

**Planning Commission
Regular Meeting Agenda
Wednesday, July 22, 2026 at 6:00 p.m.**

**Lowell Rural Fire Protection District, Fire Station 1
389 North Pioneer Street
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 Lowelloregon.gov
- Submitting written comments by mail to PO Box 490, Lowell, OR 97452 or in person to Lowell City Hall located at 70 N. Pioneer St.
- By email to: admin@lowelloreogn.com

Meeting Agenda

1. Call to Order/Roll Call/Pledge of Allegiance

Commissioners: Kintzley ____ George ____ Petrie ____ Trimper ____ Priser ____

2. Approval of Agenda

3. Public Comment

4. Meeting Minutes

- November 5, 2025 Planning Commission Meeting Minutes

New Business-Public Hearing

5. Land Use File #2026 02, "A request for tentative partition to create 2-lots" – 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. Applicant Presentation
- e. The public hearing is now closed at ____ (state time)
- f. Planning Commission decision on Land Use File # LU 2026 02

Other Business

Adjourn

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.

**Planning Commission
Regular Meeting Minutes
November 6, 2025**

The Lowell Planning Commission held a regular meeting on November 6, 2025. The meeting location was Lowell Rural Fire Protection District, Fire Station 1, 389 North Pioneer Street, Lowell, OR 97452. Suzanne Kintzley called the meeting to order at 6:11 pm.

Planning Commissioners present:

Chair Suzanne Kintzley, Bill George, John Petrie, Bill Priser

Planning Commission absent:

Rick Trimper

Staff present:

City Administrator Max Baker

Approval of Agenda: Motion to approve the agenda as written was made by Commissioner Petrie, seconded by Commissioner George. Motion passed unanimously.

Public Comment: None

Meeting Minutes: Motion to approve September 3, 2025 Planning Commission Meeting Minutes was made by Commissioner Petrie and seconded by Commissioner Priser. Motion passed unanimously.

New Business: Public Hearing

Land Use File #2025 02, "Whipple Estates Tentative Subdivision." – Discussion / Possible Action

a. The public hearing is now open at 6:16 PM

The Chair opened the public hearing at 6:16 PM. Required statutory disclosures regarding impartiality, conflicts of interest, exparte contact, and site visits were read into the record. Commissioners Petrie and George disclosed that they had visited the site. No objections to jurisdiction or impartiality were raised.

b. Staff report – Associate Planner Henry Hearley, Lane Council of Governments

Associate Planner Henry Hearley of Lane Council of Governments presented the staff report. He noted the hearing was a continuation of the October 1, 2025 meeting, which was canceled due to lack of quorum. One written public comment was received from Gary and Jane Reese on November 4, 2025, raising concerns regarding non-single-family housing types in Lowell; staff determined the comment did not substantially impact the applicable approval criteria.

The application requests preliminary subdivision plat approval to create an 11-lot subdivision on a 2.12-acre R-3 zoned parcel (Map and Tax Lot 19-01-14-21, Lot 01600) owned by

Don Wilkinson. All proposed lots are 6,000 square feet and 50 feet wide. The subdivision requires no new streets, as existing access from surrounding streets is already in place. Utilities including water and sewer are available and have confirmed capacity to serve all lots. Required improvements include an 8-inch sewer line, a new fire hydrant, storm drain upgrades, and rain gardens at the rear of each lot to be maintained by future homeowners. Curb, gutter, and sidewalk improvements along North Highland and 4th Street frontages will be bonded and completed as development occurs. A 30-foot utility easement running through the rear of the property will also provide optional rear access to lots, consistent with existing alley arrangements in the city. The city engineer reviewed the preliminary plans and found them acceptable. Staff recommended approval subject to the findings and conditions contained in the staff report.

Public Comment: There were no public comments received for this item, either in writing or from attendees at the meeting.

Applicant Presentation:

Civil Engineer Tony Favreau, representing the applicant, confirmed the accuracy of the staff report and offered to answer questions. Property owner Don Wilkinson was noted to be present in the audience. In response to commissioner questions, it was clarified that the 30-foot rear easement could serve as optional alley-style access to lots, consistent with other alleys in Lowell, and that surface treatment of the easement would be determined during the engineering review. Rain gardens will be located within each lot's rear yard, outside the utility easement, and each homeowner will be responsible for their maintenance under a separate agreement.

Commission discussion acknowledged that while the R-3 zoning permits various residential types including duplexes, any development on the individual lots would be required to meet all applicable code standards for setbacks, parking, and building type. Any variance requests would require a separate application and commission review. The commission expressed general enthusiasm for the project, noting it as appropriately scaled infill development with infrastructure largely already in place, and drew favorable comparisons to the previously successful Rockcrest Drive development.

Commissioner Petrie raised a broader policy question regarding the accumulation of potential multifamily development in the city and suggested the commission consider a future review of zoning and planning implications. The Chair noted this would be a separate future discussion.

The public hearing is now closed at 6:33 PM

Planning Commission Decision on Land Use File # LU 2025 02

Motion to approve the preliminary subdivision plat known as Whipple Estates, processed as Land Use File LU 2025-02, subject to the findings and conditions as contained in the staff report, was made by Commissioner Priser and seconded by Commissioner George. The motion carried unanimously.

Other Business: There was no other business discussed.

Adjourn:

Motion to adjourn the meeting was made by Commissioner Priser and seconded by Petrie.
The motion carried unanimously. Meeting adjourned at 6:41PM

APPROVED:

Suzanne Kintzley, Chair

ATTEST:

Max Baker, City Administrator

Lowell Planning Commission Staff Report
Assessor's Map 19-01-14-24, Tax Lot 04500
TYJB Tentative Partition Plat
LU 2026 02
Date of Report: July 16, 2026

Referrals: Lane County Surveyor and Civil West Engineering

Mailed Notice: June 12, 2026

Staff Report Date: July 16, 2026

Planning Commission
Public Hearing: July 22, 2026

BASIC DATA

Application Request: Partition to create two parcels

Agent: Nickell Land Surveying & Planning, LLC.
33225 Craig Loop
Cottage Grove, OR 97424
541-968-2905
Nickell2u@msn.com

Property Owner: TYJB, LLC
245 North Hyland Lane
Lowell, OR 97452
Zionbuilders.com

Location: 245 North Hyland Lane

Area: 11,438 square feet

Plan Designation: DRD

Zoning: Downtown Residential District

I. Proposal. A two-parcel partition which splits the existing parcel into two new legal parcels. A sanitary sewer easement will be created on the west side of Parcel 1. Proposed Parcel 1 will be 5,800 square feet. Proposed Parcel 2 will be 5,637 square feet. The minimum parcel size in the DRD zone is 4,000 square feet. The two proposed parcels exceed the minimum parcel size for the zone.



