



**City of Lebanon**  
**Planning Commission**  
**Meeting Minutes**  
**Virtual Meeting**  
**June 17, 2020 and June 24, 2020**

Due to the COVID-19 Pandemic, the City of Lebanon Planning Commission conducted a virtual meeting. The public hearings were held in two phases to allow the public to provide comment in between the meetings. The minutes prepared reflect both hearing dates to provide a compiled record of the public hearing process.

**Members Present (June 17, 2020):** Chairman Jeremy Salvage, Vice-Chair Don Robertson and Commissioners David McClain, Todd Prenoveau, Joshua Galka, Josh Port, and alternate Commissioner Samuel Brackeen.

**Members Present (June 24, 2020):** Chairman Jeremy Salvage, Vice-Chair Don Robertson and Commissioners Todd Prenoveau, Joshua Galka, Josh Port, and alternate Commissioner Samuel Brackeen.

**Staff Present (Both):** Community Development Director Kelly Hart; City Engineer Ron Whitlatch and Tre' Kennedy, City Attorney.

**June 17, 2020**

**1. CALL TO ORDER**

Chairman Salvage called the meeting of the Lebanon Planning Commission to order at 6:00 pm via the Zoom Meeting virtual platform. The meeting was also live streamed on YouTube for the public to view live.

**2. ROLL CALL**

Roll call was taken. All Planning Commission members were present.

**3. APPROVAL OF MEETING MINUTES**

None.

**4. CITIZEN COMMENTS - None**

**5. PUBLIC HEARINGS**

Prior to the initiation of the public hearings, Chairman Salvage presented the modified hearing procedures in response to the pandemic and identified all the expanded opportunities available for the public to review the proposed applications and provide

written and verbal comment.

**A. Planning File AR-20-05 – Administrative Review Request for Farmworker Housing Development Corporation**

Chairman Salvage opened the hearing for Planning File No. AR-20-05 and asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. Vice-Chair Robertson indicated he had communication with a resident, who called to discuss concerns on the project. Vice-Chair Robertson provided information about the communication and indicated at the conclusion that he did not feel the communication created a bias for his review of the application. No other Commissioners identified ex-parte communication, bias, or conflict of interest.

Upon conclusion of discussion of ex-parte communication, Chairman Salvage requested Director Hart to present staff's report.

Director Hart presented staff's report for the proposed application. The subject parcel is 1.39 acres and located at the western end of Weldwood Drive. The property is zoned Mixed-Use (Z-MU). Surrounding the property are various types of residential uses including a mobile home park, condominium complex and single-family homes, located in the County. To the north and east of the site are commercial uses within the Walmart shopping center, as well as more residential uses.

In terms of the development proposal, the Applicant is proposing to develop a 24-unit apartment complex. As indicated on the site plan, there would be one 3-story apartment building, with a large open space area to the west of the building. The building would generally be oriented to the north of the property, approximately 220 feet to the nearest property line to the residences to the south. The open space would be located to the west of the building, and the parking lot on the southern portion of the property. On the east side of the property is the required fire turn-around area and additional open space for gardening plots.

For setbacks, per the mixed-use code, the residential mixed-density standards are utilized. Minimum setbacks include 10-foot front, 20-foot rear, and 5-foot side setbacks. The development proposal conforms with all these standards, observing an 18-foot front setback, 39-foot side setback to the eastern property line, a 78-foot rear setback to the southern property line, and a 125-foot setback to the future property line to the west.

For density, per the development code, to build the proposed 24-units, consisting of 8 one-bedroom units, and 16 two-bedroom units, a total land area of 1.02 acres is required. As the site is 1.39 acres, the project meets the density thresholds.

For open space, 25% of the project development area must be designated for open space/landscaping. Of this open space area, at least 50% shall be usable open space, and at least 25% of this usable open space shall be in one area. As proposed, the applicant is providing over 29.5% of the site as landscaping, over 58% of the landscaping would be designated for usable open space. Over 25% of the usable open space is in the western portion of the development area.

