



**CITY OF SWEET HOME  
PLANNING COMMISSION  
MINUTES**

November 02, 2020, 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.

**Call to Order and Pledge of Allegiance 6:30 PM**

**Roll Call of Commissioners**

Chairman Parker:	Present
Commissioner Wolthuis:	Present
Commissioner Gatchell:	Present
Commissioner Stephens:	Present
Commissioner Journey:	Absent
Commissioner Korn:	Present
Commissioner Unger:	Present

**Staff:** Blair Larsen, CEDD Director; Angela Clegg, Associate Planner; Joe Graybill, Staff Engineer

**Visitors:**

James M Ward, 6339 Lake Pointe Way, Sweet Home, OR 97386  
Sharon A DiPalma 6339 Lake Pointe Way, Sweet Home OR 97386  
Jim Bradford, 1910 S 7<sup>th</sup> Street, Lebanon, OR 97355  
Vince Adams, 809 Mountain View Rd, Sweet Home, OR 97386

**Public Comment.**

James Ward, 6339 Lake Pointe Way, Sweet Home, OR 97386. Discussed the roof pitch slope requirement of 3:12 pitch. Submitting home plans and had to take back and redesign due to the original design being 1:12 pitch. Asking to be put on record that there is no reason for a 3:12 pitch. There is no safety issue going less than 3:12. Mr. Ward asks the Planning Commission to review the roof pitch code and possibly removed since it has no impact on safety.

Commissioner Wothis asked staff to look into the code. CEDD Director Larsen discussed the research that staff had already done. Staff will give an update

**Meeting Minutes:** September 21, 2020

**Commissioners Comments:** Page 4, typos, stated instead of states. Consistency with names.

**Commissioner Stephens** moved to approve the September 2020 meeting minutes with changes.

**Commissioner Korn** seconded the motion to approve the meeting minutes with changes.

**Question was called by roll call vote:**

Chairman Parker:	Aye
Commissioner Wolthuis:	Aye
Commissioner Gatchell:	Aye
Commissioner Stephens:	Aye
Commissioner Journey:	Absent
Commissioner Korn:	Aye
Commissioner Unger:	Aye

**Motion Passed** ( ) Ayes to ( ) Nays, ( ) Absent

**Public Hearings**

**Application CU20-05:** The applicant is requesting a conditional use permit for a two-bedroom, two-bathroom multi-family apartment complex consisting of nine units and 18 onsite parking spaces. A Property Line Adjustment application was submitted and approved by Administrative Decision on July 28, 2020, combining Lots 4700 and 4735. The property is in the Residential Medium Density (R-3) Zone per Zone Map Application ZMA20-02 approved by the Planning Commission on July 13, 2020 and Ordinance No. Bill 11 for 2020 approved by City Council on September 8, 2020. In the Residential Medium Density (R-3) Zone, multi-family units are permitted as a conditional use. [SHMC 17.30.30(B)]

**PUBLIC HEARING OPENED AT 6:48 PM**

Chairman Parker read the description of the application and the Planning Commission criteria.

**The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.**

<b>Personal Bias:</b>	None
<b>Conflict of Interest:</b>	None
<b>Exparte Information:</b>	None, Commissioner Wolthuis is acquainted with the area.

**Comments/Discussion:**

Associate Planner Clegg read the staff report

Commissioner Stephens asked about the ditch, Staff Engineer Graybill talked about not seeing the site plan yet. It will depend on the site plan and building placement.

**Applicant Testimony:**

Jim Bradford, 1910 S 7<sup>th</sup> Street, Lebanon, OR 97355 testified on behalf of the application. Mr. Bradford is working with K&D engineering for the topography and drainage. Wetland delineation has been completed and sent to the engineer.

Commissioner Wolthuis asked Graybill about the City’s capacity to control the stormwater coming off the 23<sup>rd</sup> Ave property. Graybill discussed options that the City will look into.

