



PLANNING COMMISSION MEETING AGENDA

February 16, 2022

Chair:

Jeremy Salvage

Vice Chair:

Don Robertson

Commissioners:

David McClain

Todd Prenoveau

Chad Munn

Josh Port

Lory Gerig-Knurowski

Kristina Breshears

Community

Development Director

Kelly Hart

Work Session:

5:00 p.m.

Regular Meeting:

6:00 p.m.

WORK SESSION – 5:00 p.m.

1. Planning Commission Training – *Oregon Stormwater and Drainage Laws, presented by Brian Vandetta from Udell Engineering*

REGULAR SESSION – 6:00 p.m.

1. Call to Order / Flag Salute
2. Roll Call
3. Minutes: January 19, 2022
4. Citizen Comments
(restricted to items not on the Agenda)
5. Commission Review:
 - a. **Public Hearing Planning File A-22-01**
Annexation of approximately 79.98-acres comprised of one tax lot near the southeast corner of Stoltz Hill Road and Vaughan Lane. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and would be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation (12S02W22C 200 – 31721 Stoltz Hill Road).
 - b. **Public Hearing Planning File S-22-01**
Proposal for a 26-lot residential subdivision for a potential mixture of single-family homes and duplexes, including the construction of a new public road for the 3.98-acre property located on the northeast corner of Russell Drive and Franklin Street (12S02W14CA 300 – 599 Russell Drive)
6. Commission Business & Comments
7. Adjournment



City of Lebanon
Planning Commission
Meeting Minutes
January 19, 2022

Members Present: Chairman Salvage, Vice-Chair Don Robertson, and Commissioners David McClain, Todd Prenoveau, Chad Munn, and Lory Gerig-Knurowski, and Tina Breshears.

Staff Present: Community Development Director Kelly Hart, City Engineer Ron Whitlatch, Jeff Clayson, City Attorney and Tre Kennedy, City Attorney.

1. CALL TO ORDER/FLAG SALUTE

Chairman Salvage called the meeting of the Lebanon Planning Commission to order at 6:00pm at the Santiam Travel Station. The meeting was also provided on Zoom for a virtual platform.

2. ROLL CALL

Roll call was taken. Commissioner Port was excused.

3. APPROVAL OF MEETING MINUTES –

December 15, 2021 minutes – there were no corrections or amendments, the minutes were approved as written

4. CITIZEN COMMENTS - None

5. PUBLIC HEARINGS

A. Planning File AR-21-06 & MLP-21-10 – Administrative Review and Minor Land Partition for a 60-unit apartment complex on the northeast corner of Airport Road and Russell Drive (12S02W14CB 100 – 305 E. Airport Road)

Chairman Salvage opened the public hearing. City Attorney Clayson read into the record the quasi-judicial hearing procedures and the raise it or waive it provisions of public meeting law.

Chairman Salvage asked the Commissioners whether they had any ex-parte communications, conflicts of interest or bias to report. Seeing none, Chairman

Salvage requested staff to present the application.

Director Hart presented the staff report and discussed an overview of the decision criteria outlined in the agenda packet for consideration. One written comment of opposition was presented to the Planning Commission. The comment objected to the development based on the traffic congestion issues associated with Airport Road.

Director Hart also requested the Planning Commission to consider a minor modification to remove condition of approval 3.J in the Engineering Conditions as the condition is not applicable. Modified motion language was provided for consideration.

At the conclusion of the staff report, Chairman Salvage opened the discussion up for questions of staff.

Vice-Chair Robertson asked whether there was a difference between a Traffic Impact Analysis or Study. Director Hart indicated there was no difference.

Chairman Salvage asked about the ODOT Rail email and for staff to summarize the email. Director Hart indicated due to the proximity of the rail line to the project, that ODOT Rail was provided the opportunity to review the building placement and the line of site for the rail crossing. ODOT Rail did not identify an issue or require any modifications to the project, therefore it was taken as the project complies with ODOT Rail standards for proximity to the crossing.

Commissioner McClain asked the location of the residence for the person who wrote the letter of opposition. Staff indicated they were not aware. Other commissioners identified the location and that the person was not proximity to the project but traveled along the route.

Chairman Salvage asked staff to identify the changes to the traffic system associated with the previous TIAs completed for recent projects. Staff went through the changes which included widening Franklin Street to provide a center lane and dedicated left turn lane onto Russell Drive. For the project to the west, Primrose Street was being built out, along with restriping the current striping pattern on Airport Road and changing the driveway traffic pattern for the shopping center with Taco Bell into a "right-in, right-out" driveway.

Chairman Salvage asked about the three driveways onto Airport/Russell, and asked whether it was better to have more access points or less. City Engineer Whitlatch indicated that if you had one access, there was a larger tendency to have stacking on the street, whereas having multiple access points provides more free flow of traffic. The driveways were situated for the best maneuverability from the site and on the street as possible.

The complaint about traffic was related to the Safeway access, which staff has taken note of and is evaluating adjustments that could be made.

Commissioner Munn commented on the anticipated routes of traffic for the different

building locations.

Seeing no additional questions for staff, the applicant was invited to speak.

The Applicant's representative, Laura LaRoque and Brian Vandetta from Udell Engineering, spoke on behalf of the applicant. LaRoque identified that the project met all the development code requirements, and they are building along a street that is already fully improved, the improvements to be constructed will largely be on-site.

Vandetta indicated there was not much more to add, other than the project meets the code criteria.

Chairman Salvage asked the Commissioners if they had any questions.

Commissioner McClain asked questions regarding the amount of ADA parking spaces to be provided. Discussion continued regarding whether there was sufficient provided and whether additional ADA parking stalls should be provided.

The applicant representative indicated the project meets ADA, but they can continue to look at the site to identify additional parking stalls for ADA purposes. Director Hart indicated the project meets ADA requirements, but ADA rules are not specifically required for consideration of the decision criteria, so it is not advised to require additional spaces as a condition of the development.

Vice-Chair Robertson asked about the Minor Land Partition. Vandetta indicated it is for flexibility in financing.

Seeing no additional questions, Chairman Salvage asked if there were any other members of the public that wished to speak on the matter.

Matthew Greene, 120 E Pine Street spoke in opposition to the project. Stated concerns about the ability for the city's existing facilities to service the development, and the burden on the schools. Traffic is also a concern on Airport Road, indicating congestion is getting bad.

The Applicant indicated there were no additional comments to rebut the public comments.

Seeing no additional public comments, Chairman Salvage closed the hearing and opened the discussion between commissioners.

Chairman Salvage began by stating he understood the desires for certain types of development, but there is also the demand and private property rights to develop apartments, then asked about the capacity for the City's utilities.

City Engineer Whitlatch indicated that the water treatment plant has plenty of capacity, and the waste water treatment plant has gone through some changes, and they are continually working on the sewer system, and the biggest issue is the infiltration and infill into the leaking lines.

Commissioner McClain asked where the I & I came from. City Engineer indicated that the issue is throughout the city, and it is hard to pinpoint, but there are tools they will be employing to continue to address the issues.

City Attorney Kennedy indicated that the discussions around the sewer system could be continued during the planning commission comments, but the conversation should be restricted to the decision criteria at this time.

Chairman Salvage asked whether the project met the decision criteria. Commissioners indicated with head nods that the application met the decision criteria.

Vice-Chair Robertson spoke about the written comment and issues of traffic on Airport Road were more related to the Safeway development and not traffic on the street.

Chairman Salvage requested a motion.

Commissioner Prenoveau moved to approve the project with the modified condition to remove Engineering Condition 3.j.

Vice-Chair Robertson seconded the motion.

The motion passed 7-0.

B. Planning File S-21-05 – Subdivision application for a 12-lot residential subdivision for property located on Walker Road and Wassom Street, east of Stoltz Hill Road (12S02W15CD 3501 & 3600)

Chairman Salvage opened the public hearing. City Attorney Kennedy reiterated the quasi-judicial hearing procedures and the raise it or waive it provisions of public meeting law.

Chairman Salvage asked the Commissioners whether they had any ex-parte communications, conflicts of interest or bias to report. Seeing none, Chairman Salvage requested staff to present the application.

Director Hart presented the staff report and discussed an overview of the decision criteria outlined in the agenda packet for consideration.

At the conclusion of the staff report, Chairman Salvage opened the discussion up for questions of staff.

Vice-Chair Robertson asked about the difference between a zero-lot-line development or attached single-family home. Director Hart indicated a zero-lot-line allows for a single-family home or duplex to be built on a lot line with no setback, with the neighboring lot built as a zero-lot-line as well to provide a larger separation between the buildings. Whereas a single-family attached product would be like a townhome development where you can attach two or more units on separate lots.

Commissioner Munn asked the frontage for the lots. Director Hart indicated the lots are 40-feet in width which meets the width requirement for a zero-lot-line or single-family attached product. Commissioner Munn followed up with a question on where the parking would be located. Director Hart indicated the easement area would not be able to be used for parking, so each site is required to provide at least two spaces on-site. The lots of are sufficient depth to meet all the setback requirements while also providing for a 2-car garage or parking pad on the site.

Chairman Salvage asked if someone could drive through the easement. Director Hart indicated that through access is not provided because of the bollard placement to separate the two easements. At final plat, they could convert the access easements into a private street, which would require minimal additional improvements, but would allow for through traffic between the two streets.

Seeing no additional questions for staff, the applicant was invited to speak.

Laura LaRoque and Brian Vandetta from Udell Engineering representing the applicants spoke. LaRoque summarized the project again and identified there is a wider variety of housing types that could be built here because of HB 2001. Access was discussed as well, indicating that the applicant is considering a private street through the final design, and turned it over to Brian Vandetta to discuss.

Vandetta walked through the differences between the private easements versus a private street, which included three additional feet in width, parking on the street on one side, and addition of a sidewalk. This would allow for the removal of the bollards, but they have not yet decided whether they wanted to open it up as a through street. Maintaining the bollards in place eliminates the cross traffic from the neighborhood and limits it to just those that live on the street.

Commissioners discussed with the applicant representatives the difference between the two access options and the impacts to the two types of construction options.

Chairman Salvage asked whether the conversion to the private street could be done without another application. Director Hart indicated a modified finding to add language about the private street into the decision criteria would cover the applicant to not have to go back to the Planning Commission for the revision.

Vice-Chair Robertson asked about the private drainage easement on the west side lots. Vandetta described the drainage swale proposed to maintain the drainage on the lots, and Lot 1 did not require the easement as it was not impacted by the design.

Jordan Schweiger spoke indicating that this project provides the single-family homes that people in the city are looking forward to seeing. Appreciates the City being easy to work with and looking forward to continuing developing in the City.

Seeing no further comments, the hearing was closed, and discussion restricted to the planning commission and staff.

Chairman Salvage asked Director Hart about the private street. Director Hart

indicated the modified language in the findings required to include the private street standards.

Vice-Chair Robertson asked if there was another project in town that uses the townhomes development standards or the zero-lot-line developments. Director Hart indicated that townhomes are readily developed, but zero-lot-line developments are not highly utilized.

Chairman Salvage asked if the commissioners feel the criteria has been met and to make a motion.

Commissioner Munn moved to approve the application with the modification Finding 2.C to reflect the use of the private street.

Commissioner Gerig-Knurowski seconded.

The motion passed 7-0.

6. COMMISSION BUSINESS & COMMENTS

Director Hart indicated there will be a meeting in February.

Contracts are being finalized for the Housing Production Strategy and Economic Opportunity Analysis. In February or March an update will be provided on the public engagement process.

Work session will be scheduled in February for Storm Water, and in March for Historical Preservation, and finally one on traffic impact analysis.

Chairman Salvage asked about term limits for chair and vice-chair. Director Hart indicated that would be addressed at the April meeting.

Vice-Chair Robertson asked about the City Hall building. Director Hart and City Engineer Whitlatch provided an update on the city needs for current space and expansion and growth. Next steps is to identify financing.

Chairman Salvage asked about large corporation interest in coming to Lebanon. Director Hart indicated the City still receives interest, but the wetlands issue is a huge issue for the City.

7. ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:18pm.

[Meeting minutes prepared by Kelly Hart, Community Development Director]

AGENDA ITEM

5.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-22-01

Date: February 8, 2022

I. BACKGROUND

Under consideration is the proposed annexation of the property on the east side of Stoltz Hill Road, and south side of Vaughan Lane (12S 02W 22C, tax lot 200). The subject property is 79.98 acres in size, with approximately 1,362 feet of street frontage along Stoltz Hill Road and 804 feet of street frontage along Vaughan Lane. Contiguous property to the east is located within city limits; therefore, the site is eligible for annexation.

The property is generally in an underdeveloped neighborhood. To the northwest is a partially developed large-lot (one-acre minimum) subdivision in the County and zoned UGA-UGM-10, with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). To the north, east, south, and west is land within the County and City designated or zoned Residential Mixed Density (C/Z-RM) and includes largely undeveloped land used for agriculture purposes with limited residential development. To the southeast is the East Linn Christian Academy. To the northeast of the site is an urbanized residential neighborhood off of Vaughan Lane. The subject property is currently improved with a single-family home and several accessory structures.

There has been no development proposal or discussions with staff regarding any development of the site.

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.

If the property were to be developed, modifications to the transportation system and extensions of utilities could be needed in compliance with the Transportation System Plan and utility master plans. For transportation evaluation, the site maintains frontage of Stoltz Hill Road and Vaughan Lane. Both streets are designated as Minor Arterials requiring up to a 75-foot right-of-way width. Vaughan Lane currently maintains a 50-foot right-of-way and Stoltz Hill Road maintains a 60-foot right-of-way along the property frontage. The annexation of the property would not automatically trigger the dedication of additional right-of-way but may be required upon any future development proposal.

For City utility service, a new 12" water line is being extended along Stoltz Hill Road to within approximately 1,100 feet to the property. On Vaughan Lane, the closest water line is approximately 1,500 feet from the eastern property line. The City is also completing a large sewer construction project, the Westside Interceptor, which would bring a 24" sewer main down Stoltz Hill Road, crossing over private property through an easement to Vaughan Lane, then continuing to the east in Vaughan Lane. This would bring sewer to the direct vicinity of the property frontage on Vaughan Lane. Upon annexation and future development, the developer would need to pull water and sewer utilities to and through the property frontage, which would include crossing the creek for both utilities. For storm drainage, there are existing drainage ditches along both street frontages. Upon development, improvements to the drainage system may be required.

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 largely undeveloped with only a single-family home and accessory buildings on the nearly 80 acre site; 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 a small ridge that may be classified as steep slope. However, the majority of the property falls outside of a steep slope designation. On the northern end of the property Oak Creek crosses through the property which creates a floodplain which would restrict development in approximately 3.5 acres of the site. The site is currently largely undeveloped with only a single-family residence and accessory structures. As the site contains minimal constrained lands, and the lands that are constrained may be used as open space, 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 east 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 eastern property line.
- (b) The property is generally in an underdeveloped neighborhood. To the northwest is a partially developed large-lot (one-acre minimum) subdivision in the County and zoned UGA-UGM-10, with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). To the north, east, south, and west is land within the County and City designated or zoned Residential Mixed Density (C/Z-RM) and includes largely undeveloped land used for agriculture purposes with limited residential development. To the southeast is the East Linn Christian Academy. However, to the northeast of the site is a fully urbanized residential neighborhood on Vaughan Lane. The site can be serviced by city water, sewer, and storm drainage with extension of city facilities to the site. As the property can be serviced by city facilities and transportation system, 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. For City utility service, a new 12" water line is being extended along Stoltz Hill Road to within approximately 1,100 feet to the property. On Vaughan Lane, the closest water line is approximately 1,500 feet from the eastern property line. The City is also completing a large sewer construction project, the Westside Interceptor, which would bring a 24" sewer main down Stoltz Hill Road, crossing over private property through an easement to Vaughan Lane, then continuing to the east in Vaughan Lane. This would bring sewer to the direct vicinity of the property frontage on Vaughan Lane. Upon annexation and future development, the developer would need to pull water and sewer utilities to and through the property frontage, which would include crossing the creek for both utilities.

