

CITY OF COTTAGE GROVE PLANNING COMMISSION  
Minutes of the Regular Public Hearing  
May 18, 2022

**CALL TO ORDER**

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

**ROLL CALL**

Recording Secretary Angela Keppler called the roll. The following were:

PRESENT IN THE  
COUNCIL CHAMBERS:

Darby Valley, Ashley Rigel, and Garland Burback,

PRESNET VIA  
GOTOMEETING

Beau Solesbee, Tim Burns, Blake Hoskin and David Christopher

ABSENT:

STAFF PRESENT IN  
THE COUNCIL  
CHAMBERS:

City Planner-Eric Mongan, Assistant Planner -Matt Laird,  
Public Works & Development Director- Faye Stewart, and  
Recording Secretary-Angela Keppler

STAFF PRESENT  
VIA GOTOMEETING:

APPLICANT:

Faye Stewart- for MTA 4-22 & MTA 5-22  
Matt Parsons, Brandon Parsons for CUP 2-22

MEDIA PRESENT:

Dana Merryday –The Chronical

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**

April 20, 2022

**IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY COMMISSIONER ASHLEY RIGEL TO APPROVE THE MINUTES FOR APRIL 20, 2022.**

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X	X	X	X
NAYES							

Minutes for April 20, 2022 are approved

### **OLD BUSINESS**

None

### **EX PARTE CONTACT**

David Christopher states that Mr. Parsons is his financial advisor, but he feels he can make an unbiased and impartial decision on this case.

Darby called the Commission to vote on whether David Christopher can participate in the CUP 2-22 hearing.

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X	X	X	X
NAYES							

David is approved to participate in CUP 2-22

### **7:03 PM Public Hearing for CUP 2-22 Opened**

- (a) PARSONS – CONDITIONAL USE PERMIT FOR DEVELOPMENT WITHIN THE WILLAMETTE RIVER GREENWAY (CUP 2-22). MAP/TL: 20-03-28-33-11900. Applicant is proposing to construct a single-family dwelling within the Willamette River Greenway. Relevant Criteria: Cottage Grove Municipal Code Section 14.44.400 Conditional Use Permits, Section 14.37.400 Willamette River Greenway. Applicant: Matt Parsons, 525 N. 9<sup>th</sup> Street, Cottage Grove, Or 97424

Matt said the applicant proposes to construct a single family dwelling on tax lot 11900 in the R-1 residential zoning district. The property is located at 234 South River Road, directly adjacent to the Coast Fork Willamette River. This property contains sensitive lands and is included in the Willamette River Greenway (WRG), which is a State-designated scenic corridor that runs along both sides of the Willamette River to its

confluence with the Columbia River. Any development within the greenway requires a conditional use permit.

The subject property is also located within a mapped Special Flood Hazard Area (SFHA). Specifically, the home site location is within the AE zone (1% chance of flooding) and the lower portion of the property is in the floodway (High Velocity Flow) area. Finally, within 50' of the top bank of the river is considered the Riparian Corridor Boundary, which requires trees and vegetation along the river to be maintained in a natural state. The applicant has submitted a site plan that shows the home site is outside of the riparian corridor boundary and is outside of the Floodway. A floodplain development permit and an Erosion Prevention Permit will be required prior to issuance of a building permit. Also because the site is within the Greenway, 5 additional trees must be planted on the site to replace trees that were removed due to storm damage.

Finally, it should be noted that the applicant has provided evidence that he mailed and posted notice of a neighborhood meeting as required by the code. The meeting was to be held on May 14<sup>th</sup>, however, no one attended, so there are no minutes to submit. The attempt to hold the meeting will satisfy the code requirement.

Within the staff report you will find specific findings of fact have been made to all relevant approval criteria, with the primary criteria being CGMC Sec. 14.44.400 Conditional Use Permits.

Staff does recommend Approval with conditions, to allow a dwelling in the Willamette River Greenway.

