

**FINAL ORDER OF THE
VENETA PLANNING COMMISSION**

**CITY OF VENETA – PUBLIC SWIMMING POOL
SITE PLAN REVIEW (SR-3-09)
CONDITIONAL USE PERMIT (CUP-1-09)**

A. The City of Veneta Planning Commission finds the following:

1. The applicant has submitted information required by Section 6.03 and Section 8.20 of Veneta’s Land Development Ordinance No. 461.
2. The City of Veneta Planning Commission provided proper notice of Limited Land Use Action according to Section 2.13 of the Veneta Land Development Ordinance No. 461.
3. The City of Veneta Planning Commission followed the required procedure and standards for approving site plans and conditional uses as required by Section 2.06, 6.05 and 8.20 of Veneta’s Land Development Ordinance No. 461.

B. The City of Veneta Planning Commission approves the Site Plan and Conditional Use for the City of Veneta – Public Swimming Pool (SR-3-09 & CUP-1-09) with the following conditions of approval:

GENERAL CONDITIONS

- (1) Any proposed sidewalk crossing the parking lot between the community center and the swimming pool shall be raised or marked in a manner that calls attention to the sidewalk.
- (2) Any proposed cornices, canopies, sunshades or gutters shall not extend into the required setbacks.
- (3) All off-street parking along the outer boundaries of the parking are shall be contained by a curb or bumper to prevent motor vehicle from extending over the property lines.
- (4) Any required sidewalks shall be installed along the northern portion of the subject parcel once the road grade for that street has been established and the road has been improved.

part of this application the City submitted a Site Plan Review and Conditional Use proposal in accordance with Article 6 and Article 8 of the Veneta Land Development Ordinance for a public swimming pool. All criterion required as part of this section are addressed below in Article 6 and Article 8.

- (5) *Yards. Except as provided in Article 5, 6, and 8, in a PFP zone, yards shall be as follows:*
- (a) *Front yards abutting a residential zone shall be a minimum of twenty (20) feet.*
 - (b) *Back and side yards abutting a residential zone shall be a minimum of five (5) feet.*
 - (c) *Yards shall be landscaped as provided in Section 5.12.*
 - (d) *See Section 5.09 for additional setbacks on designated streets.*
 - (e) *Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets, or construction of new streets.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to use of the facility, all required yards shall be landscaped in accordance with Section 5.12 of the Veneta Land Development Ordinance. All right-of-way necessary for the expansion of East Broadway has already been dedicated; therefore no additional setbacks are required. The locations of the proposed swimming pool and structures will be reviewed for setback compliance at the time of building permit.

- (6) *Lot Coverage. All impermeable surfaces, including parking, driveways, and structures, shall not cover more than 65 percent of the property.*

The proposal is consistent with the provisions of this section. The subject parcel is approximately 5.22 and is primarily park and open space. Up to 3.39 acres of this area could be impervious. The new pool will not exceed this amount.

- (7) *Pedestrian Access. If a building is open to the public, a sidewalk shall provide safe, convenient pedestrian access from the street to the building entrance. If the sidewalk crosses the driveway, it shall be raised or marked in a manner that calls attention to the sidewalk.*

shall be landscaped in accordance with Section 5.12 (3)(e) of the Veneta Land Development Ordinance.

(3) *Minimum Landscaped Area. The minimum percentage of required landscaping is as follows:*

(e) *When the above requirements conflict with landscaping requirements found elsewhere in this ordinance, the standard which maximizes landscaped area shall apply.*

The proposal is consistent with the provisions of this section. The park site is over 5 acres. The total impervious area for facilities within the park will not exceed the 3.39 acre limit.

Section 5.15 *SIGNS*

(3) *Designated Sign Districts.*

(b) *Business District(s): All property zoned commercial, residential/commercial, industrial/commercial, industrial, and public facilities and parks which do not abut Hwy 126, except residential uses.*

The proposal is consistent with the provisions of this section.

