

Minutes of the Veneta Planning Commission

August 4, 2008

Present: Chairman James Eagle Eye, Len Goodwin, Linda Boothe, and Jim Bruvold

Others: Brian Issa, Community Services Director; Zac Moody, Assistant Planner; Sheryl Hackett, City Recorder; 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. and reviewed the agenda.

II. PUBLIC COMMENT

None

III. APPROVAL OF MINUTES

MOTION: Jim Bruvold made a motion to approve the minutes of July 7, 2008. Len Goodwin seconded the motion which passed with a vote of 4-0.

IV. LIMITED LAND USE ACTION:

- A. Veneta Self-Storage (SR-3-08)
(Mini Storage Warehouse on Loten Way, Cornerstone Subdivision)
Assessor's map 17-05-31-10, Tax Lot 3100 & 3200

Basic Data

Zac said the applicant is Goebel Engineering & Surveying, Inc. And the owner is Dan Montgomery. The location of the proposed mini storage units is lot 3 and 4 (2.22 acres) of the Veneta Business Park (VBP) on Loten Way. He said the application was received on June 9, 2008 and was deemed incomplete on June 12, 2008. On June 20, 2008 additional information was received and the application was deemed complete. Notice was mailed and posted on June 24, 2008.

Linda Boothe arrived at 7:02 p.m.

Request

The applicant is requesting the Veneta Planning Commission to approve the site plan to allow the building and operation of a mini-storage warehouse within the VBP on Loten Way.

Background

Lots 3 and 4 of the proposed development are located in the south eastern portion of the VBP and zoned Highway Commercial (HC). The VBP was designed as part of the Northeast Employment Center Specific Development Plan and serves as a blueprint for a mixed-use employment center in Veneta. The Specific Development Plan (SDP) outlines land use configurations, street and infrastructure layout and development standards for the 135-acre project area located on the north side of Highway 126 and east side of Territorial Road.

Property Characteristics

The property is described as Lots 3 and 4 located on the east end of Loten Way within the VBP. The property north of the development is zoned rural residential and

the property to the east and west is commercial and industrial. The southern border of the property is Highway 126. The mini-storage warehouse will be located in an area that is currently surrounded by vacant commercial and industrially zoned lands and will conform to the goals of the Highway Commercial Zoning District and the Northeast Employment Center as incorporated in the Veneta Land Development Ordinance (VLDO) Section 4.14(7).

Water and Wastewater

City services are currently available to this property.

Stormwater/Natural Resources

Detention will be required for all new facilities on the site. The proposed changes do not affect any significant natural resources.

Zac said the site plan criteria for zoning and infrastructure is already established. He said a 1200C grading permit was requested from the Department of Environmental Quality (DEQ) concerning the drainage and grading on the parcel. He said no public comments were received.

Landscaping

Zac said an area of concern is the property on the northern boundary of the development. He said this property is zoned rural residential and requires a 30 ft. buffer between the zones. Because of that, the conditions within the findings will require an additional landscape buffer be established and within three years be at least 8 ft. high between the two areas. A buffer is not required on the east side and according to the plans, landscaping is required and will be planted on the south side. Landscaping is calculated on the amount of open space on the development and will consist of 12 trees and 48 shrubs (one tree and four shrubs per 1,000 sq ft of development). He said there was a 30 ft. drainage easement on Lot 3 but a drainage easement was never acquired on the southern portion of the parcel. Zac said as a condition of approval, the City required a 30 ft. drainage easement to continue the existing drainage easement to the north.

Zac said the applicant has proposed enough landscaping to meet the requirements of 12 trees and 50 shrubs. He said most of the landscaping was to the north and southern sides of the project. He said the majority of the existing space to the north is occupied by the required evergreen shrubs. He said the City requested a revised landscaping plan as a condition of approval so we can locate the existing evergreen shrubs and see how the applicant will reconfigure the landscaping plans. He said there may or may be room for more landscaping on the north side. Zac said that the conditions shall be met prior to the building permits being issued.

