

**Planning Commission
Regular Meeting Agenda
Wednesday, March 6, 2024 at 6:00 p.m.**

**Lowell Fire Department
389 N Pioneer St
Lowell, OR 97452**

Members of the public are encouraged to provide comment or testimony through the following:

- Joining by phone, tablet, or personal computer. For details, click on the event at www.ci.lowell.or.us.
- Submitting written comments by mail to PO Box 490, Lowell, OR 97452 or in person to Lowell City Hill located at 70 N. Pioneer St.
- By email to: admin@ci.lowell.or.us.

Meeting Agenda

Call to Order/Roll Call/Pledge of Allegiance

Commissioners: Kintzley ___ George ___ Trimble ___ Petrie ___ Sirois ___

Approval of Agenda

Consent Agenda

1. March 2, 2022 meeting minutes
2. January 4, 2023 meeting minutes
3. January 18, 2023 meeting minutes
4. January 25, 2023 meeting minutes
5. February 1, 2023 meeting minutes
6. February 15, 2023 meeting minutes
7. March 1, 2023 meeting minutes
8. March 15, 2023 meeting minutes
9. February 21, 2024 meeting minutes

New Business

1. Review Land Use Application #2024-01, "Variance to use of alleyway in downtown residential district zone." – Discussion / Possible action
 - a. The public hearing is now open at ___ (state time)
 - b. Staff report – Associate Planner Henry Hearley, Lane Council of Governments
 - c. Public comment
 - d. The public hearing is now closed at ___ (state time)
 - e. Planning Commission decision on Land Use Application #2024-01

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities must be made at least 48 hours before the meeting to City Clerk Sam Dragt at 541-937-2157.

2. Review Land Use Application #2024-03, "Variance to façade transparency standards in the DRD zone." – Discussion / Possible action
 - a. The public hearing is now open at ____ (state time)
 - b. Staff report – Associate Planner Henry Hearley, Lane Council of Governments
 - c. Public comment
 - d. The public hearing is now closed at ____ (state time)
 - e. Planning Commission decision on Land Use Application #2024-03

Adjourn

**City of Lowell, Oregon
Minutes of the Planning Commission Meeting
March 2, 2022**

The meeting was called to order at 7:00 PM by Commissioner Chair Dragt.

Members Present: Lon Dragt, Mary Wallace, Suzanne Kintzley, Mike Galvin, William Priser

Staff Present: CA Jeremy Caudle, City Planner Henry Hearley LCOG

Approval of Agenda: Commissioner Galvin moved to approve the agenda, second by Commissioner Kintzley. PASS 5:0

Approval of Minutes: Commissioner Kintzley moved to approve the minutes from December 1, 2021, second by Commissioner Galvin. PASS 4:0 Commissioner Wallace abstained for not being present at that proceeding

New Business:

- Lon Dragt was approved to continue as Chairperson for the Planning Committee PASS 5:0
- Suzanne Kintzley was chosen to continue as Vice Chairperson for the Planning Committee PASS 5:0
- Land Use File 2021-13– “Lake Town Tentative Subdivision Plat Approval.” (Map 19–01–14-13, Tax Lot 03700)

Close Public Meeting: 7:03 PM

Open Public Hearing 7:03 PM

Staff Report – Henry Hearley City Planner, LCOG, presented staff report.

Applicant comments: nothing to add

Commission comments:

-Councilor Wallace inquired regarding the effect of the road changes to the community street access on Wetleau. The Applicant contractor responded and answered

-Commissioner Galvin inquired regarding the on-street parking and the possible issues with the traffic flow. The Applicant responded that the precedence was set with the road on Wetleau.

Public comment:

- In Support:
 - Ken Hern—40 Trail Blazer Ct. He stated that when he purchased his property, he understood there would be homes built in that space.
- In Opposition:
 - Robert and Linda Martin—426 E 1St. Street. They stated that they are against the proposal due to the impending lack of privacy that homes in the back of their home will cause.

Public Hearing Closed: 7:25 PM

Reconvene Public Meeting: 7:25 PM

Commissioner Kintzley moved to recommend that City Council approve the tentative subdivision plat application in Land Use file #2021-13, subject to the findings, conditions of approval, and informational items presented in the February 23, 2022 staff report.” Seconded by Commissioner Wallace. PASS 5:0

Other Business: None

Adjourn: 7:40 PM

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

Date: _____

City of Lowell, Oregon
Minutes of the Planning Commission Meeting
January 4, 2023
Lowell Fire Department 389 N Pioneer St Lowell, OR 97452

The meeting was called to order at 7:00 PM by Commissioner Chair Dragt.

Members Present: Lon Dragt, Suzanne Kintzley, Bill George, Lloyd Hall, Jason Pickett

Staff Present: CA Jeremy Caudle, City Planner Henry Hearley LCOG

Approval of Minutes: Commissioner Kintzley moved to approve the minutes from November 16, 2022 and December 7, 2022, second by Commissioner Pickett. **PASS 5:0**

New Business:

- Review and make recommendations to City Council on proposed Ordinance 309, “An Ordinance Adopting Text Amendments to Lowell’s Development Code and Text Amendments to Lowell’s Comprehensive Plan Codifying the Lowell Downtown Master Plan.”

Open public Hearing at 7:03PM

Staff Report Staff report – Jacob Callister, Principal Planner, Lane Council of Governments

Commission comments/questions:

Public Testimony – None

Review and make recommendations to City Council on proposed Ordinance 310, “An Ordinance Approving the Rezoning of Properties Contained within the Boundaries of the Regulating Plan, Adopting a New Zoning and Comprehensive Plan Map, and a Revised Regulating Plan Map.”

Staff report – Jacob Callister, Principal Planner, Lane Council of Governments presented report on City of Lowell Planning Commission Hearing Development Code Amendment Project.

Commission comments/questions:

Kintzley – stated that she felt overwhelmed by all the information.

Pickett – said with so much information that he is mostly new so he would like to slow down on the recommendation process.

George – would like to protect the Lowell ideal. Maintaining the lot sizes.

Callister – reiterated that the planning was based goals that were received from the community meetings sessions.

Public Testimony:

Andrea Larsen- 657 N Moss St Lowell – feels like the process seems rushed, stressed, not thorough, not thought through, unprepared. She stated that it would be nice to keep Lowell special. Lot size is a concern.

Roy Nelson- 40160 E 1st St Lowell – has a concern re the downtown proposal of the residential ground floor elevation 18” above the sidewalk elevation. It would potentially limit who lives there and building options would be limited.

Mia Nelson- 40160 E 1st St Lowell – point of order that the notice was not accessible and may need to be re-noticed to the public. Is in support of the lot size change for the benefit of the affordable housing option. Feels like the unrepresented, low income, are often not present for the decision-making process. The front setback for the garage is a concern.

Jerry Valencia – 11 N Alder St Lowell- agrees with the garage set back issue, as it will cause a hardship for homeowners/renters and could possibly cause an issue for fire life safety. Downtown parking will be an issue when the buildings and other developments are built.

Callister – suggested that with the volume of changes and the limited amount of time that the commissioners have had to digest and consider, we do not want the commissioners to feel rushed and make these hard decisions without due consideration.

Public Comments:

The committee discussed the option to keep the hearing open for more time to allow more study and research of the proposals and to notice the public for more input.

- Commissioner Kintzley made a motion to continue the public hearing until February 15, 2023. Seconded by Commissioner George. PASS 5:0**
- Councilor Kintzley made a motion to postpone item 2 on the agenda to February 15, 2023, planning commission meeting. Seconded by Commissioner Pickett. PASS 5:0**

The public hearing was held open for more review of the information.

The Commission selected dates for work session meetings to break down the proposals into smaller, more focused pieces.

Tuesday January 10 at 6:00 pm to 8:00 pm

Wednesday January 18 at 6:00 pm to 8:00 pm

Wednesday January 25 at 6:00 pm to 8:00 pm

LCOG Planners will send a breakdown list for each of the weekly scheduled work sessions to make the most of the sessions.

City Planner Henry Hearley, Jacob Callister, Principal Planner, left the meeting.

- Refresher training on the standards and criteria on which to base land use decisions**

Other Business: None

Adjourn: 9:20 PM

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

Date: _____

City of Lowell, Oregon
Minutes of the Planning Commission Meeting
January 18, 2023

The meeting was called to order at 6:00 PM by Commissioner Chair Dragt.

Members Present: Lon Dragt, Jason Pickett, Bill George

Members Absent: Lloyd Hall, Suzanne Kintzley

Staff Present: CA Jeremy Caudle, City Planner Jacob Collister, LCOG

Approval of the Agenda: Commissioner Pickett moved to approve the work session agenda, second by Commissioner George. PASS 3:0

Old Business:

Continuing the public hearing started January 4, 2023, regarding Ordinance 309, “An Ordinance Adopting Text Amendments to Lowell’s Development Code and Text Amendments to Lowell’s Comprehensive Plan Codifying the Lowell Downtown Master Plan.”

- Staff report by Jacob Callister Principal Planner Lane Council of Government, who prepared an information packet that is focused on the changes proposed so that the commissioners can go through the list of recommended changes in depth.

Commissioner questions:

- Commissioner Dragt inquired as to the date of the last update of the development code.
 - CA Caudle stated that it was early in the 2000’s.
- Commissioner George suggested that the information needs to be based on more current population standards. So that they can look towards the future.
- Commissioner George noted the proposed reduction to the lot size minimum from 7000 to 5500. He is concerned that developers would come to town and put more houses on the property to reflect other cities.
 - Jacob Callister stated that the issue that they are reviewing are not yet calling for hard decisions, but more of an understanding of the proposed changes. Even if there is disagreement in the final decision.
- Commissioner George inquired about how the idea of lot size reduction came into the conversation.
 - Commissioner Dragt stated that he had initially suggested it as there had been several variance requests brought to the committee for reducing specific lots for building.
- Commissioner Pickett asked for clarification re the information stating dates of 2000-2025 information is up to date.
 - Planner Callister stated that there is a substantial amount of information in the comp plan that is not up to date. That they were not tasked with updating.
- Commissioner George asked if the committee was using the included table to make decisions on the rest of the proposed information.
 - Planner Callister stated that the table showing did not inform the code update or the plan updates. The task that was presented was to update specific policies but not the whole comp plan.

- For practical purposes you can step into principles and implement the Comp plan policies, without providing an overhaul of the whole body.
- The lens for this effort was not about land availability. The effort was really led by: Implementing the comprehensive plan. Which acts similarly to the Constitution of Lowell.
- The purpose of this work session and the commission is to make recommendations to the council not in making final decisions that will cement the plan.
- Commissioner George was concerned regarding the timeline for making the decisions on this very important plan.
 - Commissioner Dragt stated that there was a timeline for the LCOG grant to pay for the changes which matures in March 2023.
- Planner Callister- TC50 the red lined out area- item number 10.Manufactured homes shall continue to be permitted on individual lots subject to siting standards that maintain their compatibility with on-site residential construction.is proposed to be removed.
- Planner Callister - 9.951 TC51 – introducing land use district types for the Downtown: Introducing a category of districts. Not a regulation
 - The only proposed change would be to specify in the Downtown. Flex-Use 1 and Flex-Use 2 land uses include commercial, mixed-use, and residential uses that are ideal for locating within the Downtown Core Area.
- Commissioner Pickett referenced TC52 and TC53 – stated that the graph will have outdated titles, like C2, if the update is finalized.
 - Planner Callister said that there are some “housekeeping” type updates that will happen with the changes.
- Planner Callister stated that the C1 is a zone of entry for future utility. There can be zones in the code that don’t actually manifest. If we have a downtown master plan that has a fixed boundary and there is a proposal for a commercial on the fringe for some time in the future, then we have a plan.
- Planner Callister - Comprehensive plan is very much a sort of an organizing document that essentially enables and empowers a developer. It details almost everything when it comes to development code.
- Planner Callister - The comp plan will have a life span of decades. But there are references to zones that do not exist. But it does not make the document outdated. This would be a housekeeping item. To put all things in alignment.
- Commissioner Dragt reminded the committee that the focus is to focus on the red – the changes proposed.
- Planner Callister - TC54 – proposes a narration to some sort of historical update. It is a reference to enable a development code update that is not objective and obviously inconsistent with the comp plan.
- Planner Callister- TC67 is a reference to the updated Water Master Plan. It is calling out the new adopted Master Plan of 2022, that there is more specific information in that document.
 - Commissioner George asked about the updated Water Master plan and why it was not included in the packet.
 - Planner Callister stated that the Water Master Plan was an independent document. Just as the Parks Master Plan, both are referenced in the document.

- Planner Callister- Quite a bit of red on TC71 and TC72, these are proposed to be removed with the update. As they are policies that were adopted as part of the Parks Master plan as added to the parks policies in the comp plan.
- TC88 with regards to the removal of Policy 9 – Off-street parking shall be provided by all land uses to improve traffic flow, promote safety, and lessen sight obstruction along the streets.
 - The reason for this removal of this is that the proposal that is coming before the Planning Commission has language that is nuanced that it introduces related to this. Suggesting that in the downtown zone off-street parking is not a requirement.
- Planner Callister -Reference to the new districts that are in the downtown. New residential districts that are introduced in the zones -TC102– removes the Downtown Commercial C2.
- The same with TC103, where the Downtown Flex is introduced in more detail here.
 - Downtown Flex 1-
 - Downtown Flex 2-
- Grammar change in Industrial designation, also on page T103
- Public Lands downtown was established as well. There is a lot of public lands in the downtown area.
 - Functionally this does not change much at all but is used to distinguish the public lands downtown from the public lands that are not in the downtown area.
- Planner Callister - TC111- This is a reference to the Comprehensive plan maps index, which is used to simply keep track of the most current versions of map. This is to call out the change, if adopted. This would call out the change to the zoning map and the regulating map.
- Planner Callister - TC113 – This is the last page for the narrative, the text which is calling out the regulating plan map. It provided content for the map that follows which is the reg plan that emerged from the Downtown Master Plan.

