



CITY OF LA PINE, OREGON PLANNING COMMISSION

Wednesday, September 4, 2024 at 5:30 PM

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Online access via Zoom: <https://us02web.zoom.us/j/85769147447>

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.

AGENDA

CALL TO ORDER

ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

- 1. 08.07.24 Minutes Planning Commission Meeting Minutes.....3.
 - a. Public Comment Form - Jennifer Stelzer.....6.
 - b. Public Comment Form – Richard Harp.....7.
- 2. 08.21.24 Minutes Planning Commission Meeting Minutes.....8.

ADDED AGENDA ITEMS

Any matters added at this time will be discussed during the “Other Matter” portion of this agenda.

PUBLIC HEARING

- 1. None

OLD BUSINESS

- 1. None

NEW BUSINESS

- 1. Long Range Planning update (Discussion Only)
- 2. Administrative Land Use Application update (Discussion Only)
- 3. Training (Discussion Only)
 - a. OAPA
 - b. LOC

OTHER MATTERS

Only Items that were previously added above in the Added Agenda Items will be discussed.

PUBLIC COMMENTS

Public Comments provide an opportunity for members of the community to submit input on ongoing matters within the city.

Public Comments are limited to three (3) minutes per person; when asked to the podium, please state your name and address. This helps the Planning Commission and staff determine if you are a city resident. The acting chair may elect to respond to comments if the matter is within the jurisdiction of the city or defer to city staff for response. Any matter that warrants testimony and rebuttal may be debated only during a Public Hearing on the matter.

STAFF AND COMMITTEE COMMENTS

EXECUTIVE SESSION: Per ORS 192.660(f.)

ADJOURN

Pursuant to ORS 192.640: This notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the Planning Commission.



CITY OF LA PINE, OREGON PLANNING COMMISSION

Wednesday, August 7, 2024, at 5:30 PM

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Online access via Zoom: <https://us02web.zoom.us/j/85479008514>

MINUTES

CALL TO ORDER

Chair Myers called the meeting to order at 5:30 p.m.

ESTABLISH QUORUM

Commission

Chair Myers

Vice Chair Poteet

Commissioner Hatfield

Commissioner Bauman – Excused

Commissioner Accinelli

Staff

Brent Bybee – Principal Planner

Rachel Vickers – Associate Planner

Amanda Metcalf – City Recorder

PLEDGE OF ALLEGIANCE

Commissioner Hatfield led the Pledge of Allegiance.

CONSENT AGENDA

1. 07.17.2024 Planning Commission Meeting Minutes

Commissioner Hatfield made a motion to approve the consent agenda. *Commissioner Poteet seconded the motion.* Motion passed unanimously.

ADDED AGENDA ITEMS

None.

PUBLIC HEARING

1. 01SUB-24 Habitat
 - a. Hearing

Chair Myers opened the hearing and let staff outline the hearing procedures. Principal Planner Bybee went through the hearing procedure. He explained the continuance request due to the 10-day notice requirement not being met in accordance with LPDC Sec. - 15.204 -030.B.2.

Staff had no concerns with the continuance request. During this time the record will remain open, and all comments can be submitted to Principal Planner Bybee by email. The comments must be received by 5:00 p.m. on the date of the hearing.

Vice Chair Poteet made a motion to continue the hearing for file 01SUB-24, to the next regularly scheduled Planning Commission hearing on August 21st, 2024, at the La Pine City Hall, in accordance with LPDC Sec. – 15.204.030.G. *Commissioner Hatfield seconded the motion.* Chair Myers asked for a roll call vote.

Commissioner Accinelli – Aye

Commissioner Hatfield – Aye

Chair Myers – Aye

Vice Chair Poteet – Aye

The hearing will be continued to the Planning Commission meeting on August 21st, 2024, at 5:30 p.m.

OLD BUSINESS

None

NEW BUSINESS

1. Long Range Planning Update (Discussion Only)

Principal Planner Bybee stated that staff submitted the application for the Transportation and Growth Management (TGM) grant. He stated that there were two other applicants for the TGM grant, which include The Dalles and Wasco County. If awarded it will fully fund the Transportation System Plan (TSP) update.

He gave an update on La Pine 2045 and stated that it was moving forward. The consultant, 3J, is currently working on the scenario maps and should be finalizing them next week. He stated that the second community summit will be scheduled in October.

