

STAFF REPORT  
TRUE NORTH SUBDIVISION  
SUBDIVISION S 1-24  
April 10, 2024

PROPOSAL DESCRIPTION

Date application filed: March 8, 2024

Date application complete: March 25, 2024

Applicant/Owner: John Sellers  
3353 Lone Pine Rd  
Medford, OR 97504

Location: 1040 S. 8<sup>th</sup> St  
Map 20-03-33-24-00900

Present Conditions: Developed with a Single-Family Dwelling

Comp Plan Designation: L – Low Density Residential

Zoning: R1 – Single-Family Residential

PROPOSAL

The applicant has proposed a tentative subdivision at 1040 S. 8<sup>th</sup> St, entitled “True North Subdivision”. This proposal is for an approximately 0.53ac subject area, contained within Tax Map 20-03-33-24, Tax Lot 0090. The proposed subdivision will consist of five (5) total lots, with the existing residence remaining on the Lot One along S. 8<sup>th</sup> St. The subject parcels are currently zoned R1 – Single-Family Residential, and have a minimum density of 4 units per acre.

The proposed lot sizes are as follows:

The existing residence is located on proposed Lot 1 along S. 8<sup>th</sup> St, with lot dimensions of 60ft x 100ft, for a total of 6,000sqft. The other four lots will be sized 45ft x 100ft, for a total of 4,500sqft per parcel.

The applicant has applied concurrently for a vacation (VAC 1-24) of a 12ft alley that runs north to south through roughly the center of the parcel.

COMMENTS RECEIVED

Engineering comments were received from Eric Mongan, Cottage Grove City Planner, on March 25, 2024. The comments are addressed in this staff report and included in the conditions of approval.

NO OTHER COMMENTS WERE RECEIVED

MATERIALS TO BE PART OF THE RECORD

- Application
- Applicant's Narrative
- Preliminary Plat
- City of Cottage Grove Completeness Correspondence
- Affidavit of Posting
- Affidavit of Notice
- Engineering Comments dated March 25, 2024
- File S 1-24

APPROVAL CRITERIA; S 1-24

***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;*
- 2. The proposed plat name 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;*
- 4. All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat;*
- 5. Evidence that any required State and federal permits have been obtained, or shall 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*
- 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:

Compliance with Chapter 2 and 3 is addressed in the staff findings herein. No variances are requested or necessary to comply with applicable criteria.

The applicant proposed the name of the subdivision to be “True North Subdivision”, which shall comply with ORS 92 and 209. The applicant also provided concurrence from Lane County that this name is available. This criterion shall be a condition of approval.

As a condition of approval, a 7ft public utility easement (PUE) is required along the southern boundary of the proposed lots. Additionally, a 10ft easement (PUE) will be required between lots 2 and 3, or 3 and 4 for PP&L.

The subject parcel is located at the northeast corner of the intersection of S. 8<sup>th</sup> St and Pierce Ave, the latter of which is not a fully developed right-of-way. Additional details are found in the Engineering comments provided by Cottage Grove City Planner Eric Mongan, Exhibit A.

No private common areas and improvements (homeowner association property) are proposed.

No State or federal permits were shown to have been obtained.

No City improvements or conditions have been imposed yet.

The proposed subdivision is located on the southwestern edge of the Airport Overlay District, and is not a part of a previously approved Planned Unit Development, Mixed Use Master Plan, nor a Master Planned Development.

The subject parcel is a total of 0.53 acres, which requires a minimum of 2-3 dwelling units to meet the density requirements. Due to the fact that this proposed subdivision is a total of 5 lots, and housing units such as un-attached single-family, duplexes, and townhouses are permitted outright, and accessory dwelling units, manufactured homes, and cottage clusters are permitted with standards, this criterion has been met.

Any codes, covenants, and restrictions (CC&Rs) recorded by the applicant shall not preclude the City of Cottage Grove Development Code as a condition of approval.

The following conditions of approval have been identified by the City Planner in the March 25, 2024 memo (see Exhibit A) 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 perform the subdivision plat.
- Work shall conform to the Oregon Revised Statutes Chapter 92, Lane County Surveyor’s Office and the City of Cottage Grove. 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 sheets.
- Developer, Property Owner or Surveyor shall provide the City of Cottage Grove with a copy of the filed plat for the City's records.
- The Subdivision needs a name and the name shall be confirmed and reserved with Lane County.

