



CITY OF SWEET HOME PLANNING COMMISSION MINUTES

March 03, 2022, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Meeting Information

The Park & Tree Committee will hold a meeting at 8:30 a.m. in the City Council Chambers at City Hall, 3225 Main Street. Individuals attending public meetings in person will be required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. To view the meeting online visit live.sweethomeor.gov. If you don't have access to the internet you can call in to +1 971-203-2871 and you'll be asked to choose option #1 to be logged in to the call. Meeting ID: 947 077 522#. This video stream and call in options meet the requirements for Oregon public meeting law.

Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM

Roll Call of Commissioners

PRESENT

Eva Journey
David Lowman
Jeffrey Parker
Jamie Melcher
Laura Wood

ABSENT

Henry Wolthuis
Greg Stephens

STAFF

Community and Economic Development Director Blair Larsen
Associate Planner Angela Clegg
Staff Engineer Joe Graybill
Public Works Engineering Technician Trish Rice

GUESTS

Laura LaRoque, Udell Engineering and Land Surveying LLC, 63 E Ash Street, Lebanon, OR 97386
Brian Vandetta, Udell Engineering and Land Surveying, LLC, 63 E Ash Street, Lebanon, OR 97386
Troy Cummins, Santiam River Development LLC, PO Box 40, Lebanon, OR 97386
Michele Whitehead, 1367 Clark Mill Road, Sweet Home, OR 97386
Scott Rice, 3240 Zelkova Street, Sweet Home, OR 97386

Public Comment. This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.

None

Meeting Minutes:

a) 2022-01-06 Planning Commission Meeting Minutes

Correction: add Wood after Roll Call voting Yea.

Motion to approve the minutes with the correction made by Melcher, Seconded by Journey.

Roll Call Voting Yea: Journey, Lowman, Parker, Melcher, Wood

Public Hearings

Application CU22-01: The applicant is requesting a conditional use permit to allow for Property Line Adjustments of a Public School in a residential zone. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: A use permitted as a conditional use in a R-1 zone [SHMC 17.28.030.A]. In an R-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: Public school and private school offering curricula similar to public school [SHMC 17.24.030.G]. Modification to approved plans and developments and transfers: Proposed changes that do not meet the above criteria (in section A of 17.80.060) shall be processed as a new application [SHMC 17.80.060.B]. The subject properties are in the Residential High Density (R-2) and the Residential Low Density (R-1) Zones. Conditional Use Application CU22-01 is pending the approval of Property Line Adjustment Applications PLA22-01, PLA22-02 and PLA22-03. Applications PLA22-01, PLA22-02 and PLA22-03 were approved by the Community and Economic Development Director on January 24, 2022. The appeal period ends at 5:00 PM on February 5, 2022.

Application CU22-03: The applicant is requesting a conditional use permit to allow for a drive-in service facility in the Commercial Central (C-1) Zone. In a C-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapter 17.80: Any use permitted in a C-1 zone with customer drive-in service facilities [SHMC 17.32.030(E)]. The subject property is in the Central Commercial (C-1) Zone.

Application CU22-02: The applicant is requesting a conditional use permit to allow residential uses not related to or in conjunction with a recreational development. The proposal is for a Subdivision and Planned Development in the Recreation Commercial (RC) Zone. The subject property is in the Recreation Commercial (RC) Zone. Planned Development application PD22-01 and Subdivision application SD22-01 are pending the approval of application CU22-02. Application CU22-02 is being filed simultaneously with application PD22-01 and SD22-01.

Application PD22-01: The applicant is requesting a Planned Development (PD) overlay to an approximately 790,718 square foot (18.14-acre) property located to the northeast of the Zelkova Street and Clark Mill Road intersection. The Planned Development is requested for the subject property which is identified as 1400 Clark Mill Road and Linn County Tax Assessor's Map No. 13S01E29 Tax Lot 3502. The proposal includes a preliminary plan to subdivide approximately 582,397 square feet (13 acres) into 42 residential lots and four tracts. The remaining approximate 208,321 square feet (5 acres) are proposed to be developed later. As proposed, the subdivision lots would range in size from 8,032 square feet to 12,290 square feet. Tract A shall be approximately 2,271 square feet, Tract B shall be approximately 3,857 square feet, Tract C shall be approximately 2,223 square feet, and Tract D shall be approximately 70,378 square feet including a pond. The purpose of the request is to allow single-family residential uses permitted conditionally via SHMC 17.60.030(D) to be developed in accordance with the development standards of SHMC 17.60.040(B). All lots would be eligible to be developed with single, two-family, and/or single-family attached dwellings and accessory uses with approval of a conditional use permit allowing residential uses not related to or in conjunction with a recreational development [SHMC 17.60.030(D)]. The subject property is in the Recreation Commercial (RC) Zone and the Planned Development Overlay. Application PD22-01 is pending the approval of Conditional Use application CU22-02. Application PD22-01 is being filed simultaneously with application CU22-02 and SD22-01.