For Parking, the development code requires 2.25 vehicle parking spaces per unit, and 0.5 bicycle parking spaces per unit. In addition, the code identifies an earned parking

reduction of up to 15% when additional covered and uncovered bicycle parking is provided. With the earned reduction, the minimum required vehicle parking would be 46 spaces, and the minimum required bicycle parking would be 44 spaces, 20 covered, and 24 uncovered. The development has proposed to meet the minimum vehicle parking with 46 open parking spaces along the internal drive aisle. Bicycle racks would also be provided throughout the site to meet the 24 uncovered bicycle parking requirements, and a total of 30 covered bicycle parking spaces would be provided. For clarification purposes, the application originally included a request by the applicant for a Class II Variance for a parking reduction and was included in the public notification. After notice, staff worked with the applicant to provide sufficient parking on-site to no longer require the variance application. With the earned parking reduction, the project as presented tonight, meets the parking requirement, and is no longer subject to a variance.

For access and circulation, the site would be accessed from a single driveway on the new segment of Weldwood Drive. Currently Weldwood dead ends at the property line. The application would include an extension of Weldwood through the property. However, it is not proposed for the street to connect to the other Private Weldwood Drive to the north west of the site, which means it would not connect to Main Street or any other streets to the west of the site.

Regarding traffic considerations, the development code sets thresholds for when a development would require a traffic impact analysis as part of consideration of the planning review. These criteria include triggering over 300 average daily trips per day, if the project is located near a major intersection on the highway and there are safety concerns, whether there is a change in zoning proposed or if the driveways proposed do not meet the vision clearance requirements. Based on these thresholds, this project does not trigger a TIA for consideration as part of the planning process.

However, it is understood that this proposal is considered phase one of a larger development proposal, which would be presented to the Planning Commission at a future date. As such, although not required, or conditioned for this current phase, a traffic impact analysis has been ordered for the overall development. Any identified improvements required per the TIA, would be incorporated as a condition of development as part of any future phase.

The results of the TIA that has been ordered have not been finalized, but preliminary information provided indicates that the current phase would not trigger any required improvements to the existing transportation system.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

Chairman Salvage asked to clarify the parking requirement and that there is no reduction of parking proposed beyond the earned reduction. Director Hart affirmed the project conforms to the code and does not require a variance.

Commissioner Brackeen requested clarification on the one access point for the project. Director Hart clarified that the access meets code, and that the Fire District has reviewed the project and there is no need for additional access.

Seeing no further questions of staff, Chairman Salvage opened the hearing for the applicant to speak.

Claudia Cantu from Farmworker Housing Development Corporation indicated they would be willing to answer any questions of the Commission.

Chairman Salvage asked regarding the location of the future development.

Mark Rossi from Pinnacle Architecture with assistance of Director Hart clarified the location of future phases.

Claudia Cantu and the executive director of FHDC shared information about the organization, where they have existing developments, why they chose the site development, the management of the property after development, and resident services that would be provided. They also discussed the community partners that they have already worked with to become active in the Lebanon community.

Vice-Chair Robertson requested the applicant to speak on whether they have done or plan to do public outreach to the surrounding neighborhood.

The Applicants responded that due to the health pandemic, they have not had the opportunity to conduct outreach, but as part of every project, they conduct public outreach to be able to integrate into the neighborhood.

Commissioner Prenoveau has asked whether a digital platform such as a website has been put together for this project to provide information to the public.

The Applicant indicate not at this point, but that the community has reached out with phone calls, and the developers have had a level of contact with the residents.

Commissioner Brackeen requested information about the local service providers, and whether the Applicant is working with other local providers.

The Applicant responded with a list of all the service providers in the area that they have partnered with, including the Linn Benton Housing Authority, Boys and Girls Club, the School District, and more.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Commissioner McClain seconded the motion.

***The motion passed 7-0.***

## **B. Planning File AR-20-02 – Administrative Review for Prism Manor, LLC**

Chairman Salvage opened the hearing for Planning File No. AR-20-02 and asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. The subject parcel is 2.08 acres and zoned Residential Mixed-Density (Z-RM). Surrounding the property to the north and east are single-family residential homes located in the county unincorporated area. To the south is a vacant parcel in the RM zone. To the west are railroad tracks, and further west is a vacant property in city limits zoned RM.

In terms of the development proposal, the Applicant is proposing to develop a 48-unit apartment complex. As indicated on the site plan, there would be a total of three 3-story apartment buildings, two small storage unit buildings, and an office.

