

**City of Lowell, Oregon**  
**Joint meeting of the City Council and Planning Commission**  
**Meeting Minutes**  
**January 3, 2024**

The Lowell City Council and Lowell Planning Commission held a joint meeting on January 3, 2024. The meeting location was Lowell Rural Fire Protection District Fire Station 1 at 389 N. Pioneer Street, Lowell, OR 97452. Mayor Bennett called the meeting to order at 6:02 pm.

Before calling the roll, CA Caudle noted that two new Planning Commissioners were in attendance: John Petrie and Brenda Sirois. Both commissioners met with CA Caudle prior to the meeting to sign their oaths of office.

**City Councilors present:**

Mayor Don Bennett, Gail Harris, Tim Stratis, Maureen Weathers, Jimmy Murray

**City Councilors absent:**

None

**Planning Commissioners present:**

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

**Planning Commissioners absent:**

None

**Staff/others present:**

City Administrator Jeremy Caudle; Public Works Director Max Baker (via Zoom); City Engineer Matt Wadlington, Civil West Engineering (via Zoom); Contract Planner Henry Hearley, LCOG (via Zoom); City Attorney Gary Darnielle, LCOG (via Zoom); Fire Chief Lon Dragt, Lowell Rural Fire Protection District (via Zoom)

For the applicant: Wyatt Ledbetter, Carol Schirmer (via Zoom), Joe Edgar (via Zoom), Monty Luke

**Approval of the agenda:**

No changes.

**New Business**

1. Pursuant to Lowell Revised Code Section 9.462, the Planning Commission and City Council are holding a joint meeting for an informal review of Land Use Application #2023-04, "North Hyland Planned Development District." – Discussion/ Possible action

CA Caudle introduced the land use application by describing the process involved in reviewing planned development districts (PDD). The first step—informal review—is intended to save the city and applicant time and money. At this step, the City Council and

Planning Commission provide input to the developer on if the PDD meets the city's goals. If yes, these bodies can recommend approval of the application. That then requires the applicant to apply with detailed engineering and other information through the formal hearing processes. If no, then the applicant may decide that it's not worth the time or expense to proceed with a formal application.

Wyatt Ledbetter, contractor for the property owner, summarized the project. This includes the need to rezone to R-3, in addition to adding the PDD overlay. All the residential units are intended to be sold as separate lots. The PDD will include a park.

Monty Luke, architect for the property owner, added that the townhomes are on zero lot line properties. The intention is to build housing units that are lower in cost so that the units are more affordable. The PDD also includes individual homes and apartment units with accessible features. The developer will construct the streets and ensure connectivity with adjacent city streets.

Chair Kintzley asked how the applicant came up with this project.

Luke stated that the proposal is in response to the state's goals to increase the supply and affordability of housing.

Fire Chief Lon Dragt stated that sprinklers would be required for the 3-story buildings.

Chair Kintzley asked how the 3-story buildings would affect fire department options.

Chief Lon Dragt stated that requiring sprinklers would address the fact that the fire department does not have a ladder truck.

Commissioner George asked if the garage is included in square footage of the townhomes.

Ledbetter responded, "No."

Commissioner George stated that the townhomes could make homeownership more affordable to aspiring first-time homebuyers. He also added that the increased population density could make it feasible for more restaurants to locate in Lowell.

A discussion about the park ensued. The applicant stated that they are open to having the PDD's homeowners' association maintain ownership or transferring to the city. Either way, the park would be open to the public. The applicant is open to city input on what features to add to the park—examples include pickleball or basketball courts.

Commissioner Trimble asked how many families with children could be expected to locate to the PDD. Her concerns were regarding the school district's capacity to handle more families.

Luke responded that based on his experience, he estimates about half of the units would have families with children.

Commissioner Sirois asked how the developer intends to finance the project. She also asked about the definition of “affordable housing.”

Ledbetter responded that the cost of materials for the townhouses is estimated to be in the \$250,000 to \$260,000 range.

