

**Note: The location of this meeting has changed.**

**PLANNING COMMISSION  
REGULAR MEETING AGENDA**

Wednesday, September 22, 2021 at 7:00 P.M.

**Lowell Rural Fire Protection District Meeting Room  
389 N. Pioneer Street  
Lowell, OR 97452**

**COVID-19 protocols are required for those attending in person, including mask wearing and social distancing.**

Members of the public are encouraged to provide comment or testimony through the following:

- Joining by phone, tablet, or PC. For details, click on the event at [www.ci.lowell.or.us](http://www.ci.lowell.or.us).
- In writing, by using the drop box at Lowell City Hall, 107 East Third Street, Lowell, OR 97452
- By email to: [jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us)

**Meeting Agenda**

**Call to Order/Roll Call**

Commissioners: Dragt \_\_\_ Kintzley \_\_\_ Wallace \_\_\_ Galvin \_\_\_

**Approval of Agenda**

**Approval of Minutes**

- Minutes from the August 4, 2021 Planning Commission meeting

**Old Business**

**New Business**

1. Land Use application #2021-09 – Review and render a decision on a conditional use permit for a Lowell School District 13-space parking lot that will also be used as a community parking lot when not in use by the school.
  - a. The public hearing is now open at \_\_\_ (state time)
  - b. Staff report – Henry Hearley, City Planner
  - c. Public comment
  - d. The public hearing is now closed at \_\_\_ (state time)
  - e. Planning Commission decision on Land Use application #2021-09

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities must be made at least 48 hours before the meeting to City Clerk Sam Dragt at 541-937-2157.

## September 22, 2021 Planning Commission Agenda

*Recommended motion: Motion to approve Land Use application #2021-08 "Conditional Use Permit for a Community Parking Lot as a Semi-Public Use in the R-1 Zone for 13 South Moss on Map and Tax Lot 19-01-14-23-07000," subject to the findings, conclusions and conditions as presented in the staff report as delivered by staff.*

2. Land Use application #2021-10 – Review and render a decision on a conditional use permit allow a home occupation in the form of an exercise/Pilates studio.
  - a. The public hearing is now open at \_\_\_\_ (state time)
  - b. Staff report – Henry Hearley, City Planner
  - c. Public comment
  - d. The public hearing is now closed at \_\_\_\_ (state time)
  - e. Planning Commission decision on Land Use application #2021-09

*Recommended motion: Motion to deny Land Use application #2021-10, "Conditional Use Permit for a Home Occupation at 156 Wetleau Drive in Lowell, Oregon," subject to the findings, conclusions, and conditions as presented in the staff report as delivered by staff.*

### **Other Business**

### **Adjourn**

**City of Lowell, Oregon  
Minutes of the Planning Commission Meeting  
August 4, 2021**

The meeting was called to order at 7:18 PM by Commissioner Chair Dragt.

**Members Present:** Lon Dragt, Mary Wallace, Suzanne Kintzley

**Staff Present:** CA Jeremy Caudle

**Approval of Minutes:** Commissioner Kintzley moved to approve the minutes from June 2, 2021, second by Commissioner Wallace. **PASS 3:0**

**New Business:**

**1. Land Use application #2021-09 – Review and render a decision on a conditional use permit request to allow one special needs goat on a property less than one-half acre in size in the R-1 zone, as indicated Lowell Development Code (LDC) Section 9.722.**

**Close Public Meeting: 7:21 PM**

**Open Public Hearing 7:21 PM**

**Staff report – Presented by City Administrator Caudle and recommended approval**

**Applicant Presentation by Tim and Jessi Osborn 105 N Alder**

**Public testimony read into record by City Administrator Caudle, letter in favor submitted by Joyce Daigneault 96 N Alder**

**Public Hearing Closed 7:35 PM**

**Public Meeting reconvened 7:35 PM**

**Commission Deliberation: Commissioner Kintzley moved to approve recommendation to City Council on Land Use Application Planning Commission decision on Land Use application #2021-09, subject to the findings, conclusions and conditions as contained and presented in the Staff Report, presented to the Planning Commission on August 4, 2021.” Second by Commissioner Wallace. **PASS 3:0****

**Other Business:** None

**Adjourn: 7:36 PM**

Approved: \_\_\_\_\_  
Lon Dragt - Chair

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Jeremy Caudle, City Recorder

Date: \_\_\_\_\_

**Staff Report**  
**Conditional Use Permit Application**  
**Lowell School Community Parking Lot LU 2021 08**  
**Staff Report Date: September 15, 2021**

**1. PROPOSAL.** The Planning Commission is being asked to review and render a decision on an application for a conditional use permit for a Lowell School District 13-sapce parking lot that will also be used as a community parking lot when not in use by the school. The application was submitted by Mr. Jason Pickett, Facilities Manger for the Lowell School District. The applicant has contracted with Branch Engineering to perform the site analysis and draft the preliminary engineering and construction plans. The City of Lowell and the Lowell School District held a pre-application conference on this matter on June 14, 2021. The proposed school/community parking lot will be sited on the property located at 13 South Moss in Lowell, Oregon. The subject property is 0.16 acres in size and is zoned R-1, Single Family Residential and is confined within the boundaries of the Downtown Plan.

**2. RELATION TO THE DOWNTOWN PLAN.** The subject property is identified as being designated as Flex 2 in the regulating plan of the Lowell Downtown Master Plan. In the Flex 2 zone, commercial and mixed uses are permitted so long as it contains a residential component. When the regulating plan was created, the Lowell School District did not own the three properties located at the corner of Main and Moss (tax lots: 7200,7100, and 7000). The convention in creating the regulating plan, with respect to Lowell School District owned properties, was to designate properties under school ownership as “Civic/Public.” By looking at the regulating plan it’s evident all school or governmental owned properties contain this designation. Therefore, the subject property is designated as Flex 2 in the regulating plan. While the Lowell Downtown Plan and subsequent regulating plan are both relatively new, the fact is that what’s occurring on the ground does not coincide with what the regulating plan envisioned because of the ownership dynamic at the time when the regulating plan was drafted.

**3. APPROVAL CRITERIA.** Section 9.251, Conditional Uses; Section 9.204 Application Site Plan. A conditional use approval is subject to a Quasi-judicial hearing in front of Planning Commission.

**4. REFERRAL COMMENTS RECEIVED.**

Staff elicited referral comments from Lane County, Engineering, Fire, and Public Works. See **Attachment C** for referral comments received.

**5. STAFF REVIEW OF SITE PLAN SUBMISSION CRITERIA LDC 9.204**

Staff have only provided the relevant sections of the application site plan as they pertain to the proposal.

***(h) Walls and fences: location, height and materials.***

**Discussion:** As seen on Sheet C6, the applicant will be installing a new 6' sight-obscuring fence along the western property boundary (adjacent to tax lot 7100). The existing 4' chain link fence will be removed.

***(i) Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns.***

**Discussion:** As seen on Sheet C2, the total number of off-street parking spaces is 13, including one ADA space. Traffic circulation will come via the alleyway immediately adjacent to Lundy Elementary School. The new community parking lot will also have a new pedestrian access point that leads onto the sidewalk adjacent to South Moss Street. Each of the new stalls and ADA space will 18'X9' and have a 6" high parking berm at the front of each parking stall.

***(j) Access: pedestrian, vehicular, service, points of ingress and egress.***

**Discussion:** The new community parking lot will contain one new pedestrian access point. The new pedestrian access point will lead to the sidewalk along the western side of South Moss Street. The pedestrian access point will provide convenient pedestrian access to Rolling Rock Park and the Downtown areas, as well as the High School complex and athletic fields.

***(k) Signs: location, size, height and mean of illumination***

***(m) Lighting: location and general nature, hooding devices.***

**Discussion:** Lighting and signage is not proposed as part of the project.

***(n) Street dedication and improvements.***

**Discussion:** The proposal does not involve any street dedication or improvements to rights-of-way, other than the installation of a new sidewalk connection (pedestrian access point).

***(o) Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.***

**Discussion:** As seen on Sheet C1, there is an existing 72" Fir stump that is slated for removal. Additionally, as seen on Sheet C2, the perimeter of the proposed community parking lot will contain landscaping features.

***(p) Water systems, drainage systems, sewage disposal systems and utilities.***

**Discussion:** Stormwater runoff from the proposed parking lot will sheet flow to a curb on the west side of the lot, where it will be directed to a catch basin (see Site Plan, Sheet C2, **Attachment A**). The proposed catch basin will be piped to the existing curb inlet fronting the site. Pre- and post-development 25-year peak runoff rate calculations are attached. Stormwater

detention is not proposed at this time. The Public Works Director has indicated the City's stormwater system has adequate capacity to handle the additional stormwater run-off. See the applicant's civil engineer's drainage memo (**Attachment A**).

*(q) Drainage ways, water courses, flood plain and wetlands.*

**Discussion:** Per FEMA's floodplain mapping and the wetland inventory mapping for the area, no wetland features or floodplains exist on-site. Additionally, there are no significant water courses or drainageways on the site.

*(u) Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specific the extent of emissions and nuisance characteristics relative to the proposed use.*

*Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy.*

*Uses which possess nuisance characteristic or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to; noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safe guards or conditions of use as required by the Planning Commission or City Council.*

*All uses shall meet all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality, and any other public agency having appropriate regulatory jurisdiction. City approval of a land use application shall be conditional upon evidence submitted to the City indicating that the proposed activity has been approved by all appropriate regulatory agencies.*

**Discussion:** The applicant states the proposed structure is not expected to generate any nuisance characteristics as identified in LDC 9.204(u). Of course, the nature of a community parking lot will cause such nuisances such fumes and dust, but by going through the conditional use process, any potential nuisances can be mitigated and appropriately addressed. To reduce or eliminate glare onto adjacent residential properties, a 6' high sight-obscuring fence will be installed along the western property line.

**FINDING:** The applicant has submitted the necessary information as required for an application site plan.

## **6. STAFF REVIEW OF CONDITIONAL USE CRITERIA, LDC 9.251**

*A conditional use is a use of land or a structure which is normally appropriate in the district where it is permitted, but due to the specifics of that use could cause a potential nuisance, health or safety problem. It is the intent of this section to provide standards and procedures so that uses which are classified as conditional can fit into a particular zone in a manner that safeguards surrounding property, the neighborhood, and the City.*

*(b) Decision Criteria. Conditional uses listed in this Code may be permitted, altered, or enlarged upon authorization of the Planning Commission in accordance with the following findings:*

*(1) That the proposed development can comply with the Zoning District standards with Conditions of Approval.*

**FINDING:** The subject property is zoned R-1, Single-Family Residential. Pursuant to LDC Section 9.411(c) (4), a semi-public use is a conditionally permitted use. The proposed community parking lot is a “semi-public” use because of the community aspect of the parking lot. The proposed parking lot is not solely intended for exclusive use by the Lowell School District, rather the City will also utilize the parking lot for certain City sponsored and public events. This is the interpretation of a “semi-public” use in which staff is utilizing to justify a community parking lot as a “semi-public” use and therefore a conditionally permitted use. The City Administrator and the Superintendent of the Lowell School District are in the early stages of drafting a formal Memorandum of Understanding (MOU) that will govern the roles and responsibilities and of each party as it relates to the use of the community parking lot. Staff expect the MOU to be executed after conditional approval, but prior to construction completion of the community parking lot. As a conditionally permitted use, the proposal must first seek a conditional use permit. The reason for conditional use permits is to review proposals that could cause a potential nuisance, health or safety problem. The intent of a conditional use permit review process is to fit a particular use in a zone that safeguards the surrounding properties, neighborhood and the City. By undergoing the conditional use permit process and by Planning Commission interpreting a community parking lot to be classified as a “semi-public use,” the proposal can meet the Zoning District standards with Conditions of Approval.

*(2) That the proposed development complies with applicable provisions of city codes and ordinances.*

**FINDING:** As alluded to above, the proposed community parking lot is interpreted to be a “semi-public” use because of its community aspect i.e., the parking lot will not exclusively serve the School District; it will also serve the community at-large during public and community events. Additionally, the Lowell Downtown Master Plan and the associated regulating plan are both functionally adopted guiding documents. While the zoning of the subject property remains R-1, the regulating plan designates the property as Flex 2. In the Flex 2 zone, mixed uses are permitted uses, with a required residential component. A community parking lot is neither a residential nor mixed use. The designation of the subject property as Flex 2 is a result of the fact that the Lowell School District did not own the property at the time when the regulating plan was drafted. If the Lowell School District had owned the property at the time the Regulating Plan was drafted, it would have been designated as “Civic/Public,” so those types of uses could occur there, consistent with the adopted Master Plans of the Lowell School District. This type of “inconsistency” between what’s occurring on the ground and what’s envisioned in adopted Master Plans is contemplated in the Lowell Development Code in Section 9.253(b)(2), which states in part, “*there is a need for the proposed amendment to comply with changing conditions or to correct deficiencies.*” The “changing conditions” portion of subsection b is what applies to

the present proposal. The conditions on the ground no longer reflect what was contemplated when the regulating plan was first drafted for the reason(s) identified in these findings. Lastly, as discussed in the finding for (1), above, a “semi-public” use is a conditionally permitted use in the R-1 zone. The applicant is correctly pursuing a conditional use permit through the quasi-judicial process.

***(3) That the proposed development will not cause negative impacts to traffic flow or to pedestrian and vehicular safety and future street rights-of-way are protected.***

**FINDING:** The impetus of the proposed community parking lot was to alleviate and address negative traffic impacts on South Moss Street that routinely happen as a result of vehicular traffic associated with morning and afternoon drop-offs at Lundy Elementary School. As an interim measure to address overflow parking, the City has been allowing staff at the School District to temporarily park at the Rolling Rock Park. The City and the School both recognize that continued parking of staff vehicles, even if temporary, at Rolling Rock Park is not what’s in the best interest for the School or the City. The proposed community parking lot was proposed as a way to address the parking and traffic concerns and to eliminate the need for staff to park their vehicles at Rolling Rock Park. The ingress and egress of vehicles to the proposed community parking lot will occur via an existing alley adjacent to South Moss Street and Lundy Elementary School. The entrance to the parking lot is approximately 26’ wide. Criterion met.

***(4) That proposed signs or lighting will not, by size, location or color, interfere with traffic, limit visibility or impact on adjacent properties.***

**FINDING:** There are no new signs or lighting fixtures proposed by the applicant for the new community parking lot. Impact on adjacent properties is mitigated by the addition of a new 6’ high sight-obscuring fence along the western property boundary.

***(5) That proposed utility connections are available, have the capacity to serve the proposed development and can be extended in the future to accommodate future growth beyond the proposed land division.***

**FINDING:** There are no required utility connections proposed nor required as part of the proposal. The proposal does not involve the creation of land or division of land. There are existing city utility lines nearby that can be utilized if needed for future development. The only city utility line that applies to the present proposal is the creation and extension of a new storm drainage line to carry away stormwater run-off from the community parking lot. See Sheet C4 for details.



***(6) That the proposed development will not cause negative impacts to existing or proposed drainage ways including flow disruptions, flooding, contamination or erosion.***

**FINDING:** The proposed community parking lot will connect to the City's existing storm drain located in the right-of-way on South Moss Street. The applicant will install a new storm drain catch basin near the center of the western property boundary. The newly constructed catch basin will drain into the City's existing stormwater drainage system. The applicant's civil engineer has provided a drainage memo to address the pre and post peak flows of the proposed development. The memo has been reviewed by the City Engineer. The City Engineer does not have any specific concerns at this time, but a review of the construction plans, post Planning Commission approval, will be required as part of the building permit process. The Public Works Director has no issues with the increased flows into the City's stormwater drainage system and that the City's system has adequate capacity.

***(7) That the proposed development will not cause negative impacts, potential hazards or nuisance characteristics as identified in Section 2.140, Item 21 of the Application Site Plan consistent with the standards of the Zoning District and complies with the applicable standards of all regulatory agencies having jurisdiction.***

**FINDING:** The purpose of conditional use criteria and process is to review proposed uses that would typically be outright permitted uses in a certain zone but may have certain nuisance characteristics that require certain mitigation efforts. The conditional use permit process identifies potential nuisance characteristics and addresses those nuisances, accordingly. With the proposed community parking lot being the R-1 zone and adjacent to an existing single-family dwelling, the nuisance identified is glare or light from vehicles falling onto adjacent residential properties. To address and mitigate this, the applicant has proposed, and the Lowell Development Code requires, a sight-obscuring fence to be installed. As seen on Sheet C2, the applicant will be installing a 6' high sight-obscuring fence along the western property boundary. By going through the conditional use process, potential negative impacts or nuisances can be identified and appropriately mitigated by the City and the Planning Commission. To that end, staff find this criterion met.

## **7. STAFF REVIEW OF PARKING LOT DESIGN STANDARDS**

***For each new structure or use, each structure or use increased in area and each change in the use of an existing structure there shall be provided and maintained off-street parking areas in conformance with the provisions of this section.***

***(a) Design and Improvement Requirements for Parking Lots:***

***(1) All parking areas and driveway approaches shall be surfaced with a minimum of two inches asphaltic concrete or four inches Portland Cement***

***Concrete over approved base unless other methods are approved by the City. Under specified conditions the City may defer paving and permit gravel parking areas as a temporary use.***

**FINDING:** As seen on the site plan, the proposed community parking lot will be surfaced with 3" thick AC parking lot surface. Criterion met.

- (2) ***For Commercial and Industrial uses, service drives and parking spaces on surfaced parking lots shall be clearly and permanently marked. Handicapped Parking must comply with the Oregon Structural Specialty Code.***

**FINDING:** While the proposed community parking lot is not a commercial or industrial use, the parking lot will contain a handicap assessable parking space and the appropriate stripping and ADA signage, as see on the site plan. Criterion met.

- (3) ***Parking areas for other than single-family and two-family dwellings shall be served by a service driveway and turnaround so that no backing movements or other maneuvering shall occur within a street other than an alley. Design for parking lots shall conform to the Parking Diagram contained in Figure 9.5-1. Two-way driveways shall have a minimum width of 20 feet and a maximum width of 30 feet. One-way driveways shall have a minimum width of 12 feet and a maximum width of 16 feet.***

**FINDING:** The access for the parking lot will be via the alley, and it is expected the loading zone for the ADA parking can typically be used for vehicles to turn around as necessary. The two-way driveway is 24' wide. As noted below, Figure 9.5-1 is not available and therefore is not applicable.

- (4) ***A Parking space shall conform to the Parking Diagram contained in Figure 9.5-1.***

**FINDING:** Figure 9.5-1 does not exist in the Lowell Development Code; therefore this criterion is not applicable.

- (5) ***The outer boundary and all landscaped islands of a parking area shall be contained by a 6" high curb for protection of landscaping, pedestrian walkways and to contain rainwater runoff. No motor vehicle shall project over the property line.***

**FINDING:** A 6" curb is shown on the site plan around the boundary and islands of the parking lot. No motor vehicles will project over the property line due to the curb and the landscaped setback areas. Criterion met.

- (6) ***All parking areas, except those in conjunction with a single family or two-family dwelling, shall have adequate drainage to dispose of the run-off generated by the impervious surface area of the parking area. On-site***

*collection of drainage water shall not allow sheet flow of water onto sidewalks, public rights-of-way or abutting property and shall detain out-flow velocities to that of undeveloped land. On-site drainage must be approved by the City.*

**FINDING:** Stormwater runoff will be directed to an on-site catch basin that is piped to the adjacent public curb inlet as illustrated on the site plan. Final engineering plans and details are subject to review and approval by the City Engineer, prior to the issuance of building permits. This will be a condition of approval.

- (7) *Service driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrian and vehicular traffic on the site. The number of service driveways shall be limited to the minimum that will allow the property to accommodate and service the traffic anticipated. Service driveways connected to County roads must be approved and permitted by Lane County Public Works.*

**FINDING:** A single service driveway from the adjacent alley is proposed for the primary ingress and egress. The adjacent alley or adjacent right-of-way are not Lane County owned facilities. Lane County Transportation did receive referral comment for this application and has issued “no comment.” Criterion met.

- (8) *All off-street parking areas within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the City to minimize disturbances to adjacent residents.*

**FINDING:** The proposed community parking lot does abut the Residential District, as such a sight-obscuring fence will be required. As seen on Sheet C2, there is proposed a 6’ high sight-obscuring fence along the western property boundary. Criterion met.

## **8. RECOMMENDATION**

**Staff recommends the Planning Commission APPROVE a conditional use permit to authorize a community parking lot as a “semi-public” use in the R-1 Zone for the Lowell School District. Such conditional approval is subject to the conditions of approval as presented herein this staff report and imposed by the Planning Commission.**

## 9. CONDITIONS OF APPROVAL

**Condition of Approval #1:** The City and the Lowell School District shall enter into a Memorandum of Understanding (MOU) regarding the shared use of the community parking lot. The MOU shall be signed and executed between the City Administrator, or his or her designee and the Lowell School District Superintendent or his or her designee.

**Condition of Approval #2:** All final engineering details and plans (drainage, grading, paving, etc.) shall first be submitted to the City Engineer for review, comment and approval, prior to the issuance of building permits.

## 10. INFORMATIONAL ITEMS

The Applicant shall work with the Lowell Public Works Department to obtain Right-of-way permits if any work is to be conducted in the City's rights-of-way.

## 11. ATTACHMENTS

*Attachment A: Applicant's application and supplemental materials*

*Attachment B: Notice*

*Attachment C: Referral Comments*

# Land Use Permit Application

Site Plan Review     Lot Line Adjustment     Partition     Subdivision  
 Conditional Use     Variance     Map Amendment     Text Amendment  
 Annexation     Vacation     Other, specify \_\_\_\_\_

Please complete the following application. If any pertinent required information or material is missing or incomplete, the application will not be considered complete for further processing. If you have any questions about filling out this application, please contact staff at Lowell City Hall, phone (541) 937-2157, 107 East Third, Lowell.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Map# 1901142307000 Lot # \_\_\_\_\_

Map# \_\_\_\_\_ Lot # \_\_\_\_\_

Map# \_\_\_\_\_ Lot # \_\_\_\_\_

Street Address (if applicable): 13 S. MOSS Lowell OR. 97452

Area of Request (square feet/acres): .16 ACRE

Existing Zoning: R1

Existing Use of the Property: Demolished house, vacant lot

Proposed Use of the Property Parking lot

Pre-application Conference Held: No  Yes  If so, Date \_\_\_\_\_

**Submittal Requirements:**

- \_\_\_\_\_ 1. Copy of deed showing ownership or purchase contract with property legal description.
- \_\_\_\_\_ 2. Site Plan/Tentative Plan with, as a minimum, all required information. Submit one copy of all plans 11x17 or smaller; 12 copies of all plans larger than 11x17. (See attached checklist for required information)
- \_\_\_\_\_ 3. Applicant's Statement: Explain the request in as much detail as possible. Provide all information that will help the decision makers evaluate the application, including addressing each of the decision criteria for the requested land use action.
- \_\_\_\_\_ 4. Other submittals required by the City or provided by the applicant. Please List.
 

a. _____	b. _____
c. _____	d. _____
e. _____	f. _____
- \_\_\_\_\_ 5. Filing Fee: Amount Due: 292.<sup>00</sup>

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that incomplete applications may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge. I (We) also acknowledge that if the total cost to the City to process this application exceeds 125% of the application fee, we will be required to reimburse the City for those additional costs in accordance with Ordinance 228.

PROPERTY OWNER

Name (print): Lowell School District #71 Phone: 541-937-5070

Address: 65 South Pioneer

City/State/Zip: Lowell, OR. 97452

Signature: JRP

APPLICANT, If Different

Name (print): Jason Pickett Phone: 541-912-0807

Company/Organization: Lowell School District #71

Address: 65 S. Pioneer

City/State/Zip: Lowell, OR, 97452

Signature: JRP

E-mail (if applicable): J.Pickett@Lowell.k12.or.us

APPLICANTS REPRESENTATIVE, if applicable

Name (print): DAN Nelson / Emily Pruse Phone: 541-746-0637

Company/Organization: Branch Engineering

Address: 310 5th ST.

