

# Minutes of the Veneta Planning Commission

## August 2, 2016

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

Others: Kay Bork, Community Development Director; Carrie Connelly, Legal Counsel; Lisa Garbett, Planner; Ric Ingham, City Administrator; Claudia Denton, Economic Development Specialist; Lane Branch, Branch Engineering; Darci Henneman, City Recorder; Mick Bryant; Anthony Clemons; Karen Wickham; Jim Haddock; Clint Beecroft, EGR & Associates Engineering; Raymond Yancy; Chris Murphy; Father Trevor Burfitt; Greg Demers; Angela Demers; Bob Gordon; Jackie Burnett; Andrea Larson; Trishawn Hodurski; Sherrie Head; Dean Schlett; Jerome Poulin; and Joan Mariner, Fern Ridge Review

---

### 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

#### **Mick Bryant, 25263 E. Bolton Rd., Veneta, OR**

Mr. Bryant thanked the City for paving the section of Bolton Rd. from Territorial Rd. to the stop sign but he would like to see sidewalks on Bolton Rd. in front of the Church and school. He said a lot of people, either Church goers or community members walk on that section of roadway where there is no shoulder and deep ditches on both sides of the road. He said when he built his house, he donated 14 ft. for future sidewalks and he wanted to know when will that happen?

Chair James Eagle said staff will contact Mr. Bryant during office hours.

#### **Anthony Clemons, 25156 Cherry Ln., Veneta, OR**

Mr. Clemons said the section of Perkins between Oak Island and Territorial is really bad and he wanted to know when it would be fixed. He also said he liked the name of the Transportation Utility Fee (TUF) and doesn't want it changed to Street Utility Fee (SUF). He also said he noticed a chemical smell coming from the sewer and he wanted to know what phone number he can call to report it in case he can identify where it's coming from. He also said he's glad to see so many people attending tonight's meeting. He said this is the place to come and he's so glad there are so many people here.

#### **Karen Wickham, 25363 E. Bolton Rd., Veneta, OR**

Ms. Wickman said she runs a business from her home on Bolton Rd. and she said the street signage at the four way intersection of E. Bolton Rd., Pine and Trinity Terrace is not clearly marked. She said when traveling east on E. Bolton Rd. from Territorial, it's hard for people to find her business. She said there's no sign indicating E. Bolton turns to the right and it would be nice to have a sign there.

#### **Jim Haddock, 87949 Sherwood St., Veneta, OR**

Mr. Haddock said a visitor to Veneta told him the same thing - the sign on E. Bolton Rd. indicates E. Bolton goes in the opposite direction. Also, he wanted to know if the City has sniffers for finding the illegal dumping. He said since its happened three times, it doesn't sound like it was an accident.

### III. APPROVAL OF MINUTES

**MOTION: Len Goodwin made a motion to approve the June 7, 2016 minutes. Kevin Conlin seconded the motion which passed with a vote of 4-0.**

Chair James Eagle Eye said in order to avoid any possible bias as a adjacent property owner, any comments he makes tonight will be as a resident and not as the Planning Commission Chair.

Therefore, he is stepping down from chairing the meeting and asked Vice Chair Len Goodwin to chair tonight's public hearing.

Vice Chair Len Goodwin agreed to chair the public hearing.

#### **IV. LEGISLATIVE PUBLIC HEARING – PROPOSED COMPREHENSIVE PLAN DIAGRAM AND ZONING MAP AMENDMENTS, FILE #CP-ZC-1-16 SARTO VILLAGE**

1. Vice Chair, Len Goodwin opened the Public Hearing at 6:32 p.m.
2. Declaration of Conflict of Interest or Ex-Parte Contacts  
Kevin Conlin said he had one brief contact from someone who asked a question about the public hearing process.

Lily Rees said she attended the applicant's neighborhood presentation last week.

