



Community Development  
925 S. Main Street  
Lebanon, Oregon 97355

TEL: 541.258.4906  
cdc@ci.lebanon.or.us  
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December 18, 2024

Build Lebanon Trails  
PO Box 2604  
Lebanon, OR 97355



Dear Build Lebanon Trails,

In reference to the Georgia Pacific Mill Race Trail, identified as Trail #4 in the City of Lebanon's adopted Trails Master Plan, the City of Lebanon has donated \$25,000 of Transit Lodging Tax funds towards the development of this specific trail segment. Once the trail is built by Build Lebanon Trails and is inspected to meet engineering and city standards, City staff will present the trail to the City Council with support and recommended action to accept the donation of the trail to the city.

Respectfully,

Ron Whitlatch  
City Manager

## Boles, Alyssa

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**From:** Rodney Sell <rodneywsell@gmail.com>  
**Sent:** Thursday, December 19, 2024 7:33 AM  
**To:** Boles, Alyssa  
**Cc:** Thad Nelson; Board  
**Subject:** PD24-0237 The GPMRT  
**Attachments:** PTT Nimby submitted alternative GPMRT alignment12.18.24.docx

Hello Alyssa.

At last night's City of Lebanon's Parks Trees and Trails Committee Meeting, NIMBY LLC submitted the attached document.

NIMBY included this statement in their submission "We are currently appealing that application, not to block the trail, but to implore BLT to discuss alternatives."

Their own document seems to contradict their assurance that our Conditional Use Permit should not be granted.

NIMBY also submitted a map with the proposed trail across their property. Their map shows about 1/2 of the trail on the BLT owned property as proposed by BLT.

BLT disputes many of their submitted letters' assumptions, especially when stating BLT's views.

Again, Thank you for your time.

Rod Sell, Build Lebanon Trails, Board President

O E E G O N  
Lebano

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LEBANON PARKS, TREES, AND  
TRAILS ADVISORY COMMITTEE  
MEETING  
AGENDA

December 18, 2024 at 3:00 PM

Santiam Travel Station — 750 3rd Street, Lebanon,  
Oregon

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MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

CALL TO ORDER - Chair, Rick Barnett



**ROLL CALL**

**APPROVAL OF MINUTES - None Provided**

**DISCUSSION - Cheadle Lake Layout, Phase 1**

1. Cheadle Lake Layout Phase 1

**PUBLIC COMMENTS**

**NEXT SCHEDULED MEETING - January 15, 2024 (2:00 - 3:00pm)**

**ADJOURNMENT**

Meetings are recorded and available on the City's YouTube page at:

<https://www.youtube.com/user/CitvofLebanonOR/videos>

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 the City Recorder at 541.258.4905.



Dear Mr. Barnett,

I am writing to the Parks and Trails Committee to comment on Build Lebanon Trails (BLT) proposed Mill Race Trail section and seek a recommendation from the committee to BLT and City Council to explore an alternate route.

The proposed Mill Race trail is to travel northwest from River Park approximately 500 yards, along the old canal intake, crossing the Lebanon-Santiam Canal, and effectively terminating at Santiam Street (map attached). Our primary concerns are its termination point and the conflicts it will create for the future development of our property at 400 and 450 Walnut Street and 680 East Isabella Street.

This single city block of South Santiam Street already has two existing bridges crossing the canal. The trail proposes to add another in the middle of the block. Traffic flow in this area is already problematic because one of the bridges (Santiam Street Bridge) is a single lane wide, with no pedestrian walkway, and serves approximately 60 dwellings. Because of the number of dwellings and how narrow it is, traffic builds up regularly on South Santiam to wait for vehicles or pedestrians to cross. BLT is aware the trail will be injecting large amounts of pedestrian traffic at this location, creating a larger, unmitigated hazard. We feel so strongly about this that we hired a traffic safety engineer to do a traffic impact analysis (attached) on the proposed trail bridge. The summarized findings are below:

- a. Improperly encourages mid-block pedestrian crossings on Santiam Street.
- b. Does not adequately address impacts for pedestrian.
- c. Does not consider how the trail to the north will connect in the future.
- d. Creates the need for mitigation which may improperly be passed on to future development.
- e. Has not considered alternative locations or treatments to resolve potential problems with pedestrian/vehicle conflicts.