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: The site maintains frontage of Stoltz Hill Road and Vaughan Lane. Both streets are designated as Minor Arterials in the 2018 Transportation System Plan requiring up to a 75-foot right-of-way width. Vaughan Lane currently maintains a 50-foot right-of-way and Stoltz Hill Road maintains a 60-foot right-of-way along the property

frontage. The annexation of the property would not automatically trigger the dedication of additional right-of-way but may be required upon any future development proposal..

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 a small ridge that may be classified as steep slope. However, the majority of the property falls outside of a steep slope designation. On the northern end of the property Oak Creek crosses through the property which creates a floodplain which would restrict development in approximately 3.5 acres of the site. The site is currently largely undeveloped with only a single-family residence and accessory structures. As the site contains minimal constrained lands, and the lands that are constrained may be used as open space, 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 parcel into the City limits. However, the site is a developable parcel which could accommodate development of housing within the city.

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.

Tammy Dickey

From: Dan Kloss <kloss145@hotmail.com>
Sent: Sunday, January 30, 2022 6:22 PM
To: Kelly Hart
Subject: Planning Case No.:A-22-01

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

Caution! This message was sent from outside your organization.

Greetings,

This email is in response to the Annexation request made by the G & F McAdams Farms, LLC. I am **NOT** in favor of this request as it stands. Our family will be directly impacted by this annexation as a bordering property owner. If this Annexation is approved it will definitely impact the rural setting of this neighborhood. If it must go through I would vigorously suggest it be zoned as Z-RL (Residential Low Density).

I feel the services the City Of Lebanon that it would be required to provide, would be sub-par at the current staffing levels; and projected levels for the next five years, (Police, Fire, and Public Works). There is also other considerations to take into effect, the traffic infrastructure. As it stands, with the increased housing in the area of Stoltz Hill and Airport Road, there is a need for better traffic flow and traffic control lights. This annexation will only add to the traffic issues occurring now. There are no bike lanes or walking paths in this area, pedestrian safety would be greatly compromised.

I will not be able to attend your scheduled meeting due to other out of town business conflict. Please receive this as my written testimony.

Sincerely,
Daniel and Deborah Kloss



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **February 16, 2022 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-22-01
Applicant:	G & F McAdams Farms, LLC
Location:	31721 Stoltz Hill Road
Map & Tax Lot No.:	12S02W22C 00200
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

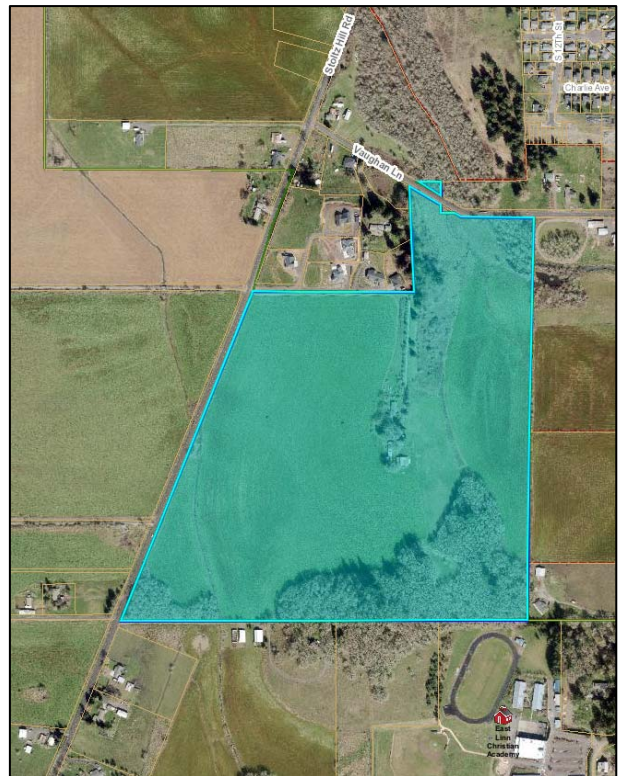
Request: The applicant is requesting Annexation of approximately 79.98-acres comprised of one tax lot. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and will be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation.

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, February 15, 2022.** 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_KXNTxg-3RcmIS6Frr1j7Ew 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 to watch the meeting virtually or participate with public comment.

Meeting Information: The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on February 16, 2022 through the Zoom Webinar: https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_KXNTxg-3RcmIS6Frr1j7Ew 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.



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.



LAND USE APPLICATION

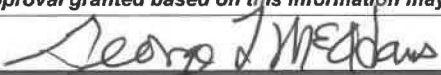
PROPERTY INFORMATION

Site Address(es): 31721 Stoltz Hill Road
 Assessor's Map & Tax Lot No.(s): 12S-02W-22C Tax Lot 200
 Comprehensive Plan Designation / Zoning Designation: C-RM / UGA-UGM-10
 Current Property Use: Single Family Residential
 Project Description: The applicant requests annexation of a ±79.98-acre parcel and with a concurrent Zone Map Amendment to assign the Residential Mixed Density (Z-RM) zoning designation upon annexation.

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: G & F McAdams Farms, LLC c/o George McAdams Phone: (541) 207-8530
 Address: 3480 SW 53rd Street Email: georgelmcadams@gmail.com
 City/State/Zip: Corvallis, OR 97333

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  Date: 1/14/2022

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: G & F McAdams Farms, LLC c/o George McAdams Phone: (541) 207-8530
 Address: 3480 SW 53rd Street Email: georgelmcadams@gmail.com
 City/State/Zip: Corvallis, OR 97333

OWNER SIGNATURE  Date: 1/14/2022

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Kyle Latimer, Udell Engineering Phone: (541) 451-5125
 Address: 63 E. Ash Street Email: kyle@udelleng.com
 City/State/Zip: Lebanon, OR 97355

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

Other: 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

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: G & F McAdams Farms, LLC
C/O George McAdams
3480 SW 53rd Street
Corvallis, Oregon 97333
(541) 207-8530
georgelmcadams@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: 31721 Stoltz Hill Road, Lebanon, OR 97355
Parcel 3, Partition Plat 2022-04

Linn County Assessor's Map No.: 12S-02W-22C Tax Lot 200

Site Size: ±79.98-acres

Existing Land Use: Single-Family Residential

Zone Designation: UGA-UGM-10

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

Surrounding Zoning: North: UGA-UGM-10
South: UGA-UGM-10
East: UGA-UGM-10/RM
West: EFU (across Stoltz Hill Road)

Surrounding Uses: North: Single-Family Residential
South: Single-Family Residential
East: unimproved
West: Single-Family Residential /Farm



21-139 McAdams Stoltz Hill Rd.
31721 Stoltz Hill Road
Annexation Application

January 14, 2022

Page 1 of 8

APPLICATION SUMMARY

The applicant requests annexation of a ±79.98-acre parcel known as, Linn County Tax Assessor's Map No. 12S-02W-22C Tax Lot 200 with a concurrent Zone Map Amendment to assign the Residential Mixed Density (Z-RM) zoning designation upon annexation.

The subject property is located east of Stoltz Hill Road and south of Bourbon Ridge Lane and Vaughn Lane. A portion of the site's east property boundary is contiguous with the Lebanon city limits.

To the north and east of the site are parcels developed with a mixed of rural residential and agricultural land uses. These parcels are within the Lebanon Urban Growth Boundary with a portion within the Lebanon City Limits. To the south of the site are parcels developed with a mixed of rural residential and agricultural land uses outside of the Lebanon Urban Growth Boundary (UGB) and city limits. To the west of the site is Stoltz Hill Road. To the west of Stoltz Hill Road are parcels developed with a mixed of rural residential and agricultural land uses outside of the Lebanon Urban Growth Boundary (UGB) and city limits.

All abutting properties in unincorporated Linn County are zoned Linn County UGA-UGM-10 with a Lebanon Comprehensive Plan designation of Residential Mixed Density (C-RM). All adjacent properties within the Lebanon city limits are zoned Residential Mixed Density with the Residential Mixed Density 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 to the northeast of the property within the Vaughn Lane and South 10th Street rights-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 Density.



21-139 McAdams Stoltz Hill Rd.
31721 Stoltz Hill Road
Annexation Application

January 14, 2022

Page 2 of 8

- 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 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 LDC 16.26.060(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 3 of Partition Plat 2022-14 and Linn County Tax Assessor's Map No. 12S-02W-22C Tax Lot 200 into the Lebanon City Limits by petition to the legislative body.



The subject property is contiguous to the city limits along a portion of the east property boundary. 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 a portion of the east property boundary 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 a portion of the east property boundary 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 a portion of the east property boundary and, is therefore, eligible for annexation.

The ±79.98-acre site is currently improved with a single-family dwelling and associated accessory buildings. At urban densities, the site is large enough to be further developed or redeveloped. City water, sewer, and storm drainage are available to the northeast of the site within the Vaughn Lane and South 10th Street rights-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 improved a single-family dwelling and associated accessory buildings that is served by a private well and septic system. City water, sewer, and storm drainage are available to the northeast of the site within the Vaughn Lane and S. 10th Street



rights-of-way and are adequate for future residential development. Therefore, the proposed annexation is also efficient.

- 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 improved a single-family dwelling and associated accessory buildings that is served by a private well and septic system. City water, sewer, and storm drainage are available to the northeast of the site within the Vaughn Lane and South 10th Street rights-of-way and are adequate for future residential development. The site also has adequate frontage on and access to Stoltz Hill Road, Bourbon Ridge Lane, and Vaughn Lane. 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: Stoltz Hill Road and Vaughn Lane maintain a 60-foot and 50-foot right-of-way respectively. Bourbon Ridge Lane maintains a 50-foot right-of-way. The adopted 2018 Transportation System Plan classifies Stoltz Hill Road and Vaughn Lane as Minor Arterial Streets, which requires a 75-foot right-of-way. Bourbon Ridge Lane is not classified in TSP but is likely classified as a Local Street, which requires a 50- to 60-foot right-of-way. Therefore, future right-of-way dedications along Stoltz Hill Road and Vaughn Lane are anticipated and will occur in association of a future development proposal.

- 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



Density (Z-RM) zoning 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 Density zoning 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 Density (Z-RM) zoning 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 zoning 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. 2022-04 (Linn County Survey No. 27159)

Acronyms

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



21-139 McAdams Stoltz Hill Rd.
31721 Stoltz Hill Road
Annexation Application

January 14, 2022

Page 8 of 8

ANNEXATION TO THE CITY OF LEBANON

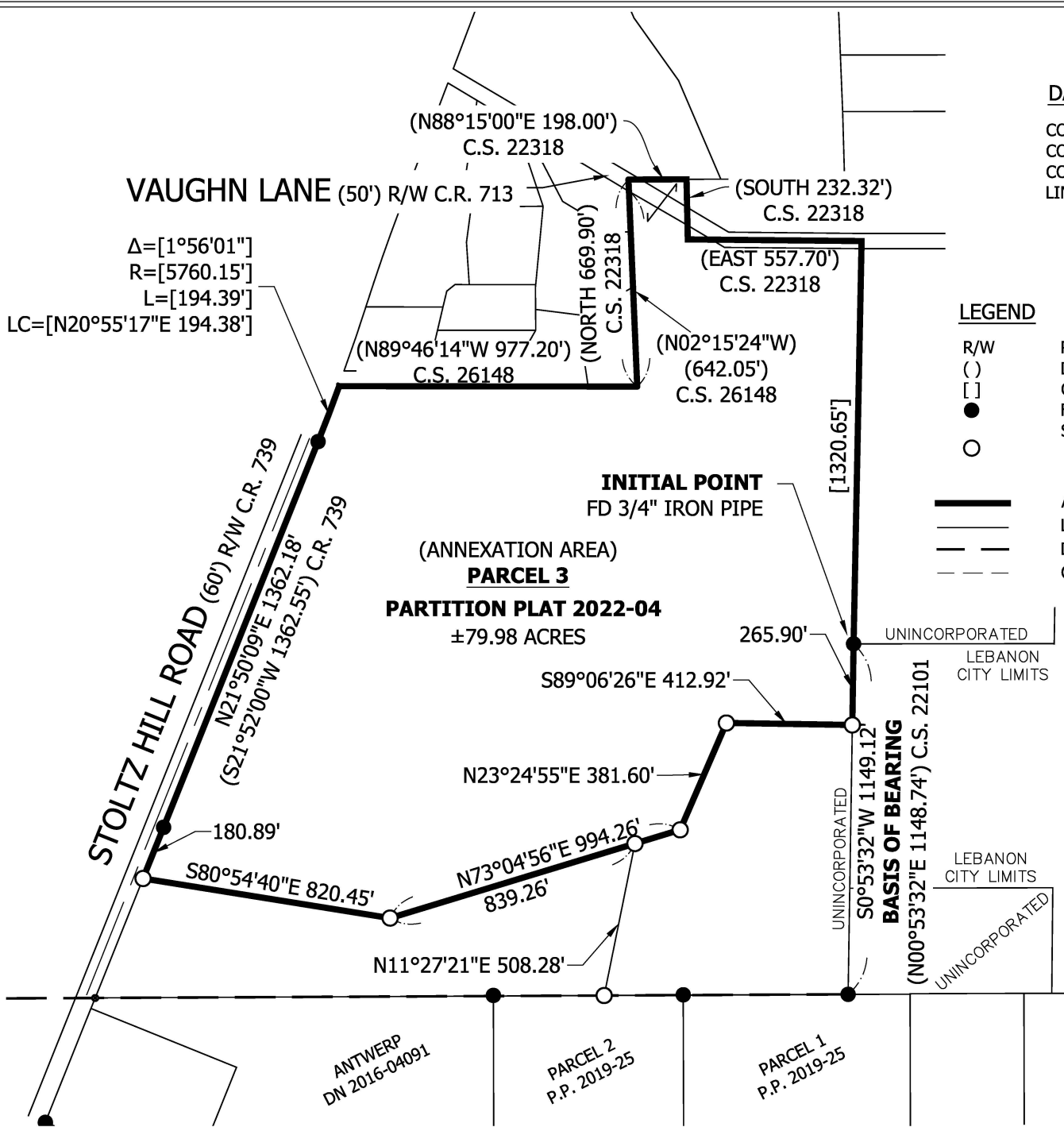
AN AREA OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21 AND THE SOUTHWEST AND NORTHWEST QUARTERS OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

PARCEL 3 OF LINN COUNTY PARTITION PLAT NO. 2022-04 AND RECORDED IN LINN COUNTY DEED RECORDS AS DOCUMENT NO. 2022-00614

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

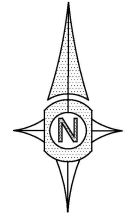
RENEWS: 12-31-22



$\Delta = [1^{\circ}56'01"]$
 $R = [5760.15']$
 $L = [194.39']$
 $LC = [N20^{\circ}55'17"E 194.38']$

DATA OF RECORD
 COUNTY SURVEY (C.S.) 22101
 COUNTY SURVEY (C.S.) 22318
 COUNTY SURVEY (C.S.) 26148
 LINN COUNTY DEED 2009-20773

LEGEND
 R/W RIGHT OF WAY
 () DATA OF RECORD
 [] CALCULATED DATA
 ● FD MONUMENT FLUSH OR AS NOTED
 ○ SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UELLE ENG"
 ——— ANNEXATION BOUNDARY
 ——— LOT LINES
 - - - DLC LINE
 - - - OLD PROPERTY LINE

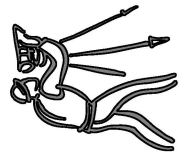


SCALE: 1" = 500'
 0' 500'

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

ANNEXATION EXHIBIT
G&F MCADAMS FARMS LLC
31721 STOLTZ HILL ROAD
LEBANON, OREGON

Date 01/04/21
 Project LEPMAN
 21-139
 Drawn by AWJ
 Checked by KWL



SHEET 1
 of 1
 SCALE: AS NOTED

C.S. 27159

PARTITION PLAT NO. 2022-04
FOR G & F MCADAMS FARMS, LLC
A REPLAT OF PARCELS 1 AND 2, PARTITION PLAT NO. 1998-67
IN THE RICHMOND CHEADLE D.L.C. NO. 69 & THE PRESELY GEORGE D.L.C. NO. 65
LOCATED IN THE SE 1/4 SEC. 21 AND THE SW 1/4 SEC. 22, T. 12 S., R. 2 W., W.M.,
LINN COUNTY, OREGON

NOTICE OF DECISION FILE NO. PLN-2021-00285
DECEMBER 20, 2021

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE LAND DESCRIBED IN LINN COUNTY DEED RECORDS VOLUME 989, PAGE 12 INTO 3 PARCELS WITH AN ACCESS AND EMERGENCY VEHICLE TURN AROUND EASEMENT AS SHOWN HEREON.