Figure 1. Aerial photo of the subject property. Photo from RLID.org

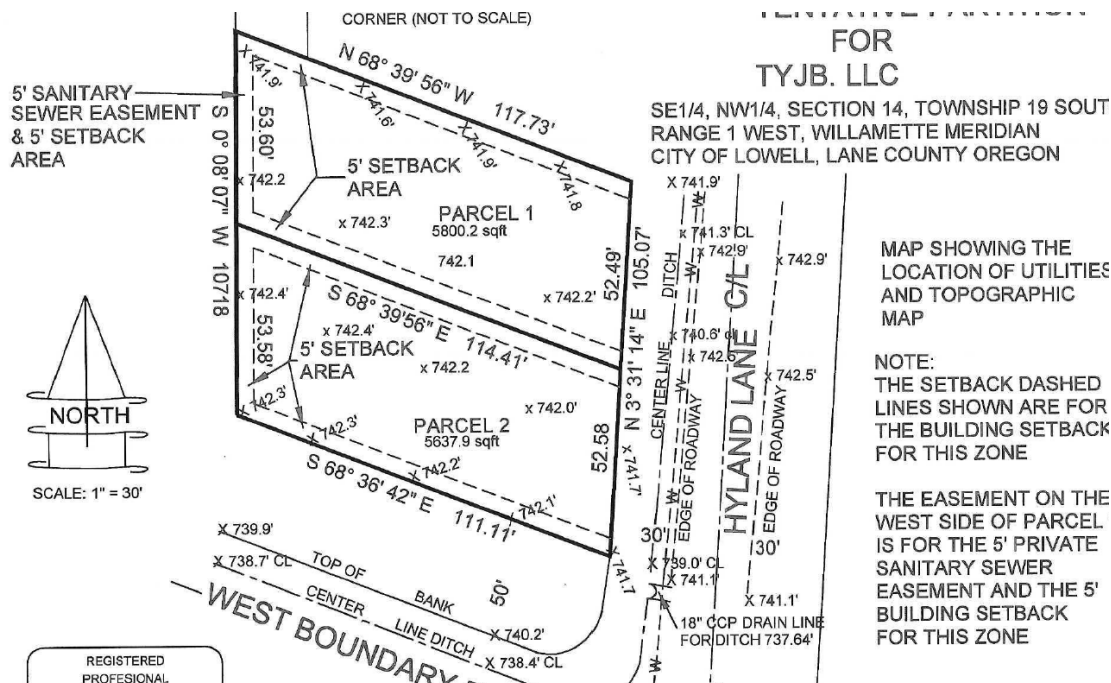


Figure 2. Proposed tentative partition plat. Prepared by applicant's surveyor.

II. Approval Criteria. Section 9.201; Section 9.220-9.225; and Section 9.228

Staff review of applicable criteria.

LDC 9.204 Application Site Plan

FINDING: The applicant has submitted the necessary information as required for an application site plan, and application narrative in order for staff to make findings on the proposal. The City Engineer requested to see additional information, but staff found the revised plat submitted to the City Administrator on June 8, 2026, sufficient to deem the application complete and process it. Staff note that this very property underwent Type II site plan review and was approved for a 10-unit residential development under LU 2024 05. Engineering review was conducted as part of the site plan review under LU 2024 05.

LDC 9.220. Subdivision or Partition Tentative Plan

(a) The Planning Commission shall have the authority to review and approve Land Partitions and Subdivisions pursuant to a Type III process

FINDING: The requested land use action is a partition. In accordance with the LDC, the proposal will be reviewed by the Lowell Planning Commission at a public hearing. A duly noticed public hearing has been scheduled for July 22, 2026.

LDC 9.221. Submission Requirements

A land divider shall prepare a Tentative Plan together with improvement plans and other supplementary material as may be required to indicate the general idea and objectives of the project. The Applicant shall submit three copies of the Tentative Plan and supplementary data to

the City at the time of submittal of the application. The City may require additional copies to be submitted before review or hearing.

FINDING: The applicant has submitted the necessary information in order for staff to make findings on the proposal. The application materials are included in this staff report as **Exhibit A**. Criterion met.

LDC 9.223 General Information

The following information shall be provided on all Tentative Plans:

- (a) All information required by ORS 92 for a Tentative Plan including, but not limited to, the following.*
- (b) No Tentative Plan shall be approved which bears a name using a word which is the same as, similar to or pronounced the same as a word in the name of any other subdivision in the same county, except for the words "town," "city," "place," "court," "addition," or similar words, unless the land Platted is contiguous to and Platted by the same party that Platted the subdivision bearing that name or unless the party files and records the consent of the party that Platted the subdivision bearing that name. All Plats must continue the lot and block numbers of the Plat of the same name last filed.*

Subdivisions submitted for final approval shall not use block numbers or letters unless such subdivision is a continued phase of a previously recorded subdivision, bearing the same name, that has previously used block numbers or letters.

- (c) Date, northpoint, scale of drawing.*
- (d) Appropriate identification clearly stating the map is a subdivision or partition Tentative Plan.*
- (e) Location of the land division by section, township and range sufficient to define the location and boundaries of the proposed subdivision.*
- (f) Names and addresses of the owner, applicant and surveyor.*
- (g) The approximate acreage of the tract being subdivided or partitioned, and the size of proposed lots or parcels.*

FINDING: The applicant has submitted the necessary information as required for tentative partition plat requirements. Partitions do not receive names.

LDC Section 9.224 Existing Conditions Information

- (a) The location, widths and names of both opened and unopened streets within or adjacent to the land division, together with easements, other rights-of-ways and other important locational information such as section lines, corners, city boundary line and monuments.*
- (b) The location of all existing sewers, septic tanks and drain fields, water lines, storm*

drains, culverts, ditches, and utilities, together with elevation data, on the site and on adjoining property or streets, if applicable.