City/State/Zip: Springfield OR, 97477

E-mail (if applicable): DANN@BRANCHengineering.com, emily.p@branchengineering.com

For City Use. Application Number \_\_\_\_\_

Date Submitted: \_\_\_\_\_ Received by: \_\_\_\_\_ Fee Receipt # \_\_\_\_\_

Date Application Complete: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_ Date of Decision \_\_\_\_\_ Date of Notice of Decision \_\_\_\_\_

**APPLICATION SITE PLAN REQUIREMENTS CHECKLIST**  
**Lowell Land Development Code, Section 2.140**

Applications for land divisions or land use requests that require a site plan shall submit the site plan on 8 1/2 x 11 inch or 11 x 17 inch black/white reproducible sheets for copying and distribution. Larger drawings may be required for presentation and City review. Drawings shall be drawn to scale. The scale to be used shall be in any multiple of 1 inch equals 10 feet (1" = 20', 1" = 30", 1" = 100', etc.) and may be increased or decreased as necessary to fit the sheet size. The Application and site plan shall show clearly and with full dimensioning the following information, as applicable, for all existing and proposed development. It is understood that some of the requested information may not apply to every application.

- \_\_\_\_\_ The names of the owner(s) and applicant, if different.
- \_\_\_\_\_ The property address or geographic location and the Assessor Map number and Tax Lot number.
- \_\_\_\_\_ The date, scale and northpoint.
- \_\_\_\_\_ A vicinity map showing properties within the notification area and roads. An Assessor Map, with all adjacent properties, is adequate.
- \_\_\_\_\_ Lot dimensions.
- \_\_\_\_\_ The location, size, height and uses for all existing and proposed buildings.
- \_\_\_\_\_ Yards, open space and landscaping.
- \_\_\_\_\_ Walls and fences: location, height and materials.
- \_\_\_\_\_ Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns.
- \_\_\_\_\_ Access: pedestrian, vehicular, service, points of ingress and egress.
- \_\_\_\_\_ Signs: location, size, height and means of illumination.
- \_\_\_\_\_ Loading: location, dimension, number of spaces, internal circulation.
- \_\_\_\_\_ Lighting: location and general nature, hooding devices.
- \_\_\_\_\_ Street dedication and improvements.
- \_\_\_\_\_ Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.

- \_\_\_\_\_ Water systems, drainage systems, sewage disposal systems and utilities.
- \_\_\_\_\_ Drainage ways, water courses, flood plain and wetlands.
- \_\_\_\_\_ The number of people that will occupy the site including family members, employees or customers.
- \_\_\_\_\_ The number of generated trips per day from each mode of travel by type: employees, customers, shipping, receiving, etc.
- \_\_\_\_\_ Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.
- \_\_\_\_\_ Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use. Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy.
- Uses which possess nuisance characteristics or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to; noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safeguards or conditions of use as required by the Planning Commission or City Council.
- All uses shall meet all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality, and any other public agency having appropriate regulatory jurisdiction. City approval of a land use application shall be conditional upon evidence being submitted to the City indicating that the proposed activity has been approved by all appropriate regulatory agencies.
- \_\_\_\_\_ Such other data as may be necessary to permit the deciding authority to make the required findings.

**NOTE: Additional information may be required after further review in order to adequately address the required criteria of approval.**



TAX ACCT. NO. 0815751  
MAP/TAX LOT NO. 19 01 14 2 3, #7000

**TRUST DEED**

THIS TRUST DEED, made on day 30 of May, 2019, between **LOWELL SCHOOL DISTRICT #71** , as Grantor, **CASCADE TITLE COMPANY**, as Trustee, and **TOSHIKO A. WILSON** as Beneficiary,

**WITNESSETH:**

Grantor irrevocably grants, bargains, sells and conveys to trustee in trust, with power of sale, the property in Lane County, Oregon, described as:

Lot 1, Block 15, **LOWELL**, as platted and recorded in Book 4, Page 37, Lane County Oregon Plat Records, in Lane County, Oregon.

together with all and singular the tenements, hereditaments and appurtenances and all other rights thereunto belonging or in anywise now or hereafter appurtenant, and the rents, issues and profits thereof and all fixtures now or hereafter attached to or used in connection with the property.

FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of grantor herein contained and payment of the sum of **\*\*NINETY ONE THOUSAND FIVE HUNDRED\*\* Dollars, with interest thereon** according to the terms of a promissory note of even date herewith, payable to beneficiary or order and made payable by grantor, the final payment of principal and interest hereof, if not sooner paid, to be due and payable **July 01, 2034**.

The date of maturity of the debt secured by this instrument is the date, stated above, on which the final installment of said note becomes due and payable. In the event the within described property, or any part thereof, or any interest therein is sold, agreed to be sold, conveyed, assigned, or alienated by the grantor without first having obtained the written consent or approval of the beneficiary, then, at the beneficiary's option, all obligations secured by this instrument, irrespective of the maturity dates expressed therein or herein, shall become immediately due and payable.

**To protect the security of this trust deed, grantor agrees:**

1. To protect, preserve and maintain said property in good condition and repair; not to remove or demolish any building or improvement thereon; not to commit or permit any waste of said property.
2. To complete or restore promptly and in good workmanlike manner any building or improvement which may be constructed, damaged or destroyed thereon, and pay when due all costs incurred therefor.
3. To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the property; if the beneficiary so requests, to join in executing such financing statements pursuant to the Uniform Commercial Code as the beneficiary may require and to pay for filing same in the proper public office or offices, as well as the cost of all lien searches made by filing officers or searching agencies as may be deemed desirable by the beneficiary.
4. To provide and continuously maintain insurance on the buildings now or hereafter erected on said premises against loss or damage by fire and such other hazards as the beneficiary may from time to time require, in an amount not less than the full insurable value, written in companies acceptable to the beneficiary, with loss payable to the latter; all policies of insurance shall be delivered to the beneficiary as soon as insured; if grantor shall fail for any reason to procure any such insurance and to deliver said policies to the beneficiary at least fifteen days prior to the expiration of any policy of insurance now or hereafter placed on said buildings, the beneficiary may procure same at grantor's expense. The amount collected under any fire or other insurance policy may be applied by beneficiary upon any indebtedness secured hereby and in such order as beneficiary may determine, or at option of beneficiary the entire amount so collected, or any part thereof, may be released to grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
5. To keep said premises free from construction liens and to pay all taxes, assessments and other charges that may be levied or assessed upon or against said property before any part of such taxes, assessments and other charges become past due or delinquent and promptly deliver receipts therefor to beneficiary; should the grantor fail to make payment of any taxes, assessments, insurance premiums, liens or other charges payable by grantor, either by direct payment or by providing beneficiary with funds with which to make such payment, beneficiary may, at its option, make payment thereof, and the amount so paid, with interest at the rate set forth in the note secured hereby, together with obligations described in paragraphs 6 and 7 of this trust deed, shall be added to and become a part of the debt secured by this trust deed, without waiver of any rights arising from breach of any of the covenants hereof and for such payments, with interest as aforesaid, the property hereinbefore described, as well as the grantor, shall be bound to the same extent that they are bound for the payment of the obligation herein described, and all such payments shall be immediately due and payable without notice, and the nonpayment thereof shall, at the option of the beneficiary, render all sums secured by this trust deed immediately due and payable and constitute a breach of this trust deed.

NOTE: The Trust Deed Act provides that the Trustee hereunder must be either an attorney, who is an active member of the Oregon State Bar, a bank, trust company, or savings and loan association authorized to do business under the laws of Oregon or the United States, a title insurance company authorized to insure title to real property of this state, its subsidiaries, affiliates, agents or branches, the United States or any agency thereof, or an escrow agent licensed under ORS 696.505 to 696.585.

**TRUST DEED**

LOWELL SCHOOL DISTRICT #71  
65 SOUTH PIONEER STREET  
LOWELL, OR 97452

*Grantor*

TOSHIKO A. WILSON  
PO BOX 72257  
EUGENE, OR 97401

*Beneficiary*

*After recording return to*  
CASCADE TITLE COMPANY

TDDUES (MB)

6. To pay all costs, fees and expenses of this trust deed including the cost of title search as well as the other costs and expenses of the trustee incurred in connection with or in enforcing this obligation and trustee's and attorney's fees actually incurred.

7. To appear in and defend any action or proceeding purporting to affect the security rights or powers of beneficiary or trustee; and in any suit, action or proceeding in which the beneficiary or trustee may appear, including any suit for the foreclosure of this deed, to pay all costs and expenses, including evidence of title and the beneficiary's or trustee's attorney's fees; the amount of attorney's fees mentioned in this paragraph 7 in all cases shall be fixed by the trial court and in the event of an appeal from any judgment or decrees of the trial court, grantor further agrees to pay such sum as the appellate court shall adjudge reasonable as the beneficiary's or trustee's attorney's fees on such appeal.

**It is mutually agreed that:**

8. In the event that any portion or all of said property shall be taken under the right of eminent domain or condemnation, beneficiary shall have the right, if it so elects, to require that all or any portion of the monies payable as compensation for such taking, which are in excess of the amount required to pay all reasonable costs, expenses and attorney's fees necessarily paid or incurred by grantor in such proceedings, shall be paid to beneficiary and applied by it first upon any such reasonable costs and expenses and attorney's fees, both in the trial and appellate courts, necessarily paid or incurred by beneficiary in such proceedings, and the balance applied upon the indebtedness secured hereby; and grantor agrees, at its own expense, to take such actions and execute such instruments as shall be necessary in obtaining such compensation, promptly upon beneficiary's request.

9. At any time and from time to time upon written request of beneficiary, payment of its fees and presentation of this deed and the note for endorsement (in case of full reconveyances, for cancellation), without affecting the liability of any person for the payment of the indebtedness, trustee may (a) consent to the making of any map or plat of said property; (b) join in granting any easement or creating any restriction thereon; (c) join in any subordination or other agreement affecting this deed or the lien or charge thereof; (d) reconvey, without warranty, all or any part of the property. The grantee in any reconveyance may be described as the "person or persons legally entitled thereto," and the recitals therein of any matters or facts shall be conclusive proof of the truthfulness thereof. Trustee's fees for any of the services mentioned in this paragraph shall be not less than \$5.

10. Upon any default by grantor hereunder, beneficiary may at any time without notice, either in person, by agent or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in its own name sue or otherwise collect the rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees upon any indebtedness secured hereby, and in such order as beneficiary may determine.

11. The entering upon and taking possession of said property, the collection of such rents, issues and profits, or the proceeds of fire and other insurance policies or compensation or awards for any taking or damage of the property, and the application or release thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

12. Upon default by grantor in payment of any indebtedness secured hereby or in his performance of any agreement hereunder, time being of the essence with respect to such payment and/or performance, the beneficiary may declare all sums secured hereby immediately due and payable. In such an event the beneficiary at his election may proceed to foreclose this trust deed in equity as a mortgage or direct the trustee to foreclose this trust deed by advertisement and sale, or may direct the trustee to pursue any other right or remedy, either at law or in equity, which the beneficiary may have. In the event the beneficiary elects to foreclose by advertisement and sale, the beneficiary or the trustee shall execute and cause to be recorded his written notice of default and his election to sell the said described real property to satisfy the obligation secured hereby whereupon the trustee shall fix the time and place of sale, give notice thereof as then required by law and proceed to foreclose this trust deed in the manner provided in ORS 86.735 to 86.795.

13. After the trustee has commenced foreclosure by advertisement and sale, and at any time prior to 5 days before the date the trustee conducts the sale, the grantor or any other person so privileged by ORS 86.753, may cure the default or defaults. If the default consists of a failure to pay, when due, sums secured by the trust deed, the default may be cured by paying the entire amount due at the time of the cure other than such portion as would not then be due had no default occurred. Any other default that is capable of being cured may be cured by tendering the performance required under the obligation or trust deed. In any case, in addition to curing the default or defaults, the person effecting the cure shall pay to the beneficiary all costs and expenses actually incurred in enforcing the obligation of the trust deed together with trustee's and attorney's fees not exceeding the amounts provided by law.

14. Otherwise, the sale shall be held on the date and at the time and place designated in the notice of sale or the time to which said sale may be postponed as provided by law. The trustee may sell said property either in one parcel or in separate parcels and shall sell the parcel or parcels at auction to the highest bidder for cash, payable at the time of sale. Trustee shall deliver to the purchaser its deed in form as required by law conveying the property so sold, but without any covenant or warranty, express or implied. The recitals in the deed of any matters of fact shall be conclusive proof of the truthfulness thereof. Any person, excluding the trustee, but including the grantor and beneficiary, may purchase at the sale.

15. When trustee sells pursuant to the powers provided herein, trustee shall apply the proceeds of sale to payment of (1) the expenses of sale, including the compensation of the trustee and a reasonable charge by trustee's attorney, (2) to the obligation secured by the trust deed, (3) to all persons having recorded liens subsequent to the interest of the trustee in the trust deed as their interests may appear in the order of their priority and (4) the surplus, if any, to the grantor or to his successor in interest entitled to such surplus.

16. Beneficiary may from time to time appoint a successor or successors to any trustee named herein or to any successor trustee appointed hereunder. Upon such appointment, and without conveyance to the successor trustee, the latter shall be vested with all title, powers and duties conferred upon any trustee herein named or appointed hereunder. Each such appointment and substitution shall be made by written instrument executed by beneficiary, which, when recorded in the mortgage records of the county or counties in which the property is situated, shall be conclusive proof of proper appointment of the successor trustee.

17. Trustee accepts this trust when this deed, duly executed and acknowledged is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other deed of trust or of any action or proceeding in which grantor, beneficiary or trustee shall be a party unless such action or proceeding is brought by trustee. The grantor covenants and agrees to and with the beneficiary and the beneficiary's successor in interest that the grantor is lawfully seized in fee simple of the real property and has a valid, unencumbered title thereto and that the grantor will warrant and forever defend the same against all persons whomsoever.

**WARNING:** Unless grantor provides beneficiary with evidence of insurance coverage as required by the contract or loan agreement between them, beneficiary may purchase insurance at grantor's expense to protect beneficiary's interest. This insurance may, but need not, also protect grantor's interest. If the collateral becomes damaged, the coverage

purchased by beneficiary may not pay any claim made by or against grantor. Grantor may later cancel the coverage by providing evidence that grantor has obtained property coverage elsewhere. Grantor is responsible for the cost of any insurance coverage purchased by beneficiary, which cost may be added to grantor's contract or loan balance. If it is so added, the interest rate on the underlying contract or loan will apply to it. The effective date of coverage may be the date grantor's prior coverage lapsed or the date grantor failed to provide proof of coverage. The coverage beneficiary purchases may be considerably more expensive than insurance grantor might otherwise obtain alone and may not satisfy any need for property damage coverage or any mandatory liability insurance requirements imposed by applicable law.

The grantor warrants that the proceeds of the loan represented by the above described note and this trust deed are:

- ~~(a) primarily for grantor's personal, family, or household purposes~~ [NOTICE: Line out the warranty that does not apply]
- (b) for an organization, or (even if grantor is a natural person) are for business or commercial purposes.

This trust deed applies to, inures to the benefit of and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, personal representatives, successors, and assigns. The term beneficiary shall mean the holder and owner, including pledgee, of the contract secured hereby, whether or not named as a beneficiary herein.

In construing this trust deed, it is understood that the Grantor or Beneficiary may be more than one person; that if the context so requires, the singular shall be taken to mean and include the plural and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, said grantor has hereunto set his hand the day and year first above written.

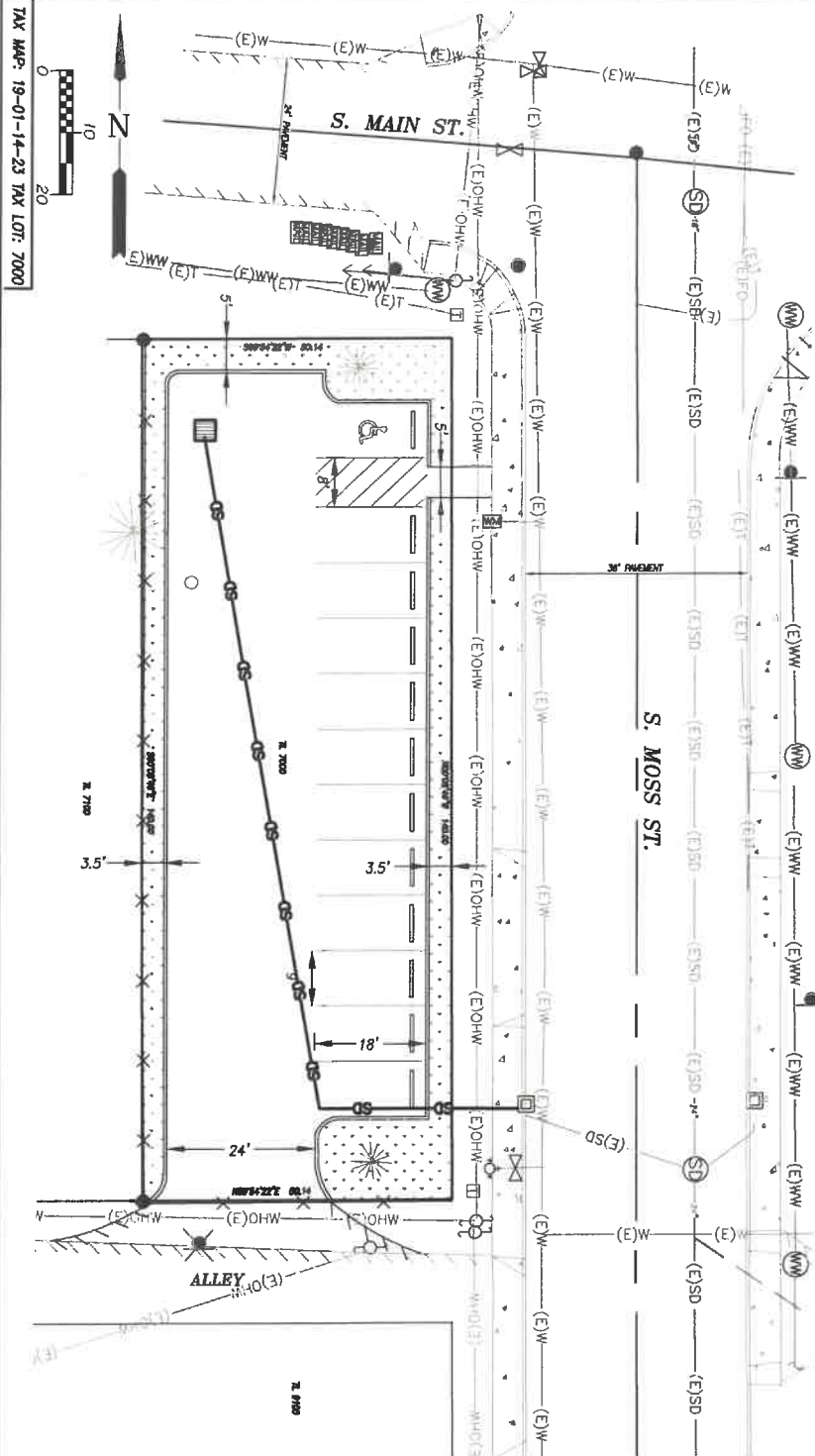
LOWELL SCHOOL DISTRICT #71

BY:   
JOHNIE LEE MATTHEWS, III,  
SUPERINTENDENT

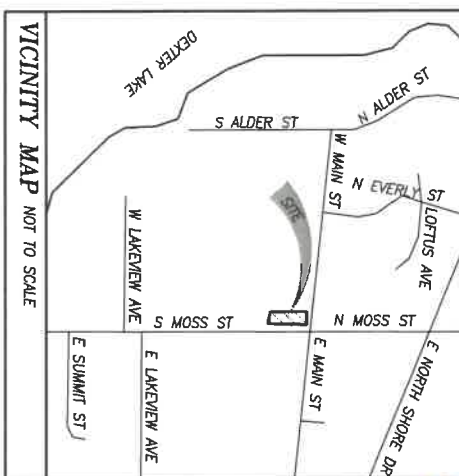
State of Oregon  
County of Lane

This instrument was acknowledged before me on \_\_\_\_\_, 2019 by JOHNIE LEE MATTHEWS, III, SUPERINTENDENT of LOWELL SCHOOL DISTRICT #71.

