

# Minutes of the Veneta Planning Commission

## February 2, 2016

Present: James Eagle Eye, Len Goodwin, Kevin Conlin, Calvin Kenney, and Lily Rees

Others: Kay Bork, Community Development Director; Lisa Garbett, Associate Planner; Ric Ingham, City Administrator, Phil Velie, Michael Weishar

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### I. Review Agenda

Chair James Eagle Eye opened the Veneta Planning Commission meeting at 6:30 p.m. and reviewed the agenda.

### II. Public Comment

None

### III. Review partition Request, M-1-15, Sproat Ranch Estates Lots 1 and 2

#### a. Request approval of a tentative plan for a two (2) lot partition of tax lot 902 that lies within Veneta City limits and the Veneta Urban Growth Boundary

Garbett said the partition is for a 16.9 acre parcel of which 2.04 acres is in Veneta City limits. She said the remaining 17.5 acres lies within Lane County and according to the Lane County planner, the subdivision application has been put on hold until April. She said the applicant is proposing private wells and septic systems on proposed lots 1 and 2 within City limits. The site is on Jeans Rd. There is a non-significant wetland which is not regulated by the Veneta Wetland Protection Ordinance because it's been deemed non-significant in our associated Natural Resource Study. There is a condition of approval that the Oregon Dept. of State Lands (DSL) regulates wetlands regardless of whether or not the City's Natural Resource Study says it's significant or not. DSL recommended a wetland delineation for proposed lot 1 and may require a removal fill permit. The application was deemed complete on July 8, 2015 and on November 4, 2015 the applicant signed a waiver to the 120 day rule not to exceed 245 days. The 245 day timeline expires March 9, 2016. Notice was mailed to property owners within 300 feet and posted at the site on July 9, 2015. The reason for the completeness review and time period that occurred before staff brought this to the Planning Commission was related to the applicant and the City Engineer reviewing a couple of site distance documents. Jeans Rd. slightly curves east of the proposed site and because of that curve, the City Engineer wanted to see more information from the applicant's engineer in terms of sight distance. Two comments were received, a telephone call from Mr. Martin on Jesse James. His concern was the impact to the water supply in the area. The second letter was received from Mr. and Mrs. Campbell on Jeans Rd., their concerns were related to light pollution for the new access and site distance due to the curve of Jeans Rd. The latter written comment was included in the staff report. Key issues in the staff report were in regards to water and sewer for lots 1 and 2. The City Engineer and Public Works Director are not requiring extension of City services but there is a condition of approval for the applicant to sign an irrevocable petition for future public improvements for water and sewer. The proposed access to the development is a proposed private easement named Sproat Ranch Rd. Applicant is proposing a 20 ft. paved width with utility easements, this is the same as Lane County. Staff recommended approval with conditions.

In response to a question from Len Goodwin, Garbett said the most recent tentative partition plan dated December 29, 2015 does not show where the future secondary access to the Northeast Employment Center would be.

Ingham said the applicant also owns the NE Employment Center.

Len Goodwin said it's not within the jurisdiction of the Planning Commission but he's concerned about the long road ending with a cul-de-sac and no secondary access to the adjoining parcel; the NE Employment Center. He said Lane County has failed to act and wonders if the City has been asked to comment on the action before Lane County.

Garbett said Lane County planners indicated that they postponed its decision until April and her understanding is that access needed to be granted by the City before Lane County would decide on the County portion.

Len Godwin wonders about approving an access here and then the County deciding something different which means the entire development is at risk. He's concerned that the cart may be before the horse. This is critical as we develop out. Jesse James is a stranded street and for us to take an action that sets in motion another long stranded street that goes well beyond the fire authority's recommended limit. He said just a turn-around is inadequate for nine lots but at this point we're only talking about lots 1 and 2 and he's concerned that by approving lots 1 and 2 we would allow or encourage that to happen.

In response to a question from Len Goodwin, Garbett said staff emailed a few proposed conditions but the second sight distance study had not been submitted yet so staff indicated to the County that these were tentative proposed conditions of approval.

Bork said we are relying on Lane Fire Authority to comment on the length of the roads.

Len Goodwin said he expects Lane Fire Authority to comment regarding the fire safety but they would not comment with respect to connectivity - that would be the City's responsibility.