- (c) The base data used to determine contours shall be clearly indicated and shall be compatible to City datum if bench marks are not adjacent. The following intervals are required:*

<i>Contour Intervals</i>	<i>Ground Slope</i>
<i>One Foot</i>	<i>Up to 10%</i>
<i>Five Foot</i>	<i>Over 10%</i>

- (d) The location of at least one bench mark control point within the tract boundaries*
- (e) The location and direction of all on-site and off-site drainage, drainage channels, water courses and the location of all areas subject to flooding.*
- (f) Natural features such as rock outcroppings, wetlands, wooded areas and isolated preservable trees. Lands that are wholly or partially within areas identified as wetlands shall be clearly delineated for review and permit.*
- (g) Existing uses on and adjacent to the property, including the location of all existing structures to remain on the property after the land division.*
- (h) Zoning on and adjacent to the property to be divided.*

FINDING: The necessary existing conditions information is shown on the tentative partition plat. The subject property is presently bare and vacant. The subject property does have an approved site plan review for 10-unit residential development. To date, no development has occurred on the subject property.

LCD 9.225 Proposed Plan Information.

- (a) A vicinity map clearly showing the relationship and connections of the proposed land division to surrounding developments, streets, storm drainage, sewer, septic tank and drainfield, water and utility services.*

FINDING: The tentative partition plat shows an 18" CCP drain line for ditch, a 5' easement for sewer, and a sanitary sewer cleanout located 25' north of the property. The subject property has double frontage on West Boundary Road and Hyland Lane. Access to any future residential development will be from Hyland Lane, per the approved plans for site plan review. No development is allowed by virtue of tentative approval of a partition plat. The development plans for the property underwent substantial review and are approved per the conditions. Finer details regarding actual site development are outlined in the approval for site plan review and have been reviewed and approved by the City already.

- (b) The location, width, name and approximate grade and curve radii of proposed street. The relationship of proposed streets to existing streets and any projected future streets shown on the Master Road Plan or other transportation planning document. Streets*

proposed for public dedication and streets held for private use shall be clearly indicated and all reservations or restrictions relating to such private streets shall be included in the statements specified in Section 9.226.

FINDING: The location, width, name and grade of West Boundary Road and Hyland Lane are shown on the tentative partition plat. Neither partition nor site development require any new streets to be created.

(c) The location, width, and purpose of existing and proposed easements.

FINDING: The location, width, and purpose of proposed easements are shown on the tentative partition plat. The tentative plat does not show or list any existing easements.

(d) The total acreage and the proposed land use for the land division including sites for special purposes or those allocated for public use.

FINDING: The total area of the subject property is 11,438 square feet. Proposed Parcel 1 will be 5,800 square feet. Proposed Parcel 2 will be 5,637 square feet. The tentative partition plat reflects this information.

(e) The location and approximate location dimensions of lots or parcels and the proposed lot or parcel numbers. Where the property division results in any lots or parcels that are larger than 2 and one-half times the minimum lot size, the applicant shall provide a sketch plan showing how the parcels may be re-divided in the future to provide for at least 80% of maximum density within current minimum lot sizes, existing site constraints and requirements of this Code.

FINDING: The total area of the subject property is 11,438 square feet. Proposed Parcel 1 will be 5,800 square feet. Proposed Parcel 2 will be 5,637 square feet. The tentative partition plat reflects this information. Following partition, the subject property cannot partition again because a new legal lot would not be able to meet the minimum lot size requirement.

(f) An outline of the areas proposed for partial recording of a final plat and a time schedule for additional platting if staged recording is proposed.

FINDING: Staged platting is not proposed.

(g) a general layout of all public utilities and facilities to be installed including provisions for connections and extensions beyond the proposed land division.

FINDING: A general layout of all public utilities and facilities was included in the site plan review approval for a 10-unit housing development. The site plan review was approved under Land Use File LU 2024-05.

(h) The proposed method of connection to all drainage channels located outside of the proposed land division and the proposed method of flood control (retention ponds, swales.) and contamination protection (settling basins, separators, etc.)

FINDING: Method of drainage was included in the site plan review approval for a 10-unit housing development. The site plan review was approved under Land Use File LU 2024-05. Approval of a tentative partition plat does not create any impervious surfaces. Upon site development, drainage is addressed by a valley gutter running lengthwise along the center of the parking lot and a rain garden swale at the southeast corner of the subject property.

(i) Identification of all proposed public dedications including streets, pedestrian or bike ways, parks, or open spaces.

FINDING: No public dedications are proposed since the subject property does not require new streets to be built. The proposal does not include parks or open spaces for dedication. An existing city park is nearby.

(j) Identification of any requirements for future streets and easements required for extension of public infrastructure beyond the development together with restrictions on building within those future streets and easements as well as future setback areas required by this Code.

FINDING: No new streets are necessary for tentative partition. Easements are shown on the tentative partition plat. Future setbacks are shown on the tentative partition plat.

(k) Identification and layout of all special improvements. Special improvements may include, but are not limited to, signs, lighting, benches, mailboxes, bus stops, greenways, bike or pedestrian paths.

FINDING: Staff have not identified any special improvements for tentative approval.

LDC 9.226 Accompanying Statements. *The Tentative Plan shall be accompanied by written statements from the applicant giving essential information regarding the following matters:*

(a) Identify the adequacy and source of water supply including:

(1) Certification that water will be available to the lot line of each and every lot depicted on The Tentative Plan for a subdivision, or.

(2) A bond, contract or other assurance by the applicant that a public water supply system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan.

FINDING: The City Administrator and Public Works have confirmed that water supply can be made available to each proposed lot.

(b) Identify the proposed method of sewage disposal including:

(1) Certification that a sewage disposal system will be available to the lot line of each and every lot depicted on the Tentative Plan for a subdivision, or.

(2) A bond, contract or other assurance by the applicant that a public water supply system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan.

FINDING: The City Administrator and Public Works have confirmed that sewer service can be

made available to each proposed lot.

(c) Protective covenants, conditions and deed restrictions (CC&R's) to be recorded, if any.

FINDING: CC&Rs have not been proposed by the applicant.

(d) Identify all proposed public dedications including streets, pedestrian or bike ways, parks or open space areas.

(e) Identify all public improvements proposed to be installed, the approximate time installation is anticipated and the proposed method of financing. Identify required improvements that are proposed to not be provided and the reason why they are not considered necessary for the proposed land division.

FINDING: No street dedication is required, as the subject property abuts existing city rights-of-way that will provide legal access. Frontage improvements will be constructed upon site development. Refer to the findings and conditions of LU 2024-05.

(f) A statement that the declarations required by ORS 92.075 on the final plat can be achieved by the fee owner, vendor and/or the mortgage or trust deed holder of the property.

FINDING: The property owner/applicant shall submit the final plat in accordance with ORS 92.075. A final plat will be prepared with a licensed surveyor in the state of Oregon and in conformance with ORS 92 requirements.

