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# Applegate Landing No. 2, Tract I

Veneta, Oregon

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Request for  
Site Plan Minor Adjustment – Drainage Modification

Prepared for  
Hayden Homes, LLC

Prepared by  
Otak, Incorporated



September 12, 2008  
Otak Project No. 13871

## APPLICATION SUMMARY

**APPLICANT/DEVELOPER:** Hayden Homes, LLC  
2464 SW Glacier Place, Suite 110  
Redmond, OR 97756  
  
Contact: Roy Hankins, PE  
(541) 550-0718

**PLANNER/ ENGINEER:** Otak, Inc.  
17355 SW Boones Ferry Road  
Lake Oswego, OR 97035  
  
Contact: Jerry Offer  
(503) 635-3618

**LOCATION:** The affected property is located south of Kingpin Loop and west of Territorial Road. The specific location of the proposed wetland filling and wetland and drainage channel creation is within proposed Tract I between lots 75 and 76 of the preliminarily approved Applegate Landing No. 2 subdivision, west of Greenbrier Court. The final plat for the subdivision has not yet been recorded.

**DESCRIPTION:** The property is described as Lane County Assessor's map 18060100, tax lots ~~1605~~ and 1606.  
1607

**REQUEST:** This is a request for approval of a minor amendment to the approved site grading plan for the Applegate Landing No. 2 subdivision to allow for filling approximately 2,072 square feet of existing wetlands in order to avoid this area draining onto adjacent lots and a public street, and to create a new drainage swale and approximately 6,906 square feet of wetlands as mitigation for the filling of the existing wetlands. Approvals for the proposed drainage modification and wetland filling and creation have also been requested from the Oregon Department of State Lands and the US Army Corps of Engineers and approvals from those agencies appear imminent.

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## I. REQUEST SUMMARY

This is a request for approval of a minor amendment to the site grading plan for the Applegate Landing No. 2 subdivision to allow for drainage modifications including filling approximately 2,072 square feet of existing wetlands in Tract I between lots 75 and 76 in order to resolve an ongoing drainage problem and to create a new drainage swale and approximately 6,906 square feet of wetlands. The new drainage swale would cut off any potential flow from the wetlands from flowing onto the pathway in Tract I between lots 75 and 76 and then onto Greenbrier Court. This problem has become evident after grading of the site and construction of Greenbrier Court. The proposed drainage swale would cut off overland flow heading towards the trail and the street and would redirect the flow to another area of the existing wetlands. The drainage swale would be sloped from north to south as shown on attached Figure 1.0.

Approval of permits for the proposed drainage and wetlands modifications by the Oregon Department of State Lands and the US Army Corps of Engineers is imminent. See the copies of the emails from Gloria Kiryuta of the Oregon Department of State Lands dated June 12, 2008 and from Garret Dorsey of the US Army Corps of Engineers dated September 9, 2008 in Appendix 2 of this report.

## II. SITE DESCRIPTION

The subject property is located south of Kingpin Loop and west of Territorial Road. The property is the newly developed Applegate Landing No. 2 subdivision which will be developed with single-family residences. The site is currently vacant.

## III. COMPLIANCE WITH THE APPLICABLE APPROVAL STANDARDS OF THE CITY OF VENETA LAND DEVELOPMENT ORDINANCE

Each of the applicable Articles and subsequent sections of the City of Veneta Land Development Ordinance and other Codes is addressed below. Direct citations from the ordinances are shown in *italics*.

### **SECTION 2.09 WETLAND DEVELOPMENT**

*Development within a wetland is subject to compliance with Veneta's Wetland Protection Ordinance, Veneta Municipal Code Chapter 18.10.*

**Response:** Responses to the applicable approval standards of Chapter 18.10 are provided later in this report.

- (1) *Notification. The City shall provide notice to the Division of State Lands (DSL) the applicant, and the owner of record within five working days of the acceptance of any complete application for subdivisions; building permits for new structures; other development permits and*

*approvals that allow physical alteration of land involving excavation and grading, including permits for removal or fill, or both, or development in the floodplain; conditional uses and variances that involve physical alteration of land or construction of new structures; and planned unit development approvals that are wholly or partially within areas identified as wetlands on the Statewide Wetlands Inventory. This provision does not apply if a permit from DSL has been issued for the proposed activity.*

- (2) *Approval. Approval of any activity described above shall include one of the following:*
- (a) *issuance of a permit by DSL required for the project before any physical alteration takes place within the wetlands;*
  - (b) *notice from DSL that no permit is required;*
  - (c) *or notice from DSL that no permit is required until specific proposals to remove fill or alter the wetlands are submitted.*

*If DSL fails to respond within 30 days of notice, the City approval may be issued with written notice to the applicant and the owner of record that the proposed action may require state or federal permits. The City may issue local approval for parcels identified as or including wetlands on the Statewide Wetlands Inventory upon providing to the applicant and owner of record a written notice of possible presence of wetlands and the potential need for state and federal permits and providing DSL with a copy of the notification of comprehensive plan map or zoning map amendments for specific properties.*

34856- RF

**Response:** Hayden Homes has already submitted requests to the Oregon Department of State Lands and US Army Corps of Engineers for approval of modifications to their existing permits for Applegate Landing No. 2 (Corps permit No. 200500430 and DSL Permit No. ~~35745-RF~~). Approval from those agencies is pending. See the copies of the emails from Gloria Kiryuta of the Oregon Department of State Lands dated June 12, 2008 and from Garret Dorsey of the US Army Corps of Engineers dated September 9, 2008 in Appendix 2 of this report regarding the status of the requests to those agencies.

## **SECTION 6.01 SITE PLAN REVIEW PURPOSE AND APPLICABILITY**

*The purpose of the site plan review procedures is to correlate the general ordinance requirements with the specific site conditions and proposed uses and changes of use through a comprehensive review process to assure that developments are in conformance with the applicable land use regulations of the Land Development Ordinance. The Planning Commission and Building and Planning Official may request either a full or partial Site Plan Review for any development proposal not specifically required by this ordinance if the specific site or proposed new use or proposed change in use possesses any one of the following characteristics:*

- (1) *Site is traversed by a natural drainage-way or has demonstrated drainage limitations as shown on the utility plans required in Section 6.03 (1) 4 of this ordinance. Demonstrated drainage limitations are site or development conditions that prevent the unrestricted flow from areas draining through the site or that do not allow the extension of the system to serve such area as per the City's Drainage Master Plan, or that prevent stormwater from being directed to storm*

*sewers or to natural drainageways in accordance with the Land Division and Land Development Ordinances.*

**Response:** The existing onsite drainage from this area of the site flows from northwest to southeast. The drainage is not within a defined drainageway but instead is overland flow through an area of wetlands. The proposal would modify only a small portion of the wetlands on the site and would not disturb the overall drainage pattern across the site.

- (2) *Site includes Open Space and/or Greenway Areas designated on the Veneta Zoning Map as a Greenway subzone.*

**Response:** The City of Veneta Zoning Map does illustrate a portion of the site as a greenway subzone area. However, the approval of the Applegate Landing No. 2 subdivision approval has set aside certain areas as greenway consistent with the zoning map designations, and the current proposal would not do anything to affect the approved use of these areas, including Tract I, as greenway.

- (3) *Site is located in a Flood Hazard subzone.*

**Response:** The site does not include Flood Hazard subzone area as designated on the Veneta Zoning Map.

- (4) *Site has slopes of or greater than fifteen percent (see Section 5.25 of this Ordinance).*

**Response:** No portions of the Applegate Landing No. 2 site which contain slopes in excess of 15 percent would be affected by the proposed grading plan amendment.