Planner Callister– the comprehensive plan is two things:

1. There are policies that have to be adjusted to accommodate changes in the Development code.
 2. There are a few but most of the changes are housekeeping to make sure that references in the text used are consistent with the development code proposal. The comprehensive map really follows the Development code.
- - Commissioner George – stated that some of the changes would not make him want to live here.
 - Planner Callister – stated that that was exactly what should emerge from this proposal process. Lets talk about what the proposed changes are.
 - COMMISSIONER GEORGE – stated that he had some concerns regarding the process of making the decisions on the proposal, if the commission even has the right info to decide on making the changes that they propose.
 - Planner Callister clarified that they were not undertaking the sort of analysis that Commissioner George is describing. Any changes that are being proposed are backed up with analysis. Trying to create a context for understanding the reasoning behind, say the proposed reduction in lot size. This is not a comprehensive plan process.

- Planner Callister encouraged the commission to share their concerns and questions about the proposals.
- Commissioner Dragt – suggested they go page by page and ask on each page if there are questions regarding anything on that page.
- PG – question 9.107 administration references a different code 9.107-
 - Planner Callister explained that this was not a change, just a highlight to call out for clarity.
- Planner Callister - 9.202- this is a disclaimer that states that if the current document references a specific topic and there is a change in Oregon law, or Federal law that comes later. This states that changes in the law are not accounted for when this document was created. And the document will follow the current law, though not written.
 - Likewise, if the Planning official or the City Administrator, to provide any of the information required for a pre-application consultation, as outlined in Section 9.201, shall not constitute a waiver of any of the standards, criteria, or requirements for the application.
- Planner Callister – the next section proposed clarifies the Types. Type I- Type IV.
 - Specifies the process for each of the different Types. To make it clearer for development.
 - Type I decisions are made by the City Administrator with no public notice or hearing. When there are clear and objective approval criteria and applying City standards and criteria requires no use of discretion.
 - Such as a building permit in an established development.
 - Final on a Subdivision
 - Type II decisions are made by the City Administrator or his or her designee, with public notice, and an opportunity for a public hearing if appealed. Type II decisions may be heard by the Planning Commission. The appeal of a Type II decision is heard by the Planning Commission.
 - Property line adjustments
 - Non-conforming use determination
 - Code interpretation.
 - Type III decisions are made by the Planning Commission after a public hearing, with appeals reviewed by the City Council. Type III decisions generally use discretionary approval criteria.
 - Sit plan review.
 - Subdivision tentative.
 - Partition, variance, replat
 - Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy. Type IV matters are considered initially by the Planning Commission for a recommendation, with a final decision made by the City Council. Appeals are submitted to the Oregon State Land Use Board of Appeals (LUBA).
 - Annexation, Vacations
 - Adoption of land use regulations
 - zone changes.

- Comprehensive plan amendments that apply to entire districts, not just one property.
- Planner Callister - Section 9.206 gives a breakdown of the steps in detail for the procedures for each type.
 - Commissioner Pickett – questioned the need for a reference for in this section regarding “contacting a Rail Line authority”, since there are no rail lines in the city of Lowell. And it would be one less box that has to be checked in the processing.
 - Planner Callister – stated that they could remove the reference to the rail line. That could be adjusted in the housekeeping of the document.
- Commissioner George – had a question regarding the Type I – the final decision-making power of the City Administrator. That there was no place to go if the decision was not in their favor.
 - Commissioner Pickett - echoed and asked for clarification if this was just for type I
 - Planner Callister – informed that this was just Type I.
 - Commissioner Dragt – explained that the City Administrator making the decision is timely, if the developer/builder had to go through the public hearing process and the planning commission had to be involved in every building process – that would be a roadblock.
 - Planner Callister - the biggest critique that he has experienced is that the process must be predictable. It has to be objective. With no surprises. The Types breakdown is a standardized process, that has a clear process. Much more straightforward.
 - Commissioner Pickett – questioned the 120-day time threshold. Wondered if this was to allow for more time to make the decision.
 - Planner Callister – stated that this is a state law and generally is not an issue.
- Planner Callister - 9.211 - A lot consolidation is the legal incorporation of two or more existing lots or parcels of land to form a single, larger property. This is different from Lot line adjustment. This is the removal of a property line.
 - Not uncommon
- Commissioner Pickett – 9.213 question about proposed (5)(b)(3) All affected properties will comply with the minimum lot depth, width, and area standards of the applicable zone after the proposed consolidation. He gave an example of some property that the school currently owns that would not meet this minimum depth. He wanted to clarify that existing conditions are considered.
 - Planner Callister - Explained that the code is not written for the exceptions. There is a process to address these exceptions.
- Planner Callister – 9.211 Is essentially creating the administration detail around consolidation. This points back to the Types.
- Planner Callister – 9.220- This is a change; Lowell had a somewhat unique dynamic where subdivisions were processed by what is essentially a Type IV process. Meaning the subdivision would come to the planning commission, who would then provide a recommendation to the City Council. This was very unusual.
 - With the code committee’s opinion that subdivisions are a more appropriate Type III review process. Meaning they get noticed widely, Planning Commission has a

hearing. Planning Commission provides a decision. Which can always be appealed to the Council.

- They are no longer going to the Council as a matter of default. This way the Council is not bothered by things that aren't controversial, that are at their level.
- Planner Callister – 9.228 (b) is introduced in substitution for (c) and (d) – they get into much more detail than is practical or necessary about anticipating future growth for a partition.
- Planner Callister – 9.229 –Removed, the exact information that was here is better explained in the Types Section.
- Planner Callister - 9.230 – added language about Final. Just clarifying that the culminating action for a subdivision and a partition is a Final Subdivision and a Final Partition Plat.
- Commissioner George - asked for clarity in 9.236 regarding the one-foot reserve strip that shall be provided.
 - Planner Callister – explained that the reserve strip comes into play when there is a new subdivision, a reserve strip is essentially a placeholder to ensure that when the next property builds out there is access.
- Planner Callister – Previously Lowell did not have a distinction between a minor change or a significant change. This allows the City Administrator through the Type I process to approve a minor change without the process needing to start all over again.
- Planner Callister – 9.250 – Site Plan Review- An application for a use or development requiring a Site Plan Review by the Lowell Planning Commission shall be processed and submitted in accordance with the procedures of a Type III land use application for proposed development located outside of the boundaries of the Regulating Plan. Proposed development within the boundaries of the Regulating Plan shall be processed and reviewed utilizing a Type II land use process.
 - This just adds the distinction that the downtown site plan review does not come before the planning commission.
 - Type II a decision by the staff, again with the opportunity for a public hearing if appealed.
- 9.250 B - Decision Criteria. After an examination of the Site and prior to approval, the Planning Commission, or City Administrator in the case of development within the Regulating Plan, conforms to the Building Standards Sheets as listed in Section 9.404
- 9.250 C - Decision Process. The procedure for taking action on an application for a Site Plan Review shall be as follows:
 - Type III Site Plan Review shall be conducted in accordance with the Type III land use procedures for development proposed outside of the boundaries of the Regulating Plan. Proposed development within the boundaries of the Regulating Plan shall be conducted in accordance with the Type II land use procedures.
 - Added language to the Conditional Use Application. Conditional Use Permit requests shall be processed in accordance with the Type III land use procedures.
 - A Conditional Use requires a Public Hearing by the Planning Commission in conformance with the Type III procedures of Section 9.309.
- 9.251 - Conditional Use Application. Conditional Use Permit requests shall be processed in accordance with the Type III land use procedures.

- Commissioner George - moved to 9.408 – specifically the minimum Lot area of 5500 as opposed to 7000.
- Planner Callister - 9.620 – Flood Hazard Development – this is akin to the Parks master plan and the State law regarding Manufactured homes. This is a process that occurred independently in 2022 by the city to be in alignment with FEMA’s Flood insurance standards. This was required to be part of the program. This is not part of the discussion as this is complete.
- Planner Callister – 9.710 – Use Standards- another section that is not related to our project but a process that mandated by state law that was folded in. House Bill 4064, cities across the sated are required to remove standards that they have related to manufactured dwellings that are unique to manufactured dwellings. Such as, separate rules for stick-built homes are no longer allowed.
 - Commissioner George asked if there were any plans to create a mobile home park. They are less expensive than a stick-built house. More accessible for those with less income.
 - stated that this was not specific to excluding or promoting a mobile home park.
- Commissioner Pickett – noted that there were a few cases of Section XX listed. That will need to be completed with the correct section number.
- Planner Callister – stated that they have completed the content that was planned for in the agenda for this evening. The commission will have more to talk about at the next work session. Specifically, the building standards sheets, accessory dwelling units, cottage clusters.

Planner Callister thanked the commission for their work at reading and bringing questions to the work session.

Community remarks:

Ken Hern – stated that he had read through the proposed plan, he asked if it might be possible to have better headings on each page as the specific topics on each page.

Planner Callister stated that this was an excellent idea.

New Business: none

Next meeting 1/25/2023

Other Business: None

Adjourn: 8:03 PM

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

Date: _____

City of Lowell
Planning Commission
Work Session Meeting Minutes
January 25, 2023

The meeting was called to order at 6:02 PM by Commissioner Chair Dragt.

Members Present: Lon Dragt, Jason Pickett, Bill George, Lloyd Hall

Members Absent: Suzanne Kintzley

Staff Present: CA Jeremy Caudle, City Planner Jacob Collister, LCOG

Approval of the Agenda: Commissioner Pickett moved to approve the work session agenda, second by Commissioner George. PASS 4:0

Old Business:

Continuing the public hearing started January 4, 2023, regarding Ordinance 309, “An Ordinance Adopting Text Amendments to Lowell’s Development Code and Text Amendments to Lowell’s Comprehensive Plan Codifying the Lowell Downtown Master Plan.”

Commissioner Dragt reminded the commission that the discussion tonight would be focused on the item in red.

Commissioner Geroge interjected that he had some questions regarding some of the items not in read that he felt needed to be addressed as well.

Staff report by Henry Hurley Principal Planner Lane Council of Government, who prepared an information packet that is focused on the changes proposed so that the commissioners can go through the list of recommended changes in depth.

Commissioner questions:

- Commissioner Geroge interjected that he had some questions regarding some of the items not in read that he felt needed to be addressed as well. He was further concerned that the census information was from more than two census ago. He was concerned that they were making decisions based on incorrect information.
 - Commissioner Dragt reminded the commission that those are concerns, but the focus tonight was the items in red. Stating that next month when the commission comes back together, if there is an issue with all the rest of the code that will affect this, they can vote no and not recommend the change until all the other changes are made.
 - PH – what is being done with this update is being driven by the master plan and funded by PLCD. So the purpose of this entire two year long program was to institute the Downtown Master Plan.
 - CG – Countered that in order to do that it has to be current. He was concerned that for anyone who is looking to develop in this town they will need to have the right information.

- PH – reminded that some of the information needs to be discussed in a public hearing.
- PG – had concerns about the lot change to 5500. And gave statistics about the difference between 5500 to 7000.
 - PD – reminded that the public hearing is the place to discuss some of the final decisions. The work session is to clarify the understanding.
 - PC – stated that he agreed with both Commissioner Dragt and George.
 - CD – agreed that there does need to be discussion about what is being brought up but in the public hearing is the correct venue.
 - PH – the Commission makes recommendations the Council will ultimately make the final decision.
- PH – reviewed the planned agenda for the evening.
- Picking up where the commission left off – Section 9.253 Amendments.
 - (c) No application of a property owner for an amendment to the text of this Code shall be considered by the City within a one-year period following previous denial of a similar request, except that the City Council may permit a new application if, in the opinion of the Council, new evidence or a change of circumstance warrant it.
 - PH -This is purely administrative
 - CG – asked if we should look at anything crossed out.
 - PH – We can look at it but it is redundant and is being replaced with the new red.
- PH - Section 9.254 Annexations- removed the reference to the Boundary Commission, which no longer exists.
 - Calling out (b) that an Annexation shall follow the Type IV land use procedures.
 - Updates, (D) That the procedure for taking action on an annexation shall follow the Type IV land use process and the following.
 - In (2) & (3) “may” and replacing with “shall “for holding Public Hearings in accordance with Section 9.306
 - Clarifying that in (3) The zoning to be applied to the annexed territory shall be included in the adopting ordinance or be contained in a separate ordinance that is to be adopted concurrently.
 - CG – asked if this clause will have something to do with the public land that is being considered for consideration of change.
 - PH – stated that this would not affect that specific piece of property, since it is out of the downtown area.
 - CD- offered that if the Nelson property that was just outside the city limits was to be brought into the limits, then this clause would affect that.
 - PH - if you annex property that was county you must make it city. A concurrent process

- The rest of the page is just updating the process to have the same language.
- PH – Section 9.304 Notification. This change was due to a state law change from 45 days to 35 days.
- PH – Section 9.305 Limited Land use Review Procedures. This section is being deleted because it will be replaced with the Types application.
- PH – Article 9.4 Section 9.401 Classification of Land Use Districts. This is where the City’s new zones get implemented. The ones in black are the already existing zones and there are the abbreviations for all the zones.
- PH – Section 9.411 Single Family Residential District R-1. Minor changes.
 - (b)(1) The removal for specification of manufactured dwellings.
 - (b) (3) Simplifying language to Family Childcare home
 - (b) (4) Accessory buildings, except for permitted accessory dwelling units, shall not be used for dwelling purposes. More Clarification
 - In (b)(5), (6), (7) Added that Accessory Dwelling Units (ADUs), subject to standards in Article 9.7. Duplexes. And Cottage Clusters, Subject to standards in Article 9.7.
 - This (d)(1) is where the lot size of 7000 is proposed to be reduced to 5500.
 - And in (d)(2) the Minimum lot width to 30 feet from 60 feet.
 - (d)(4) talks about the Maximum building coverage , now includes Accessory Dwelling Unit to go from 35% to 50% coverage.
 - (d)(5) Maximum building height is 2 stories, excluding basements/daylight basements, or 30 feet, whichever is lower. Accessory buildings are limited to one story, with the exception of Accessory Dwelling Units.
- PH – (6) (A) The discussion ensued in the last hearing about the garages and setback. This will be addressed at the hearing. It will be our recommendation to remove that and make it 10 feet. With no differentiation whatsoever.
 - PG – inquired about the minimum lot width change. Questioning how can you build on that?
 - PH – the only frontage standards in Lowell are 16 “ for access. So, 30 is way above 16.
 - PG asked for more clarity.
 - PH – gave an illustration to clarify.
- PH – (6) (B) Side yard Setbacks (1) Interior side yard will be simplified to 5 feet. With (2) the Alley side yard also at 5 feet.
 - For (3) Street side yard: 10 feet. Side facing garages, carports, or other parking structures must be flush with or behind, but not protrude beyond, the side (façade or covered porch) of the primary structure.
 - (C) Rear Yard will remain at 10 feet but allow 5 feet for accessory buildings.

