

Minutes of the Veneta Planning Commission

December 17, 2007

Present: Len Goodwin, Jim Bruvold, Linda Boothe and Lily Rees

Absent: James Eagle Eye

Others: Ric Ingham, City Administrator; Brian Issa, Community Services Director; Sheryl Hackett, City Recorder; Darci Henneman, Assistant City Recorder, Jerry Elliott, City Engineer, Mona Linstromberg, and Bill Kloos

I. REVIEW AGENDA

Len Goodwin reviewed the agenda and called the Veneta Planning Commission to order at 6:15 p.m.

Brian Issa asked if the Commissioners would agree to change the order of the agenda items. The Commissioners agreed.

II. PUBLIC COMMENT

Mona Linstromberg 87140 Territorial Road, Veneta, OR,

Ms. Linstromberg requested that everyone keep their comments to three minutes. She asked that people refrain from speaking when someone is at the podium and that people refrain from speaking out of turn.

III. DELIBERATIONS CONTINUED FROM DECEMBER 3, 2007:

- A. Request to re-zone 24.1 acres south of Bolton Hill Road from Rural Residential (RR) to Single Family Residential (SFR8000 sq. ft.) minimum (ZC-2-07)

Brian provided the Commissioners and staff with a letter received from Mr. Kloos after packets went out. Brian reminded the Commissioners that they can only recommend this rezoning request to the City Council for approval. A public hearing was held and closed on December 3, 2007 but the record remained open to accept written public comments.

Brian explained the difference between Rural Residential and Single Family Residential zoning. He said currently the property is zoned Rural Residential. He said the Comprehensive Plan states a Low Density Plan Designation will allow up to seven units per acre and up to 15 units per acre if a plan unit development is desired. Brian said at the most, pending approval of septic systems and wells from Lane County, one unit per acre is allowed in the rural residential zone. He said the current zoning clearly does not coincide with what the Comprehensive Plan allows for development on this property. Brian said the Land Development Ordinance states the purpose of the current Rural Residential zoning is to maintain areas outside the City service boundary for limited rural development within the carrying capacity of the natural resources until conversion of urban residential uses. Brian said the property is clearly within the urban service boundary and should not be zoned rural residential. He said even if it were, it is clear the rural residential zoning is considered temporary and the conversion to other more dense zone designation is expected. To retain land within the Urban Growth Boundary with the rural residential status indefinitely, is contrary to the Comprehensive Plan and statewide planning goals.

Brian said in order to fulfill the intent of the low density plan designation and implement the Comprehensive Plan, it is necessary to rezone the property from rural residential to another zone to allow development of the densities the Comprehensive Plan calls for. Brian said the requested zoning of SFR 8,000 sq. ft. accomplishes this.

Brian reviewed and addressed the public comments received during the additional seven day period and his revised staff report. Staff recommended the Planning Commission recommend the Veneta City Council approve the requested rezone.

Linda Boothe thanked Brian for reviewing the point by point objections and staff's rebuttals or answers to the public comments.

MOTION: Jim Bruvold made a motion to recommend the rezoning request to the City Council for approval. Linda Boothe seconded the motion which passed with a vote of 4-0.

Brian said Carrie Connelly will review the final staff report prior to the application being presented to the City Council for final adoption.

IV. LAND USE ACTIONS:

A. LIMITED LAND USE APPLICATION (S-3-07)

Request for a 105 lot subdivision on Bolton Hill Road (S-3-07)

Brian said unfortunately some referrals have not been received. He said because the Planning Commission packets included so much information, Jerry Elliott attended tonight's meeting to answer questions from the Commissioners.

Brian said the 10th Street/Dogwood Lane/Bolton Hill intersections are issues that need to be ironed out with Lane County and their improvement project. Brian said the city water tank is in the middle of the right-of-way for 10th Street.

In response to a question from Linda Boothe if SDC funds can be used to develop a park in a subdivision, Brian said the Capital Improvement Projects list (CIP) is based on the

Parks Master Plan. He said generally future acquisitions and future development of parks are included in the CIP which would determine what the total SDC amount is. The total is apportioned over all the future units that come in. He said if a park on the top of Bolton Hill is on the SDC Capital Improvement Projects list, that park would be developed to whatever degree it's on the list.

Len Goodwin said the prioritization of projects on the CIP is part of the annual budgeting process. He said for example, this subdivision may pay SDCs but the revenue collected may go to a different project if the City Council determined it to be a higher priority. Brian agreed.

Linda Boothe thanked Len and Brian for the explanation. She agreed with Jerry Elliott that water and sewer services should be brought to the site.

