



**NOTICE OF LEBANON PLANNING COMMISSION DECISION
PLANNING FILE No. AR-20-03 & VAR-20-01**

- A. APPLICANT: Applegate Landing, James Lutz.
- B. PROPERTY LOCATION: The subject property is located on the north side of the intersection of Airport Road and Stoltz Hill Road. There is currently no site address assigned, but the County Assessor locates the site within Township 12 South; Range 2 West; Section 15BD; Tax Lot 301.
- C. PARCEL SIZE: 2.37 acres.
- D. EXISTING DEVELOPMENT: The site is currently vacant.
- E. ZONING: The property is Residential Mixed Density (Z-RM).
- F. REQUEST: Approval of an Administrative Review and a Class II Variance for the development of an affordable housing project with a reduction in the required parking.
- G. DECISION CRITERIA: The decision criteria are found in the Lebanon Development Code: Chapter 16.29 – Variances and Adjustments; and, Chapter 16.20 – Review and Decision-Making Procedures.
- H. PLANNING COMMISSION HEARING DATE: April 30, 2020 and May 7, 2020.

II. DECISION AND CONDITIONS OF APPROVAL

The Planning Commission **APPROVED** the above-mentioned request subject to the following Conditions of Approval:

The Planning Department conditions:

1. All units, except the one designated manager's unit shall be restricted as affordable residential units. An affordability covenant identifying such income restriction shall be filed against the property. Proof of recordation shall be provided to the City prior to issuance of certificate of occupancy.

2. A parking system shall be established and managed by the apartment complex. A restriction of the number of vehicles per residential unit shall be identified and included as part of the lease agreement for each unit.
3. Sight obscuring fencing shall be constructed to a minimum of six feet in height along the western and northern property lines, with the exception of designated vision clearance areas.
4. A landscape plan shall be submitted and approved prior to the issuance of building permits. As part of the landscape plan, all trees with a measurement of 12-inch caliper for deciduous and 18-inch caliper for evergreen trees shall be cataloged and preserved where possible.
5. A Children's play area shall be provided in compliance with Section 16.05.170.F. Any and all playground equipment shall comply with the International Play Equipment Manufacturers Association standards. The children's play area shall be included for review as part of the landscape plan.
6. All required permits through the Oregon Department of Aviation shall be obtained prior to issuance of building permits.
7. A minimum of 81 vehicle parking spaces shall be maintained on-site at all times, and a guest parking area shall be clearly defined. A minimum of 32 bicycle spaces, including 14 covered spaces shall be permanently maintained.
8. An application for a Property Line Adjustment shall be filed and approved for the modification to the site property lines and the street dedication prior to issuance of Building Permits.

The Linn County Road Department conditions:

1. Strawberry Lane may be utilized for temporary access to the development site until such time as the new public street and cul-de-sac are constructed.
2. Upon completion of the new public street, use of Strawberry Lane for the development shall be limited to emergency vehicle access only.
3. The Applicant shall obtain a right-of-way encroachment permit from Linn County Road Department.

The Lebanon Fire District conditions:

1. Plans shall be submitted for review and approval by the Lebanon Fire Marshal that demonstrates full compliance with the Oregon Fire Code and local amendments. Lebanon Fire Marshal approval shall be obtained prior to issuance of building permits.

The Engineering Department conditions:

General

1. All public improvements shall:
 - a. conform to the latest "City of Lebanon Standards for Public Improvements."
 - b. require completion of a Drawing Review Application and a Public Improvements Permit prior to beginning construction.
 - c. be designed by a professional engineer registered in the State of Oregon.

- d. Prior to final plat approval, a bond or other approved form of assurance is required for all incomplete public improvements.
2. An engineered site plan shall be submitted for review and approval for the site. The site plan must be submitted with an Application for Site Plan Review and associated fee. The site plan shall detail all site improvements necessary for the proposed development together with a grading and drainage plan.
3. All elevations shown on plans submitted to the City must be on the NAVD 88 vertical datum to provide compatibility with the City computer aided mapping system.
4. All private, onsite utilities must be reviewed and approved by the City Building Official.
5. Provide a landscape and illuminate plan as part of the engineering site plan review plan set.