As stated in the analysis, it was observed that one or two vehicles would park directly in front of mailboxes on S. Santiam Street. Vehicles parked in front of the mailbox restricted visibility for traffic leaving the mobile home park as well as limiting the flow of traffic. This was further complicated when a school bus arrived on S. Santiam Street and stopped between the mailbox and the bridge. Additionally, since the bridge is only 12-feet-wide, it can only accommodate a single vehicle at a time. Because of this, vehicles also stopped at S. Santiam to wait for another vehicle to cross.

While this situation is not ideal (...) the completion of the (trail) bridge would introduce additional pedestrians at a midpoint on S. Santiam Street, which is probably the worst place for pedestrians to cross, as it would introduce additional conflicts and increase the number of distractions for drivers.

Additionally, we have had a preapplication meeting with the City to discuss reconstruction of the East Isabella Street bridge, which spans the canal and serves 680 and 690 East Isabella Street. Our preliminary design is for a two-lane bridge with a pedestrian walkway. The trail could safely cross Santiam Street where the bridge meets the intersection and continue with the existing sidewalk system along the north of East Isabella Street and west of Santiam Street. The City has asked us why BLT has

not opted to utilize this proposed bridge for its trail, which would make sense from a construction cost, long-term maintenance, and coordinated access standpoint.

All that is known to us at this point is that BLT has met onsite to discuss our concerns on multiple occasions and dismissed them, deciding to press ahead with the land-use application at Linn County even after agreeing that there is a legitimate concern about potential pedestrian and traffic conflicts. We are currently appealing that application, not to block the trail, but to implore BLT to discuss alternatives.

At the Linn County land use appeal hearing, the owners of 690 East Isabella echoed our traffic concerns due to the trail termination. This owner would also prefer a larger buffer between the trail and their adjacent property (700 East Isabella Street, Woods RV Park) and, like us, is open to exploring rerouting it so that the trail aligns with the future Isabella Street bridge and pedestrian walkway.

An alternative route such as the one shown in the attached map is one possible solution. It would still provide connectivity but terminate in a safer location on Santiam Street. This alignment satisfies concerns of the adjacent property owners and does not conflict with future streets and utilities needed to serve these same adjacent properties. Since the Mill Race Trail section has yet to be designed, changes are still possible.

I understand that the Parks and Trails Committee provides recommendations to City Council and they ultimately decide whether to accept trails once developed. Therefore, the City has a vested interest in how and where this trail segment is to be constructed. Once constructed, this trail will be there forever, so it is important to consider all options to ensure what is constructed is an asset not a liability. I think taking a little time to get a better, safer trail design is well worth the effort.

If the Committee would like to discuss further, feel free to reach out.

