



City of Lebanon
Planning Commission
Meeting Minutes
June 15, 2016

Members Present: Vice-Chair Don Robertson, Commissioners John Brown, Brian Daniels, Brenda Hall, David McLain and Walt Rebmann.

Staff Present: Community Development Director Walt Wendolowski, AICP

1. FLAG SALUTE / CALL TO ORDER

Vice-Chair Robertson called the meeting of the Lebanon Planning Commission to order at 6:00 pm in the Santiam Travel Station Board Room at 750 3rd Street.

2. ROLL CALL

Roll call was taken, Chair Jeremy Salvage was excused, and Commissioner Cornell was absent. A quorum was declared.

3. APPROVAL OF MEETING MINUTES

The May 18, 2016 Meeting minutes were approved with modifications to the roll call.

4. CITIZEN COMMENTS - None

5. PUBLIC HEARING - Planning File 16-05-23 - An application by Justin Kruse for approval to create a 13-lot subdivision.

Vice-Chair Robertson opened the hearing. Community Development Director Wendolowski announced that the quasi-judicial hearing procedures apply and outlined the hearing process. Robertson asked if there were any ex parte contacts, conflicts or bias. None were declared and staff was directed to proceed.

Wendolowski provided the staff report. He located the property for the Commission, noting the site is composed of three parcels located on the northeast corner of the intersection of South Williams Street and East Milton Street. The area contains approximately 2.98 acres. The site is split zoned: Residential High Density on the west side and Residential Low Density on the east side. The applicant wishes to subdivide the combined property featuring the following:

- The project contains 13 lots – 9 located in the RH zoned and 4 in the RL zone. The RH zoned lots range in size from approximately 8,600 to 12,400 square feet and are designed for duplexes. The RL zoned lots are approximately 6,800 square feet each and designed for single family homes.
- Access is served by a 25-foot wide private street. At the entrance of the project, 11 parking spaces will be provided for residents. Parking along the roadway will be prohibited. In addition, access from Williams Street will be prohibited owing to the railroad right-of-way.

- Sanitary sewer, water and storm facilities are located in Milton Street and will be extended to serve the lots.
- A portion of east “D” Street to the east of Williams Street will need to be vacated.
- For the record, the applicant completed a property line adjustment on one of the parcels. Based on the adjusted boundaries, the submitted plan represents the final layout and does not include the existing home.

Wendolowski then summarized the comments submitted by Engineering Services and then began to review the decision criteria in Chapter 16.22. Wendolowski briefly summarized the material:

- A subdivision is permitted in the RH and RL zones. Within the RH zone, the minimum lot size for a duplex site is 7,000 square feet, while in the RL zone, the minimum lot size for a single family home is 6,000 square feet. Based on the submitted layout, the lots comply with the dimension requirements of their respective zone and for their respective use.
- The design provisions are not directly applicable as the subdivision can only be served by a single street. Given the proportions of the site, and location of the rail line, this is the only logical way to subdivide the property.
- Chapter 16.13 establishes minimum street improvement requirements. The City previously approved the creation of private streets (Ridgeway Butte) but does not have a specific private street standard. In this case, Engineering Services will accept a minimum 9-foot travel lane, this 18-feet of paving can be accommodated within the 25-foot private street easement.
- A turn-around area is provided for emergency vehicles.
- Public facilities are located in Milton Street and can be extended to serve the development. The applicant must submit appropriate engineering plans and installing the improvements to City specifications.
- The applicant must coordinate with ODOT Rail regarding street improvements and the intersection improvement at Milton/Williams.

Based on these factors, Wendolowski recommended the Commission approve the submitted subdivision subject to the conditions noted in the staff report.

Vice-Chair Robertson asked if there were any questions from the Commission. Commission Brown requested clarification of the suggested 18-foot paving width and the 20-foot fire access requirement. Wendolowski noted the requirement is for 20-feet of “free space” to allow placement of the truck’s outriggers. Not all of it needs paving. The 25-foot easement exceeds the fire code requirements. With no other questions, Robertson asked the applicant to testify.

The applicant Justin Kruse and his Engineer, Rich Catlin testified. Catlin noted he worked with staff to address the layout issues and provisions for public services. The facilities will come off of Milton Street and storm detention will be provided in the parking area. There is a turn-around on the north end for emergency vehicles. The street width and improvements meet fire code requirements. He reviewed the report and conditions and had no issues with findings and recommended conditions and requested Commission approval of the request.

Vice-Chair Robertson asked if there were any questions by the Commission. Commission Brown asked if there would be curb and gutter. Catlin replied no but storm water would be shed to one side and directed to Milton Street. Robertson asked whether the parking at the south end is on Tax Lot 6601. Catlin stated no; Tax Lot 6601 contains an existing duplex; the identified parking is located on Tax Lot 6600.

