are safety concerns, whether there is a change in zoning proposed or if the driveways proposed do not meet the vision clearance requirements. In accordance with the International Traffic Engineers manual, a mid-rise apartment complex would result in a daily average of 5.44 trips per unit. With 42 units, this would equate to 229 average daily trips, below the threshold to require a TIA. In addition, the project is not located near a major intersection on a highway, there is no change in zoning proposed, and the driveways proposed meet the vision clearance requirements identified for intersections and driveways per Section 16.12.030.H of the development code. As such, the project does not trigger the requirement for a TIA. In addition, the Engineering Department has reviewed the proposal and has not indicated a traffic concern that would warrant a TIA at this time.

3. The proposal shall comply with applicable parking requirements in Chapter 16.14.

RECOMMENDED FINDING: Section 16.14.070 of the LDC requires 2.25 vehicle parking spaces per unit, and 0.5 bicycle parking spaces per unit. This would require 94 vehicle parking spaces, and 21 bicycle parking spaces. In addition, Section 16.14.030 identifies authorized parking reduction of up to 15% when additional covered and uncovered bicycle parking is provided. The applicant is only proposing a 11% reduction. With the code authorized reduction, the minimum required vehicle parking would be 80 spaces, and the minimum required bicycle parking would be 71 spaces, 42 covered, and 21 uncovered. The development has proposed to meet the minimum vehicle parking with 84 open parking spaces along the internal drive aisle. Bicycle racks would also be provided throughout the site the meet the 29 uncovered bicycle parking requirements, and a total of 42 covered bicycle parking spaces would be provided including covered racks, and storage in each unit, exceeding the minimum requirements.

4. The proposal shall comply with applicable screening and landscaping provisions in Chapter 16.15.

RECOMMENDED FINDING: The architectural plans provided in the application materials and incorporated here as referenced identifies the landscaped areas and preserved wetland areas for the project. To comply with Chapter 16.15 of the development code, a landscape plan has been required as a condition of development to ensure the appropriate number of trees, shrub and ground cover is provided to meet the minimum requirements of Chapter 16.15.

5. Any required public facility improvements shall comply with provisions in Chapter 16.16.

RECOMMENDED FINDING: There is an existing 12-inch public sanitary sewer mainline in South Main Road along the property frontage. This project would connect to that existing sanitary sewer at an existing manhole in the intersection of Vaughan Lane and South Main Road. An 8-inch public mainline would be constructed with this project, west in the Vaughan Lane right-of-way, the full length of the subject property. Service laterals would be extended into the project from the newly constructed public sanitary sewer.

There is an existing 12-inch public water main the full length of the subject property within both the South Main Road right-of-way and the Vaughan Lane right-of-way. Fire water and domestic water service connections would be made on Vaughan Lane to serve the proposed development. There are existing Fire Hydrants located at the intersection of Vaughan Lane and South Main Road, Quail Place and Vaughan Lane and on Wagon Wheel Drive approximately 100 feet east of South Main Road. A new fire hydrant is proposed at the entrance of the apartments off of Vaughan Lane.

There is an existing 12-inch public storm drain main near the southeast corner of the subject property in Vaughan Lane. The proposed project would drain its developed stormwaters into this existing storm drainage system. The proposed private storm drainage system would include a flow control orifice and onsite detention pond. These proposed private storm drainage features will limit the developed stormwater run-off rates to the calculated stormwater run-off rates for pre-development conditions during a 10-year storm event.

The identified public facility improvements have been reviewed by the Engineering Department and are confirmed to meet the minimum standards for Chapter 16.16 and the Engineering Standards. Conditions of development have been incorporated to dictate further required public improvements. As such, with the conditions included, this criteria has been met.

6. Where applicable, the proposal shall comply with development requirements within identified hazard areas and/or overlay zones.

RECOMMENDED FINDING: There are no identified hazard areas and/or overlay zones within or near the subject site. As such, the development proposal complies with this decision criteria.

7. The proposal shall comply with the supplementary zone regulations contained in Chapter 16.19 or elsewhere in the Development Code.

RECOMMENDED FINDING: All accessory structures, uses, and building projects fully comply within the minimum setback standards identified in Chapter 16.05 and Chapter 16.19.

IV. PUBLIC NOTIFICATION AND COMMENTS

A public notification for this project was issued on August 25, 2021. One public comment was received prior to the agenda posting and has been included in the agenda packet for review. Any comments received prior to the public hearing date will be provided to the Planning Commission and posted on the City's website prior to the meeting for review and discussed

during the public hearing. Comments were received by the Fire District, Engineering Department, and the Building Department and have been incorporated as conditions of development for the application.

V. CONCLUSION AND RECOMMENDED CONDITIONS FOR DEVELOPMENT

Staff finds the proposal complies with the decision criteria for an Administrative Review, and recommends approval of the application subject to the adoption of the following Conditions of Development:

1. The Planning Department conditions include, but may not be limited to:
 - a. Sight obscuring fencing shall be constructed to a minimum of six feet in height along the western and northern property lines, with the exception of designated vision clearance areas.
 - b. A landscape plan shall be submitted and approved prior to the issuance of building permits. High screen landscaping standards shall be applied to the northern and western property boundaries in areas not designated as maintained wetlands.
 - c. A Children's play area shall be provided in compliance with Section 16.05.170.F. Any and all playground equipment shall comply with the International Play Equipment Manufacturers Association standards. The children's play area shall be included for review as part of the landscape plan.
 - d. A minimum of 84 vehicle parking spaces shall be maintained on-site at all times. A minimum of 29 uncovered and 42 covered bicycle spaces shall be permanently maintained.
 - e. A permit through the Department of State Lands (DSL) shall be issued for any wetland fill proposed as part of the development proposal.
 - f. All exterior lighting provided on the property shall be oriented away from neighboring properties and meet the lighting standards identified in Chapter 16.19 of the development code.
2. All requirements of the Lebanon Fire District shall be met, including but not limited to:
 - a. Plans shall be submitted for review and approval by the Lebanon Fire Marshal that demonstrates full compliance with the Oregon Fire Code and local amendments. Lebanon Fire Marshal approval shall be obtained prior to issuance of building permits.
3. The Engineering Department conditions include, but may not be limited to:

General

 - a. All public improvements shall:
 - i. conform to the latest "City of Lebanon Standards for Public Improvements."
 - ii. require completion of a Drawing Review Application and a Public Improvements Permit prior to beginning construction.
 - iii. be designed by a professional engineer registered in the State of Oregon.

- iv. Prior to final plat approval, a bond or other approved form of assurance is required for all incomplete public improvements.
- b. An engineered site plan shall be submitted for review and approval for the site. 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.
- d. All private, onsite utilities must be reviewed and approved by the City Building Official.
- e. Provide a landscape and illumination plan as part of the engineering site plan review plan set.

Transportation

- a. Construct City standard full depth half street improvement along Vaughan the length of the lot frontage. All sidewalks and driveway approaches must comply with ADA requirements.
- b. Provide a Geotech report including minimum street section for wet and dry weather construction conditions for both the public and private street sections.
- c. Provide City standard street trees in compliance with the City of Lebanon street tree policy. See the policy and approved street tree list at (<http://www.ci.lebanon.or.us/index.aspx?page=117>).
- d. With engineering drawings, indicate the location of street and path lights, mailboxes, utility pedestals, signs.
- e. Mailbox locations must also be reviewed and approved by the Postmaster.
- f. Site lighting shall not glare or shine onto adjacent public streets or neighboring properties.
- g. 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.

Water

- a. Identify any on-site wells on the engineered drawings. Back flow prevention devices will be required on any lot that is also served by the city water system.
- b. Fire suppression will be under the Fire Marshal review and approval. The number and location of fire hydrants shall be approved by the Lebanon Fire Marshal. All new hydrants must be operational and accepted by the City prior to storage of combustible materials on site.

Sewer System

- a. Identify any on-site septic systems on the engineering drawings.

Storm 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. Storm drain capacity shall be determined by the Rational Method for a 10-year event with a 15-minute minimum durations time using the curve (fig 5.3) in the master plan. A detailed design including engineering calculations shall be submitted as part of site

- plan review.
- b. With the engineering drawings, provide a grading plan for the sites that indicates existing and proposed elevations. Drainage improvements (ditches and or piping) may be required at the site boundaries to prevent adverse impacts. The engineering drawings must provide a detailed design (including calculations) of the drainage improvements and mitigation of any impacts to adjacent properties.
 - c. Provide verification of Oregon DEQ NPDES 1200C permit issuance and all condition of permit issuance prior to construction
 - d. Provide correspondence from the appropriate state and federal regulatory agencies regarding wetland identification and required fill-removal permits, if any. Any wetlands identified as being impacted by public improvements shall be mitigated prior to the final acceptance of public improvements.
 - e. With engineering drawings provide a construction erosion prevention plan.

Landscaping

- a. 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.

V. RECOMMENDED ACTIONS

1. Evaluate the public testimony and the record established before the Planning Commission
2. Commission options:
 1. Approve the proposed Administrative Review (AR-21-05) for the development of a 42-unit apartment complex adopting the written findings for the decision criteria contained in the staff report with the conditions of development; or
 2. Approve the proposed Administrative Review (AR-21-05) for the development of a 42-unit apartment complex, adopting modified findings for the decision criteria and conditions of development; or
 3. Deny the proposed Administrative Review (AR-21-05) for the development of a 42-unit apartment complex, specifying reasons why the proposal fails to comply with the decision criteria; and
 4. Direct staff to prepare an Order of Decision for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.

Tammy Dickey

From: Davin Dahlgren <davin.dahlgren@indwelt.com>
Sent: Wednesday, September 1, 2021 9:09 PM
To: Kelly Hart
Subject: Public comment on AR-21-05

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I am writing in opposition to the proposed development by Prism Manor, LLC. According to the diagram in the public notice, building B looks to be placed in such a way that it will completely block the view in that direction. That is the one direction in which we can still see the hills from our house and I would hate to lose that. Since the proposed development is a three-story building, we will likely not be able to see anything, even from our upstairs windows. I don't relish the idea of people being able to look down into our back patio, either. That's the one bit of outdoor privacy we still have after the city forced us to destroy our trees that bordered the front yard. I had hoped that whatever development would happen in that lot, would have been less obtrusive. Since it looks to be fairly invasive, I wish to register my objection to the further advancement of this project.

Davin Dahlgren
10 Grace Street
Lebanon, OR 97355



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **September 15, 2021 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.:	AR-21-05
Applicant:	Prism Manor, LLC
Location:	Vaughan Ln & South Main Rd
Map & Tax Lot No.:	12S02W22A 07000
Request:	Administrative Review
Decision Criteria:	Lebanon Development Code Chapters: 16.05 & 16.20

Request: The applicant is requesting Administrative Review approval to construct a 42-unit, three story apartment complex with associated site improvements.

Meeting Information: The public is invited to either participate in person at the Santiam Travel Station, or watch the meeting online on September 15, 2021 through the City of Lebanon's YouTube page at: <https://youtu.be/lhTIJKTWkuQ>. The Agenda and application materials will be available for review on the City's website at <https://www.ci.lebanon.or.us/meetings> seven days prior to the hearing.



Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, September 14, 2021**. Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. Members of the public may also provide comments on the agenda item in person at the Santiam Travel Station during the meeting.

If you are unable to attend the meeting and wish to address the Commission under Public Comments or for a Public Hearing, click:

https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_ipnNBgdCRXOMxDc4ip_JCw to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting. Please register **ONLY** if you wish to address the Commission. If you want to watch or listen to the meeting please click this link to do so on YouTube: <https://youtu.be/lhTIJKTWkuQ>.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address 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,

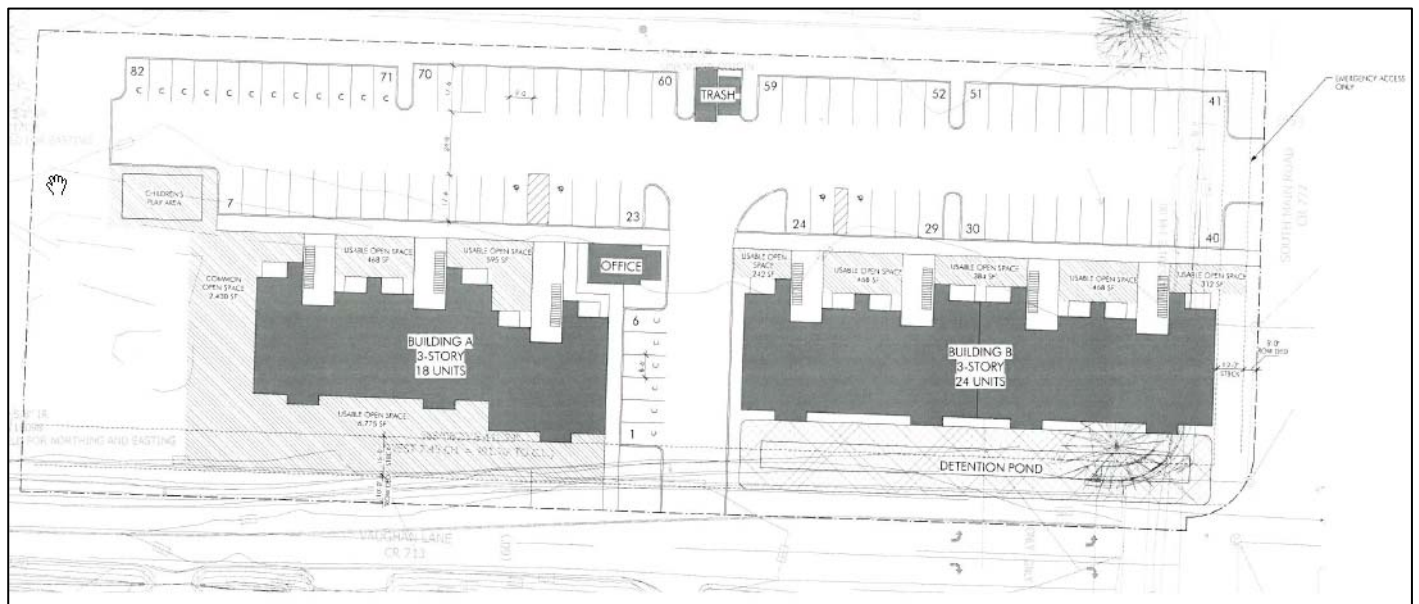
prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

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.

The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

PROPOSED SITE PLAN





LAND USE APPLICATION

PROPERTY INFORMATION

Site Address(es):
 Assessor's Map & Tax Lot No.(s): 12S02W22A007000
 Comprehensive Plan Designation / Zoning Designation: RM
 Current Property Use: Undeveloped
 Project Description: New 42-unit multifamily on existing undeveloped lot.

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: Prism Manor, LLC Phone: (503) 932-3541
 Address: PO Box 20730 Email: rkathygrows@msn.com
 City/State/Zip: Keizer, OR 97307

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.

APPLICANT SIGNATURE *C. R. Jewson* Date: 8/13/2021

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: Phone:
 Address: Email:
 City/State/Zip:

OWNER SIGNATURE Date:

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Phone:
 Address: Email:
 City/State/Zip:

Architect: Matt Johnson Phone: (503) 390-6500
 Address: 275 Court St NE Email: matt@studio3architecture.com
 City/State/Zip: Salem, OR 97301

Other: Phone:
 Address: Email:
 City/State/Zip

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- Application and Filing Fee
- Narrative Describing the Proposed Development 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, Include other drawings if applicable
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

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	\$750	Planned Development – Preliminary	\$2,500
<input checked="" type="checkbox"/> Administrative Review (Planning Commission)	\$1,500	Planned Development – Final (Ministerial)	\$500
Annexation	\$2,500	Planned Development – Final (Administrative)	\$750
Code Interpretation	\$250	Planned Development – Final (Quasi-Judicial)	\$1,500
Comprehensive Plan Map/Text Amendment	\$2,500	Subdivision Tentative	\$1,500
Conditional Use	\$1,500	Subdivision Final	\$750
<input checked="" type="checkbox"/> Fire District Plan Review	\$100	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Historic Preservation Review or Register	Varies	UGB Amendment	Actual Cost
Land Partition	\$750	Variance (Class 1 – Minor Adjustment)	\$250
Ministerial Review	\$250	Variance (Class 2 – Adjustment)	\$750
Non-Conforming Use/Development	\$750	Variance (Class 3)	\$1,500
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received: Aug 16, 2021 Date Complete: _____ Receipt No.: 9763
 Received By: [Signature] Total Fee: \$1600- File No.: AR.21.05

THE CITY THAT FRIENDLINESS BUILT

New 42-Unit Multifamily Development Lebanon, OR

Tax Map: 12S02W22A007000

Base Zone: Z-RM Residential Mixed Density

Project Team:

Architect:

Matt Johnson, AIA
Studio 3 Architecture
275 Court St. NE
Salem, OR 97301
Ph: 503.390.6500
Email: matt@studio3architecture.com

Civil Engineer:

Brian Vandetta, PE, PLS
Udell Engineering & Land Surveying
63 East Ash St
Lebanon, OR 97355
Ph: 541.451.5125
Email: brian@udelleng.com

Project Summary:

The proposed development is an 42-unit apartment complex on an undeveloped 1.89 acre site located at the NW corner of the intersection of Vaughan Lane and S Main Rd. The project includes on-site parking, provided at a ratio of 2 stalls per dwelling unit. Covered bicycle parking will be provided at a ratio of 1 stall per unit (exceeds the development code minimum in order to reduce vehicle parking ratio). The driveway access is proposed on Vaughan Lane, with an emergency vehicle only driveway on S Main Rd. The proposed apartment buildings are an even mix of 1-bed/1-bath and 2-bed/2-bath units. Each unit has its own private patio facing the parking lot.

LDC Article Two – Land Uses and Land Use Zones

The property is zoned Z-RM (Residential Mixed Density). Per LDC 16.05.040, the proposed 42-unit development is required to be reviewed by the Lebanon Planning Commission.

LDC Article Three – Development Standards

The table below demonstrates the proposed development’s compliance with the LDC’s development standards:

	LDC Requirement	Proposed Development
Height	Max. 40’-0”	36’-0”
Lot Coverage (Building Only)	Max. 60%	17.8%
Lot Size	Min. 9,000 sf	75,346 sf
Permanent Open Area	Min. 25%	38.9%
Common Open Space	Min. 2,355 sf	2,340 sf
Vehicle Parking	2/unit = 84	84
Bicycle Parking	1/unit = 42	42

16.05.170 Open Space Requirements:

25% percent of the project development area is required to be developed as landscaped and permanently maintained open area. This equates to 18,837 sf of open space for the subject property. The proposed site plan designates 29,344 sf (38.9%) as landscaped open space. 9,419 sf (50%) of the required open space is to be usable outdoor space (not designated for stormwater facilities or similar functions). 2,355 sf of usable open space is required to be located in a single area and considered common open space, and is proposed to be maintained as open lawn. The proposed site plan has a large portion of usable open space located to the south and west of Building A. Additional usable open space is distributed throughout the site, totaling 9,712 sf. A 550 sf open area is designated as a children’s play area, meeting the required 500 sf minimum.

Utilities/Engineering:

Sanitary Sewer:

There is an existing 12-inch public sanitary sewer mainline in S. Main Street along the property frontage. This project will connect to that existing sanitary sewer at an existing manhole in the intersection of Vaughan Lane and S. Main Street. An 8-inch public mainline will be constructed with this project, west in the Vaughan Lane right-of-way, the full length of the subject property. Service laterals will be extended into the project from the newly constructed public sanitary sewer.






Water:

There is an existing 12-inch public water main the full length of the subject property within both the S. Main Street right of way and the Vaughan Lane right of way. Fire water and domestic water service connections will be made on Vaughan Lane to serve the proposed development. There are existing Fire Hydrants located at the intersection of Vaughan Lane and S. Main Road, Quail Place and Vaughan Lane and on Wagon Wheel Drive approximately 100 feet east of S. Main Road. A new fire hydrant is proposed at the entrance of the apartments off of Vaughan Lane.

Storm Drainage:

There is an existing 12-inch public storm drain main near the southeast corner of the subject property in Vaughan Lane. The proposed project will drain its developed stormwaters into this existing storm drainage system. The proposed private storm drainage system will include a flow control orifice and onsite detention pond. These proposed private storm drainage features will limit the developed stormwater run-off rates to the calculated stormwater run-off rates for pre-development conditions during a 10-year storm event.

