

**TENTATIVE PARTITION APPLICATION FOR
LABRADOR, LLC**

Property Owner: Labrador, LLC
c/o Eric Hample
2910 McKendrick Street
Eugene, OR 97405

Applicant's Representative/
Project Coordinator: Olson & Morris
c/o Scott Morris, PE
380 Q Street, Suite 200
Springfield, OR 97477
Tel (541) 302-9790

Planning: Metro Planning, Inc.
c/o Robert Stevens, AICP
370 Q Street
Springfield, OR 97477
Tel (541) 302-9830

Site Address: 87988 8th Street

Assessor's Map: 17-06-36-42

Tax Lot: 2300

Area of Request: 43,695 Square Feet (1.003 Acres)

Existing Zoning: SFR8000 (Single-Family Residential
8,000 square foot minimum)

Number of Parcels Proposed: 3

Area of Proposed Parcel 1: 19,452 Square Feet

Area of Proposed Parcel 2: 11,701 Square Feet (9,966 Square
Feet exclusive of the panhandle)

Area of Proposed Parcel 3: 12,542 Square Feet (9,991 Square
Feet exclusive of the panhandle)

Background

This is an application for a tentative partition on 8th Street; which is located off of Highway 126 in the City of Veneta. There was a previous subdivision application submitted on this property in 2006 to create four lots; however, the subdivision request has been withdrawn. This partition will divide one (1) existing legal lot into three (3) proposed parcels. All of the parcels are being designed for single-family residential uses.

There is an existing house and garage located onsite. The existing house will remain and be located on proposed Parcel 1. The existing garage will be removed prior to final plat approval to ensure that there is not an accessory structure on a lot without an accompanying primary dwelling.

This partition request involves the creation of two panhandle lots. In the City of Veneta code panhandle lots are expressly permitted when approved by the Planning Commission even though no code provisions specific to panhandle lots exist. The Land Development Ordinance (No. 461) provides that while generally lots must have at least 50 feet of frontage exceptions may be made for approved panhandle lots. This partition application is seeking an exception to allow the proposed panhandle lots.

In this written statement, the applicable sections of the Land Division Ordinance No.462 (LDO462) and Land Development Ordinance No. 461 (LDO461) are addressed. Text from either ordinance is in italics; the responses are in plain text.

Land Division Ordinance No. 462: Article 5 - Partitions

Section 5.01 Tentative Plan Submission Requirements

(1) Form and Scale. The tentative plan shall be clearly and legibly drawn or printed in ink to a scale of not less than (one (1)) inch equals 100 feet or multiples of ten (10) thereof.

The attached tentative partition plans are drawn to a scale of 1" equals 40' to meet this submission requirement.

(2) General Information. The following general information must be presented as part of the application for a tentative partition:

(a) Date, northpoint, scale of drawing.

The attached tentative partition plans include a date, north arrow, and scale.

(b) Appropriate identification clearly stating the plan is a tentative partition plan.

The attached plans are titled tentative partition for Labrador, LLC to clearly identify this application as a tentative partition plan.

(c) Location of the land division by section, township and range sufficient to define the location and boundaries of the proposed subdivision and a legal description of record of the proposed site.

In the title block of the partition drawings is a section, township, range identifier. The attached plan set also includes the legal description of the property boundary.

(d) Names and addresses of the owners and anyone who has an interest in the property, as verified by a title company, and the applicant, engineer or surveyor or other parties involved in preparation of the documents.

The name and address of Labrador, LLC (property owner/applicant) and Olson & Morris (surveyor/engineer) are included on the first page of the plan set.

(e) The approximate acreage of land under single ownership or, if more than one ownership is involved, the total contiguous acreage of the owners directly involved in the partition.

The total acreage of the proposed partition site is 1.003 acres; which is noted on the plans.

(f) Any other information as required to comply with all provisions of State Law Chapter ORS 92.

All applicable requirements for tentative land division drawings per ORS Chapter 92 are included on the attached plans.

(3) Information Concerning Existing Conditions. The following information is required to show the existing conditions of the proposed subdivision and surrounding area:

(a) A vicinity map clearly showing the relationship of the proposed land division to surrounding developments, streets, storm drainage, sewer, water and utility services.