Thanks,

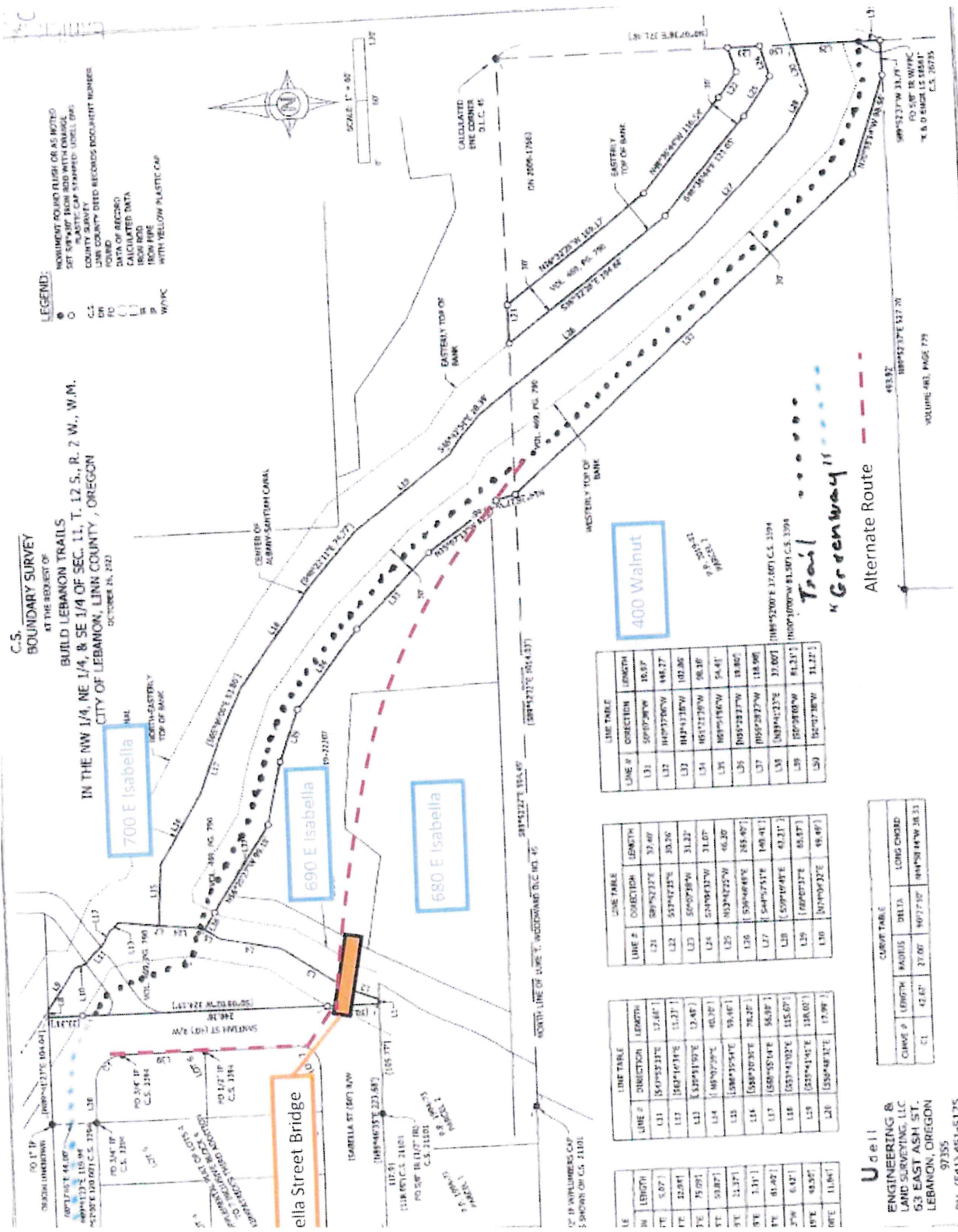
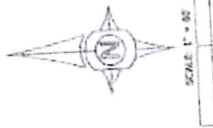
Scott LaRoque

450 Walnut Street

**C-5**  
**BOUNDARY SURVEY**

AT THE REQUEST OF  
**BUILD LEBANON TRAILS**  
IN THE NW 1/4, NE 1/4, & SE 1/4 OF SEC. 11, T. 12 S., R. 2 W., W.M.  
CITY OF LEBANON, LINN COUNTY, OREGON  
OCTOBER 28, 2022

- LEGEND:**
- MONUMENT FOUND (RUSH OR AS NOTED)
  - SET FROM ROD WITH CHANGE
  - PLASTIC CAP STAMPED LEVEL DWS
  - COUNTY SURVEY
  - LINN COUNTY DEED RECORDS DOCUMENT NUMBER
  - FOUND
  - DATA OF RECORD
  - DATA LATER DATA
  - IRON ROD
  - IRON PIPE
  - WITH YELLOW PLASTIC CAP
  - WYMK



**LINE TABLE**

LINE #	DIRECTION	LENGTH
L1	S89°02'30"W	16.57
L2	N69°17'00"W	144.77
L3	N44°41'30"W	102.05
L4	N51°11'30"W	98.30
L5	N61°51'00"W	54.41
L6	N05°22'37"W	118.90
L7	S89°02'30"E	33.00
L8	S57°28'30"W	81.21
L9	S27°28'30"W	11.21

