

MEMORANDUM

TO: Mayor and City Council

FROM: Eric Mongan, City Planner

SUBJECT: FIRST VOTE FOR ORDINANCE AMENDING THE COTTAGE GROVE COMPREHENSIVE PLAN LAND USE DIAGRAM MAP & TITLE 14 LAND USE DISTRICT MAP FOR DON NORDIN (MCPA 3-21)

Map 20-03-29-41 TL 00300 (vacant)
Map 20-03-29-41 TL 00400 (1142 Chestnut Avenue)

DATE: January 5, 2021

Background

Council has held a public hearing on the proposed amendment of the Comprehensive Plan land use diagram map and the Title 14, Cottage Grove Development Code land use district map to redesignate 0.55 acres on and adjacent to Chestnut Avenue and North L Street from L Low Density Residential to M Medium Density Residential on the Cottage Grove Comprehensive Plan Map to allow these properties to be developed for a mix of medium density residential and commercial uses, and rezone this property to RC Residential Commercial to reflect the proposed Comprehensive Plan designation.

The Planning Commission held a public hearing on the attached Ordinance on November 17, 2021. After the hearing and discussion by the Planning Commission the Commission unanimously recommended the City Council not approve the Ordinance. Attached to this memo are the minutes from the November 17, 2021 Planning Commission Public Hearing on item MCPA 3-21. The minutes have been provided to you for the purpose of giving Council an understanding of how the Planning Commission arrived at its decision.

Generally, the Planning Commission arrived at its decision to not recommend approval of the Ordinance to Council due to the belief that there were other mechanisms the applicant/property owner could use to obtain the desired goal of developing the site as a mixed-use cottage cluster with housing and limited commercial opportunities.

Specifically, the amended zoning, if approved, would allow commercial developments up to 2,000 sf outright as opposed to the current zoning, which would require a Conditional Use Permit. The Planning Commission arrived at its decision after hearing/reading public comments received before and during the Public Hearing, in response to the applicant's narrative and comments at the Public Hearing, the staff report, and further information provided by staff during the Public Hearing.

It is now appropriate that Council consider the applicant's Type IV Legislative Application to amend the Comprehensive Plan and Land Use District Map. As this is a Legislative application Council may approve or deny the application as the criteria of Chapter 14.47 are subjective and the decision to amend the Comprehensive Plan and Land Use District Map are matters of policy. The following attachments are included for Council's consideration: draft Ordinance, staff report for MCPA 3-21, and the minutes from the November 17, 2021 Planning Commission Public Hearing. Staff's recommendation to the Planning Commission was based on the application's compliance with statewide land use goals.

This Ordinance has been available for more than one week prior to this meeting and can be adopted in one meeting.

Recommendation

After Council deliberation it is recommended that City Council hold the first vote on the attached Ordinance.

Cost

None


Richard Meyers, City Manager


Eric Mongan, City Planner

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COTTAGE GROVE
COMPREHENSIVE PLAN LAND USE DIAGRAM
MAP & TITLE 14 LAND USE DISTRICT MAP
FOR DONALD NORDIN
1142 CHESTNUT AVENUE (MCPA 3-21)
Map 20-03-29-41 TL 400 & 300

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

WHEREAS, the City of Cottage Grove has developed and adopted the City Comprehensive Plan including the land use diagram map in accordance with Statewide Planning Goals and acknowledged by the Oregon State Land Conservation and Development Commission; and

WHEREAS, the City of Cottage Grove adopted Title 14 Cottage Grove Development Code including the land use district map which implements the City Comprehensive Land Use Plan and has been acknowledged by the Oregon State Department of Land Conservation and Development; and

WHEREAS, Donald Nordin owns 0.28 acres identified as Map 20-03-29-41 TL 400, which is developed with a single family home built in 1935 addressed at 1142 Chestnut Avenue, shown in the map in Exhibit "A" attached hereto and forming a part of this ordinance; and

WHEREAS, Mr. Nordin also owns TL 300, a 0.27 acre parcel that is generally undeveloped excepting small storage shed, shown in the map in Exhibit "A" attached hereto and forming a part of this ordinance; and

WHEREAS, the owner has applied to amend the Comprehensive Plan Land Use Plan Land Use Diagram Map and Title 14 Cottage Grove Development Code Land Use District Map for the subject property to allow for increased residential development with reduced setback standards as allowed in RC zone at 1142 Chestnut Avenue and TL 300; and

WHEREAS, on November 17, 2021, the Cottage Grove Planning Commission conducted a properly noticed public hearing, provided the public an opportunity to comment on the proposed plan change and rezone, and unanimously recommended Council not adopt this Ordinance; and

WHEREAS, on _____, 2022, the Cottage Grove City Council conducted a properly noticed public hearing concerning the proposed plan change and rezone and provided the public with an opportunity to be heard; and

WHEREAS, the Council has reviewed the record and Planning Commission decision to not recommend Council adopt this Ordinance, and has determined to approve the plan change and rezone.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend the adopted Comprehensive Plan land use diagram map and the Title 14, Cottage Grove Development Code land use district map for the subject properties shown in Exhibit "A" attached hereto and forming a part of this ordinance.

Section 2. Findings. The City Council has determined that: (1) the Comprehensive Plan land use diagram map and Cottage Grove Development Code land use district map amendments properly implement the Statewide Goals; (2) the amended plan and code maps adequately address the land needs of the community; and (3) the amendments are in the public's interest and will serve the health, safety, and welfare of the citizens of the City of Cottage Grove. Further, the City Council hereby adopts findings in support of this redesignation and rezone, as set forth in the above recitals and as detailed in Exhibit "B" attached hereto and incorporated as a part of this ordinance.

Section 3. Amendments.

- a. The Cottage Grove Comprehensive Plan land use diagram map is hereby amended to redesignate the subject properties described in Exhibit A from L Low Density Residential to RC Residential Commercial; and
- b. Amend Title 14, Cottage Grove Development Code land use district map to rezone the subject properties described in Exhibit A as TL 300 & 400 from R-1 to RC Residential Commercial.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS ____ OF _____, 2022.

Jeffrey D. Gowing, Mayor

Dated: _____

Richard Meyers, City Manager

Dated: _____

EXHIBIT A
ORDINANCE NO. _____

Site Location
1142 Chestnut Avenue
20-03-29-41 TL 400, 300

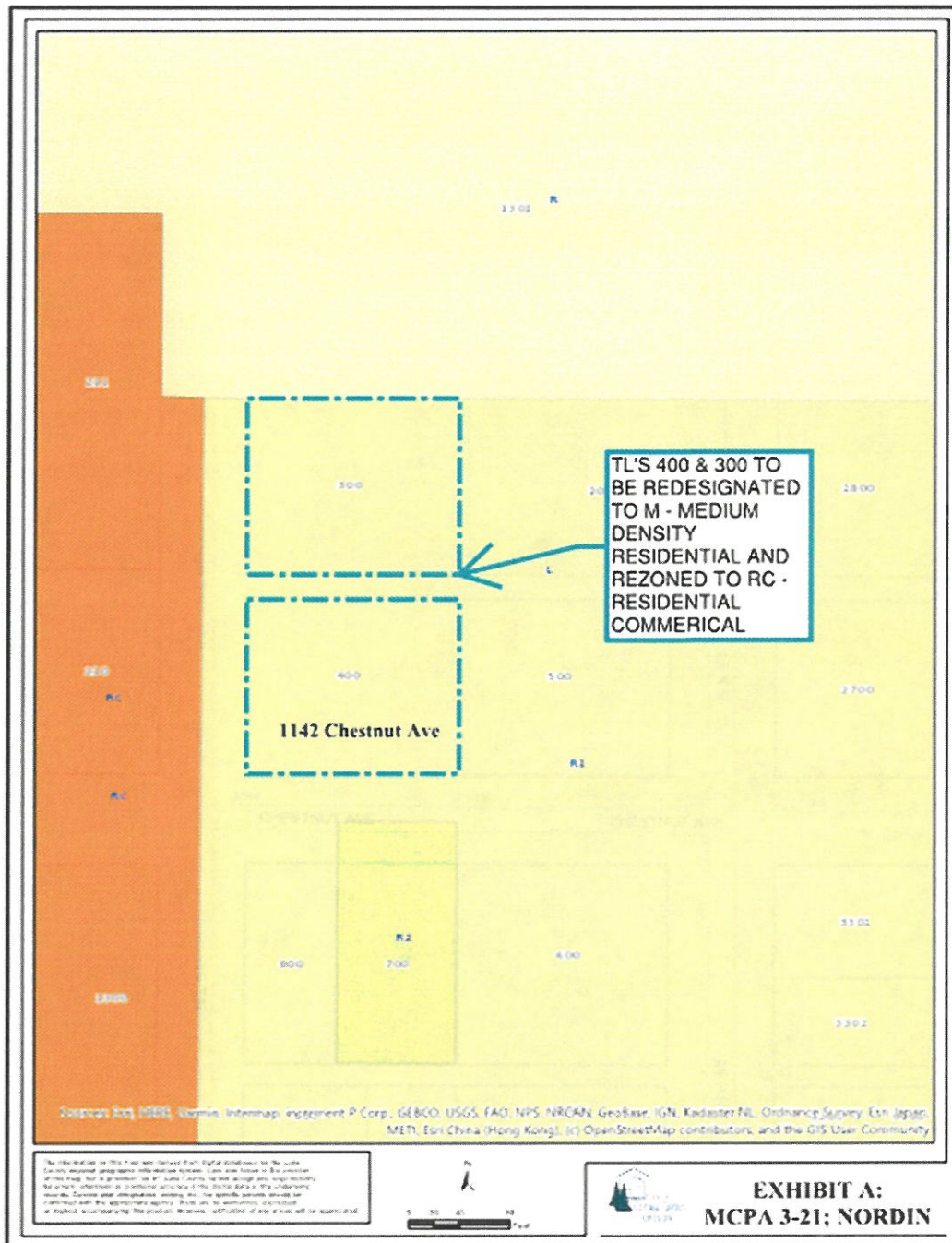


EXHIBIT B
ORDINANCE NO. _____

1. Donald Nordin owns 0.28 acres identified as Map 20-03-29-41 TL 400, which is developed with a single family home built in 1935 addressed at 1142 Chestnut Avenue. Mr. Nordin also owns TL 300, a 0.27acre parcel that is generally undeveloped excepting a storage shed. The parcels are designated as L Low Density Residential, and zoned as R-1 Single-family Residential.
2. Mr. Nordin has made this application to change the designation and zoning on his house at 1142 Chestnut Avenue to RC Residential Commercial, in order to allow him to build at a denser unit per acre standard and to align with the adjacent designation and zoning. The Residential Commercial designation will allow some development for commercial uses that are appropriate at this location while allowing the development of a cottage cluster with common building amenities and reduced setbacks.
3. The City of Cottage Grove Comprehensive Plan, under “The Plan in General,” states that it contains broad generalized patterns of land use for those areas in which a given land use is best suited, where a land use is compatible to surrounding land uses and where the need for a given land use exists.
4. The City Comprehensive Plan also states that the plan is not complete. It is subject to revision to meet the many possible economic, political and technological events that might occur in the future. The plan must also remain flexible and responsive to the citizens in reflecting their desire and needs to remain current and reflect the changing form of the community.
5. The applicant proposes these comprehensive plan and zoning map changes to the City’s maps to allow for the continued use of residential development on this property and to allow a higher increased use that will permit an increase permitted dwelling per acre ratio. The proposed designation and zoning align with the adjacent designation and zoning to the west.
6. Adequate public facilities, including water, sewer, storm water, and streets are provided to the site. The property at 1142 Chestnut Avenue is accessed via Chestnut Avenue and TL 300 is accessible via Chestnut Alley and North L Street, a local street. There are not foreseeable impacts to traffic conditions or transportation facilities with the proposed redesignation and zone change.