LDC 9.227 Supplemental Information. *Any of the following may be required by the City, in writing to the applicant, to supplement the Tentative Plan.*

(a) Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed land division showing the finished grade of streets and the nature and extent of street construction.

(b) A detailed plan of the domestic water supply lines and related water service facilities.

(c) A detailed plan of the sewage disposal, storm water drainage and flood control, including profiles of drainage ways.

(d) If lot areas are to be graded, a plan showing the nature of cuts and fill and information on the character of the soil.

(d) Specifications and details of all proposed improvements.

FINDING: Detailed development plans are approved as part of LU 2024-05 for a 10-unit residential development.

LDC 9.228 Decision Criteria. A Partition Tentative Plan may be approved by the Planning Commission pursuant to a Type III process. Approval shall be based upon compliance with the submittal requirements specified above and the following findings.

- (a) That the proposed land division complies with applicable provision of City Codes and Ordinances, including zoning district standards.***

FINDING: Proposed Parcel 1 and 2 both meet the minimum lot size requirement. Criterion met.

- (b) Where the property division results in any lots or parcels that are larger than 2 and one-half times the minimum lot size, the applicant shall provide a sketch plan showing how the parcels may be re-divided in the future to provide for at least 80% of maximum density within current minimum lot sizes, existing site constraints and requirements of this Code.***

FINDING: There are no lots involved in the subdivision that are 2.5 times the minimum lot size. Staff find this criterion does not apply.

- (c) The applicant has demonstrated that the proposed land division does not preclude development on properties in the vicinity to at least 80% of maximum density possible within current minimum lot sizes, existing site conditions and the requirements of this Code.***

FINDING: Since the proposed subdivision is a typical infill residential development and there is no vacant surrounding land to which it could connect, there is no further development that the proposed subdivision could preclude.

- (d) The proposed street plan:***

- (1) Is in conformance with City standards and with the Master Road Plan or other transportation planning document.***
(2) Provides for adequate and safe traffic and pedestrian circulation both internally and in relation to the existing City street system.
(3) Will not preclude the orderly extension of streets and utilities on undeveloped and underdeveloped portions of the subject property or on surrounding properties.

FINDING: The proposed partition does not create any new streets. The subject property has adequate frontage onto a city right-of-way. Traffic and pedestrian circulation were reviewed as part of site plan review approval under LU 2024 05.

- (e) Adequate public facilities and services are available to the site, or if public services and facilities are not presently available, the applicant has demonstrated that the services and facilities will be available prior to need, by providing at least one of the following:***

- (1) Prior written commitment of public funds by the appropriate public agency.***
(2) Prior acceptance by the appropriate public agency of a written commitment by

the applicant or other party to provide private services and facilities.

(3) A written commitment by the applicant of other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the City.

FINDING: Public facilities are available to the site. The provision of public facilities is included and discussed in the approved site plan for this site. Refer to LU 2024 05 for details regarding provision of public facilities. The property owners have also entered into an improvement agreement with the City regarding the construction of public facilities. Refer to **Exhibit B**.

III. Recommendation.

Staff recommend Planning Commission approve the tentative partition plat subject to a condition of approval that the final plat be prepared in accordance with ORS 92. A final plat is reviewed pursuant to Section 9.237.

The Planning Commission may choose to adopt this staff report and the findings contained herein as the findings of fact supporting a decision to approve the application. In their motion, Planning Commission should make clear that they are adopting this staff report and these findings as the basis for their decision. Staff will prepare a final order/notice of decision for signature by the Chair. Planning Commission should declare that they authorize the Chair to sign the final order/notice of decision outside of a Planning Commission meeting if the final order/notice of decision substantially conforms to the adopted findings supporting a decision.

IV. Exhibits.

A – Application materials

B – Improvement Agreement for LU 2024 05



PO Box 490, Lowell OR 97452

LU 2026-002

DEVELOPMENT APPLICATION - TYPE III

Quasi-Judicial - Planning Commission

The following information must be fully completed in order to process your application. All Type III applications require a Pre-Application Conference and a Site Plan. The fee for a pre-application conference is in addition to the land use application fee. Some types of applications also require supplemental information, as noted below. All decisions shall address approval criteria, including applicable requirements of any road authority. Applications missing required information may be deemed incomplete. Based on the criteria and facts contained within the record, an application deemed complete shall be: approved, approved with conditions, or denied. By signing the application below, applicant acknowledges that if the total cost to the City exceeds 125% of application fees collected, applicant will be required to reimburse the City in accordance with Ordinance 228. Thank you for your cooperation.

Site Address VACANT PARCEL OF LAND

Applicant's Name Jacobe Briggs Phone No 541-968-0584

Applicant's Address 245 North Hyland Lane, Lowell, Or 97452 Email zionbuilders@live.com

Owner's Name TYJB, LLC % Jacobe Briggs Phone No 541-968-0584

Owner's Address 245 North Hyland Lane, Lowell, Or 97452 Email zionbuilders@live.com

APPLICATION FOR:

Check One Box: Supplemental Info Req'd?

- | | | |
|-------------------------------------|---|-----|
| ☒ | Tentative Plan - Subdivision/Partition | Yes |
| ☐ | Replatting - Subdivision/Partition | Yes |
| ☐ | Major Modification - Subdivision/ Partition | Yes |
| ☐ | Site Plan - Type III | Yes |
| ☐ | Accessory Dwelling Unit - Type III | Yes |
| ☐ | Home Occupation - Type III | Yes |
| ☐ | Bed & Breakfast | Yes |
| ☐ | Multi-family Care Facility | Yes |
| ☐ | Manufactured Home Park | Yes |
| ☐ | Variance - Major | Yes |
| ☐ | PUD - Major Modification | Yes |
| ☐ | Conditional Use - (Please State Use) | Yes |

Special Standards - Check All that Apply:

- | | | |
|--------------------------|---------------|-----|
| ☐ | Hillside | Yes |
| ☐ | Floodplain | Yes |
| ☐ | Wetlands | Yes |
| ☐ | Riparian area | Yes |

Appeals:

- ☐ Appeal - Type II Decision

File No for appeal:

Map Number 19-01-14-24

Tax Lot(s) 4500

Total Area 11,438 sq ft (survey data)
(Indicate Sq Ft or Acres)

Current Zoning DRD (RLID data)

Current Property Use vacant

Proposed Property Use 2 parcel partition

Affected Roads & Jurisdiction - (local, county, state, etc)

local

I am the:

- ☒ Owner - (as filed with the Lane County Assessor)
☐ Owner's Authorized Representative*

*Requires authorization letter signed by Owner as an attachment to this document

I understand that any false statement on this application or on any supplemental attachments may cause subsequent approval to be null and void

Applicant's Signature

5/7/26
Date

FOR OFFICIAL USE ONLY

STAFF REVIEW

File Number _____

Date Received _____

Received By _____

☐ Fee Paid Amount: _____ Receipt Date: _____

☐ All Requirements Attached ☐ Application deemed Complete Date: _____

☐ Owner's Signature or Letter of Authorization ☐ City Council Hearing Date: _____

☐ Additional Information Required ☐ Planning Commission Hearing Date: _____
(complete next section)

ADDITIONAL INFORMATION REQUIRED *List Additional Information Needed to Deem the Application Complete*

☐ Notice Mailed to Applicant Requesting Additional Information Notice Mailed Date: _____

If requested information is not provided within 30 days of the request date, the application will be considered null and void on the 31st day following the request for additional information unless an extension has been granted, per section 9.203 (h).

