



**NOTICE OF LEBANON PLANNING COMMISSION DECISION
PLANNING FILE No. PD-24-01, S-24-02**

- A. **APPLICANT:** Paist Family, LLC
- B. **PROPERTY LOCATION:** The subject property is located on the south side of Crowfoot Road, east of Hillview Drive. The property does not have an assigned address, the Linn County Tax Assessor Map number is 12S 02W 23C, tax lot 4101.
- C. **PARCEL SIZE:** The property is 26.62 acres.
- D. **EXISTING DEVELOPMENT:** The site is currently undeveloped
- E. **ZONING:** The property is Residential Mixed Density (Z-RM).
- F. **REQUEST:** The project includes two separate land use actions: (1) Planned Development, and (2) Subdivision. The Planned Development application is required for larger residential projects over 25 acres, or when a project is a Subdivision of 25 or more lots and the applicant is requesting a multi-year phasing for implementation of the project (not to exceed 10 years). The Applicant is proposing a three-phase development with over 25 residential lots on a project area of over 25 gross acres, triggering the Planned Development application. The Subdivision is for a 122-lot, 9-tract project with public streets and infrastructure.
- G. **DECISION CRITERIA:** The decision criteria are found in the Lebanon Development Code: Chapter 16.22 – Land Divisions and Chapter 16.23 – Planned Developments.
- H. **PLANNING COMMISSION HEARING DATE:** APRIL 17, 2024.

II. DECISION AND CONDITIONS OF APPROVAL

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

1. The Planning Department conditions include, but may not be limited to:

- a. All phases of the development as approved in the Preliminary Plan shall be completed within 10 years of the date of issuance of approval of the Planned Development.
 - b. Based on the evidence provided, the Planning Commission determines that a formal mitigation plan is NOT required as part of this Planned Development.
 - c. Any housing development proposed that is eligible without a variance application and reviewed for compliance under the preliminary planned development that is not an outright permitted use is subject to a Ministerial Review application.
 - d. All fencing shall be installed in compliance with the development code and meet all necessary sight distance and clear vision requirements.
 - e. 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.
 - f. The final plat shall substantially conform to the proposal, comply with applicable requirements in the Lebanon Development Code, and be recorded within three years of the final date of approval.
 - g. All necessary permits through the Department of State Lands, Department of Environmental Quality, and the Army Corps of Engineers shall be obtained for any wetland mitigation necessary for development and the detention pond before issuance of city permits for construction.
 - h. A homeowner's association shall be established to maintain ownership and property taxes associated with the nine tracts and to maintain the storm detention systems, community recreation areas, and wetlands. The association shall be filed and recorded before the issuance of certificates of occupancy.
2. All requirements of the Lebanon Fire District shall be met, including but not limited to:
- a. 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.

3. The Engineering Department conditions include, but may not be limited to:

General

- a. All public improvements shall:
 - (1) conform to the latest "City of Lebanon Standards for Public Improvements."
 - (2) require completion of a Drawing Review Application and a Public Improvements Permit before beginning construction.
 - (3) be designed by a professional engineer registered in the State of Oregon.
- b. 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.
- c. All private, onsite utilities must be reviewed and approved by the City Building Official.

Transportation

- a. Provide a Geotech report including a minimum street section for wet and dry weather construction conditions.
- b. *Any off-site traffic improvements as determined by the TIA report will be the responsibility of the developer and will be required to be constructed with the development.*
- c. Construct City standard full depth half street improvements along Crowfoot Road.
- d. Provide City standard street trees in compliance with the City of Lebanon street tree policy.
- e. Driveway access for lot 26 shall be located as far to the southwest property line as possible.
- f. Fence locations for all corner lots will require intersection sight distance & clear vision design submitted for review and approval.
- g. Sidewalks, paths, and driveway approaches must comply with ADA requirements.
- h. Sidewalks adjacent to the detention ponds and tracts shall be constructed with public improvements.
- i. Provide City standard streetlights.
- j. Postmaster must approve cluster mailbox locations.
- k. Verify Republic Services approval for the location and turn around access to garbage and recycling containers.
- l. Developer responsible for fees associated with vacation existing Crowfoot right-of-way.

Water

- a. Identify any on-site wells on the engineered drawings. Wells must be capped and abandoned according to state and county regulations before connection to the public water system.
- b. 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 before storage of combustible materials on site.
- c. Water system improvements shall be extended through the development site to the edges of the property lines so that future extensions can continue.

Storm Drainage

- d. 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 duration time using the curve (fig 5.3) in the master plan. A detailed design including engineering calculations shall be submitted as part of the site plan review.
- e. With the engineering drawings, provide a grading plan for the sites that indicate 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.

- f. Maintenance responsibility for private stormwater detention systems shall be clearly established through subdivision Conditions, Covenants, and Restrictions on the subdivision plat or through property deed restrictions. The city does not accept maintenance responsibility for private stormwater systems or detention facilities.
- g. Storm drain improvements shall be extended through the development site to the edges of the property line so that future extensions can continue.
- h. Provide verification of Oregon DEQ NPDES permit issuance and all conditions of permit issuance before construction.
- i. Any wetlands identified as being impacted by public improvements shall be mitigated before the final acceptance of public improvements.
- j. Provide a construction erosion prevention plan.

Landscaping

- z. 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.

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 3, 2024**. Appeal is to the City Council and the appeal fee is \$1,625.00.

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

April 18, 2024

Date