

**CITY OF VENETA PLANNING COMMISSION
STAFF REPORT**

Boothe Partition (M-2-08)

Application Received:	May 9, 2008
Application Incomplete:	June 5, 2008
Application Complete:	September 12, 2008
Notice Mailed and Posted:	September 16, 2008
Staff Report Date:	October 27, 2008
Prepared by:	Zac Moody, Assistant Planner

Referrals:	Veneta Public Works Superintendent City Engineer Lane County Fire District No. 1 U.S. Army Corps of Engineers Oregon Department of State Lands Qwest Emerald Public Utilities District
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BASIC DATA

Applicant:	Pacific West Engineering, Inc. 3610 Goodpasture Loop Eugene, Oregon 97401
Surveyor:	Baker & Associates Surveyors, Inc. 1347 Market Street Springfield, Oregon 97478
Owner:	William Boothe 24781 Dunham Avenue Veneta, Oregon 97487
Location:	Corner of Dunham Loop and Dunham Avenue
Assessor's Map:	17-06-36-24
Tax Lot Numbers:	300
Area:	4.91 Acres
Plan Designation:	General Residential (GR)
Zoning Designation:	Medium Density Residential (M)

REQUEST

The request before the Planning Commission is for approval of a tentative plan to divide a 4.91 acre parcel into 3 residential parcels (2 additional parcels, 1 existing) (**Exhibit A**)

BACKGROUND

A property line adjustment was submitted by the applicant in May of 2008 and approved on June 5, 2008. The property line adjustment was between Tax Lot 4200 and 300 and done to correct an illegal property line adjustment previously recorded without authorization from the City of Veneta. The property line adjustment shall be recorded prior to the final plat approval of the proposed partition and is a condition of approval in the tentative plan.

PROPERTY CHARACTERISTICS AND SURROUNDING CONTEXT

The subject property is currently occupied by an existing single family residence that is proposed to remain. Nearly all of the property to the west and north of the subject parcel is shown on the City's Local Wetland Inventory as significant wetlands and is unlikely to be developed in the future.

Transportation Service

Access is available to the property from Dunham Avenue and Dunham Loop, both local streets. Dunham Avenue is improved to City standards and Dunham Loop is partially improved to City Standards. No request for additional right-of-way is being requested because the City of Veneta Transportation Plan does not require it along Dunham Loop as a 60' right-of-way already exists.

Wastewater Service

City services are currently available near the proposed partition and connection will occur once the public improvement plans are approved.

Storm water

Detention will be required for all new facilities on the site.

Water Service

City services are currently available near the proposed partition and connection will occur once the public improvement plans are approved.

Natural Resources

There are significant wetlands, greenway and a 100-year floodplain boundary line located on the subject parcel.

SUBMITTAL REQUIREMENTS

Tentative Plan (M-2-08)

The applicant has submitted the application, plans, and other supplementary data as required by Section 5.01 of Veneta Land Division Ordinance No. 462.

AGENCY COMMENTS

Comments from the City Engineer, Public Works, Oregon Department of State Lands, U.S. Army Corps of Engineers, Qwest and Lane County Fire District #1 are available as **Exhibit D**.

PUBLIC COMMENTS

No public comment was received.

ISSUES

Street Improvements

Dunham Loop is currently a constructed half street with a 28ft paved width which provides adequate room for two lanes of traffic. Currently, only 4 units take access from this street and wetlands severely limit development potential in the area. Although the City typically would require the applicant to complete the street or pay a deposit toward future improvements, staff does not recommend doing so in this case. Because there are parcels on either side of the subject property which are unlikely to develop, completing the street frontage along the subject parcel would not provide substantial benefits as these facilities would not connect to existing infrastructure without the City initiating an LID to improve the entire street. Due to the limited number of units served, the City is unlikely to do so. For these reasons, requiring a deposit for future improvements is similarly problematic as this money is tagged to this development and must be tracked indefinitely if the improvements are not initiated by the City through an LID.

Due to the limited amount of vehicle access and the limited development potential of the parcels on the west side of the street, the existing street is probably sufficient. However, staff believes that it is important to have the applicant sign an Irrevocable Petition for Public Improvements, held equally against all parcels. This ensures that all parcels in the partition are included in any local improvement district formed to pay for the cost of improvements necessary to upgrade Dunham Loop adjacent to the property should the City ever decide improving the street is necessary.

Public Improvements

Water and sewer services are located near the subject parcel and are able to provide services to the proposed parcels. An existing 8-inch water main is located on the eastern half of Dunham Loop and can be used to provide the individual connections to each parcel. According to the proposal, gravity sewer is not available. Each lot will have individual sewer pumps that pump into a proposed public pressure line that will connect into an existing manhole located on the south end of Dunham Loop. Sizing of the pressure main will be approved by the City Engineer during the public improvement plans process. Considering that Dunham Loop is not being improved at this time, the pressure line will be required to be located outside of the existing asphalt. Ten feet of separation is required in the public right-of-way between the water and sewer connection.

The existing septic tank located on parcel 1 shall be properly abandoned in accordance with Lane County regulations upon connection to the public sewer system. The existing well located on the property appears to be in the public right-of-way and will be required to be abandoned upon connection to the public water system.