Robertson asked what steps would be taken to prevent access onto Williams Street from the hammer-head turning area. Catlin noted the City will require improvements (bollards) that would prohibit access. Robertson also asked how no-parking provisions are enforced. Catlin replied the fire code requires the placement of "no parking" signs.

Commissioner McLain want to know if the private street connected with the private driveway on the adjacent property. Initially Catlin stated no, but on further examination agreed the street goes that far north. A conversation followed where Catlin noted the City will prohibit the connection of the two access-ways and that fence or other barrier may be necessary. He also stated this separation was needed to ensure street maintenance is accorded to appropriate owners.

Commissioner (?) asked a question regarding storm drainage. Catlin responded the water is channeled to a detention area and then conveyed to Milton Street. All improvements must conform to City standards and be approved by City staff.

Seeing no further questions, Robertson asked whether anyone else wished to testify in favor of the application. Seeing none, Robertson asked whether anyone wished to testify in opposition.

Kelly Logsdan noted the location of her home and driveway on the adjacent property to the east. She voiced concern with people wandering through her land and wanted to be sure a sufficient barrier is installed to avoid trespassing. Commissioner Brown asked for clarification on the location of her property. Commissioner McLain asked what was at the end of her property – she stated grass field and construction debris. On further questioning she noted the debris was not on her land.

Vice-Chair Robertson asked for clarification that she was not opposed to the development but wanted to be sure vehicles and people would not cross over onto her property. Ms. Logsdan responded yes. Robertson asked if there were any further testimony in opposition.

Shelly Sullivan testified she was concerned with the street width. She noted her 30-foot driveway is barely able to accommodate the amount of traffic and parking for four homes. She did not believe the 18-foot street would be adequate for the number of homes. In addition she voiced concerns with cars driving in the field, school bus access to the site and traffic on Milton Street.

There was no further testimony and Vice-Chair Robertson asked if the applicant wished to rebut any testimony.

Rich Catlin spoke for the applicant. He indicated they would build a fence and make it as substantial as the City would allow to eliminate trespass. He noted school buses would not use the private street. Regarding the street width he demonstrated the 18-foot width is similar to travel lanes on local streets concluding it was functional for the proposed development.

Commissioner Brown asked whether the garages are single or double. Catlin noted single. Brown was concerned with the street width, lack of parking for residents and location of visitor parking at the south end of the development. Brown appreciated the developer wants to reduce improvement costs but the parking area was too far away to be usable for many homes. Catlin responded that this was the best location given the layout for the homes.

Vice-Chair Robertson asked whether the entire 25-foot easement could be paved. Catlin said it could but it would effectively encourage on-street parking and reduce access for emergency vehicles.

Seeing no further questions, Robertson closed the public testimony portion of the hearing stating all further discussion is between the Commissioners and staff.

Robertson opened the comments indicating the big concern is the street. With the exception of Commissioner Daniels the remaining Commissioners agreed. Robertson asked Community Development Director Wendolowski what are some options for the Commission to consider.

Wendolowski noted the Code does not have a private street standard. However, this appears the only feasible way to develop the site – the other option is apartments, but at least the proposal fits the area's development pattern. Engineering Services conclude the 18-foot street is adequate for the use. In addition, based on Code the garages are considered a parking space.

There is no major difference between a width of 18-feet or 20-feet. Expanding the width possibly invites on-street parking. The Commission faced a similar situation with Ridgeway Butte and established a precedence by allowing a private street built to a County standard of 20-feet. This would appear appropriate for this project and it will still address any storm drainage issues.

Wendolowski noted the applicant would install a fence and recommended a condition be placed for that purpose. For the record the maximum allowable fence height is 8-feet. Changing the width to 20-feet should not be an issue. The Commission may eventually want to consider Code standards for private streets.

Commissioner Rebmann asked about the garage space and off-street parking. Wendolowski agreed that if the garage is full there is a loss of a parking space but noted the Code is clear in that the garage space is included.

Brown commented that it would not be a major expense to increase the paving to 24-feet and allow parking on one side. He also stressed the need for the fence. Wendolowski noted 24-feet would allow an 8-foot parking space and two 8-foot travel lanes.

Vice-Chair Robertson recommended paving the west side of the easement to allow 7-feet of gravel surface for parking. A discussion between Robertson and Brown concluded that would ultimately not benefit storm drainage or solve parking. Commissioner Rebmann wanted to know if parking would be limited to one side and if it would be stripped. Wendolowski suggested parking would likely be limited to the east side owing to the number of driveways on the west side. At most nine spaces would be added.

Vice-Chair Robertson indicated the applicant would like to re-address the Commission. Brown suggested the Commission proceed with a motion and let the applicant respond. Wendolowski noted that if the hearing is re-opened for additional applicant testimony, the Commission must re-open to allow anyone else to speak. Brown again suggested to increase the paving width and require a fence. Robertson noted the applicant may provide an additional option that they have not considered. The consensus of the Commission was to re-open the public hearing.