**Testimony in Favor:** none

**Testimony in Opposition:**

Vince Adams, 809 Mt. View Road, Sweet Home, OR 97386 is opposed to plans. Mr. Adams doesn't want traffic, etc. He is opposed to 9 units going in and is concerned about the geology of cutting below Mt. View Road.

Chairman Parker talked about the planning and approval process. Clegg gave more detail on the planning and then building process.

**Neutral Testimony:** none

**Rebuttal:**

Mr. Bradford talked about his vested interest in the complex and what he plans to do to make sure to be a good neighbor. Chairman Parker asked about the height difference between 23<sup>rd</sup> Avenue and Mt. View Road.

Commissioner Wolthuis asked about the cul-de-sac and fire turnaround. Graybill discussed that the 23<sup>rd</sup> Ave cul-de-sac was designed years ago, and it is typical that the fire truck would stay at the intersection and run hose to the complex.

Wolthuis asked about the half street improvements on the Mt. View and whether they would be required to initiate the improvements if the rest of Mt. View gets sidewalks. Graybill explained the criteria for the half street improvements and when a development agreement is required and when it gets implemented. Wolthuis would like to see a development agreement with the applicant regarding the Mt. View property line. CEDD Director Larsen stated that it could be an additional conditional of approval if the Planning Commission would like to require it.

Wolthuis wants to make sure there is adequate storm water/sewer systems.

**PUBLIC HEARING CLOSED AT 7:26 PM****Commissioners Discussion:**

Commissioner Unger stated that an additional condition be added to include the development agreement on Mt. View as Condition No. 6. There was a discussion between Commissioners about the addition of the condition.

Discussion about the height and number of stories brought up by Commissioner Gatchell. There was discussion on the role of the Commission regarding a Conditional Use. CEDD Director Larsen gave a background of the applicant reducing his site plan from 12 to 9 to accommodate for topography and parking. There was further discussion by Chairman Parker and staff Engineer Graybill regarding the neighboring apartment.

Hearing open at 7:40

Discussion regarding height and reasons with applicant.

Associate Planner Clegg and CEDD Director Larsen added the height SF requirements

Hearing Closed at 7:45

Commissioner Wolthuis agreed that as long as the applicant complied with the height requirement then he is ok with the 3-story. Wolthuis wants to see a development agreement.

Commissioner Unger saw no reason to lower height requirement.

Commissioner Korn agrees with staff and Wolthuis' conditions

**Commissioner Wolthuis** moved to approve application CU20-05 and thereby permit the Conditional Use Permit, adopting the findings of fact listed in Attachment A of the staff report, adding Condition No. 6, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct staff to prepare an order to be signed by the Chair to memorialize this decision.

**Commissioner Korn** seconded the motion to approve with conditions.

**Question was called by roll call vote:**

Chairman Parker:	Nay
Commissioner Wolthuis:	Aye
Commissioner Gatchell:	Aye
Commissioner Stephens:	Aye
Commissioner Journey:	Absent
Commissioner Korn:	Aye
Commissioner Unger:	Aye

**Motion Passed** ( 5 ) Ayes to ( 1 ) Nays, ( 1 ) Absent

**Staff Updates on Planning Projects:**

**Development Code Updates –**

RFP for streetscape plan. CEDD Director Larsen gave a brief overview

Received TGM Grant from State – devoted to transportation planning

**Pending Applications**

Associate Planner Clegg gave a brief description of pending applications

**Adjournment 8:04**

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.

## Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
  - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:  
**READ:** “The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.”
- Declarations by the Commission:
  - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
  - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
  - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
  - Review of application
  - Discussion of relative Criteria that must be used
  - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
  - Applicant’s Testimony
  - Proponents’ Testimony
    - Testimony from those wishing to speak in favor of the application
  - Opponents’ Testimony
    - Testimony from those wishing to speak in opposition of the application
  - Neutral Testimony
    - Testimony from those that are neither in favor nor in opposition of the application.
  - Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
  - Motion
    - Approval
    - Denial
    - Approval with Conditions
    - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
  - Recommendation made by Planning Commission—City Council makes final decision.

If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.