



**City of Sutherlin**  
**Planning Commission Meeting**  
**Tuesday, July 19, 2022**  
**7:00 p.m. – Sutherlin Civic Auditorium**  
**Agenda**

**Pledge of Allegiance**

**Introduction of Media**

**Approval of Minutes**

June 21, 2022 – Regular Meeting

**Approval of Findings of Fact**

1. **PREMIER HOME CONSTRUCTION, INC**, request for a 29-lot Subdivision, Class B Variance to Housing Density Standard and Class C Variance to road standards on an 8.13 acre. The subject property is described as Tax Lot 1700 in Section 24A, T25S, R6W, W.M., and Property I.D. No. R46405. It is designated Low Density by Sutherlin Comprehensive Plan and zoned (R-1) Low density residential. A portion of the property contains identified wetlands. **PLANNING DEPARTMENT FILE NO. 22-S009.**

**Monthly Activity Report**

**Public Comment**

**Commission Comments**

**Adjournment**

**CITY OF SUTHERLIN  
PLANNING COMMISSION MEETING  
CIVIC AUDITORIUM – 7:00 PM  
TUESDAY, JUNE 21, 2022**

**COMMISSION MEMBERS PRESENT:** Lisa Woods, Alan Woods, Adam Sarnoski, and Norm Davidson (Via ZOOM)

**COMMISSION MEMBERS EXCUSED:** Tom Maloney

**COMMISSION MEMBERS ABSENT:** None

**CITY STAFF:** Kristi Gilbert, Community Development Supervisor and Jamie Chartier, City Planner

**AUDIENCE:** None

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

**FLAG SALUTE**

**APPROVAL OF MINUTES**

A motion made by Commissioner Sarnoski to approve the minutes of the May 24, 2022 Planning Commission meeting; second made by Commissioner Davidson.

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

Opposed: None

Excused: None

Motion carried unanimously

**APPROVAL OF FINDINGS OF FACT(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. **PLANNING DEPARTMENT FILE NO. 22-S007.**

A motion was made by Commissioner Sarnoski to approve the Findings of Fact for Central Avenue Investments, LLC, request for 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. **PLANNING DEPARTMENT FILE NO. 22-S007.** Motion seconded by Commissioner A. Woods.

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

Opposed: None

Excused: None

Motion carried unanimously

## QUASI-JUDICIAL HEARING(S)

1. **PREMIER HOME CONSTRUCTION, INC**, request for a 29-lot Subdivision, Class B Variance to Housing Density Standard and Class C Variance to road standards on an 8.13 acre property located on the south side of Fort McKay Road, inside the City of Sutherlin. The subject property is described as Tax Lot 1700 in Section 24A, T25S, R6W, W.M., and Property I.D. No. R46405. It is designated Low Density by Sutherlin Comprehensive Plan and zoned (R-1) Low density residential. A portion of the property contains identified wetlands. **PLANNING DEPARTMENT FILE NO. 22-S009.**

Chair L. Woods opened the hearing with reading of the disclosure (legal) statement; asked persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions required by the Code. The Sutherlin Development Code specifies applicable criteria to be relied upon in making a decision.

Chair L. Woods asked the Commission if there were any conflicts of interest or personal bias; L. Woods asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, L. Woods asked for the Staff Report.

**Jamie Chartier, City Planner**, identified Mark Moffett, Senior Planner, Douglas County Planning, Michael Lane, Fire Chief, City of Sutherlin, Joshua Heacock, Douglas County Public Works (DCPW) and Aaron Swan, Public Works Director, City of Sutherlin and the applicant as having party status. Then proceeded to entered Staff Exhibits 1-9, along with the Staff Report into the record. Mrs. Chartier then proceed to summarize the Staff Report, with the recommendation of action alternative number 1.

**APPLICANT'S TESTIMONY** – No testimony present.

**TESTIMONY IN FAVOR** – No testimony in favor present.

**TESTIMONY IN OPPOSITION** – No testimony in opposition.

**RECEIVE NEUTRAL – Mark (and Rena) Palomares, 674 Fort McKay Road, Sutherlin**, stepped forward and stated they are not opposed to the development but do have a few questions. His first question and concern pertained to the storm water drainage, what are the requirements for storm drainage. His second question asked was in regards to the sewer main extension they installed to their property, if this development connects to it will there be any reimbursement of cost to them?