SITE PLAN LEGEND:

-  BUILDING AREA
-  BUILDING OVERHANG ABOVE
-  LANDSCAPING
-  CONCRETE FLOOR/SIDEWALK/PAD
-  OPEN SPACE (USABLE)

LOT COVERAGE:

SITE AREA BREAKDOWN	AREA	%
BUILDINGS	13,417 SF	17.8%
PAVINGS, SIDEWALKS	32,385 SF	43.3%
LANDSCAPE	29,344 SF	38.9%
TOTAL SITE AREA	75,346 SF	100 %

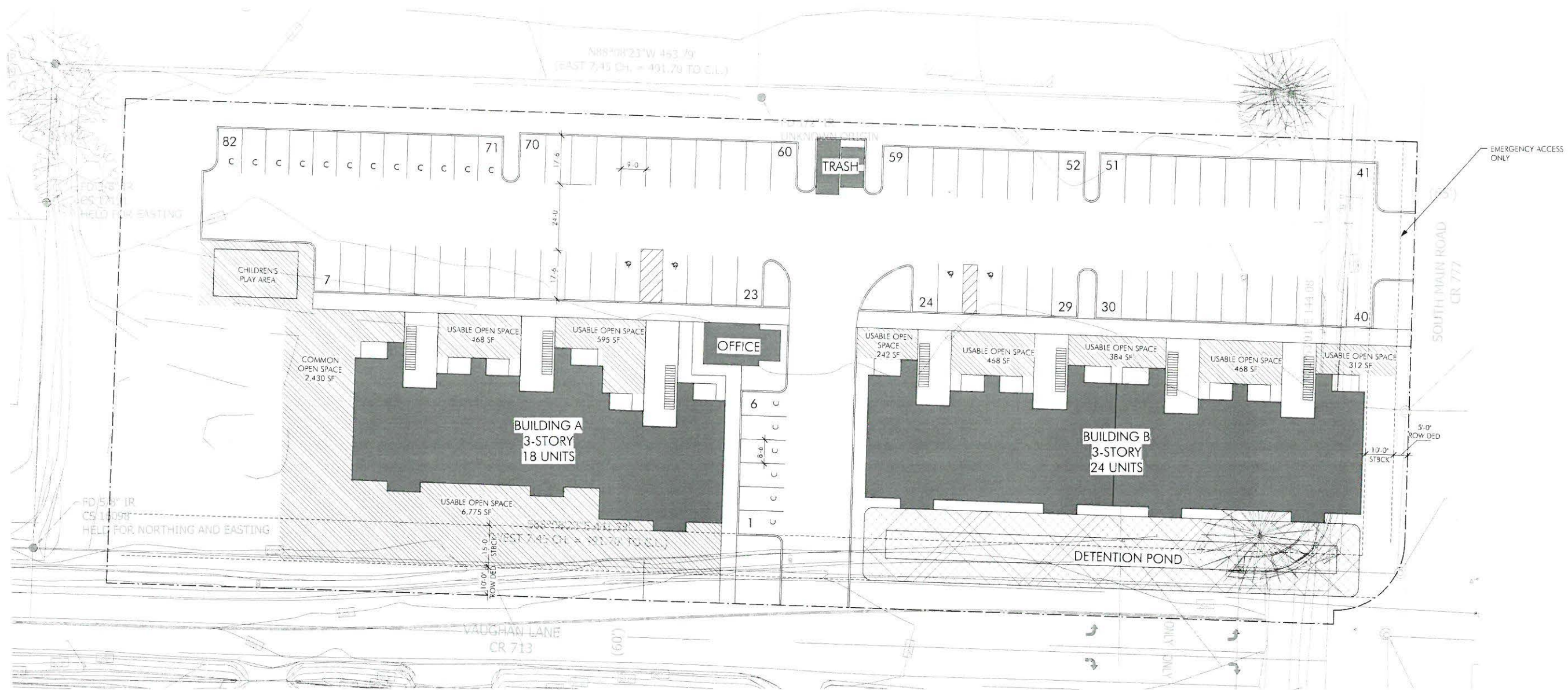
NOTE: SITE AREA CALCULATIONS ARE BASED ON TOTAL SITE AREA AFTER ASSUMED ROW DEDICATION.

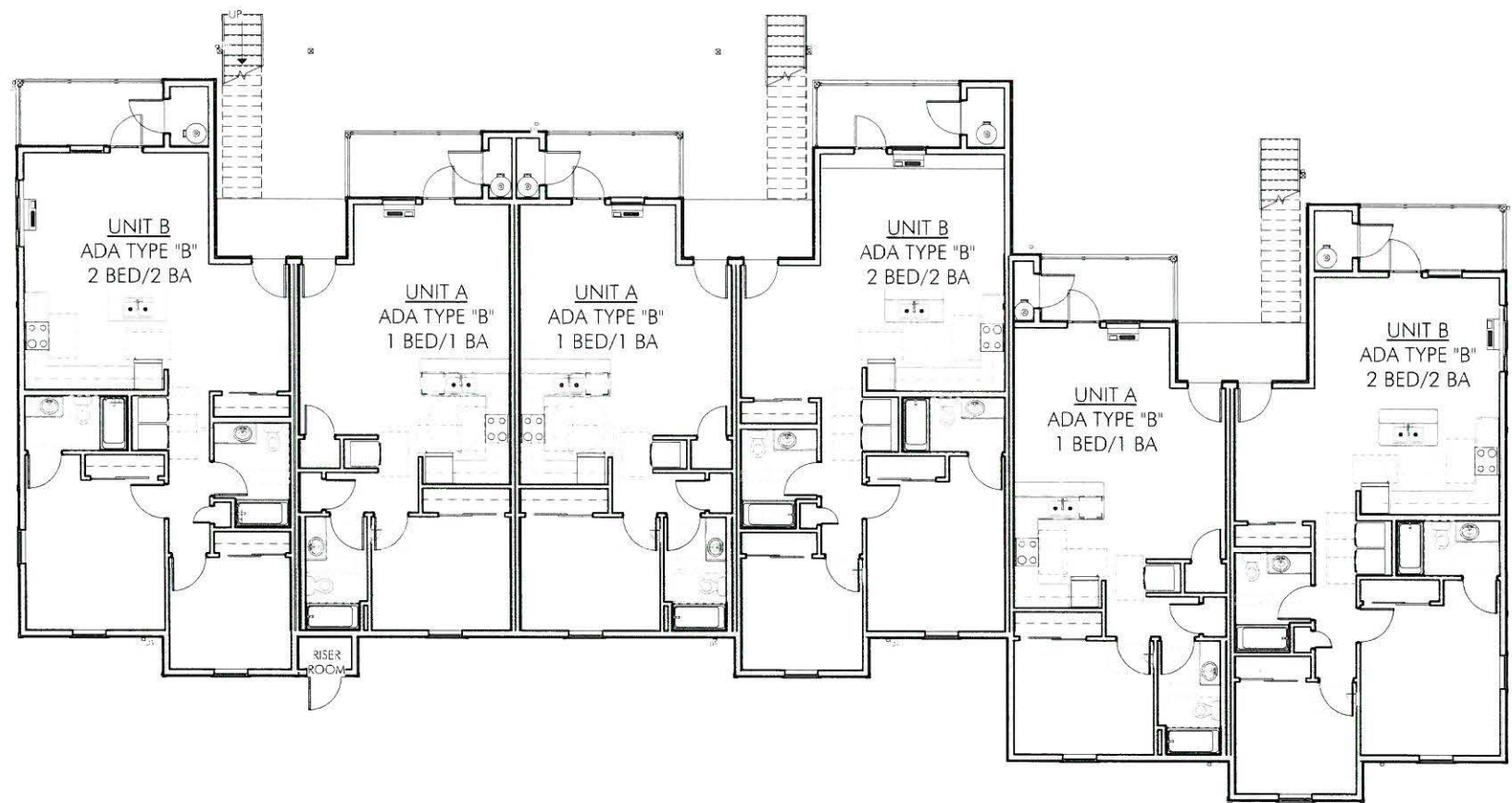
OPEN SPACE:

OPEN SPACE TYPE	REQUIRED	PROVIDED
USABLE OPEN SPACE (INCLUDES COMMON)	9,419 SF	9,712 SF
COMMON OPEN SPACE	2,355 SF	2,430 SF
CHILDREN'S PLAY AREA	500 SF	550 SF
GENERAL OPEN SPACE	-	19,632 SF
TOTAL OPEN SPACE	18,837 SF	29,344 SF

DEVELOPMENT CODE REVIEW:

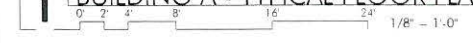
ZONING: Z-RM
 SETBACKS: F=15, S=5, S-ST 10, R=20
 MAX HEIGHT: 40'-0"
 SITE AREA: 80,667 SF (BEFORE ROW DED.)
 75,346 SF (AFTER ROW DED.)
 DENSITY: 1 BDRM = 1550 SF
 2 BDRM = 2000 SF
 (21) ONE BDRM & (21) TWO BDRM UNITS
 42 UNITS TOTAL
 PARKING 2 SPACES PER UNIT = 84 SPACES REQ'D
 84 SPACES PROV'D
 BIKE 1 SPACES PER UNIT = 42 SPACES (LOCATED IN STAIRWELLS)





**New Multifamily
Vaughan Lane**
Lebanon, Oregon

1 BUILDING A - TYPICAL FLOOR PLAN





1 BUILDING A NORTH ELEVATION - FACING PARKING
0' 2' 4' 8' 16' 24' 1/8" = 1'-0"



2 BUILDING A SOUTH ELEVATION - FACING STREET
0' 2' 4' 8' 16' 24' 1/8" = 1'-0"

New Multifamily
Vaughan Lane
Lebanon, Oregon

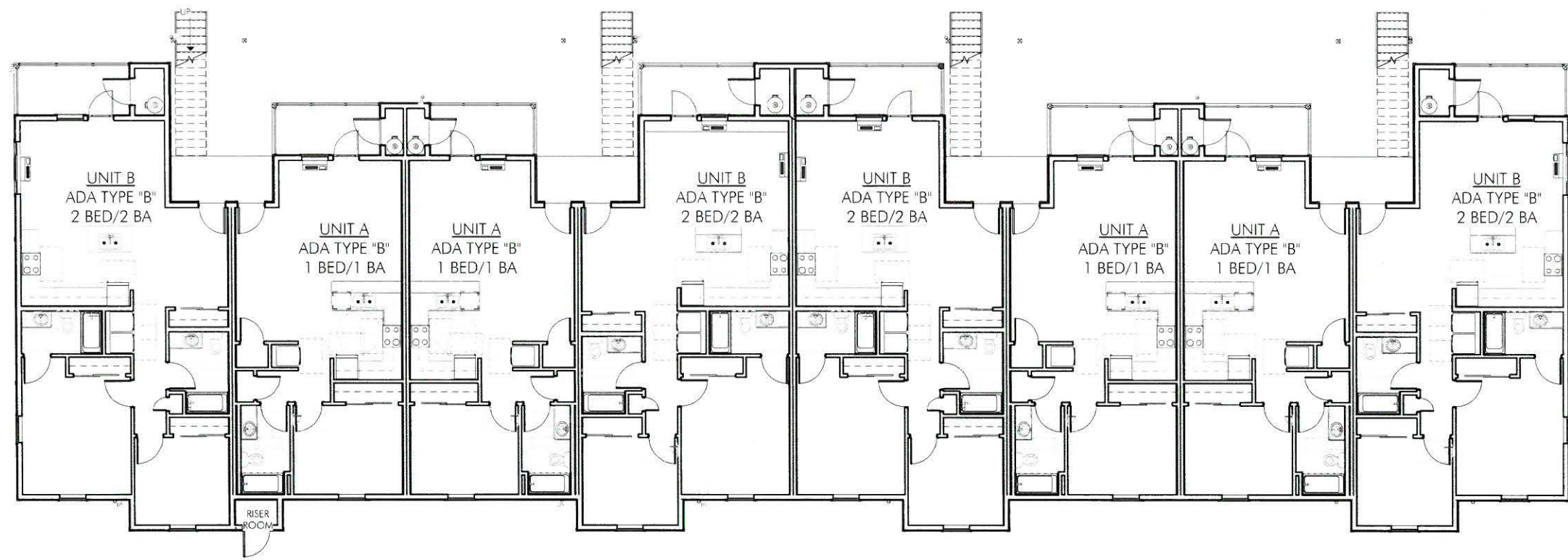


1 BUILDING B EAST ELEVATION
0 2 4 8 16 24 1/8" = 1'-0"



2 BUILDING B WEST ELEVATION
0 2 4 8 16 24 1/8" = 1'-0"

New Multifamily
Vaughan Lane
Lebanon, Oregon

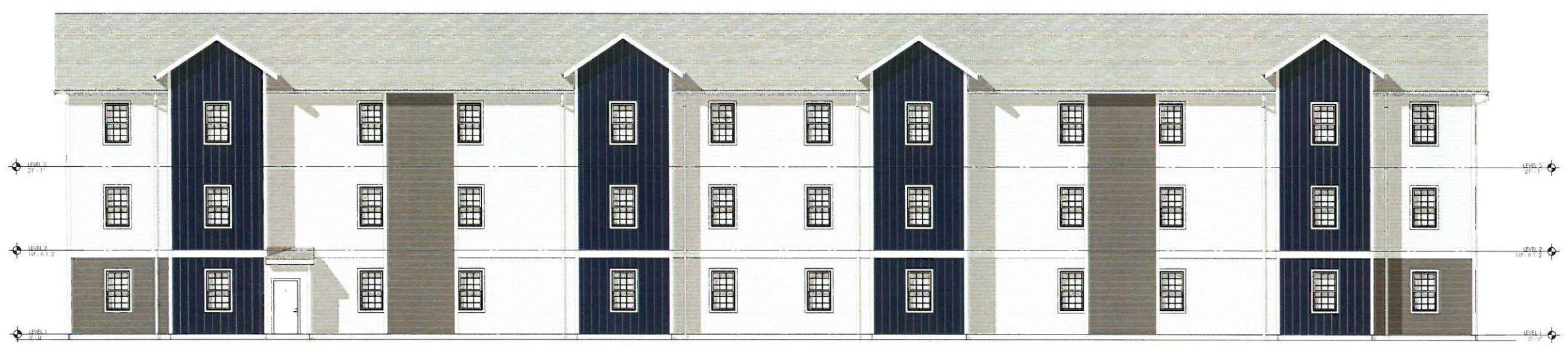


New Multifamily
Vaughan Lane
 Lebanon, Oregon

1 BUILDING B - TYPICAL FLOOR PLAN
 0' 2' 4' 8' 16' 24' 1/8" = 1'-0"

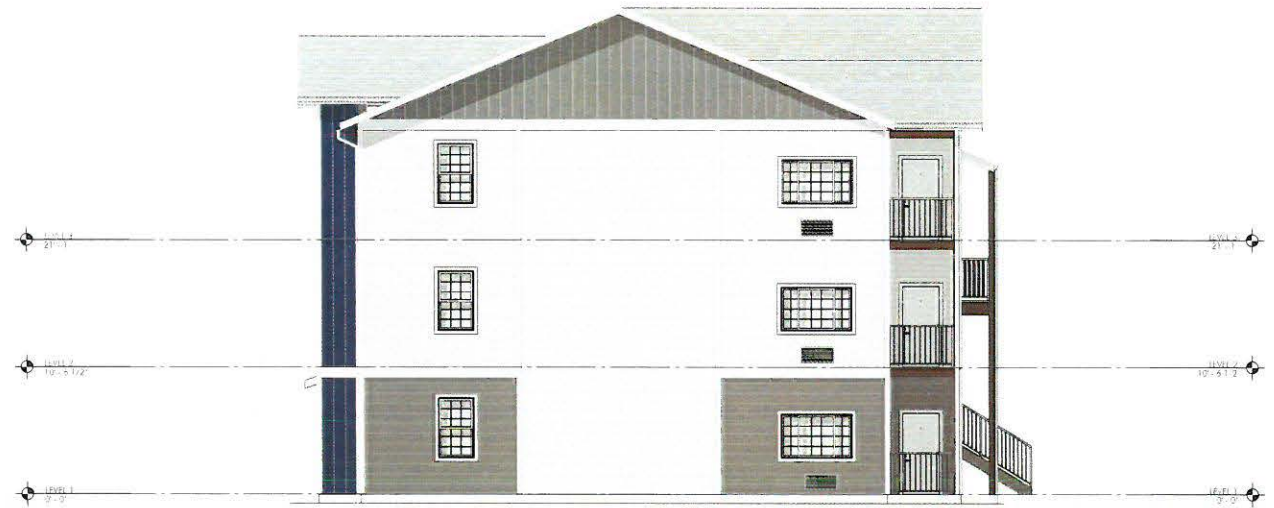


1 BUILDING B NORTH ELEVATION - FACING PARKING
 0' 2' 4' 8' 16' 24' 1/8" = 1'-0"

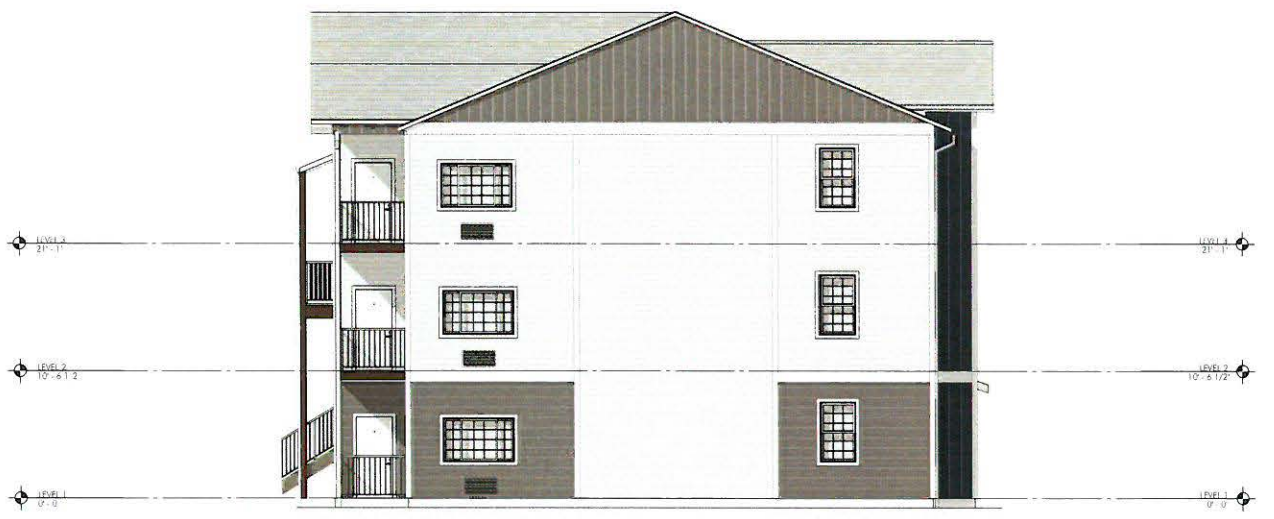


2 BUILDING B SOUTH ELEVATION - FACING STREET
 0' 2' 4' 8' 16' 24' 1/8" = 1'-0"

**New Multifamily
 Vaughan Lane**
 Lebanon, Oregon

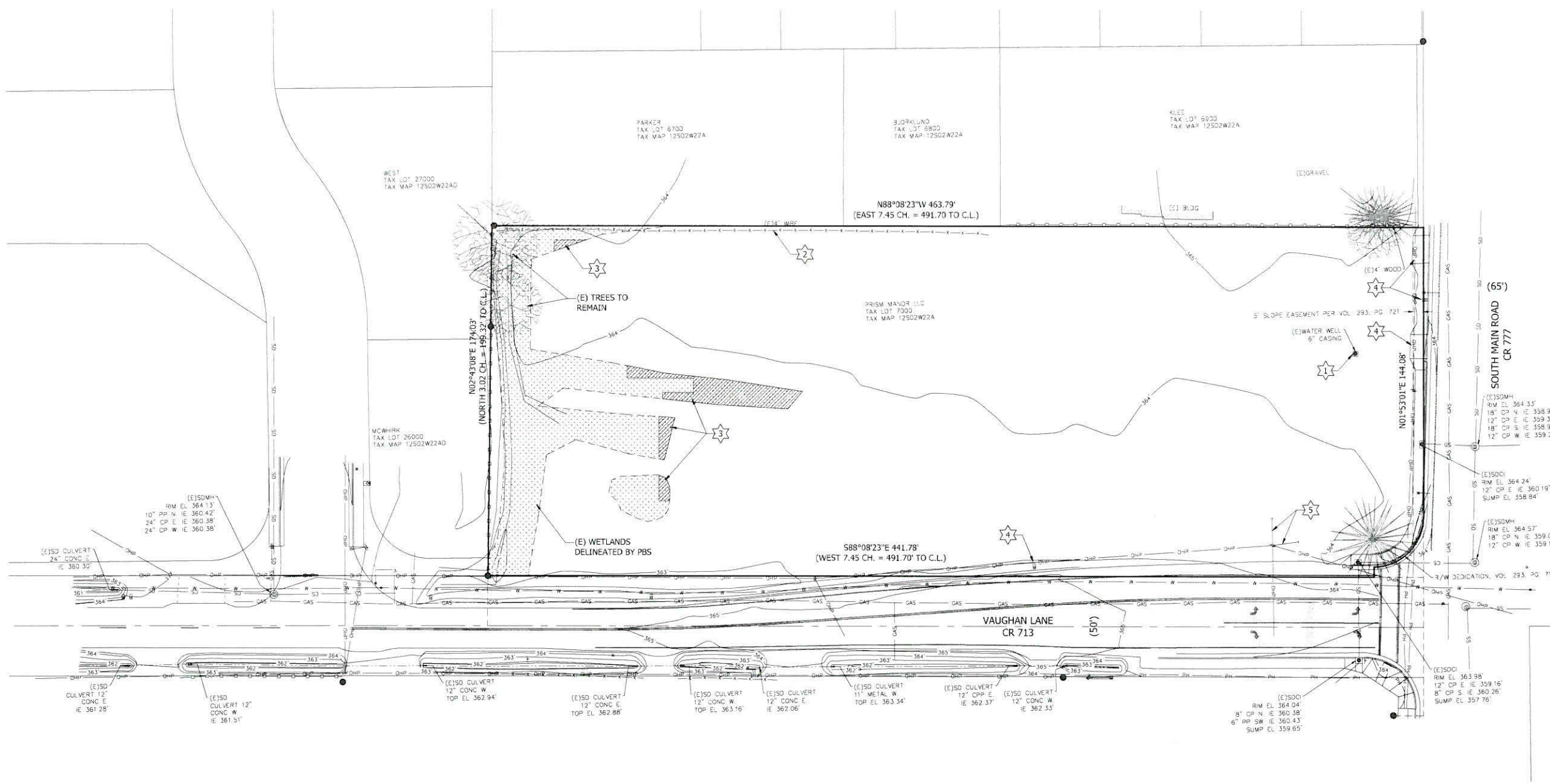


1 BUILDING B EAST ELEVATION
0' 2' 4' 8' 16' 24' 1/8" = 1'-0"



2 BUILDING B WEST ELEVATION
0' 2' 4' 8' 16' 24' 1/8" = 1'-0"

**New Multifamily
Vaughan Lane**
Lebanon, Oregon



PROPERTY
 TAX MAP: 12502W22A
 TAX LOT: 7000
 SITE ADDRESS: LEBANON, OR 97355

CLIENT:
 PRISM DEVELOPMENT, LLC
 C/O RICHARD LEWIS
 PO BOX 20730
 KEIZER, OREGON 97307
 (503) 932-3541

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

EXISTING CONDITIONS
 VAUGHAN LANE APARTMENTS
 TAX LOT 7000
 LEBANON, OREGON

DATE: AUGUST 12, 2021
 PROJECT: 21-1945 PRISM VAUGHAN
 DRAWN BY: MIM
 CHECKED BY: BSU

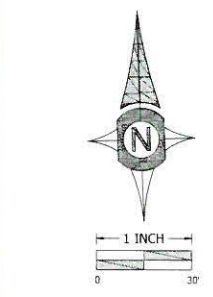
THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY

DEMOLITION NOTES

- 1 THE EXISTING WELL IS TO BE ABANDONED PER THE OREGON WATER RESOURCES DEPARTMENT REQUIREMENTS.
- 2 REMOVE EXISTING FIELD FENCE.
- 3 PORTIONS OF THE EXISTING WETLANDS TO BE FILLED WITH LESS THAN 50 CUBIC YARDS OF TOTAL EXCAVATION AND FILL.
- 4 SAWCUT AND REMOVE EXISTING SIDEWALK INCLUDING DRIVEWAYS AND MAILBOX TO ACCOMMODATE NEW DRIVEWAY AND FULL HEIGHT CURB AND NEW SIDEWALK.
- 5 COORDINATE RELOCATION OF POWER POLE ANCHOR GUY WITH POWER COMPANY.