\_\_\_\_\_  
(Notary Public for Oregon)  
My commission expires \_\_\_\_\_



LEGEND	
EXISTING	PROPOSED
PROPERTY LINE	PROPERTY LINE
ADJOINER LINE	ADJOINER LINE
CURB	CURB
FENCE LINE	FENCE LINE
EDGE OF ASPHALT	EDGE OF ASPHALT
EXISTING TREE	PROPOSED TREE
CONCRETE	LANDSCAPE
GRAVEL	SIGN TO BE REMOVED
POWER POLE W/ GUY ANCHOR	6" STORM LINE
MAIL BOX	CATCH BASIN
FOUND MONUMENT	
FIRE HYDRANT	
WATER VALVE	
WATER METER	
IRRIGATION BOX	
TELEPHONE RISER	
UNKNOWN UTILITY RISER	
CURB INLET	
WASTEWATER MANHOLE	
STORM DRAIN MANHOLE	
STORM LINE	
OVERHEAD WIRES	
WATER LINE	
WASTEWATER LINE	
TELEPHONE LINE	
UNDERGROUND ELECTRICAL LINE	



**OWNER**  
 LOWELL SCHOOL DISTRICT  
 65 S PIONEER ST  
 LOWELL, OR 97432

**APPLICANT**  
 LOWELL SCHOOL DISTRICT  
 65 S PIONEER ST  
 310 5TH ST  
 SPRINGFIELD, OR 97477

**ENGINEER**  
 BRANCH ENGINEERING, INC  
 CONTRACT LANE BRANCH, PE  
 310 5TH ST  
 SPRINGFIELD, OR 97477



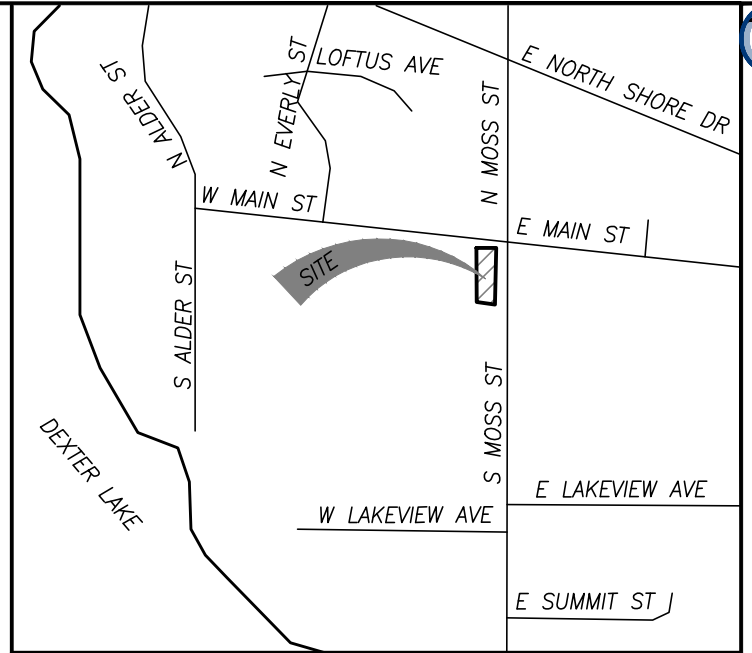
**COMMUNITY PARKING LOT  
 FOR LOWELL SCHOOL DISTRICT**  
 130 SMOSS ST  
 LOWELL, OR

date: JULY 7, 2021  
 drawn by: [blank]  
 checked by: [blank]  
 project no: 21-308  
**SITE PLAN**



# COMMUNITY PARKING LOT FOR LOWELL SCHOOL DISTRICT

130 S. MOSS ST  
LOWELL, OR 97452



VICINITY MAP NOT TO SCALE

## SHEET INDEX

- C0 COVER SHEET
- C1 EX. CONDITIONS/DEMO PLAN
- C2 SITE PLAN
- C3 GRADING & PAVING PLAN
- C4 UTILITY PLAN
- C5 DETAILS
- C6 DETAILS
- EC1 EROSION CONTROL PLAN
- EC2 EROSION CONTROL DETAILS

## DESIGN TEAM

### OWNER

LOWELL SCHOOL DISTRICT  
CONTACT: JASON PICKETT  
65 S PIONEER ST  
LOWELL, OR 97452  
EMAIL: jpickett@lowell.k12.or.us

### CIVIL ENGINEER/ PROFESSIONAL OF RECORD

BRANCH ENGINEERING, INC  
CONTACT: LANE BRANCH, PE  
310 5TH ST  
SPRINGFIELD, OR 97477  
EMAIL: laneb@branchengineering.com

### SURVEYOR

BRANCH ENGINEERING, INC  
CONTACT: DANIEL NELSON, PLS  
310 5TH ST  
SPRINGFIELD, OR 97477  
EMAIL: dann@branchengineering.com

## SITE DATA

## PROJECT DESCRIPTION

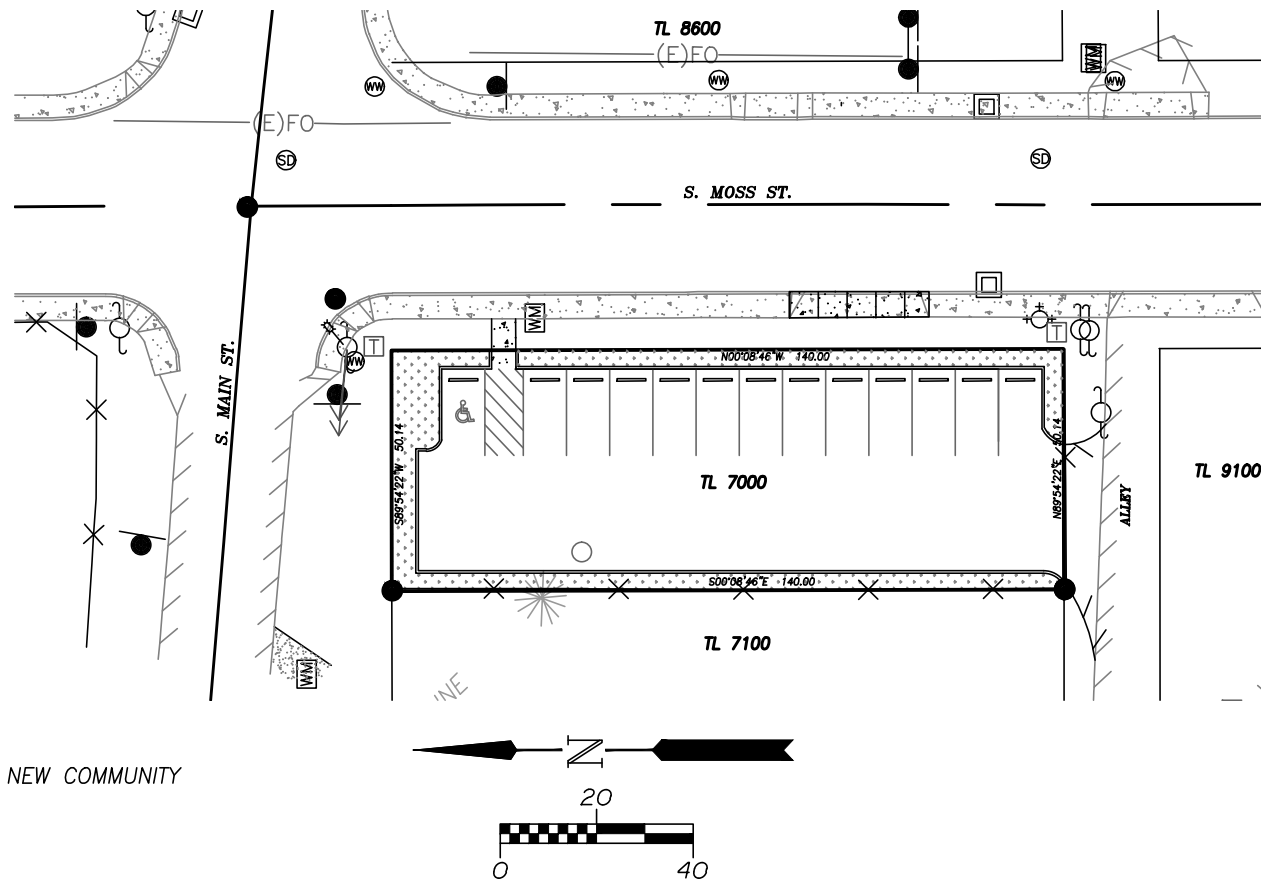
PAVING, GRADING, STRIPING AND STORM UTILITIES FOR A NEW COMMUNITY PARKING LOT ON FORMERLY VACANT PROPERTY.

## LOCATION

130 S. MOSS ST  
LOWELL, OR 97452  
TAX MAP: 19-01-14-23 TL 7000

## EXISTING USE

VACANT



**Branch ENGINEERING**  
Since 1977  
civil • transportation  
structural • geotechnical  
SURVEYING  
310 5th Street  
Springfield, OR 97477  
p: 541.746.0637  
www.BranchEngineering.com

**COMMUNITY PARKING LOT  
FOR LOWELL SCHOOL DISTRICT**  
 130 S MOSS ST  
 LOWELL, OR

revisions:

date: JULY 29, 2021  
 drawn by:  
 designer:  
 project no: 21-308  
**COVER SHEET**

sheet:

**C0**

REGISTERED PROFESSIONAL  
**ENGINEER**  
**PRELIMINARY**  
**NOT FOR CONSTRUCTION**  
 OREGON  
 FEBRUARY 8, 2000  
 MICHAEL LANE BRANCH  
 EXPIRES: DECEMBER 31, 2021

TAX MAP: 19-01-14-23 TAX LOT: 7000



**LEGEND**

**EXISTING**

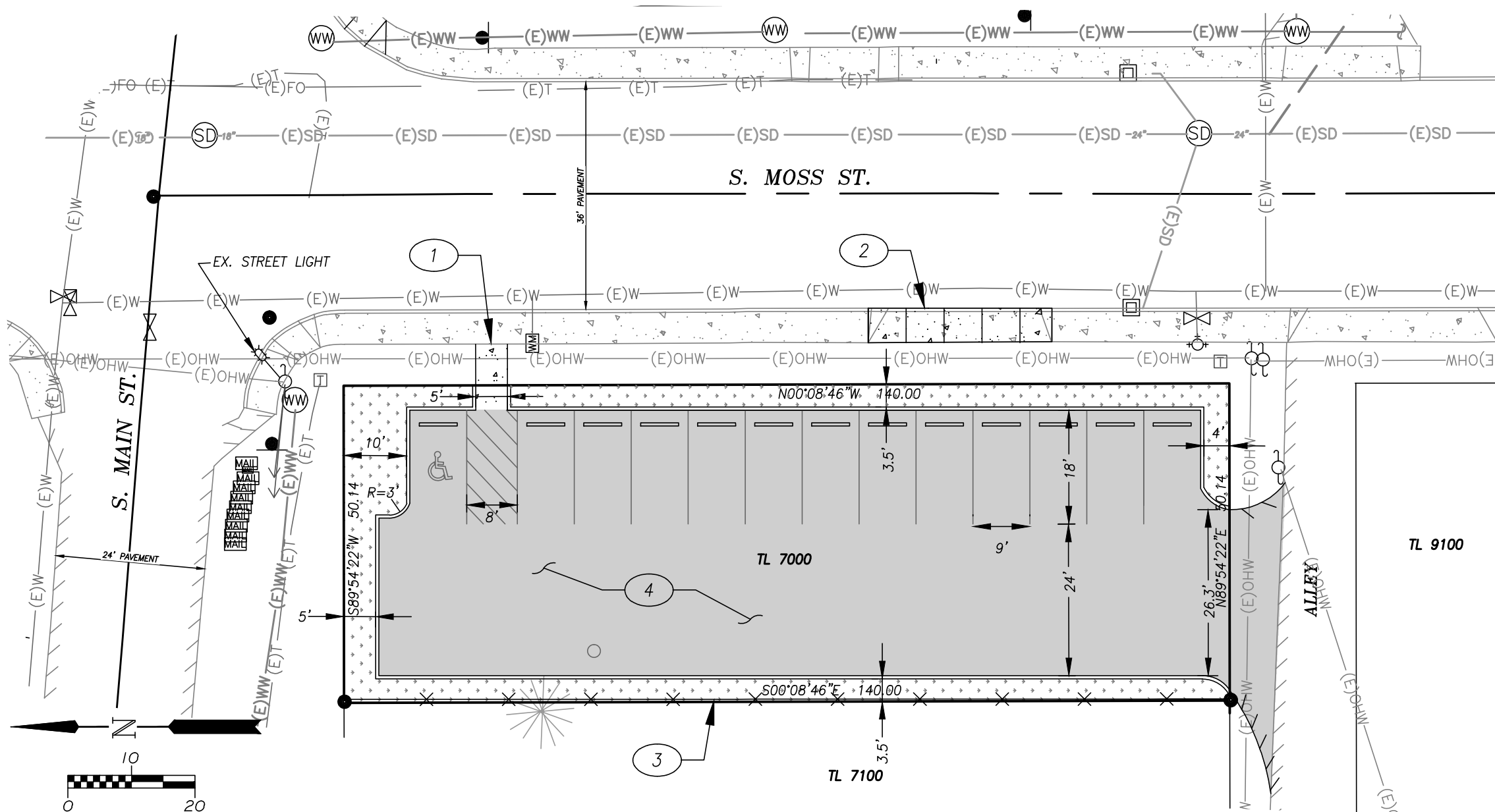
	PROPERTY LINE		POWER POLE w/ GUY ANCHOR
	ADJOINER LINE		MAIL BOX
	CURB		SIGN
	FENCE LINE		FOUND MONUMENT
	EDGE OF ASPHALT		FIRE HYDRANT
	EXISTING TREE		WATER VALVE
	CONCRETE		WATER METER
	GRAVEL		IRRIGATION BOX
			TELEPHONE RISER
			UNKNOWN UTILITY RISER
			SIGN

**PROPOSED**

	CURB INLET		CURB (6" HEIGHT)
	WASTEWATER MANHOLE		PARKING BLOCK
	STORM DRAIN MANHOLE		EDGE OF ASPHALT
	STORM LINE		LANDSCAPE
	OVERHEAD WIRES		CATCH BASIN
	WATER LINE		NEW AC PARKING LOT SURFACE
	WASTEWATER LINE		CONCRETE
	TELEPHONE LINE		SLATTED CHAIN LINK PRIVACY FENCE
	UNDERGROUND ELECTRICAL LINE		
$+739.75$	EX. SPOT ELEVATION		

**CONSTRUCTION NOTES:**

- 1 NEW SIDEWALK CONNECTION.
- 2 REPLACE CURB CUT WITH NEW CURB AND SIDEWALK.
- 3 NEW 6' TALL SLATTED CHAIN LINK FENCE.
- 4 NEW AC PARKING LOT



TAX MAP: 19-01-14-23 TAX LOT: 7000

**COMMUNITY PARKING LOT  
 FOR LOWELL SCHOOL DISTRICT**  
 130 S MOSS ST  
 LOWELL, OR




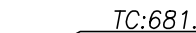


revisions:  
 date: JULY 29, 2021  
 drawn by:  
 designer:  
 project no: 21-308  
**SITE PLAN**

REGISTERED PROFESSIONAL  
**ENGINEER**  
**PRELIMINARY**  
**NOT FOR CONSTRUCTION**  
 OREGON  
 FEBRUARY 8, 2000  
 MICHAEL LANE BRANCH  
 EXPIRES: DECEMBER 31, 2021

Z:\2021\21-308 Lowell School Parking Lot\Civil\21-308 Civil JUL 7/29/2021 4:00 PM EMILYP  
 copyright © 2019 Branch Engineering, Inc.



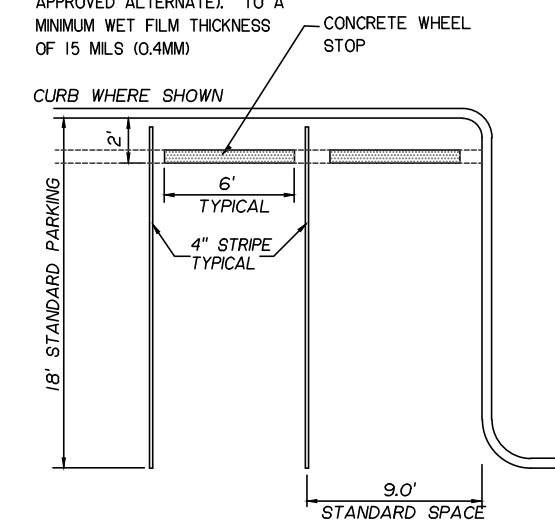
22 **LEGEND**

-  EX. CONCRETE
-  PROPOSED CONCRETE
-  427 EXISTING CONTOUR
-  TC:681.53 TOP OF CURB GRADE
-  AC:681.53 ASPHALT GRADE
-  C:681.53 CONCRETE GRADE

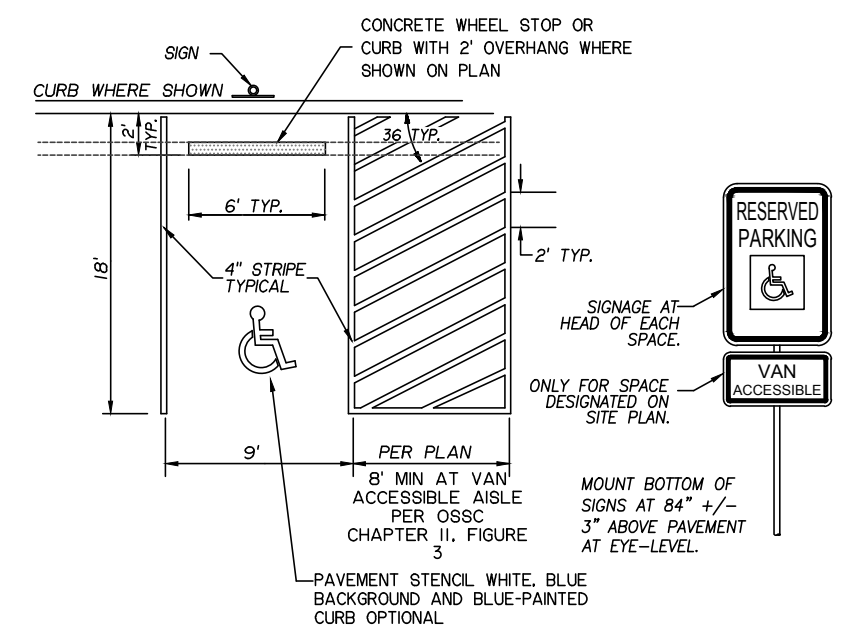
**CONSTRUCTION NOTES**

- 1 PROTECT EXISTING CONCRETE WALK.
- 2 CONSTRUCT 4" THICK CONCRETE WALK OVER 6" AGG. BASE PER DETAIL 5, SHEET C5.
- 3 CONSTRUCT ASPHALT PAVEMENT SECTION PER DETAIL 4, SHEET C5.
- 4 CONSTRUCT 6' CHAIN LINK FENCE WITH SLATS PER DETAIL 1, SHEET C6.
- 5 CONSTRUCT VERTICAL CURB PER DETAIL 2, SHEET C5.
- 6 STRIPE STANDARD PARKING SPACE PER DETAIL 2, THIS SHEET.
- 7 CONSTRUCT ADA PARKING SPACE PER DETAIL 1, THIS SHEET.
- 8 TAPER CURB HEIGHT FROM 6" TO 0" OVER 5'.
- 9 NOT USED.
- 10 EXCAVATE LANDSCAPE AREAS TO 12" BELOW FINISHED GRADE AND BACKFILL WITH 9" OF LIGHTLY COMPACTED TOPSOIL, CAPPED WITH 3" BARK MULCH.
- 11 CONSTRUCT NEW CURB AND SIDEWALK IN ACCORDANCE WITH LOWELL PUBLIC WORKS REQUIREMENTS AND PER DETAIL 5, SHEET C5. SIDEWALK TO BE 4" THICK OVER 6" AGG. BASE.

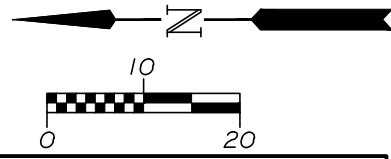
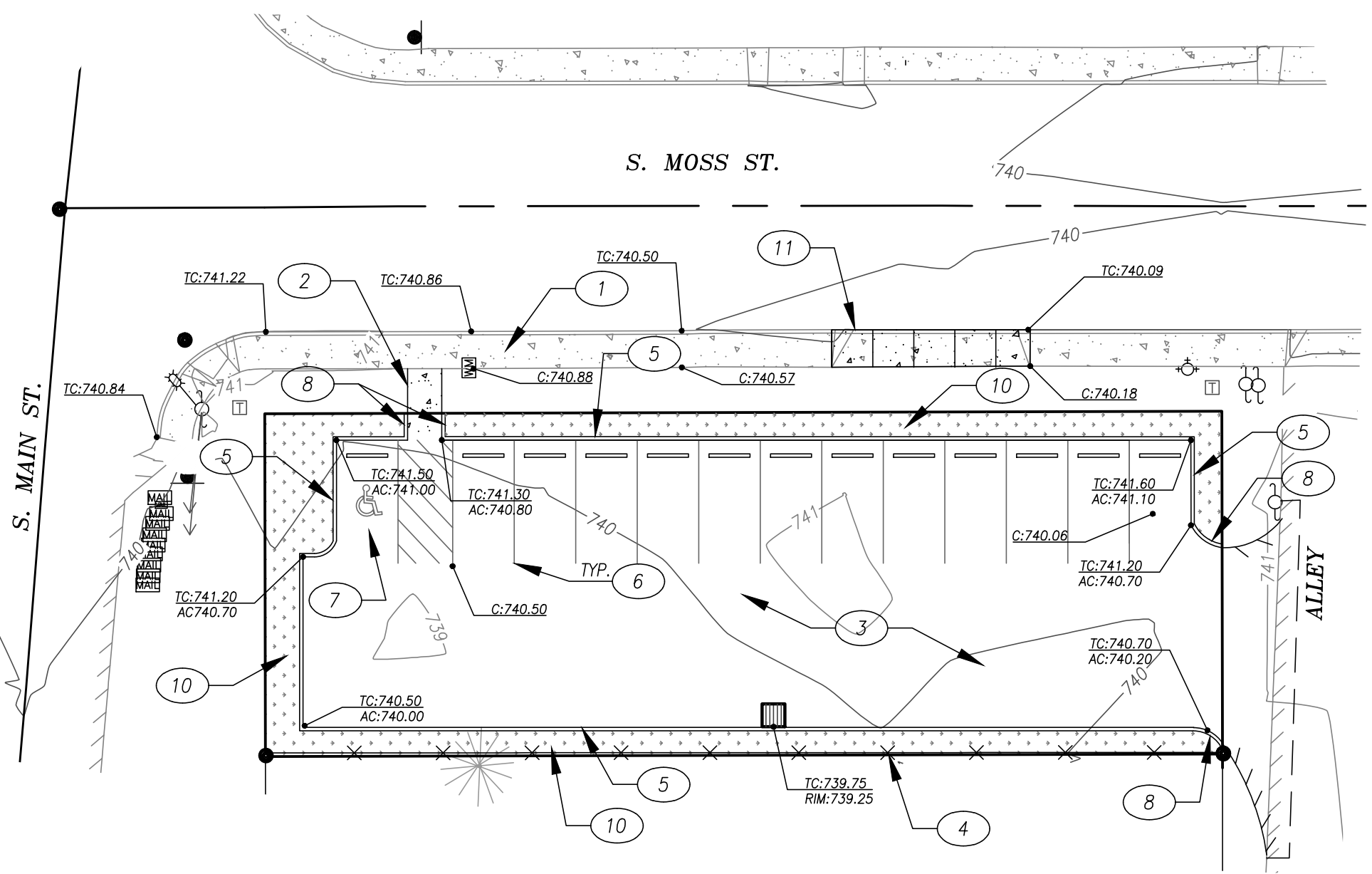
USE AASHTO M-248, TYPE N, ALKYD-RESIN TYPE (OR APPROVED ALTERNATE), TO A MINIMUM WET FILM THICKNESS OF 15 MILS (0.4MM)



**2 STANDARD PARKING SPACE**  
SCALE: N.T.S.



**1 ADA PARKING SPACE**  
SCALE: N.T.S.



TAX MAP: 19-01-14-23 TAX LOT: 7000

**COMMUNITY PARKING LOT  
FOR LOWELL SCHOOL DISTRICT**  
130 S MOSS ST  
LOWELL, OR

revisions:  
date: JULY 29, 2021  
drawn by:  
designer:  
project no: 21-308  
**GRADING & PAVING**  
sheet: **C3**



Z:\2021\21-308 Lowell School Parking Lot\Civil\21-308 Civil JUL 7 29/2021 4:00 PM EMILYP  
copyright © 2019 Branch Engineering, Inc.

### UTILITY NOTES

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL CONTACT OREGON ONE-CALL AT (800) 332-2344 TO INDICATE EXISTING UTILITIES AT LEAST 48 HOURS PRIOR TO BEGINNING WORK. THE CONTRACTOR SHALL TAKE PRECAUTIONARY MEASURES TO PROTECT THESE UTILITIES. THE CONTRACTOR SHALL DO NO EXCAVATION UNTIL ALL UTILITY AGENCIES AND THE CITY HAVE BEEN NOTIFIED AND HAVE BEEN GIVEN THE OPPORTUNITY TO MARK THEIR FACILITIES IN THE FIELD.
2. AT THE START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE LOCATION, ELEVATION AND MATERIAL TYPE FOR ALL EXISTING UNDERGROUND UTILITIES ON SITE, ACROSS THE SITE AND AT THE INDICATED POINTS OF CONNECTION. IF THE EXISTING CONDITIONS DIFFER FROM THAT SHOWN ON THE PLAN THE CONTRACTOR SHALL NOTIFY BRANCH ENGINEERING, INC. IMMEDIATELY.
3. SITE PLUMBING SHALL CONFORM TO THE 2014 OREGON PLUMBING SPECIALTY CODE AND MANUFACTURER'S SPECIFICATIONS.
4. ALL WORK WITHIN PUBLIC RIGHT-OF-WAY SHALL BE PER CITY OF VENETA PUBLIC WORKS REQUIREMENTS. CONTRACTOR SHALL OBTAIN CITY PERMITS FOR WORK WITHIN RIGHT-OF-WAY.
5. SEE ELECTRICAL PLAN FOR CONDUIT PLACING.