- (5) *Site is located adjacent to Greenway subzone Areas on the Veneta Zoning Map.*

**Response:** See the response to (2) above.

- (6) *Site is an undersized lot.*

**Response:** The site is an open space tract within a subdivision, and is not an undersized lot.

- (7) *Site includes significant wetland resources, or is located within 50 feet of a wetland resource identified as locally significant in the Veneta Local Wetlands Inventory.*

**Response:** The site does include wetlands, as was demonstrated by the wetland delineation which was prepared as part of the original subdivision application.

**SECTION 6.04 REQUIRED FINDINGS**

- (1) *That all provisions of city ordinances are complied with.*

**Response:** This application narrative is intended to address applicable provisions of the City of Veneta ordinances which are relevant to the proposed wetland filling and creation activities. There is nothing proposed in this request which would modify the findings of the Planning Commission in its approval of the original subdivision.

- (2) *That traffic congestion is avoided; pedestrian, bicycle and vehicular safety are protected; and future street right-of-way are protected.*

**Response:** Nothing in this request will have any effect upon traffic congestion or upon pedestrian, bicycle, and vehicular safety. The proposal will have no impacts upon future road rights-of-way.

- (3) *That proposed signs or lighting will not, by size, location or color, interfere with traffic or Land Development Ordinance No. 461 page 106 limit visibility.*

**Response:** Nothing in this request will have any effect upon signs or lighting related to the Applegate Landing No. 2 subdivision.

- (4) *That adequate water, sewer and utilities for the proposed use are available.*

**Response:** Nothing in this request will have any effect upon the already approved plans for sewer, water, or utilities for the Applegate Landing No. 2 subdivision. Necessary utilities for the future use of the subdivision have already been installed.

- (5) *That drainageways are protected and drainage facilities provided.*

**Response:** The proposed drainage swale creation and wetland creation will assure that existing and planned site drainage for the Applegate Landing No. 2 subdivision will be maintained, and that a potentially adverse drainage impact from water flowing from the wetlands onto Greenbrier Court and the adjacent lots will be avoided through the creation of the drainage swale which will cut off flow into those areas.

*How?  
Need calculations*

- (6) *That the extent of emissions and potential nuisance characteristics are reasonably compatible with the land use district, adjacent land uses and the standards of all applicable regulatory agencies having jurisdiction.*

**Response:** Nothing in this request will have any effect upon emissions or other potential nuisance characteristics related to the approved Applegate Landing No. 2 subdivision.

## SECTION 6.06 AMENDMENTS

*Amendments are only permitted for developments for which the City has record of an original Site Plan. A change to an existing development for which a previous site plan has never been approved requires a full site plan review and the development site must be brought up to current code for parking, landscaping, access, etc., as described for the applicable zone and use. If the proposed use is more intensive than the existing use, additional Systems Development Charges shall be assessed at the time a building permit is issued.*

**Response:** The proposed wetland fill/creation activities will require modification of the previously approved preliminary grading plan for the Applegate Landing No. 2 subdivision which was previously reviewed and approved by the Planning Commission. No other plans need to be amended.

*Major amendments to an approved site plan shall follow the same procedure as for an approval of a site development plan. A new application and filing fee is required and the proposal must be approved by the Planning Commission. Major site plan amendments involve a change that does not meet the criteria listed under minor site plan amendments. Minor site plan amendments that may be approved as an Administrative Decision by the Building and Planning Official are those that meet the following criteria:*

- (1) The site plan amendment does not involve any interpretation of submission requirements or required findings that would set a precedent for other site plans or site plan amendments.*
- (2) The site plan amendment will not change the impacts (such as traffic generation, emissions or drainage) on surrounding properties.*
- (3) The site plan amendment fully complies with City ordinances and does not require a variance.*
- (4) There are no unusual circumstances relative to the site plan amendment.*
- (5) There are no questions of adequacy of services raised by The Public Works Superintendent, City Engineer, or any affected public or private agency.*
- (6) The site plan amendment does not involve commercial or industrial development adjacent to Highway 126 where the change in use is more intensive than the previous use.*

**Response:** The proposed amendments to the Preliminary Grading plan do not trigger major amendment review for the following reasons, and as such, the proposal should be reviewed as a minor amendment to an approved site plan:

1. The proposed site plan amendment to fill one area of existing drainageway/wetlands and to replace it with a new drainage channel with associated wetlands will not require any interpretation of submission requirements or findings that would set a precedent for other site plans or site plan amendments. The request is quite simple and straight forward.

2. The proposed site plan amendment will not change the offsite drainage impacts because it will simply replace one relatively small area of relatively undefined surface drainage with a more defined draingeway and newly created wetlands. All of the proposed work is completely on the subject site.
3. As explained in this application narrative, the proposed site plan amendment fully complies with City ordinances. No variance is required.
4. There is nothing unusual with regard to the circumstances relative to the proposed site plan amendment. The proposal to fill one area of existing drainageway/wetlands and to replace it with a new drainage channel was something which was determined to be a better fit for the site during the site grading and construction process.
5. We do not believe that there should be any questions of adequacy of services raised by any city officials, or by any affected public or private agency.
6. The location of the proposed site plan amendment does not involve commercial or industrial development adjacent to Highway 126.

## **CHAPTER 18.10 WETLAND PROTECTION**

### **18.10.040 Land use and permit requirements.**

(1) *Permitted Uses. The following uses are permitted within wetlands identified as locally significant:*

- (a) *Removal of fill and any refuse that is in violation of local, state, or federal regulations. Removal of fill must be consistent with state of Oregon removal-fill regulations;*

**Response:** The current proposal would not remove any existing fill or refuse from the wetlands on the site. Therefore, the proposal is not inconsistent with this standard.

- (b) *Removal of non-native vegetation or invasive plant species;*

**Response:** The current proposal does not call for the removal of non-native or invasive plants. Therefore, the proposal is not inconsistent with this standard. However, the monitoring plans for the created wetlands calls for the wetlands to be monitored for the presence of any invasive species which may appear, and then for those invasive species to be removed.

- (c) *Planting or replanting with native plants;*

**Response:** The current proposal provides for planting the newly created wetlands with native plans as approved by the DSL permit. Therefore, the proposal is consistent with this standard.

- (d) *Channel maintenance to maintain storm water conveyance and flood control capacity, as required by local policies, state and federal regulations, or intergovernmental agreements;*

**Response:** The current proposal would create a drainage swale which would maintain stormwater conveyance to the south into an existing drainage channel, which then directs existing onsite flows to the east. Therefore, the proposal is consistent with this standard.

- (e) *Site management and maintenance practices, whose purpose it is to maintain or improve natural functions and values or protect public health and safety, and which are consistent with adopted plans and policies, including but not limited to perimeter mowing and other cutting necessary for hazard prevention;*

**Response:** The current proposal does not call for any channel maintenance activities. Therefore, the proposal is not inconsistent with this standard.

- (f) *Wetland and natural area restoration and enhancement of natural functions and values which involve displacement, excavation or relocation of less than 50 cubic yards of earth and which carry out the objectives of this chapter and are consistent with adopted policies and plans;*

**Response:** The current proposal does not call for any wetland and natural area restoration or enhancement activities. Therefore, the proposal is not inconsistent with this standard.

- (g) *Preservation and maintenance activities associated with historic structures.*

**Response:** The current proposal does not call for any activities related to preservation or maintenance activities associated with a historic structure. Therefore, the proposal is not inconsistent with this standard.