PROJECT LEGENDS

EXISTING SYMBOL LEGEND		ABBREVIATIONS LEGEND	
	- EXISTING CONTROL POINT	SS	- SANITARY SEWER
	- EXISTING GAS VALVE	SD	- STORM DRAIN
	- EXISTING WATER VALVE	MH	- MANHOLE
	- EXISTING WATER METER	CB	- CATCH BASIN
	- EXISTING FIRE HYDRANT	CO	- CLEAN OUT
	- EXISTING POWER POLE	PP	- UTILITY POLE
	- EXISTING 6' CYCLONE FENCE	IE	- INVERT ELEVATION (FLOW LINE)
	- EXISTING 6' WOOD FENCE	FF	- FINISH FLOOR
	- EXISTING SD LINE LOCATE	R.O.W.	- RIGHT-OF-WAY
	- EXISTING SS LINE LOCATE	FD	- FOUND
	- EXISTING WATER LINE LOCATE	CS	- COUNTY SURVEY
	- EXISTING PHONE LINE LOCATE	IR	- IRON ROD
	- EXISTING UNDERGROUND POWER LOCATE	R	- RADIUS
	- EXISTING OVERHEAD POWER	BO	- BLOWOFF
	- EXISTING GAS LINE LOCATE	S.L.	- STREET LIGHT
	- EXISTING COMMUNICATION LINE LOCATE	TC	- TOP FACE OF CURB
	- EXISTING CONTOUR ELEVATION	BW	- BACK OF WALK
	- EXISTING WETLAND	CL	- CENTERLINE
	- EXISTING WETLAND TO BE REMOVED	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



PLAN REVISIONS	DATE

Sheet **C100**
 SCALE: SEE BARSCALE



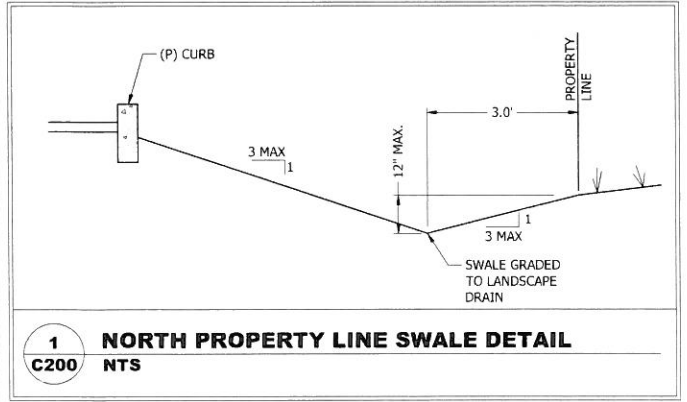
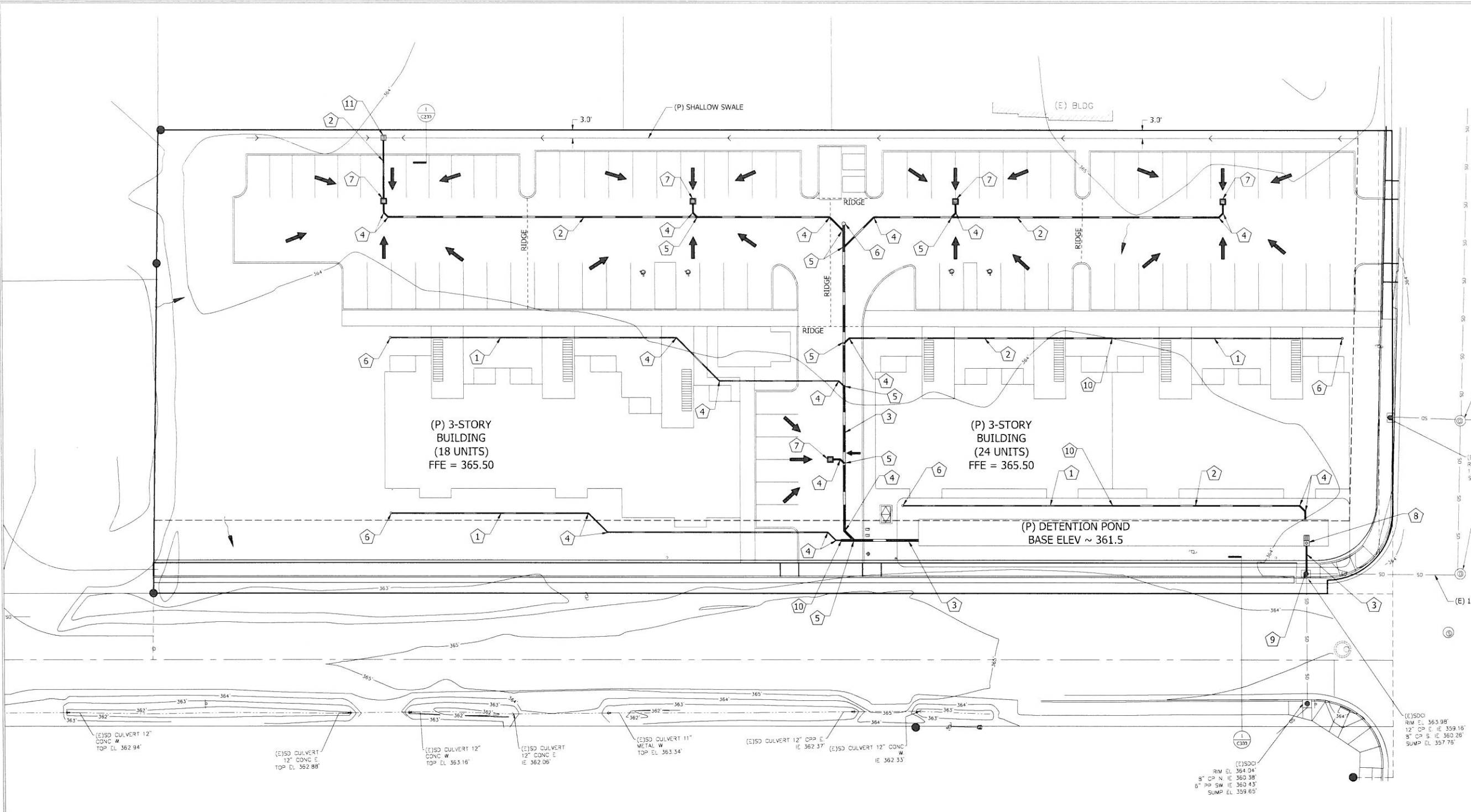
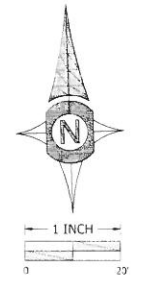
CLIENT:
 PRISM DEVELOPMENT, LLC
 C/O RICHARD LEWIS
 PO BOX 20730
 KEIZER, OREGON 97307
 (503) 932-3541

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

PRELIMINARY GRADING & DRAINAGE
 VAUGHAN LANE APARTMENTS
 TAX LOT 7000
 LEBANON, OREGON

DATE: AUGUST 12, 2021
 PROJECT: 21-1945 PRISM VAUGHAN
 DRAWN BY: MLM
 CHECKED BY: BSV

THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY



1 NORTH PROPERTY LINE SWALE DETAIL
 C200 NTS

GRADING LEGEND

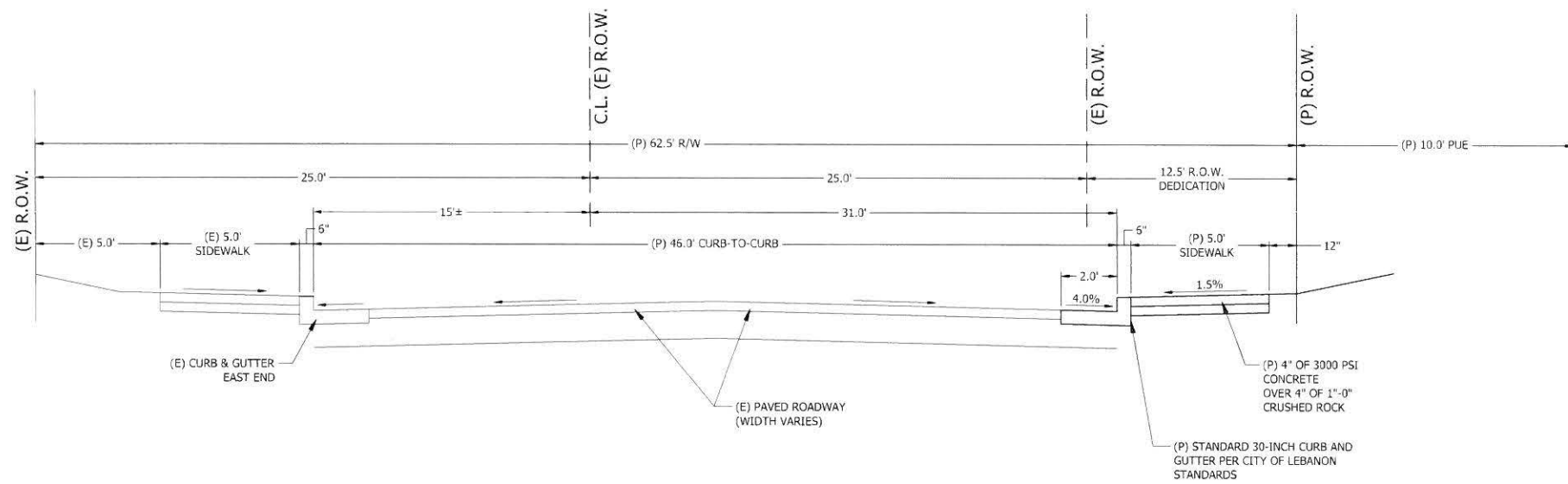
- EXISTING SURFACE DRAIN DIRECTION
- DESIGN SURFACE DRAIN DIRECTION

PRIVATE STORM DRAIN NOTES

- 1 INSTALL 4" PRIVATE PVC STORM PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.
- 2 INSTALL 6" PRIVATE PVC STORM PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.
- 3 INSTALL 10" PRIVATE PVC STORM PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.
- 4 INSTALL PRIVATE BEND AS NOTED. MATCH PIPE DIAMETER.
- 5 INSTALL PRIVATE WYE. MATCH THRU AND BRANCH PIPE DIAMETERS.
- 6 INSTALL PRIVATE STORM CLEAN OUT PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. CLEAN-OUTS TO BE INSTALLED AT 100 FEET INTERVALS AND/OR AT EACH CUMULATIVE PIPE ANGULAR CHANGE OF 135°. USE CAST IRON FRAME AND COVER IN TRAFFIC AREAS.
- 7 INSTALL PRIVATE CATCH BASIN PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.
- 8 INSTALL PRIVATE TYPE 'D' DITCH INLET WITH FLOW CONTROL ORIFICE AND OVERFLOW STANDPIPE DOWNSTREAM.
- 9 CONNECT TO EXISTING PUBLIC STORM CURB INLET.
- 10 INSTALL PRIVATE REDUCER. MATCH PIPE DIAMETER.
- 11 INSTALL PRIVATE TYPE 'D' DITCH INLET.

PLAN REVISIONS	DATE

Sheet **C200**
 SCALE: SEE BARSCALE



NOTE:
 FOR THIS PROJECT THE NEW CURB AND GUTTER WILL BE SET AT 31.0'
 FROM THE EXISTING CENTERLINE. INTERIM LANES WILL BE
 DELINEATED WITH STRIPING.

1 VAUGHN LANE SECTION
C300 NOT TO SCALE



CLIENT:
 PRISM DEVELOPMENT, LLC
 C/O RICHARD LEWIS
 PO BOX 20730
 KEIZER, OREGON 97307
 (503) 932-3541

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

PRELIMINARY VAUGHN LANE IMPROVEMENTS
VAUGHAN LANE APARTMENTS
TAX LOT 7000
LEBANON, OREGON

DATE: AUGUST 12, 2021
 PROJECT: 21-045 PRISM VAUGHN
 DRAWN BY: MIM
 CHECKED BY: BSV

THIS MAP WAS
 PREPARED FOR
 PLANNING
 PURPOSES ONLY

PLAN REVISIONS	DATE

Sheet **C300**
 SCALE: SEE BARSCALE



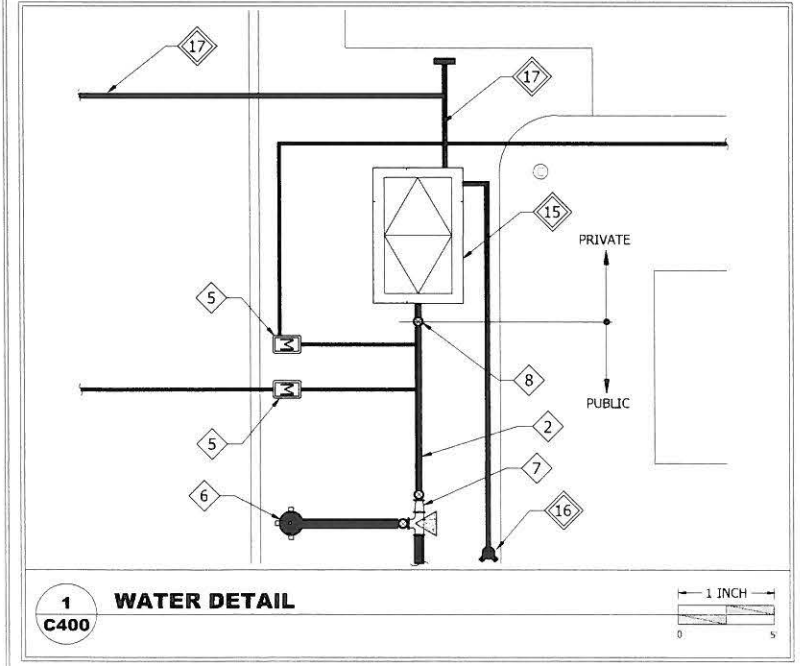
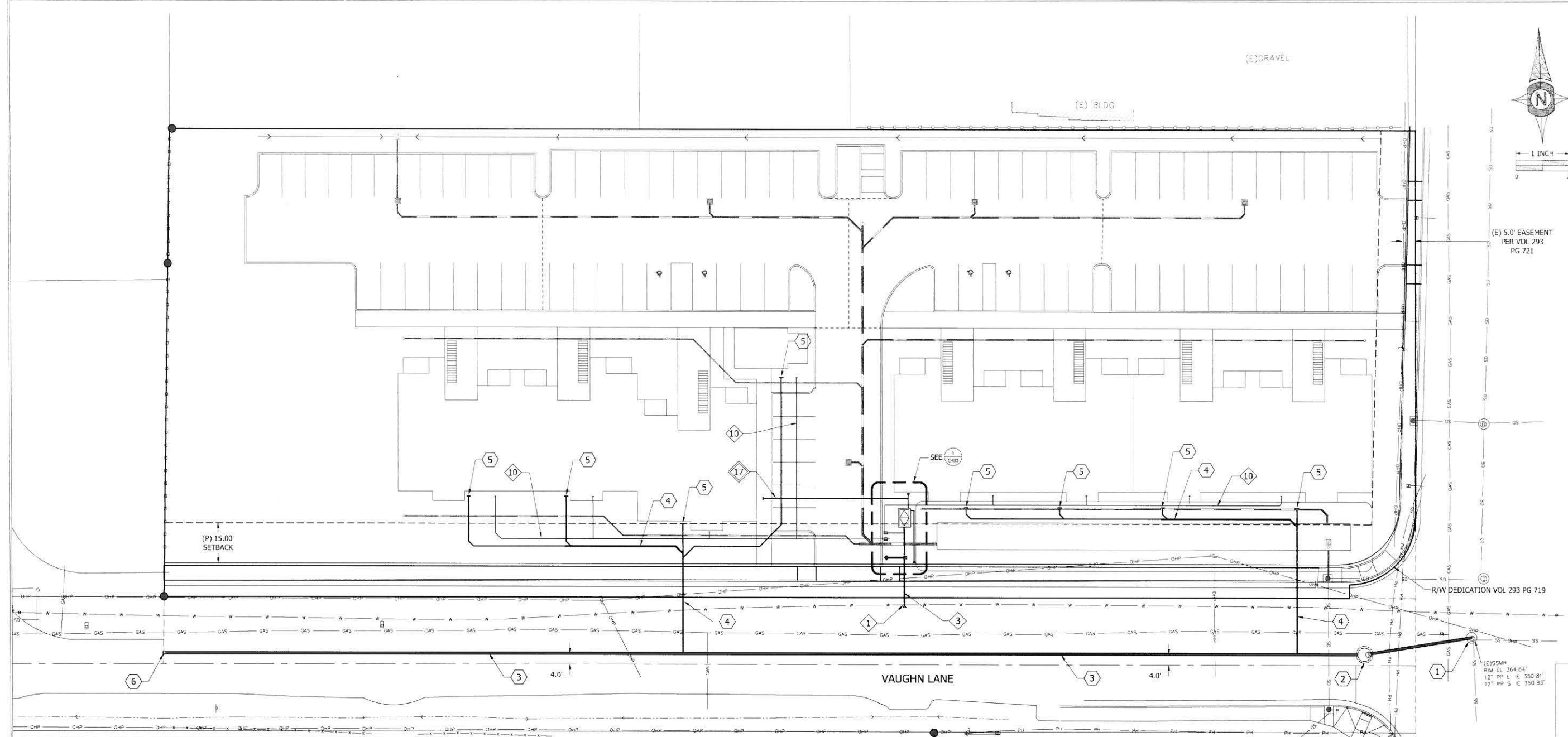
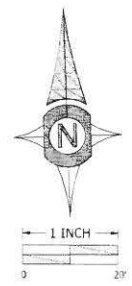
CLIENT:
 PRISM DEVELOPMENT, LLC
 C/O RICHARD LEWIS
 PO BOX 20730
 KEIZER, OREGON 97307
 (503) 932-3541

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

PRELIMINARY UTILITY PLAN
 VAUGHAN LANE APARTMENTS
 TAX LOT 7000
 LEBANON, OREGON

DATE: AUGUST 12, 2021
 PROJECT: 21-145 PRISM VAUGHAN
 DRAWN BY: MIM
 CHECKED BY: BSV

THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY



FIRE WATER SUPPLY GENERAL NOTES

ALL MATERIALS AND CONSTRUCTION OF THE PRIVATE SITE FIRE WATER SUPPLY SHALL BE IN CONFORMANCE WITH NFPA 24.