Transportation

1. This project proposed public street for access to all proposed lots. All lots will front the proposed street and individual lot driveway access to Airport is prohibited. Provide a Geotech report for the proposed street section.
2. Cul-de-sacs must have sufficient turning radius to allow the operations of emergency vehicles and Albany-Lebanon Sanitation vehicles. Fire Marshall approval of turnaround and emergency access. Minimum cul-de-sac radius must comply with the City's transportation plan.
3. To address the operational impacts of the Lebanon Veterans Housing project on the Airport Road/Stoltz Hill Road intersection, the City will require a proportional share contribution based on the development's bearing to the intersection. *The developer shall enter into an agreement with the City to pay a 25% share of the signal costs at Stoltz Hill Road and Airport Road intersection. The agreement shall be on a form acceptable to the City and paid prior to occupancy.* The contribution amount will be based on a construction cost estimate including design for the traffic signal that will be developed by the City.
4. Sidewalks, paths and driveway approaches must comply with ADA requirements.
5. Provide City standard sidewalks and ADA access ramps access along lot frontage of Airport Road.
6. Provide City standard street trees in compliance with the City of Lebanon street tree policy.
7. With engineering drawings, indicate the location of street and path lights, mailboxes, utility pedestals, signs.
8. Mailbox locations must be also be reviewed and approved by the Postmaster.
9. Provide City standard streetlights at all intersections and along proposed public street.
10. Street names must be approved by the City Engineer, Linn County 911 and the County Surveyor.
11. Site lighting shall not glare or shine onto adjacent public streets or neighboring properties.
12. Provide verification of Republic Services approval of location and access to garbage and recycling containers shown on site plans prior to approval of detailed engineering site plans.
13. Obtain a permit for Linn County for any utilities or improvements located on Strawberry Lane.

14. Provide one bus shelter to provide access to City transportation system and the Lebanon Community School District.
15. Provide a 10-foot wide paved with 1-foot gravel shoulders, multi-use path for the length of the property along the top of bank of the drainage ditch. Construction of the path may be deferred until the future development of the properties to the south are developed.

Water

1. Identify any on-site wells on the engineered drawings. Back flow prevention devices will be required on any lot that is also served by the city water system.
2. Fire suppression will be under the Fire Marshal review and approval. The number and location of fire hydrants shall be approved by the Lebanon Fire Marshal. All new hydrants must be operational and accepted by the City prior to storage of combustible materials on site.

Sewer System

1. Identify any on-site septic systems on the engineering drawings. Provide Linn County approval for all septic systems.
2. Sewer lateral connections are not allowed to the new constructed sewer main without a permit and payment of applicable fees.

Storm Drainage

1. The drainage system and grading plan shall be designed so as not to adversely impact drainage to or from adjacent properties. Storm drainage facilities must be designed and constructed to ensure historical rates of site discharge are not exceeded. Storm drain capacity shall be determined by the Rational Method for a 10-year event with a 15-minute minimum durations time using the curve (fig 5.3) in the master plan. A detailed design including engineering calculations shall be submitted as part of site plan review.
2. With the engineering drawings, provide a grading plan for the sites that indicates existing and proposed elevations. Drainage improvements (ditches and or piping) may be required at the site boundaries to prevent adverse impacts. The engineering drawings must provide a detailed design (including calculations) of the drainage improvements and mitigation of any impacts to adjacent properties.
3. Provide verification of Oregon DEQ NPDES 1200C permit issuance and all condition of permit issuance prior to construction.
4. Provide correspondence from the appropriate state and federal regulatory agencies regarding wetland identification and required fill-removal permits, if any. Any wetlands identified as being impacted by public improvements shall be mitigated prior to the final acceptance of public improvements.
5. With engineering drawings provide a construction erosion prevention plan.
6. Dedicate to the City a storm easement from the west top of bank to the east property line for a potential regional detention basin identified in the City's Storm Water Master Plan.

Landscaping

1. Submit a landscape and irrigation plan for any proposed landscape improvements to the City Engineer for review. Any landscaping proposed in the public right of way shall have a maximum mature height of no more than 24 inches above the street

grade and at least 3 feet from any fire hydrant. All landscaping proposed in the yard setback areas adjacent to public streets shall have a maximum mature height of no more than 36 inches above the street grade.

2. Vision clearance areas shall be provided at intersections of all streets and at intersections of driveways and alleys with streets to promote pedestrian, bicycle, and vehicular safety per Subsection 16.12.030.H of the Lebanon Development Code. A clear-vision area shall contain no plantings, fences, walls, structures, utility pedestals, or temporary or permanent obstruction exceeding 2-1/2 feet in height, measured from the top of the curb.

III. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Lebanon land use and review and approval process does not take the place of, or relieve, the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use approval herein does not remove, alter or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

IV. APPEALS

This Planning Commission decision will be official on the 15th day from the mailing of this notice, unless appealed within that time. Appeals must be received at the Lebanon Community Development Department (925 South Main Street, Lebanon, Oregon 97355) by **5:00 PM, Friday, May 22, 2020**. Appeal is to the City Council and the appeal fee is \$500.

Should you wish to appeal this action, or have any questions or comments regarding this project, please contact Community Development Department, at (541) 258-4906, for further information.

V. RECORD

The City's case file and record can be viewed in the Community Development Department at Lebanon City Hall, located at 925 S. Main Street, Lebanon, OR 97355 during regular business hours.

Respectfully,



Kelly Hart
Community Development Director

Friday, May 8, 2020

Date