

**Planning Commission  
Regular Meeting Agenda  
Wednesday, September 7, 2022 at 7:00 p.m.**

**Lowell Fire Department  
389 N Pioneer St  
Lowell, OR 97452**

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

- Joining by phone, tablet, or personal computer. 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: [admin@ci.lowell.or.us](mailto:admin@ci.lowell.or.us).

**Meeting Agenda**

**Call to Order/Roll Call**

Commissioners: Dragt \_\_\_ Kintzley \_\_\_ Wallace \_\_\_ Priser\_\_\_

**Approval of Agenda**

**Approval of Minutes**

- Minutes from the March 3, 2022 regular meeting

**Old Business**

**New Business**

1. Land Use file #2022-02, "Mixed-use development on North Shore (Phase 1)."
  - 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 file #2022-02

*Recommended motion:*

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.

2. Land Use file #2022-07, "Paul Fisher Park/City Hall partition – city property."
  - 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 file #2022-07
  
3. Land Use file #2022-08, "Rolling Rock Park partition - city property."
  - 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 file #2022-08

**Other Business**

**Adjourn**

**City of Lowell, Oregon  
Minutes of the Planning Commission Meeting  
March 3, 2022**

The meeting was called to order at 7:00 PM by Commissioner Chair Dragt.

**Members Present:** Lon Dragt, Mary Wallace, Suzanne Kintzley, Mike Galvin, William Priser

**Staff Present:** CA Jeremy Caudle, City Planner Henry Hearley LCOG

**Approval of Agenda:** Commissioner Galvin moved to approve the agenda, second by Commissioner Kintzley. PASS 5:0

**Approval of Minutes:** Commissioner Kintzley moved to approve the minutes from December 1, 2021, second by Commissioner Galvin. PASS 4:0 Commissioner Wallace abstained for not being present at that proceeding

**New Business:**

- Lon Dragt was approved to continue as Chairperson for the Planning Committee PASS 5:0
- Suzanne Kintzley was chosen to continue as Vice Chairperson for the Planning Committee PASS 5:0
- Land Use File 2021-13– “Lake Town Tentative Subdivision Plat Approval.” (Map 19–01–14-13, Tax Lot 03700)

**Close Public Meeting: 7:03 PM**

**Open Public Hearing 7:03 PM**

**Staff Report – Henry Hearley City Planner, LCOG, presented staff report.**

**Applicant comments: nothing to add**

**Commission comments:**

-Councilor Wallace inquired regarding the effect of the road changes to the community street access on Wetleau. The Applicant contractor responded and answered

-Commissioner Galvin inquired regarding the on-street parking and the possible issues with the traffic flow. The Applicant responded that the precedence was set with the road on Wetleau.

**Public comment:**

- In Support:
  - Ken Hern—40 Trail Blazer Ct. He stated that when he purchased his property, he understood there would be homes built in that space.
- In Opposition:
  - Robert and Linda Martin—426 E 1St. Street. They stated that they are against the proposal due to the impending lack of privacy that homes in the back of their home will cause.

**Public Hearing Closed: 7:25 PM**

**Reconvene Public Meeting: 7:25 PM**

**Commissioner Kintzley moved to recommend that City Council approve the tentative subdivision plat application in Land Use file #2021-13, subject to the findings, conditions of approval, and informational items presented in the February 23, 2022 staff report.” Seconded by Commissioner Wallace. PASS 5:0**

**Other Business:** None

**Adjourn: 7:40 PM**

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

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

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

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

**Staff Report**  
**Site Plan Review Application**  
**Mixed-Use Development on North Shore LU 2022 02 (Phase 1)**  
**August 31, 2022**

**Date of Completeness: July 29, 2022**

**120<sup>th</sup> Day: November 26, 2022**

**Notice sent: August 9, 2022**

**Property Owner: North Shore, LLC**

**Applicant: Jerry Valencia, North Shore, LLC**

**Applicant's Representative: Rex Prater, AIA**

1. **PROPOSAL.** The Planning Commission is being asked to review and render a decision on an application for site plan review for Phase 1 of construction of a new three-story building that will contain 3,600 square feet of commercial space on the ground floor and residential units on floors two and three. Per the applicant's narrative letter, submitted for the LU 2021-11, the residential units will be a combination of 1–3-bedroom units and there will be 10 units in total. The proposal will include a 22 off-street parking spaces. All off-street parking will be located behind the new building and take access from North Pioneer Street. Landscaping features will be placed along the edge of the property line abutting the right-of-way on North Pioneer Street and North Shore Drive.

The subject property is zoned C-1 General Commercial and is located within the boundary of the Downtown Regulating Plan, as such, the proposed development must be consistent with the Lowell Downtown Master Plan.

2. **ISSUES.**

**Delegation of authority** – in order for the Planning Commission to find any particular approval criterion met there has to be substantial evidence in the record that the approval standard is met or sufficient evidence to find that it can feasibly be met. The latter is required in order for the Planning Commission to delegate their authority as the approval body to another approval authority (often times the City Administrator). If there is not sufficient evidence to find an approval criterion is met or can feasibly be met, then conditioning an approval criterion to another authority is improper delegation of authority. This issue has been ruled on several times in the courts and at the Land Use Board of Appeals (LUBA). Further, such a review of a technical plan, of which is required to satisfy an approval criterion must have the ability to be reviewed by and commented on by the general public.

For example: in the present case, the applicant has not submitted storm drainage plan to show that the site has proper drainage. The City will approve a development request only where adequate provision for storm and flood water run-off have been made as determined by the City. All proposed drainage systems must be approved by the City as part of the review and approval process in accordance with drainage management practices approved by the City. The

only item related to drainage the applicant has submitted is showing a storm drain tie in on the site plan elevations of catch basins in the proposed parking lot. Planning Commission will have to determine if what the applicant has submitted is sufficient evidence to find that the storm drain criteria is met or can feasibly be met. Staff have their reservations because in order to design an acceptable storm drain system you at least need a quantifiable amount of impervious surface that is expected to be created and how much run-off will be generated given the amount of impervious surface. The applicant has indicated to staff via email that Phase 1 will involve +/-10,000 square feet of impervious surface, but no details were provided how that figure was calculated; no amount of expected run-off has been provided. The Public Works Director has issued comment that the City's storm sewer system has capacity to accommodate the proposed mixed-use development. See **Attachment G** for the Public Works Director's comments.

The Planning Commission is tasked with addressing and deciding on those issues as the review and approval body of the City of Lowell. If the Planning Commission requires more evidence in order to find a particular approval criterion met or can be feasibly met, the hearings process does offer them some solutions. First, the Planning Commission may continue the hearing to allow the applicant to submit the requested materials. Second, the Planning Commission may choose to render a decision on the basis of the evidence in the record at that time. In this case, denial may be warranted for the applicant's failure to show all applicable approval criteria are met.

#### **Adequacy of technical plans –**

In staff's June 10, 2022, incompleteness letter, staff requested the following plans:

- Landscape plan
  - There appear to be two site plans in the record submitted by the applicant. Both site plans are labeled "AS-003," but contains different dates. One site plan is dated 7/27/2022 and the other 11/23/2021. Staff are unsure what site plan is the operating and effective site plan.
  - The landscape plan submitted by the applicant is Sheet L-2. Sheet L-2 shows three generic plans as "Version A – formal arrangement," "Version B – informal arrangement," and "Version C – optional masonry wall." Staff are unsure which version is proposed for the site and where it will be located on the site.
  - Staff are unsure of the landscape improvements are proposed along the frontage of North Shore Drive. Sheet AS-003 shows three tree figures spaced apart, but staff are unsure how this correlate to Sheet L-2.
  - Staff are unable to determine if the standard for the parking lot to contain a minimum of 5 percent landscaping and trees is met.
- Grading plan and Drainage plan
  - The applicant submitted two site plans (labeled AS-003 and dated 11/23/2021 and 7/27/2022) that show top elevations of the catch basins, a stormwater line, elevation of the southeastern sidewalk and a 12" PVC. Sheet AS-003 does not contain any technical grading or drainage

information.

What was submitted by the applicant did not fully address the issues raised in the completeness letter but were found to be adequate for the completeness process on the recommendation of the City Engineer. Planning Commission must determine if the plans submitted show that the approval criteria can feasibly be met. If so, then delegation of final approval and review by another party such as the City Engineer or City Administrator is appropriate. If not, then Planning Commission must continue the hearing for the applicant to submit evidence sufficient that the applicable approval criterion are met. Alternatively, the Planning Commission may choose to review the application and the evidence on the record as is. If Planning Commission finds the evidence submitted by the applicant does not meet the approval criteria, then it must deny the application.

### **Sign or lighting and exterior lighting –**

The applicant has not submitted a lighting plan. The applicant has indicated in the Planning Response Letter that site lighting will be limited to a pole near the east entrance and the west end of the development. The applicant is proposing 20' poles with LED downlighting fixtures. The applicant indicated the site plan shows the location of the light poles, but staff are unable to confirm the presence or location of the light poles on the site plan. Planning Commission should consider if this information is adequate to find criterion (4) met for site plan review. Criterion (4) says that proposed signs or lighting will not by size, location, color, interfere with traffic, limit visibility or impact on adjacent properties. Further, Planning Commission should consider if the applicant's lighting proposal meets the criteria of Section 9.529 Exterior Lighting.

### **3. AGENCY REFERRAL COMMENTS.**

**City Engineer:** The City Engineer has reviewed the preliminary plans submitted by the applicant. The City Engineer noted that the location of a new storm drain line has been added to the site plan, but the plan (nor any plan) contains grading detail. There may still be some unresolved issues around fire hydrant locations and the adequacy of the waterline connection. Further, the City Engineer expressed concerns about the right-of-way, that were brought up during the previous application involving development on the subject property (that application was ultimately withdrawn by the applicant).

The City Engineer requests detail as to how that area will be graded and drainage dealt with. Overall, the City Engineer finds the preliminary site plan/sketches submitted by the applicant acceptable for completeness but are not adequate for construction or the issuance of building permits.

If Planning Commission finds the preliminary plans submitted by the applicant address drainage and grading criteria sufficient to find the approval standards met, then a condition of approval delegating final review and approval to the City Engineer is appropriate. If not, then Planning Commission may choose to continue the hearing and delay a decision until such items

are submitted or render a decision based on the record as is. See **Attachment E** for the City Engineer’s comments.

**Lane County Transportation:** Lane County Transportation Planning commented that it’s not entirely clear what is being proposed within the North Shore right-of-way. In discussions with the applicant Lane County has reiterated that there is currently a setback sidewalk along the frontage and a notable elevation drop from the curb line to the property line with an open drainage ditch between the sidewalk and property; filling in sidewalks in this area may require piping and filling to address grade issues and maintain drainage.

Because of these issues, Lane County will require the applicant to address drainage and demonstrate compliance with other applicable standards during the Lane County Facility Permit process. Any work conducted within the Lane County right-of-way will require an approved Facility Permit from the Public Works division. See **Attachment F** for comments.

4. **APPROVAL CRITERIA.** Lowell Development Code (LDC) *LDC, Section 9.204* lays out which items are required as part of an application for site plan review request. The applicant has submitted a site plan review application. A site plan review requires a “limited land use review” by the Planning Commission, and *LDC, Section 9.250* contains the decision criteria the Planning Commission shall consider in making their decision for approval or denial. Additionally, this specific proposal may involve criteria related to *LDC, Section 9.520, Storm Drainage, and Section 9.514, Off-Street Parking Requirements, and LDC Section 9.529 Exterior Lighting, Section 9.527 Grading, Section 9.528 Landscaping, Section 9.517 Street, Section 9.518 Sidewalks. In addition, the development must be consistent with the Lowell Downtown Master Plan.*

5. **STAFF REVIEW OF APPLICABLE APPROVAL CRITERIA.**

*(b) Decision Criteria. After an examination of the Site and prior to approval, the Planning Commission must make the following findings:*

*(1) That the proposed development complies with the Zoning District standards.*

**Staff Response:** For a discussion of compliance with the Zoning District standards, staff introduce a discussion of the C-1 permitted uses and development standards, as listed in Section 9.421 of the LDC. The zone of the subject property is C-1 General Commercial. The purpose of the C-1 zone is to provide areas appropriate for the full range of commercial activities to serve the needs of area residents and employees. The C-1 zone allows for mixed-use development, in which residences are located on the second story, above a ground floor commercial use. The proposal involves ground floor commercial with residential above.

In the C-1 zone, there are no required side yard setback, except for when abutting a residentially zoned property, which is not the case with the proposal. There are no required front yard setbacks and development is allowed to build to the property line. There is a required 10-foot rear setback when abutting residentially zoned property. The proposed structure for Phase 1 is more than 10-feet from the rear setback line, however, the rear property line will be



required to be landscaped in order to provide appropriate screening. Landscaping standards will apply to the proposal and will be discussed further in this staff report.

***Section 9.421(d)(6) Access shall be designed to cause a minimum interference with traffic and may be subject to review and approval of the County Engineer or State Department of Transportation. The dedication of additional right-of-way and construction of street improvements by the applicant may be required in order to facilitate traffic circulation.***

**Staff Response:** The subject property contains frontage on both North Pioneer Street and North Shore Street. The subject property is confined within the boundary of the Lowell Downtown Master Plan and accompanying Regulating Plan. The aforementioned Plan does include right-of-way improvements for North Shore Drive and North Pioneer Street.

At this time the City is not requiring the applicant to sign a waiver of remonstrance for future improvements of North Shore Drive because North Shore is already built and existing and there are no quantifiable impacts from Phase 1 to North Shore Drive that would necessitate North Shore Drive being improved to the street section standards as seen in the Downtown Master Plan and North Shore Drive is not being used for access onto the site.

The applicant will be proposing access to the site from North Pioneer Street. The Lowell Downtown Master Plan does envision improvements for this portion of North Pioneer Street. North Pioneer Street contains a 60' right-of-way, which matches what's shown in the Downtown Master Plan, so no additional right-of-way dedication is necessary. A further discussion of improvements for North Pioneer will be addressed later in this report.

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

**Staff Response:** Planning Commission must decide whether or not the application, site plan, landscape plan, grading plan and drainage plan complies with the applicable provision of city codes and ordinances. Staff have outlined a discussion of this issue under Section 2 Issues of this staff report. A further evaluation of city code and ordinances and recommended findings will be contained and discussed in this staff report, as applicable. Criterion addressed.

***(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.***

**Staff Response:** As seen on Sheet AS-004, the development will have taken access from a curb cut along North Pioneer Street, approximately 70-feet from the southwest corner of the property. The entirety of the proposed buildings and landscape features (including those adjacent to North Shore) are fully contained within the property or right-of-way.

The proposed development is not such that the future rights-of-way plans for North Shore as envisioned in the Lowell Downtown Plan would be precluded. The entrance into the site will occur via one driveway that accommodates two-way traffic (vehicles entering and exiting from the same ingress and egress).

The Lowell Downtown Master Plan allows for and encourages structures to be built up to the property line to increase pedestrian interaction with the built environment. This is what the applicant is proposing, therefore the proposal is consistent with the Lowell Downtown Master Plan in this regard.

On-site traffic will be limited to AM and PM residents and a limited number of commercial trips for business purposes. The success of the site is somewhat dependent on pedestrian mobility, meaning that pedestrians arriving by means other than vehicles will be vital to the success of the proposed mixed-use development.

In addressing pedestrian and vehicular safety, the inclusion of urban street improvements along the frontage of North Pioneer Street (image 1), adjacent to the site, will facilitate the movement of pedestrians from the right-of-way, across the sidewalk and to the proposed mixed-use development. The inclusion of on-street parking adjacent to the site will free up off-street parking spaces designated for residents and employees of the mixed-use development. Additionally, on-street parking is a central theme of the Lowell Downtown Master Plan that creates active streets and encourages the built form to interact with pedestrians. Further, on-street parking encourages other by-passing vehicles to reduce driving speed because drivers are wary of traffic and adjacent users.

With the inclusion of a pedestrian sidewalk connection from North Shore to the site and urban street improvements, 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. Criterion met conditionally with the condition of urban street improvements along the frontage of the site along North Pioneer Street as seen in Image 1 below.

3C; 3D - Street Section for 60 foot right-of-way (Pioneer Street)

Note: The 60-foot street section for Pioneer Street differs from other in Lowell because it is owned by Lane County, and the County requires a minimum 12 foot travel lane.

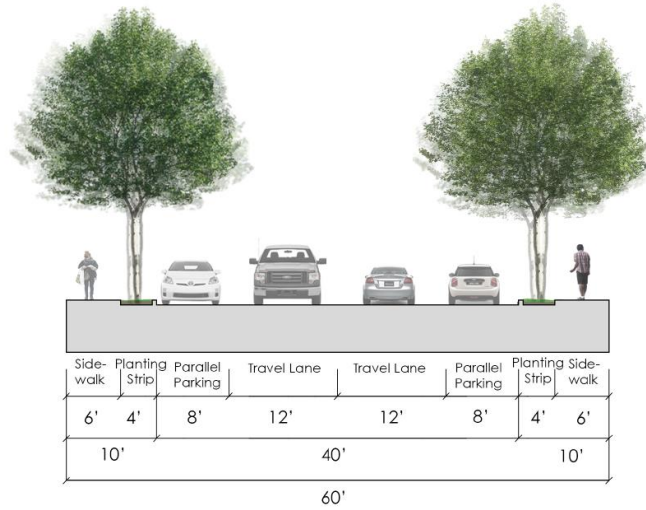


Image 1. North Pioneer Street Section as seen in the Downtown Master Plan

**Condition of Approval #1:** Applicant shall submit plans for review and approval by the City Administrator or their designee for the construction of urban street improvements along the frontage of North Pioneer Street, consistent with the Lowell Downtown Master Plan to include a 6’ sidewalk, 4’ planting strip, 8’ parallel parking stall, and street trees to facilitate the movement of pedestrians from North Shore to Phase 1 of the proposed development. The plans shall be approved, before the issuance of building permits.

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

**Staff Response:** The applicant has not submitted any plans for proposed signage or lighting to indicate this criterion is met or can feasibly be met. Criterion not met.

**(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.**

**Staff Response:** Presently, the site is vacant and is not connected to City services. The applicant will tap into and extend the existing water and sewer mains located behind the property in First Street. See Sheet AS-003 for connection points. The applicant has submitted a basic site plan that shows an existing storm sewer tie in located in First Street where the applicant is proposing to tie into new water and sanitary sewer connections. A possible storm water tie in is shown on the site plan, with on the tie in leading out towards the right-of-way on North Shore Drive. Proposed catch basin locations have also been noted on the site plan.

The question of whether or not the proposed utility connections are adequate is difficult to determine at this time. Planning Commission should review the plans and determine if they meet the approval criteria, or the applicant can feasibly meet the approval criteria. The applicant has not submitted any civil plans or technical memos discussing utility connection capacity. The City Engineer has commented it remains unclear as to where or if fire hydrants are proposed. The Fire Chief has issued emailed comment on June 23, 2022, stating “right now we should be good with hydrants in the area.” It is not abundantly clear, from the applicant’s materials, where fire hydrants are proposed.

Further, there remains questions around the adequacy of the waterline connection. The applicant has not submitted a preliminary grading plan to show how the area in or adjacent to the right-of-way will be graded or drain. Notwithstanding, the City Engineer has reviewed the basic site plan and has determined it is adequate for the purposes of completeness. If Planning Commission finds the site plan meets the standard of showing that the proposed utility connections are available and have the capacity to serve the proposed development, then it can find this criterion met. In this case, staff would recommend a condition of approval for the applicant to submit for review and approval a technical grading, utility, and drainage plan as part of the construction drawing phase of the project. If Planning Commission finds the applicant has not submitted evidence to show that the proposed utility connections are available, have the capacity to serve the proposed development then the Planning Commission may deny the application or continue the hearing for the applicant to submit additional evidence.

In terms of capacity, the Public Works Director has issued comment that the City has plenty of capacity to serve the proposed mixed-use development in terms of water, sewer and stormwater. See **Attachment G** for the Public Works Director’s comments.

Subsequent development will spur additional extension and creation of new water and sewer lines to accommodate future phases of the development. Engineering specific plans for water and sewer extensions shall first be reviewed and approved by the City Engineer, prior to the issuance of building permits. This will be a condition of approval.

**Condition of Approval #2:** Prior to the issuance of building permits, the applicant shall submit engineering plans for the extension and construction of water and sewer lines to the City Engineer and Public Works for review and approval.

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

**Staff Response:** Staff have reviewed the LWI map for Lowell. The map indicates no wetland or significant water ways on the subject property. Further, staff sent City referral notice to the Department of State Lands (DSL) for review and comment. DSL responded to the notice and indicated that the proposal for Phase 1 is likely to avoid impacts to jurisdictional wetlands,

therefore no state permit is required.

With respect to storm drainage, per Section 9.520(a), it is the obligation of the property owner to provide proper drainage and protect all runoff and drainage ways from disruption or contamination; on-site and off-site drainage improvements may be required. According to the site plan the applicant is proposing two catch basins for storm water; both proposed catch basins are located in the parking lot.

Further, the applicant has shown illustratively, on the site plan, where a possible storm drain connection tie in could be made with the City's existing storm drain system. The applicant will be required to address drainage of the bioswale located between the curb of North Shore and the property line (see applicant's illustrative site plan Sheet AS 000-3, "culvert under to existing BIO swale." Lane County will require this area to be addressed, in terms of drainage, as part of a Lane County Facility permit.

Storm water drainage details/plans will be required of the applicant as part of the building/construction permit process. LDC 9.520 is applicable to the development and the applicant will be required to adhere to the storm drainage requirements of LDC 9.520 as a condition of approval. Stormwater drainage will be addressed further in this report under Section 9.520, Storm Drainage.

***(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.***

**Staff Response:** Potential nuisance characteristics identified are lighting, visual and auditory. Nuisance characteristics will primarily be felt by the residential properties located to the rear of the subject property. Visual and noise nuisances will be mitigated through the implementation of a required landscaped buffer as indicated in LDC 9.528(b)(2). Staff are unable to address mitigation of lighting nuisances because the applicant has not submitted a lighting plan to show how the site will be illuminated and how the proposed illumination will impact the adjacent residential properties located to the rear.

Upon staff's review of the applicant's materials, it is not clear if a landscape buffer or "planter" is proposed along the rear property line of the subject property. Staff recommend a condition of approval requiring a landscape buffer to run the entire length of Phase 1 along the rear of the property line. The landscape buffer is necessary to mitigate nuisance characteristics that will be borne by the proposed development and imposed on the adjacent residential properties. Landscaping requirements will be further discussed in this report under the relevant landscaping sections.

The landscape buffer, in its entirety, shall be fully in-place prior to the issuance of certificates of occupancy for the buildings associated with Phase 1. Subsequent development westward along the property shall have the landscape buffer continued as development continues.

With respect to health and safety, the applicant has indicated an FDC fire suppression system will be installed but has not submitted plans detailed enough to show the location or specifications of the fire suppression system. The applicant has indicated the FDC fire suppression location will be determined during the building permit submittal process. This will be a condition of approval to protect health and safety.

**Condition of Approval #3:** Prior to the issuance of building permits, applicant shall submit FDC fire suppression systems plans, detailed enough to show the location or specifications of the fire suppression system. Plans shall be reviewed by the City Administrator or their designee, with review and comment by the Fire Chief or State Fire Marshall, if necessary.

***(8) That development within Lowell’s Downtown, as defined by the Regulating Plan included in the Lowell Downtown Master Plan, are consistent with the policies of the Lowell Downtown Master Plan.***

**Staff Response:** The applicant will be responsible for the required improvements for proper access, functionality, and pedestrian and vehicular safety of the site. These improvements include, but are not limited to, adequate drainage of the site, including a pedestrian sidewalk entrance from North Shore Drive to the ground floor of the proposed commercial uses, addressing drainage beneath the bioswale that exists between the curb and property line, landscaping and sidewalk, curb and gutter along North Pioneer Street, consistent with the Downtown Master Plan, and landscaping along North Shore for the portion that fronts Phase 1. The City is requiring the improvements, as seen in Image 1, below, for the following reasons:

- Section 9.422(e)(5) of the Lowell Development Code states that “*development within the Downtown area may be conditioned upon an agreement to comply with reasonable exterior building modifications and street and sidewalk standards established as part of a future Downtown Development Plan.*” The Plan contains adopted street and sidewalk standards for the exact portion of North Pioneer that abut the subject property. The proposed development is contained within the confines of the Regulating Plan, therefore establishing the subject property as an “downtown area,” even though the zoning of the property is General Commercial District C-1.
- The applicant is already proposing frontage improvements along North Pioneer Street. The details of the improvements are not clear to staff as the site plan just shows a general landscaping detail, new asphalt, a sidewalk of uncertain width, and trees/brushes. Since improvements are already being made to this section of North Pioneer, they should conform to the adopted standards of the Downtown Master Plan for that specific section of North Pioneer Street. The Lowell Development Code, in

Section 9.422(e)(5) backs up the City’s imposition of these improvements.

- The subject development will take direct access from North Pioneer Street. As was the case of all previous development proposals in the City of Lowell, the City has always required half-street improvements (sidewalk, curb and gutter) for all development proposals in Lowell or accepted a waiver of remonstrance from property owners for future improvements, consistent with Sections 9.517(a) and Section 9.518.
- For proper access, functionality and pedestrian and vehicular safety of the site.

3C; 3D - Street Section for 60 foot right-of-way (Pioneer Street)

Note: The 60-foot street section for Pioneer Street differs from other in Lowell because it is owned by Lane County, and the County requires a minimum 12 foot travel lane.

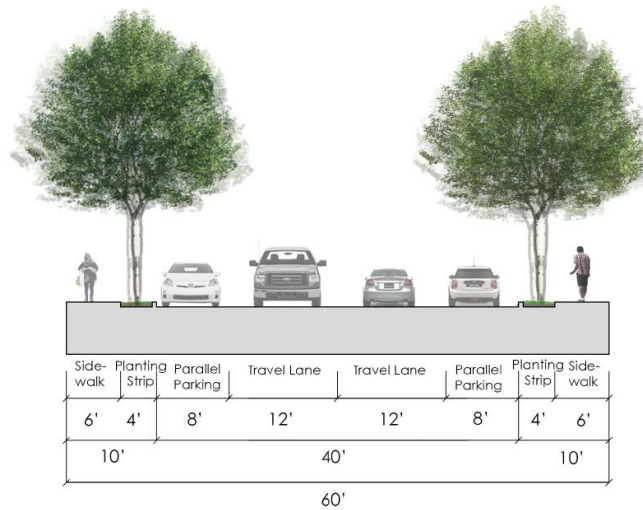


Image 2. North Pioneer Street section from Lowell Downtown Master Plan.

**1.4 On-street parking – Place parallel parking spaces of at least eight feet wide and 20 feet long along the edge of all streets in the downtown area.**

**Staff Response:** On-street parking is available on North Shore but does not include parking stalls or signage. North Shore Drive is a Lane County Facility. Lane County has commented that no improvements, including the inclusion of on-street parking stalls, are required at this time. On-street parking may be reviewed later with subsequent phases under a Lane County Facility Permit. The Downtown Master Plan shows an 8’ wide on-street parking stall for North Pioneer Street. With the inclusion of an 8’ parking stall on the portion of North Pioneer that abuts the property, the proposal is in conformance with this policy.

**1.5 Off-street parking – Off-street parking in the downtown area shall be placed behind new commercial and residential development, with clear passages linking the parking to entries and the front of the buildings. Only where there is no ability for parking to be located behind the building, it shall be placed to the side of the building, setback ten feet from the public right-of-way and adjoining properties. Appropriate landscaping or seating should be placed on the street facing side in order to shape the public realm.**

**Staff Response:** Off-street parking in the downtown shall be placed behind new commercial and residential development. The applicant is proposing to place off-street parking behind the new propose commercial and residential buildings. The proposal is in conformance with this policy.

***1.6 Planting Strips – Place planting strips on both sides of the street to absorb stormwater between street curbs and sidewalks.***

**Staff Response:** In addition to absorbing stormwater, planting strips also aide in beautification of streetscapes. As seen on Sheet AS-003 and L-2, the applicant is proposing landscaped features along the frontages of North Pioneer Street and North Shore Drive, but staff are unable to accurately discern the details of the landscaping proposed. Consistent with the improvements, as seen in the Lowell Downtown Master Plan, North Pioneer Street will have a 4’ planting strip. Other landscaping improvements are proposed along North Shore Drive, but a planting strip is not being required by the City.

***1.7 Street Trees – Place deciduous canopy trees at regular intervals, approximately 25 feet on center, both sides of the street in the space between the curb and the sidewalk. Street trees shall align with local landscape standards and should be placed a minimum of 10-feet from fire hydrants and 20 feet from stop signs.***

**Staff Response:** Street trees will be required. As seen on Sheet AS-003, evergreen tree plantings are shown in the planter areas. Staff will include an informational item that street trees shall be placed a minimum of 10-feet from fire hydrants and 20-feet from stop signs. Sheet L-2 shows under Version A includes a canopy tree that is 30 linear feet. Street trees are only required along the frontage of North Shore Drive for the length of Phase 1 and the frontage of the site along North Pioneer Street. The proposal meets this policy.

**Condition of Approval #4:** deciduous canopy trees shall be placed at regular intervals, approximately 25’ in the space between the curb and the sidewalk. Street trees shall align with local landscape standards and should be placed a minimum of 10’ from fire hydrants and 20’ from stop signs.

***3.1 Mixed-Use Buildings – a mix of commercial and residential uses should be encouraged in downtown. Mixed-use buildings support active town centers by allowing for a mix of uses in a small footprint. Buildings along main streets shall have ground floor commercial, or retail uses with offices or residential units above. Ground-floor retail fronts that face the street shall have large, clear windows, especially around entries, to encourage transparency and a sense of place along the pedestrian realm.***

**Staff Response:** The proposal is for precisely a mix of commercial and residential uses, with ground floor commercial and residential above. The proposal is consistent with this policy.



**3.3 Multi-Story Buildings – Plan for a minimum of two to three-story buildings along North Shore Drive in the downtown area to maximize land use efficiencies.**

**Staff Response:** The proposal is for a three-story building, mixed-use building.

**3.4 Covered Entries and Frontages – Buildings along main streets in downtown shall have covered front entries using canopies, awnings, roofs, or similar. Frontages facing the street should have awnings or overhangs to provide pedestrians protection from the elements.**

**Staff Response:** As seen on Sheet AS-003, the entrances along the frontage of North Shore Drive will have covered entries. The proposal is consistent with this policy.

**5.2 Wide Sidewalks – Design sidewalks at least six feet in width, such as Moss Street, and 15 feet in width in commercial areas, such as the north side of North Shore Drive. See the street sections of downtown for more detail.**

**Staff Response:** As seen in Images 1 and 2, above, the sidewalk design for North Pioneer Street is 6' in width.

***(c) Natural drainageways. Open natural drainageways of sufficient width and capacity to provide for flow and maintenance are permitted and encouraged. For the purpose of this Section, an open natural drainageway is defined as a natural path which has the specific function of transmitting natural stream water or storm water run-off from a point of higher elevation to a point of lower elevation. Significant natural drainageways shall be protected as a linear open space feature whenever possible and shall be protected from pollutants and sediments. A 15-foot setback is required from the centerline of any significant drainageway.***

**Staff Response:** The subject property does not contain and natural drainageways. Not applicable.

***(d) Easements. Where a land division is traversed by a water course, drainageway, channel or stream, there shall be a provided public storm water easement or drainage right-of-way conforming substantially with the lines of such water course and such further width as the City determines will be adequate for conveyance and maintenance. Improvements to existing drainageways may be required of the property owner. The property owner is also responsible for the continuing maintenance and protection of natural drainageways.***

**Staff Response:** Land division is not proposed. Water courses, drainageways, channels or streams are not present on the property. Criterion not applicable.

*(h) NPDES Permit Required. A National Pollutant Discharge Elimination System (NPDES) permit must be obtained from the Department of Environmental Quality (DEQ) for construction activities (including clearing, grading, and excavation) that disturb one or more acres of land.*

**Staff Response:** The applicant has indicated to staff in an August 30, 2022, email that at this time, Phase 1 will not involve the disturbance of one or more acres of land.

### **Section 9.514 Off-Street Parking Requirements**

#### **SECTION 9.514 OFF-STREET PARKING REQUIREMENTS**

| <b>USE</b>                                       | <b>SPACE REQUIREMENT</b>   |                             |
|--|--|-----------------------------|
| <b>(a) Residential</b>                           |  |                             |
| (1) One and two family dwellings                 | Studio   | Space for one car per unit  |
|  | 1 Bedroom  | Space for one car per unit  |
|  | 2 Bedroom  | Space for two cars per unit |
|  | 3+ Bedroom   | Space for two cars per unit |
| (2) Multiple family dwellings                    | 1.5 Spaces per unit.   |                             |
| (3) Rooming or boarding house, Transient Lodging | Spaces equal to 80% of the number of guest accommodations <u>plus</u> one additional space for each owner, <u>manager</u> or employee. |                             |

(d) Commercial □

- |  |  |
|--|--|
| (1) Retail stores except as otherwise specified below  | One space per 300 s/ft. of floor area designated for retail sales      |
| (2) Service or repair shop, retail store exclusively handling bulky merchandise such as automobiles and furniture. | One space per 600 s/ft. of floor area                                  |
| (3) Banks and Offices  | One space per 400 s/ft. of floor area                                  |
| (4) Medical and dental clinic  | One space per 300 s/ft. of floor area plus one space per two employees |
| (5) Eating or drinking establishment   | One space per 100 s/ft. of customer access area                        |

**Staff Response:** The applicant has indicated that the proposal will include 22 off-street parking spaces for Phase 1. This information is contained in the applicant's Planning Response Letter. This letter was initially submitted for a previous land use application for the same proposal, but that application was withdrawn by the applicant before a decision was made. The applicant has requested inclusion of the letter into the record for the present application. For the residential portion of the project the applicant is proposing 1.5 spaces per unit; a total of 15 spaces. The remaining seven spaces will be utilized for the ground-floor commercial/retail spaces. The LDC does not adequately address the parking requirement for mixed-uses. Further, the exact type of commercial/retail uses to lease space in the building are not known at this time. It's possible the commercial use could be more retail focused or service and office focused. It's because of these reasons, Staff suggest that Planning Commission review the parking proposal and determine if 22 off-street parking spaces are adequate for the proposed mixed-use development. Staff note that the applicant will be required to implement the urban street improvements along North Pioneer Street, which include on-street parking stalls.

**Section 9.517 Streets. (a) Urban public street improvements including curbs, gutters and storm drainage are required for all land divisions and property development in the City of Lowell. Urban street improvements may be deferred by the City if there is not existing sidewalk or storm drain system to which connection can be made, conditional upon the responsible party agreeing to an irrevocable waiver of remonstrance to a future assessment at the time of construction of a sidewalk which is otherwise required to be constructed.**

**Staff Response:** Urban street improvements including curbs, gutters and storm drainage are required for all property development in Lowell. Section 9.517 applies to the present proposal because the property fronts a portion North Pioneer Street. The portion of North Pioneer Street that fronts the property presently does not contain urban public street improvements (see image 4 below); urban street improvements, consistent with the Lowell Downtown Master Plan will be required.

The specific improvements required for this portion of North Pioneer Street are shown in Images 1-3 of this report, which are the adopted street section for North Pioneer Street. Urban street improvements, consistent with the Lowell Downtown Master Plan and as seen in images 1-3 in this report has been appropriately conditioned as **Condition of Approval #1**.



*Image 4. Frontage of North Pioneer Street abutting the site. No urban street improvements currently exist.*

3C; 3D - Street Section for 60 foot right-of-way (Pioneer Street)

Note: The 60-foot street section for Pioneer Street differs from other in Lowell because it is owned by Lane County, and the County requires a minimum 12 foot travel lane.

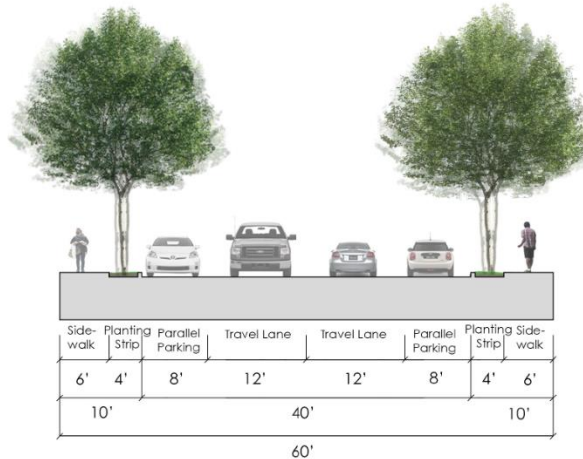


Image 3. North Pioneer Street details as adopted in the Lowell Downtown Master Plan.

**(b) The location and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. The arrangement of streets shall either:**

**(1) Provide for the continuation or appropriate extension of existing principal streets in the surrounding area; or**

**Staff Response:** Staff do not find subsection (1), above relevant to the proposal because North Pioneer Street is already existing and requires no continuation or extension.

**(2) Conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.**

**Staff Response:** Staff find the above provision of subsection (2), above relevant to the proposal and the urban street improvements planned for North Pioneer. While the arrangement of streets may not be relevant to the proposed development, the improvements as contained in a “plan of the neighborhood approved or adopted by the City,” are. North Pioneer Street has specific adopted improvements that are contained in a plan for the neighborhood. The “plan” being the Lowell Downtown Master Plan and the “neighborhood” being Downtown Lowell as encapsulated in the Regulating Plan. Staff further cite this provision as a reason why the City is requiring urban street improvements, consistent with the Lowell Downtown Master Plan, along the portion of North Pioneer that abuts the subject property.

**Staff Response:** The provision contained in Section 9.517(b) (1-2) says the location and grade of streets shall be considered in their relation to existing and planned streets, topographic conditions, public convenience and safety, and to the proposed use of land to served by the streets. The provision further clarifies that the arrangement of streets shall either provide for the continuation or appropriate extension of existing principal streets in the surrounding area or conform to a plan for the neighborhood approved or adopted by the city to meet a particular situation where topographic or other conditions make continuance or conformance to existing streets impractical. Because the provision above may be less than clear, staff will attempt to break down the many parts of the provision and provide an analysis of each element and if appropriate, relate them to the proposed development.

*The location and grade of streets shall be considered in their relation to existing and planned:*

**Streets** – The location and grade of streets are not contemplated with the proposed development. North Pioneer Street is an existing street with a known location and a certain grade.

**Topographical conditions** – Staff are not aware of any topographical conditions that would necessitate specific improvements to accommodate certain topographic conditions such as steep slopes.

**Public convenience and safety** – Staff find this particular provision to be particularly relevant to the proposed development and to the urban street improvements contemplated in the Downtown Master Plan for North Pioneer Street. Staff arrive at this conclusion because the portion of North Pioneer Street that abuts the subject property does not presently contain any urban public improvements to facilitate the movement of pedestrians from the right-of-way to the proposed mixed-use development. There are no sidewalks or planter strips to separate pedestrians from vehicular traffic on North Pioneer Street, thus bringing into question the safety aspect contemplated in the provision. A mixed-use development proposal that contains no urban public improvements, in which pedestrian interaction with the built environment hinges heavily on, is not in the convenience of the public. Public convenience and safety can be addressed with the condition of approval requiring urban street improvements along North Pioneer Street as seen in images 1-4 in this report.

**SECTION 9.518 SIDEWALKS. Public sidewalk improvements are required for all land divisions and property development in the City of Lowell. Sidewalks may be deferred by the City where future road or utility improvements will occur and on property in the rural fringe of the City where urban construction standards have not yet occurred. The property owner is obligated to provide the sidewalk when requested by the City or is obligated to pay their fair share if sidewalks are installed by the City at a later date. An irrevocable Waiver of Remonstrance shall be recorded with the property to guarantee compliance with this requirement.**

**Staff Response:** Similar to the response for Section 9.517 Streets, above, the applicant is proposing development adjacent to the City right-of-way and thus, per Section 9.518, public

sidewalks are required for all property development in Lowell. The specific sidewalk plans for North Pioneer Street are contained in this report as images 1-3 and are taken from the Lowell Downtown Master Plan. No immediate sidewalk improvements are required for North Shore Drive other than a new pedestrian sidewalk connection point from the existing sidewalk, across the bioswale, to the proposed ground-floor mixed use development and landscaping, including street trees.

**Condition of Approval #5:** Applicant shall construct a pedestrian sidewalk connection from North Shore Drive to the ground-floor commercial businesses of Phase 1. Sidewalk construction plans shall be submitted to the City Administrator for review and approval, prior to the issuance of building permits.

#### **SECTION 9.519                      BIKEWAYS**

*Bikeways are required along Arterial and Major Collector streets. Currently the only Bikeway requirements are those required by the County as a part of the County owned Major Collector streets within the City. Future requirements for Bikeways may be addressed at such time that a Transportation System Plan (TTSP) is completed for the City., but until specific Bikeway requirements are adopted, travel lanes of all streets that do not require Bikeways are approved for joint use with bicycles.*

**Staff Response:** The Lowell Downtown Master Plan does call for a 5-foot-wide bike lane along the north side of North Shore Drive. However, at this time and with North Shore Drive in its current paved width, the addition of a 5-foot bike lane, in addition to on-street parking is not feasible. Lane County will not be requiring any immediate improvements along the frontage of North Shore outside of addressing drainage, the bioswale, landscaping, any removal of trees and the addition of a sidewalk connection point from the existing sidewalk to the ground-floor of the proposed mixed-uses. As development progresses in phases, Lane County and the City will re-evaluate the need for bike lanes and possible requirements from the developer or waivers of remonstrances. Criterion not applicable.

#### **SECTION 9.520                      STORM DRAINAGE**

*Until completion of a Storm Drainage Master Plan for the City of Lowell, Section IV, of the Standards for Public Improvements and the following shall apply. In the event of a conflict, the following takes precedence.*

*(a) General Provisions. It is the obligation of the property owner to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. On-site and off-site drainage improvements may be required. Property owners shall provide proper drainage and shall not direct drainage across another property except as a part of an approved drainage plan. Paving, roof drains and catch basin outflows may require detention ponds or cells and discharge permits. Maintaining proper drainage is a continuing obligation of the property owner. The City will approve a development request only where adequate provisions for storm and flood water run-off have been*

*made as determined by the City. The storm water drainage system must be separate and independent of any sanitary sewerage system. Inlets should be provided so surface water is not carried across any intersection or allowed to flood any street. Surface water drainage patterns and proposed storm drainage must be shown on every development plan submitted for approval. All proposed drainage systems must be approved by the City as part of the review and approval process.*

*(g) Drainage Management Practices. Developments within the City must employ drainage management practices approved by the City. The City may limit the amount and rate of surface water run-off into receiving streams or drainage facilities by requiring the use of one or more of the following practices:*

- (1) Temporary ponding or detention of water to control rapid runoff;*
- (2) Permanent storage basins;*
- (3) Minimization of impervious surfaces;*
- (4) Emphasis on natural drainageways;*
- (5) Prevention of water flowing from the development in an uncontrolled fashion;*

**Staff Response:** It is the obligation of the property owner to provide proper drainage and protect all run and drainage ways from disruption or contamination. As seen on the applicant's site plan, there are two catch basins proposed for stormwater collection. The applicant is proposing to route the storm water drain tie in through the parking lot westward and then down to North Shore Drive. The applicant has not provided civil details or calculations to show adequacy of the stormwater drainage proposal. The applicant has indicated to staff via email that Phase 1 involves the creation of 10,000 square feet of impervious surfaces, but there are no details as to how this figure was landed on. Notwithstanding, the City Engineer has reviewed the basic site plan and has determined it is adequate for the purposes of completeness and that a further and detailed review could occur as part of the building permit process. If Planning Commission finds the site plan meets the standard of showing that the proposed utility connections are available and have the capacity to serve the proposed development, then it can find this criterion met. However, staff would recommend a condition of approval for the applicant to submit for review and approval a technical grading, utility, and drainage plan as part of the construction drawing phase of the project.

The applicant will be required to address drainage of the bioswale located between the curb of North Shore and the property line (see applicant's illustrative site plan Sheet AS-0003, "culvert under to existing BIO swale." Lane County will require this area to be addressed, in terms of drainage, as part of a Lane County Facility permit.



**Condition of Approval #6:** Prior to the issuance of building permits, the applicant shall submit to the City Administrator, or their designee, a final stormwater drainage plan. The plan is subject to revision, review and approval by the City Administrator, or their designee. The final stormwater drainage plan shall adhere to the standards of Section 9.520.

**SECTION 9.527 GRADING**

*General grading shall conform to Lowell Ordinance 227, Section 2, Excavation and Grading Building Code, and the following standards unless engineered and approved by the City.*

- (a) Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.*
- (b) Fill slopes shall not exceed two feet horizontally to one foot vertically.*
- (c) The type and characteristics of imported fill soils shall be the same or compatible with the existing soils on the site.*
- (d) Fills for streets and building sites shall be engineered and approved by the City.*
- (e) All sites shall be graded to direct storm water to City storm sewers or to natural drainage ways.*

**Staff Response:** The applicant submitted a general grading plan, which the City Engineer will accept for completeness purposes. The general grading plan contains some elevations of the site. If Planning Commission finds the general grading plan acceptable and feasible that the general grading plan addresses criteria then it can implement a condition of approval that a final, detailed grading plan can be a condition of approval. Staff recommend such a condition of approval is imposed for a final grading plan to be prepared by a civil engineer for review and approval by the City Administrator or their designee.

**Condition of Approval #7:** Prior to the issuance of building permits, the applicant shall submit a final grading plan, in conformance with Section 9.527, to the City Administrator or their designee for review and approval.

**SECTION 9.528 LANDSCAPING**

*All yard setbacks and parking areas shall be landscaped in accordance with the following requirements:*

*(a) General Provisions.*

- (1) Landscaping shall primarily consist of ground cover, trees, shrubs or other living plants with sufficient irrigation to properly maintain all*

*vegetation. Decorative design elements such as fountains, pools, benches, sculptures, planters, fences and similar elements may be placed within the area.*

**Staff Response:** As seen on Sheet AS-003 and the Low Screen Landscape Sheet (L-2), the applicant is proposing landscaping throughout the site, but staff are uncertain as which landscaping versions are proposed for which areas of the site. Decorative design elements are not proposed.

*Exceptions: Undeveloped properties or the undeveloped portion of large properties exceeding 4,000 square feet in area are exempt from the landscape requirements specified herein provided the lot or area is maintained so weeds and wild vegetation does not adversely affect adjacent developed properties. Removal of noxious weeds and vegetation will be enforced through the City's Nuisance Ordinance.*

**Staff Response:** Area associated with Phase 1 will be landscaped. Subsequent phases will also be required to be landscaped in accordance with the Lowell Development Code.

*(2) Provisions for landscaping, screening and maintenance are a continuing obligation of the property owner. All required landscaped areas shall be cleared of unwanted vegetation and weeds at least once a year prior to July. Dead landscape plantings shall be replaced by April of the following year.*

**Staff Response:** Landscaping, screening and maintenance shall be a continuing obligation of the property owner. All required landscaped areas shall be cleared of unwanted vegetation and weeds at least once a year prior to July. Dead landscape plantings shall be replaced by April of the following year. This shall be a condition of approval.

**Condition of Approval #8:** All required landscaped areas shall be cleared of unwanted vegetation and weeds at least once a year prior to July. Dead landscape plantings shall be replaced by April of the following year.

*(3) Landscape plans for proposed new industrial, commercial or residential developments shall be included with the site plans submitted to the City for approval. Trees exceeding 10 inches in diameter, plantings and special site features shall be shown on all submitted plans and shall clearly indicate items proposed to be removed and those intended to be preserved.*

**Staff Response:** The applicant submitted a basic landscape plan as seen on Sheet AS-003 and L-2. It is unclear as to what landscape features as seen on Sheet L-2 are proposed for which areas of the site. Trees exceeding 10 inches in diameter, plantings and special site features are not clearly shown. The applicant has not indicated which items are proposed or removal and those intended to be preserved. Staff are unable to clearly find this criterion met. Planning Commission consideration of this requirement is requested. If Planning Commission finds the landscape plans acceptable and meeting the criteria then it can delegate a final landscape plan to be submitted,

reviewed and approved by the City Administrator or their designee.

**Condition of Approval #9:** Applicant shall submit a final and complete landscaping plan detailing all landscaping features for the entire site. Plan shall be reviewed by the City Administrator or their designee, prior to the issuance of building permits.

***(b) Yard Setbacks and Open Space.***

***(1) All required street facing exterior yard setbacks in each land use district and the entire open space of all commercial, and multiple-family dwelling sites exclusive of walks, drives, parking areas and buildings shall be landscaped and permanently maintained.***

**Staff Response:** The subject property's eastern side yard faces North Pioneer Street. As seen on Sheet AS-003, landscaping is proposed to face North Pioneer Street. See Sheet AS-003. It is not clear what landscaping features shown on L-2 are proposed for North Pioneer Street. Staff note that the urban public improvements are required along North Pioneer Street and those improvements will include landscaping and a planting strip.

***(2) Commercial and industrial developments abutting residential properties shall have their yard setbacks landscaped and/or fenced to protect the abutting residential properties.***

**Staff Response:** The subject property abuts residential properties to the rear. As such, the rear yard setback shall include a landscape buffer. A condition of approval relating to this standard will be implemented below under the Fences section.

***(c) Fences:***

***(1) Residential fences, hedges and walls may be located within yard setbacks. Height is limited to 6 feet in required side, rear or interior yards, 3 feet in any required front yard or 4 feet if the top 1 foot of the fence is 75% open, and 3 feet in height in a Vision Clearance Area. Commercial or industrial properties may have 8-foot-high fences except in a street facing front yard setback.***

***(2) Materials. Residential fences and walls shall not be constructed of or contain any material which would do bodily harm such as electric, barbed or razor wire, broken glass, spikes, or any other hazardous or dangerous materials. Commercial or industrial properties may have barbed wire at the top of fences over 6 feet in height.***

***(3) Sight-obscuring fences, walls or landscaping may be required to screen objectionable activities as part of the City's review and approval process. Sight-obscuring means 75% opaque when viewed from any angle at a point 25 feet away. Vegetative materials must be evergreen species that meet this***

*standard year-round within 3 years of planting.*

***(4) Maintenance. Fences shall be structurally maintained in a safe condition of repair and shall not lean over an adjoining property or sidewalk, have missing sections or slats, or broken supports.***

**Staff Response:** The applicant will be adding a landscape buffer along the rear property line to further screen the development from abutting residential districts and landscape the site. The implementation of a rear landscape buffer along the rear property line will be a condition of approval. Any proposed fences on the site must conform to the fencing standards of the Lowell Development Code. Fencing heights shall be between 6' and 8' in height. The fence/landscape buffer along the rear of the property line shall be a sight-obscuring fence, wall or landscaping that screen objectionable activities. This has been included as a condition of approval.

**Condition of Approval #10:** Prior to the issuance of building permit, the applicant shall submit plans to the City Administrator or their designee for review and approval that show the implementation of a sight-obscuring fence, wall or landscaping screen to provide a buffer between the proposed development and the residential uses to the rear. The buffer shall be along the entirety of the rear property line for the length of Phase 1 and shall be in place prior to the issuance of certificates of occupancy for the proposed mixed-uses.

***(d) Parking Areas:***

***(1) Parking lots shall be screened from abutting residential districts by a combination of fences, walls, and landscaping adequate to screen lights, provide privacy and separation for the abutting residential districts.***

**Staff Response:** The proposed parking lot will be required to be screened consistent with the finding above and Section 9.528(c). Criterion addressed.

***(2) Parking lots shall have curbed landscaped islands and trees at the ends of parking rows to facilitate movement of traffic and to break large areas of parking surface. The minimum dimension of the landscaped area excluding the curbs shall be 3 feet and the landscaping shall be protected from vehicular damage by wheel guards.***

**Staff Response:** As seen on Sheet AS-003, the parking lot contains one curbed landscape island between parking stall # 9 and #11. The landscape island appears to contain a tree feature. The code standard is for trees to be placed at the ends of parking rows to facilitate movement of traffic and to break large areas of parking surface. The proposal is short one landscape island, with a tree, at the end of the parking spaces. A landscape island, with a tree, will need to be placed at the end of the proposed parking spaces for Phase 1. This will be a condition of approval.

**Condition of Approval #11:** Prior to the issuance of building permits, the applicant shall submit a revised site plan showing landscaped islands and trees at the ends of parking rows. The present site plan is missing a landscape island, with a tree, at the terminus of the proposed parking spaces

for Phase 1.

***(3) Parking lots containing more than 20 parking spaces shall have a minimum of 5 percent of the area devoted to vehicular circulation and parking areas in landscaping and trees. Landscaping shall be evenly distributed throughout the parking lot and long rows of parking spaces shall be interrupted by landscaped islands. The 5 percent landscaping shall be within or abutting the parking area and shall be in addition to the required landscaped yard setbacks.***

**Staff Response:** Staff are uncertain of the actual number of off-street parking spaces proposed, based on the site plans submitted. The applicant has indicated in the Planning Response Letter that 22 off-street parking spaces are proposed. Staff are unable to verify that number against the actual site plans. The highest sequential figure shown on the site plan is 21 – not 22.

The two site plans that have been submitted (AS-003 with different dates) show differing information. The site plan dated 11/23/2021 shows a total number of 21 labeled parking spaces, but the actual number of spaces shown does not equal 21 (#s 4,10, and 15 are missing from the sequence). The site plan dated 7/27/2022 shows only the far western portion of the numbered parking spaces – spaces #11-21). Further clarification is requested of the applicant on this approval criterion. Based on the applicant’s written response that 22 off-street parking spaces are proposed, a minimum of 5 percent of the parking area shall be devoted to landscaping and trees. Staff are unable to verify if the proposal meets this requirement. The 5 percent landscaping shall be within or abutting the parking area and shall be in addition to the required landscaped yard setbacks. The applicant shall submit a revised landscaping plan clearly showing all landscape features of the site and clearly display the total percentage of landscaping within or abutting the parking area. Planning Commission has the right to continue the hearing for the submittal of this information since it is not clear if this standard is met or can feasibly be met or cite this criterion as a reason for denial.

**Condition of Approval #12:** Prior to the issuance of building permits, the applicant shall submit a revised landscaping plan clearly showing all landscape features of the site and clearly display the total percentage of landscaping within or abutting the parking area. The 5 percent landscaping shall be within or abutting the parking area and shall be in addition to the required landscaped yard setbacks.

***(e) Service Facilities:***

***Garbage collection areas and service facilities located outside the building shall be screened from public view and landscaped.***

**Staff Response:** As seen on Sheet AS-003, the applicant is proposing a recycling enclosure at the far western side of Phase 1 see “recycle enclosure” on site plan. The plans do not show how the recycling enclosure will be screened from public view and landscaped. This will be a condition of approval.

**Condition of Approval #13:** Prior to the issuance of building permits, the applicant shall submit plans to the City Administrator, for review and approval, detailing how the recycling enclosure will be screened from public view and landscaped.

**SECTION 9.529 EXTERIOR LIGHTING.**

*Exterior lighting should be provided in parking lots and may be provided elsewhere. All exterior lighting shall be designed and installed to the following standards:*

- (a) Uplighting is prohibited. Externally lit signs, displays, building and aesthetic lighting must be lit from the top and shine downward. The only exception to this requirement is for lighting of a flagpole. The lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be contained to the target area.*
- (b) All exterior lights shall be designed, located, installed and directed in such a manner as to prevent glare across the property lines.*
- (c) All exterior building lighting for security or aesthetics will be full cut-off or shielded type, not allowing any upward distribution of light.*
- (d) For purposes of this subsection:*
  - (1) "Glare" means light that causes annoyance, discomfort, or loss of visual performance and ability.*
  - (2) "Uplighting" means any light source that distributes illumination above a 90-degree horizontal plane.*
- (e) Pre-existing non-conforming lighting may be required to be brought into compliance upon a determination by the City Administrator that such non-conforming lighting is a nuisance.*

**Staff Response:** The applicant's evidence on exterior lighting is scarce. No exterior lighting/illumination or photometric plan has been submitted. In the applicant's Planning Response Letter, the applicant indicates site lighting will be limited to a pole near the east entrance and the west end of Phase 1; 20' poles with LED downlight fixtures and shown on the landscape plan. Staff have not been able to locate the 20' LED downlight pole on the landscape plan. The Planning Commission should review and consider the exterior lighting proposal and make a determination if it is sufficient to meet the criteria of Section 9.529.

**SECTION 9.805 IMPROVEMENTS AGREEMENT**

*Before City final approval of a development, site plan or land division, the developer or land divider shall file with the City an agreement between developer or land divider and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the developer or land divider. The agreement shall also provide for reimbursement of the City's cost of inspection in accordance with Section 9.801 (f).*

## SECTION 9.806. SECURITY

- (a) *The developer or land divider shall file with the agreement, to assure full and faithful performance thereof, one of the following:*
- (1) *A surety or performance bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney; or*
  - (2) *A personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement to the satisfaction of the City Council; or*
  - (3) *A cash or negotiable security deposit.*
- (b) *Such assurance of full and faithful performance shall be for a sum approved by the City as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses, and to cover the cost of City inspections and other costs.*
- (c) *Prior to acceptance of required public improvements, the developer or land divider shall file one of the above listed assurances with the City, in an amount equal to 20% of actual construction costs, as a warranty towards defects in materials and workmanship identified for a period of no less than one year after City acceptance of the public improvements. The City may agree to a longer warranty period in lieu of the above required assurances.*

**Staff Response:** Because there are urban public improvements involved which will be constructed within the City's right-of-way, specifically, the urban improvements along the frontage of North Pioneer Street, an improvement agreement for said improvements shall be entered into between the applicant/developer and City. A surety or performance bond shall also be issued for the public improvements. The public improvements shall be conducted under the auspices of Section 9.801, Improvement Procedures.

**Condition of Approval#15:** Prior to the issuance of building permits, the applicant and the City shall enter into an improvement agreement for the required public improvements and connections to public facilities involved with development of Phase 1. The public improvements shall be conducted in accordance with Section 9.801, Improvement Procedures.

## 6. RECOMMENDATION

Staff do not have a recommendation for Planning Commission. There are several items that require Planning Commission's discretion and decision on to determine if the approval standards are met. If Planning Commission should approve the application, staff recommend the following conditions of approval be implemented (see below). Should Phase 1 be approved, the approval is solely limited to Phase 1, of what is expected to a multi-phase development. Subsequent phases must go through the appropriate land use approval process.

## 7. INFORMATIONAL ITEM

Development proposals that disturb one or more acres of land shall first obtain, a NPDES permit prior to the commencement of any earth-disturbance activities.

Landscaping, screening and maintenance shall be a continuing obligation of the property owner. All required landscaped areas shall be cleared of unwanted vegetation and weeds at least once a year prior to July. Dead landscape plantings shall be replaced by April of the following year. This will be an informational item

## 8. CONDITIONS OF APPROVAL

**Condition of Approval #1:** Applicant shall submit plans for review and approval by the City Administrator or their designee for the construction of urban street improvements along the frontage of North Pioneer Street, consistent with the Lowell Downtown Master Plan to include a 6' sidewalk, 4' planting strip, 8' parallel parking stall, and street trees to facilitate the movement of pedestrians from North Shore to Phase 1 of the proposed development. The plans shall be approved, before the issuance of building permits.