- (2) *Uses Subject to Site Review Approval. Within locally significant wetlands the following uses are subject to site review approval in accordance with Veneta's land development ordinance:*

- (a) *Nature interpretive centers and wetland research facilities, when specified in or consistent with adopted plans or policies;*

**Response:** Not applicable.

- (b) *Maintenance facilities for storage of equipment and materials used exclusively for maintenance of wetlands and other natural resources;*

**Response:** Not applicable.

- (c) *Construction of trails, boardwalks, viewing platforms, information kiosks, and trail signs;*

**Response:** Not applicable. Adjacent trails are not within wetland areas.

- (d) *Realignments and reconfigurations of channels and pond banks, including the restoration and enhancement of natural functions and values which involve displacement, excavation or relocation of more than 50 cubic yards of earth and which carry out the objectives of this chapter:*

**Response:** The proposed drainage modifications will essentially “realign” the existing uncontrolled surface drainage in the area of Tract I into a defined drainage swale. The proposed work will involve the excavation of more than 50 cubic yards of earth. Through the creation of 6,906 square feet of created wetland, the project will provide appropriate mitigation for the drainage and wetland impacts of the excavation which should serve to provide additional wildlife habitat, provide additional flood storage capacity, and provide for nutrient attention and sediment trapping consistent with the purpose statement of Chapter 18.10.

- (e) *Construction of access roads for maintenance of channels, wetlands, and other natural resource areas;*

**Response:** Not applicable.

- (f) *Construction of bikeways and other paved pathways;*

**Response:** Not applicable.

- (g) *Construction of stormwater quality treatment facilities and use biofiltration methods.*

**Response:** Not applicable.

- (3) *Prohibited Uses. Within locally significant wetlands, practices that are specifically not allowed and would adversely affect wetland functions and values include, but are not limited to the following:*

- (a) *New development or expansion of existing development;*

**Response:** Not applicable. The proposed activities are not bringing new development into the wetland areas.

- (b) *Storage or use of chemical pesticides, fertilizers, or other hazardous or toxic materials;*

**Response:** Not applicable.

- (c) *Construction of new septic drainfields;*

**Response:** Not applicable.

- ★* (d) *Channelizing or straightening natural drainageways;*

**Response:** Not applicable. The creation of the new drainage swale is not a channelization or straightening of an existing natural drainageway.

- (e) *Removal or destruction of rare, threatened or endangered plant species or valuable native plant species as found on a list determined by the Oregon Natural Heritage Program and kept on file in Veneta City Hall;*

**Response:** Not applicable. There are no known rare, threatened, or endangered native plant species in the area of the proposed work.

- (f) *Filling, grading, and/or excavating wetland areas.*

**Response:** The proposed drainage modifications will result in an addition of approximately 4,834 square feet of wetland area.

- (4) *DSL Notification and Approval Required. In addition to the restrictions and requirements of this section, all proposed development activities wholly or partially within areas identified as wetland are also subject to DSL standards and approval. Where there is a difference, the more restrictive regulation shall apply. The city shall be responsible for notifying DSL whenever any portion of any wetland is proposed for development, in accordance with ORS 227.350. No action can be taken on a proposed development until such notification is provided.*

**Response:** The applicant has already contacted the Oregon DSL about the proposal and has received an email approval from the DSL for the proposed activities.

#### IV. CONCLUSION

This application narrative, the attached exhibits, and the appendices demonstrate that all applicable chapters and subsequent sections of the City of Veneta Ordinances, as they relate to the proposed minor amendment to the preliminary grading plan for Applegate Landing No. 2 subdivision, are satisfied. Therefore, the applicant respectfully requests approval of this application.

## Appendix I

Emails from Oregon Department of State  
Lands and US Army Corps of Engineers



## Jerry Offer

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**From:** Roy Hankins [rhankins@hayden-homes.com]  
**Sent:** Wednesday, September 10, 2008 8:38 AM  
**To:** Jerry Offer  
**Cc:** Gregg Weston  
**Subject:** FW: Hayden Homes in Veneta

Jerry, here you go.

Roy

Roy Hankins, PE  
Land Development Project Manager  
Hayden Homes  
2464 SW Glacier Place, Suite 110  
Redmond, Oregon 97756  
C:541-550-0718

-----Original Message-----

**From:** Pat Thompson [mailto:ptwconsulting@qwestoffice.net]  
**Sent:** Tuesday, September 09, 2008 7:55 AM  
**To:** Roy Hankins  
**Subject:** FW: Hayden Homes in Veneta

Here is his answer. Get the equipment ready. Pat

-----Original Message-----

**From:** Dorsey, Garrett L NWP [mailto:Garrett.L.Dorsey@usace.army.mil]  
**Sent:** Tuesday, September 09, 2008 7:43 AM  
**To:** Pat Thompson  
**Subject:** RE: Hayden Homes in Veneta

My goal is to have it to you by the end of this week. It will be a modification to the existing permit. Thanks for the patience.

Garrett

Garrett Dorsey  
Biologist - Project Manager  
U.S. Army Corps of Engineers - Regulatory 1600 Executive Parkway, Suite 210 Eugene, Oregon  
97401-2156

Phone: 541-465-6894  
Fax: 541-465-6888  
email: garrett.l.dorsey@usace.army.mil

-----Original Message-----

**From:** Pat Thompson [mailto:ptwconsulting@qwestoffice.net]  
**Sent:** Tuesday, September 09, 2008 7:35 AM  
**To:** Dorsey, Garrett L NWP  
**Subject:** Hayden Homes in Veneta

Good Morning, We really need to get started on the work out in Veneta. Can you give me an update on where we are in getting approval for our addendum to the permit? Thanks Pat Thompson

Pat Thompson

## Jerry Offer

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**From:** Roy Hankins [rhankins@hayden-homes.com]  
**Sent:** Tuesday, September 09, 2008 6:48 AM  
**To:** Jerry Offer  
**Cc:** Gregg Weston  
**Subject:** FW: Applegate Landing - permit numbers 200500430 & 34856-RF

Here is DSL's approval, awaiting ACOE approval

Roy Hankins, PE  
Land Development Project Manager  
**Hayden Homes**  
2464 SW Glacier Place, Suite 110  
Redmond, Oregon 97756  
C:541-550-0718

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**From:** KIRYUTA Gloria [mailto:Gloria.Kiryuta@state.or.us]  
**Sent:** Thursday, June 12, 2008 4:03 PM  
**To:** Roy Hankins  
**Subject:** RE: Applegate Landing - permit numbers 200500430 & 34856-RF

It looks good. I will print off a copy and put in in the mitigation plan.

### *Gloria M. Kiryuta*

Resource Coordinator  
Fill and Removal Program  
Wetlands & Waterways Conservation Division  
Oregon Dept. State Lands  
775 Summer Street NE Suite 100  
Salem, Oregon 97301  
Phone: 503.986.5226  
Fax: 503.378.4844

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**From:** Roy Hankins [mailto:rhankins@hayden-homes.com]  
**Sent:** Monday, June 09, 2008 3:35 PM  
**To:** Gloria Kiryuta; Michele Hanson  
**Cc:** Pat Thompson; Chad E. Bettesworth  
**Subject:** Applegate Landing - permit numbers 200500430 & 34856-RF

Gloria & Shelly, attached is a sketch showing our proposed alteration of the wetlands. This was based upon the site meeting with Gloria, Pat Thompson, and myself.

We are wondering if you could look at this and provide us with some feedback. Please let us know what you think.

If you have any questions, feel free to contact us.

Thanks, Roy

Roy Hankins, PE  
Land Development Project Manager

9/10/2008

## Appendix 2

Corps of Engineers and Department of State Lands  
Permit Modification Request Report  
by Patrick S. Thompson Consulting



Permit Modification

For

Hayden Homes, Inc.

Veneta, Oregon

Corps # 200500430

DSL # ~~35715~~-RF  
34856-RF

Submitted by

Patrick S. Thompson Consulting

For

Hayden Homes, Inc.

