

Minutes of the Veneta City Council
February 27, 2006

Council Mayor T. J. Brooker, Darrell Carman, and Thomas Cotter

Absent: Marion Esty and Fred Miller

Other: Ric Ingham, City Administrator; Sheryl Hackett, Margaret Boutell, Community Services Director, Mona Linstromberg; David Cady; and Jeneca Jones, West Lane News

Mayor Brooker called the Veneta City Council to order at 7:03 p.m.

1. PUBLIC COMMENT

Mona Linstromberg; 87140 Territorial Road; Veneta, OR

Mona Linstromberg said LUBA's decision on the appeal by Neighbors for Responsible Growth of the Larson proposal was handed down February 23, 2006. She said the decision was very thorough and has positive implications for other citizen groups to have standing as petitioners. In addition to the decision addressing some of the problems with Veneta's wetland protection ordinance, she said it can be a roadmap for developers and the City. She said it gives everyone the opportunity to seek out a comprehensive solution for commercially zoned wetlands. She said she feels staff's observations as to the on-site mitigation proposed by Hayden Homes is on point and the City should consider on-site mitigation as a public need. She said the Larson property is at the gateway to Veneta and she feels the City should do a development plan for the Jack Kelley Drive area just as they have done for the southwest area.

2. PUBLIC HEARING

Southwest Area Plan (SWAP) - Proposal to amend the Veneta Land Development Ordinance 417, Article 4, Section 4.14 Specific Development Plan Subzone (/SDP) Subsection (7)(b) Southwest neighborhood Center and to adopt a new plan.

- a. Open Public Hearing: Mayor Brooker opened the public hearing at 7:05 p.m.
- b. Declaration of Conflicts of Interest or Ex-parte Contacts: None
- c. Staff Report (Brian Issa)
The proposed Southwest Area Plan has been reviewed by the Veneta Planning Commission several times. At their last meeting on January 3, 2006 the Planning Commission forwarded the application to the Council with a recommendation for approval.

The request is for approval of amendments to the Southwest Neighborhood Specific Development Plan subzone that was adopted by the City Council in 2000. The applicant proposes to amend both the map and the text for the area and to amend the Land Development Ordinance to adopt the Southwest Area Plan (SWAP) by reference. The property is 128 acres in size. Page 13 of the proposed

plan contains an analysis of how the housing is broken down by types of units and acreage. In addition to detached single family homes, the plan includes townhomes as well as open space throughout the site and some commercial lots.

Written comments received from referral agencies are included as Exhibit C, written comments from the public are included as Exhibit D, and verbal comments received by the public at the Planning Commission meetings are included as Exhibit E.

Brian explained that the staff report discusses the issues that have been raised.

One of the biggest issues is the density of the development which is higher because of the need to protect wetlands and open space within the development area. The proposed densities are in compliance with the standards established by the Comprehensive Plan which allows 7 units per net acre for low density and 15 units for medium density. The new plan has more delineated wetlands than the current plan. Brian pointed out an error on page 3 of the staff report, the minimum lot size should be corrected from 3200 square feet to 3600 square feet. The development plan contains development standards such as setbacks, building orientation, and lot coverage and page 20 contains street standards. These development standards would apply only to the SWAP.

Another big issue is natural resources which include approximately 7.4 acres of wetlands and trees. There has been some discussion that the construction of the cul-de-sac on the northwest corner of the site might dewater the large wetland area. As a condition of approval an analysis is required. Several Heritage Trees have been incorporated into the design.

The issue of transportation is a little more problematic. The Traffic Impact Study has shown that mitigation will be needed at the intersection of Hwy 126 and Territorial Hwy. As a condition of approval mitigation measures may be required before subdivision work can proceed. There is also a condition of approval that the applicant will be required to construct a dedicated right-turn lane on southbound Territorial at Cheney when deemed needed by the Planning Commission.

Margaret Boutell said she would like to add a condition of approval that a funding plan needs to be approved by ODOT and that the developer be required to enter into an agreement with City and ODOT to contribute to the mitigation costs of the Hwy 126/Territorial intersection.