- PH – Section 9.412 Multiple- Family Residential District R-3
 - Uses in that zone are subject to Type I review process, they would go to the City Administrator.
 - This Zone permits all types of multiple housing options, including (1) Duplexes, apartments, and other multiple-family dwellings, including Triplexes and Quadplexes. (2) One single-family dwelling per legal lot. (3) Residential Care Facility for 15 or less people as provided in ORS 197.660 – 670. (4) Family childcare home. (5) Childcare Center.
 - As well as (6)(A) Accessory buildings, except for permitted accessory dwelling units, shall not be used for dwelling purposes.
 - It does place a limit on commerce. (B) No sales, except for authorized garage/yard sales, shall be made from an accessory structure unless it has been approved as a Home Occupation through a Type III process.
 - And expands further to include (7) Accessory Dwelling Units, subject to the standards listed in Article 9.7. (8) Single-Family Attached (9) Cottage Clusters, subject to the standards as listed in Article 9.7.
 - Removes Court Apartments
- PH- the Development Standards – (7) Minimum lot area lowered to 5500 square feet.
 - (8) Minimum Lot width from 60 feet to 50 feet
 - And the depth (9) will remain at 80 feet.
 - (10) Maximum Building coverage including Accessory Dwelling Units and accessory buildings: 50, provided that any patio structure used solely for open space and swimming pool not structurally covered shall not be counted as a structure for ascertaining coverage. Maximum Lot Coverage shall not apply to triplexes and quadplexes, provided minimum setbacks and off-street parking standards are met.
 - (11) The maximum building height remains 3 stories or 45 feet the change is that Accessory Dwellings, unlike Accessory buildings can also be at the Maximum.
 - (12) Remove the 10 foot garage reference
 - Side yard Setbacks (B) (1) Interior side yard will be simplified to 5 feet. With (2) the Alley side yard also at 5 feet.
 - (3) Street side yard: 10 feet. Side facing garages, carports, or other parking structures must be flush with or behind, but not protrude beyond, the side (façade or covered porch) of the primary structure.
 - (C) Rear yard: 10 feet; 5 feet accessory buildings.
- PH – 9.413 Building Standards – This section is the purpose of the code this is the most important part that needs discussion.
 - CP – located more Section XX to be filled in with the correct section numbers.
 - PH – agreed and stated that this sets out the next three sections.
 - PH as CB mentioned that when a builder or developer comes to Lowell and wants it easier to develop. This is the purpose for these standards sheets- it whittles the

development standards down to one sheet so they can quickly and easily see what the standards are for them.

- The Commission was directed to refer to the map that highlights by color coding the specific area that are affected by the various standards. That will only apply to new construction, not to anything currently existing.
- PC – inquired about section (a)(3) you start to see retail requirements. “Ground-floor retail store fronts have large, clear windows to encourage transparency and a sense of place along the pedestrian realm in the Downtown core of Lowell.”. What is the definition of that type or size of window?
 - PH – clarified that that is 75% transparency .
 - CP - stated that this would be a prohibitive cost requirement to developers.
 - PH – reiterated that this was what the committee who worked on the Downtown vision decided on.
 - CP – Questioned Section (b) (3) These building standards shall not apply to the existing use of any building or land and shall not prevent the restoration of a building damaged not more than 50 percent of its assessed valuation by fire, explosion, natural disaster, or prevent the continuance of the use of such building or part thereof as such use existed at the time of such damage, but shall apply to any alteration, expansion, or enlargement of a building or alteration of any parcel. So, with the exception of a few pieces of undeveloped property, everything that is downtown has already been developed. This clause will only affect existing properties that already have buildings on them.
 - PH – that is correct. This would apply the Valencia Property that is not yet developed.
 - 1:27.31 page 82/82

1. Commissioner Dragt inquired as to the date of the last update of the development code.
 - a. CA Caudle stated that it was early in the 2000's.
2. Commissioner George suggested that the information needs to be based on more current population standards. So that they can look towards the future.
3. Commissioner George noted the proposed reduction to the lot size minimum from 7000 to 5500. He is concerned that developers would come to town and put more houses on the property to reflect other cities.
4. Jacob Callister stated that the issue that they are reviewing are not yet calling for hard decisions, but more of an understanding of the proposed changes. Even Discussion and review of the following proposed ordinances—
 - a. Ordinance 309, "An Ordinance Adopting Text Amendments to Lowell's Development Code and Text Amendments to Lowell's Comprehensive Plan Codifying the Lowell Downtown Master Plan."
 - b. Ordinance 310, "An Ordinance Approving the Rezoning of Properties Contained within the Boundaries of the Regulating Plan, Adopting a New Zoning and Comprehensive Plan Map, and a Revised Regulating Plan Map."

New Business

Other Business

Adjourn

City of Lowell, Oregon
Minutes of the Planning Commission Meeting
February 1, 2023

The meeting was called to order at 7:00 PM by Commissioner Chair Dragt.

Members Present: Lon Dragt, Suzanne Kintzley, Bill George, Jason Pickett

Members Absent: Lloyd Hall

Staff Present: CA Jeremy Caudle, City Planner Henry Hearley LCOG

Old Business:

The commission received an application to consider a 45-day extension request from applicant H&H Lowell LLC regarding land use applications 2022-01, 2022-04, and 2022-06. –

- Staff report – Henry Hearley, City Planner - The city received an application to consider 45-day extension request from applicant H&H Lowell LLC regarding land use applications 2022-01, 2022-04, and 2022-06. Applicant submitted an extension request for 45 days. Planner Hearley suggested a 30-day extension. They have new members on the project that they need to bring up to speed. There is no legal requirement to extend this, the final decision must be made by June 9, 2023.

- Commissioner Pickett made a motion to accept a 30-day extension request and to set a date to resume consideration of the land use applications to be heard on March 1st, 2023, at the Lowell Fire Station at 7:00 pm. Seconded by Commissioner Kintzley. PASS 4:0.

As the extension was approved, the rest of the items on the agenda were not up for consideration at this date.

New Business:

Other Business: None

Adjourn: 7:09 PM

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

Date: _____

City of Lowell, Oregon
Minutes of the Planning Commission Meeting
February 15, 2023

The meeting was called to order at 7:00 PM by Commissioner Chair Dragt.

Members Present: Lon Dragt, Suzanne Kintzley, Bill George

Members Absent: Lloyd Hall, Jason Pickett

Staff Present: CA Jeremy Caudle, City Planner Henry Hearley LCOG

Approval of the Agenda: Commissioner Kintzley moved to approve, second by Commissioner George. PASS 3:0

Old Business: None

Public Hearing remained open.

New Business:

Resume consideration of proposed Ordinance 309, “An Ordinance Adopting Text Amendments to Lowell’s Development Code and Text Amendments to Lowell’s Comprehensive Plan Codifying the Lowell Downtown Master Plan.”

- Staff report – Jacob Callister, Principal Planner, Lane Council of Governments

Public Comment:

- Ken Hern - 40 Trailblazer Ct Lowell- Made a statement about the potential lot size change and step height suggestion. He is concerned about the safety to handicapped citizens.
- Lisa Bee-Wilson- 250 N Hyland Ln Lowell- asked a question for clarity re the city owned parcel zoning PL-D vs Flex 1.
 - Commissioner Dragt stated that the zoning would change in the future once the property was sold. The school property is not intended to be sold.
- Mike Galvin – Fall Creek - asked who made the decision as to making the changes. Believes that there have been more changes than the initial plan called for.
 - Commissioner Dragt and Jacob Callister LCOG stated that this meeting is currently focused on a narrow scope of updating specific parts of the city code – there will still be things that come up that in the future will need to be reviewed at a different time.
 - Commissioner Kintzley asked for clarification on the scope.
- Jacqueline McNeel –616 E 1st St Lowell - asked if there will be a requirement for a play area for children at the planned mixed-use property.

- Commissioner Dragt informed that there was no planned playground as there is a park across the street.
- Commissioner Kintzley had a question re the setback- stated that there is no green space required that the property seems to be on the lot line.

Close Public Hearing 8:22 Pm

Commissioner comments:

- Commissioner George: stated that he has many concerns about the items that they have been discussing parking, lot size.
- Commissioner Kintzley: Concerned regarding the lack of parking in the downtown area. Stated that the city needs to have affordable housing. Has further concerns about the plans and how this will possibly affect the city in the future.

Commissioner Kintzley moved to recommend approval of Ordinance 309 to the City Council adopting the text, as amended, to the Lowell Development Code and the Lowell Comprehensive Plan, based on the Findings of Fact as contained in Exhibit A and as presented by Staff in Exhibit D and Exhibit E, subject to the following revisions to the Lowell Development Code, as discussed tonight by Planning Commission, and referenced on the screen. APPROVE 3:0

Motion to remove the 18” requirement in downtown zones and remove the 18” reference in policy 4.2 of the “Downtown Master Plan” to enable that. Motion by Commissioner Kintzley APPROVE 2:1

Motion to bring the Comprehensive Plan current based in the last two Census numbers to bring current what is actually going on in Lowell. MOTION DIES – NO SECOND

Motion to accept the staff’s recommendation on garage setbacks for R1 and R3 to be revised to 10 feet and remove the language after 10 feet for both R1 and R3. Motion by Commissioner Kintzley APPROVE 3:0

Motion to reduce Flex 1 and Flex 2 façade area minimum from 75% to 60% on the ground floor. Motion by Commissioner George APPROVE 3:0

Motion to rezone city-owned property to DRD. Motion by Commissioner Dragt. APPROVE 3:0

Motion to disapprove staff recommendation on minimum lot size and keep existing minimum lot size for R1 and R3 at 7,000 square feet. APPROVE 2:1

Commissioner Kintzley moved to recommend approval of Ordinance 310 to the City Council approving the rezoning of properties within the boundaries of the Regulating Plan, adoption

of a New Zoning and Comp Plan Map, and adoption of a revised Regulating Plan Map, based on the Findings of Fact as contained in Exhibit A and as presented by Staff in Exhibit F and Exhibit G, subject to the following revisions: school owned parcels as discussed tonight be rezoned PL-D and the city owned property be rezoned DRD. APPROVE 3:0

Other Business: None

Adjourn: 9:27 PM

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

Date: _____

City of Lowell, Oregon
Minutes of the Planning Commission Meeting
March 1, 2023

The meeting was called to order at 7:04 PM by Commissioner Suzanne Kintzley.

Members Present: Suzanne Kintzley, Bill George, Jason Pickett

Members Absent: Lloyd Hall, Carmen Trimble

Staff Present: CA Jeremy Caudle, City Planner Henry Hearley LCOG

Oath of Office:

The City Administrator administered the Oath of Office to the newly appointed commissioner, Suzanne Kintzley. Carmen Trimble was not present.

Approval of the agenda:

Commissioner Pickett made a motion to approve the agenda, this was seconded by Commissioner George. PASS 3:0

Selection of Planning Commission Chairperson:

Commissioner George nominated Suzanne Kintzley for the Chair. This was Seconded by Commissioner Pickett. PASS 3:0

Commissioner Pickett nominated Commissioner George for the position of Vice Chair. This was seconded by Commissioner Kintzley. PASS 3:0

Pledge of Allegiance

Old Business:

The council received an application to consider a 30-day extension request from applicant H&H Lowell LLC regarding land use applications 2022-01, 2022-04, and 2022-06. –

Public Hearing opened at 7:10 pm by Commission Chair Kintzley

Commission conflicts: None.

1. Staff report – Henry Hearley, City Planner - This would be the last extension for this based on the statutory deadline. Recommended that the commission accept the extension and set a date to resume the land use applications.
 - Commission discussion –
 - Commissioner Kintzley asked if there is a requirement to approve this extension?
 - i. Planner Hearley – said that there is no requirement to approve this extension.