SITE FIRE WATER SUPPLY PIPING, FITTINGS, AND OTHER SYSTEM COMPONENTS SHALL BE RATED FOR THE MAXIMUM SYSTEM WORKING PRESSURE TO WHICH THEY ARE EXPOSED BUT SHALL NOT BE RATED AT LESS THAN 150 PSI.

SITE FIRE WATER SUPPLY PIPING SHALL BE BURIED A MINIMUM OF 3 FEET TO FINISHED GRADE UNDER DRIVEWAYS.

PRIOR TO FINAL APPROVAL OF THE SITE FIRE WATER SUPPLY SYSTEM, A CONTRACTOR'S MATERIAL AND TESTING CERTIFICATE FOR UNDERGROUND PIPING IS REQUIRED TO BE SUBMITTED TO THE CITY AND APPROVED.

PRIVATE FIRE WATER NOTES

15 INSTALL PRIVATE 4" DOUBLE CHECK DETECTOR VALVE ASSEMBLY WITH FORWARD FLOW PORT PER APPLICABLE NFPA STANDARDS, STATE STANDARDS, CITY STANDARDS FOR BUILDING FIRE WATER SUPPLY. SIZE TO BE DETERMINED WITH BUILDING PERMIT SUBMITTAL. INSTALL PRECAST CONCRETE VAULT TO ACCEPT DEVICE MEETING THE CLEARANCES PER CITY AND STATE STANDARDS. LID TO HAVE DIAMOND PLATED HATCH OPENING CENTERED OVER ASSEMBLY. INSTALL SUMP PUMP WITH PERFORMANCE OF 20 GPM DISCHARGE AT 10 FEET OF TOTAL DYNAMIC HEAD (TDH) AND 2" PVC DISCHARGE TO STORM DRAIN SYSTEM. THE GATE VALVES IN THE DOUBLE CHECK DETECTOR ASSEMBLY SHALL BE EQUIPPED WITH A TAMPER SWITCH TO ALLOW MONITORING THROUGH THE FIRE ALARM PANEL. CONDUITS SHALL BE PROVIDED TO THE VAULT FOR VALVE MONITORING AND THE SUMP PUMP POWER SUPPLY.

16 INSTALL FIRE DEPARTMENT CONNECTION ("FDC"). COORDINATE STYLE, MOUNTING LOCATION, AND MOUNTING HEIGHT WITH LEBANON FIRE DEPARTMENT PRIOR TO INSTALLATION.

17 INSTALL PRIVATE FIRE WATERLINE FOR FIRE WATER SUPPLY. PIPE SIZE TO BE DETERMINED WITH BUILDING PERMIT SUBMITTAL.

PUBLIC WATER NOTES

1 PERFORM PUBLIC 12" X 6" HOT TAP WITH FULL CIRCLE STAINLESS STEEL TAPPING SLEEVE AND 6" FLG X MJ GATE VALVE. INSTALL "MEGALUG" BRAND RETAINER GLAND ON MJ FITTING. INSTALL THRUST BLOCKING TO SOUTH PER CITY OF LEBANON DRAWING NO. 01100-04.

2 INSTALL PRIVATE 4" DUCTILE IRON FIRE WATERLINE PER NFPA 24 STANDARDS.

3 INSTALL PUBLIC 6" DUCTILE IRON WATERLINE PER CITY OF LEBANON STANDARDS.

4 INSTALL PUBLIC 4" GATE VALVE WITH POST INDICATOR PER CITY OF LEBANON AND NFPA 24 STANDARDS.

5 INSTALL PUBLIC 2" WATER SERVICE, ANGLE METER STOP AND METER BOX FOR DOMESTIC WATER SUPPLY PER CITY OF LEBANON STANDARDS.

6 INSTALL PUBLIC FIRE HYDRANT TEE, GATE VALVE AND HYDRANT ASSEMBLY PER CITY OF LEBANON STANDARDS.

7 INSTALL 6" X 4" REDUCER.

8 INSTALL 4" GATE VALVE, PUBLIC-PRIVATE OWNERSHIP VALVE.

PRIVATE WATER NOTES

10 INSTALL PRIVATE PVC DOMESTIC WATER LINE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE FOR BUILDING WATER. SIZE TO BE DETERMINED WITH PERMIT LEVEL CONSTRUCTION DRAWINGS.

SEWER NOTES

1 CORE DRILL EXISTING SANITARY SEWER MANHOLE TO ACCEPT NEW 12" PIPE PER CITY OF LEBANON STANDARDS. GROUT VOIDS WITH NON-SHRINK GROUT AND RE-CHANNEL BASE AS NECESSARY.

2 INSTALL 48" DIAMETER PUBLIC MANHOLE PER CITY OF LEBANON STANDARDS.

3 INSTALL 8" PUBLIC PVC SEWER PIPE PER CITY OF LEBANON STANDARDS.

4 INSTALL 6" PRIVATE PVC SEWER PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. MIN. SLOPE = 1.0%. INSTALL TRACER WIRE.

5 INSTALL 4" PRIVATE SANITARY SEWER SERVICE TO WITHIN 3.0 FEET OF BUILDING AND TERMINATE WITH A CLEAN-OUT. SEE PLUMBING PLAN FOR CONSTRUCTION CONTINUATION AND COORDINATION OF PROPER LOCATION.

6 INSTALL PUBLIC MAINLINE SEWER CLEAN-OUT PER CITY OF LEBANON STANDARDS.

UTILITY NOTES

1 COORDINATE WITH UTILITY COMPANY TO HAVE EXISTING UTILITY POLE RELOCATED TO THE RIGHT-OF-WAY LINE.

2 COORDINATE WITH UTILITY COMPANY TO INSTALL NEW GUY ANCHOR.

3 COORDINATE WITH UTILITY COMPANY TO RELOCATE UTILITY PEDESTAL.

ATTENTION
 CONTRACTOR SHALL POT HOLE EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. REPORT CONFLICTS WITH ENGINEER.

PLAN REVISIONS	DATE

Sheet **C400**
 SCALE: SEE BARSCALE

AGENDA ITEM

4.c.





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 Date: September 1, 2021
From: Kelly Hart, Community Development Director
Subject: Construction and operation of a Dairy Queen restaurant with a drive-through
Application: CU-21-02

I. BACKGROUND

The subject property (12S 02W 23B, tax lot 114) is generally located at the east side of S Santiam Highway, north of Burdell Road and the Walgreens development. The Applicant, DND Groups, Inc., is proposing to construct and operate Dairy Queen restaurant with a drive-through. Under consideration is an application for a Conditional Use Permit for the proposed development and use as required per Section 16.06.060 of the Lebanon Development Code.

II. CURRENT REPORT

Project Location and Zoning Designation – The project site is approximately 0.61 acres and is currently vacant and unimproved. The property is zoned Mixed-Use (Z-MU). Surrounding the site, to the north and east is vacant land within the Mixed-Use zone, and a used car dealer. To the south is the Walgreens store in the Mixed-Use zone. To the west is the Walmart Shopping Center, also within the Mixed-Use zone.

Use Proposal – The site is currently vacant and unimproved. The applicant is proposing to improve the site with a new approximately 2,500 square foot building for a dine-in/drive-through restaurant for the operation of a Dairy Queen. The building would be centrally located on the site, with the drive-through and parking circling the building.

Section 16.08.100.A establishes development standards for commercial uses, and Section 16.08.100.B.1 establishes standards for drive-through services. For development standards, there is no minimum lot area or width, the maximum building height is 45-feet, the lot coverage may be 100% less the setback areas, and for setbacks, the front setback shall be a minimum of 10-feet, and there are no other minimum setbacks as the site is not abutting a residentially zoned property. For the site, based on the site plan provided and incorporated into the record, a 10-foot-wide landscape setback is provided along S Santiam Highway to meet the minimum setback area, with the building setback approximately 35 feet from the front property line. A 5-foot landscape buffer is also proposed around the remaining perimeter of the property. With the setback and parking perimeter landscaped, the lot coverage standard is met. For building height, the development proposal is for the construction of a commercial restaurant, which would be one floor in height. If the conditional use permit application is approved, construction plans

would be submitted to verify the building height, and a condition of development has been included to identify the maximum height, thereby meeting the standard.

For the standards specific to the drive-through service, the following is an evaluation of the standards:

- Circulation – the overall circulation plan for a site shall not cause traffic congestion on surrounding streets and shall minimize potential nuisances to nearby residential property caused by vehicles and use of the order boards.
 - The site proposes a two-lane drive-through ordering system to be able to stack more vehicles in less area. As proposed, there would be approximately 200 feet of stacking area from the order stations to the street, plus an additional 95 feet from the ordering station to the pick-up window, this would allow the stacking of approximately 14 vehicles from the driveway on S Santiam Highway. This stacking area is anticipated to be more than sufficient to accommodate the drive-through operations. However, a condition of development has been included to require the restaurant to have a traffic plan in place in the event that the drive-through operations exceed the capacity of the drive-through lanes. Finally, as there are no residential uses nearby, there are no potential nuisances to be mitigated.
- Access and Window Location – Wherever feasible, drive-through lanes shall be accessed from the rear of the site and run along the interior side property line.
 - The site is accessed from an existing drive access lane on an adjacent parcel via an easement. As such, the site is limited to where the access may be provided. However, the site is oriented with the drive-through activities occurring on the rear and interior side of the properties, with the front improved with landscaping and only used as an exit path once drive-through activities have been concluded, meeting the intent of this standard.
- Vehicle Stacking – All drive-through lanes shall provide a minimum of 80-feet of stacking as measured from the drive-up window to the entrance of the drive-through lane.
 - As shown on the site plan, with the two drive-through lanes provided, a total of approximately 200 feet of vehicle stacking area is provided from the window to the beginning of the drive-through lane.
- Setbacks – Where a drive-through lane will be located between a building and a roadway, a minimum 10-foot landscaped setback shall be required from the roadway right-of-way to the drive-through lane.
 - The drive-through exit is proposed to be between the building and S Santiam Highway. A landscaped buffer of 10-feet is provided along the front property line to meet this criteria as shown on the site plan.
- Screening – The drive-through lane shall be screened by a combination of plantings, berms, and/or low retaining walls at least 4-feet in height.
 - The drive-through lane is located in the rear and interior side of the property. The property includes a 5-foot landscape buffer around the interior and rear property lines, and a 10-foot landscape buffer along the front property line, meeting this standard.
- Operation – Specific design and operational conditions may be imposed with approval of the drive-through facility. These may include, but are not limited to, additional vehicle

stacking, increase in screening height, regulating hours of operation and other measures to reduce potential impacts on surrounding properties.

- Conditions of approval have been incorporated regarding lighting and landscaping to provide a visual buffer. Conditions have also been incorporated to indicate the speaker for the order menu shall be set to a level not to violate the City's noise ordinance.

There is no walk-up window proposed as part of the operation, as such standards in Section 16.08.100.B.2 are not applicable to this project.

Access: The site is located on the east side of S Santiam Highway. Directly adjacent to the property is a driveway access for the exit from the Walgreens Pharmacy property. This existing driveway would be the entry-exit point for the new drive-through restaurant. As currently designed, the driveway would be a "right-in, right-out" only as there is a center median in S Santiam Highway that would restrict a left turn movement into and out of the driveway. This existing traffic pattern would not be altered with the new business. A reciprocal access easement was recorded as part of the partition to create the subject parcel to maintain legal access to the site.

The Engineering Department has reviewed the site access and determined no additional requirements were needed. The Oregon Department of Transportation (ODOT) is the responsible party for review of access permits for the highway, and the development will be required to obtain all appropriate permits and approvals from ODOT for access.

Parking: Section 16.14.070 of the development code establishes the minimum parking requirement for a restaurant with drive-through facility to be 10 parking spaces per 1,000 square feet of net floor area. Net floor area is the area minus the food preparation areas, storage and mechanical rooms. The net floor area of the proposed structure is approximately 1,500 square feet which equates to 15 required parking spaces. As shown on the site plan, the development is proposing 20 parking spaces. Section 16.14.020.M identifies that the maximum parking allowed in a development is 30% above the minimum. With the minimum parking requirement of 15, the maximum may be 19.5, or in compliance with Section 16.14.020.L, any fraction 0.5 or more shall be rounded up to the next whole number of 20 spaces. In addition, for bicycle parking, the code requires 5% of the parking requirement, or four bicycle parking spaces, whichever is more. In this proposal, four covered bicycle parking spaces would be provided in the parking area adjacent to the proposed ADA path of travel on the southern boundary line.

Utilities: There is currently water, sewer and storm drainage utility improvements provided in S Santiam Highway along the property frontage. The Engineering Department has reviewed the proposed development and determined the existing utility infrastructure is sized appropriately to accommodate the use.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The Applicant is requesting consideration of a Conditional Use Permit (CU-20-02) for the operation of a restaurant with a drive-through facility. Section 16.21.060 of the Lebanon

Development Code establishes the Decision Criteria for consideration of Conditional Use Permits.

1. The application complies with all of the applicable provisions of the underlying Land Use Zones (LDC Chapters 16.09.110), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses.

RECOMMENDED FINDING: Section 16.08.100.A establishes development standards for commercial uses, and Section 16.08.100.B.1 establishes standards for drive-through services. For development standards, there is no minimum lot area or width, the maximum building height is 45-feet, the lot coverage may be 100% less the setback areas, and for setbacks, the front setback shall be a minimum of 10-feet, and there are no other minimum setbacks as the site is not abutting a residentially zoned property. For the site, based on the site plan provided and incorporated into the record, a 10-foot-wide landscape setback is provided along S Santiam Highway to meet the minimum setback area, with the building setback approximately 35 feet from the front property line. A 5-foot landscape buffer is also proposed around the remaining perimeter of the property. With the setback and parking perimeter landscaped, the lot coverage standard is met. For building height, the development proposal is for the construction of a commercial restaurant, which would be one floor in height. If the conditional use permit application is approved, construction plans would be submitted to verify the building height, and a condition of development has been included to identify the maximum height, thereby meeting the standard.

For the standards specific to the drive-through service:

- Circulation – the overall circulation plan for a site shall not cause traffic congestion on surrounding streets and shall minimize potential nuisances to nearby residential property caused by vehicles and use of the order boards.
 - The site proposes a two-lane drive-through ordering system to be able to stack more vehicles in less area. As proposed, there would be approximately 200 feet of stacking area from the order stations to the street, plus an additional 95 feet from the ordering station to the pick-up window, this would allow the stacking of approximately 14 vehicles from the driveway on S Santiam Highway. This stacking area is anticipated to be more than sufficient to accommodate the drive-through operations. However, a condition of development has been included to require the restaurant to have a traffic plan in place in the event that the drive-through operations exceed the capacity of the drive-through lanes. Finally, as there are no residential uses nearby, there are no potential nuisances to be mitigated.
- Access and Window Location – Wherever feasible, drive-through lanes shall be accessed from the rear of the site and run along the interior side property line.
 - The site is accessed from an existing drive access lane on an adjacent parcel via an easement. As such, the site is limited to where the access may be provided. However, the site is oriented with the drive-through activities occurring on the rear and interior side of the properties, with the front improved with landscaping and only used as an exit path once drive-through activities have been concluded, meeting the intent of this standard.

- Vehicle Stacking – All drive-through lanes shall provide a minimum of 80-feet of stacking as measured from the drive-up window to the entrance of the drive-through lane.
 - As shown on the site plan, with the two drive-through lanes provided, a total of approximately 200 feet of vehicle stacking area is provided from the window to the beginning of the drive-through lane.
- Setbacks – Where a drive-through lane will be located between a building and a roadway, a minimum 10-foot landscaped setback shall be required from the roadway right-of-way to the drive-through lane.
 - The drive-through exit is proposed to be between the building and S Santiam Highway. A landscaped buffer of 10-feet is provided along the front property line to meet this criteria as shown on the site plan.
- Screening – The drive-through lane shall be screened by a combination of plantings, berms, and/or low retaining walls at least 4-feet in height.
 - The drive-through lane is located in the rear and interior side of the property. The property includes a 5-foot landscape buffer around the interior and rear property lines, and a 10-foot landscape buffer along the front property line, meeting this standard.
- Operation – Specific design and operational conditions may be imposed with approval of the drive-through facility. These may include, but are not limited to, additional vehicle stacking, increase in screening height, regulating hours of operation and other measures to reduce potential impacts on surrounding properties.
 - Conditions of approval have been incorporated regarding lighting and landscaping to provide a visual buffer. Conditions have also been incorporated to indicate the speaker for the order menu shall be set to a level not to violate the City's noise ordinance.

There is no walk-up window proposed as part of the operation, as such standards in Section 16.08.100.B.2 are not applicable to this project.

Clear vision area is as provided in Section 16.12.030.H.4. All access points must contain a clear vision area which consist of a triangular area, two sides of which are lot lines measured from the corner intersection of the street lot lines and the third side of which is a line across the corner of the lot joining the non-intersection ends of the other two sides. The clear vision area for corner lots is 20 feet along the right-of-way of each intersecting street. The clear vision area for a street-driveway intersection shall be 10 feet along the driveway from its intersection with the street right-of-way and 20 feet along the street right-of-way at the point of intersection with the driveway. As shown on the site plan included in the record, the clear vision areas meet the respective standards.

2. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.

RECOMMENDED FINDING: “Adequate” is not defined in the Lebanon Development Code but Merriam Webster’s Collegiate Dictionary, Eleventh Edition, defines “adequate” as “(1) sufficient for a need or requirement”.

Proposed Use - The proposed use is an approximately 2,500 square foot commercial dine-in/drive-through restaurant with associated site and parking lot improvements.

Location - The subject property is identified as Linn County Assessor's Map No. 12S-02W-23B Tax Lot 114. The site is unimproved and located along the South Santiam Highway corridor. To the north, is an unimproved parcel in the Mixed-Use (Z-MU) zone district, Burdell Boulevard, and the Railroad. To the east, is an unimproved parcel in the Z-MU zone district that Walgreens and the Burdell Boulevard/South Santiam intersection. To the south, is the South Santiam Highway right-of-way and Walmart in the Z-MU zone district. To the west, an unimproved parcel and vehicle sales lot in the Z-MU zone district.

Site Size, Dimensions and Topography - The site is 0.61 - acres in size measuring 133 feet by 200 feet. The site is relatively flat with an elevation of 364 feet to 367 feet, sloping from the northeast to southeast.

Access - The site has frontage on and shared access to South Santiam Highway. The existing driveway encroachment is 27.86-feet-wide and 830-feet to the west of the Burdell Boulevard/South Santiam intersection.

Building Mass – Mass refers to the size or physical bulk of a building, and can be understood as the actual size, or size relative to context. The preliminary site plan shows an approximate 2,500 square foot building that is approximately 38-feet wide and 72.5-feet deep and approximately 20-feet tall. Design techniques have been employed to decrease any perceived bulk, including increased setbacks to the property boundary lines, reduced overall height, and the building orientation with the massing oriented toward the east-west, minimizing the visual building mass along the street frontage.

Vehicle Parking - Section 16.14.070 of the development code establishes the minimum parking requirement for a restaurant with drive-through facility to be 10 parking spaces per 1,000 square feet of net floor area. Net floor area is the area minus the food preparation areas, storage and mechanical rooms. The net floor area of the proposed structure is approximately 1,500 square feet which equates to 15 required parking spaces. As shown on the site plan, the development is proposing 20 parking spaces. Section 16.14.020.M identifies that the maximum parking allowed in a development is 30% above the minimum. With the minimum parking requirement of 15, the maximum may be 19.5, or in compliance with Section 16.14.020.L, any fraction 0.5 or more shall be rounded up to the next whole number of 20 spaces.

Bicycle Parking – Section 16.14.070 of the development code requires 5% of the parking requirement, or four bicycle parking spaces, whichever is more. In this proposal, four covered bicycle parking spaces would be provided in the parking area adjacent to the proposed ADA path of travel on the southern boundary line.

Noise – Noise generation will be minimal for the proposed use, and will likely include noise associated with conversation, vehicle operation and vehicle traffic. Noise associated with the speaker for the ordering process has been conditioned to meet the standards of the City's noise ordinance.

Lighting and Glare – All on-site lighting will be directed downward and contained on-site. A condition of development has been incorporated to meet the City’s lighting Chapter in Section 16.19, and a photometric plan has been required to verify the lumens standards are adhered to at the property line.

Odor – Odor will be minimal for the proposed use and will likely include cooking and food aromas and some vehicle exhaust from on-site vehicle traffic. Use of landscaping around the perimeter of the property is expected to create a buffer for noise, odor and lighting.

Vibrations and Dust – Once construction is completed, there are no activities that will occur on-site that would create vibration and dust. The pedestrian walkways, vehicle travel aisles, and parking spaces are proposed to be hard surfaced.

