

DUNES CITY PLANNING COMMISSION

REGULAR MEETING

June 16, 2005 --- 7:00 P.M.

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES - May 19, 2005
- IV. ANNOUNCEMENTS AND CORRESPONDENCE - None
- V. PUBLIC HEARINGS
 - A. Minor Partition - MP0405: Laurel Crossing LLC, 19-12-23-10,
Tax Lot 900.

The applicant has applied for a minor partition and is proposing to partition a vacant 12.6 residential parcel into three separate lots.

- VI. NEW BUSINESS - None.
- VII. OLD BUSINESS - None.
- VIII. ADJOURNMENT

**DUNES CITY PLANNING COMMISSION
REGULAR MEETING
June 16, 2005**

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chair Lee Riechel; Commissioners, Duane Thompson, Susie Navetta, Les Zemlicka, Bud Maxwell; Recording Secretary, Christy Lewis; Kay Bork, LCOG Planner; Audience; Andy Johnson and Jack Butler.

III. APPROVAL OF MINUTES

Minutes for the March and May meetings were unavailable. There was no April meeting.

IV. ANNOUNCEMENTS AND CORRESPONDENCE- NONE.

V. PUBLIC HEARING

- A. Minor Partition – MP0405; Laurel Crossing LLC, 19-12-23-10, Tax Lot 900.**
The applicant has applied for a minor partition and is proposing to partition a vacant 12.6 residential parcel into three separate lots.

Lee Riechel announced the public hearing and read the criteria from the Code of Ordinances. Riechel asked any of the Commissioners if there were any ex parte contact. There was none. Zemlicka, Riechel and Maxwell said they had visited the site. Riechel asked if any Commissioner was aware of any facts that were not provided in the staff report. There were none.

The staff report was read. Riechel opened the public hearing at 7:13 pm. There were no opponents or proponents.

**Andy Johnson, 5696 Mercer Creek Road, Florence, OR 97439 and
Jack Butler, 6668 Mercer View Drive, Florence, OR 97439.**

Johnson explained that the land is under contract and due to close. Eventually, they would like to develop six lots to sell four and keep the two waterfront lots for their personal residences. Riechel asked about a revised map that had been provided to the City by Wobbe Surveying. Johnson said that the proposed two waterfront lots are fairly flat versus the original map, which showed slope. Riechel said the Commission could ask for verification of the slope by Wobbe as a condition of approval.

Zemlicka asked about the comments from the Road Commission. Riechel said that the Road Commission would meet on Monday and evaluate the proposed road in relation to the other two parcels that surround the Laurel Crossing property. Navetta said that previously, the Road Commission did not want additional accesses onto Cloud Nine Road. Riechel said that the Road Commission had allowed for two accesses on Cloud Nine Road and one access off Clear Lake Road as permitted by Lane County.

Johnson said the easement is a 60-foot wide strip that runs the length of the property to the lake that would be created with the partition. Riechel said that it would be a condition of final approval. Navetta was concerned about drawing water 1000 feet to Parcel 1 and 2. Riechel assured her that it could be done. Bork said that an easement of all utilities would need to be recorded before final approval. Johnson said he was unaware that he needed a legal description of the easement. Navetta asked if all utilities would be underground. Johnson said that the intention was to do all trenching at once. Zemlicka inquired about a streetlight. Riechel suggested leaving that decision to the Road Commission.

Riechel said that the larger parcel exceeds the code requirement for a maximum length of 2 ½ time the width and the easement creates a panhandle lot that is not allowed. Riechel suggested the easement be dedicated to the City (eliminating the panhandle) and that a section of the third large parcel be dedicated to the City for a street in order to decrease the size of the parcel. Riechel said he could see no other way to approve the partition. Riechel further said that the only thing that the Planning Commission can recommend is to bring the partition into compliance with the code, which would include the 50-foot dedication, but not the development of a road. Johnson asked if Parcel 3 could be allowed on the condition that there be a future partition to decrease the size of the lot. Riechel said that was not a possibility.

There was additional discussion of conditions that will follow in the minutes.

The Public Hearing closed at 8:19 pm.

ACTION: Bud Maxwell made a motion to approve the Staff Report for MP 0405 with additions. Les Zemlicka seconded the motion. There were 5 ayes, 0 nays. Motion carried.

