

ARTICLE 6 - SITE PLAN REVIEW

SECTION 6.03 REQUIRED INFORMATION ON SITE PLAN

Response: The applicant is only planning for, and requesting, a change in use. There are no alterations to the placement of the structure. The applicant is combining the required plans as noted in Section 6.03, and place all applicable standards on three (3) plans as follows: Sheet 1 – Development Plan; Sheet 2 – Landscaping and Site Improvements; Sheet 3 – Stormwater and Grading.

SECTION 6.04 IMPROVEMENT REQUIREMENTS

This section promotes upgrades to features of nonconforming development that affect a site's appearance and functionality. Nonconforming developments may continue unless specifically limited by Section 6.04(1) below or by other provisions in this ordinance.

(1) Development that does not comply with the following standards must be brought into compliance with current standards to an extent commensurate with the proposed changes.

- (a) Landscaped setbacks for surface parking and exterior development areas;
- (b) Interior parking lot landscaping;
- (c) Landscaping in existing building setbacks;
- (d) Minimum landscaped area (where land is not used for structures, parking, or exterior improvements);
- (e) Screening;
- (f) Paving of surface parking and exterior storage and display areas; and
- (g) Commercial and residential design standards.

Response: The applicant is proposing a change in use from residential to retail/office space. This change in use affects the following portion of Section 4.07 Zone Standards.

SECTION 4.07 HIGHWAY COMMERCIAL (HC)

In the HC zone, the following regulations shall apply:

(1) Purpose. To provide services to accommodate travelers and to provide large scale commercial services needed to serve the Fern Ridge area.

(2) Uses Permitted Subject to Site Plan Review. In a HC zone, the following uses and their accessory uses are permitted subject to Site Plan Review under Article 6, provided all operations except off-street parking, recreational facilities, common areas (e.g., plazas), and permitted temporary activities associated with an allowed use shall be conducted entirely within an enclosed building (excludes drive-thru facilities).

(a) Hotel or motel.

Response: Not applicable.

(b) Retail stores or shops.

Response: The applicant's request for approval of a retail shop is consistent with this requirement.

(c) Personal or business service.

Response: Not applicable.

(d) Repair and maintenance service; excluding those which involve automobiles, trucks, motorcycles, buses, recreational vehicles, boats, and heavy equipment.

Response: Not applicable.

(e) Eating and drinking establishments, excluding drive-thru restaurants.

Response: Not applicable.

(f) Plant nursery.

Response: Not applicable.

(g) Museums and art galleries.

Response: Not applicable.

(h) Professional, financial and business offices.

Response: The applicant's request for approval of the professional offices for Goebel Engineering & Surveying, Inc. is consistent with this requirement.

(i) Medical, dental clinics or medical laboratories.

Response: Not applicable.

(j) Financial institutions.

Response: Not applicable.

(k) Indoor commercial amusement or recreation establishments.

Response: Not applicable.

(l) Bed and breakfast; boarding, lodging or rooming home.

Response: Not applicable.

(m) Rental storage units.

Response: Not applicable.

(n) Low impact public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.

Response: Not applicable.

(o) Parking lots and parking garages when not accessory to a primary permitted use, and screened in accordance with Section 5.12 Landscaping.

Response: Not applicable.

(p) Outdoor sales of plants and pre-packaged garden supplies.

Response: Not applicable.

(q) Uses similar to the above permitted uses as provided by Section 2.05.

Response: Not applicable.

(4) Conditional Uses. In an HC zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6, Site Plan Review, and Article 8, Conditional Uses.

(a) Recreational vehicle parks.

(b) Open display, sales or storage outside exceeding 180 days.

(c) Commercial dog kennels.

(d) Outdoor commercial amusement or recreation establishments.

(e) Drive-thru facilities (e.g., banks, eating and drinking establishments, and others).

(f) Automobile service stations, including maintenance and repair.

(g) Gas stations including truck fuel sales, truck servicing and overnight trucking facilities.

(h) Car or truck washes.

(i) Vehicle sales, rental or repair.

(j) Heavy equipment and truck rental/sales and repair.

(k) Material recycling operations excluding metal salvage yards and automobile junkyards.

(l) Caretaker or watch person dwelling on the premises of a non-residential use.

(n) Transportation improvements not identified by the City of Veneta Transportation System Plan.

(o) Uses similar to the above conditional uses as provided by Section 2.05.

Response: Not applicable. The applicant does not require, and is not requesting, a conditional use.

