



Community and Economic Development Department

City of Sweet Home
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PLANNING COMMISSION MEETING

September 4, 2018
CITY HALL ANNEX
1140 12TH AVENUE

PUBLIC MEETING CALL TO ORDER AT 6:59PM

ROLL CALL ATTENDING:

Edith Wilcox (*Excused*) Henry Wolthuis Eva Journey
Thomas Herb Greg Stephens Lance Gatchell (*Excused*)

STAFF:

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

PLEDGE OF ALLEGIANCE

REGISTERED VISITORS:

Eric Lund, 6321 Lake Pointe Way, Sweet Home OR 97386
Ellis & Nila Toftdahl, 1210 43rd Ave, Sweet Home OR 97386
Earl & JoAnn Main, 1212 43rd Ave, Sweet Home OR 97386
Dan Dorm, PO Box 3577, Salem OR 97302

COMMENTS FROM THE PUBLIC:

none

REVIEW/APPROVAL OF MINUTES: August 6, 2018

Commissioner Journey moved to approve the minutes
Commissioner Stephens seconded the motion to approve.

Question was called

Aye (4)

Vice-Chairperson Wolthuis, Commissioner Journey, Commissioner Herb,
Commissioner Stephens

Nay (0)

Absent (2) Lance Gatchell, Edith Wilcox

Motion Passed Unanimously 4 Ayes to 0 Nays 2 Absent

PUBLIC HEARINGS

PUBLIC HEARING OPENED AT 7:01PM

Vice-Chairperson Wolthuis 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.

Vice-Chairperson Wolthuis stated the first public hearing will be in regards to;

Public Hearing. File LUD 18-01: . The applicant is requesting to construct a private street that would be used to access adjoining lots in the Lake Pointe Estates Subdivision. Location: 6332 Lake Pointe Way, Sweet Home, OR 97386. Applicant: Eric Lund.

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

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

CEDD Jerry Sorte is asking the Planning Commission to provide guidance in addition making a decision and provide clarity due to the unique situation in application of our code. The applicant is requesting to construct a private street that would be used to access adjoining lots in the Lake Pointe Estates Subdivision. The proposed private street is anticipated to provide access to approximately five (5) lots. The proposed private street would connect to Lake Pointe Way; which is also a private street. The subject properties were created as a part of a subdivision and planned unit development in 2016 under applications SD 15-01/PD 15-01. This application is being reviewed as a minor change to an approved development plan that is referred to the Planning Commission. The proposed private street would be located in the Residential Low-Density (R-1) Zone. Staff recommends the following conditions of approval:
The private street shall be built to the Residential Neighborhood Street Standards listed in SHMC 16.12.020; except as modified in these conditions of approval. Paved street width shall be a minimum of 20 feet. The private street shall not be required to provide sidewalks. The private street may be developed as an access easement. The applicant shall provide a street maintenance agreement that is recorded and ensures continued maintenance of the proposed private street. The staff is seeking clarification & a decision from the Planning Commission.

Questions & Concerns for Staff:

- Fire turnaround on Lot 1, no buildings or parking allowed
- No hammerhead style, per city & fire district
- Street requirement: pavement with curbs
- Street can be wider than 20'

Vice-Chairperson Wolthuis asked the applicant to speak to the request.

Applicant: Eric Lund & family own LakePointe Estates. They are trying to gain access to lots 2, 3, 4 from Lot 1. The homes would face Foster Lake with garages down below. The driveways would be up top. Other options would be cost prohibitive.

Questions & Concerns for Applicant:

- Will easement be 30' wide? Minimum is 20' The easement is thoroughly broad.

Testimony in Favor: None
Testimony in Opposition: None
Neutral Testimony: None
Rebuttal: None

PUBLIC HEARING CLOSED AT 7:27PM.

Commission has concerns about the width of the road being too narrow for emergency equipment. The applicant was called back to table.

PUBLIC HEARING RE-OPENED AT 7:31PM

Questions & Concerns for Applicant:

- Could the street be 30' wide to accommodate the side parking? Due to the sloping of the land the cost would be prohibitive. Option to put "no parking" signs on the street. There will be a driveway up top & down below plus a garage.
- There will be 4 outside parking spots in driveways plus 2 inside garage.

PUBLIC HEARING CLOSED AT 7:36PM.