THE SOUTH LINE WAS ESTABLISHED BY HOLDING THE FOUND STONE PER LINN COUNTY SURVEY NO. 520 AND THE SOUTHWEST CORNER OF DONATION LAND CLAIM NO. 65. A PORTION OF THE EAST LINE WAS ESTABLISHED BY HOLDING THE TWO NOTED FOUND MONUMENTS PER LINN COUNTY SURVEYS 520 AND 22101. THE RIGHT-OF-WAY OF STOLTZ HILL ROAD WAS ESTABLISHED BY HOLDING THE NOTED RIGHT-OF-WAY MONUMENTS. THE REMAINDER OF THE BOUNDARY IS SHOWN PER NOTED SURVEY RECORDS.

THE BASIS OF BEARING IS BETWEEN THE TWO FOUND MONUMENTS ON THE EASTERLY LINE PER LINN COUNTY SURVEY NO. 22101.

LEGEND:

- MONUMENT FOUND FLUSH OR AS NOTED
- SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG"
- ⊗ SET 5/8"x30" IRON ROD WITH ALUMINUM CAP STAMPED "UDELL ENG"
- () DATA OF RECORD
- [] CALCULATED DATA
- (A) 1960 C.R. 739 ROAD SURVEY
- C.S. COUNTY SURVEY
- D.L.C. DONATION LAND CLAIM
- FD FOUND
- IP IRON PIPE
- IR IRON ROD
- W/YPC WITH YELLOW PLASTIC CAP

REFERENCE SURVEYS: C.S. 520, C.S. 8222, C.S. 22101, C.S. 24710

EASEMENTS OF RECORD:

A TITLE REPORT PREPARED BY TICOR TITLE INSURANCE COMPANY ORDER NO. 471821106847 REVEALED THE FOLLOWING EASEMENTS OF RECORD:

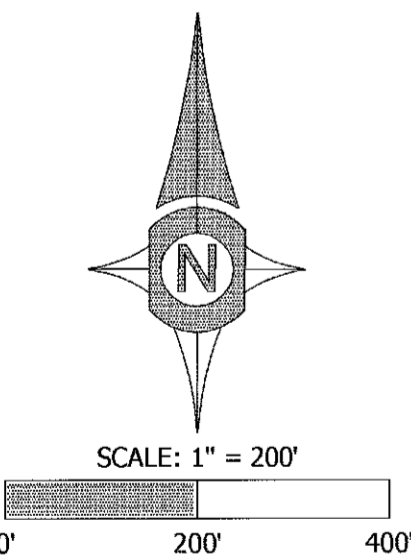
1. ELECTRIC AND TELEPHONE TRANSMISSION AND DISTRIBUTION LINE EASEMENT IN FAVOR OF CONSUMERS POWER, INC. RECORDED MARCH 9, 1967. LINN COUNTY DEED RECORDS BOOK 322, PAGE 273. UNABLE TO PLOT BASED ON DESCRIPTION.
2. ELECTRIC AND TELEPHONE TRANSMISSION AND DISTRIBUTION LINE EASEMENT IN FAVOR OF CONSUMERS POWER, INC. RECORDED OCTOBER 19, 1979. LINN COUNTY DEED RECORDS VOLUME 247, PAGE 694. UNABLE TO PLOT BASED ON DESCRIPTION.

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 THE SURVEYED PORTION OF LAND WITH PROPER MONUMENTS THE LANDS REPRESENTED HEREON PER ORS 92, THE EXTERIOR BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

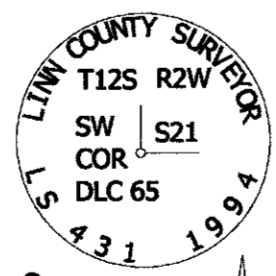
PARCEL 1 & 2 OF LINN COUNTY PARTITION PLAT NO. 1998-67.

THE ABOVE DESCRIBED AREA CONTAINS 106.2 ACRES MORE OR LESS.



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

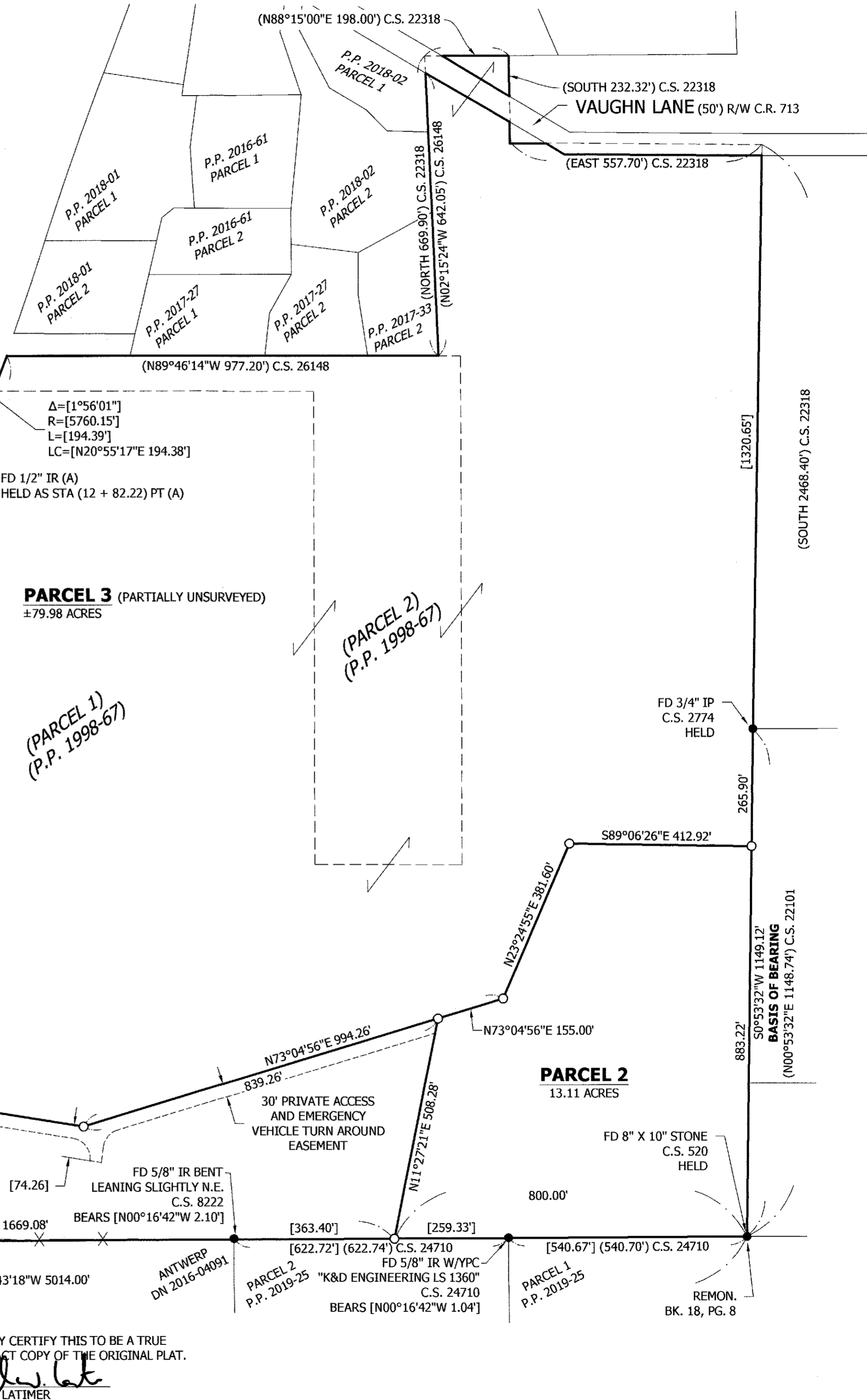
REGISTERED PROFESSIONAL LAND SURVEYOR
Kyle W. Latimer
OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2022



FD 3 1/4" ALUM. DISK HELD
REMON. BK. 13, PG. 298

N21°50'09"E 439.32'
FD 5/8" IR, UP 0.3' AS SHOWN ON C.S. 8449 HELD

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



LEGEND:

- MONUMENT FOUND FLUSH OR AS NOTED
- SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG"
- ⊗ SET 5/8"x30" IRON ROD WITH ALUMINUM CAP STAMPED "UDELL ENG"
- () DATA OF RECORD
- [] CALCULATED DATA
- (A) 1960 C.R. 739 ROAD SURVEY
- C.S. COUNTY SURVEY
- D.L.C. DONATION LAND CLAIM
- FD FOUND
- IP IRON PIPE
- IR IRON ROD
- W/YPC WITH YELLOW PLASTIC CAP

REFERENCE SURVEYS: C.S. 520, C.S. 8222, C.S. 22101, C.S. 24710

C.S. **27159**

PARTITION PLAT NO. 2022-04
 FOR G & F MCADAMS FARMS, LLC
 A REPLAT OF PARCELS 1 AND 2, PARTITION PLAT NO. 1998-67
 IN THE RICHMOND CHEADLE D.L.C. NO. 69 & THE PRESELY GEORGE D.L.C. NO. 65
 LOCATED IN THE SE 1/4 SEC. 21 AND THE SW 1/4 SEC. 22, T. 12 S., R. 2 W., W.M.,
 LINN COUNTY, OREGON
 NOTICE OF DECISION FILE NO. PLN-2021-00285
 DECEMBER 20, 2021

APPROVALS:

LINN COUNTY NOTICE OF DECISION PLN-2021-00285, WE THE UNDERSIGNED HAVE EXAMINED AND APPROVED THE PORTION OF THIS REPLAT AS REQUIRED BY THE DESIGNATED AUTHORITY OF OUR RESPECTIVE OFFICES.

Dana Bels 1-11-22
 DIRECTOR, LINN COUNTY PLANNING AND BUILDING DEPARTMENT DATE

Kevin J. Emery 1-11-22
 LINN COUNTY SURVEYOR DATE

30.00' PRIVATE ACCESS EASEMENT:

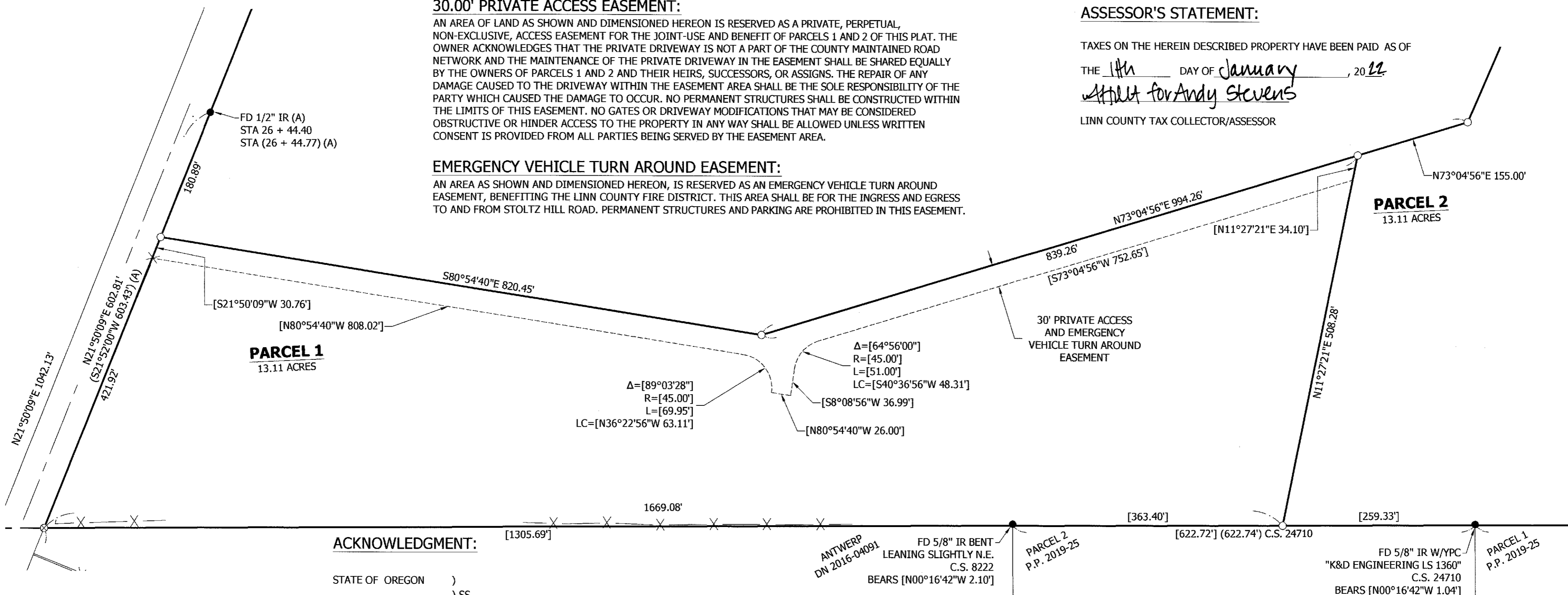
AN AREA OF LAND AS SHOWN AND DIMENSIONED HEREON IS RESERVED AS A PRIVATE, PERPETUAL, NON-EXCLUSIVE, ACCESS EASEMENT FOR THE JOINT-USE AND BENEFIT OF PARCELS 1 AND 2 OF THIS PLAT. THE OWNER ACKNOWLEDGES THAT THE PRIVATE DRIVEWAY IS NOT A PART OF THE COUNTY MAINTAINED ROAD NETWORK AND THE MAINTENANCE OF THE PRIVATE DRIVEWAY IN THE EASEMENT SHALL BE SHARED EQUALLY BY THE OWNERS OF PARCELS 1 AND 2 AND THEIR HEIRS, SUCCESSORS, OR ASSIGNS. THE REPAIR OF ANY DAMAGE CAUSED TO THE DRIVEWAY WITHIN THE EASEMENT AREA SHALL BE THE SOLE RESPONSIBILITY OF THE PARTY WHICH CAUSED THE DAMAGE TO OCCUR. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED WITHIN THE LIMITS OF THIS EASEMENT. NO GATES OR DRIVEWAY MODIFICATIONS THAT MAY BE CONSIDERED OBSTRUCTIVE OR HINDER ACCESS TO THE PROPERTY IN ANY WAY SHALL BE ALLOWED UNLESS WRITTEN CONSENT IS PROVIDED FROM ALL PARTIES BEING SERVED BY THE EASEMENT AREA.