Buffering, Screening and Landscaping – Lebanon Development Code Section 16.15.020 and 16.15.030 requires landscape buffering and screening to reduce the impacts of commercial development and parking lots. For commercial development, the side area excluding the building footprint and impervious surfaces are required to be landscaped. In addition, buffering and screening is required for parking, the drive-through lane, and screening of mechanical equipment. Landscape buffering is proposed within the required setbacks, parking lot landscape bays, and to screen mechanical equipment. A final landscaping plan will be provided prior to the issuance of a building permit in accordance with applicable standards under LDC 16.15.020.C.2.f. Conditions of development have also been incorporated to establish the type of landscaping required to meet the buffering and screening requirements.

Screening of Refuse Containers – Section 16.15.020.2.f.2 requires refuse containers and disposal areas to be screened from view by placement of a sight-obscuring fence, wall, or hedge at least six feet tall. A refuse enclosure has been shown on the submitted site plan and will be verified for compliance upon building permit review.

Based on the evaluation of the factors above, this criterion can be met.

3. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval.

RECOMMENDED FINDING: There are no known or anticipated impacts of the proposed use on adjacent properties or the public. The site is located along the South Santiam Highway corridor that is intended for auto oriented development. Restaurants with drive - through service are permitted via Condition Use in the Z-MU zoning district.

Aesthetic and privacy concerns, if any, are addressed through site and building design, landscaping and screening standards as discussed above, under Finding number 2 and incorporated here by reference.

Any concerns regarding parking, access, and the availability and capacity of public facilities are addressed via compliance with the City of Lebanon Development Code, Public

Improvement Standards, Adopted Standards and Specifications for Construction, and other relevant sections of the Lebanon Municipal Code. Compliance with the standards is discussed below, under Finding Number 4, and incorporated here by reference.

The proposed structure and site improvements compliance with applicable Code standards referenced under this criterion will be assured prior to development on the subject property through subsequent building or other permit processes. For example, compliance with many requirements of the Oregon Structural Specialty Code, Oregon Fire Code, and City off-street Parking and Access Standard can only be evaluated in conjunction with a building permit application for construction on the site. However, where it is anticipated obstacles to compliance with any of the referenced regulations exist, it is appropriate to identify and resolve those issues, to the extent practicable, through this land use decision. Therefore, this criterion is met or can be met with the including conditions of development.

4. All required public facilities have adequate capacity to serve the proposal.

RECOMMENDED FINDING: For streets, as shown on the submitted site plan, the proposed developed is to construct a dine-in/drive-through restaurant with associated site and parking lot improvements. The site is located on the east side of S Santiam Highway. As shown, there are no proposed changes to the existing access driveway. Pedestrian access will be provided with a proposed sidewalk extension and connection. S Santiam Highway is classified as a principal arterial street and is constructed to City/State standards, and there are no proposed changes along the frontage for the property.

Section 16.20.110.B of the development code indicates the City may require a Traffic Impact Analysis (TIA) as part of an application for a development when there is an increase in site traffic volume by 300 average daily trips. Based on the Institute of Transportation Engineers (ITE) trip generation rates for a Fast-Food Restaurant with Drive-Through Window in an Urban and Suburban area are estimated to have 32.67 vehicle trips per 1,000 square feet of gross floor area during the PM Peak Housing with 471 average daily trips. Therefore, based on the building square footage, it is estimated that the use would generate 82 peak PM vehicle trips per day. There is no known data for trip generation in rural communities. As the Lebanon Transportation System Plan does not identify any level of service or safety problems along the frontage of the site, the traffic patterns are already restricted to a “right-in/right-out” movement and ODOT would not allow another traffic signal within the close proximity of the signal at Burdell, there is no anticipated traffic mitigation that may be deployed or required for this use and a TIA was not required.

For sewer, water and storm drainage, there is an existing 8-inch sewer main, a 16-inch water main, and a 12- and 21-inch public storm drain in S Santiam Highway. These existing facilities are sized appropriately to accommodate development in compliance with the Comprehensive Plan. As the proposed use complies with the development code and the subject zoning, the project is in compliance with the comprehensive plan and therefore considered to be able to be accommodated in accordance with the existing facility plans.

For Police protection, the proposed development would be served by the Police Department, there are no known concern stated by the Police Department.

For the Fire District, the Fire Marshal has reviewed the proposed development and provided a letter for development standards for the fire district upon approval of the conditional use permit. A condition of development has been incorporated to ensure the development complies with Fire Code.

5. Existing conditions of approval required as part of a prior land use decision shall be met.

RECOMMENDED FINDING: There are no known conditional use permits for the subject property.

6. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 16.30, Non-conforming Use and Development.

RECOMMENDED FINDING: There are no non-conforming conditions in the lease-hold area as the area is vacant.

7. The application complies with all of the Community Development Standards in LDC Chapters 16.12-16.19.

RECOMMENDED FINDING: Findings pertaining to Chapters 16.12 – 16.16 are provided under previous criterion above and incorporated herein by reference. Chapter 16.17 regarding wireless communication facilities is not applicable as none are proposed with this application. Chapter 16.18 provides standards for signage. A condition of development has been incorporated to require all signage to comply with Chapter 16.18. Chapter 16.19 refers to accessory structures and temporary uses, with the only applicable section for lighting standards. A condition of development has been incorporated to provide a photometric plan to demonstrate compliance with this section.

IV. PUBLIC NOTIFICATION AND COMMENTS

A public notification for this project was issued on August 25, 2021. No comments were received from members of the public at time of publishing the Planning Commission agenda. Comments were received by the Fire District, Engineering Department, and the Building Department and have been incorporated as conditions of development for the application.

Any public comments received prior to the hearing will be distributed to the Planning Commission and the Applicant and posted to the City’s website as indicated in the Public Notice.

V. CONCLUSION AND RECOMMENDED CONDITIONS FOR DEVELOPMENT

Staff finds the proposal complies with the decision criteria for Conditional Use Permit, and recommends approval of the application subject to the adoption of the following Conditions of Development:

The Planning Department conditions include, but may not be limited to:

1. The noise generated from the menu board voice box and on-site activities shall comply with the City's noise ordinance.
2. On-site lighting shall be designed to comply with the lighting standards in Chapter 16.19 of the development code, including being oriented away from the neighboring properties.
3. High Screen landscaping shall be applied to the northern, eastern, and southern property lines in areas not within the vision clearance triangles to comply with the buffering requirements for drive-through facilities. Landscaping in the front setback area shall be designed to buffer the drive-through lane from view.
4. A landscape plan shall be provided for review and approval by the Planning Official prior to the issuance of building permits.
5. A minimum of 15 vehicle parking spaces shall be maintained on-site. A minimum of 4 covered bicycle spaces shall be provided on-site and permanently maintained.
6. The site shall be maintained in a clean and orderly manner with trash and debris being picked up on a daily basis.
7. A sign permit shall be obtained for all proposed on-site signage.

The Lebanon Fire District conditions include, but may not be limited to:

1. Plans shall be submitted for review and approval by the Lebanon Fire Marshal that demonstrates full compliance with the Oregon Fire Code and local amendments. Lebanon Fire Marshal approval shall be obtained prior to issuance of building permits.

The Engineering Department conditions include, but may not be limited to:

General

1. All public improvements shall:
 - a. Conform to the latest "City of Lebanon Standards for Public Improvements."
 - b. Require completion of a Drawing Review Application and a Public Improvement Permit prior to beginning construction.
 - c. Be designed by a professional engineer registered in the State of Oregon.
2. An engineered site plan shall be submitted for review and approval for the site. 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, drainage, and erosion control plan.
3. 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.
4. All private, onsite utilities must be reviewed and approved by the City Building Official.

Water

1. Fire suppression will be under the Fire Marshal review and approval. The number and location of fire hydrants shall be approved by the Lebanon Fire Marshal. All new hydrants must be operational and accepted by the City prior to storage of combustible materials on site or issuance of building permits.
2. Onsite public hydrants shall have a 10' public access and utilities easement

Storm Drainage

1. 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. Storm drain capacity shall be determined by the Rational Method for a 10-year event with a 15-minute minimum durations time using the curve (fig 5.3) in the master plan. A detailed design including engineering calculations shall be submitted as part of site plan review.
2. With the engineering drawings, provide a grading plan for the sites that indicates existing and proposed elevations. Drainage improvements (ditches and or piping) may be required at the site boundaries to prevent adverse impacts. The engineering drawings must provide a detailed design (including calculations) of the drainage improvements and mitigation of any impacts to adjacent properties.

Transportation

1. Provide an ODOT approved permit for driveway access and utility construction in the right of way.

Landscaping

1. 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.
2. 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.

V. RECOMMENDED ACTIONS

1. Evaluate the public testimony and the record established before the Planning Commission
2. Commission options:

1. Approve the proposed Conditional Use Permit (CU-21-02), adopting the written findings for the decision criteria contained in the staff report with the conditions of development; or
2. Approve the proposed Conditional Use Permit (CU-21-02), adopting modified findings for the decision criteria and conditions of development; or
3. Deny the proposed Conditional Use Permit (CU-21-02), specifying reasons why the proposal fails to comply with the decision criteria; and
4. Direct staff to prepare a Planning Commission Order of Decision for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **September 15, 2021 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.:	CU-21-02
Applicant:	John S Odom
Location:	Santiam Highway
Map & Tax Lot No.:	12S02W23B 00114
Request:	Conditional Use
Decision Criteria:	Lebanon Development Code Chapters: 16.06, 16.20 & 16.21

Request: The applicant is requesting approval to construct an approximately 2,500 square foot dine-in/drive-thru restaurant with associated site and parking lot improvements.

Meeting Information: The public is invited to either participate in person at the Santiam Travel Station, or watch the meeting online on September 15, 2021 through the City of Lebanon's YouTube page at: <https://youtu.be/lhTIJKTWkuQ>. The Agenda and application materials will be available for review on the City's website at <https://www.ci.lebanon.or.us/meetings> seven days prior to the hearing.



Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, September 14, 2021**. Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. Members of the public may also provide comments on the agenda item in person at the Santiam Travel Station during the meeting.

If you are unable to attend the meeting and wish to address the Commission under Public Comments or for a Public Hearing, click:

https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_ipnNBgdCRXOMxDc4jp_JCw to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting. Please register **ONLY** if you wish to address the Commission. If you want to watch or listen to the meeting please click this link to do so on YouTube: <https://youtu.be/lhTIJKTWkuQ>.

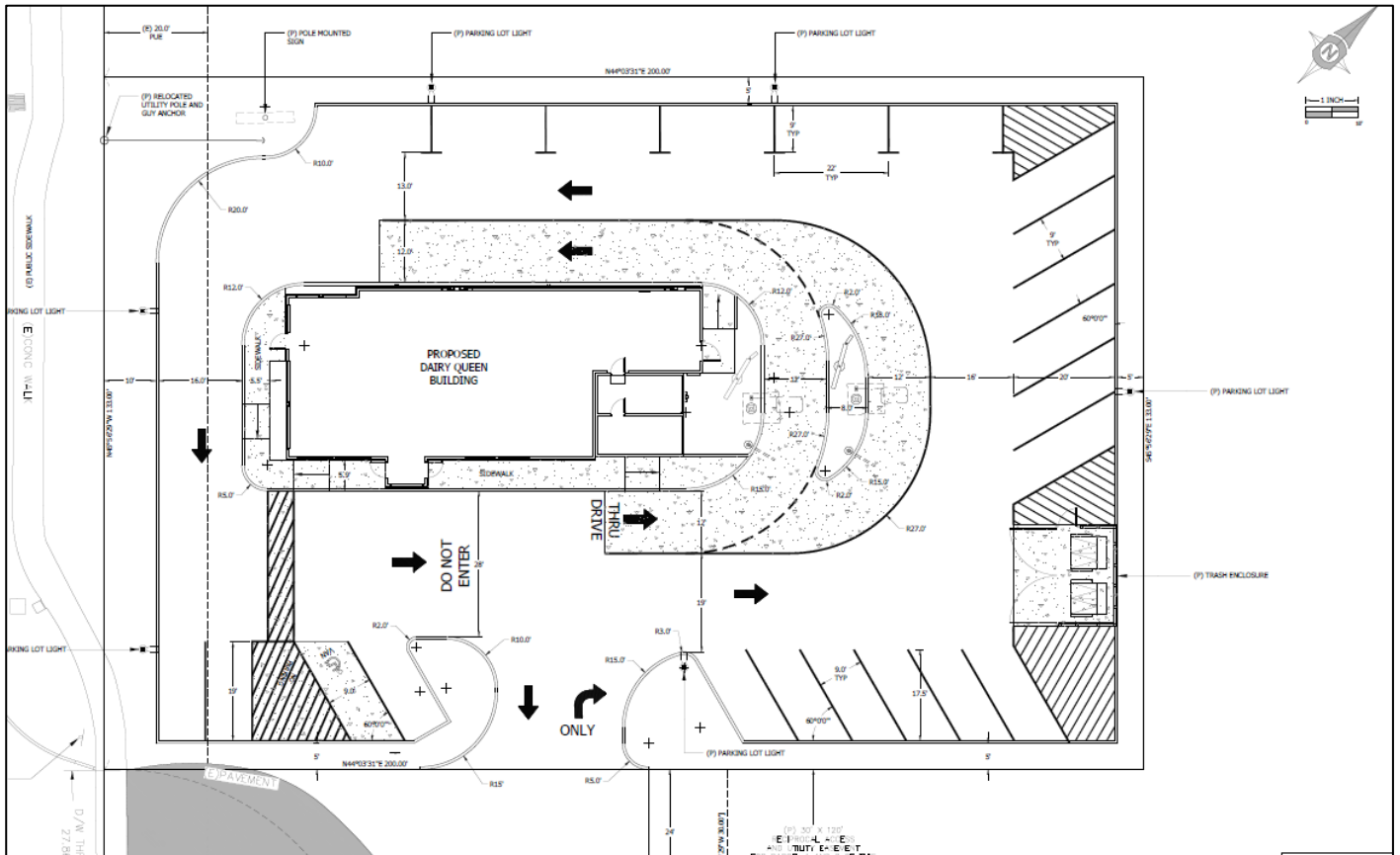
CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are 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 seven 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.

The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

PROPOSED SITE PLAN





LAND USE APPLICATION

PROPERTY INFORMATION

Site Address(es): S. Hwy 20 (No formal address established)

Assessor's Map & Tax Lot No.(s): TBD - Lot has been platted, no Tax Number established

Comprehensive Plan Designation / Zoning Designation:

Current Property Use: Vacant Land

Project Description:

Construct a new Dairy Queen restaurant w/ a drive thru window.

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: John S. Odom

Phone: 417.343.2602

Address: P.O. Box 410394

Email: john@johnsodom.com

City/State/Zip: St Louis, MO 63141

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 of this information may be revoked if it is found that such statements are false.

APPLICANT SIGNATURE

Digitally signed by John S. Odom
 email=john@johnsodom.com,
 c=US
 Date: 2021.07.27 10:54:58 -05'00'

Date:

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: Rob Freres

Phone: 5038594224

Address: 141 14th

Email: Rtfreeres@frereslumber.com

City/State/Zip: Lyons, or 97358

DocuSigned by:

OWNER SIGNATURE

Date: 8/10/2021

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Udell Engineering & Land Surveying, LLC

Phone: 541.451.5125

Address: 63 East Ash Street

Email:

City/State/Zip: Lebanon, OR 97355

Architect: John S. Odom

Phone: 1.417.343.2602

Address: P.O. Box 410394

Email: john@johnsodom.com

City/State/Zip: St Louis, MO 63141

Other:

Phone:

Address:

Email:

City/State/Zip

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- Application and Filing Fee
- Narrative Describing the Proposed Development 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, Include other drawings if applicable
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

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	\$750	Planned Development – Preliminary	\$2,500
Administrative Review (Planning Commission)	\$1,500	Planned Development – Final (Ministerial)	\$500
Annexation	\$2,500	Planned Development – Final (Administrative)	\$750
Code Interpretation	\$250	Planned Development – Final (Quasi-Judicial)	\$1,500
Comprehensive Plan Map/Text Amendment	\$2,500	Subdivision Tentative	\$1,500
Conditional Use	\$1,500	Subdivision Final	\$750
Fire District Plan Review	\$100	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Historic Preservation Review or Register	Varies	UGB Amendment	Actual Cost
Land Partition	\$750	Variance (Class 1 – Minor Adjustment)	\$250
Ministerial Review	\$250	Variance (Class 2 – Adjustment)	\$750
Non-Conforming Use/Development	\$750	Variance (Class 3)	\$1,500
Property (Lot) Line Adjustment	\$250	Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	File No.:

THE CITY THAT FRIENDLINESS BUILT

CONDITIONAL USE / ADMINISTRATIVE REVIEW APPLICATION

Submitted to: City of Lebanon
Planning Department
925 S. Main Street
Lebanon, Oregon 97355
541-258-4906

Applicants/Property Owners: DND Groups, Inc.
C/O Dara Dejbakhsh
23101 Lake Center Drive, Suite 160
Lake Forest, California 92630

Applicant's Representative: JSO Services, LLC
John Odom
99 Meadowbrook Country Club Estates
Saint Louis, Missouri 63011
john@johnsodom.com / (417) 343-2602

Applicant's Engineer: Udell Engineering and Land Surveying, LLC
Brian Vandetta
63 E. Ash Street
Lebanon, OR 97355
brian@udelleng.com / (541) 451-5125

Site Location: Unassigned

Linn County Assessor's Map No.: 12S-02W-23B Tax Lot 114

Site Size: 0.61-acres

Existing Land Use: Unimproved

Zone Designation: Mixed Use (MU)

Comprehensive Plan Designation: Mixed Use

Surrounding Zoning: North: Mixed Use (MU)
South: Mixed Use (MU) (across S. Santiam Hwy)
East: Mixed Use (MU)
West: Mixed Use (MU)

Surrounding Uses: North: Unimproved
South: Commercial retail (Walmart)
East: Unimproved
West: Unimproved

I. Executive Summary

The applicant requests approval of a Conditional Use application to construct an approximately 2,500 square foot dine-in/drive-thru restaurant with associated site and parking lot improvements.

Location/Site Characteristics

The subject property is an interior site fronting S. Santiam Highway and is identified as Linn County Tax Assessor's Map No. 12S-02W-23B Tax Lot 114 and Parcel 1 of Partition Plat no. 2021-57. The site is 0.61-acres and unimproved.

The subject site is in a partially improved portion of the Santiam Highway Corridor and entirely surrounded by the Mixed-Use zoning district. To the north, is Burdell Boulevard and the BNSF Railroad. To the east, is Walgreens. To the south, is the South Santiam Highway right-of-way and Walmart. To the west, a vehicle sales lot.

Operating Characteristics

The operating characteristics of the proposed use include both drive-thru and dine-in food service with hours of operation that are not anticipated to extend into the hours between 10 p.m. and 10 a.m. on weekdays, and 10 p.m. and 11 a.m. on weekends. Egress and ingress to the site is via an existing 27.86-foot-wide shared driveway encroachment to South Santiam Highway.

II. Analysis of Development Code Criteria

According to Lebanon Development Code (LDC) 16.06.060, Table 16.06-3, Food and Beverage Sales with drive-up facilities are permitted in the MU zone with Conditional Use review by the Planning Commission through a quasi-judicial review process.

According to LDC 16.21.050, the Conditional Use application submittal requirements include an application authorization form, site analysis map, proposed development plan, preliminary grading plan, and other information as needed to determine conformance with LDC 16.21.060.

III. Review Criteria (Conditional Use for Mini-Storage Units)

LDC 16.21.060 includes the following review criteria that must be met for a conditional use application to be approved. Code criteria are written in ***bold italics*** and are followed by findings and conclusions.

- A. **The application complies with all of the applicable provision of the underlying Land Use Zones (LDC Chapters 16.05 – 16.11), including building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses.**

1.1 The property where the proposed development is located is zoned Mixed-Use (Z-MU).

1.2 The purpose of the MU zoning district, according to Section 16.060.020.A, is as follows:

"The purpose of the Mixed-Use Zone is to provide lands that possess potential for several

types of land use or combinations of different land uses. The intent of this designation is to achieve an environment in which different land uses can co-exist by providing building groupings for privacy, usable and attractive open spaces, and safe circulation, thus promoting the general wellbeing of the residents, businesses, and other occupants. Effective mixed-use zones not only allow the co-location of various types of uses, but they also promote compatible architectural design and connectivity of buildings to streets and paths.”

1.3 The development standards for the MU zone are found in Table 16.06-7 and are as follows:

- a. There is no minimum lot size for uses other than residential. Therefore, this criterion is not applicable.
- b. Required yards and other site development standards are as required in the in the Z-RM, Z-NMU, ZNCM, Z-CCM, Z-HCM, Z-IND, or Z-PU zone. A comparison table of the most compatible zones is provided below:

Standard	Central Business Commercial Zone (Z-CCM)	Highway Commercial Zone (Z-HCM)
Maximum Height	75'	45'
Maximum Building Coverage	100%	100% (less setback area)
Minimum Setbacks	<p>(a) Front yards and street side yards shall be a minimum of 0</p> <p>(b) Front yards or street side yards abutting a residential zone shall be 10'</p> <p>(c) Side yards abutting a residential zone shall be 10'</p> <p>(d) Rear yards abutting a residential zone shall be 20'</p>	<p>(a) Front yards and street side yards shall be a minimum of 10'</p> <p>(b) Front yards or street side yards abutting a residential zone shall be 20'</p> <p>(c) Side yards abutting a residential zone shall be 20'</p> <p>(d) Rear yards abutting a residential zone shall be 20'</p>

to the north of South Santiam Highway and the Walmart Supermarket, to the south of BNSF Railroad, and west of the Burdell Boulevard/South Santiam Highway intersection. All adjacent properties are within the MU zoning district with sites predominately developed with commercial.