**CURVE TABLE**

LINE #	DIRECTION	LENGTH	CHORD	LONG CHORD
L21	S89°02'30"E	32.40		
L22	S57°42'45"E	38.36		
L23	S69°28'30"W	31.22		
L24	S44°41'30"W	31.07		
L25	N32°42'25"W	46.30		
L26	S39°48'45"E	285.40		
L27	S44°41'30"E	140.41		
L28	S59°10'45"E	43.21		
L29	N69°07'37"E	45.87		
L30	N74°09'27"E	45.48		

**LINE TABLE**

LINE #	DIRECTION	LENGTH
L11	S47°52'37"E	17.48
L12	S67°40'15"E	11.21
L13	S32°41'30"E	12.48
L14	N69°27'30"E	46.30
L15	S58°35'45"E	95.40
L16	S44°41'30"E	78.27
L17	S40°35'15"E	56.30
L18	S23°43'02"E	115.07
L19	S25°41'45"E	128.07
L20	S38°48'17"E	17.99

**CHORD TABLE**

CHORD #	LENGTH	BELTA	LONG CHORD
C1	42.47	27.00	N47°50'44"W 38.33

**Udell**  
ENGINEERING &  
LAND SURVEYING, LLC  
53 EAST ASH ST.  
LEBANON, OREGON  
97335  
PH: (541) 451-5125  
FAX: (541) 451-1366  
33.324 AL CANAL 15 ROAD

400 Walnut

Trail  
"Greenway"

Alternate Route

VOLUME 461, PAGE 779





Build Lebanon Trails  
POBox 2604  
Lebanon, Oregon 97355

Re: PD24-0237



Linn County Planning Commissioners:

Thomas McHill and NIMBY have erroneously assumed that the presence of a trail entering Santiam St. will create an excessive pedestrian and motor vehicle traffic load on Santiam St. The traffic study that was submitted by NIMBY confirmed that traffic flows in the area are light. Oddly, the study made no attempt to estimate how many trail users would be expected to enter the area or what impact they would have on traffic flow. It was also flawed in that it assumed a “mid-street” trail entry point onto Santiam St. rather than the one we are proposing at the north end of that street.

NIMBY has stated multiple times that rerouting the GPMRT over a private canal bridge that Laura and Scott LaRoque are planning to build would be acceptable. That suggestion completely ignores the fact that they have no access to build the bridge in question. Without it, they have no way to bring a road or needed utilities into their development. We offered them ample bridge and utility access at a very minimal charge, but they had no interest in our proposal unless BLT routes the GPMRT over their bridge and, presumably, helps to pay for it.

NIMBY contends that routing the GPMRT over the bridge they envision would be safer, and therefore preferable, to the alignment we are proposing. On the contrary, one of the primary advantages to building off-road trails is that they are inherently safer than roadside trails. If someone is accidentally forced from an off-road trail, he will end up on a gravel shoulder or in the grass. If, on the other hand, he is forced from a roadside trail, he will usually drop off the side of the trail (often catastrophically) and onto an active roadway. The difference in the potential for serious injury is obvious. Pedestrian bridges are, likewise, safer than automobile bridges.

Laura and Scott LaRoque presented a proposal to re-route the GPMRT over their future bridge to the Lebanon Park's, Trees and Trails Committee on 12/18/24. The PP&T has an advisory role to the Lebanon City Council and chose to take no action on the proposal and no additional review was scheduled. BLT has provided the Linn County Planning Commission with a copy of the LaRoque proposal for their review.

We dispute that the trail will cause significant traffic congestion either now or in the future. In line with documents we have submitted previously, that has also been the City of Lebanon's view. It should be noted that NIMBY's proposed alternative trail alignment would place the same number of trail users on Santiam St. as the route proposed by BLT resulting in little, if any, difference as far as NIMBY's goal of altering future traffic flow and potential congestion.

As BLT has pointed out, routing the trail over NIMBY's bridge would be significantly more dangerous than utilizing a pedestrian bridge. It would also be more expensive for a variety of reasons including the fact that the trail would have to cross two privately owned parcels which we have no access to. We also believe the LaRoques would expect us to pay for a substantial percentage of the bridge's cost of construction

. They have previously made it clear they think BLT should be responsible for street and sidewalk improvements on Santiam St. Those improvements would normally be required as a part of their planned housing development.