Brian said the City has not collected SDCs fast enough to acquire enough park land throughout the City. He said SDC acquisition is now a stand alone dedication ordinance. He said now a developer would dedicate a certain amount of land based on the number of units and persons occupying those units. He said there is a formula to figure the number of acres of parkland required per person. This figure is used for acreage of parkland requirement. He said if the land isn't available, the developer will pay the cash value of the acreage. Brian refers to a map showing the proposed park land for dedication which is approximately 4.41 acres for Phase I and II of the Bolton Hill Ranch. He said the maps from the 70's indicate a desire for a hilltop park. He said the area is adjacent to Bureau of Land Management (BLM) land with old growth timber and trails. He said because it's federal land it has potential for hiking trails. He said if we can create a park at the edge of the development, it could be added to from an adjacent parcel when it comes up for development. He said this would allow for future expansion of the park. Brian referred to the map and said one disadvantage

is much of the potential park area exceeds the slope standard of 15%. He said the VMC is intended to acquire dedicated park land to be usable and open recreation space. He said the adjacent City parcel is fairly flat and a portion of it could be added to the park area.

He said the developers proposed street parking. They would also grade and fill the potential park area to create areas for playground equipment. He said currently the area does not meet the standard because the majority of the site is over 15%. Brian also said the access to the water tank will utilize a large portion of the flat area. He said the three phase transmission lines and power poles are in front of the water tower access road.

In response to a question from Jim Bruvold, Brian said Emerald Peoples' Utility District's (EPUD) easement is 100 ft. and will allow streets. He said Tom from EPUD commented they generally do not allow houses but in this case they would allow houses and fences to be erected but if a fence is in their easement, if necessary they will tear it down and not put it back. Brian said his comments are in the packet. Brian said the lots are very large with developable area. Brian said a portion of the potential park dedication area is very limited because of the power poles and retaining wall. He said at this point, the proposed park dedication land does not meet the standard required by the VMC. Brian read the code requirements to the Commissioners and audience. He said there is some area over 15% slope. He said a stormwater detention area is also proposed for the flat area of land.

In response to a question from Linda Boothe, about how much land would be used for lots and roads. Brian said it's a subjective standard. He said the Planning Commission can allow it when it meets the intent of the code. He said it's a weighing situation at this point.

Jim Bruvold suggested stipulating an equal amount of land for park development on the lower side of Bolton Hill Road.

Brian said he would like to hear what the applicant is proposing at this point. He said it may have changed somewhat. He said the proposal will be for both Phase I and II. He said the lower Phase abuts up to the SWAP which has proposed a very large park space.

Lily Rees felt a stormwater detention pond for a subdivision should not be included within the area a developer dedicates for a park.

Brian said it's not explicitly prohibited. He said the Code doesn't say the dedicated park land cannot contain stormwater areas but it doesn't say that it can. Brian said the City would like to remove itself from accepting dedicated stormwater facilities (detention ponds, etc.). He said the storm detention area could be a separate tract maintained by the Homeowners Association of the subdivision.

In response to a question from Len Goodwin, Brian said if the Commission decided the applicant's proposal wasn't an appropriate dedication of park land and we require additional land for dedication, it would require a significant redesign of the subdivision because of the steep slope, some streets may need to be relocated.

Linda Boothe said we'd need to make sure the City isn't responsible for maintenance to the detention pond. But she wasn't completely against including the detention pond within the park land. She felt it could be done in a way that could provide an educational feature within the park.

Brian said staff discussed the detention pond be designed to be more of an aesthetic feature. He said appropriate plantings and maintainable slopes could be carved out to make the detention pond a specific spot within the park. He said he does not want the City to accept the responsibility of maintenance for a facility while trying to become less involved in detention pond maintenance at other City sites.

Lily Reese didn't feel comfortable accepting something that seemed substandard to Code requirements. She said the location and configuration cannot handle the detention of water and meet the parkland dedication regulations and requirements. She said with a portion of the proposed land is over 15% slope and the detention pond would account for a large portion of proposed park. She felt it should be looked at closer to see if the developer can come up with a different design. She said erosion of the slope would also be an issue.

Brian said the applicant asked staff what or how they could make this work. He said the applicant acknowledged there wasn't a lot of flat ground to create a park. Brian said the applicant is not required to develop the park just dedicate the land. Brian suggested the developer commit a dollar amount to the City to develop the park.

In response to a question from Lily Rees, Brian said the applicant is only required to dedicate 2.65 acres for Phase I and 4.0 acres for both Phase I and II. He said the applicant is proposing 4.41 acres for both Phases.

Lily Rees felt the 4.41 acres isn't adequate for Phase I alone because so much of it is over a 15% slope.

In response to a question from Len Goodwin, Brian said approximately 2.65 acres is the standard size of a land dedication for Phase I.

Len Goodwin said there is approximately one third acre under a 15% slope. He said we're getting less than one third of what is required. He said there's very little land available at less than 15% slope. He said even though the applicant is proposing more than what's required it's not usable land.

