

# Minutes

## Bend Planning Commission

Monday, October 27, 2025, 5:30 P.M. Regular Meeting



The hybrid meeting started at 5:30 P.M., in-person and online.

The public was invited to watch online at: [www.bendoregon.gov/planningcommission](http://www.bendoregon.gov/planningcommission)

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### 1. ROLL CALL:

- Margo Clinton – Chair
- Scott Winters – Vice Chair
- Bob Gressens
- Suzanne Johannsen
- John LaMotte
- Erin Ludden
- Nathan Nelson

**Commissioners Present:** All Commissioners were present.

**Staff Present:** Ian Leitheiser, City Attorney; Renee Brooke, Planning Manager; Alexa Repko, Associate Planner.

### 2. VISITORS:

The Chair opened the floor for comments on non-agenda items. Attendees were encouraged to fill out a speaker slip and approach the podium, or raise their hand online, to provide comments.

No public comment was given.

### 3. QUASI-JUDICIAL PUBLIC HEARING:

- 3.1 [PLWOZ20250412/PLVAR20250413/PLVAR20250414](#):** A Waterway Overlay Zone application to demolish and reconstruct/expand an existing single-unit dwelling and attached garage at 424 NW Columbia St., located in the Residential Standard Density (RS) Zone. Also included are a Class B Variance application to reduce the required front setback of 20 feet to 5 feet and a Class A Variance application to reduce the required side setback of 5 feet to 3.75 feet.

**Planner:** Alexa Repko, Associate Planner, [arepko@bendoregon.gov](mailto:arepko@bendoregon.gov)

Chair Clinton convened the hearing at 5:31 PM. and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. The Chair then asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudgment, or personal interest. No challenges were made.

Planning Manager Brooke explained the quasi-judicial procedural requirements of State law.

Associate Planner Repko gave her [presentation](#) on the Waterway Overlay Zone (WOZ) Review and associated Class A and Class B Variances to construct a new single-unit detached dwelling. The property is located within the Residential Standard (RS) Density Zone and the Waterway Overlay Zone, adjacent to the Deschutes River. The proposal includes demolition of most of the existing structure and reconstruction with an attached garage, covered porch, and rear deck.

The site lies within the Riparian Corridor, Floodplain and Design Review sub-zones. No development is proposed within the Riparian Corridor or Floodplain Sub Zones. The project complies with the required 30-foot riparian setback and 40-foot building setback from the Ordinary High Water Mark. Seven trees are proposed for removal, none of which are located within the Riparian Corridor. Tree protection fencing around retained trees is a recommended condition of approval.

The design review criteria are met through preservation of natural features, compatibility with surrounding development, and use of muted, non-reflective materials. The proposed 3,211 sq. ft. residence aligns with the scale of neighboring homes.

A Class A Variance is requested to reduce the southern side setback from 5 feet to 3.75 feet to retain the entryway footprint and access to an existing basement. This request is justified by site topography and does not involve removal of significant trees.

A Class B Variance is requested to reduce the front setback for the garage from 20 feet to 5 feet. The hardship arises from the unusually wide right-of-way of NW Columbia Street, which limits usable front yard space. This condition is not self-imposed and is consistent with other properties in the area. The proposed residential use is permitted outright in the RS Zone, and the variance represents the minimum necessary to alleviate the hardship.

The applicant, Joey Shaw, reiterated that the requested variances are typical to the homes on this street. Shaw emphasized that expanding closer to front property lines prevents encroachment upon the river or the neighbors' views.

Craig Chenoweth, part of the applicant team, mirrored Shaw and Repko in stating that other homes along Columbia Street have been granted the Class B Variance to address the 80-foot right of way. Chenoweth believes that the Class B Variance is value added to the community as pushing development towards the street will slow traffic.

Vice Chair Scott Winters asked if the Class A Variance was to add a structure or to maintain the existing. Repko confirmed that the building footprint would go unchanged and the variance would maintain the existing 3.75-foot setback.

Chair Margo Clinton asked for clarification on what the existing front setback is since it appeared that the driveway would be entirely in the Right of Way (ROW). Repko clarified that the existing driveway is entirely in the ROW, but there is currently no garage. The need for the Class B Variance stems in part from the RS zone setback for garages being 20 feet, but due to the unusually large ROW on Columbia St, the applicant will not be able to meet the front setback. Commissioner Suzanne Johannsen verified that there would be no building within the ROW and Repko confirmed.

