

STAFF REPORT  
DIXON, TAYLOR, LEVINGS  
SWEET LANE TOWNHOMES  
151 SWEET LANE  
SUBDIVISION S 2-22  
MAY 18, 2022

PROPOSAL DESCRIPTION

Date application filed: April 15, 2022

Date application complete: April 21, 2022

Applicant/Owner: Bob Dixon Investments, LLC  
76210 London Road  
Cottage Grove, OR 97424

Brad Taylor Homes & Investments, LLC  
76085 Hebron Road  
Cottage Grove, OR 97424

QBL, LLC  
75158 London Road  
Cottage Grove, OR 97424

C&E Dixon, LLC  
12621 SW 115<sup>th</sup> Avenue  
Tigard, OR 97223

Location: 151 Sweet Lane  
Cottage Grove, OR 97424  
Map/TL: 20-03-32-41-00900

Present Conditions: Developed with one 857 sf single-family dwelling

Comp Plan Designation: L – Low Density Residential

Zoning: R-1 – Single-family Residential

PROPOSAL

The applicant has proposed a tentative five-lot subdivision to be named Sweet Lane Townhomes Subdivision. The proposed subdivision of a 1.0 acre lot at 151 Sweet Lane (Map/TL: 20-03-32-41-00900) would create one lot for the existing dwelling (151 Sweet Lane) and four new lots that can be developed as allowed by R-1 Single-family Residential zone. The subject property was annexed into the City of Cottage Grove by Ordinance No. 3157 on April 25, 2022. The zoning for the newly annexed property is R-1 Single-family Residential (ZC 1-22).

Proposed Lot Dimensions:

Lot 1 – 56.00' \* 144.77' = 8,107sf  
Lot 2 – 77.00' \* 144.77' = 11,123sf (retains existing single-family dwelling)  
Lot 3 – 56.00' \* 144.77' = 8,107sf  
Lot 4 – 56.00' \* 144.77' = 8,107sf

Lot 5 – 56.00' \* 144.77' = 8,107sf

## COMMENTS RECEIVED

Comments were received from City Engineer of Record Damien Gilbert, PE – Branch Engineering on May 3, 2022. Those comments are included in this staff report and shall be considered conditions of approval.

NO OTHER COMMENTS WERE RECEIVED

APPROVAL CRITERIA; S 2-22

### ***14.43.140 Approval Criteria: Preliminary Plat***

*A. General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

*1. The proposed preliminary plat complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this Chapter, and the applicable chapters and sections of Chapter 2 (Land Use Districts) and Chapter 3 (Design Standards) shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Chapter 5;*

**Staff Finding:** Compliance with Chapter 2 and 3 is addressed in the staff finding to criterion B below. No variances are requested or necessary to comply with applicable criteria.

*2. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapters 92 and 209;*

**Staff Finding:** Sweet Lane Townhomes is the name of the proposed subdivision. This criterion shall be a condition of approval.

*3. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;*

**Staff Finding:** The subject property is located on Sweet Lane a semi-improved public right-of-way with two vehicle lanes, bike lanes, and shoulders with open drainage ditches. Additionally, the subject property is east and abutting to the Northcut Court Subdivision that was platted in 1946. The proposed layout of the five-lot subdivision is laid out to conform to adjacent Northcut Court in that the proposed lots are deeper than they are wide. As stated the state of the Sweet Lane right-of-way is semi-improved and at this time there is no plan in place to complete the full buildout of the road cross-section. At this time no public improvements are required and therefore do not need to be shown on the preliminary plat. This criterion is met.

*4. All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat;*

**Staff Finding:** There are no proposed nor required private common areas. This criterion does not apply.

*5. Evidence that any required State and federal permits have been obtained, or shall be obtained before approval of the final plat;*

Staff Finding: No known State or federal permits are required for this proposed subdivision. If necessary the applicant shall show compliance at time of Final Plat review.

6. *Evidence that improvements or conditions required by the City, road authority, Lane County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and*

Staff Finding: The following conditions of approval have been identified by the City Engineer in his May 3, 2022 memo (see Exhibits) as required to ensure that the proposal meets the above criterion:

## **Subdivision Comments**

### General

- A Professional Land Surveyor registered in the State of Oregon shall prepare the subdivision plat.
- Work shall conform to the Oregon Revised Statutes Chapter 92, Lane County Surveyor’s Office and City of Cottage Grove requirements. The platted subdivision needs to show existing easements and their reference/filing numbers, proposed easements, and proposed dedications. Any proposed dedications and easements to the City of Cottage Grove shown on the plat shall have acceptance language on the face of the plat.
- A condition of all proposed easements shall be that no structure can be built over them. This condition should also be on the plat.
- Lane County Surveyor’s Office and City of Cottage Grove shall review subdivision plat prior to filing. Please include closure sheet.
- Developer, Property Owner or Surveyor shall provide the City of Cottage Grove with a Mylar copy of the filed plat for the City’s records.
- Proposed subdivision does not show any public utility easements along the frontage of the lots. The proposed subdivision doesn’t show a right of way dedication or Public Utility Easement along the frontage. These should be shown if needed or as required prior to finalizing the plat. If it is not included, a special setback should be required if needed.
- There are no provisions for management of future stormwater runoff. This will need to be addressed with the building permit.
- There are no improvements proposed to Sweet Lane, an unimproved street. Future widening, curb and gutter, sidewalks, and stormwater improvements are anticipated in the future. If those improvements are not proposed prior to recording of the plat, a non-remonstrance agreement should be in place.