There is a vicinity map on the first page of the attached tentative partition plans, as required.

(b) The location, widths and names of streets within or adjacent to the land division, together with easements, other rights-of-way and other important features such as section lines, corners, city boundary lines and monuments.

The proposed partition abuts Eighth Street; which is located along the eastern boundary as shown. The right-of-way and paving widths are also labeled on the drawings. All of the easements are shown on the drawing. There is one proposed easement (a variable width Private Joint-Use Access & Utility Easement).

(c) Contour lines related to an established bench mark or other datum approved by the City Engineer and having contour intervals as follows:

- 1. For slopes of less than five (5) percent: show the direction of slope by means of arrows or other suitable symbol together with not less than four (4) spot elevations per acre, evenly distributed.*
- 2. For slopes of five (5) percent to ten (10) percent: two feet.*
- 3. For slopes over ten (10) percent: five (5) feet.*

The slope of the subject property is less than five percent; thus the contour lines on the attached drawings are at one foot intervals. There are also numerous spot elevations evenly distributed across the entire property.

(d) The location and direction of all water courses and the location of all areas subject to inundation or 100 year floodplain.

The subject site is located in Zone 'X' on FIRM map 41039C1086F; which is an area outside of the 500-year floodplain. Given this fact, there is no floodplain boundary to be delineated on the drawings.

(e) Natural features such as rock outcroppings, wetlands, wooded areas and isolated preservable trees with a trunk diameter of 6 inches or greater.

There are no natural features including rock outcroppings, wetlands, or wooded areas on-site. The only natural features are trees. All of the trees on the property are labeled and identified on a separate tree preservation drawing.

(f) Existing uses on the property, including the location of all existing structures (with dimensions from the property lines) on the property and the access points of any existing public utilities, septic, sewage or drainage lines or channels.

There are two existing structures on the site (a house and garage). These structures are shown on the attached drawings along with the setbacks to existing and proposed property lines. In addition, the existing ingress-egress driveway and utility lines are shown as well.

(4) Proposed Tentative Plan. All tentative partition applications shall include the following information:

(a) Proposed improvements required in Articles 7 and 8 such as pavement, curbs and gutters, sidewalks, grading and filling, utilities and other major improvements to develop the parcels. This requirement may be waived if the applicant will have to file a site plan including all of this information in order to further improve or develop the property. These include:

- 1. The location, width, name and approximate grade and radii of street curves. If a significant grade change is anticipated beyond the limits of the proposed land*

division, indicate approximate street grade and anticipated vertical taper required to provide for street extension beyond the proposed land division. The relationship of streets to any existing or proposed streets as shown on the City's Transportation System Plan maps. The relationship of the proposed land division to future streets on adjacent land.

There are no street curves or significant grade changes on Eighth Street adjacent to the proposed partition. There are also no other intersecting streets that connect to Eighth Street near the subject site. However, the vicinity map identifies all nearby streets.

2. Proposed plan locations and size of water service facilities, including fire hydrants.

There is an existing 6" water main (with meter that serves the existing house) located within Eighth Street and the water main is shown on the attached drawings.

3. Connection points and size of sanitary sewer facilities.

There is an existing 8" wastewater (sanitary sewer) line located on the west side of the Eighth Street right-of-way. This line along the existing wastewater stub that serves the house on Parcel 1 is shown on the drawings. The proposed private wastewater lines within the panhandle of Parcel 2 and 3 to serve said parcels are also shown on the attached plans.

4. Location and preliminary design of all proposed stormwater facilities including sizing of pipes, inlet and outfall locations and elevations, and section details of all swales or other open features.

The stormwater runoff from the existing house presently drains into the trench drain; which then outfalls into the outlet along the northern property boundary. The stormwater drainage plan for the future panhandle driveway and homes on Parcels 2 and 3 will involve on-site detention prior to outfalling into the same trench drain as Parcel 1. By utilizing on-site detention prior to draining into the existing drainage system, there will be no increase in runoff above pre-development rates. The existing and proposed stormwater facilities including pipe sizes, outfall locations, and on-site detention systems are shown on the attached plan set.

5. Grading plans including existing and proposed grades, proposed finished elevations at all property lines, and elevations of neighboring properties at property lines.