Mrs. Chartier clarified that the one of the conditions of approval is to require the property owner/developer to submit a stamped certification by a licensed engineer stating that the rate of storm water drainage during and after development will not increase as a result of the proposed development. This report, along with a stamped drainage memo must be submitted to the City and also Douglas County Public Works for review and approval. She went on to clarify the sewer main extension for this proposed development is required to come from approximately 800± feet to the east, the preliminary map did show it coming from the west but is incorrect.

**APPLICANT'S REBUTAL** – No testimony present.

Closed public portion of the hearing.

**DISCUSSION - none**

A motion by Commissioner Sarnoski to approve the 29-lot Subdivision, Class B Variance to housing density standards and Class C Variance to road standards per staff's recommendation of Action Alternative No. 1; Commissioner A. Woods seconds the motion.

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

Opposed: None

Excused: None

Motion carried unanimously

**MONTHLY ACTIVITY REPORT –**

Mrs. Chartier gave the commission an update on the stage cover for the Central Park Multi-Use Stage. Commissioner Sarnoski asked about the road improvement list that Public Works does. Kristi Gilbert, Community Development Supervisor, stated we are unsure of the most updated list but we can check with Public Works.

**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

## BEFORE THE PLANNING COMMISSION OF THE CITY OF SUTHERLIN

IN THE MATTER of a 29 lot Subdivision, Class ]	<b>FINDINGS OF FACT AND DECISION</b>
B Variance to housing density standards and ]	Applicant: Premier Home
Class C Variance to road standards on an ]	Construction, Inc
8.13 acre parcel located on the south side of ]	Subject: Subdivision, Class B Variance
Fort McKay Road. The property is identified as ]	and Class C Variance
Tax Lot 1700 in Section 24A, T25S, R6W, ]	File No.: 22-S009
W.M.; Property I.D. No. R46405. ]	

### PROCEDURAL FINDINGS OF FACT

1. The Subdivision, Class B Variance and Class C Variance applications were deemed complete by the City on May 17, 2022.
2. Pursuant to Section 4.2.140.C of the Sutherlin Development Code (SDC), notice of the public hearing was given by publication in the *News Review* on June 7, 2022, which was a least 14 days prior to the date of the public hearing.
3. Notice of a Public Hearing on the Subdivision, Class B Variance and Class C Variance applications before the Planning Commission was given in accordance with Section 4.2.140.C as a Type III procedure. Notice was sent to affected property owners of record within 100 feet of the subject property, service providers, and governmental agencies on May 23, 2022. Four (4) written comments on the proposal were received.
4. The Planning Commission held a public hearing on this matter on June 21, 2022.
5. At the public hearing on June 21, 2022, there were no declarations of ex parte contact or other conflicts of interest made by the Planning Commission. No objections were raised and the Commission was qualified to hear the matter.
6. The Planning Commission declared the following as parties to the hearing:
  - a. Mark Moffett, Senior Planner, Douglas County Planning
  - b. Michael Lane, Fire Chief, Sutherlin Fire Department
  - c. Josh Heacock, Engineer, Douglas County Public Works
  - d. Aaron Swan, Public Works Director, City of Sutherlin
7. Reference was made to the June 14, 2022 Staff Report and findings of fact addressing compliance with the applicable provisions of the Sutherlin Comprehensive Plan, Chapter 2, Section 2.2 (R-1 zone), Chapter 3 (Design Standards) and Chapter 4, Section 4.4 (Land Divisions), and Chapter 5, Section 5.2.120 (Class B Variance) and Section 5.2.130 (Class C Variance) of the SDC.
8. Planning Staff presented the Staff Report dated June 14, 2022 and entered Staff Exhibits 1-9 into the record with the recommendation of action alternative number 1.
9. No clarifying testimony was received from the applicant or representative at the June 14, 2022 Planning Commission hearing.

10. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from persons in favor to the application. No persons were present.
11. The Planning Commission provided opportunity to receive clarifying questions and oral testimony from persons in opposition to the application. No persons were present.
12. The Planning Commission provided opportunity to receive neutral comments, questions and/or oral testimony from persons to the application. Mark Palomares spoke on behalf of himself and wife Rena Palomares.
13. The Planning Commission provided opportunity to receive clarifying questions and oral testimony in rebuttal to the application. None was provided.
14. The Planning Commission provided opportunity to receive clarifying response and oral rebuttal from the applicant. Jamie Chartier, City Planner responded with answers pertaining to Storm Water Drainage requirements, sanitary sewer connection and SDC requirements.
15. The Planning Commission closed the public portion of the hearing and commenced discussion on the application.