## **Development Comments**

### General

- Construction of any new structures will require that all cable utilities to that structure be placed underground including telephone, television and power. This requirement is inclusive of all connections to the feeder main. Separate permits from the individual private utilities may be required. Plans from the individual utility companies need to be submitted to the City of Cottage Grove with construction plans for review and approval.
- Developer shall be responsible for payment of all review fees.

- Erosion control is required and shall be installed prior to and maintained during any construction. Provide erosion control plan with building permits. Any spills or tracking dirt onto existing road shall be cleaned up immediately.
- Any new utility work or repair of any utility work or connection to any utility within the City public right-of-way or easement shall conform to the City of Cottage Grove's detail 602.
- The City of Cottage Grove requires a minimum of five feet horizontal separation from its utilities and all other utilities. This distance is measured from outside of pipe to outside of pipe. Other utility companies may have stricter standards than this. The standard with the greatest separation will apply.
- All infrastructure public improvements (streets, water, sanitary sewer and storm drainage) shall be designed and stamped by a Registered Professional Engineer in the State of Oregon. Plans shall be reviewed and approved by city staff prior to construction.
- Upon completion of the infrastructure and any required testing, the water, sanitary sewer and storm drainage systems will be accepted by the City of Cottage Grove for maintenance and operation.

### Streets

- If sidewalks are proposed to be constructed with this subdivision, sidewalks shall be 5 feet wide and must meet the American Disabilities Act (ADA) Standards. For example, a minimum of 4-feet of the sidewalk must be free of obstructions to accommodate a wheel chair.
- Sidewalks and driveway approaches can be deferred to the building permit process.
- No portion of a driveway approach, including tapered sections, shall be placed within 30 feet of the end of the curb return at an intersection as per the municipal code.
- Residential/Local streets shall be constructed to the City of Cottage Grove standards as per the Cottage Grove Development Code for street and right-of-way widths based on classification, grades, curb & gutter, planting strips and sidewalks etc. Some design considerations for a residential/local street, as per code; grade cannot exceed 15 percent and centerline curve radii shall be no less than 100 feet.
- Residential streets shall be constructed to the City of Cottage Grove standards as per cross-section as outlined in the City of Cottage Grove standard drawings. Their structural sections shall include no less than 4 inches of compacted asphaltic concrete and no less than 8 inches of compacted crushed rock base. Soil conditions may require more rock base as well as geotextile. Applicant's engineer of record should verify soil types and depths in his design.
- Curb, gutter, driveway approaches and sidewalk shall be constructed to City standards. Contact Engineering department for details.
- All dead end streets over 150 feet in length shall comply with the Fire Code by having an appropriate fire turn around. Contact the Fire Marshall for details. Proposed hammer head turn around shall meet current fire code.

### Water

- There is a 12-inch ductile iron water main approximately 5-6 feet deep fronting the proposed subdivision.

- Water service lines shall be copper as per city standard.
- If any lots are planned for duplexes or triplexes, each unit shall have separate water services.
- The Oregon Administrative Rules requires a 10-foot horizontal separation between water lines and sanitary sewer lines include water and sewer services.
- All new development is required to install a backflow device on the customer side of each water meter. This requirement can be deferred until the building permit process. Contact Utility Maintenance Supervisor for details.
- Developer is responsible for the costs and the construction of the water service from the water main to the building.
- Fire hydrants or fire access may be needed for the proposed development depending on the proposed construction type and layout. Fire needs shall be determined by the Fire Marshall at South Lane Fire and Rescue.

### Sanitary Sewer

- There is an 8-inch sanitary sewer main approximately 7-feet deep abutting the property to the north.
- Any sanitary sewer infrastructure shall be designed and constructed to the City of Cottage Grove and Department of Environmental Quality’s standards.
- All new sanitary sewer mains shall be 8” minimum diameter D3034 PVC pipe.
- New sanitary sewer services shall be constructed to City standards for the proposed lots. Pipe standards for sanitary sewer service laterals shall be D3034 PVC pipe and a sanitary sewer cleanout for each lateral is required at the property line. See Engineering Department for details.
- If any lots are planned for duplexes or triplexes, each dwelling unite shall have separate sanitary sewer service.
- Developer is responsible for the costs and the construction of the sewer service from the sanitary sewer main to the building.
- Sanitary sewer service lines must connect to the main line; they may not discharge directly into a manhole.

### Storm Drainage

- There is not improved storm drainage infrastructure in Sweet Lane. The public ditch is the destination for future stormwater runoff from the proposed structures. This ditch needs to be maintained during the development of the subdivision.
- A stormwater and grading plan shall be submitted prior to or during the building permit process.
- Storm water runoff may not adversely affect adjacent property owners; therefore, no overland flow is allowed. Downspouts shall discharge into the public storm drain system (ditch along Sweet Lane).

*7. If any part of the site is located within an Overlay Zone or previously approved Planned Unit Development, Mixed Use Master Plan or Master Planned Development, it shall conform to the*

*applicable regulations and/or conditions.*

**Staff Finding:** The subject property is not within any Overlay Zone, nor is it subject to a previous Planned Unit Development, Mixed Use Master Plan or Master Planned Development. This criterion does not apply.