☐ Extension of Time to provide Information Granted Extension Due Date: _____

☐ Additional Information Received Information Rec'd Date: _____

NEIGHBORHOOD NOTICES

☐ Neighborhood Notices Required Notices Mailed Date: _____

DEVELOPMENT PERMIT APPROVAL

Planning Commission & City Council

Signatures on Decision Document

Approval Entity: Planning Commission

Date: _____

City Council

Date: _____

Type I & II Approvals:

Authorizing Signature *Date*

Approval of this application, after all applicable conditions have been met, constitutes a development Permit in accordance with Lowell Development Code Section 9.203, Application Procedure.



PO Box 490, Lowell OR 97452

SITE PLAN CHECKLIST

Section 9.204 - Type II, III & IV Applications

All type III land use applications require a site plan. Any land use application requiring a site plan shall submit the plan, in addition to the required application form, 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 to scale. The scale to be used shall be in any multiple of 1 inch (1" = 10', 1" = 20', 1" = 30', 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 information requested below may not apply to every application. Please refer to the development code for specific requirements pertaining to your application.

- ☒ Completed Development Application (Type II, Type III or Type IV)
- ☒ Vicinity map showing properties within the notification area and roads. This is for neighborhood notifications.
An assessor map showing all adjacent properties within the notification area is adequate.
- ☒ **Site Map - to scale & including the following:** (See instructions above)
- ☒ Map Legend: Map date, scale & northpoint, projection, Key to features, topography etc.
- ☒ Lot Dimensions: To scale drawing depicting all lots in the proposed development
- ☒ Structures: Location, size, height and uses for all existing and proposed buildings
- ☒ Open Space: Yards, open space and landscaping
- ☒ Special Features: Existing and proposed grades and trees, and plantings to be preserved and removed
- ☒ Fencing: Walls, fences and screening - must include location, height and materials
- ☒ Access: Pedestrian, vehicular and service access including all ingress and egress points
- ☒ Off-St Parking: Parking location, number of spaces, dimensions of parking area and internal circulation patterns
- ☐ Loading: Location, dimension, number of spaces, internal circulation
- ☒ Roads: Street dedication and improvements
- ☒ Utilities: Water Systems, Drainage Systems, Sewer Systems and other Utilities
- ☒ Drainage Ways: Water courses, flood plain, floodway and wetlands

Additional Information:

- ☐ Trip Generation: Number of generated trips per day from each mode of travel by type
- ☐ Occupancy: Number of people that will occupy the site including family members, employees or customers
- ☐ Operation Time: Where appropriate, include hours of operation, days of the week and number of work shifts
- ☐ Lighting: Location, type, general nature and hooding devices. For free standing lights, include structural detail
- ☐ Signs: Location, size, height and means of illumination. For free standing signs, include structural detail



PO Box 490, Lowell OR 97452

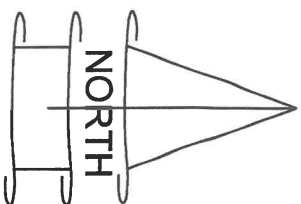
SITE PLAN CHECKLIST

Section 9.204 - Type II, III & IV Applications

Special Requirements:

- ☒ Emissions & Hazards: Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extend of emissions and nuisance characteristics relative to the proposed use. Misrepresentation of omission of required data shall be founds for denial or termination of a certificate of occupancy
- ☒ Nuisances: 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 of City Council.
- ☒ State & Federal Regulations: 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 applicatoin shall be conditional upon evidence being submitted to the City indicating that the proposed activity has been approved by all appropriate
- ☐ Other: Any other data deemed necessary to permit the deciding authority to issue required findings

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



SCALE: 1" = 30'

sanitary sewer clean out
25' NORTH & 13.5' EAST OF NW
CORNER (NOT TO SCALE)

TENTATIVE PARTITION FOR

TYJB. LLC

SE1/4, NW1/4, SECTION 14, TOWNSHIP 19 SOUTH
RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF LOWELL, LAKE COUNTY OREGON