Section 5.20 *OFF-STREET PARKING REQUIREMENTS*

(2) *Design and improvement requirements for parking lots (not including single-family two-family dwellings.*

(d) *Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper so placed to prevent a motor vehicle from extending over the property line.*

The proposal is consistent with the provisions of this section with the condition of approval that all off-street parking along the outer boundaries of the parking area shall be contained by a curb or bumper to prevent motor vehicles from extending over the property lines.

(e) *Service driveways to off-street parking lots shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site. The number of service driveways shall*

be limited to the minimum that will allow the property to accommodate and service the traffic anticipated.

The proposal is consistent with the provisions of this section. The existing parking lot was constructed to facilitate the flow of traffic and pedestrian access.

- (f) *All off-street parking lots within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the Building and Planning Official to minimize disturbances to adjacent residents.*

The proposal is consistent with the provisions of this section with the condition that the landscaping plan for the new pool shall include installation of a sight obscuring fence, wall, or hedge between the parking lot and the residential development to the west.

- (g) *A grading structure and drainage plan shall be submitted to the City Building and Planning Official and approved by the City Engineer.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to construction a drainage plan shall be submitted to the City Engineer for all new impervious surfaces.

- (h) *Parking lots shall be provided with landscaping as provided in Section 5.12 and other suitable devices in order to divide the parking lot into sub-units to provide for pedestrian safety, traffic control and to improve the appearance of the parking lot. A minimum of one shade tree per sixteen (16) parking spaces shall be provided in planter islands distributed throughout the lot. A maximum of twenty (20) spaces shall be allowed between planter islands.*

The proposal is consistent with the provisions of this section with the condition of approval that prior to use of the facility the parking areas shall be landscaped in accordance with Section 5.12 of the Veneta Land Development Ordinance.

- (i) *Parking lot lighting must comply with Veneta Municipal Code Chapter 15.15.*

The proposal is consistent with the provisions of this section with the condition of approval that any future lighting shall comply with the Veneta Municipal Code Chapter 15.15.

Section 5.21

BICYCLE PARKING

Bicycle parking requirements shall apply to all developments that require a site plan or amended site plan for new development, changes of use, and building expansions and remodels. Bicycle parking spaces provide a convenient place to lock a bicycle and shall be at least six (6) feet long, two (2) feet wide, and seven feet high. Bicycle parking shall not interfere with pedestrian circulation.

- (2) *Non-Residential Parking. There shall be a minimum of one bicycle space for every seven motor vehicle spaces. At least ten percent of all bicycle parking spaces shall be sheltered. Bicycle parking provided in outdoor areas shall be located near the building entrance, similar to vehicle parking spaces, unless existing development on site precludes that option. Fractions shall be rounded to the nearest whole number.*

The proposal is consistent with the provisions of this section with the condition of approval that at least one bicycle parking space shall be provided for every seven motor vehicle spaces. Ten percent of these shall be sheltered.

Section 5.22

PEDISTRIAN ACCESS AND CIRCULATION

- (2) *Pedestrian access to transit facilities shall be provided from new commercial, employment, and multi-family residential developments and new activity centers shall be provided while existing developments shall provide safe and accessible pedestrian access to transit facilities when a site changes uses or is retrofitted.*

A sidewalk from the south side of E. Broadway has been established. The proposal is consistent with the provisions of this section with the condition of approval that any required sidewalks shall be installed along the northern portion of the subject parcel once the road grade for that street has been established and the road has been improved. At this time no improvements are scheduled for this area.

Section 5.27

TRAFFIC IMPACT ANALYSIS AND MITIGATION

- (1) *A Traffic Impact Analysis (TIA) and review is required when one of the following conditions exist:*
- (a) *The development will generate more than 100 vehicle trips during the a.m. or p.m. peak hour as determined by using the most recent edition*

The proposal is consistent with the provisions of this section with the condition of approval that prior to construction a drainage plan shall be submitted to the City Engineer for all new impervious surfaces.

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

The proposal is consistent with the provisions of this section. The site is located in the Public Facilities & Parks zoning district and will not interfere with adjacent land uses. The extent of traffic, emissions, and potential nuisance characteristics are compatible with the zoning district per Section 4.10 of the Veneta Land Development Ordinance No. 461.