(5) Yards. Except as provided in Articles 5, 6 and 8, in an HC zone, no yards are required except as follows:

(a) No front yards are required.

Response: Not applicable.

(b) Back and side yards abutting a residential zone shall be ten (10) feet.

Response: The north boundary of the site abuts a residential zone. There are currently no improvements within a ten (10) foot setback and no improvements are proposed.

(c) Yards for off-street parking areas shall be a minimum of five (5) feet; additional yard area may be required under Articles 5, 6, or 8; e.g., for clear vision and compatibility with abutting uses and shall be landscaped in pursuant to Section 5.12.

Response: The off-street parking (gravel) is eight (8) feet from the east boundary of the property. The applicant is not requesting that the off-street parking be moved, but merely paved and construct the stormwater BMPs. The (existing) cedar trees are compliant with Section 5.12(6)(a).

(d) See Section 5.09 for additional setbacks on designated streets. Yard areas may be required for planned road right-of-way widths in order to permit the eventual widening of streets.

Response: Section 5.09(3) cites a special setback 50' from centerline along Highway 126. The current right-of-way is 40' from the centerline.

This results in a ten (10) foot front yard setback. The applicant is compliant with this code requirement.

(6) Pedestrian Access. A sidewalk shall provide safe, convenient pedestrian access from the street to the building entrance. If the sidewalk crosses the driveway, it shall be paved, raised and/or marked in a manner that calls attention to the sidewalk.

Response: The applicant is prepared to sign a Development Agreement to install a pedestrian access walk, once the pedestrian facilities are constructed along Highway 126.

(7) For additional requirements see Article 5 -Supplementary Provisions.

Response: Not applicable.

SECTION 6.05 APPROVAL CRITERIA

(1) After an examination of the site and prior to approval of plans, the Planning Commission or Building and Planning Official must make the following findings:

(a) That all provisions of city ordinances are complied with.

Response: The applicant believes that all provisions of city ordinances will be met, as exhibited in the application package submitted herewith, as set forth in the narrative, drawings and other application materials.

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

Response: The proposed plan complies with current code requirements. As noted in the applicant's response to Section 4.07(6), the applicant is prepared to sign a Development Agreement to install a pedestrian access walk, thereby ensuring the protection of future street right-of-way.

(c) That proposed signs or lighting will not, by size, location or color, interfere with traffic or limit visibility.

Response: As shown on the proposed plans (see Sheet 2), the applicant is not proposing any signs or lighting that will interfere with traffic or limit visibility by size, location or color.

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

Response: As shown on Sheet 2 of the proposed plans, included herewith, adequate water, sewer and utilities are available for the proposed use(s) of subject property.

(e) That drainageways are protected, existing drainage patterns are maintained and drainage facilities are provided in accordance with Section 5.16 of this ordinance.

Response: Sheet 3 of the enclosed plans demonstrates that the drainageways are protected, and existing drainage patterns are maintained, and drainage facilities are provided in ordinance with Section 5.16 of this ordinance.

(f) 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: The proposed Change in Use does not create any hazardous emissions or potential nuisance to adjacent land uses.

(g) Where the applicant has requested an adjustment to Site Plan Review criteria (Track 2 Site Plan Review) pursuant to the Veneta Land Development Ordinance, the applicant shall identify all applicable criteria in this ordinance and specifically address each adjustment.

Response: The applicant is not requesting an adjustment to Site Plan Review criteria.

(2) Alternatives to the Commercial and Mixed Use Design Standards of Section 5.13 or Residential Design Standards of Section 5.29 may be granted by the

Planning Commission following a public hearing where the Commission finds that the alternative design:

- (a) Meets the purpose and intent of the applicable design standard being adjusted
- (b) Conforms with the design guidelines provided in Section 5.13 or 5.29 as applicable
- (b) Promotes pedestrian safety, convenience and comfort
- (c) Contains architectural features substituting for code required features which are consistent with the overall design intent and composition of the building.
- (d) Maintains or enhances compatibility between new development and existing uses, including aesthetics and privacy for residential uses.

Response: The applicant is not requesting an alternative to the Commercial and Mixed Use Design Standards of Section 5.13 or Residential Design Standards of Section 5.29.

Conclusion

Based upon the information presented herein and in the attached exhibits, the Applicant concludes that every applicable section of the Ordinance has been addressed and that the Tentative Plat and accompanying information demonstrates compliance with the requirements of the Ordinance.

Respectfully,

Goebel Engineering & Surveying, Inc.

Scott J. Goebel, P.E., P.L.S.

Pamela Goebel, Project Manager