## **Purpose and Need**

The purpose and need for this permit modification is to resolve a storm drainage issue that was discovered after construction of the permitted project. The location of the drainage issue is west of Greenbrier Court. The existing small wetland drainage above the Cul-de-sac now drains into the Cul-de-sac and into a stormwater catchbasin. As a result, the hydrology from this source is being lost and is causing flooding in the immediate area.

## **Proposed Modification**

The proposed modification would only impact the lower portion of this small drainage (2072 SF. See Attached Modification Drawing)

Hayden Home's Inc. proposes to create another drainage channel adjacent to the existing drainage channel to divert this source of hydrology southeast to a much larger existing wetland drainage channel that feeds the existing created and natural wetland features to the east. This would provide additional hydrology and an anticipated extended hydro period for not only the existing protected wetlands but also the created wetland mitigation area, which would in turn help this area meet its prescribed performance standards. The upper slopes of this channel will be lowered in elevation to match the existing wetlands to create additional wetlands above the new channel.

The proposed mitigation would occur within the new drainage channel and include adjacent wetland areas on both the east and west side of the created channel. The mitigation area will be 6906 SF which would provide a mitigation ratio of 2.78 to 1.

## **2.0 PROPOSED MITIGATION**

### **2.1 Goals and Objectives**

The goal of the mitigation is to create 0.15 acres of seasonally flooded Palustrine Emergent and scrub/shrub wetland.

The created wetland area will be graded in uplands adjacent to the intermittent stream that bisects the property from west to east. The slopes will be approximately 3 to 1. A boulder and vegetated weir will be placed in the impacted drainage to divert the water into the new mitigation area and to the existing intermittent stream.

A four foot high bright orange construction fence will be put in place so that it is clear where the construction limits are and to avoid impacts to the existing adjacent wetlands. The excavation

will be conducted by a hydraulic excavator reaching in from upland positions outside the wetland area to make sure that no impacts will occur to the existing wetlands.

In general, the constructed wetland area will be excavated to remove the non native/non wetland vegetation and to lower the position in the landscape to that of the existing adjacent wetland areas and to make the connection to the exiting intermittent stream. The bottom of the excavated areas will have a very subtle undulating topography, and the sides of the excavated wetland areas will be somewhat convoluted to assure a natural wetland configuration.

### **2.1.1 Hydrology**

**Objective:** To create 0.15 acres of wetland by increasing the hydro period in an upland area. This will be accomplished by a combination of activities including:

- Placing a rock and vegetation weir in the existing drainage way adjacent to the mitigation area to increase water levels that will over flow to the mitigation wetlands area and adjacent intermittent stream
- Lowering the overall elevation of the adjacent upland areas between 1 and 3 feet in elevation.

### **2.1.2 Vegetation**

**Objective:** The created wetland areas will be dominated (at least 70% cover) by desirable wetland vegetation. The mitigation Area will consist of palustrine emergent and scrub/shrub vegetation. (See Planting Plan Figure P-1 for details).

#### **Performance Standard Mitigation Areas:**

By year two after initial planting, herbaceous and scrub/shrub species will have at least 70% cover of the species planted. A combination of both planted and volunteers will be used to determine this cover rate. No more than 15% of the individuals will be invasive, undesirable herbaceous species\* and no more than 50% cover of any one plant species. These ratios will be maintained throughout the monitoring period.

A combination of both planted and volunteers will be used to determine this cover rate. These ratios will be maintained throughout the monitoring period.

\*Non-native, undesirable species to be included: reed canary grass (*Phalaris arundinacea*), purple loosestrife (*Lythrum salicaria*), Canadian thistle (*Cirsium arvense*), Scotch broom (*Cytisus scoparius*), Himalayan blackberry (*Rubus discolor*), and tansy ragwort (*Senecio jacobaea*).

**Methodology:** three sample plots in the created wetland area will be assessed according to the performance standards. The sample plots will be randomly placed within the created wetland area.

Each sample point is the center of a circular plot, the diameter of which will be a minimum of 10 feet.

Established site photo stations will be used in each of the monitoring years to provide a visual record of the overall health of the wetland vegetation. Photo locations are shown on attached modification drawing. Monitoring of the mitigation area will be included in the annual monitoring reports for the project site.

### **Conclusions**

The proposed modification to the permit will eliminate the flooding issue while providing additional wetlands to the site as well as additional hydrology to existing and created wetlands downstream adjacent to the intermittent stream.

**Appendix 3**  
**Development Application Form**



SR-4-08

Date Received \_\_\_\_\_

Application Number

# CITY OF VENETA LAND USE APPLICATION

See reverse side of application for explanation of deposits and non-refundable fees

Applicant: Hayden Homes, LLC  
Address: 2464 SW Glacier Place, Suite 110  
Redmond, OR 97756  
Signature \_\_\_\_\_

Home Phone: \_\_\_\_\_  
Business Phone: 541-550-0718

If the applicant is not the owner of the property, or there is a co-owner, the following information is required:  
Owner's Name & Signature \_\_\_\_\_

PROPERTY LOCATION Address Applegate Landing No. 2 Subdivision, Tract I  
Assessor's Map 18060100 Tax Lot 1606 & 1607 Zoning SFR Total Area (Acres or Sq Ft) \_\_\_\_\_

PRESENT USE OF PROPERTY: Subdivision under construction

PROPOSED USE OF PROPERTY: Open space tract within single-family residential subdivision

## (Check all applicable APPLICATIONS and DEPOSITS below)

TECHNICAL REVIEW/PUBLIC NOTICE DEPOSIT (for ALL applications except Property Line Adjustments) . . . \$350

### APPLICATION DEPOSITS (Application fees are calculated by ACTUAL PROCESSING COSTS)

<b>SITE PLAN REVIEWS</b>		<b>PLANNED DEVELOPMENTS</b>	
_____ Site Plan Review/Major Amendment	\$ 1,350	_____ Conceptual Plan	\$ 350
_____ Site Plan Minor Amendment (Planning Commission)	\$ 450	_____ General Development Plan	\$ 550+\$25/unit
_____ Site Plan Minor Amendment (Administrative)	\$ 350	_____ Final Development Plan	\$ 300

<b>LAND PARTITIONS</b>		<b>SUBDIVISIONS</b>	
_____ Tentative Plan	\$ 700	_____ Tentative Plan	\$1,000 + \$25/lot
_____ Final Plat	\$ 200	_____ Final Plat	\$ 350

