



**NOTICE OF LEBANON PLANNING COMMISSION
RECOMMENDATION & DECISION
PLANNING FILE No. CPMA-23-02, ZMA-23-02, MLP-23-04**

I. BACKGROUND

- A. **APPLICANT:** KLASH, LLC
- B. **PROPERTY LOCATION:** The subject property is located on the east side of South Santiam Highway, north and west of Burdell Blvd. and northwest the Walgreens development. There is no street address assigned. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 23B; Tax Lot 100.
- C. **PARCEL SIZE:** Consolidated = 5.68, partitioned, Parcel 1 = 1.33 acres, Parcel 2 = 4.35 acres.
- D. **EXISTING DEVELOPMENT:** The subject property is currently vacant.
- E. **ZONING:** The land is located within city limits and is zoned Mixed Use (Z-MU).
- F. **REQUEST:** The Applicant is requesting authorization to partition the property to separate off 1.33 acres, then change the land use and zoning designation of the partitioned 1.33 acres from Mixed Use (C-MU) to commercial and process a zone change to zone the property to Highway Commercial (Z-HCM).
- G. **DECISION CRITERIA:** The decision to approve or deny shall be based on criteria contained in the Lebanon Development Code, Chapter 16.28 – Comprehensive Plan Map, Zoning Map, and Urban Growth Boundary Amendments; and Chapter 16.22 – Land Divisions.
- H. **PLANNING COMMISSION HEARING DATE:** September 20, 2023.

II. PLANNING COMMISSION RECOMMENDATION –
COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS

The Planning Commission reviewed the application and concluded the proposed application for Comprehensive Plan and Zoning Map Amendments to change the designation and zoning from Mixed Use to Highway Commercial complies with the applicable decision criteria.

Therefore, it is the decision of the Lebanon Planning Commission to recommend the City Council approve the proposed Comprehensive Plan and Zoning Map Amendments to change the designation and zoning from Mixed Use to Highway Commercial.

III. CITY COUNCIL ACTION –
COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS

This notice of the Commission's Order of Recommendation for the COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS appears only as a matter of record. The Lebanon City Council will conduct a second hearing on this application at a date and time to be noticed.

IV. PLANNING COMMISSION DECISION AND CONDITIONS OF APPROVAL –
MINOR LAND PARTITION

The Planning Commission **APPROVED** the Minor Land Partition request subject to the following Conditions of Approval:

- A. The applicant shall record a partition plat. The final partition plat shall be subject to the following:
1. A final partition plat, complying with provisions in ORS Chapter 92, shall be completed by a registered professional land surveyor and submitted to the City for approval.
 2. The final plat shall substantially conform to the proposal, comply with applicable requirements in the Lebanon Development Code and recorded within three years of the final date of approval.
 3. No onsite grading shall adversely impact storm water run-off from adjacent properties. Grade site to drain all storm water run-off to the street or provide a grading plan for review.
 4. Reciprocal access and maintenance agreements shall be maintained for the access road parallel to S Santiam Highway.
 5. An Irrevocable Petition shall be filed stipulating the property owner and all future owners/successors will agree to participate in the right-of-way dedication and improvements for the Burdell Blvd. extension as planned in

the City of Lebanon Transportation System Plan. The petition shall be filed before or as part of the final plat process.

- B. Compliance with these conditions, and the applicable requirements of the Lebanon Development Code, City Public Works Standards, City Engineering Standards, Lebanon Fire District requirements and adopted building code, shall be the sole responsibility of the property developer.

V. APPEALS

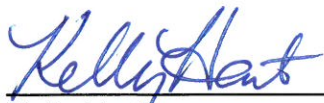
This Planning Commission decision for the Minor Land Partition will be official on the 15th day from the mailing of this notice, unless appealed within that time. Appeals must be received at the Lebanon Community Development Department (925 South Main Street, Lebanon, Oregon 97355) by **5:00 PM, Friday, October 6, 2023**. Appeal is to the City Council and the appeal fee is \$375.

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.

VI. 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

September 21, 2023

Date

