

Minutes

Bend Planning Commission

Monday, November 10, 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

1. ROLL CALL:

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

Commissioners Present: All Commissioners were present except Chair Margo Clinton.

Staff Present: Ian Leitheiser, City Attorney; Renee Brooke, Planning Manager; Austin Somhegyi, Senior Project Engineer; Damian Syrnyk, Senior Planner; Lori Faha, Environmental Resources Manager; and Nicolas Lennartz, 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. WORK SESSION:

3.1 [PLTEXT20250591](#) – Bend Comprehensive Plan Amendment

Proposed amendments to the text of the Bend Comprehensive Plan, including: 1) adoption of a 2025 Stormwater Public Facility Plan to replace the 2014 Stormwater Public Facility Plan as Appendix H to the Comprehensive Plan; and 2) amendments to the text of Chapter 8 of the Comprehensive Plan, Public Facilities and Services, to update the Storm Drainage Facilities and Systems section.

Staff: Senior Project Engineer, Austin Somhegyi - asomhegyi@bendoregon.gov
Damian Syrnyk, Senior Planner - dsyrnyk@bendoregon.gov
Lori Faha, Environmental Resources Manager - lfaha@bendoregon.gov

Senior Planner Syrnyk introduced the [presentation](#) for the proposal to adopt the 2025 Stormwater Public Facility Plan (PFP) to replace the 2014 version as Appendix H of the Comprehensive Plan. This update includes conforming amendments to

Comprehensive Plan Chapter 8, “Storm Drainage Facilities and Systems,” and does not alter the Bend Development Code, Comprehensive Plan map, or Zoning map. The PFP serves as a support document to ensure timely, orderly, and efficient public facility planning aligned with Oregon Administrative Rules (OAR) Chapter 660, Division 11, as part of the statewide planning goals, specifically Goal 11. Syrnyk explained that the PFP includes an inventory and condition assessment of stormwater systems, identification of needed improvements, and outlines a capital improvement program with timelines and cost estimates. Key themes include integrating stormwater planning with growth management, updating the Stormwater Master Plan, and addressing policy areas such as climate resilience, drainage, and service levels.

Senior Project Engineer Somhegyi discussed how the updated PFP aligns with the requirements for the Federal Clean Water Act and the National Pollutant Discharge Elimination System through permits acquired from the Department of Environmental Quality. Somhegyi explained that the PFP is an abridged version of the Stormwater Master Plan that also has not been updated since 2014. The goals for the 2025 Stormwater Master Plan are to: identify projects that address conveyance and drainage issues throughout the City of Bend; create climate change resiliency by ensuring that infrastructure designs can adequately manage increased severity of storms; address increased densification and the resulting stormwater management challenges; and the level of service. These topics will be covered in more detail in December during City Council and Planning Commission hearings, with adoption targeted for early 2026.

City Attorney Leitheiser emphasized that state law requires that cities address long-term infrastructure planning, even when the change is unpopular with the public.

Commissioner LaMotte asked if part of the plan was to expand stormwater facilities to be more communal rather than to store water at each individual property. Environmental Resources Manager Faha confirmed that the City is encouraging developers to plan ahead to create facilities that are shared and to think about these solutions in the early stages of creating their master plans.

4. QUASI-JUDICIAL PUBLIC HEARING:

4.1. [PLSPD20250374](#) – Union Master Plan

A Major Community Master Plan for a 45.27-acre site in the Residential Standard Density (RS), Residential Medium Density (RM), Residential High Density (RH), and Mixed Employment (ME) zones located at the intersection of SE 15th Street and Murphy Road.

Staff: Associate Planner, Nicolas Lennartz - nlennartz@bendoregon.gov

Vice Chair Winters convened the hearing at 6:21 P.M. 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. Commissioners Ludden and LaMotte

mentioned that they had visited the site. No challenges were made to the Commissioner's statements.

