



# LEBANON PLANNING COMMISSION DRAFT MEETING MINUTES

April 17, 2024 at 6:00 PM

Santiam Travel Station – 750 3rd Street, Lebanon, Oregon

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## MISSION STATEMENT

*The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.*

## 6:00 PM – REGULAR SESSION

### CALL TO ORDER / FLAG SALUTE

The meeting was called to order at 6:00 PM.

### ROLL CALL

#### PRESENT

Chair Don Robertson  
Vice-Chair Lory Gerig-Knurowski  
Kristina Breshears  
Dave McClain  
Karisten Baxter  
Alternate W. Marcellus Angellford  
Alternate Don Fountain  
Alternate Shyla Malloy  
Alternate Michael Miller

#### ABSENT

None

#### STAFF

Interim City Manager/Engineering Services Director Ron Whitlatch  
Community and Economic Development Director Kelly Hart  
City Attorney Tre Kennedy

### MINUTES

1. 2024-02-21 Planning Commission Minutes

The minutes were approved as submitted.

### CITIZEN COMMENTS - *restricted to items not on the agenda*

None

### COMMISSION REVIEW

2. Public Hearing – Planning File PD-24-01 & S-24-02 – A proposal for a Planned Development and a 122-lot 9-tract subdivision for a 26.62-acre parcel on the south side of Crowfoot Road, east of Hillview Drive in the Residential Mixed Density zone (Z-RM). (12S-02W-23C, tax lot 04101)

City Attorney Kennedy explained the public hearing process. There was no ex parte, conflict of interest, or bias declared by the Commissioners.

CEDD Hart presented the staff report and provided answers to general points of opposition and questions posed by submitted written comments. Regarding a question as to whether the speed limit will change, ESD Whitlatch explained that speed studies determine whether a change is needed.

Commissioner Malloy asked about the likelihood of implementing the recommended traffic changes to the Central Drive/Crowfoot Road intersection. ESD Whitlatch said that the recommendations were sent to Linn County, so the hope is that the improvements are made. The City is also working with the County to make intersection improvements.

Regarding a question about a roundabout, ESD Whitlatch said that there are conceptual drawings and property has been purchased for a roundabout, which is the preferred solution for that location.

ESD Whitlatch confirmed for Chair Robertson that the infrastructure extension will be to the same standard as the Westside Interceptor.

Commissioner Angellford asked about potential consequences if the deviations were not allowed. CEDD Hart deferred to the applicant but explained that deviations are typically intended to allow for lots to be designed to preserve wetlands as much as possible.

Chair Robertson asked whether there will be emergency access as part of Phase I. CEDD Hart said that the Fire District will determine whether an emergency access is needed when the applicant provides the Phase I plan. She confirmed that there is flexibility in how each phase is platted.

Testimony by Applicant: Brian Vandetta and Laura LaRoque from Udell Engineering, representing the applicant, summarized the application and responded to commissioner questions.

Ms. LaRoque explained that minor deviations used in a standard subdivision allows for lot size variances as long as the average minimum lot size is maintained. It allows for uniqueness, an array of housing types, and it decreases the impact to wetlands. Since it is hard to predict what housing types will be needed, the developer does not currently have a specific dwelling type scheduled until going through the planning process. Standard single-family homes are being anticipated for development.

Mr. Vandetta said that the traffic impact analysis showed no net negative impact on the infrastructure that would require mitigations. He spoke about the property's drainage patterns and their plan to address storm drainage concerns. All drainage will be captured, routed through their system and piped down Crowfoot Road.

Responding to Commissioner Angellford's question about the possibility of making the entire property developable, Mr. Vandetta said that it is possible, but not likely, because they must demonstrate, during the permitting process, that they have efficiently developed the site and minimized the wetlands impact. He confirmed for Commissioner Angellford that leaving the wetlands undisturbed is a mitigation credit cost savings, but there would be more return on land value and development. Ms. LaRoque spoke about this being looked at from both financial and natural preservation standpoints. Mr. Vandetta noted that the developer is preserving almost 24% of the property by leaving the wetlands undeveloped. Regarding Commissioner Angellford's comment that homeowners could choose to leave the wetland areas natural if the lot sizes were larger, Mr. Vandetta said that the agency will not allow platting wetlands without mitigating for it.