He provided an update on Community Planning Assistance for Wildfire (CPAW). Staff and CPAW are collaborating with local stakeholders to compile an analysis over the coming months aimed at enhancing wildfire protection for the City. It will be at the City's discretion whether to adopt the recommendations. Should the City choose to implement any standards, they will apply exclusively to new developments.

2. Administrative Land Use Application update (Discussion Only)

Associate Planner Vickers stated that she sent out four decisions within the last week, the majority of them being partitions. She informed the Commission about an upcoming public hearing at the next planning commission meeting.

She provided an update on the current planning files, which include two files for ADUs on properties in the Cagle subdivision, a new sign for AmeriTitle, two subdivisions that will have public hearings at

upcoming planning commission meetings, Walgreen’s site plan review application, St Charles’ parking lot expansion, and lastly an apartment complex on Drafter Road.

OTHER MATTERS

None

PUBLIC COMMENTS

Jennifer Stelzer, who lives at 54415 Elk Dr., made a public comment about the increase of wildfires in the area. She stated that she is trying to find a solution of illegal camping on BLM land. She gave examples of safe parking that other cities and other areas of Deschutes County have adopted. And would like to see La Pine adopt areas where un-homed people can safely park their vehicles.

Richard Harp, who lives at 51981 Campfire Dr., is seeking to understand the process for land use decisions and how development projects are managed.

STAFF AND COMMITTEE COMMENTS

City Recorder Metcalf did not have any comments.

Associate Planner Vickers did not have any comments.

Principal Planner Bybee did not have any comments.

Chair Myers did not have any comments.

Vice Chair Poteet did not have any comments.

Commissioner Hatfield did not have any comments.

Commissioner Accinelli did not have any comments.

Commissioner Bauman did not have any comments.

ADJOURN

Chair Myers adjourned the meeting at 5:57 p.m.

Pursuant to ORS 192.640: This notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the Planning Commission.

DRH-6



PUBLIC COMMENT FORM

Completed forms will be collected prior to the start of the meeting. Comments will be limited to 3 minutes and restricted to the topics indicated below. All remarks and questions must be addressed to the presiding officer, only. Comments will be respectful. Harsh and/or abusive language will not be permitted. (This document is a public record)

Name: Jennifer Stelzer Phone Number: (971) 338-9436
 Address: 5415 Elk Dr Bend OR 97707 - business: Huntington
 Email: jennifer.stelzer@comcast.net Resident Non Resident Other business owner
 Agenda Item Topic #: _____ in support of _____ in opposition to _____ as an interested party
Wheat Box

Non-Agenda Item Topic (Provide brief description): _____
Discussion of safe parking program in La Pine

Organization (if applicable): none Would you like to be contacted for follow up?
 Yes No



PUBLIC COMMENT FORM

Completed forms will be collected prior to the start of the meeting. Comments will be limited to 3 minutes and restricted to the topics indicated below. All remarks and questions must be addressed to the presiding officer, only. Comments will be respectful. Harsh and/or abusive language will not be permitted. (This document is a public record)

Name:	<u>Richard Herz</u>	Phone Number:	<u>702.308.4870</u>
Address:	<u>51981 CAMPFIRE DR LA PINE OR 97339</u>		
Email:	<u>richhert@kbar.com</u>	<input checked="" type="checkbox"/> Resident	<input type="checkbox"/> Non Resident <input type="checkbox"/> Other
Agenda Item Topic #:	_____	in support of	in opposition to as an interested party
<input checked="" type="checkbox"/> Non-Agenda Item Topic (Provide brief description):	<u>Question of process to approve application</u>		
Organization (if applicable):	_____	Would you like to be contacted for follow up?	<input type="checkbox"/> Yes <input type="checkbox"/> No



CITY OF LA PINE, OREGON PLANNING COMMISSION

Wednesday, August 21st, 2024 at 5:30 PM

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Online access via Zoom: <https://us02web.zoom.us/j/81803392317>

MINUTES

CALL TO ORDER

Chair Myers called the meeting to order at 5:30

ESTABLISH QUORUM

Commissioners

Chair Myers

Vice Chair Poteet

Commissioner Hatfield

Commissioner Bauman

Commissioner Accinelli

Staff Members

Geoff Wullschlager – City Manager

Brent Bybee – Principal Planner

Rachel Vickers – Associate Planner

Amanda Metcalf – City Recorder

PLEDGE OF ALLEGIANCE

Commissioner Accinelli led the Pledge of Allegiance.

CONSENT AGENDA

None.

ADDED AGENDA ITEMS

None.