Margaret said each phase of the plan will be required to go through the subdivision process. In response to a question, Brian said a separate tree removal permit will be required for each phase of development.

The transportation plan for the SWAP has Perkins Road providing two future connections to the west. It is not feasible to connect to Bolton Hill at this time because of the grades. The cul-de-sac on the northwest part of the SWAP will have an emergency access to Bolton Hill as well as a bike path connection. The

plan will include language to allow a cul-de-sac longer than City standard. The design standards for streets will also include "green streets" which incorporate drainage detention along the streets where feasible.

In terms of utility services, there is limited sewer capacity along Territorial Road; therefore, a lot of the wastewater will go into an 8" line on Sixth Street. Oversizing of the infrastructure may be required to provide for future capacity to the west. If that happens, the City should establish a reimbursement system for the oversizing.

At full build-out the SWAP could add an additional 1800 people which will require a reassessment of the City's wastewater infrastructure. The City's water facilities should also be assessed as a result of the increased demand. More detailed utility plans will be required at the time of subdivision.

d. Public Testimony:

David Cady; 2464 S. W. Glacier Place, Suite 110; Redmond, OR 97746

Mr. Cady gave a power point presentation, a copy of which has been entered into the record. He said the major reason for the proposed amendments is to include wetlands that were delineated after the original plan was adopted. He said the majority of the wetlands on the site have been incorporated into open space and are more appropriately aligned to provide connectivity. 97.6% of wetlands are not altered and mitigation of the impacted wetland will occur on-site. He said eliminating many of the cul-de-sacs was another major change in the new plan. He said an arborist evaluated the site and they are preserving many of the trees, including non-heritage trees. He said they held meetings with both staff and the public and the plans have been modified based on feedback from them as well as from the Planning Commission. The higher density housing will be adjacent to the open space which adds security to the parks. The lots get progressively larger uphill to the west. He said he hopes there will be an opportunity to modify the Veneta Transportation System Plan to make sure all development pays it's proportional share of improvements of the Hwy 126/Territorial intersection. He said they have tried to balance the density rather than maximize it. He said they will be developing standards for multi-family housing before they propose construction of any townhomes.

Mr. Cady said they are proposing some narrower street designs for local streets only. He said narrower streets encourage lower vehicle speeds and have less impervious surface which reduces stormwater runoff and maintenance costs. Where feasible they will design streets with bio-retention designs. He showed several "green street" projects from the Portland area.

In summary, he said their plan incorporates a diversity of housing types, multi-nodal transportation and connectivity, connected open space and parks, protection of natural resources, stormwater collection and disposal in an environmentally sound manner, and creating a sense of place and community within Veneta.

Mr. Cady also requested that the length of the proposed cul-de-sac on the

northwest corner of the site be included as a standard for the SWAP. He said he would like to ask the City Council for tentative approval.

Mark Sigel; 87108 Greenridge Drive; Veneta, OR

Mr. Sigel said he is opposed to the Southwest Area Plan amendments because of the size of the project. He said he would like to see the project scaled down to maintain the integrity of Veneta as a small town. He said the project will lead to traffic congestion and higher road maintenance costs. He also said it will stretch Veneta's wastewater and water capacity.

Mona Linstromberg; 87140 Territorial Road; Veneta, OR

Mona Linstromberg said she was pleased with Hayden Homes for holding pre-application neighborhood meetings and she recommends it for all developments in the City. She said she was also pleased that the public comments from the Planning Commission were included in the Council packets for this meeting. She said she is also concerned about the water issue. She said there seems to be a sense of emergency regarding well 10 and she is concerned about whether the City's water system can support such a large development. She said the proposed amendments to the Greenway Subzone talk about minimum lot sizes when protecting natural resources. She said she hopes that provision gets incorporated into the City's Specific Plan Development ordinances.