**Condition of Approval #2:** Prior to the issuance of building permits, the applicant shall submit engineering plans for the extension and construction of water and sewer lines to the City Engineer and Public Works for review and approval.

**Condition of Approval #3:** Prior to the issuance of building permits, applicant shall submit FDC fire suppression systems plans, detailed enough to show the location or specifications of the fire suppression system. Plans shall be reviewed by the City Administrator or their designee, with review and comment by the Fire Chief or State Fire Marshall, if necessary.

**Condition of Approval #4:** deciduous canopy trees shall be placed at regular intervals, approximately 25' in the space between the curb and the sidewalk. Street trees shall align with local landscape standards and should be placed a minimum of 10' from fire hydrants and 20' from stop signs.

**Condition of Approval #5:** Applicant shall construct a pedestrian sidewalk connection from North Shore Drive to the ground-floor commercial businesses of Phase 1. Sidewalk construction plans shall be submitted to the City Administrator for review and approval, prior to the issuance of building permits.

**Condition of Approval #6:** Prior to the issuance of building permits, the applicant shall submit to the City Administrator, or their designee, a final stormwater drainage plan. The plan is subject to revision, review and approval by the City Administrator, or their designee. The final stormwater drainage plan shall adhere to the standards of Section 9.520.



**Condition of Approval #7:** Prior to the issuance of building permits, the applicant shall submit a final grading plan, in conformance with Section 9.527, to the City Administrator or their designee for review and approval.

**Condition of Approval #8:** All required landscaped areas shall be cleared of unwanted vegetation and weeds at least once a year prior to July. Dead landscape plantings shall be replaced by April of the following year.

**Condition of Approval #9:** Applicant shall submit a final and complete landscaping plan detailing all landscaping features for the entire site. Plan shall be reviewed by the City Administrator or their designee, prior to the issuance of building permits.

**Condition of Approval #10:** Prior to the issuance of building permit, the applicant shall submit plans to the City Administrator or their designee for review and approval that show the implementation of a sight-obscuring fence, wall or landscaping screen to provide a buffer between the proposed development and the residential uses to the rear. The buffer shall be along the entirety of the rear property line for the length of Phase 1 and shall be in place prior to the issuance of certificates of occupancy for the proposed mixed-uses.

**Condition of Approval #11:** Prior to the issuance of building permits, the applicant shall submit a revised site plan showing landscaped islands and trees at the ends of parking rows. The present site plan is missing a landscape island, with a tree, at the terminus of the proposed parking spaces for Phase 1.

**Condition of Approval #12:** Prior to the issuance of building permits, the applicant shall submit a revised landscaping plan clearly showing all landscape features of the site and clearly display the total percentage of landscaping within or abutting the parking area. The 5 percent landscaping shall be within or abutting the parking area and shall be in addition to the required landscaped yard setbacks.

**Condition of Approval #13:** Prior to the issuance of building permits, the applicant shall submit plans to the City Administrator, for review and approval, detailing how the recycling enclosure will be screened from public view and landscaped.

**Condition of Approval #14:** Prior to the issuance of building permits, applicant shall work with Lane County Public Works on obtaining a Facilities Permit to address drainage, sidewalk construction and other improvements proposed for the right-of-way adjacent to North Shore Drive, including tree removal. Applicant shall secure a Lane County Facility Permit from Lane County. Lane County's specific comments and concerns to be addressed by the applicant are contained in Attachment F in an email from Becky Taylor, dated June 6, 2022.

**Condition of Approval #15:** Prior to the issuance of building permits, the applicant and the City shall enter into an improvement agreement for the required public improvements and connections to public facilities involved with development of Phase 1. The public improvements shall be conducted in accordance with Section 9.801, Improvement Procedures.

## **9. ATTACHMENTS**

Attachment A: Applicant's application

Attachment B: Supplemental materials submitted by applicant (including Planning Response Letter)

Attachment C: Notice

Attachment D: Completeness letters

Attachment E: City Engineer comments (from this application and the previous application)

Attachment F: Lane County Transportation comment (from this application and the previous application)

Attachment G: Public Works Director's 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# 19011423 Lot # -09700

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

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

Street Address (if applicable): 100 MOSS

Area of Request (square feet/acres): 2.11 AC

Existing Zoning: CC

Existing Use of the Property: COMMERCIAL

Proposed Use of the Property COMMERCIAL/R2 (MIXED USE)

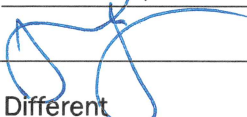
Pre-application Conference Held: No \_\_\_\_\_ Yes X If so, Date \_\_\_\_\_

**Submittal Requirements:**

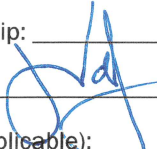
- \_\_\_\_\_ 1. Copy of deed showing ownership or purchase contract with property legal description.
- X 2. Site Plan/Tentative Plan with, as a minimum, all required information. Submit one copy of all plans 11x17 or smaller; 12 copies of all plans larger than 11x17. (See attached checklist for required information)
- X 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: \$292.00

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): NORTH SHORE LLC Phone: 541-606-2571  
Address: 100 NORTH MOSS  
City/State/Zip: LOWELL, OR 97452  
Signature: 

APPLICANT, If Different

Name (print): JERRY VALENCIA Phone: 541-606-2571  
Company/Organization: NORTH SHORE LLC  
Address: 100 NORTH MOSS  
City/State/Zip: Lowell, OR 97452  
Signature:   
E-mail (if applicable): jerryv@bridgewaycontracting.com

APPLICANTS REPRESENTATIVE, if applicable

Name (print): REX PRATER, AIA Phone: 541-914-1733  
Company/Organization: BALANCE architecture+design, pc.  
Address: 1808 Jefferson st  
City/State/Zip: Eugene, OR 97402   
E-mail (if applicable): rex@balancearchitecturepc.com

For City Use.

Application Number 2022-02

Date Submitted: 5/19/22 Received by: J. Prater Fee Receipt # 7.001406

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.

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

**USES HAVE NOT BEEN DETERMINED**

\_\_\_\_\_ 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: USES HAVE NOT BEEN DETERMINED OTHER THAN OCCUPANCY 'B'**

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

Receipt No: 7.001406

May 19, 2022

Northshore LLC

|   |        |
|---|--------|
| Licenses & Permits - LU2021-11 100 N Moss | 292.00 |
| <hr/>                                     |        |
| Total:                                    | 292.00 |
| <hr/>                                     |        |
| Gen - Check      Check No: 026495         | 292.00 |
| Total Applied:                            | 292.00 |
| <hr/>                                     |        |
| Change Tendered:                          | .00    |
| <hr/>                                     |        |

05/19/2022 1:43 PM





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.

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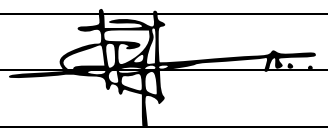
Name (print): NORTH SHORE LLC Phone: 541-606-2571  
Address: 100 NORTH MOSS  
City/State/Zip: LOWELL, OR 97452  
Signature: \_\_\_\_\_

**APPLICANT, If Different**

Name (print): JERRY VALENCIA Phone: 541-606-2571  
Company/Organization: NORTH SHORE LLC  
Address: 100 NORTH MOSS  
City/State/Zip: \_\_\_\_\_  
Signature: \_\_\_\_\_  
E-mail (if applicable): jerryv@bridgewaycontracting.com

**APPLICANTS REPRESENTATIVE, if applicable**

Name (print): REX PRATER, AIA Phone: 541-914-1733  
Company/Organization: BALANCE architecture+design, pc.  
Address: 1808 Jefferson st  
City/State/Zip: Eugene, OR 97402  
E-mail (if applicable): rex@balancearchitecturepc.com



For City Use. Application Number \_\_\_\_\_  
Date Submitted: \_\_\_\_\_ Received by: \_\_\_\_\_ Fee Receipt # \_\_\_\_\_  
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- X   Lighting: location and general nature, hooding devices.
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**USES HAVE NOT BEEN DETERMINED**

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**NOTE: USES HAVE NOT BEEN DETERMINED OTHER THAN OCCUPANCY 'B'**

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

## LAND USE APPLICATION REIMBURSEMENT COST DEFERMENT AGREEMENT

This is a "Land Use Reimbursement Cost Deferment Agreement" between Jerry Valencia ("Developer") and the City of Lowell ("City").

1. **Background.** Developer submitted land use application #2021-11 on September 17, 2021. Land use application #2021-11 is for a site plan review for a project located at 100 Moss Street. On January 1, 2022, Developer withdrew land use application #2021-11.

In accordance with Ordinance 228, the City calculated the costs associated with processing land use application #2021-11 that exceeded 25% of the application fee. Those costs total \$3,566.86 (hereafter "Reimbursement Cost Balance"). The City billed those costs to Developer in accordance with Ordinance 228's "Cost Reimbursement Policy."

Developer desires to re-submit the land use application for a site plan review for the 100 Moss Street project. At the time of re-submission, the Reimbursement Cost Balance is still due. City has informed Developer that payment of the Reimbursement Cost Balance, or working out a payment arrangement, is necessary for the City to start completeness review of the re-submitted application. Developer has requested a payment arrangement for the Reimbursement Cost Balance in the form of a payment deferment.

Section 2(h) of Ordinance 228 gives the City Administrator the authority to approve "other arrangements" with land use applicants regarding payment of bills requesting reimbursement of land use application processing costs.

2. **Agreement.** City and Developer agree to the following:

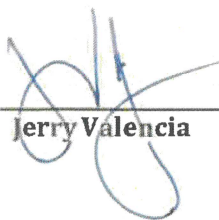
- (a) The City will defer Developer's requirement to pay the Reimbursement Cost Balance of \$3,566.86. The Reimbursement Cost Balance will be due the sooner of either: (1) final Planning Commission action on the re-submitted site plan review application for the 100 Moss Street project; or (2) 180 days from the date that this Agreement is executed.
- (b) The re-submitted land use application for the 100 Moss Street project is a new application subject to the Ordinance 228's "Cost Reimbursement Policy." Payment of the Reimbursement Cost Balance is separate and distinct from any other costs associated with processing the re-submitted land use application for the 100 Moss Street project.
- (c) Approval of this Agreement will allow the City to proceed with completeness review and processing of the re-submitted land use application for the 100 Moss Street project, notwithstanding the Reimbursement Cost Balance, and provided all other requirements for submitting land use applications are met.

[This section left intentionally blank. Signature page to follow.]

**SIGNED AND AGREED:**

**City of Lowell:**

**Developer:**



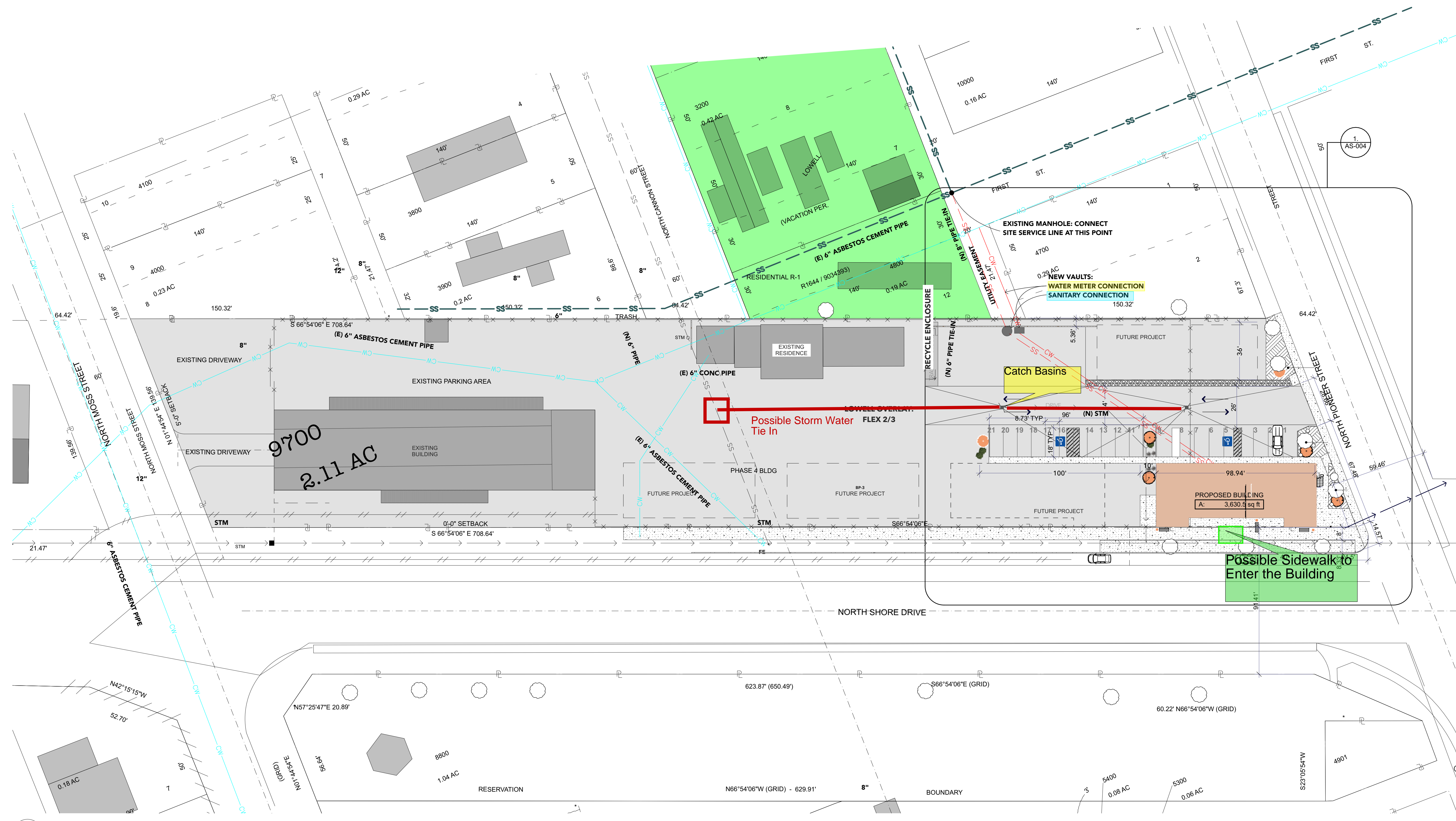
\_\_\_\_\_  
**Jeremy Caudle**  
**City Administrator**

\_\_\_\_\_  
**Jerry Valencia**

**Date:** 5/20/22

**Date:** 5/20/22

| NO. | CHG | CHANGE NAME | DATE     |
|-----|-----|-------------|----------|
| 01  |     |             | 12/10/19 |
|     |     |             |          |
|     |     |             |          |
|     |     |             |          |
|     |     |             |          |
|     |     |             |          |
|     |     |             |          |
|     |     |             |          |
|     |     |             |          |
|     |     |             |          |



OWNER: NORTH SHORE LLC  
 TAX MAP: 19011423-09700  
 TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452  
 NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase I  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452



drawing name  
 OVERALL SITE DEVELOPMENT PLAN

drawing number  
**AS-003**

SET 2 - PRELIM  
 print date : 11/23/21

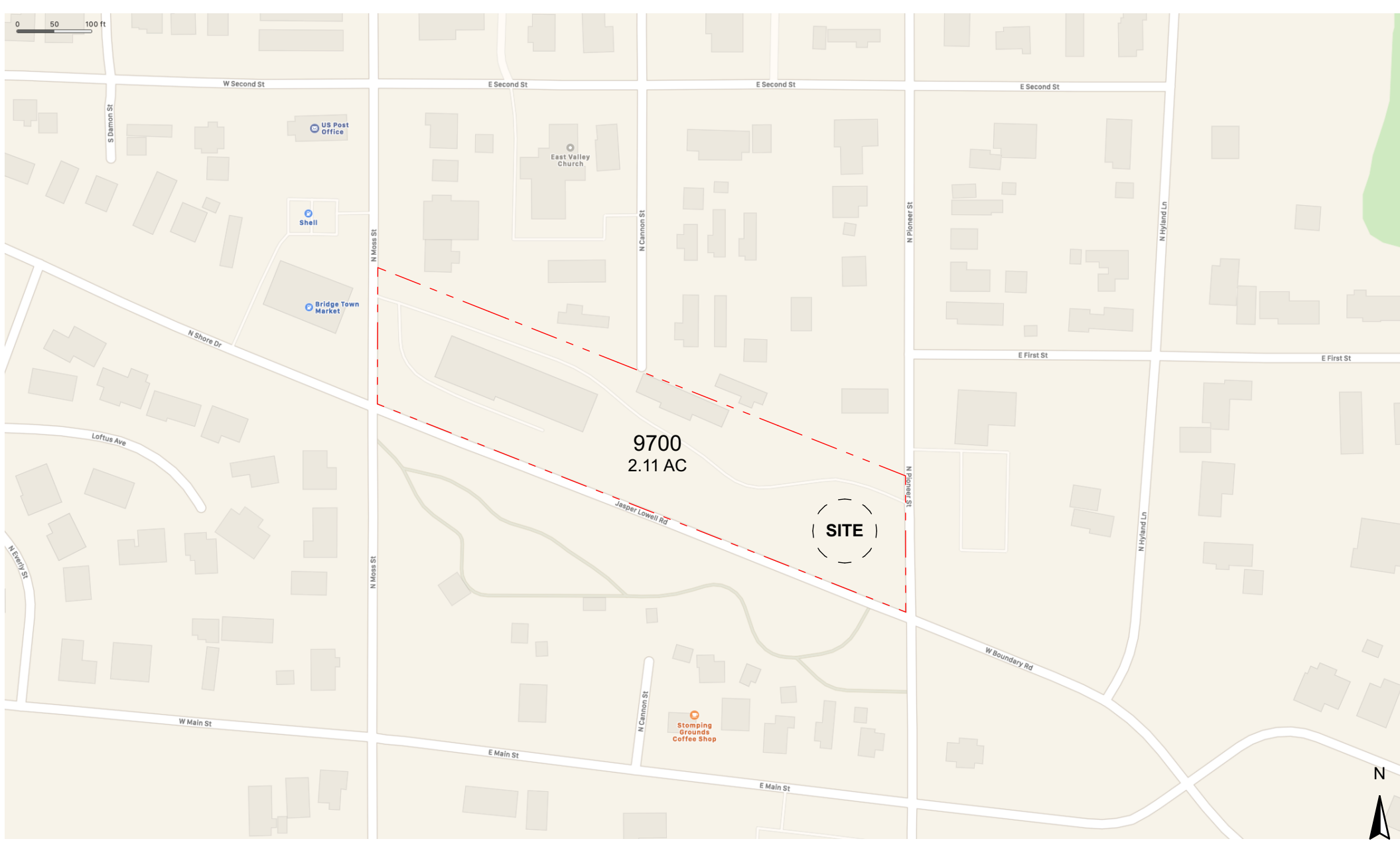
| REV | CHG | CHANGE NAME | DATE     |
|-----|-----|-------------|----------|
| 01  |     |             | 12/10/19 |

# ONE NORTH SHORE DRIVE



South Perspective

SCALE: 1:200



2 G-001 VICINITY MAP  
NOT TO SCALE

### PROJECT DESCRIPTION:

New construction (Phase 1) of a 3-story mixed-use development project comprised of 2 upper floors with 5 residential apartment units each over ground-floor commercial tenant spaces.

### PROPERTY INFORMATION:

Tax Map: 19011423-09700  
Site area: 2.11 AC  
Project Type: Mixed Use  
Project Permits: B - M - E - P

Occupancy Groups: R-2 over B (OSSC310.3)

Zoning: CC  
Construction Type: V-B  
Occupancy: B, R  
Fire Protection: NFPA13R Sprinklers (Group R)

**OWNER:**  
North Shore LLC  
phone: (541) 606-2571  
contact: Jerry Valencia

**ARCHITECT:**  
BALANCE architecture+design, p.c.  
address: 1808 Jefferson St.  
Eugene, OR 97402  
phone: (541) 914-1733  
contact: Rex Prater  
AIA No. 5808  
email: rex@balancearchitecturpc.com

**STRUCTURAL ENGINEER:**  
WoodChuck Engineering  
3028 Gateway Loop  
Springfield, OR 97477  
phone: (541) 357-5532  
contact: Charles (Chuck) C. DuFault, Jr., P.E.  
Registration# 65476PE  
email: chuck@woodchuckengineering.com

**GENERAL CONTRACTOR:**  
BRIDGEWAY CONSTRUCTION, LLC  
CCB# 176939  
address: 100 North Moss  
Lowell, OR 97452  
mail: PO Box 246  
Lowell, OR 97452  
phone: (541) 606-2571  
fax: (541) 937-3491  
email: jerry@bridgewaycontracting.com

### REVISIONS:

### BUILDING CODE SUMMARY:

Chapter 1 - Administrative Requirements

Deferred Submittals: Plumbing  
Mechanical  
Electrical

Required Inspections: Per Permit:  
Framing  
Electrical  
Final

ELECTRICAL: New Construction

HVAC: New Construction

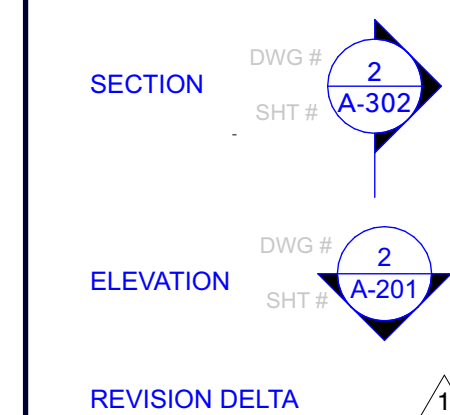
FIRE PROTECTION: NFPA 13R for Residential Units

STRUCTURAL: Three Story, Non-Separated

GENERAL: See Project Notes/Sheet for more information

**ACCESSIBILITY IMPROVEMENTS:**  
As Adopted by the State of Oregon (OSSC CHAPTER 11)  
1 ADA Accessible Parking Stall  
1 ADA Van-Accessible Parking Stall  
Curb Ramps to Public Way  
No Ramps Proposed  
Fully Accessible Business Access  
Fully Accessible Residential Units (Phase 2)

### SYMBOLS:



### REFERENCE CODES:

2019 Oregon Structural Specialty Code (OSSC)  
Effective Oct. 1, 2019  
Lowell Revised Code (Title Eight)

### GENERAL REFERENCES:

ANSI  
NFPA  
ICC  
ICC/ANSI A177.1-2009  
Accessible and Usable Buildings and Facilities  
American National Standard, 2009 Edition,  
International Code Council, Inc.  
National Fire Protection Association (NFPA)  
Standards Referenced in ORS and Regulations

### ABBREVIATIONS:

|       |                                       |
|-------|---------------------------------------|
| AFF   | ABOVE FINISHED FLOOR                  |
| AHU   | AIR HANDLER UNIT                      |
| ANSI  | AMERICAN NATIONAL STANDARDS INSTITUTE |
| ARCH  | ARCHITECTURAL                         |
| BLDG  | BUILDING                              |
| CATV  | CABLE TELEVISION                      |
| CLG   | CEILING                               |
| CLR   | CLEAR                                 |
| CONC  | CONCRETE                              |
| CONST | CONSTRUCTION                          |
| CONTR | CONTRACTOR                            |
| CT    | CERAMIC TILE                          |
| DIM   | DIMENSION                             |
| DWG   | DRAWING                               |
| EP    | ELECTRICAL PANEL                      |
| E     | EXISTING                              |
| FD    | FLOOR DRAIN                           |
| EFD   | EXISTING FLOOR DRAIN                  |
| EXT   | EXTERIOR                              |
| FE    | FIRE EXTINGUISHER                     |
| FH    | FIRE HYDRANT                          |
| FL    | FLUORESCENT                           |
| GC    | GENERAL CONTRACTOR                    |
| GFI   | GROUND FAULT INTERRUPT                |
| GFCI  | GROUND FAULT CIRCUIT INTERRUPT        |
| GWB   | GYPSPUM WALL BOARD                    |
| GYP   | GYPSPUM                               |
| HC    | HANDICAP/HANDICAPPED                  |
| HVAC  | HEATING/VENTILATING/AIR CONDITIONING  |
| INSUL | INSULATION                            |
| INT   | INTERIOR                              |
| LAV   | LAVATORY                              |
| LOC   | LOCATION (S)                          |
| LED   | LIGHT-EMITTING DIODE                  |
| MAX   | MAXIMUM                               |
| MIN   | MINIMUM                               |
| N     | NEW                                   |
| NIC   | NOT IN CONTRACT                       |
| NTS   | NOT TO SCALE                          |
| OC    | ON CENTER                             |
| PLAM  | PLASTIC LAMINATE                      |
| PLBG  | PLUMBING                              |
| PLYWD | PLYWOOD                               |
| REQ   | REQUIRED (REQUIREMENTS)               |
| REQD  | REQUIRED                              |
| RM    | ROOM                                  |
| SHT   | SHEET                                 |
| STM   | STORMWATER                            |
| TYP   | TYPICAL                               |
| VAC   | VACUUM                                |
| VTR   | VENT THROUGH ROOF                     |

### SHEET INDEX:

#### GENERAL DRAWINGS

- G-001 COVER SHEET
- G-002 CODE SUMMARY

#### ARCHITECTURAL SITE PLANS

- AS-001 GEOTECH REPORT
- AS-002 GEOTECH REPORT, CONTINUED
- AS-003 SITE DEVELOPMENT PLAN

#### FLOOR PLANS

- A-101 FLOOR 1 PLAN
- A-102 FLOOR 2 PLAN
- A-103 FLOOR 3 PLAN

#### FOUNDATION AND FRAMING PLANS

- A-104 FOUNDATION PLAN
- A-105 FLOOR 1 FRAMING PLAN
- A-106 FLOOR 2 FRAMING PLAN
- A-107 FLOOR 3 FRAMING PLAN

#### ROOF PLANS

- A-108 ROOF FRAMING PLAN

#### SECTIONS AND ELEVATIONS

- A-201 EXT. ELEVATIONS & BLDG. SECTIONS

#### DETAILS

- A-501 DETAILS

#### SCHEDULES

- A-601 DOOR & WINDOW SCHEDULES
- A-602 DOOR & WINDOW SCHEDULES, CONTINUED

OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

## ONE NORTH SHORE DRIVE

Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452  
NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
100 North Moss Lowell OR 97452

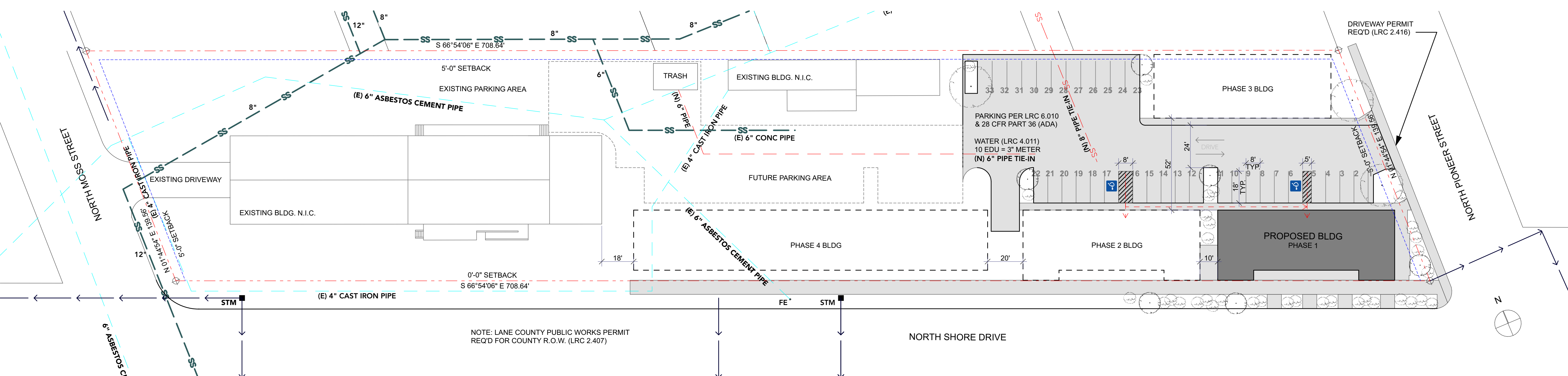


drawing name  
COVER SHEET

drawing number

**G-001**

SET 2 - PRELIM  
print date : 9/7/21



1 G-001 SITE PLAN  
SCALE: 1" = 30'



# BUILDING CODE SUMMARY

## APPLICABLE CODES FOR THIS PROJECT

- 2019 Oregon Structural Specialty Code (OSSC) - ASHRAE Standard 90.1-2019
- 2019 Oregon Zero Energy Ready Commercial Code (OZERCC) - ASHRAE Standard 90.1-2016 - 2018 International Energy Conservation Code (IECC)
- ICC/ANSI A117.1 - 2009 for Accessibility Requirements
- 2021 Oregon Residential Specialty Code (ORSC)
- 2019 Oregon Mechanical Specialty Code (OMSC)
- 2021 Oregon Plumbing Specialty Code (OPSC)
- 2019 Oregon Fire Code
- 2021 Oregon Electrical Specialty Code (OESC)
- 2021 Oregon Energy Efficiency Specialty Code (OEESC)
- Lane Code Chapter 11
- Lowell Revised Code (Title Eight)

CONTRACTOR TO COMPLY WITH ALL INFORMATION AND REQUIREMENTS ON THESE DRAWINGS AND ALL APPLICABLE CODES LISTED ABOVE.

Building Code Summary 2019 Oregon Structural Specialty Code:

### Chapter 3 Use and Occupancy Classification:

310.3 Residential Group R-2: New Apartment units to be classified as R-2 Occupancies. 311.1.1 S-1 Storage bike areas are considered accessory to the primary use and classified the same as the primary use. S-1 Trash Recycle are considered incidental use.

### Chapter 4 Special Detailed Requirements Based on Use and Occupancy

Section 420: R-2 Occupancies  
420.2: Walls separating dwelling units and from other occupancies contiguous to them in same building shall be constructed as fire partitions in accordance with Section 708. 1 hour separation provided  
420.3: Floor assemblies separating dwelling units in the same building and floor assemblies separating dwelling units from other occupancies contiguous to them in the same building shall be constructed as horizontal assemblies in accordance with Section 711. 1 hour separation provided  
420.4: NFPA 13 fire sprinkler system required.  
420.5: Fire alarm system and smoke alarms required.

### Chapter 5 General Building Heights and Areas

|  |   |   |
|--|---|---|
| Table 504.3 Allowable Building Heights:            |   |   |
| R-2  | Allowable Height                                      | (Proposed = 49'-3")   |
| Table 504.4 Allowable Building Stories above grade |   |   |
| R-2  | Stories Allowed                                       | (Proposed = 3 stories)  |
| R-2  | Area per story Allowed                                | (Proposed = 1st Floor 3,630 sf R-2, 2nd Floor 3,630 sf R-2, 3rd Floor 3,630 sf B) |
| R-2 =  | 16,000 sf x 5 = 80,000 sf allowed total building area | (Proposed = 10,890 sf)  |

508 Mixed Use and Occupancy:  
508.2: Accessory occupancies identified occupy <10% of floor area on which they are located. No separation required except 1 hour adjacent to a dwelling unit.  
508.3: Nonseparated Occupancies. Nonseparated occupancy approach. The R-2 occupancy is the most restrictive and the basis for area, height, and story calculations. No occupancy separation is required except for a one hour separation requirements per Section 420.  
509: Incidental Uses The exterior trash recycle is considered an incidental use occupying less than 10% of the first floor area.

### Chapter 6 Types of Construction

Table 601 Fire-Resistance Rating Requirements for Building Elements

|                             |       |          |
|-----------------------------|-------|----------|
|                             |       | Proposed |
| Primary structural frame:   | 0 hrs | 0 hrs    |
| Exterior bearing walls:     | 0 hrs | 0 hrs    |
| Interior bearing walls:     | 0 hrs | 0 hrs    |
| Exterior Non-bearing walls: | 0 hrs | 0 hrs    |
| Interior Non-bearing walls: | 0 hrs | 0 hrs    |
| Floor Construction:         | 0 hrs | 1 hr     |
| Roof Construction:          | 0 hrs | 0 hrs    |

Table 602 Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance

|                  |       |
|------------------|-------|
|                  | IIIB  |
| X < 5' :         | 1 hrs |
| 5' <= X < 10' :  | 1 hrs |
| 10' <= X < 30' : | 1 hrs |
| X >= 30' :       | 0 hrs |

602.3 Type III. Fire Retardant wood framing and sheathing required within 2 hour rated exterior wall assemblies. Does not apply to this project

### Chapter 7 Fire and Smoke Protection Features

#### 705.5 Exterior Wall Fire Resistance Ratings:

Table 705.8 Maximum area of exterior wall openings:  
See Sheet A003 & A004 for Building Plans & Elevations depicting compliance.  
The building is protected fully sprinklered NFPA 13 system, the fire separation distance is greater than 25' to the centerline of street and there is no area limitations to the openings on the other sides of the building.  
The North side of the building wall segments has openings, facing the adjacent property line.

Fire Separation Distance 15' to less than 20' - Degree of Opening Protection  
Unprotected, Sprinklered = 75% Allowable Area

705.11 E6: Parapets not required because all sides of the building are permitted to have more than 25% of the wall area containing unprotected openings. All sides of the building comply with this requirement.

708.1: Fire partitions separating dwelling units and sleeping units per Section 420: 1 hour .  
708.1: Fire partitions - no corridor walls  
708.4(2): Fire partitions permitted to terminate at underside of 1 hour rated ceiling assembly or 1 hour rated floor/ceiling assembly.  
708.4.1: structure supporting fire partitions are not required to be fire resistance rated.  
708.4.2 Exception 4: all fire partitions to extend to the underside of rated construction above and to the top of fire rated construction below.  
711.2.3 Exception 2: structure supporting the horizontal assemblies are not required to be rated in accordance with dwelling units.  
711.2.4.3: horizontal assemblies separating dwelling units and sleeping units from each other and other occupancies to be 1 hour rated.  
711.2.4.5: horizontal assemblies separating incidental uses from other occupancies and uses to be 1 hour rated.  
713.4: Shaft Enclosures - none planned

713.6: Exterior shaft walls to be 2 hour fire rated - none proposed

Table 716.1(2): Opening Fire Protection Ratings and Markings: Stairs, 45 minute door assembly.  
716.2.6.4: Automatic - closing fire door assemblies All rated doors to be self-closing with a latch in accordance to NFPA 80.  
718.2.2: Fireblocking required in concealed spaces of stud walls including furred spaces, and parallel or staggered rows of studs vertically at ceiling and floor levels and horizontally at intervals not exceeding 10'.  
718.2.3: Fireblocking required at the interconnection between vertical concealed space and horizontal concealed spaces.  
718.2.4: Fireblocking required between stair stringers at the top and bottom of the run.  
718.2.6: Fireblocking required in concealed spaces of exterior wall coverings so there is no concealed space exceeding 100 sf.

### Chapter 9 Fire Protection Systems:

Fire Sprinkler system: NFPA 13 system per 903.2.8 and 903.3.1.1 required under separate permit meeting all requirements of Fire Marshal.  
Type/Class/Areas of coverage: Throughout entire building as required for a complete, code compliant system. Provide dry system in exterior spaces.  
Fire alarm system: as required for NFPA 13 system.  
Standpipe system: A minimum Class I standpipe system is required.

- The fire alarm system shall consist of fire alarm notification devices that will activate upon fire sprinkler flow.
- One manual fire alarm box shall be installed near each fire sprinkler riser room. Verify exact location with Building Inspector and Fire Marshal.
- The fire sprinkler system shall be electronically monitored by an approved off-site central station.
- Fire sprinkler protection shall be provided for any exterior balconies, decks, and ground floor patios of dwelling units, if occurs.
- The fire sprinkler room shall be maintained to a minimum of 40 degrees F. Provide electric heat unit in each riser room.
- Provide a Knox Box at each fire sprinkler riser room, Fire Marshal to verify exact location.
- Separate permits shall be obtained from the Fire Marshal's office for the installation of the fire main, sprinkler system, and alarm system
- Buildings shall have approved address numbers and building identification placed in a position that is plainly legible and visible from the street fronting the property.
- Fire sprinkler room shall be identified in an approved manner. Required signs shall be constructed of durable materials, permanently installed and readily visible.
- Listed single and multiple station smoke alarms complying with UL 217 shall be installed in accordance with sections 907.2.11.2 through 907.2.11.4 and NFPA 72. ( in addition, comply with applicable requirements of the Oregon smoke detector law - ORS 479.250 through 479.300. Refer to plans for locations.
- Provide carbon monoxide detection at each unit. Refer to plans for locations.

Oregon Fire Code Section 906: Provide Portable Fire extinguishers of type and location shown on plans. 75' maximum travel distance. Class A Fire Hazard. Minimum Rating 2-A. Maximum floor area per extinguisher 3,000 sf. See 102 for requirements

### Chapter 10 Means of Egress

Table 1004.5 Maximum Floor Area Allowances per Occupant:  
See Plans for occupant load calculations per floor.  
Residential factor = 200 gsf per occupant.

Section 1005: Section 1005.3.1: Stairways: Worse Case = 0.3 x 13 total occupants per floor = 3.9" required. 2 stairs provided per each story = 0.3 X 7.6 = 2.25" required for each stair.

Table 1006.2.1: one means of egress is permitted from within each dwelling unit, occupant load < 20 with 13 sprinklers . Maximum common path of egress travel = 125'

Table 1006.3.2: Minimum 2 exits or access to exits from story with occupant load under 500 per story. Largest story occupant load = 48 O.L.

1008 Egress Illumination: Provide emergency egress lighting on corridors, stairways, and exit discharge elements at 1 footcandle minimum at the walking surface.

1008.3: Provide emergency power for all emergency egress lighting for the duration of 90 minutes.

Section 1009.3: 2 Interior Exit Stairways to be considered an accessible means of egress.

Section 1009.3.2 E1: Stairway clear width of 48" between handrails not required with automatic sprinkler system. Proposed 36" minimum width provided along with an automatic sprinkler system NFPA 13.  
Section 1009.3.3 E2: Area of refuge not required with automatic sprinkler system NFPA 13.

Section 1010 Doors: All means of egress doors along the path of egress travel to be 36" wide, side hinge, swing type. See plans and door schedule for landing and hardware requirements.  
1010.1.1 Exception 1: Type "A" Accessible Dwelling / Sleeping Units required to have 36" wide, side hinge, swing type door.

Section 1011 Stairways: Stairways serving an occupant load of less than 50 can have a width not less than 36". Maximum riser height = 7". Minimum tread depth = 11". See details for handrail and guardrail requirements.

Section 1013 Exit Signs: Internally illuminated Exit signs with emergency power for 90 minutes required where shown on drawings and as required by the Fire Marshal.

1015.8 Window Sills: All operable windows located more than 72" above grade or an exterior walking surface shall have a sill height of 36" above interior finished floor level.

Table 1017.2: Exit access travel distance 250 feet permitted: Proposed < 136'-2".

Section 1021.4: Location = Minimum fire separation distance 10 ft adjacent lot lines and other portions of the building .

Section 1023.2 Interior Exit Stairway - Interior enclosure walls to be 1 hour rated fire barriers. Exterior walls to comply with requirements for exterior walls.

1023.4: Doorways into stair enclosure to be 45 minute rated assemblies.

1030.1 Emergency escape and rescue openings are not required as all dwelling units have access to at least two exits.

### Chapter 11 Accessibility

Accessibility requirements do not apply to all floors of this building.

Section 1104 Accessible Route: An accessible route is required to all portions of the ground level and site.  
Section 1105 Accessible Entrances: Accessible entrances are required to the building and all occupiable spaces within the building.

Table 1107.6.2.2: Project has 10 units:  
1 Type A = units required. Three provided: 2 BR on 1st floor & 3 BR on 1st and 2nd floor.  
57 Type B = dwelling units to be Type B accessible units.

For all units and common use areas, the light switches, environmental and other controls shall be 48" high maximum above the finished floor. The electrical and telecommunication (telephone / television outlets) receptacles on walls shall be no lower than 15" above the finished floor. Circuit panel boxes shall be located no higher than 48" above the floor to the top circuit. All door thresholds to be ADA compliant.

Conform to all applicable requirements of ICC/ANSI A117.1 - 2009.

## 2019 OREGON ZERO ENERGY READY COMMERCIAL CODE PART 1 - ASHRAE STANDARD 90.1-2016

Building Envelope Requirements  
- Opaque Assemblies  
- MINIMUM REQUIREMENTS

Walls above grade: R-23  
Roof Insulation R-30  
Swinging Opaque Exterior Doors: U-0.20  
Swinging Exterior Doors with >50 glazing: U-0.25  
Wood Framed Floors: R-30  
Windows: U-0.28, SHGC: 0.22, VT: 0.51

Provide continuous air barrier throughout the building thermal envelope. Refer to Drawings for type and locations.

U-factors of all fenestration products to be determined in accordance with NFRC 100 by an accredited, independent laboratory, and labeled and certified by the manufacturer. The temporary label affixed to the fenestration products must not be removed prior to inspection.

The solar heat gain coefficient of glazed fenestration products shall be determined in accordance with NFRC 200 by an accredited, independent laboratory, and labeled and certified by the manufacturer.

All openings and penetrations in the building envelope are to be sealed with caulking materials or closed with gasketing systems compatible with the construction materials and location. All joints and seams to be sealed in the same manner or taped or covered with a moisture vapor-permeable wrapping material. Sealing materials spanning joints between construction materials shall allow for expansion and contraction of the construction materials.

The air leakage of all windows and sliding or swinging door assemblies that are part of the building envelope are to be determined in accordance with AAMA/WDMA/CSA 101/I.S.2/A440 or NFRC 400 by an accredited, independent laboratory, and labeled and certified by the manufacturer.

Mechanical, Plumbing, and Electrical Design / Build Systems to comply with all applicable requirements of this Code.

All light fixtures to be surface mounted.

All dwelling units and common spaces to have separate electrical meters. All electric motors to meet the minimum efficiency requirements as required by code.  
Total voltage drop <= 3% as required by code.  
At least 50% of all 125 volt 15- and 20- Amp receptacles controlled by automatic control device.  
Roof insulation to be installed per manufacturer's instructions.  
Insulation in contact with the ground has <=0.3% water absorption rate per ASTM C272.  
Ridged insulation must be used.  
Wall insulation to be installed per manufacturer's instructions.

At completion of the project:  
a building operations and maintenance manual consisting of all information on installed building equipment and systems including how they are to be installed, maintained, and operated. Required regular maintenance actions for equipment and systems shall be clearly stated on a readily visible label. The label shall include title or publication number for the operation and maintenance manual for that particular model and type of product.

Manufacturer's specifications for all glazing U values and SHGC values to be on site at time of inspection.

| Rev# | Chd | Change Name | Date |
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OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

ONE NORTH SHORE DRIVE  
Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452

Project Phase I  
One North Shore Drive  
100 North Moss Lowell OR 97452



drawing name  
CODE SUMMARY

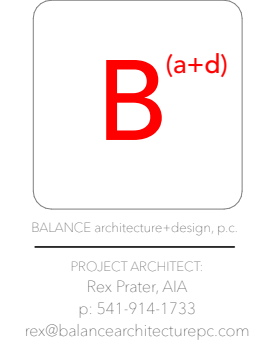
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G-002

SET 2 - PRELIM  
print date : 9/7/21

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT





# Geotechnical Report

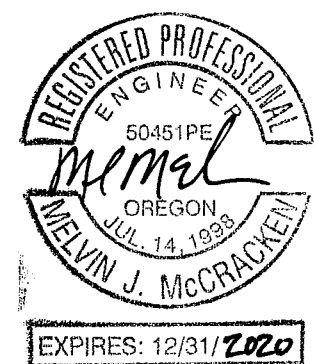
## Proposed Bridgeway Development 100 North Moss Street Lowell, Oregon

October 11, 2019

Prepared for:

### Bridgeway Contracting, LLC

Prepared by:



Mr. Jerry Valencia  
Bridgeway Contracting, LLC  
PO Box 246  
Lowell, Oregon 97452

October 11, 2019

**Re: Proposed Bridgeway Development  
100 North Moss Street  
Lowell, Oregon**

**Subject: Geotechnical Report  
Project No. 2197143**

Dear Mr. Valencia:

FEI Testing and Inspection, Inc. has completed the requested geotechnical evaluation for the proposed new commercial/residential development at the parcel on the north side of Shore Drive, east of North Moss Street in Lowell, Oregon. This report includes a description of our work, a discussion of site conditions and a summary of geotechnical recommendations for design and construction of the proposed improvements. The improvements are expected to require mitigation of an upper stratum of fill and topsoil as part of site grading operations. We believe the site is adequate to support the planned structure using conventional foundations, provided the site work is completed in accordance with our recommendations. Detailed recommendations for design of foundations and considerations for earthwork at the site are provided herein.

We trust this information meets your current needs. It has been a pleasure assisting you with this phase of your project. Please call if you have any questions or need additional assistance.

Sincerely,

FEI Testing and Inspection, Inc.

Mel McCracken, PE, GE  
Geotechnical Engineer

This report and/or enclosed test data is the confidential property of the client to whom it is addressed and pertains to the specific process and/or material evaluated. As such, information contained herein shall not be reproduced in part or full and/or any part thereof be disclosed without FEI Testing & Inspection, Inc.'s written authorization.

### DISCUSSION OF GEOTECHNICAL ISSUES

#### Weather Conditions:

The most efficient development of the site will require site preparation work during dry weather conditions. The subgrade soils consist of predominately stiff high-plastic clay that will be susceptible to swelling during wet weather conditions. In addition, the upper portion of the soil profile includes undocumented fill material that will be removed below the proposed improvements. We have assumed that site preparation work for the building and pavements will occur during summer or early fall months. Wet weather work is expected to require more extensive dewatering efforts, deeper excavation depths and a greater thickness of imported crushed rock to support construction access, the new building pad and foundation construction. We should be notified if wet weather construction is required at the site.

#### High Plastic Clay:

The proposed improvements will be constructed over high plastic clay soils. These soils are susceptible to shrink/swell movements associated with seasonal variations in moisture content. Therefore, we believe that some measures to minimize the seasonal moisture change of the foundation soils is warranted for the new structures. We anticipate this will include greater foundation excavation depth, placement of compacted aggregate base over the clay and drainage improvements at the site. These measures are intended to minimize, but not eliminate seasonal movements of the foundation soils. The high plastic clay is also expected to result in shallow perched water across the site during wet weather months.

#### Site Grading and Building Pad:

The proposed improvements are expected to include only minor site grading. Permanent cuts and fills at the site are expected to generally be 2 feet or less. The improvements will include excavation of the upper soils in the proposed building pads and pavement areas. We understand that the finished floor of the buildings will typically be constructed slightly above current site grades and the foundation level will be below existing site grades. We have assumed that the required site stripping will remove the bulk of the surface organics. Grading at the proposed foundation locations will require removal of the existing fill and replacement with select, imported aggregate base that is placed and compacted in lifts to support the new foundations. We have assumed that the building pads will be constructed over the existing granular fill material.

The site grading work in pavement areas is expected to be constructed over the existing granular fill material. This approach assumes that site grading will primarily consist of raising finished grades above existing grades. Areas that are at or below existing grades may require additional excavation and aggregate base placement to accommodate construction of the required base and pavements or slab.

#### Foundations:

The proposed structure is expected to be supported by shallow foundations constructed over the stiff clay and structural fill. We recommend that the upper fill materials be removed from beneath the foundation areas and replaced with compacted aggregate base. The building foundation preparation should extend at least 12 inches beyond the limits of the footings. We have provided recommendations for minimum footing embedment and crushed rock beneath footings to minimize differential settlement. The structure is expected to be supported by continuous perimeter footings and isolated spread footings at columns. We anticipate that all the shallow foundations will require excavation depths that are typically 3 to 4 feet below existing grades. Some isolated areas of deeper excavation may be required. Therefore, we have provided recommendations for shallow footings embedded 2 feet below grade that are supported on imported aggregate base fill over firm, native clay. A typical section of the anticipated foundation configuration is provided on Figure 4 in Appendix A.

#### Drainage:

The site improvements should include drainage considerations. All roof drains should be connected to the storm system. We have assumed that the new building will be elevated and backfill will be sloped to promote surface drainage away from the structure. A perimeter foundation drain should also be provided around each of the structures.

### GEOTECHNICAL ANALYSIS

FEI Testing and Inspection has conducted geotechnical analysis of the foundation soils for design of the new foundations. Our work is briefly summarized below.

#### Seismic Design:

The average soil conditions in the upper ±100 feet beneath the proposed development area are expected to include stiff clay and decomposed bedrock. Therefore, we believe that use of a site class D is appropriate for seismic design. In our opinion, the spectral accelerations and attenuation relationships provided in the 2014 OSSC are appropriate for seismic design of the new structure. We recommend using the General Procedure of OSSC, Section 1613 to develop parameters for seismic design of the structure.

Peak ground accelerations and spectral accelerations (on rock) were determined for design using 2% probability of exceedence in 50 years (i.e., ±2,475 year return interval). The USGS modeling considers a variety of seismic sources including crustal and subduction zone earthquakes. However, the principal sources of the design ground motion is due to a large magnitude (M<sub>w</sub> 8.3 to 9.0) earthquake along the Cascadia Subduction Zone along the Pacific coast and a shallow crustal earthquake. The 2014 OSSC design parameters are summarized in Table. 1.

## Geotechnical Report Proposed Bridgeway Development 100 North Moss Street Lowell, Oregon

### PROJECT INFORMATION

A new mixed- use development is being planned at a parcel on the north side of Shore Drive, east of North Moss Street in Lowell, Oregon. The site location is shown on the Vicinity Map (Figure 1), included in Appendix A. The parcel contains two existing structures that will remain in place. The proposed work will include a series of five new buildings that will be constructed in phases. The proposed building locations have previously been used as vehicle parking areas. The structures are expected to include three-story wood framed structures constructed on conventional concrete foundation systems and slab on grade floors. Other site improvements are expected to include vehicle parking pavements and utility construction. Site grading is expected to be relatively minor with finished floor levels raised slightly above the existing grades across the relatively flat site.

FEI Testing and Inspection is providing geotechnical engineering services at the request of Bridgeway Contracting, LLC for the proposed improvements. Our work has included observation of subsurface exploration, geotechnical analysis work and preparation of this summary report.

### FIELD EXPLORATION

The field exploration focused on characterization of the upper soils at the site that will be involved in the proposed foundation excavations. We visited the site on September 16, 2019 to observe subsurface explorations. During our visit we conducted a brief surface reconnaissance of the proposed development area. The subsurface exploration included digging five test holes using a rubber-tire backhoe. The approximate locations of the test pits are shown on the attached Site Plan (Figure 2, Appendix A). The test pits were advanced to a maximum depth of ±7.0 feet. The soil profiles in each test pit were logged and samples were collected from some locations. The test pits were backfilled with excavated material and the surface graded relatively smooth. The soil profiles are summarized on the narrative test pit logs attached in Appendix B. Our surface and subsurface observations are summarized in the following sections.

**Table 1. Seismic Design Parameters**

| Site Class | S <sub>s</sub> | S <sub>T</sub> | S <sub>MS</sub> | S <sub>M1</sub> | S <sub>DS</sub> | S <sub>D1</sub> |
|------------|----------------|----------------|-----------------|-----------------|-----------------|-----------------|
| D          | 0.65           | 0.34           | 0.83            | 0.59            | 0.56            | 0.39            |

#### Bearing Capacity:

We conducted bearing capacity analysis for the anticipated foundation loads for the new structures. We understand that the loads for the structure will be relatively light and may be as great as 5 kips/linear foot for continuous footings and 100 kips for column footings.

The lightly loaded footings may be constructed over structural fill overlying the stiff clay that underlies the site using an allowable bearing pressure of 2,000 psf. The bearing pressure may be increased to 2,500 psf when considering short-term (i.e., wind or seismic) loads. All continuous footings should have a minimum width of 16 inches. Isolated spread footing foundations should have a minimum dimension of 18 inches. Our analysis assumed that all footings would be underlain by a minimum of 12 inches of compacted crushed rock that may be as great as 2 feet at some locations to bypass the upper fill material. The base of all footings should be embedded 2 feet below finished exterior grades.

The footings should be designed using an ultimate subgrade friction coefficient of 0.4 for foundations constructed on compacted crushed rock. A factor of safety of 1.5 is appropriate for this coefficient to minimize relative movements when considering long-term loads.

#### Settlement:

Settlement analysis was completed for the anticipated footings based on the typical soil profile. Our analysis considered the assumed foundation loads over spread and continuous footings constructed over firm, native soils. We have assumed that all existing fill materials and the organic topsoil at the site will be mitigated by removal and replacement with compacted aggregate base. Our analysis suggests that maximum post-construction settlements of ¼ inch should be assumed for the new foundations.

#### Pavements:

We conducted pavement thickness analysis for the parking lot pavements that will support limited truck traffic for the facility. We estimated a daily traffic of 200 cars and light pickups, 2 small trucks (26,000 lbs. gross vehicle weight), and a weekly traffic of 3 medium trucks (48,000 lbs. gross vehicle weight) for the access pavements. A M<sub>v</sub> value of 3,000 psi was selected for our analysis based on available correlations and our experience with similar subgrade soils. We assumed a 20-year design life for our analysis, a reliability of 90% and terminal serviceability of 2.2. Our calculations suggest that a flexible pavement section consisting of 3.5 inches of asphalt over 12 inches of

### SITE CONDITIONS

#### Surface Conditions:

The site includes relatively level terrain across the parcel, with some minor variations in surface elevation. The site has previously been used for storage and vehicle parking. Therefore, the surface typically consists of crushed rock that appears to be relatively stable. We understand that a railroad line previously crossed the south end of the parcel. In addition, our excavation at TP-3 suggests that previous structures may have occupied portions of the site.

#### Subsurface Conditions:

Subsurface conditions were evaluated using the test pit explorations. The approximate test pit locations are shown on the Site Plan (Figure 2, Appendix A). Heavy water infiltration was observed at TP-1 below depths of ±3.5 feet. However, ground water was not observed in the other test pits. Atterberg limits, ash contents, and natural water content tests were completed to assist in classification of the soils and estimate engineering properties. Narrative summaries of individual test pits are attached in Appendix B. Subsurface conditions observed at the site as part of our field exploration typically included the following strata:

#### Gravel Fill:

The exploration encountered crushed rock at TP-1, TP-2, TP-4, and TP-5. The upper granular fill was typically limited to the upper ±1.0 feet of the soil profile and typically consists of dense gravel with some sand and silt. The crushed rock is well-graded and we did not observe concentrations of organics or deleterious materials within the fill. The exception was at TP-3 where some debris and concrete footings were encountered.

The upper layer of crushed rock is underlain by a stratum of rounded, sandy gravel at TP-1 and TP-4 that extends to depths of 2 to 3.5 feet below existing grades.

#### High Plastic Clay:

A layer of medium stiff to stiff clay was encountered below the upper fill. The clay is brown-grey to black, and moist. The upper portion of the clay typically includes some organics and trace sand. The clay has high plasticity with the results of Atterberg limits testing on a sample from TP-2 suggesting a plasticity index of 58 for the clay (Figure 3, Appendix A). The test results also suggest the clay includes an organic content of 7%.

#### Stiff Sandy Clay:

The clay typically becomes stiffer with depth and includes some iron-staining. We also noted that the sand content of the clay increases with depth, with some locations grading to a sandy clay. It appears that the deeper clay soils represent decomposed sandstone soils, which are typically encountered at depths below 5 to 6.5 feet.

aggregate base is adequate for the new pavements. Concrete pavements supporting truck traffic should include at least 6 inches of PCC pavement over 10 inches of aggregate base. In areas where the existing granular fill material is stable and at least 6 inches thick, the existing granular fill may be left in place and the imported aggregate base thickness may be reduced to 6 inches.

### GEOTECHNICAL RECOMMENDATIONS

Based on our observations of the soils and our understanding of the proposed development FEI Testing and Inspection believes that it will be practical to construct the improvements using conventional construction techniques. Geotechnical recommendations are provided in the following sections.

#### Materials:

- Aggregate base as defined in this report should consist of ¾ or 1-inch minus, well graded crushed rock. The rock should be relatively clean with less than 5% (by weight) passing the #200 sieve.
- Stabilization rock, if required, should consist of clean, angular, 3-inch crushed rock. Stabilization rock should contain less than 2% (by weight) passing the #200 sieve.
- Granular fill should consist of mixtures of sand and gravel that are free of high plastic clay, organics or deleterious materials. Granular fill may consist of select on-site granular soils from required excavations at the site. Proposed granular fill materials should be submitted and approved by the engineer prior to delivery to the site for use during dry weather only.
- Compact all aggregate base, granular fill and stabilization rock to 95% relative compaction. The maximum dry density of ASTM D 698 should be used as the standard for evaluation of relative compaction. Placement and compaction of structural fill should be completed using loose lifts no greater than 8 inches thick, unless specified otherwise. Field density testing and observation of placement and compaction procedure should be conducted on all structural fill to document proper compaction at regular intervals throughout the work.
- Subgrade soils consist of clay that is moisture sensitive and will be susceptible to softening and pumping when over optimum moisture levels. Excavation to remove all existing fill materials is expected beneath the building foundations. Subgrade conditions should be visually confirmed by the engineer during the work. Wet weather construction may require more frequent evaluation of subgrade conditions encountered as the work progresses.
- Subgrade beneath building pads and pavement areas is expected to consist of existing granular fill material. The existing granular subgrade soil should be evaluated and approved by the engineer prior to placement of structural fill.

Project Phase I  
**100 North Shore Drive**  
100 North Moss Lowell OR 97452



drawing name  
**GEOTECH REPORT**

drawing number

# AS-001

SET 2 - PRELIM  
print date : 9/7/21

- Provide shoring for all trench excavations greater than 4 feet below grade. Dewatering may be required for excavations greater than 4 feet. Anticipate that minor caving of trench sidewalls may occur, even in shallow excavations, particularly in wet weather.

**Foundation Design:**

- Design all lightly loaded foundations (continuous wall footings and isolated column footings) using an allowable bearing capacity of 2,000 psf. The bearing capacity may be increased to a maximum of 2,500 psf when considering short-term (i.e., wind or seismic) loads. This evaluation assumes that footing preparation and placement of compacted aggregate base will be conducted as recommended.
- Provide a minimum footing width of 16 inches for continuous footings and 18 inches for isolated column footings. Place the base of all footings at least 2 feet below the finished grade or paved surfaces.
- Provide compacted aggregate base beneath the footings that is at least 12 inches thick and extends laterally 12 inches beyond the footing limits. Portions of the site are expected to require deeper excavation and aggregate base placement to mitigate existing fill and organic topsoil at the site. The aggregate base should be compacted to 95% relative compaction according to ASTM D 698. Field density testing should be completed on the compacted aggregate base to verify the relative compaction and moisture content of the aggregate base.
- Provide a perimeter footing drain around each of the structures. The drain should consist of a 3 or 4-inch diameter perforated pipe that is set with the flow line near the bottom of the footing level. The pipe should be bedded and backfilled with open-graded, free draining gravel.

