



**City of Sutherlin  
Planning Commission Meeting  
Tuesday, May 24, 2022  
7:00 p.m. – Sutherlin Civic Auditorium  
Agenda**

**Pledge of Allegiance**

**Introduction of Media**

**Approval of Minutes**

March 15, 2022 – Regular Meeting

**Quasi-Judicial Hearing(s)**

- 1. CENTRAL AVENUE INVESTMENTS, LLC** – request for a Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (CC) Community Commercial to (R-3) Multifamily Residential on a 0.52 acre property located on the north side of E Everett Avenue on the corner with Waite Street, inside the City of Sutherlin. The subject property is described as Tax Lot 500 in Section 16CC, T25S, R5W, W.M., and Property I.D. No. R42547. **PLANNING DEPARTMENT FILE NO. 22-S007.**

**Monthly Activity Report**

**Public Comment**

**Commission Comments**

**Adjournment**

**CITY OF SUTHERLIN  
PLANNING COMMISSION MEETING  
CIVIC AUDITORIUM – 7:00 PM  
TUESDAY, MARCH 15, 2022**

**COMMISSION MEMBERS PRESENT:** Norman Davidson, Richard Price, Lisa Woods, Tom Maloney and Alan Woods

**COMMISSION MEMBERS EXCUSED:** None

**COMMISSION MEMBERS ABSENT:** Adam Sarnoski

**CITY STAFF:** Jamie Chartier, City Planner and Brian Elliott, Community Development Director

**AUDIENCE:** None

Meeting called to order at 7:00 pm by Chair L. Woods

**FLAG SALUTE**

**ELECTION OF VICE CHAIR**

Richard Price had submitted a letter of resignation to the Planning Commission to City Staff, stating he will be moving out of state. With his departure that left a vacancy with the vice chair seat.

A motion made by Commissioner Davidson to nominate Commission Maloney as vice chair; second by Commissioner Price.

In favor: Commissioners Davidson, A. Woods, Price, Maloney and Chair L. Woods

Opposed: None

Excused: None

Motion carried unanimously

**APPROVAL OF MINUTES**

A motion made by Commissioner Price to approve the minutes of the January 18, 2022 Planning Commission meeting; second made by Commissioner Davidson.

In favor: Commissioners Davidson, A. Woods, Price, Maloney and Chair L. Woods

Opposed: None

Excused: None

Motion carried unanimously

**AWARD RECOGNITION**

Commissioner Price recently submitted his resignation to the Planning Commission. City staff presented Commissioner Price with a certificate and plaque for his years of dedication and knowledge on the Planning Commission and wished him well on his move to North Carolina.

**MONTHLY ACTIVITY REPORT** – Chair L. Woods asked City Staff asked the status Urban Renewal parking lot project and also Central Park’s proposed stage and cover. Mrs. Chartier explained that the city parking lot acquisition was complete and improvement would be the next step, that it was already approved by the Urban Renewal Task Force and Urban Renewal Agency. The Urban Renewal Agency was asked (March 14, 2022) to purchase the adjacent 0.11 acre vacant lot for downtown parking. Mr. Elliott explained the proposed Multi-Use Stage (and cover) that went out for bids March 14, 2022. The stage with cover will be available for summer concerts, Blackberry Festival, lighted Christmas Tree’s and anticipating it available to rent. Construction is planned to be completed mid-July 2022.

Commissioner A. Woods asked what was currently going on at the dog park. Mr. Elliott stated a new fence was installed for an additional area to be utilized by the dog park and additional concrete will soon be added as weather permits to the existing facility.

**PUBLIC COMMENT** – None

**COMMISSION COMMENTS** – None

**ADJOURNMENT** - With no further business the meeting was adjourned at 7:20 pm.

Respectfully submitted,

\_\_\_\_\_  
Jamie Chartier, City Planner

**APPROVED BY COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
Lisa Woods, Commission Chair



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# City of Sutherlin

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May 17, 2022

## **STAFF REPORT**

TO: Sutherlin Planning Commission

FROM: Jamie Chartier, City Planner

RE: **CENTRAL AVENUE INVESTMENTS, LLC**, request for a Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (CC) Community Commercial to (R-3) Multifamily Residential on a 0.52 acre property located on the north side of E. Everett Avenue on the corner with Waite Street, inside the City of Sutherlin. The subject property is described as Tax Lot 500 in Section 16CC, T25S, R5W, W.M., and Property I.D. No. R42547. **PLANNING DEPARTMENT FILE NO. 22-S007.**

## **STAFF EXHIBITS**

1. Notice of Public Hearing
2. DLCDD Notice of Proposed Amendment with email of submittal
3. Copy of legal notice posted in the *News Review*
4. Property Owners within 100 Feet
5. Staff Report with Responses Attached and labels of mailing
6. Comprehensive Plan & Zone Change applications and attachments
7. Vicinity Map
8. Assessor Map
9. Comprehensive Plan Map
10. Zoning Map
11. Aerial Map

## **INTRODUCTION**

The applicant, Central Avenue Investments, LLC, is requesting a Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (C-3) Community Commercial to (R-3) Multifamily Residential on a 0.52 acre property.