- e. Close Public Testimony: Mayor Brooker closed the public hearing at 8:12 p.m.
- f. Questions from the City Council:
In response to a question from Darrell Carman about side yard setbacks, Mr. Cady said they are proposing a 5' minimum standard for the SWAP area. He said that was one of the standards they used to balance out the dedication of 30 acres of open space. He said the higher density lots will be located with back yards adjacent to open space. He said the fire code allows five foot side yards as long as the eaves are fire retardant. He said five feet is fairly typical for these types of higher density developments. He said there will be a balance and not all of the lots on the site will have reduced side yards.

In response to questions from Mayor Brooker, Mr. Cady said they hope to have the first phase ready for building permits in late summer 2007. They anticipate building 50 to 70 homes a year. He said the first phases will be off of Perkins Road and off of 6th and 8th Streets.

Mayor Brooker said the City needs to continue to plan for upgrading it's water and sewer capacity. Mr. Cady said the Systems Development fees paid at the time of building permits will help cover the costs of future infrastructure. He said the request at this time is for approval of a concept plan. The utilities will need to be addressed during each phase of the subdivision process.

In response to a question from Darrell Carman, Mr. Cady said the streets will be built during each individual subdivision phase, unless there is a need to extend them sooner. Darrell Carman said the fire district generally requires two access points. Mr. Cady said they hope to limit the infrastructure improvements to

within each subdivision; however, they may have to make some improvements outside the individual subdivisions to get utility service or fire and safety access.

- g. Close of Public Hearing: Mayor Brooker closed the public hearing at 8:25 p.m.
- h. Deliberation by Council:

In response to a question from Mayor Brooker, Brian said the conditions of approval changed since the Planning Commission meeting. Those changes are highlighted in the staff report submitted to the Council. He said the transportation issues will be an ongoing process with ODOT. As a result, staff recommended adding two new conditions of approval, #17 and #18. Margaret recommended adding a requirement for the developer to enter into an agreement with ODOT and the City for a funding plan.

MOTION: Thomas Cotter made a motion to grant tentative approval of the proposed amendments for the Southwest Area Plan and to direct staff to amend the findings and prepare new findings for the recommended changes and anything else that comes out of the Transportation Impact Analysis. Darrell Carman seconded the motion.

Discussion: Darrell Carman said he appreciates the concerns expressed by Mr. Siegel about the size of the development and the potential impact it will have on the nature of the city. He said he also appreciates the diligence put forth on this project and if it develops in the way it has been presented he feels it could be a very attractive addition to the City. Mayor Brooker said he agrees and he feels the developer has worked hard to preserve wetlands, trees and open space which will make the area more liveable. He said the fact that the development will take place over a ten year period should give the City time to deal with some of the issues. Thomas Cotter said he feels the developer has acted very professionally with a willingness to work with the City. He said he hopes that continues throughout the process.

Mayor Brooker said the City needs to dedicate itself to addressing the infrastructure capacity issues as quickly as possible.

Vote: The motion passed with a vote of 3-0.

3. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to adopt the consent agenda as presented. Darrell Carman seconded the motion.

Vote: Thomas Cotter, aye; Mayor Brooker, aye; and Darrell Carman, aye.

The consent agenda as approved included bills paid and payable for January/February 2006 and the Civic Calendar for March 2006.

4. **Department reports**

a. FROM MAYOR/COUNCILORS

(1) Report on law Enforcement Activities
Sgt. Harrold said he has been working with the records staff so he will have the ability to run the statistical reports himself. He said the reports have been running at least a month behind. He said the deputies have been working on the public works yard burglary. They have found the copper; however, it was cut into pieces to be sold. He said they have developed some leads and one arrest has been made. They will continue to do follow-up work on the incident.

(2) Request by Lane County Elections Department to install a permanent election drop box in the City hall parking lot.

Ric said the County will pay the cost for installing the drop box. He feels it would be a benefit and service to the residents to have a clustering of government services.

MOTION: Thomas Cotter made a motion to allow Lane County Elections to install a permanent drop box at City Hall. Darrell Carman seconded the motion.