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

Associate Planner Lennartz [presented](#) the Union Master Plan, a major community master plan encompassing areas zoned Residential High Density, Residential Standard Density, Residential Medium Density, and Mixed Employment. Lennartz stated that the proposal aligns with Bend Development Code (BDC) Chapter 4.5, requiring consistency with Statewide Planning Goals, Bend Comprehensive Plan policies, and adequate infrastructure capacity. The plan provides access to commercial services within one-half mile, ensures multimodal connections per the Transportation System Plan, and meets housing density and mix requirements. At least ten percent of the site will be dedicated as open space, either as a public park or maintained by an approved entity.

Associate Planner Lennartz stated that the deviation requested for the block perimeter distance and length was a concern, but the other requested deviations are justified because they either meet or exceed the intent of the original regulations or are necessary due to unique site constraints. Staff recommended approval of the Union Master Plan with an amendment to Figures 2.7.5120 and 2.7.5160 to replace the proposed multi-modal pathway between Streets A and E with a local street connection to meet block perimeter and length standards. The City Council hearing is tentatively scheduled for December 17, 2025.

Joey Shearer, Ana Bozich, and Joe Bessman representing the applicant team, gave their presentation on the Union Master Plan. The team noted the site is within the 2016 Urban Growth Boundary "Opportunity Area 7" and seeks to create a complete neighborhood. Shearer described limitations of the site include the railroad to the west, the canal to the northeast, and the private roads to the north, preventing connectivity to existing streets. The lower density housing is proposed to be located within the northern portion of the development to help with traffic, while the high-density residential and mixed-employment district will be abutting Murphy Road and 15th Street with a total of 366 future homes. Bend Park and Recreation District (BPRD) requested a multi-use path along the southern property line and an under crossing at the Murphy bridge to connect the area to Alpenglow Park to ensure plenty of opportunities for the neighborhood to safely recreate in the large park. The applicant disagreed with the staff not supporting the block perimeter deviation request as they believe it meets the efficiency requirements of code by creating cohesive networks of multimodal paths.

Vice Chair Winters asked if the intention of the applicant was to include the canal as part of the required 10% open space even though it was not publicly accessible for recreation. Lennartz explained that open space is defined by Bend Development Code as being either active or passive and could be an area of land or water; moreover, the open space criteria does not require that the space be usable to the public as passive

open space can provide aesthetic appeal to a neighborhood, thus the proposal meets the criteria.

Commissioner Ludden stated that during her visit to the site that morning, she had seen a “no public access” sign on the canal where there appeared to be a path. Planning Manager Brooke clarified that the property to the north of the bridge where Sherwood Forest Drive crosses the canal is private property, not open to the public. Lennartz said that the public access easement is located along the south bank of the canal, but that Central Oregon Irrigation District (COID) does not want the public walking along the north bank where their maintenance road exists. Lennartz emphasized that the public access easement will allow a trail to be built along the canal, and BPRD will maintain that trail.

Commissioner Johannsen questioned if the canal gets piped, would it still be considered open space? Shearer explained that there would still be public access easements and a BPRD managed trail. Shearer mentioned that BPRD and COID are coordinating an effort to create a connected trail network along the canals, which the Union Master plan developer would assist with.

Commissioner Ludden expressed concern that the developer was depending on access to Alpenglow Park in lieu of on site, usable open space and it does not feel like there is open space on the plan except for an area in which the developer is prohibited from building over. Ludden asked how much open space would be included if the canal was removed from the calculation. Shearer said that he did not have that calculation, but there is precedent for the use of canals as open space as seen in Petrosa; furthermore, Shearer notes that the staff report demonstrated compliance with the open space criteria as of the time of the report. Shearer echoed Lennartz’s sentiment that the canal adds character to the neighborhood.

Commissioner Ludden inquired about the trees that are within the proposed open space along the canal. Shearer said that they would be preserving all the trees except where construction for the trail connection would be, however, those trees exist in the COID public access easement. Ludden asked about the landscaping plan for the remaining open spaces. Shearer is unsure since the plan is still in its early stages and those details are still to be determined.

Commissioner LaMotte asked for clarification on the open spaces that are larger, but don’t appear to be trails. Shearer said that the open space on the northwest corner has underground utilities and there are a mix of these types of open spaces throughout.