On the attached tentative partition plan, there are existing and proposed grades shown.

6. Street light locations, sizes, and specifications.

There are no existing or proposed street lights on Eighth Street adjacent to the proposed partition.

7. The location, width, and purpose of proposed easements.

There are no existing easements on the subject property. One easement is proposed (a variable width private joint-use access and utility easement).

8. The approximate width and location of all existing and proposed reserve strips.

There are no existing or proposed reserve strips adjacent to the proposed partition.

(b) The approximate dimensions and area in square feet of all proposed parcels.

All of the dimensions of the three parcels are labeled on the attached drawings. The area calculations are also shown. Parcel 1 will be 19,452 square feet. Parcel 2 will be 11,701 square feet (9,966 square feet exclusive of the panhandle). Parcel 3 will be 12,542 square feet (9,991 square feet exclusive of the panhandle).

(c) Sites, if any, allocated for purposes other than single-family dwellings.

None of the area within the proposed partition will be used for purposes other than single-family dwellings.

(d) The location, approximate acreage and approximate dimensions of areas proposed for public use.

There are no areas within the development site proposed for public use.

(5) Statements to Accompany Tentative Plan. The tentative plan shall be accompanied by written statements from the applicant giving essential information regarding the following matters.

(a) Adequacy and source of water supply and compliance with the city's Water System Plan.

The existing house on Parcel 1 is presently served by the 6" water main located within Eighth Street. The existing water connection/meter is shown on the attached tentative plans. The existing water main is adequate to serve two additional lots and the proposed water meters/connection locations are shown on the attached plan.

(b) A statement detailing the storm water runoff and drainage impact the new development will have on areas beyond the land division and compliance with the city's Drainage Master Plan. The developer, city and impacted property owners shall work closely with each other so that adverse impacts of storm water runoff (in terms of both quantity and quality) from the new development are alleviated or avoided and that all necessary storm sewer and drainage facilities will be installed prior to or concurrent with the land division.

Stormwater Management Plan

The proposed stormwater drainage plan involves on-site detention through the use of an oversized pipe network and flow control manhole prior to outfalling into the existing public system. This will ensure that additional runoff from this site is detained and released into the existing system at pre-development levels. More specifically, the stormwater from Parcel 2 and 3, as well as, the shared panhandle driveway will be detained on-site and then will flow into an oversized pipe system. The disposition of stormwater runoff into the outfall from the proposed parcels and driveway will be managed with the use of the flow control manhole to ensure that runoff remains at pre-development. The runoff from the existing house will continue to be piped into the existing trench drain and then outfall into the existing 6" outlet. This proposed stormwater management plan is the best and last possible solution for handling runoff from the site. All other options have been exhausted as explained below.

Previous Attempts to Address Stormwater Drainage

This property was submitted as a 4 lot subdivision in 2006, and was withdrawn due to concerns with the storm drainage system. Mr. Hample worked with Olson & Morris, Jerry Elliot (City Engineer), and both neighbors on the north side of the property to resolve drainage issues in the area. After several meetings with the neighbors, it was agreed by all parties that Mr. Hample would install new infrastructure (piped system) that would detain the flow and provide a more direct route to the storm system in the City Park to the north. Both adjacent neighbors at that meeting agreed to sign utility easements so the piped system could be routed through their property.

Olson & Morris prepared the easement documents in May, 2007 and Mr. Hample approached the neighbors for signature. Ms. Hladkey refused to sign the easement at that time, which effectively killed the project as submitted. Subsequently, Mr. Hample withdrew the subdivision application since the neighbors refused to cooperate.

In September, 2007, Olson & Morris, Mr. Hample, and Jerry Elliot met again and discussed an alternate solution to the storm drainage. It was agreed that if Mr. Hample

could provide adequate detention for the new lots and driveway, and keep the same exit location for the storm drainage, that the City could support that design.

The attached proposal for the partition meets that requirement, and therefore we feel this partition can and should be supported by the City of Veneta.

(c) Proposed method of sanitary sewage disposal and compliance with the city's Wastewater Master Plan.