The following Statewide Planning Goals are not applicable to the proposed redesignation/rezoning: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 6 – Air and Water Resources; Goal 8: Recreational Needs; Goal 15 – Willamette River Greenway; ;Goal 16-Estuarine Resources Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.

7. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The acknowledged Cottage Grove Comprehensive Plan (Plan) and Title 14 Cottage Grove Development Code complies with Goal 1. The Type IV Permit Application process required by Title 14 has been used for the Plan amendment/zone change proposal and is in compliance with Goal 1. Proper public notice of the proposed change has been provided through the Type IV public notice process as specified in Section 14.41.500A of the Development Code. The Department of Land Conservation and Development was notified of the intended amendments on October 13, 2021. Public hearings will be held at the Planning Commission and City Council levels to consider this re-designation/rezoning. Our process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and a recognized neighborhood group.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The land use planning process used by Cottage Grove to review this application is consistent with Goal 2. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed changes followed the process established in Title 14 of the City of Cottage Grove Municipal Code and have been found compatible with the City's Comprehensive Plan.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

This goal does not apply to the application as land within acknowledged urban growth boundaries is not considered agricultural. The subject properties are within the acknowledged urban growth boundary of Cottage Grove, and are within the city limits.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

This goal does not apply to the application. Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. The subject properties have never been acknowledged as forest lands.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

No known wetlands or historic areas are located on the subject properties. The properties are outside of the riparian corridor, and are not designated as floodplain. This designation/zone change is in compliance with Goal 5.

Conversion of these properties from L – low density residential/R-1 single-family residential to M – medium density residential/RC – residential commercial will continue the mix of residential and commercial development in the northwest neighborhood. Within two blocks of the subject properties is a mix of commercial medical offices and other developed multi-family development. This proposed plan amendment/zone change is in alignment with exiting development and adjacent zoning and is in compliance with Goal 5.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

There are no anticipated capacity problems with the existing and planned facilities in the area to accommodate existing or potential residential uses. Any new development will be required to comply with Development Code requirements for stormwater management and Comprehensive Plan requirements related to air and water resource quality. Hence Goal 6 does not apply at this time.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

The subject properties are not known to be subject to any natural disasters or hazards that are not city-wide in nature (such as earthquakes). Compliance with building code and development code regulations when developing residential buildings/uses or commercial uses will be a requirement for all future work to ensure that damage from natural hazards is mitigated to the greatest extent possible. The proposed change is in compliance with Goal 7.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The subject property are at the base of what is locally known as Mt. David. Mt. David is home to the infamous “cottage grove oil derrick” a scam run by a former resident of the area in the 1900’s. Today Mt. David is used by residents for hiking and recreation. At this time, Mt. David, is in private ownership, but the owner has stated an intent to donate the ridge of the hill for public use. The proposed designation/zone change enhances the city’s ability to protect this important recreational resource and is in compliance with Goal 8.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The proposed plan amendment from L – Low Density Residential to M – Medium Density Residential with the RC- Residential Commercial zone will allow for a mix of uses. The development of RC zoned land requires eight units per acre and allows for the development of outright permitted general commercial/retail less than 2,000 sf. The proposed change is in compliance with Goal 9.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

Goal 10 is applicable. The comprehensive plan change/zone change will retain the existing .55 acres in the City's housing lands inventory, but will increase the minimum required density from four units per acre to eight, meeting an identified need for more residential dwelling units in the 2018 Buildable Lands Analysis and for higher density residential land (high density and commercial plan designations). There is not a maximum density established for any residential zone within the City of Cottage Grove. Maximum densities are established by other criteria within the development code such as setbacks, lot coverage, building height, open space and landscaping requirements, and parking. The property is ideally located for pedestrian and bicycle connectivity to the rest of the City. The proposed change is in compliance with Goal 10. (See charts from 2018 Housing Needs Analysis below.)

Exhibit 1. Forecast of demand for new dwelling units, Cottage Grove UGB, 2018 to 2038

Source: Calculations by ECONorthwest.

Needed new dwelling units (2018-2038)	1,379
Dwelling units by structure type	
Single-family detached	
Percent single-family detached DU	65%
equals Total new single-family detached DU	896
Single-family attached	
Percent single-family attached DU	10%
equals Total new single-family attached DU	138
Multifamily	
Percent multifamily	25%
Total new multifamily	345
Total new dwelling units (2018-2038)	1,379

Exhibit 2. Comparison of capacity of existing residential land with demand for new dwelling units and land surplus or deficit, Cottage Grove UGB, 2018-2038

Source: Buildable Lands Inventory; Calculations by ECONorthwest. Note: DU is dwelling unit.

Plan Designation	Capacity (Dwelling Units)	Demand for New Housing	Comparison (Supply minus Demand)
Low Density Residential	976	564	412
Medium Density Residential	521	483	38
High Density Residential	224	221	3
Commercial Plan Designations	112	110	2

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The properties can be adequately served with public facilities. Street and sidewalk infrastructure will be installed as a condition of approval at such time the property owner submits a development permit (land use review or site design review). The properties are adequately served

by police service, public transit, and a thorough transportation network. The proposed change is in compliance with Goal 11.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

The subject properties abut the public right-of-ways of Chestnut Avenue, Chestnut Alley, and North L Street. Chestnut Avenue is a fully constructed city street. North L Street is a primitive gravel road without pedestrian infrastructure. At time of development permit the full build out of North L Street will be subject to the scope of the project proposal and safe convenient access to the northern property (TL 300) will be a condition of approval. The proposed plan amendment and map change would establish a higher unit per acre standards and our right permit limited commercial development. However, the potential for increased development is limited by lot size, existing adjacent development, and development criteria and standards. For example, the maximum building height in the R-1 zone is 28' and if approved the new zone the maximum height would be 40' subject to R/R-1 stepdown criteria, which would limit the ultimate building height and location of the structure. Additionally, there is not a maximum density within any residential zone within the City as the maximum achievable density is constrained by meeting criterion for setbacks, lot coverage, open space/landscaping, building height, and parking. Other examples exist within the code such as cottage cluster housing that under the R-1 zone allows a maximum of 8 cottages and 14 are allowed in the RC zone. The ability to develop a cottage cluster at the maximum allowed density is driven by the applicant's ability to meet the clear and objective criteria in Subsection 14.22.200 C or requesting a deviation from the standards via a Type III Site Design Review. In either case the capacity of the transportation system is adequate to safely serve the proposed change from low density to medium density residential. Hence, the proposed change is in compliance with Goal 12.

Goal 13: Energy Conservation

To conserve energy.

The Plan amendment/zone change will promote more energy efficient development by retaining existing development and public services. The change will conserve energy by reducing needs for green-field development and expansion of city services. The proposed change is in compliance with Goal 13.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The subject properties have been annexed to the City of Cottage Grove and are inside the City's acknowledged Urban Growth Boundary. This application is in compliance with Goal 14. This criterion has been met.

STAFF REPORT
NORDIN; MCPA 3-21
COMPREHENSIVE PLAN AMENDMENT/LAND USE MAP AMENDMENT
Map 20-03-29-41-00400 & 00300
TL 400: 1142 Chestnut Avenue; TL 300 Unaddressed

PROPOSAL DESCRIPTION

Date application filed: October 8, 2021

Date deemed complete: October 13, 2021

Applicant/Owner: Don Nordin
239 Adams Avenue
Cottage Grove, OR 97424

Location: 1142 Chestnut Avenue (TL 400) & Unaddressed parcel (TL 300)
Map/TL: 20-03-29-41-00400 & 00300

Current Comp Plan: L Low Density Residential

Current Zoning: R-1 Single Family Residential

Proposed Comp Plan: M Medium Density Residential

Proposed Zoning: RC Residential Commercial

Proposal:

From the applicant: In response to a community need for more affordable housing and at the direction of HB 2001 from our legislature to address the need for “middle housing”, I am requesting a change from the R1 zoning on my property at 1142 Chestnut (tax lots 20-03-29-41-00400 & 00300) to RC residential commercial to allow for a phased construction of a duplex and cottage cluster with an associated opportunity space, utility shed, and great room.

This property abuts to property across L Street that is zoned RC and is across Chestnut Avenue from another property that is zoned R2. Furthermore, property on J Street is also zoned R2 and the land to the north is zoned R. So, a change of zoning would be consistent with zoning in this part of the neighborhood.

As this project is built out, this plan could offer residential space for perhaps 12 or 14 individuals. Whereas, only one individual is currently occupying the property.

Using a co-housing model, the intention of the development would encourage an ownership stake in the property with the ability to sell that stake at such time as it becomes desirable.

Building construction would use a net zero energy approach with such solar collection as is practicable. Construction would be around the perimeter of the space as to preserve an open shared space in courtyard and garden. Also, participants in the co-housing venture would agree to

use collectively owned vehicles appropriately configured so as to provide necessary transportation and function.

It is my hope that this project could provide a model or pilot for similar living units with consideration of the demands for energy, materials and greenhouse emissions that I feel is imperative to respond to the societal need for affordable housing without imperiling the natural environment for the future generations on this pot on our planet.