Commissioner Gressens asked when the connection to Alpenglow Park would be built. Shearer said the development agreement with BPRD has not been drafted yet.

Vice Chair Winters said the intent of the open space code was recently challenged when a fence was placed around a stormwater basin that was not usable to the public since it was both fenced off and drainage. Winters believes that the fence was not the

issue, it was the fact that the space was not usable even without the fence. Winters also voiced concern that the Easton and Petrosa Master Plans promised complete neighborhoods, but Pahlisch Homes did not deliver. Winters acknowledged that state legislation allowed commercial or mixed-use zones to be developed for housing. Commissioners Johannsen, Gressens, and LaMotte also shared this concern.

Ana Bozich of Pahlisch Homes explained that Petrosa and Easton were approved before House Bill 3395 was adopted. During the planning stages, Pahlisch offered a vision of complete communities to get buy in from the public, Planning Commission, and City Council. Bozich cited the global pandemic and a lack of commercial interest as to why those commercially-zoned lands did not come to fruition. These factors resulted in the sale of the properties to a commercial developer who then chose to build affordable housing on a portion of the land under HB 3395.

Commissioner Gressens challenged Bozich's assessment, citing other developers who faced the same unfavorable market conditions and held the properties for 5-10 years to ensure realization of the vision that was sold to the community. Bozich stated that the financial investment that Pahlisch undertakes in building infrastructure beyond their developments demonstrates their commitment to the community.

Commissioner Ludden asked what the benefit is for having a multimodal connection between Street A and Street E versus a street. Staff stated that a street would reduce the number of out of direction trips per day by allowing better access to 15th street for homes located on the interior of the development.

Commissioner LaMotte asked how the homes abutting the open space between Street H and A would gain access to their frontage if they front an open space. Shearer explained that Pahlisch would be creating flag lots for the interior lots with shared driveways.

Vice Chair Winters asked if there would be a left-hand turn on Murphy from Street A. Shearer said that conversations with the City concluded that this would not be feasible since Murphy was designated as a collector, and the right of way is too narrow. Bessman explained that the embankments at the Murphy railroad overpass and proximity to the 15th Street roundabout limited the location of local streets.

Vice Chair Winters opened the public testimony portion of the hearing.

Patty McCormick, Land Use Chair for Awbrey Butte Neighborhood District: McCormick raised concerns about the confusion over the intent of the open space requirement. McCormick urged the Planning Commission to interpret the requirement carefully and apply discretion. She asked what alternatives the developer would pursue if the canal is excluded from the 10% open space calculation.

Kristin Reidelberger of Central Oregon LandWatch: Reidelberger questioned the Union Master Plan Development Code's limited guidance for the mixed-use employment (ME) zone and suggested adding standards to promote walkability and appropriate uses. Reidelberger noted concerns about commercial lands being

developed for housing and stated LandWatch will work with partners on tools to support commercial development. Detailed comments will be submitted in December, and the issue was flagged for the Commission's consideration.

David Kyle: Kyle expressed concern that the Union Master Plan and the Ferguson/15th roundabout are being considered separately, making it difficult to address potential conflicts such as shared access points. He noted related issues including traffic counts, zoning inconsistencies for public trails, and emergency access for Nottingham Square.

Deven Sisler: The speaker supported mixed-use development but urged the Commission to protect quality of life, preserve priority old-growth trees, and maintain open space. Sisler expressed concern that the current plan would remove mature trees, increase traffic, and rely on the canal for open space that may lack aesthetic appeal or accessibility. Sisler recommended expanding native landscape and enforcing tree regulations to reduce heat island effects and uphold Bend's character.

The applicant was offered an opportunity to provide rebuttal to the public testimony.

Shearer stated that removing the canal from the open space calculation is unnecessary under current definitions and would create density and traffic issues, as the project is already near the minimum allowed density. Shearer noted that redesigning streets or open space would increase density and traffic, which has been analyzed and deemed acceptable by transportation engineers and coordinated with fire for emergency access.

Regarding commercial development, Shearer emphasized the benefits but explained the economic challenges of attracting grocery stores and other users.

