

**VENETA PLANNING COMMISSION  
STAFF REPORT**

**Madison Avenue Subdivision (S-2-08)**

Application Received: March 17, 2008

Application Deemed Incomplete: April 3, 2008

Application Deemed Complete: May 13, 2008

Notice Mailed and Posted May 14, 2008

Planning Commission Meeting: July 7, 2008

Staff Report Date: June 26, 2008

Prepared by: Zac Moody, Assistant Planner

Referrals: Veneta Public Works Superintendent  
City Engineer  
Lane County Fire District No. 1

Timeline: The 120 day timeline ends September 10, 2008

**BASIC DATA**

Applicant: Karl Mueller – Metro Planning  
370 Q Street  
Springfield, OR 97478

Property Owners: Ben Bazer/Gorilla Capital

Assessor’s map: 17-06-36-43 Tax Lot 1212

Area: 1.11 Acres

Plan Designation: Low Density Residential (L)

Zoning Designation: Single Family Residential (SFR 8,000 sq. ft. minimum)

---

**REQUEST**

**Tentative Plan**

The request before the Planning Commission is for approval of a tentative plan to divide an approximately 1.11 acre parcel into 5 residential parcels (4 additional parcels, 1 existing) (**Exhibit A**)

## **PROPERTY CHARACTERISTICS AND SURROUNDING CONTEXT**

The subject property currently consists of 1 parcel, Tax Lot 1212. There are no existing structures.

### **Transportation Service**

Access is available to the property from Bolton Hill Road which is a Major Collector.

### **Wastewater Service**

Wastewater will be available once the improvements in Bolton Hill Road are complete this summer. The property (as five lots) is included in the proposed Bolton Hill Road sewer LID.

### **Stormwater**

Based on a contour map, the storm water currently sheet flows to the southeast.

### **Water Service**

Water has been requested to be installed by the property owner as part of the Bolton Hill Road improvements. Water service will be via a 6" line served from the Bolton Hill reservoir.

### **Natural Resources**

There are no wetlands indicated on the City's wetland inventory, or other significant natural resources on the site.

## **SUBMITTAL REQUIREMENTS**

### **Tentative Plan (S-2-08)**

The applicant has submitted the application, plans, and other supplementary data as required by Section 4.01 of Veneta Land Division Ordinance No. 462.

### **AGENCY COMMENTS**

Comments from agency referrals are found in **EXHIBIT B**.

### **PUBLIC COMMENTS**

Public comments are found in **EXHIBIT C**.

## **ISSUES**

### **Storm water**

A stormwater management plan was included with the application. Stormwater has historically run on to this site at the northwest corner from a roadside ditch on the south side of Bolton Hill Road. This stormwater flows southeast across the property where the channel becomes indistinct. The design for the improvements of Bolton Hill Road are anticipated to discharge water in the same location on the parcel at pre-construction flows. The applicant proposes to route all of the water from the roadside ditch, directly back into the public storm drain line . It is

current City policy that applicants be required to maintain existing drainage patterns. Rerouting of this water back into the street system effectively increases flows to downstream properties in a system that may not have excess capacity to handle this additional runoff.

The proposed system will also collect the stormwater from the driveway and lots and detain it within a 48 inch detention pipe. However, this detention pipe is located on a steep slope and does not appear that adequate cover over the pipe has been proposed, creating concerns of stability during a 10-year event as stated in the comments from the City Engineer (EXHIBIT B3).

The applicant estimates that when the site is fully developed, the parcel will have a properly developed system and drain in a manner that does not exceed pre-development flows. The applicant has however not provided evidence that the storm water will drain to the pre-development drainages or provided evidence that maintaining pre-development flow patters will preclude development of the parcel. Staff has recommended that as a condition of approval, the applicant submit a revised drainage plan approved by the City Engineer which maintains the existing drainage pattern, and includes adequate detail to allow evaluation of the constructability, stability and durability of these facilities.

Additionally, it is current City policy not to accept dedication of private drainage systems and other stormwater facilities located outside of the ROW as these facilities create an undue maintenance burden upon the city. Because these areas are designed to serve only the proposed development, staff has recommended the specific conditions of approval to clearly delineate public versus private responsibilities for these areas.

Staff recommends that the applicant provide the City with approved Joint Access and Maintenance Agreement or similar agreement recorded against each lot within the development for maintenance of drainage facilities to address the above concerns.

### **Water & Sewer**

As part of the Bolton Hill Road improvements, the City of Veneta has installed a 6-inch main that will deliver water from the higher pressure zone created by the upper Bolton Hill reservoir. This main is located on the south side of Bolton Hill Road and the applicant will be required to connect to this main to provide adequate service pressure to the new lots. Although there is a water main located across the road, this line is served from the Dogwood tank which, due to its lower elevation, will not provide adequate service to the property.

Additionally, the maximum distance between fire hydrants shall be 500 feet, therefore, LCFD#1 requires an additional fire hydrant to be installed at the end of the system, below the service connections.

City sewer will be available from Bolton Hill upon the completion of the Bolton Hill Road project. An 8-inch sewer lateral will serve the property from the Bolton Hill sewer main. The applicant has proposed a private 6-inch sewer lateral will serve all five lots. Staff has recommended separate clean outs for each property covered by joint access and utility easement.

### **Parks**

In the public comment received, concerns were raised about the amount of park land in the area of the subdivision. The surrounding area is served multiple parks, including, 5<sup>th</sup> Street Park,

Territorial Park and Fern Park. In addition, as the Southwest Plan continues to develop, more park land will be created. With the area being well served by the above parks, staff recommends that the applicant pay cash in lieu of a park dedication for all of the new units prior to final plat approval.

### **Access**

The proposed panhandle lots are consistent with this requirement because the shape of the existing parcel precludes the complete development of the lot without the use of panhandles. Surrounding developments prevent the use of a cul-de-sac, half-street or other public access. Considering that the driveway will serve five parcels, Lane County Fire District #1 has required that the driveway serving the development have a minimum 20 foot drivable surface approved by LCFD#1 to support emergency vehicle loads of 56,000 pounds. The 20 foot drivable surface shall be maintained along the length of the driveway and be signed “No Parking” and any curbs along the driveway painted red in accordance with the 2007 Oregon Fire Code. The required access can be created using easements and not by expanding the width of the panhandle, therefore the increase in driveway width will not change the property lines. In the public comment received, concerns were raised about the removal of the trees on the parcel. Comment was made that the trees could be retained and the access moved to the east side of the parcel. The slope of the property on the west side creates significant constraints which are avoided by placing the driveway on the other side. Therefore, staff recommends that the proposed access remain as located on the tentative plan (**EXHIBIT E**).

### **STAFF RECOMMENDATION**

Based on the information presented in the application, this staff report, and proposed final orders, staff recommends conditional approval of subdivision S-2-08.

### **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. Application Materials
  1. Land Use Application
  2. Applicant’s Narrative Statement
  3. Stormwater System Study dated March 24, 2008
  4. Tree Removal Permit Application
  5. Applicant’s Request for a Tree Removal Permit

B. Referral Comments

1. Kyle Schauer, Veneta Public Works Superintendent
2. Heather Hill, Lane County Fire District # 1
3. Jerry Elliott , City Engineer

C. Public Comment

1. Devon Trottier V.D.M

D. Correspondence

1. Ben Bazer, Gorilla Capital

E. Maps

1. Tentative Subdivision Plan