Commissioner Johannsen questioned whether the applicant was preserving trees. Shaw explained that the power company already removed 2 dead trees in the front yard. Repko explained that there would be 3 street trees planted that are on the City of Bend's approved Street Tree List.

Commissioner Erin Ludden asked if the new home's facade would align with the neighboring homes. Chenoweth confirmed that the facade would align with the other homes and that neighboring homes received similar variances.

Chair Clinton opened the public testimony portion of the hearing. No public testimony was provided.

Chair Clinton closed the public hearing at 5:59 PM and the Commissioners deliberated.

Commissioner Ludden expressed support for moving structures closer to the street to protect the riparian zone.

Nelson expressed support as the variances are reasonable and consistent with neighborhood patterns, and he appreciates the preservation of the largest tree while also adding new trees.

Commissioner Winters expressed concern about the side setbacks but overall supports the variances since the building footprint is going unchanged. Winters also expressed support for protecting the riparian zones while expanding towards the street to keep traffic moving more slowly.

Commissioner Nelson moved to approve PLWOZ20250412, PLVAR20250413, and PLVAR20250414, the proposed waterway overlay zone application to demolish and reconstruct/expand an existing single-unit dwelling, with a Class B variance to reduce the required front setback, and a Class A variance to reduce the required side setback. The motion was seconded by Commissioner Johannsen. The motion passed unanimously.

#### **4. APPROVAL OF MINUTES:**

The Planning Commission approved the [August 11, 2025](#) and [August 25, 2025](#) meeting minutes.

#### **5. COMMUNICATIONS:**

##### **5.1. Reports From Planning Commissioners**

Commissioner Johannsen recommended an upcoming lecture on fire resiliency held at Oregon State University-Cascades campus. Johannsen asked for a continued discussion on using canceled meetings for planning topics. Johannsen would like Planning Commission to communicate with Land Use Chairs from neighborhood associations more directly and frequently. Commission Johannsen listed topics as interest for future work sessions: tree preservation, housing needs analysis, neighborhood commercial, and comprehensive plan updates.

Commission Gressens provided an update to his meeting with the Land Use Chairs where he attempted to explain to the chairs that, due to state law, the City of Bend is limited in its ability to deny affordable housing development in commercial areas within the Easton development. Gressens communicated that the chairs are concerned at a lack of noticing and distance per scale. Gressens said he encouraged the Land Use Chairs to start attending the Planning Commission meetings regularly.

Commissioner LaMotte reported having similar conversations with the Land Use Chairs where the group expressed feeling in the dark on decisions being made by Planning Commission and City Council.

##### **5.2. Report From Planning Manager**

Renee Brooke, Planning Manager, updated the commissioners about the October 22 City Council work session where staff presented the first annual update on tree preservation standards implemented over the past year. Staff recommended no major code changes due to insufficient data but proposed minor clarifications and increased flexibility for root protection zones, leveraging the expertise of the city's Urban Forester. Council supported the minor amendments, which staff plans to bring forward for Planning Commission and Council review in early 2026. Council asked for additional work to be done separately to address regulating junipers based on public input.

Brooke gave a brief overview of the November 10 agenda items; the Union Master Plan proposal and a stormwater Public Facilities Plan work session. Additionally, the November 24 meeting has been cancelled due to the Thanksgiving holiday.

Brooke reported that she and the absent CDD Director, Colin Stephens discussed scheduling future sessions covering the following: updates on upcoming Development Code packages by Senior Planner Pauline Hardie; The Growth

Management team presenting an overview of the five-year Growth Plan, including updates to buildable lands, housing capacity, and economic analyses; and the Chief Operating Officer outlining the City Council's two-year goal work plan, covering priorities such as wildfire resiliency, complete communities, and neighborhood commercial policies. These sessions aim to inform the Planning Commission about upcoming code and policy changes and clarify the Commission's role in implementation.

### **5.3. Report From Community Development Director**

Colin Stephens, CDD Director was absent from the meeting.

### **5.4. Report From City Attorney**

Ian Leitheiser, City Attorney, had nothing to report.

The meeting was adjourned at 6:27 p.m.

Minutes submitted by Kaylin Landry.