### CONSTRUCTION NOTES

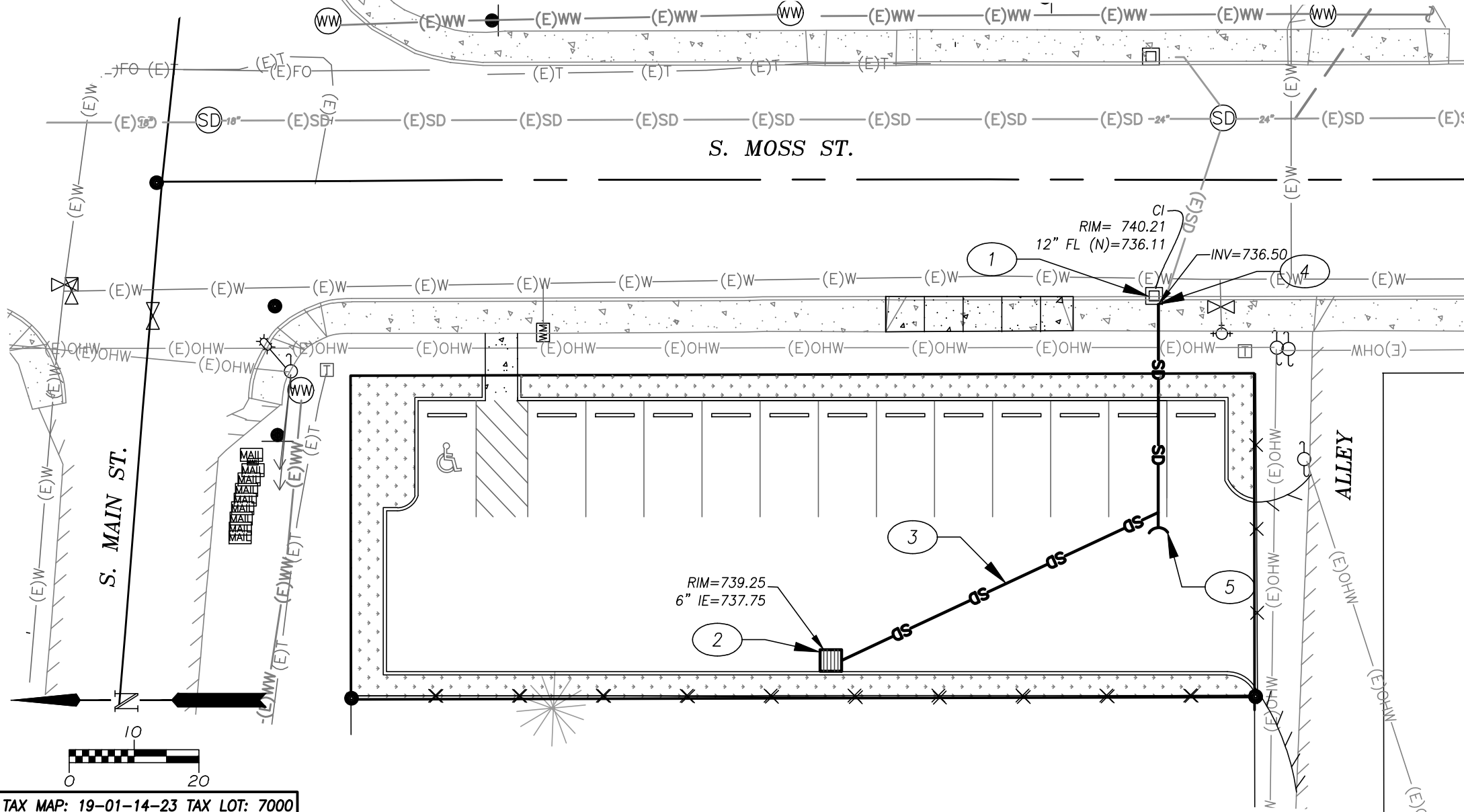
1. CONNECT TO EXISTING CATCH BASIN PER CITY OF LOWELL PUBLIC WORKS REQUIREMENTS.
2. FURNISH AND INSTALL 24"X48" STEEL CATCH BASIN (GIBSON STEEL) PER DETAIL 3, SHEET C5.
3. CONSTRUCT 6" PVC STORM PIPE WITH TRACER WIRE. INSTALL WITH 1% MIN SLOPE UNLESS NOTED OTHERWISE IN PLANS. SEE TRENCH DETAIL 1, SHEET C5.
4. REPLACE AC, CONCRETE CURBING AND SURFACE AS NECESSARY FOR TRENCHING.
5. CONSTRUCT CLEANOUT PER DETAIL 6, SHEET C5.

### EXISTING

- (E)SD— STORM LINE
- (E)OHW— OVERHEAD WIRES
- (E)W— WATER LINE
- (E)WW— WASTEWATER LINE
- (E)T— TELEPHONE LINE
- (E)WW— UNDERGROUND ELECTRICAL LINE
- CURB INLET
- ⊙ WW WASTEWATER MANHOLE
- ⊙ SD STORM DRAIN MANHOLE
- ←○ POWER POLE w/ GUY ANCHOR
- MAIL MAIL BOX
- SIGN
- ⊙ FOUND MONUMENT
- ♀ FIRE HYDRANT
- ⊗ WATER VALVE
- WM WATER METER
- IRR IRRIGATION BOX
- TELEPHONE RISER
- UNKNOWN UTILITY RISER
- SIGN

### PROPOSED

- ==== CURB (6" HEIGHT)
- ▬ PARKING BLOCK
- /// EDGE OF ASPHALT
- ▭ LANDSCAPE
- ✘ SIGN TO BE REMOVED
- SD— 6" STORM LINE
- ▭ CATCH BASIN
- ) CLEAN OUT

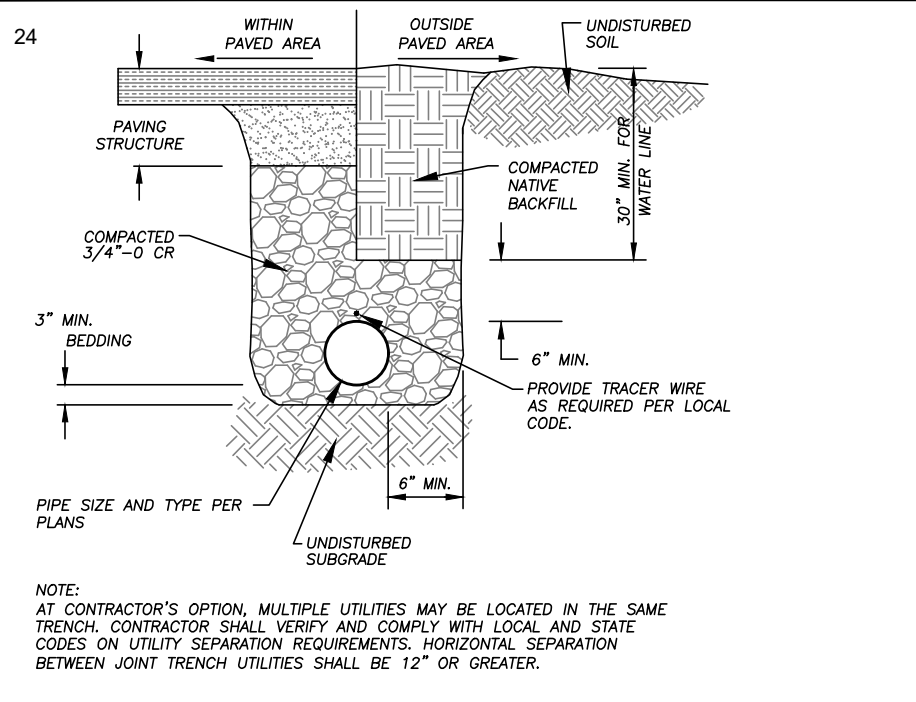


**COMMUNITY PARKING LOT FOR LOWELL SCHOOL DISTRICT**  
 130 S MOSS ST  
 LOWELL, OR

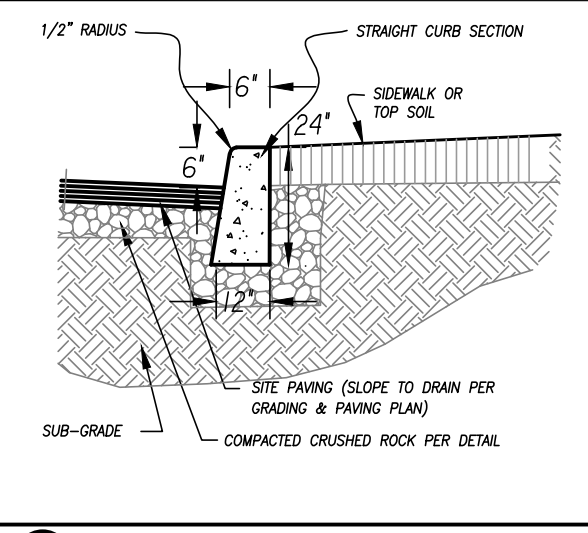
revisions:  
 date: JULY 29, 2021  
 drawn by:  
 designer:  
 project no: 21-308  
**UTILITY PLAN**

Z:\2021\21-308 Lowell School Parking Lot\Civil\21-308 Civil JUL 7/29/2021 3:45 PM EMILYP  
 copyright © 2019 Branch Engineering, Inc.

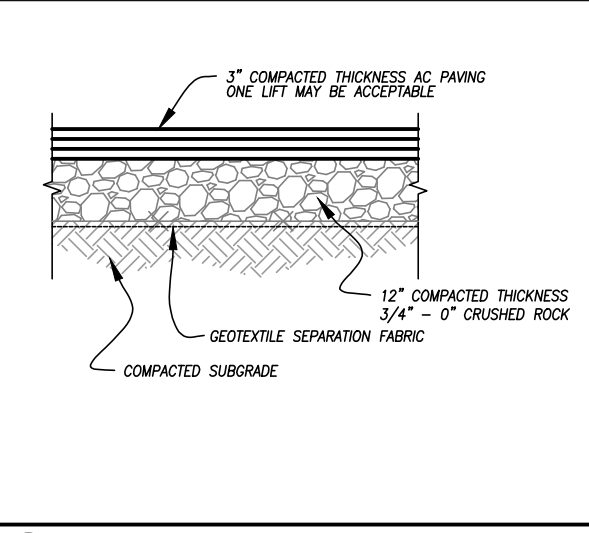
TAX MAP: 19-01-14-23 TAX LOT: 7000



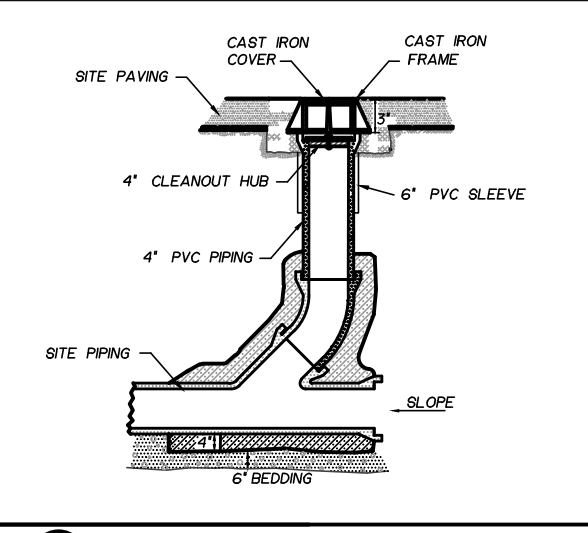
NOTE:  
 AT CONTRACTOR'S OPTION, MULTIPLE UTILITIES MAY BE LOCATED IN THE SAME TRENCH. CONTRACTOR SHALL VERIFY AND COMPLY WITH LOCAL AND STATE CODES ON UTILITY SEPARATION REQUIREMENTS. HORIZONTAL SEPARATION BETWEEN JOINT TRENCH UTILITIES SHALL BE 12" OR GREATER.



**2 VERTICAL CURB**  
 SCALE: N.T.S.

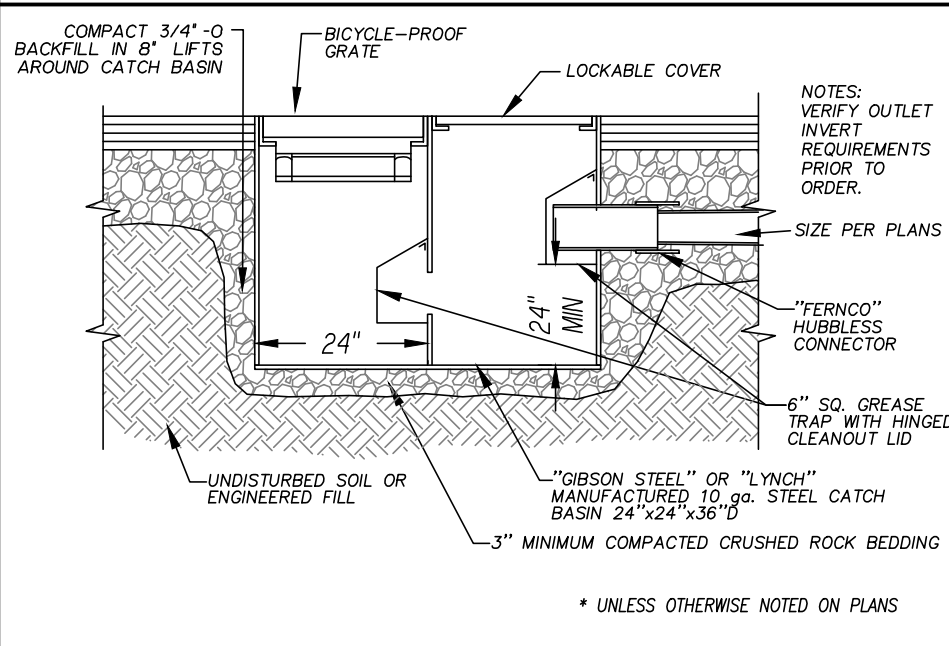


**4 AC PAVING**  
 SCALE: N.T.S.



**6 CLEANOUT**  
 SCALE: N.T.S.

**1 TYPICAL TRENCH SECTION**  
 SCALE: N.T.S.



NOTES:  
 VERIFY OUTLET INVERT REQUIREMENTS PRIOR TO ORDER.

\* UNLESS OTHERWISE NOTED ON PLANS

**3 TWO-COMPARTMENT CATCH BASIN**  
 SCALE: N.T.S.

**GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:**

- Include additional paved or unpaved 2' shy distance to vertical faces higher than 5' such as retaining walls, sound walls, fences and buildings.
- Curb type and sidewalk width as shown on plans or as directed.
- On sidewalks 8' and wider, provide a longitudinal joint at the midpoint.
- Install 3" pvc weep hole pipes in sidewalks where shown on plans, and allowed by jurisdiction. Place contraction joint over top of pipe. See Std. Dwg. RD700 for weep hole details.
- Provide expansion joints around poles, posts, boxes, at ends of each driveway, and other fixtures which protrude through or against the structures.
- For sidewalk, monolithic curb & sidewalk, const. expansion joints at 45' maximum spacing. See Std. Dwg. RD722 for expansion joints details.
- Const. contraction joints at 15' maximum spacing, and at ends of each curb ramp. See Std. Dwg. RD722 for contraction joints details.
- For curb details, see Std. Dwg. RD700 & RD701. ODOT standard E=7.
- Sidewalk details are based on applicable ODOT standards.
- Fully lowered sidewalk shown: see project plans for the driveway design specified. For driveway details not shown, see Std. Dwg. RD725, RD730, RD735, RD740, RD745 & RD750.
- See project plans for details not shown.

**LEGEND**

- Sidewalk pay limit.
- Driveway pay limit, varies by option. (See general note 8).
- Cross slope 1.5% max. (Max. 2.0% finished surface slope) (Normal sidewalk cross slope)

**OREGON STANDARD DRAWINGS**  
**CURB LINE SIDEWALKS**  
 DATE: 2021  
 REVISION DESCRIPTION:

Effective Date: June 1, 2021 - November 30, 2021

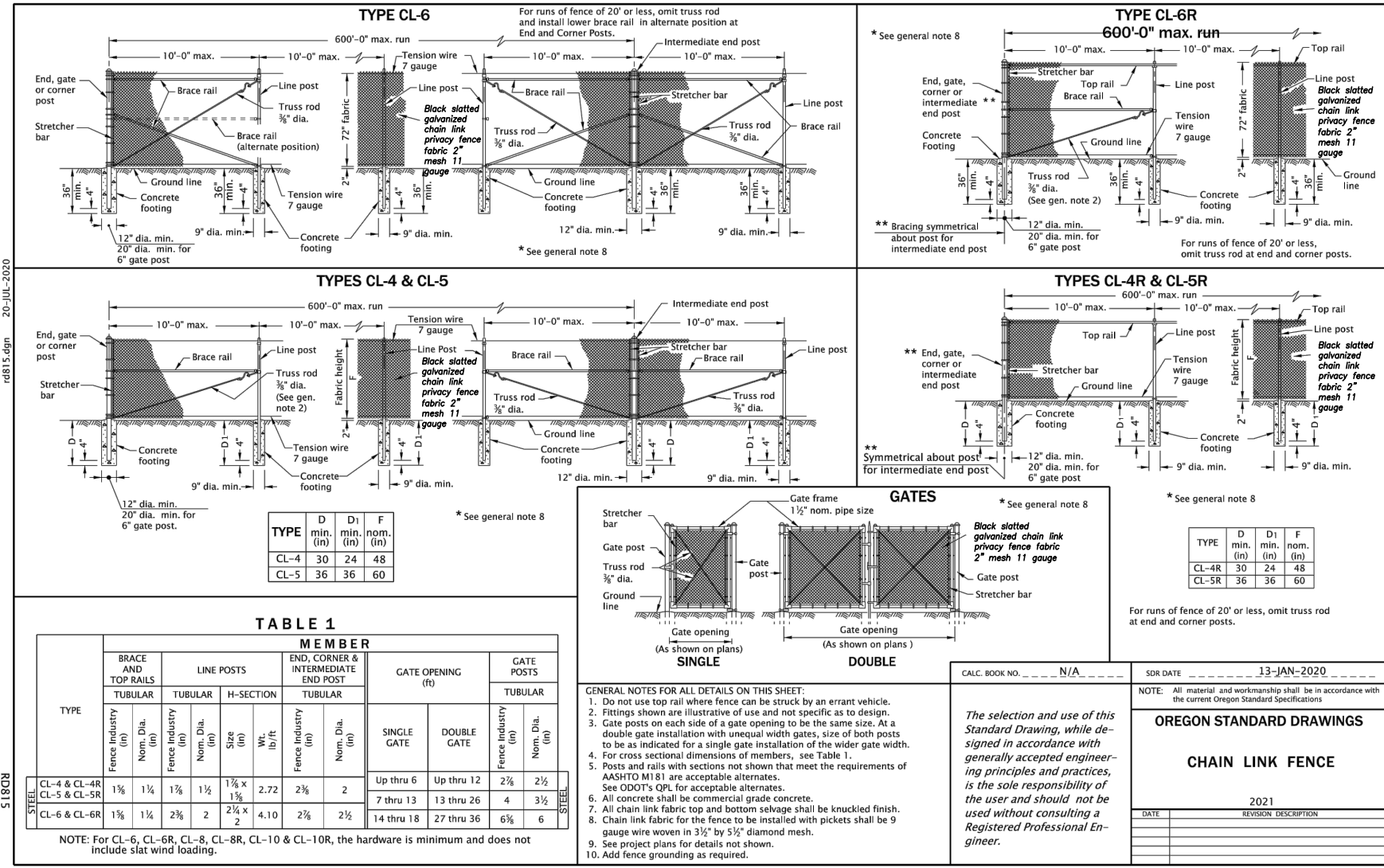
**5 CONCRETE CURB LINE SIDEWALK**  
 SCALE: N.T.S.

**COMMUNITY PARKING LOT  
 FOR LOWELL SCHOOL DISTRICT**  
 130 S MOSS ST  
 LOWELL, OR

revisions:  
 date: JULY 29, 2021  
 drawn by:  
 designer:  
 project no: 21-308  
 DETAILS  
 sheet: C5



Z:\2021\21-308 Lowell School Parking Lot\Civil\21-308 Civil JUL 7/29/2021 3:45 PM EMILYP  
 copyright © 2019 Branch Engineering, Inc.



Effective Date: June 1, 2021 - November 30, 2021

**1 SLATTED CHAIN LINK PRIVACY FENCE**  
SCALE: N.T.S.

**COMMUNITY PARKING LOT  
FOR LOWELL SCHOOL DISTRICT**  
130 S MOSS ST  
LOWELL, OR



revisions:  
date: JULY 29, 2021  
drawn by:  
designer:  
project no: 21-308  
DETAILS

sheet: **C6**

Z:\2021\21-308 Lowell School Parking Lot\Civil\21-308 Civil JUL 7.dwg 7/29/2021 3:45 PM EMILYP

# EROSION AND SEDIMENT CONTROL BMP IMPLEMENTATION:

1. ALL BASE ESC MEASURES (INLET PROTECTION, PERIMETER SEDIMENT CONTROL, GRAVEL CONSTRUCTION ENTRANCES, ETC.) MUST BE IN PLACE, FUNCTIONAL, AND APPROVED IN AN INITIAL INSPECTION, PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES AS REQUIRED.
2. PERIMETER CONTROL SEDIMENT BARRIERS TO BE INSTALLED PRIOR TO CONSTRUCTION. ADDITIONAL TEMPORARY SEDIMENT CONTROL MEASURES TO BE INSTALLED DURING AND AFTER CONSTRUCTION AS NEEDED. EROSION CONTROL MEASURES ARE TO BE INSTALLED IMMEDIATELY AFTER ESTABLISHMENT OF FINISH GRADE.
3. FINAL SLOPE STABILIZATION MEASURES, INCLUDING EROSION CONTROL BLANKETS, SHALL BE INSTALLED IMMEDIATELY UPON ESTABLISHMENT OF FINISH GRADE.
4. THE STORM WATER FACILITY SHALL BE CONSTRUCTED AND VEGETATION FULLY ESTABLISHED PRIOR TO RECEIVING STORMWATER DISCHARGE FROM PAVED AREAS.
5. INLET PROTECTION SHALL BE IN-PLACE PRIOR TO PAVING ACTIVITIES.