Article 8 *CONDITIONAL USES*

Section 8.10 *GENERAL STANDARDS OF APPROVAL*

A conditional use may be granted only if:

- (1) *The proposed use is consistent with the Veneta Comprehensive Plan.*

The proposal is consistent with the provisions of this section. In the Plan Policies and Elements section of the Comprehensive Plan, the goal of the Parks and Open Space section is to develop a variety of neighborhood parks, open space area, and recreational facilities for use by the residents of Veneta. A public swimming pool will aid in meeting the needs of the residents of Veneta that currently have to travel to Eugene or Springfield to use similar facilities.

With a facility of this nature, the City is also meeting the goal of the City's Transportation Plan Policies and Elements section of the Comprehensive Plan. By reducing the need for residents to travel Highway 126 for recreation, the City is minimizing transportation-related energy consumption and promoting economic health and diversity by keeping the resident of Veneta within the City.

- (2) *The proposed use is consistent with the purpose of the zoning district.*

The proposal is consistent with the provisions of this section. A swimming pool is by definition a high impact recreation facility that is permitted as a conditional use within the zone and provides a new facility to aid in the City's growth.

- (3) *The potential negative impacts of the proposed use on adjacent properties and on the*

public will be mitigated through the application of existing requirements and conditions of approval.

The proposal is consistent with the provisions of this section. A conditional use permit approval is satisfied by the request and makes the use more in conformance with the current land development ordinance. An existing swimming pool was established prior to the incorporation of the City. Any negative impacts of a swimming pool have already been mitigated through the existing use.

- (4) *All required public facilities have adequate capacity to serve the proposal. System Development Charges will be assessed at the time a building permit is issued. Additional SDCs will be assessed for changes in use that are more intense than a pre-existing use.*

The proposal is consistent with the provisions of this section. In accordance with VMC 13.25.120 (4), Municipal projects are exempt from all system development charges.

- (5) *The site size, dimensions, location, topography, and access are adequate considering such items as the bulk, coverage or density of the proposed development; the generation of traffic; environmental quality impact; and health, safety or general welfare concerns.*

The proposal is consistent with the provisions of this section. The building footprint of the proposed swimming pool area do not increase significantly or generate more traffic than prior uses. The environmental quality impacts, health, safety or general welfare are not impacted.

Section 8.20

SPECIAL STANDARDS GOVERNING CONDITIONAL USES

- (13) *Standards for high impact transportation and recreation facilities such as sports complexes, stadiums, equestrian arenas, golf courses, swimming pools, heli-ports, heli-stops, and bus or train terminals.*
- (a) *Major noise generators shall be located a minimum of 30 feet from residential property lines and shall be screened by a noise attenuating barrier.*
- (b) *Transportation facilities must be consistent with or incorporated into the Transportation System Plan.*
- (c) *Major public recreation facilities must be consist with or incorporated into the Parks, Recreation, and Open Space Plan.*

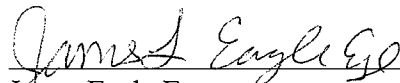
The proposal is consistent with the provisions of this section. The swimming pool has been located on this parcel since prior to the City's incorporation. The facility parking lot provides a minimum of 30 feet of separation between adjacent residential property lines and any noise generators.

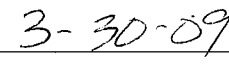
- (d) *A traffic impact and parking study must be completed and approved by the Building and Planning Official and the City Engineer. The development project must include mitigation for any decrease in level of service of the transportation system.*

The proposal is consistent with the provisions of this section. A traffic impact and parking study (Traffic Impact Analysis) is not required. According to the ITE Trip Generation Manual the proposed swimming pool will generate approximately 6.82 vehicle trips during the a.m. or p.m. peak hours, significantly lower than the 100 vehicle trips per hour allowed in Section 5.27, Traffic Impact Analysis and Mitigation.

- D. This decision shall become final on the date this decision and supporting findings of fact are signed by the City of Veneta Planning Commission, below. A Planning Commission's decision may be appealed to the City Council within 15 days from the date the final order is signed and mailed.**

Failure of the applicant to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for any damages in Circuit Court.


James Eagle-Eye
Planning Commission Chair


Date