EMERGENCY VEHICLE TURN AROUND EASEMENT:

AN AREA AS SHOWN AND DIMENSIONED HEREON, IS RESERVED AS AN EMERGENCY VEHICLE TURN AROUND EASEMENT, BENEFITTING THE LINN COUNTY FIRE DISTRICT. THIS AREA SHALL BE FOR THE INGRESS AND EGRESS TO AND FROM STOLTZ HILL ROAD. PERMANENT STRUCTURES AND PARKING ARE PROHIBITED IN THIS EASEMENT.

ASSESSOR'S STATEMENT:

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID AS OF THE 1st DAY OF January, 2022.
Andy Stevens
LINN COUNTY TAX COLLECTOR/ASSESSOR



ACKNOWLEDGMENT:

STATE OF OREGON)
) SS
COUNTY OF LINN)

THIS IS TO CERTIFY THAT ON THIS 4th DAY OF January, 2022, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GEORGE MCADAMS, IN THE ABOVE CAPACITY, WHO IS KNOWN TO ME TO BE THE IDENTICAL PERSON NAMED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT HE 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. 1004109

MY COMMISSION EXPIRES: September 20th, 2024

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. 2022-04, ON THIS 11th DAY OF January, 2022, AT 10:57 O'CLOCK AM, TARGET SHEET RECORDED IN DEED

RECORDS DOCUMENT NO. 2022-00614.

STEVE DRUCKENMILLER BY: *Roberta Beaton - Deputy Clerk*
LINN COUNTY CLERK

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
KYLE W. LATIMER
#80442
EXPIRES 12-31-2022

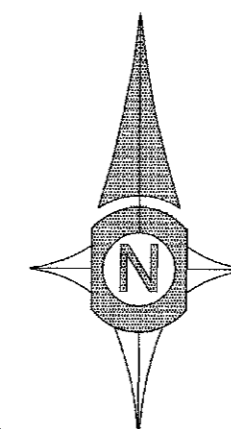
Udell
ENGINEERING & LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON 97355
PH. (541) 451-5125
FAX (541) 451-1366

OWNER'S DECLARATION:

KNOW ALL PERSONS THAT G&F MCADAMS FARMS, LLC IS THE OWNER OF THE LAND DESCRIBED HEREON AND HAS CAUSED THE SAME TO BE PARTITIONED INTO 3 PARCELS WITH A PRIVATE ACCESS AND EMERGENCY VEHICLE TURN AROUND EASEMENT AS SHOWN.

George McAdams
GEORGE MCADAMS, MEMBER
G&F MCADAMS FARMS, LLC

1/14/2022
DATE



SCALE: 1" = 100'
0' 100' 200'

AGENDA ITEM

5.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: Lebanon Planning Commission
From: Kelly Hart, Community Development Director
Subject: Planning File No. S-22-01

Date: February 8, 2022

I. BACKGROUND

Under consideration is a proposed 26-lot subdivision of the property located on northeast corner of Russell Drive and Franklin Street. The property address is 599 Russell Drive, and Linn County Tax Assessor Map number is 12S 02W 14CA, tax lot 300. The subject property is 3.98 acres and is currently largely undeveloped, with one single-family residence that will be demolished as part of the subdivision.

The property is in a developed neighborhood. To the north and east are properties within the County with a comprehensive plan designation of Residential Mixed Density (C-RM) and include single-family residential uses. To the south, and west are properties recently approved and under construction for apartment developments in the Residential Mixed Density (Z-RM) zone.

II. CURRENT REPORT

The proposal includes a preliminary plan to subdivide the existing 3.98-acre site into 26 single-family residential lots, along with creation of a new public street.

The residential lots have been designed to meet the minimum development standards for a single-family or duplex development. Each parcel meets the minimum width of 50-feet to accommodate a single-family residence or duplex. The proposal also utilizes the Lot Averaging opportunity for single-family/duplex subdivisions which allows for some parcels to be less than the 5,000 square foot minimum for a single-family detached parcel, in exchange for other parcels to be larger than 6,000 square feet. The subdivision includes 26 residential lots, and are allocated based on the lot averaging matrix below:

Table 16.05-11: Lot Size Averaging Matrix		
Max. % of Lots Allowed Smaller (4,000 – 4,999 sq ft) than the Min. Required Square Footage	Minimum Percentage of Lots Averaging Between 5,000 and 6,000 Square Feet	Minimum Percentage of Lots Required Greater than 6,000 Square Feet
Not more than 25% of the Total Number of Lots in the Subdivision	At least 50% of the Total Number of Lots in the Subdivision	At least as many Lots as are built with less than 5,000 sq ft (i.e., between 4,000 – 4,999 sq ft)
12% proposed	76% proposed	12% proposed

No development has been proposed as part of the subdivision. If the subdivision is approved, a single-family home or duplex is outright permitted on a single lot. If any other housing development is proposed, outside of a single-family home or duplex, additional planning permits will be required.

In terms of access, LDC 16.13.030(A)(1) requires that all streets adjacent and interior to new development be improved to City standards. Russell Drive is fully improved and does not require improvements. Franklin Street will require land dedication and half street improvements along the frontage of the subdivision. As part of the subdivision, a new public street is proposed with connection to Franklin Street, then turns to the north and dead ends into the northern property line of the subdivision to allow for future connection to the roadway by properties to the north as they redevelop. The new local street would be improved with curb, gutter and five-foot wide sidewalk with a 4.5-foot landscape planter, and 36-foot street width from curb-to-curb. The new street intersection to Franklin Street as been designed to match up to the driveway intersection for the apartment complex on the west side of Franklin Street to ensure appropriate traffic patterns between the two points of access to the residential developments. For access to the lots, Russell Drive is a Minor Arterial, Franklin Street is a Collector, and the new public road would be built to a local street standard. As part of subdivisions, driveways for access should not be oriented to access from Minor Arterials. However, the property maintains an existing condition of three driveway access points on Russell Drive, which would be maintained. Four lots are also designed to be accessed from Franklin Street, the remainder of the lots would be accessed from the new local road.

For traffic analysis, based upon the Institute of Transportation Engineers trip generation rates, single family homes generate 9.44 vehicle trips per day and 0.99 trips during the peak PM traffic hour, there is no standard applied to duplexes. The development will create 26 new vacant lots, each of which could be developed with a single-family home or a duplex. Construction of 26 dwellings would add about 246 new vehicle trips per day to the public street system. About 26 of those trips would occur during the peak p.m. traffic hour. The development will not generate enough trips to require a Traffic Impact Analysis (TIA). The threshold for requiring submittal of a Traffic Impact Analysis is 100 peak hour trips for a TIA. The Transportation System Plan does not identify any capacity or safety issues occurring along the street frontages of this subdivision. As part of the apartment development on the west side of Franklin Street, the street was required to be widened to accommodate a center turn lane. As part of this subdivision, additional right-of-way dedication would be required to complete the street improvements.

For utilities, City utility maps show a 12-inch public sewer main and 16-inch water main in Russell Drive. An extension of both mains are proposed within this application through the length of the subdivision area on Franklin Street. Each separate lot must have its own distinct sewer and water service. Upon development, each lot will be required to install a new sewer and water lateral connection to the public main. A 36-inch public storm drainage main is available in Russell Drive. An extension of this main is proposed with this application through the northern end of the subdivision area on Franklin Street. The required stormwater detention facility is provided as Tract A in the subdivision.

The following section provides a detailed analysis of how the proposal meets the development code.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The Applicant is requesting consideration of a Subdivision application for the creation of a 26-lot housing subdivision. Below is an analysis of the review criteria (Section 16.22.090 of the LDC) and recommended findings:

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

RECOMMENDED FINDING: Within the RM zone, the minimum lot size and lot width is 5,000 square feet and 50-feet for a single-family detached dwelling or duplex development. As shown on the preliminary plat, the lot sizes vary from 4,133 square feet to 6,953 square feet with all lot widths exceeding 50 feet. In accordance with LDC 16.05.140, lot averaging is utilized. As proposed, 12% of the lots would be between 4,000 – 4,999 square feet, 76% of the lots would average between 5,000 – 6,000 square feet, and 12% would be greater than 6,000 square feet, meeting the minimum requirements to utilize the lot averaging system. Therefore, the lots comply with the dimension requirements of the RM zone for the intended respective use found in Article Two. Setbacks and other development specific standards found in Article Two and Three would be evaluated upon development proposal. However, with a lot area and width meeting the minimum standards with the application of the lot averaging, the lots meet standards for the expected development of single-family or duplex development in compliance with all setback, lot coverage, and parking standards.

The subject property has frontage along Franklin Street and Russell Drive, which are not fully improved to city street standards. Both frontages will be built to full city standard as specified in Chapter 16.13 and in conformance with Engineering Standards. Site access for each lot would be designed upon development to meet the driveway spacing and vision clearance requirements for compliance of Chapter 16.12, as such, the proposal conforms with Articles Two and Three. Engineering Conditions have been included to identify driveway locations and access for specific lots to ensure efficient traffic circulation and vision clearance. With the conditions included, this criteria has been met.

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

RECOMMENDED FINDING: In accordance with Oregon Revised Statue (ORS) 92.090, subdivision plat names are subject to approval of the county surveyor. No preliminary subdivision plat will be approved which bears a name similar to, or pronounced the same as, the name of any other division in the same county. Unless the land platted is contiguous

to and platted by the same party that platted the subdivision bearing that name, or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name. All subdivision plats must continue the lot number and, if used, the block numbers of the subdivision plat of the same name last filed. The proposed subdivision plat name "Franklin Grove" has been approved by the County Surveyor; therefore, this criterion has been met.

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

RECOMMENDED FINDING: The proposed preliminary plat will result in a 26-lot residential subdivision on the northeast corner of Russell Drive and Franklin Street. LDC 16.13.030(A)(1) requires that all streets adjacent and interior to new development be improved to City standards. Russell Drive is fully improved and does not require improvements. Franklin Street will require land dedication and half street improvements along the frontage of the subdivision. As part of the subdivision, a new public street is proposed with connection to Franklin Street, then dead ending into the northern property line of the subdivision to allow for future connection to the roadway by properties to the north as they redevelop. The new local street would be improved with curb, gutter and five-foot wide sidewalk with a 4.5-foot landscape planter, and 36-foot street width from curb-to-curb. For access to the lots, Russell Drive is a Minor Arterial, Franklin Street is a Collector, and the new public road would be built to a local street standard. As part of subdivisions, driveways for access should not be oriented to access from Minor Arterials. However, the property maintains an existing condition of three driveway access points on Russell Drive, which would be maintained. Conditions have been included to require two of the lots to share a drive approach to maintain the existing condition and not expand the non-conformity. Four lots are also designed to be accessed from Franklin Street, the remainder of the lots would be accessed from the new local road.

Based upon the Institute of Transportation Engineers trip generation rates, single family homes generate 9.44 vehicle trips per day and 0.99 trips during the peak PM traffic hour. The development will create 26 new vacant lots, each of which could be developed with a single-family home or a duplex. Construction of 26 dwellings would add about 246 new vehicle trips per day to the public street system. About 26 of those trips would occur during the peak p.m. traffic hour. The development will not generate enough trips to require submittal of a Trip Generation Analysis or Traffic Impact Analysis (TIA). The threshold for requiring submittal of a Trip General Analysis is 50 peak hour trips, or 100 peak hour trips for a TIA. The Transportation System Plan does not identify any capacity or safety issues occurring along the street frontages of this subdivision.

Therefore, with the generation of 246 vehicle trips per day, with 26 peak hour trips per day, the subdivision is not projected to generate enough trips to warrant a TIA or Trip Generation Analysis. The subdivision will improve all public streets interior to the

development in accordance with the LDC, and the TSP does not identify any capacity or safety issues occurring along the frontage of the site. As such, the proposed subdivision meets this criterion.

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

RECOMMENDED FINDING: The common areas for the subdivision include Tract A for a stormwater retention pond. With the common areas depicted on the preliminary plat, this criteria has been met.

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

RECOMMENDED FINDING: There are no mapped special management areas on the subject property; therefore, the criterion is not applicable.

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

RECOMMENDED FINDING: all property dedications associated with the necessary road improvements have been depicted on the preliminary plat. All required road and utility improvements have been depicted on the preliminary plat and conditions have been incorporated to ensure all required improvements are included as part of the final plat. As such, this criteria has been met.

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

RECOMMENDED FINDING: The subject site is located in the conical surface area of the Airport Overlay Zone. At the time of building permit approval, the height of the future development will be reviewed for conformance with height limitations of the conical surface area. There are no areas of steep slopes on the subject property. The applicable Flood Insurance Rate Map for the subject site is 41043C0568G, dated September 29, 2010. Based on this FIRM, the entirety of the subject property is located outside of the Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain. The U.S. Department of Interior, Fish and Wildlife Service National Wetland Inventory Map does not show wetlands on the property. The subject property is greater than 75 feet from the top of the bank of the South Santiam River, Oak Creek or Cheadle Lake waterbodies. The subject property is also located outside of the designated boundaries of the special transportation area.

The site is located in the conical surface area of the Airport Overlay Zone, but the proposed subdivision does not include development that exceeds the height limit or cause interference with the aircraft using the airport. The subject property is located outside all other overlay zones or special districts. As such, the criterion is met.

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

RECOMMENDED FINDING: Within the RM zone, the minimum lot size and lot width is 5,000 square feet and 50-feet for a single-family detached dwelling and duplexes. As shown on the preliminary plat, with use of the lot averaging standard, the lot sizes range from 4,133 square feet to 6,953 square feet with all lots of width exceed 50 feet. Therefore, the lots comply with the dimension requirements of the RM zone. Setbacks and other development specific standards found in Article Two and Three would be evaluated upon development proposal.

The block layout provisions in Chapter 16.12.030(K) state that blocks without pedestrian and bicycle connections through the block cannot exceed 600 feet in block length and 1,600 feet in block perimeter. Presently, Franklin Street between River Road and Russell Drive is 1,300± feet; Russell Drive between Franklin Street and River Road is 4,000± feet; and the existing block perimeter is 4,000± feet. The subject property has approximately 265 feet of street frontage along Russell Drive and 570 feet along of frontage along Franklin Street and does not exceed the block length standard. Additionally, a roadway extension is proposed within the development to allow for a future street connection to property to the north with further development potential and/or to a future east/west roadway connection between Franklin Street and River Road to the east.