Brian said the entire site doesn't need to be flat. Play structures could be erected on the flat areas and hiking trails could be developed on the sloped areas.

Commissioners agreed because City resources are few, requiring the developer to develop the dedicated land could be an option.

Jim Bruvold suggested a portion of the park land should be on the east side of Bolton Hill for viewing the Cascade Mountains and the valley. He referred to the terraced hillside rose gardens in Portland and the walking paths they created. He asked for some options from the developer.

Lily Rees said many developments in Eugene have open spaces between the homes so the entire subdivision isn't built out.

Brian said all the proposed lots are twice the size of the minimum lot size. He said he's not sure what the applicant is proposing. He confirmed that the Commissioners are requesting that the applicant redesign the site to include more usable flat area but not necessarily more land.

Len suggested the developer continue the discussions with staff and present some alternatives.

Lily Rees suggested the applicant possibly provide two smaller open spaces within the subdivision rather than one large area.

Brian clarified the Commissioners would like to see the applicant develop the area as a park or require the developer pay cash in lieu of fees to the City.

In response to a question from Len Goodwin, Brian did not recommend the Commission taking action if this remained a limited land use action.

Bill Kloos said it was inappropriate for the applicant to address questions from the Commissioners because this was not a public hearing. He said, however, it would be appropriate for the applicant to suggest conditions of approval. He said the rules change when the Commissioners conduct a public hearing. He said until that time, the applicant cannot provide direct information to the Commissioners.

Linda Boothe said the road width needs to be discussed. She said Brian should continue that discussion with the applicant and the Commissioners should give him some guidance for the entire subdivision not just Bolton Hill Ranch.

Jim Bruvold said the street behind the library is too narrow for the fire engine to navigate the street and open the doors to exit the engine.

Len Goodwin confirmed all streets will be two way.

Brian said because the steepest part of the area has a 35% slope and is too steep for a multi-use path, the applicant proposed creating bike lanes on Perkins Road in lieu of a multi-use path; or an 8 ft. multi-use bicycle/pedestrian path on the north side of Perkins Road and a five ft. sidewalk on the other. Brian said the Commissioners have many decisions to make.

Brian said the planting strips were removed and narrower streets were proposed to limit the cut and fills. Brian said the street design follows the Neighborhood Street Design Standards of the Department of Land Conservation Department (DLCD). Brian said Heather Hill of the Lane County Fire District No. 1 requires a 20 ft. wide street to accommodate fire department equipment and a seven ft. parking strip on at least one side of the road. Brian said the City standard is an eight ft. parking strip. He said Heather Hill suggested rolling curbs and aligning driveways to create more space for fire apparatus. He said the Commission needs to make some decisions because the proposed streets are not to City standards. He said the code gives the Commission the authority to allow alternative street standards when the applicant shows the alternatives provide benefits to the community and still meet traffic safety standards.

In response to a question from Len Goodwin, Brian said the development is 100 lots but distributed over a much larger area. He said the homes will be up scale and on steeper slopes. He said more parking provided for the home sites would require more cuts and fills. He said there should probably be parking on at least one side of the street. He said the applicant proposed a 28 ft. paved surface consisting of a 14 ft. travel lane and two seven ft. parking strips. The City Engineer proposed a 17 ft. travel lane and one seven ft. parking strip and sidewalks with rolled curbs on both sides of the roadway (excluding planting strips). He said Heather Hill accepted the City Engineers' proposal.

Linda Boothe suggested a sidewalk on each side of Perkins Road instead of the eight ft. multi-use path.

In response to a question from Len Goodwin, Brian said to his knowledge, Pine Street and Territorial Road are the only streets in Veneta that have bike lanes. Brian said local streets do not require bike lanes.

Brian said in order to bring the roadway down to the maximum allowed slope of 15%, many cuts and fills will be required. He said many of the streets are at 15% in several areas. He said even sidewalks will be steep.

Len Goodwin said we should discourage bicycles from being on the street to avoid speed conflict. He said this would encourage them to be somewhere else.

Brian said most of the proposed roadways are low volume. He said the internal roadways won't go anywhere soon. He said the out letting road to the north is a large parcel and we cannot predict when it will be developed.

Brian asked the Commissioners if they agreed to bike lanes on the street (which would increase the street width); a wider sidewalk; or a multi-use path (as proposed).

Jim Bruvold suggested keeping the bicycles and motorists separate.

Jerry Elliott said the applicant's design showed a multi-use path to include bicyclists. He said a guiding principle of transportation planning is to avoid different speeds working together. He discouraged a multi-use path for streets at a 15% slope or more. He suggested keeping the bicycles in the street, if there are any, and keep the pedestrians off the street and away from the roadway.

Ric said bicyclist will use the travel lane but the multi-use path would follow the plan two decades ago to provide five ft. sidewalks.