PUBLIC HEARING

1. 02SUB-24 Finley Butte Ranch
 - a. Open Public Hearing

Associate Planner Vickers presented the staff report and the hearing procedure. Chair Myers asked the Commission if they had any conflict of interest, or bias. The Commission unanimously said no. Chair Myers asked the public if there were any challenges to the Commission’s lack of bias or conflict of interest. There were no challenges from the public. She asked the public if there were any procedural objections, there were no objections.

Chair Myers opened the public hearing at 5:37 p.m.

b. Application Documents

Associate Planner Vickers presented the staff report for the proposed tentative plan approval for a new 89 lot subdivision located at 51305 Evans Way to be developed with detached residential single-family dwellings. The applicant proposes to complete the subdivision in a single phase. She read aloud the code compliance for the Commission.

c. Public Testimony

There was no public testimony.

Staff recommended that the Commission close the hearing and public record, commence deliberations, and recommend approval of 02SUB-24.

d. Close Hearing

Chair Myers closed the hearing at 5:50 p.m.

There were no deliberations among the Planning Commission.

Commissioner Accinelli moved to close the public hearing for file 02SUB-24 and recommend approval of file 02SUB-24, which includes tentative plan approval for a new 89 lot single family subdivision located at 51305 Evans Way. *Vice Chair Poteet seconded the motion.* Motion passed unanimously.

2. 01SUB-24 Habitat

a. Resume the Hearing

Chair Myers resumed the hearing for land use file 01SUB-24. Principal Planner Bybee presented the staff report and the hearing procedure. Chair Myers asked the Commission if they had any conflict of interest, or bias. Chair Myers recused herself from the public hearing, and stated there is a possible conflict of interest since she lives in a Habitat for Humanity neighborhood. All other Commissioners unanimously said no. Vice Chair Poteet took over the hearing and asked the public if there were any challenges to the current Commission’s lack of bias or conflict of interest. There were no challenges from the public. He asked the public if there were any procedural objections, there were no objections.

b. Application Documents

Principal Planner Bybee presented the staff report for land use file 01SUB-24. He stated that the applicant, Habitat for Humanity, requests approval of a quadrant plan within a portion of the Newberry Neighborhood for a subdivision of 34 townhome lots. He stated that the hearing was adequately noticed and listed all the associated dates. He also stated that all submitted public comments will be addressed in his presentation.

He explained in detail where the neighborhood is located and how it was created in the County's master plan prior to the city's incorporation in 2006. He explained in detail the associated La Pine Development Code (LPDC) and how the applicant has met the requirements. Including parks, street design, and traffic impact.

He presented the written comments that were submitted to staff and addressed each concern and how, if applicable, they would link directly to LPDC requirements.

Lastly, he stated that staff recommends the Planning Commission coordinate further with the applicant on standards towards tree retention, and coordinate with staff towards an acceptable motion prior to closing the hearing for deliberations.

c. Public Testimony

Vice Chair Poteet opened the public testimony and allowed the applicant to present.

Wade Watson representing Habitat for Humanity Sunriver – La Pine explained the history of the local governing body. He explained the process of future homeowners that may purchasing homes from Habitat for Humanity. Additionally, he stated that future clients also have sweat equity in the new homes.

Tammy Wisco a consultant for Habitat for Humanity also presented on behalf of the applicant. She addressed the concerns that were listed in the submitted written public comments. This included parks and open space, street design, and a traffic analysis.

Vice Chair Poteet asked if there were any neutral parties that would like to give testimony. There were none.

Vice Chair Poteet asked if there were any parties in support that would like to give testimony. There were none.

Vice Chair Poteet asked if there were any parties in opposition that would like to give testimony.

Kack Camerer, that lives at 16681 Masten Mill Dr., stated that she has lived in La Pine for two years. She explained her background with social services in Lane County. She clarified that she is not against Habitat for Humanity but is against the procedures of the planning department. Lastly, she listed concerns about young children from the new subdivision playing in the existing park.

Steffon D'Auteuil, that lives at 16675 Maston Rd., requested that the decision be postponed due to the sign at Crescent Creek having the original public hearing date. He stated that the homeowners were not notified until July about the proposed subdivision. His concern is that the city is not meeting the mission statement and stated that it is growing but it is less desirable. He would like the development of the city to match the vision of La Pine. Lastly, he stated that he would like to have a safe city to live in.