The site closely aligns with the Highway Commercial Zone based on its proximity to the South Santiam Highway corridor, the existing development pattern, and purpose statements of the respective zones.

Building height is the vertical distance from grade to the average height of the roof surface. Final building plans are not yet completed, but on average the building height for a restaurant is 10 - 15 feet. Regardless, the building height will be less than the 45-foot maximum building height in the HCM zoning districts.

A setback is the required distance between a property line and a building, or other feature, in which development is restricted. The preliminary site plan shows building setbacks at least 31.5-feet from the front property line; 34-feet from the west property line; 53.5-feet from the east property line; and 89-feet from the north interior property line (see Sheet C200, Preliminary Site Plan). The parking lot improvements maintain a 10-foot front and 5-foot interior setback.

Lot coverage is the area of the lot covered by a building, or buildings, expressed as a percentage of the total lot area. The site is 0.61-acres with a proposed building coverage area of 2,500 square feet, or 9 percent lot coverage. Therefore, the lot coverage is less than the 100 percent (less setbacks) maximum permitted in the HCM zone district.

- c. Clear vision area is as provided in Section 16.12.030.H.4. All access points must contain a clear vision area which consist of a triangular area, two sides of which are lot lines measured from the corner intersection of the street lot lines and the third side of which is a line across the corner of the lot joining the non-intersection ends of the other two sides. The clear vision area for corner lots is 20 feet along the right-of-way of each intersecting street. The clear vision area for a street-driveway intersection shall be 10 feet along the driveway from its intersection with the street right-of-way and 20 feet along the street right-of-way at the point of intersection with the driveway. However, there is no proposed development or alterations to the existing access points. Therefore, this standard is not applicable to this development.

B. The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.

- 2.1 “Adequate” is not defined in the Lebanon Development Code but the Merriam Webster’s Collegiate Dictionary, Eleventh Edition, defines “adequate” as “(1) sufficient for a need or requirement.”
- 2.2 Proposed Use. The proposed use is an approximately 2,500 square foot commercial dine-in/drive-thru restaurant with associated site and parking lot improvements.

- 2.3 Location. The subject property is identified as Linn County Assessor's Map No. 12S-02W-23B Tax Lot 114. The site is unimproved and located along the South Santiam Highway corridor.

To the north, is an unimproved parcel in the MU zone district, Burdell Boulevard, and the BNSF Railroad. To the east, is an unimproved parcel in the MU zone district that abuts Walgreens and the Burdell Boulevard/South Santiam intersection. To the south, is the South Santiam Highway right-of-way and Walmart in the MU zone district. To the west, an unimproved parcel and vehicle sales lot in the MU zone district.

- 2.4 Site Size, Dimensions, and Topography. The site is 0.61-acres in size measuring 133 feet by 200 feet. The site is relatively flat with an elevation of 364 feet to 367 feet, sloping from the northeast to southeast. (See Sheet C100, Existing Conditions).

- 2.5 Access. The site has frontage on and shared access to South Santiam Highway. The existing driveway encroachment is 27.86-foot-wide and 830 feet to the west of the Burdell Boulevard/South Santiam intersection.

- 2.6 Building Mass: Mass refers to the size or physical bulk of a building, and can be understood as the actual size, or size relative to context.

The preliminary site plan shows an approximately 2,500 square foot building that is approximately 38-foot-wide and 72.5-foot-deep and approximately 20-foot-tall.

The following design techniques will decrease any perceived bulk: 1) increased setbacks to property boundaries properties; 2) reduced overall height; 3) building orientation.

- 2.7 Vehicle Parking: Table 16.14.070-1 of LDC 16.14.070 requires ten spaces per 1,000 square feet of net floor area for an eating or drinking establishments with drive-thru facilities. The net floor area (minus food preparation areas, storage, mechanical rooms) of the proposed structure is approximately 1,500 square feet which equates to 15 required parking spaces. As shown on the primarily civil site plan, 20 vehicle parking spaces and 2 motorcycle parking spaces are proposed thus exceeding the requirement.

- 2.8 Bicycle Parking. According to LDC 16.14.070-1, eating or drinking establishments with drive-thru facilities are required to have bicycle parking that totals five percent of required vehicle parking, or four spaces, whichever is greater. In this case, four bicycle parking spaces are greater than five percent of the 15 required parking spaces so four bicycle spaces are required.

Four bicycle parking spaces are proposed to be provided near the site main entrance along the accessible route in accordance with the standards of LDC 16.14.120. This standard can be verified at the time of a building permit or prior to the issuance of an occupancy permit.

- 2.9 Noise. Noise generation will be minimal for the proposed use, and will likely include noise associated with conversation, vehicle operation, and vehicle traffic.

- 2.10 Lighting and Glare. All on-site lighting will be directed downward and contained on-site. The standard can be verified at the time of a building permit or prior to the issuance of an occupancy permit.
- 2.11 Odor. Odor will be minimal for the proposed use and will likely include cooking and food aromas and some vehicle exhaust from on-site vehicle traffic.
- 2.12 Hours of Operation. The site is expected to be open Monday through Friday with hours of operation not extending into the hours of 10 p.m. and 10 a.m., and 10 p.m. and 11 a.m. on weekends.
- 2.13 Vibrations and Dust: There is no activity that will occur on site that would create vibration or dust. The pedestrian walkways, vehicle travel aisles, and parking spaces are proposed to be hard surfaced.
- 2.14 Privacy and Safety. The use will not impact the privacy of surrounding commercial area since most activity will occur in the building. Staff will be responsible for regular monitoring to ensure the site is maintained, safe, and free of items that are prohibited or potentially harmful.
- 2.15 Buffering and Screening. LDC 16.15.020 and 16.15.030 requires landscape buffering and screening to reduce the impacts commercial development and parking lots. For commercial development, the site area excluding building footprint and impervious surfaces are required to be landscaped. In addition, buffering and screen are required for parking and screening of mechanical equipment.
- Landscape buffering is proposed within the required setbacks, parking lot landscape bays, and to screen mechanical equipment. A final landscaping plan will be provided prior to the issuance of a building permit in accordance with applicable standards under LDC 16.15.020.C.2.f.
- 2.16 Landscaping Required. LDC 16.15.020 provides that all setbacks, exclusive of accessways and other permitted intrusions, shall be landscaped in accordance with LDC 16.15.030. Only front and street side yards have a required setback. All other setbacks pertain to residential zone districts, which are not applicable in this case. Low screen landscaping is proposed in the front yard between the front property line and internal travel aisle.
- 2.17 Irrigation System. LDC 16.15.040 requires that all required landscape areas be provided with a piped underground irrigation system unless a licensed landscape architect or certified nurseryman submits written verification that the proposed plant materials do not require irrigation. An irrigation plan will be provided prior to the issuance of a building permit in accordance with applicable standards under LDC 16.15.040.
- 2.18 Screening of Refuse Containers. LDC 16.15.020.2.f.2 requires that refuse containers and disposal areas be screened from view by placement of a sight-obscuring fence, wall, or hedge at least six feet tall. Prior to the issuance of an occupancy permit, the refuse containers will be screened in accordance with LDC 16.15.020.2.f.2.

C. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval.

- 3.1 There are no known negative impacts of the proposed use on adjacent properties or the public. The site is located along the South Santiam Highway corridor that is intended for auto oriented development. Restaurants with drive-through service are permitted via Condition Use in the MU zoning district.
- 3.2 Aesthetic and privacy concerns, if any, will be addressed through site and building design, landscaping and screening standards as discussed above, under Criterion B, and incorporated here by reference.
- 3.3 Any concerns regarding parking, access, and the availability and capacity of public facilities will be addressed via compliance with the City of Lebanon Development Code, Public Improvement Standards, Adopted Standards and Specifications for Construction, and other relevant sections of the Lebanon Municipal Code. Compliance with the standards is discussed below, under Criterion C, and incorporated here by reference.
- 3.4 The proposed structure and site improvements compliance with applicable Code standards referenced under this criterion will be assured prior to development on the subject property through subsequent building or other permit processes. For example, compliance with many requirements of the Oregon Structural Specialty Code, Oregon Fire Code, and City off-street Parking and Access Standard can only be evaluated in conjunction with a building permit application for construction on the site. However, where it is anticipated obstacles to compliance with any of the referenced regulations exist, it is appropriate to identify and resolve those issues, to the extent practicable, through this land use decision. Therefore, this criterion is met or can be met with reasonable conditions of approval.

D. All required public facilities have capacity to serve the proposal.

Streets

- 4.1 As shown on the preliminary civil site plan, the proposed development is to construct a dine-in/drive-thru restaurant with associated site and parking lot improvements. The site is located on the north side of South Santiam Highway.
- 4.2 As shown on the site plan, there are no proposed changes to the existing 27.86-foot-wide ingress/egress to South Santiam Highway. Pedestrian access will be provided via proposed sidewalk connection.
- 4.3 South Santiam Highway is classified as a principal arterial street and is constructed to City/State standards. Improvements include curb, gutter, and sidewalk along both sides of the road, two travel lanes in each direction, and a center turn lane. No changes are proposed to the frontage along the existing encroachment to South Santiam Highway.
- 4.4 According to LDC 16.20.110(B), the City or other road authority may require a Traffic

Impact Study as part of an application for development when an increase in site traffic volume generation by 300 Average Daily Trips.

- 4.5 Based upon the Institute of Transportation Engineers (ITE) trip generation rates for Category 934, "Fast Food Restaurant with Drive-Through Window," are estimated to have 32.67 vehicle trips per 1,000 square foot of gross floor area during the PM Peak Hour with 471 average daily trips. Therefore, based on the building square footage it is estimated that the fast-food establishment will generate 82 peak PM vehicle trip per day.
- 4.6 Lebanon's Transportation System Plan (TSP) does not identify any level of service or safety problems along either frontage of the site.

Sanitary Sewer

- 4.7 According to LDC 16.16.030 adequate sanitary sewer infrastructure and service must be made available to serve each new development. Such facilities and service must comply with the City's Sanitary Sewer Facility Plan and applicable construction specifications.
- 4.8 City utility maps show an eight-inch public sanitary sewer main in South Santiam Highway. A connection to the public sanitary sewer in South Santiam Highway is proposed (see Sheet C400, Preliminary Utility Plan).

Water

- 4.9 According to LDC 16.16.030 adequate water infrastructure and service must be made available to serve each new development. Such facilities and service must comply with the City's Water System Facility Plan and applicable construction specifications.
- 4.10 City utility maps show a 16-inch public water main in South Santiam Highway. A connection to the public water system in South Santiam Highway is proposed (see Sheet C400, Preliminary Utility Plan).

Storm Drainage

- 4.11 According to LDC 16.16.040, the City may grant land use approval and issue a development permit when adequate provisions for storm water runoff are or will be made available in compliance with the City's Storm Drainage Master Plan and all applicable local, state, and federal standards.
- 4.12 All new site development must maintain pre-development peak historic storm water discharge rates as per City standards. The application for a development proposal shall demonstrate, through calculations acceptable to the City Engineer, that this standard will be met by the proposed development.
- 4.13 City utility maps show a 12-inch and 21-inch public storm drain in South Santiam Highway. A connection to the public storm drain system in South Santiam Highway is proposed (See Sheet C300, Preliminary Drainage Plan).

Police Protection

- 4.14 The proposed development is served by the City of Lebanon Police Department.
- 4.15 No comments or concerns were provided by the City of Lebanon Police Department during the pre-application meeting concerning this development.

Fire Safety

- 4.16 The proposed development is served by the Lebanon Rural Fire Protection District.
- 4.17 No comments or concerns were provided by the Lebanon Rural Fire Protection District during the pre-application meeting concerning this development

E. Existing conditions of approval required as part of a prior land use decision shall be met.

- 5.1 The creation of the subject parcel was reviewed and approved under Lebanon Planning File No. MLP-21-05. All conditions of this land use approval were satisfied prior to the recordation of Linn County Survey No. 27054/Partition Plat No. 2021-57.

F. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 16.30, Non-Conforming Uses and Development.

- 6.1 There are no known nonconformities. Therefore, this criterion is not applicable.

G. In the case of a use existing prior to the effective date of this ordinance and classified in this Code as requiring a Conditional Use Hearing, a change in use, or in lot area or an alteration or enlargement of structure shall conform to the requirements for Conditional Use review.

- 7.1 The site is unimproved. Therefore, this criterion is not applicable.

H. The application complies with all of the Community Development Standards in LDC Chapter 16.12 – 16.19.

- 8.1 Findings pertaining to Chapters 16.12 – 16.16 are provided under Section B and D above and incorporated herein by reference.
- 8.2 Chapter 16.17 contains provisions pertaining to wireless communication facilities, which is are not provided in association with this application.
- 8.3 Chapter 16.18 contains provisions pertaining to signage. As shown on the civil site plan, a pole mounted sign is proposed at the southeast corner of the site. Conformance with the sign regulation of the Chapter 16.18 will be reviewed at the time of a sign installation permit.
- 8.4 Chapter 16.19 contains other community development and use standards such as accessory uses, residential uses in commercial and industrial zones, manufactured home placement standards, exterior lighting, home occupations, exceptions to yard and height standards, building projections, solar energy, and temporary use.

The only applicable standard in this chapter is LDC 16.19.050 pertaining to exterior lighting. Proposed exterior parking lot lighting will be designed, constructed, located,

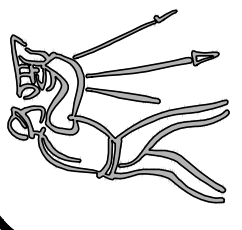
shielded, and directed to not face directly, shine, reflect, or glare onto an adjacent property. A lighting plan and/or detail will be provided with a site improvement or building permit for review and approval.

IV. OVERALL CONCLUSION

Based on the above analysis, the proposed conditional use application meets all the applicable review criteria as outlined above.

V. ATTACHMENTS

- A. Linn County Survey No. 27054/Partition Plat No. 2021-57
- B. Tentative Plan Set
 - 1. Existing Conditions/Demo Plan, Sheet C100
 - 2. Preliminary Civil Site Plan, Sheet C200
 - 3. Preliminary Drainage Plan, Sheet C300
 - 4. Preliminary Utility Plan, Sheet C400
 - 5. Preliminary Dry Utility Plan, Sheet C401



CLIENT:
 DND GROUPS, INC.
 C/O: DARA DEBRAKHS
 CELL: (949) 233-3877
 OFFICE: (949) 830-0700
 23101 LAKE CENTER DRIVE, SUITE 160
 LAKE FOREST, CALIFORNIA 92630

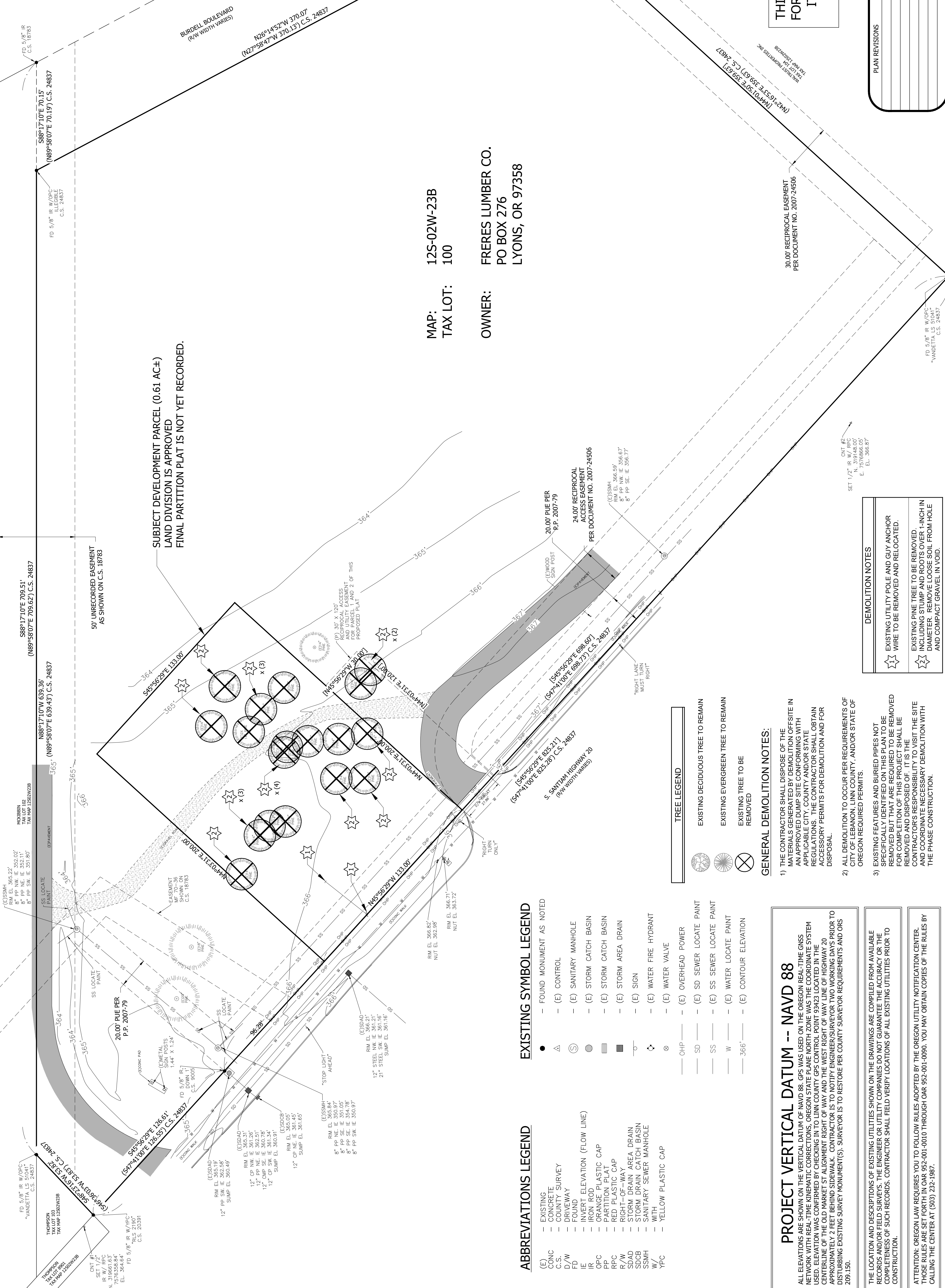
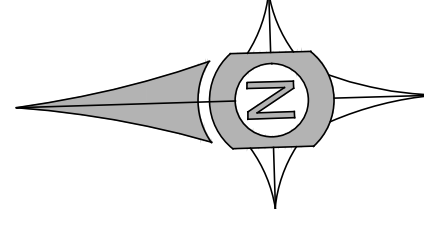
UDELL ENGINEERING AND LAND SURVEYING, LLC
 69 EAST ASH ST.
 LEBANON, OREGON 97355
 (541) 451-5125 PH.
 (541) 451-1366 FAX

EXISTING CONDITIONS/DEMO PLAN
DND GROUPS, INC LEBANON DAIRY QUEEN
 LEBANON, OREGON

DATE: AUGUST 4, 2021
 PROJECT: 20-348 LEBANON DQ
 DRAWN BY: M.L.M., B.S.V.
 CHECKED BY: B.S.V.
 BSY

THIS PLAN SET WAS DEVELOPED FOR PLANNING PURPOSES ONLY. IT SHALL NOT BE USED FOR CONSTRUCTION

Sheet	C100
SCALE: SEE BARSCALE	
PLAN REVISIONS	DATE



SUBJECT DEVELOPMENT PARCEL (0.61 AC±) LAND DIVISION IS APPROVED FINAL PARTITION PLAT IS NOT YET RECORDED.

MAP: 12S-02W-23B
TAX LOT: 100
OWNER: FRERES LUMBER CO.
 PO BOX 276
 LYONS, OR 97358

DEMOLITION NOTES

- EXISTING UTILITY POLE AND GUY ANCHOR WIRE TO BE REMOVED AND RELOCATED.
- EXISTING PINE TREE TO BE REMOVED, INCLUDING STUMP AND ROOTS OVER 1-INCH IN DIAMETER. REMOVE LOOSE SOIL FROM HOLE AND COMPACT GRAVEL IN VOID.