- Commissioner George asked why does the city have to give continued extensions? And do they not have to give a reason for this continued extension request.
 - i. Planner Hearley -The reason given is that there is a change in the developer that has caused the delay.
- Commissioner Kintzley – If the developer has changed wouldn't there need to be a new application?
 - i. Planner Hearley -The owner has remained the same.
- Commissioner George asked who does one the property?
 - i. Planner Hearley-in RLID it shows BJ Real Properties LLC
 - ii. Planner Hearley-the owner wanted to be listed as H &H Lowell LLC. They are the same.
- Commissioner Pickett inquired as to how much the city attorney charged for this.
 - i. CA Caudle informed the commission that the applicant gets charged for the legal, planning and engineering needed for the land use applications. This is done 30 days after the decision is finalized.
- Commissioner Kintzley – asked what the 245 day is?
 - i. Planner Hearley – said that they are at 225 days of 245. So 20 days
 - ii. Commissioner Kintzley – so that would be March 21, not May 10th.
- Commissioner Kintzley stated that she thought that it was egregious on them to not have a representative on here to answer this body's questions. As to why they are requesting yet another extension. If it was that important to them for the commission to give them the extension, someone would have been here to answer our questions and not just assume that we would give them the extension.
- Commissioner Pickett asked that if the commission was to deny the extension, what if anything would be legal repercussion to the city. Many citizens have put the time and effort into appearing to discuss this topic.
- Planner Hearley said that he would suggest that the commission not give the whole 30 days, give a smaller time frame.
- Planner Hearley said that they should not make a motion to deny the application, because you have not received the criteria or the merits of the application. The applicant hasn't had the chance to present their case, their side of the story. An applicant is purported to present their case and defend their application.
- Commissioner Pickett countered that this meeting would have been the time to present their side, their argument.
- CA Caudle addressed the commission. When the applicant submitted their extension request staff communicated to the applicant that they were going to recommend that the public hearing be continued. They relied on representation from staff. The concern is that if this body continues without

the applicant being able to be present, that could possibly be unfavorable to the city.

- Commissioner Kintzley suggested that the application be granted for an extension.

Commissioner Pickett made a motion to grant a 14-day extension for LU 2022-01 and LU -2022-06 to March 15, 2023. Seconded by Commissioner George. PASS 3:0

Public Comment :

Bob Burr – 566 E 1st St Lowell - if we give the applicant 2 weeks can they ask for another extension, and can it place the city in a compromising situation.

- Commissioner Kintzley – no more extensions are available.
- CA Caudle – it does not place the city in a compromising position.

As the extension was approved, the rest of the items on the agenda were not up for consideration at this date. The record and comment period on LU- 2022-01,LU- 2022-04, LU-2022-06 will remain open until March 15th, 2023, at 7:00 pm at the Lowell Fire station.

New Business:

Public Comment:

Close Public Hearing 7:46 PM

Commissioner comments:

Other Business: None

Adjourn: 9:27 PM

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

City of Lowell, Oregon
Minutes of the Planning Commission Meeting
March 15, 2023

This is regarding the land use applications for a proposed Dollar General/multi-family development on N Moss St, tax/map number 1901113306502.

On March 1, 2023, the Planning Commission granted the applicant an extension and scheduled a continued hearing on the matter for March 15, 2023.

On March 7, 2023, the applicant informed the City of Lowell that they are withdrawing all three applications. For that reason, the Planning Commission's March 15, 2023, continued hearing is canceled.

The applicant may resubmit their applications sometime in the future. Until that happens, there will be no further action on this matter.

Other Business: None

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

Date: _____

**Planning Commission
Regular Meeting Minutes
February 21, 2024**

The Lowell Planning Commission held a regular meeting on February 21, 2024. The meeting location was Lowell Rural Fire Protection District Fire Station 1 at 389 N. Pioneer Street, Lowell, OR 97452. Chair Kintzley called the meeting to order at 7:01 pm.

Planning Commissioners present:

Chair Suzanne Kintzley, Bill George, Carmen Trimble, John Petrie, Brenda Sirois.

Planning Commission absent:

None.

Staff present:

City Administrator Jeremy Caudle, Associate Planner Henry Hearley.

For the applicant:

Mark McKechnie, Oregon Architecture; Rajan Mehta, Oregon Architecture; Brian Way, property owner, Kirk Farrelly, Capital Growth Buchalter, Inc. (via Zoom).

Approval of the agenda:

Commissioner Trimble moved to approve the agenda, which Commissioner George seconded. APPROVED: 5-0.

Appointment of chairperson and vice-chairperson:

Commissioner George moved to appoint Suzanne Kintzley as chairperson, which Commissioner Petrie seconded. APPROVED: 4-1. Commissioner Kintzley voted "no."

Commissioner Petrie moved to appoint himself as vice-chairperson, which Commissioner George seconded. APPROVED: 5-0.

New business:

1. Review Land Use Application #2023-03, "Zone change request for map and tax lot 19-01-11-13-06502 from public lands to general commercial and multiple-family residential." - Discussion / Possible action

Chair Kintzley opened the public hearing and described the order to be followed.

Chair Kintzley inquired if any member of the Planning Commission wishes to make any disclosure or abstain from voting due to circumstances that could affect impartiality.

No Planning Commissioner made any such disclosure.

Chair Kintzley inquired if any member of the Planning Commission had any contact with the applicant or other outside source regarding tonight's hearing.

No Planning Commissioner made any such disclosure.

Chair Kintzley inquired if any Planning Commissioners had visited the site.

Bill George and John Petrie stated that they had driven by the site. Chair Kintzley responded that this is unavoidable.

Chair Kintzley inquired if anyone in the audience had any objections to the Planning Commission's jurisdiction or impartiality.

No one in the audience made any such objection.

Associate Planner Hearley provided the staff report, summarized as follows:

- The applicant requests rezoning from Public Lands to C1 and R3.
- A successful rezone would permit the proposed Dollar General development and multi-family development.
- Three public comments were received prior to February 14, 2024, all in opposition.
- Amendments require the Planning Commission to divine the intent of the Comprehensive Plan.
- As explained in the staff report, staff recommend denial as the applicant failed to meet:
 - Decision criterion 1. The intent of the Comprehensive Plan is to focus commercial development on the Downtown Core Area.
 - Decision criterion 5. The proposal would have a significant adverse impact on the economy of the city.

Chair Kintzley started the public testimony section of the hearing.

Applicant

Mark McKechnie, Oregon Architecture, with offices at 132 W. Main St., Medford, OR.

McKechnie introduced property owner Brian Way and developer Kirk Farrelly.

Summary of points from McKechnie's presentation:

- The property has been vacant for several years.
- Criterion 1 should be addressed.
- Criterion 5 should be dismissed, as the comments and staff report are based on hearsay.
- The Comprehensive Plan is a living document.
- The proposed development is compatible with the size of similar businesses in the area.

- There isn't enough vacant land in downtown—already zoned commercial—to building something like their proposal.
- Therefore, some land is going to have to be zoned somewhere.
- There's already "commercial venture" to the north side of the subject property.

Brian Way with BJ Properties, with offices in Dexter, then stated that his company bought the property in 2011. Based on their analysis, the community needs commercial development, like what's being planned.

Kirk Farrelly of Capital Growth Buchalter, with offices at 361 Summit Boulevard, Birmingham, Alabama, then introduced himself. He explained that Dollar General identified this area as ideal for a store and that his company (Capital Growth Buchalter) is a preferred developer for Dollar General stores. Dollar General bases their decision for locating a store on what's more convenient for customers.

McKechnie concluded by stating that the proposal would provide another shopping option that is close to home for Lowell residents.

Chair Kintzley then opened the floor to questions from Planning Commissioners.

Commissioner Trimble asked about fresh produce and meat being sold at the Dollar General store.

Farrelly responded that the size store contemplated accommodates fresh produce and meat.

Commissioner George stated that this matter has come to the Planning Commission several times previously. He expressed concerns about competition with existing business in Lowell. He also wondered why Dollar General decided to locate to Lowell.

Farrelly explained that Dollar General bases their decision on a market analysis of location and that Dollar General's goal is to complement the local economy.

Commissioner Petrie wondered about the profitability of a Dollar General for this location.

Farrelly responded that Dollar General determined that this location would be profitable based on their market analysis. Capital Growth Buchalter, as the landlord to Dollar General, also determined that the arrangement with Dollar General would be profitable.

Chair Kintzley also questioned the profitability based on the anticipated draw of customers and size of the store. She asked about details on Dollar General's study. She also clarified that the "commercial venture" on the other side of the property, as McKechnie mentioned, is the Oregon Parks Department building.

McKechnie acknowledged this correction.

With no other questions from the Planning Commission, Chair Kintzley asked for public testimony for those in favor of the proposal.

Testimony in favor of the proposal

No comments provided.

Testimony against the proposal

Andrea Larsen. 657 N. Moss St. Spoke about how Dollar Generals across the country negatively affect local economies. Other concerns include being a crime magnet and poor working conditions. Bridgetown Market already meets local needs. Dollar General would detract from Bridgetown Market. The proposal would also negatively affect the "Downtown Master Plan."

Val Shepler. 172 Wetleau Dr. Resident of Lowell for 1.5 year. Like the small-town charm. Dollar Generals contradict the city's comprehensive plan. Lowell should continue to be an upscale community. Everything that Dollar General offers is offered in the city's existing business.

Patty Trimper. 551 E. 1st St. Feels the same as those who've already spoken.

Roy Nelson. 40152 E. 1st St. Agrees with the staff report. Agrees with the public comments. Asked, "What is Lowell going to gain with a Dollar General?" The land under consideration should be zoned residential. "The town really went to hell when Dollar General came to town."

Linda Martin. 426 E. 1st St. Commented on how her experience working next to a Dollar General led to encounters with vagrancy. City services are already stretched thin without having to deal with new development.

Megan Schauwecker. 698 N. Moss St. Supports rezoning the property as residential. The city already has land downtown, as well as an industrial park. Rezoning would conflict with the availability of the Comprehensive Plan. The store would conflict with surrounding residential uses. There's nothing at a Dollar General that can't already be bought at Bridgetown Market.

Matt Shumski. 92 Wetleau Dr. Where he grew up in Pennsylvania, Dollar General was a parasite to his hometown. The stores were unclean, employees were unhappy, and the Dollar General drove away local business. Dollar General is not compatible with the city's small-town charm. Dollar General store managers make \$35,000 per year, while the executives are paid millions of dollars, showing "what they're really all about." The fact that no one has spoke in favor "speaks volumes."

Bobb Burr. 566 E 1st St. Stated that when he moved to Lowell, there were no stores, and he had no problem driving to Eugene for shopping. Doesn't understand why Dollar General decided to locate to Lowell considering they don't have support from the community.

Lori Kernutt. 465 N. D St. (Via Zoom.) Lives next to the property. A Dollar General would ruin the city's quaint environment. The commercial and R3 rezoning are incompatible with surrounding uses since residential uses border the property. She is concerned about the R3 zoning, as this type of zoning allows incompatible uses compared to surrounding properties.

Paula Berman. 71 N. Alder St. (Via Zoom.) Supports the city Comprehensive Plan and staff recommendation. The Dollar General goes against the intent of the Comprehensive Plan. Concerned about long-term viability of the business, as well as the impact of Dollar General on existing business. The proposal would thwart the Comprehensive Plan's goal to locate small businesses within the designated downtown area.

Neutral testimony

No comments provided.

Applicant response and rebuttal

McKechnie summarized:

- No tax incentives are involved in the project. It's all market rate.
- The Comprehensive Plan is a living document that's intended to change with the times.
- The size of the proposed business is sized appropriately and compatible with criterion 1.
- The proposal offers shopping options within walking distance, in line with state goals.

Chair Kintzley made the following motion: "Seeing as there is no request to leave the record open or continue the hearing and all parties have had an opportunity to present testimony, I make a motion to close the public hearing and the Planning Commission record. Planning Commission will now enter deliberations to make a recommendation for approval or denial onto the City Council," which Commissioner Petrie seconded. APPROVED: 5-0.

Commissioner George moved "to recommend to City Council that the application be denied for the reasons and findings as stated in the staff report and accept staff's suggestion for interpreting approval criterion number 1," which Commissioner Petrie seconded. APPROVED: 5-0.

Chair Kintzley adjourned the meeting 8:04 pm.

APPROVED:

Suzanne Kintzley, Chair

ATTEST:

Jeremy Caudle, City Recorder

Staff Report
Variance to Use of Alleyway in Downtown Residential
District Zone
City Land Use File # LU 2024 01

Staff Report Date: February 28, 2024

Planning Commission Hearing Date: March 6, 2024

Notice Mailed: February 14, 2024

Property Owners: TYJB LLC, Tyler Yates and Jacob Briggs

I. Applicant Proposal. The Planning Commission is being asked to review and render a decision on a variance to Note #5 of the building standards for development in the Downtown Residential District (DRD). Note #5 requires that off-street parking, drives, garages, and other vehicle areas be accessed from an alley. See code text below in Figure 1. Figure 1 is taken from Section 9.415(a) of the Lowell Development Code.

5. Off-street parking, drives, garages, and other vehicle areas must be oriented to and accessed from an alley, or located behind or to the side of the building; they shall not be placed between buildings and streets.
 - Attached and detached garages shall be oriented to and accessed from an alley
 - When no alley exists, garages shall be tucked under the first story and accessed from the front or side of the property if set back a minimum of 20 ft from the front or 10 ft from the side.

Figure 1. Note #5 code citation from the Lowell Development Code. Applicant is seeking to access the site not via an alley.

The subject property is located at the corner of N. Hyland and W. Boundary Road. The subject property is located on Map and Tax Lot 19-01-14-24-04500 and does not have an address assigned. Presently, the property is vacant and is located in the boundaries of the Lowell Downtown Regulating Plan. The subject property is located in an area of existing residential development and adjacent to Lowell City Hall.