Storm water

A stormwater management plan was included with the application. The plan identifies individual stormwater detention facilities (grassy swales) for each newly created parcel. The applicant will need to establish the capacity of these systems based on a 10-year storm and submit a final drainage design, including engineering calculations and a drainage statement to support these criteria and have it approved by the City Engineer prior to final plat approval for all improvements made as part of the subdivision. Prior to building permits for each parcel, the applicant will submit a modified drainage plan that identifies the exact impervious surfaces that will be built on that lot and how runoff will be managed.

Access

The subject parcel is approximately 211 feet in width fronting Dunham Loop, including the proposed panhandles. The proposed panhandle will provide required access to proposed parcel 3 as well as parcel 1. Parcel 1 has an existing home with the existing garage facing the proposed panhandle. Considering the odd shape of the entire parcel, the proposed panhandle is necessary to provide a proper access to parcel 3 and to not preclude future development of the parcel. The applicant has requested a modification to the frontage requirements and requested approval of the proposed panhandle parcel by the Planning Commission (**Exhibit A**). The division is proposed in a manner that will allow parcels 1 & 3 to share access through a shared access easement. This configuration will allow the development of the parcel in a way that will use the existing access with some modifications as requested by Lane County Fire District #1 (**Exhibit D-3**). The applicant will be required to modify the access to conform to requirements of Lane County Fire District. The proposal shall be signed off and approved by Lane County Fire District #1 prior to the issuance of a certificate of occupancy for parcel 1.

Easements

Section 6.03 (3)(a) of the Veneta Land Division Ordinance discusses the requirements for utility lines, including easements for sewers, water mains, electric lines or other public utilities. Considering the requirements, the 10 ft public utility easement along the eastern boundary of all three proposed parcels is required for phone, cable, and electrical lines.

Based on recent findings from the City's current update of our Sewer Master Plan, future system upgrades will likely include a large sewer main extending from the end of Dunham Street west through the subject parcel to the sewer treatment plant. In order to accommodate this future improvement, a 14 ft public utility easement that follows the centerline of Dunham Avenue through parcel 1 and parcel 3 to the western boundary line of the proposed land division is has been required as a condition of approval.

Floodplain

The subject parcel is located within the 100-year floodplain zone AE. The construction of two proposed grassy swales for stormwater detention will occur with the future construction of parcel 3. The proposal is consistent with Section 4.12, Flood Plain Subzone with the condition of approval that prior to final plat approval, the floodplain boundary line is drawn on the plat and is consistent with the FIRM panel. The identified floodplain boundary line will need to have a statement of certification by the engineer on the final plat. Prior to a developer receiving a building permit for construction on parcel 2 & 3 the developer shall identify the floodplain boundary line in accordance with the final plat on the plot plan. A floodplain review that includes the base flood elevation shall be submitted for any proposed development that is within the identified floodplain boundary in accordance with Section 4.12 of the Veneta Land Development Ordinance.

Wetlands/Greenway Overlay

The subject parcel is located in an area with significant wetlands and Greenway Overlay Subzone. The applicant has prepared wetland delineation and submitted to Oregon Department of State Land for concurrence. The request for concurrence was submitted to DSL after the application for partition was received; therefore, the request for final partition plat will be approved with the condition that a wetland concurrence is received from DSL with an application for final plat. The Army Corps of Engineers has already concurred with the delineation.

The overall proposal is consistent with the provisions of the Veneta Municipal Code for wetlands and the Veneta Land Development Ordinance, Section 4.11 for the Greenway Overlay with the exception of the 80' long grassy swale in the northeast section of parcel 3. All other grassy swales within the proposed development are outside of the identified wetlands and are permitted within the overlay subzone. The proposed 80' swale in the northeast portion of the subject parcel will be required to be moved on the revised stormwater management plan to be at least 15 feet outside of the identified wetlands.

STAFF RECOMMENDATIONS

Based on the findings for the site plan review stated in the Proposed Final Order, staff recommends approval of the proposed partition, with the conditions outlined in the Proposed Final Orders.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Approve the Tentative Plan with specified conditions of approval based on the findings in the Proposed Final Order.
- b. Modify the proposed findings or conditions of approval in the Proposed Final Order.
- c. Deny the Tentative Plan based on the Commission's findings.

- d. Continue deliberations on the Tentative Plan if more information is needed.

EXHIBITS

- A. Tentative Plan and Narrative
 1. Tentative Partition Plan, April 2008 (including tentative partition map, existing conditions map, and a utility, grading and stormwater plan map).
 2. Written Statement for M-2-08 3-Lot Partition, August 2008.
- B. Preliminary Stormwater Study
 1. Boothe Partition Stormwater Study prepared by Pacific West Engineering, Inc., August 2008.
- C. Wetland Delineation/Determination Report
 1. Coyote Creek Environmental Service, Inc., January 2008 (available on the City's website under land use decisions M-2-08).
- D. Agency Comments
 1. City Engineer dated October 9, 2008
 2. Kyle Schauer, Public Works Superintendent
 3. Heather Hill, Lane County Fire Protection District #1
 4. Oregon Department of State Lands
 5. U.S. Army Corps of Engineers
 6. Qwest