There are two parts to this application:

- a. Amend the Comprehensive Plan Land Use Map to re-designate the subject properties from L Low Density Residential to M Medium Density Residential; and
- b. Amend Title 14, Cottage Grove Development Code land use district map to rezone the subject properties described in Exhibit A as TL 300 & 400 from R-1 to RC Residential Commercial.

COMMENTS RECEIVED

None.

APPROVAL CRITERIA AND FINDINGS; MCPA 3-21

14.4.1.500.H Decision-Making Criteria. The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:

1. *Approval of the request is consistent with the Statewide Planning Goals;*

Staff response and findings of fact:

The following Statewide Planning Goals are applicable and the amendment and concurrent zone change complies with them as noted below:

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The acknowledged Cottage Grove Comprehensive Plan (Plan) and Title 14 Cottage Grove Development Code complies with Goal 1. The Type IV Permit Application process required by Title 14 has been used for the Plan amendment/zone change proposal and is in compliance with Goal 1. Proper public notice of the proposed change has been provided through the Type IV public notice process as specified in Section 14.41.500A of the Development Code. The Department of Land Conservation and Development was notified of the intended amendments on October 13, 2021. Public hearings will be held at the Planning Commission and City Council levels to consider this re-designation/rezoning. Our process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and a recognized neighborhood group.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The land use planning process used by Cottage Grove to review this application is consistent with Goal 2. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed changes followed the process established in Title 14 of the City of Cottage Grove Municipal Code and have been found compatible with the City's Comprehensive Plan.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

This goal does not apply to the application as land within acknowledged urban growth boundaries is not considered agricultural. The subject properties are within the acknowledged urban growth boundary of Cottage Grove, and are within the city limits.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

This goal does not apply to the application. Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. The subject properties have never been acknowledged as forest lands.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

No known wetlands or historic areas are located on the subject properties. The properties are outside of the riparian corridor, and are not designated as floodplain. This designation/zone change is in compliance with Goal 5.

Conversion of these properties from L – low density residential/R-1 single-family residential to M – medium density residential/RC – residential commercial will continue the mix of residential and commercial development in the northwest neighborhood. Within two blocks of the subject properties is a mix of commercial medical offices and other developed multi-family development. This proposed plan amendment/zone change is in alignment with exiting development and adjacent zoning and is in compliance with Goal 5.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

There are no anticipated capacity problems with the existing and planned facilities in the area to accommodate existing or potential residential uses. Any new development will be required to comply with Development Code requirements for stormwater management and Comprehensive Plan requirements related to air and water resource quality. Hence Goal 6 does not apply at this time.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

The subject properties are not known to be subject to any natural disasters or hazards that are not city-wide in nature (such as earthquakes). Compliance with building code and development code regulations when developing residential buildings/uses or commercial uses will be a requirement for all future work to ensure that damage from natural hazards is mitigated to the greatest extent possible. The proposed change is in compliance with Goal 7.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The subject property are at the base of what is locally known as Mt. David. Mt. David is home to the infamous “cottage grove oil derrick” a scam run by a former resident of the area in the 1900’s. Today Mt. David is used by residents for hiking and recreation. At this time, Mt. David, is in private ownership, but the owner has stated an intent to donate the ridge of the hill for public use. The proposed designation/zone change enhances the city’s ability to protect this important recreational resource and is in compliance with Goal 8.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The proposed plan amendment from L – Low Density Residential to M – Medium Density Residential with the RC- Residential Commercial zone will allow for a mix of uses. The development of RC zoned land requires eight units per acre (maximum density is determined by compliance with other criterion: setbacks, building height, lot coverage, parking, etc.) and allows for the development of outright permitted general commercial/retail less than 2,000 sf. The proposed change is in compliance with Goal 9.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

Goal 10 is applicable. The comprehensive plan change/zone change will retain the existing .55 acres in the City’s housing lands inventory, but will increase the minimum required density from four units per acre to eight, meeting an identified need for more residential dwelling units in the 2018 Buildable Lands Analysis and for higher density residential land (high density and commercial plan designations). There is not a maximum density established for any residential zone within the City of Cottage Grove. Maximum densities are established by other criteria within the development code such as setbacks, lot coverage, building height, open space and landscaping requirements, and parking. The property is ideally located for pedestrian and bicycle connectivity to the rest of the City. The proposed change is in compliance with Goal 10. (See charts from 2018 Housing Needs Analysis below.)

Exhibit 1. Forecast of demand for new dwelling units, Cottage Grove UGB, 2018 to 2038

Source: Calculations by ECONorthwest.

Needed new dwelling units (2018-2038)	1,379
Dwelling units by structure type	
<i>Single-family detached</i>	
<i>Percent single-family detached DU</i>	65%
<i>equals Total new single-family detached DU</i>	896
<i>Single-family attached</i>	
<i>Percent single-family attached DU</i>	10%
<i>equals Total new single-family attached DU</i>	138
<i>Multifamily</i>	
<i>Percent multifamily</i>	25%
<i>Total new multifamily</i>	345
Total new dwelling units (2018-2038)	1,379

Exhibit 2. Comparison of capacity of existing residential land with demand for new dwelling units and land surplus or deficit, Cottage Grove UGB, 2018-2038

Source: Buildable Lands Inventory; Calculations by ECONorthwest. Note: DU is dwelling unit.

Plan Designation	Capacity (Dwelling Units)	Demand for New Housing	Comparison (Supply minus Demand)
Low Density Residential	976	564	412
Medium Density Residential	521	483	38
High Density Residential	224	221	3
Commercial Plan Designations	112	110	2

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The properties can be adequately served with public facilities. Street and sidewalk infrastructure will be installed as a condition of approval at such time the property owner submits a development permit (land use review or site design review). The properties are adequately served by police service, public transit, and a thorough transportation network. The proposed change is in compliance with Goal 11.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

The subject properties abut the public right-of-ways of Chestnut Avenue, Chestnut Alley, and North L Street. Chestnut Avenue is a fully constructed city street. North L Street is a primitive gravel road without pedestrian infrastructure. At time of development permit the full build out of North L Street will be subject to the scope of the project proposal and safe convenient access to the northern property (TL 300) will be a condition of approval. The proposed plan amendment and map change would establish a higher unit per acre standards and our right permit limited commercial development. However, the potential for increased development is limited by lot size, existing adjacent development, and development criteria and standards. For example, the maximum building height in the R-1 zone is 28' and if approved the new zone the maximum

height would be 40' subject to R/R-1 stepdown criteria, which would limit the ultimate building height and location of the structure. Additionally, there is not a maximum density within any residential zone within the City as the maximum achievable density is constrained by meeting criterion for setbacks, lot coverage, open space/landscaping, building height, and parking. Other examples exist within the code such as cottage cluster housing that under the R-1 zone allows a maximum of 8 cottages and 14 are allowed in the RC zone. The ability to develop a cottage cluster at the maximum allowed density is driven by the applicant's ability to meet the clear and objective criteria in Subsection 14.22.200 C or requesting a deviation from the standards via a Type III Site Design Review. In either case the capacity of the transportation system is adequate to safely serve the proposed change from low density to medium density residential. Hence, the proposed change is in compliance with Goal 12.

Goal 13: Energy Conservation

To conserve energy.

The Plan amendment/zone change will promote more energy efficient development by retaining existing development and public services. The change will conserve energy by reducing needs for green-field development and expansion of city services. The proposed change is in compliance with Goal 13.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The subject properties have been annexed to the City of Cottage Grove and are inside the City's acknowledged Urban Growth Boundary. This application is in compliance with Goal 14. This criterion has been met.

Non-applicable coastal goals

Goal 15: Willamette River Greenway

Goal 16: Estuarine Resources

Goal 17: Coastal Shorelands

Goal 18: Beaches and Dunes

Goal 19: Ocean Resources

This criterion has been met.

2. Approval of the request is consistent with the Comprehensive Plan; and

Staff response and findings of fact:

This request is consistent with the Comprehensive Plan, as modifications to the Comp Plan and its adopted implementing documents are expected overtime.

The Plan amendment and concurrent zone change is consistent with the following components of the Comprehensive Plan.

Land Use

To assure wise and efficient use of our urbanizable lands.

The land proposed for redesignation/rezoning is currently used for residential purposes, as are the adjacent properties to the west that are also designated medium density/zone residential

commercial. The proposed amendment will allow for a greater use of the land within proximity to existing city services and public transportation.

Economy

To encourage opportunities to broaden our economic base, but this should be a gradual transition that will not destroy our rich historical heritage and the natural amenities of the area.

The proposed plan amendment and zone change will create additional space for outright permitted commercial uses that would otherwise only be permitted conditionally in the current plan and zone of the subject properties. The subject parcels are on the northern fringe of the historic Northwest Neighborhood with existing adjacent development to the east and northeast have two contributing but not registered homes pre-dating the 1950's. This plan amendment and zone change will be subject to Section 14.22.140 C – Residential Districts, Infill Standards that required new development to match adjacent development standards, thus protecting the adjacent historic neighborhood.

Energy Conservation Goal

To strive to conserve all forms of energy through efficient use of our lands and promotion of sound energy conservation techniques.

The land proposed for redesignation/rezoning is currently used for residential purposes, as are the adjacent properties to the west that are also designated medium density/zone residential commercial. The proposed amendment will allow for a greater use of the land within proximity to existing city services and public transportation. The potential increase in housing density placing more dwellings in closer proximity to services and amenities, thus lowering the need for additional private vehicle uses and trips.

This criterion has been met.

3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

Staff response and findings of fact:

The properties are currently served by city water, sanitary sewer, storm sewer, police and fire services. Utilities are available for residential uses on Harvey.

This criterion has been met.

4. *The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application;*

The subject properties are adjacent to existing RC zoned lands, it is appropriate to amend the Comprehensive Plan and change the zoning to allow for a more dense development pattern that allows small-scale commercial use. This redesignation/rezoning will conserve existing infrastructure and private investment, and is an efficient use of the land.

This criterion has been met.

5. *The change is consistent with the function, capacity and performance standards for the streets used for access, consistent with the Cottage Grove TSP, the Oregon Highway Plan, and the Transportation Planning Rule (OAR 660-12) and;*

The subject properties are located near the intersection of North L Street and Chestnut Avenue, which are public local access roads per the 2015 Transportation Systems Plan. The proposed redesignation and rezoning of the .27 acre (TL 300) and .28 acre (TL 400) will not adversely impact the existing transportation facilities at W Main Street or N River Road and as described in this report the development of these parcels is subject to land use review, which limits the development potential of the parcels due to their square footage and dimensions. Residential Commercial zoning on this property would not trigger a Transportation Planning Rule analysis, as expected traffic impacts will be much less than expected under the current zoning.