MAP SHOWING THE
LOCATION OF UTILITIES
AND TOPOGRAPHIC
MAP

19-01-14-24-04500

NICKELL LAND SURVEYING

33225 CRAIG LOOP

COTTAGE GROVE, OR 97424

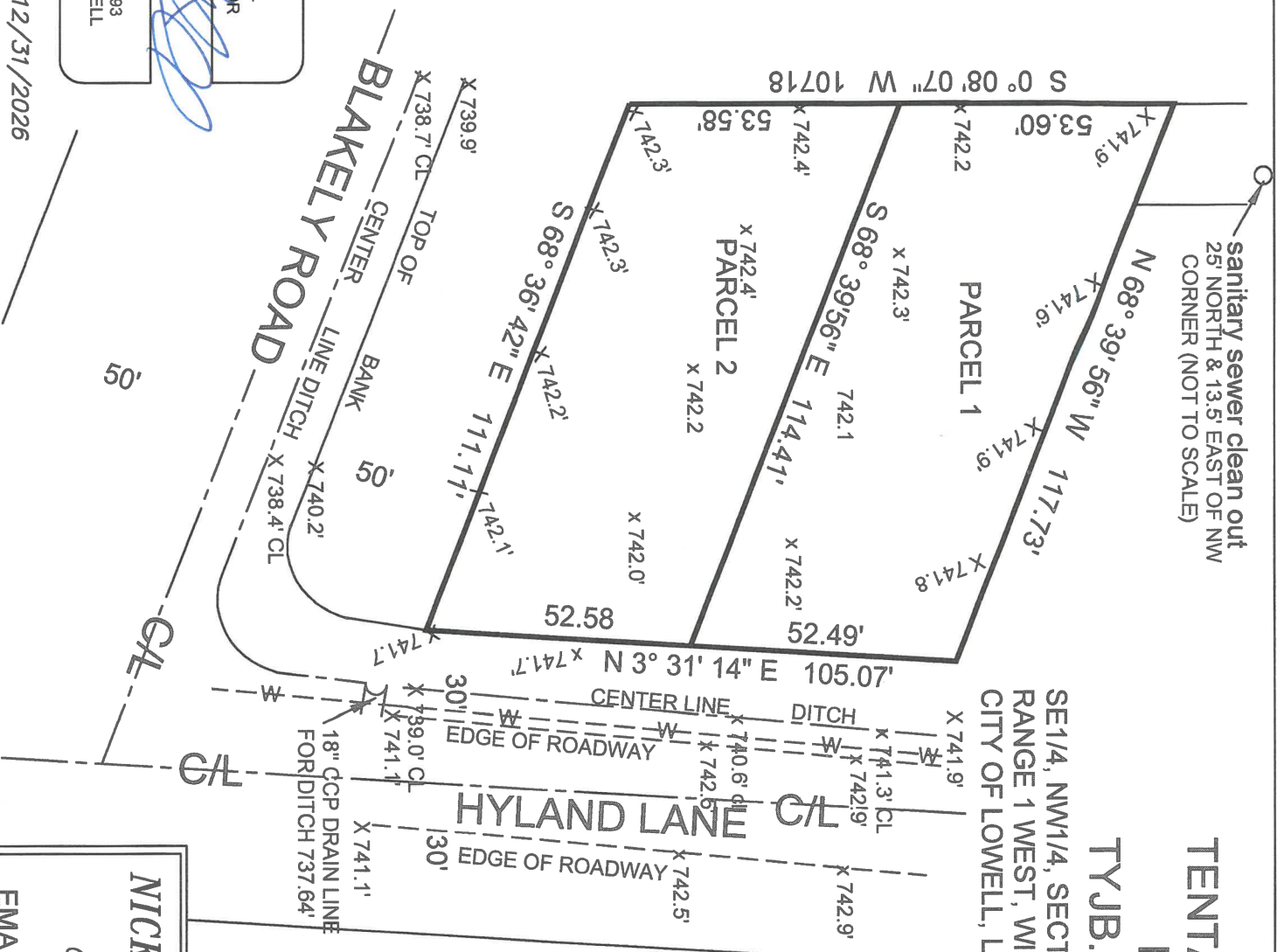
541-968-2905

EMAIL ADDRESS: nickell2u@msn.com

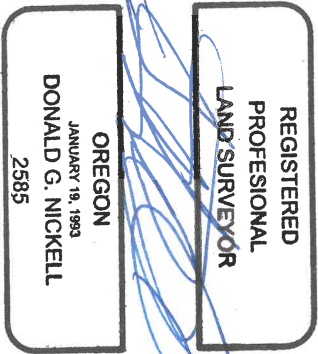
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 19, 1993
DONALD G. NICKELL
2585

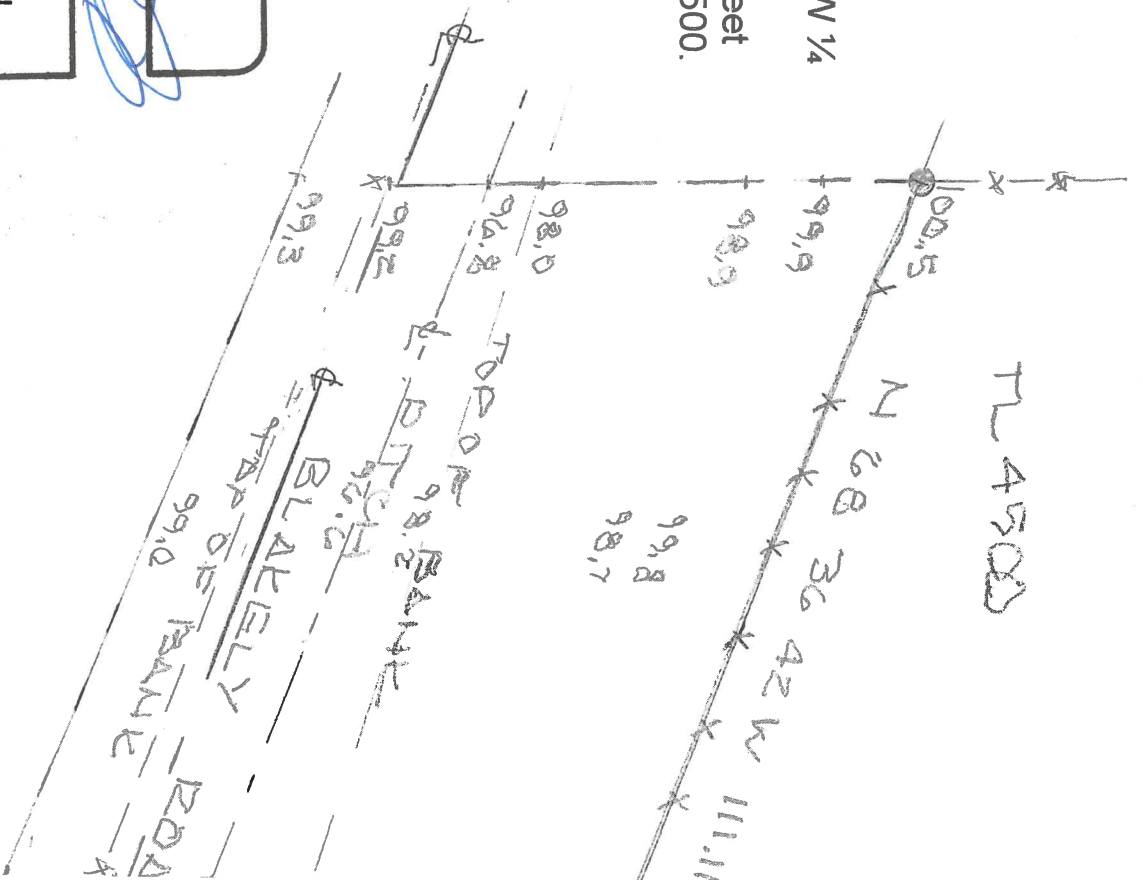
RENEWAL DATE: 12/31/2026



SPOT ELEVATION
FOR
TYJB, LLC
On the area south of tax lot 4500
Of
T19S R1W Section 14 SE 1/4, NW 1/4
Assumed bench mark as 100.00 feet
At NW property corner of tax lot 4500.