A private wastewater line is proposed within the panhandle area of both Parcels 2 and 3 to provide adequate sewage disposal for both future homes. Individual service laterals will be stubbed into this private line to provide service to both lots. The details of the proposed wastewater service plan are detailed on the attached plans.

(d) Protective covenants and deed restrictions to be recorded, if any.

There are no protective covenants or deed restrictions proposed with this partition application.

(e) The time the proposed improvements are to be made or installed.

All public improvements that are necessary to serve the development site are already built and in place. The private improvements (such as wastewater lines/laterals and stormwater facilities) will be constructed at the time of future lot development (i.e. building permit stage).

(6) Tree Removal Plans: If development of the proposed plan will require a tree removal permit in accordance with Veneta Municipal Code 8.10, detailed tree removal plans are required. Plans shall be drafted in conformance with the requirements of VMC 8.10.

There is no additional tree removal permit being submitted concurrently with this partition application.

(7) Supplementary Information. The following supplemental information may be required.

(a) If any portion of the proposed partition is located within the steep slope subzone, the applicant shall submit on-site and adjacent off-site data to insure that proposed developments are within the carrying capacity of the natural resources as required by the Land Development Ordinance.

The subject property is not located with the steep slope sub-zone. This site is relatively flat (less than 3% slope).

(b) The applicant is required to submit any additional information as may be required by the Building and Planning Official or Planning Commission to assist in evaluating the request.

There is no additional information required to be submitted with this tentative partition application. Should the city require additional information at the time of completeness review, the applicant will submit revised plans if needed.

Section 5.04 Categories for Review of Tentative Plan Applications

The Building and Planning Official or the Planning Commission may approve, approve with conditions, or deny a tentative plan based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:

(1) The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.

There are no proposed streets with this partition plan. Eighth Street is an existing public street to the east of the proposed development. Eighth Street is already paved to city standards. The subject site is presently developed with one single-family dwelling that has access to Eighth Street. The future development on this site will include two additional residential dwellings. Based on 9.57 trips per day per lot (10% occurring during any peak hour), the additional traffic anticipated from two additional lots with new homes would be 19 trips per day (2 trips during peak hours). This increase in traffic is very minimal and can easily be accommodated with the existing transportation network. Eighth Street also provides easy and convenient bicycle and pedestrian access to the three lots.

(2) Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.

Parcel 1 is already developed with an existing single-family dwelling and the existing wastewater stub to the property that serves this structure is identified on the plans. A new, private 6" wastewater line is proposed within the panhandle area of both Parcels 2 and 3. This proposed private wastewater line has been carefully sized by Olson & Morris to ensure that it will accommodate the wastewater needs of two additional homes. Individual 4" service laterals will be stubbed into the private wastewater line to provide service to both parcels. As required, each parcel will be connected to the public wastewater system.

Regarding other public utilities, the proposed water lines that will connect to the 6" water main in Eighth Street is shown on the utility plan to demonstrate that water will be available to the parcels. In addition, the subject property is presently, and will continue to be, served by EPUD.

(3) The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).

Stormwater Management Plan

The proposed stormwater drainage plan involves on-site detention through the use of an oversized pipe network and flow control manhole prior to outfalling into the existing public system. This will ensure that additional runoff from this site is detained and released into the existing system at pre-development levels. More specifically, the stormwater from Parcel 2 and 3, as well as, the shared panhandle driveway will be detained on-site and then will flow into an oversized pipe system. The disposition of stormwater runoff into the outfall from the proposed parcels and driveway will be managed with the use of the flow control manhole to ensure that runoff remains at pre-development. The runoff from the existing house will continue to be piped into the existing trench drain and then outfall into the existing 6" outlet. This proposed stormwater management plan is the best and last possible solution for handling runoff from the site. All other options have been exhausted as explained below.

Previous Attempts to Address Stormwater Drainage

This property was submitted as a 4 lot subdivision in 2006, and was withdrawn due to concerns with the storm drainage system. Mr. Hample worked with Olson & Morris, Jerry Elliot (City Engineer), and both neighbors on the north side of the property to resolve drainage issues in the area. After several meetings with the neighbors, it was agreed by all parties that Mr. Hample would install new infrastructure (piped system) that would detain the flow and provide a more direct route to the storm system in the City Park to the north. Both adjacent neighbors at that meeting agreed to sign utility easements so the piped system could be routed through their property.