**B. *Layout and Design of Streets, Blocks and Lots.*** *All proposed blocks (i.e., one or more lots bound by public streets), lots and parcels conform to the specific requirements below:*

1. *All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use district (Chapter 14.20), and the standards of Section 14.31.200.J - Street Connectivity and Formation of Blocks.*

**Staff Finding:** The applicant has proposed creating five lots. The proposed lots are as follows:

Lot 1 – 56.00’ \* 144.77’ = 8,107sf

Lot 2 – 77.00’ \* 144.77’ = 11,123sf (retains existing single-family dwelling)

Lot 3 – 56.00’ \* 144.77’ = 8,107sf

Lot 4 – 56.00’ \* 144.77’ = 8,107sf

Lot 5 – 56.00’ \* 144.77’ = 8,107sf

As proposed the lots meet the minimum requirements of the R-1 Zone and meet the minimum density of four units per acre. The subject property is located on the north side of Sweet Lane approximately 450’ to the east of South R Street and 350’ west of South HWY. Given the location of the subject property it should be considered a perimeter per Subsection 14.34.100 G 4 and therefore not have to create connectivity or a “block” to the adjacent school property to the north. This criterion is met.

2. *Setbacks shall be as required by the applicable land use district (Chapter 2).*

**Staff Finding:** Building setbacks will be approved at time of building permit application for development of each lot. The existing structures shown on the preliminary plat meet applicable setback requirements. This criterion is met.

3. *Each lot shall conform to the standards of Chapter 14.31 - Access and Circulation.*

**Staff Finding:** Each proposed lot has frontage to the Sweet Lane right-of-way. This criterion is met.

4. *Landscape or other screening may be required to maintain privacy for abutting uses. See Chapter 14.2 - Land Use Districts, and Chapter 14.32 - Landscaping.*

**Staff Finding:** The adjacent uses to the east and west are residential therefore not requiring any buffering. The property abutting to the north is a school district owned property that is used as an athletic practice field, which is a conditionally permitted use in the R-1 zone and therefore does not require screening and/or buffering. This criterion is met.

5. *In conformance with the Uniform Fire Code, a fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. This drive shall have a minimum paved surface of 12 feet (for one to two dwelling units) or minimum 16 feet (three to four dwelling units), with 20 feet minimum of clearance. See Chapter 14.31- Access and Circulation and Section 14.43.115(D).*

**Staff Finding:** The proposed lots all have frontage to the Sweet Lane right-of-way and have a proposed depth of less than 150’. This criterion does not apply.

6. *Where a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

**Staff Finding:** No common drive is proposed with this proposed land division. This criterion does not apply.

7. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.

Staff Finding: Sweet Lane is a semi-improved public right-of-way with two paved travel lanes, bike lanes, and shoulders with open ditches for storm drainage. This application to create a five-lot subdivision does not trigger the full improvement of the right-of-way to the City's "collector" road standard. In lieu of constructing the road at this time the property owner shall sign and record a "non-remonstrance agreement" (draft attached as Exhibit D).

The conditions of approval identified by the City Engineer in his May 3, 2022 memo (see Exhibits) are also required to ensure that the proposal meets the above criterion.

*C. Conditions of Approval. The City may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties. See Chapter 14.34 (Public Facilities).*

Staff Finding:

Right-of-Way: The Sweet Lane right-of-way is 60' wide and considered a "collector" street per the 2015 Transportation System Plan (TSP). Per the 2015 TSP and Section 14.34.100 the minimum width for a collector right-of-way, such as Sweet Lane, is 62'-88' wide. To achieve the necessary width of the Sweet Lane right-of-way the applicant is asked to dedicate the first five feet of the subject parcel. This request for dedication of public right-of-way is in accordance with Section 14.43.130. The City offers to purchase the 5.00' \* 301.00' (1,505 sf) portion of the subject property abutting the existing platted Sweet Lane right-of-way for \$1.18 per foot (1,505 \* \$1.18 = \$1,776.00). The value of the land subject to dedication was derived from the 2021-2022 Lane County Assessment & Taxation Real Property Tax Statement for the subject property (attached as Exhibit F). The dedication of the first five feet of the subject parcel does not create substandard lot sizes for the R-1 Zone (minimum 45' wide and 70' deep). The dedication and transfer of the five feet of right-of-way shall be considered a condition of approval.

Street Trees: Per Section 14.32.400, Street trees shall be planted for all developments that are subject to Subdivision, Master Plan or Site Design Review. Requirements for street tree planting strips are provided in Section 14.34.100, Transportation Standards. Planting of street trees shall generally follow construction of curbs and sidewalks; however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction.

Engineering Conditions for the subdivision and for future development of this lot are found in the Engineering memo dated May 3, 2022. Reserve strips are not applicable to this application.

## CONCLUSION

Subdivision **approval** pursuant to Section 14.43.140 Approval Criteria: Preliminary Plat and subject to the recommended conditions is supported by the findings of fact that establish compliance with the applicable state and local standards.

## STAFF RECOMMENDATION

That the Subdivision S 2-22 be **approved** for the proposed five-lot subdivision titled Sweet Lane Townhomes pursuant to Section 14.43.140 and 14.43.115 which are supported by findings of fact and conditions that can establish compliance with applicable state and local standards.