## GENERAL NOTES:

1. ALL EXISTING TREES IN OR NEAR CONSTRUCTION AREA TO BE PROTECTED WITH ORANGE CONSTRUCTION FENCE INSTALLED PER DETAIL 4/EC3
2. CONSTRUCTION VEHICLE ACCESS VIA S. MOSS ST.
3. 100 YEAR FLOODPLAIN IS OUTSIDE ZONE OF INTEREST

## EROSION CONTROL NOTES

1. PROTECT EXISTING TREE.
2. INSTALL CATCH BASIN INSERT AND BIO-BAGS PER DETAILS 1 & 2, SHEET EC2.
3. CONSTRUCT SILT FENCE OR BARK BERM FENCE PER DETAILS 3 & 4, SHEET EC2.
4. CONSTRUCT CONCRETE WASHOUT AREA PER DETAIL 6, SHEET EC3. ACTUAL LOCATION TO BE DETERMINED AS SITE CONDITIONS WARRANT.
5. CONSTRUCTION ENTRANCE/EXIT. MAINTAIN EXISTING PAVEMENT TO PREVENT TRACKING MUD/DEBRIS INTO RIGHT-OF-WAY. IF PAVEMENT AREA IS DEMOLISHED, REPLACE WITH GRAVEL ENTRANCE PER DETAIL 5 SHEET EC2

## SOIL TYPES:

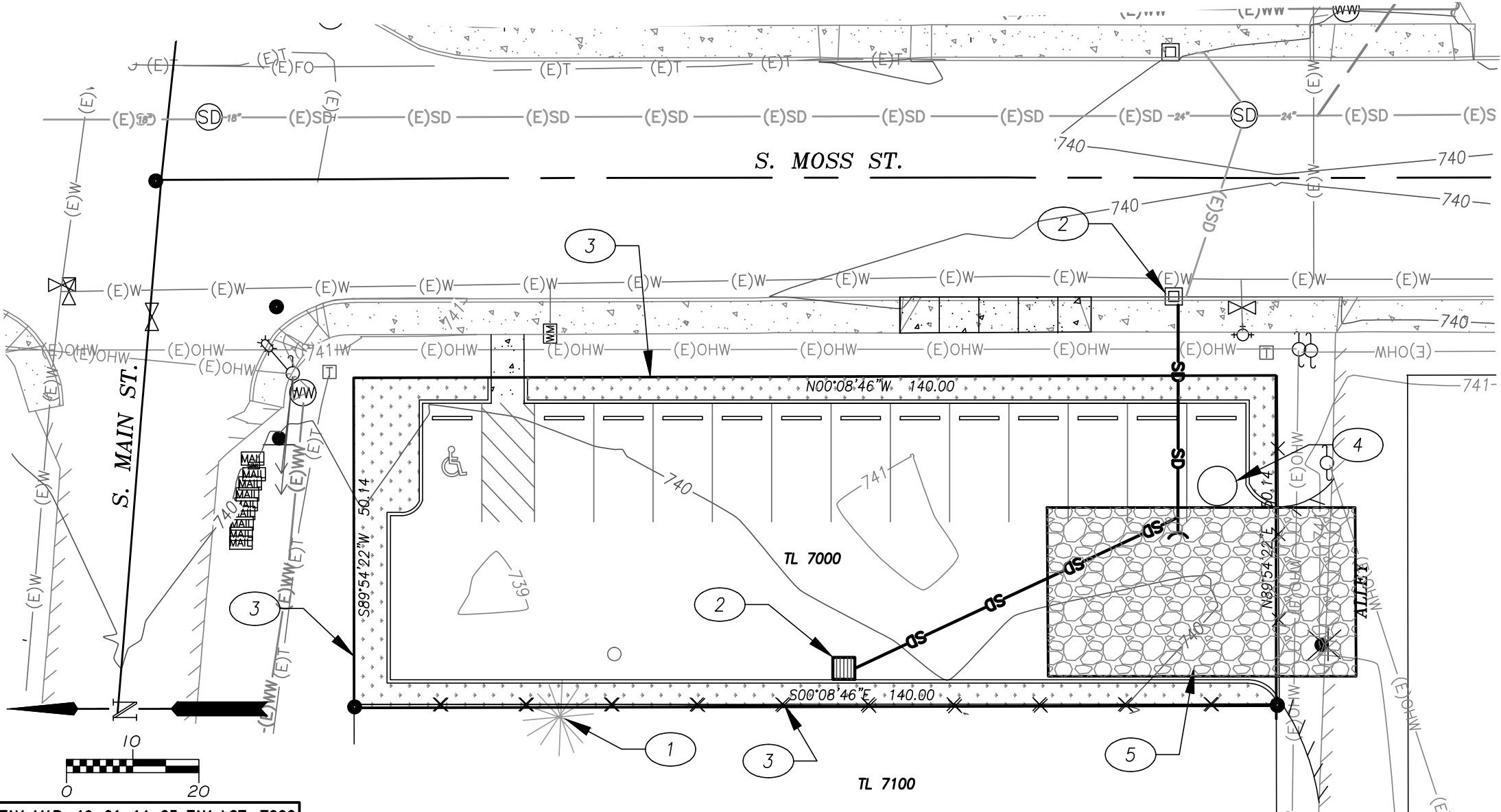
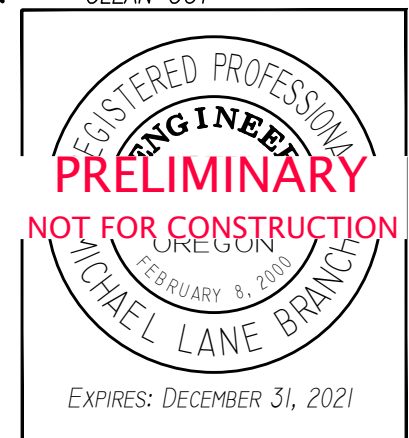
ACCORDING TO THE NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY, THE EXISTING SOILS ARE: COURTNEY GRAVELLY SILTY CLAY LOAM, 0 TO 3 PERCENT SLOPES.

## EXISTING

- (E)SD— STORM LINE
- (E)OHW— OVERHEAD WIRES
- (E)W— WATER LINE
- (E)WW— WASTEWATER LINE
- (E)T— TELEPHONE LINE
- (E)WW— UNDERGROUND ELECTRICAL LINE
- ▣ CURB INLET
- ⊙ WW WASTEWATER MANHOLE
- ⊙ SD STORM DRAIN MANHOLE
- ← ○ POWER POLE w/ GUY ANCHOR
- MAIL MAIL BOX
- SIGN
- ⊙ FOUND MONUMENT
- ♀ FIRE HYDRANT
- ⊗ WATER VALVE
- WM WATER METER
- IRR IRRIGATION BOX
- TELEPHONE RISER
- UNKNOWN UTILITY RISER
- SIGN

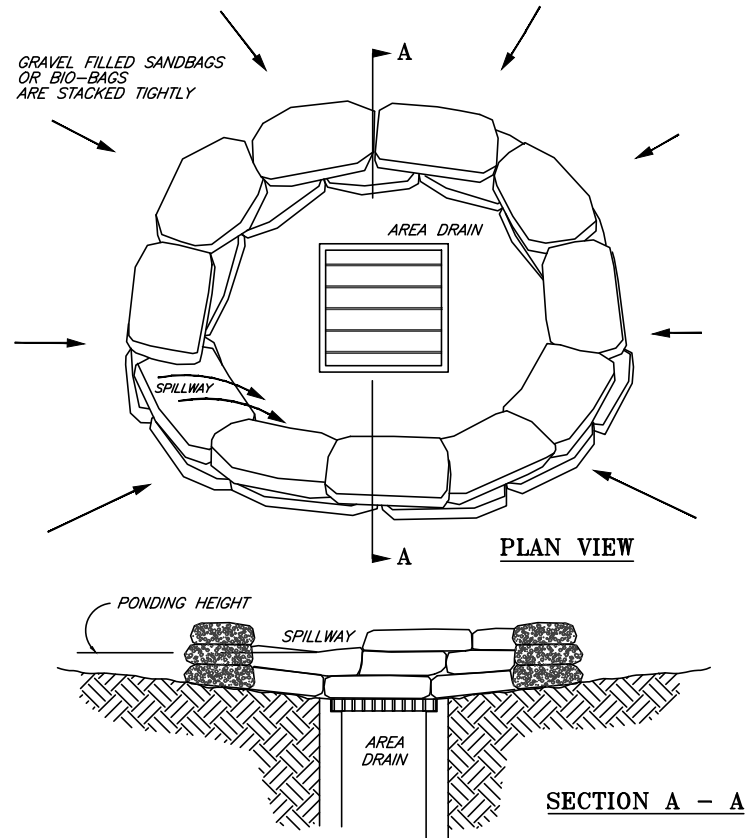
## PROPOSED

- ▬ CURB (6" HEIGHT)
- ▬ PARKING BLOCK
- ▬ EDGE OF ASPHALT
- ▭ LANDSCAPE
- ✘ SIGN TO BE REMOVED
- SD — 6" STORM LINE
- ▭ CATCH BASIN
- ) CLEAN OUT

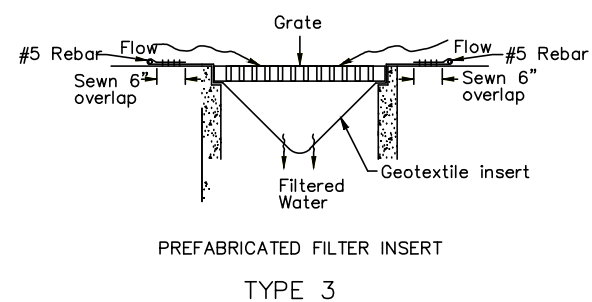


Z:\2021\21-308 Lowell School Parking Lot\Civil\21-308 Civil JUL 7/29/2021 3:45 PM EMILYP  
copyright © 2018 Branch Engineering, Inc.

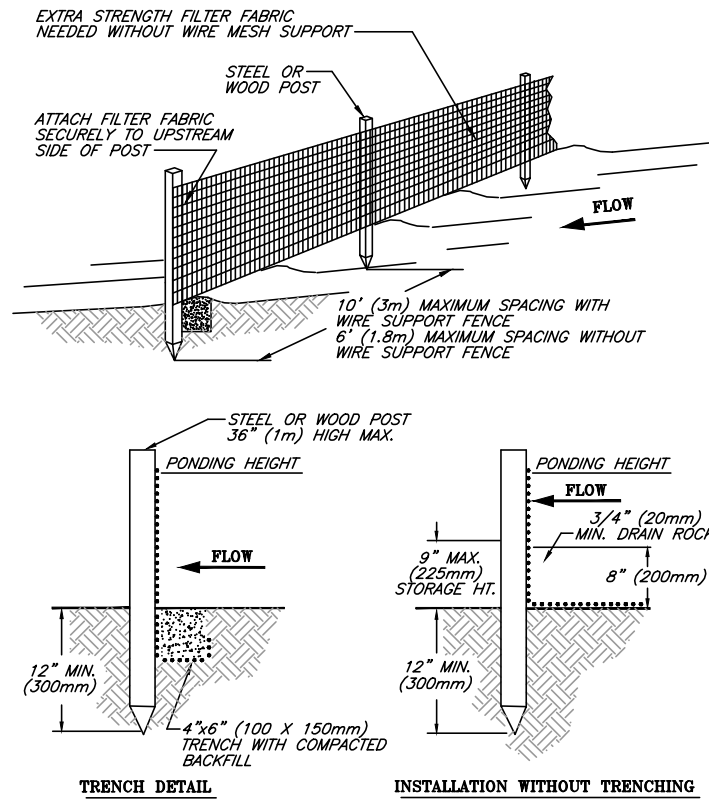
TAX MAP: 19-01-14-23 TAX LOT: 7000



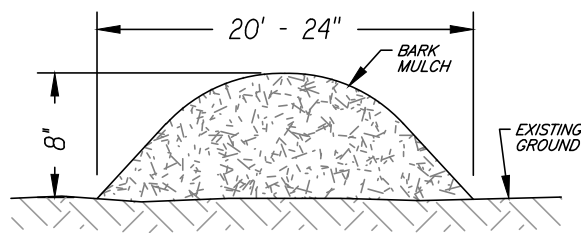
1 AREA DRAIN SEDIMENT BARRIER  
SCALE: N.T.S.



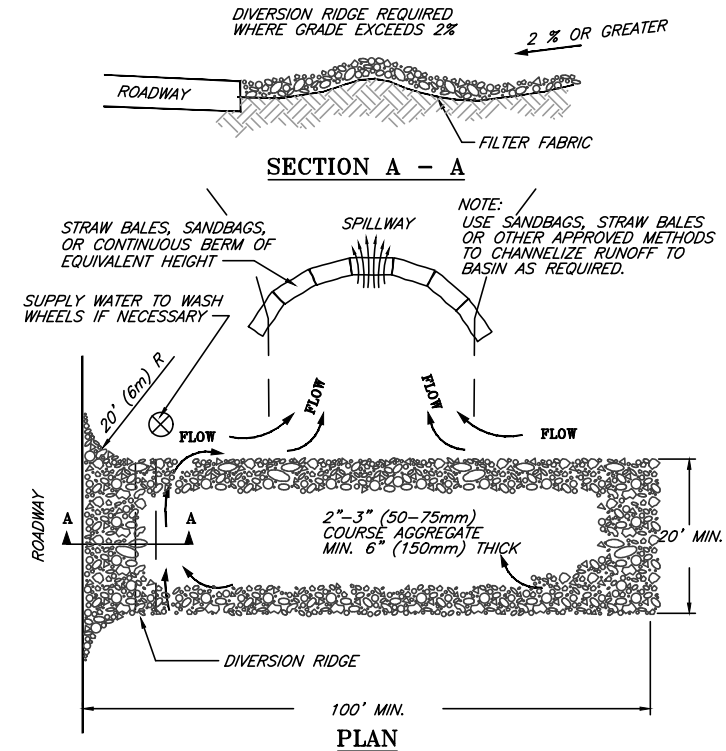
2 CATCH BASIN INLET INSERT  
SCALE: N.T.S.



4 SEDIMENT FENCE  
SCALE: N.T.S.



3 BARK BERM  
SCALE: N.T.S.



5 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT  
SCALE: N.T.S.

COMMUNITY PARKING LOT  
FOR LOWELL SCHOOL DISTRICT  
130 S MOSS ST  
LOWELL, OR

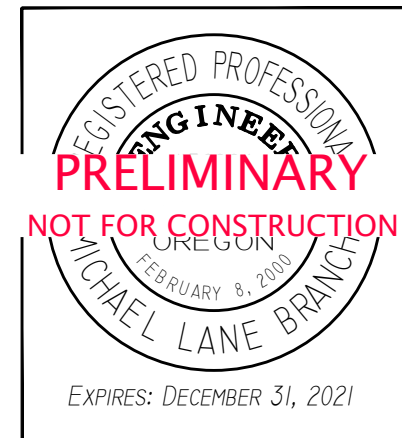
revisions:

date: JULY 29, 2021  
drawn by:  
designer:  
project no: 21-308

EROSION CONTROL DETAILS

sheet:

EC2






---

**Date:** July 21, 2021

**Project:** Community Parking Lot for Lowell School District  
Lowell, Oregon

**Project No.:** 21-308

**Prepared By:** Lane Branch, PE

**Prepared For:** Lowell School District

**Re:** Stormwater Peak Flow Rate Calculations

---



This memo was prepared to summarize pre- and post development peak stormwater runoff rates for the proposed parking lot site at the intersection of W Main Street and South Moss Street. The computer program Hydrocad was used to assist with the calculations. The printout is attached.

#### Pre-development Conditions

Curve Number - 80 (Hydrologic Soil Group D with good grass cover)  
Time of Concentration -10 minutes (small catchment)  
Surface Area - 7,020 sq.ft  
25-year Storm Rainfall Depth - 4.80 inches

Calculated 25-year Pre-Development Peak Runoff Rate - 0.11 CFS

#### Post-development Conditions

Weighted Curve Number - 95  
Time of Concentration -10 minutes (small catchment)  
Surface Area - 7,020 sq.ft  
25-year Storm Rainfall Depth - 4.80 inches

Calculated 25-year Post Development Peak Runoff Rate - 0.18 CFS

**21-308 Storm\_design**

Type IA 24-hr 25 yr Rainfall=4.80"

Prepared by {enter your company name here}

Printed 7/14/2021

HydroCAD® 10.00-24 s/n 09876 © 2018 HydroCAD Software Solutions LLC

Page 5

**Summary for Subcatchment 17S: pre-developed**

Runoff = 0.11 cfs @ 8.01 hrs, Volume= 0.037 af, Depth= 2.72"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
Type IA 24-hr 25 yr Rainfall=4.80"

Area (sf)	CN	Description
7,020	80	>75% Grass cover, Good, HSG D
7,020		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					<b>Direct Entry,</b>

**Summary for Subcatchment 18S: post-developed**

Runoff = 0.18 cfs @ 7.95 hrs, Volume= 0.057 af, Depth= 4.22"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
Type IA 24-hr 25 yr Rainfall=4.80"

Area (sf)	CN	Description
5,509	98	Paved parking, HSG D
1,349	80	>75% Grass cover, Good, HSG D
162	98	Paved roads w/curbs & sewers, HSG D
7,020	95	Weighted Average
1,349		19.22% Pervious Area
5,671		80.78% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					<b>Direct Entry,</b>

**Summary for Pond 16P: (new Pond)**

Inflow Area = 0.161 ac, 0.00% Impervious, Inflow Depth = 2.72" for 25 yr event  
 Inflow = 0.11 cfs @ 8.01 hrs, Volume= 0.037 af  
 Primary = 0.11 cfs @ 8.01 hrs, Volume= 0.037 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

**Summary for Pond 19P: CATCH BASIN**

Inflow Area = 0.161 ac, 80.78% Impervious, Inflow Depth = 4.22" for 25 yr event  
 Inflow = 0.18 cfs @ 7.95 hrs, Volume= 0.057 af  
 Outflow = 0.18 cfs @ 7.95 hrs, Volume= 0.057 af, Atten= 0%, Lag= 0.0 min  
 Primary = 0.18 cfs @ 7.95 hrs, Volume= 0.057 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs



**DATE:** July 21, 2021

**PROJECT:** Community Parking Lot for Lowell School District

**RE:** Responses to Review Comments

---

The following are responses to City of Lowell Letter of Incompleteness for the Application for Conditional Use Permit for Community Parking Lot, dated July 13, 2021.

**Section 9.204 Application Site Plan:**

(h) Walls and fences: Location, height and materials.

- There is a fence along the western border of the subject property, but the height and material of the fences is not identified, nor is it clear if the fence is existing or proposed.

*Response: The fence has been identified on the plan set as an existing 4' chain link fence.*

(m) Lighting: location and general nature, hooding devices.

- Please specify if the parking lot will have lighting devices installed.

*Response: There is an existing street light at the northeast corner of the project site that will assist with illuminating the proposed parking lot. New on-site parking lot lighting is not proposed at this time.*

(q) Drainage ways, water courses, flood plains and wetlands

- Please indicate if there are any drainage ways, water courses, flood plain or wetland features located on the site. Additionally, please describe how stormwater drainage will be handled at the site. The City Engineer will be commenting on what, if any, requirements are necessary for stormwater drainage. Those comments are forthcoming.

*Response: Per FEMA's floodplain mapping and the wetland inventory mapping for the area, no wetland features or floodplains exist on-site. Additionally, there are not any significant water courses or drainageways on the site.*

*Stormwater runoff from the proposed parking lot will sheet flow to a curb on the west side of the lot, where it will be directed to a catch basin (see Site Plan). The proposed catch basin will be piped to the existing curb inlet fronting the site. Pre- and post-development 25-year peak runoff rate calculations are attached. Stormwater detention is not proposed at this time.*

(s) The number of generated trips per day from each mode of travel: employees, customers, shipping, receiving, etc.

*Response: This proposal is to provide additional parking for the area. It is not associated with a new building or change of use that would typically trigger additional trips. As such, trip generation is not applicable.*

- (t) Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.

- Please provide a response to the above two items.

**Response:** *This proposal is for a community parking lot to assist in serving existing uses in the area. It will be open to the public all hours and days of the week.*

- (u) Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use. Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy.

Uses which possess nuisance characteristics or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to: noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safeguards or conditions of use as required by the Planning Commission or City Council.

- Please provide a response to the above item regarding nuisance characteristics of the proposed use.

**Response:** *The proposal is to provide a community parking lot to assist with serving the area. Hazards and nuisance characteristics are not anticipated with this project.*

### **Section 9.251 Conditional Uses:**

- Please provide an applicant response to each of the criteria below in order to grant a conditional use permit.

- (b) Decision Criteria.

- (1) That the proposed development can comply with the Zoning District with Conditions of Approval.

**Response:** *The applicant has coordinated with the City to ensure that the proposed community parking lot adheres to all regulations for its R-1 Single Family Residential zoning designation.*

- (2) That the proposed development complies with applicable provisions of city codes and ordinances.

**Response:** *As evidenced throughout this document, all relevant code sections were taken into account during the design phase of this project.*

- (3) That the proposed development will not cause negative impacts to traffic flow or to pedestrian and vehicular safety and future street rights-of-way are protected.

**Response:** *The proposed parking lot will take access from the alley and will not impact traffic flow or pedestrian safety in the area.*

- (4) That proposed signs or lighting will not, by size, location or color, interfere with traffic, limit visibility or impact on adjacent properties.

*Response: Lighting and signage is not proposed with this project.*

- (5) That proposed utility connections are available, have the capacity to serve the proposed development and can be extended in the future to accommodate future growth beyond the proposed land division.

*Response: A connection to the public storm piping system is proposed as shown on the site plan. Pre- and post-development peak flow rates from the site are addressed in the attached drainage memo.*

- (6) That the proposed development will not cause negative impacts to existing or proposed drainageways including flow disruptions, flooding, containment or erosion.

*Response: Public roads and an alley border three side of the site, which have drainage provisions included. The existing home site to the west slopes north and does not rely on this site for drainage. As such, the proposal will not disrupt any established existing drainage patterns in the area.*

- (7) That the proposed development will not cause negative impacts, potential hazards or nuisance characteristics as identified in Section 9.204(u) of the Application Site Plan consistent with the standards of the Zoning District and complies with the applicable standards of all regulatory agencies having jurisdiction.

*Response: No nuisance characteristics, environmental hazards or other negative impacts described in the City Code are expected as part of this proposal.*

**Section 9.513 Parking.** For each new structure or use, each structure or use increased in area and each change in use of an existing structure there shall be provided and maintained off-street parking areas in conformance with the provisions of this section.

**Design and Improvement Requirements for Parking Lots:**

- (1) All parking areas and driveway approaches shall be surfaced with a minimum of two inches asphaltic concrete or four inches Portland Cement Concrete over approved base unless other methods are approved by the City. Under specified conditions the City may defer paving and permit gravel parking areas as a temporary use.

*Response: Proposed AC parking lot surface is 3" thick. A note has been added to the site plan to reflect this.*

- (2) For Commercial and Industrial uses, service drives and parking areas on surfaced parking lots shall be clearly and permanently marked. Handicapped Parking must comply with Oregon Structural Specialty Code.

*Response: Striping, parking blocks, and handicapped parking spaces are shown on the plan set. Striping is to be permanent and ADA spaces follow all code criteria.*

- (3) Parking areas for other than single-family and two-family dwellings shall be served by a service driveway and turnaround so that no backing movements or other maneuvering shall occur within a street other than an alley. Design for parking lots shall conform to the Parking Diagram contained in Figure 9.5-1. Two-way driveways shall have a minimum width of 20 feet and a maximum width of 30 feet. One-way driveways shall have a minimum width of 12 feet and a maximum width of 16 feet.

*Response: The access for the parking lot will be via the alley, and it is expected the loading zone for the ADA parking can typically be used for vehicles to turn around as necessary. The two-way driveway is 24' wide. As noted below, Figure 9.5-1 is not available and therefore is not applicable.*

- (4) A parking space shall conform to the Parking Diagram contained in Figure 9.5-1. **Figure 9.5-1 is unavailable - please disregard.**

*Response: Not applicable.*

- (5) The outer boundary and all landscaped islands of a parking area shall be contained by a 6" high curb for protection of landscaping, pedestrian walkways and to contain rainwater runoff. No motor vehicle shall project over the property line.

*Response: A 6" curb is shown on the site plan around the boundary and islands of the parking lot. No motor vehicles will project over the property line due to the curb and the landscaped setback areas.*

- (6) All parking areas, except those in conjunction with a single family or two-family dwelling, shall have adequate drainage to dispose of the run-off generated by the impervious surface area of the parking lot. On-site collection of drainage water shall not allow sheet flow of water onto sidewalks, public rights-of-way or abutting property and shall detain out-flow velocities to that of undeveloped land. On-site drainage must be approved by the City.

*Response: Stormwater runoff will be directed to an on-site catch basin that is piped to the adjacent public curb inlet as illustrated on the site plan.*

- (7) Service driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrian and vehicular traffic on the site. The number of service driveways shall be limited to the maximum that will allow the property to accommodate and service the traffic anticipated. Service driveways connected to County roads must be approved and permitted by Lane County Public Works.

- **The proposed parking lot does not abut a Lane County owned right-of-way facility. Lane County has issued a "no comment" on the proposal.**

*Response: A single service driveway from the adjacent alley is proposed with the project.*

- (8) All off-street parking areas within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the City to minimize disturbance to adjacent residents.

*Response: The existing 4-foot chainlink fence on the west side of the site will be replaced with a 6-foot sight obscuring fence.*

**Referral Comments from Governmental Agencies:**

- Staff have elicited comments from governmental agencies such as Lane County, City Engineer and the Fire Department. Lane County has no comments on the proposal. Staff are awaiting comments from engineering and fire. As soon as those staff receives additional comments, we'll send them along to you to address.
- The City Engineer would like to see a preliminary grading plan and calculations showing the pre and post development stormwater flows, calcs showing that the proposed catch basin is sized appropriately for the flows, and grades. The final construction/engineering documents and plans can be worked out after conditional approval as part of the building permit process, but we want to see those two preliminary documents as part of the conditional use permit approval process.