Bert Lundmark, that lives at 16518 Charlotte Day Rd., thanked the commission for allowing him to speak today. He gave his professional background with engineering and his understanding on development. He stated that the Planning Department has made sure that the applicant is compliant with the city code, but he stated that there are a lot of upset residents.

He also stated that the existing park in Crescent Creek belongs to the Crescent Creek HOA, he asked for the existing homeowners' opinions to be taken into consideration when the Commission decides on the subdivision.

Christina Stiner, that lives at 16530 Charolette Day, representing the Crescent Creek HOA. She presented a power point and went over the current neighborhoods and asked how the current park owned by the HOA is allowed to be used by the new subdivision. She stated that the applicant said that the HOA was contacted about Habitat for Humanity joining the HOA, she said that herself and Paul were not contacted. She stated a concern about foot traffic around the park and asked for a fence so people would be directed to the entrance.

She also stated that the current location and plan of 34 townhomes is overcrowded and raised concern about snow storage.

Angela Anderson designated her time for Christina Stiner to finish her presentation.

Ms. Stiner concluded that she is concerned about the loss of open space and larger lots within crescent creek.

Mario Marchi, that lives at 51815 Fordham Dr., stated that this development should never have been planned and shouldn't have been allowed at this location. His concern is that the HOA pays for the park and stated it is unacceptable that the new development has access to it. He explained that there will be large traffic impacts with the new residents. Lastly, he explained his concern about fire safety and an evacuation route.

Bonnie Kuhn, that lives at 51945 lumberman Ln., stated she never received notice of the public hearing and stated that she lives within the 100-foot notification perimeter. She stated that she has concerns with traffic control and the increase of residents. She explained that the Crescent Creek neighborhood has had negative experiences with the public using the park and is concerned when the residents of the new subdivision start using it. Lastly, she asked who is going to enforce the covenants, conditions, and restrictions (CC&Rs).

Jennifer Kuhn, who lives at 51797 Fordham Dr., noted she was speaking on behalf of her mom Janice. She stated that her mom is in agreement with the other Crescent Creek residents. She gave her professional background and experience with land use. She stated that historically Habitat for Humanity listened to the community and took their opinions into consideration with new developments.

Richard Harp, who lives at 51981 Campfire Dr., gave suggestions on how the Planning Commission and Planning department can communicate better with the public. He read aloud the "about page" of the La Pine Planning Department. He showed pictures of the entrance of the Crescent Creek neighborhood and suggested better places that the public hearing notice could have been placed. He stated that the first time that the Crescent Creek residents were notified was in July. He stated that the residents were angry and suggested better communication between the City and the citizens of La Pine.

Sara Mesaros, who lives at 51868 Fordham Dr., asked the Commission how many affordable homes are in La Pine. She also asked where the jobs would be for the new residents the subdivision would bring in. She stated that the data on the comprehensive plan to support the need for affordable housing is

10 years old and suggested new data to be used. She explained her other concerns regarding the maintenance of the new subdivision. Lastly, she suggested a larger venue for the next meeting.

Jeremy Hoff, who lives on 16519 Charlott Day Dr., stated that he is not against Habitat for Humanity as an organization, but he is opposed of the location for this proposed development. He stated that the residential districts with the new subdivision are being built in the wrong location. He explained his concerns about the location of the new subdivision and asked why the Mayor was not present during the meeting. Lastly, he explained the possible loss of property value which would result in loss of revenue for the City.

Vice Chair Poteet asked for the applicant to present their rebuttal

Ms. Wisco explained that she would address the concerns that are relevant to the code. She stated that there was a neighborhood meeting, and it was notified to the state and city guidelines. She also stated that the notice was sent to the HOA and that many members of the Crescent Creek neighborhood were in attendance. She also explained that in future phases of development that the manager of Habitat will work with an architect to design the homes with consideration of fire safety and lighting. She explained that the park was built by the original developer and now has a public easement, and also addressed the parking concern with the street design. Lastly, she stated that Habitat for Humanity is here to answer any questions of the residents.

Vice Chair Poteet reopened the public testimony.

Chris Versonte, who lives on Fordham Dr., stated that a lot of original homeowners have sold their homes due to the development of low-income housing in La Pine. He stated a concern about animal displacement with the new development. He stated his concern about his property value decreasing and expressed his opposition to the new development.

Ms. Wisco did not have a rebuttal.

