



CITY OF SWEET HOME PLANNING COMMISSION MINUTES

August 08, 2024, 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 City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 971-203-2871, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: 212 001 640 706

Call to Order and Pledge of Allegiance

The meeting was called to order at 6:31 PM

Roll Call of Commissioners

PRESENT

Laura Wood
Jamie Melcher
Henry Wolthuis
Eva Journey
Nancy White
Joe Graybill

STAFF

Blair Larsen, Community and Economic Development Director
Angela Clegg, Planning and Building Manager
Adam Leisinger, Special Projects Manager

GUESTS

Laura LaRoque, Udell Engineering & Land Surveying, 63 E Ash St, Lebanon, OR 97355
Brian Vandetta, Udell Engineering & Land Surveying, 63 E Ash St, Lebanon, OR 97355
Ron Walker, 2631 Foothills Dr, Sweet Home, OR 97386
Gary Jarvis, 2941 Foothills Dr, Sweet Home, OR 97386
Gail Heine, 2331 Harding St, Sweet Home, OR 97386

Election of Chairman

A motion to elect Commissioner Wood as Chairman was made by Commission Melcher, seconded by Commissioner Journey.

Voting Yea: 6

Voting Nay: 0

A motion to elect Commissioner Melcher as Vice Chairman was made by Commissioner Journey, seconded by Commissioner White.

Voting Yea: 6
Voting Nay: 0

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.

Planning & Building Manager Clegg read public comment statement.

There were no public comments.

Meeting Minutes:

- a) 2024-03-21 Planning Commission Meeting Minutes

A motion to approve the March 21, 2024 meeting minutes was made by Commissioner Melcher, seconded by Commissioner Wolthuis .

Voting Yea:6

Voting Nay:0

Public Hearings

- a) VR24-01 Staff Report Packet

The public hearing was opened at 6:35 PM

Commissioner Wood read the application summary and asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Planning & Building Manager Clegg presented the staff report. Clegg reminded the Commission that there are two variances being considered and the Commission can vote on them together or separately. Clegg asked if there were any questions. There were none.

Applicant Testimony: Laura LaRogue and Brian Vendetta of Udell Engineering and Land Surveying testified on behalf of the applicant. The applicant asked the Commission if there were any questions.

The Commissioners discussed the application. Commissioner Wood asked the applicant if the need for the variances is because of the lot topography or the proposed site plan. The applicant stated that the need for the variance was decided by reviewing the City's guiding documents and being able to build the lots to a certain size allowed by the code. Any alteration would result in an inefficient use of the land area and a decrease in the housing stock available to the community. Other designs option were considered, but the submitted plan was the most efficient use of the land. Commissioner Wolthuis asked about the potential development south of the property, the applicant was unaware of any future development. Commissioner Melcher asked how many on street parking spaces would be allotted with the proposed design. The applicant stated that they estimated 16 possible spaces. the applicant will speak more to the parking during the subdivision public hearing. The applicant stated that there will be no parking allowed on the driveway easements. Commissioner Journey asked about the off street parking limitations, and being no room for visitors to the homes. The applicant stated that each lot will accommodate a minimum of two off street parking spaces, plus a garage or car port. She also stated that the lot sizes are larger than the minimum square footage allowing for adequate parking. Commissioner Melcher asked if the rear lots are level enough to allow for the homes and parking area. The applicant stated that there is plenty of space. The applicant stated that the owner plans to construct a double car garage, two off street parking spaces and RV pads allowing for additional off street parking spaces.

Testimony in favor: None

Testimony in opposition:

Gail Heine, 2331 Harding St, Sweet Home, OR 97386: stated that she was told that the

property had wetlands. She discussed current water issues throughout the current neighborhood, and her concern that the issues will worsen with the proposed development. She is concerned about flooding on her property and the surrounding properties.

Gary Jarvis, 2941 Foothills Dr., Sweet Home, OR 97386: deferred comments to the subdivision hearing.

Ron Walker, 2631 Foothills Dr, Sweet Home, OR 97386: stated his concerns about allowing an increase of 31% of lots accessed by easement. He has concerns about ingress and egress, but will discuss it during the subdivision hearing. He is concerned about the width of Foothills Drive and the allowance of on street parking, but will discuss it more during the subdivision hearing.

Director Larsen discussed the Foothills Drive right-of-way width and the surrounding right-of-ways for comparison.

Neutral testimony: None

The public hearing was closed at 7:11 PM

The Commission discussed the application and testimony. Commissioner Wood stated her concerns about the flag lot variance and the reasons the code was amended to limit it to a percentage. She feels the variance for the flag lots is plan imposed and is not in favor, but the variance for the lot width is property driven and acceptable. Commissioner Melcher agrees with Commissioner Wood. Manager Clegg further explained the staff findings regarding the flag lots and the lot width variance. Commissioner Journey stated her understanding to lesson the lot size to reflect the current code standards, but doesn't understand the need to measure from the easement. Commissioner Journey feels that it is imposed by the property owner. Commissioner Journey reminded the Commissioners of their reasoning for limiting flag lots, but she also understands the owner needs an ability to access the rear lots. Manager Clegg reminded the Commissioners that they can decide on the variances separately. Director Larsen recommended that the Commission defer the vote for the Variance for after the Subdivision public hearing. Commissioner Melcher stated that she would like to see the 31% easement access reduced.