Commissioner Herb moved to approve LUD 18-01.
Commissioner Journey seconded the motion to approve

Question was called

Aye (4)

Vice-Chairperson Wolthuis, Commissioner Journey, Commissioner Stephens and Commissioner Herb

Nay (0)

Absent (2) Edith Wilcox & Lance Gatchell

Motion Passed Unanimously 4 Ayes to 0 Nays 2 Absent

Vice-Chairperson Wolthuis stated the next public hearing will be in regards to;

Public Hearing. File VR 18-06

Vice-Chairperson Wolthuis stated the first public hearing will be in regards to;

The applicant is requesting variances in order to reduce the required driveway distance from an intersection for two properties located at the intersection of Citabria Street and 43rd Avenue. At 4302 Citabria Street, the applicant is seeking to reduce the required setback from 40 feet to 30 feet. At 4301 Citabria Street, the applicant is seeking to reduce the required setback from 40 feet to 19 feet. **APPLICANT:** Daniel Dorn **PROPERTY OWNER:** The Landing LLC

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

Personal Bias: None

Conflict of Interest: None

Exparte: None

CEDD Jerry Sorte explained the variance request, staff report, and background of the property. He then reviewed approval criteria that are applicable to the variance request, as well as the staff findings, and application. He recommended that the Planning Commission hear testimony and make a decision on this matter. He also asked that the Planning Commission specify the appeal period and direct staff to prepare an order for signature of the Commission Chair. He then asked if there were any questions of staff.

Questions & Concerns for Staff:

- Clarity on parking in clear vision. 20' is standard.

Vice-Chairperson Wolthius asked the applicant to speak to the request.

Applicant: Daniel Dorn and partners inherited this development. They are building out remaining lots. The lots are very challenging due to size. They have designed houses to fit these lots. 4301 Citabria is only 45' area to place the driveway. The applicant was also surprised to find 43rd Ave is a minor arterial street. They do not have a single story plan which would fit that lot. The design is single story on one side with a two story on the other side. There is 70' of clear vision area. There are two traffic speed mitigating items, a 90° turn and 4 way stop.

Testimony in Favor: None

Testimony in Opposition:

Ellis Toftdahl, 1210 43rd Ave: the original development went from 104 lots, 137 lots, 240 lots these are 820 sq ft lots. Strongly disagree with the speed on 43rd Avenue. People drive way more than 25 mph. He wants them to deny the setback because the city has a 40' setback from the corner and it should remain.

Earl Main, 1212 43rd Ave: He is opposed to the variance and two story houses.

Rebuttal: Daniel Dorn: when the subdivision was plotted, the city made a mistake in allowing a lot without access. Asking to correct error and allow access with a driveway.

Neutral Testimony: None

PUBLIC HEARING CLOSED AT 8:04PM

Planning Commission discussed the application.

Considerations and Ideas Included:

- Clear vision issues including landscaping- minimum clear vision area is 20' from corner
- Parking on road sides-
- Restrictive Covenant on property
- Two Homes should be put in neighborhoods with like

Commissioner Stephens moved to approve File VR 18-06

Conditions: The property owner shall sign and record a restrictive covenant for the subject properties in which they agree to apply and maintain the Clear Vision Area requirements listed in SHMC 17.08.040 an area with a minimum of 40 foot legs along 43rd Avenue and Citabria Street. This requirement shall run with the property and be required of all future property owners.

Commissioner Journey seconded the motion to approve.

Question was called

Aye (4)

Vice-Chairperson Wolthuis, Commissioner Journey, Commissioner Stephens and Commissioner Herb

Nay (0)

Absent (2) Edith Wilcox & Lance Gatchell

Motion Passed Unanimously 4 Ayes to 0 Nays 2 Absent

DISCUSSION:

Future Meeting Location- Is the Planning Commission interested in moving to the Police Station?

- o **Concerns:** sound system, better appearance
- o **Decision:** maintain current location

CEDD Sorte requested a clarifying motion on parking in driveway for VR 18-06 Restrictive Covenant.

Commissioner Stephens amend original motion that the Clear Vision Area exempts parking in the homeowner's driveway.

Commissioner Herb seconded the motion to approve.

Question was called

Aye (4)

Vice-Chairperson Wolthuis, Commissioner Journey, Commissioner Stephens and Commissioner Herb

Nay (0)


Absent (2) Edith Wilcox & Lance Gatchell

Motion Passed Unanimously 4 Ayes to 0 Nays 2 Absent

Commissioner Herb concerned with condition of retention ponds & lack of code enforcement. **CEDD Sorte** expressed support & goals for Code Enforcement

Meeting Adjourned: 8:39PM

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 September 4, 2018.


Henry Wolthuis Vice Chairperson
Sweet Home Planning Commission

Respectfully submitted by: Lagea Mull, Project Assistant