Lastly, NIMBY's bridge option does not provide the alignment required for future trail extensions that will be necessary for the City of Lebanon to reach their long-term goals as spelled out in the 2009 Trails Master Plan.

Thank you for your consideration.

Thad Nelson and Rod Sell



NIMBY NBR, LLC

450 Walnut Street, Lebanon, OR 97355  
Phone: (503) 501-7197

**Linn County Planning & Building Department**

Attn: Linn County Planning Commission

300 SW 4<sup>th</sup> Avenue, Room 114  
P.O. Box 100, Albany, OR 97321  
Phone: (541) 967-3816, ext. 2360  
Email: [aboles@co.linn.or.us](mailto:aboles@co.linn.or.us)

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**Linn County Planning Commission:**

This letter is to serve as the open record response for the Linn County Planning Commission hearing on Planning File No. PD24-0237; a Condition Use Permit for a public trail on properties identified by the Linn County Tax Assessor Map No. T12S, R02W, Section 11AC, Tax Lot 1200 and T12S, R02W, Section 11BD Tax Lot 2000.

**Response to the Build Lebanon Trails (Applicant) submittal dated December 14, 2024.**

- *“she believes that our community donors should provide for the build-out of sidewalks and curbs on Santiam Street in preparation for her new development.”*

The proposed trail begins to deviate from the Trail 4, Section 2 shown in Lebanon comprehensive planning documents (i.e., Lebanon Trails Strategic Plan, Parks Master Plan, and Lebanon Transportation Plan) at the southeast corner of 690 E. Isabella Street (Linn Co. Assessor’s Map No. 12S-02W-11AC Tax Lot 800), a property owned by Jerry and Nancy White. The deviation redirects the proposed trail to the opposite side of the Albany Santiam Canal. Running it along the southwest as opposed to the northeast side of the canal.

From this point the proposed trail completely deviates from the Trail 4, Section 1 by terminating it onto the Santiam Street between East Isabella Street and East Carolina Street on the public street system as opposed to continuing it onward as an off-street shared-use pathway along the east of the Albany Santiam Canal to Had Irvine Park. Changing in the direction of travel of proposed trail from what is shown in the Lebanon comprehensive planning documents (i.e., Lebanon Trails Strategic Plan, Parks Master Plan, and Lebanon Transportation Plan) has two undesirable consequences.

First, it places the proposed trail termination point at Santiam Street west of the Albany Santiam Canal, in an area that lacks full street improvements and contains four vehicular access points on a very short street section (220-foot-long block).

Santiam Street lacks a designated bicycle lane, on-street parking, curb, gutter, and most importantly an interconnected public sidewalk system along the side of the street where the proposed trail is to terminate. In other words, the proposed trail will be constructed, and therefore, encourage a higher number of

pedestrians to walk, ride bicycles, navigate wheelchairs, push strollers, etc. to an area that is not designed or improved to safely accommodate them. The lack of sidewalks, crosswalks, well-lit pathways, or traffic calming measures will put both motorist and pedestrians at risk. Without these improvements, pedestrians will be forced to navigate on motor vehicle travel lanes (i.e. roadways) thus increasing their vulnerability to vehicle traffic and potential accidents.

Secondly, these conditions are worsened by the unique attributes of this street section. There is limited distance between the two intersecting streets (i.e., short block length); multiple points of vehicular access (two streets, two bridges); and projected increase in vehicular traffic as adjacent properties are developed or redeveloped at a higher (urban) density.

As reported in a transportation impact study this area is already experiencing illegal and unenforced on-street parking and congestion as cars navigating the two single-lane bridges must wait for oncoming traffic to clear before they can proceed, often leading to traffic queuing on either side of the bridge. Instead of redirecting the trail away from this congestion the applicant instead proposed to directly terminate the trail at this same location without intersection improvements to safely accommodate them.

All new development projects that increase the number of trips generated by a site are required to provide a standard frontage improvement, including sidewalks and Americans with Disabilities Act (ADA) compliant curb ramps at corners and dedication property, if needed, to allow the full width improvement to be constructed. All required improvements and dedications are the responsibility of the developer, in this case Build Lebanon Trails, since they are creating need for improvements and own the frontage along a public street that is unimproved.