This staff report concerns a proposed Plan Amendment and Zone Change. Current law requires Planning Commission and City Council approval of any amendment to the Sutherlin Comprehensive Plan and Zoning Maps. The property owners request a Plan Amendment and Zone Change from a Community Commercial (CC) plan designation to a High-Density (RA) plan designation together with a change of current zoning from Community Commercial (C-3) to (R-3) Multifamily Residential on a parcel containing 0.52 acres to allow for future development of a multifamily dwelling development (6 unit complex). The subject property proposed for amendment is located on the east corner of Waite Street and E. Everett Avenue in an area of mixed residential and commercially zoned properties. The subject property is described as Tax Lot 500 of Section 16CC, T25S, R05W, W.M.; Property ID No. R42547. The subject property is owned by the applicant who is making this request.

During the public hearing on May 24, 2022, the Planning Commission will accept public testimony and make a recommendation to City Council on the application after the public hearing. As part of the hearing, the Planning Commission will review the applicant's request for compliance with the Statewide Planning Goals and the general goals and policies of the Sutherlin Comprehensive Plan and the applicable criteria of the Sutherlin Development Code (SDC) and adopt Findings of Fact.

After the public hearing, the Planning Commission must make a written recommendation and forward it to the City Council in the form of a Findings of Fact and Decision document, which justifies its decision and recommendation. The Council will consider the Commission's recommendation, hold a public hearing, and make a decision to grant, amend or deny the request.

## **PROCEDURAL FINDINGS OF FACT**

1. The Comprehensive Plan Map Amendment and Zone Map Change applications were filed with the City on March 30, 2022, and were deemed complete on April 19, 2022.
2. DLCD Notice of Proposed Amendment was electronically submitted to the Department of Land Conservation and Development on April 19, 2022, which was at least 35 days prior to the first evidentiary public hearing on May 24, 2022.
3. Pursuant to Sections 4.2.140.C and 4.2.150.D, notice of the public hearing was given by publication in the News Review on May 10, 2022, which was at least fourteen (14) days prior to the date of the public hearing.
4. Notice of a Public Hearing on an application for the Comprehensive Plan Map Amendment and Zone Map Change before the Planning Commission was given in accordance with Sections 4.2.140.C and 4.2.150.D. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on April 20, 2022.
  - a. Sarah Bermudez, Fair Housing Council of Oregon submitted an email stating that they would like to receive a copy of the staff report when its available.

- b. At the time of the mailing of this staff report, no other written comments or remonstrances have been received.
5. Present Situation: The subject property is currently undeveloped.
6. Plan Designation: Community Commercial. The applicant is requesting a plan map amendment to the High Density plan designation.
7. Zone Designation: Community Commercial (C-3). The applicant is requesting a zone map amendment to the Multifamily Residential (R-3) zoning designation.
8. Public Water: The subject property has access to public water from the City of Sutherlin within the right-of-way of E. Everett Avenue.
9. Sanitary Sewer: The subject property has access to sanitary sewer from the City of Sutherlin within the right-of-way of E. Central Avenue.
10. Transportation System: E. Everett Avenue where it fronts the subject property is designated a local street under the City's Transportation System Plan (TSP).
11. Overlay: The subject property does not have any identified overlays.

**Finding:** The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested Comprehensive Plan Map Amendment and Zone Map Change.

### **APPLICABLE CRITERIA & FINDINGS**

Pursuant to Section 4.11.110.C of the Sutherlin Development Code, the proposed amendment to the land use plan's text or map must be (1) consistent to the applicable statewide planning goals as adopted by the Land Conservation and Development Commission (LCDC), and (2) consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.

Based upon the application materials and information submitted by the applicant and other evidence provided, staff presents the following findings to address the applicable criteria:

### **CONSISTENCY WITH THE STATEWIDE PLANNING GOALS**

1. **Goal 1- Citizen Involvement:** To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

**Finding:** Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. Since acknowledgement of the City's Comprehensive Plan, the Sutherlin Planning Commission has been responsible for ensuring continued citizen involvement in planning matters and land use decisions. On April 20, 2022, City staff mailed copies of a Notice of Public Hearing to all owners of property within 100 feet of the subject property. The same notice was published in the News-Review, a local newspaper of general circulation, on May 10, 2022. Written evidence relied on by the land use decision-making bodies (i.e. the applications and supporting material) was available for public review at Sutherlin City Hall seven

days prior to the first public hearing. Sutherlin has fulfilled its citizen involvement process through early direct notification of nearby property owners, publication of a public hearing notice and contact information in the newspaper, and by facilitating informed public participation during the public hearing itself.