### **FINDINGS OF FACT RELATED TO DECISION**

The Planning Commission expressed no objections to the proposed request.

### **FINDINGS OF FACT**

Finding No. 1. The Planning Commission finds the subject property is designated Low Density by the Sutherlin Comprehensive Plan and zoned (R-1) Low Density Residential by the Sutherlin Development Code.

Finding No. 2. The Planning Commission adopts by reference the findings of the Staff Report dated June 14, 2022.

Finding No. 3. The Planning Commission finds that the requested Subdivision, Class B Variance to housing density standards and Class C Variance to road standards applications were processed as a Type III procedure, subject to the applicable provisions of the Sutherlin Comprehensive Plan, Chapter 2, Section 2.2 (R-1 zone), Chapter 3 (Design Standards) and Chapter 4, Section 4.4 (Land Division) of the SDC.

Finding No. 4. The Planning Commission finds, based upon the staff report and application materials provided, that the proposed subdivision with a class B variance to housing density standards is designed to meet the requirements of Section 2.2 (R-1 zone) with regard to lot width and lot depth for each lot. As proposed, the 29 lot-

subdivision will be developed in one phase. The lot sizes within the development will be between 6,000± sq. ft., up to 18,880± sq. ft.; lot frontage width of at least 50 feet.

Finding No. 5. The Planning Commission finds, based upon the staff report, and application materials provided, that the proposed subdivision will substantially meet the design standards outlined in Chapter 3, Sections 3.2.100 (Vehicle Access and Circulation) and 3.5.100 (Infrastructure Standards) and that appropriate conditions of approval have been imposed to ensure continued compliance. The Commission further finds the proposed subdivision will necessitate the improvement of a public street and the dedication of public right-of-way, in conformance with the city's local residential street standards (for the new Ryan Street). The Planning Commission finds that the requirement for the property owner/developer to dedicate right-of-way to Douglas County along the Fort McKay Road and Schudeiske Road property lines.

Finding No. 6. The Planning Commission finds, base upon the staff report and application materials, that the property owner/developer is trying to make reasonable use of the 8.13 acre property with the existing physical constraints that are present, while constructing a public street to meet City local residential standards, along with the requirements of the Oregon Uniform Fire Code.

Finding No. 7. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided that the proposed development will substantially meet the approval criteria outlined in Chapter 4, Section 4.4 (Land Divisions and Property Line Adjustments) for the subdivision proposal and that appropriate criteria and conditions of approval have been imposed to ensure continued compliance.

Finding No. 8. The Planning Commission finds, based upon the staff report, application materials and the oral testimony provided that the proposed development will substantially meet the approval criteria outlined in Chapter 4, Section 4.4.140 for the tentative plan for the subdivision proposal and that appropriate conditions of approval have been imposed to ensure continued compliance.

Finding No. 9. The Planning Commission finds, based upon the staff report and application materials provided, that the Class B Variance to housing density standards for proposed Lots 1, 2 and 19-29 from the minimum 7,000 sq ft. requirements to 6,000 sq.ft. This will allow the property owner/developer a more economic use of the subject property and is a reasonable use of the land.

Finding No. 10. Based upon the staff report and application materials provided, the Planning Commission further finds the requested variance will meet the applicable criteria for a Class B variance as outlined in Section 5.2.120 of the SDC.

Finding No. 11. The Planning Commission finds, based upon the staff report and application materials provided, that the requested Class C Variance to road standards will extend the length of the proposed dead-end street beyond the maximum 400 feet to a total length of 618± feet.

Finding No. 12. Based upon the staff report, the Planning Commission further finds that the requested variance will meet the applicable criteria for a Class C variance as outlined in Section 5.2.130 of the SDC. The property owner/developer has coordinated the design of the proposed street with the City Public Works and the City Fire Department to ensure compliance with the Oregon Uniform Fire Code, Section 503, Appendix D (Fire Apparatus Access Roads). The street will have a minimum of 36 feet of pavement to accommodate for travel lanes and on-street parking. The Planning Commission finds the variance, as proposed, will be consistent with the purposes of the Sutherlin Comprehensive Plan and its Development Code, and will not be materially detrimental to any property in the same zone or vicinity.