Discussion: Darrell Carman said he feels the library is more centrally located. In response, Ric said the Elections Department liked the idea of City Hall being located next to the Sheriff's Substation. They also wanted to relocate the drop box because the library is not open as many hours.

Vote: The motion passed with a unanimous vote of 3-0.

b. COUNCIL/COMMITTEE LIAISONS

Thomas Cotter (Distinguished Service Awards) - Thomas said the award banquet was successful and he congratulated Mayor Brooker for receiving the Man of the Year award. He said he appreciated Ric's help in making the banquet a success.

Thomas Cotter (Economic Development) - Thomas said a lot of progress is being made. Ric said a revised plan will be submitted to the Council at their March 13, 2006 meeting.

Mayor Brooker (City/County Public Safety Task Force) - A meeting is scheduled for Thursday, March 9, 2006.

Mayor Brooker (Resignation of Councilor Fred Miller) - With regret Mayor Brooker read a letter of resignation submitted by Fred Miller. Fred has resigned from the Council due to medical issues that have made him unable to attend meetings for some time. Mayor Brooker declared Fred's position vacant and asked staff to advertise for interested parties to submit applications. Fred's

position is up for re-election this fall and any newly appointed Council person will need to seek re-election at that time.

5. STAFF REPORTS

a. **COMMUNITY SERVICES DIRECTOR**

- (1) **Ordinance 461** - AN ORDINANCE ADOPTING THE VENETA LAND DEVELOPMENT ORDINANCE, REPEALING ORDINANCES 417, 435, 449, AND SECTION 4 OF ORDINANCE 427 AND DECLARING AN EMERGENCY. First reading by title only. Second reading by title only and for final enactment.

Margaret explained that Ordinance 450 includes the amendments recommended by the Council at their last meeting and includes the Park Dedication Ordinance as well.

MOTION: Thomas Cotter made a motion to approve Ordinance 461, adopting the Veneta Land Development Ordinance, for first reading by title only. Darrell Carman seconded the motion which passed with a unanimous vote of 3-0.

Ordinance 461 was read as follows:

Ordinance 461, an ordinance adopting the Veneta Land Development Ordinance, repealing Ordinances 417, 435, 449, and Section 4 of Ordinance 427 and declaring an emergency.

MOTION: Thomas Cotter made a motion to approve Ordinance 461, adopting the Veneta Land Development Ordinance, for second reading by title only and for final enactment. Darrell Carman seconded the motion which passed with a unanimous vote of 3-0.

Ordinance 461 was read as follows:

Ordinance 461, an ordinance adopting the Veneta Land Development Ordinance, repealing Ordinances 417, 435, 449, and Section 4 of Ordinance 427 and declaring an emergency.

- (2) **Ordinance 462** - AN ORDINANCE ADOPTING THE VENETA LAND DIVISION ORDINANCE, REPEALING ORDINANCES 418 AND 436, AND DECLARING AN EMERGENCY. First reading by title only. Second reading by title only and for final enactment.

MOTION: Thomas Cotter made a motion to approve Ordinance 462, adopting the Veneta Land Division Ordinance, for first reading by title only. Darrell Carman seconded the motion which passed with a unanimous vote of 3-0.

Ordinance 462 was read as follows:

Ordinance 462, an ordinance adopting the Veneta Land Division Ordinance, repealing Ordinances 418 and 436, and declaring an emergency.

MOTION: Thomas Cotter made a motion to approve Ordinance 462, adopting the Veneta Land Division Ordinance, for second reading by title only and for final enactment. Darrell Carman seconded the motion which passed with a unanimous vote of 3-0.

Ordinance 462 was read as follows:

Ordinance 462, an ordinance adopting the Veneta Land Division Ordinance, repealing Ordinances 418 and 436, and declaring an emergency.

(3) Break-in at Public Works Yard

Margaret said the City has had a second break in at the public works yard in the past two months. The first break in was through a window which has since been reinforced with bars. The second break-in was through a heavy steel door. Part of the problem is the fact that the public works yard is at the end of a dead-end street and is isolated with a wooded area behind it. Staff is in the process of contacting security companies to see if an alarm system can be installed. In response to a question from Mayor Brooker, Ric said CCIS will do a risk assessment with recommendations. Margaret said they kept the memo short because they do not want to advertise the security options the City may choose.