2. **Goal 2- Land Use Planning:** To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

**Finding:** Sutherlin's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan and implementing ordinances provide the local criteria by which Applicant's request was judged. The subject property is within the Sutherlin City Limits Boundary, no exception to statewide planning goals is necessary.

3. **Goal 3- Agricultural Lands:** To preserve and maintain agricultural lands.
4. **Goal 4- Forest Lands:** To conserve forest lands for forest by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land....

**Finding:** The subject property proposed for amendment is currently designated CC by the City of Sutherlin Comprehensive Plan and is zoned C-3. The subject property is not agricultural or forest land as defined by Statewide Goals 3 and 4. The property is situated within the urban area and has been designated for urban use by the Sutherlin Comprehensive Plan. The proposed amendment does not involve the conversion of designated farm or forest land to urban use. Statewide Goals Nos. 3 and 4 are not applicable to this requested amendment.

5. **Goal 5- Open Spaces, Scenic and Historic Area, and Natural Resources:** To conserve open space and protect natural and scenic resources.

**Finding:** Statewide Planning Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 requires local governments to inventory natural resources such as wetlands, riparian corridors, and wildlife habitat. In addition, Goal 5 encourages local governments to maintain current inventories of open spaces, scenic views and sites, and historic resources. Significant sites must be identified and protected according to Goal 5 rules contained in the Oregon Administrative Rules, Chapter 660, Division 23.

Goal 5 resources within Douglas County and the City of Sutherlin have previously been inventoried and evaluated, and the City has completed a Local Wetlands Inventory. The property contains no known wetlands, riparian corridor or significant wildlife habitat. No known historic or cultural resources exist on the site, and the property contains no open spaces or scenic areas as identified by the City of Sutherlin. The elevation of the property puts it well outside the flood plain of any area streams.

6. **Goal 6- Air, Water and Land Resource Quality:** To maintain and improve the quality of air, water and land resources of the state.

**Finding:** Statewide Planning Goal 6 requires that waste and process discharges from future development combined with that of existing development do not violate State or Federal environmental quality regulations. Rezoning the subject parcel to R-3 is not expected to result in any additional development with

the typical associated waste stream characteristics. The proposed R-3 zoning is an acknowledgement of the existing development pattern near the subject property and surrounding area and its suitability for residential zoning due to its proximity to other R-2 and other R-3 zoned property and the clear need for more housing units as demonstrated in the housing needs analysis. Any further development of the property will undergo the required City of Sutherlin site development review process which will help assure that future waste streams that occur will be no more adverse to the environment and the City's treatment capacity than would be the case under the current zoning.

The City has regulations in place to control the generation and disposal of commercial wastes. The site is not currently served by City water and sewer services, but these services are available. However, the proposed rezoning is not expected to have any deleterious effects on the quality of the air, water, or land resources of the State. Existing state, federal, and local land use and environmental standards will be sufficient to ensure that subsequent land use activities at the subject site will be conducted in a manner that is consistent with, and will achieve the purpose of Goal 6.

7. **Goal 7- Areas Subject to Natural Disasters and Hazards:** To protect life and property from natural disasters and hazards.

**Finding:** The site is flat and is not within a special overlay zone or in an area that is designated as susceptible to flooding or other natural hazards. Any new development on the site will comply with building codes and fire safety requirements. These existing regulations serve to ensure the protection of life and property rendering the request consistent with Goal 7.

8. **Goal 8- Recreational Needs:** To satisfy the recreational needs of the citizens of the State and visitors and, where appropriate, to provide for the siting of necessary recreation facilities including destination resorts.

**Finding:** The subject property has not been designated by the City of Sutherlin as land needed to meet the recreational needs of the citizens of, or visitors to, the state of Oregon. The property is currently zoned for commercial use and has no special geographic or natural advantages for recreational use, therefore the requested amendment does not conflict with Goal 8.

9. **Goal 9- Economic Development:** To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

**Finding:** The subject property is currently inside the city limits and planned and zoned for commercial development. The Sutherlin Comprehensive Plan contains specific policies for protecting and ensuring future economic development in the area is enhanced as discussed below in more detail under the local planning policies. The application for Plan Amendment and Zone Change affects 0.52 acres of land and conversion of said land will go from commercial to residential in order to offer more housing units which will in turn potentially allow more residents to see employment opportunities locally allow the Sutherlin community to be more economically stimulated. Originally this unit of land was zoned residential and in 2001 went through the Plan Amendment and Zone Change process to its current plan and zone. With this being stated, commercial development was never proposed or constructed on the subject property. By going through this process it will have some positive impact on the housing market to support the economic development and is therefore consistent with Goal 9.