### **IN FAVOR**

Matt Parsons 525 N. 9<sup>th</sup> Street, Cottage Grove, Or 97424

Matt says he's looking forward to moving forward with this project. He agrees with staff findings and recommendations.

### **NEUTRAL**

Dana Merryday 205 Adams Ave. Cottage Grove OR. 97424

Dana voiced his concerns with the care and restoration of the riparian zone. He encouraged Mr. Parsons to work with the Water Shed Council to restore the area with native species and trees.

### **AGAINST**

None

Darby closed public meeting for CUP 2-22 at 7:14 pm, and brought it back to the Commission.

## COMMISSION COMMENTS

The Commission discussed the conditions of approval and what needs to be done to protect the riparian zone.

Matt Parsons said that part of the reason they brought in the excavator was to remove three cotton wood trees that were damaged and dangerous. They were cut high, so the root system and the bottom part of the trees were left on the bank. He is aware that the trees will need to be replaced.

**IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY COMMISSIONER ASHLEY RIGEL TO APPROVE CUP 2-22 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.**

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X	X	X	X
NAYES							

Motion carries.

### 7:15 PM Public Hearing for ZC 1-22 Opened

- (b) DIXON, TAYLOR, & LEVINGS – ZONE CHANGE (ZC 1-22) TO REZONE 151 SWEET LANE, COTTAGE GROVE, OR 97424; MAP/TL 20-03-32-41-00900 TO R1– SINGLE-FAMILY AS PART OF CONCURRENT ANNEXATION APPLICATION. Applicant is seeking rezone approximately 1.00 acre to R-1 Single-family Residential. Relevant Criteria: 14.47.500 Criteria for Legislative & Quasi-Judicial Amendments. Applicant: Brad Taylor, 76085 Hebron Road, Cottage Grove, OR 97424.

Eric said ZC 1-22 is an application to amend the Land Use Map to rezone one parcel known as 151 sweet lane or TL 900 that was recently annexed into the City of Cottage Grove. Per Section 18.04.080 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 documentation with the Secretary of State, hence this application.

The City of Cottage Comprehensive Plan Map designation for the subject parcel, TL 900, is L – Low Density Residential and the applicant has requested that the R-1 – Single-family Residential Zone be applied to the subject parcels. No Plan amendment is required. Tax Lot 900 has existing residential development, which complies with the proposed land use map designation of R-1 – Single-family Residential. Following this application you will hear an application for a subdivision of this property.

Staff is recommending approval of this application to apply the R-1 zone to TL 900.

**IN FAVOR**

None

**NEUTRAL**

None

**AGAINST**

None

Darby closed public meeting for ZC 1-22 at 7:18 pm, and brought it back to the Commission

**COMMISSION COMMENTS**

**IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY COMMISSIONER ASHLEY RIGEL TO APPROVE ZC 1-22 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.**

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X	X	X	X
NAYES							

Motion carries.

**7:19 PM Public Hearing for S 2-22 Opened**

- (c) DIXON, TAYLOR, & LEVINGS -- SUBDIVISION (TENTATIVE) (S 2-22) TO SUBDIVIDE 1.00 ACRE PARCELS INTO 5 LOTS. Applicant is seeking to subdivide 1.00-acre lot (Map 21-03-32-41-00900) into five lots, as the Sweet Lane Townhomes Subdivision. Relevant Criteria: 14.43.1.30 Preliminary Plat Submission Requirements, 14.43.140 Approval Criteria: Preliminary Plat, Chapter 14.22 Commercial Districts. Applicant: Brad Taylor, 76085 Hebron Road, Cottage Grove, OR 97424.

Eric said 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

The City is requesting the dedication of the first 5' of frontage along Sweet Lane for the future build out of Sweet Lane. In exchange for the 1,500 sf the City will compensate the property owners \$1,776. Regarding the development of Sweet Lane, at this time the City is not planning to complete the buildout of Sweet Lane and therefore asks the property owners to execute a non-remonstrance covenant. The non-remonstrance agreement runs with the land and will appear on title if and when the properties are sold. The effect of the non-remonstrance is to establish that at some point in the future the City will ask all abutting property owners to pay their share toward the development of Sweet Lane.