Finding No. 13. The Planning Commission finds, based upon the staff report and application materials provided, that the subject property is approximately 1,022± feet long by 350± feet wide, and that the property owner/developer desires to make reasonable use of the property to accommodate all the proposed lots, but still address the existing wetlands located in the north eastern portion of the subject property, along with the sloping topography to the south. A dead-end street at the maximum length of 400 feet would not allow the property owner/developer to maximize the density of the R-1 zoning on the property (up to 6 dwelling units per acre). The Planning Commission finds that a general hardship to development exists related to the property over which the property owner/developer has no control.

Finding No. 14. The Planning Commission finds, based upon the staff report and application materials provided, that the property owner/developer is requesting a variance to allow a more economic use of the subject property by extending the length of the dead-end street by 218± feet in order to accommodate the development of the lots. With the proposed Class C variance, the Commission finds that the interior subdivision street will be constructed to meet or exceed City standards, while permitting the property owner/developer to make reasonable economic use of the land.

Finding No. 15. The Planning Commission finds, based upon the staff report and application materials submitted, that the requested Class C variance to lengthen the proposed street will not adversely affect traffic along Fort McKay Road or Schudeiske Road, nor adversely impact drainage, natural resources or parks any more than would occur if the proposed street was built a maximum 400 feet long, as specified in the development code.

## CONCLUSION

1. A motion was made by Commissioner Sarnoski and seconded by Commissioner A. Woods to approve action alternative number 1 and **APPROVE** the requested 29-lot Subdivision, Class B Variance to housing density standards and Class C Variance to road standards on an 8.13 acre parcel on the south side of Fort McKay. The motion passed unanimously.
2. The Commission adopts the findings of the staff report in support of their decision.



NOW, THEREFORE, based upon the foregoing findings of fact and the oral testimony provided, the Sutherlin Planning Commission **APPROVES** the requested 29-lot Subdivision, Class B Variance and Class C Variance on an 8.13 acre parcel of land, subject to the following conditions of approval:

1. The property owner/developer shall submit a final Subdivision Plat which substantially conforms to the approved preliminary Plan in all aspects except as specifically conditioned by the Planning Commission, as well as the general standards and survey plat requirements prescribed by the SDC. Any alterations shall be reviewed by the Planning Department.
2. The applicant shall meet all requirements of final plat submission and approval criteria in Section 4.4.160 of the SDC. The final plat shall be filed within two (2) years of this approval, unless an extension is granted pursuant to Section 4.4.120.D of the SDC.
3. The property owner/developer shall dedicate a 5' strip of land along the frontage of Fort McKay Road to bring the half ROW width up to the Douglas County ultimate standard for a Rural Major Collector road classification.
  - a. The final location and width of the land to be dedicated shall be determined by DCPW's, with coordination with the City of Sutherlin.
  - b. The property owner/developer shall provide a title report showing clear title to the affected strip of land.
4. The property owner/developer shall dedicate a 15' strip of land along the Schudeiske Road ROW to bring the half ROW width up to the Douglas County ultimate standard for a Local Road classification.
  - a. The final location and width of the land to be dedicated shall be determined by DCPW's, with coordination with the City of Sutherlin.
  - b. The property owner/developer shall provide a title report showing clear title to the affected strip of land.
5. Prior to final plat approval property owner/developer shall provide detailed engineered construction plans to be approved by the City of Sutherlin prior to construction. These plans include but are not limited to design of streets, water, sewer, storm water, grading, and erosion control.
6. Property owner/developer shall coordinate with the City Public Works for the design and installation of water lines with valves and two (2) fire hydrants, and water meters at the property line to city standards. Engineered plans are required to be submitted to the Community Development Department and be routed to the appropriate City Departments; along with review by the City Engineer of Record. The fee for the review conducted by the City Engineer of Record is required to be paid by the property owner/developer at time of review. The water main is required

to be sized at 8" diameter; and have a minimum depth of 36" to allow for future connections.