This criterion has been met.

6. *The amendment conforms to the Transportation Planning Rule provisions under Section 14.47.800.*

No impact is expected from the change of designation/rezoning, as there is existing capacity in the adjacent local road, and collectors such that no change in facility classification is warranted. Additionally the current rating on this public local road per the proposed full build out of an adjacent Planned Unit Development is a functional classification of "A" meaning that this proposed amendment will not adversely affect the transportation system.

This criterion has been met.

CONCLUSION

Ordinance amendment approval pursuant to Sections 14.4.1.500.H Decision-Making Criteria is supported by the findings of fact that establish compliance with the applicable state and local standards.

STAFF RECOMMENDATION

Approval of MCPA 3-21 to amend the Comprehensive Plan Land Use Map, pursuant to Section 14.1.500, which is supported by findings of fact, to:

- a. Amend the Cottage Grove Comprehensive Plan from L – Low Density Residential to M – Medium Density Residential for two parcels (.55 acres) known as 1142 Chestnut Avenue (Map 20-03-29-41-00400 and TL 00300).
- b. Amend the Cottage Grove Land Use Map from R-1 Single-family Residential to RC Residential Commercial for two parcels (.55 acres) known as 1142 Chestnut Avenue (Map 20-03-29-41-00400 and TL 00300).

CONDITIONS OF APPROVAL

None.

MATERIALS TO BE PART OF THE RECORD

File MCPA 3-21

EXHIBITS

- A. Draft Ordinance amending the Comprehensive Plan Map and Cottage Grove Land Use Map (MCPA 3-21)

EXHIBIT A:
ORDINANCE NO. ____

AN ORDINANCE AMENDING THE COTTAGE GROVE
COMPREHENSIVE PLAN LAND USE DIAGRAM
MAP & TITLE 14 LAND USE DISTRICT MAP
FOR DONALD NORDIN
1142 CHESTNUT AVENUE (MCPA 3-21)
Map 20-03-29-41 TL 400 & 300

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

WHEREAS, the City of Cottage Grove has developed and adopted the City Comprehensive Plan including the land use diagram map in accordance with Statewide Planning Goals and acknowledged by the Oregon State Land Conservation and Development Commission; and

WHEREAS, the City of Cottage Grove adopted Title 14 Cottage Grove Development Code including the land use district map which implements the City Comprehensive Land Use Plan and has been acknowledged by the Oregon State Department of Land Conservation and Development; and

WHEREAS, Donald Nordin owns 0.28 acres identified as Map 20-03-29-41 TL 400, which is developed with a single family home built in 1935 addressed at 1142 Chestnut Avenue, shown in the map in Exhibit "A" attached hereto and forming a part of this ordinance; and

WHEREAS, Mr. Fuller also owns TL 300, a 0.27 acre parcel that is generally undeveloped excepting small storage shed, shown in the map in Exhibit "A" attached hereto and forming a part of this ordinance; and

WHEREAS, the owner has applied to amend the Comprehensive Plan Land Use Plan Land Use Diagram Map and Title 14 Cottage Grove Development Code Land Use District Map for the subject property to allow for increased residential development with reduced setback standards as allowed in RC zone at 1142 Chestnut Avenue and TL 300; and

WHEREAS, on November 17, 2021, the Cottage Grove Planning Commission conducted a properly noticed public hearing, provided the public an opportunity to comment on the proposed plan change and rezone, and adopted findings and recommended Council approval of the proposal; and

WHEREAS, on _____, 2021, the Cottage Grove City Council conducted a properly noticed public hearing concerning the proposed plan change and rezone and provided the public with an opportunity to be heard; and

WHEREAS, the Council has reviewed the record and Planning Commission recommendation of approval, and has determined to approve the plan change and rezone.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend the adopted Comprehensive Plan land use diagram map and the Title 14, Cottage Grove Development Code land use district map for the subject properties shown in Exhibit “A” attached hereto and forming a part of this ordinance.

Section 2. Findings. The City Council has determined that: (1) the Comprehensive Plan land use diagram map and Cottage Grove Development Code land use district map amendments properly implement the Statewide Goals; (2) the amended plan and code maps adequately address the land needs of the community; and (3) the amendments are in the public’s interest and will serve the health, safety, and welfare of the citizens of the City of Cottage Grove. Further, the City Council hereby adopts findings in support of this redesignation and rezone, as set forth in the above recitals and as detailed in Exhibit “B” attached hereto and incorporated as a part of this ordinance.

Section 3. Amendments.

- a. The Cottage Grove Comprehensive Plan land use diagram map is hereby amended to redesignate the subject properties described in Exhibit A from L Low Density Residential to RC Residential Commercial; and
- b. Amend Title 14, Cottage Grove Development Code land use district map to rezone the subject properties described in Exhibit A as TL 300 & 400 from R-1 to RC Residential Commercial.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS _____ OF _____, 2021.

Jeffrey D. Gowing, Mayor

Dated: _____

Richard Meyers, City Manager

Dated: _____

EXHIBIT A
ORDINANCE NO. _____

Site Location
1142 Chestnut Avenue
20-03-29-41 TL 400, 300

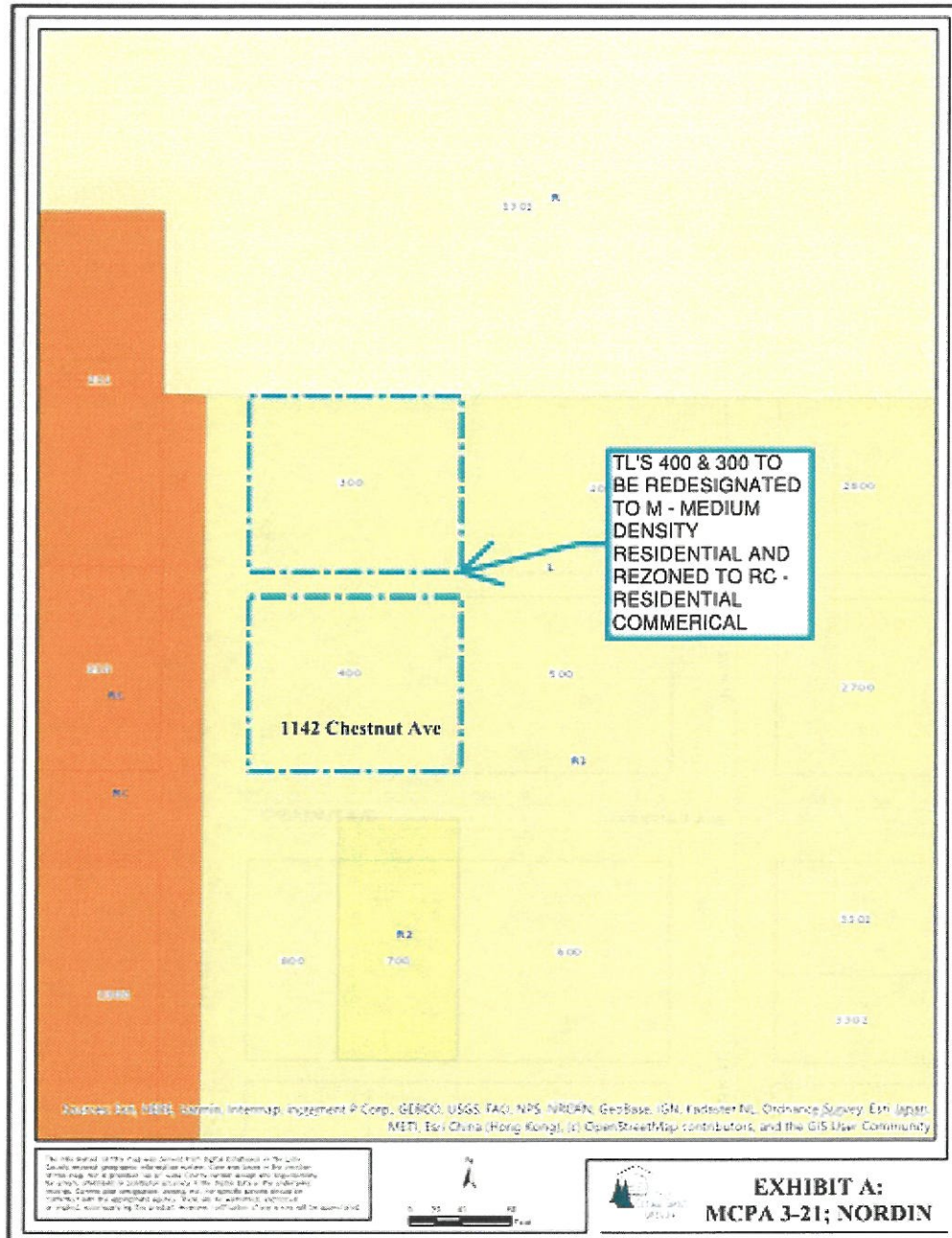


EXHIBIT B
ORDINANCE NO. _____

1. Donald Nordin owns 0.28 acres identified as Map 20-03-29-41 TL 400, which is developed with a single family home built in 1935 addressed at 1142 Chestnut Avenue. Mr. Nordin also owns TL 300, a 0.27acre parcel that is generally undeveloped excepting a storage shed. The parcels are designated as L Low Density Residential, and zoned as R-1 Single-family Residential.
2. Mr. Nordin has made this application to change the designation and zoning on his house at 1142 Chestnut Avenue to RC Residential Commercial, in order to allow him to build at a denser unit per acre standard and to align with the adjacent designation and zoning. The Residential Commercial designation will allow some development for commercial uses that are appropriate at this location while allowing the development of a cottage cluster with common building amenities and reduced setbacks.
3. The City of Cottage Grove Comprehensive Plan, under “The Plan in General,” states that it contains broad generalized patterns of land use for those areas in which a given land use is best suited, where a land use is compatible to surrounding land uses and where the need for a given land use exists.
4. The City Comprehensive Plan also states that the plan is not complete. It is subject to revision to meet the many possible economic, political and technological events that might occur in the future. The plan must also remain flexible and responsive to the citizens in reflecting their desire and needs to remain current and reflect the changing form of the community.
5. The applicant proposes these comprehensive plan and zoning map changes to the City’s maps to allow for the continued use of residential development on this property and to allow a higher increased use that will permit an increase permitted dwelling per acre ratio. The proposed designation and zoning align with the adjacent designation and zoning to the west.
6. Adequate public facilities, including water, sewer, storm water, and streets are provided to the site. The property at 1142 Chestnut Avenue is accessed via Chestnut Avenue and TL 300 is accessible via Chestnut Alley and North L Street, a local street. There are not foreseeable impacts to traffic conditions or transportation facilities with the proposed redesignation and zone change.