#### **3. Staff Report**

Garbett said the applicant is requesting a Zone and Comprehensive Plan designation (map only) amendment of approximately 50 acres, comprising three tax lots, from Rural Residential and Low Density Residential to Medium Density Residential and accompanying zone change from Rural Residential and Singly Family Residential to General Residential. The site is located south of Hunter Rd., east of where Trinity Terrace stubs to the east. The approval criteria includes the Veneta Comprehensive Plan (Comp Plan), Chapter 3 and 5, Article II of the Veneta Land Development (VLD) Ordinance No. 493 and also four statewide planning goals: Goal 1 - Citizen Involvement, Goal 2 - Land Use Planning, Goal 10 – Housing; and Goal 12 Transportation. The applicant intends to develop the site with a senior living project, consisting of a mix of housing options for seniors 55 years and older. The project will consist of 130 to 150 detached and attached single family residential units and a residential facility consisting of independent assisted living and memory care units. Tonight's public hearing is not for an approval of the development plan but re-designation of the Comprehensive Plan Diagram. The approval criteria allows Rural Residential designated land to convert to urban densities as long as the applicant can show that City services are available. Garbett said notice of the public hearing was sent and published in accordance with VLD Ordinance No. 493 and referral comments were received from Lane Branch, Branch Engineering, and four written public comments were included in the staff report. A primary issue is transportation which the applicant submitted a Transportation Impact Analysis (TIA) to show compliance with the Transportation Planning Rule. The information provided by the applicant is a worst case scenario, so for the land to be re-designated, the TIA study analyzed the site in terms of impacts for worst case scenario development. The TIA applied a trip generation rate that was the worst case development scenario and in order to avoid impacts and required mitigation to the Huston Rd. and Highway 126 intersection, the City Engineer recommended a trip cap and made it a condition of approval for 97 PM peak hour trips which is the maximum allowed in terms of the zone change. The applicants' TIA also indicated the development would be limited to age restricted housing based on their analysis but we did not include that as a condition of approval because we didn't want to limit future development, if age restricted housing was not what the property owner wanted in the future. In terms of sewer capacity, the initial analysis found that a pump station would likely be required upon development and not at the time of this amendment request. She said likely that would be a condition of approval that the future pump station would serve capacity for future development but that would take place during development review.

Lily Rees said staff is stating that the City cannot restrict development types that are allowed in a zoning district but this is being presented as an age restricted development and as such a lower number of daily trips are expected and that is the trip cap that was used. She said but we can't require an irrevocable development agreement restricting the development to age related but at

the same time we're using the age related development expectation as a way to calculate the number of trips. She said this is confusing – if we're saying older people make less trips but we can't require the applicant sign an irrevocable development agreement yet we're basing approval on that.

Carrie Connelly, Legal Counsel said the first step is that the trip cap ties to a direct criteria; assuring that sufficient urban services are available up to the cap amount proposed by the applicant. While the use isn't restricted it could be used for any use in the rezone. If a higher density use or type of use were built there they would still be subject to that cap.

In response to a question from Lily Rees, Ms. Connelly said enforcement would be based on the number of houses going in.

Bork said the condition would be applied to the zone change so developers would know that they are still subject to a specific trip cap regardless of the kind of development. She said at the time the subdivision plan is submitted, they would need to explain how it meets that trip cap at the time of development.

In response to a question from Lily Rees, Garbett said she meant to include the greenway and flood zone language in the staff report, however, it would not change the existing greenway overlay or the flood plain overlay. She said the asterisk at the bottom of the table indicates that.

Lily Rees said E. Hunter Rd. is identified as a major collector, but not its built to the major collector standards. She suggested maybe it should be brought to that standard before the development.

Bork said there are several major collectors designated in the City that aren't currently built to City standards but the City requires any portion of development that fronts a street to be brought to City standards. She said it doesn't make sense to bring a section of a collector to City standards until the entire street is built out. She said the City's adopted Transportation System Plan (TSP) identified East Hunter to be built out to full urban standards at some point in the future. She said usually the City constructs the road improvements and the sidewalk pieces are assessed to abutting property owners. She said the applicant will be required to improve to City standards all of the local streets they are constructing as well as Baker Lane. At the time of development the Planning Commission may require the Hunter Rd. street frontage to be improved or require the applicant to sign an irrevocable development agreement but we can't require the applicant to develop the remainder of Hunter Rd. She said generally collectors get improved through some type of City initiated project.