For setbacks, the minimum observed setbacks include a 15-foot front setback, 10-foot streetside setback, 5-foot side setbacks, and a 20-foot rear setback. As indicated on the site plan, the front setback (on Franklin Street) would be 15-feet. The street side setback (on Russell Drive) would be 10-feet, the side setback (northern property line) would be 5 feet, and the rear setback (western property line) would be a minimum of 20-feet.

For density, to provide a project with 24 one-bedroom units, and 24 two-bedroom units, the site would need to be 1.95 acres. The development site is 2.08 acres; therefore, the project is within the maximum density.

For open space, the code requires 25% of the project development area to be designated for open space/landscaping. Of this open space area, at least 50% shall be usable open space, and at least 25% of this usable open space shall be in one area. In addition, a 500 square foot children's play area shall be provided. As proposed, the applicant is providing 31.7% of the site as landscaping, 59% of the landscaping would be designated for usable open space. Over 25% of the usable open space is in the northwest portion of the site to the west of the northern building block, including the children's play area.

For parking, the code requires 2.25 vehicle parking spaces per unit, and 0.5 bicycle parking spaces per unit. This would require 108 vehicle parking spaces, and 24 bicycle parking spaces. The development has proposed to meet the minimum vehicle parking with 108 open parking spaces along the internal drive aisle. Bicycle racks would also be provided throughout the site to meet the bicycle parking requirements.

Finally, regarding traffic and circulation, the site would be accessed from two driveways on Franklin Street to provide internal circulation to the parking, and appropriate fire access. With regards to the proposed site driveway placement on Franklin Street, the driveway locations shown on the site plan satisfy the City's access spacing requirements for a Collector roadway. City staff does note the proposed southernmost driveway location is relatively close to the Russell Drive/Franklin Street intersection. There is anticipated future traffic growth along Franklin Street that may impact the southernmost driveway as a function of queuing and/or operations, as such, the City retains authority to impose future turn movement limitations at driveways and intersections to address demonstrated operational and safety issues if they should arise in the future.

Regarding traffic considerations, the development code sets thresholds for when a development would require a traffic impact analysis as part of consideration of the planning review. These criteria include triggering over 300 average daily trips per day, if the project is located near a major intersection on the highway and there are safety concerns, whether there is a change in zoning proposed or if the driveways proposed do not meet the vision clearance requirements. Based on these thresholds, this project does not trigger a TIA for

consideration as part of the planning process.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

Commissioner Port requested clarification on the second driveway and the City's right to restrict traffic. Director Hart indicated that the City in the future, based on any safety concerns can restrict the ingress/egress movement of that driveway, with no conditioning or action of the Planning Commission.

Seeing no further questions of staff, the Chair opened the hearing for the applicant to speak.

Matt Johnson representing the Applicant spoke on the project, indicated he was available for questions, but did not have anything to add from the staff report.

Commissioner Brackeen asked whether it would be appropriate to restrict the southern driveway at the initiation of the project, rather than later.

Mr. Johnson indicated the purpose for future restriction was when a potential right-turn lane was added to Franklin Street, which would then warrant the restriction, but it is not intended or needed to be restricted at this time.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Commissioner Prenoveau seconded the motion.

***The motion passed 7-0.***

**C. Planning File A-20-03 – Annexation application for Travis Wagar**

Chairman Salvage opened the hearing for Planning File No. A-20-03 and asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. Under consideration is the proposed annexation of the property, 820 W Oak Street located on the south side of Oak Street, between 9<sup>th</sup> and 10<sup>th</sup> Streets. The subject property is 0.21 acres in size, with approximately 60 feet of street frontage along Oak Street. Properties to the north and east, including the public right-of-way is located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation.

The property is located in a developed residential neighborhood. To the north and east are residential properties within the City limits with a zoning designation of Residential Mixed-Density (Z-RM). To the south and west are residential properties in the county unincorporated area, within the City's Urban Growth Boundary (UGB) with a Comprehensive Plan designation of Residential Mixed-Density (C-RM).

The subject site is improved with an existing single-family residence. City water, sewer, and storm drainage is available along the property frontage in Oak Street. There is no development proposed with the application. The Applicant is proposing to annex the subject property in order to connect to the City sewer system. At the March 11, 2020 City Council meeting, the City Council approved an emergency connection to the City sewer system, with the requirement that the property be annexed into the City.