The following Statewide Planning Goals are not applicable to the proposed redesignation/rezoning: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 6 – Air and Water Resources; Goal 8: Recreational Needs; Goal 15 – Willamette River Greenway; ;Goal 16-Estuarine Resources Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.

7. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The acknowledged Cottage Grove Comprehensive Plan (Plan) and Title 14 Cottage Grove Development Code complies with Goal 1. The Type IV Permit Application process required by Title 14 has been used for the Plan amendment/zone change proposal and is in compliance with Goal 1. Proper public notice of the proposed change has been provided through the Type IV public notice process as specified in Section 14.41.500A of the Development Code. The Department of Land Conservation and Development was notified of the intended amendments on October 13, 2021. Public hearings will be held at the Planning Commission and City Council levels to consider this re-designation/rezoning. Our process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and a recognized neighborhood group.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The land use planning process used by Cottage Grove to review this application is consistent with Goal 2. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed changes followed the process established in Title 14 of the City of Cottage Grove Municipal Code and have been found compatible with the City's Comprehensive Plan.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

This goal does not apply to the application as land within acknowledged urban growth boundaries is not considered agricultural. The subject properties are within the acknowledged urban growth boundary of Cottage Grove, and are within the city limits.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

This goal does not apply to the application. Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. The subject properties have never been acknowledged as forest lands.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

No known wetlands or historic areas are located on the subject properties. The properties are outside of the riparian corridor, and are not designated as floodplain. This designation/zone change is in compliance with Goal 5.

Conversion of these properties from L – low density residential/R-1 single-family residential to M – medium density residential/RC – residential commercial will continue the mix of residential and commercial development in the northwest neighborhood. Within two blocks of the subject properties is a mix of commercial medical offices and other developed multi-family development. This proposed plan amendment/zone change is in alignment with existing development and adjacent zoning and is in compliance with Goal 5.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

There are no anticipated capacity problems with the existing and planned facilities in the area to accommodate existing or potential residential uses. Any new development will be required to comply with Development Code requirements for stormwater management and Comprehensive Plan requirements related to air and water resource quality. Hence Goal 6 does not apply at this time.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

The subject properties are not known to be subject to any natural disasters or hazards that are not city-wide in nature (such as earthquakes). Compliance with building code and development code regulations when developing residential buildings/uses or commercial uses will be a requirement for all future work to ensure that damage from natural hazards is mitigated to the greatest extent possible. The proposed change is in compliance with Goal 7.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The subject property are at the base of what is locally known as Mt. David. Mt. David is home to the infamous “cottage grove oil derrick” a scam run by a former resident of the area in the 1900’s. Today Mt. David is used by residents for hiking and recreation. At this time, Mt. David, is in private ownership, but the owner has stated an intent to donate the ridge of the hill for public use. The proposed designation/zone change enhances the city’s ability to protect this important recreational resource and is in compliance with Goal 8.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The proposed plan amendment from L – Low Density Residential to M – Medium Density Residential with the RC- Residential Commercial zone will allow for a mix of uses. The development of RC zoned land requires eight units per acre and allows for the development of outright permitted general commercial/retail less than 2,000 sf. The proposed change is in compliance with Goal 9.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

Goal 10 is applicable. The comprehensive plan change/zone change will retain the existing .55 acres in the City's housing lands inventory, but will increase the minimum required density from four units per acre to eight, meeting an identified need for more residential dwelling units in the 2018 Buildable Lands Analysis and for higher density residential land (high density and commercial plan designations). There is not a maximum density established for any residential zone within the City of Cottage Grove. Maximum densities are established by other criteria within the development code such as setbacks, lot coverage, building height, open space and landscaping requirements, and parking. The property is ideally located for pedestrian and bicycle connectivity to the rest of the City. The proposed change is in compliance with Goal 10. (See charts from 2018 Housing Needs Analysis below.)

Exhibit 3. Forecast of demand for new dwelling units, Cottage Grove UGB, 2018 to 2038

Source: Calculations by ECONorthwest.

Needed new dwelling units (2018-2038)	1,379
Dwelling units by structure type	
<i>Single-family detached</i>	
<i>Percent single-family detached DU</i>	65%
<i>equals Total new single-family detached DU</i>	896
<i>Single-family attached</i>	
<i>Percent single-family attached DU</i>	10%
<i>equals Total new single-family attached DU</i>	138
<i>Multifamily</i>	
<i>Percent multifamily</i>	25%
<i>Total new multifamily</i>	345
Total new dwelling units (2018-2038)	1,379

Exhibit 4. Comparison of capacity of existing residential land with demand for new dwelling units and land surplus or deficit, Cottage Grove UGB, 2018-2038

Source: Buildable Lands Inventory; Calculations by ECONorthwest. Note: DU is dwelling unit.

Plan Designation	Capacity (Dwelling Units)	Demand for New Housing	Comparison (Supply minus Demand)
Low Density Residential	976	564	412
Medium Density Residential	521	483	38
High Density Residential	224	221	3
Commercial Plan Designations	112	110	2

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The properties can be adequately served with public facilities. Street and sidewalk infrastructure will be installed as a condition of approval at such time the property owner submits a development permit (land use review or site design review). The properties are adequately served

by police service, public transit, and a thorough transportation network. The proposed change is in compliance with Goal 11.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

The subject properties abut the public right-of-ways of Chestnut Avenue, Chestnut Alley, and North L Street. Chestnut Avenue is a fully constructed city street. North L Street is a primitive gravel road without pedestrian infrastructure. At time of development permit the full build out of North L Street will be subject to the scope of the project proposal and safe convenient access to the northern property (TL 300) will be a condition of approval. The proposed plan amendment and map change would establish a higher unit per acre standards and our right permit limited commercial development. However, the potential for increased development is limited by lot size, existing adjacent development, and development criteria and standards. For example, the maximum building height in the R-1 zone is 28' and if approved the new zone the maximum height would be 40' subject to R/R-1 stepdown criteria, which would limit the ultimate building height and location of the structure. Additionally, there is not a maximum density within any residential zone within the City as the maximum achievable density is constrained by meeting criterion for setbacks, lot coverage, open space/landscaping, building height, and parking. Other examples exist within the code such as cottage cluster housing that under the R-1 zone allows a maximum of 8 cottages and 14 are allowed in the RC zone. The ability to develop a cottage cluster at the maximum allowed density is driven by the applicant's ability to meet the clear and objective criteria in Subsection 14.22.200 C or requesting a deviation from the standards via a Type III Site Design Review. In either case the capacity of the transportation system is adequate to safely serve the proposed change from low density to medium density residential. Hence, the proposed change is in compliance with Goal 12.

Goal 13: Energy Conservation

To conserve energy.

The Plan amendment/zone change will promote more energy efficient development by retaining existing development and public services. The change will conserve energy by reducing needs for green-field development and expansion of city services. The proposed change is in compliance with Goal 13.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The subject properties have been annexed to the City of Cottage Grove and are inside the City's acknowledged Urban Growth Boundary. This application is in compliance with Goal 14. This criterion has been met.

**CITY OF COTTAGE GROVE
PLANNING COMMISSION**
Minutes of the Regular Public Hearing
November 17, 2021

CALL TO ORDER

Chair Valley called the meeting to order at 7:00 p.m.

ROLL CALL

Recording Secretary called the roll. The following were:

Present: Darby Valley, Garland Burback, Beau Solesbee, Ashley Rigel,
and Tim Burns (who arrived late)

Absent: Tao Orion, Blake Hoskin

Staff Present: City Planner – Eric Mongan, Public Works Director- Faye Stewart -
and Administrative Aide – Angela Keppler

Applicant: Donald Nordin

News Media Present: Damien Sherwood from The Sentinel

Staff advised that this hearing had been advertised and publicized and notices posted as required by law. It was asked that any correspondence received be noted as a part of the item on the agenda.

ITEMS TO BE ADDED

None

MINUTES

October 20, 2021

**IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY
COMMISSIONER ASHLEY RIGEL TO APPROVE THE MINUTES FOR OCTOBER 20, 2021.**

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burbach	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Orion
AYES	X	X	X	X		X	
NAYES							
ABSTAIN							

Minutes for October 20, 2021 are approved

EX PARTE CONTACT

None

7:05PM Public Hearing for MCPA 3-21 Opened

- (a) Donald Nordin - COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS (MCPA 3-21) TO AMEND THE COMPREHENSIVE PLAN AND ZONING MAP. Applicant is seeking to amend the Comprehensive Plan and Zoning Maps for the parcels located northeast of the intersection of North L Street and Chestnut Avenue (1142 Chestnut Avenue (TL 400) & Unaddressed parcel (TL 300) Map/TL: 20-03-29-41-00400 & 00300 from L Low Density Residential/R1 Single-family Residential to M Medium Density Residential/RC Residential Commercial. Relevant Criteria: 14.4.7.500 Criteria for Legislative & Quasi-Judicial Amendments. Applicant: Donald Nordin, 239 Adams Avenue, Cottage Grove, OR 97424.

Eric explained that the applicant states in his proposal; in response to a community need for affordable housing and at the direction of house bill 2001 from our legislature to congress the need for middle housing, he is requesting a change from the R1 zoning on his property at 1142 Chestnut, Tax lots 400 & 300 to residential commercial to allow for a phased construction of a duplex and cottage cluster with an associated opportunity space, utility shed, and great room. This property abuts to a property across L St. that is zoned RC and is across Chestnut Ave. from another property that is zoned R2. Furthermore, property on J St. is also zoned R2, and the land to the North is zoned R, so a change of zoning would be consistent with the zoning in this part of the neighborhood.

As this project is built out, this plan could offer residential space for perhaps 12-14 individuals, whereas only one individual is currently occupying the property. Using the co-housing model, the intention of the development would encourage an ownership stake in the property with the ability to sell that stake at such time it becomes desirable. Building construction would use NetZero energy approach with such solar collection as is practical. Construction would be around the perimeter of the space to preserve an open shared space courtyard and garden. Also, participants in the co-housing venture would agree to use collectively owned vehicles appropriately configured to provide necessary transportation and function. He hopes that this

project could provide a model or pilot for similar living units with consideration of the demands for energy, materials, and greenhouse emissions that he feels is imperative to respond to the societal need for affordable housing without imperiling the natural environment for the future generations on this planet.