Bessman noted that the Ferguson roundabout and Union Master Plan are separate projects managed by different entities and there are no plans to connect to Sherwood Forest Drive because it is a private road built to outdated standards.

Bessman said that 10-foot sidewalks on 15th Street are being added as part of city improvements, despite replacing recently built paths.

Bessman stated that city staff have no concerns with the location of the two proposed streets that give access to the development.

Shearer clarified that public facility (PF) zoning is not required for open space or trail corridors and changing it would require a zone change and Comprehensive Plan amendment beyond the scope of this application.

Shearer acknowledged concerns about trees and explained that detailed tree inventories will be required at the subdivision stage. They confirmed the project will meet all city tree standards without requesting any deviations.

Commissioner LaMotte asked if the trees in the easement along the canal would be included in the tree inventory. City Attorney Leitheiser said yes.

Vice Chair Winters closed the public hearing at 8:48 P.M. and the Commissioners deliberated.

Vice Chair Winters stated that he did not believe that the canal should count towards open space. Winters went on to express concern that master plans are one of the few opportunities to secure commercial development, warning that if designated commercial areas are built out with housing, the chance for future commercial uses will be lost for decades. The other Commissioners agreed with Winters about his commercial concerns.

Commissioner Johanssen echoed the previous sentiments and added that previous Master Plans have failed to achieve the promises made by developers.

LaMotte opposed the plan because the proposed open space lacks a meaningful, centralized community area and instead consists of narrow, disconnected strips that will be difficult for an HOA to maintain. He emphasized that a central green space near the commercial area would better support connectivity and community gathering, aligning with planning goals for complete neighborhoods.

Commissioner Ludden expressed concern that the Union Master Plan did not “protect natural resources and conserve scenic and historic areas, and open spaces,” as indented by the Statewide Planning Goal 5. Commissioner Nelson summarized the group’s concerns by stating that the Union Master Plan does not meet the Bend Development Code 1.2 definition of “open space,” and the intent of the Statewide Planning Goal 5.

Commissioner Nelson expressed concern that the block perimeter does not meet the criteria for a deviation and repeated concerns about the canal; however, Nelson does believe that the Union Master Plan meets the Master Plan criteria and would vote yes. Commissioner Gressens agreed with Nelson.

Commissioner LaMotte moved to recommend denial of the Union Master Plan to City Council based on the open space system, and the lack of connectivity of the street system. The motion was seconded by Commissioner Johanssen. The motion passed on a 4-2 vote, with Commissioner(s) Nelson and Gressens dissenting.

Vice Chair Winters and Commissioner LaMotte were nominated to bring the recommendation of the Commission to the City Council.

5. APPROVAL OF MINUTES:

The Planning Commission approved the [September 8, 2025 Draft Minutes](#) and [September 22, 2025 Draft Minutes](#).

6. COMMUNICATIONS:

6.1. Reports From Planning Commissioners

Commissioner Johanssen reported from the City Council’s meeting on the large package of Development Code amendments and clarifying open space definitions to prevent non-usable areas, like fenced drainage swales, from being counted as open space.

Commissioner Johanssen also mentioned conversations with Mayor Kebler and State Senator Broadman about potential policy changes to support neighborhood commercial development and complete communities in previously undeveloped areas that are unique to Bend.

Commissioner Johanssen proposed establishing regular communication with neighborhood association land use chairs to better understand community issues and strengthen citizen involvement. They suggested dividing outreach to the land use chairs among Commission members and holding a joint meeting for open dialogue on neighborhood concerns.

Commissioner Gressens reminded the group that the Urban Forester, Ian Gray, would be speaking at OSU-Cascades on Wednesday, November 12th.

6.2. Report From Planning Manager

Renee Brooke, Planning Manager announced the November 24th Planning Commission is cancelled due to the holiday and the next session will be December 8th with the Stormwater Public Facilities Plan public hearing.

6.3. Report From Community Development Director

Colin Stephens, CDD Director was absent.

6.4. Report From City Attorney

Ian Leitheiser, City Attorney had nothing to report.

The meeting was adjourned at 9:41 p.m.

Minutes submitted by Kaylin Landry.