

CITY OF COTTAGE GROVE PLANNING COMMISSION

Minutes of the Regular Public Hearing

October 18, 2023

CALL TO ORDER

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

ROLL CALL

Recording Secretary Tina MacDonald called the roll. The following were:

PRESENT IN THE

COUNCIL CHAMBERS

Chair Ashley Rigel, Garland Burback, Jeff Gowing and Tim Burns.

PRESENT VIA

GOTOMEETING

None

ABSENT:

Vice Chair Beau Solesbee, Thomas Munroe

STAFF PRESENT IN

THE COUNCIL

CHAMBERS:

City Planner-Eric Mongan, Assistant Planner-Allison Crow

Public Works & Development Director- Faye Stewart

Recording Secretary-Tina MacDonald

APPLICANT PRESENT:

None

MEDIA PRESENT:

None

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

September 20, 2023

IT WAS MOVED BY COMMISSIONER BURBACK AND SECONDED BY COMMISSIONER GOWING TO APPROVE THE MINUTES FOR SEPTEMBER 20, 2023.

Vote on the motion as follows:

VOTE	Commissioner Rigel	Commissioner Burbach	Commissioner Gowing	Commissioner Burns	Commissioner Munroe	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X			X
NAYES							

Minutes for September 20, 2023 are approved.

OLD BUSINESS

None

EX PARTE CONTACT

Commissioner Burns shared that he is a friend of the applicant, yet this will not impact his recommendation.

7:08 PM Public Hearing for MCPA 3-23 Opened

- (a) CITY OF COTTAGE GROVE – COMPREHENSIVE PLAN/LAND USE MAP AMENDMENT (MCPA 3-23). COMPREHENSIVE PLAN AMENDMENT/LAND USE MAP AMENDMENT FROM H-HIGH DENSITY RESIDENTIAL / UNZONED TO M-MEDIUM DENSITY RESIDENTIAL/ R-2 MEDIUM DENSITY RESIDENTIAL. Applicant is seeking approval of a Comprehensive Plan Amendment/Land Use Map Amendment for Map T/L 20-03-29-34-00500 from H-High Density Residential /Un-zoned to M-Medium Density Residential / R-2-Medium Density Residential. Relevant Criteria: Section 14.47.500 Criteria for Legislative & Quasi-Judicial Amendments Approval Criteria. Applicant: City of Cottage Grove, 400 E. Main St., Cottage Grove, OR 97424. Hearing Date: October 18, 2023 at 7:00 PM, Council Chambers and virtually (see www.cottagegroveor.gov for meeting link), Cottage Grove City Hall; 400 E Main Street, Cottage Grove, OR 97424

MATERIALS TO BE PART OF THE RECORD

City of Cottage Grove File: MCPA 3-23

- Applicant's Application
- City of Cottage Grove Completeness Correspondence
- Correspondence
- Affidavit of Posting
- Affidavit of Notice
- Letter of Support from Donald and Barbara Burch
- Letter from Fair Housing Council of Oregon

Proposal:

The subject parcel was annexed into City limits through Cottage Grove File No. A 2-04, at which time the concurrent zone change application was not filed to implement the Comprehensive Plan Designation of H – High Density Residential. Presently, the owner cannot do any changes to their parcel in regards to land use, as there is no basis on which standards apply within the Cottage Grove Municipal Code. This application is to rectify that oversight.

The subject parcel is 1.63 acres bounded on the northern and western border by Silk Creek, and bordered on the south by the Cottage Grove – Lorane Rd. There is an existing residence constructed in 1950. The parcel is encumbered by the Special Flood Hazard Area. The property lines for this parcel extend from south of Silk Creek on the eastern side of the parcel, into the creek on the north portion of the parcel, and eventually crosses to the north bank of the creek on the west side. Due to this, there are constraints to development within the current High Density Residential Designation.

This parcel, as part of the original annexation, abuts the subdivided parcels that also were not processed for a zone change at the time of annexation. In the immediate surrounding area, however, the zones are R3 (High Density Residential), R2 (Medium Density Residential), and R1 (Single Family Residential). At this time, the applicant has proposed the Comprehensive Plan Designation and the Zone Map be updated to reflect M – Medium Density Residential and R2 – Medium Density Residential.

There are two parts to this application:

- a. Amend the Comprehensive Plan Land Use Map to re-designate the subject parcel from H – High Density Residential to M – Medium Density Residential, as described in Exhibit A (Map / Tax Lot: 20-03-29-34-00500); and
- b. Amend Title 14, Cottage Grove Development Code Land Use District Map to apply the R2 (Medium Density Residential) zone to the subject property, as described in Exhibit A (Map / Tax Lot: 20-03-29-34-00500)

COMMENTS RECEIVED

Comments were received from Donald and Barbara Burch on October 17, 2023 and are included in the exhibits.