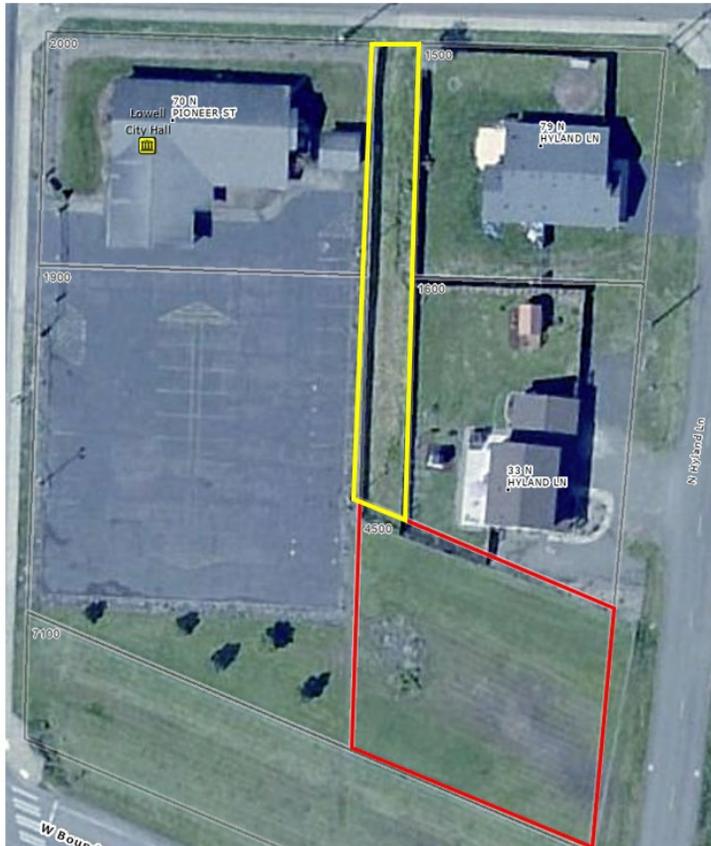


Figure 2. Aerial photo of the subject property outlined in red. Alleyway in question and of which the applicant is seeking a variance to for access is outlined in yellow.

As seen above in **Figure 2**, the subject property is outlined in red and the alleyway in yellow. The alleyway is approximately 20-feet in width. The alleyway must be accessed from E. 1st Street. Instead of using the alleyway for access, the applicant is proposing to use a new driveway curb-cut off N. Hyland Lane. See **Figure 3** below for applicant proposed access.

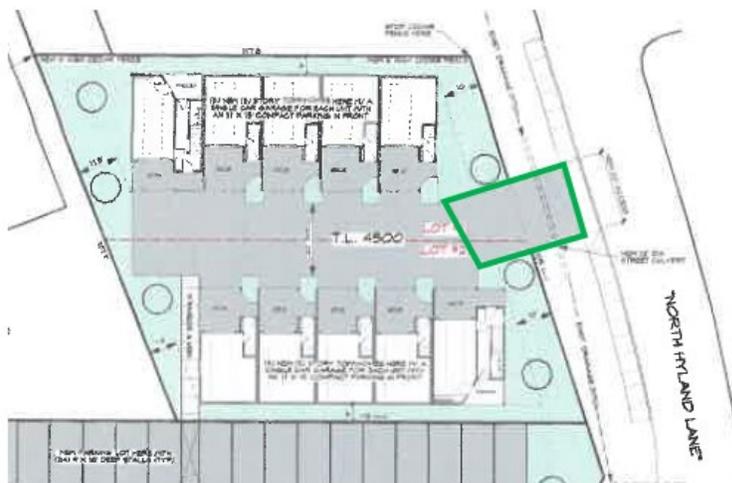


Figure 3. Applicant proposed access off N. Hyland Lane.

II. Referral Comments. One referral comment was received from the Fire Chief of the Lowell Fire Department. The Lowell Fire Department would support approval of the requested variance and stated that access should come from Hyland for safety and service. The Fire Chief's comment is attached to this staff report as **Attachment B**.

III Public Comments.

Two public comments were received by the City. Both comments are in support of the variance. Commenters cite use of the alleyways as being detrimental to adjacent properties and raise concerns of noise, surface, and congestion, especially in the event of an emergency. To read the public comments in their entirety, please refer to **Attachment C**.

IV. Applicable Approval Criteria.

Criteria for a variance is located in Section 9.252 of the Lowell Development Code. Decision criteria are found in subsection (b). Pursuant to the Lowell Development Code, a variance is to be reviewed and decided upon by the Lowell Planning Commission at a public hearing. An appeal of a decision of the Lowell Planning Commission is heard by the Lowell City Council. This section will set forth a review and discussion of the application weighed against the applicable approval criteria.

(b) Decision Criteria. A Variance may be granted in the event that all of the following circumstances exist:

(1) That there are circumstances or conditions affecting the property or use.

Applicant Response: The criteria for consideration for a variance is to consider the purpose and intent of the code. In our case the purpose and intent is to have the driveways and parking in the rear of the building of the street. Our proposal clearly upholds the purpose and intent of the code.

Staff Response: Applicant asserts that they are meeting the intent of the code in that the proposed driveways for a residential development (yet to be reviewed or approved) meet the intent of the code requirement that access be from an alleyway because they are proposing to have driveways and parking to the rear of the potential residential dwellings. Staff agree, but also add that the requirement is to create a pedestrian realm which separates vehicles and pedestrians in the Downtown Core Area and as envisioned in the Downtown Master Plan.

However, the parcel, and its alleyway, may be unique and warrant a variance to Note #5 of the DRD zone. As is elsewhere in Lowell, alleyways generally run entirely north to south unobstructed to the next block or street. In this instance the alleyway in question, does not. The alleyway terminates at the property line of the subject property and does not extend through to W. Boundary Road. The alleyway, if used as the access, is essentially dead-end; this may be why the Fire Department is in support of the variance to improve access for life and safety measures. Further, the use of the alleyway as primary access would require residents to drive down and around the block to access their residences and at the same time drive behind houses adjacent to the alleyway. To that end, staff do believe there is a unique condition or circumstance affecting

the property. Planning Commission may agree or disagree and discuss their position.

(2) That the Variance is necessary for the proper design and/or function of the proposed development or land division.

Applicant Response: The special and unusual circumstances in this case is two buildings with parking between them. All parking off the street. If the owners/renters had to drive around the block and down the alley it would create an unnecessary hardship. In addition to the owner/renters hardship it would cause unnecessary hardship for the community having cars drive in front of their houses and then drive behind their houses unnecessarily. In this case the alleyway is not necessary to achieve the goal of said code.

Staff Response: Staff believe the variance is necessary for proper design and function of the proposed development because the use of the alleyway for primary access presents obstacles to the Lowell Fire Department in accessing the site and a more proper design is likely attributed to providing access via N. Hyland rather than a unique alleyway that does not continue through to the next block. Criterion met.

(3) That the granting of the Variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.

Applicant Response: This variance will clearly benefit the public by having less traffic in the neighborhood and is necessary for proper design and function of this development. See attached from Lowell Fire Chief Lon Dragt.

Staff Response: Staff find no reasonable grounds as to how the variance would be detrimental to the public welfare or injurious to other property in the area. The opposite may be true. Staff point to public comments that address emergency access, and nuisance, issues if the site were to be solely accessed via the existing (and dead-end) alleyway. Criterion met.

(4) That the granting of the Variance will not conflict with the purpose and intent of the district or zone, this Code, or other related ordinances of the City.

Applicant Response: The criteria for consideration for a variance is to consider the purpose and intent of the code. In our case the purpose and intent is to have the driveways and parking in the rear of the building of the street. Our proposal clearly upholds the purpose and intent of the code.

Staff Response: The purpose and intent of the DRD zone is provide residential units within walking distance of the Downtown Core for convenient, pedestrian-friendly access to shopping, employment, educational and recreational activities. Even with access being taken from N. Hyland, the development plans include two pedestrian access points to the Downtown Core Area: sidewalk along the frontage of N. Hyland leading pedestrians to W. Boundary Road and a new pedestrian walkway to a proposed public parking lot that is adjacent to City Hall and the Downtown Core Area. To that end, staff find this criterion met.

V. Recommendation.

Staff find the applicant meets the applicable approval criteria for a variance to allow primary access to the development site to be taken from N. Hyland versus the alleyway. Staff find that an alleyway that dead-ends and does not continue through to the next block is a unique circumstance and warrants a variance. Further, the general public is in support of the variance because of property owner concerns about noise and traffic behind their homes.

Staff recommend the Planning Commission approve the requested variance.

VI. Attachments.

Attachment A – Applicant’s application materials

Attachment B – Referral comments

Attachment C – Public comments

Attachment D – Notice materials (includes notice materials for LU 2024 03)

Land Use Permit Application

Site Plan Review Lot Line Adjustment Partition Subdivision
 Conditional Use Variance Map Amendment Text Amendment
 Annexation Vacation Other, specify _____

Please complete the following application. If any pertinent required information or material is missing or incomplete, the application will not be considered complete for further processing. If you have any questions about filling out this application, please contact staff at Lowell City Hall, phone (541) 937-2157, 107 East Third, Lowell.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Map# 19-01-14-24-04500 Lot # _____
 Map# _____ Lot # _____
 Map# _____ Lot # _____

Street Address (if applicable): _____

Area of Request (square feet/acres): 11,326 Sq Footage

Existing Zoning: Commercial District

Existing Use of the Property: Rare land

Proposed Use of the Property Multi family

Pre-application Conference Held: No _____ Yes If so, Date 11-7-2023

Submittal Requirements:

1. Copy of deed showing ownership or purchase contract with property legal description.
2. Site Plan/Tentative Plan with, as a minimum, all required information. Submit one copy of all plans 11x17 or smaller; 12 copies of all plans larger than 11x17. (See attached checklist for required information)
- _____ 3. Applicant's Statement: Explain the request in as much detail as possible. Provide all information that will help the decision makers evaluate the application, including addressing each of the decision criteria for the requested land use action.
- _____ 4. Other submittals required by the City or provided by the applicant. Please List.

a. _____	b. _____
c. _____	d. _____
e. _____	f. _____
- _____ 5. Filing Fee: Amount Due: _____

RECEIVED
 JAN 04 2024
 BY: SO

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that incomplete applications may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge. I (We) also acknowledge that if the total cost to the City to process this application exceeds 125% of the application fee, we will be required to reimburse the City for those additional costs in accordance with Ordinance 228.

PROPERTY OWNER

Tim Yager 541-285-3979
Jake Briggs 541-968-0584
Phone: _____

Name (print): TYJB LLC

Address: 34 W Lakeview St

City/State/Zip: Lowell OR 97452

Signature: Tim Yager

APPLICANT, if Different

Name (print): _____ Phone: _____

Company/Organization: _____

Address: _____

City/State/Zip: _____

Signature: _____

E-mail (if applicable): _____

APPLICANTS REPRESENTATIVE, if applicable

Name (print): _____ Phone: _____

Company/Organization: _____

Address: _____

City/State/Zip: _____

E-mail (if applicable): _____

For City Use.

Application Number _____

Date Submitted: _____ Received by: _____ Fee Receipt # _____

Date Application Complete: _____ Reviewed by: _____

Date of Hearing: _____ Date of Decision _____ Date of Notice of Decision _____

APPLICATION SITE PLAN REQUIREMENTS CHECKLIST
Lowell Land Development Code, Section 2.140

Applications for land divisions or land use requests that require a site plan shall submit the site plan on 8 1/2 x 11 inch or 11 x 17 inch black/white reproducible sheets for copying and distribution. Larger drawings may be required for presentation and City review. Drawings shall be drawn to scale. The scale to be used shall be in any multiple of 1 inch equals 10 feet (1" = 20', 1" = 30', 1" = 100', etc.) and may be increased or decreased as necessary to fit the sheet size. The Application and site plan shall show clearly and with full dimensioning the following information, as applicable, for all existing and proposed development. It is understood that some of the requested information may not apply to every application.

- N/A The names of the owner(s) and applicant, if different.
- ✓ The property address or geographic location and the Assessor Map number and Tax Lot number.
- ✓ The date, scale and northpoint.
- ✓ A vicinity map showing properties within the notification area and roads. An Assessor Map, with all adjacent properties, is adequate.
- ✓ Lot dimensions.
- ✓ The location, size, height and uses for all existing and proposed buildings.
- ✓ Yards, open space and landscaping.
- ✓ Walls and fences: location, height and materials.
- ✓ Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns.
- ✓ Access: pedestrian, vehicular, service, points of ingress and egress.
- N/A ✓ Signs: location, size, height and means of illumination.
- N/A ✓ Loading: location, dimension, number of spaces, internal circulation.
- ✓ Lighting: location and general nature, hooding devices.
- ✓ Street dedication and improvements.
- ✓ Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.

- Water systems, drainage systems, sewage disposal systems and utilities.
- Drainage ways, water courses, flood plain and wetlands.
- The number of people that will occupy the site including family members, employees or customers.
- The number of generated trips per day from each mode of travel by type: employees, customers, shipping, receiving, etc.
- Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.
- Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use. Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy.

Uses which possess nuisance characteristics or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to; noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safeguards or conditions of use as required by the Planning Commission or City Council.

All uses shall meet all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality, and any other public agency having appropriate regulatory jurisdiction. City approval of a land use application shall be conditional upon evidence being submitted to the City indicating that the proposed activity has been approved by all appropriate regulatory agencies.

- Such other data as may be necessary to permit the deciding authority to make the required findings.