Application SD22-01: The applicant is requesting to subdivide an approximately 13.37-acre site into 42 residential lots and four tracts including an existing single-family residential dwelling that will be retained with the proposed development. The subject property is to the northeast of the Zelkova Street and Clark Mill Road intersection and is identified by 1400 Clark Mill Road and Linn County Tax Assessor's Map No. 13S01E29 Tax Lot 3502. Lots sizes would range in size from 8,032 square feet to 12,290 square

feet. All lots would be eligible to be developed with single, two-family, and/or single-family attached dwellings and accessory uses with approval of a conditional use permit allowing residential uses not related to or in conjunction with a recreational development [SHMC 17.60.030(D)]. The subject property is in the Recreation Commercial (RC) Zone. Application SD22-01 is pending the approval of Conditional Use application CU22-02 and Planned Development Overlay application PD22-01. Application SD22-01 is being filed simultaneously with application CU22-02 and PD22-01.

a) CU22-01 Staff Report

The Public Hearing was opened at 6:33 PM

Commissioner Parker asked of the Committee if there were any Ex Parte, Conflicts of Interest or Personal Bias, there were none.

Staff Report: Associate Planner Angela Clegg gave the staff report and stated that the applicant is asking for a conditional use permit to allow for Property Line Adjustments of a Public School in a residential zone. Staff recommends to the Planning Commission that the application be approved with conditions.

Testimony in favor: none

Testimony in opposition: none

Neutral Testimony: none

The Public Hearing was closed at 6:44 PM

The Planning Commission discussed the application.

Motion to approve the application made by Melcher, Seconded by Journey.

Roll Call Voting Yea: Parker, Wood, Melcher, Journey, Lowman

b) CU22-03 Staff Report

The Public Hearing was opened at 6:46 PM

Commissioner Parker asked of the Committee if there were any Ex Parte, Conflicts of Interest or Personal Bias, there was none.

Staff Report: Associate Planner Angela Clegg gave the staff report and stated the the applicant is asking for a conditional use permit to allow for a drive-in service facility in the Commercial Central (C-1) Zone. Staff recommends to the Planning Commission that they approve the application with conditions.

Testimony in Favor: none

Testimony in Opposition: none

Neutral Testimony: none

The Public Hearing was closed at 7:56 PM

The Commissioners asked if Pacific Bells has a traffic study or estimates of vehicles in line during peak business hours. Staff stated that they hadn't received any studies from the applicant. There is concern about cars stacking up behind the menu board. The Commissioners noted that there is currently room for one extra car behind the menu board before traffic backs up into the driveway and onto 15th Avenue. The Commissioners posed the question of how Pacific Bells plan to deter traffic from backing up, blocking the western access in to Taco Bell and Safeway, and deter traffic from backing up onto 15th Avenue? Staff and Commissioners discussed an alternate drive thru access, however there are concerns about the drive thru traffic blocking parking stalls.

The Commission discussed continuing Application CU22-03 to the March 17, 2022 Planning Commission meeting.

Motion to continue Application CU22-03 to the March 17, 2022 meeting made by Melcher, Seconded by Lowman.

Roll Call Voting Yea: Wood, Melcher, Parker, Journey, Lowman

c) CU22-02 Staff Report

The Public Hearing opened at 7:15 PM

Commissioner Parker asked of the Committee if there were any Ex Parte, Conflicts of Interest or Personal Bias, there was none.

Staff Report: Associate Planner Angela Clegg gave the staff report and stated the applicant is requesting a conditional use permit to allow residential uses not related to or in conjunction with a recreational development. The proposal is for a Subdivision and Planned Development in the Recreation Commercial (RC) Zone. Staff Recommends to the Planning Commission to approve the application with conditions. Clegg proposed a change to Conditional Use #3.

Applicant's Testimony: Laura LaRoque of Udell Engineering, Brian Vandetta of Udell Engineering and Troy Cummins of Santiam River Development explained the reason for the Condition Use and testified on behalf of the application. LaRoque requested the change to Condition of Approval #3

There was discussion about the lack of parking along the multi-use path location and additional parking locations within the subdivision. There was discussion about Clark Mill Road upgrades.

Testimony in Favor: none

Testimony in Opposition: Michele Whitehead, 1367 Clark Mill Rd, Sweet Home, OR 97386. Concerned about additional traffic along Clark Mill Road. Staff addressed the concerns.

Neutral Testimony: Scott Rice, 3240 Zelkova St, Sweet Home, OR 97386. Asked if there would be a stop sign at the intersection of Clark Mill Road and Zelkova. Staff stated that it hasn't got that far in the design stage. Rice asked for clarification on the vacation of right-of-way on Clark Mill Road. Staff explained the procedure.

Rebuttal: Troy Cummins, DBA Santiam River Development, 64 Oak Terrace Drive, Lebanon, OR 97355. Cummins gave a background of the property and addressed community concerns.

The Public Hearing was closed at 8:34 PM

The motion to approve Application CU22-02 with the revision to Condition of Approval #3 was approved by Melcher, Seconded by Journey.

Roll Call Voting: Wood, Melcher, Parker, Journey, Lowman.

d) PD22-01 Staff Report

The Public Hearing opened at 7:15 PM

Commissioner Parker explained that Applications CU22-02, PD22-01, and SD22-01 will be read together since they are part of the same project. The applications will be voted on separately.