***Response:** Existing and proposed grading have been added to the site plan. Stormwater catch basin and piping are also shown on the site plan. Pre- and Post-Development Stormwater Flow Rates are detailed on the attached drainage memo:*

ATTACHMENT B  
**CITY OF LOWELL**  
**NOTICE OF PUBLIC HEARING**  
**Mailing Date SEPTEMBER 2, 2021**

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for a **Site Plan Review** for a new community/school parking lot for a property located at 13 South Moss Street in Lowell, Oregon.

**The Hearing will occur on September 22, 2021, at 7:00 pm in the Maggie Osgood Library at 70 South Pioneer Street. The meeting will be held in-person, but there will also be a virtual/remote attendance option.**

**Requested Action:** Site review for a new community/school parking lot.

**Owner/Applicant:** Lowell School District (Mr. Jason Pickett, Facilities Manager)  
**Applicant's Representative:** Branch Engineering  
**Property Location:** 13 South Moss Street, Lowell, OR, 97452  
**Assessor Map:** 19-01-14-23  
**Tax Lot:** 06214  
**Existing Area:** 0.16 acres  
**Existing Zone:** R-1 Single Family

The Lowell Land Use Development Code specifies the applicable procedures and criteria for evaluation of the requested action. Applicable Code Sections include: **Section 9.250 Site Plan Review**, and **Section 9.204 Application Site Plan**. The specific criteria will be addressed in the Staff Report. See map on reverse.

A copy of the Application, all documents and evidence relied upon by the Applicant and the Staff Report containing the applicable criteria will be available for inspection at the Lowell City Hall at least seven days prior to the public hearing meeting.

Failure of an issue to be raised in the Hearing or by letter, or failure to provide sufficient detail to afford the decision makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

A Site Plan Review requires a Public Hearing. Oral testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Lowell City Hall located at 107 East Third Street, Lowell, Oregon 97452 or emailed to Jeremy Caudle, City Administrator, at [jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us) or to Henry Hearley, Lane Council of Governments, 859 Willamette Street, Suite 500, Eugene, OR, 97401, [hhearley@lcog.org](mailto:hhearley@lcog.org) 541-682-3089.

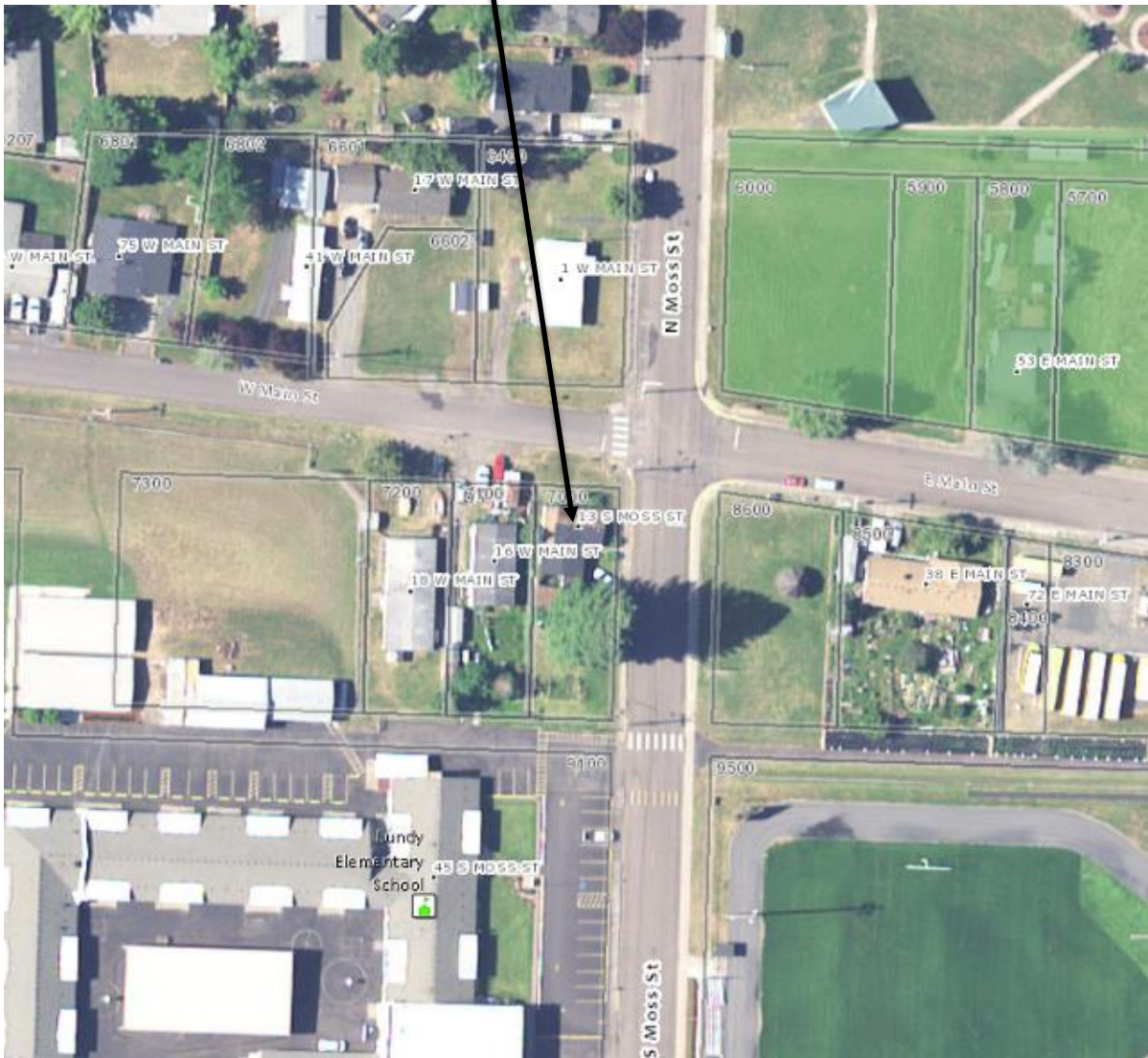
Written Testimony shall be received by the City no later than 4:00 pm on September 15, 2021.

**To attend or participate in the hearing remotely via Zoom, please contact the City Administrator to receive the meeting link.**

For additional information please write to City Hall at the above address or call City Hall at (541) 937-2157 or fax to 541-937-2066, or to Henry Hearley at the address listed in this notice.

Henry Hearley  
LCOG  
[hhearley@lcog.org](mailto:hhearley@lcog.org)  
541-682-3089

SUBJECT PROPERTY



CITY OF LOWELL  
PO BOX 490  
LOWELL, OR 97452

DEENEY STEPHEN L  
PO BOX 503  
LOWELL, OR 97452

CALDWELL LAVEEN K  
3337 BENTLEY AVE  
EUGENE, OR 97405

TRIMBLE CARMEN A  
80 LOFTUS AVE  
LOWELL, OR 97452

BRAZILL JOSEPH K & JASMINE J  
55 N MOSS ST  
LOWELL, OR 97452

PREKKER JUNE MARIE  
PO BOX 36  
LOWELL, OR 97452

ROBBINS CURTIS J & M J  
38900 PLACE RD  
FALL CREEK, OR 97438

VALENCIA JERRY L  
PO BOX 246  
LOWELL, OR 97452

SZELESTA JOSEPH K  
75 W MAIN ST  
LOWELL, OR 97452

ROMMEL DEAN ROBERT  
PO BOX 97  
LOWELL, OR 97452

LOWELL SCHOOL DISTRICT 71  
65 S PIONEER ST  
LOWELL, OR 97452

GARDNER STEVEN A  
PO BOX 502  
LOWELL, OR 97452

LANE COUNTY SCHOOL DISTRICT NO 71  
65 S PIONEER ST  
LOWELL, OR 97452

JENNESS KATHRYN J  
PO BOX 45  
LOWELL, OR 97452



**AFFIDAVIT OF MAILING**

LANE COUNCIL OF GOVERNMENTS

859 Willamette Street, Suite 500

Eugene, OR 97401

I, Henry Hearley, contracted planner, depose and state that I mailed, by regular first-class mail, on **SEPTEMBER 2, 2021**, a notice of a public hearing for a SITE REVIEW at Map and Tax Lot 19-01-14-23-07000 at 12 S. Moss, known as the **LU 2021 08** in the City of Lowell to the addresses contained herein.

\_\_\_\_\_  
Signature\_\_\_\_\_  
Print Name

**HEARLEY Henry O**

---

**From:** Matt Wadlington <Mwadlington@civilwest.net>  
**Sent:** July 13, 2021 3:34 PM  
**To:** HEARLEY Henry O  
**Subject:** RE: Referral Comment for Conditional Use Permit for Community School Parking Lot in Lowell, Oregon

**CAUTION:** This email originated from outside the organization. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Henry,

Normally I'd like to see calculations showing the pre and post development stormwater flows, calcs showing that the proposed catch basin is sized appropriately for the flows, and grades.

-Matt

--

**Matt Wadlington, PE, Principal**  
Willamette Valley Regional Manager  
d 541.982.4373 | c 520.444.4220



**Civil West Engineering Services, Inc.**  
200 Ferry St. SW, Albany, OR 97321  
p 541.266.8601  
[www.civilwest.com](http://www.civilwest.com)

---

**From:** HEARLEY Henry O <HHEARLEY@Lcog.org>  
**Sent:** Friday, July 9, 2021 8:27 AM  
**To:** Matt Wadlington <Mwadlington@civilwest.net>  
**Subject:** FW: Referral Comment for Conditional Use Permit for Community School Parking Lot in Lowell, Oregon  
**Importance:** High

Hi Matt,

For this one , I'm interested in what stormwater drainage plans or drawings you might need to see?

Henry

**From:** HEARLEY Henry O

**Sent:** July 9, 2021 8:26 AM

**To:** Matt Wadlington <[Mwadlington@civilwest.net](mailto:Mwadlington@civilwest.net)>; Max Baker <[mbaker@ci.lowell.or.us](mailto:mbaker@ci.lowell.or.us)>; ODOT Reg 2 Planning Manager <[ODOTR2PLANMGR@odot.state.or.us](mailto:ODOTR2PLANMGR@odot.state.or.us)>; VARTANIAN Sasha <[Sasha.VARTANIAN@lanecountyor.gov](mailto:Sasha.VARTANIAN@lanecountyor.gov)>; Lon Dragt ([dragt2300@gmail.com](mailto:dragt2300@gmail.com)) <[dragt2300@gmail.com](mailto:dragt2300@gmail.com)>

**Cc:** CAUDLE Jeremy <[JCaudle@ci.lowell.or.us](mailto:JCaudle@ci.lowell.or.us)>

**Subject:** Referral Comment for Conditional Use Permit for Community School Parking Lot in Lowell, Oregon

**Importance:** High

All:

Please see the attached application for a conditional use permit for a community school parking lot in Lowell, Oregon.

If your respective agency has referral comments on the application, please return them to me by July 19.

Thank you,

Henry

Henry O. Hearley  
Associate Planner  
Lane Council of Governments  
[hhearley@lcog.org](mailto:hhearley@lcog.org)  
541-682-3089

**FINAL ORDER AND DECISION  
OF THE LOWELL PLANNING COMMISSION**

**LU 2021 08 Conditional Use Permit for a Community Parking Lot as a Semi-Public Use in the R-1 Zone for 13 South Moss on Map and Tax Lot 19-01-14-23-07000.**

A. The Lowell Planning Commission finds the following:

1. The Lowell Planning Commission has reviewed all materials relevant to the Variance Application (**FILE NO. LU 2021 08**) that has been submitted by the applicant and staff regarding this matter for Assessors Map 19-01-14-23 TL 07000, including the criteria, findings and conclusions within the Final Order and referenced staff report.
2. The proposed community parking lot is to be used by the Lowell School District and the City of Lowell under a Memorandum of Understanding.
3. The proposed community parking lot is a "semi-public" use in the R-1 Zone and therefore is permitted conditionally.
4. On September 22, 2021, the Lowell Planning Commission reviewed LU 2021 08 after giving the required notice as per the Lowell Development Code and held a public hearing that was open to the public.
5. At the September 22, 2021, public hearing, the Lowell Planning Commission made a motion to approve the application subject to the findings, conclusions and conditions as presented in the staff report as delivered by staff.
6. This approval is subject to a 15-day appeal period. The appeal must be submitted within 15-days of the notice of decision being mailed out.

Signed this \_\_\_\_\_ day of **September 2021**

Date Mailed: \_\_\_\_\_

\_\_\_\_\_

Mr. Lon Dragt, Chair, Lowell Planning Commission

**Revised Staff Report**  
**Conditional Use Permit / Home Occupation**  
**156 Wetleau Drive, Lowell, OR, 97452**  
**LU 2021-10 Staff Report Date – Revised on September 20, 2021**

1. **Proposal.** The Planning Commission is being asked to review and render a decision on a conditional use permit request to allow a home occupation in the form of an exercise / Pilates studio. The subject property is owned by Joe and Jasmine Brazill and is zoned R-1. The applicant is proposing to hold exercise classes one-to-four times per week for up to an hour for each class on Wednesday and Saturday mornings. The maximum participants per each class will be seven adults, including the instructor. The applicant is a physical therapist and a certified Pilates instructor.
2. **Approval Criteria.** LDC, Section 9.251, paragraph (b) establishes the decision criteria for a conditional use, paragraph (d), establishes the decision process required for conditional uses. In review of a conditional use permit application, Planning Commission may also impose additional standards as listed in paragraph (c). Furthermore, the nature of this conditional use permit request Section 9.702 (Home Occupation Standards) must be considered.

An application for a conditional use permit requires a quasi-judicial public hearing before the Planning Commission. Following public hearing and after evaluating the application against the decision criteria contained in LDC Section 9.251(b), the Planning Commission must adopt findings which approve, deny or conditionally approve the conditional use permit application and may attach any reasonable standards of development to attain compliance with the zoning district and the LDC.

3. **Notice.** Notice of the application for conditional use permit and home occupation (LU 2021-10) was sent to surrounding property owners within a 300-foot buffer of the subject property on September 2, 2021. Referral notice was sent to the Lowell Rural Fire Protection District, ODOT, Engineering and Lane County for comment on the pending conditional use request. See **Attachment C** for comments.
4. **Public Comments.** On September 15 and 16, 2021, the City received three public comments concerning the proposed conditional use permit for a home occupation. The commentor raises several issues with the proposal, most are related to the impacts of traffic and lack of parking availability and the Covenants, Restrictions and Conditions (CC & Rs) placed on home occupations as part of the Sunridge Subdivision. The comments are included as an attachment to this staff report as **Attachment E**.
4. **Staff review of applicable criteria for a conditional use:**

*LDC 9.251. (b) Decision Criteria. Conditional uses listed in this Code may be permitted, altered, or enlarged upon authorization of the Planning Commission in accordance with the following findings:*

- (1) *That the proposed development can comply with Zoning District standards with*

***Conditions of Approval.***

**Discussion:** The applicant is requesting a conditional use permit to operate exercise / Pilates classes as a home occupation in the primary residence located in the R-1 zone. Pursuant to LDC a home occupation is a permitted use in the R-1, subject to conditional use permit standards. Accordingly, the applicant has submitted a land use request for a home occupation in the R-1 zone. By requesting a conditional use permit to operate a home occupation in the R-1 zone, the applicant therefore comply with the Zoning District standards.

**FINDING:** The request and authorization of a conditional use permit to operate a home occupation in the R-1 zone is the appropriate land use action for requesting a conditional use permit for a home occupation. The Planning Commission has the authority to appropriately attach conditions of approval to the proposal so that it can comply and will continue to comply with the Zoning District Standards. Criterion met.

***(2) That the proposed development complies with applicable provisions of city codes and ordinances.***

**FINDING:** The approval of a conditional use permit for the use of a primary residence in the R-1 zone for a home occupation, as conditioned in this staff report and findings, can comply with applicable city codes and ordinances. Criterion met.

***(3) That the proposed development will not cause negative impacts to traffic flow or to pedestrian and vehicular safety and future street rights-of-way are protected.***

**Recommended FINDING for Denial:** In their application and narrative, the applicant states parking is available on the street. The portion of Wetleau that fronts the subject property is narrower, but the immediate area in front of the residence contains cutouts that can accommodate on-street parking. The City Engineer has indicated it may be difficult to park vehicles on the street due to the narrow nature of Wetleau Drive. The applicant has responded and submitted evidence that while Wetleau is narrow, the street does contain cutouts that can accommodate five-to-six vehicles on the street. Public comment has been submitted that disputes the applicant's assertion that the on-street cutouts can accommodate five-to-six vehicles. As seen on the plat map of the area in question (**Attachment E**), the commenter asserts the on-street area in front of the subject property is large enough to accommodate only two on-street parking spaces. The opposite side of Wetleau Drive is posted "No Parking" and on the opposite side of Wetleau (on the side the subject property is located on), "No Parking" is also posted west of Lot 20. The two on-street parking spaces identified on the plat map front Lot 24, which according to the commenter has been sold. On the northwest corner of Lot 20, there is a communal US mailbox where numerous neighbors routinely stop in their vehicles to collect mail. Additionally, while the applicant has not mentioned the public easement space as a potential parking space (the easement between Lot 20 and 21), this area is public property, not dedicated off-street parking and shall not be used as such. While Lots 20 and 24 are sold, they are currently vacant, but the City should expect development to occur on those lots sooner or later. When development does occur, it's reasonable to expect one or the two on-street parking spaces will disappear with the creation of a new driveway approach/apron to serve the residence on Lot 24. As the commenter states, the addition of these two new residences will further degrade the on-street parking situation and increase demand for on-street parking amongst the few spaces that are located even further away from the subject property. The

subject property shares a common access easement with Lot 22. While potential clients or customers vehicles still may be able to park in the applicant's own driveway, attention has to be paid to the fact that two properties share this access easement and both properties and emergency services must be able to freely and readily utilize the access easement for ingress and egress purposes

Staff allude to the City Engineer's comments about the availability of on-street parking and couple that with the commentor's point, seen as #4 in the commentor's September 15 letter, to further illustrate the negative impacts to traffic flow and pedestrian safety as a reason why the proposal does not meet the LDC 9.251(b)(3).

***(4) That proposed signs or lighting will not, by size, location or color, interfere with traffic, limit visibility or impact on adjacent properties.***

**FINDING:** The proposed home occupation does not propose any lighting fixtures or signs. Criterion not applicable.

***(5) That proposed utility connections are available, have the capacity to serve the proposed development and can be extended in the future to accommodate future growth beyond the proposed land division.***

**FINDING:** No development is proposed as part of the home occupation. Additionally, no utility connections are required or necessary for the proposed home occupation. Criterion not applicable.

***(6) That the proposed development will not cause negative impacts to existing or proposed drainage ways including flow disruptions, contamination or erosion.***

**Discussion:** Staff have reviewed the Local Wetlands Inventory (LWI) map and the maps do not show any drainageways or water bodies, or wetlands on the subject property. The proposed home occupation is not expected to have any impacts on drainageways.

**FINDING:** The proposed home occupation will not cause negative impacts to existing or proposed drainage ways including flow disruptions, contamination or erosion. Criterion met.

***(7) That the proposed development will not cause negative impacts, potential hazards or nuisance characteristics as identified in Section 9.204(u) of the Application Site Plan consistent with the standards of the Zoning District and complies with the applicable standards of all regulatory agencies having jurisdiction.***

**Recommended FINDING for Denial:** The proposed home occupation will cause negative impacts and potential hazards from the inadequate on-street parking available to accommodate the applicant's proposed home occupation. The number of patrons the home occupation is proposed to serve is five, based on the applicant's additional materials. As stated in the finding for subsection 3, above, there is not enough parking to accommodate potentially five vehicles parked on Weteau Drive. If the applicant were allowed to have up to five vehicles park within the right-of-way on Weteau Drive that would cause negative impacts and hazards. Lastly, criterion (7), above further states that the proposed development "*complies with the applicable standards of all regulatory agencies having jurisdiction.*" The Sunridge Subdivision has the

authority to impose Restrictions (CC & Rs) on lots within the Sunridge Subdivision for the purpose of preserving the value, attractiveness, livability and desirability of both the Sunridge Subdivision and future development of property. As seen in Article 6.1 “General Use Restrictions,” home business (occupations) is allowed provided that workers and customers park entirely on the proprietor’s lot. In the case of the present proposal, the parking of customers vehicles is proposed to be on-street and therefore violates the Restrictions of the Sunridge Subdivision. Staff point to this fact as another reason as to why denial is warranted. Article 6 of the Sunridge Subdivision CC & Rs are included in this staff report as **Attachment F**.

***LDC 9.702 Home Occupation Standards. A Home Occupation is a Conditional Use for any single-family home and must comply with the Conditional Use provisions of Section 9.251 and the following additional standards:***

***(a) The home occupation shall be secondary to the main use of the dwelling as a residence.***

**FINDING:** As indicated in the applicant’s application and narrative the proposed home occupation will be secondary to the main use of the dwelling as residence. Criterion met.

***(b) All aspects of the home occupation shall be contained and conducted within a completely enclosed building.***

**FINDING:** The proposed home occupation will be operated out of the existing, completely enclosed, primary dwelling. Criterion met.

***(c) The home occupation shall be limited to either a pre-existing garage or accessory structure, or not over 25% of the living area of the dwelling. If located within an accessory structure or a garage, the home occupation shall not utilize over 500 square feet of floor area.***

**FINDING:** The proposed home occupation will be operated out of the existing, completely enclosed, primary dwelling. Criterion met.

***(d) No structural alteration, except the provision of an additional entrance, shall be permitted to accommodate the home occupation. Such structural alteration shall not detract from the outward appearance of the property as a residential use.***

**FINDING:** As indicated in the applicant’s written narrative, the proposed home occupation will not require any structural alteration. Criterion met.

***(e) No persons other than those residing within the dwelling shall be engaged in the home occupation unless approved by the Planning Commission.***

**FINIDING:** Persons outside of those residing in the dwelling will not be engaged in the proposed home occupation. The applicant is the only individual trained and qualified to each the types of exercise movements and classes. Criterion met.

***(f) No window display or sample commodities displayed outside the dwelling shall be allowed.***



**FINDING:** No window displays, or sample commodities are proposed as part of the proposed home occupation. Criterion met.

*(g) No materials or mechanical equipment shall be used which are detrimental to the residential use of the dwelling or any dwellings because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or any other factor.*

**FINDING:** No materials or mechanical equipment are proposed to be used which are detrimental to the residential use of the dwelling. Criterion met.

*(h) No parking of customer vehicles in a manner or frequency that would cause disturbance or inconvenient to nearby residents or that would necessitate the provision of additional off-street parking shall be allowed.*

**Recommended FINDING for denial:** As discussed above in the finding for LDC 9.251(3) and (7), staff do find the parking of customer vehicles in a manner or frequency would cause disturbance or inconvenience to nearby residents. Therefore, staff cannot find this criterion met and recommend denial of the requested conditional use permit for a home occupation.

*(i) No signs shall be permitted except for a single name plate not to exceed 1.5 square feet in area.*

**FINDING:** No signs are proposed as part of the proposed home occupation. Criterion not applicable.

## 5. Recommendation

Staff recommends the Planning Commission **DENY** the conditional use permit based on the findings and conclusions contained in this staff report.