### OTHER APPLICATIONS PROCESSED WITH DEPOSITS

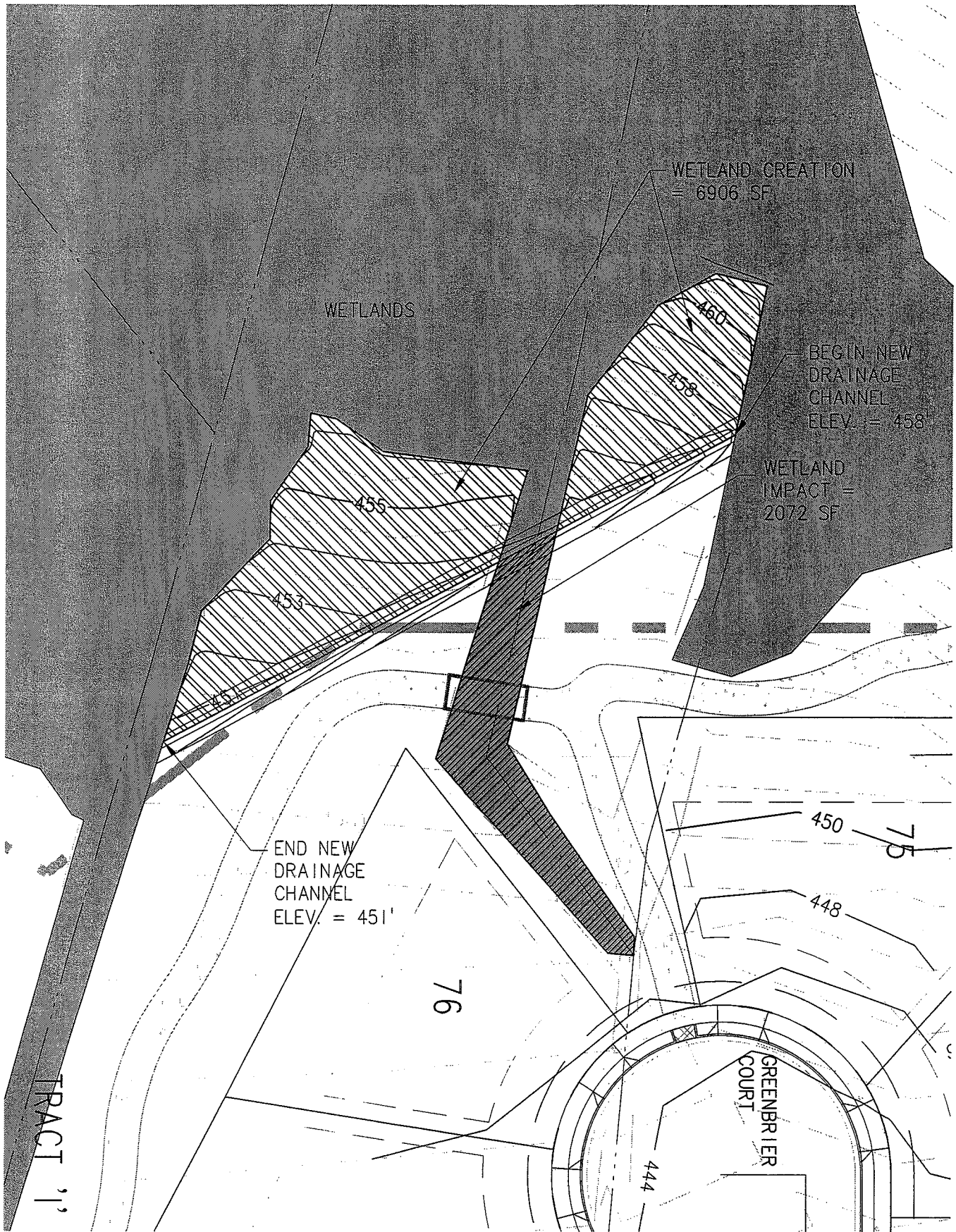
_____ Conditional Use Permits (Note: Some Conditional Use Permits also Require Site Plan Review)	\$ 775
_____ Specific Area Plan Amendment - NE Employment Center & Southwest Area Plan (/SDP)	\$7,500
_____ Variance to the Veneta Wetland Protection Ordinance (Veneta Municipal Code Chapter 18.10)	\$ 700

### APPLICATIONS WITH FIXED FEES (These fees are non-refundable)

_____ APPEALS	\$ 525	_____ AMENDMENTS (except Specific Area Plan above)	
_____ PRE-DEVELOPMENT CONFERENCE	\$ 500	_____ Comprehensive Plan (text only)	\$ 800
_____ PRE-DEVELOPMENT MEETING	\$ 130	_____ Ordinances (text only)	\$ 200
_____ PROPERTY LINE ADJUSTMENT	\$ 550	_____ Zone Change (map only)	\$ 600
_____ TEMPORARY USE PERMIT	\$ 350	_____ Plan Designation & zoning map	\$1,000
_____ VARIANCES (Land Development Ord)	\$ 425 X ( )	_____ Ordinance Provisions = Total Fee	\$ _____
_____ VARIANCES (Land Division Ordinance)	\$ 425 X ( )	_____ Ordinance Provisions = Total Fee	\$ _____

**Figure 1**  
Site Plan





DATE: 11/11/2011 10:58:11 AM  
 PROJECT: APPLEGATE LANDING PHASE 2  
 DRAWING: WETLAND IMPACT AND CREATION  
 SCALE: 1" = 40'  
 SHEET: 11 OF 11

# APPLEGATE LANDING PHASE 2 WETLAND IMPACT AND CREATION



SCALE  
1" = 40'

VENETA, OR

Figure 2

Draft Final Plat



# APPLEGATE LANDING NO. 2

A REPLAT OF A PORTION OF PARCELS 1, 2 AND 3,  
PARTITION PLAT NO. 2002-P1623

SE1/4 OF SECTION 36, T.17S., R.6W., W.M. AND  
NE1/4 OF SECTION 1, T.18S., R.6W., W.M.,  
CITY OF VENETA,  
LANE COUNTY, OREGON  
SURVEYED OCTOBER 31, 2007