The Applicant may feel that this burden is unfair or be concerned that construction of pedestrian improvements will increase the overall project cost. The counterpoint to this position, (other than pedestrian safety should be prioritized over cost savings) is that there are other options for this trail alignment that the Applicant has refused to consider unless this application is denied.

Ultimately, the proposed trail could be rerouted, so it is consistent with Trail 4, Sections 1 and 2 of the Lebanon comprehensive planning documents (i.e., Lebanon Trails Strategic Plan, Parks Master Plan, and Lebanon Transportation Plan). Thus, avoiding the Santiam Street block west of the canal altogether and allowing trail development to occur in association with surrounding development with most of it being off-street or as part of a complete street system with sidewalks, crosswalks, streetlights, and traffic calming measures.

Review criterion 1 specifically requires the proposed development to be consistent with the city's comprehensive plan. A deviation such as the one proposed in this case would result in a potentially dangerous situation for motorists and pedestrians alike. Without consideration for any of the above, the application should be denied.

- *“she has no cross-canal access for the bridge and utilities her project would require.”*

The proposed deviation from Trail 4, Sections 1 and 2 of the Lebanon comprehensive planning documents also precludes future urban development of adjacent properties and conflicts with the future location and placement of streets and services. Properties to the east of the Santiam Street bridge and East Isabella

bridge have further development and/or redevelopment potential. Adjacent properties accessed by East Isabella Street and Santiam Street single-lane bridges currently range in size from one to over six acres in size. Many can be consolidated to large acreage parcels and have the potential to become further subdivided (i.e., become subdivisions).

The subject property includes a parcel of land between the east side of Santiam Street and west of the Albany Santiam Canal. This property contains two single lane bridges (i.e., Santiam Street bridge and East Isabella bridge) that serve adjacent parcels but lacks formal access, utility, and maintenance agreements. As a result, the subject property landlocks adjacent properties and prohibits them from accessing the public street and utility systems.

The following three pieces of information are needed in order to demonstrate that the proposed development will not conflict with future urban development of adjacent properties and the location and placement of streets and services; 1) a future street plan; 2) a proposal to dedication public right-of-way or grant an access and utility easement to landlocked adjacent properties; and 3) the design of the trail termination on the subject property. None of these items have not been provided by the Applicant or included as a condition of approval.

Many areas of the city do not have a plan for how local streets will be extended in the future to provide access to undeveloped and/or landlocked properties and provide for traffic circulation. In planning the future extension of local streets, a conceptual alignment is needed to show how streets will connect in the future and how access could be provided to other properties in the immediate area. A future street plan or conceptual alignment have not been provided by the Applicant or included as a condition of approval.

The only way to access the public street network (i.e., Santiam Street) is across the intervening subject property. Since the subject property is privately owned by Build Lebanon Trails, a recorded reciprocal access, utility, and maintenance agreement, proposed reciprocal access, utility, and maintenance agreement, or proposed right-of-way dedication is required to facilitate future urban development of adjacent properties. The Applicant has not produced any of the forementioned agreements or dedications and does not propose any.

The Applicant has failed to produce a detailed development plan that indicates the specific location of the proposed trail. All that is known is the trail will cross the Albany Santiam Canal and terminate at the end of new pedestrian bridge, and then pedestrians are either supposed to illegally cross (outside of a designated crosswalk/intersection) to the west of Santiam Street or travel north or south along the east side of Santiam Street presumably on the roadway or unimproved and sloped shoulder of the road (on private property). The lack of the trail design plan and a future street/utility plan means that the proposed trail could very well end up in a place that conflicts with future improvement of the Santiam Street and East Isabella bridges, extension of public utilities, areas of roadway dedication, and/or street improvements along Santiam Street between East Carolina Street and East Isabella Street.

Zero considerations have been made to ensure that the proposed development does not preclude future development of adjacent properties and/or conflict with the future street and utilities needed to serve

them. In fact, the Applicant has emphatically stated that they will prohibit access to adjacent properties, thus failing to meet review criterion 4 (LCC 933.260(B)(4)).

- *“fully accessible, state-of-the-art trail”*

Without a trail design it is impossible to confirm that these statements are indeed factual.