The tentative plat will remain effective for three years when the owner may request an extension or the tentative plat will expire.

Staff recommends approval of the proposed 5-lot subdivision referred to as Sweet Lane Townhomes.

**IN FAVOR**

None

**NEUTRAL**

Misha English 41 Sweet Lane Cottage Grove OR. 97424

Misha voiced her concerns about this property being developed as it tends to have standing water in the winter and looks like a wetland. She is also concerned about water displacement onto their property, and how development of the neighboring property could affect their aquifer, and well.

**AGAINST**

None

Garland asked if the owners knew about the water problem on the property.

Eric said that he wants to ensure everyone knows that the presence, whether identified as a wetland or saturated area, is not part of the criteria of this subdivision. However, if and when applications for building permits are submitted to develop a parcel as a single-family home or duplex, one of the standard conditions applied, and is State law, is that you are not allowed to displace water and adversary affect adjacent properties.

The Commission asked questions and discussed criteria for development in wetlands. They discussed water run-off, displacement, and wells and how the rules protect neighboring/adjacent properties from being impacted.

Darby closed public meeting for S 2-22 at 7:33 pm, and brought it back to the Commission

### **COMMISSION COMMENTS**

**IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY COMMISSIONER TIM BURNS TO APPROVE S 2-22 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.**

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X	X	X	X
NAYES							

Motion carries.

### **7:34 PM Public Hearing for MTA 4-22 Opened**

- (d) CITY OF COTTAGE GROVE, PUBLIC WORKS AND DEVELOPMENT–  
MODIFICATION TO APPROVAL (MTA 4-22) A 1,584 SQ.FT. ADDITION TO  
EXISTING STORAGE BUILDING. Applicant is seeking approval to construct a 99' x  
16' addition to the existing golf cart storage building at Middlefield Golf Course locate at  
86 Village Drive, Cottage Grove, OR. (Map/TL: 20-03-27-20-03206) Relevant Criteria:  
Cottage Grove Municipal Code Section 14.46.300.B Major Modifications, Section  
14.42.600 Site Design Review Approval Criteria, and Section 14.25 Parks and Recreation  
District. Applicant: City of Cottage Grove, Faye Stewart, Public Works and  
Development Director.

Matt said the applicant proposes a 1,584 sf (99'x16') addition to the south side of the existing golf cart storage building. There will be no change in the type of use currently existing in the building, as the new addition will also be used for golf cart storage for carts that are rented to the public. Accessory structures, with a permitted use, are listed in the (PR) Parks & Recreation zone as permitted. In this case, the primary permitted use is Outdoor Recreation (Golf Course) and the structure for storing golf carts, is accessory to that use, therefore it can be allowed in the PR zone. The Golf Course was originally reviewed and approved by Conditional Use Permit (CUP 2-89) and by Design Review (DR 7-90). The proposed expansion of a non-residential use is greater than 15%, therefore this is considered a Major Modification subject to Type III Modification to Approval review by the Planning Commission.

Within the staff report you will find specific findings of fact have been made to all relevant approval criteria, and with that, Staff recommends that MTA 4-22 be approved for the proposed 1,585 sf addition to the existing golf cart storage building at Middlefield Golf

Course, pursuant to Section 14.46.300 Major Modification Criteria which are supported by findings of fact and conditions that can establish compliance with applicable state and local standards.

**IN FAVOR**

Jeffrey Wilcox 1145 Birch Ave. Cottage Grove OR. 97424

Jeffrey said he is an avid golfer and he feels this new golf cart storage will be a great benefit to the City and help draw people to Cottage Grove.