**Building Pad Construction:**

Recommendations for building site preparation conducted during dry weather months are provided below.

- Excavate the building pad to provide the minimum aggregate base depth and remove any upper organic material or soft soils. Haul the excavated material from the site, or place select materials in designated landscape areas. The surface of existing granular fill should be compacted using a vibratory smooth drum roller.
- All subgrade beneath building pads should be evaluated by proof rolling using a loaded 12 cubic yard dump truck. Any areas of excessive deflection, rutting or pumping should be identified and stabilized prior to placement of aggregate base. Place the aggregate base as soon as practical following excavation, moisture condition and compact using vibratory compaction equipment.

- We anticipate that the building pad will include a minimum of 6 inches of aggregate base placed over the compacted and approved existing granular fill material. Areas that do not include granular fill are expected to include a minimum of 12 inches of aggregate base.

**Pavement Construction:**

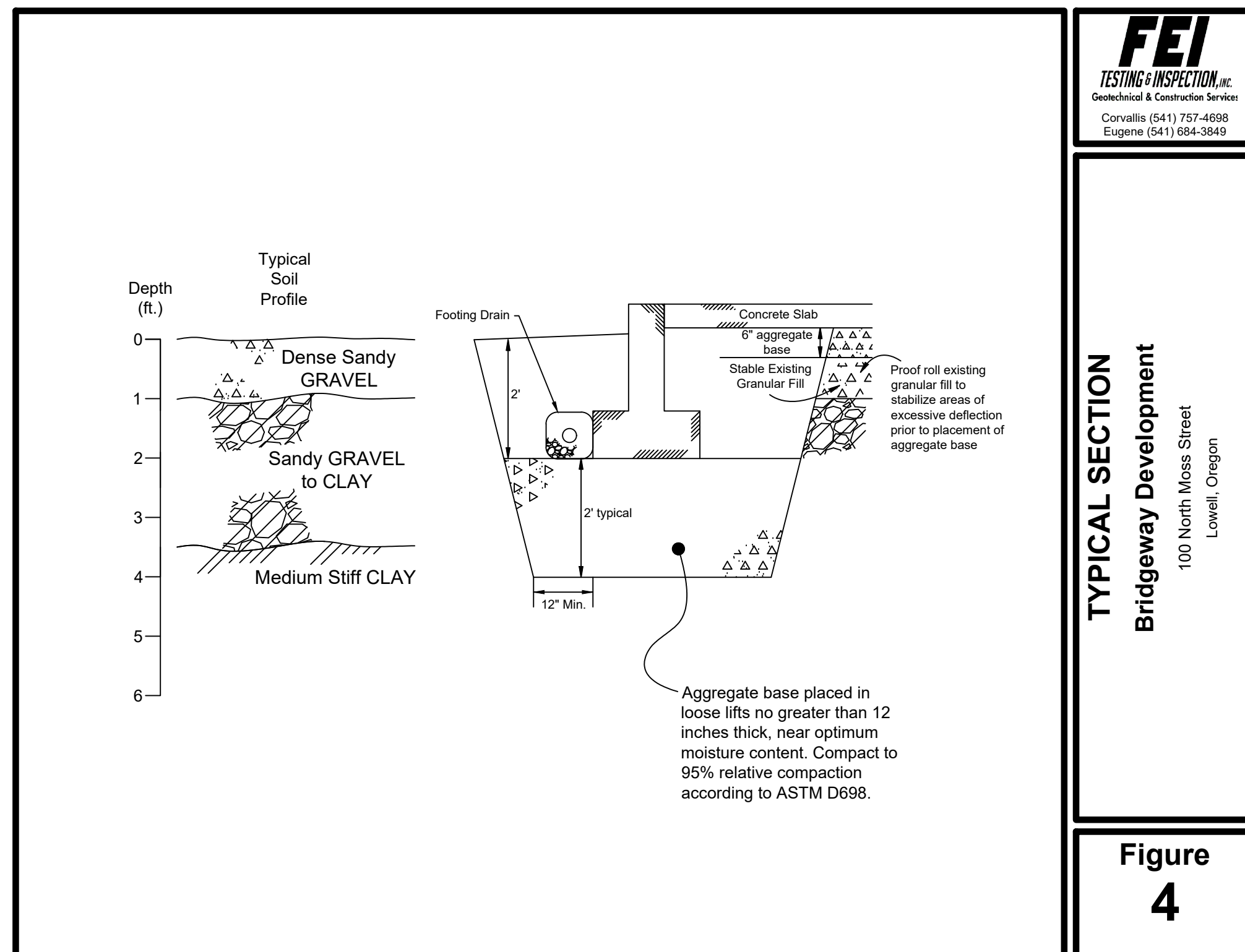
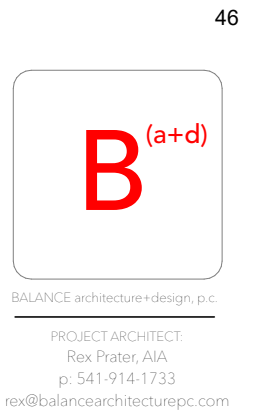
- Pavement subgrade soils are expected to consist of the existing granular fill material. Therefore, we anticipate that the surface of the existing granular fill would be moisture conditioned and compacted.
- Subgrade beneath pavements should be evaluated and approved by the engineer immediately prior to placement of aggregate base. The subgrade stability should be evaluated by proof rolling using a loaded dump truck to identify any areas of excessive deflection, rutting or pumping. Additional excavation may be required in areas of excessive deflection or where there is less than 6 inches of existing granular fill. The deeper excavation areas should be completed using a smooth blade to provide a uniform, smooth surface. All loose materials should be removed prior to aggregate base placement.
- A nominal thickness of 6 inches of compacted aggregate base should be used over the approved granular fill for pavement areas. The aggregate base thickness should be increased to 12 inches in areas of soil subgrade, if encountered. The aggregate base should be compacted to 95% relative compaction according to ASTM D 698. Field density testing should be completed on the compacted aggregate base to verify the relative compaction and moisture content of the aggregate base. If the base is expected to support construction traffic during late fall months a thicker section should be considered. We recommend that the anticipated construction schedule and required base section be reevaluated once the construction schedule is known.
- Proof roll the compacted aggregate base immediately prior to paving to identify any areas of soft subgrade or contaminated base aggregate. The proof rolling should be completed using a loaded 12 cubic yard dump truck and any areas of excessive deflection or pumping should be identified. Any unstable areas should be excavated to depths as necessary to remove the soft subgrade and replaced with imported aggregate base.
- Provide a minimum asphalt section of 3.5 inches of asphaltic cement for the new pavements. In areas of PCC pavement, a minimum unreinforced concrete section of 6 inches should be used in areas that will be required to support light truck traffic.

**LIMITATIONS OF THIS REPORT**

The analysis, conclusions and recommendations contained herein assume that the soil conditions and ground water encountered in the test pits are representative of overall site conditions. Additional geotechnical design and construction recommendations may

be required during final design or construction of the improvements. The above recommendations assume that we will be present during construction to confirm the assumed foundation and subgrade conditions. We will assume no responsibility or liability for any engineering judgment, inspection or testing performed by others.

Our work was performed for the exclusive use by Bridgeway Contracting, LLC and their design consultants for the proposed new Bridgeway Development at 100 N. Moss Street in Lowell, Oregon. FEI Testing and Inspection, Inc. performed our work in accordance with generally accepted professional geotechnical engineering practices in similar locations. Our services do not include any survey or assessment of potential contamination or contamination of the soil or ground water by hazardous or toxic substances. No other warranty, expressed or implied, is made.



**FEI**  
TESTING & INSPECTION, INC.  
Geotechnical & Construction Services  
Corvallis (541) 757-4698  
Eugene (541) 684-3849

**TYPICAL SECTION**  
Bridgeway Development  
100 North Moss Street  
Lowell, Oregon

**Figure 4**

Project Phase I  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



drawing name  
GEOTECH REPORT, CONTINUED

drawing number

**AS-002**

SET 2 - PRELIM  
print date : 9/7/21



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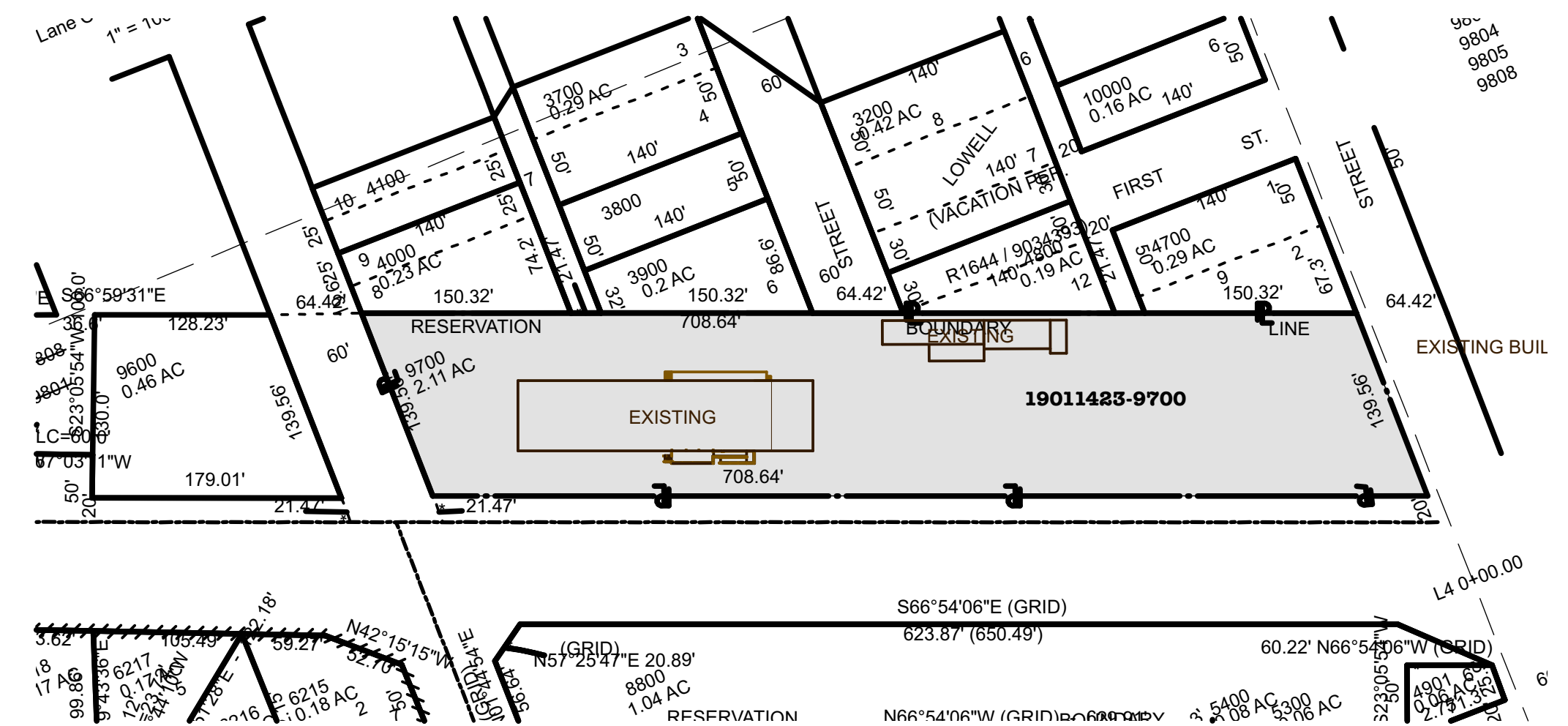
**PLOT PLAN:**  
The accuracy of this Plot Plan is based on TAX MAP information and not actual survey data. No private Civil survey information was provided - this is to be used for reference only.

Location of structures shown is for reference. Actual Location of proposed structure to be determined by Owner.

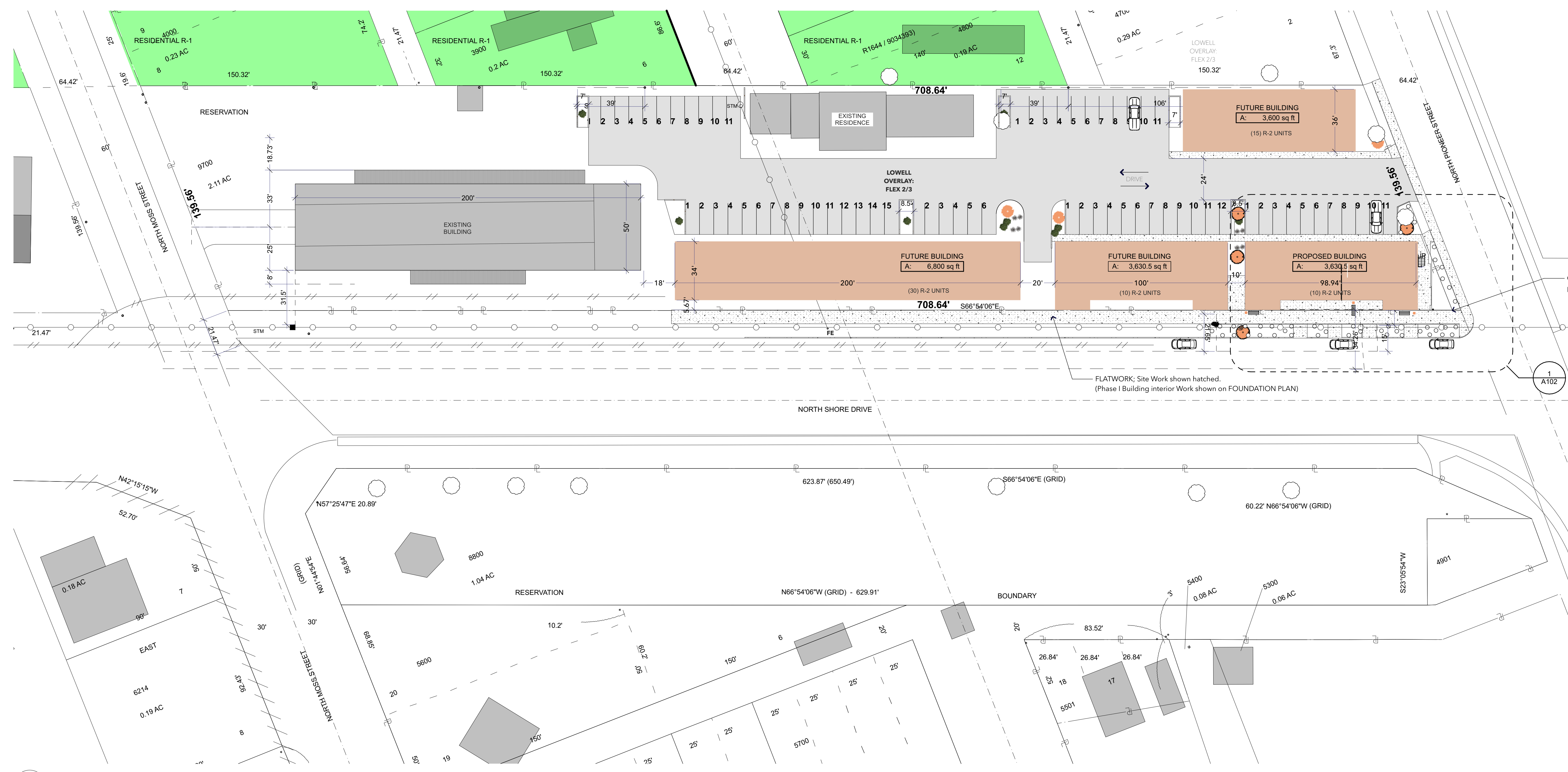
Required setbacks of proposed structures are shown on Site Plan if applicable.

**SCHEDULE OF SERVICES, as known:**

- SEPTIC: Tie system into existing lines per City requirement/comments. Work to comply with Plumbing design
- ELECTRIC: Electricity is provided to structure from existing service onto the Site from the West. New service connection & meter is proposed per Electrical design and to be coordinated with Utility District
- WATER: Service provided to Site per Plumbing Design. The existing system is shown for reference and to be coordinated with Utility District



**EXISTING TAXMAP SITE**  
SCALE: 1" = 100'



1 AS-003 Architectural Site Plan  
SCALE: 1" = 30'

OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452  
NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



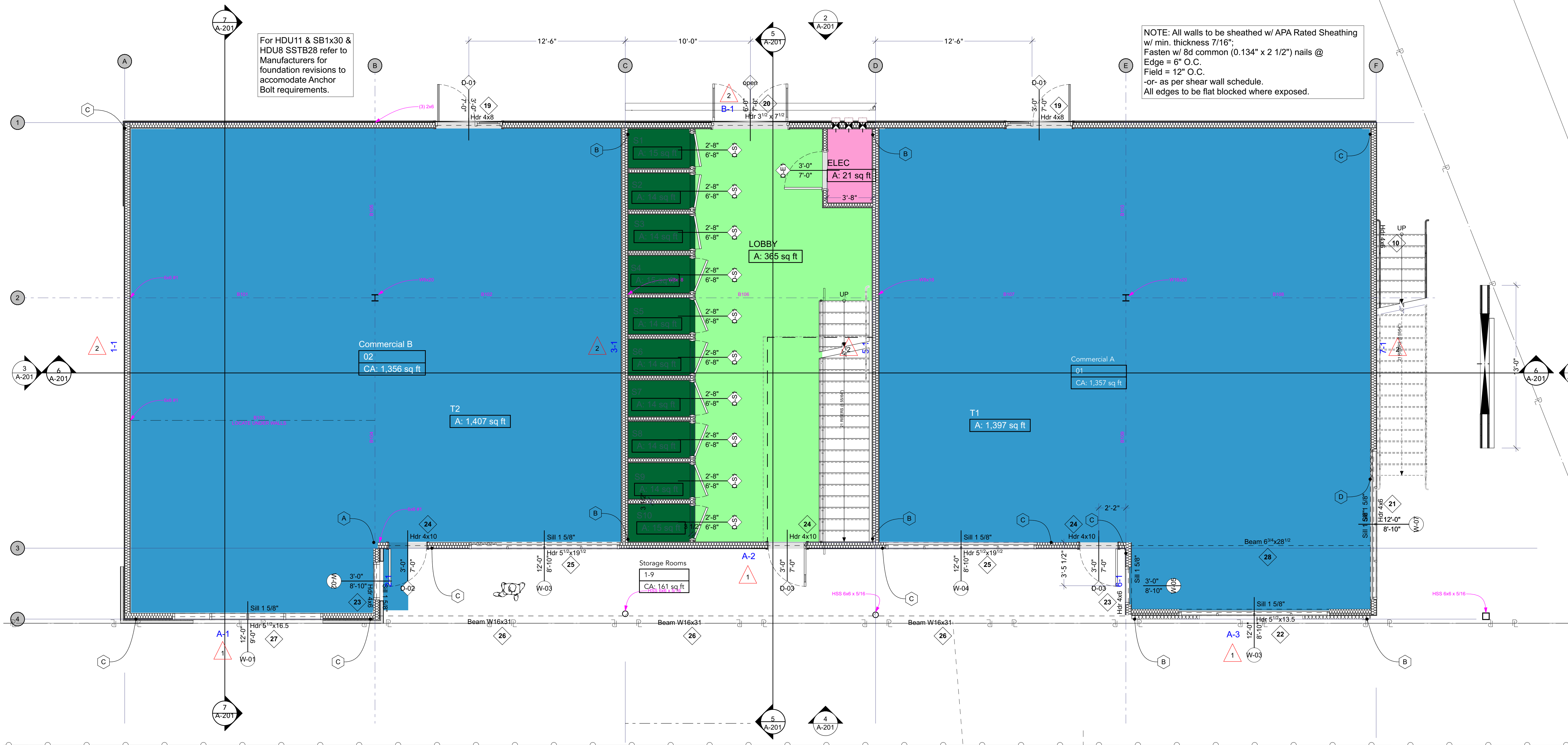
drawing name  
SITE DEVELOPMENT PLAN

drawing number

**AS-003**

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OWNER: NORTH SHORE LLC

TAX MAP: 19011423-09700

TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase I  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452



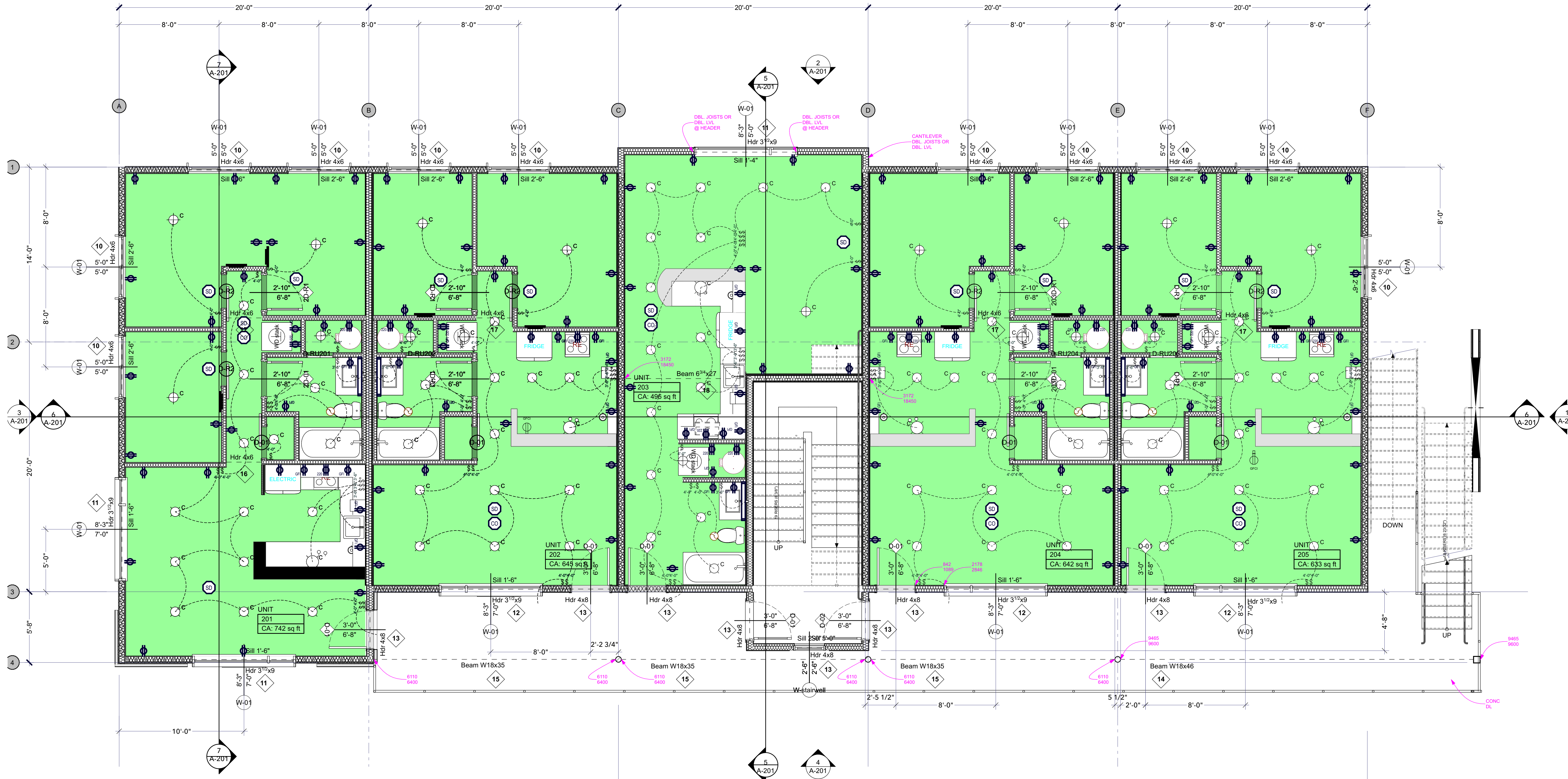
drawing name  
 FLOOR 1 PLAN

drawing number

**A-101**

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FL 2 Unit Plan  
 SCALE: 1/4" = 1'-0"

OWNER: NORTH SHORE LLC  
 TAX MAP: 19011423-09700  
 TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452  
 NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452



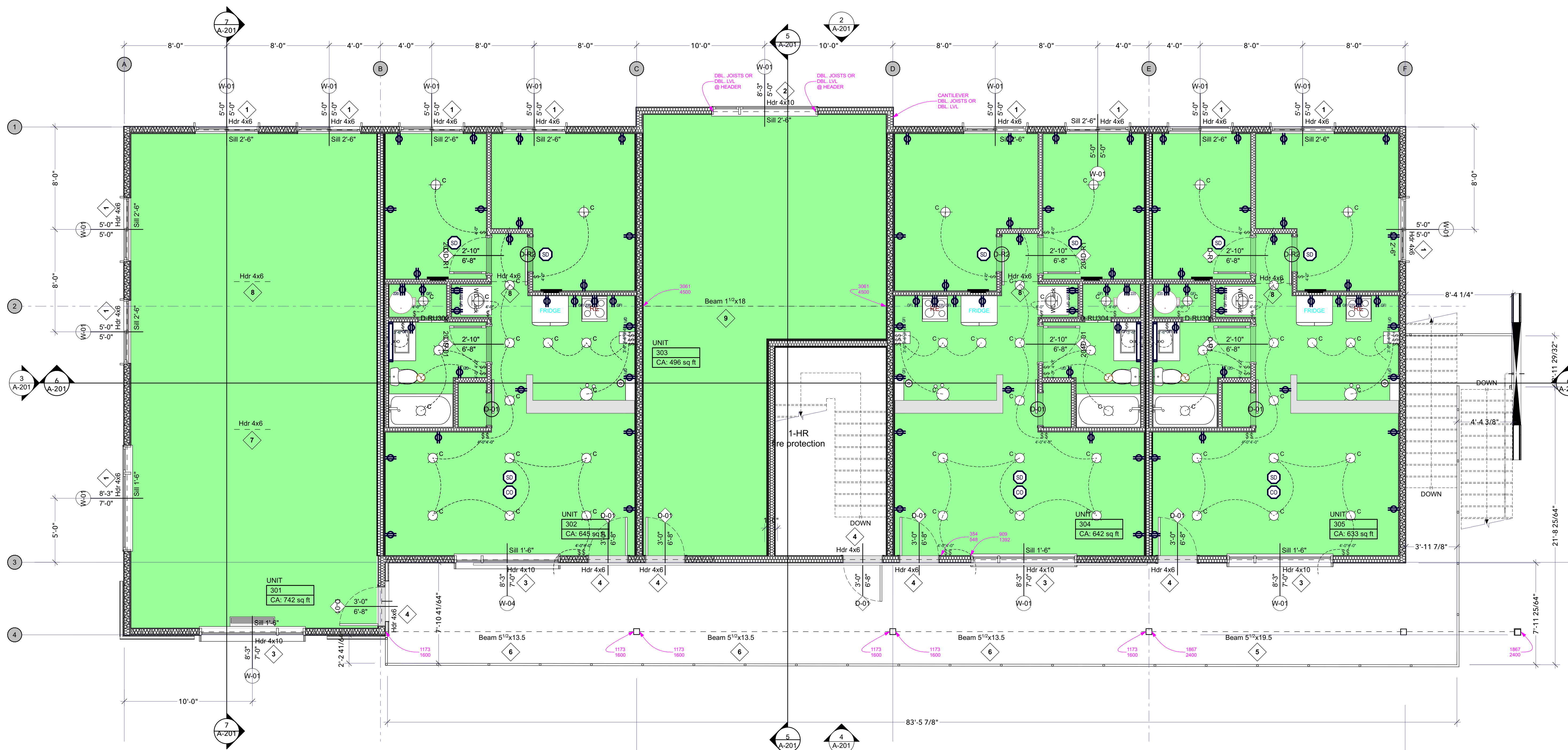
drawing name  
 FLOOR 2 PLAN

drawing number

**A-102**

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FL 3 Unit Plan

SCALE: 1/4" = 1'-0"

OWNER: NORTH SHORE LLC  
 TAX MAP: 19011423-09700  
 TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452



BRIDGEWAY  
 CONTRACTING LLC

drawing name  
 FLOOR 3 PLAN

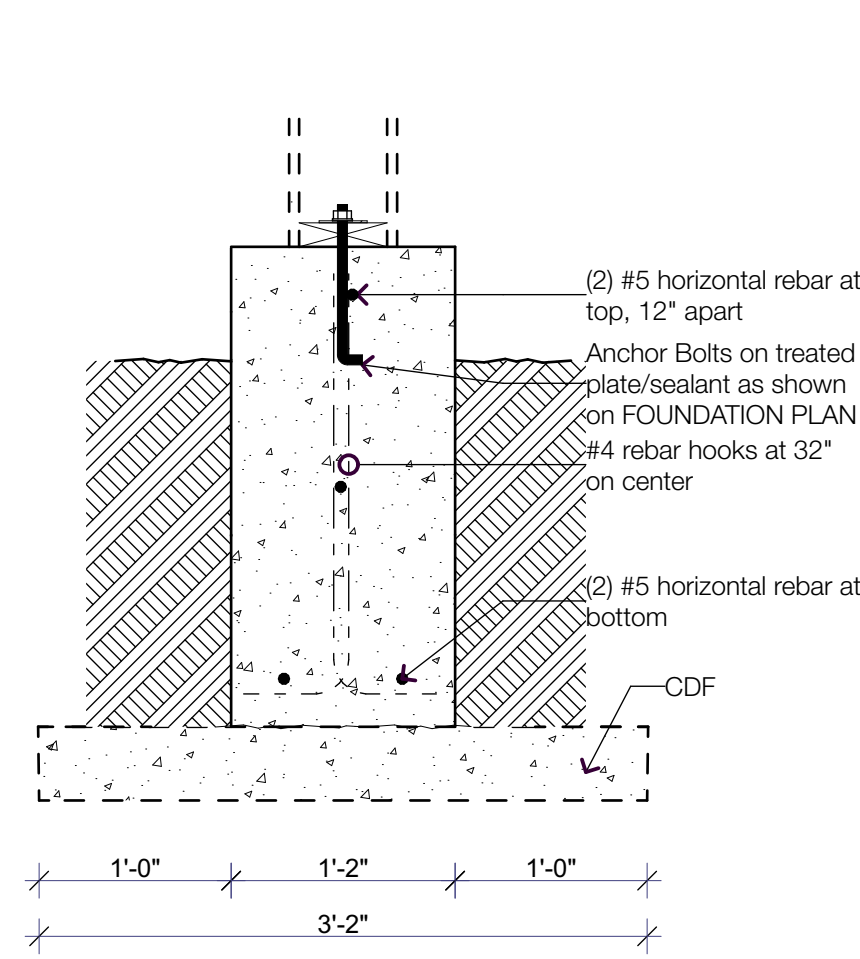
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**A-103**

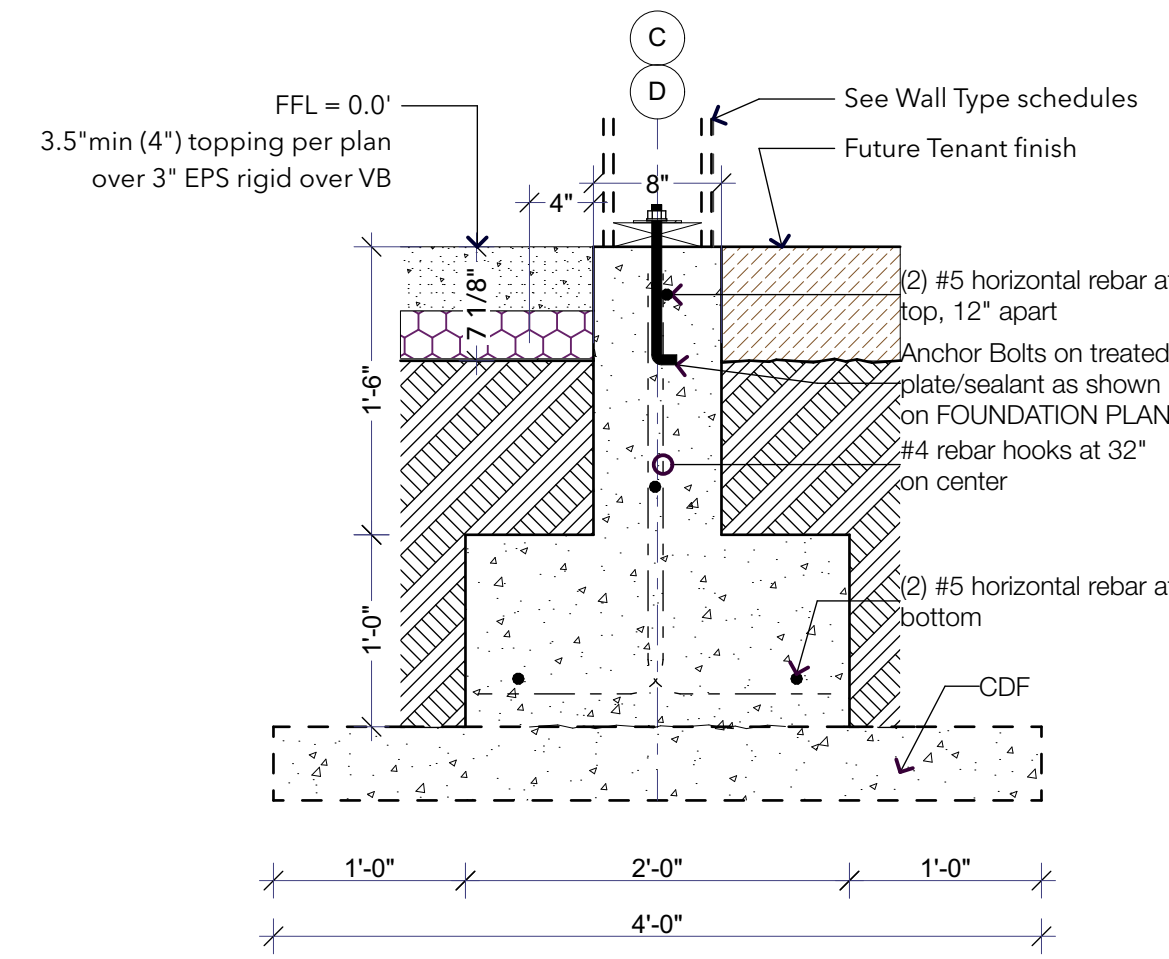
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ing Schedule:

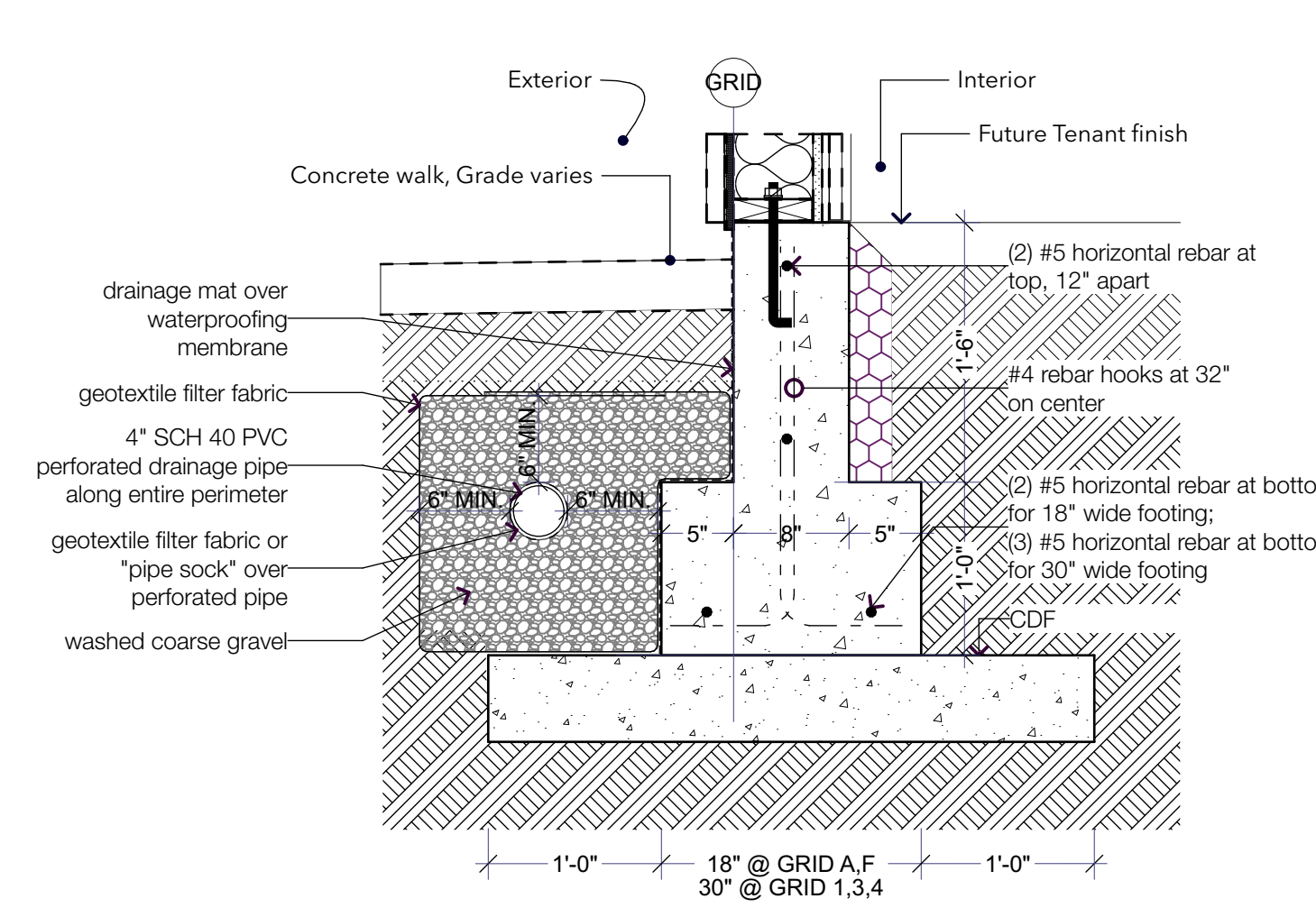
| Footing Size    | Reinforcement         |
|-----------------|-----------------------|
| 24" x 24" x 8"  | (3) #4 Bars Each Way  |
| 36" x 36" x 12" | (4) #5 Bars Each Way  |
| 48" x 48" x 12" | (6) #5 Bars Each Way  |
| 54" x 54" x 12" | (6) #5 Bars Each Way  |
| 57" x 57" x 12" | (7) #5 Bars Each Way  |
| 60" x 60" x 12" | (8) #5 Bars Each Way  |
| 69" x 69" x 14" | (9) #5 Bars Each Way  |
| 81" x 81" x 14" | (11) #5 Bars Each Way |
| 87" x 87" x 14" | (12) #5 Bars Each Way |
| 93" x 93" x 14" | (12) #5 Bars Each Way |
| 93" x 93" x 14" | (13) #5 Bars Each Way |



4  
A-104 DETAIL P5 - FOOTING  
SCALE: 1" = 1'-0"



3  
A-104 DETAIL P2 - CONTINUOUS FOOTING  
SCALE: 1" = 1'-0"



2  
A-104 DETAIL P1  
SCALE: 1" = 1'-0"

FOOTING SCHEDULE

| MATERIAL                       | VOLUME                         | Component Cross Section Area |
|--------------------------------|--------------------------------|------------------------------|
| Concrete - CDF                 | 1,501.79                       | ---                          |
|                                | <b>1,501.79 ft<sup>3</sup></b> |                              |
| Concrete - Footing + Stem Wall | 1,266.44                       | 40.75                        |
|                                | <b>1,266.44 ft<sup>3</sup></b> |                              |
|                                | <b>2,768.23 ft<sup>3</sup></b> |                              |

FOOTING data

SCALE: 1" = 1'-0"

**502.2.6 Slabs on grade.** The minimum thermal resistance (*R*-value) of the insulation around the perimeter of unheated or heated slab-on-grade floors shall be as specified in Table 502.1.1. The insulation shall be placed on the outside of the foundation or on the inside of a foundation wall. The insulation shall extend downward from the top of the slab for a minimum distance as shown in the table or to the top of the footing, whichever is less, or downward to at least the bottom of the slab and then horizontally to the interior or exterior for the total distance shown in the table.

51

**B<sup>a+d</sup>**

REGISTERED ARCHITECT

REX G PRATER

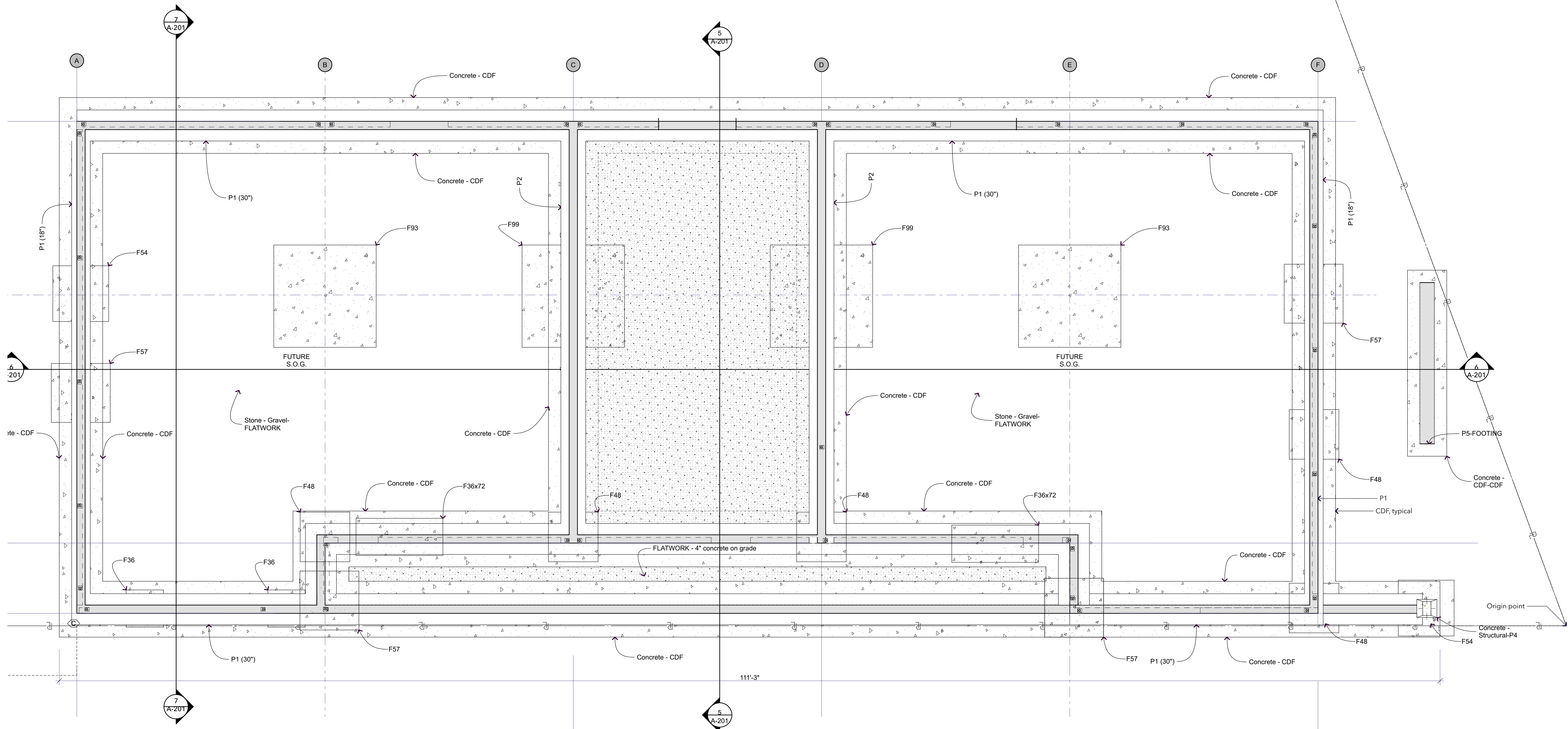
EUGENE OREGON

LICENSE #5808

PRELIMINARY DOCUMENT

NOV 2017

NOV 2017



1  
104 FOOTING, foundation  
SCALE: 1/4" = 1'-0"

OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

**ONE NORTH SHORE DRIVE**  
Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452  
NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



drawing name  
FOUNDATION PLAN

drawing number

**A-104**

SET 2 - PRELIM  
print date: 9/7/21



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OWNER: NORTH SHORE LLC  
 TAX MAP: 19011423-09700  
 TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452

Project Phase 1  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452

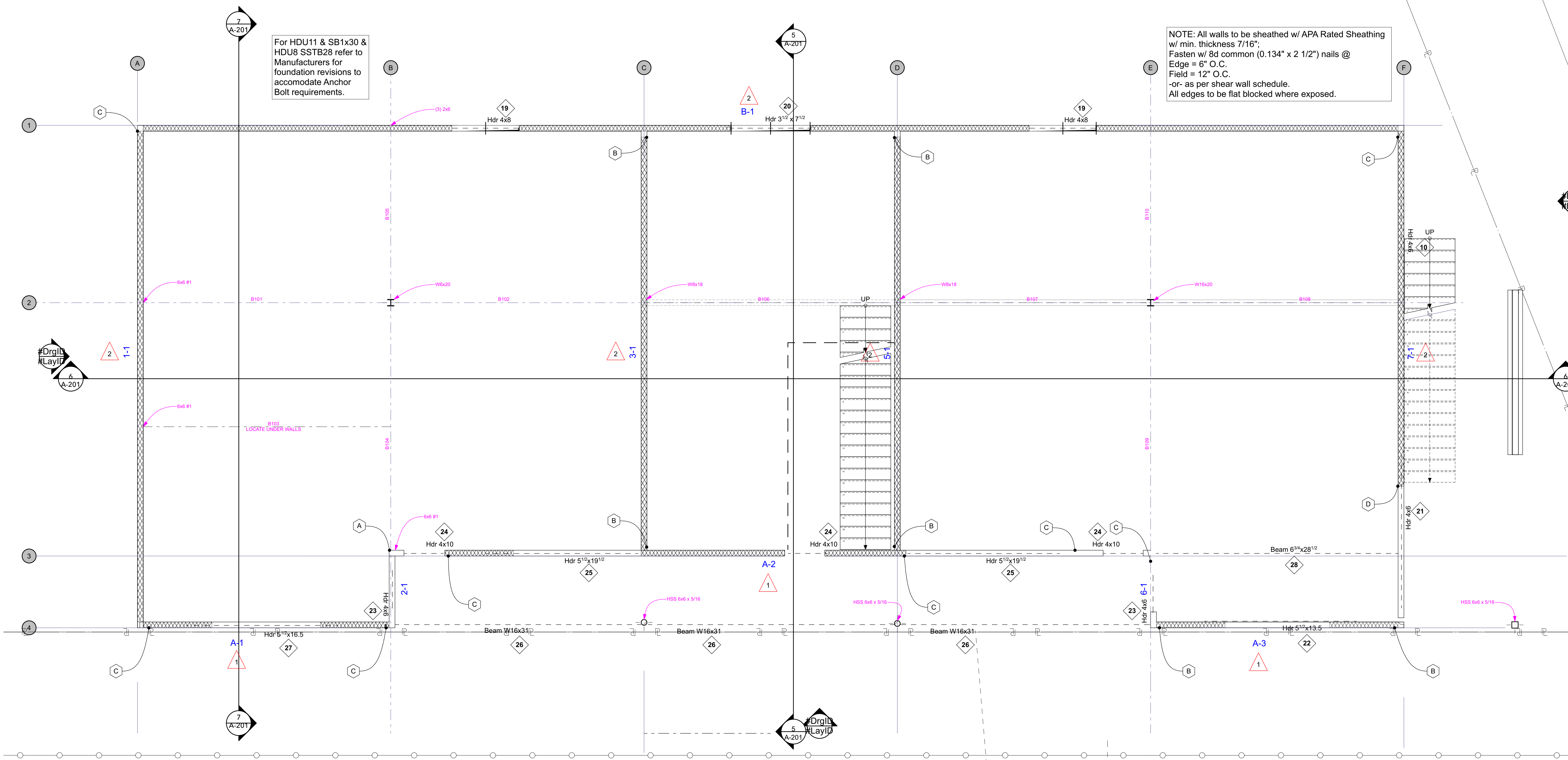


drawing name  
 FLOOR 1 FRAMING PLAN

drawing number

**A-105**

SET 2 - PRELIM  
 print date : 9/7/21



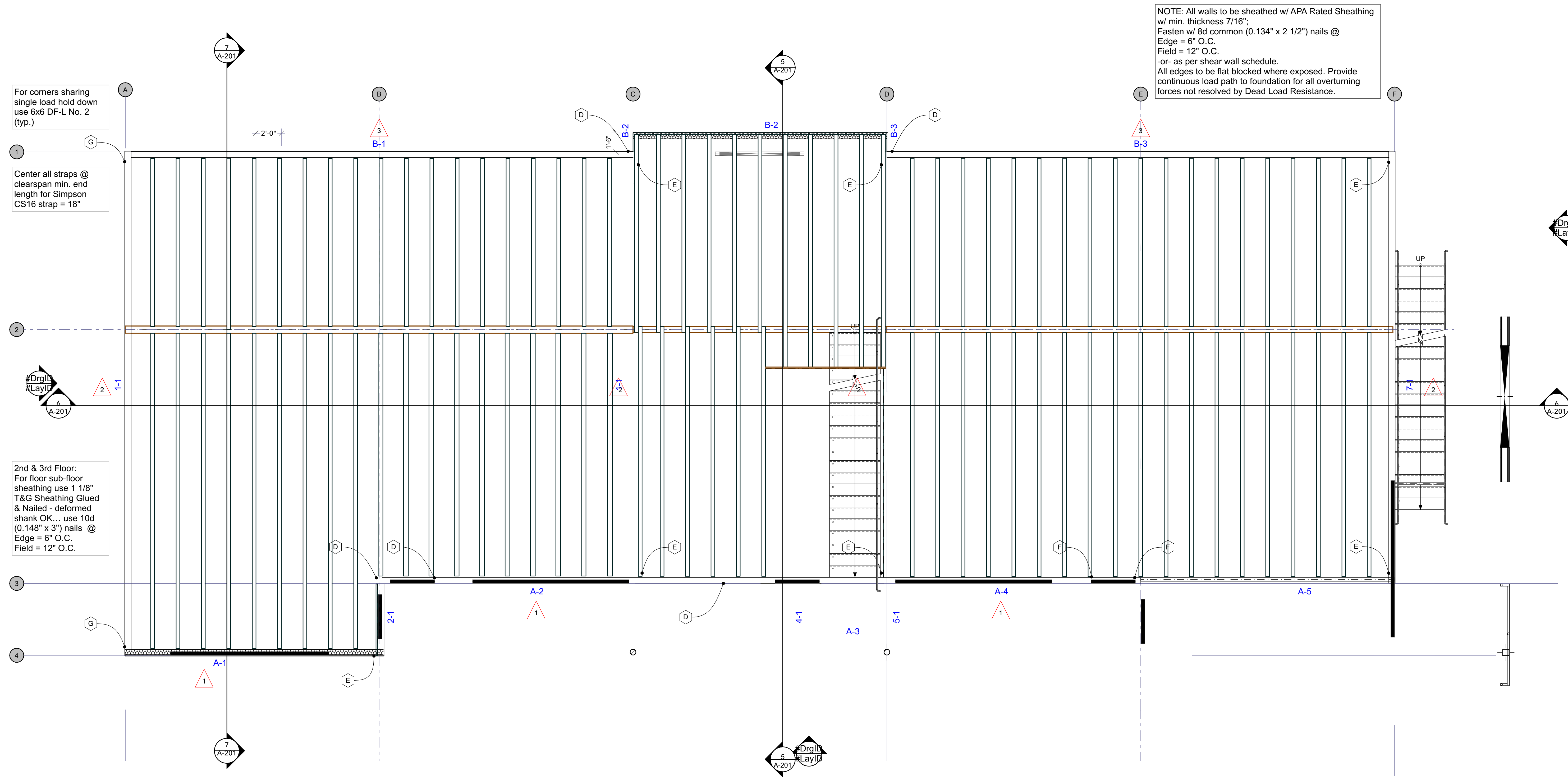
FL 1 Wall Layout - no finishes

SCALE: 1/4" = 1'-0"





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NOTE: All walls to be sheathed w/ APA Rated Sheathing w/ min. thickness 7/16";  
Fasten w/ 8d common (0.134" x 2 1/2") nails @  
Edge = 6" O.C.  
Field = 12" O.C.  
-or- as per shear wall schedule.  
All edges to be flat blocked where exposed. Provide continuous load path to foundation for all overturning forces not resolved by Dead Load Resistance.

For corners sharing single load hold down use 6x6 DF-L No. 2 (typ.)

Center all straps @ clearspan min. end length for Simpson CS16 strap = 18"

2nd & 3rd Floor:  
For floor sub-floor sheathing use 1 1/8" T&G Sheathing Glued & Nailed - deformed shank OK... use 10d (0.148" x 3") nails @ Edge = 6" O.C. Field = 12" O.C.

OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

**ONE NORTH SHORE DRIVE**  
Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452  
NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase I  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



drawing name  
FLOOR 2 FRAMING PLAN

drawing number

**A-106**

SET 2 - PRELIM  
print date : 9/7/21

FL 2 Framing Plan  
SCALE: 1/4" = 1'-0"



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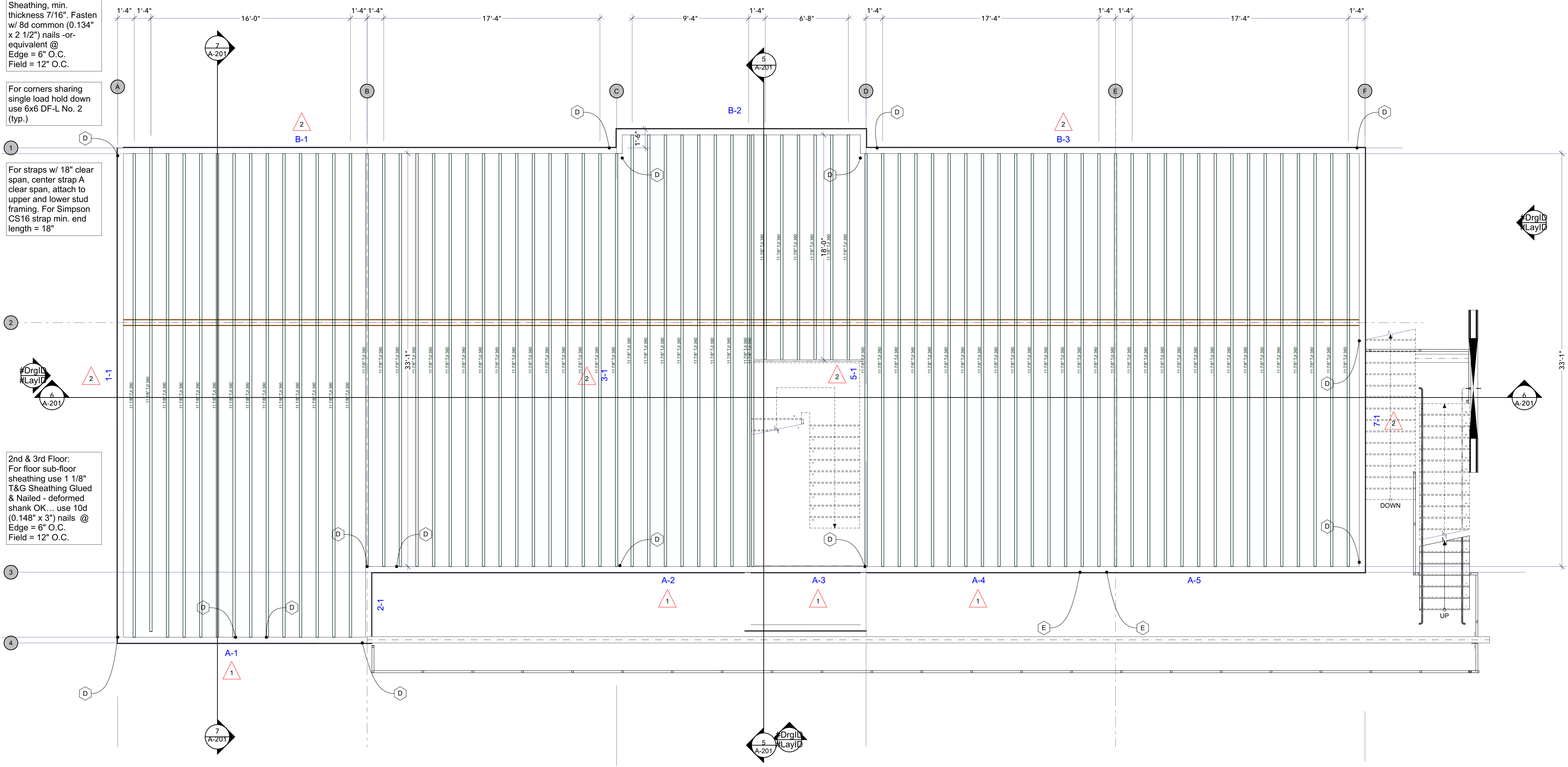
NOTE: All walls to be sheathed w/ APA Rated Sheathing w/ min. thickness 7/16".  
Fasten w/ 8d common (0.134" x 2 1/2") nails @  
Edge = 6" O.C.  
Field = 12" O.C.  
-or- as per shear wall schedule.  
All edges to be flat blocked where exposed. Provide continuous load path to foundation for all overturning forces not resolved by Dead Load Resistance.

Roof Sheathing:  
Use 24/16 APA Rated Sheathing, min. thickness 7/16". Fasten w/ 8d common (0.134" x 2 1/2") nails -or- equivalent @ Edge = 6" O.C. Field = 12" O.C.

For corners sharing single load hold down use 6x6 DF-L No. 2 (typ.)

For straps w/ 18" clear span, center strap A clear span, attach to upper and lower stud framing. For Simpson CS16 strap min. end length = 18"

2nd & 3rd Floor:  
For floor sub-floor sheathing use 1 1/8" T&G Sheathing Glued & Nailed - deformed shank OK... use 10d (0.148" x 3") nails @ Edge = 6" O.C. Field = 12" O.C.



OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

**ONE NORTH SHORE DRIVE**  
Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452

Project Phase I  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



drawing name  
FLOOR 3 FRAMING PLAN

drawing number

**A-107**

SET 2 - PRELIM  
print date : 9/7/21

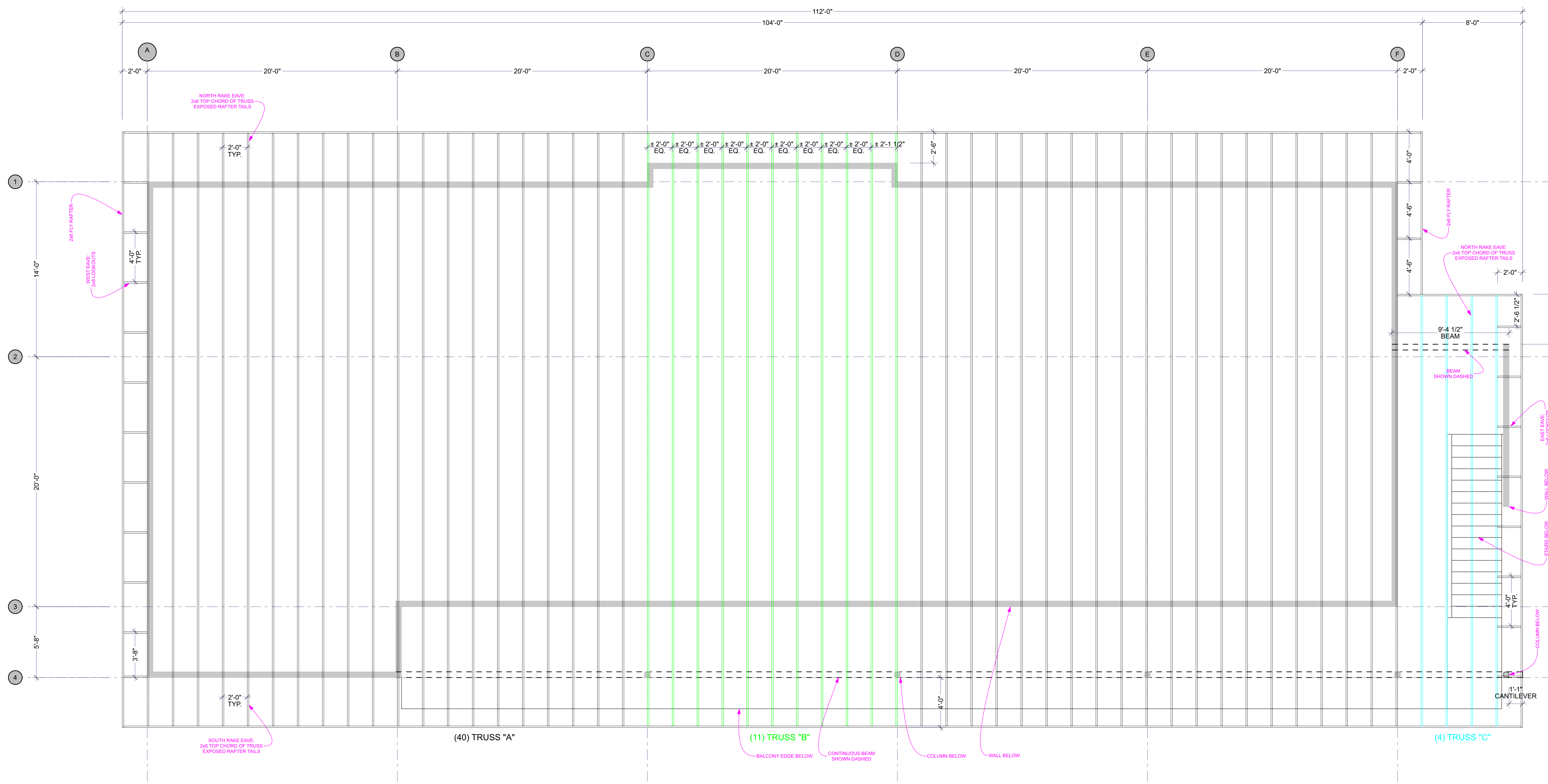
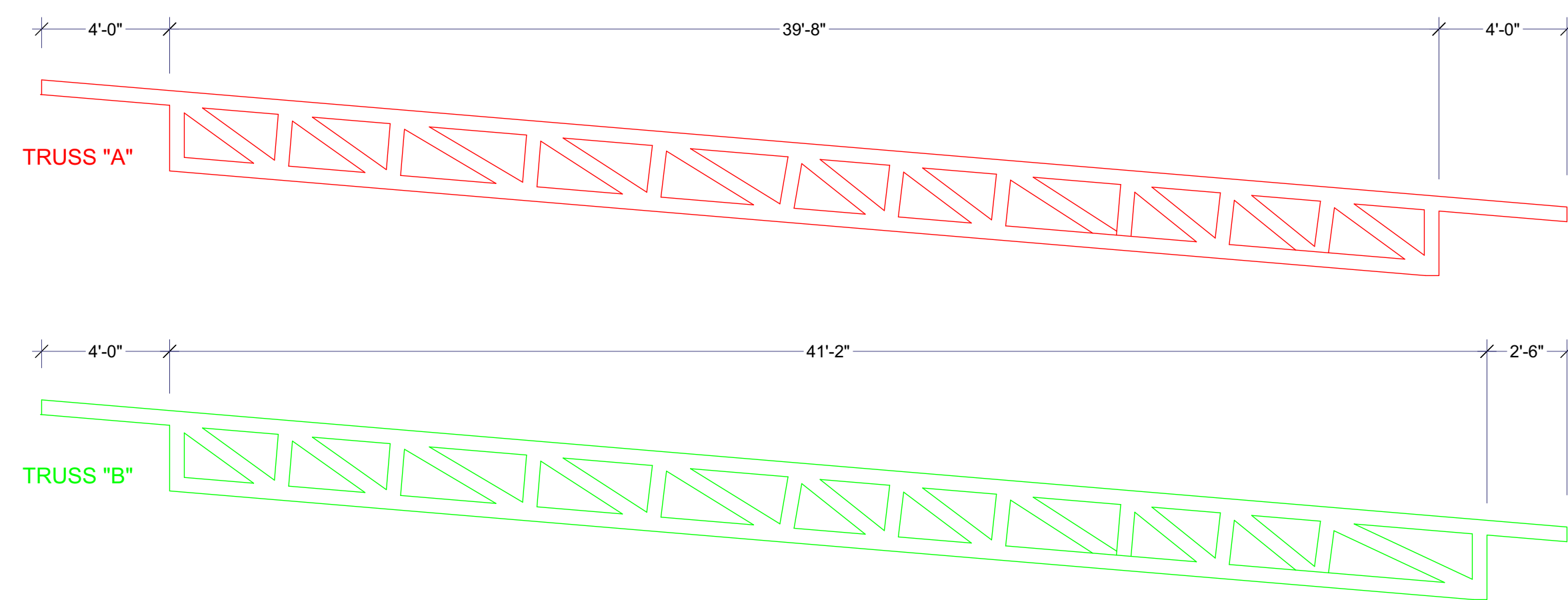
FL 3 Framing Plan

SCALE: 1/4" = 1'-0"

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT



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OWNER: NORTH SHORE LLC  
 TAX MAP: 19011423-09700  
 TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452



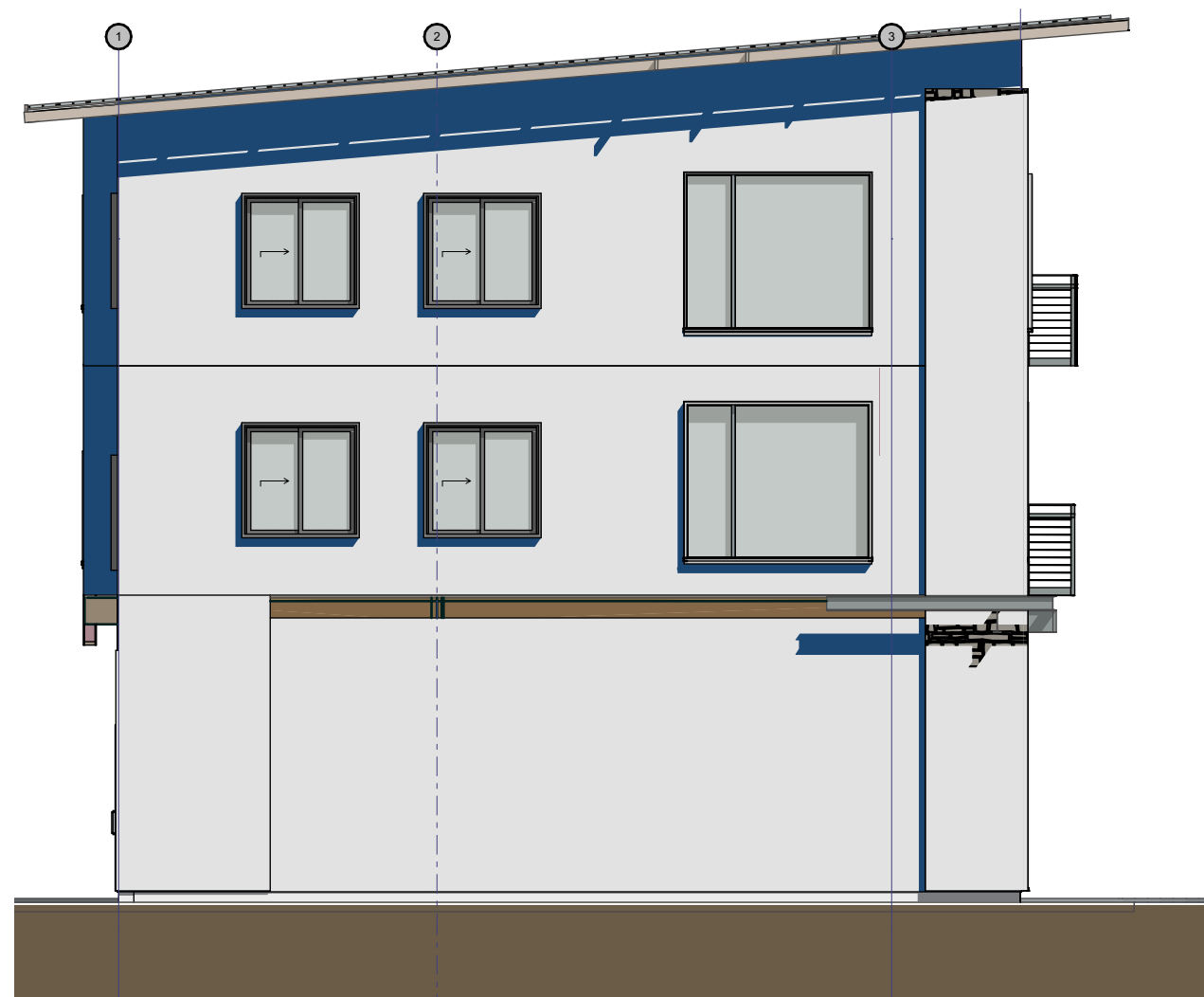
drawing name  
**ROOF FRAMING PLAN**

drawing number

**A-108**

SET 2 - PRELIM  
 print date : 9/7/21

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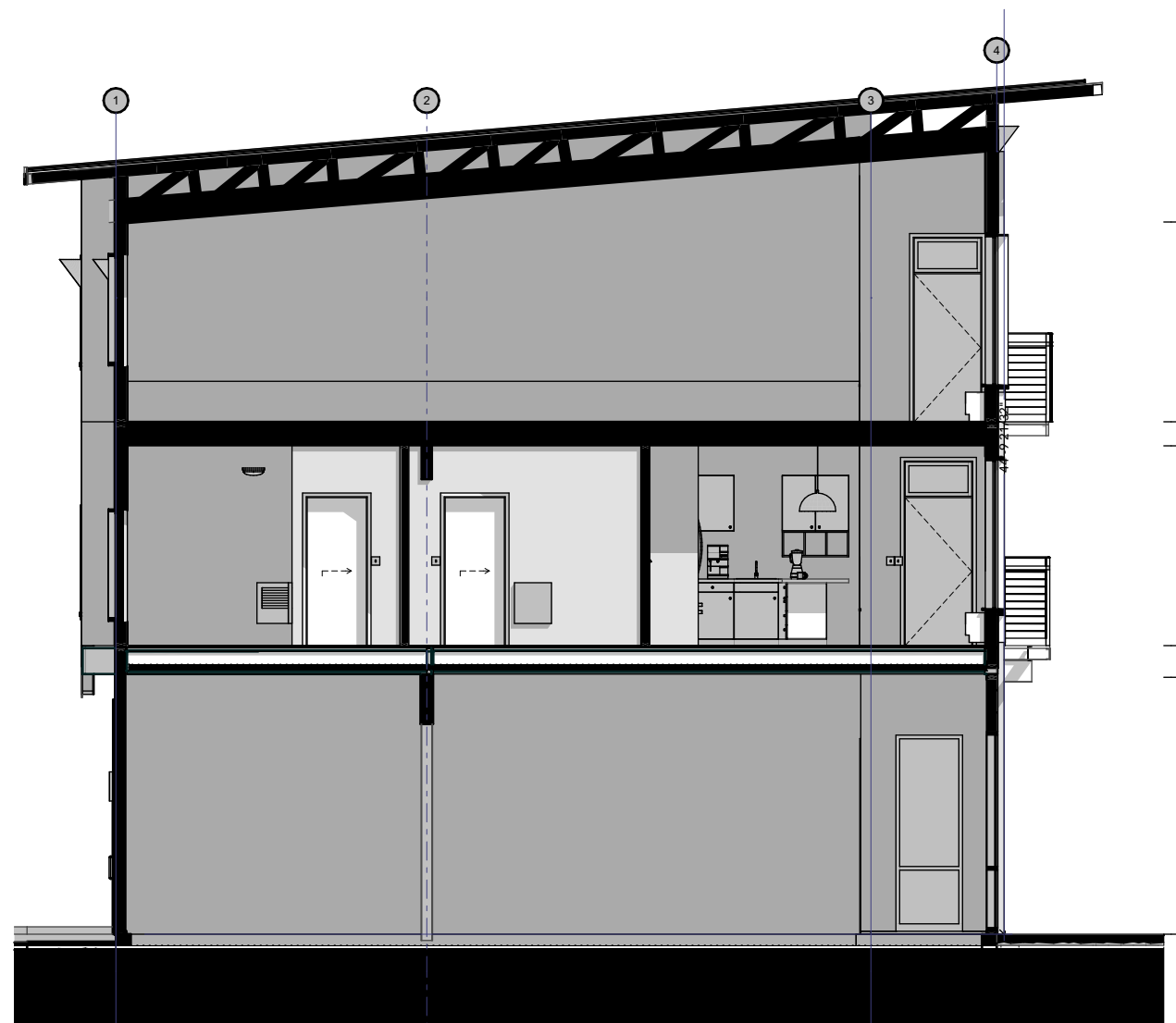
3 WEST ELEVATION  
A-201 SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION  
A-201 SCALE: 1/8" = 1'-0"



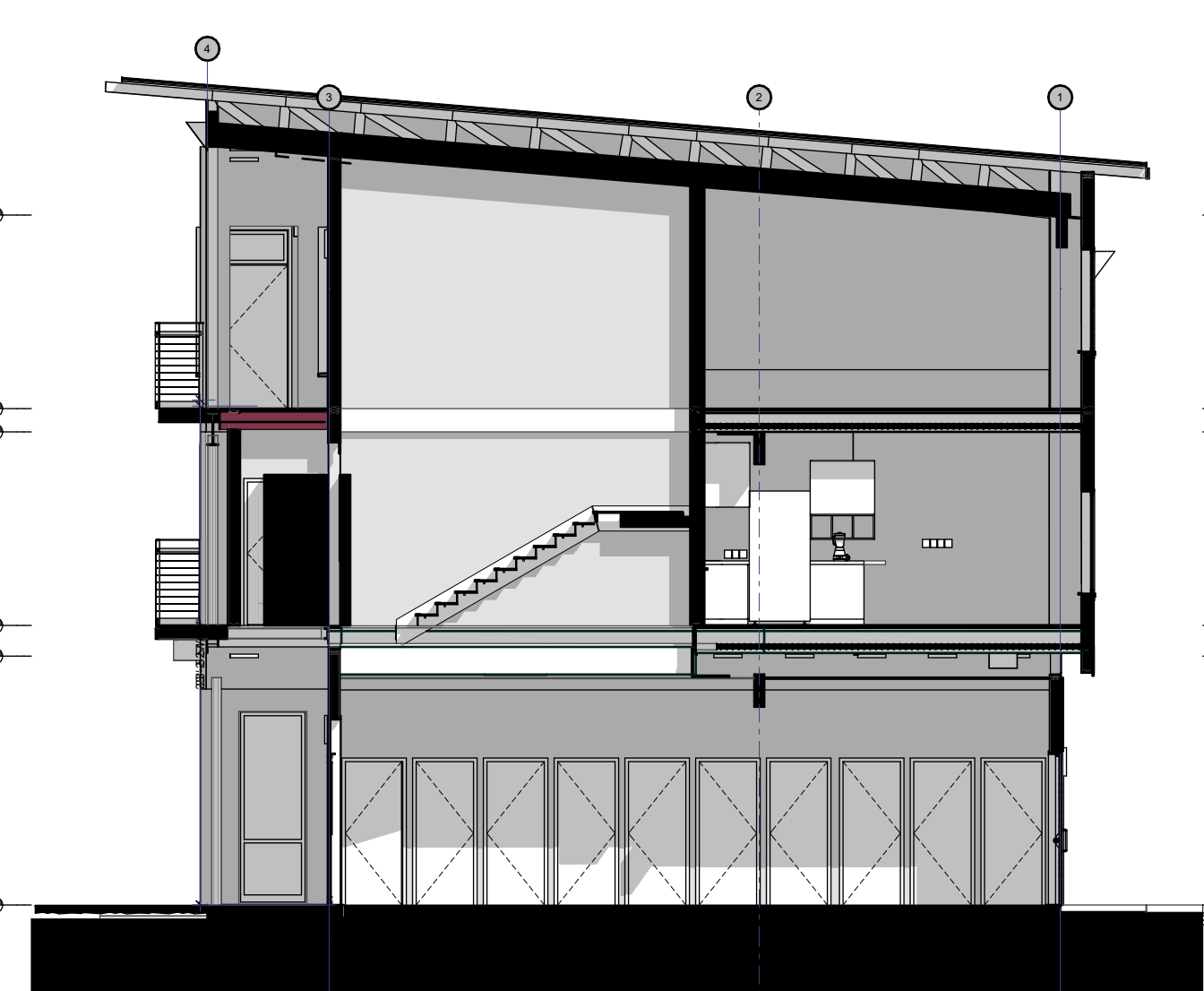
1 EAST ELEVATION  
A-201 SCALE: 1/8" = 1'-0"



7 BUILDING SECTION  
A-201 SCALE: 1/8" = 1'-0"



6 BUILDING SECTION  
A-201 SCALE: 1/8" = 1'-0"



5 BUILDING SECTION  
A-201 SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION  
A-201 SCALE: 1/8" = 1'-0"

OWNER: NORTH SHORE LLC

TAX MAP: 19011423-09700

TAX LOT: 9700

ONE NORTH SHORE DRIVE

Project Phase 1

100 NORTH MOSS

LOWELL, OREGON 97452

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase I  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



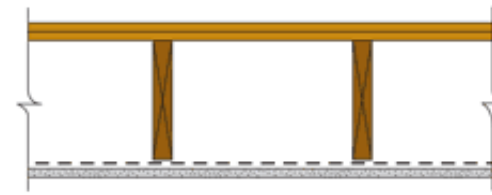
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EXT. ELEVATIONS & BLDG.  
SECTIONS  
drawing number

**A-201**

SET 2 - PRELIM  
print date : 9/7/19

# FLOOR/CEILING WOOD-FRAMED

1/2" (12.7 mm) ToughRock® Fireguard C® or 1/2" (12.7 mm) DensArmor Plus® Fireguard C® gypsum panels applied perpendicular to resilient channels 24" (610 mm) o.c. with 1" (25 mm) Type S drywall screws 12" (305 mm) o.c. Gypsum panels end joints located midway between continuous channels and attached to additional pieces of channels 60" (1524 mm) long with screws 12" (305 mm) o.c. Resilient channels applied perpendicular to 2" x 10" wood joists 16" (406 mm) o.c. with 2" (51 mm) 6d coated nails. Wood joists supporting 1" (25.4 mm) nominal wood subfloor and 1" (25.4 mm) nominal wood finish floor, or 19/32" (15.1 mm) plywood finished floor with long edges T&G and 15/32" (11.9 mm) interior plywood with exterior glue subfloor perpendicular to joist with joints staggered.



Hourly Rating: **1-hour**

STC Rating:

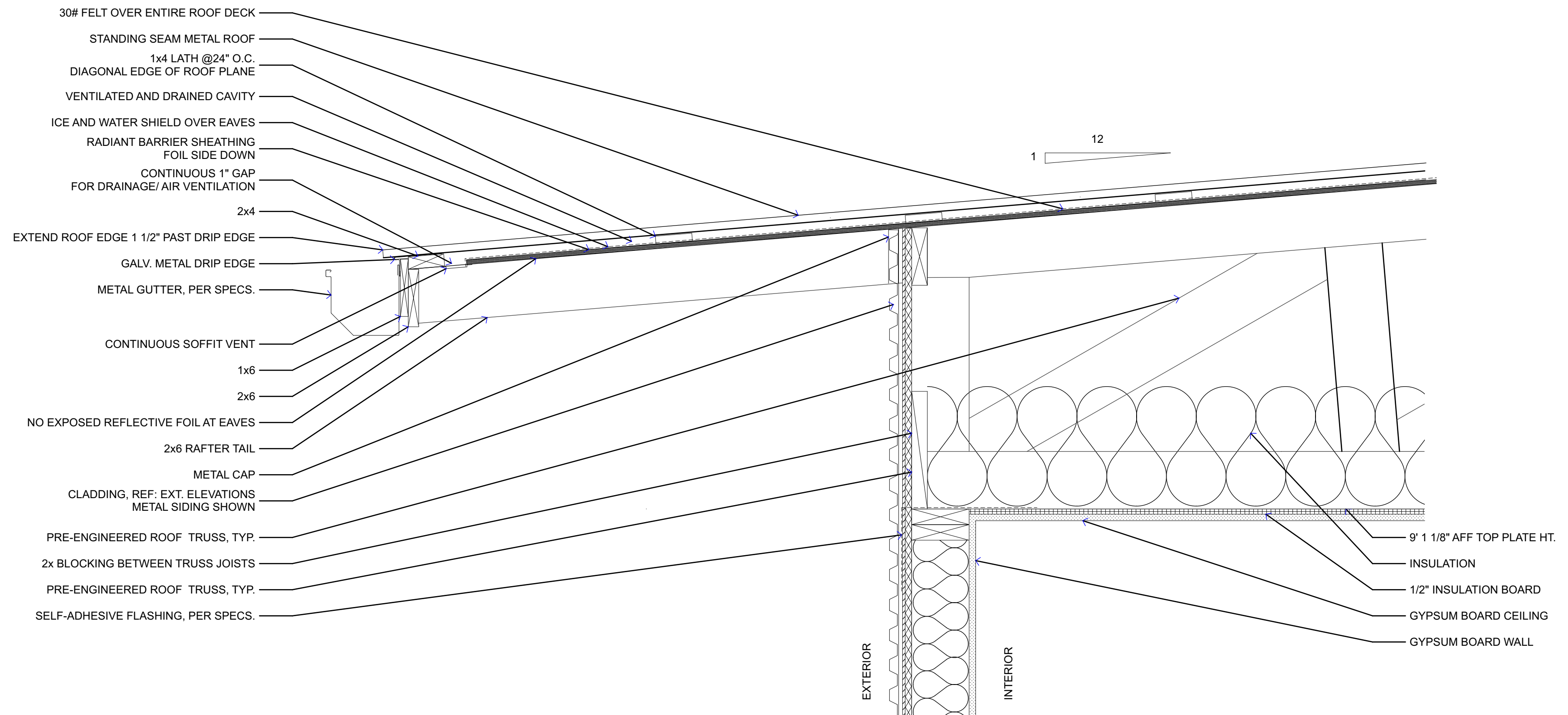
Fire Test Reference: **UL L502, cUL L502, GA FC 5250**

Sound Test Reference:

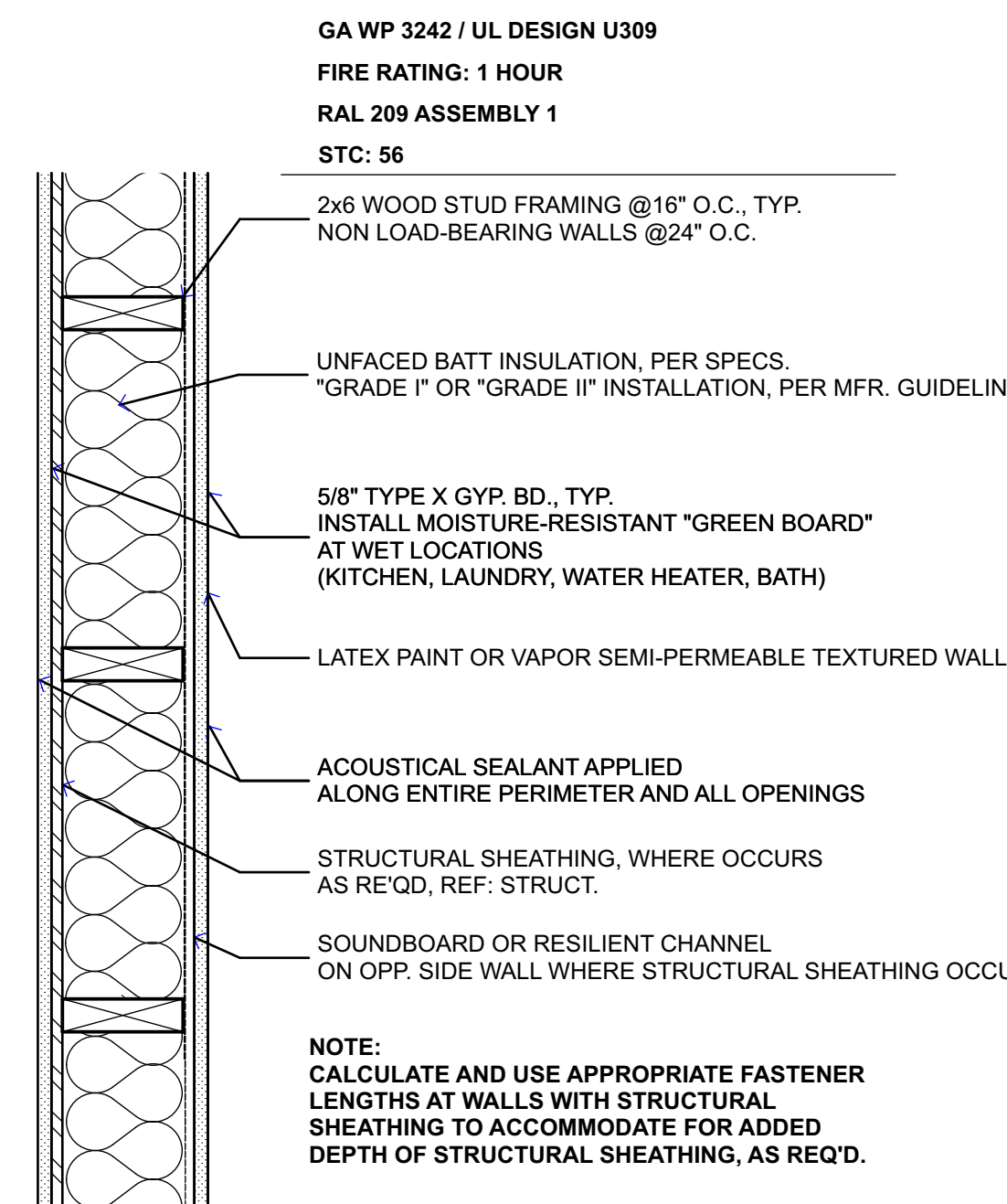
**Approved for Assembly:**

ToughRock® Fireguard C® Products

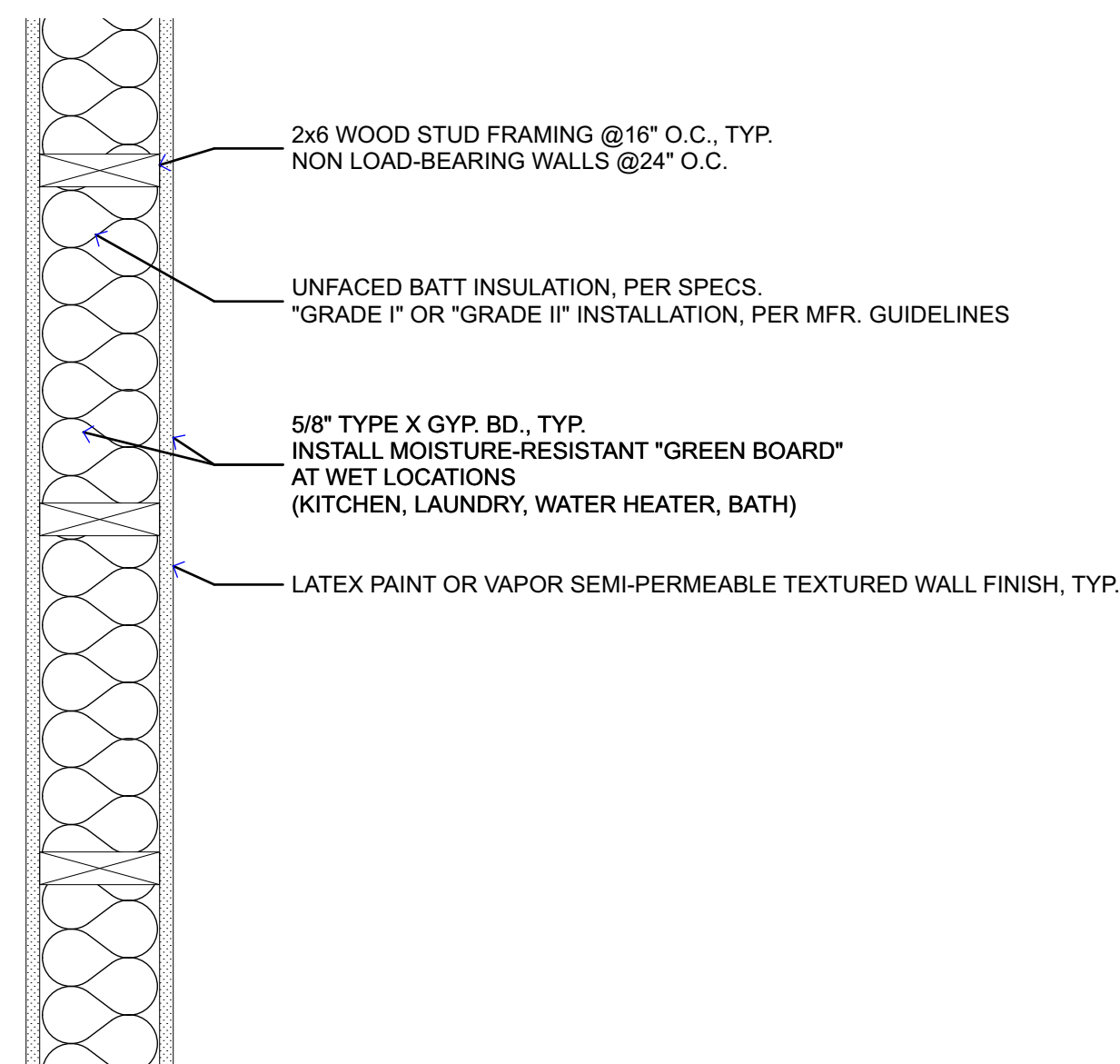
DensArmor Plus® Fireguard C® Products



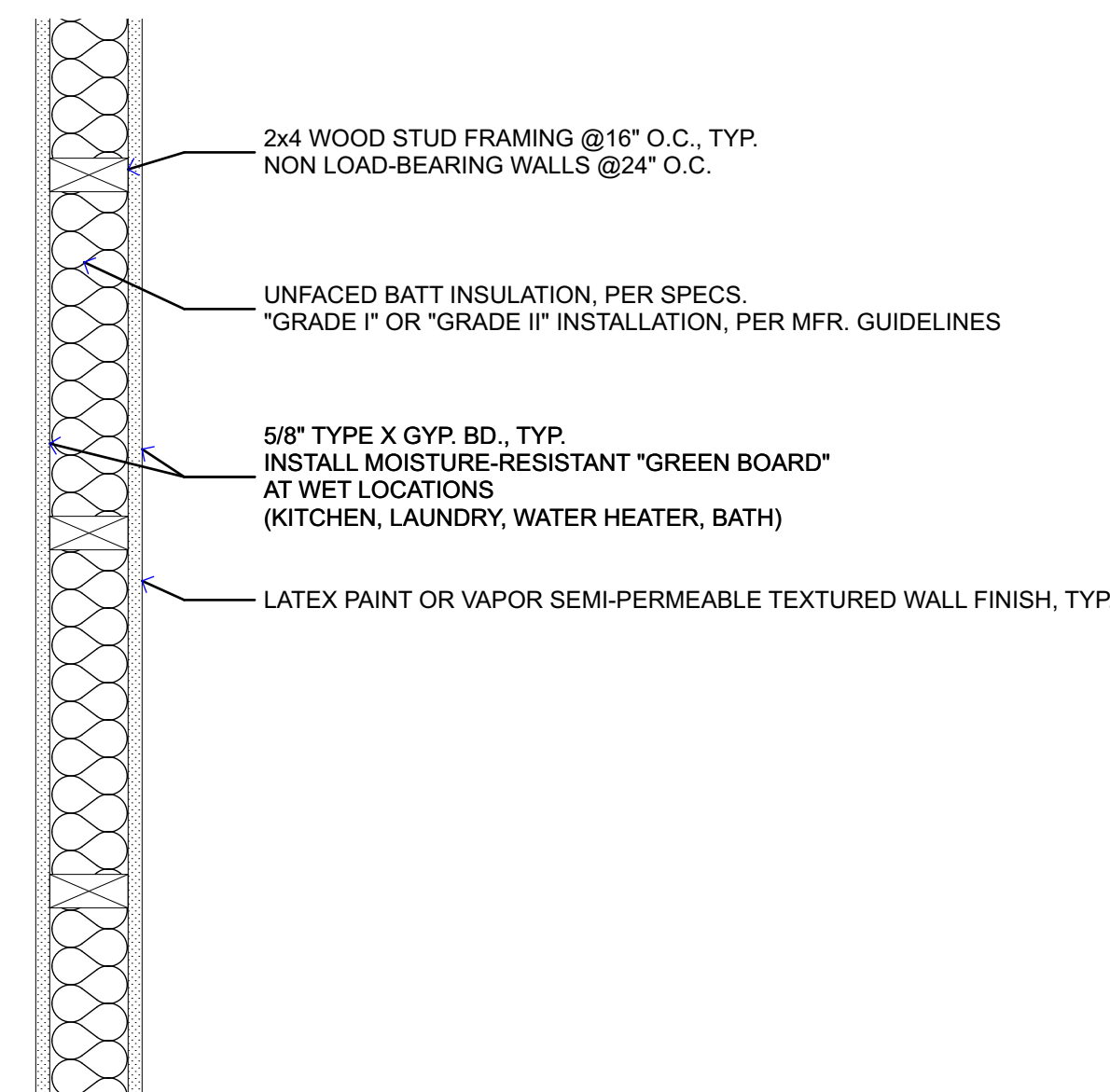
1 Wall Type Schedule  
A-501 SCALE: 1 1/2"= 1'-0"



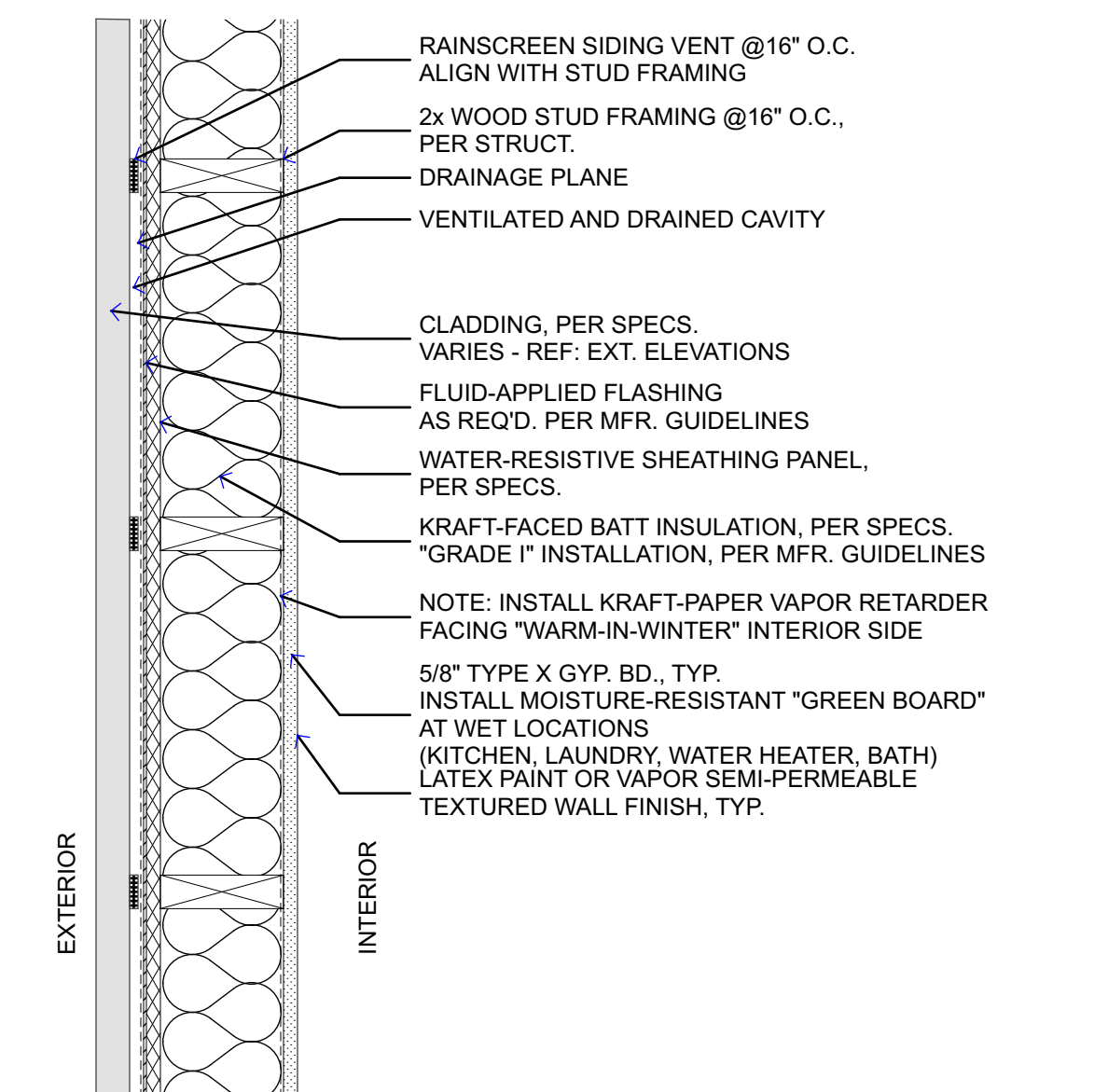
5 Wall Type Schedule (4)  
A-501 SCALE: 1 1/2"= 1'-0"



4 Wall Type Schedule (3)  
A-501 SCALE: 1 1/2"= 1'-0"



2 Wall Type Schedule (1)  
A-501 SCALE: 1 1/2"= 1'-0"



3 Wall Type Schedule (2)  
A-501 SCALE: 1 1/2"= 1'-0"

**B<sup>a+d</sup>**

REGISTERED ARCHITECT  
REX G PRATER  
EUGENE, OREGON  
LICENSE #5808  
Preliminary documents

| REV | CHG | Change Name | Date     |
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| 01  |     |             | 12/10/15 |
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OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

**ONE NORTH SHORE DRIVE**  
Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452  
NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



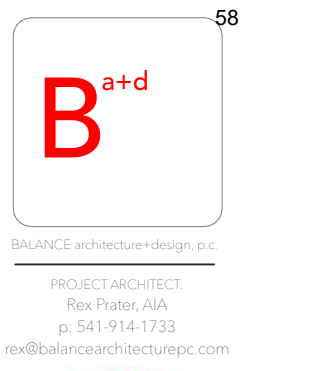
BRIDGEWAY  
CONTRACTING LLC

drawing name  
DETAILS

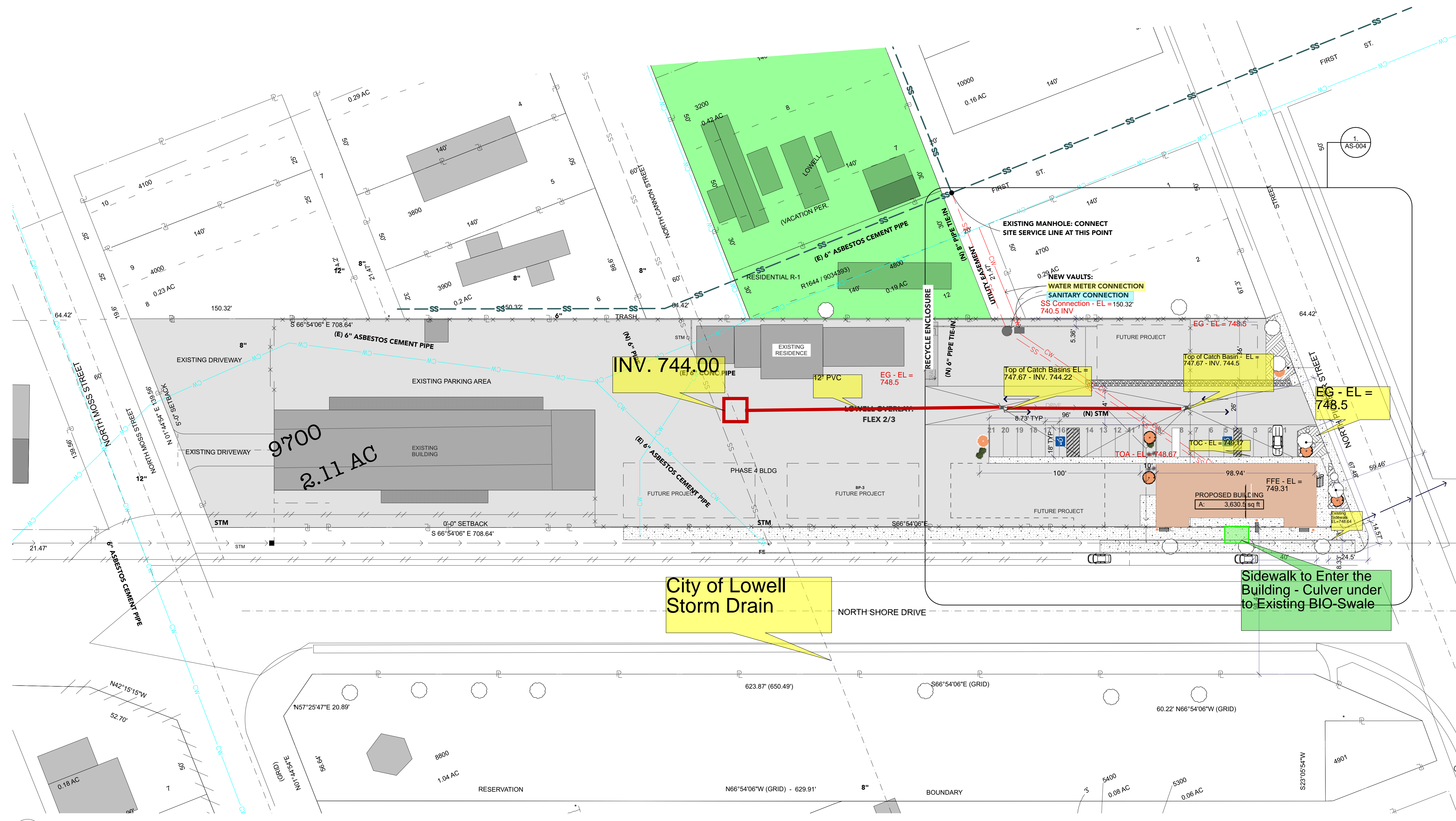
drawing number

**A-501**  
SET 2 - PRELIM  
print date : 9/7/21

# ATTACHMENT B



| NO. | CHG. | CHANGE NAME | DATE |
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OWNER: NORTH SHORE LLC  
 TAX MAP: 19011423-09700  
 TAX LOT: 9700

## ONE NORTH SHORE DRIVE

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452  
 NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452

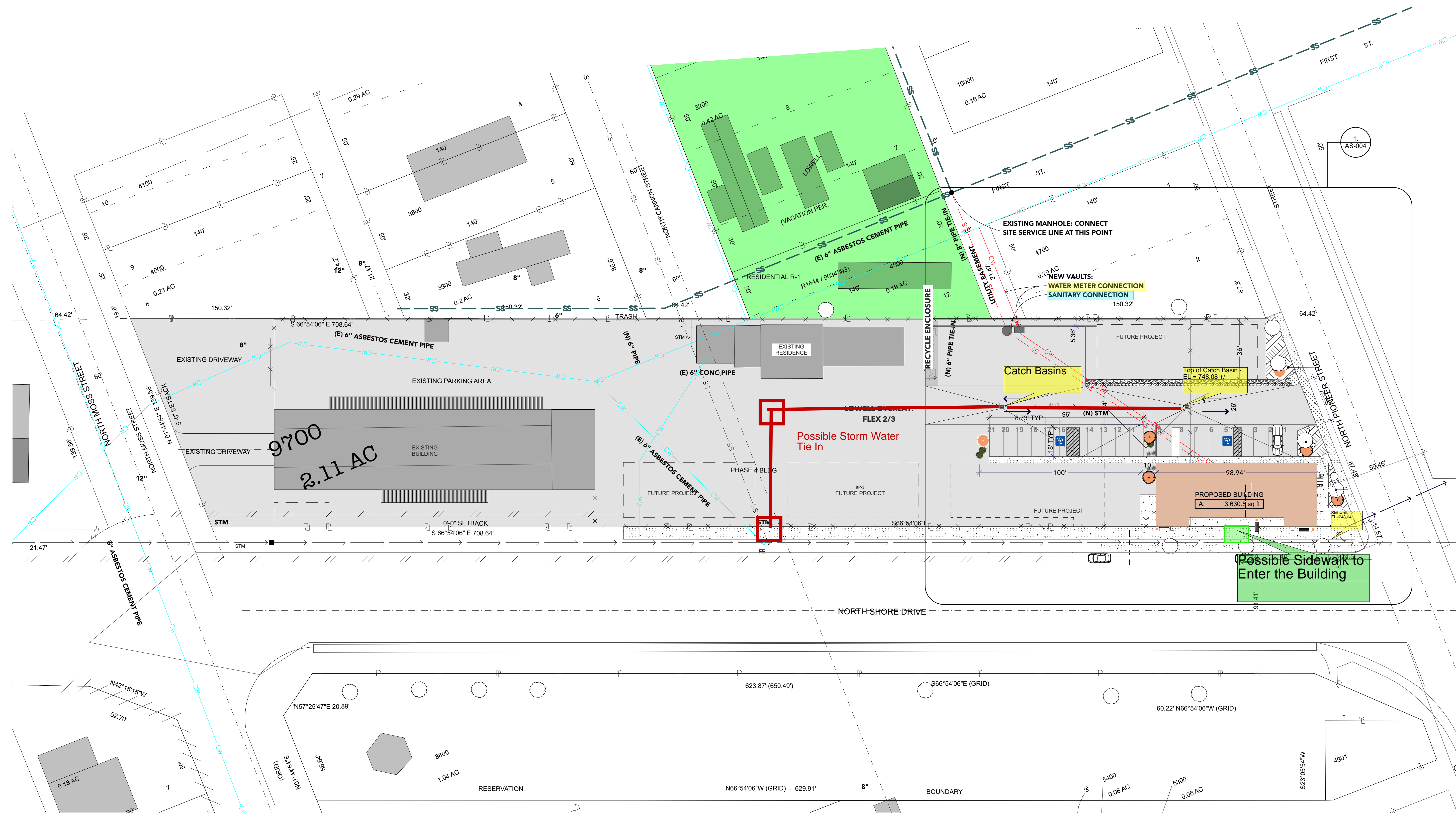


drawing name  
**OVERALL SITE DEVELOPMENT PLAN**

drawing number  
**AS-003**

SET 2 - PRELIM  
 print date: 11/23/21

| NO. | CHG | CHANGE NAME | DATE     |
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OWNER: NORTH SHORE LLC  
 TAX MAP: 19011423-09700  
 TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
 100 NORTH MOSS  
 LOWELL, OREGON 97452

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase 1  
**One North Shore Drive**  
 100 North Moss Lowell OR 97452



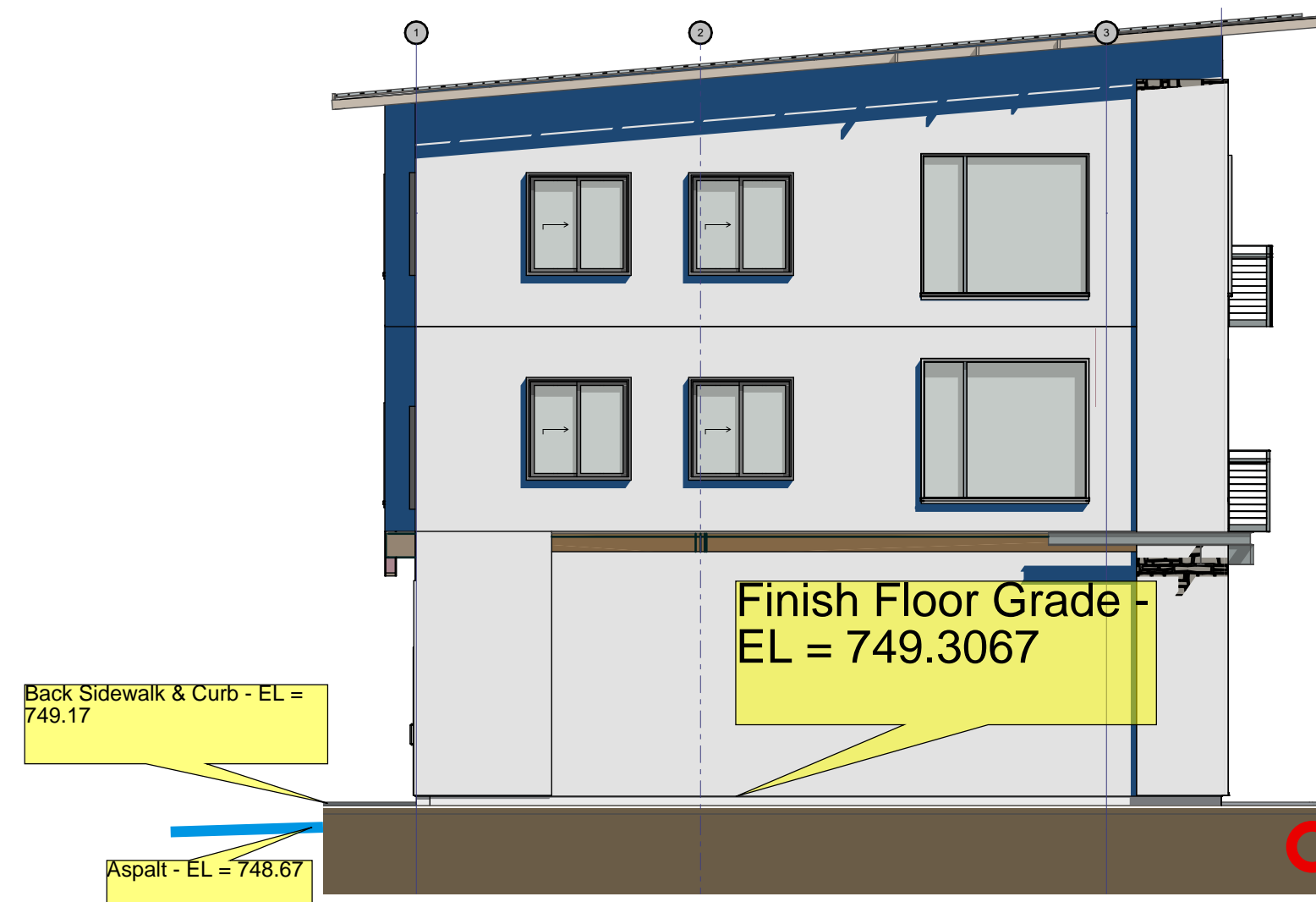
drawing name  
 OVERALL SITE DEVELOPMENT PLAN

drawing number

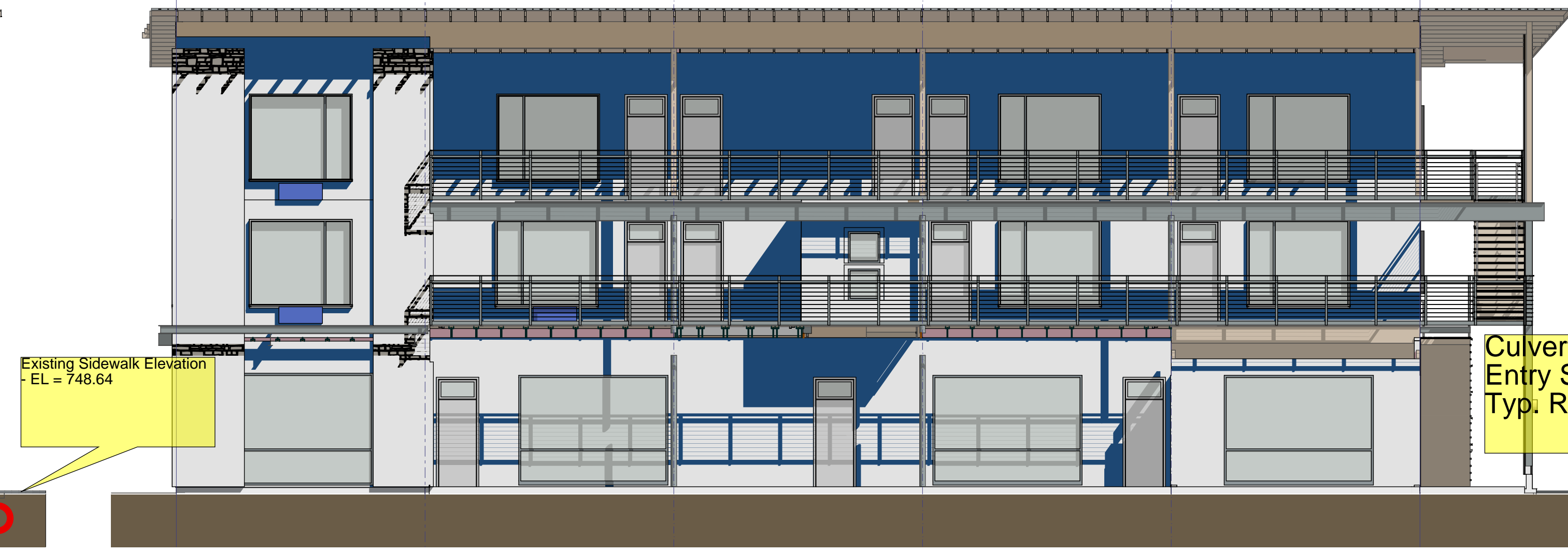
**AS-003**

SET 2 - PRELIM  
 print date: 11/23/21

| NO. | CHG | CHANGE NAME | DATE     |
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3 WEST ELEVATION  
SCALE: 1/8" = 1'-0"