ACTION: Lee Riechel made a motion to accept the Findings of Fact and Conclusion of Law that the application meets the criteria of a Minor Partition with the specified conditions:

1. Copies of the revised primary partition map are made prior to review by the City Council.

2. Prior to approval of the final partition map, evidence of the recording of the utility easement is provided to the City.
3. Dedication of a 50-foot Public Roadway Easement will be recorded and accepted by the City prior to final partition map approval.
4. Evidence of the sale of the property is completed prior to the final partition map approval.
5. A note shall be added to the final partition map noting that due to wetlands and slopes, a site review is required for Parcels 1, 2 and 3 prior to issuance of a building permit.
6. The preliminary partition map approval will expire on one year from the date of approval if the Final Partition Map is not submitted to Dunes City for approval with all conditions fulfilled on or before that date.

Susie Navetta seconded the motion. There were 5 ayes, 0 nays. Motion carried

ACTION: Lee Riechel made a motion to recommend approval of the request of Laurel Crossing, LLC for a Minor Partition, MP 0405 for 19-12-23-10, Tax Lot 900 because having considered the evidence presented by those for the proposal as well as against the proposal it was found by the weight of the evidence for that the proposal could be approved with the six conditions specified. Les Zemlicka seconded the motion. There were 5 ayes, 0 nays. Motion carried.

VI. NEW BUSINESS – None.

VII. OLD BUSINESS – None.

VIII. ADJOURNMENT


Chair Riechel adjourned the meeting at approximately 9:30 p.m.



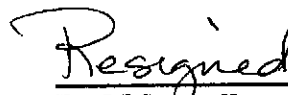
 Lee Riechel, Chairperson




 Christina Lewis, Recording Sec'y



 Les Zemlicka



 Bud Maxwell



 Duane Thompson



 Susie Navetta

**DUNES CITY PLANNING COMMISSION
REGULAR MEETING
May 19, 2005**

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chair Lee Riechel; Commissioners, Duane Thompson, Susie Navetta, Les Zemlicka, Bud Maxwell; Recording Secretary, Christy Lewis; LCOG: City Attorney Gary Darnielle and Kay Bork for the Buildable Lands Inventory; Audience; Dave Dalberg.

III. APPROVAL OF MINUTES

Minutes for the March meeting were unavailable. There was no April meeting.

IV. ANNOUNCEMENTS AND CORRESPONDENCE

- A. Jeannie Cerda's resignation on May 12, 2005.** Riechel said that LCOG will have a planner come into the office and assist the staff during the absence of a planning secretary.
- B. Lee Riechel announced that the City Council directed Rob Ward (at the May Council Meeting) to rewrite the Type III Land Use Decision for the Land Use Code Update.** Riechel has written the draft and forwarded it to Ward. The draft was e-mailed to the Commissioners.

V. PUBLIC HEARING

None

VI. NEW BUSINESS

- A. Application for Sign Permit: Beckman Enterprises (2): Laurel Avenue and Lake Blvd**

Laurel Avenue:

Riechel said that the sign in this location was zoned commercial. The only condition that would need to be met would be that a copy of a title for the property would be presented to the City. Riechel read from the Code, 156.079 Signs. Zemlicka commented that there was no business at the location of the sign. Riechel said that the sign is informing of the business' phone number. Riechel further said that it does not matter if the business is on premise or off premise.

ACTION: Bud Maxwell made a motion to recommend to the City Council to approve the issuance of a sign permit to Beckman Enterprises for a sign to be placed at Laurel Avenue (19-12-34-21-01601). Susie Navetta seconded the motion. Lee Riechel made a motion to amend the motion to include that there be a condition attached that a copy of the title is presented to the City before issuance of the permit. Les Zemlicka seconded the motion. There were 5 ayes, 0 nays. Motion carried to amend the motion. Call for the amended motion: There were 5 ayes, 0 nays. Amended motion carried.