## **Development Comments**

### General

- Construction of any new structures will require that all cable (dry) utilities to that structure be placed underground including telephone, internet, 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
- Traffic control shall be in accordance of the Manual of Uniform Traffic Control Devices for any work within the public right of way.
- Any construction will require erosion control is required and shall be installed prior to and maintained during any construction. Provide erosion control sheets in the plan set for construction. 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 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.

### Streets

- An alley style street cross-section is appropriate for this development. Paving to City Standard is required at 18' wide with drainage to the center of the paving to a professionally designed storm sewer system.

### Water

- There is an 8" water main located in Pierce Ave.
- Developer is required to install backflow devices on all water services.

### Sanitary Sewer

- A sanitary sewer extension will be required in Pierce Avenue flowing west to South 8<sup>th</sup> Street.
- Per DEQ Rules any sanitary sewer service that serves two or more dwellings must be a public facility. Depending on the proposed design of the sanitary sewer collection facilities an easement granted to the City may be required (14’ wide).
- Public facilities shall be designed by a licensed Professional Engineer and meet City Standards.

Storm Drainage

- There are storm drainage facilities in South 8<sup>th</sup> Street the alley style street shall be designed to collect and drain to the west into that system.
- Stormwater calculations shall be completed by a licensed Professional Engineer.
- Storm water runoff may not adversely affect adjacent property owners; therefore no overland flow is allowed.

***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.
2. Setbacks shall be as required by the applicable land use district (Chapter 2).
3. Each lot shall conform to the standards of Chapter 14.31 - Access and Circulation.
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.
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).
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.
7. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.

Staff Finding:

There are no proposed blocks with this application, as the parcel has frontage on both S. 8<sup>th</sup> St and Pierce Ave. The minimum lot size in the R-1 Zone for single-family not attached, duplex, multifamily, cottage cluster, and non-residential uses is 4,500sqft, with townhouses having a minimum lot size of 2,250sqft. The minimum lot width for the R-1 Zone and single-family not attached and multiple-family, middle housing, or cottage clusters is 45ft, townhouses’ minimum width is 20ft, and nonresidential uses minimum width is 40ft. The minimum lot depth is 70ft. Lot 1 of this proposed subdivision will be 60ft by 100ft, creating a lot of 6,000sqft. The remaining four lots are proposed to be 45ft by 100ft, for a total square footage of 4,500sqft.

The applicant has applied concurrently for a vacation (VAC 1-24) of a 12ft alley that runs north to south through roughly the center of the parcel. Pending approval of the vacation application, the proposed sizes of the lots meets applicable lot size standards. Approval of the vacation shall be a condition of approval prior to final plat submission.

This criterion is met as conditioned.

As proposed, the existing house meets current front and side setback standards (10ft front, 20ft front for garage entry, and 10ft total side), as well as conformance to the 50% maximum lot coverage. The residence and garage total 1,320sqft, and the proposed lot size is 6,000sqft, which totals approximately 22% coverage. As proposed, however, the existing structure crosses the proposed rear property line. Because there is an existing structure on Lot 1, the minimum setback in the rear for a structure at or under 16ft tall is 5ft. Prior to final plat submittal and approval, the applicant will need to demonstrate adherence to this minimum rear setback. This shall be a condition of approval. This criterion is met as conditioned.

All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation or street vacation must have frontage or approved access to a public street (Chapter 14.34.100.A). All proposed lots within the subdivision have direct access to either S. 8<sup>th</sup> St or Pierce Ave. This criterion is met as proposed.

There is one existing access to the existing single family dwelling along S. 8<sup>th</sup> St. The proposed other four lots will have access off Pierce Ave. Pierce Ave is not developed to City Standards. Per the City Planner's Engineering comments, an alley style street cross-section is appropriate for this development. Paving to City Standards is required at 18ft wide with drainage to the center of the paving to a professionally designed storm sewer system, and shall be a condition of approval. This criterion is met as conditioned.