## CONDITIONS OF APPROVAL

1. Preliminary Approval shall be effective for a period of three (3) years from the date of approval. The preliminary plat shall lapse if a final plat has not been submitted within a 3-year period.
2. A Professional Land Surveyor registered in the State of Oregon shall survey property.
3. Work shall conform to the Oregon Revised Statutes Chapters 92 & 209 and, Lane County Surveyor's Office and the City of Cottage Grove.
4. Lane County Surveyor's Office and City of Cottage Grove shall review partition plat prior to filing. Review of a final plat for a subdivision or partition shall be processed as a Type I procedure under Section 14.41.200, using the approval criteria in Section 14.43.160.
5. Property Owner or Surveyor shall provide the City of Cottage Grove with a Mylar copy of the recorded plat for the City's records.
6. Subdivision plat shall show any existing easements or any proposed easements.
7. Any proposed easements to the City of Cottage Grove can be shown on the survey or a separate recorded document. The survey or document shall have acceptance language by the City of Cottage Grove.
8. The property owners/developer shall sign and record a covenant for non-remonstrance regarding the future development of Sweet Lane.
9. Street trees shall be planted for all developments that are subject to Subdivision, Master Plan or Site Design Review (14.32.400). Planting of street trees shall generally follow construction of curbs and sidewalks; however the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. Planting of street trees shall conform to the standards in 14.32.400. The minimum diameter or caliper size at planting, as measured 4 feet above grade, shall be 2 inches. Street trees shall be planted behind the sidewalk and 8' utility easement. Spacing shall be based upon the type of tree(s) selected and the canopy size at maturity, but shall be spaced in general no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers. Trees from Table 14.32.400(F) Trees Approved for Street Tree Planting should be used as a guide.
10. Engineering Department has submitted additional Development Comments in a Memo dated May 3, 2022 that will be applicable to this development and are considered to be conditions of approval.

#### MATERIALS TO BE PART OF THE RECORD

File S 2-22

#### EXHIBITS

- A. Engineering Comments, Damien Gilbert, May 3, 2022
- B. Applicant's Narrative
- C. Preliminary plat.
- D. Draft Non-Remonstrance Covenant
- E. 2021-2022 Real Property Tax Statement



## EXHIBIT A:

### MEMO

To: Eric Mongan, City Planner  
From: Damien Gilbert, P.E. Branch Engineering Inc, City Engineer  
Subject: ENGINEERING COMMENTS FOR S 2-22  
**Sweet Lane Preliminary Subdivision – Bob Dixon Investments LLC**  
Date: May 3, 2022

The following comments are based on a preliminary development plan showing lots, and utilities of the proposed subdivision plan prepared by Dave Collier for Bob Dixon Investments LLC. The comments are guidelines for the design/construction of the project. Changes may occur during the design phase that will be in conflict with statements below and some issues may have been overlooked that will require comment on during the building permit review phase of this project.

#### Subdivision Comments

##### General

- A Professional Land Surveyor registered in the State of Oregon shall prepare the subdivision plat.
- Work shall conform to the Oregon Revised Statutes Chapter 92, Lane County Surveyor's Office and City of Cottage Grove requirements. The platted subdivision needs to show existing easements and their reference/filing numbers, proposed easements, and proposed dedications. Any proposed dedications and easements to the City of Cottage Grove shown on the plat shall have acceptance language on the face of the plat.
- A condition of all proposed easements shall be that no structure can be built over them. This condition should also be on the plat.
- Lane County Surveyor's Office and City of Cottage Grove shall review subdivision plat prior to filing. Please include closure sheet.
- Developer, Property Owner or Surveyor shall provide the City of Cottage Grove with a Mylar copy of the filed plat for the City's records.
- Proposed subdivision does not show any public utility easements along the frontage of the lots. The proposed subdivision doesn't show a right of way dedication or Public Utility Easement along the frontage. These should be shown if needed or as required prior to finalizing the plat. If it is not included, a special setback should be required if needed.
- There are no provisions for management of future stormwater runoff. This will need to be addressed with the building permit.
- There are no improvements proposed to Sweet Lane, an unimproved street. Future widening, curb and gutter, sidewalks, and stormwater improvements are anticipated in the future. If those improvements are not proposed prior to recording of the plat, a non-remonstrance agreement should be in place.

## Development Comments

### General

- Construction of any new structures will require that all cable utilities to that structure be placed underground including telephone, television and power. This requirement is inclusive of all connections to the feeder main. Separate permits from the individual private utilities may be required. Plans from the individual utility companies need to be submitted to the City of Cottage Grove with construction plans for review and approval.
- Developer shall be responsible for payment of all review fees.
- Erosion control is required and shall be installed prior to and maintained during any construction. Provide erosion control plan with building permits. Any spills or tracking dirt onto existing road shall be cleaned up immediately.
- Any new utility work or repair of any utility work or connection to any utility within the City public right-of-way or easement shall conform to the City of Cottage Grove's detail 602.
- The City of Cottage Grove requires a minimum of five feet horizontal separation from its utilities and all other utilities. This distance is measured from outside of pipe to outside of pipe. Other utility companies may have stricter standards than this. The standard with the greatest separation will apply.
- All infrastructure public improvements (streets, water, sanitary sewer and storm drainage) shall be designed and stamped by a Registered Professional Engineer in the State of Oregon. Plans shall be reviewed and approved by city staff prior to construction.
- Upon completion of the infrastructure and any required testing, the water, sanitary sewer and storm drainage systems will be accepted by the City of Cottage Grove for maintenance and operation.