Comments were received from the Fair Housing Council of Oregon on October 18, 2023 and are included in the exhibits.

Staff is recommending that MCPA 3-23 be approved to council as presented with the revised findings and staff report.

IN FAVOR None

NEUTRAL None

AGAINST None

Chair Rigel closed public meeting for MCPA 3-23 at 7:11 pm and brought it back to the Commission.

IT WAS MOVED BY COMMISSIONER BURBACK AND SECONDED BY COMMISSIONER BURNS TO RECOMMEND TO COUNCIL MCPA 3-23 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND

AMENDED GOAL FINDINGS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

VOTE	Commissioner Rigel	Commissioner Burbach	Commissioner Munroe	Commissioner Burns	Commissioner Gowing	Commissioner Solesbee	Commissioner Christopher
AYES	X	X		X	X		X
NAYES							

Motion carries.

7:15 PM Public Hearing for ZC 2-23 Opened

- (a) DOUBLE H INVESTMENT GROUP, LLC.– ZONE CHANGE (ZC 2-23) TO AMEND THE LAND USE MAP TO REZONE ONE 5.06 ACRE PARCEL, MAP/TL 20-03-32-22-00504, TO R-1 SINGLE FAMILY RESIDENTIAL. Applicant is seeking rezone to R-1 Single Family Residential from AGT5-Agriculture, Grazing, Timber Raising. Relevant Criteria: 14.47.500 Criteria for Legislative & Quasi-Judicial Amendments. Applicant: Double H Investment Group, LLC, 80321 Sears Rd, Cottage Grove, OR 97424. Hearing Date: October 18, 2023 at 7:00 PM, Council Chambers and virtually (see www.cottagegroveor.gov for meeting link), Cottage Grove City Hall; 400 E Main Street, Cottage Grove, OR 97424.

MATERIALS TO BE PART OF THE RECORD:

ZC 2-23

- Applicants Application
- Correspondence
- Affidavit of Posting
- Affidavit of Notice

Proposal:

The subject parcel was annexed into City limits on September 25, 2023 through Ordinance No. 3176. This 5.06ac parcel, created through Land Partition Plat No. 2019-P2897, Parcel 1, is at the west termination of Ibsen Ave, and is currently zoned AGT5, with a Comprehensive Plan designation of L – Low Density Residential. Per section Cottage Grove Municipal Code 18.04.090 Zoning of Annexed Property, the applicant is required to file a Zone Change application to convert from County zoning to City zoning prior to the City filing the annexation documentation with the Secretary of State.

The applicant is requesting to apply the R-1 – Single Family Residential zoning, which is one of three identified implementing districts for this low density residential designation. This application meets the appropriate Statewide Planning Goals, and staff recommends the recommendation of this case to City Council.

COMMENTS RECEIVED

None

IN FAVOR None
NEUTRAL None
AGAINST None

Chair Rigel closed public meeting for ZC 2-23 at 7:17 pm and brought it back to the Commission.

Commission Gowling asked about the location of the parcel and if streets that conform will be installed.

IT WAS MOVED BY COMMISSIONER BURBACK AND SECONDED BY COMMISSIONER GOWING TO RECOMMEND TO COUNCIL ZC 2-23 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, GOAL FINDINGS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

VOTE	Commissioner Rigel	Commissioner Burback	Commissioner Munroe	Commissioner Burns	Commissioner Gowling	Commissioner Solesbee	Commissioner Christopher
AYES	X	X		X	X		X
NAYES							

Motion carries.

INFORMATION FROM STAFF

These applications will go to City Council on November 13th.

City Planner Mongan spoke about the DLCDC Technical Assistance Grant and the process. It can be a 2-5 year timeframe.

There will be a pedestrian bicycle plan open house on November 1st with a joint session with the planning commission and city council to be on November 27th. There will be a natural hazard mitigation plan work session soon as well.

There will be some planning commission term endings at the end of 2023. Commissioner Solesbee will not be reapplying.

AUDIENCE PARTICIPATION

None

COMMISSION COMMENTS

None

ADJOURNMENT

There being no further business, Chair Rigel adjourned the Planning Commission meeting at 7:23 p.m.

ATTEST:

APPROVED:

Tina MacDonald, Recording Secretary

Ashley Rigel, Chair