TREE LEGEND

	EXISTING DECIDUOUS TREE TO REMAIN
	EXISTING EVERGREEN TREE TO REMAIN
	EXISTING TREE TO BE REMOVED

GENERAL DEMOLITION NOTES:

- THE CONTRACTOR SHALL DISPOSE OF THE MATERIALS GENERATED BY DEMOLITION OFFSITE IN AN APPROVED DUMP SITE CONFORMING WITH APPLICABLE CITY, COUNTY AND/OR STATE REGULATIONS. THE CONTRACTOR SHALL OBTAIN ACCESSORY PERMITS FOR DEMOLITION AND FOR DISPOSAL.
- ALL DEMOLITION TO OCCUR PER REQUIREMENTS OF CITY OF LEBANON, LINN COUNTY, AND/OR STATE OF OREGON REQUIRED PERMITS.
- EXISTING FEATURES AND BURIED PIPES NOT SPECIFICALLY IDENTIFIED ON THIS PLAN TO BE REMOVED BUT THAT ARE REQUIRED TO BE REMOVED FOR COMPLETION OF THIS PROJECT SHALL BE REMOVED AND DISPOSED OF. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VISIT THE SITE AND COORDINATE NECESSARY DEMOLITION WITH THE PHASE CONSTRUCTION.

EXISTING SYMBOL LEGEND

- FOUND MONUMENT AS NOTED
- △ COUNTY SURVEY
- ⊙ DRIVEWAY
- ⊙ FOUND
- ⊙ INVERT ELEVATION (FLOW LINE)
- ⊙ IRON ROD
- ⊙ ORANGE PLASTIC CAP
- ⊙ PARTITION PLAT
- ⊙ RED PLASTIC CAP
- ⊙ RIGHT-OF-WAY
- ⊙ STORM DRAIN AREA DRAIN
- ⊙ STORM DRAIN CATCH BASIN
- ⊙ SANITARY SEWER MANHOLE
- ⊙ WITH
- ⊙ YELLOW PLASTIC CAP
- OHP — (E) OVERHEAD POWER
- SD — (E) SD SEWER LOCATE PAINT
- SS — (E) SS SEWER LOCATE PAINT
- W — (E) WATER LOCATE PAINT
- 366' — (E) CONTOUR ELEVATION

ABBREVIATIONS LEGEND

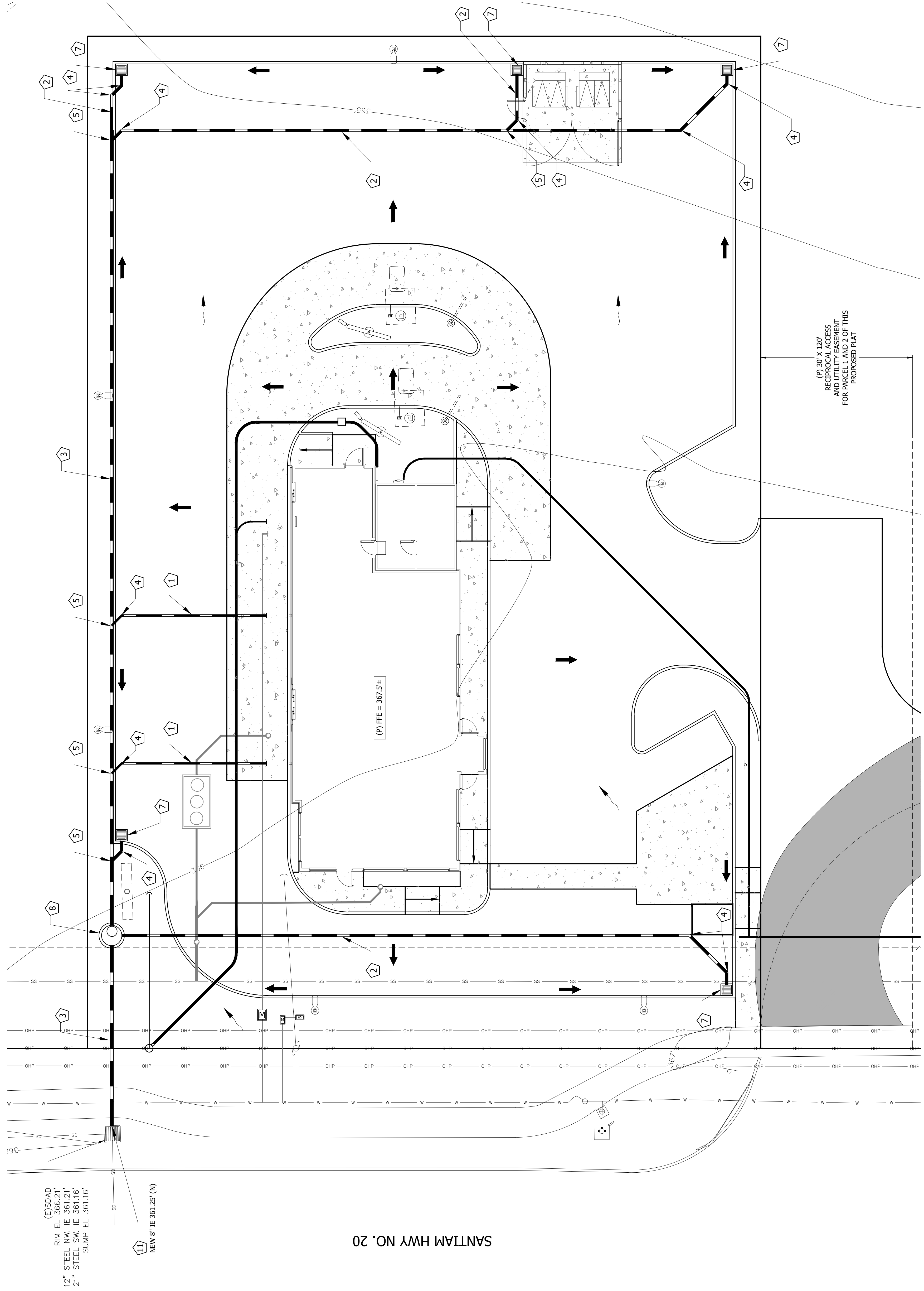
- (E) EXISTING
- CONC CONCRETE
- C.S. COUNTY SURVEY
- D/W DRIVEWAY
- FD FOUND
- IR IRON ROD
- IE INVERT ELEVATION (FLOW LINE)
- OPC ORANGE PLASTIC CAP
- PP PARTITION PLAT
- R/W RIGHT-OF-WAY
- SDAD STORM DRAIN AREA DRAIN
- SDCB STORM DRAIN CATCH BASIN
- SSMH SANITARY SEWER MANHOLE
- W/ WITH
- YPC YELLOW PLASTIC CAP

PROJECT VERTICAL DATUM -- NAVD 88

ALL ELEVATIONS ARE SHOWN ON THE VERTICAL DATUM OF NAVD 88. GPS WAS USED ON THE OREGON REAL-TIME GNSS NETWORK WITH REAL-TIME KINEMATIC CORRECTIONS. OREGON STATE PLANE NORTH ZONE WAS THE COORDINATE SYSTEM USED. ELEVATION WAS CONFIRMED BY CHECKING IN TO LINN COUNTY GPS CONTROL POINT 93423 LOCATED IN THE CENTERLINE OF THE OLD MARKET ST ALIGNMENT RIGHT OF WAY AND THE WEST RIGHT OF WAY LINE OF HIGHWAY 20 APPROXIMATELY 2 FEET BEHIND SIDEWALK. CONTRACTOR IS TO NOTIFY ENGINEER/SURVEYOR TWO WORKING DAYS PRIOR TO DISTURBING EXISTING SURVEY MONUMENT(S). SURVEYOR IS TO RESTORE PER COUNTY SURVEYOR REQUIREMENTS AND ORS 209.150.

THE LOCATION AND DESCRIPTIONS OF EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE COMPILED FROM AVAILABLE RECORDS AND/OR FIELD SURVEYS. THE ENGINEER OR UTILITY COMPANIES DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF SUCH RECORDS. CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

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 AT (503) 232-1987.



DND GROUPS, INC.
 C/O: DARA DEBAKSH
 CELL: (949) 233-3877
 OFFICE: (949) 830-0700
 23101 LAKE CENTER DRIVE, SUITE 160
 LAKE FOREST, CALIFORNIA 92630

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON 97335
 (541) 451-1366 FAX
 (541) 451-5125 PH

PRELIMINARY DRAINAGE PLAN
DAIRY QUEEN
LEBANON, OREGON

DATE:	AUGUST 4, 2021
PROJECT:	20-348 LEBANON DQ
DRAWN BY:	MLM, BSW
CHECKED BY:	BSW

Sheet **C300**
 SCALE: SEE BARSCALE

- STORM DRAIN NOTES**
- INSTALL 4" PRIVATE PVC STORM PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE IF WITHIN 5.0 FEET OF THE BUILDING FOUNDATION USE PVC SCH. 40 OR ABS SCH. 40 AND IF NOT USE PVC D3034, SDR 35. SLOPE = 1.0% MINIMUM.
 - INSTALL 6" PRIVATE PVC STORM PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE IF WITHIN 5.0 FEET OF THE BUILDING FOUNDATION USE PVC SCH. 40 OR ABS SCH. 40 AND IF NOT USE PVC D3034, SDR 35.
 - INSTALL 8" PRIVATE PVC STORM PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE IF WITHIN 5.0 FEET OF THE BUILDING FOUNDATION USE PVC SCH. 40 OR ABS SCH. 40 AND IF NOT USE PVC D3034, SDR 35.
 - INSTALL PRIVATE BEND, ANGLE AS NOTED.
 - INSTALL PRIVATE WYE, MATCH THRU AND BRANCH PIPE DIAMETERS.
 - INSTALL PRIVATE REDUCER, MATCH THRU AND BRANCH PIPE DIAMETERS.
 - INSTALL PRIVATE STEEL CATCH BASIN PER THE CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.
 - INSTALL PRIVATE 48" DIAMETER CONCRETE FLAT TOP MANHOLE WITH STORM FLOW CONTROL ORIFICE.
 - INSTALL PRIVATE STORM CLEAN OUT PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. USE CAST IRON FRAME AND COVER IN TRAFFIC AREAS.
 - EXTEND 4" PRIVATE STORM FOR ROOF DOWNSPOUT CONNECTION, PERIMETER FOUNDATION DRAIN AND UNDER SLAB DRAIN TO MANHOLE OR STORM PIPE LOCATION. COORDINATION OF DOWNSPOUT STORM PIPE LOCATION, CORE DRILL EXISTING CONCRETE AREA DRAIN TO ACCEPT NEW 6-INCH STORM PIPE CONNECTION. GROUT JOISTS WITH NON-SHRINK GROUT.

- GRADING LEGEND**
- EXISTING SURFACE DRAIN DIRECTION
 - DESIGN SURFACE DRAIN DIRECTION
 - (EP) 000.00 - EXISTING TOP OF PAVEMENT ELEVATION
 - (ET) 000.00 - EXISTING TOP OF CURB ELEVATION
 - (EG) 000.00 - EXISTING GROUND ELEVATION
 - P 000.00 - DESIGN TOP OF ASPHALT PAVE ELEVATION
 - C 000.00 - DESIGN TOP OF CONCRETE PAVE ELEVATION
 - W 000.00 - DESIGN TOP OF SIDEWALK 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
 - TW 000.00 - DESIGN TOP OF WALL ELEVATION

THIS PLAN SET WAS DEVELOPED FOR PLANNING PURPOSES ONLY. IT SHALL NOT BE USED FOR CONSTRUCTION

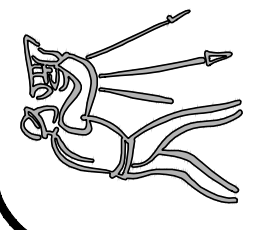
PLAN REVISIONS	DATE

ATTENTION
 CONTRACTOR SHALL POTHOLE EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. REPORT FINDINGS TO ENGINEER.

DOWNSPOUT NOTE:
 CONNECT ALL ROOF DRAIN DOWNSPOUTS TO PIPED STORM DRAIN SYSTEM WITH MANUFACTURED FITTING PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.

(E)SDAD
 RM EL. 366.21'
 12" STEEL NW, IE 361.21'
 21" STEEL SW, IE 361.16'
 SUMP EL. 361.16'
 NEW 8" IE 361.25 (N)

SANTIAM HWY NO. 20

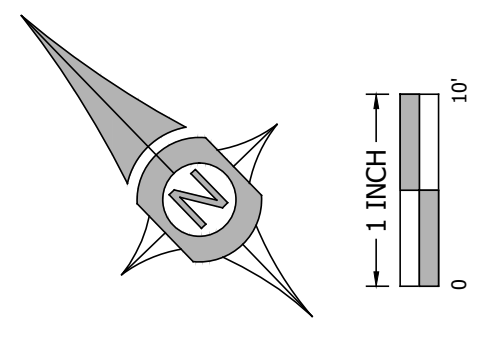


CLIENT:
 DND GROUPS, INC
 C/O: DARA DEBAKSH
 OFFICE: (949) 830-0700
 23101 LAKE CENTER DRIVE, SUITE 160
 LAKE FOREST, CALIFORNIA 92630

UDELL ENGINEERING
 AND
 LAND SURVEYING, LLC
 69 EAST ASH ST.
 LEBANON, OREGON 97335
 (541) 451-1366 FAX
 (541) 451-5125 PH

PRELIMINARY UTILITY PLAN
 DND GROUPS, INC LEBANON
 DAIRY QUEEN
 LEBANON, OREGON

DATE: AUGUST 4, 2021
 PROJECT: 20-948 LEBANON DQ
 DRAWN BY: M.M. BSV
 CHECKED BY: RSV

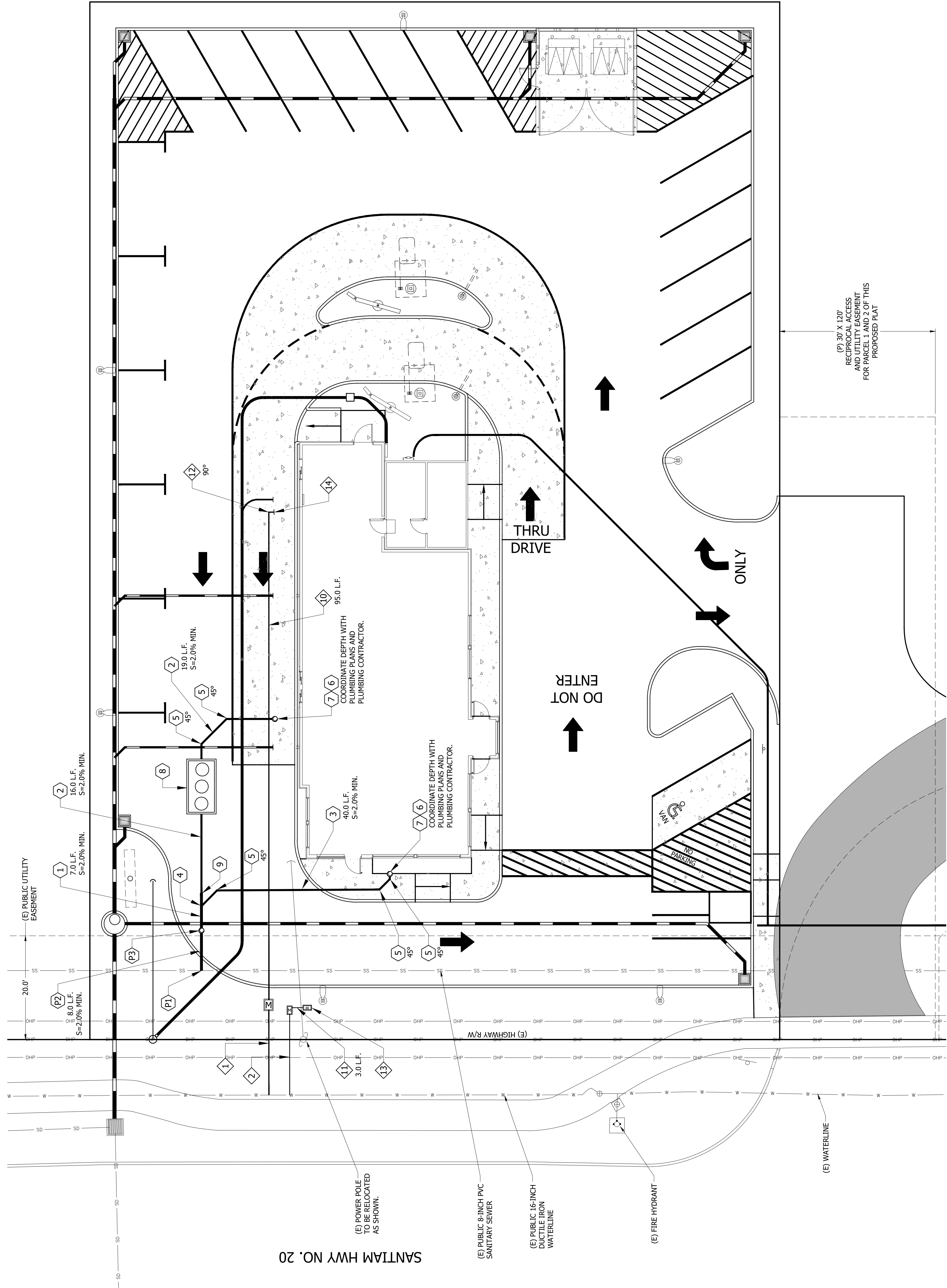


- PUBLIC SEWER NOTES**
- P1 CONNECT TO EXISTING 8-INCH PUBLIC SANITARY SEWER WITH INSERT-A-TEE OR SADDLE TAP PER CITY OF LEBANON STANDARDS.
 - P2 INSTALL PUBLIC 6" PVC D3034, SDR-35 SANITARY SEWER PER CITY OF LEBANON STANDARDS. SEE CITY OF LEBANON STANDARD DETAIL, NO. 0806091. INSTALL TRACER WIRE.
 - P3 INSTALL PUBLIC TWO WAY CLEANOUTS PER CITY OF LEBANON STANDARD DWG. NO. 00400-14 12-INCHES NORTH OF P.U.E. USE CAST IRON FRAME AND COVER RATED FOR TRAFFIC H-20 LOADING IN TRAFFIC AREA. MATCH PIPE SIZE.
- PRIVATE SEWER NOTES**
- 1 INSTALL 6" PRIVATE PVC SEWER PIPE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. INSTALL TRACER WIRE.
 - 2 INSTALL 4" PRIVATE PVC SEWER PIPE FOR BUILDING "GREASE" WASTE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. INSTALL TRACER WIRE.
 - 3 INSTALL 4" PRIVATE PVC SEWER PIPE FOR BUILDING "WATER" WASTE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. INSTALL TRACER WIRE.
 - 4 INSTALL PRIVATE WYE. MATCH THRU AND BRANCH PIPE DIAMETERS.
 - 5 INSTALL PRIVATE BEND. ANGLE AS NOTED.
 - 6 INSTALL PRIVATE SANITARY SEWER CLEAN OUT PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE WITHIN 5 FEET OF THE BUILDING. 100 MPA SPONGE OR 135° ANGLE CHANGE.
 - 7 INSTALL PRIVATE SANITARY SERVICE TO WITHIN 5.0 FEET OF BUILDING. END WITH BUILDING CLEANOUT. SEE PLUMBING PLAN FOR CONSTRUCTION CONTINUATION AND COORDINATION OF PROPER LOCATION.
 - 8 INSTALL OLD CASTLE PRE-CAST CONCRETE "STRATA" 1,000 GALLON GREASE INTERCEPTOR OR APPROVED EQUAL MEETING THE CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. ACCESS POINTS SHALL BE RATED FOR H-20 HIGHWAY LOADING.
 - 9 INSTALL PRIVATE REDUCER. MATCH PIPE SIZES.
- PUBLIC WATER NOTES**
- 1 NEW 2-INCH WATER SERVICE FOR BUILDING WATER SUPPLY. THE NEW SERVICE SHALL BE INSTALLED BY CITY CREWS AT THE DEVELOPER'S EXPENSE. TO COORDINATE INSTALLATION CONTACT TAMMY DICKEY AT THE CITY OF LEBANON 541-258-4254.
 - 2 NEW 1-INCH WATER SERVICE FOR IRRIGATION WATER SUPPLY. THE NEW SERVICE SHALL BE INSTALLED BY CITY CREWS AT THE DEVELOPER'S EXPENSE. TO COORDINATE INSTALLATION CONTACT TAMMY DICKEY AT THE CITY OF LEBANON 541-258-4254.
- PRIVATE WATER NOTES**
- 10 INSTALL PRIVATE 2" PVC DOMESTIC WATER LINE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE FOR BUILDING WATER.
 - 11 INSTALL PRIVATE 1" PVC IRRIGATION WATER LINE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE FOR SITE IRRIGATION WATER.
 - 12 INSTALL PRIVATE BEND. ANGLE AS NOTED.
 - 13 INSTALL PRIVATE 1" BACKFLOW PREVENTION DEVICE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE. INSTALL DEVICE IN PVC VALVE BOX. SEE IRRIGATION PLANS FOR CONTINUATION.
 - 14 EXTEND PRIVATE DOMESTIC WATER SUPPLY TO WITHIN 5.0 FEET OF BUILDING. SEE PLUMBING PLANS FOR CONSTRUCTION CONTINUATION AND COORDINATION OF PROPER LOCATION.

THIS PLAN SET WAS DEVELOPED FOR PLANNING PURPOSES ONLY. IT SHALL NOT BE USED FOR CONSTRUCTION

PLAN REVISIONS	DATE

ATTENTION
 CONTRACTOR SHALL POTHOLE EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. REPORT FINDINGS TO ENGINEER.