In response to Commissioner Miller's question about drainage under the roadway, Mr. Vandetta said that they would likely use a shallow box culvert.

Commissioner Angellford asked about the consequences of not finishing the project within the ten-year timeframe. Ms. LaRoque said that the applicant would go back through the plan review process. Creation of lots is not complete until the infrastructure is in place. ESD Whitlatch explained that the City requires a performance bond from all developers. Unpaid property taxes would go through foreclosure by Linn County.

Ms. LaRoque confirmed for Commissioner Fountain that the requested variances are consistent with other subdivision variances.

City Attorney Kennedy reviewed the quasi-judicial process and the Planning Commission's role. Public comments are welcome, but Commissioners can only consider state statutes and comprehensive plan criteria in their decision.

The public hearing was opened.

Testimony in Favor: None

Testimony in Opposition: Steve Braught raised concerns regarding the impact of this development on wildlife and the landscape. He also addressed issues such as reduced lot sizes and increased school enrollment. The developer informed him of the intention to construct a total of 342 homes. He also mentioned that many neighbors did not receive the hearing notice.

CEDD Hart explained that state law sets requirements for how quasi-judicial hearings are noticed. Property owners within a 250-foot radius were sent the notice. It was also posted on the City's website, social media page, and at the Library and Senior Center.

Diana Braught spoke about concerns regarding the development's impact on wildlife habitats and her scenic surroundings. She addressed current flooding and drainage problems on their property, fearing exacerbation due to the development. She also voiced concerns about the City's inability to manage its growth, citing issues like traffic congestion, school overcrowding and the limited number of grocery stores in town.

Amanda Pinner raised concerns regarding Crowfoot Road and the school bus stop. She believes that the lot size variance hardship request is self-imposed. She also has concerns about the impact of the development on wildlife and suggested that the focus should be on enhancing existing schools rather than accommodating more students. There is a lot of standing water on her property during the wet season. The development would create significant challenges for the surrounding neighborhood and wetlands. She also feels that public works staff should not have to take on this additional burden.

She inquired about the developments accounted for since the 2019 Housing Needs Analysis.

Referring to her submitted statement, she spoke about large lots and the neighborhood's rural character, in addition to the Council's role in presenting local needs to higher government levels.

Robert Shaw spoke about his concerns with the proposed zero lot lines as it makes for bad neighbors.

Chester Hutchinson voiced concerns about Crowfoot Road and believes they should be resolved before considering a subdivision. In response to his question about how much the system development charges (SDCs) will be, ESD Whitlatch said that SDC fees for a typical single-family lot would be between \$16,000 and \$19,000.

Rebuttal: Laura LaRoque addressed concerns about Crowfoot Road, school capacity and the residents' change of lifestyle [disruption in audio].

Commissioner Angellford's asked whether a bus shelter could be included in the plan. Ms. LaRoque said [disruption in audio].

Neutral Testimony: None

The public hearing was closed.

Commissioners acknowledged the concerns raised by neighbors. Commissioner Angellford expressed opposition to granting the deviations because the applicant was aware of the regulations and wetlands when purchasing the property. Granting the deviations would not benefit the City and would set a precedent. Vice-Chair Gerig-Knurowski recalled Ms. LaRoque saying that the applicant sought deviations to preserve the wetlands. Standard approval is the average lot size, with some being smaller and some larger.