## 6. Attachments

*Attachment A: Applicant's application and supplemental materials submitted by applicant*

*Attachment B: Notice*

*Attachment C: Referral Comments*

*Attachment D: Decision to be signed by PC Chair*

*Attachment E: Public Comments*

*Attachment F: Article 6 of Sunridge Subdivision CC & Rs*

JUL 14 REC'D

*JB*

# Land Use Permit Application

Site Plan Review     Lot Line Adjustment     Partition     Subdivision  
 Conditional Use     Variance     Map Amendment     Text Amendment  
 Annexation     Vacation     Other, specify \_\_\_\_\_

Please complete the following application. If any pertinent required information or material is missing or incomplete, the application will not be considered complete for further processing. If you have any questions about filling out this application, please contact staff at Lowell City Hall, phone (541) 937-2157, 107 East Third, Lowell.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Map# \_\_\_\_\_ Lot # 21

Map# \_\_\_\_\_ Lot # \_\_\_\_\_

Map# \_\_\_\_\_ Lot # \_\_\_\_\_

Street Address (if applicable): 156 Wetleau Drive

Area of Request (square feet/acres): 3984 square feet / 0.18 acres

Existing Zoning: Residential

Existing Use of the Property: Residential

Proposed Use of the Property Commercial

Pre-application Conference Held: No  Yes \_\_\_\_\_ If so, Date \_\_\_\_\_

**Submittal Requirements:**

1. Copy of deed showing ownership or purchase contract with property legal description.
2. Site Plan/Tentative Plan with, as a minimum, all required information. Submit one copy of all plans 11x17 or smaller; 12 copies of all plans larger than 11x17. (See attached checklist for required information)
3. Applicant's Statement: Explain the request in as much detail as possible. Provide all information that will help the decision makers evaluate the application, including addressing each of the decision criteria for the requested land use action.
4. Other submittals required by the City or provided by the applicant. Please List.
  - a. \_\_\_\_\_ b. \_\_\_\_\_
  - c. \_\_\_\_\_ d. \_\_\_\_\_
  - e. \_\_\_\_\_ f. \_\_\_\_\_
5. Filing Fee: Amount Due: \_\_\_\_\_

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that incomplete applications may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge. I (We) also acknowledge that if the total cost to the City to process this application exceeds 125% of the application fee, we will be required to reimburse the City for those additional costs in accordance with Ordinance 228.

PROPERTY OWNER

Name (print): Jasmine and Joseph Brazill Phone: 206.920.3256

Address: 156 Wetlow Drive

City/State/Zip: Lowell OR 97452

Signature: [Handwritten Signature]

APPLICANT, if Different

Name (print): \_\_\_\_\_ Phone: \_\_\_\_\_

Company/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Signature: \_\_\_\_\_

E-mail (if applicable): \_\_\_\_\_

APPLICANTS REPRESENTATIVE, if applicable

Name (print): \_\_\_\_\_ Phone: \_\_\_\_\_

Company/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

E-mail (if applicable): \_\_\_\_\_

For City Use.

Application Number \_\_\_\_\_

Date Submitted: 2-14-21 Received by: [Signature] Fee Receipt # \_\_\_\_\_

Date Application Complete: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_ Date of Decision \_\_\_\_\_ Date of Notice of Decision \_\_\_\_\_

**Applicant statement:**

The purpose of this application is a conditional use permit as required per municipal code 9.203 of our existing home at 156 Wetleau Drive for a part time Pilates studio.

I am a physical therapist and certified Pilates instructor with over 10 years of experience teaching people exercise. I have lived in Lowell since 2015.

The exercise classes will be held 1-4 times per week for up to one hour per class. The times of operation will be Saturday and Wednesday mornings. The maximum number of participants will be seven adults including the instructor. The conditional use permit will comply with the home occupation standards outlined in municipal code section 9.251

No changes will be made to the structure. No changes will be made to the landscaping. No new structures will be built. No signage will be used. Access will be via pedestrian and vehicular. Parking will be on Wetleau drive. Other parking will be our personal driveway.

The extent of emissions, potential hazards or nuisance will be limited to parking where most participants will park on the available parking spaces on Wetleau Drive.

Exercise classes with a certified instructor will be a benefit for the health wellness of the citizens of Lowell and limit travel to other exercise venues in Springfield and Eugene.

Thank you for your consideration for this change.

Joseph Brazill, Certified STOTT Pilates Instructor

**Application Site Plan Requirements Checklist**

**Lowell Land Development Code, Section 2.140**

\_\_\_\_\_ The names of the owner(s) and applicant, if different.

Joseph Brazill

\_\_\_\_\_ The property address or geographic location and the Assessor Map number and Tax Lot number.

156 Wetleau Drive, Lot 21

\_\_\_\_\_ The date, scale and northpoint.

See attached map to comply with municipal code 9.204.

\_\_\_\_\_ A vicinity map showing properties within the notification area and roads. An Assessor Map, with all adjacent properties, is adequate.

See attached map.

\_\_\_\_\_ Lot dimensions.

58.79 feet x 103.36 feet 7,947 square feet

\_\_\_\_\_ The location, size, height and uses for all existing and proposed buildings.

Not applicable.

\_\_\_\_\_ Yards, open space and landscaping.

Not applicable.

\_\_\_\_\_ Walls and fences: location, height and materials.

Not applicable.

\_\_\_\_\_ Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns.

Street parking will be used primarily with 4-5 cars on Wetleau Drive

\_\_\_\_\_ Access: pedestrian, vehicular, service, points of ingress and egress.

Access will be pedestrian and vehicular and into the front door of our home.

\_\_\_\_\_ Signs: location, size, height and means of illumination.

Not applicable as no signage will be used.

\_\_\_\_\_ Loading: location, dimension, number of spaces, internal circulation.

Not applicable.

\_\_\_\_\_ Lighting: location and general nature, hooding devices.

Not applicable.

\_\_\_\_\_ Street dedication and improvements.

Not applicable.

\_\_\_\_\_ Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.

Not applicable.

\_\_\_\_\_ Water systems, drainage systems, sewage disposal systems and utilities.

Not applicable.

\_\_\_\_\_ Drainage ways, water courses, flood plain and wetlands.

Not applicable.

\_\_\_\_\_ The number of people that will occupy the site including family members, employees or customers.

A maximum of seven adults and up to four children.

\_\_\_\_\_ The number of generated trips per day from each mode of travel by type: employees, customers, shipping, receiving, etc.

Customers either pedestrian or vehicular four to seven trips to our address one to three times per week.

\_\_\_\_\_ Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.

Saturday and Wednesday mornings. No specific times have yet been determined.

\_\_\_\_\_ Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use.

Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy. Uses which possess nuisance characteristics or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to; noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safeguards or conditions of use as required by the Planning Commission or City Council. All uses shall meet all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality, and any other public agency having appropriate regulatory jurisdiction. City approval of a land use application shall be conditional upon evidence being submitted to the City indicating that the proposed activity has been approved by all appropriate regulatory agencies.

Not applicable as we do not anticipate emissions, hazards or nuisance generated by the proposed property use.

There are no anticipated emissions, hazards, or nuisance that will affect the community from this proposed conditional use of a Pilates studio.

\_\_\_\_\_ Such other data as may be necessary to permit the deciding authority to make the required findings.

See applicant statement.

**LEGEND**

- SET 5/8" X 30" REINFORCING ROD WITH DRINKING PLASTIC CAP STAMPED "TM"
- FOUND 5/8" IRON ROD WITH PLASTIC CAP MARKED "HANKINS LS 887"
- XX(Δ) RECORD DATA PER REFERENCE NO.

**REFERENCES**

- 1) RECORD INCORPORATION PER SURVIDGE FILE 75 SLIDE 1091-HANKINS 2001
- 2) RECORD INFORMATION PER COUNTY SURVEY FILE NO. 35800-HANKINS 1996



NOTE:  
A UTILITY EASEMENT EXISTS OFF-SITE THAT WAS ADDRESS-ED WITHIN THE CONDITIONS OF APPROVAL. SAID EASEMENT WAS 13.2004 DOCUMENT NO. 2004-053822

P.U.E. & ACCESS EASEMENT RECORD ED 1/05/05 DOC. NO. 2005-009881

NORTHERLY LINE OF THE FORMER SOUTHERN PACIFIC RAILROAD RIGHT OF WAY PER CSF 3330 AND 33607 AS COMPARED FROM MONUMENTS SET ON THE RIGHTS-OF-WAY LINES OF EAST FIRST STREET

REGISTERED PROFESSIONAL LAND SURVEYOR  
PAULA L. HANCOCK  
RECORD NO. 2005-009881  
RECORD DATE DEC. 31, 2005

**SUNRIDGE FIRST ADDITION**

SE 1/4 SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, LOWELL, LANE COUNTY, OREGON  
JANUARY 3, 2005

RECORDED DATE 2 FEB 2005  
COUNTY CLERK BY *M. Mallory*

Division of Chief Deputy Clerk  
Lane County Deeds and Records  
2005-002000  
\$255.00  
FILE NO. \_\_\_\_\_  
FILING DATE \_\_\_\_\_

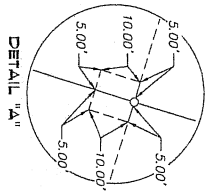
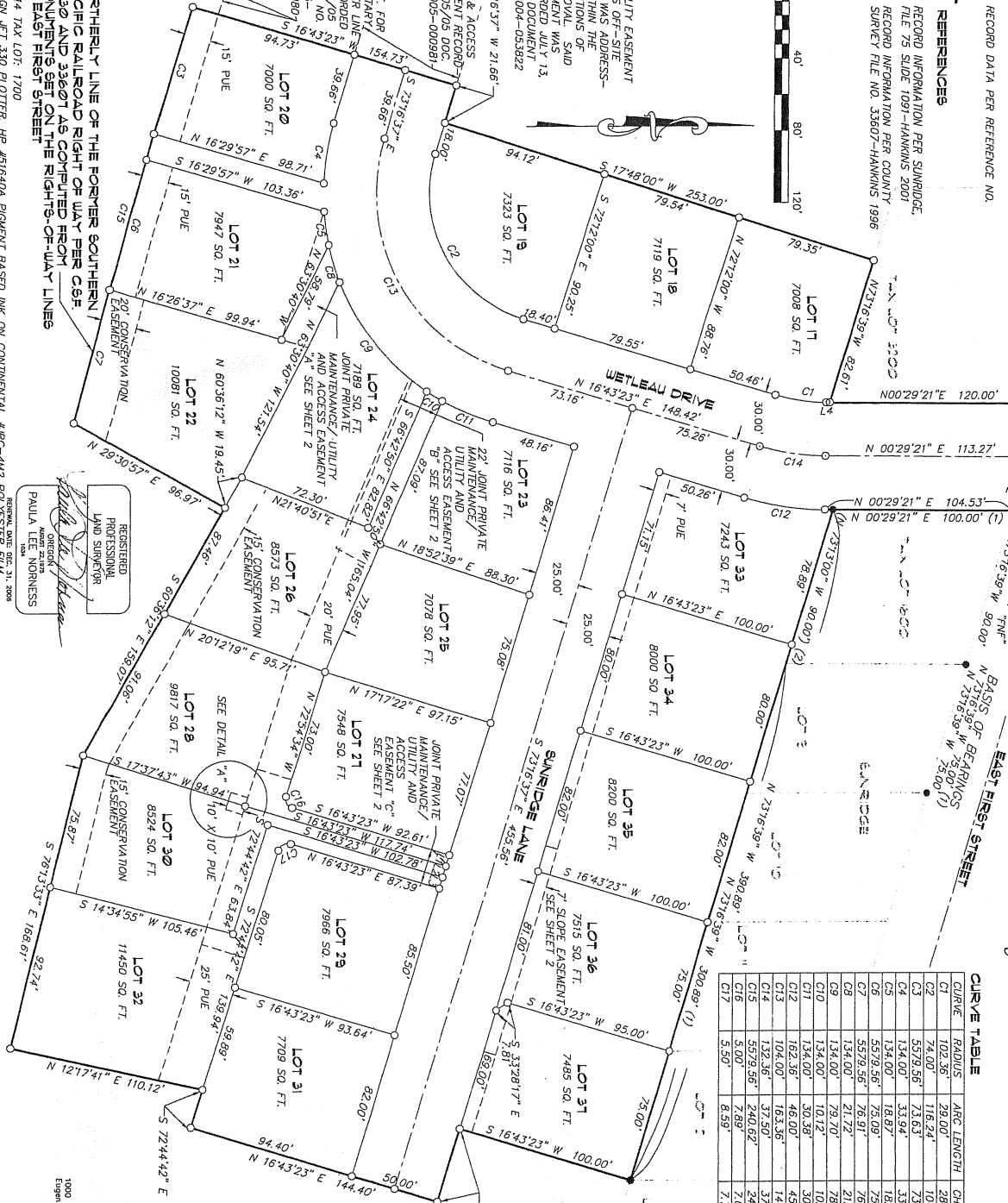
PREPARED BY: SHANE CASHNER  
\$3.00 \$28.00 \$10.00 \$11.00

**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	102.36'	29.00'	26.56'	S 08°36'22" W	16°14'02"
C2	579.56'	74.63'	74.63'	S 91°43'23" E	90°00'00"
C3	134.00'	39.87'	39.87'	S 80°32'04" W	14°30'47"
C4	134.00'	126.09'	126.09'	S 91°56'56" W	08°04'16"
C5	5579.56'	78.80'	78.80'	S 74°52'42" E	09°46'53"
C6	134.00'	21.72'	21.72'	S 22°46'40" W	09°17'50"
C7	134.00'	79.72'	79.72'	S 51°54'59" W	37°14'50"
C8	134.00'	10.12'	10.12'	S 23°13'04" W	04°16'31"
C9	134.00'	30.36'	30.36'	S 08°16'22" W	13°38'22"
C10	162.56'	46.00'	46.00'	S 11°43'23" E	15°14'02"
C11	104.00'	163.36'	147.08'	S 08°36'22" E	90°00'00"
C12	132.56'	37.50'	37.50'	S 74°21'50" E	02°28'15"
C13	5579.56'	240.67'	240.67'	S 61°54'25" W	90°22'02"
C14	5.00'	7.89'	7.89'	N 28°00'39" W	89°28'05"
C15	5.00'	8.59'	8.59'	N 28°00'39" W	89°28'05"
C16	5.00'	7.74'	7.74'	N 28°00'39" W	89°28'05"
C17	5.00'	8.59'	8.59'	N 28°00'39" W	89°28'05"

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 73°16'37" E	6.50'
L2	S 73°16'37" E	6.50'
L3	S 73°16'37" E	6.50'
L4	S 00°29'21" W	2.00'



**SHEET INDEX**

SHEET 1 SUNRIDGE FIRST ADDITION AND SLOPE EASEMENT  
SHEET 2 PRIVATE EASEMENTS AND SLOPE EASEMENT  
SHEET 3 SIGNATURES, APPROVALS, NARRATIVE

FORB-JONES ASSOCIATES, INC. DBA  
FORB & ASSOCIATES  
LAND SURVEYING  
CONSTRUCTION SUPERVISION • WATER RIGHTS EXAMINATIONS  
P.O. Box 27725  
EUGENE, OR 97402  
PHONE: (541) 424-4000  
WWW.FORBJONES.COM  
DRAWN BY: PAUL/PHM  
DATE: 1/24/05  
FOR: (541) 344-1892  
FAX: (541) 344-9923


# ADDENDUM TO PURCHASE AGREEMENT

**Effective Date:** October 27, 2020

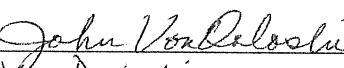
**I. The Parties.** This Addendum hereby becomes part of the Purchase Agreement between Joseph and Jasmine Brazill ("Buyer") and John and Jessica VonDoloski ("Seller") authorized on October 27, 2020 ("Agreement") for the property located at 156 Wetleau Dr., City of Lowell, State of Oregon ("Property").

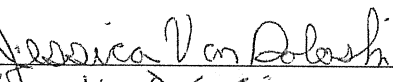
**II. Amendment(s).** Buyer and Seller agree that the Agreement shall be amended as follows: Purchase price shall be revised to \$484,000 (four hundred eighty-four thousand) and seller agrees to pay the closing costs.

All other terms and conditions of the Agreement shall remain the same. This Addendum shall go into effect on the date of the undersigned parties.

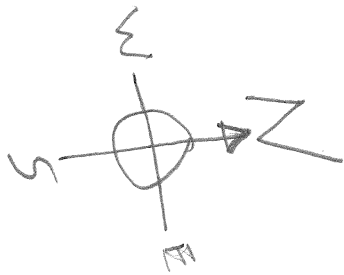
**Buyer's Signature**  Date 10/27/2020  
Print Name Joe Brazill

**Buyer's Signature**  Date 10/27/2020  
Print Name Jasmine Brazill

**Seller's Signature**  Date 10-27-20  
Print Name John VonDoloski

**Seller's Signature**  Date 10-27-20  
Print Name Jessica VonDoloski





← Street parking

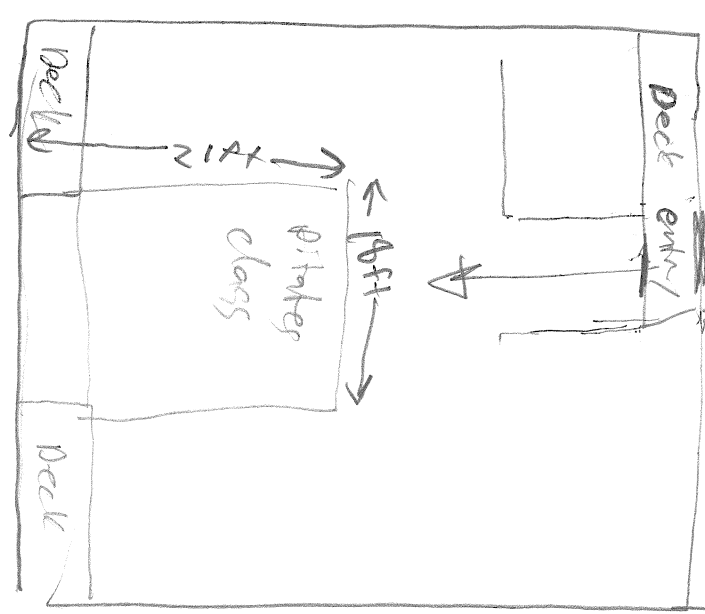
Lot 20

Street parking

Driveway

Lot 21  
parking

Lot 22



## HEARLEY Henry O

---

**From:** Joe Brazill <joebrazill@gmail.com>  
**Sent:** September 1, 2021 4:55 PM  
**To:** HEARLEY Henry O  
**Cc:** CAUDLE Jeremy; Max Baker  
**Subject:** Re: Referral Comment on Proposed Home Occupation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from outside the organization. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

There is parking on the street that will accommodate the number of individuals who may attend. The street parking is rarely used. Additionally the parking will be limited in frequency on 2 times per per week for an hour. I have attached photos of the street parking.



Sent from my iPhone

On Sep 1, 2021, at 2:23 PM, HEARLEY Henry O <HHEARLEY@lcog.org> wrote:

Mr. Brazil,

Given that there could be up to six patrons of your business, all with their own vehicle, the City does think parking may be an issue that needs to be addressed. As you know, the City Engineer did provide a comment about the width of that area of Wetleau and its ability to accommodate on-street parking.

One of the approval criteria for a home occupation is that the home occupation will not cause parking in a manner or frequency that would cause disturbance or inconvenience to nearby residents or that would necessitate the provision of additional off-street parking. What's your plan to address the parking issue?

Henry

---

**From:** HEARLEY Henry O  
**Sent:** August 24, 2021 1:50 PM  
**To:** Joe Brazill <joebrazill@gmail.com>  
**Cc:** CAUDLE Jeremy <JCaudle@ci.lowell.or.us>  
**Subject:** Referral Comment on Proposed Home Occupation

Hello Mr. Brazil,

I am making you aware of a referral comment for the proposed home occupation. You're not required to respond, but you may choose to do so.

Henry

Henry O. Hearley  
Associate Planner  
Lane Council of Governments  
[hhearley@lcog.org](mailto:hhearley@lcog.org)  
541-682-3089

<HO\_standards.pdf>

## HEARLEY Henry O

---

**From:** Joe Brazill <joebrazill@gmail.com>  
**Sent:** September 1, 2021 3:51 PM  
**To:** CAUDLE Jeremy  
**Cc:** HEARLEY Henry O  
**Subject:** Re: Conditional use permit fee

**CAUTION:** This email originated from outside the organization. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

In regards to your concern regarding parking, it is true that the street is narrow in places, but the area in front of our house has cutouts. These cutouts should be enough space for 5-6 vehicles on the street. This should accommodate for the number of people who may attend the class as we can only have five people maximum in the class.

Sent from my iPhone

On Sep 1, 2021, at 2:21 PM, Jeremy Caudle <JCaudle@ci.lowell.or.us> wrote:

Hi Joe:

Thanks for taking my call earlier. We have you scheduled for a planning commission meeting on Sept. 22 at 7:00 pm. You will receive some official correspondence in the mail to confirm everything.

On 8/24, our civil engineer sent an email expressing street parking concerns. I have copied and pasted the engineer's comments below for reference. It would be great if you could forward a response to our planner, Henry Hearley, so he can include your response in his staff report. I have cc'd Henry so you have his email address.

Also, the application fee is \$292, if you could make that payment at City Hall or over the phone at your earliest convenience.

Thank you! Let me know if you have any questions.

Jeremy

I have no engineering concerns about this application. I would have concerns about available parking, as this is adjacent to the area of Wetleau that narrows down, and other areas of Wetleau are relatively narrow.

---

**Jeremy B. Caudle**  
City Administrator

City of Lowell, OR  
(541) 937-2157  
[www.ci.lowell.or.us](http://www.ci.lowell.or.us)

**CTIY of LOWELL  
NOTICE OF PUBLIC  
HEARING**

**Mailing Date: September 2, 2021**

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for Home Occupation Permit in the form of a Pilates/exercise studio for a single-family zoned residential lot on the property located at 156 Wetleau Drive in Lowell, Oregon.

The Hearing will occur on **September 22, 2021, at 7:00 pm** in the Maggie Osgood Library located at 70 North Pioneer Street. The hearing will be held in-person, but there will also be a remote/virtual option offered for those who wish to attend remotely.

Requested Action: Property owner wishing to operate a Pilates/exercise studio home occupation out of the primary residence.

Owner/Applicant: Jasmine and Joe Brazil  
Property Location: 156 Wetleau Drive  
Assessor Map: 19-01-14-13  
Tax Lot: 06100  
Existing Area: 0.18 acres  
Existing Zone: R-1 Single-Family Residential

The Lowell Land Use Development Code specifies the applicable procedures and criteria for evaluation of the requested action. Applicable Code Sections include 9.251 Conditional Uses, 9.304 Notification, 9.306 Quasi-Judicial Public Hearings, and 9.702 Home Occupation Standards.

The specific criteria will be addressed in the Staff Report.

A copy of the Application, all documents and evidence relied upon by the Applicant and the Staff Report containing the applicable criteria will be available for inspection at the Lowell City Hall at least seven days prior to the public hearing meeting.

Failure of an issue to be raised in the Hearing or by letter, or failure to provide sufficient detail to afford the decision makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

A conditional use permit request requires a Public Hearing. Oral testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Lowell City Hall located at 107 East Third Street, Lowell, Oregon 97452 or emailed to Henry Hearley, City Planner, at [hhearley@lcog.org](mailto:hhearley@lcog.org) or to the City Administrator, Jeremy Caudle, [jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us).

Written Testimony shall be received by the City no later than 4:00 pm on September 15, 2021, to be Included in the staff report.

To participate in the hearing remotely via Zoom, you must first sign-up with the City Administrator to receive the Zoom link.

For additional information please write to City Hall at the above address or call City Hall at (541) 937-2157 or fax to 541-937-2066.