10. **Goal 10- Housing:** To provide for the housing needs of citizens of the State.



**Finding:** The 0.52 acres is currently designated CC by the Sutherlin Comprehensive Plan and is zoned C-3 for commercial uses. The property is currently vacant of structural development. There is no existing commercial operation being conducted on the property. The City has a buildable lands inventory that was adopted in 2005 which states the following, in relevant parts, *“The ECO Northwest Buildable Lands Inventory (June 2005) finds that Sutherlin’s Urban Growth Boundary had a total housing capacity of 1,214 dwelling units in 2005. Based on the current mix of zoning, approximately 372 of the units could be accommodated in the Medium Density (9 units per acre) and High Density Residential (15 units per acre) zones; another 423 units in the Low Density Residential (5 units per acres) zone; and 419 units in the Hillside Residential (2 units per acre) zone. The distribution appears to be consistent with Sutherlin’s housing mix, which contained approximately 72 percent owner-occupied (single-family) housing in 2000. (US Census, Table DP-1) This high proportion of single-family housing is, in part, a reflection of Sutherlin’s place in the regional housing market...to accommodate a population of 12,878, the City of Sutherlin needs an additional 256 acres of buildable land for housing, and another 90 acres for streets, parks, school sites, and other public and institutional uses. The total shortfall of residential lands through the 2025 planning period is 345 acres. The shortage beyond 2025 is estimated to be 741-1,753 acres at different growth benchmarks.* The BLI for the City of Sutherlin illustrates a clear need for more housing units and; therefore, the subject application is consistent with the findings in the BLI and will help the City accomplish the underlying goal and intent of the analysis. The aforementioned analysis demonstrates a full need for residential zoning due to a housing shortage that will be evident by the year 2025. The application for Plan Amendment and Zone Change will have no significant impact on the current inventory of land needed for residential development and is consistent with Goal 10.

**Finding:** The proposal submitted would allow the property to go back to its original plan and zone prior to 2001 when a plan amendment and zone change was approved, taking it to Commercial. These applications if approved would allow the subject property to be zoned at a higher density. Thus, allowing for more housing within the city limits and help with the need for residential housing. The property owner/developer has stated within the applications that the intent is to construct a six-unit residential complex. This application is consistent with Goal 10 and will benefit the needs of the citizens.

11. **Goal 11- Public Facilities and Services:** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

**Finding:** The subject property is within Sutherlin City Limits. The lands are not currently served by City water and sewer services. Applicant proposes at most, a six-unit residential complex on the total 0.52 acre ownership referenced in the introduction as a result of this proposal. Applicant has fully coordinated with the City regarding public facilities to assure adequate services. The City has dictated that water can be facilitated directly to the south off of E. Everett Avenue. Onsite sanitation will be provided as required by the City via an existing 6” line that travels south from Central Avenue to the subject property. The City will review the specific development plans for the site to determine any additional infrastructure requirements. The City will assure both capacity and ability to provide the required level of public facilities, as available, with sufficient infrastructure investment on the part of the owners. It can be expected that the property will be served by city water and sewer in the future, as well as other necessary public utilities. The proposed amendment affecting the subject property is not in conflict with Goal 11.

12. **Goal 12- Transportation:** To provide and encourage a safe, convenient and economic transportation system.

**Finding:** The statewide transportation goal is generally intended to be applied on a city-wide basis. Specific transportation-related policies and development standards are included within the Sutherlin Comprehensive Plan and land use ordinances to assure that the intent of the statewide transportation goal is implemented through the application of both state and local policies and standards at the time of development. The intent of Goal 12 is also implemented by the State Transportation Planning Rule (OAR 660, Division 12). OAR 660-12-060(1) requires that "amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility".

In order to ensure that a proposed land use change complies with the requirements of the Transportation Planning Rule, the City of Sutherlin has adopted the following standards for Plan Amendment applications:

- “(1) The applicant shall certify the proposed land use designations, densities or design standards are consistent with the function, capacity and performance standards for roads identified in the County Transportation System Plan.
  - (a) The applicant shall cite the identified Comprehensive Plan function, capacity and performance standard of the road used for direct access and provide findings that the proposed amendment will be consistent with the County Transportation System Plan.”
  - (b) The jurisdiction providing direct access (County or ODOT) may require the applicant to submit a Traffic Impact Study certified by a Traffic Engineer that supports the findings used to address §6.500.2.a(1)(a).