- *“down-facing LED pole lights” are now proposed by the Applicant.*

However, without a trail design it is impossible to confirm that there is available power to provide illumination, the spacing of the light poles are sufficient for trail illumination, and that there will be adequate shielding to avoid light trespass on adjacent private property.

- *“(…) supposedly on our behalf (..)”*

Initially I was an active supporter of the proposed development and considered making financial donations towards the project until I was threatened by Build Lebanon Trails representatives that access to my property would be blocked if I challenged any aspect of their proposal.

- *“already knew (…) the trail would be fenced and lighted and that it would be owned by the city and operated under their Park Rules and Regulations”*

Fencing, trash receptacles, dog waste stations, and two light poles were only included once the Director’s decision was appealed. The Applicant submitted a letter from the city stating that **if** the city accepts the trail, then the Park Rules and Regulations would be implemented, including limiting public access between 7 a.m. to 10 p.m.

On the application form it is stated that the trail will be open to the public and available to users 24 hours a day. The city may not accept the trail; therefore, Parks Rules and Regulations may not be applied, which would result in unlimited access and public use of the trail as proposed by the application.

- *“dirt into the air”*

As a professional land use planner, I believe that all applicable City and County regulations should be considered in the land use decision process. An application for a development proposal that lacks the most basic components of review, a detailed development plan, will most assuredly will result in a sizeable number of findings indicating how applicable codes are not satisfied.

- *“is trail width actually something that the Planning Commission needs to be concerned with”*

Yes, in fact Review Criterion 2 requires that the Planning Commission review the location, size, design, and operating characteristics of the proposed development to ensure compatibility with future development allowed by Lebanon’s comprehensive plan map designation.

- *“would it not be reasonable for the Planning Commission to require the City inspect the completed trail and provided signed notification that they would be accepting ownership before the trail is allowed to be open to the public?”*

Yes, it is reasonable for the Planning Commission to require a formal agreement by the City Council accepting ownership of the property/trail prior to construction to ensure that the trail will indeed be publicly owned and operated. Promises by an Applicant and the intentions of staff are not legally binding.

- *“no mention of estimated number of people using the trail or the impact that will have on traffic”*

While not specifically stated, it was assumed in the study -- and it seems fairly obvious-- that there would be new pedestrian traffic introduced with the trail. The purpose of a traffic impact analysis is to forecast additional traffic, identify potential problems, and suggest ways to mitigate negative effects. In this case potential problems will result based on the proposed development whether you introduce one or more pedestrians to an area that is not designed or improved to safely accommodate them.

- *“City has already advised her they have no interest in owning the bridge.”*

Yes, in its current condition the East Isabella Street bridge does not meet the public street standard and after years of deferred maintenance its structural soundness may be questionable. A new bridge designed to a public street standard connecting to a public street system would be dedicated and acceptable by the city.

- *“Scott LaRoque called (...)”*

Yes, Scott LaRoque spoke to adjacent property owner Jerry White who generally agreed with an alternative trail route that would mutually benefit all parties involved and reached out to BLT to discuss a compromise. Yes, reaching a consensus on an alternative trail design would forego the need for future appeals as a trail concept would be agreeable to all parties involved. Yet, BLT refuses to discuss any alternatives unless this application is denied.

- *“if BLT turns the property over to the city and have them do the construction (...)”*

This is not factual. It was stated that one avenue to demonstrate the proposed public trail would be government owned and operated is if the city themselves owned and developed the proposed public trail. Other examples were also provided on how to appropriately demonstrate the public trail would be indeed government owned and operated.

- *“the bottom line is that NIMBY somehow assumes that she can use private property to provide a bridge and utility connection into a new housing development that she has in mind”*

Review criterion 4 states that the location, design, and site planning of the proposed development does not: (a) preclude future urban development on the subject property or adjacent property; or (b) conflict with the future location and placement of street and services. The submitted testimony illustrates that there is adjacent property that will be precluded by the proposed development since no consideration about access, future streets, and/or utility connections have been made.

- *“BLT remains supportive of having a single-family development in the area”*

Presumably BLT is supportive of housing on parcels not adjacent to the proposed development since development of adjacent properties is precluded by the proposed development.