### Streets

- If sidewalks are proposed to be constructed with this subdivision, sidewalks shall be 5 feet wide and must meet the American Disabilities Act (ADA) Standards. For example, a minimum of 4-feet of the sidewalk must be free of obstructions to accommodate a wheel chair.
- Sidewalks and driveway approaches can be deferred to the building permit process.
- No portion of a driveway approach, including tapered sections, shall be placed within 30 feet of the end of the curb return at an intersection as per the municipal code.
- Residential/Local streets shall be constructed to the City of Cottage Grove standards as per the Cottage Grove Development Code for street and right-of-way widths based on classification, grades, curb & gutter, planting strips and sidewalks etc. Some design considerations for a residential/local street, as per code; grade cannot exceed 15 percent and centerline curve radii shall be no less than 100 feet.
- Residential streets shall be constructed to the City of Cottage Grove standards as per cross- section as outlined in the City of Cottage Grove standard drawings. Their structural sections shall include no less than 4 inches of compacted asphaltic concrete and no less than 8 inches of compacted crushed rock base. Soil conditions may require more rock base

as well as geotextile. Applicant's engineer of record should verify soil types and depths in his design.

- Curb, gutter, driveway approaches and sidewalk shall be constructed to City standards. Contact Engineering department for details.
- All dead end streets over 150 feet in length shall comply with the Fire Code by having an appropriate fire turn around. Contact the Fire Marshall for details. Proposed hammer head turn around shall meet current fire code.

### Water

- There is a 12-inch ductile iron water main approximately 5-6 feet deep fronting the proposed subdivision.
- Water service lines shall be copper as per city standard.
- If any lots are planned for duplexes or triplexes, each unit shall have separate water services.
- The Oregon Administrative Rules requires a 10-foot horizontal separation between water lines and sanitary sewer lines include water and sewer services.
- All new development is required to install a backflow device on the customer side of each water meter. This requirement can be deferred until the building permit process. Contact Utility Maintenance Supervisor for details.
- Developer is responsible for the costs and the construction of the water service from the water main to the building.
- Fire hydrants or fire access may be needed for the proposed development depending on the proposed construction type and layout. Fire needs shall be determined by the Fire Marshall at South Lane Fire and Rescue.

### Sanitary Sewer

- There is an 8-inch sanitary sewer main approximately 7-feet deep abutting the property to the north.
- Any sanitary sewer infrastructure shall be designed and constructed to the City of Cottage Grove and Department of Environmental Quality's standards.
- All new sanitary sewer mains shall be 8" minimum diameter D3034 PVC pipe.
- New sanitary sewer services shall be constructed to City standards for the proposed lots. Pipe standards for sanitary sewer service laterals shall be D3034 PVC pipe and a sanitary sewer cleanout for each lateral is required at the property line. See Engineering Department for details.
- If any lots are planned for duplexes or triplexes, each dwelling unit shall have separate sanitary sewer service.
- Developer is responsible for the costs and the construction of the sewer service from the sanitary sewer main to the building.
- Sanitary sewer service lines must connect to the main line; they may not discharge directly into a manhole.
- Storm Drainage
- There is not improved storm drainage infrastructure in Sweet Lane. The public ditch is the destination for future stormwater runoff from the proposed structures. This ditch needs to

- be maintained during the development of the subdivision.
- A stormwater and grading plan shall be submitted prior to or during the building permit process.
  - Storm water runoff may not adversely affect adjacent property owners; therefore, no overland flow is allowed. Downspouts shall discharge into the public storm drain system (ditch along Sweet Lane).

# EXHIBIT B

## NARRATIVE

### Sweet Lane Townhomes

Tax Map 20-03-32-41

Tax Lot 900

## OVERVIEW

This narrative is prepared for the proposed subdivision application for an approximately 1 acre property at 151 Sweet Lane, tax map 20-03-32-41, tax lot 900. The property is currently has a single residence. The property is zoned R1. This narrative is intended to demonstrate compliance with the applicable review criteria in the City of Cottage Grove Development Code (Section 14.41.140). The proposal is for a five (5) lot subdivision. Below is a list of the applicable review criteria, followed by a response which indicates compliance.

## APPLICABLE CRITERIA AND FINDINGS

### *14.43.140.A. General Approval Criteria.*

*The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

*1. The proposed preliminary plat complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this Chapter, and the applicable chapters and sections of Chapter 2 (Land Use Districts) and Chapter 3 (Design Standards) shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Chapter 5;*

RESPONSE: This narrative addresses all the applicable Development Code sections and the other applicable ordinances and regulations referenced above.

*2. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapters 92 and 209;*

RESPONSE: The proposed name is Sweet Lane Townhomes, which is not already recorded for another subdivision and satisfies the provisions of ORS Chapters 92 and 209.

*3. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;*

RESPONSE: There are no streets, roads, sidewalks, bicycle lanes, or pathways proposed and any proposed utility and surface water management facilities will conform to adjoining property and are identified on the preliminary plat.

4. *All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat;*

RESPONSE: No private common areas are proposed.

5. *Evidence that any required State and federal permits have been obtained, or shall be obtained before approval of the final plat;*

RESPONSE: The site is already developed and is not currently shown as containing any regulated floodplain or wetlands. If other state or federal permits are identified as being required, they will be obtained before approval of the final plat.

