



Community and Economic Development Department

City of Sweet Home
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PLANNING COMMISSION MEETING
NOVEMBER 5, 2018 at 7:00 PM
CITY HALL ANNEX
1140 12TH AVENUE

PUBLIC MEETING CALL TO ORDER AT 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL ATTENDING:

Present: Henry Wolthuis, Greg Stephens, Eva Journey, Thomas Herb, Lance Gatchell

Absent: Edith Wilcox (*excused*)

STAFF:

Jerry Sorte, Community and Economic Development Director (CEDD)
Angela Clegg, Associate Planner
Lagea Mull, Project Assistant

REGISTERED GUESTS:

Mark Rose, PO Box 1375 Corvallis OR 97339
Patricia J. Weber, 2785 NW Marshall Dr, Corvallis OR 97330
Patsy Rice, PO Box 587, Sweet Home OR 97386
Tim Meyer, 1336 Tamarack St, Sweet Home OR 97386

PUBLIC COMMENT: none

Review and Approval of Minutes: September 4, 2018 and October 15, 2018- POSTPONED

CONTINUED PUBLIC HEARING FOR FILE P18-05 OPENED AT 7:07PM

Chairperson Gatchell provided a summary of the application P18-05;
The applicant is requesting to partition the property located at 980 Mountain View Road, Sweet Home, OR 97386. The property is identified on the Linn County Assessor's Map as 13S01E32CA Tax Lot 4734. Applicant: Mark Rose.

Chairperson Gatchell stated the following;

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.

Chairperson Gatchell asked the Commissioners if they had any of the below stated in regards to the application;

Personal Bias: None
Conflict of Interest: None
Exparte Information: None

Staff Report: Associate Planner, Angela Clegg explained the partition request, staff report, and background of the property. She then reviewed approval criteria that are applicable to the partition request, as well as the staff findings, and application. CEDD Sorte inquired if the Commission needed a new application due to the significant changes made to the current application.

Comments/Questions:

They deemed revisions were made at the Commission's request. No new application needed. Commissioner Stephen's asked for clarification on parcel 3's potential to be divided per the new map. Associate Planner Clegg confirmed the parcel 3 would no longer be able to be split.

Chairperson Gatchell asked the applicant to speak to the request.

Applicant: Mark Rose, PO Box 1375 Corvallis OR 97339 accompanied by his planner Patricia Weber, 2785 NW Marshall Dr., Corvallis OR 97330. There were new drawings submitted which reflect the most current size & layout of parcels. These adhere to state regulations for fire turn-arounds. They have not received a response from the Sweet Home Fire Chief.

Comment/Questions: On parcel 2 where would the house be located? The home will be in the same place as on the original map. How steep is the driveway? This is relatively flat, just a small incline. What are the plans for the ravine? The applicant will be staying out of the ravine.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

Rebuttal: None

PUBLIC HEARING CLOSED AT 7:26PM

Deliberations: The general consensus was that all were in favor of this application.

Motion: Commissioner Journey moved to approve application P 18-03; which includes: adopting the findings of fact and conditions listed in the staff report.

Second: Commissioner Wolthuis

Question was called

Aye (5)

Commissioner Journey, Commissioner Herb, Commissioner Wolthuis, Commissioner Stephens, Chairperson Gatchell

Nay (0)

Absent (1) Commissioner Wilcox

Motion Passed 5 Ayes to 0 Nays

PUBLIC HEARING FOR FILE VR18-07 OPENED AT 7:39PM

Chairperson Gatchell provided a summary of the application VR18-07; The applicant is requesting a variance to the permitted size of an accessory structure in order to build a 1,728 square foot shop building. The property is located at 203 5th Avenue, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E31CD Tax Lot 700. Applicant: James Pickett.

Chairperson Gatchell stated the following;

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.

Staff Report:

Associate Planner Clegg explained the Land Use request, staff report, and background of the property. She then reviewed approval criteria that are applicable to the variance request, as well as the staff findings, and application. Based on the findings presented in the staff report, staff recommends approval of application VR 18-07 with the Conditions of Approval listed in Section IV of the staff report. She recommended that the Planning Commission hear testimony and make a decision on this matter. She also asked that the Planning Commission specify the appeal period and direct staff to prepare an order for signature of the Commission Chair. She then asked if there were any questions of staff.