The functional classifications of transportation facilities within the City of Sutherlin Transportation System Plan (TSP) are identified on Page 4-11 of that document. There is one street identified as E. Everett Avenue under the TSP that is part of this proposal. E. Everett Avenue is designated a “Local Street” along the frontage of the total property. According to the City of Sutherlin TSP, *“the function of local streets is to provide access to private dwellings and businesses. Local streets should focus on serving passengers cars, bicycles and pedestrians. Oregon’s Transportation Planning Rule requires bicycle lanes along most local roads. Generally, local streets have two lanes and can include parking on one or both sides. Transit and heavy truck traffic are generally discouraged from using local streets. The standard minimum right of way for local streets in Sutherlin is 56 feet with a minimum pavement width of 36 feet.”*

As previously noted, the subject 0.52 acre site is situated on the north side of the City road with a direct access onto the street. E. Everett Avenue is improved to a two-lane paved street with curbs/gutters and sidewalks (on the north side) where it fronts the subject property. The property will continue to have direct access to the identified street upon completion of the proposed development of the site. At the present time, the public roads in the area are and have been adequate to accommodate existing traffic volumes generated by the use on the properties along E. Everett Avenue.

E. Everett Avenue is on the corner with Waite Street, directly south of E. Central Avenue. The street is entirely within the city limits, and they maintain full jurisdiction over it. Applicant has fully coordinated the proposed development with all jurisdictions.

The Planning Commission finds that the map amendments will not cause a change in the existing level of service of the area road system. Further, existing development standards in place in the City of Sutherlin Development Code will help to insure any future residential development approval of the property and its

associated impacts will be in compliance with the TSP and IAMP. The requested amendment meets the requirements of Goal 12

13. **Goal 13- Energy Conservation:** To conserve energy.

**Finding:** Statewide Planning Goal 13 requires that land uses shall be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles. The subject property is currently vacant of structural development and any future residential development on the property will be completed under City standards for the specific use. The proposed map amendment includes changing the zoning on the property from C-3 to R-3 in conformance with the requested RA plan designation under the City of Sutherlin Comprehensive Plan. The 0.52 acre property will also be subject to development standards and building codes that provide for a minimum level of energy efficiency. The proposal is consistent with principles of efficient land use and energy efficiency and Goal 13.

14. **Goal 14- Urbanization:** To provide for an orderly and efficient transition from rural to urban land use.

**Finding:** The subject property is located within the Sutherlin City Limits and is currently designated by the City of Sutherlin as urban commercial land. The state has previously acknowledged the lands within Sutherlin as being in compliance with Goal 14.

#### **COMPLIANCE WITH CITY OF SUTHERLIN DEVELOPMENT CODE CRITERIA**

Sections 2.2.100 of the Sutherlin Development Code (Residential Districts) provide the development criteria for residential uses and structures within the City of Sutherlin. The proposed residential development of the subject property will comply with all development standards set out in the requested R-3 zone. The purpose of the proposed amendment is to allow development of the site with uses not currently allowed under the present C-3 zoning. The proposed residential development will comply with all development standards of the requested R-3 zone.

**Finding:** The Commission finds that the proposed residential development on the subject property will be in substantial compliance with the Development Code for the City of Sutherlin. The proposed amendment will change the planned development and use on the subject property. The Plan Amendment and Zone Change are in satisfactory compliance with the City of Sutherlin Development Code.

Section 4.11.110.C of the Sutherlin Development Code (*Zone Changes and Annexations*) provides the following criteria for approving a Zone Change:

*“The planning commission’s recommendation and the city council’s decision shall be based on the following approval criteria”:*

- 1. The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission; and*
- 2. The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.*

**City Zone Change Criteria #1:** The proposed amendment is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission.

**Finding:** Findings for the statewide planning goals adopted by Department of Land and Conservation and Development (DLCD) are addressed on an individual basis in previous section of this document. Each of the applicable goals contains findings of compliance, and no exceptions to those goals are proposed. The Plan Amendment and Zone Change satisfy the statewide planning goals.

**City Zone Change Criteria #2:** The proposed amendment is consistent with the remainder of the comprehensive plan, including inventory documents and facility plans incorporated therein.

#### **Housing Element Conformance**

Housing Element Policy C3: *Ensure that city ordinances provide the maximum opportunity for a variety of housing types by using innovative residential development techniques such as planned unit development and cluster development:*

**Finding:** The subject application is consistent with the vision of this particular policy. The subject property is smaller shaped and the property owner intends to maximize its potential by building out at maximum a six-unit complex which falls in line with the intent of Sutherlin Housing Element Policy C3 (innovative residential development techniques in order to accomplish facilitating more housing units to the Sutherlin area). The City of Sutherlin recently completed an adjustment of the city limits and urban growth boundary, including an exchange of lands for both residential and commercial uses. The City determined that there is 2,211.96 acres of residentially zoned land (54% of lands within the city) and 250.52 acres of commercially zoned land (6% of lands within the City). The 2005 Buildable Lands Inventory anticipates a need for 1,221 additional dwelling units, as shown on Table 2 (Eco Northwest) and the City's 2005 twenty-year supply of residential land is insufficient to accommodate the population forecast in order to facilitate to such a need. The proposed residential development will allow the full 0.52 acres to be utilized in a residential capacity. The development of this site is consistent with the need for more dwelling units in the Sutherlin area as set out in the BLI and the most recent City findings and analysis referenced in the urban growth boundary adjustments for Sutherlin.