6. *Evidence that improvements or conditions required by the City, road authority, Lane County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and*

RESPONSE: The site is already developed as a residential area with existing public improvements and connections with neighboring properties and transportation systems. Any additional requirements by the above parties will be met.

7. *If any part of the site is located within an Overlay Zone or previously approved Planned Unit Development, Mixed Use Master Plan or Master Planned Development, it shall conform to the applicable regulations and/or conditions.*

RESPONSE: The site is not within an Overlay Zone or a previously approved Planned Unit Development, Mixed Use Master Plan or Master Planned Development.

*14.43.140.B. Layout and Design of Streets, Blocks and Lots.*

*All proposed blocks (i.e., one or more lots bound by public streets), lots and parcels conform to the specific requirements below:*

*1. All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use district (Chapter 2), and the standards of Section 14.31.200.J -Street Connectivity and Formation of Blocks.*

*Chapter 2 Table 14.22.120*

*Minimum Lot Area (square feet) = 4500 square feet*

*Minimum Lot Width = 45 feet*

*Minimum Lot Depth = 70 feet*

*Max. Building Coverage = 50%*

*Minimum Setbacks:*

*Front/Street = 10 feet*

*Garage = 20 feet*

*Side = 3 feet minimum with 10 feet total*

*Rear = 5 feet or 10 feet (structure height dependent)*

RESPONSE: As shown on the preliminary plat, each proposed lot is equal to or greater than the required minimum lot width and depth and square footage. The existing house will meet setback requirements. Any shed that does not meet setback requirements can be removed prior to plat approval.

*2. Setbacks shall be as required by the applicable land use district (Chapter 2).*

RESPONSE: As shown on the preliminary plat, the existing house will meet required setbacks.

*3. Each lot shall conform to the standards of Chapter 14.31 -Access and Circulation.*

RESPONSE: As shown on the preliminary plat, Each lot conforms to the applicable standards.

*4. Landscape or other screening may be required to maintain privacy for abutting uses. See Chapter 2 -Land Use Districts, and Chapter 14.32 -Landscaping.*

RESPONSE: As shown on the preliminary plat, each lot conforms to the applicable standards.

*5. In conformance with the Uniform Fire Code, a fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. This drive shall have a minimum paved surface of 12 feet (for one to two dwelling units) or minimum 16 feet (three to four dwelling units), with 20 feet minimum of clearance. See Chapter 14.31-Access and Circulation and Section 14.43.115(D).*

RESPONSE: As shown on the preliminary plat, all lots have road frontage that conforms to the uniform fire code.

*6. Where a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

RESPONSE: Any shared drive shall have a Joint Access, Maintenance, and Utility Easement recorded for it prior to Plat approval.

*7. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.*

RESPONSE: Any required easements and/or engineering shall be submitted prior to Plat approval.

*Any additional requirements will be included by city staff as conditions of approval.*

*14.43.140.C. Conditions of Approval.*

*The City may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties. See Chapter 14.34 (Public Facilities).*

RESPONSE: Looking forward to receiving the Conditions of Approval letter.

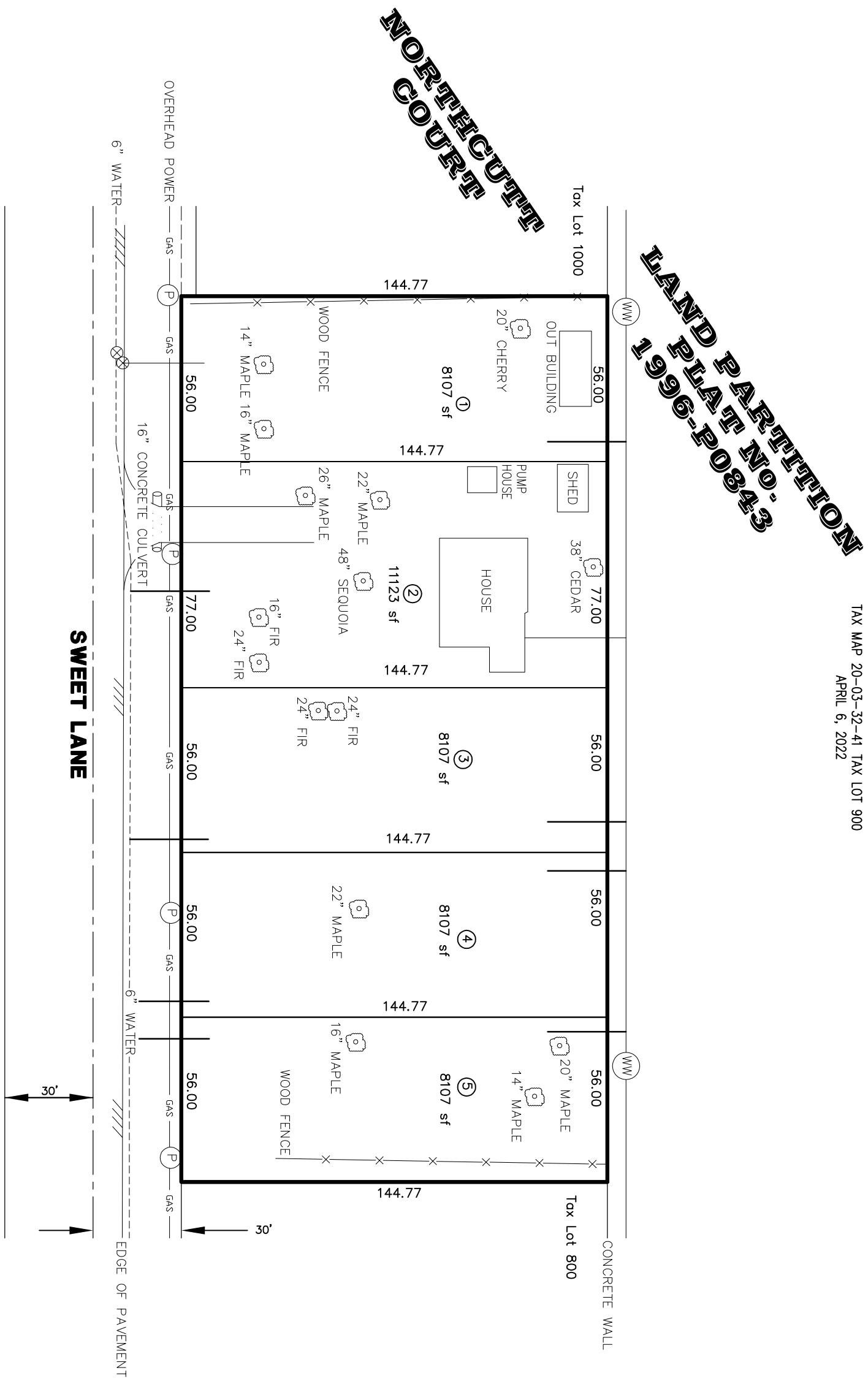
**OWNER:**  
BOB DIXON INVESTMENTS, LLC  
76210 LONDON RD  
COTTAGE GROVE, OR 97424