Concerns/Questions: Commissioner Wolthuis shared history of area. Commissioner Herb questioned the location of the swamp which needs to be answer by the applicant. CEDD Sorte stated there are several options in handling the drainage. Commissioner Journey inquired who owns the swale with CEDD Sorte responding Oak Heights School does.

Personal Bias: None

Conflict of Interest: None

Experte Information: None

Chairperson Gatchell asked the applicant to speak to the request.

Applicant: James Pickett, 203 5th Avenue, Sweet Home, OR 97386 stated there is a culvert in his front yard where the utters from his home drain. There is the possibility the shop runoff could utilize this for drainage. Mr. Pickett also stated his water & sewer come off 7th Avenue not 5th Avenue.

Comment/Questions:

- Why is the shop larger than code? – To store his RV & old cars.
- Will this be used for a business? – No, personal use only.
- Is there an alternative if the variance is denied? – Yes, the applicant is open to building a smaller shop.
- What type of siding will be used on shop? – Metal siding on a Pole Barn style shop.
- Why did you choose that location for this building? – This is the flattest area with the most access and the farthest distance from the 5th Avenue neighbors. The applicant is open to moving the building to another location.

- Would halfway between 850 sq ft - 1700 sq ft be the minimum shop size that could meet the applicant's needs? Yes
- What is the building's height? 20', needs at least 14' door to fit RV.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

PUBLIC HEARING CLOSED AT 7:57PM

Deliberations:

Commissioner Journey- appreciates applicant's willingness to work with the commission although she is unaware how they can work with him because the standard is 864 sq ft and this a personal preference. There is nothing about the property that requires is a 1700 sq ft building. The commission needs to be aware that if this request is approved then it will affect the city as a whole. There are no criteria for granting on personal preferences.

Commissioner Stephens- Due to the size of the property & the location next to the school, he does not have a problem with the size of the shop

Chairperson Gatchell- There is not an issue with the lot that requires the variance. He knows the commission has been asked by City Council and others to be careful about granting variances because people want them. Not because they are required. He cannot support the request. This could create a precedent.

Commissioner Wolthuis- The property has a large degree of isolation, whatever he would choose to build there, will probably not impact any other property in the neighborhood. He would grant his request.

Commissioner Herb- He does not see a problem with the request. He recommends the applicant choose a type of siding besides metal due to his personal preference and the potential of added sound caused by school children's play items hitting the building. Also one large roof is better than three roofs

Motion: Commissioner Herb moved to approve application VR18-07; which includes: adopting the findings of fact and conditions listed in the staff report.

Second: Commissioner Wolthuis

Question was called

Aye (3) Commissioner Herb, Commissioner Wolthuis, Commissioner Stephens

Nay (2) Chairperson Gatchell & Commissioner Journey

Absent (1) Commissioner Wilcox

Motion Passed 3 Ayes to 2 Nays

PUBLIC HEARING FOR FILE VR18-08 OPENED AT 8:07PM

Chairperson Gatchell provided a summary of the application VR18-08; The applicant is requesting a variance to the Natural Resource Corridor setback from 75 feet to 50 adjacent to the South Santiam River in order to construct a single family dwelling and associated

development. The property is located at 1720 9th Avenue, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E31BA Tax Lot 1201. Applicant: Patsy A Rice. Chairperson Gatchell stated the following; 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.

Personal Bias: None

Conflict of Interest: None

Exparte Information: None

Staff Report:

Associate Planner Clegg explained the Land Use request, staff report, and background of the property. She then reviewed approval criteria that are applicable to the variance request, as well as the staff findings, and application. Based on the findings presented in the staff report, staff recommends approval of application VR 18-08 with the Conditions of Approval listed in Section IV of the staff report. She recommended that the Planning Commission hear testimony and make a decision on this matter. She also asked that the Planning Commission specify the appeal period and direct staff to prepare an order for signature of the Commission Chair. She then asked if there were any questions of staff.