Olson & Morris prepared the easement documents in May, 2007 and Mr. Hample approached the neighbors for signature. Ms. Hladkey refused to sign the easement at that time, which effectively killed the project as submitted. Subsequently, Mr. Hample withdrew the subdivision application since the neighbors refused to cooperate.

In September, 2007, Olson & Morris, Mr. Hample, and Jerry Elliot met again and discussed an alternate solution to the storm drainage. It was agreed that if Mr. Hample could provide adequate detention for the new lots and driveway, and keep the same exit location for the storm drainage, that the City could support that design.

The attached proposal for the partition meets that requirement, and therefore we feel this partition can and should be supported by the City of Veneta.

(4) Topography, floodplain, wetlands, and vegetation have been incorporated into the partition design in conformance with the applicable City requirements, including Design Standards

(Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).

The subject property is relatively flat (less than 3% slope), located in Zone 'X' outside of the 500-year floodplain, and there are no wetlands or significant vegetation on the subject site.

(5) Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.

The entire area of the subject property (Tax Lot 2300) will be fully developed as a result of this proposed partition plan. There will be no remainder of the site that could be further divided later.

(6) Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.

The property to the north of subject property has already been recently partitioned. To the east of the subject site is the Sherwood Forest and Forest Hills subdivisions. The only areas surrounding the proposed partition not partitioned or subdivided are to the south. There will be no off-site impacts either from easements, utilities, or construction that will affect the potential re-development of the adjoining land to the south. Adjoining land can still be developed.

(7) The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance).

To demonstrate compliance with this requirement, Article 6 and 7 of the LDO462 are addressed below as well as Section 4 of the LDO461. As mentioned below in addressing the other Articles of the ordinances, all other applicable standards and requirements are met.

Land Division Ordinance No. 462: Article 6 – Design Standards

Section 6.04 Building Sites

(1) Size and shape. The size, width, shape and orientation of building sites shall be appropriate for the location of the land division and for the type of development and use contemplated, and shall comply with the following standards:

(a) Width. Each lot or parcel shall have an average width between the lot side lines as specified in the Land Development Ordinance.

The subject site is zoned SFR8000. The SFR8000 zone requires a minimum lot width of 60 feet. Parcel 1 will be 112 feet wide. Parcel 2 will be 81 feet wide. Parcel 3 will be 75 feet. All of the lot widths exceed the minimum of 60 feet.

(b) Depth. Each lot or parcel shall have an average depth between the front line and lot or parcel rear line of not less than 80 feet and not more than 2-1/2 times the average width between the side lines. Exceptions are allowed for lots designed for single-family attached dwellings and for lots that are currently non-conforming and will be brought closer to conformity. The lot depth and width ratio shall not apply to the portion of a panhandle lot that provides access.

Parcel 1 will be 173 feet deep. Parcel 2 will be 122 feet deep. Parcel 3 will have a lot depth of 132 feet. All of the parcels have a lot depth that exceeds the minimum of 80 feet. In addition, the lot depths are less than 2 times the average lot widths; which does not exceed the maximum depth/width ratio of 2.5 times.

(c) Area. Each lot or parcel shall comprise a minimum area as specified in the Land Development Ordinance.

The property is zoned SFR8000; which requires a minimum lot size of 8,000 square feet. All parcels are over 8,000 square feet. Parcel 1 will be 19,452 square feet. Parcel 2 will be 9,966 square feet exclusive of the panhandle portion of the lot. Parcel 3 will be 9,991 square feet in area excluding the panhandle portion of the lot.

(d) In areas that will not be served by a public sewer, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and shall take into consideration problems of sewage disposal, particularly problems of soil structure and water table as related to sewage disposal by septic tank.

The subject properties will be served by the public wastewater system; thus this standard is not applicable to this application.

(e) Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

The site is zoned SFR8000. There are no businesses or industrial uses envisioned in the future; thus this standard is not applicable.

(f) The minimum lot size for panhandle lots shall be calculated for the area exclusive of the portion of the lot that provides access.

The minimum lot size for Parcel 2 and 3 is met excluding the portion of the lot that is used for access (the panhandle).