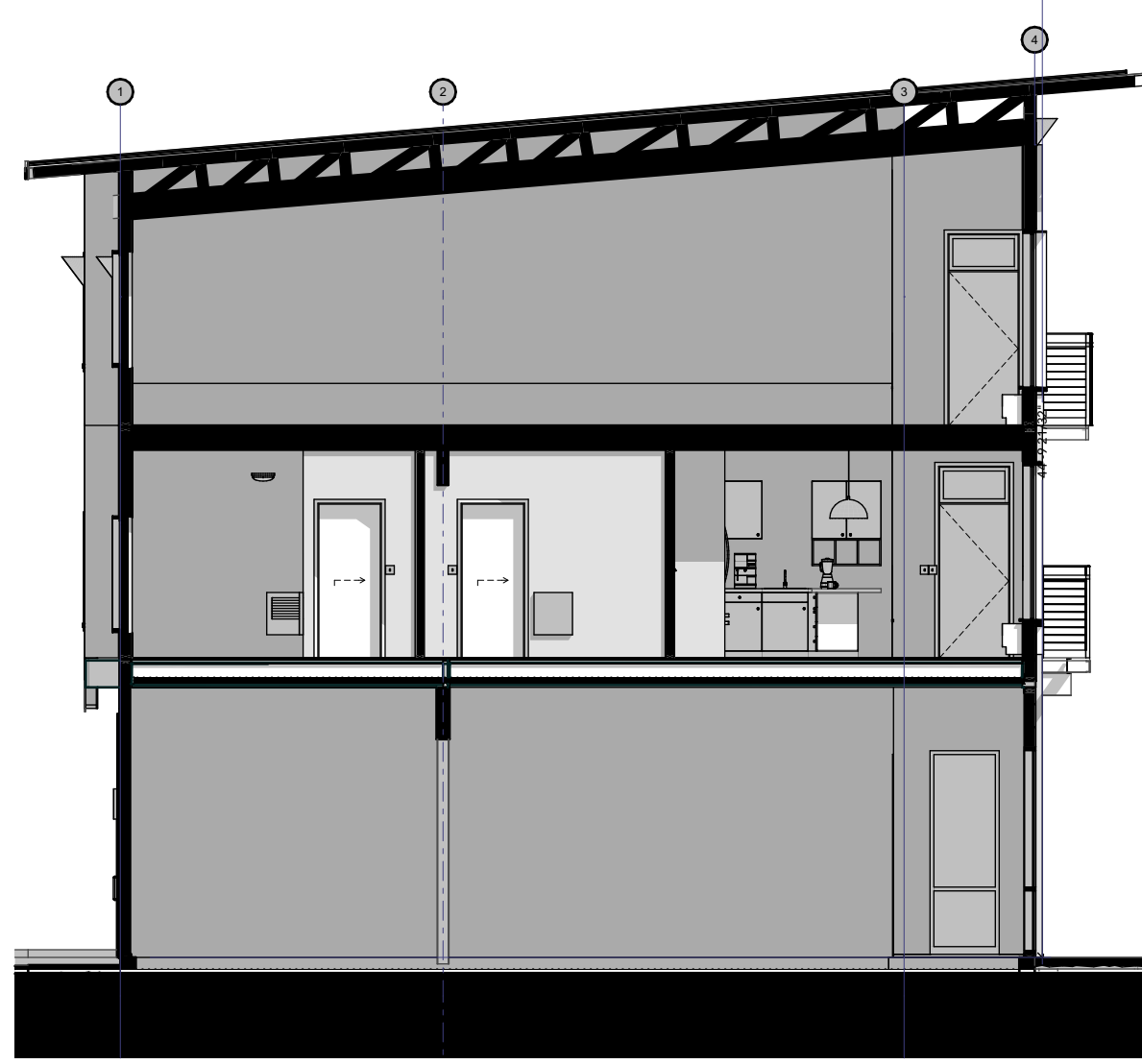


4 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

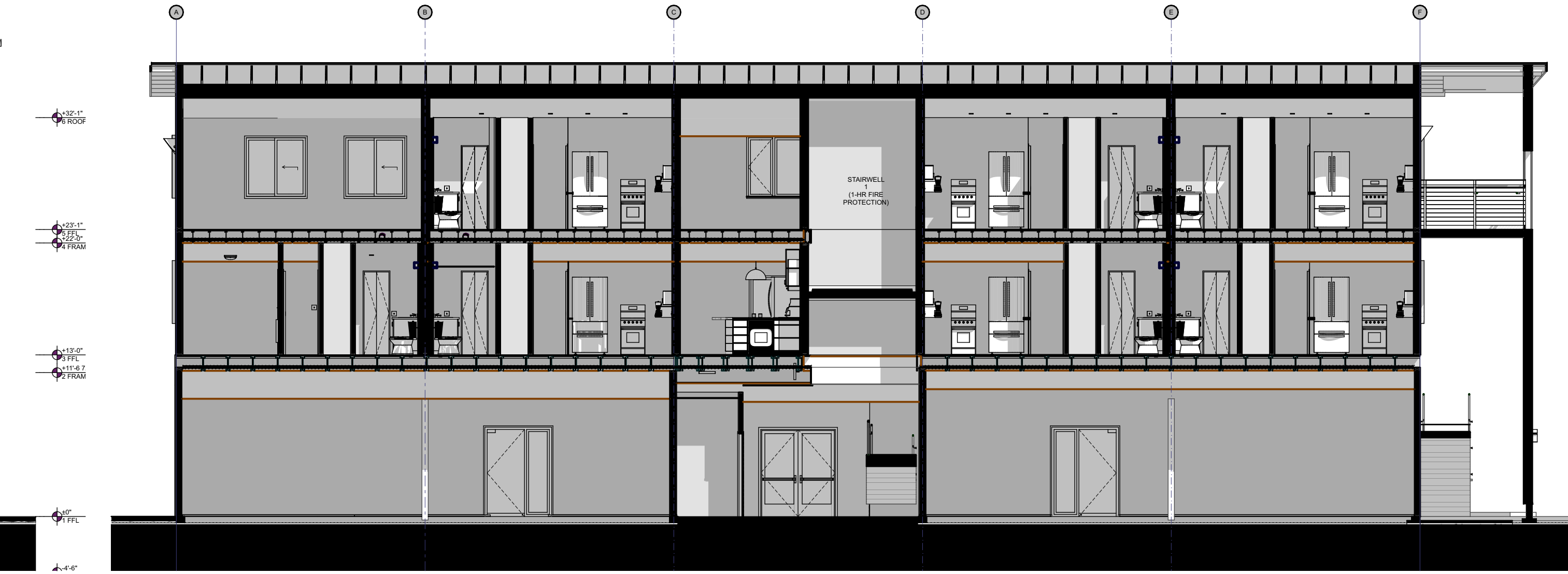


1 EAST ELEVATION  
SCALE: 1/8" = 1'-0"

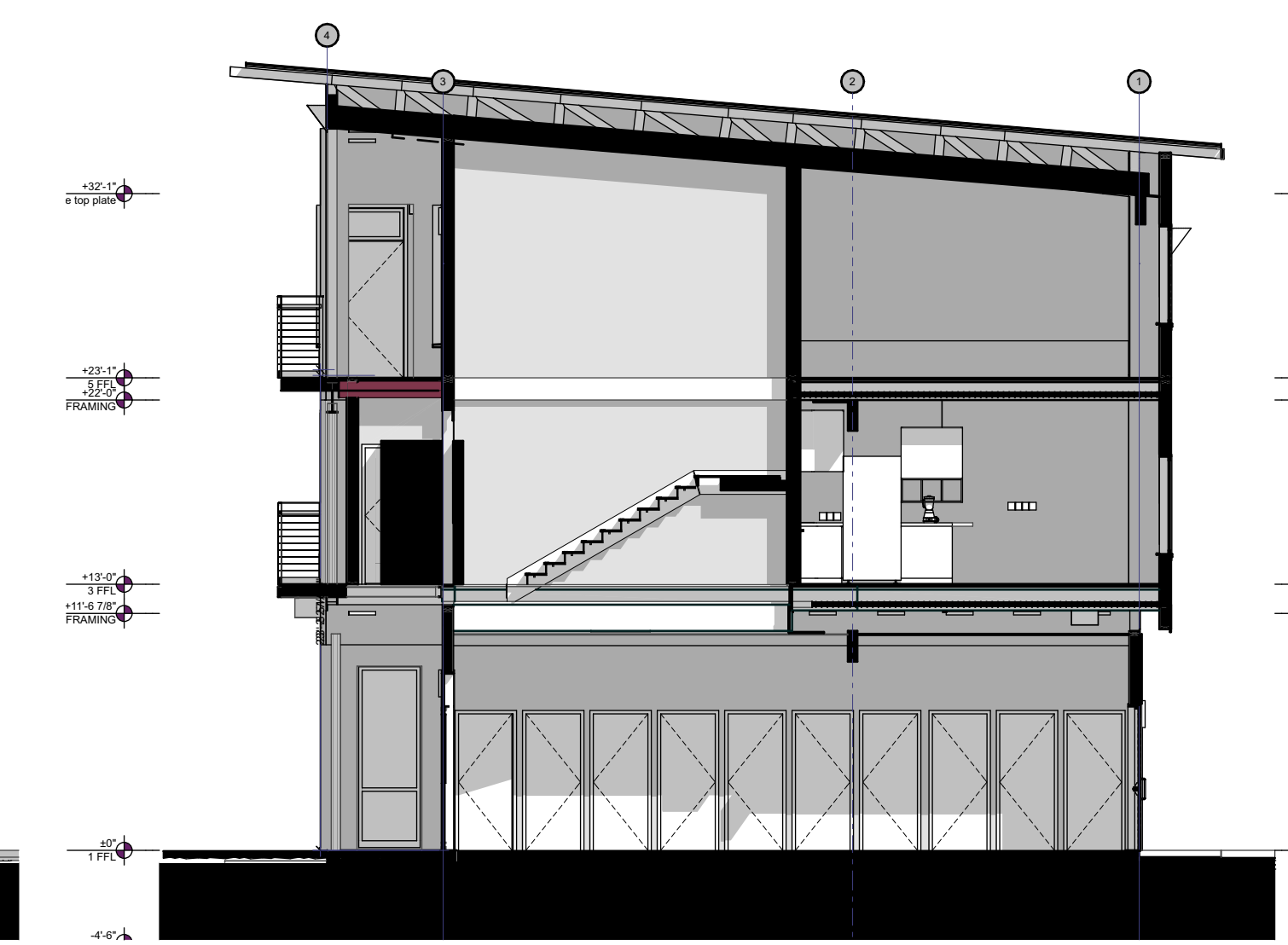
Culvert under Entry Sidewalk  
Typ: Red Circle



7 BUILDING SECTION  
SCALE: 1/8" = 1'-0"



6 BUILDING SECTION  
SCALE: 1/8" = 1'-0"



5 BUILDING SECTION  
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

OWNER: NORTH SHORE LLC

TAX MAP: 19011423-09700

TAX LOT: 9700

ONE NORTH SHORE DRIVE

Project Phase 1

100 NORTH MOSS

LOWELL, OREGON 97452

NORTH SHORE HOUSING AND COMMERCIAL DEVELOPMENT

Project Phase I  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



drawing name  
EXT. ELEVATIONS & BLDG.  
SECTIONS  
drawing number

**A-201**

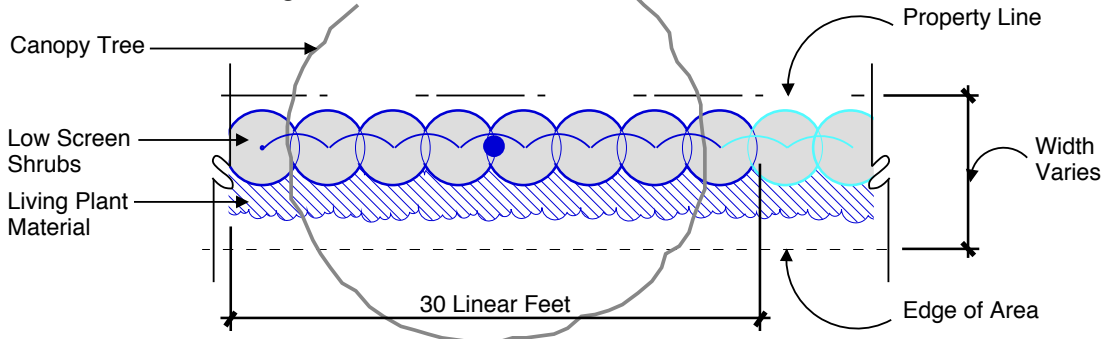
SET 2 - PRELIM  
print date : 9/7/21



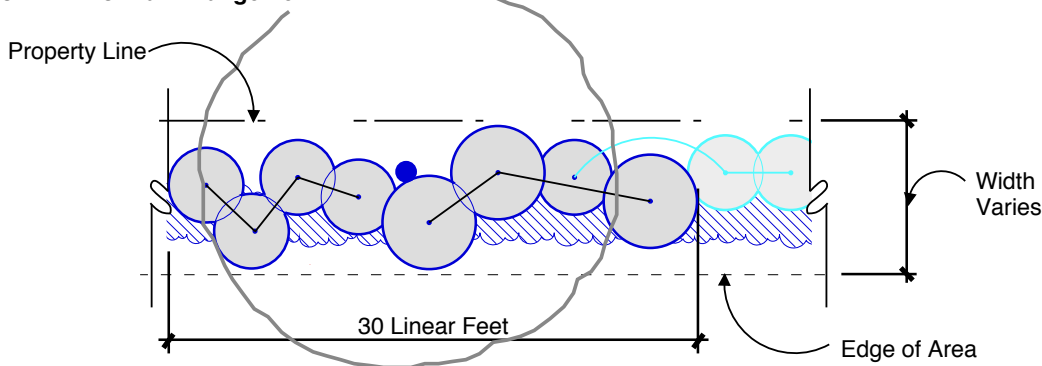
**Figure 9.6210(2)**

**Low Screen Landscape (L-2)**

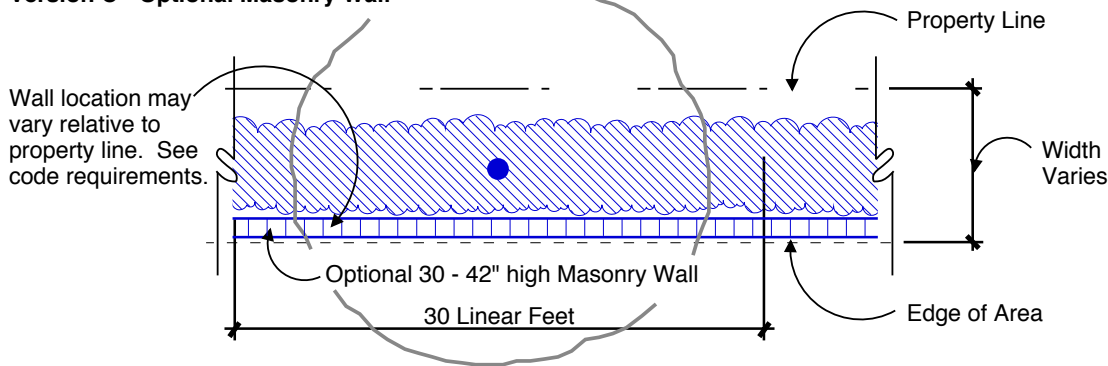
**GENERIC PLAN:  
Version A - Formal Arrangement**



**GENERIC PLAN:  
Version B - Informal Arrangement**



**GENERIC PLAN:  
Version C - Optional Masonry Wall**



**Required Plant Materials**

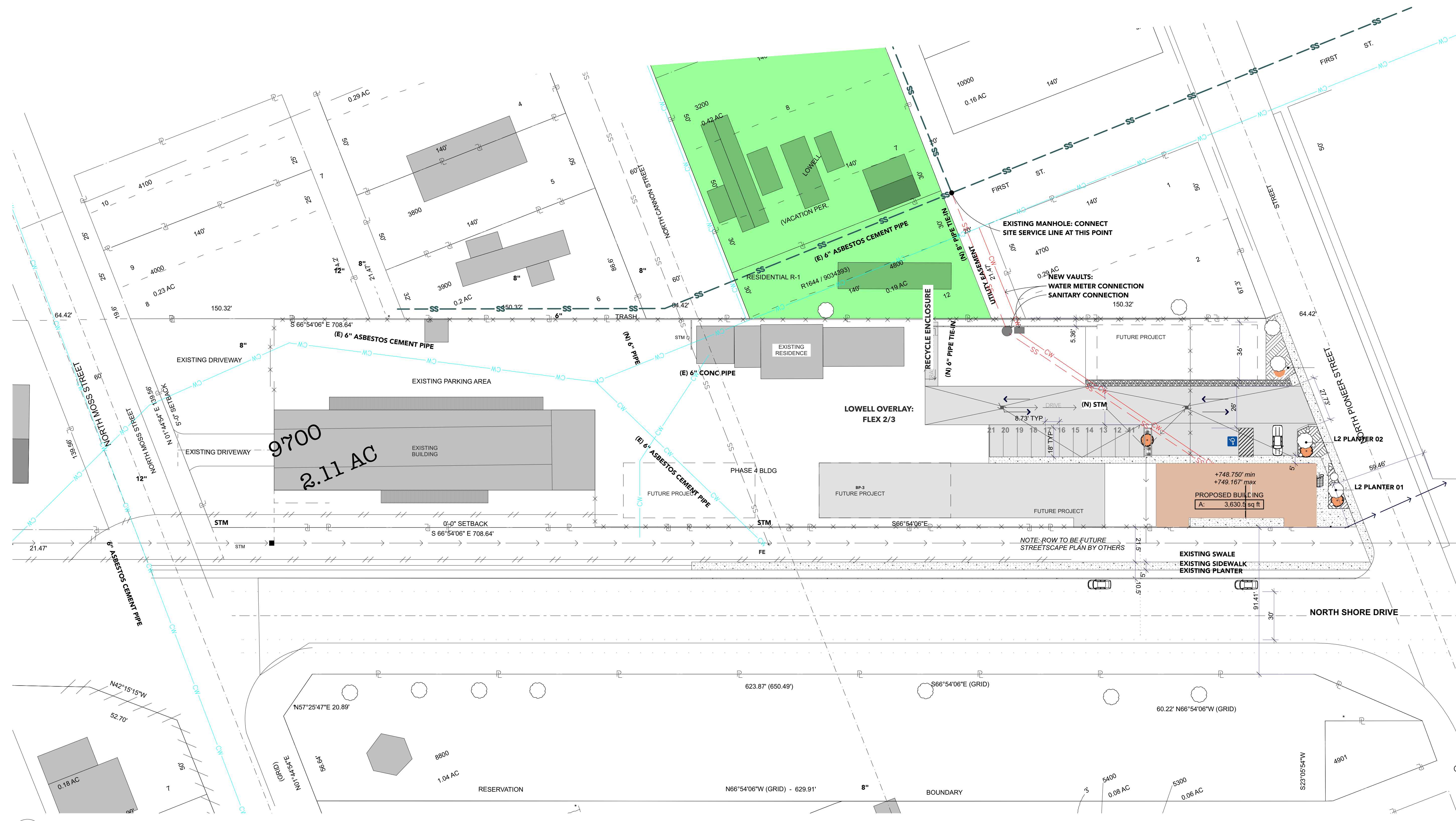
- Low Screen Shrubs (3 gallon minimum) to form continuous screen at least 30 inches tall in 3 years; maximum 42 inches in height.
- 1 canopy tree per 30 linear feet as measured along the property line.
- Living plant material covering a minimum of 70 percent of the required landscaped area within 3 years.

**Plan Label Requirements** for all required trees, shrubs and living plant material:

- Scientific Name and Common Name
- Quantity, Size, and Spacing



| NO. | CHG | CHANGE NAME | DATE     |
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OWNER: NORTH SHORE LLC  
TAX MAP: 19011423-09700  
TAX LOT: 9700

**ONE NORTH SHORE DRIVE**

Project Phase 1  
100 NORTH MOSS  
LOWELL, OREGON 97452

Project Phase 1  
**One North Shore Drive**  
100 North Moss Lowell OR 97452



drawing name  
OVERALL SITE DEVELOPMENT PLAN

drawing number

**AS-003**

SET 2 - PRELIM  
print date : 7/27/22

**FW: Fire Hydrant**

Jeremy Caudle <JCaudle@ci.lowell.or.us>

Thu 6/23/2022 12:52 PM

To: jerryv@bridgewaycontracting.com <jerryv@bridgewaycontracting.com>

External (jcaudle@ci.lowell.or.us)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security](#), Powered by [INKY](#)

Hi Jerry:

See email below from Lon.

I believe all Henry needs to see is the location of existing hydrants on your site plan.

I hope that helps.

Jeremy

**From:** Lon Dragt <dragt2300@gmail.com>

**Sent:** Thursday, June 23, 2022 12:24 PM

**To:** Jeremy Caudle <JCaudle@ci.lowell.or.us>

**Subject:** Re: Fire Hydrant

Right now we should be good with hydrants in the area.

Sent from my iPhone

*for info go to 158*

On Jun 23, 2022, at 11:21, Jeremy Caudle <[JCaudle@ci.lowell.or.us](mailto:JCaudle@ci.lowell.or.us)> wrote:

Good afternoon Lon:

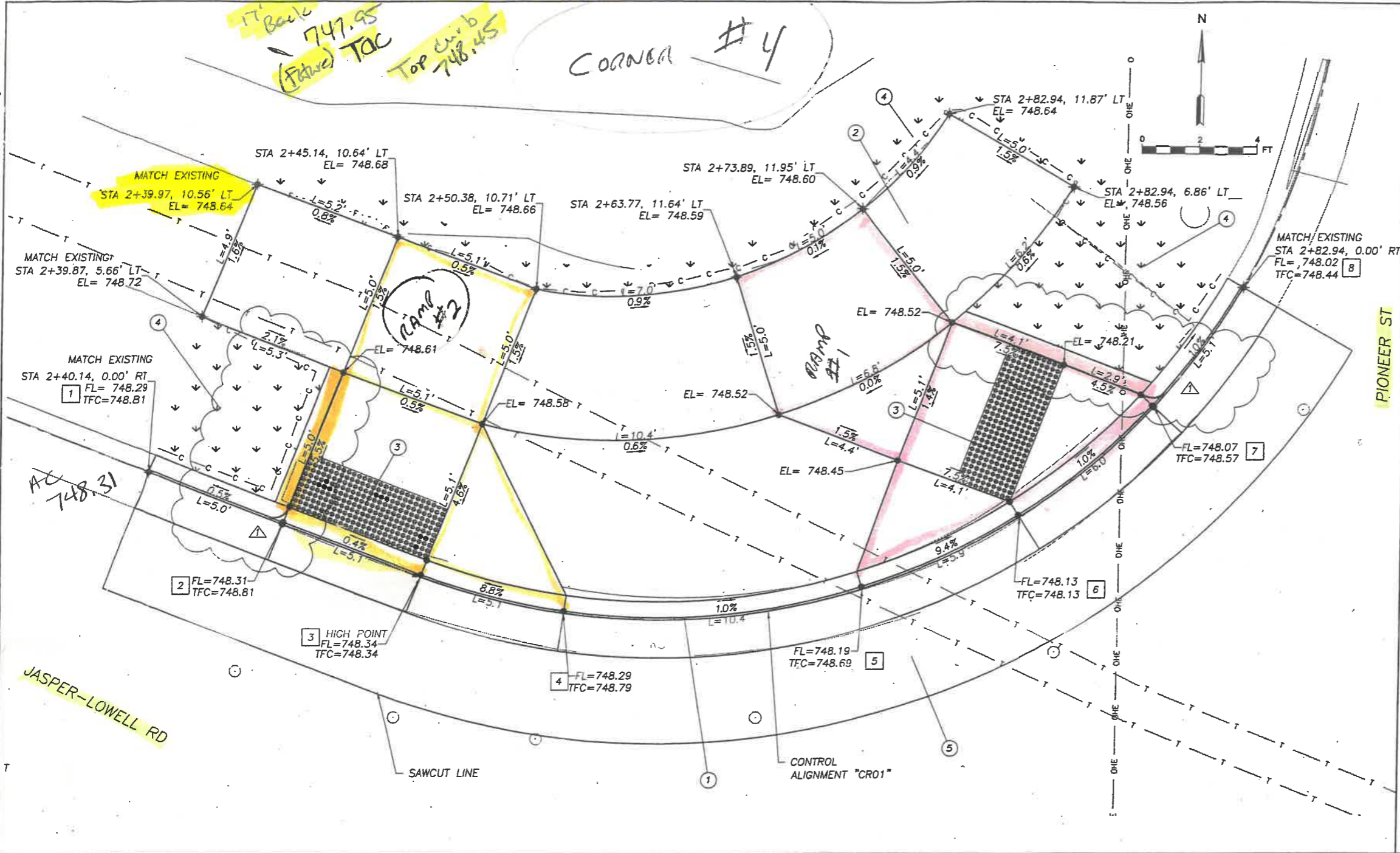
Jerry is working on resubmitting his application, and he received an "incomplete" letter. One of the things he needs to turn in is information related to fire hydrants.

*6 to 8" Reinforcing*

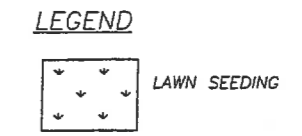
New sidewalk + curb by others in future

17' Back  
747.95  
(Future) TAC  
Top curb  
748.45

CORNER #4



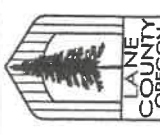
- CONSTRUCTION NOTES**
- 1 CONSTRUCT CONCRETE CURB AND GUTTER
  - 2 CONST. 4" CONCRETE WALK
  - 3 INSTALL TRUNCATED-DOME DETECTABLE WARNING SURFACE
  - 4 INSTALL LAWN SEEDING
  - 5 CONSTRUCT 11" ACP REPAIR



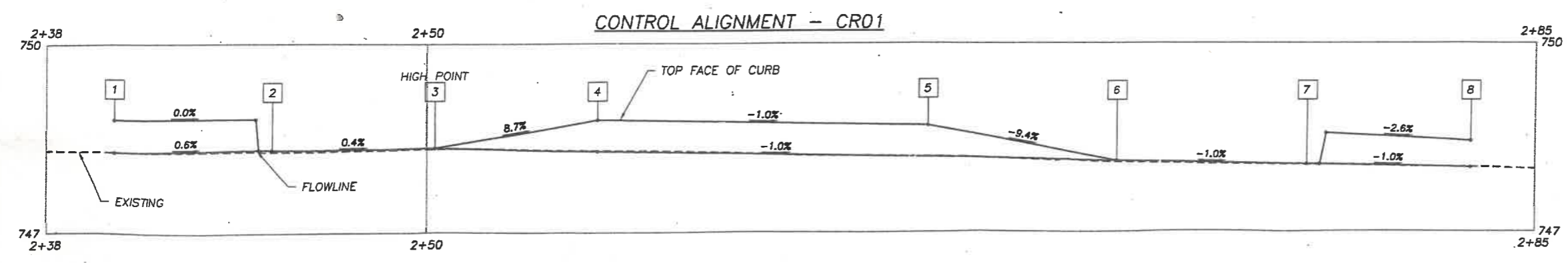
CONCRETE WALKS = 312.4 SF  
 LENGTH OF CURB & GUTTER = 42.69 FT  
 AREA OF ACP = 140.90 SF  
 EXTRA FOR NEW PERPENDICULAR CURB RAMP 2 EA.  
 TRUNCATED DOMES ON NEW SURFACES = 20 SF

LUNDY RAMP

|                  |         |
|------------------|---------|
| DESIGN EXCEPTION | NA      |
| CROSSING CLOSURE | NA      |
| LRM NO.          | NA      |
| MILEPOINT        | NA      |
| CORNER POSITION  | 1/3     |
| RAMP NO.         | 1 AND 2 |



LANE COUNTY  
 DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 PEGGY A. KEEPLER, P.E., P.L.S.  
 COUNTY ENGINEER  
 DANIEL W. HURLEY, P.E.  
 PUBLIC WORKS DIRECTOR



PROJECT MANAGER:  
MD KABIR, EIT

DRAFTER: MD KABIR

Expiration Date 06-30-2023

LANE COUNTY  
 DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 LUNDY ELEMENTARY SCHOOL -  
 SIDEWALKS  
 CURB RAMP PLAN  
 W BOUNDARY RD & PIONEER ST - NW  
 ROAD NO. 827000 & 789900  
 PROJECT NO. 38687305  
 DATE 4/28/22  
 SHEET NO. R1



RE: LU 2021-11 Application for Site Plan Review  
 (Map and Tax Lot 19-01-14-23 Tax Lot 09700)  
 TO: Planning Commission, response to memo dated October 4, 2021  
 FROM: BALANCE architecture+design, p.c.

---

### Mixed-Use Development on North Shore Drive

The following memo lists each of the issues (including comments) presented by the Planning Commission (dated Oct 4, 2021) followed by a statement of clarification/description of a planned resolution in *blue italics*.

- The application is missing a signature from the property owner/applicant. I have included a copy of the signature page for you to sign and return to the City.  
*Response: The signature page provided has been signed and submitted*
- Please provide a written narrative of the proposal. What all is involved with Phase 1 of the project.

*Response: the written narrative...*

*This is Phase I of a development to construct a new three story building at the intersecting Northwest corner of North Pioneer and North Shore in downtown Lowell. The ground floor area is approximately 3,600 square feet and will contain two commercial spaces. Above, the second and third floors will contain a mix (10) residential rental units consisting of 1-3 bedrooms.*

Staff see there are a total of 10 dwelling units planned for Phase 1. What's the breakdown of the bedrooms for the units? How many studio, one-bedroom, two-bedroom, etc.

*Response: Breakdown for the rental units:*

*3-Bedroom = 2 total*

*2-Bedroom = 6 total*

*1-Bedroom = 2 total*

*Total Rentals: 10 units*

- How many commercial units? How many businesses could occupy the commercial spaces for Phase 1?

*Response: There will be two (2) commercial units on the ground floor (at East and West ends of the building). Each space will be around 1,400 square feet in area*

- Exactly how many parking spaces are proposed for Phase 1? And where is that number derived from?

*Response: There are twenty two parking spaces proposed. For the residential project, the factor is 1.5 spaces for each rental unit.*

- Sheet AS-003 indicates there is an existing residence located along the rear property line. What is to become of this residence? And it is really a residence? This residence has no address assigned to it.

*Response: the structure in question is a residence and the address is the same as the site address*

#### **Section 9.204 Application Site Plan.**

Staff is able to obtain much of the information required for an application site plan from the sheets provided. However, please provide a response for each of the elements described below. If it is not applicable, please indicate so.

**(g) Yards, open space and landscaping.** Please include a draft landscaping plan with a planting schedule.

*Response: a draft landscape and grading plan is to be submitted with this narrative*

- Please submit a landscaping plan in accordance with Section 9.528 (a-e).

Please include a plan to screen the outside garbage/trash collection areas, as required in Section 9.528(e)

- Please also note the landscaping requirements for parking lots. *Noted and shown on Plan*
- (h) walls and fences: location, height and materials. *Walls proposed around the trash enclosure and a fence proposed along the North Property Line*
- Please indicate the wall materials and color scheme of the exterior building walls. *Exterior wall materials will be the assembly of stone, metal, and wood/composite cladding having neutral values and natural tones*
- (i) Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns. *Revised the layout to show this Phase only*

- Please submit a more detailed parking plan in accordance with Section 9.513 and 9.514 *Including more details and descriptions*
- Is a loading space proposed? A loading space may be beneficial to such a development for commercial uses and residences moving in and out dwelling units. *A specific commercial loading space is available next to the trash enclosure area. This will also assist collection of trash and recycle services*
  - Based on Section 9.514, show how the proposal meets the minimum required amount of off-street parking. If the use is unspecified, it will be determined by Planning Commission. In that case, I highly suggest a parking analysis memo to show how the proposed parking is adequate for the proposed uses. *Retail and a small craft brewery (not a pub) are probable tenants*
  - Indicate how many ADA parking spaces are proposed with Phase 1 and what the ratio of ADA parking spaces to regular spaces is. *Having a parking stall requirement less than (25) there will be (1) van accessible stall*
  - Staff don't see specific standards with respect how many ADA parking spaces are required for each regular space. Staff are further looking into this issue. *Noted*
  - Is an ADA van accessible space warranted? *Yes*
  - Please also note the following with respect to parking: 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 run-off. *Planned as noted*
  - On-site drainage must be approved by the City. *Noted*
  - All off-street parking areas abutting a residential district shall have a sight-obscuring fence, wall or hedge approved by the City. The area to the rear of the property is an abutting residential district. A sight-obscuring fence will be required. Please include plans for such a fence. *Planned as noted along the North Property Line*
  - The back parking area is located within the rear yard setback, this is okay only if a 5-foot-wide landscape buffer and screening is provided. *Revised layout for requirement*

**(k) Signs: location, size, height and means of illumination.** Please indicate if any signs are proposed as part of the proposal. Please be aware that Lowell does have code provisions related to signs (see Section 9.530 of Lowell Development Code). *Signage is proposed and will be determined as required for the Sign Code*

**(l) Loading: location, dimension, number of spaces, internal circulation.** Is there a loading zone reserved for the future commercial uses or residents moving in and out of the dwelling units? *As noted, there will be area(s) parallel to the North residence*

**(m) Lighting: location and general nature, hooding devices.** Please indicate the types of lighting devices the site will use and the specifications of the lighting devices (illumination, height, materials, appearance). Please submit an exterior lighting plan in accordance with Section 9.529. *Site lighting will be limited to a pole near the East entrance and the West end of this development; 20' poles with LED downlight fixtures and shown on the Landscape Plan*

**(o) Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.** A list showing the existing grades, trees and planting is not included in the application nor is a list or plan showing the proposed grades, trees and planting associated with Phase 1. These features may be incorporated into the landscaping plan. *Noted; only a couple of existing trees are near the development groundwork area*

**(p) Water systems, drainage systems, sewage disposal systems and utilities.** A water plan, drainage plan, sewage plan and utility plan are not seen in the application materials.

- The City Engineer has provided comment to provide a preliminary grading and storm drainage plan. Specifically, how the site will drain, where it drains to and where it connects to the City' stormwater drainage system. *Noted on revised Plan*
- The City Engineer's comments in their entirety are included in this letter for your reference and action. *Thank you for including these comments for review*

**(s) The number of trips generated per day from each mode of travel by type: employees, customers, shipping, receiving, Etc.** The City is not requiring a formal traffic study. If circumstances change in which the City and City engineer feel a traffic study may be required, staff will communicate these issues with the applicant. Please provide a response in narrative form. *Noted. Trips are either residents (a.m. exit, p.m. return) or a limited trip cycle for commercial purposes. Significant part of the commercial success counts on pedestrian mobility and access/trips (walking/cycle)*

Lane County Transportation will require a formal traffic study to be completed and submitted for review and approval if the proposal includes an egress point from the property onto North Shore. Staff want to be clear that even if a traffic study is



completed, it does not mean Lane County will approve it. The proposal may not comply with Lane Code 15.137 Access Management. *Noted, no access onto North Shore is proposed.*

(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 Certification 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 conditioned upon evidence being submitted to the City indicating that the proposed activity has been approved by all appropriate regulatory agencies. Please provide a response in narrative form.

**(v) such other data as may be necessary to permit the deciding authority to make the required findings.** Please include any additional information the applicant seems necessary in order for Planning Commission to review and make a decision on this application.

- Staff is requesting clarification on the following additional item(s):
  - A. Please provide a clear depiction of how the development, specifically the ground-floor commercial will interact with the frontage of North Shore and pedestrians. From a practical standpoint the applicant has stated the proposed buildings for Phase 1 will be brought right up to the property line, but the area in between the existing sidewalk and the front property is part of North Shore ROW (see attached map). *Response; area between the existing sidewalk to the front property line (within the ROW) is to be pedestrian oriented. Development of the space is determined to be a combination of landscape planters and connecting walkway surfaces that provide a link to the development site, designed as prescriptive path*

The land use action requested is Site Plan Review. Section 9.250(b) Decision Criteria outlines the decision criteria for Site Plan Review. Please provide a written response to each of the following criteria:

(1) That the proposed development complies with the Zoning District standards. *Not applicable*

(2) That the proposed development complies with applicable provisions of city codes and ordinances. *Yes, this development recognizes Lowell City Code*

(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. *This development will create pedestrian and vehicular improvements where there are none*

(4) That proposed signs or lights will not, by size, location or color, interfere with traffic, limit visibility or impact on adjacent properties. *Signage will be necessary for commercial tenants but is minimal to the scale of the development. Lighting provided are requirements necessary for public safety*

(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. *Yes, the services being planned, coordinated and approved the City of Lowell Public Works*

(6) That the proposed development will not cause negative impacts to existing or proposed drainage ways including flow disruptions, flooding, contamination or erosion. *The development site will have on-site stormwater management control devices necessary impervious surfaces. No specific hazardous activity for business use is proposed*

(7) That the proposed development will not cause negative impacts, potential hazards or nuisance characteristics as identified in Section 9.204, Item (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. *No hazards are proposed*

(8) That development within Lowell's Downtown, as defined by the Regulating Plan included in the Lowell Downtown Master Plan, are consistent with the policies of the

Lowell Downtown Master Plan. *This development fits within the guideline of the LDMP*

#### Section 9.518 Sidewalks

Public sidewalk improvements are required for all property development in Lowell. Sidewalks may be deferred by the City where future road or utility improvements will occur and on property in the rural fringe of the City where urban construction standards have not yet occurred. The property owner is obligated to provide the sidewalk when requested by the City or is obligated to pay their fair share if sidewalks are installed by the City at a later date. An irrevocable Waiver of Remonstrance shall be recorded with the property to guarantee compliance with this requirement. *Requirement noted*

No response is required for completeness from the applicant for Section 9.518. This section is included for the applicant's awareness that public sidewalk improvements are required for all property development in Lowell. Staff have communicated questions and a need for further clarity on the relationship between the proposed development and the applicable requirements of the Downtown Plan. *The intent of this development is to fit within the guidelines of the Lowell Downtown Plan*

#### Section 9.517 Streets

(a) Urban public street improvements including curbs, gutters and storm drainage are required for all property development in Lowell. Urban street improvements may be deferred by the City if there is not existing sidewalk or storm drain to which connection can be made, conditional upon the responsible party agreeing to an irrevocable waiver of remonstrance to a future assessment at the time of construction of a sidewalk which is otherwise required to be constructed. *Noted*

(b) No response is required for completeness from the applicant for Section 9.517. This section is included for the applicant's awareness that urban street improvements including curbs, gutters and storm drainage are required for all property development in Lowell. These improvements along with sidewalks will likely come into play for the frontage along North Pioneer Street. *Noted*

Under ORS 227.178(2) with respect to completeness:

If an application for a permit, limited land use decision or zone change is incomplete, the governing body or its designee shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the

applicant to submit the missing information. The application shall be deemed complete for the purpose of subsection (1) of this section or ORS 197.311 (Final action on application for certain residential developments required within 100 days) upon receipt by the governing body or its designee of:

- (a) All of the missing information; *The intent of this response is to address all missing information - additional information will be provided as it becomes available in process*
- (b) Some of the missing information and written notice from the applicant that no other information will be provided; or *Not applicable*
- (c) Written notice from the applicant that none of the missing information will be provided. *Not applicable*

Regards,



Rex Prater, AIA  
Project Architect  
BALANCE architecture+design, p.c.



**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 AUGUST 8, 2022 (mailed out the next morning on August 9, 2022), a notice of a public hearing for SITE REVIEW for a MIXED USE DEVELOPMENT at Map and Tax Lot 19-01-14-23-09700 at the corners of North Shore and North Pioneer, known as the LU 2022 02 in the City of Lowell to the addresses contained herein.



Signature



Print Name

Lowell Grange #745  
PO Box 47  
Lowell OR 97452

Asher Tommy A  
40355 Jasper Lowell Rd  
Lowell OR 97452

Brogan Weybright Sep Ira 6215 FBO  
34025 Witcher Extension Rd  
Cottage Grove OR 97424

Smith Ned R  
1155 Tamarack St  
Junction City OR 97448

East Valley Church  
PO Box 327  
Lowell OR 97452

Wells Clifford R & Thelma A  
PO Box 85  
Lowell OR 97452

Bonney Lauren Elise  
164 N Moss St  
Lowell OR 97452

Ballweg Eric J & Boni L  
PO Box 534  
Lowell OR 97452

21st Place Investment Group LLC  
4527 E 91st St  
Tulsa OK 74137

Lowell Investment Properties LLC  
PO Box 447  
Lowell OR 97452

Kiser Leslie & Robert  
68 W 2nd St  
Lowell OR 97452

Maher Ryan S & Madelynn V  
177 N Pioneer St  
Lowell OR 97452

Rhinevault Samuel & Tasya Marie  
PO Box 147  
Lowell OR 97452

Allen Randolph A & Judy E  
PO Box 70491  
Springfield OR 97475

Wells Brian K  
PO Box 41  
Lowell OR 97452

Nichols John B  
PO Box 74/ 81 N Pioneer St  
Lowell OR 97452

Owen Mary  
PO Box 158  
Lowell OR 97452

City of Lowell  
PO Box 490  
Lowell OR 97452

Aldinger Patrick & Kimberly  
84536 Bountiful Dr  
Fall Creek OR 97438

Lowell School District #71  
45 S Moss St  
Lowell OR 97452

J & K Property Holdings LLC  
38001 Place Rd  
Fall Creek OR 97438

Stockdale Michael & Braydee  
12 N Cannon St  
Lowell OR 97452

Trimble Carmen A  
80 Loftus Ave  
Lowell OR 97452

Brazill Joseph K & Jasmine J  
55 N Moss St  
Lowell OR 97452

Mee Deborah A  
PO Box 87293  
Vancouver WA 98687

Kordon Clint L  
87-1950 Pakeke St Apt G  
Waianae HI 96792

Susan H Egger Living Trust  
PO Box 456  
Lowell OR 97452

Padgett Taylor & Amanda  
35 Loftus Ave  
Lowell OR 97452

Burdick Jessie & Matthew  
35 N Moss St  
Lowell OR 97452

Valencia Jerry L & Julie E  
11 N Alder St  
Lowell OR 97452

Lowell Investment Properties LLC  
105 N Moss 447  
Lowell OR 97452

Cross Raymond W & Phyllis S  
PO Box 121  
Lowell OR 97452

Sinnett Amber PO Box 461  
Lowell OR 97452

Sherzer Living Trust  
2265 S Bertelsen Rd  
Eugene OR 97405

Smith Danny L  
PO Box 124  
Lowell OR 97452

Weltch Timothy J  
PO Box 308  
Lowell OR 97452

Lash Wesley Thomas  
2052 S 8th St  
Cottage Grove OR 97424

Moore Toni  
79 N Hyland Ln  
Lowell OR 97452

Delgado Megan & Atruro  
33 N Hyland Ln  
Lowell OR 97452

CITY OF LOWELL  
**NOTICE OF PUBLIC HEARING**  
**Mailing Date August 9, 2022**

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for a Mixed-Use development (Phase 1) involving a new three-story building for residential and commercial space at the corners of North Pioneer and North Shore in Downtown Lowell.

**The Hearing will occur on September 7, 2022, at 7:00 pm in the Lowell Rural Fire Protection District Fire Station 1 located at 389 N. Pioneer Street, Lowell, OR 97452.**

A remote option is also available via Zoom. To attend remotely, please sign up with the City Administrator by September 6 or access the link by visiting <https://www.ci.lowell.or.us/meetings>.

**Requested Action:** A new three-story building for residential and commercial space at the northwest corner of North Pioneer and North Shore in Downtown Lowell.

|                                    |   |
|------------------------------------|---|
| <b>Owner/Applicant:</b>            | North Shore LLC, Jerry Valencia                       |
| <b>Applicant's Representative:</b> | Rex Prater, AIA, Balance Architecture and Design, pc. |
| <b>Property Location:</b>          | no address assigned                                   |
| <b>Assessor Map:</b>               | 19-01-14-23   |
| <b>Tax Lot:</b>                    | 09700   |
| <b>Existing Area:</b>              | 2.11  |
| <b>Existing Zone:</b>              | C-1 Commercial District                               |
| <b>Overlay Zone:</b>               | Downtown Regulating Plan                              |

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, Section 9.204 Application Site Plan, consistency with the Lowell Downtown Master Plan, Section 9.514 Off-Street Parking, Section 9.529 Exterior Lighting, and Section 9.528 Landscaping. 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. City Hall may be temporarily closed for renovations during this notice period. Persons can always request the application materials by emailing the City Administrator at the email address provided below.

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 PO BOX 490 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.

To be included in the Staff Report, written testimony shall be received by the City no later than 4:00 pm on September 6, 2022.



For additional information please write to City Hall at the above address or call City Hall at (541) 937-2157 or Henry or Jeremy at the address listed below.

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

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



Approximate area of Phase 1 development on subject property.

June 10, 2022

Jerry Valencia  
North Shore LLC  
100 North Moss Street  
Lowell, OR 97452

Rex Prater, AIA  
Balance Architecture and Design  
1808 Jefferson Street  
Eugene, OR 97402

RE: Application for Site Plan Review for a Mixed-Use Development on North Shore Drive - Incompleteness Letter.

City File #: LU 2022 02

Dear Mr. Valencia,

On May 19, 2022, you submitted an application for site plan review for a mixed-use development (Phase 1) at Map and Tax Lot 19-01-14-23 Tax Lot 09700.

The first step in the application process is reviewing your application to make sure that it is complete. It is critical that we have enough information regarding your application to formulate a recommendation to the Planning Commission.

There are several documents you submitted for your previous application, that have not been submitted by you for this application. The City has found it difficult to determine which items from your previous application you wanted carried over to this application. To that end, please submit any documents from the previous application that you want applied to this application in a single submission. Please submit these documents at the same time that you submit the missing or incomplete materials listed below.

Thank you for the submittal of your application materials. The City has reviewed the materials and have deemed your application "**incomplete**." The items that require attention are listed below.

- A landscape plan is missing. Please submit.
- A grading plan is missing. Please submit. In addition to the site, the grading plan should detail grading to be conducted in or adjacent to the rights-of-way (particularly on North Shore Drive).
- A drainage plan is missing. Please submit. At a minimum, the drainage plan should describe the amount of impervious surfaces the development will contain, how much runoff the City can expect to enter its storm drains, and how that runoff will be conveyed into the City's storm drains. The drainage plan should also detail stormwater drainage on or adjacent to the rights-of-ways (particular on North Shore Drive).
- Fire hydrants are not shown on the site plan; the City cannot determine adequate water connection. Please revise.
- Comments provided by the City Engineer and Lane County Transportation are attached here for your review and action.

**Under ORS 227.178(2) with respect to completeness:**

If an application for a permit, limited land use decision or zone change is incomplete, the governing body or its designee shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete for the purpose of subsection (1) of this section or ORS 197.311 (Final action on application for certain residential developments required within 100 days) upon receipt by the governing body or its designee of:

- (a) All of the missing information;
- (b) Some of the missing information and written notice from the applicant that no other information will be provided; or
- (c) Written notice from the applicant that none of the missing information will be provided.

Please submit the requested items within 180-days of May 19. If on the 181<sup>st</sup> day the applicant has not elected to do one of the three items above in a-c, the application becomes void.

Included in this letter is a form for you to fill out and return with respect to your options regarding completeness.

Sincerely,

Henry Hearley  
Associate Planner  
Lane Council of Governments



CC  
City of Lowell  
Civil West Engineering  
Lane County Transportation Planning  
Lowell Fire Department

## HEARLEY Henry O

---

**From:** Matt Wadlington <Mwadlington@civilwest.net>  
**Sent:** June 7, 2022 9:48 AM  
**To:** HEARLEY Henry O  
**Subject:** RE: Previous Comments on Jerry's Mixed Use Development

**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.

Hi Henry,

I looked back over my comments. They did add a stormdrain line connection, but no grading info. We still don't know if/where fire hydrants are proposed, so I'm not sure that the water connection is adequate.

Given the concerns about the ROW width that were brought up last time, I'd like to see a detail about how that area will be graded and drainage dealt with. I still don't think the drawing shows that area correctly.

-Matt

--

**Matt Wadlington, PE, Principal**  
 Willamette Valley Regional Manager  
 Licensed in OR, WA, CA  
 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:** Wednesday, June 1, 2022 10:43 AM  
**To:** Matt Wadlington <Mwadlington@civilwest.net>  
**Subject:** Previous Comments on Jerry's Mixed Use Development

Hi Matt,

**HEARLEY Henry O**

---

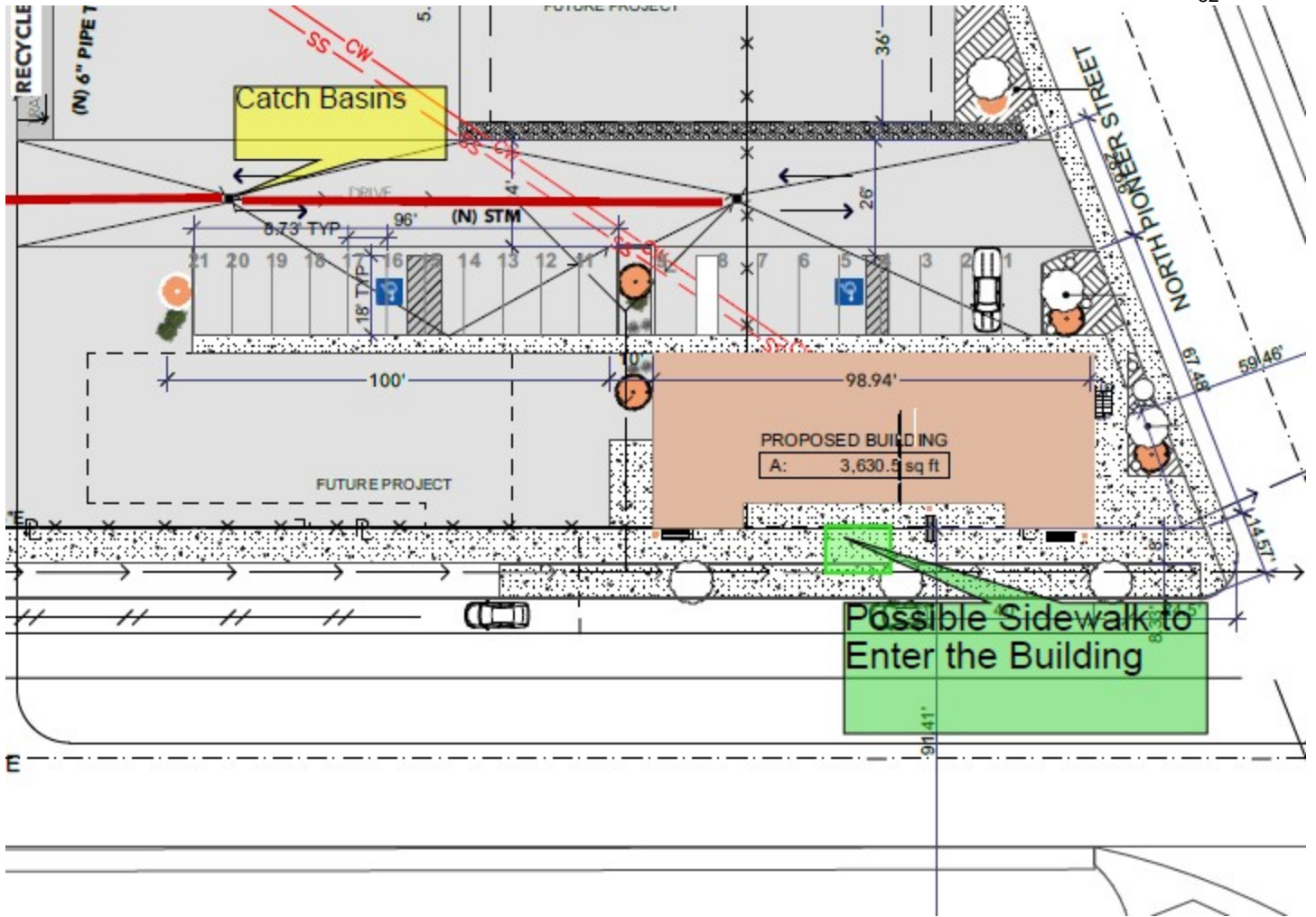
**From:** TAYLOR Becky <becky.taylor@lanecountyor.gov>  
**Sent:** June 6, 2022 1:48 PM  
**To:** HEARLEY Henry O  
**Cc:** CAUDLE Jeremy; CALLISTER Jacob (LCOG); DARNIELLE Gary L; Matt Wadlington; BAKER Max  
**Subject:** Lane County Referral Response to Mixed Use Development in Lowell on North Shore

**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.

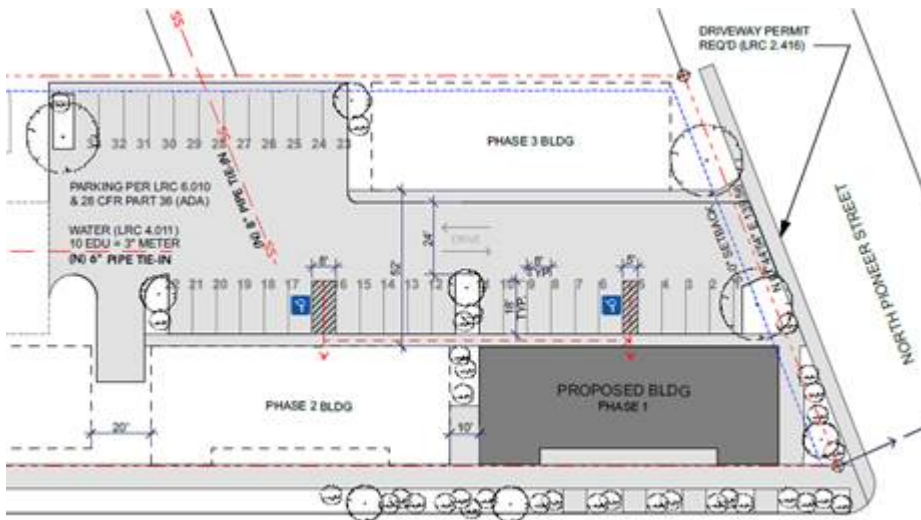
Hi Henry,

Once again, it is not entirely clear what is being proposed within the North Shore right-of-way; according to the excerpts below from the applicant's site plans, it appears that some sidewalk infill is proposed. As discussed in our latest meeting with the applicant, there is currently a setback sidewalk along the frontage and a notable elevation drop from the curb line to the property line with an open drainage ditch between the sidewalk and property; filling in sidewalks in this area may require piping and filling to address grade issues and maintain drainage. Although the application does not address these issues, Lane County can require the applicant to address drainage and demonstrate compliance with other applicable standards during the Facility Permit Process; as noted in my previous referral comments, any work within the right-of-way will require a Facility Permit from Lane County.



South Perspective

SCALE: 1:200



Please let me know if you have any questions or need other information from me. It would be satisfactory to just note as an informational item the following: "Any work within Lane County right-of-way will require a Facility Permit which will require the applicant to demonstrate compliance with applicable standards, including drainage."

Thanks,

Becky Taylor  
 Senior Transportation Planner  
 Lane County Public Works  
[Becky.taylor@lanecountyor.gov](mailto:Becky.taylor@lanecountyor.gov)  
 541-682-6932

**From:** HEARLEY Henry O <HHEARLEY@Lcog.org>

**Sent:** Wednesday, June 1, 2022 10:38 AM

**To:** Matt Wadlington <Mwadlington@civilwest.net>; BAKER Max <mbaker@ci.lowell.or.us>; LENZEN-HAMMEREL Alycia B <Alycia.LENZEN-HAMMEREL@lanecountyor.gov>; TAYLOR Becky <becky.taylor@lanecountyor.gov>; ODOTR2PLANMGR@odot.state.or.us; Lon Dragt (dragt2300@gmail.com) <dragt2300@gmail.com>

**Cc:** CAUDLE Jeremy <JCaudle@ci.lowell.or.us>; CALLISTER Jacob (LCOG) <jcallister@lcoog.org>; DARNIELLE Gary L <GDARNIELLE@lcoog.org>

**Subject:** Request for Agency Referral Comment for Mixed Use Development in Lowell on North Shore

**Importance:** High

[EXTERNAL ⚠]

All:

You may already be familiar with this project. The applicant withdrew their application for development months ago and has resubmitted recently. As a result, the City is processing the new application and resending referral notice. It appears the only change that's been made is to the PDF titled "North Shore Possible Connection Map with Sidewalk Noted."

Please return any comment to me by **June 10**.

Henry O. Hearley  
 Associate Planner  
 Lane Council of Governments

## Incomplete Land Use Application – 180 Day Completeness Review Process Form

Return Completed Form To:

City of Lowell

Mail: 107 East Third Street, PO BOX 490

Email: [jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us) and [hhearley@lcoq.org](mailto:hhearley@lcoq.org)

**File#: LU 2022 02**

Completeness review is conducted by the City to ensure all materials necessary for the City review are included with the submittal. The application submittal will be sent to other affected agencies, they may have additional requirements and/or applications necessary for their review process.

Please note: A completeness review is the first step in the Land Use application process. An application that is deemed complete, means all the necessary materials to conduct a review have been supplied by an applicant. It does *not* represent a decision. ORS 227.178 governs completeness of land use applications.

### **Completeness Review Step (Check ONE box)**

- I intend to submit all of the missing or incomplete materials as identified by the City in completeness review. I understand that other agencies may request additional information for the review of the application following the City's completeness review. I understand that according to State law I have up to 180 days from the date the application was submitted to provide the missing or incomplete materials and that after that date, if I have not submitted the missing information, my application will be void. I also hereby agree to allow the City a reasonable period of time for a review and determination of completeness upon submittal of the missing or incomplete materials and the required number of copies.
- I intend to submit some, but not all, of the missing or incomplete materials as identified by the City in completeness review. I understand that according to State law I have up to 180 days from the date the application was submitted to provide the missing or incomplete materials that I intend to submit and that after that date, if I have not submitted the missing information, my application will be void. I also hereby agree to allow the City a reasonable period of time for a review and determination of completeness, upon submittal of the missing or incomplete materials and the required number of copies. The materials I do not intend to submit are those items I have listed on the lines below (attach additional sheets if necessary).
- \_\_\_\_\_
- \_\_\_\_\_
- I do not intend to submit any of the missing or incomplete materials as identified by the City in the completeness review. I understand that the City will proceed with review of the application materials previously submitted. I also understand that incomplete applications may not provide adequate evidence to demonstrate compliance with applicable criteria and standards. Please deem my application complete as of the date this form is received by the City of Lowell Planning Department.

Jerry Volkman

Printed Name of Applicant or Applicant's Representative

6/10/2022

Date

Signature of Applicant or Applicant's Representative

6/10/2022

Date



August 3, 2022

Jerry Valencia  
North Shore LLC  
11 N ALDER STREET  
Lowell, OR 97452

Rex Prater, AIA  
Balance Architecture and Design  
1808 Jefferson Street  
Eugene, OR 97402

RE: Application for Site Plan Review for a Mixed-Use Development on North Shore Drive – Completeness Letter.

Dear Mr. Valencia:

On July 27 and 29, you submitted supplemental materials for your proposed development (Phase 1) at Map and Tax Lot 19-01-14-23 Tax Lot 09700. Thank you for the submittal of those items. Your application has been deemed **complete** for processing. The date of completeness for purposes of the 120-day rule purposes is **July 29**, which is the day you last submitted supplemental materials for completeness.

It is the responsibility of the applicant to demonstrate that the application meets the approval criteria. The information provided by the applicant may or may not be adequate for this purpose.

A site review is a quasi-judicial review by the Lowell Planning Commission.

The Planning Commission will hear your application on **September 7, 2022, at 7:00PM**. The City will send notice to adjacent properties in accordance with the Lowell Development Code. Notice will be mailed at least 20-days prior to the public hearing. The location of the public hearing is to be determined because of City Hall transition and renovation occurring at the Maggie Osgood Library, but a remote option via Zoom will be available. You will be informed of the location of the hearing as soon as it is determined.

If additional information or clarification is required to address approval criteria, staff will communicate those issues to you for action.

Sincerely,

Henry Hearley  
Associate Planner  
Lane Council of Governments



CC  
City of Lowell  
Civil West Engineering  
Lane County Transportation Planning  
Lowell Fire Department

**HEARLEY Henry O**

---

**From:** Matt Wadlington <Mwadlington@civilwest.net>  
**Sent:** August 2, 2022 9:43 AM  
**To:** HEARLEY Henry O  
**Cc:** CAUDLE Jeremy; CALLISTER Jacob (LCOG); DARNIELLE Gary L; BAKER Max  
**Subject:** RE: Land Use Application again...

**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,

I agree, this doesn't provide all of the information. There is some general grading information, which I'll accept for the purpose of a completeness review, but the main thing I think we need to know is how the drainage is being dealt with along the frontage of North Shore Drive. I'm OK if you want to consider this "complete" so we can move to the next step, knowing at some point that he'll have to provide that information.

-Matt

--

**Matt Wadlington, PE, Principal**  
*Willamette Valley Regional Manager*  
Licensed in OR, WA, CA  
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 2, 2022 8:52 AM  
**To:** Matt Wadlington <Mwadlington@civilwest.net>  
**Cc:** CAUDLE Jeremy <JCaudle@ci.lowell.or.us>; CALLISTER Jacob (LCOG) <jcallister@lcog.org>; DARNIELLE Gary L <GDARNIELLE@lcog.org>; BAKER Max <mbaker@ci.lowell.or.us>  
**Subject:** RE: Land Use Application again...

Matt,

What Jerry attached is not what was particularly requested. What's your assessment of these materials?

Henry

**From:** jerryv bridgewaycontracting.com <[jerryv@bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com)>  
**Sent:** July 29, 2022 5:13 PM  
**To:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>; CAUDLE Jeremy <[JCaudle@ci.lowell.or.us](mailto:JCaudle@ci.lowell.or.us)>; Rex @ Balance Architecture <[rex@balancearchitecturepc.com](mailto:rex@balancearchitecturepc.com)>; BAKER Max <[mbaker@ci.lowell.or.us](mailto:mbaker@ci.lowell.or.us)>; Matt Wadlington <[Mwadlington@civilwest.net](mailto:Mwadlington@civilwest.net)>  
**Cc:** Tony FAVREAU Survey Master <[favreaugroup@msn.com](mailto:favreaugroup@msn.com)>; Dave Collier Survey Guy in Lowell <[pacificsurvey@fastmail.fm](mailto:pacificsurvey@fastmail.fm)>  
**Subject:** Re: Land Use Application again...

**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.

Team,

Attached is the revised grading/elevation plan after being graciously coached by Mr. Tony Favreau!

Regards,

**Jerry Valencia**



CCB #176939  
 Owner/PM/Estimator  
 PO Box 246  
 Lowell, OR 97452  
 Ph. 541-606-2571

---

**From:** jerryv bridgewaycontracting.com <[jerryv@bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com)>  
**Sent:** Wednesday, July 27, 2022 5:33 PM  
**To:** HEARLEY Henry O <[hhearley@lcog.org](mailto:hhearley@lcog.org)>; CAUDLE Jeremy <[jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us)>; Rex @ Balance Architecture <[rex@balancearchitecturepc.com](mailto:rex@balancearchitecturepc.com)>; BAKER Max <[mbaker@ci.lowell.or.us](mailto:mbaker@ci.lowell.or.us)>; Matt Wadlington <[Mwadlington@civilwest.net](mailto:Mwadlington@civilwest.net)>  
**Cc:** Tony FAVREAU Survey Master <[favreaugroup@msn.com](mailto:favreaugroup@msn.com)>; Dave Collier Survey Guy in Lowell <[pacificsurvey@fastmail.fm](mailto:pacificsurvey@fastmail.fm)>  
**Subject:** Re: Land Use Application again...