7. Property owner/developer shall coordinate with the City Public Works for the design and installation of sanitary sewer improvements to city standards. This requires an extension of the 8" gravity sewer main that is located approximately 800' east of the subject property with installation of a manhole every 300' to 400' and 4" lateral clean outs required at each property line. An 8" sewer main will need to be installed to serve the proposed development. Prior to submitting a final subdivision plat, the developer shall install sewer improvements, approved by the City of Sutherlin and DEQ within public ROW or minimum 15' wide utility easements to serve all proposed lots. Three (3) sets of engineered plans are required to be submitted to the Community Development Department and be routed to the appropriate City Departments; along with a review conducted by the City Engineer of Record. The fee for the review conducted by the City Engineer of Record is required to be paid by the property owner/developer at time of review.
8. Prior to submitting a final subdivision plat, the developer shall install an engineered, properly sized, and City approved storm drainage system that captures all street and rooftop runoff in the subdivision and pipes it into the existing storm drainage system. The subdivision's storm drainage system shall be designed and constructed to accommodate the existing runoff volumes from the contributory slopes uphill of the subject property.
9. The property owner/developer shall improve and dedicate the required ROW for the interior local residential street (50' ROW). The design of the new street shall include two 11' travel lanes, two 7' parking lanes, two 6' sidewalks and two 6" curbs. The new street shall be designed, engineered and constructed in accordance with the standards of the SDC, along with meeting the requirements of the Oregon Uniform Fire Code, Appendix D and
  - i. **Prior to** commencing excavation, site preparation or construction of the road, the applicant shall submit three (3) copies of the design plan for the road, prepared by an Oregon Licensed Professional Engineer, to Community Development for routing to necessary departments for review and consistency with the City's design standards.
  - ii. The City (staff) may require additional information to ensure full compliance with design requirements.
  - iii. The City's Engineer of Record will review the plans submitted, fee is the responsibility of the property owner/developer and they can require additional information/changes to ensure full compliance with city standards.
  - iv. The applicant shall provide a title report showing clear title to the affected strip of land.

10. Reimbursement District option for ½ street improvements to Schudeiske Road. Current code requires ½ street improvements (i.e. storm drainage, curb, gutter, sidewalk, asphalt, etc) to the remaining portion along Schudeiske Road prior to final approval of the subdivision and recording of the plat. It is recognized by that ½ street improvements to Schudeiske Road at this time is premature considering the rural nature and current use of this road. Therefore, the property owner/developer agrees to the enactment of a pre-established Improvement District in which the City shall place a lien on each individual lot created by the property owner/developer in an amount proportional to the divided costs received from an Oregon Licensed Engineers estimate of future ½ street improvements to each lot prior to the City fully executing this agreement. This agreement will include a recommended cost estimate plus a specified percentage per each year the road improvement is not completed.
11. Prior to beginning construction, the property owner of the subject property shall sign a Development Agreement with the City to complete approved improvements located in city right-of-way to city standards. Prior to final plat approval the developer shall install all required improvements as directed by the City, or submit to the City an acceptable agreement for improvements and Irrevocable Letter of Credit or bond mechanism as specified in Section 4.3.170 of the SDC.
12. Property owner/developer shall improve the western half of Schudeiske Road from Fort McKay Road to the entrance of the proposed local residential street and an additional 100' south of the proposed road. This to include: storm drainage, curb, gutter, sidewalk, asphalt, etc) meeting Douglas County standards for a local road.
13. Property owner/developer shall provide two (2) city standard fire hydrants at the locations, as indicated and approved by the City Fire Department to City and Oregon Uniform Fire Code standards.
14. All utilities shall be designed per standards and to be located underground, pursuant to Section 3.5.150 of the SDC.
15. The property owner/developer shall obtain the necessary ROW activity permit(s) for improvements and access within the ROW of Fort McKay Road and/or Schudeiske Road from the DCPW's.
16. Property owner/developer shall submit a stamped certification by a licensed engineer stating that the rate of storm water drainage during and after development will not increase as a result of the proposed development. The certification shall further state that the developer will adhere to all applicable storm drainage, grading, erosion, and sediment control requirements. The City may impose conditions of approval and/or require submittal of engineered plans that demonstrate there will be no impact to neighboring properties.