**PRELIMINARY PLAT  
SWEETLANE TOWNHOMES**

TAX MAP 20-03-32-41 TAX LOT 900  
APRIL 6, 2022

**SURVEYOR:**  
DAVE COLLIER  
75506 BLUE Mtn SCHOOL RD  
COTTAGE GROVE, OR 97424

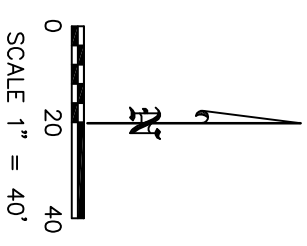
**EXHIBIT C**



**LAND PARTITION  
1996-P0843**

**NORTHCOTE  
COURT**

**SWEET LANE**





# EXHIBIT D

**After recording, return to:**

City of Cottage Grove  
400 E. Main Street  
Cottage Grove, OR 97424

## NON-REMONSTRANCE AGREEMENT

### CITY OF COTTAGE GROVE

This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, between the CITY OF COTTAGE GROVE, a municipal corporation of the State of Oregon, hereinafter called "CITY", and \_\_\_\_\_, hereinafter called "OWNER."

#### RECITALS

A. OWNER is the owner of that certain real property, hereinafter referred to as the "Property," which is described as follows:

Lot 1, Lot 2, Lot 3, Lot 4, & Lot 5 of Sweet Lane Townhomes, Lane County Deeds & Records # \_\_\_\_\_, recorded \_\_\_\_\_, 2022.

B. OWNER's Property is located within the corporate limits of the City of Cottage Grove.

C. OWNER has submitted an application for CITY building permits for construction of an improvement(s) on the Property.

D. For OWNER to develop Property, Cottage Grove Municipal Code (CGMC) Section 12.10.015 requires Owner to improve Sweet Lane as follows:

- Install necessary streets to standard City street specifications, including street lights and signage
- Install necessary storm drainage, curbs, gutters and sidewalks to city standards
- Construct driveway approach to city standards
- Install sanitary sewer system improvements
- Install water system improvements
- Install storm water drainage system improvements

Hereinafter, "Improvements."

F. CGMC Section 12.10.015 allows OWNER to meet these requirements by entering into a Non-Remonstrance Agreement acceptable to Public Works Director. This Agreement is intended to meet this CGMC requirement.

## AGREEMENTS

CITY and OWNER hereby agree as follows:

1. Recitals. The foregoing recitals are contractual and by this reference are incorporated herein as if set out in full.
2. Benefit. OWNER declares that the Improvements sought herein will directly benefit the above-described Property and will directly benefit the CITY through improvements to the public way and utilities serving the Property and other properties in the vicinity.
3. Waiver of Right to Remonstrate. OWNER agrees not to challenge or remonstrate against the formation of a Local Improvement District (LID) by the CITY for the purpose of making Improvements and assessing the cost to Property and other properties in the district. In any proceedings to establish such a district, OWNER will acknowledge this petition if requested to do so. OWNER may appear and testify about any issue regarding a proposed LID, but acknowledges that OWNER'S remonstrance will not be counted in determining whether the requisite number of remonstrations were received to derail or postpone the proposed Improvements.
4. Constructing Improvements. The CITY, in its sole discretion, may initiate the construction of all or part of the Improvements or may join all or part of OWNER'S Property with other property when creating a local improvement assessment district.
5. Improvement Costs. The cost of the Improvements shall be borne by the benefitted Property in accordance with state law, the Charter of the CITY, and its ordinances and policies.
6. Running with the Land. The Improvements contemplated by this petition touch and concern the above-described Property and are not just personal to OWNER. The rights and obligations of this petition shall run with the land and shall be binding upon OWNER and OWNER's assigns and successors in interest. This Agreement shall be recorded in the real property records of Lane County, Oregon, to serve as notice to any future owners or occupants of Property.
7. Irrevocable. This Agreement is irrevocable and will remain in full force and effect in perpetuity from the date of the Agreement, until released by recorded instrument by CITY.
8. Attorney's Fees. If the CITY is required to file any action in any court of competent jurisdiction to enforce this Agreement or to prohibit the violation of any of the covenants contained herein, the prevailing party shall be entitled to recover reasonable attorney fees and costs and disbursements of litigation at trial or on appeal.
9. Agreement Construction. In construing this Agreement, singular words include the plural, plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