Based on its location, and ability to be or already urbanized, the site is eligible for annexation.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission, and welcomed the Applicant to speak.

Commissioner Prenoveau asked whether they need to continue the hearing or if they can just vote. Director Hart indicated that based on the public notice, it must be continued.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Vice-Chair Robertson seconded the motion.

***The motion passed 7-0.***

**D. Planning File A-20-02 – Annexation application of various street segments**

Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. Under consideration is the proposed annexation of various street segments within the UGB into the City, including portions of: Airport Road near Airway; Airport Road near Cypress Court; 12th Street at F Street; Cascade Drive near Crowfoot Road; Russell Drive near Franklin Street; and portions of Wassom Street. As annexations have occurred throughout the City, some applications included annexation of the public right-of-way along the length of the property segment, while others have not. This has resulted in a patchwork of city and county jurisdiction throughout the street network.

The purpose and intent behind the proposed annexations are to organize the jurisdictional boundaries of the City. This will assist in the enforcement action for the police and sheriff's departments and allow our local police department to better enforce parking restrictions throughout the City. As streets are not assigned a zoning designation, the only action under consideration is the land annexation. There is no assignment of initial zoning associated with this procedure.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

There were no Commissioner questions, and the City as the applicant did not wish to speak.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Commissioner Brackeen seconded the motion.

***The motion passed 7-0.***

**6. WORK SESSION - None**

**7. COMMISSION BUSINESS & COMMENTS**

Director Hart indicated there are potentially four applications planned for the July meeting, and indicated that if the County continues to be in Phase II and the health pandemic status does not change, it is intended to resume in person meetings in July.

**8. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 6:55pm

*(Minutes continued on next page)*

**JUNE 24, 2020**

**1. CALL TO ORDER**

Vice Chair Robertson called the meeting of the Lebanon Planning Commission to order at 6:00 pm via the Zoom Meeting virtual platform. The meeting was also live streamed on YouTube for the public to view live.

**2. ROLL CALL**

Roll call was taken. All Commissioners were present. Chairman Salvage was on-call with his employment, preventing him from running the meeting, but was available for the entirety of the meeting and able to vote on all hearings.

**3. CITIZEN COMMENTS - None**

**4. PUBLIC HEARINGS**

Prior to the initiation of the public hearings, Vice Chair Robertson presented the modified hearing procedures in response to the pandemic and identified the procedures that occurred at the June 17, 2020 Planning Commission meeting, the public comment procedures, and the hearing process for the current meeting.

**A. Planning File AR-20-05 – Administrative Review for Farmworker Housing Development Corporation**

Vice-Chair Robertson introduced the continued hearing for Planning File No. AR-20-05 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project, and the summaries of the public comments received.

Eric & Denette Harrison Letter:

The first letter was submitted prior to the initial meeting on June 17th by the Harrisons. The letter identified concerns regarding the access and safety on Weldwood Drive and the intersecting streets and indicates that adding housing and increased number of vehicles to the area with Weldwood being the only access point will create safety issues.

In addition, it is indicated that a single point of access is insufficient for the development, but it is stated that access should not be granted off of Lebanite Drive or Oak Lane, and requests there be a barrier such as a fence installed to reduce pedestrian cross traffic.

The letter includes concern over parking and requests the Planning Commission not support the variance. Again, this letter was submitted prior to the plan modification and elimination of the variance application.

Finally, the letter indicates concern about cross traffic with opening Weldwood into Main Street area. Again, as clarified in the meeting last week, there is no proposed through traffic. Weldwood would dead end in the property.

#### Oak Loop, Wagon Wheel and Lebanite Drive Neighborhood Letter:

This next letter was signed on to by 11 different households in the neighborhood to the south of the development area.

The first item of concern is the increased traffic the development would cause and impacts to the pedestrian and bicycle safety on Lebanite Drive and Wagon Wheel area, and specifically requests the TIA investigate specific impacts to the area. In addition, they are requesting additional mitigation, such as adding speed bumps, and speed limit signs on wagon wheel, adding sidewalks, and a signal at Weldwood Drive and Cascade.

There is concern over the increased population with a high-density project next to a single-family neighborhood, and a three-story building is too tall for the neighborhood, requesting the developer construct a two-story structure, or more preferably, a commercial development that would provide a benefit to the community at large.

The letter further requests that the planning commission not allow the earned parking reduction but maintain the full parking requirement.