This application has two parts; a proposed comprehensive plan amendment, to go from low density residential to M Medium residential. And to amend the Cottage Grove Developmental Code Land Use District Map from R1 to RC Residential Commercial.

There were three written comments submitted prior to this hearing, they are attached.

Eric said that relevant goals under the State wide planning goals are: Citizen Involvement, Land Use Planning, Agricultural Lands, Forest Lands, Natural Resources, air, water, natural disasters, recreational, economic, housing, public facilities, transportation, energy conservation, and urbanization. Non-applicable goals are Willamette River Greenway, Estuarine Resources, Coastal Shore lands, Beaches and Dunes, and Ocean Resources.

He states this application was advertised in the Cottage Grove Sentinel, Public notices were mailed to neighbors within 300 feet of the property, and onsite posting was completed. These are all findings under goal one citizen involvement. This is a public meeting, and there will be a second hearing at the Cottage Grove City Council meeting potentially on December 13th, 2021. The item will be advertised in the paper, notices will be mailed to neighbors and there will be an onsite posting for this as well.

The Cottage Grove Municipal code section, Title 14, allows for amendments to the Comprehensive plan hence this application. There are no agricultural lands, no designative forest lands, natural resources, scenic and historic areas, and open spaces. This goal is meant to protect natural resources and conserve scenic and historic areas. It is Eric's understanding, for the letters from the concerned parties, they are concerned with degradation of the historic neighborhood. It is addressed in the staff report, infill development in this neighborhood or neighborhoods anywhere within the City, whether the zoning is changed or not, is required to meet the design stylings of the adjacent existing development. For example if there is reduced setbacks, material uses, or architectural styles as a criteria of the existing code, a rezone would not change this code criteria.

Goal six; air, water and land resources there are no anticipated capacity problems with the existing and planned facilities in the area to accommodate existing or potential residential uses. Any new development will be required to comply with Development Code requirements for storm water management and Comprehensive Plan requirements related to air and water resource quality. Hence Goal 6 does not apply at this time.

Goal seven: Areas subject to Natural Disasters and Hazards The subject properties are not known to be subject to any natural disasters or hazards that are not city-wide in nature (such as earthquakes). Compliance with building code and development code regulations when developing residential

buildings/uses or commercial uses will be a requirement for all future work to ensure that damage from natural hazards is mitigated to the greatest extent possible.

Recreational Needs; The subject property are at the base of what is locally known as Mt. David. Mt. David is home to the infamous "cottage grove oil derrick" a scam run by a former resident of the area in the 1900's. Today Mt. David is used by residents for hiking and recreation. At this time, Mt. David, is in private ownership, but the owner has stated an intent to donate the ridge of the hill for public use. The proposed designation/zone change enhances the city's ability to protect this important recreational resource.

Economic Development; The proposed plan amendment from L – Low Density Residential to M – Medium Density Residential with the RC- Residential Commercial zone will allow for a mix of uses. The development of RC zoned land requires eight units per acre (maximum density is determined by compliance with other criterion: setbacks, building height, lot coverage, parking, etc.) and allows for the development of outright permitted general commercial/retail less than 2,000 sf. Eric said currently in the R1 zone applicants may apply for the same allowed general commercial retail of less than 2000 sf. as a conditional use.

Housing; Goal 10 is applicable. The comprehensive plan change/zone change will retain the existing .55 acres in the City's housing lands inventory, but will increase the minimum required density from four units per acre to eight, meeting an identified need for more residential dwelling units in the 2018 Buildable Lands Analysis and for higher density residential land (high density and commercial plan designations). There is not a maximum density established for any residential zone within the City of Cottage Grove. Maximum densities are established by other criteria within the development code such as setbacks, lot coverage, building height, etc....

Public Facilities; the properties can be adequately served with public facilities. Street and sidewalk infrastructure will be installed as a condition of approval at such time the property owner submits a development permit (land use review for single family home or duplex, or site design review for anything above that). The properties are adequately served by police service, public transit, and a thorough transportation network.

Goal Twelve: Transportation; The subject properties abut the public right-of-ways of Chestnut Avenue, Chestnut Alley, and North L Street. Chestnut Avenue is a fully constructed city street. North L Street is a primitive gravel road without pedestrian infrastructure. At time of development permit the full build out of North L Street will be subject to the scope of the project proposal and safe convenient access to the northern property (TL 300) will be a condition of approval. The proposed plan amendment and map change would establish a higher unit per acre standards and our right permit limited commercial development. However, the potential for increased development is limited by lot size, existing adjacent development, and development criteria and standards. For example, the maximum building height in the R-1 zone is 28' and if approved the new zone the maximum height would be 40' subject to R/R-1 stepdown criteria, which would limit the ultimate building height and location of the structure. Additionally, there is not a maximum density within any residential zone within the City as the maximum achievable density is constrained by meeting criterion for setbacks, lot coverage, open space/landscaping, building height, and parking. Other examples exist within the code such as cottage cluster housing that under the R-1 zone allows a maximum of 8 cottages and 14 are allowed in the RC zone. The ability to develop a cottage cluster at the maximum allowed density is driven by the

applicant's ability to meet the clear and objective criteria in Subsection 14.22.200 C or requesting a deviation from the standards via a Type III Site Design Review. In either case the capacity of the transportation system is adequate to safely serve the proposed change from low density to medium density residential.

Energy Conservation; The Plan amendment/zone change will promote more energy efficient development by retaining existing development and public services. The change will conserve energy by reducing needs for green-field development and expansion of city services.

Urbanization; The subject properties have been annexed to the City of Cottage Grove and are inside the City's acknowledged Urban Growth Boundary.

At this time staff recommends that the Planning Commission recommends approval of MCPA 3-21 to City Council to amend the Comprehensive Plan Land Use Map, pursuant to Section 14.1.500, which is supported by findings of fact, to: Amend the Cottage Grove Comprehensive Plan from L – Low Density Residential to M – Medium Density Residential for two parcels (.55 acres) known as 1142 Chestnut Avenue (Map 20-03-29-41-00400 and TL 00300). And to amend the Cottage Grove Land Use Map from R-1 Single-family Residential to RC Residential Commercial for two parcels (.55 acres) known as 1142 Chestnut Avenue (Map 20-03-29-41-00400 and TL 00300).

Darby Valley asked if they were to build 40 feet, would they have to pull back an additional 14 feet.

Eric said it depends on the location of the dwelling to the East on Chestnut, depending on the location of that, or any new purposed buildings, they would have to take those extra steps off to ensure they are not towering over. It is a requirement of the development code to create scale, both human scale and architectural scale.

Darby asked if that criteria gets easier the further that most adjacent building is in setback.

Eric said it is based off the location of the existing structure. He said for example let's say the existing structure, the R1 zone is all the way to the east and there is a 40 foot backyard, so then that changes the dynamic because the setbacks have already been established by the location of the existing dwelling. It's when they have more proximity that you'll have to then utilize the section of code requiring the R1, R2 stepdown.

Darby asked if the intent is to keep people from looking down on them, not from keeping it from existing.

Eric said that was correct.

Darby asked if there was any proposal to combine the two lots.

Eric answered no, and that would require a vacation of the public right of way, the Chestnut Ave. alley. It would be a City Council action. He said a public right of way vacation is an action that requires an applicant to pay a fee, plus expenses, so, if they are surveying or research work that has to be done by staff, they have to pay for it. But then again the City Council would have to agree to it. As Eric understands it there is a public sewer line that runs in this alley which would be pretty prohibitive to the

City wanting to vacate it, because then folks would never be able to build over it and then we are also releasing our free access to the alley.

Darby asked what the maximum density or number of units can build with the current zoning.

Eric said under the current zoning, they don't have a maximum density except for in the R1 zone that means the closes thing you can get to a multi-family outlay would be a cottage cluster. The code outright permits up to eight cottages in the R1 zone. If this plan amendment zone change was approved by council that goes to fourteen. With Cottage clusters there is an explicit number.

Darby asked if it was eight per lot or eight combined.

Eric said eight per lot and that both of these lots could be partitioned again.

Darby said that we could with the current zoning get as much as thirty-two cottages in that square.

Eric pointed out that you would still have to look at lot coverage, setbacks, open space, things like that. If they can't outright meet it and go through a type II the applicant could ask for request for deviations from the clear and objective standards, which would be open to your subjective approvals. Eric said you could put a lot here, but it would have to meet the design stylings of the adjacent existing neighborhood.

Darby asked who makes this criteria or decision that they fit.

Eric said if it was a single family dwelling it's a staff level decision, anything above that is open to public comment.

IN FAVOR

Donald Nordin 239 Adams Ave. Cottage Grove, OR. 97424

Donald said he is the owner of the property at 1142 Chestnut Ave. He said this property had been underutilized since he's had it for 40-years. He had a small manufacturing shop there that he ran for 10-years. He said a few trees have fallen on it, and it is a total dilapidated space now. He said it is adjacent to the base of Mt. David and on the end of L St., which terminates at the base of Mt. David. He said further development is anticipated to be off of M St. and spurs from there. He wants to take this dilapidated space and build it out bigger than it is so that it could be an incubator space. He would call it an opportunity space offering one apartment above that, and this would give an opportunity for additional economic development in the area, but not require a lot of traffic to it. It would be a bicycle and small mini transit kind of orientated thing. His intention to have CC & R's on that, so the people living there would agree not to own private automobiles, but share appropriate transport and thus cut down some of the concerns he's heard in the citizen responses.

He said he was on the Planning Commission back in 2000-2005, he said his concern then was the way Sunrise Ridge was being developed, he felt it was done wrong. He said it was the model that was being used in the 50's, its intensive energy use and small response in terms of

housing. So, the cost of housing and the cost of maintaining housing on the Sunrise Ridge, he feels is not the development that we need there. He's trying to provide a model of another kind of development that would be a little more intense with human habitation and less energy consumption. He heard in this report that the community standards on how the cottages should look would be consistent with the neighborhood, but that concerns him because one of his anticipations is that these structures will use solar energy and whatever ambient energy we could get from the system, trying to make a light imprint on the needs for earth's services to live there. Right now he is just asking for the zone change to give him the biggest opportunity to develop this place in the style he's suggesting. He said this is just the first phase in trying to get the zone change, so he has the greatest flexibility to attempt to do this project.

Darby asked Donald why he is wanting an RC, as it sounds like he could do what he's suggesting in the current zone.

Donald said that he operated a manufacturing facility there in the past, and he would like to maintain that possibility of keeping commercial activity there, not to draw people from outside that area to that spot for commercial activity, but for small scale manufacturing, warehousing perhaps, an incubator space for developing. He said the adjacent property to the west is RC, the property to the north is zoned R, and he is trying to be constant with that.