No new streets are being proposed by this application.

No additional landscape buffering is required.

Plans for mail boxes shall be approved by the United States Postal Service.

Street trees shall be planted for all developments that are subject to Subdivision, Master Plan or Site Design Review (14.32.400). Street trees shall be planted within the street right-of-way in sidewalk tree wells, because Pierce Ave will not have a planting strip. Street trees shall not be planted within utility easements. 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. 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.

The proposed lot sizes are less than 150ft in depth, and therefore will not require a fire apparatus access drive.

The conditions of approval identified by the City Planner in the March 25, 2024 memo (see Exhibit A) 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).*

Engineering Conditions for the subdivision and for future development of this lot are found in the memo dated March 25, 2024. Reserve strips are not applicable to this application. Additional conditions of approval are included within this staff report. This criterion is met as conditioned.

## 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 1-24 be **approved** for the proposed five (5) lot subdivision titled “True North Subdivision” pursuant to Section 14.43.140 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. The applicant proposed the name of the subdivision to be “True North Subdivision”, which shall comply with ORS 92 and 209.
5. Lane County Surveyor’s Office and City of Cottage Grove shall review the subdivision 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.
6. Property Owner or Surveyor shall provide the City of Cottage Grove with a copy of the recorded plat for the City’s records.
7. Subdivision plat shall show any existing easements or any proposed easements.

8. A 7ft public utility easement (PUE) is required along the southern boundary of the proposed lots. Additionally, a 10ft easement (PUE) will be required between lots 2 and 3, or 3 and 4 for PP&L.
9. The applicant has applied concurrently for a vacation (VAC 1-24) of a 12ft alley that runs north to south through roughly the center of the parcel. Pending approval of the vacation application, the proposed sizes of the lots meets applicable lot size standards. Approval of the vacation shall be required before approval of the final plat.
10. The existing structure crosses the proposed rear property line. Prior to final plat submittal and approval, the applicant must demonstrate how the existing structures meet required setbacks (5ft rear setback for structures 16ft or less in height).
11. Street trees shall be planted for all developments that are subject to Subdivision, Master Plan or Site Design Review (14.32.400). Street trees shall be planted within the street right-of-way in sidewalk tree wells, because Pierce Ave will not have a planting strip. Street trees shall not be planted within utility easements. 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. 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.
12. An alley style street cross-section is appropriate for this development. Paving to City Standards is required at 18ft wide with drainage to the center of the paving to a professionally designed storm sewer system.
13. Engineering Department has submitted additional Development Comments in a Memo dated March 25, 2024 that will be applicable to this development and are considered to be conditions of approval.

#### MATERIALS TO BE PART OF THE RECORD

File S 1-24

#### EXHIBITS

- A. Engineering Comments, City Planner, March 25, 2024
- B. Applicant's Application
- C. Preliminary plat.



**EXHIBIT A:**

**MEMO**

To: Leni Crow, Assistant Planner

From: Eric Mongan, City Planner

**Subject: ENGINEERING COMMENTS FOR S 1-24 PRELIMINARY PLAT “TRUE NORTH” SUBDIVISION**

Date: March 25, 2024

The following comments are based on Type III application dated March 8, 2024, (2 – 8 ½” x 11” pages), and a preliminary plat dated March 8, 2024. Changes may occur during the review process and/or development phase that will be in conflict with statements below and some issues may have been overlooked that will be commented on during the review process and/or development phase of this project.