Lane Branch said Hunter Rd. was identified in the TSP as being approved as a capital project but we just haven't gotten to it yet.

In response to a question from Lily Rees, Lane Branch said as properties are developed we are either requiring them to build the improvements or sign an irrevocable petitions for improvements. He said as we collect more of these we'll have more authority to build a full street improvement.

In response to a question from Len Goodwin, Lane Branch said the distance from Baker Lane to Huston Rd. is about 2000 ft.

In response to a question from Len Goodwin, Bork said the Fern Meadows Ln. residents likely all signed irrevocable petitions as part of that subdivision.

Len Goodwin said page 11 of the Traffic Impact Analysis (TIA) indicates there will be a substantial increase of traffic at the intersection of Huston Rd. and Highway 126 and no similar substantial increase at the intersection of Hunter Rd. and Territorial Rd. He said he reviewed the details of the

TIA and noticed there is substantial increased northbound/eastbound movement at the corner of Territorial and Huston Rd. [sic] (Hunter Rd.) and small limited increase at Territorial and Highway 126. He said that suggests that most of the movement from this site will be along Hunter Rd. east to Huston Rd. and there are virtually no other are reasonable exits from this development. He said given the split of increased traffic if it is reasonable that we can continue to leave the portion of Hunter Rd. from Baker Ln. east to Huston Rd. not upgraded to City standards.

Lane Branch said the criteria for the zone change looked at the vehicle capacity for that system and based on the TIA there is adequate capacity for that system and vehicles. Regarding pedestrian and bicycle facilities they didn't see that was an item they could identify as a need.

Len Goodwin said we can't require them to bring it above standards but it suggested a level of congestion that could raise safety concerns.

Lane Branch said the proposed mitigation to that is the trip cap or limited to age restricted housing. He said identifying that mitigation, it keeps the threshold as far as the capacity is concerned. He said .84 is unmitigated.

Len Goodwin said the applicant will be required to install a pump station to serve the development. He asked if we know the size and extent of the basin which the main line serving that development currently serves. He asked what's the risk to the City of further development in that basin to require extensive alternations; either expansion of a pump station, duplicate lines or massive expansion of the lines.

Lane Branch said the Wastewater Master Plan (WWMP) was adopted by the City Council in 2009 and it identified about a third of the site with gravity drain toward Trinity Terrace and two-thirds of the site, primarily the northeast, would likely drain toward the east pump station. He said that infrastructure is not in place at this moment. He said the City's wastewater engineer reviewed this and commented that the existing gravity main from Pine St. to Lindsay Ln. is likely to have some capacity constraints to serve the area. As part of the proposal, when it comes in, the applicant would be required to review the capacity and if it cannot serve the proposed development, they would need to upsize the portion of that system. He said they would be required to have a pump station to pump into that gravity system and likely the pump station would be on their property and they would be obligated to construct as a public improvement to serve as much area as possible.

Len Goodwin said he questions how much of that area to the east toward the Urban Growth Boundary (UGB) will present a capacity challenge beyond this development. He said we must presume ultimate build out of the UGB as part of the Comprehensive Plan and he understands what the potential need for further expansion of the system will be when and if we reach build out.

Ingham said the City adopted a Wastewater Master Plan (WWMP) in 2009 that outlined the collection and transmission system. Two thirds of that property will flow east, to Huston Rd., down Highway 126 to Jeans Rd. and eventually to the Jeans Rd. lift station. He said the wastewater engineers recently submitted a revision to 2009 WWMP and Council will review and adopt this fall with the intent to have this plan included in the WWMP. He said at that point, the City has reached a critical mass to build out the east side.

Len Goodwin asked staff to include the planning goals in the staff report.

Garbett pointed out a typographical error in Exhibit A of the Final Order, on page 13, Finding No. 6 should read "55 and older" and not "65 and older".