A motion to table the vote until after the public hearing for the proposed subdivision application had been heard was made by Commissioner Melcher, seconded by Commissioner White.

Voting Yea: 5

Voting Nay: 1

After the public hearing for the proposed subdivision was heard, a motion to continue Application VR24-01 was made by Commissioner Melcher seconded by Commissioner Journey.

Voting Yea: 6

Voting Nay: 0

b) SD24-01 Staff Report Packet - Revised

The public hearing was opened at 7:20 PM

Commissioner Wood read the application summary and asked of the Commission if there were any ex parte, conflicts of interest, or personal bias, there were none.

Planning & Building Manager Clegg presented the staff report to the Commission and asked if there were any questions. There were none.

Applicant Testimony: Laura LaRogue and Brian Vendetta of Udell Engineering and Land Surveying testified on behalf of the applicant. The applicant described the subdivision proposal. They described the roadway improvements for Foothills Drive and 23rd Avenue, and the agreement with the owner to complete improvements on 23rd Avenue to Harding Street. The applicant reviewed the water, sewer and storm water plans. The applicants asked if there were any utility questions.

Commissioner Melcher asked if the applicant felt the stormwater plan would alleviate some of the water issues in the surrounding properties. The applicant stated that it wouldn't, however, it would not worsen the conditions. The applicant stated that they are required to create a sufficient system for their development. They are not allowed to exacerbate conditions on surrounding properties, however they are not required to fix existing issues. Commissioner Melcher asked about maintenance on the storm water detention lot. The applicant stated that they have discussed options with the owner, and reviewed the proposed options with the Commissioners, but stated that they have not decided on the final option. Commissioner Wolthuis discussed the elimination of the beauty strip and widening the road. The applicant stated that the owner would probably agree with it, but it wouldn't add to parking and it follows the City code standards. Commissioner Wolthuis asked about rounding out the detention basin on the corner. The applicant stated that the corner complies with fire code criteria.

The applicant addressed the Commissioners concerns over the 31% access easements. The applicant felt the 10% percent was an arbitrary number not based on scientific data or transportation studies. The stub ends of Foothills Drive are pre-existing and can not be moved. If they were to design the subdivision with long lots they wouldn't be sufficiently utilizing the property and the allowable density. Longer lots would also create the issue of the lot depth being three times the width, which is also against code standards, and would create another need for a variance. The applicant stated that the topography of the property to the south creates difficulties building a public street, so the use of access easements is the most efficient way to utilize the land efficiently and provide access to the rear lots. The applicant again stated that the 10% easement allowance is not based on scientific data or transportation studies, and the design is within the allowable density for the zone. The applicants understand the Commissions concerns, but explained that there are extenuating circumstances for access to the allowable density for the lot. Commissioner Graybill brought up the option for the owner to build duplexes on the lots versus single family residence for the purpose of density. Commissioner Graybill stated he disagrees with Commissioner Wolthuis about removing planter strips. Commissioner Graybill commented on the placement of the driveways on page C102. The applicant stated that they plan to have RV pads and that will determine where the driveways will be placed during development. Commissioner Wood asked about residence access and safety if there is an emergency. She is concerned about emergency access along the easements and additional traffic brought about by the RV pads. She asked about the design taking in to account the safety of the residence. The applicant stated that design follows the local street standards. Commissioner Woods said her concerns are more about the side street access. The applicant states that the design complies with all fire code standards and reviewed the code as it pertains to traffic safety. The applicant feels that the design takes into account the emergency access and the larger rear lot sizes allow for adequate turn around space for the residents. The applicant addressed the 23rd Avenue improvements. The owner is only required to improve 23rd Avenue to the edge of his property however, the applicant stated that the owner of the property is willing to enter into an agreement with the City to improve 23rd Avenue to Harding Street as long as the City can acquire the 5 foot access easement needed to extend the road to Harding Street. The applicant is working to make access safer and more efficient for the neighborhood. Director Larsen described the measures the City is taking to improve pedestrian access and safety since there is a Junior High near. He stated that he is pleased that the owner has proposed sidewalks with this plan that will add to the safety improvements that the City is trying to achieve through grants. Commissioner Melcher expressed her appreciation of the owner willing to work with the City to extend the needed road improvements. Commissioner Melcher stated that amendment to the flag lot percentage was based on comments from the public during subdivision hearings in the past. She stated that she appreciated that the owner is maximizing the density requirements, she is for beauty strips for pedestrian safety, but is stuck on the percentage of allowable easements. The applicant stated that there are many examples of extraordinary circumstances that don't fit within the standards. Commissioner Wood explained the purpose of the variance process. She stated that she understood that they were maximizing

the density based on a previous plan, but feels that there are other ways that the design could be done to fit better within the code standards. Commissioner Graybill stated that the easements should extend into the rear properties. They currently stop at the property line. Commissioner Graybill described other access options and the pros and cons to each.