### NOTES

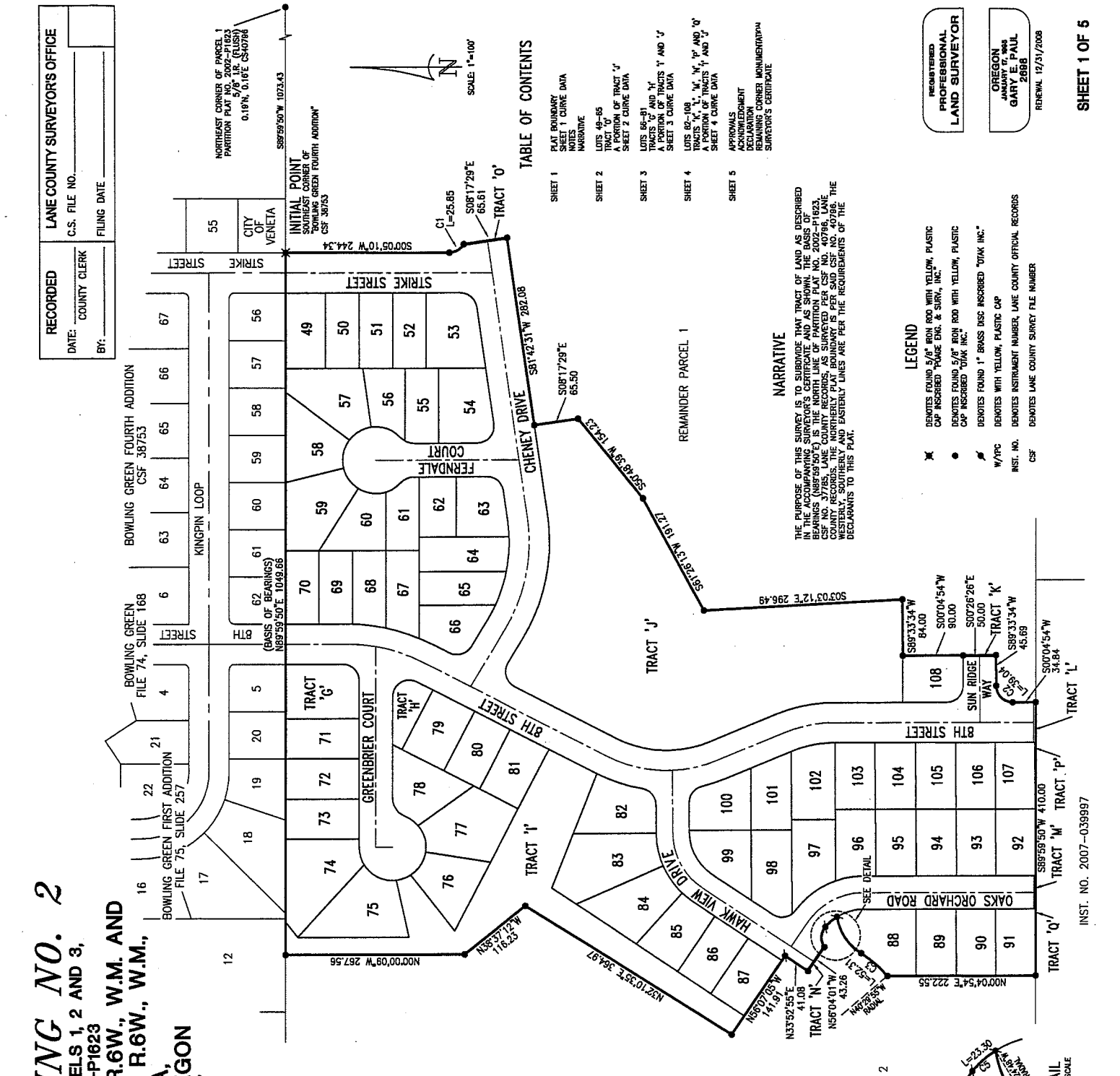
- THIS PLAT IS SUBJECT TO THE APPLICABLE PROVISIONS OF THE CONDITIONS OF APPROVAL IN THE VENETA PLANNING COMMISSION IN SUBDIVISION FILE 5-4-08.
- THIS SUBDIVISION IS SUBJECT TO THE COVENANT, CONDITIONS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 2008-\_\_\_\_\_ LANE COUNTY OFFICIAL RECORDS.
- TRACTS 'G', 'H', 'I', 'J', 'K', 'L', 'M', 'N' AND 'O' SHALL BE OWNED AND MAINTAINED BY THE DECLARANTS TO THIS PLAT; THEIR SUCCESSORS OR ASSIGNS.
- TRACTS 'G' AND 'J' ARE SUBJECT TO A PUBLIC STORM DRAINAGE EASEMENT OVER THEIR ENTIRETY.
- TRACTS 'I' AND 'J' ARE SUBJECT TO A PUBLIC ACCESS EASEMENT OVER THEIR ENTIRETY FOR PEDESTRIAN AND MULTI-USE PATHWAYS.
- A TRIANGLE WITH 25 FOOT SIDES SHALL BE PERMANENTLY MAINTAINED AS A CLEAR VISION AREA ON ALL CORNER LOTS. THESE AREAS SHALL CONTAIN NO PERMANENT OBSTRUCTIONS EXCEEDING 2-1/2 FEET IN HEIGHT, MEASURED FROM THE TOP OF THE CURB OR WHERE NO CURB EXISTS, FROM THIS HEIGHT MAY BE LOCATED IN THIS AREA PROVIDED ALL BRANCHES OR FOLIAGE ARE REMOVED TO A HEIGHT OF EIGHT (8) FEET ABOVE GROUND.
- FRANCHISE UTILITY COMPANIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR UTILITIES AND ALL OTHER RELATED FACILITIES WITHIN THE UTILITY EASEMENTS IDENTIFIED ON THIS MAP AS MAY BE NECESSARY OR APPROPRIATE TO SUCH UTILITIES AND THE RIGHT TO REQUIRE THE REMOVAL OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE THE REMOVAL OF ANY OBSTRUCTIONS INCLUDING TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUBLIC UTILITY EASEMENT AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE UTILITY EASEMENTS OR PERMANENT STRUCTURES REQUIRED BY OTHER FRANCHISE UTILITY COMPANIES.
- THE 5' PRIVATE STORM DRAINAGE EASEMENT AS NOTED ON SHEETS 2 AND 3 IS FOR THE BENEFIT OF LOTS 49, 57 THRU 59, 70, AND LOTS 58 THRU 62, INCLUDING GREEN FIRST ADDITION, FILE 75, SLIDE 257, LANE COUNTY PLAT RECORDS.
- THE 5' PRIVATE STORM DRAINAGE EASEMENT AS NOTED ON SHEET 3 IS FOR THE BENEFIT OF LOTS 71 THRU 74 AND LOTS 17 THRU 20, FIRST ADDITION TO BOWLING GREEN, FILE 75, SLIDE 257, LANE COUNTY PLAT RECORDS.
- THE 5' PRIVATE STORM DRAINAGE EASEMENT AS NOTED ON SHEETS 2 AND 3 IS FOR THE BENEFIT OF LOTS 59 THRU 65 AND LOTS 67 THRU 70.
- THE LOCATION OF THE PRIVATE DRAINAGE EASEMENT RECORDED AS INSTRUMENT NO. 2007-039997, LANE COUNTY OFFICIAL RECORDS, IS NOT DESCRIBED WITHIN THIS DOCUMENT.
- TRACTS 'K', 'L', 'M', 'N' AND 'O' ARE TO BE WIDENED STRIPS CONVEYED TO THE CITY OF VENETA PER INSTRUMENT NO. 2007-039997, LANE COUNTY OFFICIAL RECORDS.

- REMAINDER PARCEL 2
- REMAINDER PARCEL 1

### SHEET 1 CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BRC
C1	59°14'51"	25.00	23.85	24.72	529°32'16"
C2	82°25'46"	25.00	39.04	35.19	544°01'44"
C3	174°46'05"	25.00	80.00	50.00	65°54'54"
C4	174°46'05"	75.00	217.30	23.21	N46°29'15"W
C5	75°04'58"	25.00	32.76	30.47	N66°55'46"W

ARCHIVAL QUALITY MET WITH: SILVER HALIDE PHOTO PFX LINE MULAR PROCESS  
MAP NO. 18061000 TAX LOT: 1906



### TABLE OF CONTENTS

SHEET	DESCRIPTION
SHEET 1	PLAT BOUNDARY SHEET 1 CURVE DATA AND NARRATIVE
SHEET 2	LOTS 49-65 INCLUDING GREEN FIRST ADDITION A PORTION OF TRACT 'J'
SHEET 3	LOTS 66-70 AND 'K', 'L', 'M', 'N' AND 'O' A PORTION OF TRACTS 'I' AND 'J'
SHEET 4	LOTS 66-108 TRACTS 'K', 'L', 'M', 'N' AND 'O' A PORTION OF TRACTS 'I' AND 'J'
SHEET 5	APPROVALS ACKNOWLEDGMENT DECLARATION REMAINING CORNER MONUMENTATION SURVEYOR'S CERTIFICATE

### NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THAT TRACT OF LAND AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND AS SHOWN ON SHEETS 1 THROUGH 5 OF THIS PLAT. THIS SURVEY WAS COMPLETED AND RECORDED AS INSTRUMENT NO. 2007-039997, LANE COUNTY OFFICIAL RECORDS. THE NORTHERLY PLAT BOUNDARY IS PER SAID CSF NO. 407868, THE WESTERLY, SOUTHERLY AND EASTERLY LINES ARE PER THE REQUIREMENTS OF THE DECLARANTS TO THIS PLAT.