In response to questions from James Eagle Eye, Garbett said the City Engineer's recommendation to widen the roadway by 6 ft. is needed to accommodate future bicycle and pedestrian traffic. She said we could modify condition of approval No. 5 to read "that the applicant may construct a 6 ft. wide asphalt shoulder along the site frontage". Garbett said the City Engineer did not recommend additional easements on adjacent property so he's fine with the study that recommended the site distance on lot 1.

In response to a question from Len Goodwin, Garbett said currently, there are three uncontrolled intersections on Jeans Rd., east of Territorial Rd. and Huston Rd.

**MOTION: Len Goodwin made a motion to approve the partition request M-1-15. Kevin Conlin seconded the motion which did not pass with a vote of 1 to 4. James Eagle Eye voted to approve the partition request.**

Bork asked the Planning Commission for specific conditions of denial of the application.

Len Goodwin said the speed study notwithstanding, he finds the recommended easement inadequate to provide adequate safety. The existence of four uncontrolled intersections on the north side of Jeans Rd. between those two major intersections is a risk which is inappropriate and if this were to be approved, it would have to be as a controlled intersection with a stop sign. He is unwilling to approve in the absence of clear indication from Lane County that they do not have conditions of approval which would cause this to be a failed development. He's concerned that the proposed development fails to provide secondary access through the adjoining property which is already commented to have secondary access to the NE Employment Center.

Lily Rees concurred with Len Goodwin.

Kevin Conlin said he may be willing to place a little more faith regarding the easement but in essence, he agrees with Len Goodwin.

Len Goodwin said he doesn't like to be in a position of denying an application. He believes conditions should be approved whenever possible and it's very unfortunate to be in a position to recommend a denial but in the absence of dealing with these issues, he would recommend denial of the application.

In response to a question from Bork, Len Goodwin said the Planning Commission did not approve the recommended final order but the applicant is entitled to a decision and should not be subjected to waiting for the 245 day extension to expire and then moving onto the City Council for an appeal. If they wish to appeal then we need to give them a denial.

**MOTION: Len Goodwin made a motion to deny approval of the partition request M-1-15. Kevin Conlin seconded the motion which passed with a vote of 4-1. James Eagle Eye voted against the denial of approval of the partition request.**

#### **IV. Review Code Amendment Options for New Off-Street Parking Locations**

Bork said as requested, staff brought forward some code amendment options for the Planning Commission to consider relating to the discussion for the veterinary clinic and the discussion last month about amending the code provisions, more specifically, implementing a possible Track 2 process which would allow parking location standards to fall under that Track 2 process - similar to other commercial design standards. Bork reviewed the options.

Len Goodwin said he doesn't want loading docks in the front of a building, under any circumstance. He would like to see parking moved around as a Track 2 process but loading docks should be on the side or rear of the building.

Bork said staff will include language to require loading docks to the rear or side of the building as its own provision or amend a provision for inclusion.

Bork said Option 2a would amend the mix use design standards to include the Community/Commercial zone and allow it to go through Track 2 changes. There are a few Community/Commercial zones in the Southwest Area Plan (SWAP) that might fit in with the neighborhood if their parking was to the side or rear and more pedestrian oriented like Broadway/Commercial. So new development would go through the Track 2 process if they can't meet that standard. She said this would still meet the intent but we want to have people think of that as their first option if it makes sense in that neighborhood. Staff is proposing doing away with the parking lot location requirements for industrial but requiring it for public and semi-public uses.

In response to a question from James Eagle Eye, Bork said it would be removed from commercial and industrial.

Len Goodwin said he's fine with 4b with a modification to address loading docks.

There was a consensus of the Planning Commission that this is the direction staff should follow.

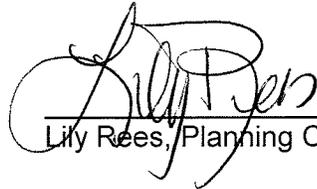
#### **V. Administrative Decisions**

Garbett said staff approved two Type "A" Tree Removal permits issued which are described on the City's website under Land Use Decisions and the Planning tab.

Len Goodwin said next Tuesday Lane County Commissioners are holding a public hearing on the Fern Ridge Community Policing District at Deep Woods Event Center on Territorial Rd.

VI. **Other**  
None

VII. **Adjourn**  
Chair James Eagle Eye adjourned the Veneta Planning Commission at 7:15 p.m.

  
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Lily Rees, Planning Commissioner

ATTEST:

  
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Darci Henneman, City Recorder