The proposal meets the standards for the underlying zoning district, and the proposed street system and new local road complies with the design requirements for the LDC and Engineering Standards. As such, the criterion is met.

9. Setbacks shall be as required by the applicable land use zone (Chapter 16.05 – 16.10).

RECOMMENDED FINDING: As discussed in the Findings 1-6 above, and incorporated here by reference, the proposed parcels are in compliance with the minimum requirements of the underlying zone. The size and dimensions of the proposed lots will allow for setbacks to be met while providing an adequate building envelope. Therefore, there will be no foreseeable difficulties in obtaining building permits for the lots within the proposed subdivision. Minimum setback standards will be reviewed for conformance with applicable standards for the Z-RM zone upon development. Therefore, this criterion is met.

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

RECOMMENDED FINDING: Findings related to access and circulation are provided in Finding Nos. 3 and 8 above and incorporated here by reference.

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

RECOMMENDED FINDING: The Existing Conditions Map identifies six deciduous trees as having a caliper rating of 12-inches, which falls under the significant vegetation. The location of the trees fall within the new local street right-of-way, and the building envelope area for one of the residential lots, resulting in the removal of the trees as part of the subdivision development. Upon development proposal, the City may require the trees to be replaced as part of the final plat or development of the residential lots. Full landscape plans have been conditioned to be submitted for review as part of any development proposal, as such, this criteria has been met.

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

RECOMMENDED FINDING: Based on the layout and probable locations, all dwellings will be less than 150-feet from a public street upon the completion of proposed street improvements. Included is a future street connection that terminates at the north property line of the subject property. Therefore, an emergency access easement with turn-around has been included required to serve lots per OFC D103.4. The proposed emergency access easement with a sunset clause when a secondary access is provided north of the property will be record on or prior to the recordation of the final plat. With the turnaround, placement of fire hydrants, and appropriate access, this criteria has been met.

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

RECOMMENDED FINDING: A common driveway is required between Lots 13 and 14 with access from Franklin Street, and 24 and 25 with access on Russell Drive, and a reciprocal access and maintenance agreement shall be filed as part of the final plat process.

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

RECOMMENDED FINDING: Findings related to access and circulation are provided in Finding Nos. 3 and 8 above and incorporated here by reference. City utility maps show a 12-inch public sewer main and 16-inch water main in Russell Drive. An extension of both mains are proposed within this application through the length of the subdivision area on Franklin Street. Each separate lot must have its own distinct sewer and water service. Upon development, each lot will be required to install a new sewer and water lateral connection to the public main. A 36-inch public storm drainage main is available in Russell Drive. An extension of this main is proposed with this application through the northern end

of the subdivision area on Franklin Street. The required stormwater detention facility is provided as Tract A in the subdivision.

As shown on the preliminary plan, a 10-foot-wide private utility and franchise utility easement is proposed along the frontage of all lots. This easement will be recorded on the final plat. No other easements are proposed within this subdivision. With the access, utility extensions and easements identified, this criteria has been met.

IV. PUBLIC NOTIFICATION AND COMMENTS

A public notification for this project was issued on January 26, 2020. 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 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 a Subdivision, 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. A final partition plat, complying with provisions in ORS Chapter 92, shall be completed by a registered professional land surveyor and submitted to the City for approval.
 - b. The final plat shall substantially conform to the proposal, comply with applicable requirements in the Lebanon Development Code and recorded within three years of the final date of approval.
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:
 - 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. 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.
- c. All private, onsite utilities must be reviewed and approved by the City Building Official.

Transportation

- d. Provide a Geotech report including minimum street section for wet and dry weather construction conditions.
- e. Construct City standard full depth half street improvements along Franklin Street the length of the lot frontage. Additional right-of-way dedication of varying width required to mirror west side of Franklin Street.
- f. Provide City standard street trees in compliance with the City of Lebanon street tree policy.
- g. Lots 6, 12 driveway access shall be located along their north property lines.
- h. Lot 15 driveway access shall be located along its south property line.
- i. Lots 16, 17, 18, 19, 23 & 26 driveway access shall be located along their east property lines.
- j. Lots 13 & 14 along with lots 24 & 25 driveway access shall be located along their adjacent property lines.
- k. Fence locations for lots 6, 17, & 18 will require intersection sight distance & clear vision design submitted for review and approval from the City Engineer.
- l. Sidewalks, paths and driveway approaches must comply with ADA requirements.
- m. Sidewalk adjacent to the detention pond shall be constructed with public improvements.
- n. Provide City standard streetlights.
- o. Postmaster must approve cluster mailbox locations.
- p. Provide verification of Republic Services approval of location and turn around access to garbage and recycling containers.
- q. Provide verification from emergency services & Linn County surveyor for new street names.

Water

- r. Identify any on-site wells on the engineered drawings. Wells must be capped and abandoned according to state and county regulations prior to connection to the public water system.
- s. 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.
- t. Water system improvements shall be extended through the development site to the edges

of the property lines so that future extensions can continue.

Storm Drainage

- u. 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.
- v. 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.
- w. Storm drain improvements shall be extended through the development site to the edges of the property line so that future extensions can continue.
- x. Provide verification of Oregon DEQ NPDES permit issuance and all condition of permit issuance prior to construction
- y. Any wetlands identified as being impacted by public improvements shall be mitigated prior to the final acceptance of public improvements.
- z. Provide a construction erosion prevention plan.
- aa. Provide detail of detention pond fencing. Fence shall not be higher than 30", A unobscured fence can be up to 36" in height.

Sewer System

- bb. Identify any on-site septic systems on the engineering drawings. Septic systems must be abandoned according to the city and county regulations.
- cc. The sewer shall be extended through the development site to the edges of the property lines so that future extensions can continue.

Landscaping

- dd. 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.

VI. PLANNING COMMISSION ACTION

- A. The Planning Commission may either:
 - 1. Approve the proposed Subdivision application (S-22-01) for the 26-lot subdivision, adopting the written findings for the decision criteria contained in the staff report with the conditions of development; or

2. Approve the proposed Subdivision application (S-22-01) for the 26-lot subdivision, adopting modified findings for the decision criteria and conditions of development; or
3. Deny the proposed Subdivision application (S-22-01) for the 26-lot subdivision, 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 **February 16, 2022 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.:	S-22-01
Applicant:	Creations Northwest, LLC
Location:	599 Russell Drive
Map & Tax Lot No.	12S2W14CA00300
Zoning:	Residential Mixed Density
Request:	Subdivision
Decision Criteria:	Lebanon Development Code Chapters: 16.05, 16.20 & 16.22

Request: The applicant is requesting approval of a tentative Subdivision Plat that includes 26-lots for residential use.

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, February 15, 2022.** 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_KXNTxg-3RcmlS6Frr1j7Ew 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 to watch the meeting virtually or participate with public comment.

Meeting Information: The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on February 16, 2022 through the Zoom Webinar: https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_KXNTxg-3RcmlS6Frr1j7Ew 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.

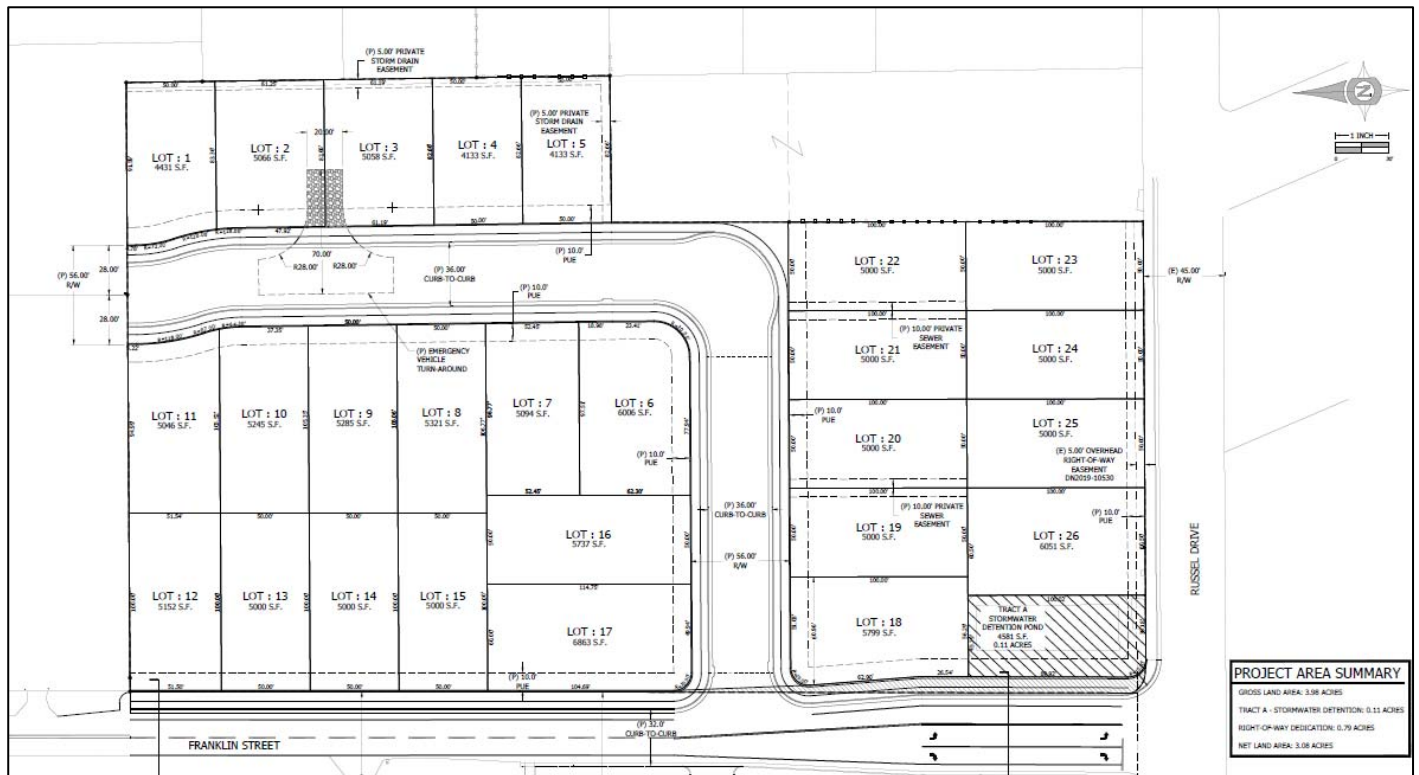
CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are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

PROPOSED PLAT





LAND USE APPLICATION


PROPERTY INFORMATION

Site Address(es): 599 Russell Drive, Lebanon, OR 97355
Assessor's Map & Tax Lot No.(s): 12S-02W-14CA Tax Lot 300
Comprehensive Plan Designation / Zoning Designation: C-RM and Z-RM
Current Property Use: single-family residential
Project Description:
Tentative Plat approval for a 26-lot residential subdivision with associated site public right-of-way improvements.

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: Creations Northwest, LLC c/o Blake Gesik	Phone: (503) 908-0563
Address: 14020 SE Johnson Road, Suite 102	Email: blake@htipllc.com
City/State/Zip: Milwaukie, OR 97267	
<i>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.</i>	
APPLICANT SIGNATURE <u>Blake Gesik</u> <small>Blake Gesik (Jan 3, 2022 11:36 PST)</small>	Date: Jan 3, 2022

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: Steven Kirklie	Phone: (541) 971-1280
Address: 34051 Riverside Drive	Email: skirkelie@comcast.net
City/State/Zip: Albany, OR 97321	
OWNER SIGNATURE 	Date: 1-6-2022

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Brian Vandetta, Udell Engineering	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: Laura LaRoque, Udell Engineering	Phone: (541) 990-8661
Address: 63 E. Ash Street	Email: laura@udelleng.com
City/State/Zip Lebanon, OR 97355	

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	x	Subdivision Tentative	\$1,500
Conditional Use	\$1,500		Subdivision Final	\$750
x 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

SUBDIVISION APPLICATION

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

Applicants/Property Owners: Blake Gesik
Creations Northwest, LLC
14020 SE Johnson Road, Suite 102
Milwaukie, OR 97267
(503) 908-0563 / blake@htipllc.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: 599 Russell Drive, Lebanon, OR 97355

Linn County Assessor's Map No.: 12S-02W-14CA Tax Lot 300

Site Size: 3.98-acres

Existing Land Use: Single-Family Residential

Zone Designation: Residential Mixed Density (Z-RM)

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

Surrounding Zoning: North: UGA-UGM-10
South: RM
East: UGA-UGM-10
West: RM

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



I. Executive Summary

The applicant requests approval of a proposed subdivision for a property at the northeast corner of the Russell Drive and Franklin Street intersection. The property is identified by its assigned address 599 Russell Drive and Linn County Tax Assessor Map No. 12S-02W-14CA Tax Lot 300. The property is approximately 3.98-acres and improved with a single-family residence that will be demolished with approval of this proposal.

The property is in a developed neighborhood. To the north and east are single-family residences located in the Lebanon Urban Growth Boundary and Linn County UGA-UGM-10 zoning district. To the south and west across Russell Drive and Franklin Street are RM zoned property improved with multiple family residential development.

The proposal includes a preliminary plan to subdivide an approximately 3.98-acre site into 26 residential lots. As proposed, the subdivision will include lots ranging in size from 4,133 square feet to 6,953 square feet. All lots will be eligible for single-family detached or duplex dwelling as lot averaging is proposed.

Lots 25 and 26 will have shared driveway access to Russell Drive. Lots 23 and 24 will have direct driveway access to Russell Drive. Lots 12-15 will have direct driveway access to Franklin Street. All other lots will have direct driveway access to a proposed new public street with roadway connection to Franklin Street. Russell Drive and Franklin Street are classified in the 2018 Lebanon Transportation System Plan (TSP) as a Minor Arterial and Collector Street, respectively.

For utilities, sanitary sewer and water mains will be extended from Franklin Street within the proposed new public street to serve internal lots. Upon extension of the mains, the new lots within the proposed subdivision will be able to connect laterals to the mains for utility service. All lots with frontage on Franklin Street and Russell Drive will be able to connect laterals to the existing mains for utility service.

The following section provides a detailed analysis of how the proposal meets the development code.

II. Analysis of Development Code Criteria

Below is an analysis of the review criteria (Chapter 16.22 of the LDC) and findings:

- A. Chapter 16.22 of the Lebanon Development Code (LDC) establishes the standards for reviewing partitions and subdivisions, with Sections 16.22.030 to 16.22.090 establishing specific requirements for submittal and review. The applicable provisions are outlined in the following Sections.
- B. LDC 16.22.030(A)(B) establishes the general requirements for subdivisions, which includes a two-step review process requiring review and approval of both a preliminary and final plat. In addition to the land division requirements in Chapter 16.22, the proposal must comply with regulations regarding public works improvements, official maps or development plans, Development Code provisions, Fire District requirements, and similar regulations.

FINDINGS: This quasi-judicial review process addresses the requirements for preliminary plat approval. Upon preliminary plat approval, a final plat that conforms to provisions in LDC 16.22.070(B) will be submitted for ministerial review and approval.

- C. LDC16.22.030(C) notes that subdividing a residential zone into large lots (i.e., greater than four times or 400 percent the minimum lot size allowed by the underlying land use zone), the City may require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this Code. To meet this requirement a re-division plan must be submitted.

FINDINGS: As proposed, none of the lots are large enough to allow for an additional land division. Therefore, this standard is not applicable.