NOTE: Additional information may be required after further review in order to adequately address the required criteria of approval.

RECORDING REQUESTED BY:

Western Title & Escrow

497 Oakway Road, Suite 340
Eugene, OR 97401

GRANTOR'S NAME:
City of Lowell, Oregon

GRANTEE'S NAME:
TYJB, LLC, an Oregon limited liability company

AFTER RECORDING RETURN TO:
Order No.: WT0251962-TBS
Tera Schmeiling
Western Title & Escrow Company
497 Oakway Road, Suite 340
Eugene, OR 97401

SEND TAX STATEMENTS TO:
TYJB, LLC, an Oregon limited liability company
34 W. Lakeview Ave
Lowell, OR 97452

APN: 1442415
Map: 19-01-14-24-04500
19-01-14-24-04500, Lowell, OR 97452

Lane County Clerk	2023-015988
Lane County Deeds & Records	06/13/2023 10:15:55 AM
RPR-DEED Cnt=1 Stn=45 CASHIER 04 3pages	\$97.00
\$15.00 \$11.00 \$10.00 \$61.00	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

City of Lowell, Oregon, Grantor, conveys and warrants to TYJB, LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Lane, State of Oregon:

Beginning at the Southeast corner of Lot 16 of Block 10 the Plat of "Lowell", Lane County Plat Records; thence South 00°08'07" West 107.18 feet to the Northerly right-of-way line of W Boundary Road (being 50.00 feet from the centerline thereof, when measured perpendicular thereto); thence along said Northerly right-of-way line, South 68°36'42" East 111.11 feet to the Westerly right-of-way line of Hyland Lane (being 30.00 feet from the centerline thereof, when measured perpendicular thereto); thence along said Westerly right-of-way line, North 03°31'14" East 105.07 feet to the Southerly line of said Block 10; thence along said Southerly line, North 68°39'56" West 117.73 feet to the Point of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS NINETY THOUSAND AND NO/100 DOLLARS (\$90,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR

TY JB LLC

use hyland st. for primary access and leave ally an ally on project .

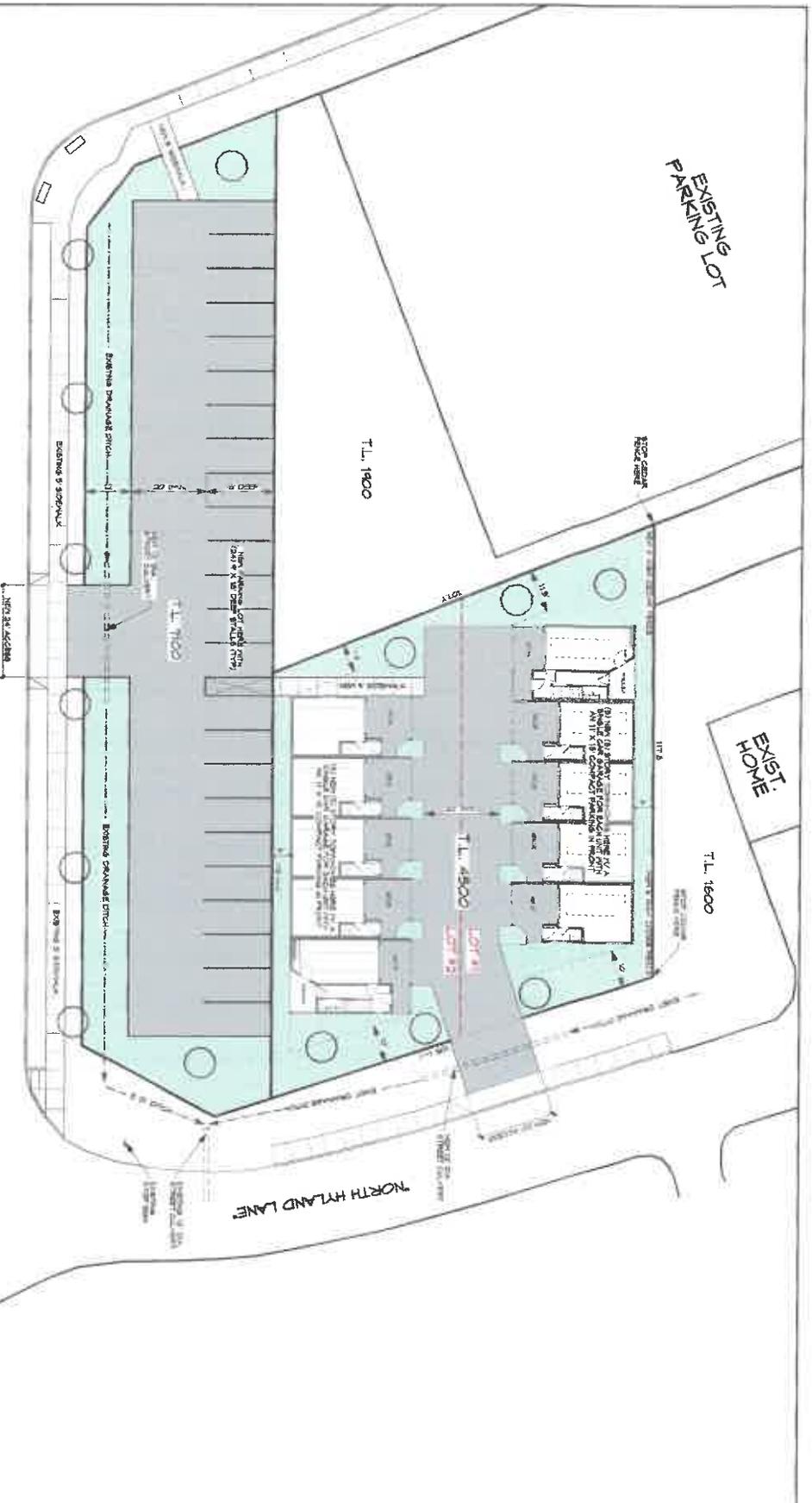
the criteria for consideration for a variance is to consider the purpose and intent of the code . in our case the purpose and intent is to have the driveways and parking in the rear of the building off the street our proposal clearly upholds the purpose and intent of this code .

The special and unusual circumstance in this case is two buildings with parking between them . All parking off the street . If the owners / renters had to drive around the block and down the ally it would create a unnecessary hardship. In addition to the owner/renters hardship it would cause unnecessary hardship for the community having cars drive in front of their houses and then drive behind their houses unnecessarily. In this case the ally way is not necessary to achieve the goal of said code.

This variance will clearly benefit the public by having less traffic in the neighborhood and is necessary for proper design and function of this development .

EXISTING LOT
PARKING LOT

EXIST.
HOME



CITY SITE PLAN

TAX MAP #19-01-14-24-04500



PROPOSED PROJECT INCLUDES THE FOLLOWING:

- (2) THREE STORY BUILDINGS WITH (10) TOWNHOME UNITS
 - (10) PROPOSED ON SITE 11' X 14' GARAGE PARKING
 - (10) PROPOSED ON SITE 11' X 15' COMPACT PARKING
 - (25) OFF SITE 9' X 18' STANDARD PARKING
- NOTE: ALL SITE WATER RUN-OFF WILL DRAIN TO EXISTING DRAINAGE DITCH AS SHOWN ON THE ATTACHED PLAN

ADDITIONAL SITE INFO:

- 11,985 SQ. FEET OR .26 ACRES LOT SIZE
- 47% TOTAL BUILDING COVER
- 92% TOTAL LANDSCAPING AREA
- 21% TOTAL DRIVEWAY COVER
- 1% TOTAL SIDEWALK COVER

CITY SITE PLAN

PROPOSED NEW PROJECT BY:
TY JB LLC
LOCATED OFF NORTH HYLAND
IN LOMELL, OREGON 97452
TIM 541-225-3979 JAKE 541-968-0584

281 BRUSHWOOD FERRY RD
SPRINGFIELD, OREGON 97471
541-746-1151

REGISTERED PROFESSIONAL
ENGINEER
102383PE
OREGON
MAY 08 2025
ALMOND D LUKE

EXPIRES: 12/31/2024
PRELIMINARY

DATE: JANUARY 4, 2024
DRAWN BY: MONTE WISE
CHECKED BY:
JOB #10994



City of Lowell
 PO Box 490 | 70 N Pioneer St.
 Lowell, OR 97452
 (541) 937-2157
 www.ci.lowell.or.us

XBP Confirmation Number: 162358616

▶ Transaction detail for payment to City of Lowell.		Date: 01/04/2024 - 2:53:41 PM MT	
Transaction Number: 210767597 Visa — XXXX-XXXX-XXXX-0493 Status: Successful			
Account #	Item	Quantity	Item Amount
	Land Use Permit	1	\$174.00
Notes: LU 2024.06			
	Permits and Variances	1	\$292.00
Notes: LU 2024.05			

TOTAL: \$466.00

Billing Information
 Jacob Briggs
 97452

Transaction taken by: Admin sdragt

HEARLEY Henry O

From: Lon Dragt <dragt2300@gmail.com>
Sent: Monday, January 22, 2024 1:37 PM
To: HEARLEY Henry O
Subject: Re: Referral Comment for Variance in Lowell, OR - LU 2024 01

WARNING: This is NOT an internal sender. Please review this message carefully before responding or interacting. If you have any concerns, contact the SERVICE DESK.

Lowell Fire District would support giving the Variance. The access should come from Hyland for safety and service.

Lon Dragt Fire Chief

On Mon, Jan 22, 2024 at 1:31 PM HEARLEY Henry O <HHEARLEY@lcog.org> wrote:

Hi All:

Due to the ice storm that impacted much of the area, I am extending the referral comment deadline to Jan 29, 2024. Please let me know if you have any comments for the record.

Henry

From: HEARLEY Henry O
Sent: Monday, January 8, 2024 11:04 AM
To: syakovich@lowell.k12.or.us; Lon Dragt (dragt2300@gmail.com) <dragt2300@gmail.com>; John.MULLEN@opr.d.oregon.gov; Gwendolyn.A.Jones@usace.army.mil; MARTIN Kevin (OKPD) <kevinmartin@ci.oakridge.or.us>; april.matson@laneelectric.com; Charles.deister@charter.com; Aaron.Donley@WasteConnections.com; tway@dfn.net; LCTPReferrals <lcpwtpreferrals@lanecountyor.gov>; ODOTR2PLANMGR@odot.state.or.us; Matt Wadlington <Mwadlington@civilwest.net>; 'Dave Mortier' <DaveM@nwcodepros.com>
Cc: CAUDLE Jeremy <JCaudle@ci.lowell.or.us>; DARNIELLE Gary L <GDARNIELLE@lcog.org>; BENNETT Don (SMTP) <dbennett@ci.lowell.or.us>; DRAGTSam <sdragt@ci.lowell.or.us>
Subject: Referral Comment for Variance in Lowell, OR - LU 2024 01
Importance: High

Dear All:

The City of Lowell has received an application for a variance. The applicant is requesting a variance to not use the rear alley for primary access to the site, as the new development code dictates. The applicant is proposing to utilize North Hyland for primary ingress and egress for a multi-unit townhome residential development. The applicant's application is attached for your review.

If your agency has comments for the record, please return them via email by January 22, 2024.

Please let me know if you need anything else.

Respectfully,

Henry O. Hearley

Associate Planner, MCRP

Lane Council of Governments | 859 Willamette Street, Suite 500 | Eugene, OR 97401

Ph: 541-682-3089 | F: 541-682-4099

www.lcog.org | hhearley@lcog.org



--

Lon Dragt, Fire Chief
Lowell RFPD
389 N. Pioneer St.
Lowell, Or. 97452
541-937-3393
dragt2300@gmail.com

February 25, 2024

To: Members of the Lowell Planning Commission

Re: Testimony concerning variance of alleyway use LU 2024 01

Dear Members:

We support the requested variance by TYJB LLC for Tax Lot 4500 Assessor Map #19-01-14-240 concerning the use of the existing alleyway as the primary entrance to the site for the following reason. As residents at 82 N. Hyland Lane we feel that use of the alleyway as required in the Downtown Regulating Plan and Lowell Downtown Master Plan has the potential to create unwanted and unnecessary traffic in the case of an emergency at or near the subject property. The exodus of multiple residents' vehicles could hinder the access of emergency fire/medical responders and law enforcement officers. A plan that allows quick, direct access and egress to and from the property will protect all residents.

Thank you for your consideration of this variance that will provide safety and security for all the residents and families who live on N. Hyland Lane.

Sincerely,

Tom and Mary Foust

February 25, 2024

To: Members of the Lowell Planning Commission

Re: Testimony concerning variance of alleyway use LU 2024 01

Dear Members:

We support the requested variance by TYJB LLC for Tax Lot 4500 Assessor Map #19-01-14-240 concerning the use of the existing alleyway as the primary entrance to the site for the following reason. As residents at 82 N. Hyland Lane we feel that use of the alleyway as required in the Downtown Regulating Plan and Lowell Downtown Master Plan has the potential to create unwanted and unnecessary traffic in the case of an emergency at or near the subject property. The exodus of multiple residents' vehicles could hinder the access of emergency fire/medical responders and law enforcement officers. A plan that allows quick, direct access and egress to and from the property will protect all residents.

Thank you for your consideration of this variance that will provide safety and security for all the residents and families who live on N. Hyland Lane.

Sincerely,



Tom and Mary Foust

RECEIVED
FEB 26 2024
BY: 

Written testimony continued.