Aqsa Khan (RAIN) 3870 Kincade St. Eugene, OR 97405

Aqsa said she is the Venture Capitalist for RAIN Oregon. She had a meeting with Don earlier today. She said they talked about scope assessment and how this can impact the region's economic development. They did an analysis that this can bring a lot more economic opportunities to the region and create more ventures down the road. She said that RAIN stands by this idea, and they are excited to have this happen in the future to collaborate more and support with their services.

NEUTRAL

Travis Olson 1131 Chestnut Ave. Cottage Grove, OR. 97424

Travis asked what the definition of a cottage was and why do we need to re-zone the property if they can do what they want within the current zone.

Eric said per code, a high end of what our code would allow is a 900 sf cottage. However, under the Oregon specialty building code, there is no defined minimum dwelling size, which applies to single-family dwellings, duplexes, etc. What defines something as a dwelling is whether or not it has housekeeping facilities, a bathroom a kitchen. So to be considered a cottage in Cottage Grove, it cannot be any bigger than 900 sf.

Travis asked if no one on the property would have a vehicle. Does that mean a bus will be going through, or will everyone be foot trafficking out to the main street for travel?

Darby said that this question is out of the purview of this meeting, we are discussing a zoning change from R1 to RC, and our code does not preclude there being housing. Our code requires parking.

Duane Taddei 77561 Hwy 99 Cottage Grove, OR. 97424

Duane asked Don for clarification, he wanted to know if the entire housing plan could be done with the current zoning.

Tammie Stark 1424 Ash Ave. Cottage Grove, OR. 97424

Tammie asked about parking, she wanted to know how many parking spaces would be required and what that would look like in terms of additional pavement, and where would that be?

Darby said that you would need one parking space of a specific size and dimension for every dwelling unit that goes according to lot coverage and is affected by setbacks. So, if there are six units, you will need six parking spaces.

Eric added that this RC zone could do more than the applicant can do in his narrative. For example, the current development code would say that you need one parking space for a one-bedroom, two bedrooms require one and a half spaces, and three-and four bedrooms require two parking spaces. As Darby stated, this would add up quite quickly. In addition, there are landscaping standards and requirements for parking areas such as tree planting, tree islands, buffers against adjacent uses etc. Generally, parking is required to be onsite. So if you need ten spaces, you'll need ten spaces on the property. The applicant may ask the Planning Commission to consider allowing up to 50% of those on the street, but that is not clear and objective. So the planning commission could determine that it is not in the best interest of the development proposal.

Tammie asked if all the spaces would need to be paved with asphalt or could other permeable materials be used.

Eric said the City of Cottage Grove does allow permeable pavement. Generally, the want of paving in the code is that it's a durable surface that will remain onsite.

Tammie asked for clarification. She wondered if she understood this correctly: in terms of the rezoning, if Mr. Nordin were to be approved for this change, he would be able to have things like artist space, and small business and what he calls incubator space so that each of those cottages would have the potential to have small business owners generating income in a way that's not possible with the residential zoning right now.

Eric said he thinks the difference here is that you are allowed up to 2000 sf of general office space and retail space with the current zone or the proposed requested zone. So that being said, under the R1 zone, it is a conditional use permit application, a type III application that the Planning Commission would hear. A community meeting is required prior to that hearing, meaning that he would have to let his neighbors know what his intents are, he would have to

show what he thinks it would look like, and then he'd have to come to the hearing before this body and again speak for his case. Staff would have to make findings much as the findings in this staff report. Conditional uses are not clear and objective, so it's not a slam dunk per the applicant's narrative. That's what's behind this request for a plan amendment and zone change. The RC zone outright permits the general office but is still subject to site design review and the applicability of the infill standards. As the applicant stated and as he's stated in the staff report, while zoning allows for things, it also prohibits things, and the development code really will control all future buildout of the parcel, whether this application is approved or denied.

AGAINST

Mark Murphy 1042 Chestnut Ave. Cottage Grove, OR. 97424

Mark said he is concerned about spot flooding and drainage issues, water coming off Mt. David. He asked if Don would develop the streets on K & L St. on either end. He pointed out that it was said that there wasn't going to be any traffic, but he doesn't know many people who would ride a bike if it's raining ½" a day. He mentioned being concerned for the city's infrastructure with more toilets and waterlines. He said Mr. Nordin said he owned the property for 40 years, but in the 20 years he's lived there, the property has looked pretty run down. He doesn't see how this plan is going to get pulled off. He said he's concerned about losing the historic residential neighborhood. He is hoping the commission thinks about this because once you change the zone, it's a done deal, and people who live there, once they have issues, it's oh I'm sorry you're stuck with it.

Laura Lannen 230 N K St. Cottage Grove, OR. 97424

Laura said she thinks Don's idea is an awesome vision; however, she doesn't feel it is right and appropriate for their neighborhood. She said when you look at historic neighborhoods, there are always encroachments, and there have already been substantial encroachments on this area. There is a fairly good boundary right now and doesn't want it to be removed. Today it's yes, we can do it for Don, and he has great vision and promises, but next year it's another eat-away. Pretty soon, it is right across the street from my house and others. She said the point she wants to make about historic districts is that they take money to keep up these old homes, and if you have things coming right up against these areas, people will not buy into them. She states these are treasures and once they are gone, there gone. She said we have to protect these little houses on the fringes. She asked to please not do this, and it's not just Don; it's the next person who comes along.

Travis Olson 1131 Chestnut Ave. Cottage Grove, OR. 97424

Travis said he is against this. He asked if the zone change is to open the property to businesses. He said it seems suspicious to open this area up to businesses.

Duane Taddei 77561 Hwy 99 Cottage Grove, OR. 97424

Duane says he would urge the Planning Commission to hear the folks speaking tonight against this plan. He said his main concern is if Don could follow through with his plan to build the housing he wants to build in the current zoning, he should, and the zoning should be left alone. Duane said that unless Mr. Nordin can come out with another application that describes his

plans to do something commercial on that property, he thinks it would be outrageous for a Planning Commission to approve the re-zoning without any mention on the application of what the plan is. He feels Mr. Nordin's application has proven that this property doesn't need to be re-zoned to RC.

Lawrence Lannen 230 N K St. Cottage Grove, OR. 97424

Lawrence said he fails to see the benefit to the neighborhood or the value to the neighborhood. He states this is a residential area; there are some mixed developments, but it's primarily residential, and he would like it to stay residential. Although he said he is fairly new to the area, he says this is the most sliced and diced-up town he's ever stepped foot in, in terms of mixed residential and commercial. He thinks it's hard on the integrity of the neighborhoods and the aesthetics, and the big concern he has is the value of the properties by the homeowners.

Tammie Stark said at first, she thought she had some pretty strong objections, but after listening to everything that has been stated, she is mostly for it now. She thinks having small cottages on that property is a great idea and supporting small business owners that could support themselves with a small business, artist studios. She does share the concern about it being sold to a developer and then being completely leveled and paved with a bunch of apartments going in. She said she would like to support low-impact development where the natural resources are carefully considered. She realized this is not the forum for that. She thought she was not for this, but it's not for the reasons necessary for the zoning change; it had more to do with how the property is developed. She thinks the way Mr. Nordin has laid out his plan, if that plan came to fruition with consideration for the existing person that lives there, she would be for it.

Donald Nordin said he is glad to hear the community is involved in this and is paying attention. He hopes that he has an opportunity at another time to display the plan for what's going to be used; right now, he's applying for a zone change. He has heard concerns that this is unnecessary, and Eric has told him that he could probably do everything he intends to do without a zone change. He just wanted to take this opportunity to get the most flexibility, as Eric said this would be allowed outright rather than go through another hearing.

He said he appreciated his neighbors' concerns about the property and states he hasn't been able to live at the property in the last 20 years, and it has not been maintained well. He hopes this process will make that house a much more viable housing option for everybody in the community and needs housing. He said he is really excited about the possibilities of having these cottages around the gardens and having the hillside and trees kept how they are—developing the spring so that more people in the community can appreciate this place that has been here all along, but is overrun by blackberries and not usable. He said it was time. The structures that are there have deteriorated to the point that they need to be removed. However, he can see that recycling that material, the good stuff built out of good solid Douglas fir timber years ago, is still good.

He said he is appealing to the commission and the neighbors to allow this to happen, to develop this dream in such a way that when something is built out five years from now, people would be proud to point it out as one of the features of the northwest neighborhood. He states he's lived in this neighborhood for many years, and he has been on this Planning Commission and concerned about our community for a long time. Suppose the Planning Commission feels it's unnecessary and somehow detrimental to the community. In that case, he's willing to take an R2 zone, but he would rather have greater flexibility and maintain that.

Darby closed public meeting for MCPA 3-21 at 7:24 pm, and brought it back to the Commission.

COMMISSION COMMENTS

Darby asked how the historic district effects all of this.

Eric said that the dwelling on the property is not designated in either the local Historic overlay or the national registry. He states that does not change the development pattern requirements meaning the development would have to fit in with the adjacent developments, architectural stylings, material, and aesthetics. He said the nearest property with a locally designated historic overlay is at the intersection of J Street and Birch Ave. and a few others further down on Ash Ave. to the south.

Darby said so it's building by building, not neighborhood wide.

Eric said correct.

Darby asked if under the current zoning is it possible for the applicant to come back with a site design review process in order to do what he is proposing.

Eric said for a cottage cluster development, and there is a Type II path, an administrative director level decision meaning that neighbors within 100 feet of the property would be notified of the application and allowed a time to comment. The applicant will have to show how they meet the cottage cluster code's clear and objective standards, such as covered entries, architectural features, setbacks, lots coverage, parking, common and private open spaces. If they do not meet those clear and objective standards, it becomes a Type III Site design review application, where neighbors within 300-feet are notified, an ad is run in the paper, and an onsite posting. The Planning Commission would then hear it. He said if they wanted to do, under the current zone of R1, the same commercial outlay and uses are allowed within the R1 zone under a conditional use permit that would require a concurrent application. So they would have to come back to the Planning Commission no matter what. He added that if the applicant brings in an application saying they will do six cottages, a common space under the qualifier of office space, which will be a Type III site design review.

Garland asked what the zoning is for the cottage cluster behind the American Legion building.

Eric said it is zoned R1, brought in under a concurrent application process. At the time, cottage clusters were not outright permitted in code. They were a conditional use permit; the lot was not appropriately sized, so they had to have a Type III variance application and a conditional use permit application to achieve that development.