4. Applicant/Proponents

**Raymond Yancy, Sarto Village**

Mr. Yancy thanked the Planning Commission for their time and also thanked staff for their assistance to this point. He said Jerome Poulin, Sarto Village, Clint Beecroft, EGR & Associates, Engineering, and Mike Weishar, Access Engineering put together the criteria for the project. He said they are requesting a zone change in order to accommodate Sarto Village - a proposed 55 plus senior living development. He said as part of the application they included a memo that included the current master plan which was presented at the neighborhood meeting. He said as they continue with the process, there will be additional steps that will include input from the City and residents so this is not the only aspect to approving this project. He said they are asking for the zone change due to the changing demographics and as our population ages, there is a need and that is why they are requesting this zone change tonight. He said they've studied the services to support the zone change and believe the services are available to meet the need. He said the cap for the TIA is a condition of approval, and they are requesting a slight modification to that language to read as follows: "a trip cap mitigation shall be implemented for this site that will require the applicant to record a restrictive covenant for Assessor's map/Tax No. 17-05-31-00-00501 and 17-05-31-34-00600, in a form acceptable to the City Attorney, stipulating any future development on the property is subject to a trip cap. This trip cap from the site shall be determined to an amended TIA technical memorandum from the Applicant's Traffic Engineer. The supporting memorandum will substantiate that the final trip cap shall maintain the functional performance standard of the intersections as studied for the TIA. This memorandum will be presented to the City Engineer for review and recommendation to the City Council during the City Council hearing for this zone change for final approval."

Len Goodwin said the applicable substantive criteria that applies to this application are contained in the written staff report and will be identified and discussed in the oral staff report. He continued with the language required prior to receiving public testimony.

**James Haddock, 87945 Sherwood St., Veneta, OR**

Mr. Haddock said he is in favor of the development. He said before he started his business, he spent months evaluating the need for such a business and he eventually fulfilled that need. There's a definite need for a retirement community and as he sees the influx of California license plates and people moving to Veneta. He said local businesses would benefit, jobs, etc. and it would be a benefit to the entire community because it fulfills a need we, as a growing community, need.

**Chris Murphy, 25178 Cheney Dr., Veneta, OR**

Mr. Murphy said he is in favor of the zoning change. He said he and his wife were caring for her aging father and they were unable to find a facility to keep him close to this family. He said a project of this type is needed and would be a great benefit to keep our families and community together.

**Mick Bryant, 25263 E. Bolton Rd., Veneta, OR**

Mr. Bryant said he is in favor of this project because he is in favor of helping seniors and felt we should do anything we can to help our aging residents. He said we all have parents that live at home with their children or are not able to take care of themselves. In said he is in favor of seniors in that situation.

**Father Trevor Burfitt, 25269 E. Bolton Rd., Veneta, OR**

Fr. Burfitt said he is the Pastor at St. Thomas Beckett Catholic Church. He said he is in support of this project for a lot of reasons. He said each year the situation of our aging, religious and faithful becomes more pressing and availability of land near Veneta and their Church, prompted them to reconsider this project as a good fulfillment of helping their seniors of the faithful and also the priests who are a part of his order. They are looking at this as a national project for all priests in

the United States to live here and the less aged priest would take care of them. It would allow the priests to live with other like-minded Catholics. He quoted John F. Kennedy.

**Greg Demers, 24244 Sertic Rd., Veneta, OR**

Mr. Demers said he is in favor of this project. He said as a community we constantly are talking about critical mass and to get Highway 126 improved. He said we deal with retail leakage to Eugene and the lack of identity for our community. He said the development offers good jobs and as one of the largest property owner in the UGB, he talks to people all the time wanting to move here and establish a business or residence. He said this is a critical issue he hears daily that we don't have. In order to get critical mass, we need to be in favor of expansion and bringing in businesses and private people. He said this project would have significant impact on all of the above mentioned issues and as stated, would bring approximately 350 new residents to Veneta which would increase our population by about 10%. He said those are the types of things that will bring in retail, a McDonalds and a lot of things the community needs to help expand and increase our tax base and revenues. He said these are also tax paying/spending bodies brought to Veneta and the facility would bring about 60 skilled jobs when it's up and running which are badly needed and it would bring in badly needed infrastructure.