Edgar, the owner of the property, introduced himself. He described his ties to Oregon and then stated his interest in adding to the supply of quality, affordable homes. He stated that he would finance the project himself in phases. This would allow them to evaluate the demand for the units and to build accordingly.

Councilor Harris asked how long the phasing would take.

Ledbetter estimated that this would be a 5-year project. The first phase is to install the streets and other infrastructure.

Chair Kintzley asked Public Works Director Baker about the effect on water treatment capacity.

Baker stated that there is little extra capacity during summer. The city is in the process, however, of completing a study that could increase capacity at the plant. The phasing of the project would give the city time to accommodate the increase in units. Also, the type of development would use less water than the average residential unit in Lowell.

Chair Kintzley then asked how many units are in progress or pending.

Baker estimated 30. These are factored into the demand analysis on water.

Commissioner George asked if the wastewater treatment plant could handle the capacity.

Baker responded that the wastewater treatment plant has adequate capacity.

Councilor Weathers asked if the PDD would result in no capacity to serve existing vacant lots. The concern is ensuring that everyone has reasonable expectations as to remaining water capacity.

Chair Kintzley agreed that there needs to be certainty as to remaining capacity, especially for current property owners who intend to build in the future.

Wadlington stated that the water treatment plant is close to capacity during the summer. If capacity can increase 30% with a new tracer study, then the city could accommodate an estimated new 115 units.

Commissioner Sirois asked what would prevent price wars and speculative buying/selling of the properties, in turn making the units less affordable.

Commissioner Petrie wondered what would prevent someone from buying many of the units, in turn renting them.

Chair Kintzley added that HOAs could prevent this situation.

Edgar stated that they, the property owners, can control to whom they're selling the units.

Councilor Statis asked about drainage directed towards Carol Street.

Luke responded that the project engineer would develop stormwater calculations to evaluate how to handle runoff.

Chair Kintzley asked if detention ponds are feasible.

Luke responded that dry wells are a possible solution.

Mayor Bennett asked what units on the site plan would be part of the HOA.

Luke stated that lots 17 through 44—the townhomes—would likely be the only units that are part of the HOA. The homes and accessible apartment units would be subject to codes, covenants, and restrictions.

Councilor Weathers asked about street parking.

Ledbetter stated that the townhomes have two off-street parking spots.

CA Caudle stated that the development code only requires one off-street parking spot.

There was discussion about allowing parking on one side of the street only.

City Attorney Darnielle advised for the PDD overlay application to occur simultaneously with the R3 rezoning application. He also stated that the development code states that PDDs that are less than 5 acres in size require findings from the city on why a smaller PDD is acceptable.

Chair Kintzley stated that parking at the PDD's park may need to be addressed in the future.

Commissioner George moved for preliminary approval of the PDD application in principle, which Chair Kintzley seconded. APPROVED by the Planning Commission: 5 yeases, 0 noes.

Councilor Harris moved for preliminary approval of the PDD application in principle, which Councilor Murray seconded.

Mayor Bennett called for discussion.

Councilor Weathers stated that her vote for approval “in principle” does not signify “approval of anything that’s on record here [tonight] and that it’s all subject to review both ways.”


City Attorney Darnielle stated that the process at this point involves “conceptual approval”—not a final, factual approval. He referred to section 9.462 of the development code. At this point, the application needs simply to address the requirements of the development code, not necessarily to meet them.

Councilor Harris clarified that the vote tonight signifies that the city is simply interested in the proposal. Additional information will be required as the developer proceeds to the next step.

Councilor Harris’s motion for approval of the PDD application in principle was APPROVED by the City Council, with 5 yeses and 0 noes.

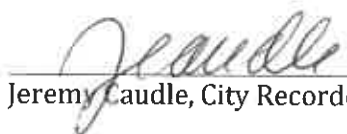
**Adjourned at 7:30 pm.**

APPROVED:



Don Bennett, Mayor

ATTEST:



Jeremy Caudle, City Recorder