Henry Hearley  
541-682-3089  
City Planner  
Lane Council of Governments  
[hhearley@lcog.org](mailto:hhearley@lcog.org)

Jeremy Caudle  
541-937-2157  
City Administrator  
[jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us)

Subject Property



CITY OF LOWELL  
PO BOX 490  
LOWELL, OR 97452

BENNETT MARK G  
512 SUNRIDGE LN  
LOWELL, OR 97452

PIERCE FAMILY TRUST  
515 SUNRIDGE LN  
LOWELL, OR 97452

JUHLIN FAMILY TRUST  
503 SUNRIDGE LN  
LOWELL, OR 97452

HANSEN FAMILY REV LIV TRUST  
191 WETLEAU DR  
LOWELL, OR 97452

VALENCIA JERRY & JULIE  
11 N ALDER ST  
LOWELL, OR 97452

FINCH KEVIN D  
183 WETLEAU DR  
LOWELL, OR 97452

SCHWENDIMAN BRANT  
165 WETLEAU DR  
LOWELL, OR 97452

JURASEVICH ROBERT & DIANA  
PO BOX 42027  
EUGENE, OR 97404

BENNETT MARK GORDON  
512 SUNRIDGE LN  
LOWELL, OR 97452

PAULSON STEPHEN M & GILLIAN B  
520 SUNRIDGE LN  
LOWELL, OR 97452

BENNETT JOINT TRUST  
540 SUNRIDGE LN  
LOWELL, OR 97452

HOVIS RICHARD & MARY ANN  
534 SUNRIDGE LN  
LOWELL, OR 97452

AUGUSTYNIAK THOMAS & KERRY  
MARGARET  
530 SUNRIDGE LN  
LOWELL, OR 97452

PAULSON GILLIAN & STEPHEN M  
520 SUNRIDGE LN  
LOWELL, OR 97452

LITTON AVA M  
172 WETLEAU DR  
LOWELL, OR 97452

KOZUMA LILIA  
36058 ENTERPRISE RD  
CRESWELL, OR 97426

HENTON BRYANT D & LAURA A  
3335 HARLOW RD  
EUGENE, OR 97401

BRAZILL JOE & JASMINE  
156 WETLEAU DR  
LOWELL, OR 97452

WHITE MARK ALLEN & GWENDOLYN  
MADGE  
160 WETLEAU DR  
LOWELL, OR 97452

GILLILAND JEFFERY J & CYNTHIA D  
PO BOX 1132  
FALL CREEK, OR 97438

COLEMAN JONATHAN SHANE &  
JESSICA RAE  
98 WETLEAU DR  
LOWELL, OR 97452

BAINES GIENIA L  
PO BOX 26  
DEXTER, OR 97431

CLAY RICHARD ANDREW & ANNE  
MARIE  
707 55TH PL  
SPRINGFIELD, OR 97478



**AFFIDAVIT OF MAILING**

LANE COUNCIL OF GOVERNMENTS

859 Willamette Street. Suite 500

Eugene, OR 97401

I, Henry Hearley, contracted planner, depose and state that I mailed, by regular first-class mail, on SEPTEMBER 2, 2021, a notice of a public hearing for a CONDITIONAL USE PERMIT for a HOME OCCUPATION at Map and Tax Lot 19-01-14-13-06100 at 156 Wetleau Drive, known as the LU 2021 10 in the City of Lowell to the addresses contained herein.



Signature



Print Name

**FINAL ORDER AND DECISION  
OF THE LOWELL PLANNING COMMISSION  
(ATTACHMENT D TO THE STAFF REPORT)**

**LU 2021 10 Conditional Use Permit for a Home Occupation at 156 Wetleau Drive in  
Lowell, Oregon.**

A. The Lowell Planning Commission finds the following:

1. The Lowell Planning Commission has reviewed all materials relevant to the Conditional Use Permit (**FILE NO. LU 2021 10**) that has been submitted by the applicant and staff regarding this matter for Assessors Map 19-01-11-41-30-06100, including the criteria, findings and conclusions within the Final Order and referenced staff report and has been **DENIED**.
2. On September 22, 2021, the Lowell Planning Commission reviewed LU 2021 10 after giving the required notice as per the Lowell Development Code and held a public hearing that was open to the public.
3. At the September 22, 2021, public hearing, the Lowell Planning Commission made a motion to **deny** the application subject to the findings, conclusions and conditions as presented in the staff report as delivered by staff.
4. The proposed development will cause negative impacts to traffic flow or to pedestrian and vehicular safety as discussed and found in the staff report. Evidence insufficient to find LDC 9.251(3) is met.
5. The proposed development has negative impacts, potential hazards or nuisance characteristics, as discussed and found in the staff report. Evidence insufficient to find LDC 9.251(7) is met.
6. The parking of customer vehicles in a manner or frequency would cause disturbance or inconvenience to nearby neighbors. Evidence insufficient to find LDC 9.702(h) is met.
7. The Sunridge Subdivision Conditions, Restrictions and Covenant prohibit the parking of customer vehicles everywhere but for on the subject property itself. The applicant has proposed to utilize on-street parking on Wetleau Drive.

8. This approval is subject to a 15-day appeal period. The appeal must be submitted within 15-days of the notice of decision being mailed out. Appeal of the decision will be heard by the Lowell City Council.

Signed this \_\_\_\_\_ day of **September 2021**

Date Mailed: \_\_\_\_\_

\_\_\_\_\_

Mr. Lon Dragt, Chair, Lowell Planning Commission

## ATTACHMENT C

### HEARLEY Henry O

---

**From:** Matt Wadlington <Mwadlington@civilwest.net>  
**Sent:** August 24, 2021 1:17 PM  
**To:** HEARLEY Henry O; Max Baker; ODOT Reg 2 Planning Manager; Lon Dragt (dragt2300@gmail.com); VARTANIAN Sasha  
**Cc:** CAUDLE Jeremy  
**Subject:** RE: Referral Comment for Home Occupation in Lowell, Oregon

**CAUTION:** This email originated from outside the organization. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Henry,

I have no engineering concerns about this application. I would have concerns about available parking, as this is adjacent to the area of Wetleau that narrows down, and other areas of Wetleau are relatively narrow.

--

**Matt Wadlington, PE, Principal**  
Willamette Valley Regional Manager  
d 541.982.4373 | c 520.444.4220



**Civil West Engineering Services, Inc.**  
200 Ferry St. SW, Albany, OR 97321  
p 541.266.8601  
[www.civilwest.com](http://www.civilwest.com)

---

**From:** HEARLEY Henry O <HHEARLEY@Lcog.org>  
**Sent:** Tuesday, August 24, 2021 10:43 AM  
**To:** Matt Wadlington <Mwadlington@civilwest.net>; Max Baker <mbaker@ci.lowell.or.us>; ODOT Reg 2 Planning Manager <ODOTR2PLANMGR@odot.state.or.us>; Lon Dragt (dragt2300@gmail.com) <dragt2300@gmail.com>; VARTANIAN Sasha <Sasha.VARTANIAN@lanecountyor.gov>  
**Cc:** CAUDLE Jeremy <JCaudle@ci.lowell.or.us>  
**Subject:** Referral Comment for Home Occupation in Lowell, Oregon

All:

Please see the attached land use request for a Home Occupation in Lowell, Oregon. The proposed home occupation is a Pilates studio. Please let me know if your respective agency has any comments by August 31.

Thank you,

Henry

Henry O. Hearley  
Associate Planner  
Lane Council of Governments  
[hhearley@lcog.org](mailto:hhearley@lcog.org)  
541-682-3089

## ATTACHMENT E

September 15, 2021

City of Lowell  
Lowell Planning Commission  
107 East Third St.  
Lowell, OR 97452

Henry Hearley, City Planner  
[hhearley@lcog.org](mailto:hhearley@lcog.org)

Jeremy Caudle  
[jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us)

Re: CUP 21-001  
Notice of Land Use Application  
Brazill, 156 Wetleau Dr. (Lot 21), Lowell, OR 97452

To whom it may concern:

I am a 12-year resident of the City of Lowell, in particular the Sunridge Subdivision. I have witnessed the increase in vehicle traffic and parking limitations in our specific area during those 12 years. I'm writing with regard to the above noted Land Use Application. I have concerns about the approval of this application, and will enumerate them below.

1. Applicant address is 156 Wetleau Dr. This location abuts a curve in Wetleau Dr. which runs from the north then to the west at this location (see applicant map). There is signed NO PARKING on the north side of Wetleau at this location. On the south side of Wetleau (in front of Lot 20) there is a communal U.S. Mailbox, where there is NO PARKING in front of, and numerous neighbors stop in their vehicles to collect their mail on a routine basis. West of Lot 20 there is signed NO PARKING, for the remainder of Wetleau as it travels down the hill. Between Lot 20 and Lot 21, there is a paved Public Easement (see applicant map) that is public property: not an additional parking area for either of those lots. There are two to three parking spots (depending on vehicle size) available west of the mailbox, adjacent to the Public Easement and in front of Lot 20. At the curve on Wetleau (in front of Lot 24), there are at most two vehicle parking spaces. All properties in the immediate area (along with the general public) share these few (perhaps five) available parking spaces. Note that currently there are not houses on Lot 20 and Lot 24, but both lots are owned by private parties and will be built on in the near future. The parking spaces currently available in front of Lot 20 will decrease to perhaps one space with the advent of a driveway built for Lot 20. These new houses will complicate the street parking situation and will increase the demand for street parking amongst the very few street parking spaces available even further.

2. Wetleau Drive is one of two access roads into the Sunridge area, the other access road being First Street.

3. Vehicles using these access roads include garbage, utility, mail, construction and delivery trucks, not just passenger-sized vehicles.

4. When vehicles are parked in the parking spaces adjacent to the public mailbox (in front of Lot 20), cars traveling east on Wetleau (up the hill) routinely swerve further out into the middle of the street to avoid hitting the parked cars. At the same moment, cars traveling west around the curve routinely need to come to a complete stop (it is a blind corner, due to the steep downhill curve) to avoid a collision with the eastbound vehicles (see Number 3 above). This is

an already dangerous situation, and increasing the number of cars parked on the street only makes the situation worse.

5. Applicant's access to their two parking spaces in front of their garage is shared with Lot 22 (see applicant map). Lot 22 requires access and egress to their property at all times.

6. I have observed that since moving to 156 Wetleau in October of 2020 (see Purchase Agreement), the occupants of the property routinely park their own vehicles in the street parking adjacent to the public mailbox (in front of Lot 20), not on their property in front of their garage. With their own vehicles parked on the street, where do they propose to have clients park their cars? The applicants also park vehicles/trailers on the paved Public Easement ADJACENT to their property (see applicant map) which is Public Property, not a private parking space.

7. Lowell Code 9.702, Section (h) states that: "No parking of customer vehicles in a manner or frequency that would cause disturbance or inconvenience to nearby residents or that would necessitate the provision of additional off-street parking shall be allowed".

8. In addition, Article 6, Section 6.1 of the Sunridge Subdivision CC & R's states that: "6.1 Allowed Uses. Lots shall be used primarily for residential purposes, No tent, shack, trailer, camper, recreational vehicle, or partly finished house may be used as a residence at any time. Provided, however, that visitors to a Lot may sleep in a camper or recreational vehicle parked on the Lot for up to seven (7) consecutive days, with a cumulative maximum of twenty one (21) days in any one year period. Home businesses are allowed provided that: i) the business is conducted entirely indoors; ii) the business is incidental to the residential use of the Lot; iii) workers and customers park entirely on the proprietor's Lot; iv) no more than two (2) worker and/or customer cars are visible from outside the Lot at any given time; v) no more than eight (8) customers visit the business during any twenty-four (24) hour period; and vi) the business complies with all applicable laws and regulations."

By purchasing a home/lot in Sunridge Subdivision, the purchaser agrees to abide by the Sunridge Subdivision CC & R's.

For these reasons, the Lowell Planning Commission should not approve the Land Use Application for 156 Wetleau Drive. Resident safety, access, and Code restrictions all speak to the disservice approving the application would involve.

Sincerely,

Jill Paulson  
520 Sunridge Lane  
Lowell, OR 97452

# SUNRIDGE FIRST ADDITION

SE 1/4 SECTION 14, TOWNSHIP 19 SOUTH,  
RANGE 1 WEST, WILLAMETTE MERIDIAN  
LOWELL, LANE COUNTY, OREGON  
JANUARY 3, 2005

RECORDED

DATE 2 Feb 2005  
COUNTY CLERK  
BY *M. Bellamy*

Division of Chief Deputy Clerk  
Lane County Deeds and Records

2005-008200



\$256.00

LANE COUNTY SURVEYORS OFFICE

C.B. FILE NO.

FILED DATE

02/02/2005 09:22:46 AM  
RPR-SUBD Cnt=1 SIn=6 CASHIER 07  
\$5.00 \$230.00 \$10.00 \$11.00

### LEGEND

- SET 5/8" X 30" REINFORCING ROD WITH ORANGE PLASTIC CAP STAMPED "FNF"
- FOUND 5/8" IRON ROD WITH PLASTIC CAP MARKED "HANKINS LS 68"

XX(✓) RECORD DATA PER REFERENCE NO.

### REFERENCES

- 1) RECORD INFORMATION PER SUNRIDGE, FILE 75 SLIDE 1091-HANKINS 2001
- 2) RECORD INFORMATION PER COUNTY SURVEY FILE NO. 33607-HANKINS 1996



NOTE:  
A UTILITY EASEMENT EXISTS OFF-SITE THAT WAS ADDRESS-ED WITHIN THE CONDITIONS OF APPROVAL. SAID EASEMENT WAS RECORDED JULY 13, 2004 DOCUMENT NO. 2004-053822

P.U.E. & ACCESS EASEMENT RECORDED 1/05/05 DOC. NO. 2005-000981

DATE FOR SANITARY SEWER LINE RECORDED 1/05/05 DOC. NO. 2005-000980

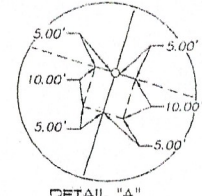
NORTHERLY LINE OF THE FORMER SOUTHERN PACIFIC RAILROAD RIGHT OF WAY PER C.S.F. 31330 AND 33607 AS COMPUTED FROM MONUMENTS SET ON THE RIGHTS-OF-WAY LINES OF EAST FIRST STREET

### CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	102.36'	29.00'	26.91'	S 08°36'22" W	16°14'02"
C2	74.00'	116.24'	104.65'	N 61°43'23" E	90°00'00"
C3	5579.56'	73.63'	73.63'	S 73°30'24" E	00°45'22"
C4	134.00'	33.94'	33.85'	N 80°32'00" W	14°30'47"
C5	134.00'	18.87'	18.86'	S 81°26'26" W	08°04'11"
C6	5579.56'	75.09'	75.09'	S 74°25'27" E	00°46'16"
C7	5579.56'	76.91'	76.91'	S 75°12'16" E	00°47'23"
C8	134.00'	21.72'	21.70'	S 72°45'40" W	09°17'20"
C9	134.00'	79.70'	78.53'	S 51°04'39" W	34°04'44"
C10	134.00'	10.12'	10.11'	S 31°52'31" W	04°19'31"
C11	134.00'	30.38'	30.31'	S 23°13'04" W	12°58'22"
C12	162.36'	46.00'	45.85'	S 08°36'22" W	16°14'02"
C13	104.00'	163.36'	147.08'	N 61°43'23" E	90°00'00"
C14	132.36'	37.50'	37.38'	S 08°36'22" W	16°14'02"
C15	5579.56'	240.62'	240.61'	S 74°21'50" E	02°28'15"
C16	5.00'	7.89'	7.09'	S 61°54'25" W	90°22'02"
C17	5.50'	8.59'	7.74'	N 28°00'39" W	89°28'05"

### LINE TABLE

LINE	BEARING	DISTANCE
L1	S 73°16'37" E	6.50'
L2	S 73°16'37" E	6.50'
L3	S 73°16'37" E	6.50'
L4	S 00°29'21" W	3.00'



### SHEET INDEX

- SHEET 1 SUNRIDGE FIRST ADDITION
- SHEET 2 PRIVATE EASEMENTS AND SLOPE EASEMENT
- SHEET 3 SIGNATURES, APPROVALS, NARRATIVE

FORD-NESS-PASSBENDER, INC. DBA  
FORD & ASSOCIATES  
LAND SURVEYING  
CONSTRUCTION SUPERVISION • WATER RIGHTS EXAMINATIONS

P.O. Box 22715  
EUGENE, OR 97402  
1000 S. Bertselson, Ste. 1  
Eugene, OR 97402  
www.inflinc.net  
JOB NO. 4124.00  
DWG. NO. 4124-1STADD  
DRAWN BY: PLM/TDM

19-01-14 TAX LOT: 1700  
HP DESIGN JET 330 PLOTTER, HP #51640A PIGMENT BASED INK ON CONTINENTAL #JPC-4M2 POLYESTER FILM  
REGISTERED PROFESSIONAL LAND SURVEYOR  
PAULA LEE NORRESS  
RENEWAL DATE: DEC. 31, 2006

\* = U.S. Mailbox



Photos that reference my email of 9.15.21, RE: CUP 21-001



Two vehicles (both the Applicant's?) parked routinely in two of the public parking spaces in front of Lot 20, Sunridge Subdivision. Applicant's residence (156 Wetleau Drive) is the first house on the right, just to the east of Lot 20. Note the "No Parking" sign just to the west of these parking spaces. There is also "No Parking" on the other side of Wetleau across the street.



This photo shows at far right the access driveway to Lot 21 (Applicant's lot) and Lot 22 (just to Applicant's east, see map). The driveway provides access and egress to both lots. It also shows the parking space available (perhaps two spaces?) on Wetleau, to the north of their driveway access, in front of Lot 24, which has been purchased for a homesite. Note the house being built next to Lot 24, up the hill.

## ATTACHMENT F

landscaping element, such as wood, plastic, concrete, brick or other masonry, is prohibited. Provided, however, that incidental decorative use of natural wood is allowed, such an unusual piece of driftwood. Stone can be all native basalt, or all quarried (gray) basalt from off-site, but the two types should not be mixed. Notwithstanding the following, concrete foundations and other walls are allowed in the following circumstances: a) foundations with less than 18" exposed; b) walls less than 36" tall that are attached to a structure and are finished with the same materials and colors as the adjoining structure; or c) walls that are not visible from outside the Lot.

5.15 Decks. Decks raised from 6-10 feet above the ground must be supported on columns at least 7" x 7". Columns supporting decks over 11 feet above the ground must be least 10" x 10". Columns may be boxed out to reach these required dimensions. Visible X or knee bracing is not allowed.

### ARTICLE 6. GENERAL USE RESTRICTIONS

6.1 Allowed Uses. Lots shall be used primarily for residential purposes, No tent, shack, trailer, camper, recreational vehicle, or partly finished house may be used as a residence at any time. Provided, however, that visitors to a Lot may sleep in a camper or recreational vehicle parked on the Lot for up to seven (7) consecutive days, with a cumulative maximum of twenty one (21) days in any one year period. Home businesses are allowed provided that: i) the business is conducted entirely indoors; ii) the business is incidental to the residential use of the Lot; iii) workers and customers park entirely on the proprietor's Lot; iv) no more than two (2) worker and/or customer cars are visible from outside the Lot at any given time; v) no more than eight (8) customers visit the business during any twenty-four (24) hour period; and vi) the business complies with all applicable laws and regulations.

6.2 Maintenance. All Improvements must be maintained at all times in a good, workmanlike manner in substantially the same condition as when first constructed. No Improvement shall be permitted to fall into disrepair or to become unsightly. Refinishing of all buildings and fences must be done before there is noticeable fading, checking, blistering or loss of finish on any surface. Owners shall also maintain the portion of the street right-of-way that is between their Lot and the sidewalk edge, in the same manner as the Lot itself.

6.3 Storage and Parking. Storage or parking of any type of vehicle which is in a state of disrepair or is not in regular family use, trucks and similar equipment in excess of one ton rating, boats, snowmobiles, all-terrain vehicles (ATVs), jet-skis, trailers, recreational vehicles (RVs), motor homes or campers shall not be allowed on any Lot, nor on any public or private street adjacent to any Lot, except within a completely enclosed garage, or other area which is completely screened from view by vegetation or fencing. Provided, however, that from time to time such equipment may be parked outside of a garage or screened area on a temporary basis for periods not to exceed seven (7) consecutive days, with a cumulative maximum of twenty one (21) days in any one year period. Parking of allowed vehicles shall occur primarily upon the Lots, with street parking allowed only when additional parking is required due to special circumstances, such as the arrival of guests. Storage of any kind of household item, goods, merchandise, fuel, firewood, bicycles, tools, materials, machinery or supplies must be within areas that are completely screened from view by vegetation, fencing or other appropriate enclosure. Garbage and debris must be kept in sanitary containers in an enclosed area and taken from the Lot to a lawful garbage dump site at least every other week. Provided, however, that organic materials may be naturally composted on the Lot if the composting area is screened from view by fencing, vegetation or other enclosure.

6.4 Repair of Vehicles and Equipment. Repair, rebuilding and overhaul of vehicles and equipment must take place inside a completely enclosed garage.

6.5 Rental. Lots may be rented by the Owner, provided that the Owner ensures that the tenants comply fully with each and every relevant Restriction, in the same manner as if said tenants were the record owners of the Lot.

6.6 Derogation of Laws. All Owners and occupants of all Lots, and any guests, shall comply with all applicable city, county, state and federal laws and regulations. In case of conflict with said laws and regulations, and this Declaration, the more restrictive of the two shall control. Provided, however that this Declaration shall not be construed to require violation of any applicable law or regulation.

6.7 Burning. Outdoor burning of yard, household or other waste is prohibited. Provided, however, that small, controlled fires of wood or charcoal are allowed, for recreational purposes only.

6.8 Signs. No signs shall be allowed on any Lot, or on a public right-of-way adjacent to any Lot, other than as follows: i) temporary signs under three (3) square feet advertising the Lot for sale or for rent; ii) political signs during election campaigns, provided said signs are promptly removed upon completion of the campaign; iii) home business signs under two (2) square feet and attached to the home; iv) discreet security signs or notifications regarding home security systems; and v) signs required by law. Signs must be freestanding or attached to a building, and may not be attached to a tree.

6.9 Animals. No horses, cattle, goats, swine or other such livestock may be raised, bred or kept on the Lot. A maximum of two dogs, plus an aggregate of five cats, rabbits, chickens and/or other similar animals, may be kept on each Lot, so long as they are not raised, bred or kept for commercial purposes. Dog runs or other outdoor animal enclosures must be at least two thousand (2000) square feet, and located in the rear two-thirds (2/3) of the Lot. All animal waste must be removed at least twice a week, and proper sanitation shall be maintained at all times. Pets, including cats, shall not be allowed off the Owner's Lot unless leashed or enclosed. Owners shall immediately remove any waste left by pets on other Lots, public rights-of-way or parks.

6.10 Nuisance. No noxious, unsightly or offensive condition, or anything that may be or become an annoyance or nuisance to owners and/or occupants of any part of Sunridge Subdivision, or the Future Development Property, shall be permitted. Nuisances include, but are not limited to, disruptive noise during nighttime hours, barking dogs, offensive smells or loud music.

## ARTICLE 7. ARCHITECTURAL REVIEW

7.1 Architectural Review Committee (ARC). During the Development Period, there shall be an Architectural Review Committee (ARC) comprised of one (1), three (3) or five (5) individuals chosen by the Declarant. Any or all of the ARC members may be removed and replaced by the Declarant at any time, with or without cause.

7.2 Architectural Review Required. During the Development Period, no Improvement shall be commenced, erected, altered or maintained upon any Lot unless and until the Improvement is approved in writing by the ARC as described in this Article 7. Provided, however, that walls, excavations and earthwork less than twenty four inches (24") in height or depth, fences, patios and decks are considered minor and shall not require prior ARC approval. Plans for Improvements requiring a building permit may not be submitted to the City of Lowell, or any other permitting agency, until such plans have been first been approved by the ARC. Only plans bearing the ARCs approval may be submitted for building permit review, and only ARC-approved plans may be present on the jobsite as the working plans.