**Angela Demers, 22992 Red Oak Ln., Veneta, OR**

Ms. Demers said she was born and raised in this community and it's a great place to live. She wanted to reiterate what her dad said about expanding Highway 126 and bringing more people out here and increasing business. She said she attended the economic development meeting that was held a couple weeks ago and the common tone was we want to bring more jobs to Veneta. She said we lose a lot of people leaving to find work and a professional atmosphere but she just wants to keep business here and local and in our community.

**Bob Gordon, 24241 Vaughn Rd., Veneta, OR**

Mr. Gordon said he has lived in Veneta for 17 years and has worked for the Fern Ridge School District for the last five years. He has five children and two are full time care givers for families in Eugene. He said he believes a facility like the one proposed in Veneta it would be a win/win situation. He said it would bring business to our community and we need to take care of our elderly.

5. Opponents

**Joan Mariner, 25712 Cochran Ct., Veneta, OR**

Ms. Mariner said she opposes the development because it would be 50 acres of a very small community and it would put stress on the surrounding area. She said elderly people still drive and care givers would also contribute to traffic. She said the TUF is needed for maintenance to our streets but doesn't cover capital improvements. She said she attends all of the City Council meetings and she knows how the City struggles with street upkeep and improvements. She said if you add more cars to some of the already substandard streets; we'll have more problems.

**Jackie Burnett, 88154 Lindsay Ln., Veneta, OR**

Ms. Burnett said she lives off of Hunter Rd. and there are always moms pushing babies in their strollers with kids on bikes and walking to school. She said that is a very dangerous street and there are no plans to fix it. She said based on that, she feels this is not a good undertaking because the infrastructure isn't here yet. She realizes we need development in order to get the infrastructure but Highway 126 needs a lot of improvement first because she's also concerned about getting back and forth to Eugene. Ms. Burnett thinks this development should be put on hold for now.

**Andrea Larson, 25456 Hunter Rd., Veneta, OR**

Ms. Larson agrees that Hunter Rd. is at its capacity and it's a dangerous road for pedestrians, bikers and drivers because there's nowhere for people to go. She said many drivers are not

conscious about others on that road and she felt the City does not have basic services on Hunter Rd. She said getting where you need to go should be a basic safety concern for all residents and we don't have that. Ms. Larson suggested imposing an actual moratorium on any zoning changes that would allow more cars on Hunter Rd. and Huston Rd. She agrees we need more homes and care facilities for seniors, however, people don't realize that the developer is a non-profit agency so the City would receive no property taxes from any of the development to offset the infrastructure costs. Also, a pump station would be required and as Joan Mariner said, we are already at capacity for expenditures and to add to the infrastructure without any other funds coming in to pay for it, seems like unfair treatment for those of us who already live here.

**Trishawn Hodurski, 25010 Meadowdale Ln., Veneta, OR**

Ms. Hodurski said she agreed that Hunter Rd. is not adequate, even for the turkeys. She invited people who think it is adequate to travel on Hunter Rd. especially during school hours. She's all for taking care of the elderly and surprisingly, this area has many private care facilities. She said the development will be tax exempt and she felt our community is not healthy enough or large enough to support this development.

**Sherrie Head, 88130 Huston Rd., Veneta, OR**

Ms. Head said she has lived 1/10 of a mile from Highway 126 for 37 years and traffic has increased drastically. She said when the Fern Meadows subdivision went in, her zoning changed. She said the development is beautiful but it flooded her out because someone didn't do their job. She said there is a flood zone next to Baker Ln. and she asked how more streets and density will effect it. She said she is concerned about the developers' contribution to the tax base. She said Highway 126 needs to be improved but how are they going to widen it with a reservoir and a wetland on either side.

6. Neutral testimony

**Anthony Clemons, 25165 Cherry Ln., Veneta, OR**

Mr. Clemons said he doesn't mind building to go on, that's what we're supposed to do and he would like to see our elders taken care of but at what cost? He said he jogs on Hunter Rd. and safety is a concern for him as well as the fact that the area is in a flood zone and includes wetlands. He said he can't see a fire truck being able to turn around and also keep the wetlands and there should be no building on wetlands, so a variance is needed and there should be a concerted effort to preserve wetlands. He said the City contracts with Lane County Sheriff's Office to provide public safety to Veneta but because there are going to be more people, the developer should pay its share of taxes and for sidewalks on the property fronting Hunter Rd. He said there can always be a compromise that helps the City and all citizens.