Commissioner Parker asked of the Committee if there were any Ex Parte, Conflicts of Interest or Personal Bias, there was none.

Staff Report: Associate Planner Angela Clegg gave the staff report and stated the applicant is requesting a Planned Development (PD) overlay to an approximately 790,718 square foot (18.14-acre) property located to the northeast of the Zelkova Street and Clark Mill Road intersection. The purpose of the request is to allow single-family residential uses permitted conditionally via SHMC 17.60.030(D) to be developed in accordance with the development standards of SHMC 17.60.040(B). All lots would be eligible to be developed with single, two-family, and/or single-family attached dwellings and accessory uses with approval of a conditional use permit allowing residential uses not related to or in conjunction

with a recreational development [SHMC 17.60.030(D)]. Staff Recommends to the Planning Commission to approve the application with conditions.

Applicant's Testimony: Laura LaRoque of Udell Engineering, Brian Vandetta of Udell Engineering and Troy Cummins of Santiam River Development explained the reason for the Planned Development and testified on behalf of the application. LaRoque requested the change to Condition of Approval #4.

There was discussion about the lack of parking along the multi-use path location and additional parking locations within the subdivision. There was discussion about Clark Mill Road upgrades.

Testimony in Favor: none

Testimony in Opposition: Michele Whitehead, 1367 Clark Mill Rd, Sweet Home, OR 97386. Concerned about additional traffic along Clark Mill Road. Staff addressed the concerns.

Neutral Testimony: Scott Rice, 3240 Zelkova St, Sweet Home, OR 97386. Asked if there would be a stop sign at the intersection of Clark Mill Road and Zelkova. Staff stated that it hasn't got that far in the design stage. Rice asked for clarification on the vacation of right-of-way on Clark Mill Road. Staff explained the procedure.

Rebuttal: Troy Cummins, DBA Santiam River Development, 64 Oak Terrace Drive, Lebanon, OR 97355. Cummins gave a background of the property and addressed community concerns.

The Public Hearing was closed at 8:34 PM

The motion to approve Application PD22-01 with the revision to Condition of Approval #4 was approved by Melcher, Seconded by Jurney.

Roll Call Voting: Wood, Melcher, Parker, Jurney, Lowman.

e) SD22-01 Staff Report

The Public Hearing opened at 7:15 PM

Commissioner Parker explained that Applications CU22-02, PD22-01, and SD22-01 will be read together since they are part of the same project. The applications will be voted on separately.

Commissioner Parker asked of the Committee if there were any Ex Parte, Conflicts of Interest or Personal Bias, there was none.

Staff Report: Associate Planner Angela Clegg gave the staff report and stated the applicant is requesting to subdivide an approximately 13.37-acre site into 42 residential lots and four tracts including an existing single-family residential dwelling that will be retained with the proposed development. The subject property is to the northeast of the Zelkova Street and Clark Mill Road intersection and is identified by 1400 Clark Mill Road and Linn County Tax Assessor's Map No. 13S01E29 Tax Lot 3502. Lots sizes would range in size from 8,032 square feet to 12,290 square feet. All lots would be eligible to be developed with single, two-family, and/or single-family attached dwellings and accessory uses with approval of a conditional use permit allowing residential uses not related to or in conjunction with a recreational development [SHMC 17.60.030(D)]. Staff Recommends to the Planning Commission to approve the application with conditions.

Applicant's Testimony: Laura LaRoque of Udell Engineering, Brian Vandetta of Udell Engineering and Troy Cummins of Santiam River Development discussed the Subdivision and testified on behalf of the application. LaRoque requested the change to Condition of Approval #6.

There was discussion about the lack of parking along the multi-use path location and additional parking locations within the subdivision. There was discussion about Clark Mill Road upgrades.

Testimony in Favor: none

Testimony in Opposition: Michele Whitehead, 1367 Clark Mill Rd, Sweet Home, OR 97386. Concerned about additional traffic along Clark Mill Road. Staff addressed the concerns.

Neutral Testimony: Scott Rice, 3240 Zelkova St, Sweet Home, OR 97386. Asked if there would be a stop sign at the intersection of Clark Mill Road and Zelkova. Staff stated that it hasn't got that far in the design stage. Rice asked for clarification on the vacation of right-of-way on Clark Mill Road. Staff explained the procedure.

Rebuttal: Troy Cummins, DBA Santiam River Development, 64 Oak Terrace Drive, Lebanon, OR 97355. Cummins gave a background of the property and addressed community concerns.

The Public Hearing was closed at 8:34 PM

The motion to approve Application SD22-01 with the revision to Condition of Approval #6, and the addition of Conditions of Approval #19 and #20 was approved by Melcher, Seconded by Journey.

Roll Call Voting: Wood, Melcher, Parker, Journey, Lowman.

Staff Updates on Planning Projects:

March 17, 2022 Meeting - Draft Code Revision Updates

Larsen and Clegg gave a draft code update.

Larsen gave an update on the increase of building permits.

Adjournment

The meeting was adjourned at 9:02 PM

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

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 a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.