#### **Public Facilities Plan Conformance**

Policy A1: *The City shall ensure that appropriate support systems are installed prior to or concurrent with the development of a particular area. Costs of constructing water and sewer ties to new developments shall be borne by the developer.*

Policy A14: *Ensure that as new development occurs, public facilities and services to support the development are available or will be available within a reasonable time.*

Policy A20: *New development, including but not limited to subdivisions, residential or commercial, or industrial construction, should be responsible for constructing, paying for, or depositing funds for an improved street with curbs, gutters, sidewalks, as well as sewer, water, storm drainage facilities, fire hydrants, and street lights, in addition to all utilities.*

**Finding:** The purpose of the Zone Change is to facilitate new residential use of the subject property according to the standards prescribed in the R-3 zone. The subject property is within the City of Sutherlin. There are existing water and sewer lines located near the subject property. Sewer can be facilitated from a six-inch line coming from the north (E. Central Avenue) and water can be facilitated directly off E. Everett Avenue. The property owners/developers will be responsible for installing any future infrastructure dictated by future development on the property as appropriate in accordance with the Public Facilities Plan and the Sutherlin Development Code.

The Plan Amendment and Zone Change will not create additional need for public facilities at this time (beyond the typical extensions on to the subject property in conjunction with residential utilities facilities that will serve the proposed six-unit complex). Any improvements for those public facilities necessary as a result of future residential development at the site will require the property owners/developer to participate in funding those improvements. The extent to which public facilities and services are required to serve the

property will be determined at the time a specific development proposal is reviewed. The requested Plan Amendment and Zone Change are consistent with the Public Facilities Plan.

### **Land Use Element Conformance**

Land Use Policy A1: *Conversion of urbanizable land to urban uses shall be based on consideration of:*

- A. Orderly, economic provision for public facilities and services;*
- B. Availability of sufficient land of various use designations to ensure choices in the marketplace;*
- C. Conformance with statewide planning goals; and*
- D. Encouragement of development within urban areas before conversion of non-urban areas.*

Land Use Policy A2: *Work toward development of “open” lands identified as suitable for development within the existing city limits before annexing additional lands.*

**Finding:** The subject property is inside Sutherlin’s city limits. The property has commercial zoning adjacent to the north and east which is consistent with property being directly off a main road (E. Central Avenue). The subject property is located away from E. Central Avenue and a commercial designation is not appropriate. The subject property is otherwise surrounded by residential type zoned properties. As discussed previously under *Consistency with the Statewide Planning Goals*, public facilities and services are readily available to the site except as noted. Also, the property is located in immediate proximity to the other R-2 zoning to the west and R-3 zoning to the south. The proposed R-3 zoning will support the proposed residential uses on the site.

The subject property and surrounding properties, as mentioned above, are currently designated commercial and residential land in the Comprehensive Plan. Applicant proposes to change the existing CC designations to RA on 0.52 acres to allow high density residential development of the property. Applicant has also submitted a Zone Change request to allow implementation of the proposed RA plan designation via the R-3 zone. The Zoning Map amendment to R-3 will be consistent with the requested RA plan designation.

**Finding:** The proposed Plan Amendment and Zone Change will conform to the Sutherlin Comprehensive Plan, including the land use map and written policies.

## CONCLUSION

City Staff recommends that the Planning Commission forward a recommendation for approval to the Sutherlin City Council of the requested Comprehensive Plan Map Amendment from Community Commercial to High Density and Zone Map Change from (C-3) Community Commercial to (R-3) Multifamily Residential on the subject 0.52 acre property.

## **ACTION ALTERNATIVES**

1. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Plan and Zoning Map amendments.
2. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **approval** of the requested Plan and Zoning Map amendments with specified **conditions**.
3. Pass a motion to **continue the public hearing** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal.
4. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend denial** of the requested Plan and Zoning Map amendments on the grounds that the proposal does not satisfy the applicable approval criteria.

N:\Planning\2022 Land Use\22-S007 CENTRAL AVE INVESTMENTS - PA & ZC\22-S007\_Central Ave Investments\_PAZC\_PC staff report.docx



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## City of Sutherlin

Date: May 17, 2022  
To: Planning Commission  
From: Community Development  
Re: Monthly Activity Report

This report is provided in an effort to keep you apprised of recent land use and other relevant activities.