82805 Lake Blvd:

Riechel said that this application was different since it is located within a residential zoning. Riechel read in the Code, 156.138 (A) 3: *One sign not exceeding six square feet pertaining to the sale or rental of developed property.* There was a discussion about having a sign advertising off site rental not being appropriate for a residential district. Susie Navetta said that she felt that it was not a good precedent for the City, since a commercial sign does not belong in a residential area and was opposed to a parking lot. Riechel reminded the Commission that the City does not know the intent of the property and the current issue is the placement of the sign which would be appropriate if the size of the sign did not exceed six square feet.

ACTION: Les Zemlicka made a motion to recommend to the City Council to approve the Sign Permit to Beckman Enterprises, for a sign to be placed at 82805 Lake Blvd (19-12-34-21-03200) with the conditions that 1) a copy of the title is presented to the City before the issuance of the permit, and 2) the size of the sign does not exceed six square feet. Duane Thompson seconded the motion. There were 3 ayes, 2 nays (Bud Maxwell and Susie Navetta dissenting). Motion carried.

Riechel instructed that the City Council be informed that there was a split decision.

VII. OLD BUSINESS

A. Dunes City Buildable Land Analysis, Kay Bork, LCOG.

Bork summarized that the Buildable Lands Inventory was initiated to identify if enough residential land is available in Dunes City for the next 20 years within the Urban Growth Boundary (UGB). The analysis develops assumptions and updates information that was done on the last periodic review. It was determined that the UGB be increased by 91 acres and as a result, the City should start a discussion of the expansion of the UGB.

The Commission reviewed the document and identified the following changes and comments (Please see Exhibit A, Draft Dunes City Buildable Land Analysis):

Page 1: Typo in paragraph one -- change "and" to "land"
Paragraph two, line two -- eliminate the word "updates"

Page 2: Riechel said that if the acreage was tabulated from the tax records, submerged lands would not have been taken into account. Zemlicka said that John Scott had identified some submerged lands on the map. Bork said she would double check the figures to include the submerged lands. Riechel said to note that the "gross vacant acres" would not have taken submerged lands into consideration.

Page 4: Bork will make a notation: "This does not include the lots that are less than one acre that are buildable."

Page 5: There was a discussion as to the boundary of a wetland vs. the boundary of a riparian area. Riechel said that the Riparian set back starts at the back of a wetland. Bork said that she would include the distinction under wetlands.

Page 8: Navetta questioned the first lined box "Approximately 132 acres were removed from the gross vacant buildable acreages to account for public facilities and non-residential uses on residential land." Bork said it does not take into account government buildings, but easements and right-of-ways.

Page 9: Navetta questioned Step 6, "Redevelopment can occur if improvements, renovation, infill, or development of a more intensive use are feasible options." Bork said that the statement is addressing the state requirement. Navetta said that in Dunes City, there isn't the opportunity for heavy usage. Bork will clarify to say that the examples of redevelopment are not occurring in Dunes City. Riechel commented that the problem is in the future, not the next 20 years. Bork will make Step 6 more general and more related to Dunes City.

Page 10: Navetta questioned the first sentence under "Commercial Land:". Bork helped define the sentence.

Page 11: Navetta commented that population estimates for 2025 of 1800 is too high. Comment was noted by the Commission.

Page 12: Riechel asked about the term "housing measures." Bork said that has to do with increasing housing density. Typos in fourth paragraph: space after "84" and need lowercase "F" in line 4, "Of..."

Page 17: Navetta questioned the lined box stating that declining household size would result in smaller sized homes and lots. Riechel said that the statement is accurate, since a PUD could be developed to create smaller lots for duplexes and triplexes if it had the required acreage.

Page 20: Navetta identified that in the second table, the heading should read "Year 2000 Percent...."

Page 21: Navetta asked that in the third paragraph the symbol ">" be written out "greater than."

Page 22: Typo in last paragraph: "process" to "prices."

Page 23: Riechel asked that the first paragraph be generalized, since he had talked to John Scott and identified that the figures were high. Riechel suggested that the second sentence read "Per Scott, in 2004 a one acre, lake-front lots cost between \$220-225,000, representing a 20% – 25% increase. The same increase rate is expected in 2005." Eliminate the sentences with specifics.

Page 24: Riechel identified that a closure line be included on the bottom of the first table. There were two typos in the third paragraph: "lincrease": eliminate the "l" and on the last sentence "l" to "1." Typo in paragraph four: "2008" changed to "1998." In the lined box at the bottom, Riechel would like a reference included that addresses the septic and water constraints dictating the one acre minimum.