(1) Pine Street update

At the January 9, 2006 meeting the City Council authorized Jerry Elliott to begin the design for Pine Street. Part of that was to hire a wetland consultant to combine the wetland delineations and see if the wetland permit obtained by the developer of Hunter Heights was still valid. Jerry said the permit expired on August 13, 2005 and the State will require a new application which has added an additional \$10,000 to the project costs, for a total of \$34,124. Staff recommends that the Council authorize increasing the cost to \$35,000 to give some room for additional survey work. He said the City staff chose to sit on the project until the East Veneta Study and TSP were updated; however, the City is up against a deadline for the Small City Grant expiring in the Fall of 2006.

MOTION: Thomas Cotter made a motion to increase the Pine Street contract from \$24,000 to \$35,000 to include the wetland delineation and permit. Darrell Carman seconded the motion.

Discussion: Ric said the City also has the \$25,000 grant from ODOT and a contribution from the Hunter Heights developer. He said Pine Street is an important street connection for the City.

Vote: The motion passed with a vote of 3-0.

(2) Well 10 update

Jerry reported the well production tests came back at 205-210 gpm. The original estimate was for 300-400 gpm and the treatment plant that was

purchased can handle 400 gpm based on that estimate. Jerry said the Well 10 site has been delineated and two areas of wetlands have taken up about 30% of the site. Due to the land constraints and having purchased a treatment plant than can handle double the production of Well 10, Jerry has recommended developing an alternative site for the treatment plant and using it for two wells, #10 and a future Well #11. The City owns several lots on Todd Way that could be developed. Jerry said the findings change the schedule a little but he feels they can have the treatment plant in operation by August 10, 2006.

He said he would recommend that the Budget Committee put Well 11 as a priority project in the 2006/07 budget.

Mayor Brooker said they knew when they ordered the treatment plant that there was a possibility that Well 10 would not have the capacity that was estimated and he thinks it makes sense to locate the treatment plant on a site where it can serve two wells.

Jerry did point out that the iron is significantly lower than estimated in 2000 which will result in better filter run times.

c. CITY ADMINISTRATOR

(1) Audit and Budget update

Ric presented a memorandum from Finance Director Jerri Moore along with a proposed Budget Committee meeting schedule. She will be working in the accounting system on two different fiscal years until Fiscal Year 2005/06 can be closed out.

(2) Rural Development Initiatives (RDI) Contract for Ford Family Foundation Strategic Planning Process.

Ric said the City received the Ford Family Foundation grant in the amount of \$4,950. The total price of the contract for RDI to complete the facilitation process and do the actual planning work is \$5,500. The stakeholders have contributed an additional \$450. Ric asked the Council for approval to provide the remaining \$100 of the contract amount.

MOTION: Thomas Cotter made a motion to approve the Rural Development Initiatives Contract for the Ford Family Foundation Strategic Planning Process and for the City to contribute \$100 towards the total contract cost. Darrell Carman seconded the motion which passed with a vote of 3-0.

6. OTHER

Mayor Brooker asked the Council to be prepared to do Ric's annual evaluation at the next meeting.

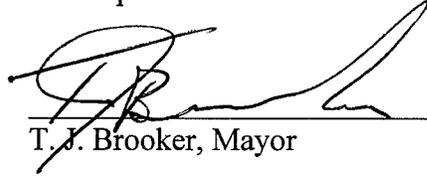
7. **EXECUTIVE SESSION**

At 9:38 p.m. Mayor Brooker adjourned the Council into executive session under ORS 192.660(f) and (h).

Having made no decisions, the Council returned to regular session at 10:18 p.m.

8. **ADJOURN**

Mayor Brooker adjourned the City council at 10:18 p.m.



T. J. Brooker, Mayor

ATTEST:



Sheryl Hackett, City Recorder
(minutes prepared by SLHackett)