Henry,

Attached is are the missing information you requested. FYI, we are trying to get into Mr. Collier schedule for to put together the civil plan with Tony, however he is backlogged and isn't sure when he can get to it.

We do have some elevations we can work with from the Lane County new sidewalk project to help map out elevations of the building, sidewalks and top of catch basins. As for the culver under the new sidewalk from our building to the existing walk, there is an existing bio-swale with existing catch basin. We are proposing to

do the same thing Lowell has done with the need Safe Route Project & Sidewalk in front of the New City Hall & Library. I really hope this can get us to our planning meeting and then to city for approval to move forward.

Regards,

**Jerry Valencia**



CCB #176939

Owner/PM/Estimator

PO Box 246

Lowell, OR 97452

Ph. 541-606-2571

---

**From:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>

**Sent:** Friday, June 10, 2022 10:50 AM

**To:** jerryv bridgewaycontracting.com <[jerryv@bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com)>; CAUDLE Jeremy <[JCaudle@ci.lowell.or.us](mailto:JCaudle@ci.lowell.or.us)>; Rex @ Balance Architecture <[rex@balancearchitecturepc.com](mailto:rex@balancearchitecturepc.com)>; BAKER Max <[mbaker@ci.lowell.or.us](mailto:mbaker@ci.lowell.or.us)>; Matt Wadlington <[Mwadlington@civilwest.net](mailto:Mwadlington@civilwest.net)>

**Cc:** CALLISTER Jacob (LCOG) <[jcallister@lcog.org](mailto:jcallister@lcog.org)>; DARNIELLE Gary L <[GDARNIELLE@lcog.org](mailto:GDARNIELLE@lcog.org)>; TAYLOR Becky <[becky.taylor@lanecountyor.gov](mailto:becky.taylor@lanecountyor.gov)>

**Subject:** RE: Land Use Application again...

Jerry & Rex:

Please see the attached letter of incompleteness for your application. I will also put copies in the mail to both of you.

Have a nice weekend.

Henry

---

**From:** jerryv bridgewaycontracting.com <[jerryv@bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com)>

**Sent:** May 11, 2022 1:17 PM

**To:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>; CAUDLE Jeremy <[JCaudle@ci.lowell.or.us](mailto:JCaudle@ci.lowell.or.us)>; Rex @ Balance Architecture <[rex@balancearchitecturepc.com](mailto:rex@balancearchitecturepc.com)>; BAKER Max <[mbaker@ci.lowell.or.us](mailto:mbaker@ci.lowell.or.us)>; Matt Wadlington <[Mwadlington@civilwest.net](mailto:Mwadlington@civilwest.net)>

**Subject:** Land Use Application again...

**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.

Attached is the resubmit of lane use app & plans for One North Shore

Regards,

**Jerry Valencia**



CCB #176939

Owner/PM/Estimator

PO Box 246

Lowell, OR 97452

Ph. 541-606-2571

**From:** Rex Prater, AIA <[rex@balancearchitecturepc.com](mailto:rex@balancearchitecturepc.com)>

**Sent:** Friday, September 17, 2021 2:58 PM

**To:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>; CAUDLE Jeremy <[JCaudle@ci.lowell.or.us](mailto:JCaudle@ci.lowell.or.us)>; Max Baker <[mbaker@ci.lowell.or.us](mailto:mbaker@ci.lowell.or.us)>; CALLISTER Jacob (LCOG) <[jcallister@lcog.org](mailto:jcallister@lcog.org)>; Matt Wadlington <[Mwadlington@civilwest.net](mailto:Mwadlington@civilwest.net)>

**Cc:** jerryv bridgewaycontracting.com <[jerryv@bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com)>

**Subject:** Re: PDF copy of plans

Hello Team,

Attached PDF files are the same documents that we submitted as paper copies.

Best,

Rex



OR | WA | AZ

Rex Prater, Principal Architect

[rex@balancearchitecturepc.com](mailto:rex@balancearchitecturepc.com)

v/t: 541-914-1733

On Sep 17, 2021, at 2:32 PM, jerryv [bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com) <[jerryv@bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com)> wrote:

I believe Rex turned 3 into the city of Lowell

Jerry V

BWC

Get [Outlook for iOS](#)

**From:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>

**Sent:** Friday, September 17, 2021 2:21:43 PM

**To:** jerryv [bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com) <[jerryv@bridgewaycontracting.com](mailto:jerryv@bridgewaycontracting.com)>

**Cc:** CAUDLE Jeremy <[JCaudle@ci.lowell.or.us](mailto:JCaudle@ci.lowell.or.us)>; Max Baker <[mbaker@ci.lowell.or.us](mailto:mbaker@ci.lowell.or.us)>; CALLISTER Jacob (LCOG) <[jcallister@lcog.org](mailto:jcallister@lcog.org)>; Matt Wadlington <[Mwadlington@civilwest.net](mailto:Mwadlington@civilwest.net)>

**Subject:** PDF copy of plans

Hi Jerry,

We have received a printed copy of your proposed development plans. Do you or your architect perhaps have a PDF copy of the plans that you could share with us? It's not required, but will make things easier to coordinate review amongst other governmental agencies.

Thank you,

Henry

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

## HEARLEY Henry O

---

**From:** Matt Wadlington <Mwadlington@civilwest.net>  
**Sent:** June 7, 2022 9:48 AM  
**To:** HEARLEY Henry O  
**Subject:** RE: Previous Comments on Jerry's Mixed Use Development

**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.

Hi Henry,

I looked back over my comments. They did add a stormdrain line connection, but no grading info. We still don't know if/where fire hydrants are proposed, so I'm not sure that the water connection is adequate.

Given the concerns about the ROW width that were brought up last time, I'd like to see a detail about how that area will be graded and drainage dealt with. I still don't think the drawing shows that area correctly.

-Matt

--

**Matt Wadlington, PE, Principal**  
*Willamette Valley Regional Manager*  
 Licensed in OR, WA, CA  
 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:** Wednesday, June 1, 2022 10:43 AM  
**To:** Matt Wadlington <Mwadlington@civilwest.net>  
**Subject:** Previous Comments on Jerry's Mixed Use Development

Hi Matt,

**HEARLEY Henry O**

---

**From:** Matt Wadlington <Mwadlington@civilwest.net>  
**Sent:** September 24, 2021 9:59 AM  
**To:** HEARLEY Henry O; CAUDLE Jeremy; Max Baker; CALLISTER Jacob (LCOG)  
**Cc:** Kerry Sessions  
**Subject:** RE: PDF copy of plans

**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,

We've looked at the plans and don't see anything wrong (aside from what you noted about bulbouts on North Shore), but that's mostly because there really isn't much civil information shown on the plans. Based on what was included, I have the following comments.

I'd like to see some preliminary grading showing how the site will drain, and where it drains to, including where it connects to the City stormdrain system.

The water connection should be looped back into Pioneer street (will likely require a few hundred feet of pipe in Pioneer) so that fire hydrants will have adequate flow. Fire Hydrants should be shown on the site plan so that the Fire Dept can confirm required spacing and flows. Civil West is currently working on a Water Master Plan, so I can't say for certain, but it is likely that we will be recommending a 8 or 12 inch watermain be installed along Lake Shore Dr. This may be something that the developer would have to include in their plans in lieu of the connection in Pioneer.

The sidewalk ramp at the NW corner of Pioneer and Lake Shore will need to be constructed per ADA standards, and depending on the ultimate look of the corner, will potentially need two ramps at that corner.

Sewer Service looks like they're proposing to run a line up the alleyway between Cannon and Pioneer. I'd like to see some elevations to make sure there is adequate fall to be able to connect there.

--

**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)



**HEARLEY Henry O**

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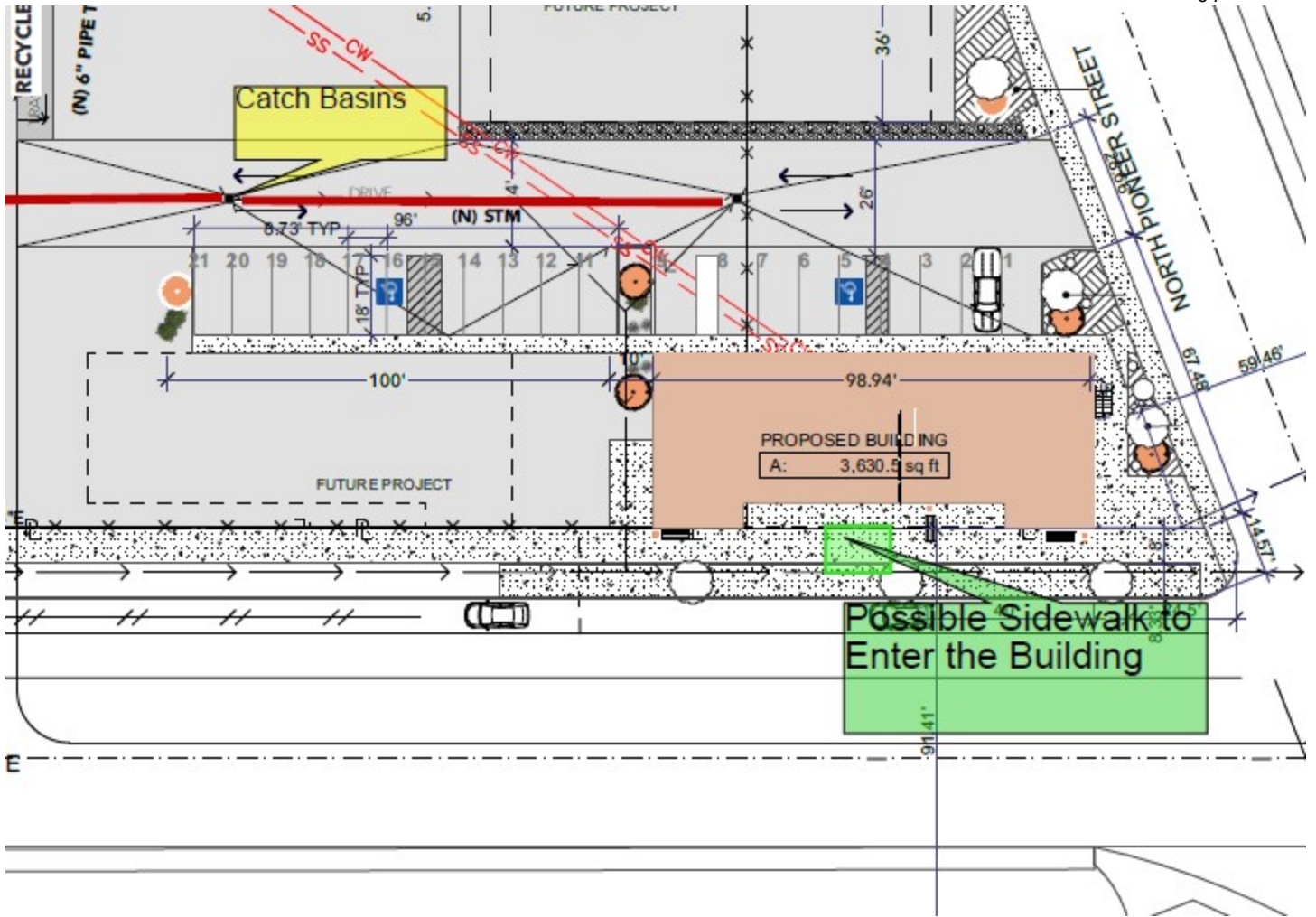
**From:** TAYLOR Becky <becky.taylor@lanecountyor.gov>  
**Sent:** June 6, 2022 1:48 PM  
**To:** HEARLEY Henry O  
**Cc:** CAUDLE Jeremy; CALLISTER Jacob (LCOG); DARNIELLE Gary L; Matt Wadlington; BAKER Max  
**Subject:** Lane County Referral Response to Mixed Use Development in Lowell on North Shore

**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.

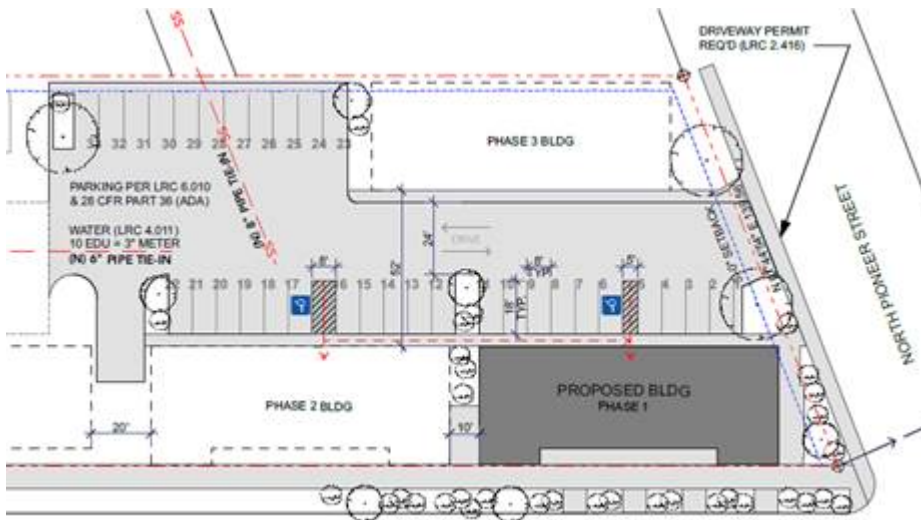
Hi Henry,

Once again, it is not entirely clear what is being proposed within the North Shore right-of-way; according to the excerpts below from the applicant's site plans, it appears that some sidewalk infill is proposed. As discussed in our latest meeting with the applicant, there is currently a setback sidewalk along the frontage and a notable elevation drop from the curb line to the property line with an open drainage ditch between the sidewalk and property; filling in sidewalks in this area may require piping and filling to address grade issues and maintain drainage. Although the application does not address these issues, Lane County can require the applicant to address drainage and demonstrate compliance with other applicable standards during the Facility Permit Process; as noted in my previous referral comments, any work within the right-of-way will require a Facility Permit from Lane County.



South Perspective

SCALE: 1:200



Please let me know if you have any questions or need other information from me. It would be satisfactory to just note as an informational item the following: "Any work within Lane County right-of-way will require a Facility Permit which will require the applicant to demonstrate compliance with applicable standards, including drainage."

Thanks,

Becky Taylor  
 Senior Transportation Planner  
 Lane County Public Works  
[Becky.taylor@lanecountyor.gov](mailto:Becky.taylor@lanecountyor.gov)  
 541-682-6932

**From:** HEARLEY Henry O <HHEARLEY@Lcog.org>

**Sent:** Wednesday, June 1, 2022 10:38 AM

**To:** Matt Wadlington <Mwadlington@civilwest.net>; BAKER Max <mbaker@ci.lowell.or.us>; LENZEN-HAMMEREL Alycia B <Alycia.LENZEN-HAMMEREL@lanecountyor.gov>; TAYLOR Becky <becky.taylor@lanecountyor.gov>; ODOTR2PLANMGR@odot.state.or.us; Lon Dragt (dragt2300@gmail.com) <dragt2300@gmail.com>

**Cc:** CAUDLE Jeremy <JCaudle@ci.lowell.or.us>; CALLISTER Jacob (LCOG) <jcallister@lcoog.org>; DARNIELLE Gary L <GDARNIELLE@lcoog.org>

**Subject:** Request for Agency Referral Comment for Mixed Use Development in Lowell on North Shore

**Importance:** High

[EXTERNAL ⚠]

All:

You may already be familiar with this project. The applicant withdrew their application for development months ago and has resubmitted recently. As a result, the City is processing the new application and resending referral notice. It appears the only change that's been made is to the PDF titled "North Shore Possible Connection Map with Sidewalk Noted."

Please return any comment to me by **June 10**.

Henry O. Hearley  
 Associate Planner  
 Lane Council of Governments

## HEARLEY Henry O

---

**From:** TAYLOR Becky <becky.taylor@lanecountyor.gov>  
**Sent:** December 1, 2021 11:18 AM  
**To:** HEARLEY Henry O  
**Cc:** CAUDLE Jeremy; CALLISTER Jacob (LCOG); Alycia Lenzen; VARTANIAN Sasha  
**Subject:** RE: Update on Mixed Use Development in Lowell on North Shore

**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,

Thanks for the latest information. It looks like the applicant is proposing to advance the Lowell Downtown Master Plan by providing wider sidewalks and on-street parking within North Shore abutting this first phase of the development. As we've discussed previously, it is Lane County policy to defer to City street design standards within urban growth boundaries; so we would honor this consistency with the city's plans.

We would welcome the opportunity to transfer jurisdiction of the road to the City; if this is not possible prior to implementation of the development, the applicant will need a Lane County Facility Permit to work within the right-of-way. I would also note that the construction details, such as the number (and feasibility) of on-street parking spaces, sidewalk dimensions, drainage, etc. will need to be determined during the Facility Permit process (and may or may not be implemented explicitly as shown on the drawings). The plans aren't clear about the available right-of-way space, extent of pavement marking changes, transitions to existing conditions, etc.; in recognition that this application has been deemed complete, I believe this level of detail does not need to be determined at this time. You may note this as an information item in your staff report; otherwise, I have no additional concern, comment, or conditions.

Please let me know if you need additional information.

Thanks,

Becky Taylor  
 Senior Transportation Planner  
 Lane County Public Works  
[Becky.taylor@lanecountyor.gov](mailto:Becky.taylor@lanecountyor.gov)  
 541-682-6932

---

**From:** HEARLEY Henry O <HHEARLEY@Lcog.org>  
**Sent:** Wednesday, December 1, 2021 8:36 AM  
**To:** TAYLOR Becky <becky.taylor@lanecountyor.gov>  
**Cc:** CAUDLE Jeremy <JCaudle@ci.lowell.or.us>; CALLISTER Jacob (LCOG) <jcallister@lcog.org>; LENZEN-HAMMEREL Alycia B <Alycia.LENZEN-HAMMEREL@lanecountyor.gov>  
**Subject:** Update on Mixed Use Development in Lowell on North Shore

[EXTERNAL ⚠]

Hi Becky,

## HEARLEY Henry O

---

**From:** TAYLOR Becky <becky.taylor@lanecountyor.gov>  
**Sent:** October 13, 2021 10:44 AM  
**To:** HEARLEY Henry O  
**Subject:** RE: Development in Lowell

**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,

Thanks for including me in the development meeting yesterday. It sounds like the developer is not proposing any public street improvements and expects those to be publicly funded. I'm not sure what the City's plans are on that, but I'm not aware of any County or grant funding readily available.

To answer the driveway access question, I think it's going to be difficult to demonstrate compliance with the following Lane Code provisions; for the County Engineer to make exceptions to these rules, we'd need more evidence from the developer in the form of a TIA with specific details about site circulation. I also wonder if the driveway mid-block would run counter to the goal of improving walkability; driveways are less safe and comfortable for people walking on the sidewalks.

### **Lane Code 15.137 Access Management**

**(3) For properties with frontage on two or more roads, access will be limited to the intersecting street with the lower functional classifications as defined in LC 15.020(2). If the functional class is the same or undetermined for either road, access must be taken from the road with the lowest expected traffic volume. The County Engineer may make specific exceptions when necessary to ensure safe and efficient travel.**

**(4) Where a right of access to a collector or arterial road exists, the maximum number of approaches to the road from adjacent properties within a single ownership is one, irrespective of whether the land may be divided into two or more properties or whether property frontage and spacing standards of LC 15.138 would allow additional access points. More than one approach may be approved by the County Engineer when, in the Engineer's judgment, additional approaches are necessary to accommodate and service traffic to and from a property, and will not interfere with driver expectancy and the safety of through traffic on the road.**

However, I mentioned the County deferring to City standards with UGBs in certain circumstances; in addition to roadway design standards, we defer to City standards with respect to street intersection location in acknowledgment of that being a function of urban block lengths and connectivity. I thought I heard that the City was interested in a public street extension mid-block through the property...? If so, that new road could provide additional private driveway access to the development.

**(8) Road approach spacing on County Roads must comply with the spacing standards in LC 15.138, subject to the following:**

**(a) Within urban growth boundaries, block length and connectivity policies and standards specified in city transportation system plans and city development codes will apply**

Let me know if you have additional questions or need other support from me on this.

Thanks!

Becky

---

**From:** HEARLEY Henry O [mailto:HHEARLEY@Lcog.org]  
**Sent:** Tuesday, October 12, 2021 3:41 PM  
**To:** TAYLOR Becky <becky.taylor@lanecountyor.gov>  
**Subject:** RE: Development in Lowell

[EXTERNAL ⚠]

Becky,

I hadn't realized until it was brought up today that they're again proposes an egress point from the property onto North Shore. Last time we looked at these plans I think it was Danielle Stanka at Lane County had some comments on that so I thought they had nixed that idea... See attached ( I think she said if they want mid-block access onto North Shore, a TIA is required).

Henry

---

**From:** HEARLEY Henry O  
**Sent:** September 30, 2021 12:52 PM  
**To:** TAYLOR Becky <[becky.taylor@lanecountyor.gov](mailto:becky.taylor@lanecountyor.gov)>  
**Subject:** RE: Development in Lowell

Thank you so much for this information, Becky.

Let's circle back for a conversation after I meet with Jake internally to talk more specifically about the downtown plan. We do want to work closely with you on the coordination of efforts and related development in this particular area.

---

**From:** TAYLOR Becky <[becky.taylor@lanecountyor.gov](mailto:becky.taylor@lanecountyor.gov)>  
**Sent:** September 30, 2021 10:58 AM  
**To:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>  
**Cc:** VARTANIAN Sasha <[Sasha.VARTANIAN@lanecountyor.gov](mailto:Sasha.VARTANIAN@lanecountyor.gov)>; CALLISTER Jacob (LCOG) <[jcallister@lco.org](mailto:jcallister@lco.org)>; Alycia Lenzen <[alycia.lenzen-hammerel@lanecountyor.gov](mailto:alycia.lenzen-hammerel@lanecountyor.gov)>  
**Subject:** RE: Development in Lowell

**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,

The design concept for the SRTS project approved by the Board of County Commissioners on 8/31/21 is attached for your reference. Maps are included on pages 3, 15, and 16. Highlights are listed below.

## Project Elements:

- Sidewalk reconstruction on both sides of Main Street, between West Boundary Road and Jasper-Lowell Road (Pioneer Street)
- New sidewalk construction on both sides of West Boundary Road, between Main Street and Jasper-Lowell Road (Pioneer Street)
- Pedestrian crossing improvements at the west leg of the Jasper-Lowell (Pioneer Street)/West Boundary Road intersection to include a pedestrian-refuge island and curb extensions that will reduce the crossing distance for pedestrians while still enabling thru truck movements

## Financial Summary:

- The cost of the improvements will **not** be assessed to the benefiting properties in accordance with the Lane County Special Assessment Policy as outlined in Lane Code Chapter 15 and ORS 371.625 and 371.640.
- The funding for this project is sourced from the Oregon SRTS Infrastructure grant program.
- The cash-match requirement of the grant is being met by investments made previously by the County within the project area as part of Lane County's ADA Transition Plan implementation.

Schedule: The project funding is phased for design in 2021 and **construction in spring-summer 2022.**

I could also provide an overview of this information at a meeting. I definitely want to coordinate on utility work anticipated by the development in those areas.

Thanks,

Becky

---

**From:** TAYLOR Becky

**Sent:** Thursday, September 30, 2021 10:41 AM

**To:** 'HEARLEY Henry O' <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>

**Cc:** VARTANIAN Sasha L <[sasha.vartanian@lanecountyor.gov](mailto:sasha.vartanian@lanecountyor.gov)>; CALLISTER Jacob (LCOG) <[jcallister@lcog.org](mailto:jcallister@lcog.org)>; LENZEN-HAMMEREL Alycia B <[Alycia.LENZEN-HAMMEREL@lanecountyor.gov](mailto:Alycia.LENZEN-HAMMEREL@lanecountyor.gov)>

**Subject:** RE: Development in Lowell

Hi Henry,

Given my involvement in the Downtown Master Plan and management of the SRTS project, I'll serve as your primary County contact for transportation issues on this development. Any chance I could join your meeting today – or schedule a separate meeting for us to discuss?

Thanks!

Becky Taylor

Senior Transportation Planner

Lane County Public Works

[Becky.taylor@lanecountyor.gov](mailto:Becky.taylor@lanecountyor.gov)

541-682-6932

---

**From:** HEARLEY Henry O [<mailto:HHEARLEY@Lcog.org>]

**Sent:** Thursday, September 30, 2021 9:35 AM

**To:** LENZEN-HAMMEREL Alycia B <[Alycia.LENZEN-HAMMEREL@lanecountyor.gov](mailto:Alycia.LENZEN-HAMMEREL@lanecountyor.gov)>

**Cc:** TAYLOR Becky <[becky.taylor@lanecountyor.gov](mailto:becky.taylor@lanecountyor.gov)>; VARTANIAN Sasha L <[sasha.vartanian@lanecountyor.gov](mailto:sasha.vartanian@lanecountyor.gov)>;

CALLISTER Jacob (LCOG) <[jcallister@lcog.org](mailto:jcallister@lcog.org)>

**Subject:** RE: Development in Lowell

[EXTERNAL ⚠]

Thanks, Alycia.

I think we're largely concerned with what frontage improvements along the north side of North Shore the City can require of the applicant, consistent with the Downtown Plan. We are meeting internally later today to discuss just that question. As I dove into the Downtown Master Plan more, in the short term it calls for on-street parallel parking using painting lines within the existing pavement. The long-term vision is to widen North Shore to utilize it's full 90-feet of ROW. The illustrative plan does show blub outs, but the illustrative plan is conceptual in nature. I want to bring up the idea of bulb outs at the meeting today and see how hard we should or can push for bulb outs. The Downtown Master Plan also calls for 15-foot wide sidewalks along the north side of North Shore (where the subject development will be).

One thing I would like to know is the street improvements made recently in Lowell with respect to Safe Routes to School. I know they've been working on certain intersections in Lowell recently (Becky, I think you were at the Downtown Master Plan envisioning meeting with me back in 2018 😊). I just spoke to Max Baker at Lowell, he said Becky T has a nice map showing the improvements, but I think only one intersection (at the southeast corner of the subject property) is included in the SRTS improvements. I'd like to get a sense of those planned improvements to better understand how the improvement associated with this development fit. Also, Max had said the SRTS improvements are slated to begin around spring 2022? There could be opportunities for that work and the proposed development to piggy-back off efforts with respect to opening up earth and extending lines. Max mentioned Jerry would have to be extending water/sewer lines near that southeast corner and if the new SRTS improvements are already in place, he would likely have to rip them up and replace.

Henry

---

**From:** LENZEN-HAMMEREL Alycia B <[Alycia.LENZEN-HAMMEREL@lanecountyor.gov](mailto:Alycia.LENZEN-HAMMEREL@lanecountyor.gov)>

**Sent:** September 29, 2021 12:15 PM

**To:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>

**Cc:** TAYLOR Becky <[becky.taylor@lanecountyor.gov](mailto:becky.taylor@lanecountyor.gov)>; VARTANIAN Sasha <[Sasha.VARTANIAN@lanecountyor.gov](mailto:Sasha.VARTANIAN@lanecountyor.gov)>

**Subject:** RE: Development in Lowell

**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,

Thanks for reaching out! Our first thought and clarifying question is what is the City looking for from us? We want to know how we can best be in alignment with Lowell's Downtown Master Plan. In terms of bulb outs – we are in support of them. However, we are concerned with what the intended use of the bulbs would be, would these bulbs consist of stormwater treatments such as vegetation and/or trees? I know from a Road Maintenance perspective, they really oppose the maintenance of those features. We would like to further add, that we are strongly hoping for opportunities to transfer N Shore Dr to the City. This transfer would make it simpler in the long run to better implement their Master Plan.



Thanks,

Alycia

---

**From:** HEARLEY Henry O [<mailto:HHEARLEY@Lcog.org>]  
**Sent:** Wednesday, September 22, 2021 2:33 PM  
**To:** LENZEN-HAMMEREL Alycia B <[Alycia.LENZEN-HAMMEREL@lanecountyor.gov](mailto:Alycia.LENZEN-HAMMEREL@lanecountyor.gov)>  
**Cc:** TAYLOR Becky <[becky.taylor@lanecountyor.gov](mailto:becky.taylor@lanecountyor.gov)>; VARTANIAN Sasha L <[sasha.vartanian@lanecountyor.gov](mailto:sasha.vartanian@lanecountyor.gov)>  
**Subject:** RE: Development in Lowell

[EXTERNAL 

Alycia:

Danielle Stanka (whom believe you took over for) issued some preliminary comments on this development when it was in the pre-app stages. See the email here.

Henry

---

**From:** HEARLEY Henry O  
**Sent:** September 22, 2021 2:09 PM  
**To:** LENZEN-HAMMEREL Alycia B <[Alycia.LENZEN-HAMMEREL@lanecountyor.gov](mailto:Alycia.LENZEN-HAMMEREL@lanecountyor.gov)>  
**Subject:** RE: Development in Lowell

<https://www.ci.lowell.or.us/downtown-master-plan>

Lowell Master Plan Docs..

---

**From:** HEARLEY Henry O  
**Sent:** September 22, 2021 2:08 PM  
**To:** LENZEN-HAMMEREL Alycia B <[Alycia.LENZEN-HAMMEREL@lanecountyor.gov](mailto:Alycia.LENZEN-HAMMEREL@lanecountyor.gov)>  
**Subject:** Development in Lowell

Alycia,

I sent this to Becky and Sasha, but I wanted to make sure you also took a look. This is an extremely important development for Lowell's Downtown core. The applicant owns most if not all of the downtown land. One thing I wanted to ask about is bulb outs on North Shore for the implementation of on-street parking. I'm going to send you the plans and Lowell's Downtown Plan for reference in a separate email.

Henry

Henry O. Hearley  
Associate Planner  
Lane Council of Governments  
[hhearley@lhog.org](mailto:hhearley@lhog.org)

**HEARLEY Henry O**

---

**From:** LENZEN-HAMMEREL Alycia B <Alycia.LENZEN-HAMMEREL@lanecountyor.gov>  
**Sent:** September 29, 2021 12:15 PM  
**To:** HEARLEY Henry O  
**Cc:** TAYLOR Becky; VARTANIAN Sasha  
**Subject:** RE: Development in Lowell

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

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Hi Henry,

Thanks for reaching out! Our first thought and clarifying question is what is the City looking for from us? We want to know how we can best be in alignment with Lowell's Downtown Master Plan. In terms of bulb outs – we are in support of them. However, we are concerned with what the intended use of the bulbs would be, would these bulbs consist of stormwater treatments such as vegetation and/or trees? I know from a Road Maintenance perspective, they really oppose the maintenance of those features. We would like to further add, that we are strongly hoping for opportunities to transfer N Shore Dr to the City. This transfer would make it simpler in the long run to better implement their Master Plan.

Thanks,

Alycia

---

**From:** HEARLEY Henry O [mailto:HHEARLEY@Lcog.org]  
**Sent:** Wednesday, September 22, 2021 2:33 PM  
**To:** LENZEN-HAMMEREL Alycia B <Alycia.LENZEN-HAMMEREL@lanecountyor.gov>  
**Cc:** TAYLOR Becky <becky.taylor@lanecountyor.gov>; VARTANIAN Sasha L <sasha.vartanian@lanecountyor.gov>  
**Subject:** RE: Development in Lowell

[EXTERNAL 

Alycia:

Danielle Stanka (whom believe you took over for) issued some preliminary comments on this development when it was in the pre-app stages. See the email here.

Henry

---

**From:** HEARLEY Henry O  
**Sent:** September 22, 2021 2:09 PM



**Public Works Department**  
P.O. Box 490 Lowell, OR 97452  
Phone: 541-937-2157  
Fax: 541-937-2936  
Email: [MBaker@ci.lowell.or.us](mailto:MBaker@ci.lowell.or.us)

---

August 31, 2022

Subject: Water, Sewer and Storm Sewer capacity for Mixed-Use Development at 100 North Moss Street.

Henry Hearly,

This letter is to confirm that municipal water, sewer and storm sewer are available to the property mentioned below and that the existing water, sewer and storm sewer have the capacity to accommodate the proposed Mixed-Use Development at 100 North Moss Street.

Sincerely,

Max Baker  
Public Works Director

**Staff Report  
Partition  
Assessor’s Map 19-01-14-22, Tax Lot 02201  
Paul Fisher Park/City Hall Partition – City Property  
LU 2022-07  
Staff Report Date: August 31, 2022**

1. **Proposal.** The Planning Commission is being asked to review and render a decision on a partition for property located at Assessor’s Map 19-01-14-21, Tax Lot 02201. The subject property is owned by the City of Lowell. The subject properties are zoned PL – Public Lands. The subject property currently consists of one parcel that is 1.71 acres in size and contains City Hall and Paul Fisher City Park. The applicant is proposing to create one additional parcel noted as “Parcel 2” on the tentative map. The newly created Parcel 2 will be 0.405 acres in size. City Hall, which currently occupies the land of proposed Parcel 2, will be demolished. The City will sell Parcel 2 for redevelopment. Paul Fisher Park and the existing parking lot adjacent to City Hall will remain as is. The efforts being conducted are envisioned in the Lowell Downtown Master Plan, in which City Hall is relocated to Downtown, and the area which now occupies City Hall is redeveloped for residential uses.
2. **Approval Criteria of the Lowell Development Code (LDC).** Section 9.223 General Information, Section 9.220 Subdivision or Partition Tentative Plan, Section 9.204 Application Site Plan, Section 9.224 Existing Conditions Information, Section 9.518, Section 9.517 Street, Section 9.518 Sidewalks, and Section 9.228 Decision Criteria. Notice of decision will be sent to the applicant, and parties of record.
3. **Staff review of applicable criteria for partition.**

*LDC 9.204 Application Site Plan*

**Staff Response:** The applicant has submitted the necessary information as required for an application site plan, and application narrative for Staff to make findings on the proposal. Criterion met.

*LDC 9.223. General Information.*

**Staff Response:** The applicant has submitted the necessary information as required for a partition as seen on the surveyor’s tentative partition plan. Compliance with ORS 92 for final recording will be a condition of approval. Criterion met.

*LDC 9.224 Existing Conditions Information.*

- (a) *The location, widths and names of both opened and unopened streets within or adjacent to the land division, together with easements, other rights-of-ways and other important locational information such as section line, corners, city boundary lines and monuments.*

**Staff Response:** The proposed Parcel 2 is adjacent to 3<sup>rd</sup> Street and Pioneer Street. Currently, access is taken from 3<sup>rd</sup> Street. Following partition, Parcel 2 will have 151' of frontage on 3<sup>rd</sup> Street and 85' on Pioneer Street. Access to any future redevelopment will not be precluded. No additional right-of-way is necessary. The tentative plat contains the necessary items for land division.

*(b) The location of all existing sewers, septic tanks and drain fields, water lines, storm drains, culverts, ditches and utilities, together with elevation data, on the site and on adjoining property or streets, if applicable.*

**Staff Response:** The tentative plat for partition contains the necessary information for partition. See **Attachment A** for existing conditions maps.

**Staff Response:** The applicant has submitted the necessary information as required in Section 9.224 for a partition as seen on the surveyor's tentative partition map and application narrative. Criterion met.

**LCD 9.225 Proposed Plan Information.**

...

*(c) The location, width, and purpose of existing and proposed easements.*

**Staff Response:** There are no existing or proposed easements shown on the tentative plat.

*(d) The total acreage and the proposed land use for the land division including sites for special purposes or those allocated for public use.*

**Staff Response:** The total acreage and the proposed land use for the land division is shown on the tentative plat and described in the applicant narrative.

*(e) The location and approximate location dimensions of lots or parcels and the proposed lot or parcel numbers. Where the property division results in any lots or parcels that are larger than 2 and one-half times the minimum lot size, the applicant shall provide a sketch plan showing how the parcels may be re-divided in the future to provide for at least 80% of maximum density within current minimum lot sizes, existing site constraints and requirements of this Code.*

**Staff Response:** The proposed partition will result in one additional parcel that is to be 17,651 square feet and the remainder parcel will be 56,963 square feet. The remainder parcel will remain as Paul Fisher Park. The proposed new Parcel 2 is expected to be rezoned for residential uses and developed for those uses. Proposed parcel 2 can be further partitioned. The application has shown in the application materials that further partition is possible.

*(g) a general layout of all public utilities and facilities to be installed including provisions for connections and extensions beyond the proposed land division.*

**Staff Response:** Existing utilities are depicted on the existing conditions site plan (**Attachment A**). The properties contain city services and will have the ability to continue to receive city services after partition. Extension, relocation or upgrade of city utilities may be required upon actual site development of Parcel 2. Development is not precluded with the proposed partition.

*(h) The proposed method of connection to all drainage channels located outside of the proposed land division and the proposed method of flood control (retention ponds, swales.) and contamination protection (settling basins, separators, etc.)*

**Staff Response:** The proposed partition will not cause any development. Upon development of the site, drainage will be addressed as part of the site review or building permit process.

*(i) Identification of all proposed public dedications including streets, pedestrian or bike ways, parks or open spaces.*

**Staff Response:** The proposed partition does not require the dedication of any streets, pedestrian or bike ways, parks or open space areas.

*(j) Identification of any requirements for future streets and easements required for extension of public infrastructure beyond the development together with restrictions on building within those future streets and easements as well as future setback areas required by this Code.*

**Staff Response:** No future streets and easements are proposed.

*(k) Identification and layout of all special improvements. Special improvements may include, but are not limited to, signs, lighting, benches, mailboxes, bus stops, greenways, bike or pedestrian paths.*

**Staff Response:** No special improvements are proposed.

**Staff Response:** The applicant has submitted the necessary information, as seen on the Tentative Plan, and in the application narrative, for staff to determine the necessary criteria contained in LDC 9.225 are met, or can be met conditionally, where applicable. Criterion met.

**LDC 9.226 Accompanying Statements. The Tentative Plan shall be accompanied by written statements from the applicant giving essential information regarding the following matters:**

- (a) Identify the adequacy and source of water supply including:*
- (1) Certification that water will be available to the lot line of each and every lot depicted on The Tentative Plan for a subdivision, or;*
  - (2) A bond, contract or other assurance by the applicant that a public water supply system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan.*

**Staff Response:** No development is proposed as part of the proposed partition. Once Parcel 2 redevelops it will have city water and sewer services connected to it as a condition for

development.

**(b) Identify the proposed method of sewage disposal including:**

- (1) Certification that a sewage disposal system will be available to the lot line of each and every lot depicted on the Tentative Plan for a subdivision, or;**
- (2) A bond, contract or other assurance by the applicant that a public water supply system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan.**

**Staff Response:** See Staff's discussion above in response to LDC 9.226(a).

**(c) Protective covenants, conditions and deed restrictions (CC&R's) to be recorded, if any.**

**Staff Response:** No CC&Rs are proposed.

**(d) Identify all proposed public dedications including streets, pedestrian or bike ways, parks or open space areas.**

**(e) Identify all public improvements proposed to be installed, the approximate time installation is anticipated and the proposed method of financing. Identify required improvements that are proposed to not be provided and the reason why they are not considered necessary for the proposed land division.**

**Staff Response:** No public dedications or public improvements are proposed. Deferred urban street improvements may be required via a waiver of remonstrance or upon redevelopment of Parcel 2. Staff will offer a discussion of how the site fits in with the Lowell Downtown Plan and any possible urban public improvements that may be required as a condition of development.

**Staff Response:** The applicant has submitted the necessary information, as seen on the Tentative Plan, and in the application narrative, for Staff to determine the necessary criteria contained in LDC 9.226 are met, or can be met conditionally, where applicable. Criterion met.

**(f) A statement that the declarations required by ORS 92.075 on the final plat can be achieved by the fee owner, vendor and/or the mortgage or trust deed holder of the property.**

**Staff Response:** The property owner shall submit the final plat in accordance with ORS 92.075. Criterion met with the following condition:

**Condition of Approval #1:** The property owner shall submit the final plat in accordance with ORS 92.075, and all state and county recording requirements.

**LDC 9.227 Supplemental Information. Any of the following may be required by the City, in writing to the applicant, to supplement the Tentative Plan.**

**(d) If lot areas are to be graded, a plan showing the nature of cuts and fill and information on the character of the soil.**

**Staff Response:** As this land use application is only for a proposed partition of a property, no grading will occur because of approval. However, if grading is expected to disturb 1 acre or more of land, a National Pollutant Discharge Elimination System (NPDES) permit will be required of the property owner at the time of building permit review. Approval of a partition does not approve any construction activities. Appropriate building permits will have to be submitted, reviewed, and issued before any construction activities, including disturbance of soil, can occur. This will be made an informational item.

*(e) Specifications and details of all proposed improvements.*

**Staff Response:** No immediate public improvements are proposed or necessary for partition. Staff will offer a discussion of how the site fits in with the Lowell Downtown Plan and any possible urban public improvements that may be required as a condition of development.

The Regulating Plan shows the site which occupies City Hall is designated as Single-Family Attached Residential. The vision for this property is for townhouses/single-family attached dwellings or residential dwellings— other than traditional single-family. The Regulating Plan and Illustrative Plan show North Cannon Street pushing through this property and to the other end of the parcel in which the Fire Station currently sits. Such a street extension is not practical at such time as the Fire Department occupies the site. However, if in the future such extension of Cannon proposed and practical, the proposed partition does not preclude such extension.

As with any development in Lowell, development may be conditioned upon the addition of sidewalk, curb and gutter along the frontages of properties proposed for development. Such conditions for sidewalk, curb and gutter improvements would be addressed during the development proposal phase for any redevelopment on Parcel 2 and through securing a waiver of remonstrance upon sale of Parcel 2 for future urban improvements.

*(f) Wetland delineation if identified as an existing condition in Section 9.224(f).*

**Staff Response:** Staff have reviewed the Local Wetlands Inventory Map (LWI), and based on the map, there exists no mapped waterways, or wetlands.

**Staff Response:** The applicant has submitted the necessary information, as seen on the Tentative Plan, and in the application narrative, for staff to determine the necessary criteria contained in LDC 9.227 are met, or can be met conditionally, where applicable. Criterion met.

***LDC 9.228 Decision Criteria. A Partition Tentative Plan may be approved by the Planning Commission and a Subdivision Tentative Plan may be approved by the City Council. Approval shall be based upon compliance with the submittal requirements specified above and the following findings.***

*(a) That the proposed land division complies with applicable provision of City Codes and Ordinances, including zoning district standards.*

**Staff Response:** The City is proposing the partition to achieve the goals and vision of the Lowell Downtown Master Plan. The proposed partition has been reviewed and discussed by City Council, with input from the Parks and Recreation Committee. Paul Fisher Park will remain as is. The



existing parking lot at City Hall will also remain and provide parking for users of Paul Fisher Park. A determination on development standards relating to setbacks, maximum height and lot coverage will have to be made by the City at the time of building permit submittal.

**Staff Response:** Given the information contained in the current record, Staff can surmise the proposed land division complies with applicable provisions of City Codes and Ordinances, including zoning district standards, as discussed. Criterion met.

- (b) *Where the property division results in any lots or parcels that are larger than 2 and one-half times the minimum lot size, the applicant shall provide a sketch plan showing how the parcels may be re-divided in the future to provide for at least 80% of maximum density within current minimum lot sizes, existing site constraints and requirements of this Code.***

**Staff Response:** The applicant has shown in the application narrative that further partition is possible should Parcel 2 be further divided in the future.

- (c) *The applicant has demonstrated that the proposed land division does not preclude development on properties in the vicinity to at least 80% of maximum density possible within current minimum lot sizes, existing site conditions and the requirements of this Code.***

**Staff Response:** The proposed land division requires no further land division and will not preclude development on properties in the vicinity. Criterion met.

- (d) *The proposed street plan:***
- (1) Is in conformance with City standards and with the Master Road Plan or other transportation planning document.***
  - (2) Provides for adequate and safe traffic and pedestrian circulation both internally and in relation to the existing City street system.***
  - (3) Will not preclude the orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property or on surrounding properties.***

**Staff Response:** The proposed partition will not require any public improvements of streets. However, redevelopment of proposed Parcel 2 may require the addition of urban public improvements in the form of sidewalk, curb, and gutter and the extension of city service lines to serve proposed development.

**Staff Response:** The proposed land division will not preclude development of orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property. Criterion met.

- (e) *Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant has demonstrated that the services and facilities will be available prior to need, by providing at least one of the following:***
- (1) Prior written commitment of public funds by the appropriate public agency.***
  - (2) Prior acceptance of public funds by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.***

*(3) A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the City.*

**Staff Response:** The site contains existing city utilities. Upon redevelopment of Parcel 2, adequacy of public facilities will be evaluated. The proposed partition will not authorize any development activities.

**Staff Response:** The subject property currently receives city water and sewer. Upon redevelopment of either Parcel, the applicant/property owner/ developer will be responsible for costs and fees associated with connection to existing city services. Criterion met.

*(f) That proposed public utilities can be extended to accommodate future growth beyond the proposed land division.*

**Staff Response:** Future land division of Parcel 2 is not precluded. The newly created Parcel 2 can adequately connect to city services without detriment to future growth. Criterion met.

*(g) Stormwater runoff from the proposed land division will not create significant and unreasonable negative impacts on natural drainage courses either on-site or downstream, including, but not limited to, erosion, scouring, turbidity, or transport of sediment due to increased peak flows and velocity.*

**Staff Response:** Since no development is proposed stormwater runoff requirements will be reviewed upon a redevelopment plan being submitted to the City. Staff will include this as an informational item. Drainage and stormwater will be reviewed as part of the site review or building permit process and include review by the City Engineer. Criterion addressed.

*(h) The proposed land division does not pose a significant and unreasonable risk to public health and safety, including but not limited to fire, slope failure, flood hazard, impaired emergency response or other impacts identified in Section 9.204(u).*

**Staff Response:** The proposed partition is not expected to pose any significant or unreasonable risk to public health and safety. The subject property is contained within the City Limits of Lowell and is covered in terms of fire protection by the Lowell Rural Fire Protection District. The subject property is not located near any steep slopes, nor flood hazards.

**Staff Response:** The proposed partition does not pose any significant or unreasonable risk to public health and safety. Criterion met.

*LDC 9.518 Sidewalks. Public sidewalk improvements are required for all land divisions and property development in the City of Lowell. Sidewalks may be deferred by the City where future road or utility improvements will occur and on property in the rural fringe of the City where urban construction standards have not yet occurred. The property owner is obligated to provide sidewalk when requested by the City or is obligated to pay their fair share if sidewalks are installed by the City at a later date. An irrevocable Waiver of Remonstrance shall be recorded with the property to guarantee compliance with this requirement.*

*LDC 9.517 Streets. Urban public street improvements including curbs, gutters and storm drainage are required for all land divisions and property development in the City of Lowell. Urban street improvements may be deferred by the City if there is not existing sidewalk or storm drain system to which connection can be made, conditional upon the responsible party agreeing to an irrevocable waiver of remonstrance to a future assessment at the time of construction of a sidewalk which is otherwise required to be constructed.*

**Staff Response:** Per the Lowell Development Code, all land divisions in Lowell require public sidewalk improvements to be made. The frontage along East 3<sup>rd</sup> Street, according to the Public Works Director, contains sidewalk, but no curb or gutter; the sidewalk is a satisfactory condition. The frontage along North Pioneer has sidewalk, curb and gutter that is in good condition. Since the applicant is not proposing development a waiver for future urban public improvements is not required to be signed at this time. However, future redevelopment of Parcel 2 may trigger the need for urban public improvements. Staff recommend the City place a plat note on the final plat that a waiver of remonstrance for future urban street improvements will be attached at time of sale of Parcel 2.

**Criterion met with the following Condition of Approval #2:**

Prior to finalizing and recording the final partition plat, a plat note shall be placed on the final plat indicating that a waiver of remonstrance for future urban street improvements may be required upon site development. Waiver of remonstrance shall be signed and executed concurrently with sale of Parcel 2.

**4. Recommendation**

Staff recommends the Planning Commission **APPROVE** as conditioned, a partition to create Parcel 1 and Parcel 2 as shown on the tentative partition plat.

**5. Conditions of Approval**

**Condition of Approval #1:** The property owner shall submit the final plat in accordance with ORS 92.075, and all state and county recording requirements.

**Condition of Approval #2:** Prior to finalizing and recording the final partition plat, a plat note shall be placed on the final plat indicating that a waiver of remonstrance for future urban street improvements may be required upon site development on Parcel 2. Waiver of remonstrance shall be signed and executed concurrently with sale of Parcel 2.

## **6. Informational items**

- Upon redevelopment of Parcel 2 developer may be required to submit a drainage plan in conformance with the stormwater drainage standards of LDC 9.520. Review of the stormwater proposal/plan shall be reviewed by the City Engineer.
- Urban street improvements may be required upon redevelopment of Parcel 2.
- Redevelopment of Parcel 2 must go through the building permit process or site review process as appropriate and consistent with the LDC.
- Appropriate permits to perform work within City of Lowell rights-of-way will have to be obtained by the property owner/applicant/contractor before any work in public rights-of-way can be undertaken. For questions related to performing work within City rights of way, please contact the Lowell Public Works department at 541-937-2776.

## **7. Attachments**

Attachment A: Applicant's application

Attachment B: Notice

## 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# 1901142202201 Lot # \_\_\_\_\_

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

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

Street Address (if applicable): 107 E. 3RD STREET, LOWELL OR 97452

Area of Request (square feet/acres): 17,651 SQ. FT.

Existing Zoning: PUBLIC LAND

Existing Use of the Property: COMBINED CITY HALL AND PAUL FISHER PARK

Proposed Use of the Property VACATE CURRENT CITY HALL TO PREPARE LOT FOR PRIVATE DEVELOPMENT

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

**Submittal Requirements:**

N/A 1. Copy of deed showing ownership or purchase contract with property legal description.

YES 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)

YES 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.

YES 4. Other submittals required by the City or provided by the applicant. Please List.

a. CURRENT CONDITIONS b. \_\_\_\_\_


c. \_\_\_\_\_ d. \_\_\_\_\_

e. \_\_\_\_\_ f. \_\_\_\_\_

N/A 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): JEREMY CAUDLE (FOR CITY OF LOWELL) Phone: 541-937-2157  
Address: 107 E. 3RD STREET, LOWELL, OR 97452  
City/State/Zip: \_\_\_\_\_  
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 2022-07  
Date Submitted: 8/18/2022 Received by: J CAUDLE Fee Receipt # N/A  
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.

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

- N/A Water systems, drainage systems, sewage disposal systems and utilities.
  - N/A Drainage ways, water courses, flood plain and wetlands.
  - N/A The number of people that will occupy the site including family members, employees or customers.
  - N/A The number of generated trips per day from each mode of travel by type: employees, customers, shipping, receiving, etc.
  - N/A Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.
  - N/A 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.
- N/A 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.**



# 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# 1901142308800 Lot # \_\_\_\_\_

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

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

Street Address (if applicable): 101 N Shore Dr., Lowell OR 97452

Area of Request (square feet/acres): 20,945 sq. ft.

Existing Zoning: PUBLIC LAND

Existing Use of the Property: ROLLING ROCK PARK

Proposed Use of the Property VACATED TO PREPARE FOR SALE AND COMMERCIAL DEVELOPMENT

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

**Submittal Requirements:**

N/A 1. Copy of deed showing ownership or purchase contract with property legal description.

YES 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)

YES 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.

YES  
N/A

4. Other submittals required by the City or provided by the applicant. Please List.

a. Current conditions b. \_\_\_\_\_

c. \_\_\_\_\_ d. \_\_\_\_\_

e. \_\_\_\_\_ f. \_\_\_\_\_

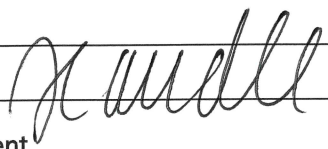
N/A 5. Filing Fee: Amount Due: \_\_\_\_\_

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): JEREMY CAUDLE (FOR CITY OF LOWELL) Phone: 541-937-2157  
Address: PO BOX 490, LOWELL OR 97452

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

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 2022-08

Date Submitted: 8/18/22 Received by: J Caudle Fee Receipt # \_\_\_\_\_

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

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

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

see narrative

N/A Water systems, drainage systems, sewage disposal systems and utilities.

N/A Drainage ways, water courses, flood plain and wetlands.

N/A The number of people that will occupy the site including family members, employees or customers.

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

N/A Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.

N/A 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.

N/A Such other data as may be necessary to permit the deciding authority to make the required findings.

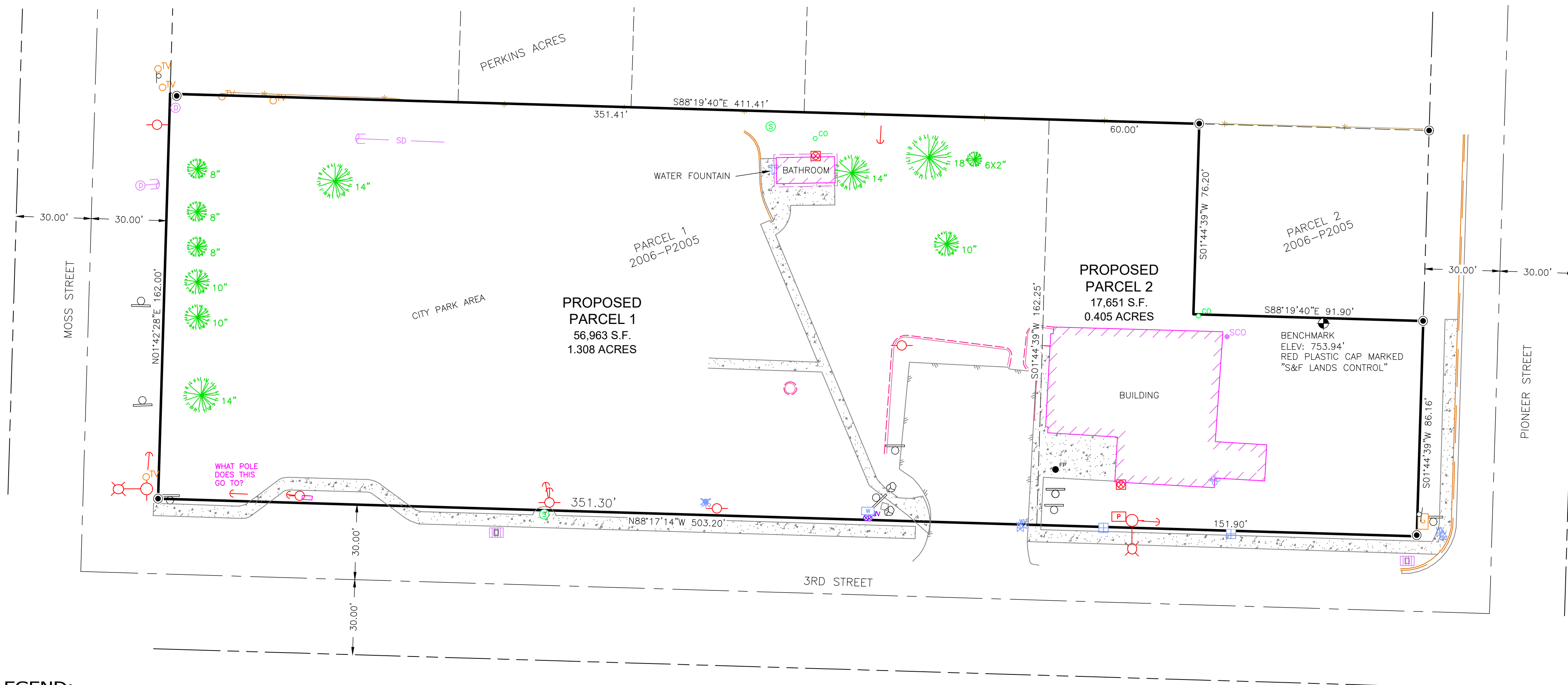
**NOTE: Additional information may be required after further review in order to adequately address the required criteria of approval.**

**OWNER:**  
CITY OF LOWELL  
P.O. BOX 490  
LOWELL, OR 97452

**ZONE:**  
PL, PUBLIC LAND

# EXISTING CONDITIONS

FOR A PROPOSED PARTITION PLAT



**LEGEND:**

- BOUNDARY LINE
- CENTERLINE
- RIGHT OF WAY
- LOT/PARCEL LINE
- STORM SEWER
- FENCE-WIRE
- BUILDING HATCH
- CONCRETE HATCH
- BENCHMARK
- FOUND MONUMENT OF RECORD
- SIGN
- ROCK-BOULDER
- SIGN-WARNING UNDERGROUND UTILITY
- TREE - CONIFER
- IRRIGATION CONTROL VALVE
- POWER METER
- POWER POLE
- POWER POLE W/ LIGHT
- POWER VAULT
- GUY ANCHOR
- SANITARY SEWER CLEANOUT
- SANITARY SEWER MANHOLE
- STORM CATCH BASIN
- STORM MANHOLE
- STORM CLEANOUT
- STORM CULVERT
- WATER SPIGOT - SHUTOFF
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- WATER VAULT
- CATV RISER
- COMMUNICATION VAULT

**HORIZONTAL DATUM (BASIS OF BEARINGS):**

OREGON SOUTH STATE PLANE COORDINATE SYSTEM NAD 83 (2011)  
BASED ON GPS OBSERVATIONS.  
DISTANCES SHOWN HEREON ARE GROUND DISTANCES, INTERNATIONAL FEET,

**VERTICAL DATUM:**

NORTH AMERICAN VERTICAL DATUM OF 1988.  
BASED ON STATIC GPS TIES, PROCESSED THROUGH OPUS-RS.