Fencing

Zac said the property is commercially zoned, therefore City code does not allow for a fence greater than 6 ft. in height (industrial zoned or industrial/commercial zoned allows for fencing higher than 6 ft.) He said the applicant proposed using razor wire fencing around the open portions of the development. However, a requirement of using razor wire is that it be 6 ft. 6 in. above the ground. This would not meet the requirement so staff asked for a revised site plan that identifies the type of fencing to be used to maintain security. Zac said this also will require approval prior to the approval of the building permits. He said the site plan was very thorough and staff recommends approval of the plan with the conditions outlined in the proposed orders.

In response to a question from Linda Boothe, Zac said industrial or industrial/commercial zoned property can use razor or barbed wire. He said the County maintenance yard is zoned industrial so they are allowed to have 6 ft. razor or barbed wire fencing. Zac said other developments have razor wire but may be as long as the fence was greater than 6 ft. 6 in. in height, considered pre-existing or non-

conforming property developed prior to the code requirements, or in a zone that allows it.

In response to a question from Len Goodwin, Zac said staff has allowed the property to be scraped but no cutting or filling of the property. He said filling and cutting activity will be required on the southeast corner of the property as well as backfilling the stem walls. He said the 1200C permit applied for allow this work.

Brian said City code allows for scraping but no cutting or filling of the property. He said anything that would require filling, could only be back filled around the stem walls. He said the east back corner of the property needs filling and the 1200C permit will allow them to do that.

In response to a question from Len Goodwin, Zac said City code does not require a grading permit. Brian said a 1200C permit is required for development of one acre or more. Brian said the process with DEQ is somewhat ambiguous. He said the City's stance has always been "our engineer won't review the plans unless they're submitted under a 1200C Permit." DEQ's stance is "we won't review your 1200C permit without your engineer approving the plans". He said there's been a transition in how the State processes the plans. He said at this point, the organic material removed required removal regardless of approval. He said the City does not oversee whether or not they have received permits from other agencies. He said at this point, they've gone through the site planning process and normally they would have permission to obtain 1200C permit and engineering approval from the City engineer. He said staff does not check to see if they complied with the 1200C permit.

Mr. Montgomery , the applicant, said DEQ issued a 1200C permit. He said he will provide the City with a copy of that permit.

Jim Bruvold pointed out a correction on page 15 of the Proposed Final Order, the last paragraph should read ". . . warehouse will not . . ." rather than ". . . with not".

Zac said there is no final plat for this so we're shortened on what we can apply to make sure conditions are met. He said staff has been working diligently to make sure all the conditions are met. Zac said the building permits are reviewed by him prior to going to the building inspector and public works to make sure the conditions the Planning Commission has approved have been maintained. He said staff is working on adding clear grading and drainage requirements to the Hillside Development Codes. He said grading, filling, cutting and storage of fill code requirements will easily be incorporated into the Hillside Development Code. He said this should be initiated in the next couple of months.

Brian said staff started getting a lot of requests for fill dirt when the Bolton Hill Road project started. He said homeowners wanted to fill in their backyards and drainage easements and compliance with subdivision drainage plans became an issue. He said we didn't have a nice way of dealing with fill requests. He said we've had drainage issues in the past with fill.

James Eagle Eye said he understood Len Goodwin's concern about allowing work to start without any monitoring.

In response to a question from James Eagle Eye, Zac said after he submitted the plans to Weber Elliott he spoke with John, the back fill/stem wall issue never came up. He said when he reviewed Jerry's referral it didn't stand out to him. He suggested this stem wall/backfill/drainage issue should be directed to the building inspector. Zac said the City code currently doesn't address the back fill/stem wall issue and he is concerned that excess backfill at the 8 ft. stem wall may interfere with the drainage. He said the stem wall is only 6 ft. from the drainage easement. Zac

suggested we use the building inspector's judgment to make sure the stem walls are constructed to standards and work with the developer to make sure they're not encroaching on the easement or creating a future hazard.

MOTION: Linda Boothe made a motion to approve the Veneta Self-Storage Site Plan with noted conditions of approval. Jim Bruvold seconded the motion.

