

**CITY OF SUTHERLIN  
PLANNING COMMISSION MEETING  
CIVIC AUDITORIUM – 7:00 PM  
TUESDAY, AUGUST 31, 2021**

**COMMISSION MEMBERS PRESENT:** William Lee, Richard Price, Adam Sarnoski, Gary Dagel, Lisa Woods, Alan Woods and Norm Davidson

**COMMISSION MEMBERS EXCUSED:**

**COMMISSION MEMBERS ABSENT:**

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

**AUDIENCE:** Ben Tatone, Thomas McIntosh, Ashley Zwijacz, Mavis Ecker, Salina O'Banion and Bruce Cortes

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

**FLAG SALUTE**

**WELCOME NEW PLANNING COMMISSION MEMBER** – Alan Woods. Commissioner A. Woods gave a brief background.

**APPROVAL OF MINUTES**

A motion made by Commissioner Davidson to approve the minutes of the June 15, 2021 Planning Commission meeting; second made by Commissioner Price.

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

Opposed: None

Excused: None

Motion carried unanimously

**QUASI-JUDICIAL PUBLIC HEARING(s)**

1. **Thomas McIntosh (representative for the property owners)**, request for a Planned Unit Development (PUD) to be developed in two phases that total 53 lots, along with open space on a 9.85 acre parcel, which is located on the south side of Fort McKay Road in the City of Sutherlin. The subject property is described as Tax Lot 2000 in Section 24A in T25S, R6W, W.M.; Property I.D. No. R46139. The property is designated Low Density by the Sutherlin Comprehensive Plan and zoned (R-1) Low Density Residential. **PLANNING DEPARTMENT FILE NO. 21-S012.**

Chair Lee opened the hearing, with the disclosure (legal) statement; all 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 Lee asked the Commission if there were any conflicts of interest or personal bias; Lee asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Lee asked for the Staff Report.

**Jamie Chartier, City Planner**, identified Brandan McGarr (Sutherlin Fire Department), Josh Heacock (Douglas County Public Works and the applicant as having party status. Then entered Staff Exhibits 1-12, along with the Staff Report into the record. Mrs. Chartier then proceeded to summarize the Staff Report, with the recommendation of action alternative number 1.

## **APPLICANT'S TESTIMONY**

**Thomas McIntosh, representative/applicant for property owners**, appreciates staffs work and concurs with the submitted Staff Report. Commissioner L. Woods asked what the anticipated timeframe for each phase will be. Commissioner A. Woods asked for elaboration on the overall plan (create each lot and the developer build or is the plan to sell vacant lots?).

**Ben Tatone, property owner/developer**, concurred with the Staff Report submitted and gave an example of the neighborhood he and the other property owner envision and build (homes to be a Toyota Camry vs Lexus). Commissioner A. Woods asked Mr. Tatone what the average home value within the proposed development be. Mr. Tatone responded that Tabor Building builds a nice house, beyond entry level, while making it affordable housing development. The development will also include a play area for kids to congregate, along with a pavilion and BBQ area.

Commissioner Davidson asked if fire conditions or the fire department been addressed that where raised within the Staff Report. Mrs. Chartier stated that the fire codes and requirements will have to be addressed with development and design. When the engineered plans for design are submitted the Fire Department and State Fire Marshall will review them for compliance. Chair Lee asked Mr. Tatone how this development fits in with the current housing market. Mr. Tatone replied that he has been involved with Tabor Building through many different housing markets and they adapt to the current market conditions as needed along the way. Commissioner Dagel asked if there would be any provisions to someone buying and/or selling. Mr. Tatone informed the commission that the only provisions to someone buying one of their lots is that is not permitted until the home is completely built and sold to the home buyer under contract. Once the property is sold, it is out of their hands.

**TESTIMONY IN FAVOR** - No testimony in favor.

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

## **RECEIVE NEUTRAL**

**Mavis Ecker, 249 Plat M Road, Sutherlin**, informed the commission and audience that her property abuts the subject property and asked when will development start? Mr. Tatone answered Mrs. Ecker stating that they hope to have Phase 1 finished within two (2) years or less. There is a drainage across the property that is considered wetlands and Phase 1 will stop just prior to that. He also stated that they would like to start the construction part by next spring/summer 2022. Mr. Tatone is estimating approximately five (5) years for full buildout. Mrs. Ecker asked about city services, their location and what direction are they coming from. Mr. Tatone informed her the utilities will come from the infrastructure lines within the right-of-way of Fort McKay Road.