Testimony in favor: None

Testimony in opposition:

Gary Jarvis, 2941 Foothills Dr, Sweet Home, OR 97386: he asked if the driveways were for all four lots or if the driveways are for the back two lots only and the front lots will have driveways directly on Foothills Drive. He stated that he is opposed to the plan because of the fire access in and out of the rear lots. He stated that the 31% request is too much and may set a precedence for future developments. He stated that the curb appeal of this subdivision doesn't match the surrounding Ashbrook development phases. He stated that if the width of Foothills is similar to 27th Avenue, when cars are parked on both sides, there is not enough room for two lanes of traffic. He is concerned about the runoff from the added paved surfaces.

Director Larsen corrected his statement and said that Foothills Drive will be the same width as 23rd Avenue, not 27th as previous stated. 27th Avenue is a 40 foot right-of-way and 23rd Avenue is a 50 foot right-of-way. Manager Clegg reminded the Commissioners that the City does not have an on street parking requirement and therefore the decision can't be based on the availability of on street parking spaces.

Ron Walker, 2631 Foothills Dr, Sweet Home, OR 97386: He stated that Mr. Jarvis covered many of his concerns. He stated that he was confused with the curb to curb widths in the packets. His biggest concern is access for fire apparatus to the rear lots. He referenced the previous subdivision application with the 25 lots and wider access easements. He stated that he is not against the development, but wants to see changes to the easement to make them safer for emergency vehicles.

Neutral testimony: None

Rebuttal: Laura LaRogue and Brian Vendetta of Udell Engineering and Land Surveying returned and discussed how the driveway and easement widths comply with code, and the lots exceed the minimum lot size requirements. Commissioner Melcher asked why they decided on easements and not flag lots. The applicant stated that the flag area is deducted from the lot size which would make the lots nonconforming. The applicant discussed that if there were no easements being proposed, code allows each lot to have two driveways and each of those driveways can be 20 feet. The number of easement driveways and frontage driveways would be no different than the code allowing each lot to have two driveways. Either design can be found in similar development throughout the City. Commissioner Wolthuis asked if there will be an HOA proposed for easement maintenance. The owner is still weighing out the maintenance agreement options, and will have it in place before development.

The public hearing was closed at 8:37 PM

The Commission discussed the application and testimony. Commissioner Melcher asked Commissioner Graybill about reducing the lot numbers and then having flags. Commissioner Graybill stated that flag lots have to be wider than easements, and it would negatively impact the setbacks. There was further discussion on density and easement options. Commissioner White discussed any decrease in density will decrease the affordability for the developer. Commissioner Journey stated that she agrees with the applicants statement and is not in favor of substituting flag lots for easements. Commissioner Graybill stated that flag lots take a lot of square footage out of properties, and feels the owner minimized the impact on the land of each lot by using easements. Commissioner Wood stated that the applicant did a good job with the design except for the number of easements. Commissioner Journey stated that the easement through lot 21 is necessary for the City to put in future utilities. It could be expanded to allow four lots access to it. Commissioner Graybill verified the easement through lot 21 could be

for the 4 lots and then the 10% City requirement could be for other lots. Commissioner Journey agreed with Commissioner Graybill. Director Larsen recommended the Commission continue the public hearing to a later meeting allowing the applicant to bring back additional options. There was discussion about the continuation process. Commissioner Wolthuis stated that he likes the design, but does not like the differences in width of foothills drive. He does not feel the beauty strip is needed, and will allow for a wider street. Commissioner Wolthuis would like to see the City follow though on the improvements to 23rd Avenue. Director Larsen stated that he is already working with the owner on the corner of 23rd Avenue and Harding Street.

The public hearing was reopened at 8:47 PM

The applicant is requesting a continuation of the Public hearing to the next regular meeting time to provide additional options for review. Staff verified that the next regular meeting will be September 5, 2024.

The Public Hearing was closed at 8:48 PM

A motion to continue the public hearing Application SD24-01 to the September 5, 2024 Planning Commission meeting was made by Commissioner Melcher seconded by Commissioner Journey.

Voting Yea: 6

Voting Nay: 0

Staff Updates:

Director Larsen gave a Transportation System Plan, Housing Production Strategy, and Park Master Plan update.

Director Larsen gave an update on the Safe Routes to School Grant and a Carbon Reduction Grant.

Director Larsen introduced Joe Graybill as the new Planning Commissioner, and discussed the staff transitions and Manager Clegg's new title as Planning & Building Manager.

There was discussion about the commissioners connecting with staff before meetings to address any questions ahead of time.

Commissioner Journey asked if there were any applicants for the vacant commissioner seat. Staff was unsure.

Round Table Discussions (Committee comments about topics not listed on the agenda)

There was none.

Adjournment

The meeting was adjourned at 9:01 PM

Laura Wood, Chairperson
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Planning & Building Manager