Commissioner McClain expressed appreciation that these will be single-family homes and does not feel the developer's requests are unreasonable. He asked about potential consequences if the deviations were denied. CEDD Hart reminded the Commissioners that this is not a variance request. As part of a planned development, the Planning Commission may approve reductions in minimum area, width, depth and frontage requirements for subdivision lots if the project's overall design and amenities outweigh any adverse impacts. The applicant provided their justifications, and the staff report contains the proposed findings, which outline that these amendments offer flexibility in lot design to accommodate preservation of the wetlands. In return, the development will include onsite amenities.

CEDD Hart said that, as part of the Housing Production Strategy, the City and Planning Commission identified a concept for small lot single-family home subdivisions. This tool would preemptively authorize construction of detached single-family homes on lots smaller than 5,000 square feet, offering flexibility without requiring attached homes, townhomes or having zero lot-line designs.

CEDD Hart assured Chair Robertson that clear vision concerns for corner lots were addressed. During review, each lot was looked at to ensure that either a condition was imposed to ensure preemptive design addressing any concerns, or it was confirmed that the lot was adequately sized for designing to meet clear vision and site distance requirements.

ESD Whitlatch confirmed for Commissioner Baxter that additional development would require another traffic study. She also asked about the transition from a county road to a city road. ESD Whitlatch said that the City will take jurisdiction of a portion of Crowfoot Road if the subdivision is approved.

Commissioner Malloy asked whether Crowfoot Road safety issues would be addressed if taken over by the City. ESD Whitlatch said that every development requires pedestrian access. On the north side of Crowfoot Road, the pedestrian path from Hillview Lane to South Main Road will be extended to the Crowfoot-Cascade-Central intersection at some point. Sidewalks will be developed as the area continues to grow.

Motion to approve was made by Commissioner McClain, Seconded by Commissioner Malloy. Voting Yea: Chair Robertson, Vice-Chair Gerig-Knurowski, Commissioner Breshears, Commissioner McClain, Commissioner Baxter, Commissioner Fountain, Commissioner Malloy, Commissioner Miller. Voting Nay: Commissioner Angellford

3. Public Hearing – Planning File CPTA-24-01 – Comprehensive Plan Text Amendment to incorporate a minor amendment to the City's adopted 2018 Transportation System Plan to incorporate a road project at the intersection of Weldwood Drive and Cascade Drive.

ESD Whitlatch presented the staff report.

Motion to recommend Council approval was made by Commissioner McClain, Seconded by Commissioner Fountain.

The public hearing was opened.

Testimony in Favor: None

Testimony in Opposition: None

The public hearing was closed.

Voting Yea: Chair Robertson, Vice-Chair Gerig-Knurowski, Commissioner Breshears, Commissioner McClain, Commissioner Baxter, Commissioner Angellford, Commissioner Fountain, Commissioner Malloy, Commissioner Miller

#### **COMMISSION BUSINESS AND COMMENTS**

4. Planning Commission Reorganization – Per Chapter 2.24.070, the planning commission shall annually at its regular meeting in April choose a chairperson and vice-chairperson to preside over the meetings of the planning commission.

Commissioner McClain nominated the Chair and Vice-Chair to remain in the same positions. No additional nominations were made.

Motion for approval was made by Commissioner Malloy, Seconded by Commissioner Baxter. Voting Yea: Chair Robertson, Vice-Chair Gerig-Knurowski, Commissioner Breshears, Commissioner McClain, Commissioner Baxter, Commissioner Angellford, Commissioner Fountain, Commissioner Malloy, Commissioner Miller.

5. Planning Commission to appoint up to a maximum of two members to serve on the project advisory committee for the development code updates associated with the implementation of the Housing Production Strategy.

Commissioner Malloy and Vice-Chair Gerig-Knurowski volunteered to serve on the committee.

#### **COMMENTS**

There will be a Planning Commission meeting in May.

Commissioner Angellford suggested that school bus shelters be considered during development reviews. ESD Whitlatch said that the City stopped requiring this because they do not dictate bus stop locations. Commissioner Malloy added that bus stops change often based on need and the number of kids in the area.

#### **ADJOURNMENT**

The meeting adjourned at 8:33 PM.