NICKELL LAND SURVEYING
33225 CRAIG LOOP
COTTAGE GROVE, OREGON 97424
541-968-2905



NICKELL LAND SURVEYING & PLANNING, LLC

33225 Craig Loop

Cottage Grove, Oregon 97424

541-968-2905

E-mail address nickell2u@msn.com

Invoice to:

TYJB, LLC %Jacobe Briggs

245 North Hyland Lane

Lowell, Oregon 97452

RE: Topographic survey and tentative partition application on tax lot 4500 of tax map 19-01-14-24.

I was requested to do the following work:

- 1) Find the property corners on tax lot 4500. I found a recent survey of tax lot 4500 and found all the property corners.
INVOICE \$200.00
- 2) Proved a topographic survey of the area within the north 50 feet of Blakley Road, being adjacent to and south of tax lot 4500. The survey was requested for possible future development within that area.
INVOICE \$ 500.00
- 3) Provide the necessary survey, maps (tentative partition plat map and topographic map) and draft the City of Lowell application for a tentative partition plat map.
INVOICE \$ 2,300.00

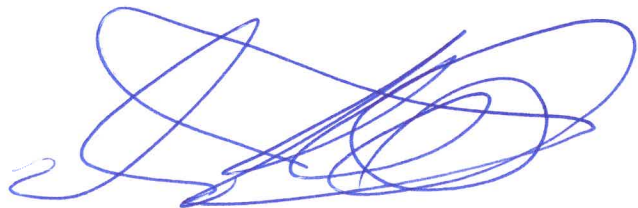
Nickell Land Surveying & Planning:

TOTAL INVOICE LFOR THE WORK TO DATE: \$3000.00

DONALD NICKELL

April 7, 2026

PAID IN FULL
4/7/2026



TENTATIVE PARTITION

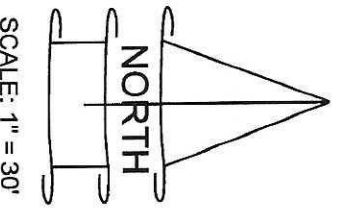
FOR

TYJB. LLC

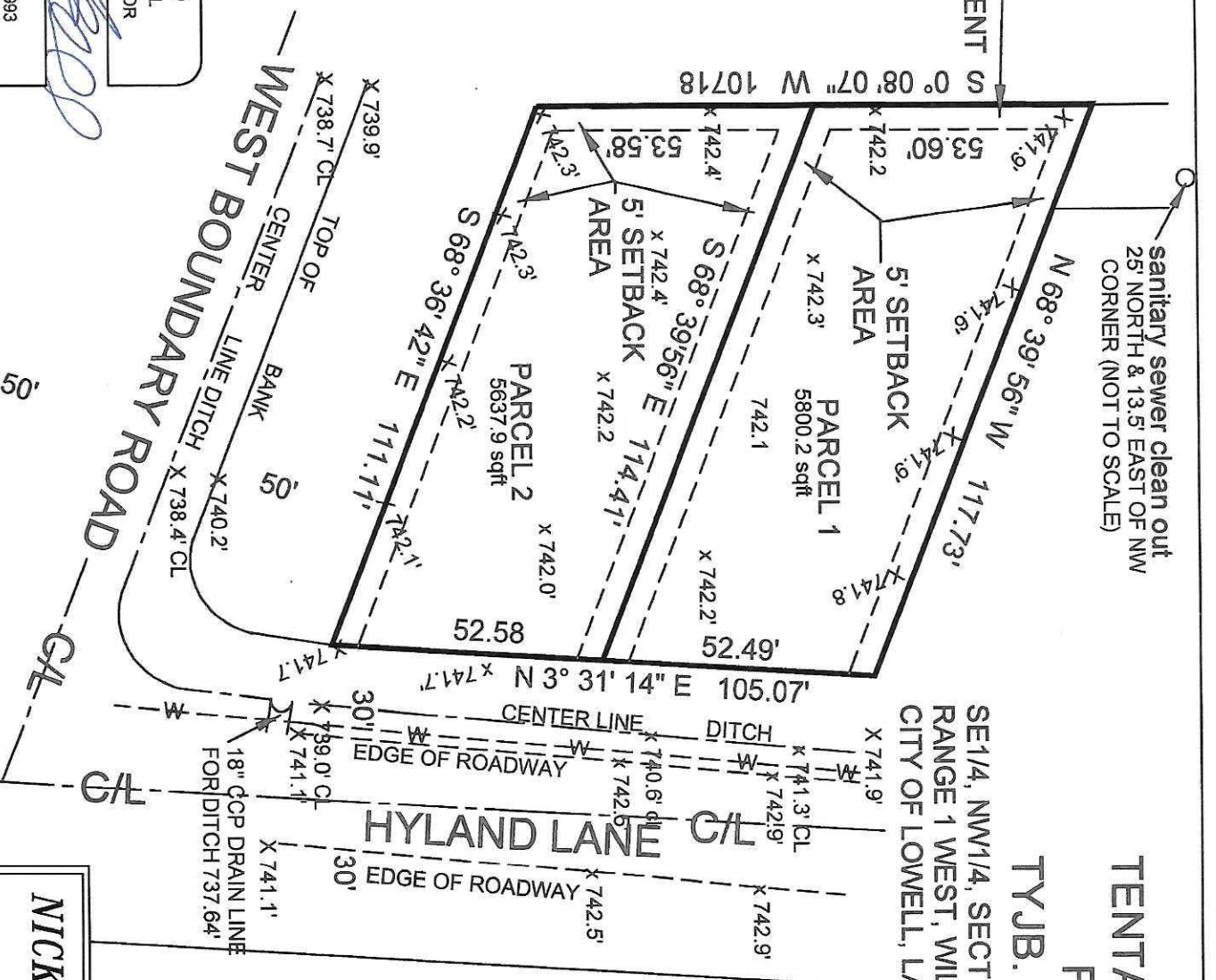
SE1/4, NW1/4, SECTION 14, TOWNSHIP 19 SOUTH
RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF LOWELL, LANE COUNTY OREGON

5' SANITARY
SEWER EASEMENT
& 5' SETBACK
AREA

sanitary sewer clean out
25' NORTH & 13.5' EAST OF NW
CORNER (NOT TO SCALE)



SCALE: 1" = 30'