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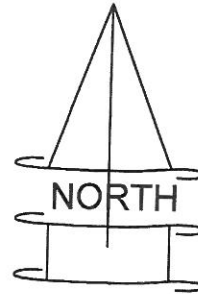
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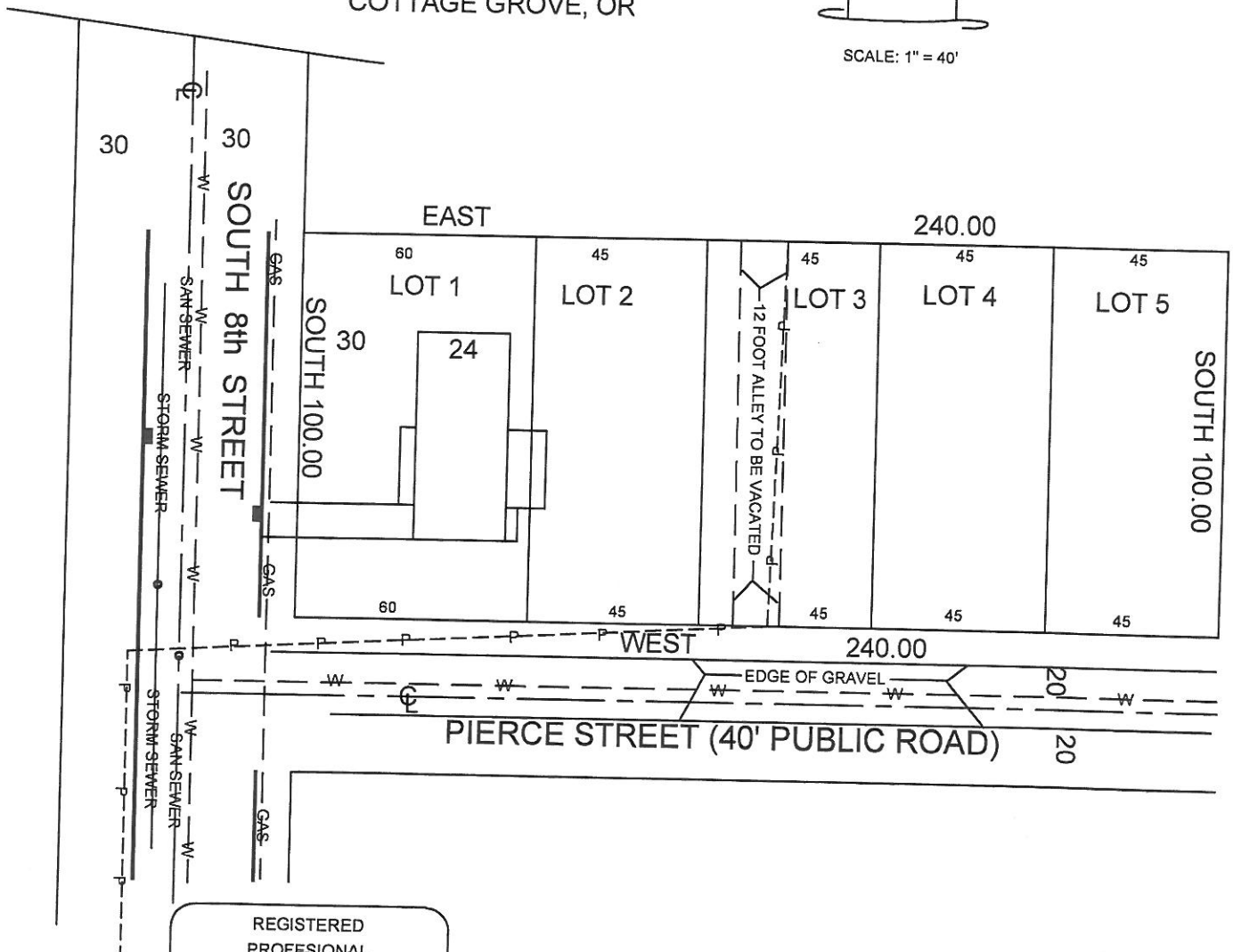
# TRUE NORTH SUBDIVISION

TENTATIVE SUBDIVISION FOR  
**JOHN SELLERS**

SE1/4, NW1/4, SEC. 33,  
T. 20S. R.3W. W.M.  
COTTAGE GROVE, OREGON  
TAX LOT 900 TAX MAP 20-03-33-24  
ADDRESS: 1040 SOUTH 8TH STREET  
COTTAGE GROVE, OR



SCALE: 1" = 40'



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 19, 1993  
DONALD G. NICKELL  
2585

## NICKELL LAND SURVEYING

33225 CRAIG LOOP

COTTAGE GROVE, OR 97424

541-968-2905

RENEWAL DATE: 12/31/2024

DATE OF TENTATIVE SUBDIVISION PLAN: MARCH 26, 2024