Concern over the increase to demands on the school system are also noted.

There is also reference to wetlands to the south of the property as well as the residential properties to the south being on well systems. The stated concern is that if the development is built, it would remove significant groundwater intrusion and impact the wells and wetlands.

If the development were approved, the residents are requesting a 10-20 foot wall and perimeter of trees be installed between the development and the neighborhood to the south to mitigate noise and pedestrian traffic.

Finally, they are requesting communication with the developer about the full scope of the development proposal, to discuss the full impact to the community beyond the first phase currently under consideration.

A community survey that was conducted in September 2019 was also included for the commission to understand the opinions of the neighborhood regarding overall development in the area.

#### Rachel Stutzman Letter:

Mrs. Stutzman indicated she understands the need to develop affordable housing, but she is concerned over the chosen location, and suggests an alternative site location would be more appropriate. In addition, she stated concerns over the schools becoming overcrowded. Finally, she requested if the property were developed, to include a fence along the property line to stop pedestrian cross traffic.

#### Alicia Van Driel Letter:

Mrs. Van Driel's letter indicates concern over traffic, especially if it was connected to South Main Street. Again, the Weldwood Drive street extension would not connect to Main Street. There is also stated concerns of traffic on Weldwood near Hwy 20, and an additional traffic signal would be needed to address traffic concerns.

There is also a request for a community liaison to be assigned to address resident concerns.

There is a request for a berm or wall to be constructed to address noise and the pedestrian foot traffic that crosses through the property from the Walmart shopping center.

Mrs. Van Driel also requested clarification on if there would be any impact on the taxes associated with the increased development.

And finally, identified concerns regarding flooding in the area due to lack of drainage, and how the project would impact this issue.

Valerie Figueroa Letter:

Mrs. Figueroa's letter identified concerns over decrease in property values associated with a high-density development next to a single-family neighborhood. In addition, she indicates there will be a decrease to the quality of life in the neighborhood due to the removal of trees, which will be great a loss of privacy with the tall structure and windows facing the properties to the south. There would also be an increase in traffic, and spilled lighting and noise that would be of concern. Mrs. Figueroa agrees there is a need for housing, but is strongly opposed to this proposal and location.

Steve Post Letter:

Mr. Post discusses pedestrian cross traffic impacts in the neighborhood, and requests this issue be addressed by providing a 6-foot tall sight obscuring fence along the southern and eastern property lines.

Douglas Sutton Letter:

Mr. Sutton's letter indicates opposition to the project. As an individual in the construction industry, he is concerned regarding the long-term maintenance of the property. In addition, he would like to ensure there is a barrier along the perimeter of the property and is concerned over the amount of parking provided on the site, and he would like to ensure there is appropriate on-site maintenance and management associated with the development.

Ron & Ryon Edwards Letter:

This letter submitted identifies some areas within the staff report that are stated as incorrect, so clarification is provided by staff throughout the summary.

First item identified is the staff report incorrectly identifies the property size. For clarification, the development site is 1.53 acres, and the setback and density standards were applied using the smaller acreage area. The overall property is currently over 9 acres in size, but the city is in the process of reviewing the application for the minor land partition to separate out the 1.53 acres from the overall site. This differentiation does not

have any impact on the development review as the smaller property size is more restrictive and the project would meet the development standards whether the property were partitioned or not.

Next, the letter indicates the surrounding uses was incorrectly identified, indicating that to the south, the property is not vacant, but contains a single-family home. This is accurate, the report does misstate that the site is vacant, when in fact there is a single-family residence on the site.

The letter further states that they believe the development is considered high density and should therefore be processed using high density development standards rather than mixed-density, and that the high-density designation would impact development standards, and SDC charges.

For clarification, as identified in the staff report, under the Mixed-Use zoning designation, if the project is residential in nature, the code indicates that the mixed-density residential standards be applied. Further, the mixed-density and high-density residential development standards are identical in terms of setbacks, parking, open space, and height limitations; therefore, even with the application of the high density standards, the development proposal would still comply. Finally, the zoning designation modification would not impact the SDCs as they are not calculated based on zoning designation, but type of construction and trips per day.