**S&F Land Services**

PORTLAND, VANCOUVER, BEND, SEASIDE

4858 SW SCHOLLS FERRY RD.  
STE A, PORTLAND, OR 97225  
(503) 345-0328

|                    |                         |
|--------------------|-------------------------|
| WWW.SFLANDS.COM    | EMAIL: INFO@SFLANDS.COM |
| DATE: MAY 25, 2022 | JOB NO.: 2021-472-01    |
| FIELD: BV          | DRAWN: BRD/TLB          |
| CHECKED: CCS       |                         |

SURVEY FOR:  
CITY OF LOWELL

LOCATED IN THE NW 1/4 OF THE NW 1/4  
OF SEC 14, T.19S, R.01W, W.M.  
CITY OF LOWELL, LANE COUNTY,  
OREGON

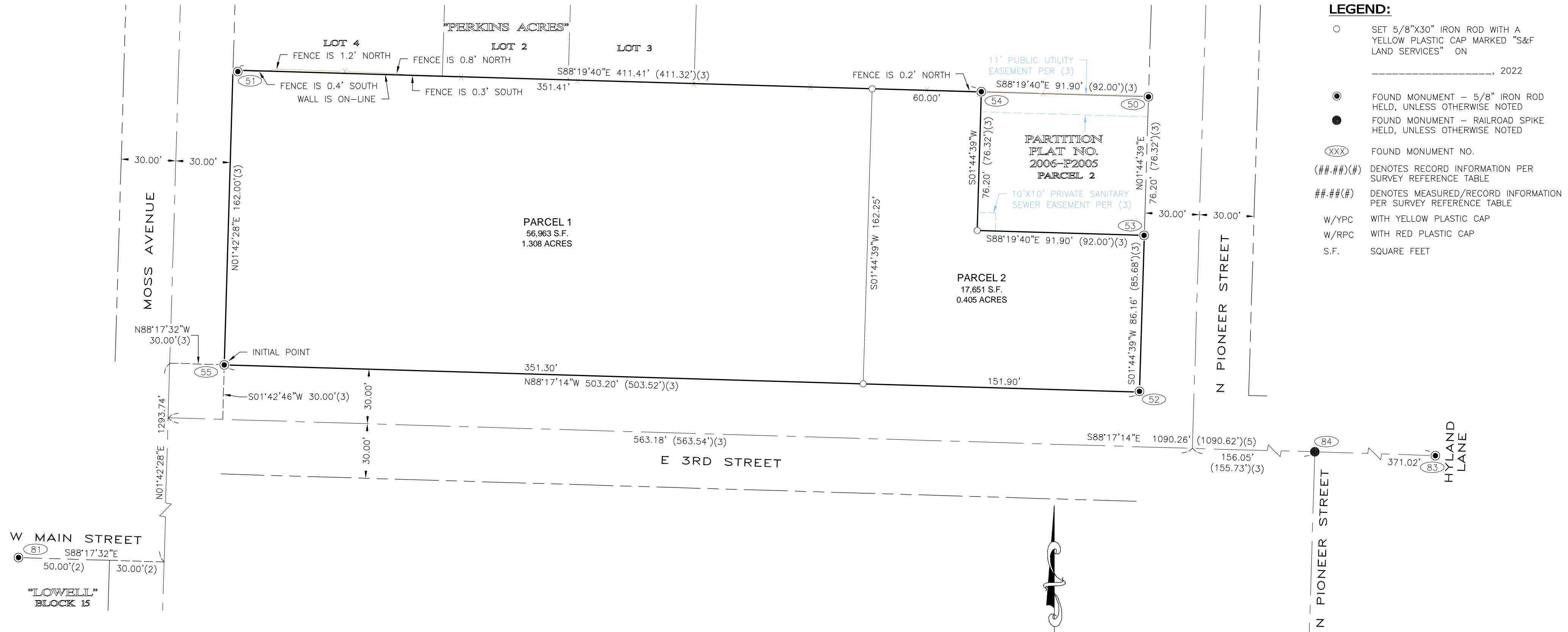
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JUNE 13, 2008  
CHRISTOPHER C. SHERBY  
74508PLS

**LAND PARTITION PLAT NO. \_\_\_\_\_**  
**A REPLAT OF PARCEL 1 OF PARTITION PLAT 2006-P2005**  
**LOCATED IN THE NW QUARTER OF SECTION 14, TOWNSHIP 19 SOUTH,**  
**RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,**  
**CITY OF LOWELL, LANE COUNTY, OREGON**  
**CITY OF LOWELL PLANNING ACTION NO. ####-##-##**

**SURVEY REFERENCES:**

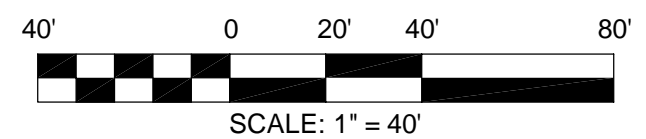
- (1) SURVEY NO. 28584
- (2) SURVEY NO. 32595
- (3) PARTITION PLAT NO. 2006-P2005
- (4) THE PLAT OF "PERKINS ACRES"
- (5) SURVEY NO. 21457



**LEGEND:**

- SET 5/8"X30" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "S&F LAND SERVICES" ON
- , 2022
- FOUND MONUMENT - 5/8" IRON ROD HELD, UNLESS OTHERWISE NOTED
- FOUND MONUMENT - RAILROAD SPIKE HELD, UNLESS OTHERWISE NOTED
- (XXX) FOUND MONUMENT NO.
- (###-##)(#) DENOTES RECORD INFORMATION PER SURVEY REFERENCE TABLE
- ##-##(##) DENOTES MEASURED/RECORD INFORMATION PER SURVEY REFERENCE TABLE
- W/YPC WITH YELLOW PLASTIC CAP
- W/RPC WITH RED PLASTIC CAP
- S.F. SQUARE FEET

| FOUND MONUMENTS TABLE |  |
|-----------------------|--|
| POINT NO.             | DESCRIPTION  |
| 50                    | FOUND 5/8" IRON ROD W/RPC MARKED "GEOMAX INC" PER (3)                              |
| 51                    | FOUND 5/8" IRON ROD W/RPC MARKED "BRANCH ENG INC" PER (4), FALLS S72°07'45"E 2.78' |
| 52                    | FOUND 5/8" IRON ROD NO CAP PER (3), FALLS N01°44'39"E 0.49'                        |
| 53                    | FOUND 5/8" IRON ROD NO CAP PER (3)   |
| 54                    | FOUND 5/8" IRON ROD W/RPC MARKED "GEOMAX INC" PER (3)                              |
| 55                    | FOUND 5/8" IRON ROD NO CAP PER (3)   |
| 81                    | FOUND 5/8" IRON ROD W/YPC MARKED "DW BAKER PLS 1978" PER (2)                       |
| 83                    | FOUND 5/8" IRON ROD NO CAP, UNKNOWN ORIGIN   |
| 84                    | FD_OTH FOUND RAILROAD SPIKE DOWN 0.3', SHOWN IN (1)                                |



S&F LAND SERVICES MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ACQUIESCENCE, ESTOPPEL, ADVERSE POSSESSION, ETC.

|  |  |  |  |  |
|--|--|--|--|--|
| <br>PORTLAND, VANCOUVER, BEND, SEASIDE<br>4858 SW SCHOLLS FERRY RD.<br>STE A, PORTLAND, OR 97225<br>(503) 345-0328 |  |  | SURVEY FOR:<br>CITY OF LOWELL<br><br>LOCATED IN THE SW 1/4 OF<br>THE NW 1/4 OF<br>SEC 14, T.19S, R.01W,<br>OF THE WILLAMETTE MERIDIAN<br>CITY OF LOWELL, LANE COUNTY, OREGON |  |
| SHEET 1 OF 2<br>2147201_P PLAT-Site C.dwg  | WWW.SFLANDS.COM<br>DATE: MAY 11, 2022<br>JOB NO.: 2021-472-01<br>FIELD: BV<br>DRAWN: TLB/BRD<br>CHECKED: BRD/CCS |  |  |  |

**LAND PARTITION PLAT NO. \_\_\_\_\_**  
**A REPLAT OF PARCEL 1 OF PARTITION PLAT 2006-P2005**  
**LOCATED IN THE NW QUARTER OF SECTION 14, TOWNSHIP 19 SOUTH,**  
**RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,**  
**CITY OF LOWELL, LANE COUNTY, OREGON**  
**CITY OF LOWELL PLANNING ACTION NO. ####-##-##**

**NARRATIVE:**

THE PURPOSE OF THIS SURVEY IS TO PARTITION THAT TRACT OF LAND DESCRIBED IN DOCUMENT NUMBERS 73315 AND 2018-046558, LANE COUNTY DEED RECORDS, AS APPROVED BY CITY OF LOWELL PLANNING ACTION NO. ####-##-##.

N MOSS ST:  
 HELD 30.00' FROM MONUMENT 55 AND 80.00' FROM MONUMENT 81 FOR CENTERLINE.

CENTERLINE E 3RD ST:  
 HELD MONUMENT 83 AND 30.00' FROM MONUMENT 55.

PIONEER STREET (NORTH OF E 3RD ST):  
 HELD MONUMENT 50 AND 52 FOR WEST RIGHT-OF-WAY LINE.

NORTH LINE OF SUBJECT:  
 HELD MONUMENT 50 AND A DISTANCE OF 162.00' FROM MONUMENT 55 PER PLAT 2006-P2005.

MOST WESTERLY EAST LINE OF SUBJECT:  
 HELD MONUMENT 54 AND A LINE PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF PIONEER ST (AS COMPUTED ABOVE).

MOST SOUTHERLY NORTH LINE OF SUBJECT:  
 HELD MONUMENT 53 AND A LINE PARALLEL WITH THE NORTH LINE OF SUBJECT (AS COMPUTED ABOVE).

**SURVEYOR'S CERTIFICATE**

I BENJAMIN R. DUBIN, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LANDS AS REPRESENTED ON THIS PARTITION PLAT, SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, LANE COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT BEING A FOUND 5/8" IRON ROD NO CAP PER (3) MARKING THE SOUTHWEST CORNER OF PARCEL 1 OF PARTITION PLAT NO. 2006-P2005, LANE COUNTY PLAT RECORDS, THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MOSS AVENUE (BEING 30.00 FEET FROM THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO), NORTH 01'42'28" EAST, 162.00 FEET TO THE NORTHERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID NORTHERLY LINE, SOUTH 88'19'40" EAST, 411.41 FEET TO THE COMMON LINE OF SAID PARCEL 1 AND PARCEL 2 OF SAID PARTITION PLAT NO. 2006-P2005;

THENCE ALONG SAID COMMON LINE, SOUTH 01'44'39" WEST, 76.20 FEET;

THENCE SOUTH 88'19'40" EAST, 91.90 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF N PIONEER STREET (BEING 30.00 FEET FROM THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO),

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 01'44'39" WEST, 86.16 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF E 3RD STREET (BEING 30.00 FEET FROM THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO),

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 88'17'14" WEST, 503.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 74,614 SQUARE FEET OR 1.713 ACRES, MORE OR LESS.

**APPROVALS**

\_\_\_\_\_  
 CITY OF LOWELL CITY ADMINISTRATOR DATE

\_\_\_\_\_  
 LANE COUNTY SURVEYOR DATE

\_\_\_\_\_  
 LANE COUNTY ASSESSOR DATE

**DECLARATION**

KNOW ALL PERSONS BY THESE PRESENT, THAT THE CITY OF LOWELL, OWNER OF THE LANDS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND DEPICTED HEREON, AND HAS CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES.  
 CITY OF LOWELL

\_\_\_\_\_  
 DON BENNETT, MAYOR

\_\_\_\_\_  
 JEREMY CAUDLE, CITY ADMINISTRATOR

**ACKNOWLEDGEMENTS**

STATE OF OREGON )  
 )SS  
 COUNTY OF \_\_\_\_\_)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY DON BENNETT, AS MAYOR, AND JEREMY CAUDLE, AS CITY ADMINISTRATOR OF THE CITY OF LOWELL, A MUNICIPAL CORPORATION OF THE STATE OF OREGON, ON ITS BEHALF.

NOTARY SIGNATURE \_\_\_\_\_

NOTARY PUBLIC FOR OREGON \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION NO. \_\_\_\_\_

**HORIZONTAL DATUM (BASIS OF BEARINGS):**

OREGON SOUTH STATE PLANE COORDINATE SYSTEM NAD 83 (2011)  
 BASED ON GPS OBSERVATIONS.  
 DISTANCES SHOWN HEREON ARE GROUND DISTANCES, INTERNATIONAL FEET,

**VERTICAL DATUM:**

NORTH AMERICAN VERTICAL DATUM OF 1988.  
 BASED ON STATIC GPS TIES, PROCESSED THROUGH OPUS-RS.



PORTLAND, VANCOUVER, BEND, SEASIDE  
 4858 SW SCHOLLS FERRY RD.  
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 (503) 345-0328

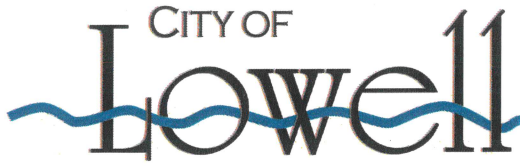
WWW.SFLANDS.COM EMAIL: INFO@SFLANDS.COM  
 DATE JOB NO. FIELD DRAWN CHECKED  
 MAY 11, 2022 2021-472-01 BV TLB/BRD BRD/CCS

**SHEET 2 OF 2**  
 2147201\_P PLAT-Site C.dwg

SURVEY FOR:  
 CITY OF LOWELL

LOCATED IN THE SW 1/4 OF  
 THE NW 1/4 OF  
 SEC 14, T.19S, R.01W,  
 OF THE WILLAMETTE MERIDIAN  
 CITY OF LOWELL, LANE COUNTY, OREGON





City Administrator's Office  
P.O. Box 490 Lowell, OR 97452  
Phone: 541-937-2157  
Email: admin@ci.lowell.or.us

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**To:** Planning Commission  
**From:** Jeremy Caudle, City Administrator  
**Date:** August 18, 2022  
**Re:** Partition plat application

# MEMO

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This is to submit an "applicant's statement" with Land Use Applications 2022-07 and 2022-08. I will address each of these applications in turn.

## 1. LU #2022-07.

### Description of the proposal

This is to add a property line between the current City Hall building and the parking lot. See the "Existing Conditions" survey associated with this property for detail.

The reason for the partition is to create a new tax lot where the current City Hall is located. The City is in the process of moving out of the current City Hall into the 70 N. Pioneer St. building. Once the City moves its operations out of the current building, the plan is to demolish the current structure. Then, we will prepare the property for sale. We will use the sale proceeds to pay off the loan that we used to finance the 70 N. Pioneer St. project.

On November 2, 2021, City Council held a joint meeting with the Parks and Recreation Committee to consider this issue. The City Council involved the Parks and Recreation Committee since this property includes Paul Fisher Park. After gaining input from the Parks and Recreation Committee on where to locate the partition line, the City Council approved a motion to "to reserve the current City Hall parking lot for parking at Paul Fisher Park from 60 Feet from West of lot 2200 property line straight across from the Fire Department property to 3rd Street." The reasoning behind this decision was to keep the parking lot for use for Paul Fisher Park.

The City Council has considered the sale of the current City Hall campus over several meetings. The City Council first discussed the idea at the September 7, 2021 meeting, where the City Administrator presented an "Analysis of Impact of Using Net Revenues from Property Sales to Fund 70 N. Pioneer St. Project." The analysis included an estimate of the net revenues from selling the current City Hall campus, along with the portion of Rolling Rock Park discussed below. At a September 27, 2021 Town Hall meeting to discuss the 70 N. Pioneer St. project with the community, the city had information boards identifying the current City Hall campus, as well as the Rolling Rock Park partition discussed below, as financing sources for



the new City Hall and library. Discussion of partitioning this property and selling a portion of it has occurred in public and with approval of City Council.

After deciding to prepare the two properties for sale, the City Council approved a contract with S&F Land Services on November 2, 2021 to start the surveying work. The surveys and partition plans in the land use applications are the result of the approved survey work.

How the proposal meets the decision criteria

This section addresses Sec. 2.228 “Decision Criteria” of the Lowell Revised Code regarding applications for partitions.

*(a) That the proposed land division complies with applicable provisions of City Codes and Ordinances, including zoning district standards.*

The city intends to rezone “Parcel 2” on the land partition plat that S&F Land Services prepared. We likely intend to rezone Parcel 2 R-3, “Multiple-family residential.” Parcel 2 will meet the requirements for the R-3 district (L.R.C. Sec. 9.412).

To elaborate, from the development standards associated with the R-3 district:

*(1) Minimum lot area: 7,000 square feet.*

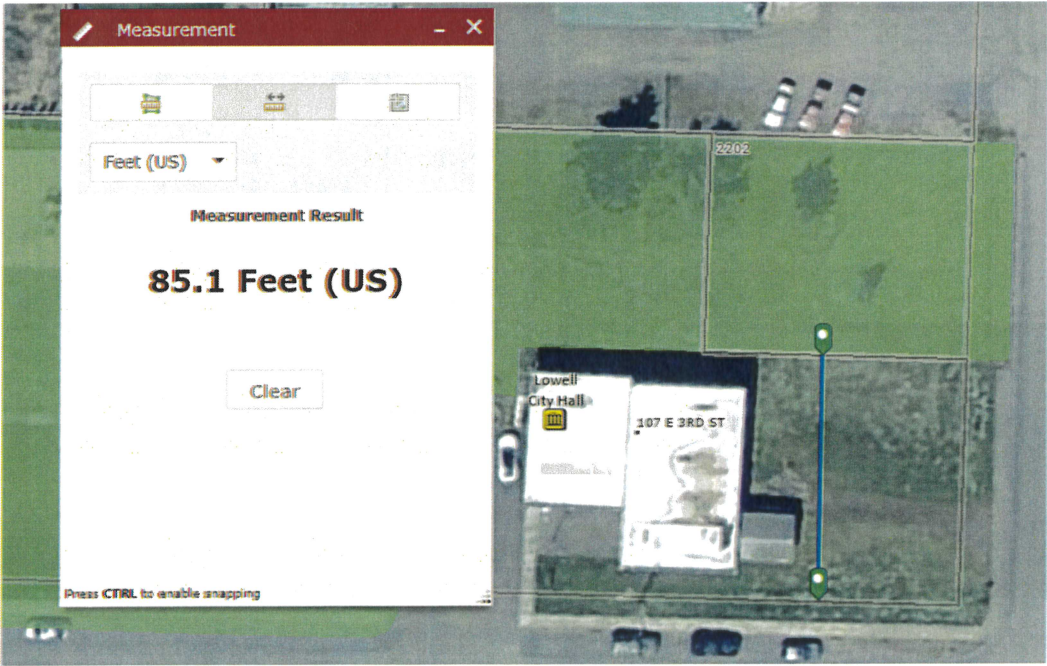
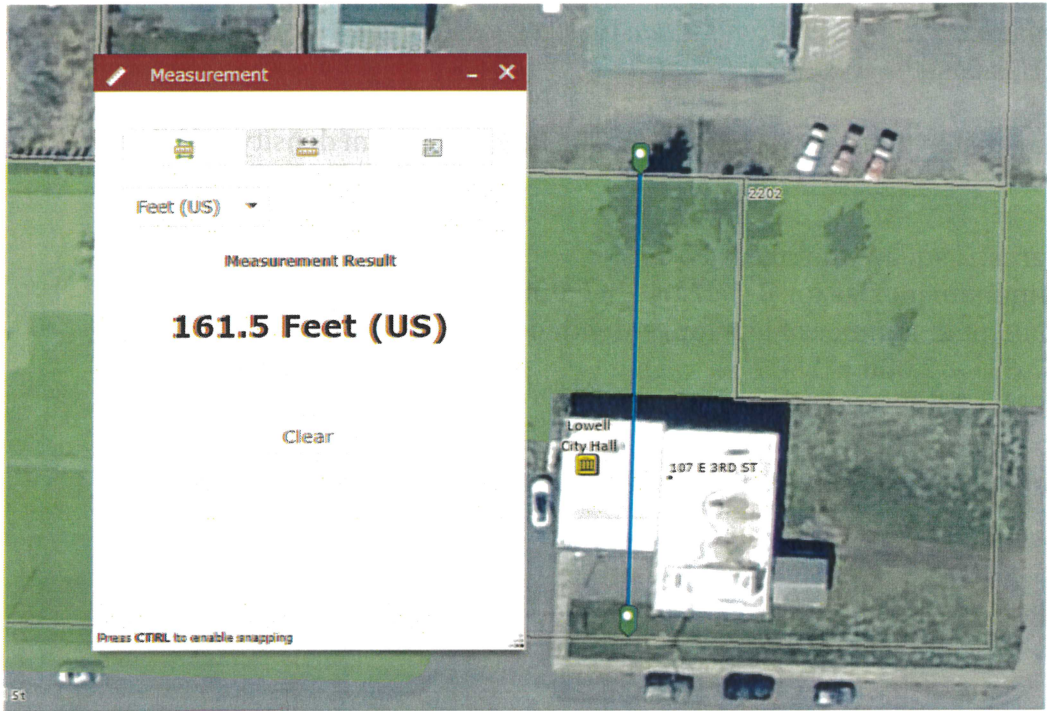
Parcel 2, once partitioned, will have a lot area of 17,651 square feet. It would be possible to partition Parcel 2 again into two lots. Each of the two possible lots would have an area greater than 7,000 square feet.

*(2) Minimum lot width: 60 feet, except for corner lots which must have no less than 65 feet on any property line adjoining a street.*

As shown on the “existing conditions” plan, the minimum lot width exceed 60 feet. If Parcel 2 were partitioned further into 2 properties, each of the two possible lots would have a lot width at or above the minimum of 60 feet.

*(3) Minimum Lot Depth: 80 feet.*

As shown on the illustrations below, Parcel 2—and potential further partitions of Parcel 2—will meet the minimum lot depth of 80 feet.

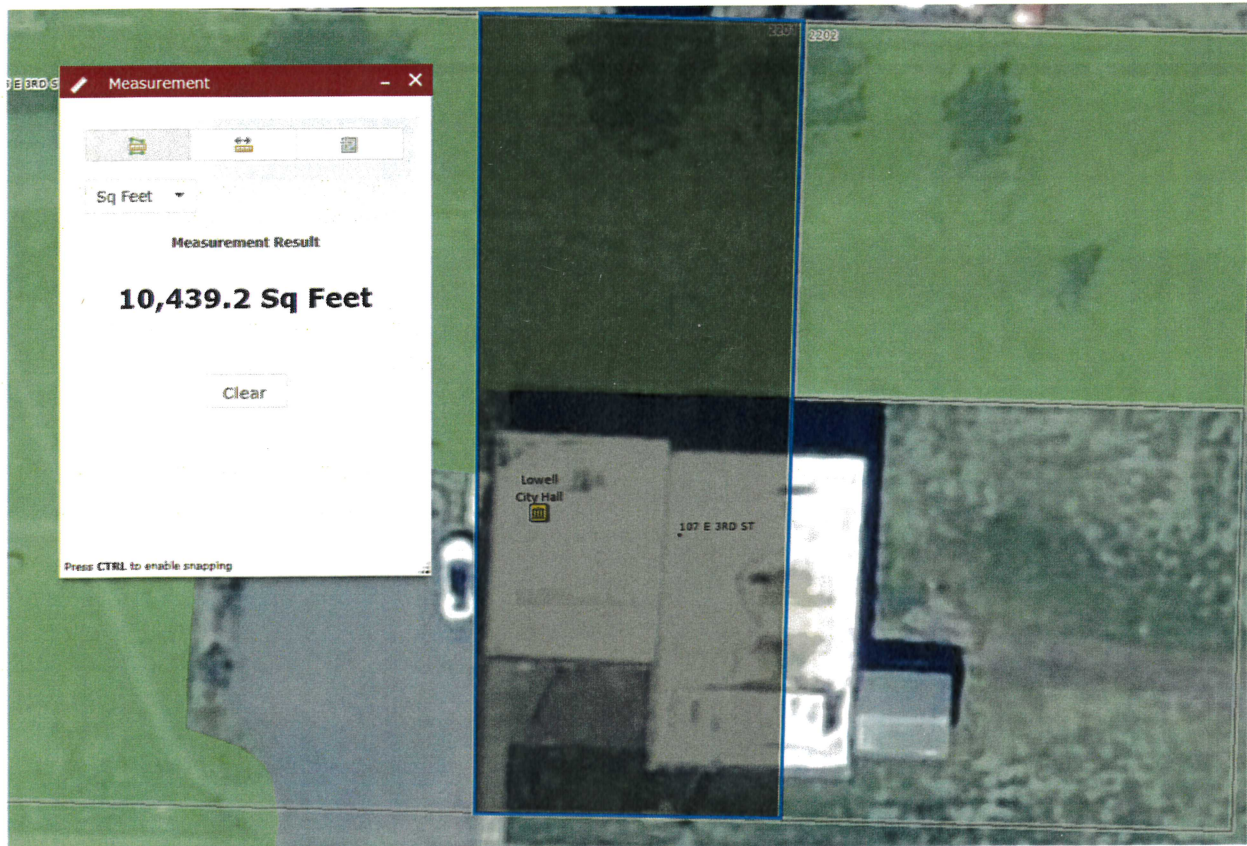


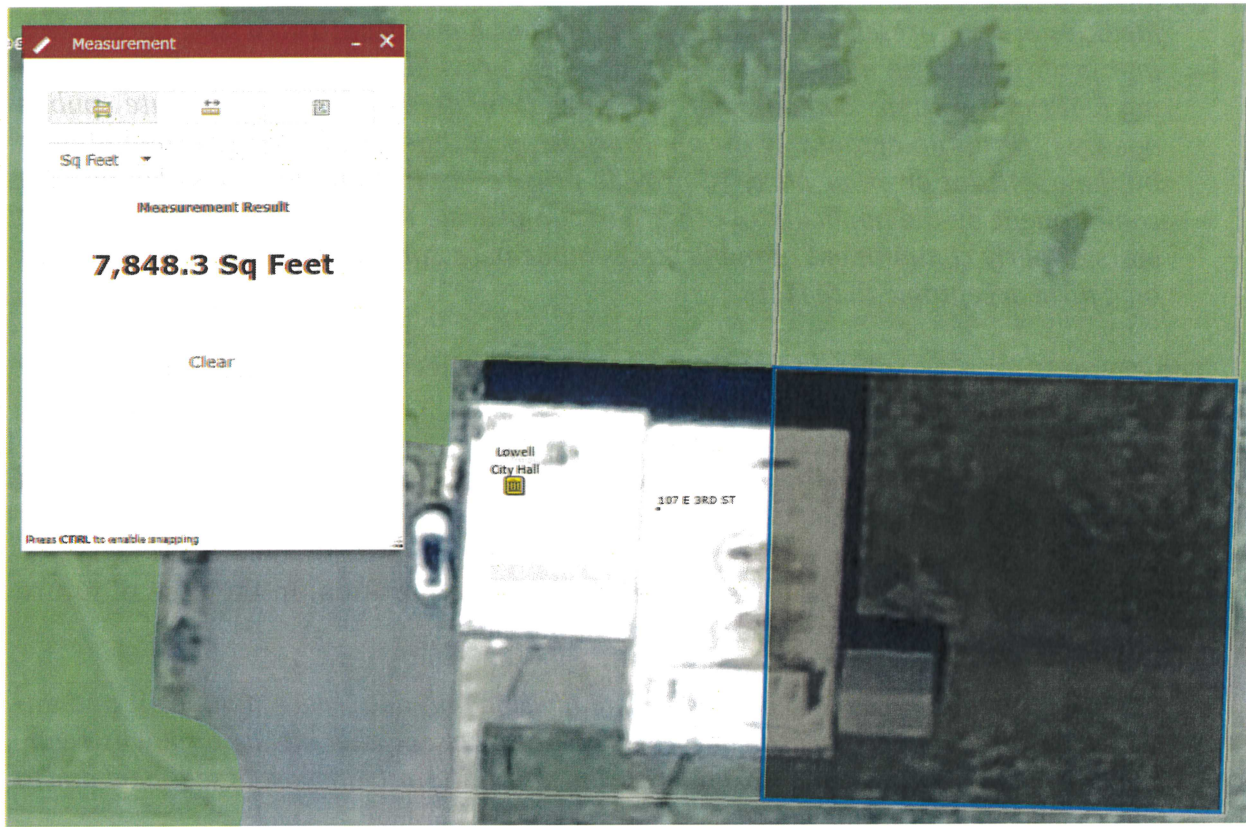
*(b) Where the proposed land division results in any lots or parcels that are at least two and one half times the allowed minimum lot size, the applicant has demonstrated that all such lots or parcels may be re-divided in the future to at least 80 percent of maximum density possible within current minimum lot sizes, existing site constraints, and requirements of this Code.*

The partition plan meets this decision criterion. The 80% maximum density calculation is as follows:

1. Parcel 2 square footage = 17,651
2. Minimum lot size for R-3 district = 7,000 sq. ft.
3. Maximum number of lots for re-divided Parcel 2  
 $17,651 \div 7,000 = 2.509$
4.  $80\% \times 2.509 = 2.007 \approx 2$

As illustrated below, Parcel 2 can be further divided into the required 2 parcels.





*(c) The applicant has demonstrated that the proposed land division does not preclude development on properties in the vicinity to at least 80 percent of maximum density possible within current minimum lot sizes, existing site conditions and the requirements of this Code.*

This partition line isn't going to affect development on properties within the vicinity. The property to the north is the Lowell Fire District Fire Station, which is already developed to its fullest extent. To the west is Paul Fisher Park, which will remain a park with no further development. No properties border the property on the east or south.

*(d) The proposed street plan:(1)Is in conformance with City standards and with the master road plan or other transportation planning document.(2)Provides for adequate and safe traffic and pedestrian circulation both internally and in relation to the existing City street system.(3)Will not preclude the orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property or on surrounding properties.*

This is a partition only and does not include street construction work. This criterion is not applicable.

*(e) Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant has demonstrated that the services and facilities will be available prior to need, by providing at least one of the following:(1)Prior written commitment of public funds by the appropriate public agency.(2)Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.(3)A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the City.*

The current City Hall is located at the site, which has electric, water, and sewer utility access. Public utilities are available at the site.

*(f) That proposed public utilities can be extended to accommodate future growth beyond the proposed land division.*

There are no proposed public utilities associated with the partition. In the case of future growth, city water and sewer access is available at the site.

*(g) Stormwater runoff from the proposed land division will not create significant and unreasonable negative impacts on natural drainage courses either on-site or downstream, including, but not limited to erosion, scouring, turbidity, or transport of sediment due to increased peak flows and velocity.*

This is a partition only and does not include construction work that will affect stormwater runoff. This criterion is not applicable.

*(h) The proposed land division does not pose a significant and unreasonable risk to public health and safety, including but not limited to fire, slope failure, flood hazard, impaired emergency response or other impacts identified in section 9.204(u).*

This is a partition only and does not include construction work that will create health or safety risks. I marked "N/A" on the land use application for the Section 9.204(u) impacts because they are not applicable for this land partition. This criterion is not applicable.

**2. LU #2022-08.**

Description of the proposal

This is to add a property line to create a new tax lot on the northeastern area of Rolling Rock Park. The partition plan also includes a right-of-way dedication for the planned Cannon Street extension.

In the 2019 “Downtown Master Plan,” the regulating plan contemplates that this section of Rolling Rock Park will be rezoned Flex 1 for commercial, mixed-use, or residential development.

The 2019 “Parks Master Plan” also contemplates that this section of Rolling Rock Park will no longer be part of the park. That is because the city acquired the tax lots that now make up the southern half of Rolling Rock Park. The idea behind that was to consolidate the park into a community park the encompasses the area between the proposed Cannon Street, South Moss Street, North Shore Drive, and East Main Street. See the illustration below for more detail:



To implement the vision of the “Downtown Master Plan” and “Parks Master Plan,” this partition and right-of-way dedication will be required.

The City Council has also discussed using the sales proceeds from this property to offset the costs of the 70 N. Pioneer St. project, in the same manner as the parcel described in the preceding section.

How the proposal meets the decision criteria

This section addresses Sec. 2.228 “Decision Criteria” of the Lowell Revised Code regarding applications for partitions.

*(a) That the proposed land division complies with applicable provisions of City Codes and Ordinances, including zoning district standards.*

If the city rezones this parcel prior to the code updates being completed, then we will probably apply a C-1 “General Commercial District” designation to match the adjacent parcel (map and tax lot 1901142304901).

According to the development standards for this district, there are no setback or lot size requirements for the C-1 district. The partition would not affect any of the zoning district standards.

*(b) Where the proposed land division results in any lots or parcels that are at least two and one half times the allowed minimum lot size, the applicant has demonstrated that all such lots or parcels may be re-divided in the future to at least 80 percent of maximum density possible within current minimum lot sizes, existing site constraints, and requirements of this Code.*

Since the intended zoning designation for this land division does not have minimum lot sizes, this criterion does not apply.

*(c) The applicant has demonstrated that the proposed land division does not preclude development on properties in the vicinity to at least 80 percent of maximum density possible within current minimum lot sizes, existing site conditions and the requirements of this Code.*

This partition line isn’t going to affect development on properties within the vicinity. To the west is Cannon Street. To the north is North Shore drive. To the east is Pioneer Street. To the south is a public right-of-way. When the city sells this parcel, we will sell it as one package with lot 4901. The intention would be for the buyer to either combine those two lots or further partition them as they see fit.

*(d) The proposed street plan:(1)Is in conformance with City standards and with the master road plan or other transportation planning document.(2)Provides for adequate and safe traffic and pedestrian circulation both internally and in relation to the existing City*

*street system.(3)Will not preclude the orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property or on surrounding properties.*

This is a partition only and does not include street construction work. This criterion is not applicable.

*(e) Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant has demonstrated that the services and facilities will be available prior to need, by providing at least one of the following:(1)Prior written commitment of public funds by the appropriate public agency.(2)Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.(3)A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the City.*

Rolling Rock Park is located the site, which has electric, water, and sewer utility access. Public utilities are available at the site.

*(f) That proposed public utilities can be extended to accommodate future growth beyond the proposed land division.*

There are no proposed public utilities associated with the partition. In the case of future growth, city water and sewer access are available at the site.

*(g) Stormwater runoff from the proposed land division will not create significant and unreasonable negative impacts on natural drainage courses either on-site or downstream, including, but not limited to erosion, scouring, turbidity, or transport of sediment due to increased peak flows and velocity.*

This is a partition only and does not include construction work that will affect stormwater runoff. This criterion is not applicable.

*(h) The proposed land division does not pose a significant and unreasonable risk to public health and safety, including but not limited to fire, slope failure, flood hazard, impaired emergency response or other impacts identified in section 9.204(u).*

This is a partition only and does not include construction work that will create health or safety risks. I marked "N/A" on the land use application for the Section 9.204(u) impacts because they are not applicable for this land partition. This criterion is not applicable. Section 9.204(o) applies. ("Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.") Special site features for this parcel include



forestry equipment exhibits. Prior to sale, we will move those exhibits to the southern part of Rolling Rock Park, in accordance with the site plan in the "Parks Master Plan."

Signed: Jeremy Caudle Date: 8/18/2022  
Jeremy Caudle  
City Administrator

CITY OF LOWELL  
NOTICE OF PUBLIC HEARING  
Mailing Date August 15, 2022  
LU 2022-07

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for a **Partition** of a City-owned property located at 19-01-14-22 Tax Lot 02201. The subject property is also known Paul Fisher Park.

The Hearing will occur on **September 7, 2022, at 7:00 P.M.** at the Lowell Rural Fire Protection District Fire Station 1 located at 389 Pioneer Street, Lowell, OR, 97452.

A remote option is also available via Zoom. To attend remotely, please sign up with the City Administrator by September 6 or access the link by visiting <https://www.ci.lowell.or.us/meetings>.

**Requested Action:** Partition of the subject property at create two parcels. The existing City Hall building will be on its own parcel. Paul Fisher Park will remain as is. See map on reverse.

- Owner/Applicant:** City of Lowell
- Applicant’s Representative:** Chris Sherby, PLS, S & F Land Services
- Property Location:** 107 E. 3<sup>rd</sup> Street
- Assessor Map:** 19-01-14-22
- Tax Lot:** 02201
- Existing Area:** 1.17 acres
- Existing Zone:** PL, Public Lands

The Lowell Land Use Development Code specifies the applicable procedures and criteria for evaluation of the requested action. Applicable Code Sections include Section 9.223 General Information, Section 9.220 Subdivision or Partition Tentative Plan, and Section 9.228 Decision Criteria. 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. Please note that City Hall may be temporarily closed due repairs. Persons can always request the application materials by emailing the City Administrator at the email address provided below.

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.

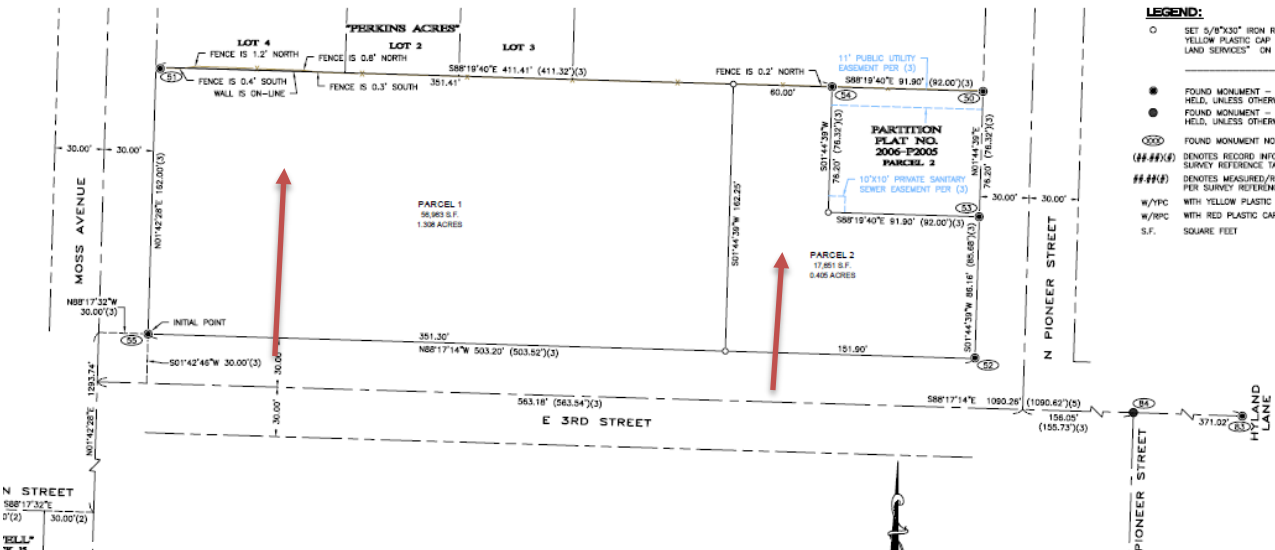
A Partition requires a Public Hearing. Oral testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Lowell City Hall located at 107 East Third Street, Lowell, Oregon 97452 or emailed to Jeremy Caudle, City Administrator, at [jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us).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

To be included in the Staff Report, written testimony shall be received by the City no later than 4:00 p.m. on September 6, 2022.

For additional information please contact the City Administrator or Henry, at the contact information below.

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

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



| NAME                                   | ADDR1                  | ADDR2                  |
|--|------------------------|------------------------|
| Betty R Whipple Revocable Living Trust | 37265 Wheeler Rd       | Pleasant Hill OR 97455 |
| Martin William S                       | PO Box 288             | Dexter OR 97431        |
| Bos Sheryl A                           | 408 40th St            | Astoria OR 97103       |
| Hampton Valerie A                      | 3097 Wayside Loop      | Springfield OR 97477   |
| Neet Jacob C                           | PO Box 414             | Lowell OR 97452        |
| Anderson Nathanael E & Clarrissa C     | PO Box 383             | Lowell OR 97452        |
| Owner Unknown                          | 101 W 5th Ave          | Eugene OR 97401        |
| Asher Hali                             | PO Box 62              | Lowell OR 97452        |
| Norcutt Trevor & Kristin               | 401 D St               | Lowell OR 97452        |
| George Living Trust                    | PO Box 305             | Lowell OR 97452        |
| DeFord Travis C                        | 347 N Moss St          | Lowell OR 97452        |
| Jones Heather A                        | 308 N Pioneer St       | Lowell OR 97452        |
| Lowell Rural Fire                      | PO Box 519             | Lowell OR 97452        |
| City of Lowell                         | PO Box 490             | Lowell OR 97452        |
| Garlitz Richard L & Tamberlie A        | 10912 SW Parkview Dr   | Wilsonville OR 97070   |
| Springer Clay & Marites                | PO Box 279             | Lowell OR 97452        |
| Dragt Lon & Samantha                   | 306 N Damon St         | Lowell OR 97452        |
| Waler Andrew R                         | 32568 Deberry Rd       | Creswell OR 97426      |
| DeHart Jeffery K                       | PO Box 335             | Lowell OR 97452        |
| Robinson Jean M Walters                | PO Box 345             | Lowell OR 97452        |
| Wilson Daniel D & Marilee D            | 83393 Watership Way    | Pleasant Hill OR 97455 |
| Pew Tracy Dale                         | PO Box 51              | Lowell OR 97452        |
| Johnson Kylee Rene                     | 114 E 3rd St           | Lowell OR 97452        |
| Kintzley Ronald G & Sharon L           | PO Box 193             | Lowell OR 97452        |
| Kohanes Terry & Nancy                  | PO Box 401             | Lowell OR 97452        |
| Kelley William Vance & Margaret Mary   | PO Box 244             | Lowell OR 97452        |
| Kintzley Mark R & Suzanne J            | PO Box 81              | Lowell OR 97452        |
| O'Regan Hall Robert                    | PO Box 462             | Lowell OR 97452        |
| Nagel Thomas                           | 265 N Cannon St        | Lowell OR 97452        |
| Ballenger Michael Ray                  | PO Box 113             | Lowell OR 97452        |
| Pelroy Carrie A                        | PO Box 26              | Lowell OR 97452        |
| Bailey Kenneth                         | 75 E 2nd St            | Lowell OR 97452        |
| Stinson Dennis R & Idella L            | PO Box 413             | Lowell OR 97452        |
| Armstrong Kevin L & Robin D            | PO Box 71963           | Springfield OR 97477   |
| Stewart Benjamin & Brandy              | PO Box 180             | Lowell OR 97452        |
| Lowell Grange #745                     | PO Box 47              | Lowell OR 97452        |
| Collins Shawn Brian                    | PO Box 254             | Lowell OR 97452        |
| Dilley Gerald & Shirley                | 85065 Renegade Ln      | Fall Creek OR 97438    |
| Valencia Jerry L & Julie E             | PO Box 246             | Lowell OR 97452        |
| Asher Tommy A                          | 40355 Jasper Lowell Rd | Lowell OR 97452        |
| Miller Wayne R                         | PO Box 571             | Walterville OR 97489   |
| Fuller Justin Tyler                    | 203 N Damon St         | Lowell OR 97452        |
| Parmenter Michael R & Kelly            | PO Box 131             | Lowell OR 97452        |
| Howe Michele R                         | 29 E 4th St            | Lowell OR 97452        |
| Henderson Alexander & Shayla           | 11 E 4th St            | Lowell OR 97452        |
| Shilaos Chloe & Kelly Joseph           | 17 E 4th St            | Lowell OR 97452        |

Flock Barbara J  
Ritz Neil Austin  
Trudeau Zack  
Perkins Brandie D  
Croxen William T & Sabrina J

35 E 4th St  
76573 W 2nd  
23 E 4th  
85388 Dillard Access Rd  
PO Box 475

Lowell OR 97452  
Oakridge OR 97463  
Lowell OR 97452  
Eugene OR 97401  
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 **August 15, 2022**, a notice of a public hearing for a PARTITION at Map and Tax Lot 19-01-14-22-002201, known as the **LU 2022 07** in the City of Lowell to the addresses contained herein.

  
\_\_\_\_\_  
Signature

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

**Staff Report  
Partition  
Assessor's Map 19-01-14-23-08800  
Rolling Rock Partition – City Property  
LU 2022-08  
Staff Report Date: August 31, 2022**

- 1. Proposal.** The Planning Commission is being asked to review and render a decision on a partition for property located at Assessor's Map 19-01-14-23, Tax Lot 08800. The subject property is owned by the City of Lowell. The subject properties are zoned PL – Public Lands. The subject property currently consists of one parcel that is 1.17 acres in size and contains Rolling Rock Park. The applicant is proposing to create two parcels out of Rolling Rock Park, with the extension of Cannon Street being dedicated as right-of-way in between the two new parcels. The long-term vision for Rolling Rock Park as outlined in the Lowell Downtown Master Plan and Parks Master Plan is to create a “central park” by consolidating the park into one block vice spread out over a long linear parcel (see image 1). The proposed partition will be the first step in realizing that vision.



*Image 1. The vision for Rolling Rock to be a “central park.” Photo from Lowell Parks Master Plan.*

- 2. Approval Criteria.** Section 9.223 General Information, Section 9.220 Subdivision or Partition Tentative Plan, Section 9.204 Application Site Plan, Section 9.224 Existing Conditions Information, Section 9.518 and Section 9.228 Decision Criteria. Notice of decision will be sent to the applicant, and parties of record.

**3. Staff review of applicable criteria for partition.**

*LDC 9.204 Application Site Plan*

**Staff Response:** The applicant has submitted the necessary information as required for an application site plan, and application narrative in order for Staff to make findings on the proposal. Criterion met.

*LDC 9.223. General Information.*

**Staff Response:** The applicant has submitted the necessary information as required for a partition as seen on the surveyor’s tentative partition plan. Compliance with ORS 92 for final recording will be a condition of approval. Criterion met.

*LDC 9.224 Existing Conditions Information.*

*(a) The location, widths and names of both opened and unopened streets within or adjacent to the land division, together with easements, other rights-of-ways and other important locational information such as section line, corners, city boundary lines and monuments.*

**Staff Response:** Proposed Parcels 1 and 2 front North Shore Drive on their northern borders. Parcels 1 and 2 are comprised on one present parcel (parcel #08800) and is one continuous linear parcel that comprises of Rolling Rock Park. North Cannon Street is located immediately south of proposed Parcels 1 and 2 and contains a right-of-way width of 60’. As seen on the tentative plat and in the Lowell Parks Master Plan and the Lowell Downtown Plan, North Cannon Street is proposed to be extended through Rolling Rock Park and connect to North Shore Drive. See Image 1 below showing North Cannon Street with conceptual drawing connecting to North Shore Drive.



Image 2. Rolling Rock Park, showing extension of Cannon Street.



Following partition, the extensions of North Cannon Street will be dedicated to a width of 60' of right-of-way to the City of Lowell. No immediate improvements on North Cannon Street are expected to occur as a result of partition. Additional dedication of North Cannon Street is required as part of the proposed partition.

*(b) The location of all existing sewers, septic tanks and drain fields, water lines, storm drains, culverts, ditches and utilities, together with elevation data, on the site and on adjoining property or streets, if applicable.*

**Staff Response:** The tentative plat for partition contains the necessary information for partition. See **Attachment A** for existing conditions maps.

**Staff Response:** The applicant has submitted the necessary information as required in Section 9.224 for a partition as seen on the surveyor's tentative partition map and application narrative. Criterion met.

***LCD 9.225 Proposed Plan Information.***

...

*(c) The location, width, and purpose of existing and proposed easements.*

**Staff Response:** There are no existing or proposed easements shown on the tentative plat, but there is a 60' section of North Cannon Street that is proposed to be extended and dedicated as right-of-way to the City of Lowell.

*(d) The total acreage and the proposed land use for the land division including sites for special purposes or those allocated for public use.*

**Staff Response:** The total acreage and the proposed land use for the land division is shown on the tentative plat and described in the applicant narrative.

*(e) The location and approximate location dimensions of lots or parcels and the proposed lot or parcel numbers. Where the property division results in any lots or parcels that are larger than 2 and one-half times the minimum lot size, the applicant shall provide a sketch plan showing how the parcels may be re-divided in the future to provide for at least 80% of maximum density within current minimum lot sizes, existing site constraints and requirements of this Code.*

**Staff Response:** The proposed partition will create two parcels. Parcel 1 will be 22,810 square feet and Parcel 2 will be 20,945 square feet. The partition will separate Rolling Rock Park into two discrete parcels, with 60' of dedicated right-of-way being placed in between the two parcels. The parcels created are larger than 2 and one-half times the minimum lot size. Proposed Parcel 1 is expected to remain a part of Rolling Rock Park. Proposed Parcel 2 is expected to redevelop sometime in the future, consistent with Lowell Downtown Master Plan. Proposed Parcel 2 will be rezoned to Downtown Flex Use -1 as part of the Lowell Development Code Update and as

envisioned in the Lowell Downtown Master Plan.

*(g) a general layout of all public utilities and facilities to be installed including provisions for connections and extensions beyond the proposed land division.*

**Staff Response:** Existing site conditions are shown on the tentative partition plat maps. Rolling Rock Park is connected to city services. Upon redevelopment of Parcel 2, consistent with the Lowell Downtown Master Plan, city services may need to be extended to serve the proposed redevelopment.

*(h) The proposed method of connection to all drainage channels located outside of the proposed land division and the proposed method of flood control (retention ponds, swales.) and contamination protection (settling basins, separators, etc.)*

**Staff Response:** The proposed partition will not cause any development. Upon development of the site, drainage will be addressed as part of the site review or building permit process.

*(i) Identification of all proposed public dedications including streets, pedestrian or bike ways, parks or open spaces.*

**Staff Response:** The proposed partition does propose dedication of the extension of North Cannon Street through Rolling Rock Park to North Shore Drive. The tentative plat maps show the proposed extension and dedication of North Cannon Street.

*(j) Identification of any requirements for future streets and easements required for extension of public infrastructure beyond the development together with restrictions on building within those future streets and easements as well as future setback areas required by this Code.*

**Staff Response:** The extension of North Cannon Street will be dedicated to the city as right-of-way. Immediate improvement of North Cannon Street is not proposed as part of the partition. Upon redevelopment North Cannon Street will be improved. The extension of North Cannon Street will be dedicated to the City on the final partition plat.

*(k) Identification and layout of all special improvements. Special improvements may include, but are not limited to, signs, lighting, benches, mailboxes, bus stops, greenways, bike or pedestrian paths.*

**Staff Response:** No special improvements are proposed.

**Staff Response:** The applicant has submitted the necessary information, as seen on the Tentative Plan, and in the application narrative, for staff to determine the necessary criteria contained in LDC 9.225 are met, or can be met conditionally, where applicable. Criterion met.

**LDC 9.226 Accompanying Statements. The Tentative Plan shall be accompanied by written statements from the applicant giving essential information regarding the following matters:**

*(a) Identify the adequacy and source of water supply including:*

- (1) Certification that water will be available to the lot line of each and every lot depicted on The Tentative Plan for a subdivision, or;*
- (2) A bond, contract or other assurance by the applicant that a public water supply system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan.*

**Staff Response:** No development is proposed as part of the proposed partition. Rolling Rock Park is connected to city water. Upon redevelopment the proposed redevelopment will be required to show adequacy of water supply.

*(b) Identify the proposed method of sewage disposal including:*

- (1) Certification that a sewage disposal system will be available to the lot line of each and every lot depicted on the Tentative Plan for a subdivision, or;*
- (2) A bond, contract or other assurance by the applicant that a public water supply system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan.*

**Staff Response:** No development is proposed as part of the proposed partition. Rolling Rock Park is connected to city sewer. Upon redevelopment the proposed redevelopment will be required to show adequacy of sewer disposal.

*(c) Protective covenants, conditions and deed restrictions (CC&R's) to be recorded, if any.*

**Staff Response:** No CC&Rs are proposed.

*(d) Identify all proposed public dedications including streets, pedestrian or bike ways, parks or open space areas.*

*(e) Identify all public improvements proposed to be installed, the approximate time installation is anticipated and the proposed method of financing. Identify required improvements that are proposed to not be provided and the reason why they are not considered necessary for the proposed land division.*

**Staff Response:** Public dedication of the northern extension of North Cannon Street is proposed. Consistent with the Lowell Downtown Master Plan, North Cannon Street is envisioned to divide Rolling Rock Park and connect to North Shore Drive. The dedication of North Cannon Street will occur on the final plat to be recorded at Lane County Deeds and Records.

*(f) A statement that the declarations required by ORS 92.075 on the final plat can be achieved by the fee owner, vendor and/or the mortgage or trust deed holder of the property.*

**Staff Response:** The property owner shall submit the final plat in accordance with ORS 92.075. Criterion met with the following condition:

**Condition of Approval #1:** The property owner shall submit the final plat in accordance with ORS 92.075, and all state and county recording requirements.

***LDC 9.227 Supplemental Information. Any of the following may be required by the City, in writing to the applicant, to supplement the Tentative Plan.***

***(d) If lot areas are to be graded, a plan showing the nature of cuts and fill and information on the character of the soil.***

**Staff Response:** As this land use application is only for a proposed partition of a property, no grading will occur as a result of approval. However, if grading is expected to disturb 1 acre or more of land, a National Pollutant Discharge Elimination System (NPDES) permit will be required of the property owner at the time of building permit review. Approval of a partition does not approve any construction activities. Appropriate building permits will have to be submitted, reviewed, and issued before any construction activities, including disturbance of soil, can occur. This will be made an informational item.

***(e) Specifications and details of all proposed improvements.***

**Staff Response:** No immediate public improvements are proposed or necessary for partition. Staff will offer a discussion of how the site fits in with the Lowell Downtown Plan and any possible urban public improvements that may be required as a condition of development.

The Regulating Plan shows proposed Parcel 2 as being rezoned to Downtown Flex Use 1. In the Flex 1 zone commercial, residential and mixed uses are permitted, subject to the design standards that will soon be adopted as part of the City's effort to implement the Lowell Downtown Master Plan into the Lowell Development Code.

The Regulating Plan and Illustrative Plan both show North Cannon Street bisecting Rolling Rock Park and connecting to North Shore Drive. Presently, North Cannon Street acts more as a driveway rather than a street. Upon redevelopment of Parcel 2, North Cannon Street will require urban public improvements, consistent with the Lowell Downtown Master Plan and the local street standards. Urban public improvements may also be required along North Shore Drive, subject to review and approval by Lane County Transportation and consistent with the Lowell Downtown Master Plan.

***(f) Wetland delineation if identified as an existing condition in Section 9.224(f).***

**Staff Response:** Staff have reviewed the Local Wetlands Inventory Map (LWI), and based on the map, there exists no mapped waterways, or wetlands. Criterion not applicable.

***LDC 9.228 Decision Criteria. A Partition Tentative Plan may be approved by the Planning Commission and a Subdivision Tentative Plan may be approved by the City Council. Approval shall be based upon compliance with the submittal requirements specified above and the following findings.***

***(a) That the proposed land division complies with applicable provision of City Codes and Ordinances, including zoning district standards.***

**Staff Response:** The City is proposing the partition to achieve the goals and vision of the Lowell Downtown Master Plan. The proposed partition has been reviewed and discussed by City Council,

with input from the Parks and Recreation Committee. The vision for Rolling Rock Park to become a “central park” will be advanced by the proposed partition. Further, the partition attempts to spur development in Lowell’s downtown core, consistent with the vision and goals of the Lowell Downtown Master Plan. A determination on development standards relating to setbacks, maximum height and lot coverage will have to be made by the City at the time of building permit submittal. Criterion met.

- (b) *Where the property division results in any lots or parcels that are larger than 2 and one-half times the minimum lot size, the applicant shall provide a sketch plan showing how the parcels may be re-divided in the future to provide for at least 80% of maximum density within current minimum lot sizes, existing site constraints and requirements of this Code.***

**Staff Response:** The subject property is zoned Public Lands – PL. Properties in the PL zone do not have a minimum lot size. Rather, the minimum lot size is to be set by the Planning Commission as part of site review. Lots should be large enough to accommodate uses proposed for development, including but not limited to, the building, sewage disposal system, required parking, service access and pedestrian circulation including persons with disabilities. Further, the envisioned zoning of Parcel 2 will be Flex Use 1, according to the Regulating Plan and the Lowell Downtown Master Plan. In the Flex Use 1 zone there is no minimum lot size. Redevelopment that is to occur on Parcel 2 will have to have a lot size adequate for the proposed uses. Lot size determination will occur as part of the lot line adjustment, partition or subdivision, and site review or building permit process that will occur as part of redevelopment on Parcel 2.

- (c) *The applicant has demonstrated that the proposed land division does not preclude development on properties in the vicinity to at least 80% of maximum density possible within current minimum lot sizes, existing site conditions and the requirements of this Code.***

**Staff Response:** This criterion relates to land division for residential development with respect to the minimum and maximum dwelling unit densities permitted. The subject property is zoned PL and does not have a maximum density. The proposed land division will not preclude development on adjacent properties. The proposed development is intended to the impetuous for redevelopment on properties within Lowell’s downtown. Criterion addressed.

- (d) *The proposed street plan:***
- (1) *Is in conformance with City standards and with the Master Road Plan or other transportation planning document.***
  - (2) *Provides for adequate and safe traffic and pedestrian circulation both internally and in relation to the existing City street system.***
  - (3) *Will not preclude the orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property or on surrounding properties.***

**Staff Response:** The proposed partition will not require any immediate public improvements of streets. The partition will dedicate 60’ of right-of-way to the City for the future extension of North Cannon Street through Rolling Rock Park to North Shore Drive as envisioned in the Lowell Downtown Master Plan and Lowell Parks Master Plan. Urban public improvements to North Shore Drive, North Shore Drive and North Pioneer may be required upon redevelopment of Parcel 2,

consistent with the Lowell Downtown Master Plan.

- (e) Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant has demonstrated that the services and facilities will be available prior to need, by providing at least one of the following:*
- (1) Prior written commitment of public funds by the appropriate public agency.*
  - (2) Prior acceptance of public funds by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.*
  - (3) A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the City.*

**Staff Response:** The site contains existing city utilities. Upon redevelopment of Parcel 2, adequacy of public facilities will be evaluated. The proposed partition will not authorize any development activities.

**Staff Response:** The subject property currently receives city water and sewer. Upon redevelopment of either Parcel, the applicant/property owner/ developer will be responsible for costs and fees associated with connection to existing city services. Criterion met.

- (f) That proposed public utilities can be extended to accommodate future growth beyond the proposed land division.*

**Staff Response:** Future land division of Parcel 2 is not precluded. The newly created Parcel 2 can adequately connect to city services without detriment to future growth. Criterion met.

- (g) Stormwater runoff from the proposed land division will not create significant and unreasonable negative impacts on natural drainage courses either on-site or downstream, including, but not limited to, erosion, scouring, turbidity, or transport of sediment due to increased peak flows and velocity.*

**Staff Response:** Since no development is proposed stormwater runoff requirements will be reviewed upon a redevelopment plan being submitted to the City. Staff will include this as an informational item. Drainage and stormwater will be reviewed as part of the site review or building permit process, which will include review by the City Engineer. Criterion addressed.

- (h) The proposed land division does not pose a significant and unreasonable risk to public health and safety, including but not limited to fire, slope failure, flood hazard, impaired emergency response or other impacts identified in Section 9.204(u).*

**Staff Response:** The proposed partition is not expected to pose any significant or unreasonable risk to public health and safety. The subject property is contained within the City Limits of Lowell and is covered in terms of fire protection by the Lowell Rural Fire Protection District. The subject property is not located near any steep slopes, nor flood hazards.

**Staff Response:** The proposed partition does not pose any significant or unreasonable risk to public health and safety. Criterion met.