### **COMMUNITY DEVELOPMENT**

#### **Residential Uses in the Commercial zoned areas**

In the fall of 2019, concerns were raised, and discussions began regarding residential uses in commercial zones. Staff was asked to look at ordinances, development code and interpretations to address the concern of our storefronts turning into boarded up living quarters. After working with our city attorney and obtaining an interpretation of the “residential component” in the commercial zone, staff can now proceed with actions. We began communications with property owners by sending a letter to all commercial buildings within both C-1 (Downtown Commercial District) and C-3 (Community Commercial District), with a 14-day response time. Following the 14-days, staff has sent out a second letter and reached out to individuals that were reported to be out of compliance. A third letter has been sent to two properties that continue to be out of compliance indicating that a citation will be issued if they are not within compliance within ten days of the writing of the letter.

#### **Ford’s Pond Grant update**

#### **NO UPDATE AT THIS TIME, STILL PENDING NOTICE TO PROCEED FROM OPRD**

- Land and Water Conservation Fund (LWCF) 2020 grant application (\$205,775.00) is pending Notice to proceed (NTP). We’re anticipating the NTP by the end of May/June 2022. Because of the delay in receiving funding, construction of the additional 0.9-mile paved path won’t happen in 2022. Once we receive the funding, we will still need to submit a joint wetland delineation application for the additional 0.9-mile paved path. It’s estimated that this application process will take at least six months.
- Recreational Trails Program (RTP) 2020 grant application (\$240,808.00) was also for the 0.9-mile paved path, because of the LWCF’s NTP delay. The RTP grant was delayed as well. The RTP grant was identified as matching funds for the LWCF and vice versus.
- Local Government Grant Program (LGGP) 2019 grant application (\$388,531.00). This project should be finalized in February 2022. Scope of work consisted of ADA-accessible parking, signage, picnic tables, benches, site utilities,
- LGGP 2020 grant application (\$517,814.00). Scope of work; ADA-accessible restrooms and 600 feet connectivity sidewalk, two inclusive natural children’s play area (design only), three shaded picnic pavilions, site furnishings, landscaping, and security cameras. These funds have been secured, but because of the pandemic, price escalation and securing material and supplies. This project could also be delayed, or scope of work scaled back.
- LWCF 2021 application (\$595,878.70). Submitted, presentation was on February 10, 2022, Scope of work; design/construct additional ADA-parking for RVs/buses, sidewalks, ramps, bioswale, lighting, furnishings, landscaping, security cameras and inclusive play equipment.

**City of Sutherlin has been recommended by the Oregon Outdoor Recreation**

**Committee. Recommendations for grant fund distribution will be presented to the Oregon Parks and Recreation Commission for approval at the April 2022 meeting. Recommendations will then be submitted to the National Park Service for final approval.**

### **Downtown Parking Lot**

- Design and Construction management TBD 2022
- At the March 14, 2022, Urban Renewal Agency meeting, the UR Agency approved Resolution 2022.02 to purchase the 0.11-acre vacant lot, located in the downtown area, adjacent to the previously purchased parking lot. This purchase will help with additional parking for the downtown area. Purchase price was \$40,000 plus title fees. Urban Renewal/TIF funds will be used to purchase said property. City staff is currently working with Western Title & Escrow with finalizing the purchase.

### **Central Park Multi-Use Stage – Currently on schedule**

On December 20, 2021, city council approved the Multi-Use Stage design and construction.

On January 10, 2022, city council approved the purchase of the Stagecover and color (blue and white)

#### Schedule

Design Services Start	December 21, 2021
Draft Completion Date (Plans, Specs & Bid Documents)	January 31, 2022
Final Completion Date (Plans, Specs & Bid Documents)	February 14, 2022
Advertise for Bids	March 14, 2022
Receive Bids	April 11, 2022
Start of Construction	May 16, 2022
Completion of Construction	July 11, 2022

## **TRANSPORTATION**

### **Everett Street Improvements**

Everett Avenue will be improved from HWY 99 to S. State Street and S. State Street from Central Ave south to the bridge. The improvements will include overlay / inlay of road where possible, full rebuild of roads and storm sewer, when required, reconstruction of up to 8 ADA ramps to meet current standards, and possible additional sidewalk or rebuilding of sidewalk.

City Council awarded the bid to JRT construction at their May 9, 2022 meeting.

Preconstruction meeting is tentatively scheduled for May 25, 2022.

## **UTILITIES**

### **Nonpareil Water Treatment Plant Improvement**

**Construction update:** With shut down No. 2 being postponed, we're moving forward with shutdown No.3 which started May 2, 2022 and will go through the middle of June. Projects involve in shutdown No. 3 will be replacing the intake pump piping, raw flow meter and some other miscellaneous item. We're not anticipating any water curtailment at this time.