10. Severability. The validity, meaning, enforceability, and effect of the Agreement and the rights and liabilities of the parties hereto shall be determined in accordance with the laws of the State of Oregon. If any part, term or clause of this Agreement is held by a court or arbitrator to be unenforceable, of no effect or in conflict with any law, the validity of the remaining provisions and clauses shall not be affected and the rights and obligations of the parties shall be construed and in force as if the contract did not contain the particular part, term or clause held to be unenforceable.

11. Authority. The undersigned hereby warrants having good title to the Property and authority to execute this Agreement binding the Property.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first written above:

CITY OF COTTAGE GROVE  
a Municipal Corporation

PROPERTY OWNER

\_\_\_\_\_  
Richard Meyers - City Manager

\_\_\_\_\_  
[INSERT OWNER]

STATE OF OREGON  
County of Lane

STATE OF OREGON  
County of Lane

This instrument was acknowledged  
before me on \_\_\_\_\_  
by Richard Meyers, as City Manager  
of the City of Cottage Grove

This instrument was acknowledged  
before me on \_\_\_\_\_  
by [INSERT OWNER]

\_\_\_\_\_  
Notary Public – State of Oregon  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public – State of Oregon  
My Commission Expires: \_\_\_\_\_

**EXHIBIT E****07-01-2021 TO 06-30-2022 REAL PROPERTY TAX STATEMENT  
LANE COUNTY 125 E. 8TH AVE. EUGENE, OR 97401 (541) 682-4321**[www.lanecounty.org/at](http://www.lanecounty.org/at)**ACCOUNT # 0907558****LAST YEAR'S TAX 1,248.83**  
See back for explanation of taxes marked with (\*)**CURRENT TAX BY DISTRICT**

U Lane Education Service Dist	25.41
U Lane Community College	70.48
South Lane School District	541.08
<b>Education Totals:</b>	<b>636.97</b>
U Upper Willamette Soil & Water	7.97
U South Lane Co Fire & Rescue	117.65
U Lane County	145.63
South Lane Co Fire & Rescue LO	53.50
Lane County Public Safety LO	62.61
Lane County 4-H /Extension LO	3.19
<b>General Government Totals:</b>	<b>390.55</b>
U Lane Community College Bond III	12.56
U Lane Community College Bond II	25.73
South Lane School Dist Bond	200.05
<b>Bonds - Other Totals:</b>	<b>238.34</b>

SITUS ADDRESS: 151 SWEET LN  
COTTAGE GROVE, OR 97424

PROPERTY CLASS: 101  
TAX CODE AREA: 04508 ACRES: 1.00  
MAP & TAX LOT : 20-03-32-41-00900

FREEMAN LAWANNA M  
151 SWEET LN  
COTTAGE GROVE, OR 97424

VALUES AS OF 01/01/2021	LAST YEAR	THIS YEAR
REAL MARKET VALUE		
LAND	48,722	51,373
STRUCTURES	119,568	137,340
TOTAL	168,290	188,713
M5 SPECIAL		
ASSESSED VALUE	0	0
M5 REAL MKT VALUE	168,290	188,713
ASSESSED VALUE	110,521	113,836
EXEMPTIONS	0	0
<b>TAXABLE VALUE</b>	<b>110,521</b>	<b>113,836</b>

MORTGAGE CO: UMPQUA BANK  
If a mortgage company pays your taxes,  
this statement is for your records only.

**TAX PAYMENT OPTIONS**

(See back of statement for payment instructions)

	Pay By	Discount	Net Amount Due
In Full	11/15/2021	37.98	1,227.88
2 / 3	11/15/2021	16.88	827.03
1 / 3	11/15/2021	None	421.96

2021-2022 TAXES BEFORE DISCOUNT 1,265.86

**TOTAL TAX (After Discount) 1,227.88**

▲ Tear Here

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Tear Here ▲

**Tax Year 2021-2022****ACCOUNT #: 0907558**

Pay	Pay By	Discount %	Discount Amt	Net Amount Due
In Full	11/15/2021	3%	37.98	1,227.88
2 / 3	11/15/2021	2%	16.88	827.03
1 / 3	11/15/2021	None	None	421.96

Enter Payment Amount

\$

**TOTALS INCLUDE DELINQUENT TAXES, IF ANY. DISCOUNT IS LOST & INTEREST APPLIES AFTER DUE DATE.**

49585

FREEMAN LAWANNA M  
151 SWEET LN  
COTTAGE GROVE, OR 97424

Please make checks payable to:  
**Lane County Tax Collector**  
125 E. 8th Avenue  
Eugene, OR 97401

 Mailing address change on back

20000009075580000122788000008270300000421966