- D. LDC 16.22.030(D) establishes provisions for lot averaging, thereby allowing the creation of some lots below the minimum lot size. LDC 16.22.030(E) notes the proposal must comply with floodplain provisions.

FINDINGS: In accordance with LDC 16.05.140, lot averaging is proposed with this application. Below is a chart showing a comparison of the proposed lot size averages with the standards.

<i>Table 16.05-11 Lot Size Averaging Matrix</i>		
<i>Maximum Percentage of Lots Allowed Smaller (4,000 – 4,999 sq. ft) than the Minimum Required Square Footage</i>	<i>Minimum Percentage of Lots Averaging Between 5,000 and 6,000 Square Feet</i>	<i>Minimum Percentage of Lots Required Greater than 6,000 Square Feet</i>
<i>Not more than 25% of the Total Number of Lots in the Subdivision</i>	<i>At least 50% of the Total Number of Lots in the Subdivision</i>	<i>At least as many Lots as are built with less than 5,000 sq. ft (i.e., between 4,000 – 4,999 sq. ft)</i>
12% proposed	76% proposed	12% proposed

Floodplain provisions are also not applicable as the site is in Zone X, outside of identified special flood hazard areas, as shown on FEMA’s Flood Insurance Rate Map #41043C0569G, dated September 29, 2010.

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

FINDINGS: A pre-application meeting was conducted late-2021.

- F. LDC 16.22.050 contains special transportation provisions and associated decision criteria. LDC 16.22.050(A) requires notification of the Oregon Department of Transportation (ODOT). The application submittal process includes agency notification even though the development does not



impact a state highway. LDC 16.22.050(B) requires plans to address specific access related decision criteria, which are noted as follows:

- G. LDC 16.22.050 contains special transportation provisions and associated decision criteria. LDC 16.22.050(A) requires notification of the Oregon Department of Transportation (ODOT). The application submittal process includes agency notification even though the development does not impact a state highway. LDC 16.22.050(B) requires plans to address specific access related decision criteria, which are noted as follows:

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

FINDINGS: According to LDC 16.12.020(B)(1)(2), a single parcel must abut a street for a minimum width of 14-feet, including a minimum 12-foot-wide driveway. According to LDC 16.12.020(B)(2), two adjacent parcels must abut a street for a minimum of 24-feet, with a minimum of 12-feet for each parcel that may include a shared 12-foot-wide driveway serving both.

Per LDC 16.12.030(F)(2)(3), LDC 16.12.030.J.4, LDC 16.12.030(L)(1), single-family and duplex dwellings may be served by a minimum 24-foot-wide shared access easement with a minimum 12-foot-wide driveway provided a shared access easement and coordinated maintenance agreement is recorded.

All lots will have greater than 14 feet of frontage on public streets and individual 12-foot-wide driveways improved upon development of each lot, except for Lots 25 and 26, which will have shared driveway access.

The proposed development includes a future street connection that terminates at the north property line of the subject property. Therefore, an emergency access easement with turn-around has been included to serve lots per OFC D103.4, LDC 16.12.030.L.8 and LDC 16.12.030.M.

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

FINDINGS: The criterion including the term “adequate access” is not a clear and objective approval criterion as required by Oregon Revised Statute (ORS) 197.307(4) for needed housing as defined under ORS 197.303. Therefore, this criterion is not applicable.

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

FINDINGS: All lots will have frontage on, and/or direct access to a public street. Direct access to public rights-of-way provides connectivity from each of the development sites to abutting public sidewalk and bicycle linkages.

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

FINDINGS: According to LDC 16.12.030.F, when vehicle access is required for development access must be provided by an alley, private street or shared driveway, or public street, and a minimum of 12 feet per lane is required. Access to proposed lots is via individual driveway access to abutting public rights-of-way, except for Lots 25 and 26, which will have shared driveway access.

LDC 16.12.030.I states that one street access for single-family and two-family is typical, but two access points may be permitted. All lots are proposed to be served individual driveway connections to the abutting public roadway, except for Lots 25 and 26, which will have shared driveway access.

5. LDC 16.22.050.B.5 Conditions of Approval to Mitigate Significant Impacts or Effects on Transportation Facilities: In situations in which proposed land use actions may cause a significant negative impact or effect on a transportation facility, the Planning Commission may impose additional conditions for approval, such as:
 - a) A Traffic Impact Analysis (or other traffic studies), if the City Engineer finds that the proposed development will have a significant negative impact or effect on the surrounding transportation network. (See Chapter 16.12, Subsection 16.12.010.B).
 - b) The operator of the affected transportation facility shall receive notice of the proposed land use. Such operators may include, but are not limited to, the city, Linn County, the State (e.g., ODOT, Oregon Department of Aviation), and railroad companies. This notice shall include the applicant's full site plan submitted to the City and any traffic impact study or traffic counts, as well as the information noted in paragraph "a." immediately above.
 - c) The determination of transportation impacts or effects and the scope of any impact study shall be coordinated with the Planning Official, the City Engineer, and the operator of the affected transportation facility.
 - d) Dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed land use.
 - e) Transportation-related improvements where the existing transportation system may be burdened by the proposed land use.

FINDINGS: Based upon the Institute of Transportation Engineers (ITE) trip generation rates, single family homes generate 9.44 vehicle trips per day and 0.99 trips during the peak PM traffic hour. The development will create 22 new vacant lots, each of which could be

developed with up to a maximum of 22 duplexes. Construction of 44 dwelling units would add about 415 new vehicle trips per day to the public street system. About 44 of those trips would occur during the peak p.m. traffic hour.

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. Although the final house types are unknown, based on market demand it can be expected to include predominant single-family dwellings with limited two-family dwelling types, which will result in less than 300 average daily trips. Regardless, recent traffic analyses have been conducted in association with adjacent multi-family development, which indicate no need roadway improvements based on anticipated number of trips resulting from infill development in this area of town.

No impacts to rails, aviation, or similar transportation facilities are anticipated with this development proposal.

- H. LDC 16.22.060 notes that after a pre-application meeting and/or consultation, the applicant submits a subdivision application on the prescribed form.

FINDINGS: The application submittal included the necessary material consistent with this LDC 16.22.060.

- I. LDC 16.22.070 establishes the procedural review process for subdivision applications. LDC 16.22.070(A)(2) requires preliminary subdivision applications to be processed as a quasi-judicial review with a hearing before the Planning Commission, while the final plat is reviewed by staff as a ministerial decision. Preliminary plat approval is valid for three years.

FINDINGS: As a subdivision, the quasi-judicial public hearing before the Planning Commission complies with provisions in this Section LDC 16.22.070(A)(2). All subsequent provisions apply to the administration, review, or modification of an approved preliminary plat.

- J. LDC 16.22.080 establishes the preliminary plat submittal requirements. The applicable provisions include:

- 1. LDC 16.22.080(A)(1)(2) requires submittal of public facilities and services study (including transportation facilities) and a traffic impact study.

FINDINGS: Water, sanitary sewer, and storm are available to serve the development. All improvements will comply with City design requirements, and for storm drainage, not increase the level of storm runoff on adjacent properties.

Findings regarding the requirements for a transportation impact study can be found under subsection 5, subsection e above and incorporated here by reference.

- 2. LDC 16.22.080(A)(3) lists additional information that will or may be required if applicable and warranted:

- a. LDC 16.22.080(A)(3)(a) - Correspondence from appropriate and applicable State and Federal Wetland regulatory agencies.

FINDINGS: The U.S. Department of Interior, Fish and Wildlife Service National Wetland Inventory Map does not show wetlands on the property. Therefore, correspondence from State and Wetland regulatory agencies are not anticipated.

LDC 16.22.080(A)(3)(b) - Correspondence from the County or ODOT if access is proposed to any facility under their jurisdiction.

FINDINGS: All the adjacent streets are under the City's jurisdiction. Therefore, these provisions in this Section do not apply.

- b. LDC 16.22.080(A)(3)(c) - Correspondence from Oregon Department of Aviation if the proposed development is within the approach or noise impact overlay zones of the Lebanon State Airport.

FINDINGS: According to Figures 16.11.020-1 to 16.11.020-3 the property is in the 544-foot conical surface area and direct impact area of the Lebanon Airport's Airport Safety Zone (AS-OZ). Therefore, notice must be provided to the Oregon Department of Aviation.

- c. LDC 16.22.080(A)(3)(d) - Documentation prepared by a licensed and qualified professional demonstrating that development proposed within a 100-year floodplain or floodway complies with appropriate FEMA, NFIP and City's Floodplain Regulations (see LDC 16.11.070 in Chapter 16.11 of this Code).

FINDINGS: Based on FEMA's Flood Insurance Rate Map, #41043C0569G, dated September 29, 2010, the property is located entirely outside of the special flood hazard area.

- d. LDC 16.22.080(A)(3)(e) - Documentation showing compliance with applicable Special Area Plans.

FINDINGS: The property is not located within a "Special Area Plan".

- e. LDC 16.22.080(A)(3)(f) - Documentation showing compliance with all applicable codes and requirements of the Lebanon Fire District.

FINDINGS: Access and provisions for hydrants have been identified on preliminary plat that comply with Fire District requirements. The Fire District has received a copy of the application materials for review and comment.

- f. LDC 16.22.080(A)(3)(g) - Documentation showing that the proposed land division will not violate any existing property restrictions of record including easements.

FINDINGS: A title report and existing conditions plan sheet denoting known recorded easements has been submitted with this application.

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

FINDINGS: Erosion control and building code requirements will be reviewed and approved as part of the site improvement and/or building permit review process.

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

FINDINGS: The site is relatively flat and is not subject to the requirements of the Steep Slope Development Overlay Zone, which are applicable to development in areas with steep slopes equal to or greater than 15 percent.

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

FINDINGS: No additional studies or exhibits were deemed necessary by City staff based on the development proposal.

- j. LDC 16.22.080(B)(1)(2)(3) - Establish submittal requirements.

FINDINGS: All necessary material for staff to proceed with the application has been submitted.

III. Review Criteria

The City may approve, approve with conditions, or deny a preliminary plat based on the criteria contained in LDC 16.22.090(A)(B)(C). Provisions in LDC 16.22.090(A) include the following:

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

FINDINGS: Within the RM zone, the minimum lot size and lot width is 5,000 square feet and 50-feet for a single-family detached dwelling and 7,000 square feet and 50 feet for a duplex.

As shown on the preliminary plat, the lot sizes from 4,133 square feet to 6,953 square feet with all lots of width exceed 50 feet. Therefore, the lots comply with the dimension requirements of the RM zone for the intended respective use found in Article Two. Setbacks and other development specific standards found in Article Two and Three would be evaluated upon development proposal.

The subject property has frontage along Franklin Street and Russell Drive, which are not fully improved to city street standards. Both frontages will be built to full city standard as specified in Chapter 16.13 and in conformance with Engineering Standards. Site access for each lot would be designed upon development to meet the driveway spacing and vision clearance

requirements for compliance of Chapter 16.12, as such, the proposal conforms with Articles Two and Three.

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

FINDINGS: The proposed subdivision plat name "Franklin Grove" has been approved by the County Surveyor.

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

FINDINGS: All proposed public improvements and dedications are depicted in the provided plan set, Sheets C102 - C104.

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

FINDINGS: All proposed improvements are depicted in the provided plan set.

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

FINDINGS: As noted, no special management areas were found in association to the subject site (see Existing Conditions, Sheet C101).

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

FINDINGS: All public improvements will be located within the city right-of-way and subject to City public works design and construction standards.

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

FINDINGS: As noted above, the property is in the 544-foot conical surface area of the Lebanon Airport's Airport Safety Zone (AS-OZ). Therefore, notice must be provided to the Oregon Department of Aviation.

- K. LDC 16.22.090(B) establishes the criteria for the layout of the subdivision and includes the following:



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

Within the RM zone, the minimum lot size and lot width is 5,000 square feet and 50-feet for a single-family detached dwelling and 7,000 square feet and 50 feet for a duplex.

As shown on the preliminary plat, the lot sizes from 4,133 square feet to 6,953 square feet with all lots of width exceed 50 feet. Therefore, the lots comply with the dimension requirements of the RM zone for the intended respective use found in Article Two. Setbacks and other development specific standards found in Article Two and Three would be evaluated upon development proposal.

The block layout provisions in Chapter 16.12.030(K) state that blocks without pedestrian and bicycle connections through the block cannot exceed 600 feet in block length and 1,600 feet in block perimeter. Presently, Franklin Street between River Road and Russell Drive is 1,300± feet; Russell Drive between Franklin Street and River Road is 4,000± feet; and the existing block perimeter is 4,000± feet.

The subject property has approximately 265 feet of street frontage along Russell Drive and 570 feet along of frontage along Franklin Street and does not exceed the block length standard. Additionally, a roadway extension is proposed within the development to allow for a future street connection to property to the north with further development potential and/or to a future east/west roadway connection between Franklin Street and River Road to the east.

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

FINDINGS: According to LDC Table 16.05-9: minimum setbacks in the RM zone are as follows: 10-foot front yard; 10/15-feet street side yard; 5-feet side (interior) yard and 10/20-feet to the rear yard. As shown on the preliminary plat, there is adequate area provided to accommodate future development conforming to the minimum setback requirements. Conformance will be reviewed upon development during building permit review.

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

FINDINGS: According to LDC 16.12.020(B)(1)(2), a single parcel must abut a street for a minimum width of 14-feet, including a minimum 12-foot-wide driveway, and two adjacent parcels must abut a street for a minimum of 24-feet, with a minimum of 12-feet for each parcel, that may include a shared 12-foot-wide driveway serving both.

As proposed, all lots will have greater than 14 feet of frontage on public streets with the ability to have an individual 12-foot-wide driveway improved upon development of each lot, except for Lots 25 and 26, which will have shared driveway access.

The proposed development includes a future street connection that terminates at the north property line of the subject property. Therefore, an emergency access easement with turn-around has been included required to serve lots per OFC D103.4, LDC 16.12.030.L.8 and LDC 16.12.030.M.

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

FINDINGS: Residential single-family landscaping requirements will be reviewed upon development during building permit review.

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

FINDINGS: Based on the layout and probable locations, all dwellings will be less than 150-feet from a public street upon the completion of proposed street improvements. Included is a future street connection that terminates at the north property line of the subject property. Therefore, an emergency access easement with turn-around has been included required to serve lots per OFC D103.4. The proposed emergency access easement with a sunset clause when a secondary access is provided north of the property will be record on or prior to the recordation of the final plat.

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

FINDINGS: A common drive is not proposed with this application. Therefore, this criterion is not applicable.

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

FINDINGS: As shown in the preliminary utility plan, an extension of public facilities are proposed to serve the development. All plans will conform to City standards and be approved prior to platting the subdivision.

- L. LDC 16.22.090(C) allows the City to establish conditions to carry out Code provisions and other applicable ordinances.

FINDINGS: Conditions of approval are not required as the proposed development complies with all applicable code provisions.

- M. LDC 16.22.100 to 16.22.140 establish administrative procedures for recording plats, improvement agreements and bonding.

FINDINGS: It is acknowledged that the applicant and City staff must comply with these requirements prior to recordation of a final plat.

OVERALL CONCLUSION

As proposed, applications for preliminary subdivision plat satisfies all applicable review criteria as proposed and outlined above.