### LEGEND

- ★ DENOTES FOUND 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "PAGE ENG. & SURV., INC."
- DENOTES FOUND 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "JAK INC."
- ▲ DENOTES FOUND 1" BRASS DISC INSCRIBED "OTAK INC."
- W/ABC DENOTES WITH YELLOW, PLASTIC CAP
- INST. NO. DENOTES INSTRUMENT NUMBER, LANE COUNTY OFFICIAL RECORDS
- CSF DENOTES LANE COUNTY SURVEY FILE NUMBER

### DETAIL

NOT TO SCALE

RECORDED  
DATE: \_\_\_\_\_ COUNTY CLERK  
BY: \_\_\_\_\_ FILING DATE

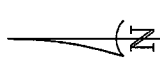
LANE COUNTY SURVEYOR'S OFFICE  
C.S. FILE NO. \_\_\_\_\_  
\_\_\_\_\_

# APLEGATE LANDING NO. 2

A REPLAT OF A PORTION OF PARCELS 1, 2 AND 3,  
PARTITION PLAT NO. 2002-P1623  
SE1/4 OF SECTION 36, T.17S., R.6W., W.M. AND  
NE1/4 OF SECTION 1, T.18S., R.6W., W.M.,  
CITY OF VENETA,  
LANE COUNTY, OREGON

SURVEYED OCTOBER 31, 2007

**otak**  
Surveyors  
Professional  
Land Surveyors  
17355 S.W. BOMES FERRY ROAD  
LAKE OSWEGO, OREGON 97030  
(503) 670-3000 FAX (503) 670-3335



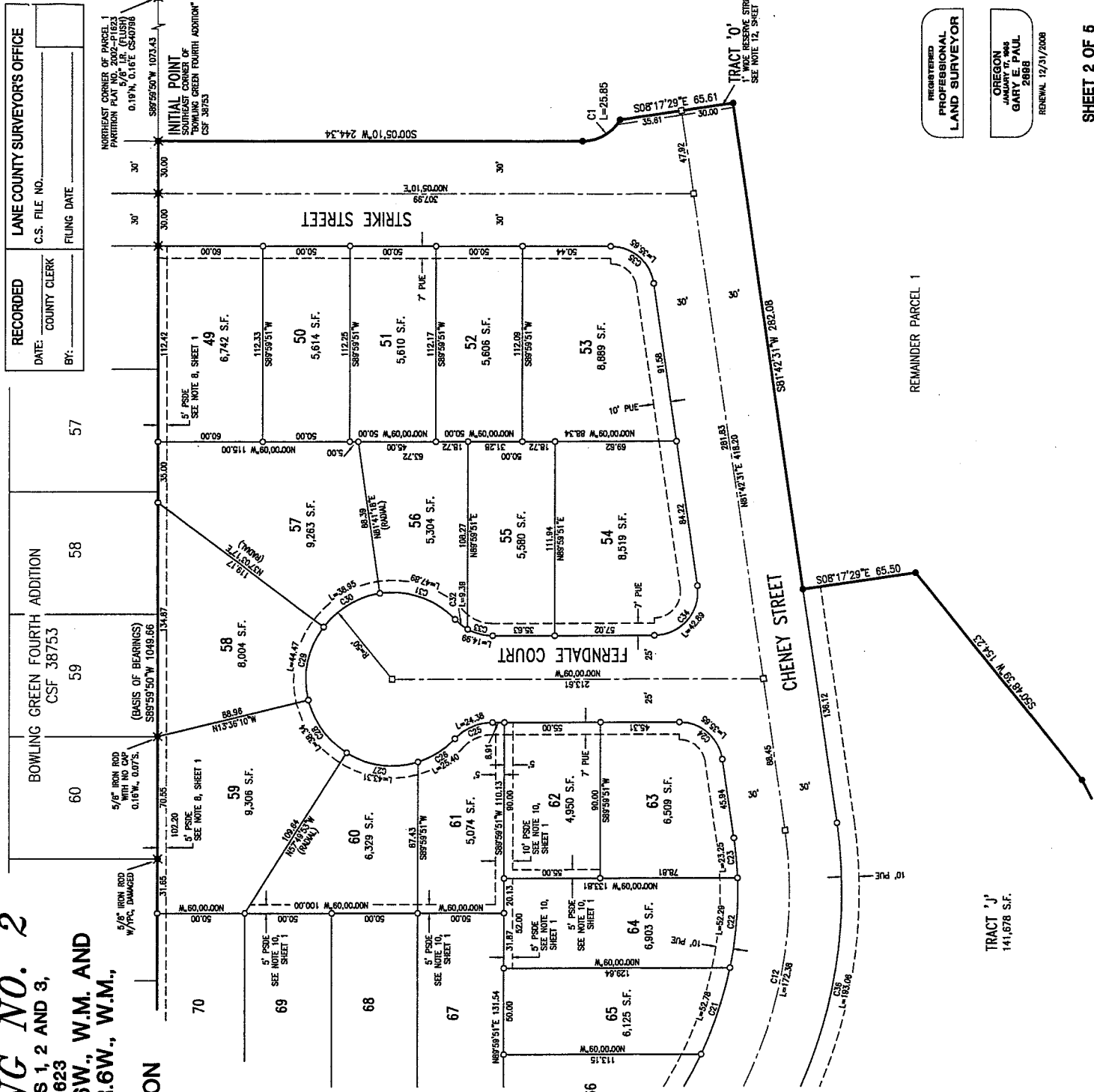
SCALE: 1"=40'

### SHEET 2 CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEG	CHORD END
C1	62.3023°	250.00	172.38	168.58	S78°32'18"E	S78°32'18"E
C2	134.442°	220.00	62.78	62.85	S71°44'41"E	S71°44'41"E
C3	137.076°	220.00	52.29	52.17	S85°25'34"E	S85°25'34"E
C4	81.4240°	25.00	35.65	32.71	N40°51'11"E	N40°51'11"E
C5	35.3408°	50.00	24.38	24.72	N23°17'11"W	N23°17'11"W
C6	42.3774°	50.00	41.31	41.87	N07°21'15"E	N07°21'15"E
C7	43.5548°	50.00	38.34	37.40	N54°08'01"E	N54°08'01"E
C8	59.5722°	50.00	44.47	43.02	S78°25'24"E	S78°25'24"E
C9	44.3901°	50.00	36.95	37.87	S30°37'43"E	S30°37'43"E
C10	49.5235°	50.00	47.89	46.08	S19°07'38"W	S19°07'38"W
C11	26.3758°	30.00	14.58	14.63	S14°18'40"W	S14°18'40"W
C12	85.1720°	25.00	42.88	37.82	S48°08'49"E	S48°08'49"E
C13	81.3721°	25.00	35.61	32.65	N40°53'50"E	N40°53'50"E
C14	37.3023°	250.00	183.08	189.26	S78°32'18"E	S78°32'18"E

### LEGEND

- ✱ DENOTES FOUND 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "W&P, INC. & SURV., INC.", UNLESS OTHERWISE NOTED
- DENOTES FOUND 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "OTAK, INC."
- DENOTES 5/8" 1.30" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "OTAK, INC." TO BE SET WITHIN THE PERIOD SPECIFIED IN THE SURVEYOR'S CERTIFICATE
- DENOTES 5/8" 1.30" IRON ROD WITH 2" ALUMINUM CAP INSCRIBED "OTAK, INC." TO BE SET WITHIN THE PERIOD SPECIFIED IN THE SURVEYOR'S CERTIFICATE
- W&P/C DENOTES WITH YELLOW, PLASTIC CAP
- DOC. NO. DENOTES DOCUMENT NUMBER, LANE COUNTY RECORDS
- PSBE DENOTES PRIVATE STORM DRAINAGE EASEMENT FOR THE BENEFIT OF THE LOTS AS NOTED
- R DENOTES RADIUS
- CSF DENOTES LANE COUNTY SURVEY FILING NUMBER



LANE COUNTY SURVEYOR'S OFFICE  
C.S. FILE NO. \_\_\_\_\_  
DATE: \_\_\_\_\_ COUNTY CLERK  
BY: \_\_\_\_\_ FILING DATE \_\_\_\_\_

NORTHEAST CORNER OF PARCEL 1  
POSITION PLAT 5/8" IR. (FLUSH)  
0.19", 0.16" E. CS-40788  
S89°59'50" W. 1073.43  
INITIAL POINT  
CORNER OF  
BOWLING GREEN FOURTH ADDITION  
CSF 38753

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
OREGON  
JANUARY 17, 1988  
GARY E. PAUL  
2888  
RENEWAL 12/31/2008