**NEUTRAL**

None

**AGAINST**

None

Darby closed public meeting for MTA 4-22 at 7:42 pm, and brought it back to the Commission

**COMMISSION COMMENTS**

**IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY COMMISSIONER ASHLEY RIGEL TO APPROVE MTA 4-22 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.**

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X	X	X	X
NAYES							

Motion carries.

**7:42 PM Public Hearing for MTA 5-22 Opened**

- (e) CITY OF COTTAGE GROVE, PUBLIC WORKS AND DEVELOPMENT–  
MODIFICATION TO APPROVAL (MTA 5-22) A 2,880 SQ.FT. TENSION FABRIC STORAGE STRUCTURE. Applicant is seeking approval to construct a 36' \* 80' tension fabric storage structure at the City of Cottage Grove Wastewater Treatment Plant at 1800 N Douglas Street, Cottage Grove, OR. (Map/TL: 20-03-28-11-01003 & 20-03-28-11-00100) Relevant Criteria: Cottage Grove Municipal Code Section 14.46.300.B Major Modifications, Section 14.42.600 Site Design Review Approval Criteria, and Section



14.25 Parks and Recreation District. Applicant: City of Cottage Grove, Faye Stewart, Public Works and Development Director.

Matt said the applicant proposes a 3,040 sf (38'x80') clear span tension fabric structure to be located internal to the existing plant between the orbital oxidation ditch and the cake storage building. The clear span structure will be used to store equipment and bio solids. There will be no change in the type of use currently existing on the site and the structure will be accessory to the primary use of the site as a permitted wastewater treatment plant (WWTP). Accessory structures (with a permitted use) are listed in Cottage Grove Municipal Code (CGMC) Table 14.25.110 as permitted in the (PR) Parks and Recreation zoning district. The WWTP has been in place prior to zoning of the property and has received many land use permits for upgrades over the years. This will be a Major Modification to Conditional Use Permit Files: CUP 10-01, CUP 6-03, and CUP 3-08.

Within the staff report you will find specific findings of fact have been made to all relevant approval criteria. Staff Recommends that MTA 5-22 be approved for the proposed 3,040 sf clear span tension fabric structure at the Cottage Grove Wastewater Treatment Plant, pursuant to Section 14.46.300 Major Modification Criteria which are supported by findings of fact and conditions that can establish compliance with applicable state and local standards.

**IN FAVOR**

None

**NEUTRAL**

None

**AGAINST**

None

Darby closed public meeting for MTA 5-22 at 7:46 pm, and brought it back to the Commission

**COMMISSION COMMENTS**

**IT WAS MOVED BY COMMISSIONER GARLAND BURBACK AND SECONDED BY COMMISSIONER TIM BURNS TO APPROVE MTA 5-22 AS PRESENTED BASED ON THE CRITERIA FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS STATED IN THE STAFF REPORT.**

Vote on the motion as follows:

VOTE	Commissioner Valley	Commissioner Burback	Commissioner Rigel	Commissioner Burns	Commissioner Hoskin	Commissioner Solesbee	Commissioner Christopher
AYES	X	X	X	X	X	X	X
NAYES							

Motion carries.

### **INFORMATION FROM STAFF**

Eric said he received the initial draft of the technical document for the Affordable Housing Implementation Plan. The first meeting will be scheduled soon. Ashley Rigel and Garland Burbach have volunteered to be on this committee.

Angela Keppler will start calling commissioners the Monday before the meetings to confirm attendance. Eric reminded the commission of the attendance rules and mentioned that if members are coming to the meetings virtually, their cameras need to be on so everyone can see the commissioners.

Tim Burns asked if staff can start emailing the commission with the meeting link the day of meetings as an extra reminder. Staff said this can be done.

### **COMMISSION COMMENTS**

None

### **ADJOURNMENT**

There being no further business, Commissioner Darby Valley adjourned the Planning Commission meeting at 7:52 p.m.

ATTEST:

APPROVED:

---

Angela Keppler, Recording Secretary

---

Darby Valley, Chair