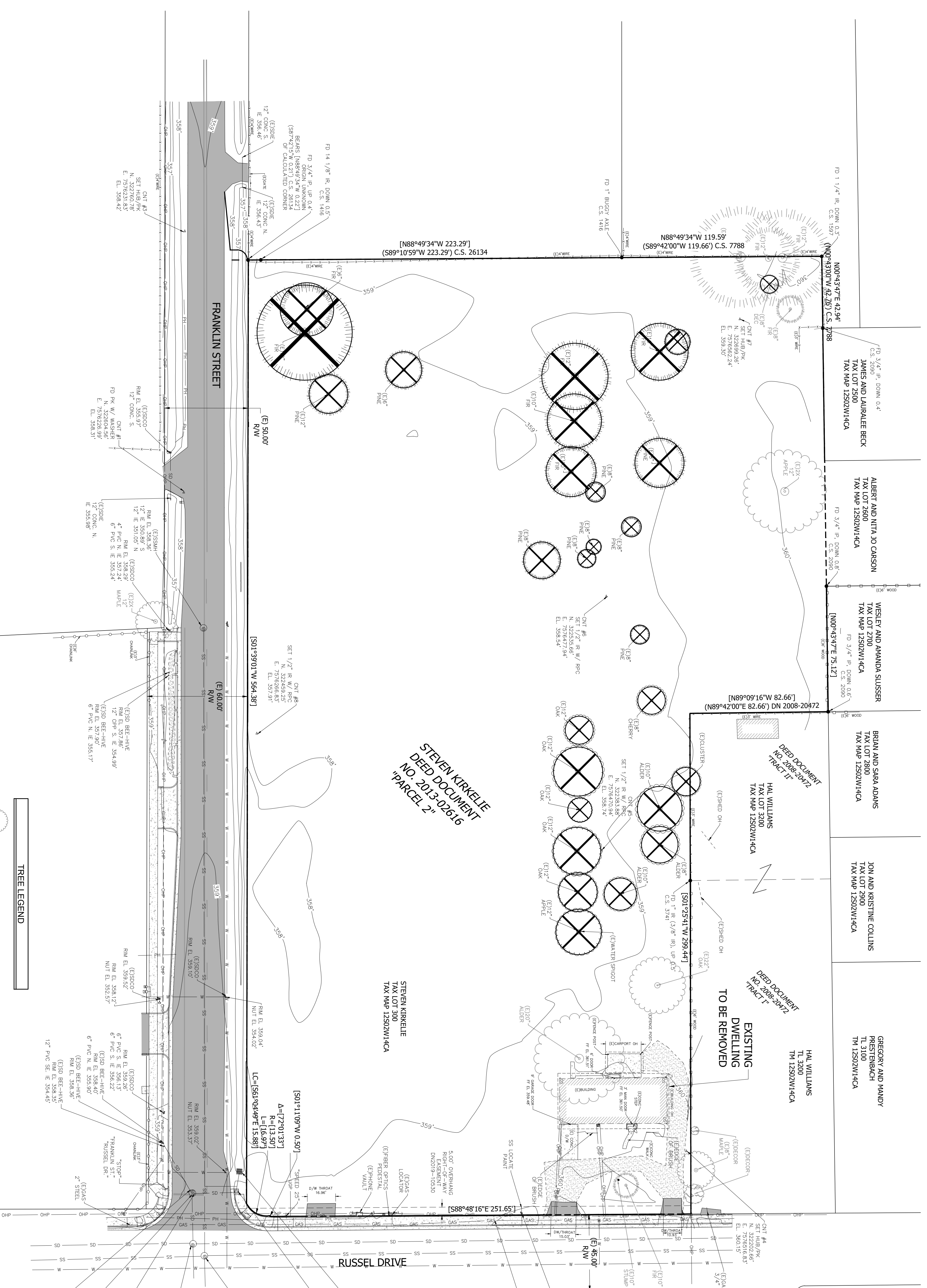
ATTACHMENTS

- A. Subdivision Name Approval
- B. Tentative Subdivision Plan Set
 - 1. Existing Conditions, Sheet C1.0
 - 2. Tentative Lot Layout, Sheet C2.0
 - 3. Preliminary Utility Plan, Sheet C3.0
 - 4. Preliminary Grading and Drainage Plan, Sheet C4.0



21-345 Creations NW
599 Russell Drive
Tentative Subdivision Application




January 6, 2022
Page 12 of 12



STEVEN KIRKELIE
DEED DOCUMENT
NO. 2013-02616
"PARCEL 2"

EXISTING
DWELLING
TO BE REMOVED

TREE LEGEND

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

PLAN REVISIONS

NO.	DESCRIPTION	DATE

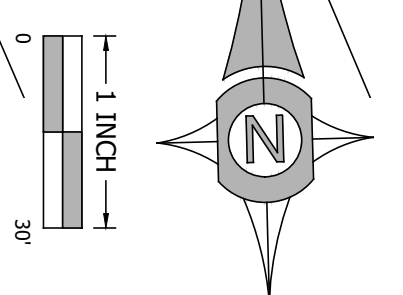
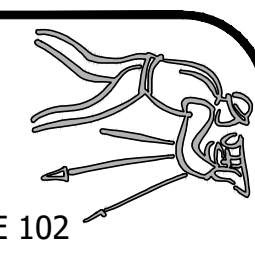
THIS MAP WAS
PREPARED FOR
PLANNING
PURPOSES ONLY

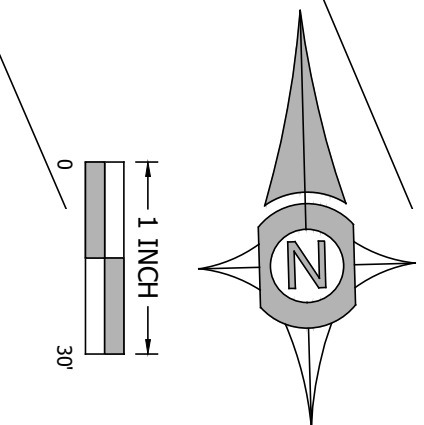
DATE:
JANUARY 6, 2022
PROJECT:
21-345 CREATIONS NW
DRAWN BY:
MLM/BSV
CHECKED BY:
BSV

EXISTING CONDITIONS
FRANKLIN GROVE
TAX LOT 300, 12S2W14CA
LEBANON, OREGON

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

CLIENT:
CREATIONS NORTHWEST, LLC
C/O BLAKE GESIK
14020 SE JOHNSON ROAD, SUITE 102
MILWAUKIE, OREGON 97267
(503) 908-0563
BLAKE@HTIPLLC.COM





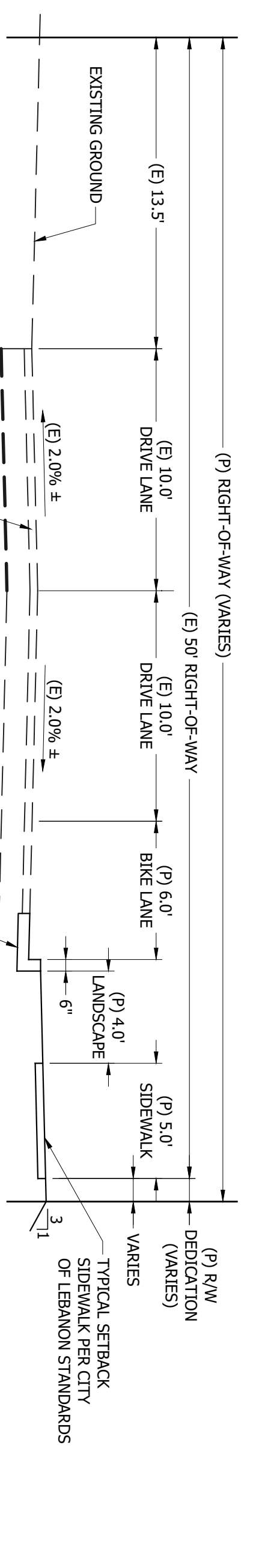
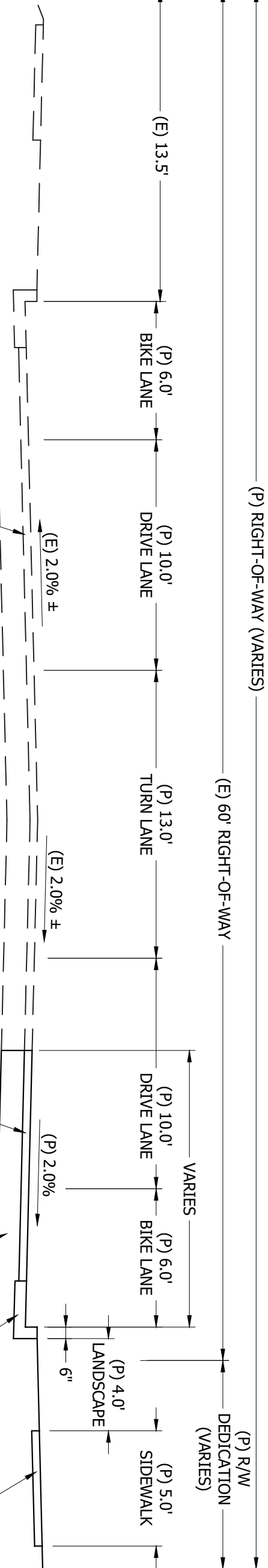
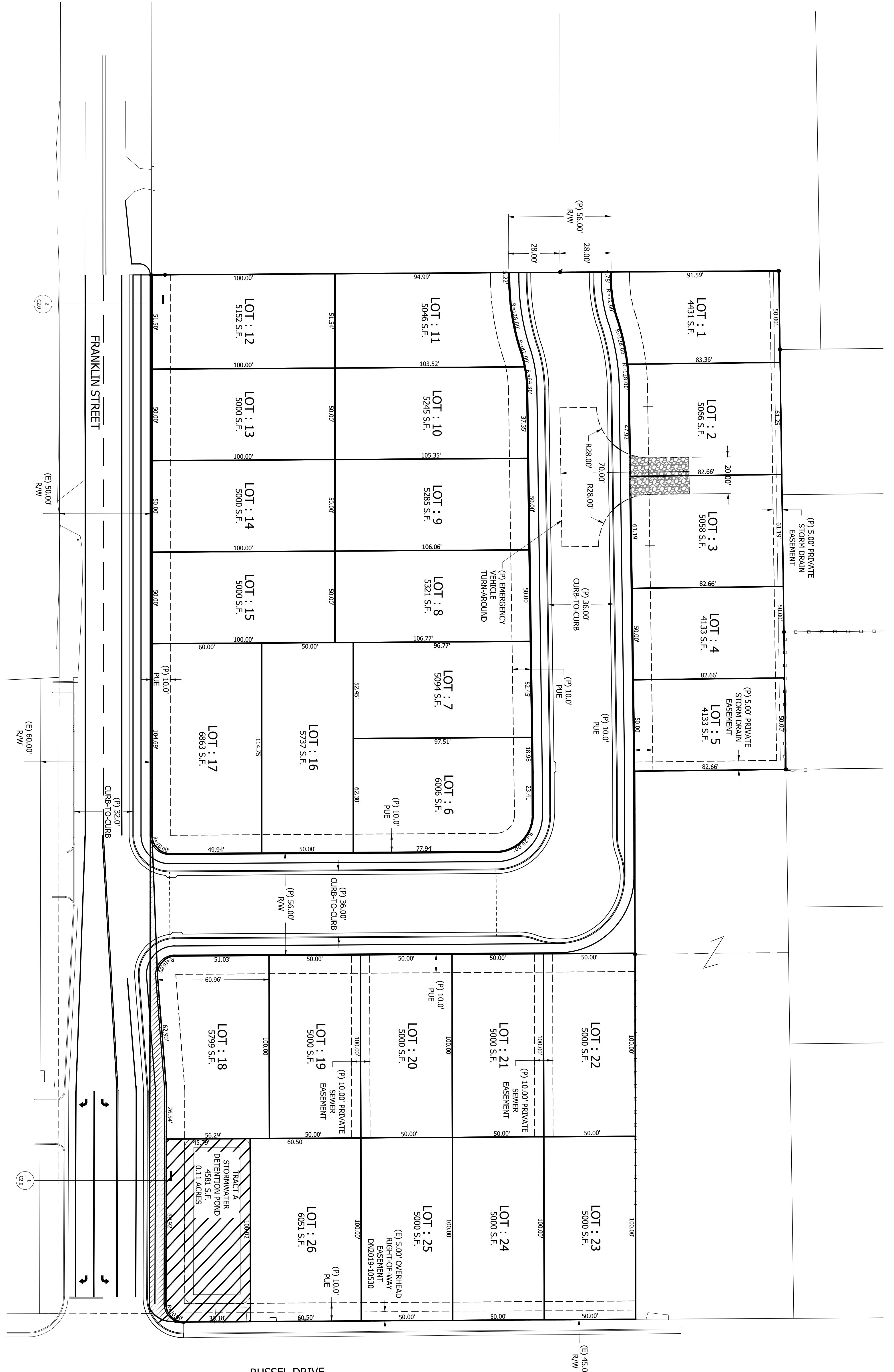
CLIENT:
 CREATIONS NORTHWEST, LLC
 C/O BLAKE GESIK
 14020 SE JOHNSON ROAD, SUITE 102
 MILWAUKIE, OREGON 97267
 (503) 908-0563
 BLAKE@HTIPLLC.COM

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

TENTATIVE LOT LAYOUT
FRANKLIN GROVE
TAX LOT 300, 12S2W14CA
LEBANON, OREGON

DATE: JANUARY 6, 2022
 PROJECT: 21-345 CREATIONS NW
 DRAWN BY: MLM/BSV
 CHECKED BY: BSV

PROJECT AREA SUMMARY
 GROSS LAND AREA: 3.98 ACRES
 TRACT A - STORMWATER DETENTION: 0.11 ACRES
 RIGHT-OF-WAY DEDICATION: 0.79 ACRES
 NET LAND AREA: 3.08 ACRES