**New construction schedule:** Shut down No. 2 has been postponed from March 1, 2022, through June 30, 2022, to March 1, 2023, to June 30, 2023. Because of major equipment items related to the Nonpareil WTP Improvement project are not scheduled to arrive on site until April or May of 2022. it



was mutually agreed with the contractor and the city to postpone shut down No. 2 until 2023. The details regarding this mutually agreed upon change are in process. Delay in equipment items is due to the pandemic.

The Design Contract was awarded on January 27, 2020, to The Dyer Partnership Engineers & Planners, Inc. for Engineering Services and Construction Management. On February 24, 2021 @ 2:00pm bids were opened, Stettler Supply & Construction submitted the lowest bid in the amount of \$4,810,485 and has sufficient experience and qualifications to satisfactorily construct the project. On March 8, 2021, City Council Awarded the Construction Contract to Settler Supply Company in the amount of \$4,810,485. Construction started April 2021 and is expected to be completed in 2023.

Construction update: Concrete backwash basins are complete, currently backfilling around basin, removed old stand-by generator, and rewired in temporary location, starting electrical submittals for review.

Water curtailment restrictions were lifted on October 5, 2021. We do anticipate water curtailment measures to be implemented again in 2023 for phase II.

### **Revised schedule**

- ~~Start design February 2020~~
- ~~60% design meeting September 2, 2020~~
- ~~90% design meeting October 7, 2020~~
- ~~Present Final design to City Council January 11, 2021~~
- ~~Bid process and contract award February/March 2021~~
- ~~Council Consideration of Contract March/April 2021~~
- ~~Construction NTP April/May 2021~~
- Complete construction May/June 2023

### **LAND USE ACTIVITY**

#### **Building Worksheets:**

- 2022-01- 2022-22 on previous Activity Report(s)
- 2022-23 – 107 W Central Ave – Gazebo (Plaza Park)
- 2022-24 – 1921 W Duke Rd - SFD
- 2022-25 – 1927 W Duke Rd – SFD
- 2022-26 – 144 N Calapooia St – solar panels
- 2022-27 – 856 Medina Ave – SFD
- 2022-28 – 645 W First Ave – interior remodel
- 2022-29 – 246 Mardonna Way – addition to duplex
- 2022-30 – 123 Pondersa Dr – interior remodel
- 2022-31 – 708 Slazenger Ct – SFD
- 2022-32 – 440 Crest View Ct – SFD
- 2022-33 – 1955 W Duke Rd – SFD
- 2022-34 – 1959 W Duke Rd – SFD
- 2022-35 – 1200 E Central Ave, Sp #80 – MH
- 2022-36 – 1000 W Central Ave – interior remodel & CIU (veterinary clinic)
- 2022-37 – 412 E Central Ave – CIU – Audio/Electronic Store
- 2022-38 – 603 S State St - SFD
- 2022-39 – 611 Cedar St – garage
- 2022-40 – 1221 W Dean Ave, #20 – demolition of MH
- 2022-41 – 112 Quail Run – solar panels

- 2022-42 – 265 Branton St – addition to SFD
- 2022-43 – 229 N Grove St – garage
- 2022-44 – 1330 S Calapooia St - MH
- 2022-45 – 1660 Scardi Blvd - SFD
- 2022-46 – 1330 S Calapooia St - garage
- 2022-47 – 150 S Willamette St – multi-use stage and cover
- 2022-48 – 221 Addison Ave - shed

**Active Land Use Applications:**

- 22-S001 – 22-S005 on previous Activity Report(s)
- 22-S006 – Leffingwell – LP
- 22-S007 – Central Ave Investments – P/A & Z/C
- 22-S008 – Srikureja - PLA
- 22-S009 – Short – Subd, Variance (Class B) & Variance (Class C)
- 22-S010 – Clark – P/A & Z/C

**Right of Way Applications:**

- 22-04 – 22-08 on previous Activity Report(s)
- 22-09 – 788 Robert Lavern St – Pacific Power
- 22-10 – 561 W First Ave - Avista
- 22-11 – 744 E Third Ave – Pacific Power
- 22-12 – 150 S Willamette St – Pacific Power
- 22-13 – 1750 E Central Ave – Knight (contractor)
- 22-14 – 162 Kruse St – Avista Utilities
- 22-15 – 224 Kruse St – Avista Utilities
- 22-16 – 829 Pebble Creek St – Javelin Utilities
- 22-17 – 639 Valley Vista – Javelin Utility
- 22-18 – 737 Divot Loop – Javelin Utility
- 22-18 – 739 Sandpiper – Javelin Utility
- 22-19 – Central Ave & Sunset – Avista Utilities
- 22-20 – 1951 W Duke Rd – Javelin Utility
- 22-21 – 557-661-669 W First Ave – Pacific Power