Principal Planner Bybee gave his closing comments and addressed the many concerns of the public comments. He encouraged citizens to review the application and the documents that have been submitted. He gave comments about the public notice that was located on the property, the email between the HOA and Habitat for Humanity regarding joining the HOA, and the maps that were presented at the public hearing.

He stated that the City is currently updating the comprehensive plan and encouraged the public to participate in the public summit in October. Lastly, he stated that since the hearing was continued from the original date, a location change could not be made.

Vice Chair Poteet reopened the public testimony

Cecil Brooks, that lives at 52444 Pine Dr., stated that after speaking with the residents at the meeting, he concluded that the community does not want the new development from Habitat for Humanity. He asks the Commission to not divide citizens and to listen to the opinions of the citizens in attendance.

Ms. Wisco stated that there wasn't a need for rebuttal since there wasn't anything pertaining to code. Additionally, she stated that there was a lot of passion from the residents, and it is very valuable to the applicant.

City Manager Wullschlager stated that the Mayor was not in attendance at the meeting because the City Council is the appeals body for decisions made at the Planning Commission level. He stated it is common practice that an appellate body avoids participating in hearings that may generate a future hearing on appeal that would be before itself.

He further explained that there wasn't a determinant definition of affordable housing which can vary from state to state. He also shared however, that if income requirements are 80% or less of local area median income, units that meet this standard are considered affordable income housing. He further stated that affordable housing is only a small percentage of the current utility accounts, roughly 180 units or individual accounts in the City of La Pine of the 1,800 individual utility accounts across all zones within the city.

He addressed the concern that the Planning Commission were not city of La Pine citizens and explained the requirements in the city's code for a minimum of three members to be residents within city limits, with the allowance for two seats to be outside of limits and within five miles of the city line with regards to residency.

Principal Planner Bybee presented the applicant's proposal regarding tree retention and read it aloud. There were no questions from the Commission.

He explained the four options for the Commission to take. He stated that if the Commission required more information to make a decision, the record could stay open and explained the 7/7/7 rule.

There was a brief recess for 10 minutes, recess started at 8:26 p.m.

The meeting commenced from recess at 8:36 p.m.

Vice Chair Poteet reopened the public testimony.

Loren Firth, that lives at 51827 Fordham Dr., stated that the community still would like to communicate with the Planning Commission. She asks the Planning Commission to consider continuing the hearing to a date and time certain so that the Citizens could keep voicing their concerns about this land use application.

Ms. Wisco stated that she did not have a rebuttal since the public testimony was regarding the 7/7/7 rule. She did address the time waiver that would be needed if the Commission decided to keep the hearing open and requested for a specific deadline.

Commissioner Accinelli moved to close the hearing and commence deliberations. *Commissioner Hatfield seconded the motion.*

Commissioner Accinelli – Aye

Commissioner Hatfield – Aye

Commissioner Baumann – Aye

Vice Chair Poteet – Aye

Motion passed unanimously; the hearing was closed at 8:49 p.m.

d. Close Hearing

There were deliberations among the Commission.

Commissioner Accinelli made a motion to approve the application and recommend staff to include the verbiage for tree preservation and light diffusion. *Commissioner Hatfield seconded the motion.* Chair Poteet called for a roll call vote.

Commissioner Accinelli – Aye

Commissioner Hatfield – Aye

Commissioner Bauman – Aye

Vice Chair Poteet – Aye

Motion passed unanimously.

Vice Chair Poteet asked Chair Myers to rejoin the meeting. Chair Myers returned to the dais and resumed the running of the regular meeting.

OLD BUSINESS

None

NEW BUSINESS

1. Long Range Planning Update (Discussion Only)

There were no new updates.

2. Administrative Land Use Application Update (Discussion Only)

Associate Planner Vickers gave an update on the administrative land use applications. She stated that there will be two public hearings on appeal of administrative decisions at future meetings.

OTHER MATTERS

None.

PUBLIC COMMENTS

None

STAFF AND COMMITTEE COMMENTS

Chair Myers made a comment that as a Commissioner difficult decisions are required to be made based on documents presented.

Vice Chair Poteet did not have any comments.

Commissioner Hatfield did not have any comments.

Commissioner Bauman did not have any comments.

Commissioner Accinelli did not have any comments.

City Manager Wullschlager did not have any comments.

Principal Planner Bybee did not have any comments.

Associate Planner Vickers did not have any comments.

City Recorder Metcalf did not have any comments.

ADJOURN

Chair Myers adjourned the meeting at 9:02 p.m.

Pursuant to ORS 192.640: This notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the Planning