The letter indicates that the project and city has not complied with the NPDES permit requirements for the construction phase, or the 1200C permit to address stormwater, wetlands and soils. For clarification, this application is in the initial review stages, and not the construction phase. If the planning commission were to approve the development proposal, the applicant would be responsible for obtaining a 1200C permit to address stormwater mitigation, wetlands and soils.

The letter continues indicating that the City did not provide calculations with the plans to demonstrate there is sufficient utility capacity for water, sewer, and stormwater. In response, the City through the review phase determined the project was compliant with the zoning classification and compliant with all aspects of the development code. As such, since there is no modifications or variances, the development buildout is anticipated in the City's facility plans, and there is no further calculations required for the city's utilities.

Next, the letter identifies that the project is near historical sites, specifically the wagon trail road, and an archaeological study should be completed and incorporated in the analysis for the project. In response, an archaeological review is not required to be completed as part of the land use consideration but is required prior to construction. However, the applicant has already conducted the archaeological review.

Next item, the letter indicates the project materials were not accessible till June 17th at which time the city provided the staff report and developer information. Again, for clarification, the public notice for the application was issued on May 28th, 20 days prior to the hearing with instructions of how to review the application materials. The agenda reports and plans were then posted to the City's website on June 9th, 8 days prior to the hearing.

The letter indicates that the project is incompatible with standing agreements, and

references the City and County Urban Growth Management Agreement, indicating that per the agreement, the City is responsible to coordinate with the County on the project, and since the City did not coordinate with the County, that the project should be delayed until such time as the coordination occurs. This is a misinterpretation of the Urban Growth Agreement. The Agreement is for the development of County land within the Urban Growth Boundary. So, if there were a development application within the County, but in the UGB, per this agreement, the County would be responsible to coordinate with the City on the development. However, this agreement does not require the city to coordinate with the county when developing in city limits. All that being said, as part of the public notice distribution, the City does notify the county of the scheduled public hearing and the proposal.

Finally, the letter refers to impact to schools, and the City must provide notice to the Lebanon School District when a major development is proposed that may impact the school district. Again, the City did notify the School District through the required notification process of the pending hearing, and they were provided the opportunity to comment, therefore this provision has been met.

Don Frier Letter:

Next is a letter from Don Frier. His letter indicated support of the project and indicated there was a significant need for affordable housing in the city.

Woodburn Letter:

The final comment letter received was from the city of Woodburn. This letter provided background on the 30 years' experience the City of Woodburn has with a development managed by the Applicant.

The letter identifies the resources and support provided by FHDC to the residents, creating a sense of community.

In addition, the City indicated their residents identified similar concerns as those indicated by the Lebanon residents, but to date, none of those concerns materialized.

Director Hart concluded the summaries of the public comments and stated after the close of the public comment period, we did receive a phone call from a resident requesting the Commission provided a one-week extension of the public review and comment period for further review.

City Attorney Kennedy discussed the legal statutory requirements per the ORS, Governor's modified order in regards to public hearings during the pandemic, and the City's municipal code, and recommended the Planning Commission to leave the record open for a period of seven days for the public to provide further testimony, then provide seven days for the applicant to respond and rebut the comments, but left the decision to the Planning Commission on how to proceed.

Vice-Chair Robertson indicated understanding and invited the Applicant to rebut the testimony provided by the members of the public.

The Applicant indicated in response to the request for a barrier, it is already in the plan to

provide a 6-foot sight-obscuring fence. The type of material for the fence has not been finalized, but it would be sight-obscuring. In addition, there would be a significant number of trees planted along the southern and eastern property lines.

For the drainage concerns, the Applicant indicated that the property has been designed to above the standards of the City. In terms of wetlands, a wetland delineation study has already been completed and the current development proposal is not near the delineated wetlands. It was also added that for the funding of the project, a number of studies have already been conducted for the site, including a Phase I and II, archaeological study, traffic study, Geotech, and Alta study.

The Applicant further discussed the maintenance plan for the property, indicated there will be an on-site live-in manager, and will be hiring a local landscape company for property maintenance. The applicant concluded and was available for any questions.

Vice-Chair Robertson opened the discussion for commissioner questions.

Commissioner McClain asked about the type of materials for the fence. The Applicant indicated it has not yet been determined but could include a chain link or wood fence.

Commissioner McClain indicated a chain link fence with slats would be sturdier, and further stated he would not support a 10-20-foot fence as requested in the public comment section.