*LDC 9.518 Sidewalks. Public sidewalk improvements are required for all land divisions and property development in the City of Lowell. Sidewalks may be deferred by the City where future road or utility improvements will occur and on property in the rural fringe of the City where urban construction standards have not yet occurred. The property owner is obligated to provide sidewalk when requested by the City or is obligated to pay their fair share if sidewalks are installed by the City at a later date. An irrevocable Waiver of Remonstrance shall be recorded with the property to guarantee compliance with this requirement.*

*LDC 9.517 Streets. Urban public street improvements including curbs, gutters and storm drainage are required for all land divisions and property development in the City of Lowell. Urban street improvements may be deferred by the City if there is not existing sidewalk or storm drain system to which connection can be made, conditional upon the responsible party agreeing to an irrevocable waiver of remonstrance to a future assessment at the time of construction of a sidewalk which is otherwise required to be constructed.*

**Staff Response:** Per the Lowell Development Code, all land divisions in Lowell require public sidewalk improvements to be made. Presently, sidewalks exist along the frontage of North Shore Drive, South Pioneer and North Moss Street. These sidewalks are used by visitors of Rolling Rock Park and nearby school-aged children attending the several schools in Lowell and the residents of Lowell. North Cannon Street contains sidewalks, but only at the intersection with East Main Street. North Cannon Street does not contain any urban street improvements. Should redevelopment occur on proposed Parcel 2, construction of urban street improvements and full extension and improvement of North Cannon Street may be required as a condition for development. Development must be consistent with the Lowell Downtown Master Plan.

Staff recommend a plat note be added to the final plat to notify any potential purchaser or developer of Parcel 2 that urban street improvements will be required. The City should secure a waiver of remonstrance for future urban street improvements concurrently with the sale of Parcel 2.

**Criterion met with the following Condition of Approval #2:**

Prior to finalizing and recording the final partition plat, a plat note shall be placed on the final plat indicating that a waiver of remonstrance for future urban street improvements may be required upon site development. Waiver of remonstrance shall be signed and executed concurrently with sale of Parcel 2.

**4. Recommendation**

Staff recommends the City Administrator **APPROVE** as conditioned, a partition to create Parcels 1 and 2 as shown on the tentative plan.

## 5. Conditions of Approval

**Condition of Approval #1:** The property owner shall submit the final plat in accordance with ORS 92.075, and all state and county recording requirements.

**Condition of Approval #2:** Prior to finalizing and recording the final partition plat, a plat note shall be placed on the final plat indicating that a waiver of remonstrance for future urban street improvements may be required upon site development. Waiver of remonstrance shall be signed and executed concurrently with sale of Parcel 2.

**Condition of Approval #3:** The final partition plat shall include the 60' dedication of North Cannon Street to the City of Lowell, as seen on the tentative partition plat. Dedication and declarations should be appropriately reflected on the final plat.

## 6. Informational items

- Upon redevelopment of Parcel 1 or 2 developer may be required to submit a drainage plan in conformance with the stormwater drainage standards of LDC 9.520. Review of the stormwater proposal/plan shall be reviewed by the City Engineer.
- Urban street improvements may be required upon redevelopment of Parcel 1 or 2.
- Redevelopment of Parcels 1 or 2 must go through the building permit process or site review process as appropriate and consistent with the LDC.
- Appropriate permits to perform work within City of Lowell rights-of-way will have to be obtained by the property owner/applicant/contractor before any work in public rights-of-way can be undertaken. For questions related to performing work within City rights of way, please contact the Lowell Public Works department at 541-937-2776.

## 7. Attachments

Attachment A: Applicant's application


Attachment B: Notice





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): JEREMY CAUDLE (FOR CITY OF LOWELL) Phone: 541-937-2157  
Address: 107 E. 3RD STREET, LOWELL, OR 97452  
City/State/Zip: \_\_\_\_\_  
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 2022-07  
Date Submitted: 8/18/2022 Received by: J CAUDLE Fee Receipt # N/A  
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.

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

- N/A Water systems, drainage systems, sewage disposal systems and utilities.
  - N/A Drainage ways, water courses, flood plain and wetlands.
  - N/A The number of people that will occupy the site including family members, employees or customers.
  - N/A The number of generated trips per day from each mode of travel by type: employees, customers, shipping, receiving, etc.
  - N/A Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.
  - N/A 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.
- N/A 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.**

# 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# 1901142308800 Lot # \_\_\_\_\_  
 Map# \_\_\_\_\_ Lot # \_\_\_\_\_  
 Map# \_\_\_\_\_ Lot # \_\_\_\_\_

Street Address (if applicable): 101 N Shore Dr., Lowell OR 97452

Area of Request (square feet/acres): 20,945 sq. ft.

Existing Zoning: PUBLIC LAND

Existing Use of the Property: ROLLING ROCK PARK

Proposed Use of the Property VACATED TO PREPARE FOR SALE AND COMMERCIAL DEVELOPMENT

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

**Submittal Requirements:**

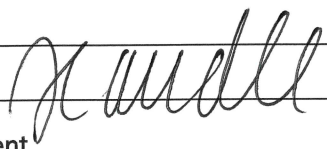
- N/A 1. Copy of deed showing ownership or purchase contract with property legal description.
- YES 2. Site Plan/Tentative Plan with, as a minimum, all required information. Submit one copy of all plans 11x17 or smaller; 12 copies of all plans larger than 11x17. (See attached checklist for required information)
- YES 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.
- YES N/A 4. Other submittals required by the City or provided by the applicant. Please List.
  - a. Current conditions b. \_\_\_\_\_
  - c. \_\_\_\_\_ d. \_\_\_\_\_
  - e. \_\_\_\_\_ f. \_\_\_\_\_
- N/A 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): JEREMY CAUDLE (FOR CITY OF LOWELL) Phone: 541-937-2157  
Address: PO BOX 490, LOWELL OR 97452

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

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 2022-08

Date Submitted: 8/18/22 Received by: J Caudle 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.

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- N/A Access: pedestrian, vehicular, service, points of ingress and egress.
  
- N/A Signs: location, size, height and means of illumination.
  
- N/A Loading: location, dimension, number of spaces, internal circulation.
  
- N/A Lighting: location and general nature, hooding devices.
  
- N/A Street dedication and improvements.
  
- ~~XXXXX~~  
N/A Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.

see narrative

N/A Water systems, drainage systems, sewage disposal systems and utilities.

N/A Drainage ways, water courses, flood plain and wetlands.

N/A The number of people that will occupy the site including family members, employees or customers.

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

N/A Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.

N/A 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.

N/A 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.**



**OWNER:**  
CITY OF LOWELL  
P.O. BOX 490  
LOWELL, OR 97452

**ZONE:**  
PL, PUBLIC LAND

**HORIZONTAL DATUM (BASIS OF BEARINGS):**

OREGON SOUTH STATE PLANE COORDINATE SYSTEM NAD 83 (2011)  
BASED ON GPS OBSERVATIONS.  
DISTANCES SHOWN HEREON ARE GROUND DISTANCES, INTERNATIONAL FEET,

**VERTICAL DATUM:**

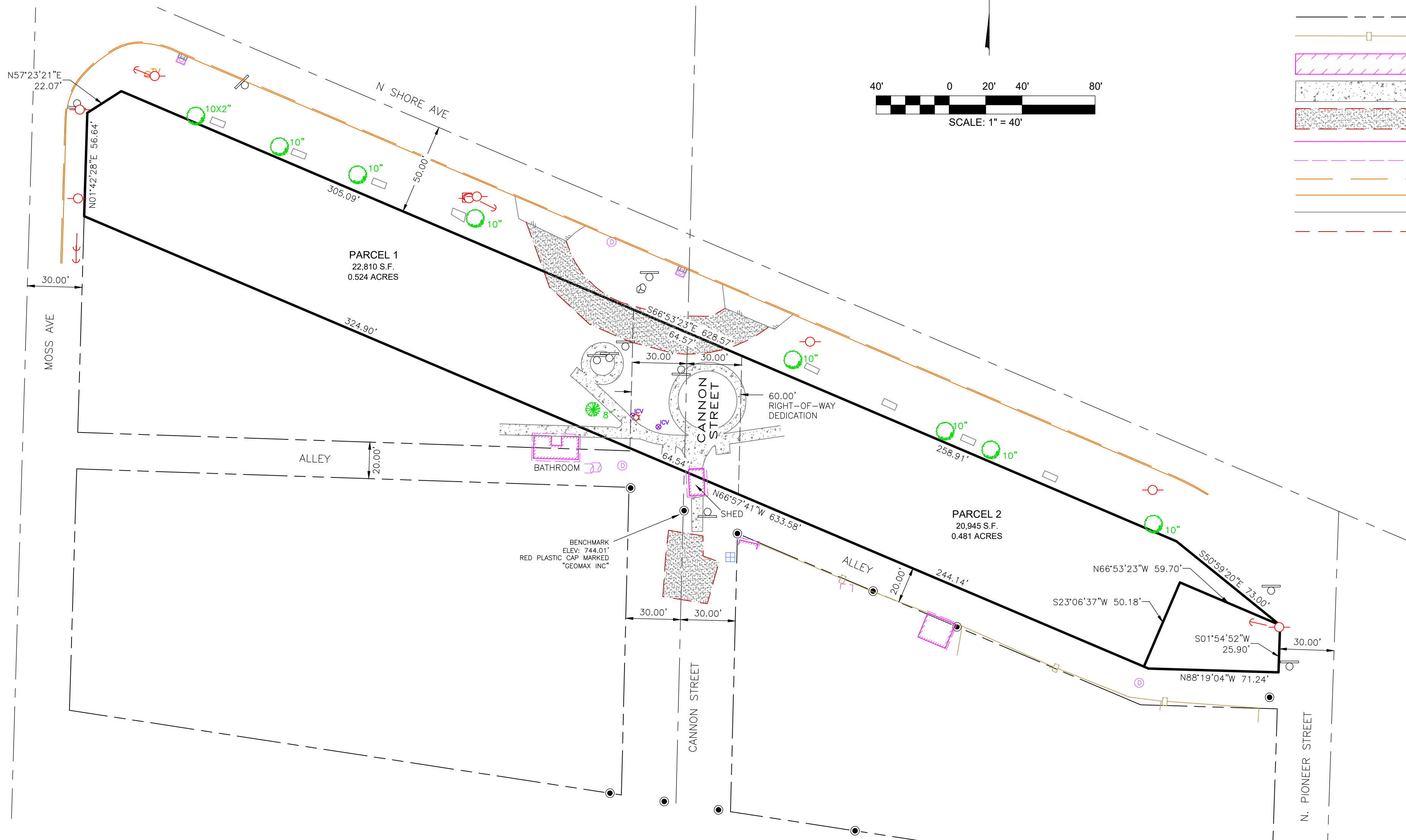
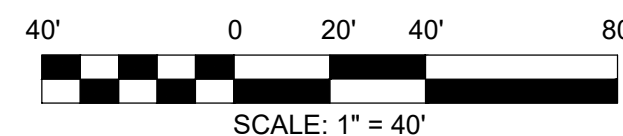
NORTH AMERICAN VERTICAL DATUM OF 1988.  
BASED ON STATIC GPS TIES, PROCESSED THROUGH OPUS-RS.

**EXISTING CONDITIONS**

FOR A PROPOSED PARTITION PLAT

**LEGEND:**

- BOUNDARY LINE
- CENTERLINE
- RIGHT OF WAY
- FENCE-WOOD
- BUILDING HATCH
- CONCRETE HATCH
- GRAVEL HATCH
- BUILDING
- BUILDING OVERHANG
- FLOW LINE CURB
- STANDARD CURB
- EDGE OF CONCRETE
- EDGE OF GRAVEL
- SIGN
- ROCK-BOULDER
- TREE-DECIDUOUS
- LIGHT-LAMP POST
- POWER METER
- POWER POLE
- GUY ANCHOR
- STORM MANHOLE
- STORM CURB INLET
- STORM CULVERT
- WATER METER
- IRRIGATION CONTROL VALVE
- CATV RISER



**S&F Land Services**

PORTLAND, VANCOUVER, BEND, SEASIDE  
4858 SW SCHOLLS FERRY RD.  
STE A, PORTLAND, OR 97225  
(503) 345-0328

|                    |                         |
|--------------------|-------------------------|
| WWW.SFLANDS.COM    | EMAIL: INFO@SFLANDS.COM |
| DATE: MAY 25, 2022 | JOB NO.: 2021-472-01    |
| FIELD: BV          | DRAWN: BRD/TLB          |
| CHECKED: CCS       |                         |

SURVEY FOR:  
CITY OF LOWELL

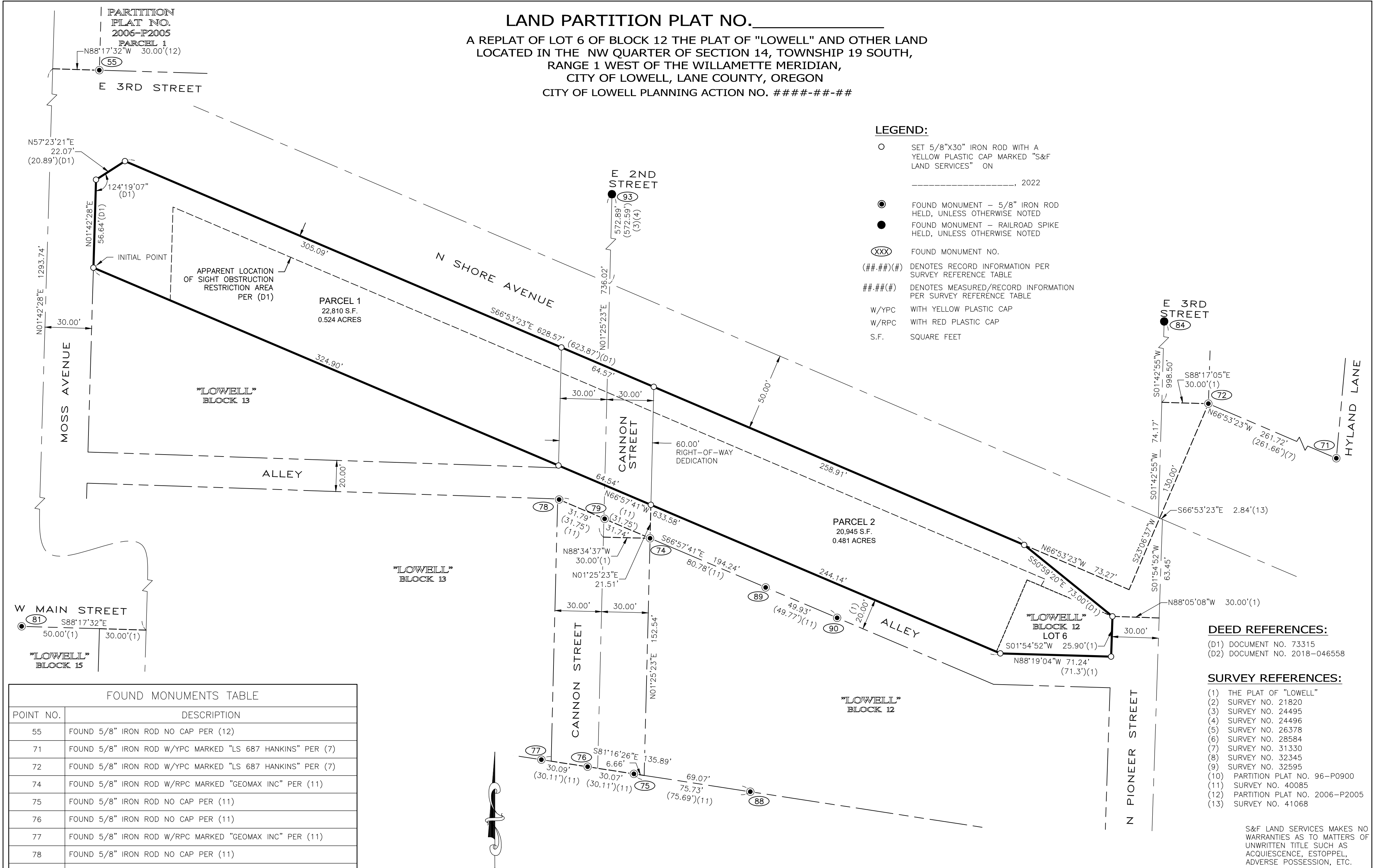
LOCATED IN THE SW 1/4 OF THE NW 1/4  
OF SEC 14, T.19S, R.01W, W.M.  
CITY OF LOWELL, LANE COUNTY,  
OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Christopher C. Sherby*  
OREGON  
JUNE 13, 2008  
CHRISTOPHER C. SHERBY  
74508PLS

**LAND PARTITION PLAT NO. \_\_\_\_\_**  
**A REPLAT OF LOT 6 OF BLOCK 12 THE PLAT OF "LOWELL" AND OTHER LAND**  
**LOCATED IN THE NW QUARTER OF SECTION 14, TOWNSHIP 19 SOUTH,**  
**RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,**  
**CITY OF LOWELL, LANE COUNTY, OREGON**  
**CITY OF LOWELL PLANNING ACTION NO. ####-##-##**

**LEGEND:**

- SET 5/8"X30" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "S&F LAND SERVICES" ON
- , 2022
- FOUND MONUMENT - 5/8" IRON ROD HELD, UNLESS OTHERWISE NOTED
- FOUND MONUMENT - RAILROAD SPIKE HELD, UNLESS OTHERWISE NOTED
- XXX FOUND MONUMENT NO.
- (##.##)(#) DENOTES RECORD INFORMATION PER SURVEY REFERENCE TABLE
- ###.##(##) DENOTES MEASURED/RECORD INFORMATION PER SURVEY REFERENCE TABLE
- W/YPC WITH YELLOW PLASTIC CAP
- W/RPC WITH RED PLASTIC CAP
- S.F. SQUARE FEET



**DEED REFERENCES:**

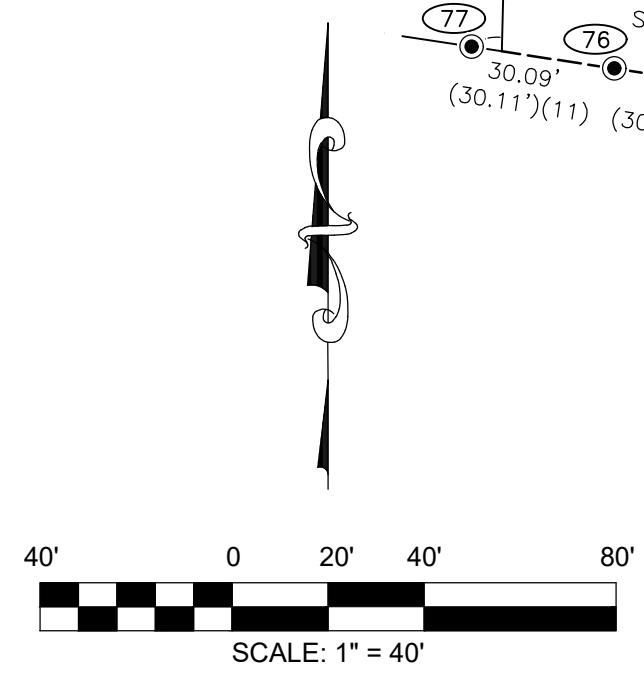
- (D1) DOCUMENT NO. 73315
- (D2) DOCUMENT NO. 2018-046558

**SURVEY REFERENCES:**

- (1) THE PLAT OF "LOWELL"
- (2) SURVEY NO. 21820
- (3) SURVEY NO. 24495
- (4) SURVEY NO. 24496
- (5) SURVEY NO. 26378
- (6) SURVEY NO. 28584
- (7) SURVEY NO. 31330
- (8) SURVEY NO. 32345
- (9) SURVEY NO. 32595
- (10) PARTITION PLAT NO. 96-P0900
- (11) SURVEY NO. 40085
- (12) PARTITION PLAT NO. 2006-P2005
- (13) SURVEY NO. 41068

S&F LAND SERVICES MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ACQUIESCENCE, ESTOPPEL, ADVERSE POSSESSION, ETC.

| FOUND MONUMENTS TABLE |  |
|-----------------------|--|
| POINT NO.             | DESCRIPTION  |
| 55                    | FOUND 5/8" IRON ROD NO CAP PER (12)                          |
| 71                    | FOUND 5/8" IRON ROD W/YPC MARKED "LS 687 HANKINS" PER (7)    |
| 72                    | FOUND 5/8" IRON ROD W/YPC MARKED "LS 687 HANKINS" PER (7)    |
| 74                    | FOUND 5/8" IRON ROD W/RPC MARKED "GEOMAX INC" PER (11)       |
| 75                    | FOUND 5/8" IRON ROD NO CAP PER (11)                          |
| 76                    | FOUND 5/8" IRON ROD NO CAP PER (11)                          |
| 77                    | FOUND 5/8" IRON ROD W/RPC MARKED "GEOMAX INC" PER (11)       |
| 78                    | FOUND 5/8" IRON ROD NO CAP PER (11)                          |
| 79                    | FOUND 5/8" IRON ROD W/RPC MARKED "GEOMAX INC" PER (11)       |
| 81                    | FOUND 5/8" IRON ROD W/YPC MARKED "DW BAKER PLS 1978" PER (9) |
| 84                    | FOUND RAILROAD SPIKE DOWN .30, SHOWN IN (6)                  |
| 88                    | FOUND 5/8" IRON ROD NO CAP PER (4)                           |
| 89                    | FOUND 5/8" IRON ROD NO CAP PER (4)                           |
| 90                    | FOUND 5/8" IRON ROD NO CAP PER (4)                           |
| 93                    | FOUND RAILROAD DOWN .10, SHOWN IN (3)                        |



SHEET 1 OF 2  
 2147201\_P PLAT-Site A.dwg



PORTLAND, VANCOUVER, BEND, SEASIDE  
 4858 SW SCHOLLS FERRY RD.  
 STE A, PORTLAND, OR 97225  
 (503) 345-0328

|                 |              |             |       |         |         |
|-----------------|--------------|-------------|-------|---------|---------|
| WWW.SFLANDS.COM | DATE         | JOB NO.     | FIELD | DRAWN   | CHECKED |
|                 | MAY 10, 2022 | 2021-472-01 | BV    | TLB/BRD | BRD/CCS |

SURVEY FOR:  
 CITY OF LOWELL

LOCATED IN THE SW 1/4 OF  
 THE NW 1/4 OF  
 SEC 14, T.19S, R.01W,  
 OF THE WILLAMETTE MERIDIAN  
 CITY OF LOWELL, LANE COUNTY, OREGON



**LAND PARTITION PLAT NO. \_\_\_\_\_**  
**A REPLAT OF LOT 6 OF BLOCK 12 THE PLAT OF "LOWELL" AND OTHER LAND**  
**LOCATED IN THE NW QUARTER OF SECTION 14, TOWNSHIP 19 SOUTH,**  
**RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,**  
**CITY OF LOWELL, LANE COUNTY, OREGON**  
**CITY OF LOWELL PLANNING ACTION NO. ####-##-##**

**NARRATIVE:**

THE PURPOSE OF THIS SURVEY IS TO PARTITION THAT TRACT OF LAND DESCRIBED IN DOCUMENT NUMBERS 73315 AND 2018-046558, LANE COUNTY DEED RECORDS, AS APPROVED BY CITY OF LOWELL PLANNING ACTION NO. ####-##-##.

SOUTH LINE OF SUBJECT:  
HELD MONUMENTS 78 AND 90 FOR THE SOUTH LINE OF THE 20.00' ALLEY.

N SHORE DR (W BOUNDARY RD):  
HELD MONUMENT 71 AND 72 FOR NORTH RIGHT-OF-WAY

NORTH LINE OF SUBJECT:  
HELD A 130.00' OFFSET FROM THE NORTH RIGHT-OF-WAY LINE OF N SHORE DR (W BOUNDARY RD) AS COMPUTED ABOVE.  
DIMENSIONS IN THE DESCRIPTION OF SUBJECT PROPERTY PER (D1) PLACE THE NORTH LINE OF THE SUBJECT PROPERTY 70.00' NORTH OF THE SOUTH LINE OF SUBJECT PROPERTY (NORTH RIGHT-OF-WAY OF ALLEY). THE ALLEY AND N SHORE DR ARE NOT FOUND TO BE PARALLEL PER THIS SURVEY, SO THIS SURVEYOR ELECTED TO HOLD A LINE PARALLEL WITH N SHORE DR.

N MOSS ST:  
HELD 30.00' FROM MONUMENT 55 AND 80.00' FROM MONUMENT 81 FOR CENTERLINE.

PIONEER ST (BETWEEN E 3RD ST AND N SHORE DR/BLAKELY RD):  
HELD MONUMENT 84 AND 30.00' FROM MONUMENT 72.

PIONEER ST (SOUTH OF N SHORE DR/BLAKELY RD):  
30.00' FROM MONUMENT 36 AND A DISTANCE OF 2.84' FROM THE INTERSECTION OF PIONEER ST CENTERLINE (NORTH OF N SHORE DR) AND THE CENTERLINE OF N SHORE DR PER (13).

LOT 6, BLOCK 12:  
HELD A LINE 100.00 FEE FROM THE CENTERLINE OF OREGON EASTERN RAILROAD PER THE PLAT OF LOWELL. HELD A RECORD DISTANCE OF 59.70' PER THE PLAT OF LOWELL.  
PROJECTED THE SOUTH LINE OF SUBJECT (NORTH LINE OF ALLEY) 2.75' SOUTHEASTERLY OF THE SOUTHWEST CORNER OF SAID LOT 6 PER THE PLAT OF LOWELL. HELD RECORD DISTANCE OF 25.90' ALONG THE EAST LINE OF SAID LOT 6 PER THE PLAT OF LOWELL.

NORTHEAST LINE OF SUBJECT:  
HELD THE NORTHEAST CORNER OF LOT 6 (AS COMPUTED ABOVE) AND DISTANCE OF 73.00 FEET TO THE NORTH LINE PER (D1).

CANNON ST:  
HELD MONUMENT 93 AND A DISTANCE OF 30.00' FROM MONUMENT 74 FOR THE CENTERLINE.  
NOTE THAT THIS RESOLUTION OF CANNON ST DOES NOT AGREE WITH THE RESOLUTION PER (11).

**HORIZONTAL DATUM (BASIS OF BEARINGS):**

OREGON SOUTH STATE PLANE COORDINATE SYSTEM NAD 83 (2011)  
BASED ON GPS OBSERVATIONS.  
DISTANCES SHOWN HEREON ARE GROUND DISTANCES, INTERNATIONAL FEET,

**VERTICAL DATUM:**

NORTH AMERICAN VERTICAL DATUM OF 1988.  
BASED ON STATIC GPS TIES, PROCESSED THROUGH OPUS-RS.

**SURVEYOR'S CERTIFICATE**

I BENJAMIN R. DUBIN, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LANDS AS REPRESENTED ON THIS PARTITION PLAT, SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, LANE COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT BEING THE NORTHWEST CORNER OF BLOCK 13 THE PLAT OF "LOWELL", LANE COUNTY PLAT RECORDS, MARKED BY A SET 5/8" BY 30" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "S&F LAND SERVICES"

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MOSS AVENUE (BEING 30.00 FEET FROM THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO), NORTH 01°42'28" EAST, 56.64 FEET;

THENCE NORTH 57°23'21" EAST, 22.07 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF N SHORE AVENUE (BEING 50.00 FEET FROM THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO);

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 66°53'23" EAST, 628.57 FEET;

THENCE SOUTH 50°59'20" EAST, 73.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF N PIONEER STREET (BEING 30.00 FEET FROM THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO);

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 01°54'52" WEST, 25.90 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE BLOCK 12 ALLEY PER SAID PLAT OF "LOWELL";

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THE NORTHWESTERLY EXTENSION THEREOF AND THE NORTHERLY LINE OF SAID BLOCK 13, NORTH 66°57'41" WEST, 633.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 48,309 SQUARE FEET OR 1.109 ACRES, MORE OR LESS.

**DECLARATION**

KNOW ALL PERSONS BY THESE PRESENT, THAT THE CITY OF LOWELL, OWNER OF THE LANDS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND DEPICTED HEREON, AND HAS CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES. THE DECLARANT HEREBY DEDICATES TO THE PUBLIC FOR PUBLIC USE THE RIGHT-OF-WAY OF CANNON STREET, AS SHOWN OR NOTED HEREON.

CITY OF LOWELL

\_\_\_\_\_  
DON BENNETT, MAYOR

\_\_\_\_\_  
JEREMY CAUDLE, CITY ADMINISTRATOR

**ACKNOWLEDGEMENTS**

STATE OF OREGON )  
)SS  
COUNTY OF \_\_\_\_\_)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY DON BENNETT, AS MAYOR, AND JEREMY CAUDLE, AS CITY ADMINISTRATOR OF THE CITY OF LOWELL, A MUNICIPAL CORPORATION OF THE STATE OF OREGON, ON ITS BEHALF.

NOTARY SIGNATURE \_\_\_\_\_

NOTARY PUBLIC FOR OREGON \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION NO. \_\_\_\_\_

**APPROVALS**

\_\_\_\_\_  
CITY OF LOWELL CITY ADMINISTRATOR DATE

\_\_\_\_\_  
LANE COUNTY SURVEYOR DATE

\_\_\_\_\_  
LANE COUNTY ASSESSOR DATE

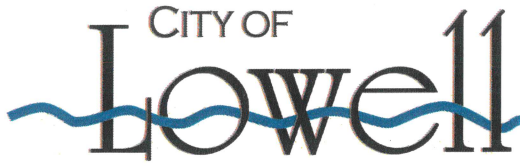
SURVEY FOR:  
CITY OF LOWELL

LOCATED IN THE SW 1/4 OF  
THE NW 1/4 OF  
SEC 14, T.19S, R.01W,  
OF THE WILLAMETTE MERIDIAN  
CITY OF LOWELL, LANE COUNTY, OREGON



PORTLAND, VANCOUVER, BEND, SEASIDE  
4858 SW SCHOLLS FERRY RD.  
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(503) 345-0328

|                 |             |                         |         |
|-----------------|-------------|-------------------------|---------|
| WWW.SFLANDS.COM |             | EMAIL: INFO@SFLANDS.COM |         |
| DATE            | JOB NO.     | FIELD                   | DRAWN   |
| MAY 10, 2022    | 2021-472-01 | BV                      | TLB/BRD |
|                 |             |                         | CHECKED |
|                 |             |                         | BRD/CCS |



City Administrator's Office  
P.O. Box 490 Lowell, OR 97452  
Phone: 541-937-2157  
Email: admin@ci.lowell.or.us

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**To:** Planning Commission  
**From:** Jeremy Caudle, City Administrator  
**Date:** August 18, 2022  
**Re:** Partition plat application

# MEMO

---

This is to submit an "applicant's statement" with Land Use Applications 2022-07 and 2022-08. I will address each of these applications in turn.

## 1. LU #2022-07.

### Description of the proposal

This is to add a property line between the current City Hall building and the parking lot. See the "Existing Conditions" survey associated with this property for detail.

The reason for the partition is to create a new tax lot where the current City Hall is located. The City is in the process of moving out of the current City Hall into the 70 N. Pioneer St. building. Once the City moves its operations out of the current building, the plan is to demolish the current structure. Then, we will prepare the property for sale. We will use the sale proceeds to pay off the loan that we used to finance the 70 N. Pioneer St. project.

On November 2, 2021, City Council held a joint meeting with the Parks and Recreation Committee to consider this issue. The City Council involved the Parks and Recreation Committee since this property includes Paul Fisher Park. After gaining input from the Parks and Recreation Committee on where to locate the partition line, the City Council approved a motion to "to reserve the current City Hall parking lot for parking at Paul Fisher Park from 60 Feet from West of lot 2200 property line straight across from the Fire Department property to 3rd Street." The reasoning behind this decision was to keep the parking lot for use for Paul Fisher Park.

The City Council has considered the sale of the current City Hall campus over several meetings. The City Council first discussed the idea at the September 7, 2021 meeting, where the City Administrator presented an "Analysis of Impact of Using Net Revenues from Property Sales to Fund 70 N. Pioneer St. Project." The analysis included an estimate of the net revenues from selling the current City Hall campus, along with the portion of Rolling Rock Park discussed below. At a September 27, 2021 Town Hall meeting to discuss the 70 N. Pioneer St. project with the community, the city had information boards identifying the current City Hall campus, as well as the Rolling Rock Park partition discussed below, as financing sources for

the new City Hall and library. Discussion of partitioning this property and selling a portion of it has occurred in public and with approval of City Council.

After deciding to prepare the two properties for sale, the City Council approved a contract with S&F Land Services on November 2, 2021 to start the surveying work. The surveys and partition plans in the land use applications are the result of the approved survey work.

How the proposal meets the decision criteria

This section addresses Sec. 2.228 “Decision Criteria” of the Lowell Revised Code regarding applications for partitions.

*(a) That the proposed land division complies with applicable provisions of City Codes and Ordinances, including zoning district standards.*

The city intends to rezone “Parcel 2” on the land partition plat that S&F Land Services prepared. We likely intend to rezone Parcel 2 R-3, “Multiple-family residential.” Parcel 2 will meet the requirements for the R-3 district (L.R.C. Sec. 9.412).

To elaborate, from the development standards associated with the R-3 district:

*(1) Minimum lot area: 7,000 square feet.*

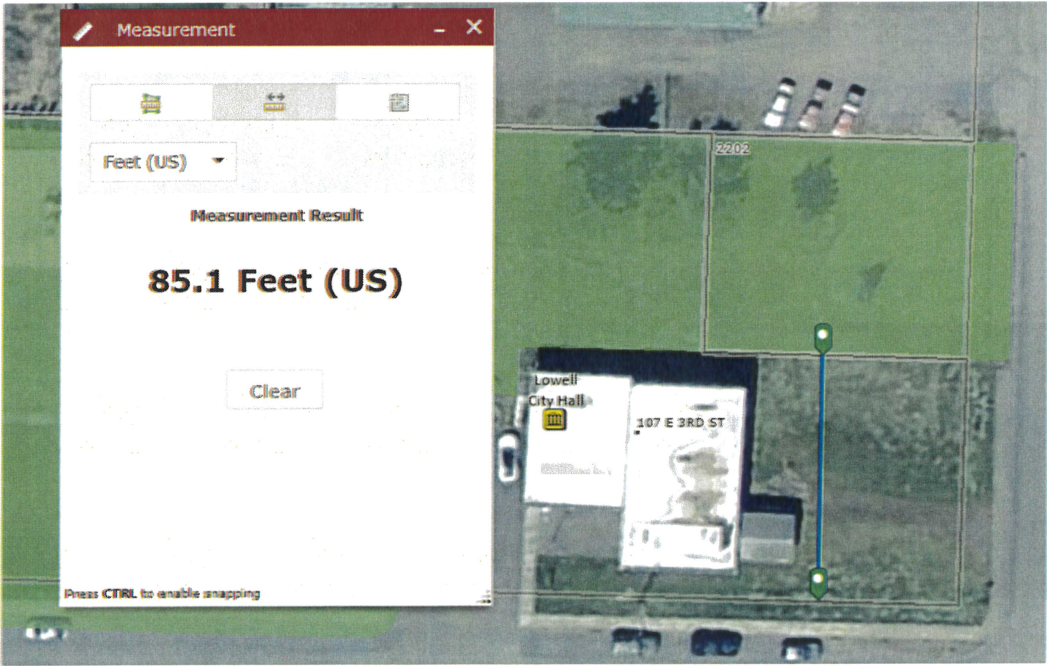
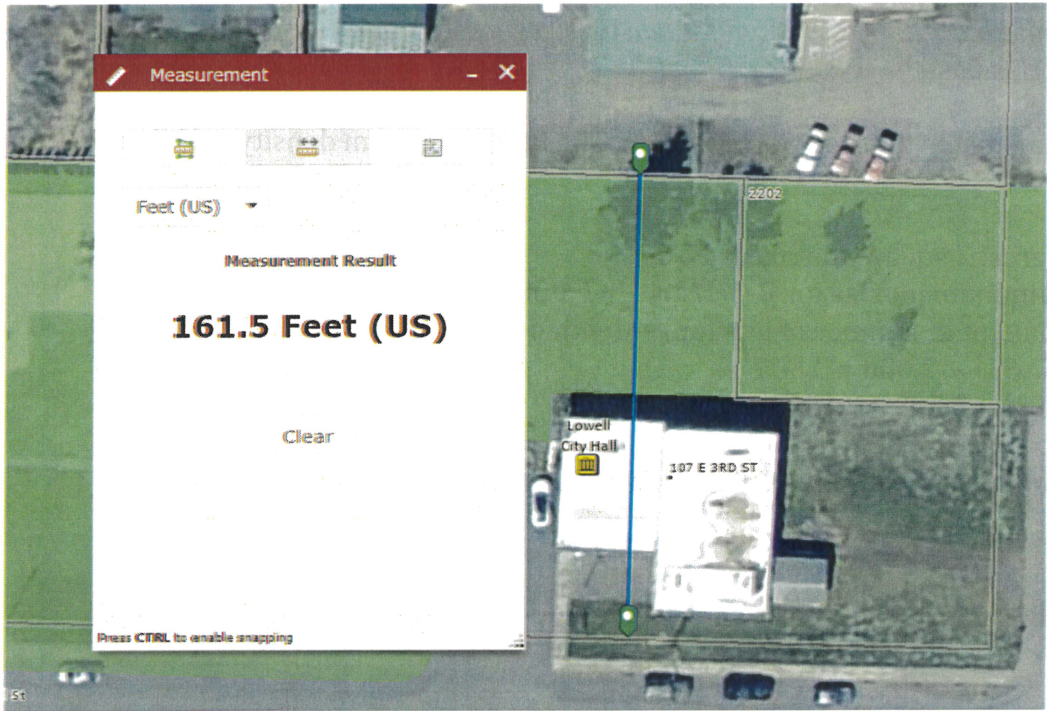
Parcel 2, once partitioned, will have a lot area of 17,651 square feet. It would be possible to partition Parcel 2 again into two lots. Each of the two possible lots would have an area greater than 7,000 square feet.

*(2) Minimum lot width: 60 feet, except for corner lots which must have no less than 65 feet on any property line adjoining a street.*

As shown on the “existing conditions” plan, the minimum lot width exceed 60 feet. If Parcel 2 were partitioned further into 2 properties, each of the two possible lots would have a lot width at or above the minimum of 60 feet.

*(3) Minimum Lot Depth: 80 feet.*

As shown on the illustrations below, Parcel 2—and potential further partitions of Parcel 2—will meet the minimum lot depth of 80 feet.

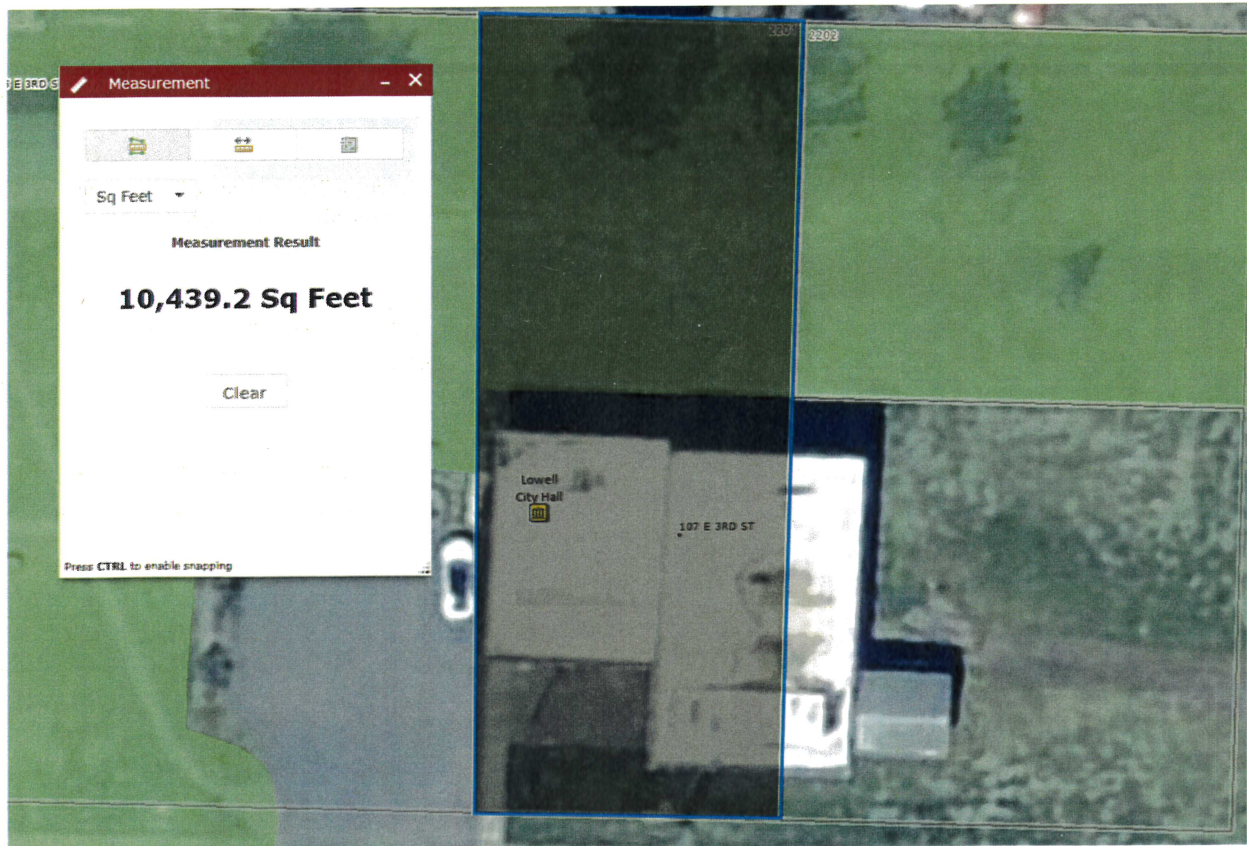


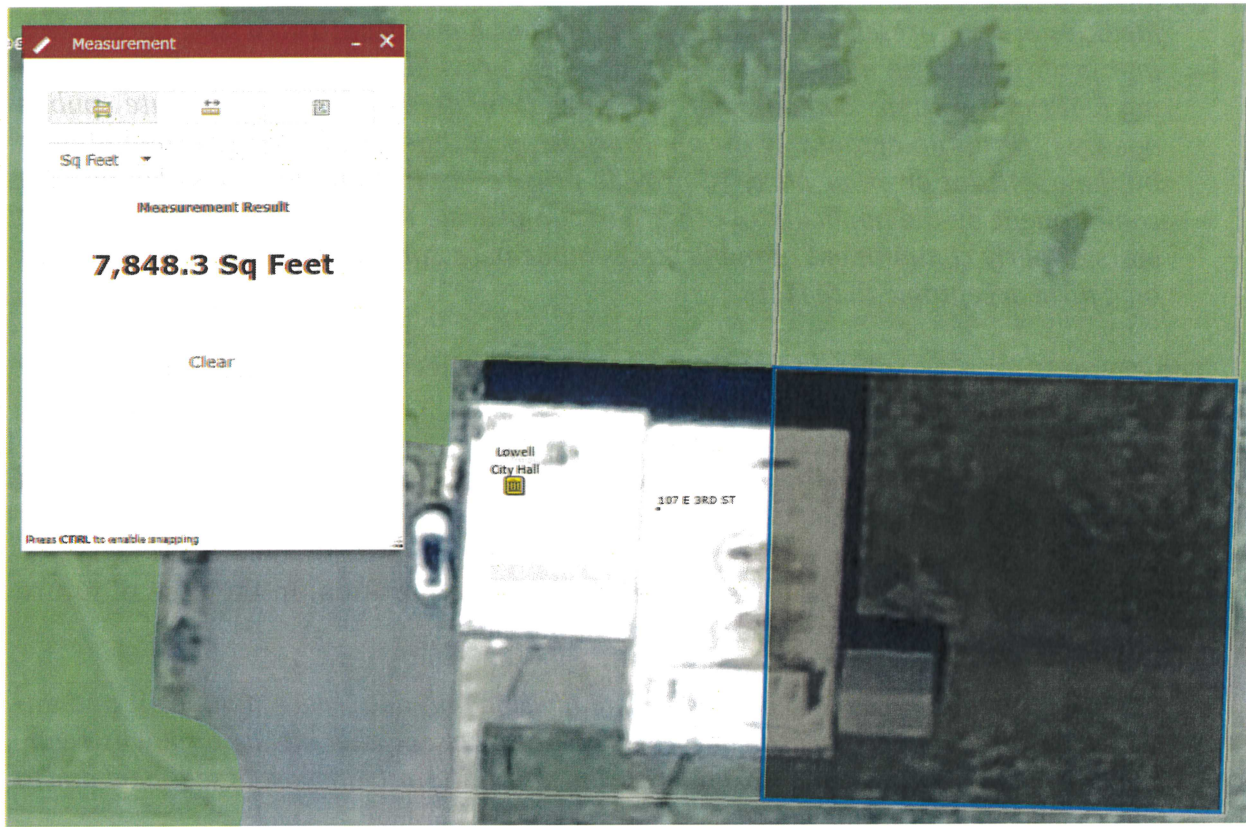
*(b) Where the proposed land division results in any lots or parcels that are at least two and one half times the allowed minimum lot size, the applicant has demonstrated that all such lots or parcels may be re-divided in the future to at least 80 percent of maximum density possible within current minimum lot sizes, existing site constraints, and requirements of this Code.*

The partition plan meets this decision criterion. The 80% maximum density calculation is as follows:

1. Parcel 2 square footage = 17,651
2. Minimum lot size for R-3 district = 7,000 sq. ft.
3. Maximum number of lots for re-divided Parcel 2  
 $17,651 \div 7,000 = 2.509$
4.  $80\% \times 2.509 = 2.007 \approx 2$

As illustrated below, Parcel 2 can be further divided into the required 2 parcels.





*(c) The applicant has demonstrated that the proposed land division does not preclude development on properties in the vicinity to at least 80 percent of maximum density possible within current minimum lot sizes, existing site conditions and the requirements of this Code.*

This partition line isn't going to affect development on properties within the vicinity. The property to the north is the Lowell Fire District Fire Station, which is already developed to its fullest extent. To the west is Paul Fisher Park, which will remain a park with no further development. No properties border the property on the east or south.

*(d) The proposed street plan:(1)Is in conformance with City standards and with the master road plan or other transportation planning document.(2)Provides for adequate and safe traffic and pedestrian circulation both internally and in relation to the existing City street system.(3)Will not preclude the orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property or on surrounding properties.*

This is a partition only and does not include street construction work. This criterion is not applicable.



*(e) Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant has demonstrated that the services and facilities will be available prior to need, by providing at least one of the following:(1)Prior written commitment of public funds by the appropriate public agency.(2)Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.(3)A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the City.*

The current City Hall is located at the site, which has electric, water, and sewer utility access. Public utilities are available at the site.

*(f) That proposed public utilities can be extended to accommodate future growth beyond the proposed land division.*

There are no proposed public utilities associated with the partition. In the case of future growth, city water and sewer access is available at the site.

*(g) Stormwater runoff from the proposed land division will not create significant and unreasonable negative impacts on natural drainage courses either on-site or downstream, including, but not limited to erosion, scouring, turbidity, or transport of sediment due to increased peak flows and velocity.*

This is a partition only and does not include construction work that will affect stormwater runoff. This criterion is not applicable.

*(h) The proposed land division does not pose a significant and unreasonable risk to public health and safety, including but not limited to fire, slope failure, flood hazard, impaired emergency response or other impacts identified in section 9.204(u).*

This is a partition only and does not include construction work that will create health or safety risks. I marked "N/A" on the land use application for the Section 9.204(u) impacts because they are not applicable for this land partition. This criterion is not applicable.

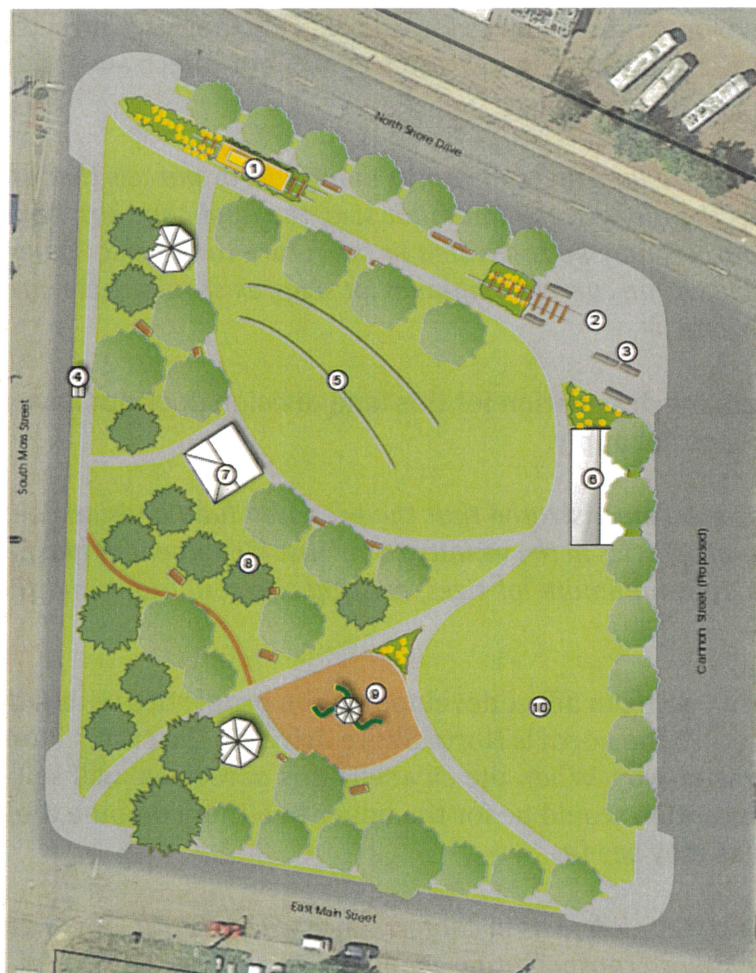
**2. LU #2022-08.**

Description of the proposal

This is to add a property line to create a new tax lot on the northeastern area of Rolling Rock Park. The partition plan also includes a right-of-way dedication for the planned Cannon Street extension.

In the 2019 “Downtown Master Plan,” the regulating plan contemplates that this section of Rolling Rock Park will be rezoned Flex 1 for commercial, mixed-use, or residential development.

The 2019 “Parks Master Plan” also contemplates that this section of Rolling Rock Park will no longer be part of the park. That is because the city acquired the tax lots that now make up the southern half of Rolling Rock Park. The idea behind that was to consolidate the park into a community park the encompasses the area between the proposed Cannon Street, South Moss Street, North Shore Drive, and East Main Street. See the illustration below for more detail:



To implement the vision of the “Downtown Master Plan” and “Parks Master Plan,” this partition and right-of-way dedication will be required.

The City Council has also discussed using the sales proceeds from this property to offset the costs of the 70 N. Pioneer St. project, in the same manner as the parcel described in the preceding section.

How the proposal meets the decision criteria

This section addresses Sec. 2.228 “Decision Criteria” of the Lowell Revised Code regarding applications for partitions.

*(a) That the proposed land division complies with applicable provisions of City Codes and Ordinances, including zoning district standards.*

If the city rezones this parcel prior to the code updates being completed, then we will probably apply a C-1 “General Commercial District” designation to match the adjacent parcel (map and tax lot 1901142304901).

According to the development standards for this district, there are no setback or lot size requirements for the C-1 district. The partition would not affect any of the zoning district standards.

*(b) Where the proposed land division results in any lots or parcels that are at least two and one half times the allowed minimum lot size, the applicant has demonstrated that all such lots or parcels may be re-divided in the future to at least 80 percent of maximum density possible within current minimum lot sizes, existing site constraints, and requirements of this Code.*

Since the intended zoning designation for this land division does not have minimum lot sizes, this criterion does not apply.

*(c) The applicant has demonstrated that the proposed land division does not preclude development on properties in the vicinity to at least 80 percent of maximum density possible within current minimum lot sizes, existing site conditions and the requirements of this Code.*

This partition line isn’t going to affect development on properties within the vicinity. To the west is Cannon Street. To the north is North Shore drive. To the east is Pioneer Street. To the south is a public right-of-way. When the city sells this parcel, we will sell it as one package with lot 4901. The intention would be for the buyer to either combine those two lots or further partition them as they see fit.

*(d) The proposed street plan:(1)Is in conformance with City standards and with the master road plan or other transportation planning document.(2)Provides for adequate and safe traffic and pedestrian circulation both internally and in relation to the existing City*

*street system.(3)Will not preclude the orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property or on surrounding properties.*

This is a partition only and does not include street construction work. This criterion is not applicable.

*(e) Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant has demonstrated that the services and facilities will be available prior to need, by providing at least one of the following:(1)Prior written commitment of public funds by the appropriate public agency.(2)Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.(3)A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the City.*

Rolling Rock Park is located the site, which has electric, water, and sewer utility access. Public utilities are available at the site.

*(f) That proposed public utilities can be extended to accommodate future growth beyond the proposed land division.*

There are no proposed public utilities associated with the partition. In the case of future growth, city water and sewer access are available at the site.

*(g) Stormwater runoff from the proposed land division will not create significant and unreasonable negative impacts on natural drainage courses either on-site or downstream, including, but not limited to erosion, scouring, turbidity, or transport of sediment due to increased peak flows and velocity.*

This is a partition only and does not include construction work that will affect stormwater runoff. This criterion is not applicable.

*(h) The proposed land division does not pose a significant and unreasonable risk to public health and safety, including but not limited to fire, slope failure, flood hazard, impaired emergency response or other impacts identified in section 9.204(u).*

This is a partition only and does not include construction work that will create health or safety risks. I marked "N/A" on the land use application for the Section 9.204(u) impacts because they are not applicable for this land partition. This criterion is not applicable. Section 9.204(o) applies. ("Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.") Special site features for this parcel include

forestry equipment exhibits. Prior to sale, we will move those exhibits to the southern part of Rolling Rock Park, in accordance with the site plan in the "Parks Master Plan."

Signed: Jeremy Caudle Date: 8/18/2022  
Jeremy Caudle  
City Administrator

**CITY OF LOWELL**  
**NOTICE OF PUBLIC HEARING**  
**Mailing Date August 15, 2022**  
**LU 2022-08**

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for a **Partition** of a City-owned property located at 19-01-14-23 Tax Lot 08800. The subject property is also known as Rolling Rock Park on North Shore Drive.

The Hearing will occur on **September 7, 2022, at 7:00 P.M.** at the Lowell Rural Fire Protection District Fire Station 1 located at 389 Pioneer Street, Lowell, OR, 97452.

A remote option is also available via Zoom. To attend remotely, please sign up with the City Administrator by September 6 or access the link by visiting <https://www.ci.lowell.or.us/meetings>.

**Requested Action:** Partition of the subject property at create two parcels out of Rolling Rock Park to push North Cannon Street through to North Shore Drive. See map on reverse.

**Owner/Applicant:** City of Lowell  
**Applicant's Representative:** Chris Sherby, PLS, S & F Land Services  
**Property Location:** 100 E. North Shore Drive  
**Assessor Map:** 19-01-14-23  
**Tax Lot:** 08800  
**Existing Area:** 1.17 acres  
**Existing Zone:** PL, Public Lands

The Lowell Land Use Development Code specifies the applicable procedures and criteria for evaluation of the requested action. Applicable Code Sections include Section 9.223 General Information, Section 9.220 Subdivision or Partition Tentative Plan, and Section 9.228 Decision Criteria. 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. Please note that City Hall may be temporarily closed due repairs. Persons can always request the application materials by emailing the City Administrator at the email address provided below.

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.

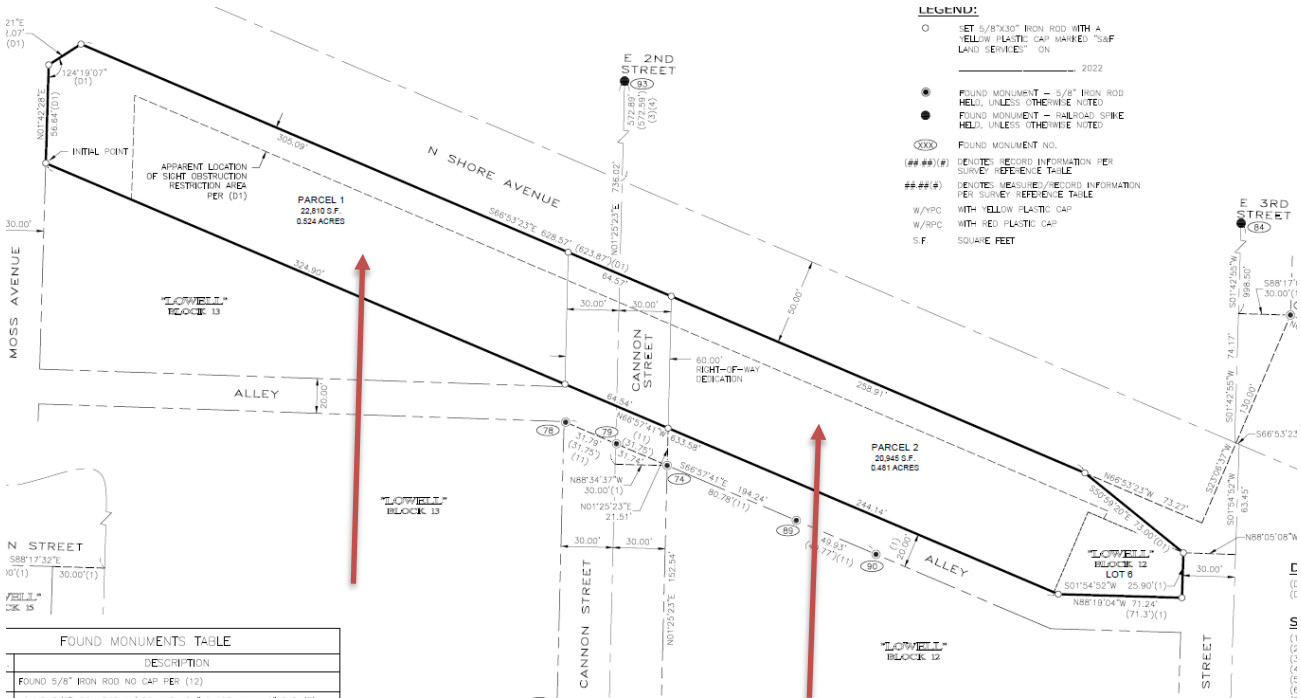
A Partition requires a Public Hearing. Oral testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Lowell City Hall located at 107 East Third Street, Lowell, Oregon 97452 or emailed to Jeremy Caudle, City Administrator, at [jcaudle@ci.lowell.or.us](mailto:jcaudle@ci.lowell.or.us).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

To be included in the Staff Report, written testimony shall be received by the City no later than 4:00 p.m. on September 6, 2022.

For additional information please contact the City Administrator or Henry, at the contact information below.

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

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



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Cottage Grove OR 97424

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Rhinevault Samuel & Tasya Marie  
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City of Lowell  
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Aldinger Patrick & Kimberly  
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Fall Creek OR 97438

Lowell School District #71  
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Lowell OR 97452

J & K Property Holdings LLC  
38001 Place Rd  
Fall Creek OR 97438

Stockdale Michael & Braydee  
12 N Cannon St  
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  
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Kordon Clint L  
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Waianae HI 97452

Susan H Egger Living Trust  
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Padgett Taylor & Amanda  
35 Loftus Ave  
Lowell OR 97452

Burdick Jessie & Matthew  
35 N Moss St  
Lowell OR 97452

Robbins Residential Trust  
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Fall Creek OR 97438

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Rommel Dean Robert  
PO Box 97  
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Jeness Kathryn J  
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