Rich Catlin spoke for the applicant. He indicated the applicant could extend the hammerhead to the north to provide additional parking spaces. Also an additional driveway parking space can be added to each unit. Brown noted that even with signs, people would still park creating the same safety issue. Catlin noted that ultimately it is an enforcement matter. Vice-Chair Robertson stated that even with 20-feet of paving there would only be 5-feet available for parking. Catlin agreed noting that is not sufficient. Wendolowski asked for clarification that the additional off-street space would be for each unit – Catlin concurred.

Brown asked what has really changed with the proposal. Wendolowski noted that each unit would have three off-street spaces instead of two. Catlin also noted he is not sure how much additional parking would be possible if it is located on the street but the proposed change adds 18 spaces. Robertson asked for additional clarification on the north end. Catlin stated it might be possible to add three spaces.

Robertson asked if there were any additional comments, noting they can only relate to previous testimony and cannot provide new testimony.

(?) was concerned with vehicles turning off Williams Street and into the hammerhead. Wendolowski clarified that there would be no access to the site from Williams Street. Based on her experience with garage sales, Kelly Logsdon was concerned no one would use the proposed parking spaces and the “no parking” requirements would not be enforced. Shelly Sullivan was concerned with the back-up of cars at the Milton Street/Williams Street intersection.

Having no additional testimony, Robertson asked if the applicant would like a rebuttal. The applicant offered no rebuttal and Robertson then closed the public testimony portion of the hearing.

Robertson asked whether the additional information helped with the parking issue. Commissioner Daniels noted with additional driveway parking it should be okay, McClain agreed. The general consensus was the parking improvements were acceptable.

Robertson stated he agrees that a 20-foot clear space is required. Wendolowski concurred noting that has always been the Fire District's position. Brown asked who polices the private street. Wendolowski noted this would be complaint driven. What is being enforced is a fire lane which applies to public and private properties.

Brown restated his concern over the street width and parking. McClain asked whether the issue was the street width. Brown noted he understood the cost factor in developing the site. He would still prefer a wider street stating parking on the street will occur regardless of the signage.

Robertson asked whether the street is a separate entity. Wendolowski responded that it would likely be a separate tract. Robertson asked who maintains the street. Wendolowski noted there is a condition requiring a home owners association to maintain the street and parking. McClain asked about weeds. Wendolowski stated that would also apply and the City can enforce on a nuisance basis.

Commissioner Rebmann asked how the drainage would go from the roofs to the streets and drain system. Wendolowski noted it it's the responsibility of the applicant to develop a plan showing how drainage would be addressed. Rebmann asked for specific improvements. Wendolowski noted there are likely a number of options such as a concrete ditch along the driveways. Robertson asked whether that was up the applicant's engineer. Wendolowski agreed stating before any construction can occur or plats recorded, the City must approve engineered plans – the development cannot proceed otherwise.

Commissioner Daniels asked whether any decision was made regarding the width. Robertson stated none had been made.

Daniels then made a motion to approve Planning File 16-05-23 with the findings and recommends with the following modifications: a fence or barrier will be installed, 20-feet of paving is required and one extra driveway parking space be provided. Robertson asked whether the motion included the additional off-street parking on the north end; Daniels agreed. McClain seconded the motion.

The motion passed 5-1 with Commissioner Brown voting no.

6. WORK SESSION – (None)

7. COMMISSION BUSINESS & COMMENTS

Wendolowski provided an update on current activities with the following highlights:

- Jared Cornell resigned from the Commission.
- Commission appointments will be reviewed by the Council in July. Brenda Hall will be a permanent member, Brian Daniels and Dave McLain will be re-appointed and the new member will be appointed as an alternate.
- Very little planning activity, mainly building activity at this point. At this time there are no applications for the July meeting.

- Starbucks will submit their application next week for development at the old Ford dealership. Wendolowski provided a summary of the project in response to Commissioner Hall's question.
- The Council rejected all bids for the water treatment plant. Robertson asked on the status of the project. Wendolowski noted it will go forth with a modified proposal with the goal of reducing the bid price. Also, off-site work will begin soon – the City is holding a neighborhood meeting to discuss the matter with residents.

Commissioner Brown again raised the issue of street improvements for a private street. Robertson asked how we might proceed. Wendolowski noted staff would certainly support a private street standard as a means to help staff and applicants. So far the Commission approved private streets for Ridgeway Butte. That was unique situation with the steep slopes and drainage issues. Robertson noted it would also help the Commission. McLain asked how long the process would take. Wendolowski summarized the procedures noting it takes 4 to 6 months. Robertson noted that by trimming the lots a bit, a wider street was possible – Rebmann concurred. Wendolowski again discussed possible options on storm drainage. Commissioner Brown discussed his experience with drainage improvements.

8. ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:17 pm.

[Meeting minutes prepared by Walt Wendolowski, AICP]