Vice-Chair Robertson asked about why only phase one is being proposed rather than the project in its entirety. The Applicant responded that the funding source that was applied for was limited to the size of project. The Applicant is waiting for approval of the second phase of funding, at which point, the second phase would be requested.

Commissioner Brackeen asked about the request for the Community Liaison between the complex and the surrounding neighborhood. The Applicant indicated that there will be two resident coordinators available on-site to build community relations and address any issues that may arise.

Seeing no further questions, Vice-Chair Robertson asked the Commissioners whether they had a preference to honor the request for the continuance.

Communication and clarification on procedures was provided by City Attorney Kennedy and Director Hart.

Commissioners indicated a support to err on the side of caution and accept the request for further time to submit more comments.

Due to the request for continuation by a member of the public, the public record was left open until 5:00pm on Thursday, July 2, 2020. The applicant will then have an additional seven days, until Thursday, July 9, 2020 at 5:00pm, to respond and rebut any of the additional comments received. The Planning Commission will reconvene the meeting on July 15, 2020 at 6:00pm to consider the additional testimony and may make a decision at that time.

## **B. Planning File AR-20-02 – Administrative Review for Prism Manor, LLC**

Vice-Chair Robertson introduced the continued hearing for Planning File No. AR-20-02 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project and then provided a summary of the public comment.

The one public comment received was from the County, which discussed the site dedication requirements, which have already been incorporated in the plan, street improvements, and on-site storm drainage design.

The proposed conditions of development include requirements to meet all of Linn County Road Authority's requirements, which addresses all the comments provided.

At the conclusion of summarizing the public testimony, Vice-Chair Robertson recognized the Applicant to respond to the comments.

The Applicant indicated that they did not have anything to add, and indicated that they are already working with the County on permitting, then concluded and was available for questions.

Vice-Chair Robertson asked if there were any questions.

Seeing no further communication, the public hearing was closed.

Vice-Chair Robertson made a statement of clarification that a half-street improvement will be required on Franklin Street. Director Hart concurred, that half-street improvements will be required.

Commissioner Prenoveau asked for clarification that the street would be widened along the property line. Director Hart indicated the street would be widened to develop a designated right-turn lane along the property.

Seeing no additional questions or comments, Vice-Chair Robertson asked if the commission agreed that the decision criteria can be met for both the development and the variance.

The commissioners all answered in the affirmative.

Vice-Chair Robertson asked for a motion.

Commissioner Brackeen moved to approve the application based on the written findings and conditions.

Commissioner Prenoveau seconded the motion.

***The motion passed 7-0.***

### **C. Planning File A-20-03 – Annexation consideration for Travis Wagar**

Vice-Chair Robertson introduced the continued hearing for Planning File No. A-20-03 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project, and identified there was no public comment received.

Vice-Chair Robertson recognized the Applicant to respond to the comments. The applicant was not in attendance.

Vice-Chair Robertson asked if there were any questions.

Seeing no further communication, the public hearing was closed.

Vice-Chair Robertson asked the commissioners whether they thought the decision criteria could be met and asked for a motion.

Commissioner Brackeen moved to recommend approval of the annexation based on the written findings and conditions.

Commissioner McClain seconded.

***Motion passed 7-0.***

### **D. Planning File A-20-02 – Annexation of various street segments**

Vice-Chair Robertson introduced the continued hearing for Planning File No. A-20-02 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project and provided clarification that the annexation of the street segments does not impact private property, does not result in private properties having to annex, does not change zoning, or impact any private property rights and development opportunities.

At the conclusion of summarizing the public testimony, Vice-Chair Robertson asked if there were any questions.

Chairman Salvage indicated that the clarification that there was no impact to private property was important.

Seeing no further communication, the public hearing was closed.

Vice-Chair Robertson asked the commissioners whether they thought the decision criteria

could be met and asked for a motion.

Commissioner Prenoveau moved to recommend approval of the annexation based on the written findings and conditions.

Chairman Salvage seconded.

***Motion passed 7-0.***

**5. WORK SESSION - None**

**6. COMMISSION BUSINESS & COMMENTS**

Director Hart indicated the next Planning Commission meeting will be held in person, and there will be a total of four applications under review.

**7. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 6:54pm.

*[Meeting minutes prepared by Kelly Hart, Community Development Director]*