Concerns/Questions: Chairperson Gatchell confirmed the concrete slab's location is due to the county's 50' riparian setback which makes it a pre-existing condition. CEDD Sorte clarified the garage would be an alteration to the corridor because the garage also requires the setback variance and the turnaround gravel area as well. These items could go through the mitigation process according to the municipal codes because they are a non-riparian use. Commissioner Journey was informed the Community and Economic Development Department would monitor the mitigation during the development process. Associate Planner Clegg shared first hand insight on the layout of the parcel. Chairperson Gatchell expressed concern about the South Santiam being critical habitat for an endangered species. He inquired if the city's setback of 75' was in compliance with the Endangered Species Act regulatory agencies? CEDD Sorte stated during development other agencies would have a chance to review any other permits required. Commissioner Herb is requesting input on the proper disposal of drainage from the rooftop & patio.

Chairperson Gatchell asked the applicant to speak to the request.

Applicant: Patsy Rice 43800 Wiley Creek & Tim Meyer 1336 Tamarack St, Sweet Home. Mr. Meyer stated the first 8' portion will be patio. The setback would be at 60' with the first 8' being a patio. Ms. Rice would comply with all guidelines in regards to her stick-built home. Commissioner Journey asked if the current slab still serviceable. The documentation shows all prior work was permitted in 2005. The building department will review all work.

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

PUBLIC HEARING CLOSED AT 8:25PM

Deliberations:

Commissioner Herb- Has walked the property. He sees nothing wrong with the proposal as long as the drainage is watched.

Commissioner Wolthuis- Make sure the slab is buildable condition. He has no problem with this proposal.

Chairperson Gatchell- only concern is compliance with the Endangered Species Act. Those notes will be added to the approval.

Commissioner Stephen- This the only spot on the whole site. He is certain the building department will ensure the slab is serviceable.

Commissioner Journey- She does not have a problem with proposal now that her concerns of the management of natural resources have been clarified.

Motion: Commissioner Herb moved to approve application VR18-08; which includes: adopting the findings of fact and conditions listed in the staff report. With the stipulations the applicant shall leave all native vegetation in the Natural Resource Corridor intact and the National Marine Fisheries Service shall be consulted regarding the Endangered Species Act requirements prior to issuing building permits.

Second: Commissioner Stephens

Question was called

Aye (5) Commissioner Herb, Commissioner Wolthuis, Commissioner Stephens, Chairperson Gatchell & Commissioner Journey

Nay (0)

Absent (1) Commissioner Wilcox

Motion Passed 5 Ayes to 0 Nays

PUBLIC HEARING FOR FILE CU17-07 OPENED AT 8:35PM

Chairperson Gatchell provided a summary of the application CU17-07; City of Sweet Home Wastewater Expansion. The property is located at 1357-1359 Pleasant Valley Road, Sweet Home, OR 97836; Identified on the Linn County Assessor's Map as 13S01E31BB Tax Lots 600, 1501, 1502; and 13S01E31BA Tax Lots 1100 and 1300.

Staff Report: CEDD Sorte explained the Land Use request, staff report, and background of the property. He requested an extension until December 18, 2022 which should be adequate time for that facility to be substantially established.

Motion: Commissioner Wolthuis moved to approve the request by the city. We will grant the extension of CU17-07; which would require the facility to be substantially established by December 18, 2022.

Second: Commissioner Stephens

Question was called

Aye (5) Commissioner Herb, Commissioner Wolthuis, Commissioner Stephens, Chairperson Gatchell & Commissioner Journey

Nay (0)

Absent (1) Commissioner Wilcox

Motion Passed 5 Ayes to 0 Nays

To the best of the recollection of the members of the Planning Commission, the foregoing is a true copy of the proceedings of the Public Meeting of November 5, 2018.

Henry Wolthuis Vice Chairperson
Sweet Home Planning Commission

Respectfully submitted by: Lagea Mull, Project Assistant