Len Goodwin said we could have bicyclists riding in the travel lanes and a five ft. sidewalk.

Brian said people who tend to ride on those steep hills tend to ride in the travel lane anyway. He said they ride fast and consider themselves more like a vehicle.

All Commissioners agreed to a parking strip on only one side of the street and to increase the parking width from seven ft. to eight ft.

Len asked if there are any opportunities to provide parking bays rather than continuous parking. He said this is a design detail the applicant may want to think about in order to provide parking. He wasn't suggesting we impose it but it may provide parking for some smaller lots.

Ric suggested possibly bringing back some street trees with parking bays.

Jerry Elliot suggested a 20 ft. wide travel lane to accommodate the fire department requirements and pull out bays for parking instead of one parking lane.

Len Goodwin said we wouldn't have room for on street parking if we allowed a 20 ft. travel lane. He said there would be 20 ft. travel segments with occasional parking bays or bulb outs. He said if the homes are high end, there may not be a need for a lot of on street parking. He said the parking bays may fulfill the need for parking without having to expand the cross section throughout the development. He said with regard to Sasha's technical questions on the Transportation Information Analysis (TIA) he asked Brian to review those with the applicant to ensure any anomalies get corrected.

Jim Bruvold asked if the new section of Perkins Road running north and south would create some confusion by giving it the same name but running in a different direction.

Brian said that's a good point. He would clarify that with the County. Sheryl said this will create some confusion as far as addressing.

Linda Boothe said 10th Street not meeting up could also cause some confusion.

Brian said initially 10th Street was going to curve to intersect with Bolton Hill Road. He said the applicant came up with a design to jog the street to connect to 10th Street. He said the County's project will come from the opposite direction and end their project with a new entrance into the existing Dogwood Lane. Jerry Elliott asked if 10th Street could connect to Bolton Hill Road and curve around the water tank. He said in the initial feasibility study indicated it could. He said the applicant redesigned the street to include a cul-de-sac and will rename the street.

Len Goodwin said there seems to be some dispute about the portion of Bolton Hill that hasn't been dealt with as a result of Tax Lot 1802. He said this should be resolved. He was not clear what the suggested resolution for that section of the roadway is.

Brian said the applicant is proposing to improve the frontage along their property in Phase I. Brian explained on a drawing where the County and the applicant will be ending their projects. He said there will be several gaps between the individual projects. He said the applicant would propose to saw cut the road down the middle and construct their half of the street. Brian said staff met last week with the applicant, their engineers, the County and their engineers. His interpretation of the meeting was that this project is all or nothing. He said saw cutting down the middle of the road doesn't add to the life of the infrastructure. He said the current thinking with Senate Bill 994, is the County could possibly contribute substantial funding to the City. Then the City could take it over and work with the developer to possibly make payments to the City for future improvements. Brian said it's very complicated. He felt everyone agreed a saw cut down the middle of the road isn't going to work. He said there's issues with other entities contributing funds. How do we ensure it's adequate? Brian said we need to look at what the County is planning also.

In response to a question from Len Goodwin, Brian was unaware if Tax Lot 1802 had an improvement agreement. He said he would find out.

In response to a question from Len Goodwin, Brian said eventually Hayden Homes will be required to improve the section of Bolton Hill Road that abuts their property.

Len Goodwin suggested it would be more efficient for Hayden Homes to improve that section of Bolton Hill Road in conjunction with the construction being done on other segments rather than it being a future stand alone improvement.

Brian said Lane County has determined where their project will begin and end. He said the City is negotiating with them on the 10th Street intersection but it won't go past the future intersection of 10th Street and Bolton Hill Road.

Jerry Elliott said the applicant assured him the sight-distances were adequate and he will hold him to it when they submit the improvement plans.

Brian said the County's comments are based on a 45 mph speed limit. He said if it becomes a city facility, the speed would probably be reduced with the addition of sidewalks and the Territorial Sports Park.

Len Goodwin asked the Commissioners if they should direct staff to schedule this matter for a public hearing.

Linda Boothe said she would like to see Brian work this out with the applicant. Len Goodwin agreed. He said there has been a lot of public input up to this point. He felt the technical input is really all that is needed now.

Jim Bruvold thanked the applicant for spending the time and effort to hire the consultants he did.

Brian will proceed with the limited land use action and bring it back to the Planning Commission with a full staff report and findings at the January 7, 2008 Planning Commission meeting.

V. OTHER

Brian had nothing further to add.

Jerry Elliott introduced John Cunningham who is now employed with Weber Elliott Engineers. He has 17 years of street and sidewalk engineering experience with the City of Pal Alto.

VI. ADJOURN

Chairman, James Eagle Eye adjourned the Veneta Planning Commission at 7:50 p.m.

James Eagle Eye, Chairman

Darci Henneman, Assistant City Recorder