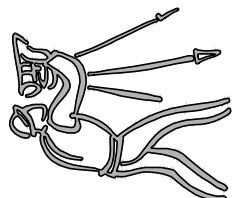


(P) 30' X 120' RECIPROCAL ACCESS AND UTILITY EASEMENT FOR PARCEL 17.07 OF THIS PROPOSED PLAT

SANTIAM HWY NO. 20

Sheet **C400**

SCALE: SEE BARSCALE

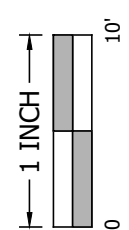
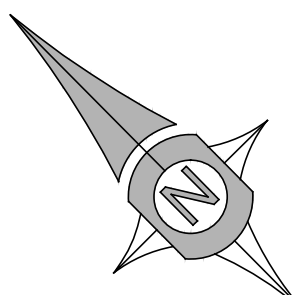


CLIENT:
 DND GROUPS, INC.
 C/O: DARA DEBAKHS
 CELL: (949) 233-3877
 OFFICE: (949) 830-0700
 23101 LAKE CENTER DRIVE, SUITE 160
 LAKE FOREST, CALIFORNIA 92630

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

PRELIMINARY DRY UTILITY PLAN
 DND GROUPS, INC LEBANON
 DAIRY QUEEN
 LEBANON, OREGON

DATE: AUGUST 4, 2021
 PROJECT: 20-248 LEBANON DQ
 DRAWN BY: M.L.B.S.V.
 CHECKED BY: B.S.V.
 859



- SITE POWER CONSTRUCTION NOTES**
- E1** PACIFIC POWER TO INSTALL NEW UTILITY POLE AND GUY WIRE TO REPLACE EXISTING UTILITY POLE AND GUY WIRE. BUILDING POWER SUPPLY TRANSFORMER TO BE MOUNTED ON NEW UTILITY POLE.
 - E2** STUB NEW 4" PVC POWER CONDUIT TO RELOCATED NEW UTILITY POLE TO SERVICE ENTRANCE GEAR. COORDINATE REQUIREMENTS WITH PACIFIC POWER.
 - E3** INSTALL 4" PVC SCH 40 POWER CONDUIT FROM NEW UTILITY POLE TO SERVICE ENTRANCE GEAR. COORDINATE REQUIREMENTS, INSTALLATION AND INSPECTIONS WITH PACIFIC POWER.
 - E4** SWEEP POWER CONDUITS UP TO SURFACE FOR PEDESTAL INSTALLATION. COORDINATE REQUIREMENTS, INSTALLATION AND INSPECTIONS WITH PACIFIC POWER.

- SITE COMCAST CONSTRUCTION NOTES**
- C1** STUB NEW 2" PVC COMCAST CONDUIT TO NEW UTILITY POLE. COORDINATE REQUIREMENTS, INSTALLATION AND INSPECTIONS WITH COMCAST.
 - C2** INSTALL 2" PVC COMCAST CONDUIT FROM NEW UTILITY POLE TO COMCAST BUILDING SERVICE ENTRANCE. COORDINATE REQUIREMENTS, INSTALLATION AND INSPECTIONS WITH COMCAST.

- SITE NW NATURAL CONSTRUCTION NOTES**
- G1** COORDINATE THE EXTENSION OF EXISTING ZANICH POLY GAS MAIN WITH NW NATURAL GAS COMPANY. THE OWNER SHALL PAY NW NATURAL GAS COMPANY FOR EXPENSES TO EXTEND THE GAS MAIN.
 - G2** COORDINATE INSTALLATION OF NEW NW NATURAL GAS LINE WITH NW NATURAL GAS COMPANY. THE OWNER SHALL PAY NW NATURAL GAS COMPANY FOR PROVIDING THE TRENCH AND INSTALLING A NW NATURAL GAS COMPANY PROVIDED YELLOW CONDUIT AND PERFORMING FINISHED BACKFILL. NW NATURAL GAS COMPANY REGIONS. THE SITE CONTRACTOR WILL BE RESPONSIBLE FOR PICKING UP THE YELLOW GAS CONDUIT AT THE NW NATURAL GAS COMPANY FACILITY. COORDINATE REQUIREMENTS, INSTALLATION AND INSPECTIONS WITH NW NATURAL GAS COMPANY FOR REQUIREMENTS, INSTALLATION AND INSPECTIONS.
 - G3** BUILDING SERVICE METER SIZE AND LOCATION TO BE COORDINATED WITH NW NATURAL GAS COMPANY FOR REQUIREMENTS, INSTALLATION AND INSPECTIONS. IT WILL BE THE GENERAL CONTRACTORS RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS FROM NW NATURAL GAS COMPANY PAPER WORK FOR THE NEW SERVICE.

- SITE UTILITY CONSTRUCTION NOTES**
- U3** CONSTRUCT JOINT FRANCHISED UTILITY TRENCH. SEE DETAIL.

- FRANCHISED UTILITY LEGEND:**
- E** ELECTRICAL UTILITIES. SEE ELECTRICAL PLAN FOR CONSTRUCTION CONTINUATION AND COORDINATION OF ELECTRICAL UTILITIES.
 - C** COMMUNICATIONS UTILITIES. SEE ELECTRICAL PLAN FOR CONSTRUCTION CONTINUATION AND COORDINATION OF ELECTRICAL UTILITIES.
 - G** GAS UTILITIES. SEE GAS PLAN FOR CONSTRUCTION CONTINUATION AND COORDINATION OF GAS UTILITIES.

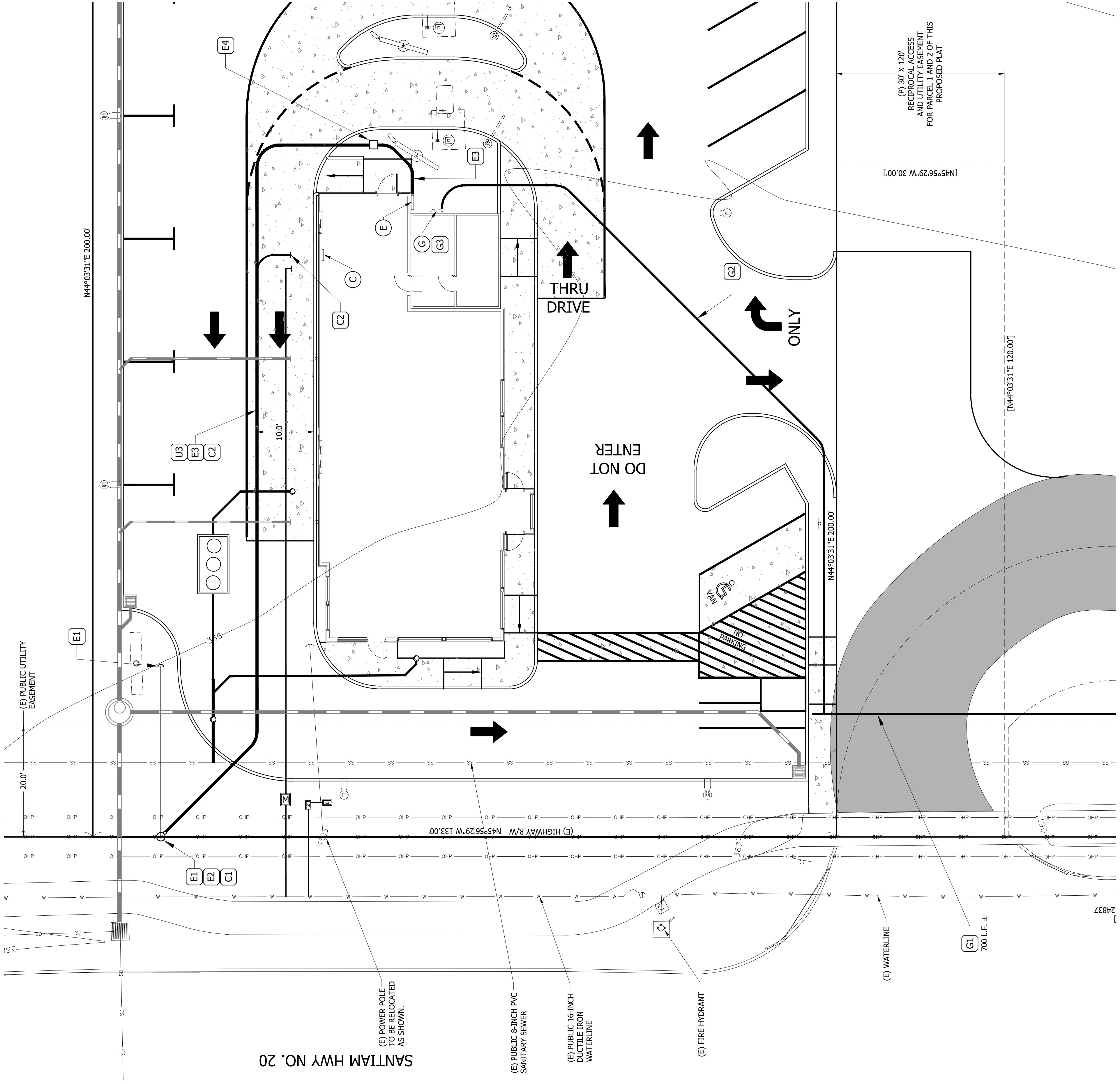
DRY UTILITY GENERAL NOTES:

1. THIS PLAN IS INTENDED FOR GENERAL SCHEMATIC AND BID PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES WITH EACH FRANCHISED UTILITY FOR ACTUAL INSTALLATION COORDINATION, MATERIAL PROVISIONS, MATERIAL SIZES, MATERIAL AVAILABILITY, MATERIAL QUANTITY, AND DESIGN.
2. ALL INSTALLATIONS MUST BE COORDINATED WITH THE ENGINEER OF RECORD AND THE FRANCHISED UTILITY PROVIDER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE FRANCHISED UTILITY PROVIDER AND FOR THIS PROJECT AND TO MEET THE NEEDS OF FUTURE PROJECT PHASES.
3. A FRANCHISED UTILITY PRE-CONSTRUCTION CONFERENCE IS REQUIRED TO DISCUSS THE LOCATION OF FRANCHISED UTILITY CONDUITS AND INFRASTRUCTURE.
4. THE CONTRACTOR SHALL COORDINATE WITH NW NATURAL GAS. NW NATURAL WILL NEED TO EXTEND THEIR 2" POLY MAINLINE APPROXIMATELY 700 LINEAR FEET TO PROVIDE SERVICE TO THIS DEVELOPMENT. NW NATURAL GAS COMPANY WILL BE RESPONSIBLE FOR THE EXPENSE TO PROVIDE A MAINLINE EXTENSION.
5. UTILITY DEPTH SHALL BE AS NOTED. ALL COVERS TO BE OVER 30" IN HEIGHT RELATIVE TO ADJACENT FINISHMENT (I.E. DRIVEWAYS).

THIS PLAN SET WAS DEVELOPED FOR PLANNING PURPOSES ONLY. IT SHALL NOT BE USED FOR CONSTRUCTION

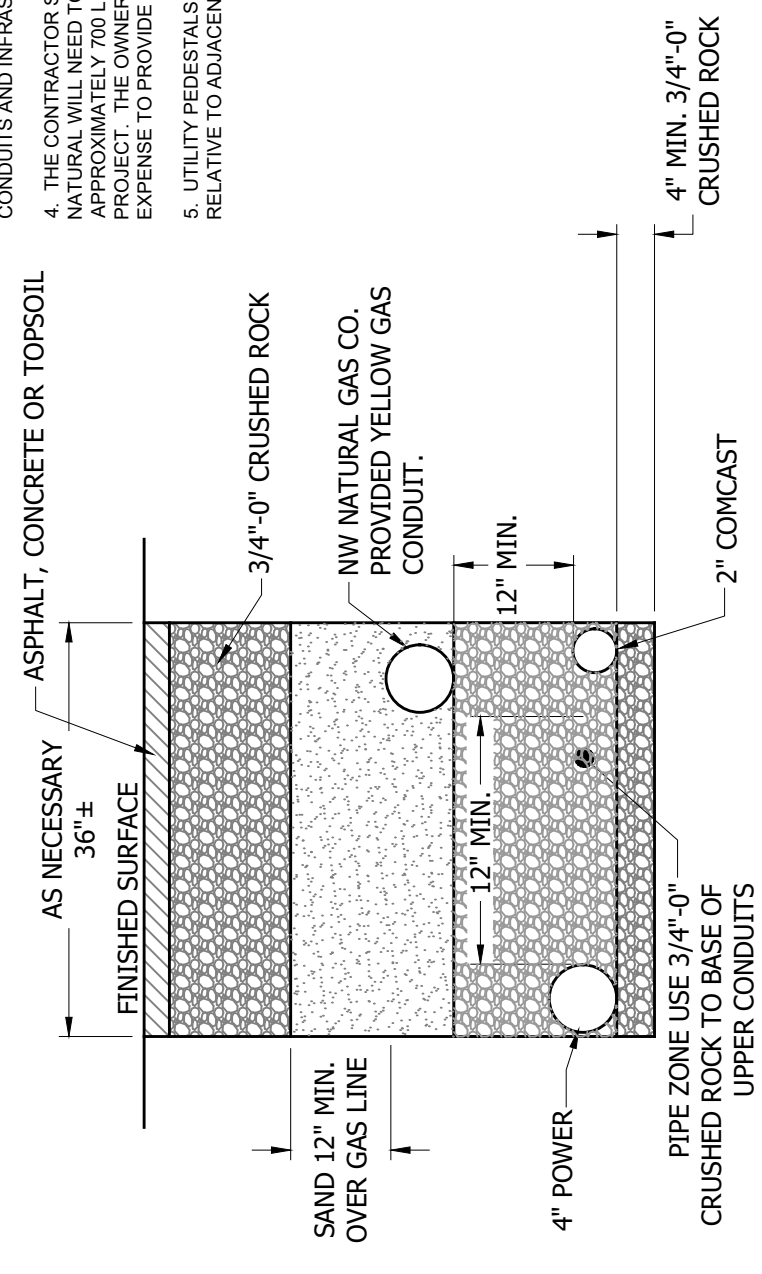
PLAN REVISIONS	DATE

Sheet **C401**
 SCALE: SEE BARSCALE



NW NATURAL GAS NOTE:
 THE EXISTING NW NATURAL GAS COMPANY MAINLINE TERMINATES NEAR THE NW PROPERTY LINE OF WALGREENS. IT IS APPROXIMATELY 700 FEET FROM THIS DEVELOPMENT.

NW NATURAL GAS COMPANY WILL NEED TO EXTEND THEIR MAINLINE TO PROVIDE SERVICE TO THIS PROJECT.



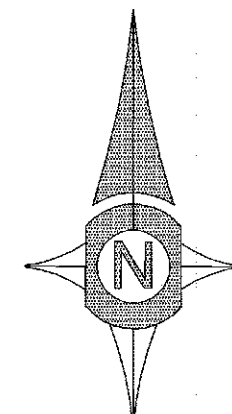
1 TYPICAL JOINT UTILITY TRENCH DETAIL

ATTENTION
 CONTRACTOR SHALL POTHOLE EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. REPORT FINDINGS TO ENGINEER.

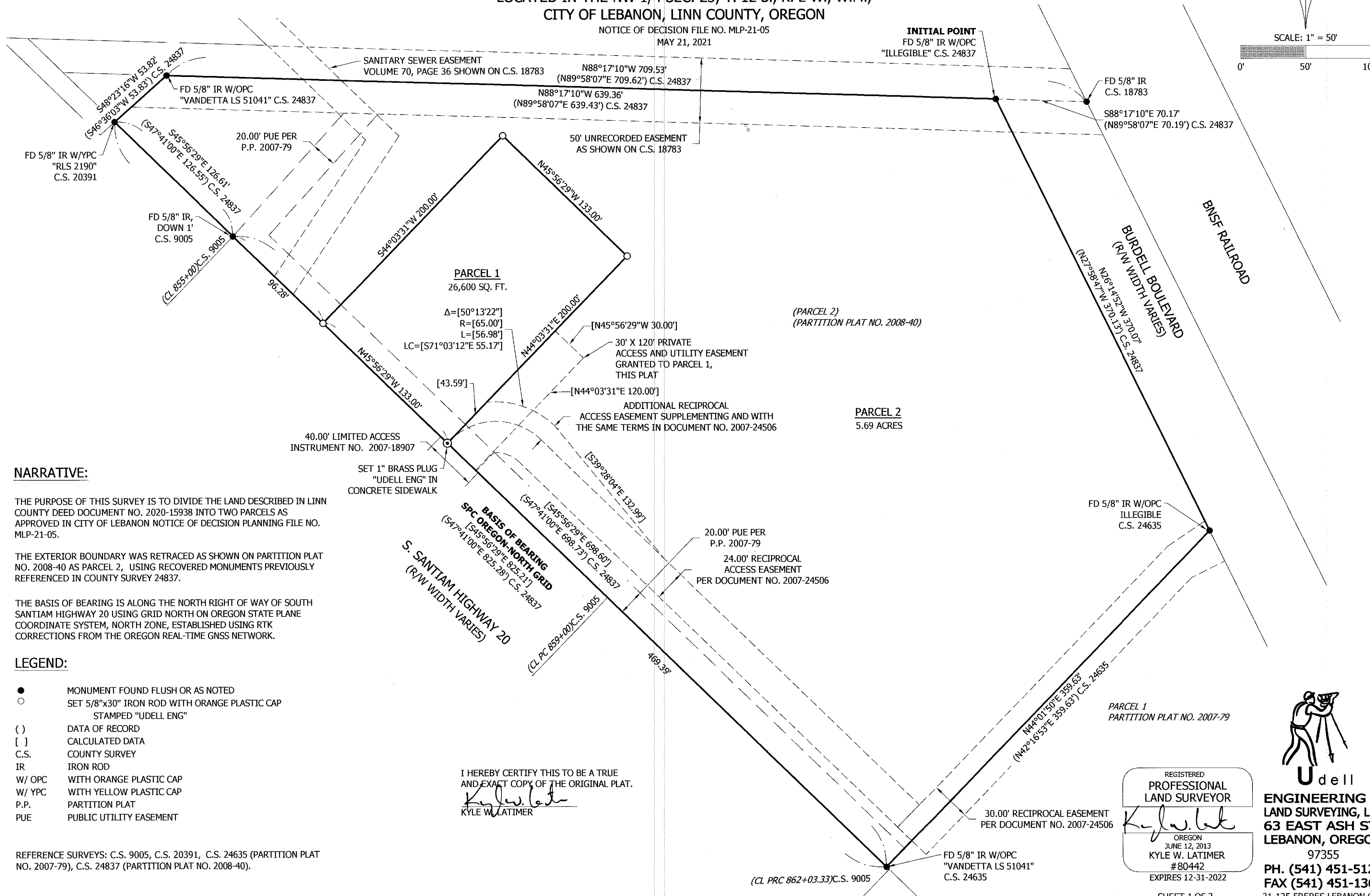
C.S. **27054**

PARTITION PLAT NO. **2021-57**
FOR FRERES LUMBER CO INC
A REPLAT OF PARCEL 2, PARTITION PLAT NO. 2008-40
LOCATED IN THE NW 1/4 SEC. 23, T. 12 S., R. 2 W., W.M.,
CITY OF LEBANON, LINN COUNTY, OREGON

NOTICE OF DECISION FILE NO. MLP-21-05
MAY 21, 2021



SCALE: 1" = 50'
0' 50' 100'



NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE LAND DESCRIBED IN LINN COUNTY DEED DOCUMENT NO. 2020-15938 INTO TWO PARCELS AS APPROVED IN CITY OF LEBANON NOTICE OF DECISION PLANNING FILE NO. MLP-21-05.

THE EXTERIOR BOUNDARY WAS RETRACED AS SHOWN ON PARTITION PLAT NO. 2008-40 AS PARCEL 2, USING RECOVERED MONUMENTS PREVIOUSLY REFERENCED IN COUNTY SURVEY 24837.

THE BASIS OF BEARING IS ALONG THE NORTH RIGHT OF WAY OF SOUTH SANTIAM HIGHWAY 20 USING GRID NORTH ON OREGON STATE PLANE COORDINATE SYSTEM, NORTH ZONE, ESTABLISHED USING RTK CORRECTIONS FROM THE OREGON REAL-TIME GNSS NETWORK.

LEGEND:

- MONUMENT FOUND FLUSH OR AS NOTED
- SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG"
- () DATA OF RECORD
- [] CALCULATED DATA
- C.S. COUNTY SURVEY
- IR IRON ROD
- W/ OPC WITH ORANGE PLASTIC CAP
- W/ YPC WITH YELLOW PLASTIC CAP
- P.P. PARTITION PLAT
- PUE PUBLIC UTILITY EASEMENT

REFERENCE SURVEYS: C.S. 9005, C.S. 20391, C.S. 24635 (PARTITION PLAT NO. 2007-79), C.S. 24837 (PARTITION PLAT NO. 2008-40).

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.
Kyle W. Latimer
KYLE W. LATIMER

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kyle W. Latimer

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2022

SHEET 1 OF 2



Udell
ENGINEERING &
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON
97355
PH. (541) 451-5125
FAX (541) 451-1366
21-125 FRERES LEBANON GSR