Garland said he is not in favor of the zone change on this property, or the idea of having a communal incubator businesses, he feels that should be in a different location, not a residential neighborhood.

Ashley said she is concerned about the commercial space being outright permitted. If this property becomes up for sale in the future and a big company buys the land and develops it to the max allowed, it would change the neighborhood. She feels we should maintain this neighborhood the way it is.

Darby said he doesn't think a zone change is needed. With a site design review, you can build out what you want, get appropriate feedback from the community, and make something that works for everybody.

Ashley said she is all for building and improving the property and doesn't want to prohibit that, but not for it being outright permitted.

Darby said he shared Mrs. Rigel's concerns on this.

Eric said he wanted to clarify that when staff is saying that the development code states something is outright permitted, that doesn't mean that they can just come in and hand me a set of plans, and I hand them a permit. So there is always going to be influenced by the Planning Commission.

Darby said he's been on this commission for twelve years now, and he is coming to less and less of that opinion. So many of our standards are clear and objective, and if you meet them, we lose any say. He said he would rather ensure it come back, so we have community input, especially since it doesn't preclude him from doing what he says he wants to do.

Eric said he wanted to clarify the outright permitted part, that the uses are allowed. However, they are still subject to parking, landscaping, and all those important things, and the Planning Commission would see a similar application in both zones.

IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY COMMISSIONER ASHLEY RIGEL TO RECOMMEND THAT CITY COUNCIL DO NOT APPROVED A ZONE CHANGE ON THESE TWO PROPERTIES LISTED IN MCPA 3-21

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Orion
AYES	X	X	X	X		X	
NAYES							
ABSTAIN							

Motion carries.

OLD BUSINESS

None

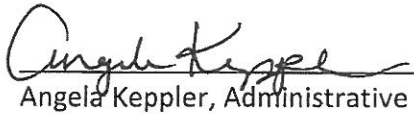
INFORMATION FROM STAFF

None

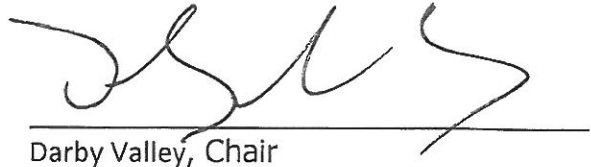
ADJOURNMENT

There being no further business, Commissioner Darby Valley adjourned the Planning Commission meeting at 8:12 p.m.

ATTEST:


Angela Keppler, Administrative Aide

APPROVED:


Darby Valley, Chair

November 8, 2021

Community Development Department
City Hall
400 Main Street
Cottage Grove, OR

RE: Donald Nordin's proposed rezoning of property at Chestnut and L Streets

We are Mike and Joanie Boyd. We live at 325 N. K Street, the property that borders Mr. Nordin's property to the east.

We have some concerns about the proposed rezoning and many questions about what type of commercial business Mr. Nordin has in mind.

Our first concern has to do with the water run off from the mountain and the standing water issue many of us experience in this neighborhood. We have tried to address this problem on our own property by installing a catch basin in our yard and digging a drainage ditch using gravel and piping to divert the run off out to the street for proper drainage to the gutter. Shortly after doing this, Mr. Nordin asked permission to dig a ditch through his property and under the fence that divides our properties so his water could drain onto our property, since we already had a system in place. We declined his proposal and encouraged him to install his own system similar to what we had done. He dug his ditch anyway and tunneled it under our fence direct water from his property to ours. We filled it up so he proceeded to dig a ditch the length of our bordering fence. Of course, it wasn't long before all of our fence posts rotted and had to be replaced. We had asked Mr. Nordin originally if he would share

the expense of the fence that would divide our properties and he had said he was not interested in doing that. We are concerned that placing a business on the property would increase the water run off issue and push more water onto our lot.

We would like there to be an impact study done regarding this issue, with the proper precautions and requirements put into place to insure there would not be any negative impact to our property.

Also, we have many questions about what kind of commercial businesses would be allowed in this residential neighborhood. Will there be chemicals involved? What kind of traffic will it generate in the area? What will be the level of additional noise? And smell? If the property were to sell in the future, how could this commercial business be added to or changed? Will that open the door for other commercial businesses to come into the area?

We would like to see an impact study done on the possible increased traffic that a commercial business would generate in the neighborhood.

Additionally we have concerns about the current condition of the house and property on at 1142 Chestnut as it exists today. The lot and house have been in steady decline over the years. It is over run with vegetation to a point that the sidewalk is nearly impassable and it crawls over and pushes through our fence. We are constantly having to cut briars and tree branches off the fence from our side as best we can to preserve the integrity of the fence. In the past Mr. Nordin has been less than a considerate neighbor. Can we expect a new building and lot would be neglected in the same way in the future?

Years ago we were told by the adjoining property owners to the north of us on K Street that the alley way that runs in back of the property at 1042 Chestnut, runs all the way to the west where it would eventually connect to the north end of L Street. Would this alley way be recognized and maintained by the city? And if so, shouldn't the city also be responsible for the maintenance of the alley between K Street and L Street?

These are all things that we feel could have a negative impact on our property as well as affect our property value. We would like to see these issues addressed and these questions answered before the city gives permission to rezone.

Thank you for your consideration.

Respectfully,

Handwritten signatures of Joanie Boyd and Mike Boyd. Joanie's signature is on the left, and Mike's is on the right, written in a cursive style.

Mike and Joanie Boyd

To: City of Cottage Grove Planning Committee

From: Linda Yellin
105 N. L Street
Cottage Grove, OR 97424

Date: November 15, 2021

Re: Rezoning petition for 1142 Chestnut Street, Cottage Grove, OR 97424

I live on L Street several blocks from the rezoning requested for the 1142 Chestnut proposal. This neighborhood is historically comprised of single-family homes. The fact that "RC zoning" exists across the street only makes the case more significant to deny this petition for another multi-use property. Often referred to as the "Historic Northwest Neighborhood" I urge those who decide on rezoning to consider how historic preservation contributes to economic development, civic identity, aesthetics, tourism, and environmental sustainability. If the "Historic Northwest Neighborhood" is not preserved Cottage Grove will lose its valuable asset. Historic neighborhoods are a treasure for tourism.

The property at 1142 Chestnut is one of Cottage Grove's historic homes. Currently occupied by one person this home already has a separate unit accessible through an exterior staircase. Basically, it is already a "duplex unit". This and the other buildings on this property could be improved without changing zoning. This historic home has plenty of interesting Cottage Grove history as well. There is a spring-fed pond which seeps an oily film that should require an environmental impact study before any construction. The property also has a unique beautiful landscape with a wealth of habitat to consider.

Another reason I oppose changing the zoning for 1142 Chestnut to accommodate more units is there are several existing apartment buildings nearby. One is on Birch and M streets labeled, "Assisted Living For Sale". It is a fact that developers build 'failed projects' into their budgets. This vacant 'senior center' is a sore point for proponents of "affordable housing" as this large complex still sits vacant. Nearby on River Road is another multi-use apartment complex that's vacant. Also, there is an apartment building on L Street near Birch that could be improved to better house more occupants. Stop increasing the city's problems and fix what's already here to improve affordable housing. Where are the jobs for the people who will occupy these 'affordable housing' units? The City is putting the cart before the horse by approving rezoning before addressing existing issues of vacancies and neighborhood cohesion.

We should not abandon our "Historic Northwest Neighborhood" for short-sighted goals that do not consider history or future. There are many infrastructure issues that still need to be addressed in this neighborhood. This proposal threatens another historic property, it reduces the beauty of this neighborhood, and its value to the future of Historic Downtown.

Please consider each time zoning is changed to increase density it adds people to an already overburdened area which is the case here. It adds more cars that need parking, more use of limited water resources, more sewage needs, more police, more fire fighters, more garbage trucks. Unbridled rezoning is not the answer to affordable housing. I do not approve rezoning the property on 1142 Chestnut and you should too.



Eric Mongan <seniorplanner@cottagegrove.org>

City Planning Meeting Nov. 17th

2 messages

Linda Yellin-Kleiner <remaincalm108@gmail.com>
To: Eric Mongan <seniorplanner@cottagegrove.org>

Mon, Nov 15, 2021 at 10:15 PM

Dear Eric:

Attached is my letter for input to the decision about rezoning requested at 1142 Chestnut. Please let me know how my input will be incorporated into the zoning decision-making. I expect to attend the virtual meeting on Wednesday, so if you want me to read my letter that is no problem. If you have any other questions I can answer please let me know.

Thank you for taking time to consider my input as well as all the complex variables that rezoning impacts have on the people who live in this area now and the future of this neighborhood.

Best regards,
Linda

Linda Yellin
105 N. L Street
Cottage Grove, OR 97424
541-649-1241

PlanningMeetingLetter.pdf
55K

Eric Mongan <seniorplanner@cottagegrove.org>
To: Linda Yellin-Kleiner <remaincalm108@gmail.com>

Linda,

Your comments have been received and will be included into the record during the meeting.

Here is a link to the meeting if you would like to attend virtually:

PLANNING COMMISSION - Virtual Meeting

November 17, 2021 Planning Commission Meeting
Wed, Nov 17, 2021 7:00 PM - 9:00 PM (PST)

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/RichardMeyers/november-17-2021-planning-commission-meeting>

You can also dial in using your phone.

United States (Toll Free): 1 877 309 2073

United States: +1 (646) 749-3129

Access Code: 391-959-173

Eric

[Quoted text hidden]

Sincerely,
Eric Mongan, AICP CFM
Senior Planner
seniorplanner@cottagegrove.org
City of Cottage Grove
www.cottagegroveor.gov/
541-942-3340

NOV 17 16:14

November 17, 2021

RE: The proposed zoning change for 1142 Chestnut Ave., Cottage Grove, OR

Dear Planning Commission,

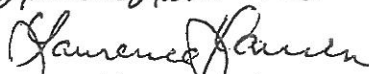
How does the proposed development benefit the surrounding neighborhood?

As homeowners living within a couple of blocks from the proposed re-zoning, we oppose changing the zoning of the property located at 1142 Chestnut Ave. We are concerned about the probable negative impact on the value of our home, and our fellow neighbors' homes.

Preserving the assets of this Historic Northwest Neighborhood is part of the charm and character of this community. Chipping away at the endangered boundaries threatens the integrity of maintaining the established greater residential neighborhood.

Thank you for the opportunity to voice our concerns.

Sincerely,



Laura and Lawrence Lannen
230 N. K Street
Cottage Grove, OR 97242