17. Property owner/developer shall submit a stamped Drainage Memo by a licensed engineer stating the proposed drainage during and after development will not impact the current Douglas County storm system.
18. Property owner/developer shall obtain a 1200-C NPDES Storm Water Discharge Permit prior to construction as required by the Oregon Department of Environmental Quality.
19. Any shared driveways shall be identified on the face of the final plat. Property owner/developer shall provide and record on the plat any reciprocal access and maintenance agreements for any affected lots
20. Property owner/developer shall install three (3) streetlights as indicated on the preliminary plan and per city street light policy (Resolution No. 2006-03).
21. Property owner/developer shall install mailboxes in accordance with city standards. Plans for mail boxes shall be approved by the US Postal Service.
22. Property owner/developer shall install street signs in accordance with MUTCD standards. The cost of signs and installation of the signs required for new development shall be the responsibility of the property owner/developer, coordination with the City is required for the ordering of the street sign.
23. The property owner/developer shall pay \$25.00 fee to the City of Sutherlin for each lot for the issuance of an address and to coordinate this with Community Development.
24. All necessary easements shall be shown and referenced on the final subdivision plat. Required recorded easements and agreements, reciprocal easements and maintenance agreements for the shared private drives, storm water drainage easements, public and private utility easements.
  - a. All easements outside of dedicated ROW must be shown and described as to type and use on the face of the final plat.
25. The approved subdivision shall be surveyed and monumented as required by ORS Chapter 92, and a final submission plat prepared for City signature. The final plat shall comply with all applicable provisions of ORS Chapter 92, including the standards of ORS 92.050, the survey and monumenting provisions of ORS 92.060, and the declaration requirements of ORS 92.075. The final subdivision plat shall bear the stamp and signature of the Professional Land Surveyor, and shall include a signature line for the Sutherlin Community Development Director and the Planning File Number.
26. If any covenants are to be placed on the subdivision, the applicant shall provide a copy, including the volume and page(s) of the recording with Douglas County, to

27. the City. The applicant shall place a reference on the final plat indicating any covenant restrictions governing the development of the proposed subdivision.
28. The property owner/developer shall provide a letter from the Sutherlin Public Works Director that all required improvements have been constructed and installed to City Construction Specifications.
29. Subdivision plan or plat approval does not constitute home construction approval. Development of the site shall be subject to review and approval of the City of Sutherlin prior to commencing any home construction or site development work.
30. Development of the property shall be subject to City of Sutherlin System Development Charges (SDCs), as well as applicable SDC credits, and such other permits and fees as may apply.
31. An electronic copy (pdf) of recorded final subdivision plat, to include as-built drawings, shall be submitted to the Sutherlin Community Development Department within 10 days after recording.

#### **ADVISORY STATEMENTS**

32. Development of the subject property shall comply with state and federal environmental rules, regulations, and standards, and shall conform to all requirements of the Sutherlin Municipal Code.
33. For the development of the individual lots, developer must meet City of Sutherlin private driveway standards stated in chapter 3 of the SDC. Driveways must maintain a minimum separation of 25 feet.
34. No access for the individual lot(s) is permitted along Fort McKay Road or Schudeiske Road.
35. At the time of a building permit proposal on any of the new parcels, the permit shall indicate compliance with SDC Section 2.2 R-1 building setbacks and lot coverage requirements; and Vehicle Access and Circulation listed in section 3.2.110 of the SDC.
  - a. Where a street or driveway is to be paved, the building permit application shall include provisions for on-site storm water collection or infiltration in accordance with city specifications.

DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

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Lisa Woods, CHAIR

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## City of Sutherlin

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Date: July 12, 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**

**LGGP Application # 8218 presentation July 13, 2022, amount \$600,978 for Inclusive playground equipment, RV/Overflow-ADA parking area.**

#### **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.**

- LGGP 2022 presentation July 13, 2022, application # 8218 (\$600,978.00) Inclusive Play Equipment, RV/Overflow ADA – Parking Area.

### **Downtown Parking Lot**

- Design and Construction management TBD 2022

### **Central Park Multi-Use Stage**

- Week of July 11, 2022 – stage cover will be installed, electrical will be finalized and miscellaneous landscaping will be completed.

## **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 road and storm sewer, when required, reconstruction of up to eight (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 was held on May 25, 2022, and construction began on June 6, 2022. This project is expected to be completed by mid-August 2022.

## **UTILITIES**

### **Nonpareil Water Treatment Plant Improvement – No update**

**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:**

- 2022-23- 2022-57 on previous Activity Report(s)
- 2022-58 – 119 S Calapooia St – Gazebo (Plaza Park)
- 2022-59 – 211 Dakota St – CIU (UCAN Headstart)
- 2022-60 – 869 W Central Ave – CIU (boutique)
- 2022-61 – 1939 W Duke Rd – SFD
- 2022-62 – 116 W Central Ave – CIU (beauty shop/spa)
- 2022-63 –

#### **Active Land Use Applications:**

- 22-S006 – 22-S009 on previous Activity Report(s)

#### **Right of Way Applications:**

- 22-09 – 22-23 on previous Activity Report(s)
- 22-24 – 270 Kruse St – Avista/Hydromax USA
- 22-25 – 1595 E Central Ave – Douglas Services