- City Plan: Beginning with the alleyway behind City Hall, this land is outside of the Master Plan city zone on *all* maps. It is not zoned for private use. The alley is meant for the use of the properties that back up to it as throughout the rest of Lowell.
- Privacy: The property I purchased was attractive due to the alley and the building that now serves as City Hall behind it. This assured privacy. That will be lost starting with large trucks, and machinery entering and exiting behind my home.
- Noise: Most of the time, there is very little noise in this area even with City Hall in operation. There are vehicles in the city of Lowell now that have extremely loud mufflers and motors. What should happen if someone with such a vehicle uses that driveway? My dogs believe it is their responsibility to guard the parameter of “their” yard. That is sure to increase with new comings and goings to the back of the yard. I bought my home and property with them in mind. This will increase the disturbance not only to me but my neighbors. The quiet atmosphere will dissolve. Not a great selling point.
- Dirt and gravel: I have not heard of changes to what the alleyway will be covered with. It was once thought to be just a gravel drive. My bedroom is in the back of the house. Imagine if you will, the sound of vehicles going back and forth over gravel at all hours. This is also a source of dust being sent into the air. Fresh air will be a thing of the past.

I understand that my statement has many ‘what ifs’. All of them are possible and even probable. I cannot imagine anyone in Lowell standing up and saying that they would be glad to have this take place behind their property.

This will without a doubt devalue my property. Is anyone going to compensate me for that loss? I am in the process of taking my fence down due to problems with soil, movements of posts and conflicts. What then? Is the builder planning to build a sound barrier wall behind my property so that the noise, dust, and disruption will not be noticed?

There are currently six driveways on this section of Hyland Lane. One more will not detract from the city plan especially since Hyland Lane is outside the city plan. My home was built in 2019, I bought in 2020. This is saying to everyone buying a new home that you, your families, and your dreams are not important, that at any time the city planners can destroy it all with a pencil scratch. We must be realistic in what we are looking at and consider the people that this would/will affect both now and in the future.

Thank you for your time and consideration.

CITY OF LOWELL
NOTICE OF PUBLIC HEARING
Mailing Date: February 14, 2024
City File # LU 2024 01 & LU 2024 03

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for two variances.

LU 2024 01 is a variance to alleyway use as primary entrance to site as required in the Downtown Regulating Plan and Lowell Downtown Master Plan.

LU 2024 03 is a variance to façade transparency requirements as listed in the Downtown Regulating Plan and Lowell Downtown Master Plan.

The subject property is located at Map and Tax Lot 19-01-14-240-4500. See map on reverse.

The Lowell Planning Commission will hold a public hearing on the land use applications on **March 6, 2024, at 6:00 PM** at the Lowell Rural Fire Protection District Fire Station 1 located at 389 N. Pioneer Street, Lowell, OR 97452.

A remote option is also available via Zoom. To attend remotely, please sign up with the City Administrator by March 5 or access the link by visiting <https://www.ci.lowell.or.us/meetings>.

Owner/Applicant:	TYJB LLC
Applicant’s Representative:	Tim Yager & Jacob Briggs
Property Location:	no address assigned
Assessor Map:	19-01-14-240
Tax Lot:	4500
Existing Area:	0.26 acres
Existing Zone:	DRD – Downtown Residential Detached

The Lowell Land Use Development Code specifies the applicable procedures and criteria for evaluation of the requested action. Applicable Code Sections include Section 9.252.

A copy of the Application, all documents and evidence relied upon by the Applicant and the Staff Report containing the applicable criteria will be available for inspection at the Lowell City Hall at least seven days prior to the public hearing meeting. A copy of the application materials can also be accessed freely online by visiting <https://www.ci.lowell.or.us/cd/page/planning>, click on “pending land use applications” to access the application materials.

Failure of an issue to be raised in the Hearing or by letter, or failure to provide sufficient detail to afford the decision makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The requested land use action requires a Public Hearings. Oral testimony may be presented at the Hearing in person or written testimony may be hand delivered to City Hall at 70 North Pioneer Street or mailed to City Hall at PO BOX 490, Lowell OR, 97452. Testimony may also be emailed to Jeremy Caudle, City Administrator, at jcaudle@ci.lowell.or.us. Or to Henry Hearley, Lane Council of Governments, 859 Willamette Street, Suite 500, Eugene, OR, 97401, hhearley@lcog.org, 541-682-3089.

To be included in the Staff Report, written testimony shall be received by the City no later than 4:00 pm on February 27, 2024.

For additional information please write to City Hall at the above address or call City Hall at (541) 937-2157 or Henry or Jeremy at the address listed below.

Henry Hearley
Associate Planner
hhearley@lcog.org
541-682-3089

Jeremy Caudle
City Administrator
jcaudle@ci.lowell.or.us
541-937-2157



NAME	ADDR1	ADDR2
City of Lowell	PO Box 490	Lowell, OR 97452
Nichols John B	PO Box 74/ 81 N Pioneer St	Lowell, OR 97452
Owen Mary	PO Box 158	Lowell, OR 97452
Valencia Jerry L & Julie E	11 N Alder St	Lowell, OR 97452
Sherzer Living Trust	2265 S Bertelsen Rd	Eugene, OR 97405
Weltch Timothy J	PO Box 308	Lowell, OR 97452
Moore Toni	79 N Hyland Ln	Lowell, OR 97452
Delgado Megan & Atruro	33 N Hyland Ln	Lowell, OR 97452
Lowell Investment Properties LLC	PO Box 489	Lowell, OR 97452
Summers Michael A	18 N Hyland Ln	Lowell, OR 97452
Long Roger L & Roxanne C	38 N Hyland Ln	Lowell, OR 97452
Foust Tommy E & Mary E	82 N Hyland Ln	Lowell, OR 97452
Simmons Larry D & Bethanne	306 E Main St	Lowell, OR 97452
Holst Damon E & Katie L	298 E Main St	Lowell, OR 97452
Bugbee Kris	625 SW Viewmont Dr	Portland, OR 97225
Price Jeffery A	220 E Main St	Lowell, OR 97452
Tyjb LLC	34 W Lakeview Ave	Lowell, OR 97452
Richman Christine R	10 Trailblazer Ct	Lowell, OR 97452
Silebi Benjamin M & Rebecca J	PO Box 484	Lowell, OR 97452
Rooks Kathy Lee	13 Wetleau Dr	Lowell, OR 97452
Burns Jonathan A & Stephanie L	10 Wetleau Dr	Lowell, OR 97452
Hampton Gregory Clark	396 E 1st St	Lowell, OR 97452

AFFIDAVIT OF MAILING

LANE COUNCIL OF GOVERNMENTS
859 Willamette Street. Suite 500
Eugene, OR 97401

I, Henry Hearley, contracted planner, depose and state that I mailed, by regular first-class mail, on **February 14, 2024**, a notice of a public hearing for two variances for a property located at a Map and Tax Lot 19-01-11-24-04500 to the addresses contained herein.

City File # LU 2024-01 & LU 2024 03

Henry O. Hearley

Signature

Henry Hearley

Print Name

Lowell Planning Commission Public Hearing Notice

The public is invited to attend and testify at a public hearing for a request for two variances for a property located at Map and Tax Lot 19-01-11-24-04500
City File # LU 2024 01 & LU 2024 03

LU 2024 01 is a variance to alleyway use as primary entrance to site as required in the Downtown Regulating Plan and Lowell Downtown Master Plan.

LU 2024 03 is a variance to façade transparency requirements as listed in the Downtown Regulating Plan and Lowell Downtown Master Plan.

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for two variances.

The Lowell Planning Commission will hold a public hearing on the land use application on March 6, 2024, at 6:00 PM at the Lowell Rural Fire Protection District Fire Station 1 located at 389 N. Pioneer Street, Lowell, OR 97452.

A remote hearing option via Zoom will be available. For instructions on how to attend remotely, please email the City Administrator at jcaudle@ci.lowell.or.us, call 541-937-2157, or visit the meeting page on the City's website. Written comments may be emailed to jcaudle@ci.lowell.or.us, delivered in person at City Hall located at 70 N. Pioneer St., or mailed to PO Box 490, Lowell, OR 97452. A staff report will be available no later than 4PM on February 28, 2024.

The meeting materials and zoom link will also be posted on the City's website at <https://www.ci.lowell.or.us/>.

For questions or to submit written testimony, please contact the City Administrator using the contact information listed above.

Staff Report
Variance to Façade Transparency Standards in the DRD
Zone
City Land Use File # LU 2024 03

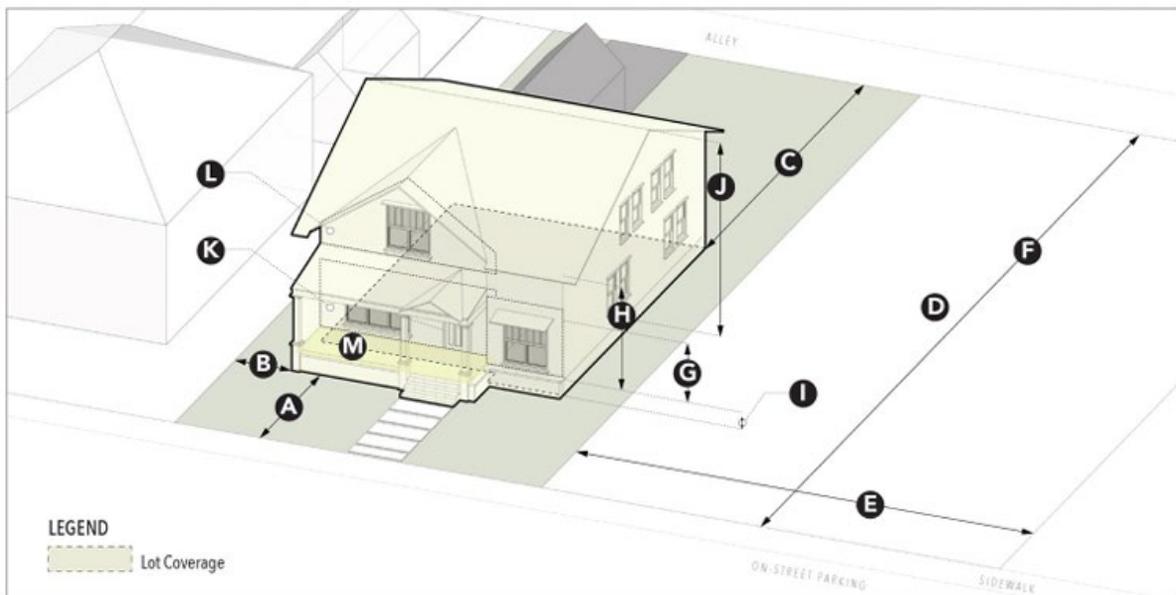
Staff Report Date: February 28, 2024

Planning Commission Hearing Date: March 6, 2024

Notice Mailed: February 14, 2024

Property Owners: TYJB LLC, Tyler Yates and Jacob Briggs

I. Applicant Proposal. The Planning Commission is being asked to review and render a decision on a variance to minimum façade transparency percentages for buildings in the Downtown Residential District (DRD). Based on the building standards (Section 9.415) sheet for the DRD, 40% of the area of the ground and upper floors shall be transparent (i.e., windows).



Facade Transparency		
Ground floor	40% of facade area min.	K
Upper floors	40% of facade area min.	L

Figure 1. Façade transparency requirements contained in Section 9.415 of the Lowell Development Code.

The subject property is located at the corner of N. Hyland and W. Boundary Road. The subject property is located on Map and Tax Lot 19-01-14-24-04500 and does not have an address assigned. Presently, the property is vacant and is located in the boundaries of the Lowell Downtown Regulating Plan. The subject property is located in an area of existing residential

development and adjacent to Lowell City Hall. The applicant is seeking a concurrent variance request to use N. Hyland as the primary access to the site and not the alleyway. The City is currently processing that application as LU 2024 01.

II. Applicable Approval Criteria.

Criteria for a variance are in Section 9.252 of the Lowell Development Code. Decision criteria are found in subsection (b). Pursuant to the Lowell Development Code, a variance is to be reviewed and decided upon by the Lowell Planning Commission at a public hearing. An appeal of a decision of the Lowell Planning Commission is heard by the Lowell City Council. This section will set forth a review and discussion of the application weighed against the applicable approval criteria.

(b) Decision Criteria. A Variance may be granted in the event that all of the following circumstances exist:

(1) That there are circumstances or conditions affecting the property or use.

Applicant Response: We believe the intent of the code is to have nice open store front, in commercial businesses, not to force homeowners into putting two huge sliding glass doors in the side of a residential garage. Eugene and Springfield both require 15% façade transparency to the street for residents not 40%. The property use is residential not commercial.

Staff Response: The DRD Zone permits both residential and commercial uses. In this case, the applicant is choosing to develop the property solely with residential uses. Staff agree that the intent is not to have garages with a large glass door/window facing the street, as staff tend to believe this is a security and safety matter. Due to the proposed orientation of the buildings, this is what the code would result in. Staff believe there may be some flexibility or concessions made with respect to façade transparency.

(2) That the Variance is necessary for the proper design and/or function of the proposed development or land division.

Applicant Response: The variance is clearly necessary for the proper decision.

Staff Response: As alluded to above, staff do not believe the intent of the 40% façade transparency on ground floors is to result in a primarily transparent garage facing N. Hyland. The 40% transparency requirement is attainable by the applicant, it just may be better suited on a different portion or location of the proposed buildings.

A possible suitable location may be along the back elevation of the buildings because this is what's seen when first entering Lowell and the side of the buildings that face the Downtown Core Area. Another location or percentage may be found appropriate by the Planning Commission. If 40% façade transparency on the lower floor is not the proper design, then staff wonder if other areas of the buildings that are more appropriate for 40% façade transparency, or a lower percentage found more appropriate by the Planning Commission.

