

Minutes of the Veneta Planning Commission

February 2, 2009

Present: Chairman James Eagle Eye, Jim Bruvold, Lilly Rees and Estelle Sweet

Absent: Len Goodwin

Others: Brian Issa, Community Services Director; Zac Moody, Assistant Planner; Ric Ingham, City Administrator; and Darci Henneman, Assistant City Recorder

I. REVIEW AGENDA

Chairman James Eagle Eye called the Veneta Planning Commission to order at 7:00 p.m., reviewed the agenda and welcomed Estelle Sweet to the Veneta Planning Commission.

II. PUBLIC COMMENT

None

III. STAFF CODE INTERPRETATION

Brian said the City and St. Vincent DePaul recently acquired property on W. Broadway to begin implementing the various downtown redevelopment strategies the City adopted over the last several years. St. Vincent's intention is to build a multi-story mixed use building similar to their projects in Eugene and Springfield. He said the ground floor would be retail space with second and third floors dedicated to housing. He said in order for St. Vincent to apply for state and federal grant funds for construction, the architects for St. Vincent need to show that their design meets all current and proposed City ordinances and do not require variances, conditional use permits or other special exemptions which could potentially delay or derail their project.

After comparing their plans with current code, Brian said the only regulation that may be problematic is Veneta Land Development Ordinance 461 Section 4.05(2) (n) which basically states that no more than 50% of the square footage of a structure can be used for housing. However, Brian said the provision could be interpreted to exclude multi-use structures and therefore St. Vincent's project would not meet all City ordinances and codes. Staff also believes this ordinance was likely not written to include the kind of development St. Vincent desires to construct. Brian said the language is clear that the intent of the ordinance is to preserve the predominantly commercial character of the Community Commercial (CC) zone. He said it is very unlikely that the City intended to exclude mixed use developments, a design which nearly every city in the country is trying to encourage. Staff believes that one way to avoid the conflict is to interpret the proposed mixed use buildings as not being either a residential or commercial structures, but as a distinct and unique type of development not specifically identified by this provision.

Staff recommended the Planning Commission pass a motion that interprets multi-story mixed use structures as distinct and unique from "commercial" structures as referred to in Veneta Land Development Ordinance 461 Section 4.05(2) (n), and that the 50% floor area restriction does not apply to a newly constructed mixed use structure. Ground floor commercial requirements would continue to apply.

Brian said Scott Siegel of Transportation Growth Management (TGM) is working through the existing codes to make sure we don't draft or adopt a code that will hold up projects like St. Vincent's in the upcoming code changes.

In response to a question from Jim Bruvold, Brian said the code clearly states that no more than 50% of the entire structure can be residential. He said this is not based on the actual lot size but rather the size of the building. He said St. Vincent is not building a residential structure within a commercial zone. He said the structure has a specific use; commercial on the ground floor and residential on the 2nd and 3rd floors. Staff would like to assist St. Vincent in getting their grant by making sure their multi-story/mixed use structure meets all City codes and ordinances. Brian said a section in the code can allow any use that is not specifically called out provided it's not listed in another zone. If it's not listed anywhere within the ordinance then it's open to interpretation. Staff is requesting the Planning Commission make a motion to interpret the code to allow St. Vincent's multiple story/mixed use structure in the community/commercial zone.

In response to a question from James Eagle Eye, if the Planning Commission allows St. Vincent's multiple story/mixed use structure, will it set the standard for possible future multiple story/mixed used development, Brian said it does set precedence, but only for other new multi-story/mixed use structures.

Ric said the ground floor would be 100% retail; this will support downtown development and mixed use development.

Brian said currently there is no height restriction at this point. He asked the Planning Commission if they would like to bring those kinds of buildings all the way to the sidewalk.

Jim Bruvold said he would like to see a green house or community garden incorporated into the site. Brian said the new code will address streetscape. He provided photographs of St. Vincent's Springfield project for the Planning Commission.

Lilly Rees suggested modifying the code to allow for up to 100% of newly constructed multiple story/mixed use structures be residential. She said that way the City could leave it open and not put a restriction on the percentage of residential use of the structure.

Brian suggested the code stay at 50% and requested the Planning Commission interpret the code to allow multi-story/mixed use structures in commercial zoned areas.