MAP SHOWING THE
LOCATION OF UTILITIES
AND TOPOGRAPHIC
MAP

NOTE:
THE SETBACK DASHED
LINES SHOWN ARE FOR
THE BUILDING SETBACK
FOR THIS ZONE

THE EASEMENT ON THE
WEST SIDE OF PARCEL 1
IS FOR THE 5' PRIVATE
SANITARY SEWER
EASEMENT AND THE 5'
BUILDING SETBACK
FOR THIS ZONE

19-01-14-24-04500

NICKELL LAND SURVEYING

33225 CRAIG LOOP

COTTAGE GROVE, OR 97424

541-968-2905

EMAIL ADDRESS: nickell2u@msn.com

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]

OREGON
JANUARY 19, 1993
DONALD G. NICKELL
2585

RENEWAL DATE: 12/31/2026

AGREEMENT FOR IMPROVEMENTS

This agreement is entered between the City of Lowell, P.O. Box 490, Lowell, Oregon 97452, hereafter referred to as “**City**” and TYJB LLC, 34 W. Lakeview Avenue, Lowell, Oregon 97452, hereafter referred to as “**Developer**”. This agreement is for public improvements for North Hyland Lane, adjacent Assessor’s Map #19-01-14-24, Tax Lot 04500.

WHEREAS, Developer made application for, and the **City** approved, with conditions, a site plan review for a 10 plex residential development identified as File LU 2024 05; and

WHEREAS, Condition #8 of the Decision of the Lowell Interim City Administrator and LDC Section 9.805 require the City and Developer to enter into an agreement for public improvements required by the City in the final decision, and to be provided by Developer; now therefore,

THE PARTIES AGREE AS FOLLOWS:

1. **Developer** will comply with all conditions for approval listed in the Decision of the Lowell Interim City Administrator for LU 2024-05, dated February 25, 2025, identified as **Exhibit A** to this agreement, and by this reference incorporated herein, unless the **City** agrees in writing to modifications of the conditions.
2. **Developer** will pay all costs for design and construction of frontage improvements along North Hyland Lane to include new sidewalk, curb and gutter. Another necessary public improvement, but which is not related to street frontage, is the provision of adequate stormwater drainage of the site and landscaping along street frontage.

Improvements shall be designed and constructed in accordance with the City of Lowell Public Works Construction Standards, February 2003 Edition, and the Lowell Downtown Master Plan, unless modifications are approved in writing by **City**. Improvements shall not be deemed “completed” under this agreement until: 1) all work, including punch list items, has been finished and passed inspections and all tests; 2) the **City** has performed a final walk through inspection; 3) as-built record drawings have been submitted by the **Developer**; 4) final construction cost tallies for the improvements have been submitted by the **Developer**; and 5) the **City** has accepted the improvements by motion of the City Council.

3. The following public improvements must be completed by **Developer** prior to issuance of Certificates of Occupancy, unless bonded for completion as provided in Section 4 of this agreement.
 - a. 5-foot wide sidewalk, and curb and gutter, along the frontage of the approved development that fronts North Hyland Lane;
 - b. New 20-foot wide access driveway from North Hyland Lane to the site;
 - c. New 12-inch DIA. Street culvert per plans;

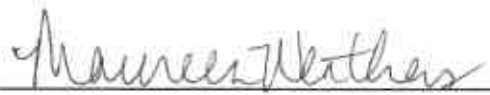
- d. Public infrastructure related to the provision for stormwater drainage that will be located in the public right-of-way and become the responsibility of the City after completion, acceptance and inspection.
4. **Developer** may submit for Certificates of Occupancy approval before completion of some or all the above-required public improvements if the following requirements are met:
 - a. Construction plans for the above-required public improvement have been submitted by **Developer** and approved by the **City**; and
 - b. **Developer** has provided a surety bond in accordance with LDC 9.806 – Security, in the amount of 150% of the mutually agreed upon estimated construction cost of the above-required public improvements that remain uncompleted, as shown on the approved plans.
5. The **City**, through its City Engineer or other designated representative or agency, will review all plans and inspect construction of all public improvements identified in Section 3 above. **Developer** shall pay actual costs of all engineering review and inspection costs of the above required improvements. City will bill the Developer actual costs of invoices received from the City's contracted Civil Engineering firm for review and inspection costs. The estimated construction costs shall be completed by the **Developer** and approved by the **City**. In the event **Developer** requests application of standards other than those required by established **City** standards, **Developer** agrees to reimburse **City** for any additional costs associated with review and decision on such requests. If **Developer** submits significant design changes after previously submitted plans have been approved by the **City**, **Developer** shall reimburse the **City** for all additional costs to process the design changes. Fees for additional costs will be the actual hourly billed costs it takes to process and review the design changes.
6. **Developer** shall pay all fees required by any other agency for permits that may be required to complete the development.
7. **Developer** shall warrant any public improvements constructed under this agreement free of defects due to workmanship or materials for a period of one (1) year from the date of final **City** acceptance of the improvements described herein. If, within the warranty period, repairs are required in connection with the work, the **Developer** shall promptly, without expense to the **City**, place in satisfactory condition all guaranteed work, and correct any damage caused by the repair work.
8. **Developer** or their prime contractor shall provide proof of liability insurance in the amount of \$1,000,000 per occurrence, naming the City of Lowell as an additional insured, for any liability that may arise from construction of public improvements, by **Developer** or any contractor or service provider under contract to **Developer**, required under this agreement.

9. Any amendment to this agreement shall be in writing, signed by both parties and attached to the original signed agreement.
10. If arbitration, mediation, court or other proceeding is sought to enforce or interpret any of the terms of this agreement, the party not prevailing shall pay the prevailing party's attorney fees, costs and disbursements, and such other sums as the arbitrator, mediator or court may determine to be reasonable for the prevailing party in the case.
11. This agreement shall automatically terminate upon final payment of all charges and fees required by this agreement, completion of all public improvements required by this agreement and expiration of the accompanying one (1) year warranty period required by Section 7.

Accepted and executed this 19 day of February 2026.

For **City of Lowell**

For **TYJB LLC**


By: Maureen Weathers, Mayor


By:

Attest:


By: Max Baker, Interim City Administrator


By:

Exhibit A: Decision and staff report for LU 2024 05

February 11, 2026

To City Planner and City Administrator,

We TYJB LLC would like to formally request a modification of condition of approval #7 of LU 2024-05, dated February 25, 2025, to reflect a new deadline. We request a Two (2)-Year extension, from the date of this request for an extension on February 11, 2026.

A handwritten signature in blue ink, appearing to read "Tim Yager", is written over a horizontal line.

BY: Tim Yager

A handwritten signature in blue ink, appearing to read "Jakob Briggs", is written over a horizontal line.

By: Jakob Briggs