Len Goodwin said as far as he can tell the applicant has complied with all City code requirements, however, he is very concerned about a situation where ground disturbing activity can be allowed to occur without a specific permit or monitoring. He said the City should not allow land alterations to occur specifically in an area where sensitive draining is apparent.

Brian said Jerry Elliott, City Engineer reviewed the grading plans prior to Kevin Ankeny of McKenzie Excavating graded the area. Brian said Mr. Ankeny was very careful to follow grading plan approved by the engineer.

MOTION: Vote of 4 to 0.

V. ADMINISTRATIVE DECISIONS:

A. St. Catherines' Property Line Adjustment

Zac said the St. Catherines' property line adjustment was recorded with Lane County Deeds and Records on Monday, August 4, 2008. He said the St. Catherine property is now in City ownership.

B. ATR Land Property Line Adjustment (Bolton Hill Road)

Zac said the applicant has requested a lot line adjustment within the Bolton Hill Ranch. He said they would like to sell two lots separately from the subdivision. He said access requirements are needed. He said staff would make sure all conditions of approval are applicable to those parcels and that they were taken into consideration when the lot line adjustment was been done. He said Sheryl is drafting a development agreement that mimics the Bolton Hill Ranch agreement. Zac said the second lot line adjustment is a little more complicated. He said there are three different parcels, two sizable and one small. He said the largest parcel has an existing residence and the applicant wants to separate the house but draining issues have been discovered. He said they want to remove one lot in order to create a larger lot with a wet land included. He said the lot line adjustment will be done to remove the lot that is not developable but one or two of the lots needs to be reconfigured. Zac asked if the Planning Commission want to be involved in this matter.

Brian said the code is specific on who makes the decision on property line adjustments. He said it would be unusual to ask the Planning Commission to decide a lot line adjustment. He suggested staff make that decision.

Len Goodwin said if the lots require redesigning in order to manage the drainage, this may be a limited land use decision.

Zac said the drainage plan did not change but is now more clearly identified. He said the lot line adjustment is the best application for this property.

Brian said there is a spring on one of the lots that drains into the pond on another lot. He said the applicants chose to omit the property (with the spring) from the development.

The Planning Commission agreed it wasn't necessary for them to be making decisions on this matter. They agreed staff was doing a good job staying on top of

this situation and they should continue to report to the Planning Commission on the progress of the application.

- C. **Nina's Pony Espresso Temporary Permit Renewal**
Zac recommended approval of the temporary permit renewal for the Nina's Pony Espresso kiosk located in the West Lane Shopping Center parking lot. He said Brian is reviewing it and he should have a decision at the September 8, 2008 Planning Commission meeting.

VI. OTHER:

Brian said Lily Rees' Planning Commission term expired in December 2008. This was an oversight by City staff. He said an advertisement for the Planning Commission opening was published in two editions of the West Lane News. He said the City received two applications through July 31, 2008. Brian said Mayor Brooker would either appoint the Planning Commissioner or direct staff to advertise more rigorously for the position at the August 11, 2008 Veneta City Council meeting.

In response to a question from Linda Boothe, Brian said the Mayor would make a decision at the September 8, 2008 City Council meeting.

Zac said the First and Second Quarter Planning Reports will be on the September 8, 2008 Planning Commission meeting agenda.

Len Goodwin said on August 21, 2008 the Surface Traveling System meeting will be held. He said an agenda item is to decide whether to abandon and scrap the railroad line from Eugene to Florence and the southern coast. He said the Port of Coos Bay is in support of purchasing the line in order to keep it operational. He said the sale is also supported in part by Congressman Peter DeFazio. Len Goodwin felt restoring the line would be in the interest of the City of Veneta both economically as well as maintain the right-of-way and track bed for the distant future. He said it may not be too far off that a light rail or transit facility may take over the rail line right-of-way. He felt it would be wise for the Planning Commission to recommend the City Council send a representative to the meeting in support of the railroad line continuing.

Brian said he would pass this information on to Ric Ingham, City Administrator.

VII. ADJOURN

Chairman James Eagle Eye adjourned the Veneta Planning Commission at 7:40 p.m.

James Eagle Eye, Chairman

ATTEST:

Darci Henneman, Assistant City Recorder