Page 25: Riechel identified that in the lined in box, second sentence should start "Septic system and water requirements..." and third sentence: "parcel" to "parcels." Bork will include quotation marks in paragraph three from the bottom where the Comprehensive Plan is quoted. Navetta would like a reference that the people of Dunes City work in Florence.

Page 27: Paragraph three: "subarea" to "sub-area."

Page 28: Navetta said that she thought that Dunes City Hall is located in the residential zoning. Bork will check the zoning.

Bork said that she will incorporate the changes in the next couple of days to have distributed to the Planning Commission for a final edit. The finished document will be available the week before the City Council Meeting for review by the City Council.

ACTION: Lee Riechel made a motion to recommendation to the City Council that the Dunes City Buildable Land Analysis of May 2005 be approved with the identified changes. Les Zimlicka seconded the motion. There were 4 ayes, 1 nay (Susie Navetta dissenting). Motion carried.

There was a discussion about the need of additional buildable lands in Dunes City. Navetta commented that she thought there was more than enough land for the next 20 years. Kay Bork calculated that according to the inventory there would be approximately 15 building starts per year. Within the group, it was

commented that Mayor Ward has said that he expects that 100 lots will come available as building sites in the next year.

ACTION: Lee Riechel made a motion to recommend to the City Council that the City begin the process of expanding the UGB to cover the deficit identified in the Analysis and support applications requesting the expansion the UGB that would fulfill the needs of the Analysis. Riechel withdrew the motion after the following discussion:

Duane Thompson and Bud Maxwell both questioned if the Planning Commission needed to make the recommendation to expand the UGB to the City Council. City Attorney Gary Darnielle said that if the City requests the expansion, the City would have to pay. If an applicant were to request, they would have to pay. Darnielle further commented that Dunes City doesn't have expensive services like a water or wastewater system, therefore it would not be costly for the City to have an excess of land in the UGB. Riechel said that the City is working with people on Erhart Road that are requesting to annex into the City. Riechel said that their issue was to gain the benefit getting water through a Dunes City water right similar to Woahink Lake.

David Dalberg, 83396 Erhart Road, Florence, OR. Dalberg said that Erhart Acres was platted in 1912 and at one point was in Dunes City. The residents would like to be a part of something other than Lane County. Most of the residents have legal water rights. The main intent was to be a part of Dunes City. Navetta wanted to know how many people in the group wants to annex. Dalberg said that they sent out a survey and all surveys returned were positive to the annexation. Navetta asked how many buildable acres would be annexed. Dalberg said there were approximately 40 acres with a possible additional 15 acres. Zemlicka asked out of the 40 acres, how many were buildable? Dalberg said that there were at least 17 lots in the Silke Subdivision.

Riechel said that the City received an informal request to annex Erhart Acres. The Buildable Lands Inventory had to be completed before a formal request could be made. Navetta said that there was not enough percentage of vacant land on Erhart to benefit the City's need for land. Darnielle said that there might be many more properties that would want to come in on the annexation.

Darnielle said that the City can not accept a request that has not been made. When it does come before the Planning Commission there will be hearings, findings of fact, a recommendation to the City Council regarding the application, and satisfy the needs of the City Code and State land requirements.

It was at this point in the meeting that Riechel withdrew his motion.

Riechel brought out a map of Dunes City to illustrate an additional reason to adjust the UGB. Riechel said that as the UGB stands now, docks around the lake


are in Lane County jurisdiction since the Dunes City boundary is the meander line around the lakes. Also, the boundary does not remain static, since that meander line fluctuates with the level of the water. Riechel said it would be desirable to adjust the UGB to have a boundary that goes from point to point including the portion of the lake that is within the boundary that would be subject to Dunes City's influence even though the lands under the lakes belong to the Division of State Lands.

III. Adjournment


Chair Riechel adjourned the meeting at 8:55 p.m.



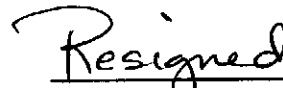
Chair, Lee Riechel



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Duane Thompson



Susie Navetta