Staff also feel some background and context about this particular property might be useful. The zoning of this particular property was a point of discussion amongst the Planning Commission when considering adoption of the Downtown Regulating Plan, and new Lowell Development Code. The Planning Commission decided to give the property a designation of DRD because they wanted a zoning designation that is most similar to traditional single-family zoning because that's the use they thought and expect to locate there. This is consistent with the applicant's assertion that the proposed use is not commercial and is solely residential, albeit not traditional single-family with one dwelling unit.

(3) That the granting of the Variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.

Applicant Response: The granting of the variance will not be detrimental to the public.

Staff Response: Staff find no reasonable grounds as to how the variance would be detrimental to the public welfare or injurious to other property in the area. Planning Commission may find otherwise and offer their finding as to whether the variance will be detrimental to the public welfare or not.

(4) That the granting of the Variance will not conflict with the purpose and intent of the district or zone, this Code, or other related ordinances of the City.

Applicant Response: The granting of the variance will not conflict with the purpose and intent of the code.

Staff Response: The purpose and intent of the DRD zone is provide residential units within walking distance of the Downtown Core for convenient, pedestrian-friendly access to shopping, employment, educational and recreational activities. Façade transparency is a building design element that aids in achieving the vision of the Downtown Master Plan. The code requires 40% façade transparency of the area for ground and upper floors, but this specific property may have had an alternate vision in that it was intended to develop with more traditional residential uses rather than commercial or mixed-use. Staff evidence this fact by the Planning Commission's discussion and decision to deliberately zone this property DRD when they recommended adoption of Downtown Regulating Plan and new Lowell Development Code. This does not mean that there should be no façade transparency, but rather, for this specific property and this specific instance, façade transparency may be better suited elsewhere on the buildings and maybe at a different percentage. Planning Commission should consider the intent of the Downtown Master Plan, the building standards sheets for properties within the Downtown Core Area and determine how to best weigh the façade transparency requirement versus the particular needs of this property.

V. Recommendation.

Staff find the variance can be approved but offer that Planning Commission consider transparency percentages elsewhere on the proposed buildings in lieu of on the ground floors of the units that are to face N. Hyland.

Façade transparency is an important element of the design of buildings in the Downtown Core Area., but for this particular property and this design, façade percentages may be suited elsewhere on the buildings and possibly at lower percentages. This is something the Planning Commission should debate and consider.

VI. Attachments.

Attachment A – Applicant’s application materials.

Land Use Permit Application

Site Plan Review Lot Line Adjustment Partition Subdivision
 Conditional Use Variance Map Amendment Text Amendment
 Annexation Vacation Other, specify _____

Please complete the following application. If any pertinent required information or material is missing or incomplete, the application will not be considered complete for further processing. If you have any questions about filling out this application, please contact staff at Lowell City Hall, phone (541) 937-2157, 107 East Third, Lowell.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Map# 19-01-14-24-04500 Lot # _____

Map# _____ Lot # _____

Map# _____ Lot # _____

Street Address (if applicable): _____

Area of Request (square feet/acres): 11,326 Sq Footage

Existing Zoning: Commercial District downtown Residential detached

Existing Use of the Property: Bare land

Proposed Use of the Property Multi family

Pre-application Conference Held: No _____ Yes If so, Date _____

Submittal Requirements:

- 1. Copy of deed showing ownership or purchase contract with property legal description.
- 2. Site Plan/Tentative Plan with, as a minimum, all required information. Submit one copy of all plans 11x17 or smaller; 12 copies of all plans larger than 11x17. (See attached checklist for required information)
- 3. Applicant's Statement: Explain the request in as much detail as possible. Provide all information that will help the decision makers evaluate the application, including addressing each of the decision criteria for the requested land use action.
- _____ 4. Other submittals required by the City or provided by the applicant. Please List.
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
 - f. _____
- 5. Filing Fee: Amount Due: \$292.00

RECEIVED
JAN 30 2024

BY: [Signature]

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that incomplete applications may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge. I (We) also acknowledge that if the total cost to the City to process this application exceeds 125% of the application fee, we will be required to reimburse the City for those additional costs in accordance with Ordinance 228.

PROPERTY OWNER

Name (print): TYJB LLC Phone: Tim Yager 541-285-3979
Jake Briggs 541-968-0584
Address: 34 W Lakeview St
City/State/Zip: Lovell OR 97452
Signature: 

APPLICANT, If Different

Name (print): _____ Phone: _____
Company/Organization: _____
Address: _____
City/State/Zip: _____
Signature: _____
E-mail (if applicable): _____

APPLICANTS REPRESENTATIVE, if applicable

Name (print): _____ Phone: _____
Company/Organization: _____
Address: _____
City/State/Zip: _____
E-mail (if applicable): _____

For City Use. Application Number 2024-03
Date Submitted: 1/30/24 Received by: Jaudie Fee Receipt # 164408750
Date Application Complete: _____ Reviewed by: _____
Date of Hearing: _____ Date of Decision _____ Date of Notice of Decision _____

APPLICATION SITE PLAN REQUIREMENTS CHECKLIST
Lowell Land Development Code, Section 2.140

Applications for land divisions or land use requests that require a site plan shall submit the site plan on 8 1/2 x 11 inch or 11 x 17 inch black/white reproducible sheets for copying and distribution. Larger drawings may be required for presentation and City review. Drawings shall be drawn to scale. The scale to be used shall be in any multiple of 1 inch equals 10 feet (1" = 20', 1" = 30', 1" = 100', etc.) and may be increased or decreased as necessary to fit the sheet size. The Application and site plan shall show clearly and with full dimensioning the following information, as applicable, for all existing and proposed development. It is understood that some of the requested information may not apply to every application.

- NA The names of the owner(s) and applicant, if different.
- The property address or geographic location and the Assessor Map number and Tax Lot number.
- The date, scale and northpoint.
- A vicinity map showing properties within the notification area and roads. An Assessor Map, with all adjacent properties, is adequate.
- Lot dimensions.
- The location, size, height and uses for all existing and proposed buildings.
- Yards, open space and landscaping.
- Walls and fences: location, height and materials.
- Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns.
- Access: pedestrian, vehicular, service, points of ingress and egress.
- NA Signs: location, size, height and means of illumination.
- NA Loading: location, dimension, number of spaces, internal circulation.
- Lighting: location and general nature, hooding devices.
- Street dedication and improvements.
- Special site features including existing and proposed grades and trees, and plantings to be preserved and removed.

- Water systems, drainage systems, sewage disposal systems and utilities.
- Drainage ways, water courses, flood plain and wetlands.
- The number of people that will occupy the site including family members, employees or customers.
- The number of generated trips per day from each mode of travel by type: employees, customers, shipping, receiving, etc.
- Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.
- Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use. Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy.

Uses which possess nuisance characteristics or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to; noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safeguards or conditions of use as required by the Planning Commission or City Council.

All uses shall meet all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality, and any other public agency having appropriate regulatory jurisdiction. City approval of a land use application shall be conditional upon evidence being submitted to the City indicating that the proposed activity has been approved by all appropriate regulatory agencies.

- Such other data as may be necessary to permit the deciding authority to make the required findings.

NOTE: Additional information may be required after further review in order to adequately address the required criteria of approval.

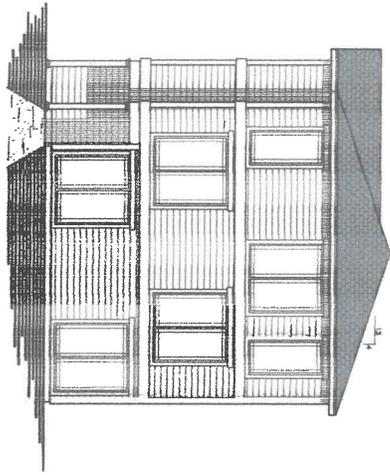
Variance request for 40% facade transparency.

We believe the intent of the code is to have nice open store fronts , in Commercial businesses, not to force homeowners into putting two huge sliding glass doors In the side of a residential garage

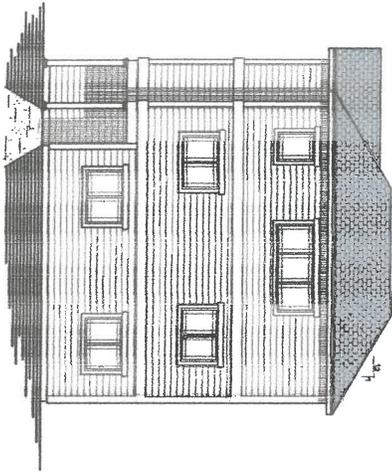
Eugene and Springfield
Both require 15% facade transparency to the street for residents not 40%.

Decision Criteria

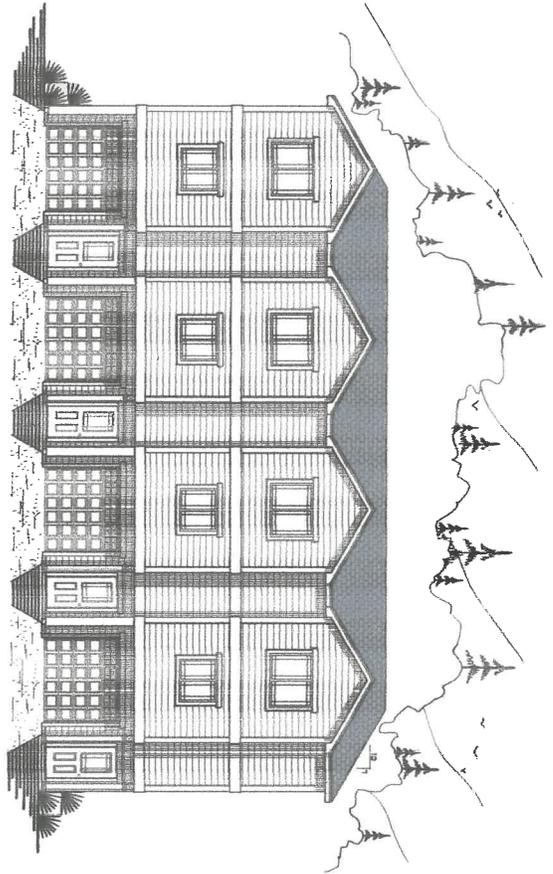
1. The property use is residential not commercial.
2. Te variance is clearly necessary for the proper decision
3. The granting of the variance will not be detrimental to the public
4. The granting of the variance will not conflict with the purpose and intent of the code.



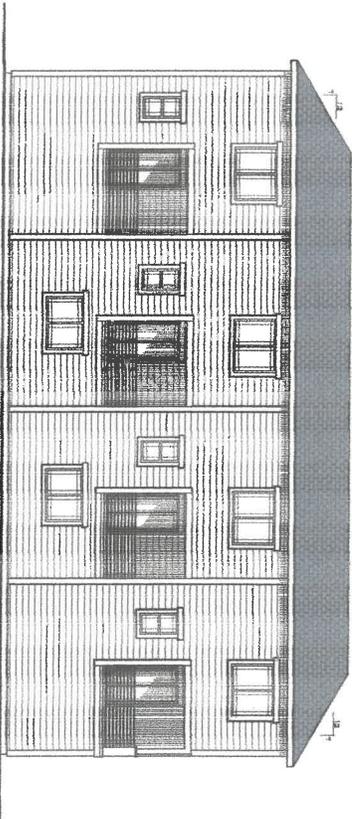
RIGHT SIDE ELEVATION
 STREET FACING ELEVATION
 40% WINDOW OPENINGS



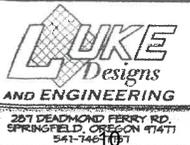
STREET FACING ELEVATION
 STREET FACING ELEVATION
 40% WINDOW OPENINGS



THE (3) STORY TOWNHOME DESIGN
 PLAN NUMBER 1
 SCALE @ 1/8" = 1'-0"



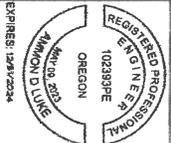
BACK SIDE ELEVATION



287 DEADMOND FERRY RD.
 SPRINGFIELD, OREGON 97471
 541-746-1067

ELEVATION DRAWINGS
 SCALE @ 1/8" = 1'-0"
 EACH UNIT TOTAL HEATED AREA @ 918 SQ. FEET
 BUILDING TOTAL HEATED AREA @ 3,412 SQ. FEET

PROPOSED NEW PROJECT FOR:
TIM AND ALY YAGER
 LOCATED OFF NORTH HYLAND
 IN LOWELL, OREGON 97452
 TMS (M) 541-285-3474



PRELIMINARY

PLEASE ADVISE ARCHITECT AND ENGINEER OF ANY CHANGES TO THIS DRAWING. THIS DRAWING IS THE PROPERTY OF LUKE DESIGNS AND ENGINEERING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

DATE: 08/17/2023
 DRAWN BY: JACOB LUKA
 CHECKED BY: JACOB LUKA

JOB #1044-B1

SHEET 1 OF 4

PAPER SIZE @ 24" X 36"



City of Lowell
 PO Box 490 | 70 N Pioneer St.
 Lowell, OR 97452
 (541) 937-2157
 www.ci.lowell.or.us

XBP Confirmation Number: 164408750

▶ Transaction detail for payment to City of Lowell.		Date: 01/30/2024 - 2:30:24 PM MT	
Transaction Number: 212315003 Visa — XXXX-XXXX-XXXX-0493 Status: Successful			
Account #	Item	Quantity	Item Amount
	Permits and Variances	1	\$292.00
Notes: LU 2024-03			

TOTAL: \$292.00

Billing Information
 Jacob Briggs
 , 97452

Transaction taken by: Admin sdragt