# APPLEGATE LANDING NO. 2

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CITY OF VENETA,  
LANE COUNTY, OREGON  
SURVEYED OCTOBER 31, 2007



1735 S.W. BOWEN FERRY ROAD  
SUNNYVALE, OREGON 97140-3010 FAX (503) 253-3335

LANE COUNTY SURVEYOR'S OFFICE

RECORDED \_\_\_\_\_ DATE: \_\_\_\_\_ COUNTY CLERK \_\_\_\_\_

C.S. FILE NO. \_\_\_\_\_ BY: \_\_\_\_\_

FILING DATE \_\_\_\_\_



## SHEET 3 CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEG	CHORD END
C1	100°14'	250.00	43.76	43.76	589924.00W	589924.00W
C2	171°17'35"	250.00	75.46	75.17	512421.00W	512421.00W
C12	39°30'23"	250.00	172.38	169.96	576232.10W	576232.10W
C15	01°44'47"	280.00	8.53	8.53	5036 50652	5036 50652
C16	10°44'24"	280.00	50.43	50.36	50654	50654
C17	10°44'24"	280.00	52.48	52.41	51729.10	51729.10
C18	86°08'13"	250.00	32.57	32.57	51344.00W	51344.00W
C19	86°08'13"	250.00	32.57	32.57	51344.00W	51344.00W
C20	06°05'14"	220.00	23.37	23.36	50146.43E	50146.43E
C36	39°30'23"	280.00	183.06	180.26	576321.00E	576321.00E
C37	87°53'47"	250.00	40.97	36.54	57419.00W	57419.00W
C38	117°19'16"	250.00	51.19	42.71	51720.51W	51720.51W
C39	27°53'27"	250.00	33.38	33.34	53000.00W	53000.00W
C40	27°53'27"	250.00	33.38	33.34	53000.00W	53000.00W
C46	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C48	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C49	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C50	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C51	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C52	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C53	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C54	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C55	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C56	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C57	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C58	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C59	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C60	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C61	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C62	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C63	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C64	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W
C65	48°48'18"	50.00	42.81	41.33	57426.10W	57426.10W

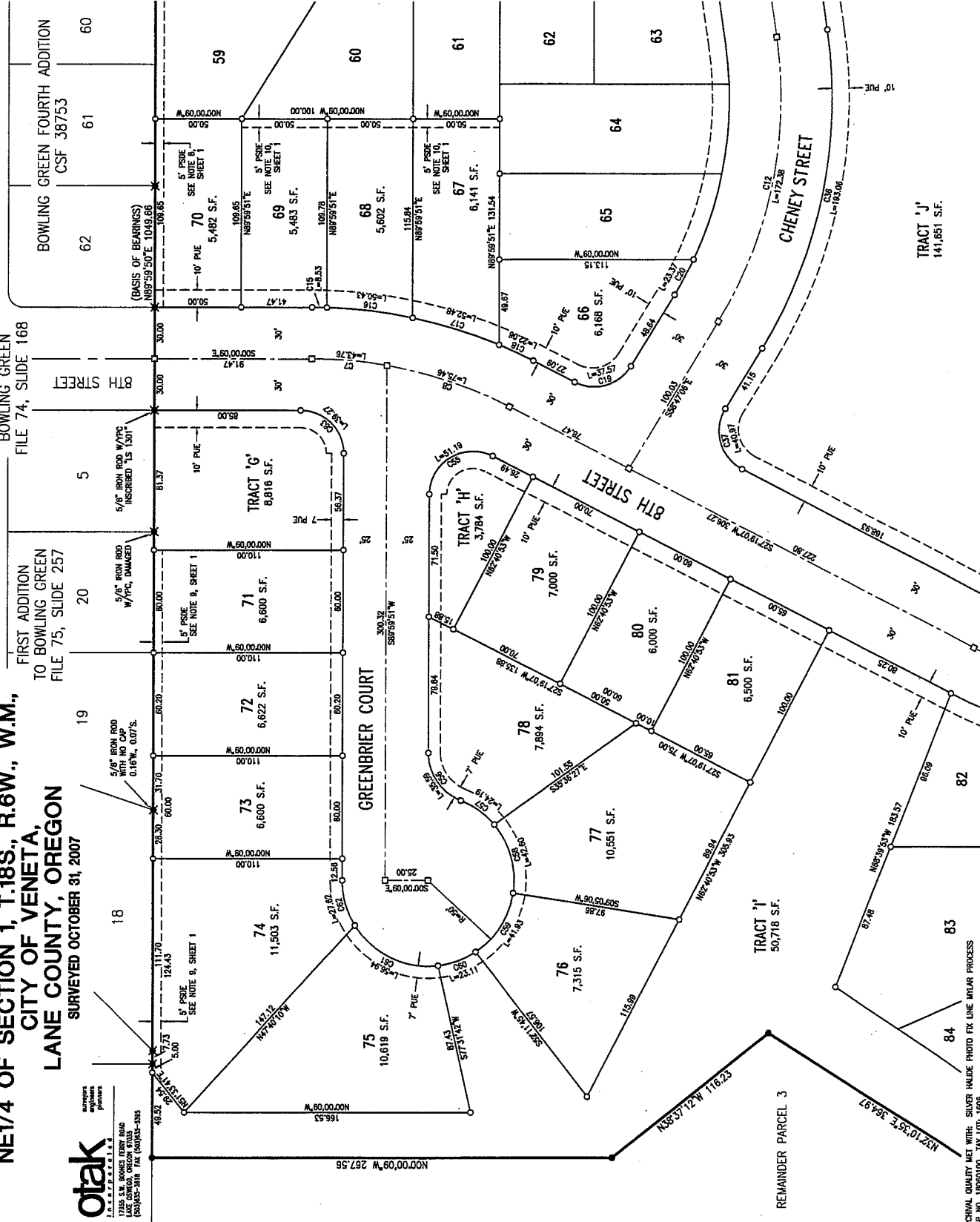
## LEGEND

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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 1988  
GARY E. PAUL  
2868

RENEWAL 12/31/2008







**Figure 3**  
**Assessors Map**



18060100  
VENETA

FOR ASSESSMENT AND  
TAXATION ONLY

GIS DATA  
7/21/2008 12:48:56 PM : lcattom

SEE MAP  
17063500

2  
BRASS

CANCELLED:

- 100
- 101
- 200
- 1200
- 1601
- 1604
- 1999
- 2002
- 2503
- 300
- 301
- 302
- 400
- 500
- 2501
- 498
- 408
- 409
- 405
- 402
- 410
- 407
- 406
- 401
- 404
- 403
- 499
- 1609

SEE MAP  
18060200 APPROX  
1/4 COR

BRASS CAP

SEE MAP  
18060200 APPROX  
1/4 COR

BRASS CAP

25  
0.93

REVISIONS:  
10/1/2004 - LCAT142 - UPGRADE TCA TO 1999 STATUS GIS  
3/1/2006 - LCAT142 - CONVERT MAP TO GIS  
5/31/2006 - LCAT138 - SEG 1608 O.O. 1600  
5/31/2006 - LCAT138 - SEG 1609 O.O. 1602  
12/4/2007 - LCAT140 - LIA BETWEEN 2501 & 2505  
12/4/2007 - LCAT140 - DIV 2503 O.O. 2505  
7/2/2008 - LCAT130 - NEW MAP 18060111 CREATED  
3/6/2008 - LCAT130 - PTN. TL 499 OUT TO RGS.  
3/26/2008 - LCAT133 - CODE CHANGE TL 1608  
6/19/2008 - LCAT130 - CORRECT AC. ON TL 2505  
2/12/2008 - LCAT130 - PTN 1606 OUT TO RGS.

SEE MAP  
18061100

1  
BR  
BRASS CAP

VENETA  
18060100