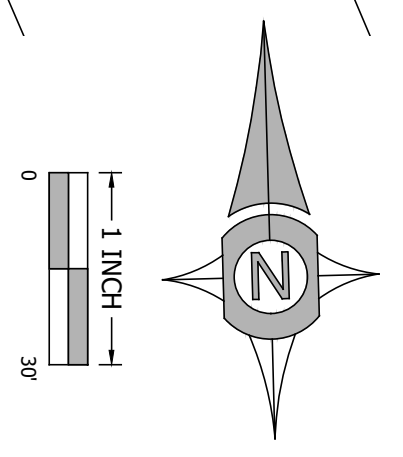
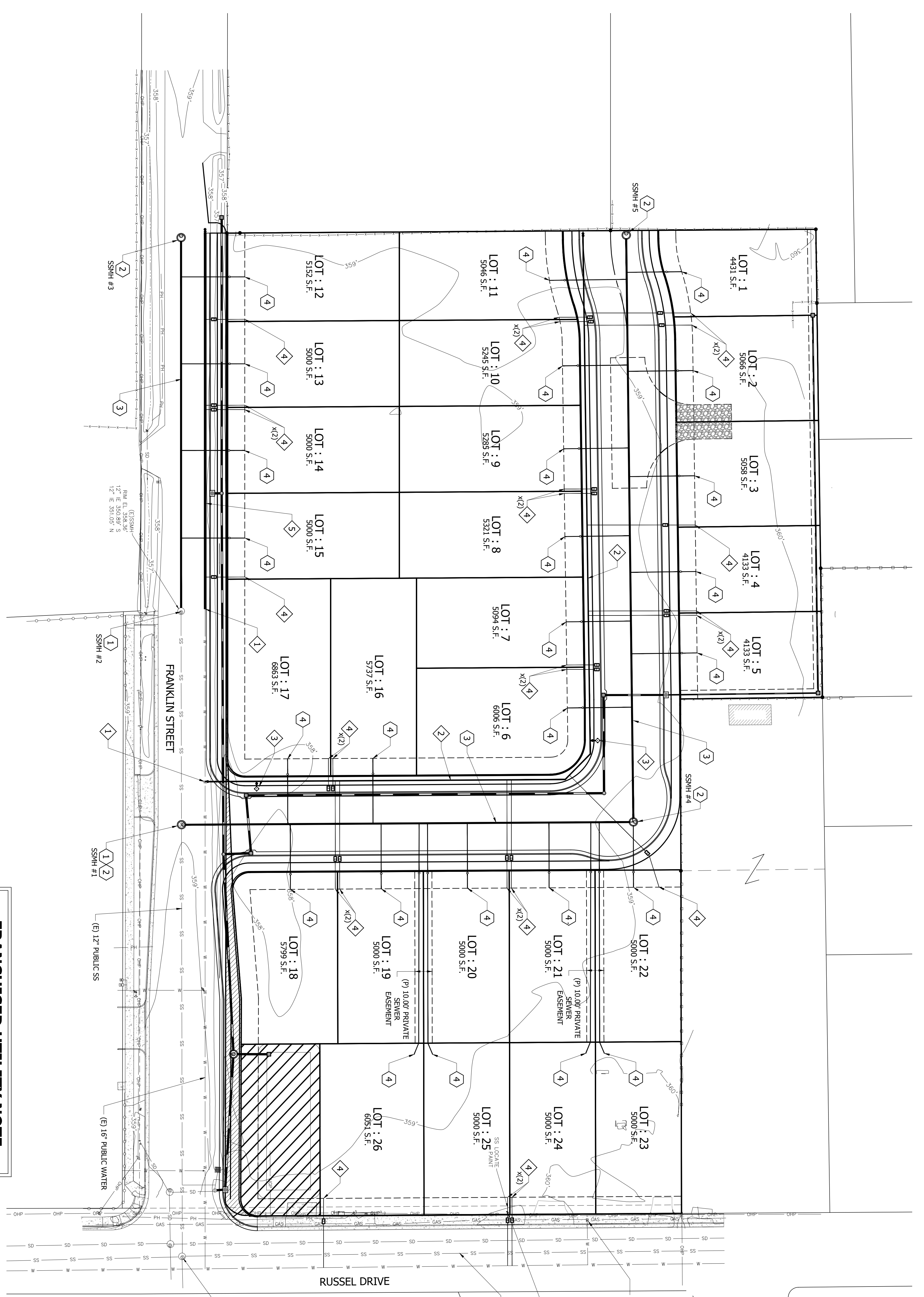
NOTE:
 SIDEWALKS ARE TO BE CONSTRUCTED WITH INDIVIDUAL BUILDING PERMITS. SIDEWALKS ARE SHOWN ON PLAN VIEW FOR REFERENCE ONLY.

PLAN REVISIONS	DATE

THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY

Sheet **C2.0**

SCALE: SEE BARSCALE



FRANCHISED UTILITY NOTE

FRANCHISED UTILITIES WILL BE INSTALLED UNDERGROUND TO EACH LOT IN THE PROVIDED PUE. INCLUDING:
 * NW NATURAL GAS
 * COMMUNICATIONS
 * POWER

- | PRIVATE SEWER NOTES | |
|---------------------|---|
| 1 | CONNECT TO EXISTING PUBLIC SANITARY SEWER. |
| 2 | INSTALL PUBLIC SEWER MANHOLE. |
| 3 | INSTALL PUBLIC 8" SANITARY SEWER. |
| 4 | INSTALL PUBLIC 4" SANITARY SEWER SERVICE LATERAL. |
-
- | PRIVATE WATER NOTES | |
|---------------------|---|
| 1 | CONNECT TO EXISTING 16-INCH PUBLIC WATERLINE. |
| 2 | INSTALL PUBLIC RANCH WATERLINE. |
| 3 | INSTALL PUBLIC FIRE HYDRANT. |
| 4 | INSTALL PUBLIC 1" WATER SERVICE. |
| 5 | INSTALL PUBLIC 1/2-INCH WATERLINE. |

PLAN REVISIONS	DATE

Sheet **C3.0**
 SCALE: SEE BARSCALE

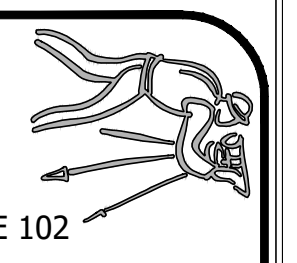
THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY

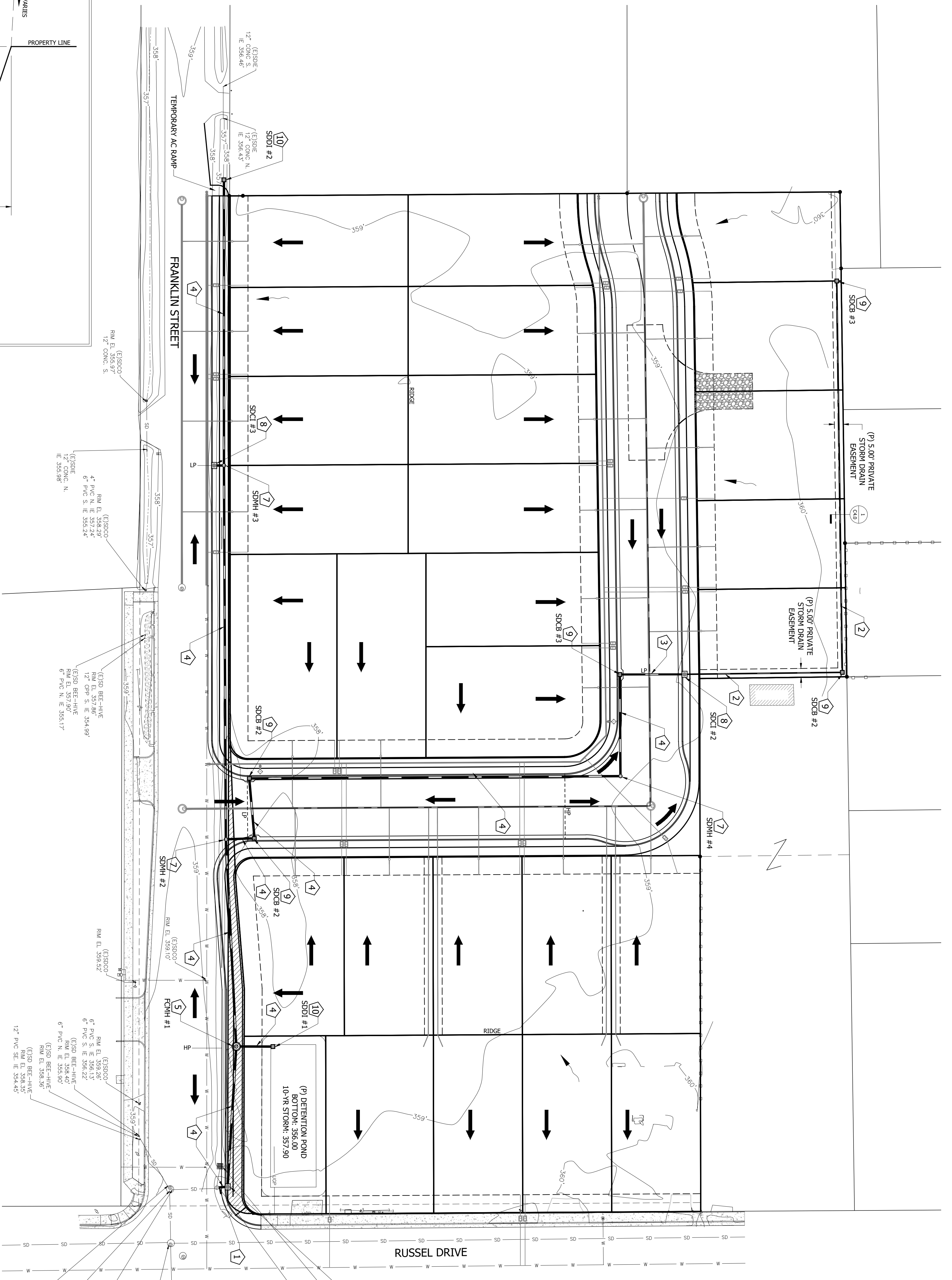
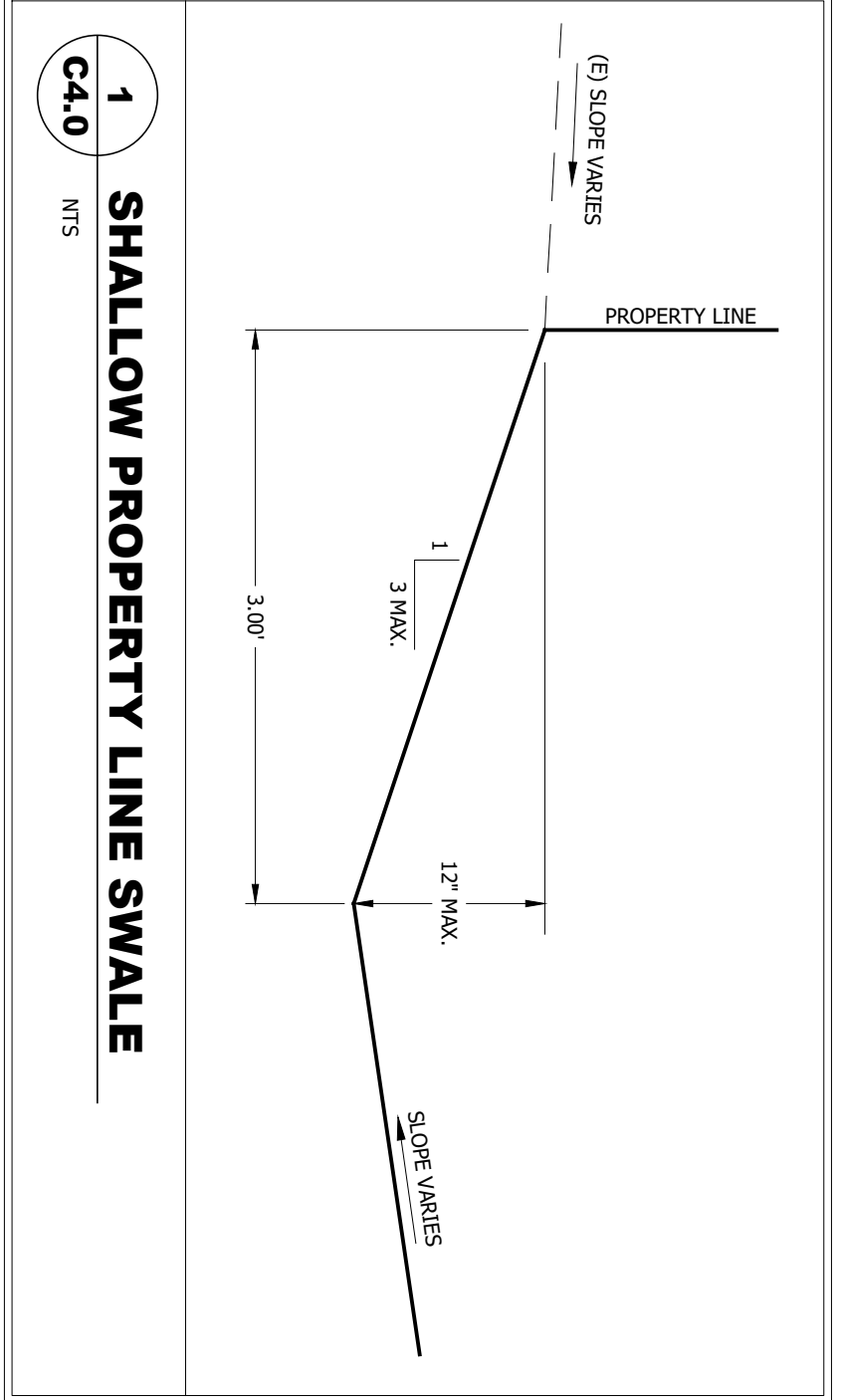
DATE: JANUARY 6, 2022
 PROJECT: 21-345 CREATIONS NW
 DRAWN BY: MLM/BSV
 CHECKED BY: BSV

PRELIMINARY UTILITY PLAN
FRANKLIN GROVE
TAX LOT 300, 12S2W14CA
LEBANON, OREGON

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

CLIENT:
 CREATIONS NORTHWEST, LLC
 C/O BLAKE GESIK
 14020 SE JOHNSON ROAD, SUITE 102
 MILWAUKIE, OREGON 97267
 (503) 908-0563
 BLAKE@HTIPLLC.COM



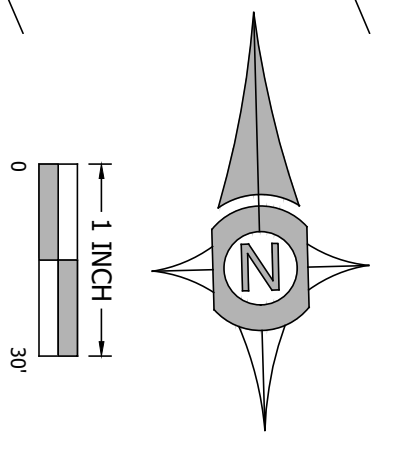


GRADING LEGEND

- 36.2 — - EXISTING SURFACE CONTOUR ELEVATION
- - - - - EXISTING SURFACE DRAIN DIRECTION
- - - - - DESIGN SURFACE DRAIN DIRECTION
- HP - HIGH POINT
- LP - LOW POINT

STORM DRAIN NOTES

- 1 CONNECT TO EXISTING STORM DRAIN MANHOLE
- 2 INSTALL 6" STORM DRAIN PIPE
- 3 INSTALL 10" STORM DRAIN PIPE
- 4 INSTALL 12" STORM DRAIN PIPE
- 5 INSTALL 48" FLOW CONTROL MANHOLE
- 6 INSTALL 48" STORM DRAIN MANHOLE
- 7 INSTALL 24" STORM DRAIN MANHOLE
- 8 INSTALL STORM DRAIN CURB INLET
- 9 INSTALL STORM DRAIN CATCH BASIN
- 10 INSTALL STORM DRAIN DITCH INLET



PLAN REVISIONS	DATE

Sheet **C4.0**
SCALE: SEE BARSCALE

THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY

DATE: JANUARY 6, 2022
PROJECT: 21-345 CREATIONS NW
DRAWN BY: MLM/BSV
CHECKED BY: BSV

PRELIMINARY GRADING & DRAINAGE PLAN
FRANKLIN GROVE TAX LOT 300, 12S2W14CA LEBANON, OREGON

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

CLIENT:
CREATIONS NORTHWEST, LLC
C/O BLAKE GESIK
14020 SE JOHNSON ROAD, SUITE 102
MILWAUKIE, OREGON 97267
(503) 908-0563
BLAKE@HTIPLLC.COM