**James Eagle Eye, 25456 Hunter Rd., Veneta, OR**

Mr. Eagle Eye said he wanted to talk about the applicant's proposed verbiage changes to the 97 PM trip cap for the property. He said he's assuming based on potential improvements to the intersections discussed and the road in general, that the Commission and the City need to think about that. He said the 97 trip count was proposed and supported by the City Engineer for current conditions on the ground. He said that's not to say if, before build out, somehow Hunter Rd. was improved and the intersections were approved they could not come back to the City. He said putting an open end on that trip count without conditions actually changed, would be wrong for the City and the wrong direction to go. He said we need to consider the 97 PM trip count was recommended by staff and the Engineer for current conditions.

**Dean Schlett, 25363 E. Bolton Rd., Veneta, OR**

Mr. Schlett asked Father Burfitt about his testimony that the retirement facility will be for retired priests and the faithful. He wanted to know what portion of the community would be reserved for his denomination and what portion would be available for retirees from general public.

Vice Chair Len Goodwin said the applicant may answer that question.

Jerome Poulin said he is responsible for the project and they don't know if there will be taxes yet and that subject needs further discussion. He said the facility will be a faith based community and people outside the parish would be welcomed.

In response to a question from Kevin Conlin, Mr. Poulin said there is no situation that facility residents must be or should be a member of the congregation and there is no preference in religion.

**MOTION: Kevin Conlin made a motion to keep the record open for two weeks to review the applicant's additional traffic information and allow for the traffic engineer to review it. Lily Rees seconded the motion which passed with a vote of 3-0.**

Vice Chair Len Goodwin clarified that the record will be open for two weeks to submit written testimony to the City at any time during that period.

Ms. Connelly said the applicant has seven days to respond after that two week period.

7. Applicant rebuttal  
None

8. Questions from the Planning Commission  
None

9. Vice Chair Len Goodwin closed the Public Hearing at 7:44 p.m.

10. Deliberation and Decision

After a brief discussion, there was a consensus of the Planning Commission to delay deliberation until the record is closed, to keep the record open an additional two weeks and to continue deliberations at the next Planning Commission meeting.

Vic Chair Len Goodwin temporarily adjourned the Planning Commission and called for a brief recess at 7:46 p.m.

Chair James Eagle Eye re-adjourned the Planning Commission at 7:59 p.m.

#### **V. SIGN CODE AMENDMENTS – UPDATE (CLAUDIA DENTON)**

##### **a. Sign Code Revisions**

Denton said this is her last Planning Commission meeting, she will not be at the September meeting but she can prepare necessary updates for Garbett and Bork to provide at that time. She said this update includes the Planning Commission's suggestions made at the last meeting which she reviewed.

After a brief discussion, there was a consensus of the Commission that all of their comments made at the June meeting were covered and staff can move forward with the amendments.

Bork said the next step would be a code amendment process and some housekeeping amendments may also be included which staff will provide for review.

#### **VI. ADMINISTRATIVE DECISIONS**

Garbett said a backyard chicken permit was submitted but not approved because we don't allow multi housing zoning to have chickens.

Garbett said TNT Fireworks submitted a temporary use permit and we received several single family residential building permits and one residential addition building permit. She said staff held a pre-development meeting with someone interested in developing Dick's Diesel Service on Broadway. She said they are purchasing the building and they want to develop professional business offices on that site. She said we received three more chicken permits in July and a few tree permits were submitted after the packets went out. Garbett said in the future a quarterly report will be provided to the Planning Commission rather than a monthly report. She said Veneta Municipal Code requires staff to provide updates on administrative decisions.

**VII. OTHER**  
None

**VIII. ADJOURN**  
adjourned the Veneta Planning Commission at 8:09 p.m

  
James Eagle Eye, Chair

ATTEST:

  
Darci Henneman, City Recorder