**Ashley Zwijacz, 141 Plat M Road, Sutherlin**, stated that her property is directly adjacent to the subject property and per the preliminary map would have eight (8) houses along her fence line. Mrs. Zwijacz asked what the average home cost (sales) would be, Mr. Tatone replied, "If it was in todays

market and conditions the house sizes would be a minimum size of 1,500-1,600 sq ft, up to between 2,000 – 2,200 sq ft and in the \$340,000-370,000 price range. Mrs. Zwijacz has a concern with existing water runoff and stated that her property floods each year, and they have worked to get it under control. What will be done to prevent additional drainage? Mr. Tatone informed her (and the commission) that a home and land with impervious surface is approximately 4,000 sq ft that must go into a dedicated storm water drainage. Within the proposed development a detention pond (or two) will be required in their engineered design to handle the storm water and will in turn help with flooding. Mrs. Chartier also added that one of the conditions of approval and requirement within the Sutherlin Development Code is an engineered stamped letter certifying the proposed storm water drainage will not increase as a result of development and there will be no impact to neighboring properties.

Mrs. Zwijacz also asked if there will be any type of buffer built to ensure adjacent properties that are located outside the city limits still have that privacy. Can a privacy fence be built on the proposed lots for this? Also, a two-story house would eliminate privacy with the limitation of a 6' fence. Mr. Tatone informed Mrs. Zwijacz that in all his and Tabor Building's subdivisions and homes they have built, they do construct a 6' fence with front yard landscaping. They sell a "finished" product so the proposed subdivision (or PUD) is uniform and looks nice. Thomas McIntosh did add that fencing falls outside of the scope of this application and approval criteria. So, it cannot be added as a condition of approval. But the developer has stated they do plan to build a fence and are sensitive to the privacy issue.

**Bruce Cortes, PO Box 1405, Sutherlin**, stated he is in favor of the development proposal and knows the city has to continue to grow. Questions the additional traffic on Fort McKay Road, is Douglas County aware of this development? Is Fort McKay Road built to a level to handle the additional traffic? Will the access into this development affect other properties access onto Fort McKay Road? Mr. McIntosh stated that a traffic impact analysis (TIA) was conducted and was concluded that Fort McKay Road is well within the capacity to handle the additional traffic. Douglas County Public Works has been and is very involved and informed with the proposal. Douglas County Public Works is also requiring an additional 5' right-of-way (ROW) to be dedicated so ultimately Fort McKay Road is a 70' ROW, increased from it's existing 60'. Mrs. Chartier added that with Fort McKay Road being classified as a major collector road, 250' is the required spacing for accesses onto it. With this requirement being in place, the EMS access will be required to be locked and not a utilized by the homeowners within the development. Mr. Cortes asked, "Will this requirement affect other driveways on the north side of Fort McKay Road?" Mrs. Chartier answered that it will not.

## **APPLICANT'S REBUTTAL**

No rebuttal necessary, questions were answered throughout the hearing.

Chair Lee closed the public portion of the hearing.

A motion was made by Commissioner Price to approve the Planned Unit Development (PUD) application per staff's recommendation of Action Alternative No. 1 with the 37 conditions of approval; Commissioner Davidson seconds the motion.

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

Opposed: None

Excused: None

Motion carried unanimously

**MONTHLY ACTIVITY REPORT - Jamie Chartier, City Planner**, informed the new commission member what the activity report is and asked the commission if they had a chance to review the activity report and if they had any questions.

Mrs. Chartier had placed an updated Sutherlin Development Code notebook at each commissioner's seat prior to the meeting. She informed them that these are complete SDC's and their previous notebooks can now be replaced.

**PUBLIC COMMENT** – None

**COMMISSION COMMENTS** – None

**CHAIR APPOINTMENT** - William Lee had submitted his resignation to City Staff prior to tonight's meeting. With this an appointment of Commission Chair is needed. Mrs. Chartier presented Mr. Lee with a certificate of recognition for his time.

A motion was made by Commissioner Davidson stated that he would step up to take the role of Chair from Vice Chair, second was made by Commissioner Price.

In favor: Commissioners Dagel, L. Woods, A. Woods, Sarnoski, Price and Davidson  
Opposed: None  
Excused: None  
Motion carried unanimously

A motion was made by Commissioner Price to nominate himself as vice-chair; second made by Commissioner Davidson.

In favor: Commissioners Dagel, L. Woods, A. Woods, Sarnoski, Price and Davidson  
Opposed: None  
Excused: None  
Motion carried unanimously

**ADJOURNMENT** - With no further business the meeting was adjourned at 7:58 pm.

Respectfully submitted,  
*Jamie Chartier*

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Jamie Chartier, City Planner

**APPROVED BY COMMISSION ON THE** 21<sup>st</sup> **DAY OF** September, 2021.

*Norman Davidson*

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Norman Davidson, Commission Chair