Jim Bruvold said the rail spur behind the property could provide future light rail transportation.

MOTION: Lily Rees made a motion to interpret City code to allow multi-story structures in the commercial zone. Jim Bruvold seconded the motion which passed with a vote of 4-0.

MOTION: Lily Rees made a motion to amend the previous motion and restated the motion to interpret City Ordinance 461(4.05(2)(n)) to allow multi-story/mixed used structures in the community commercial zoning areas. Jim Bruvold seconded the motion which passed with a vote of 4-0.

V. OTHER

TGM Code Revision Update

Zac said staff is meeting with Transportation Growth Management (TGM) representatives to create a timeline for initiating the code update process. He said there are three phases of the updates; residential, commercial and technical. He said staff will continue to review the codes and identify what isn't working. Staff will be leading the technical code updates and TGM will work through the residential and commercial code updates. Zac said the Planning Commission

will have an opportunity to review the first code update at the March 2, 2009 Planning Commission meeting. He said staff and TGM have already started reviewing the land development code. He said TGM will work with a new version of the code that includes the tree code and land development code updates. Zac said Ordinance 487 amending the Veneta Land Development Ordinance 461, Article 2 and the Veneta Land Division Ordinance 462, Article 4 and Article 5 will go to the City Council for a second reading and final enactment on February 9, 2009. He said those code updates will become effective within 30 days of the second reading.

Zac said staff would like to work with the Planning Commission to structure joint work sessions with the City Council to discuss ways to get the community more involved in the code updates. He said staff will issue preliminary drafts and make a recommendation to the Planning Commission on downtown development, technical and residential code updates. He said the timeline created will put the final code updates in July and August, 2009. He said by the end of the summer the code updates should be adopted.

Zac said the March 2, 2009 Planning Commission packet will consist of a significant amount of details. He said he would like to get the packet to the Commissioners as soon as possible.

In response to a question from Jim Bruvold, Zac said staff is planning public meetings to encourage community involvement. He said staff will explain the process and provide an open discussion with the community. He said further down the road public hearings will be held.

Brian said the joint work sessions with the Council and Planning Commission will be structured and will also be open to the public.

James Eagle Eye asked if there is anything the Planning Commission can do to keep the code updates moving along. Brian suggested if the Commissioners have a difficult time making a decision on a specific piece of a code, they may want to set it aside and approve the majority of the code. He said the process will be very involved. He said the grant was for assistance in the code updates, because we haven't had the staff time, we're counting on Scott Siegel of TGM to explain the process to the Planning Commission and City Council.

In response to a question from Jim Bruvold, Brian said LCOG is not doing the updates because the City received a state grant that pays the TGM portion of the code updates. He said TGM assists small cities to upgrade their codes, particularly with transportation issues. He said Scott Siegel is very experienced in the field, especially with pedestrian oriented downtown areas. He said he has a wide background on transportation code updates.

It was the consensus of the Planning Commission that TGM providing code update assistance is a great opportunity for the City.

In response to a question from James Eagle Eye, Zac provided a general update on what's been happening in the City. Zac said the Broadway Events Center site plan was approved for their multi use area. He said Weyerhaeuser will be leasing the cold storage unit in Cornerstone to store trees. He said staff has required a few improvements to the area. Zac said a partition was submitted north of Applegate Landing to create three parcels. He said staff did it administratively because it was minor in nature. He said the final plat application on the partition was received yesterday, so it will be moving through the process. Zac said staff is keeping busy working on the code changes. He said half of his time has been allocated to

Urban Renewal projects. He said currently he is working on getting a RFP for design and architectural services published for the new service center.

Zac said a site plan review may be coming in for property on Cornerstone. He said Holt Manufacturing may be constructing a building to expand their business. He said residential development has slowed; however, Aspen Heights and Hayden Homes are still building.

Brian said Hayden Homes just laid off 20% of their work force, including their project manager for Applegate Landing.

In response to a question from Jim Bruvold, Zac said at the next Planning Commission meeting he would provide the Commissioners with quarterly reports for the 1st quarter of 2008 and 2009 for comparison.

VI. ADJOURN

Chairman James Eagle Eye adjourned the Veneta Planning Commission at 7:33 p.m.

James Eagle Eye, Chairman

ATTEST:

Darci Henneman, Assistant City Recorder