(2) Access. Each lot and parcel (except those in the GR and RC zones intended for single-family attached housing) shall abut upon a street other than an alley for a width of at least 50 feet and 35 feet for a cul-de-sac. Panhandle or flag lots shall be allowed when other options for dividing the property are not available such as odd shaped lots, separate disparate uses exist on a single lot, or natural and pre-existing man-made barriers which may cause an undue hardship on the land owner. Exceptions to the frontage requirement may be made when the Planning Commission approves panhandle or flag lots.

The applicant respectfully requests a modification to the frontage requirement and approval of the proposed panhandle lots by the Planning Commission. This proposal is the only manner in which the subject parcel can be partitioned and will allow for infill development and effective utilization of land within the City of Veneta Urban Growth Boundary (UGB). The existing dwelling will not permit division of the property into lots with at least 50 feet of frontage. Not even odd shaped lots could be created to allow division and still meet the frontage requirement.

This proposal will result in the efficient utilization of residential land within the City of Veneta UGB. Rather than developing bare land, this proposal is for infill development of land that is already developed with single family housing. This means that the necessary urban services are already in place minimizing infrastructure costs and disturbances to open space.

The applicant respectfully submits numerous beneficial results would follow from the approval of this application. Stormwater problems would be remedied not only on this property but in the entire area. The proposal will use on-site detention to ensure that no additional runoff comes from the site. The stormwater discharge will be retained at pre-development rates. The proposal also would minimize access points and infrastructure costs while at the same time maximizing the potential of residential land within the UGB. The proposed layout will be functional and efficient. In addition, there will still be 20 feet of clear width in the proposed panhandle area to allow for access to the panhandle lots by emergency vehicles.

For these reasons, the applicant respectfully requests a modification to the frontage requirement as specifically provided for in the Veneta Code.

(3) Through lots and parcels. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide and across, to which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

There are no proposed through lots or parcels with this partition plan.

(4) Lot and parcel side lines. The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets and cul-de-sacs they shall be radial to the curve.

The lot side lines of all proposed parcels are at right angles to Eighth Street to meet this requirement.

Section 6.05 Grading of Building Sites

Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards.

(1) Cut slopes shall not exceed one and one-half (1-1/2) feet horizontally to one foot vertically.

There are no proposed building sites on Parcel 2 and 3 at this time; however, at the time of future lot development the owner or his successor will comply with this maximum cut slope standard.

(2) Fill slopes shall not exceed two feet horizontally to one foot vertically.

There are no proposed building sites on Parcel 2 and 3 at this time; however, at the time of future lot development the owner or his successor will comply with this maximum fill slope standard.

(3) The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended.

Any fill that is used during future lot development by either the current owner or his successor(s) will be suitable for the purpose intended.

(4) All sites shall be graded to direct stormwater to City storm sewers or to natural drainage ways as required by City Ordinances.

The proposed shared driveway and future building sites will be graded to direct the stormwater runoff toward the existing 6" outlet along the northern boundary of the site.

Section 6.06 Building Lines

If special building setback lines are to be established in a land division, they shall be shown on the subdivision plat or partition map or, if temporary in nature, they shall be included in the deed restrictions.

There are no special building setback lines proposed on this partition plat.

Section 6.07 Large Building Sites

In dividing tracts into large lots or parcels which at some future time are likely to be re-divided into smaller parcels approaching the minimum standards of the Land Development Ordinance, the land divider shall show the small parcel division by means of dash lines indicating future parcel divisions and streets. Buildings or structures shall be located within the small parcel areas with minimum yards or setbacks as specified within the Land Development Ordinance as though the development were occurring on the smaller parcel. This will facilitate future land divisions and guarantee that existing buildings or structures will meet the locational requirements of the Land Development Ordinance.

Parcel 2 and 3 will not be able to be re-divided in the future; thus no future division lines are needed on the attached plans. Parcel 1 could theoretically be further divided in the future; however, given the location of the existing house and proposed hammerhead turnaround there will not be any future divisions of the property. Given this fact, no future division lines are necessary on Parcel 1 either.

Section 6.08 Land for Public Purposes

Land for parks and open space shall be dedicated for all land divisions according to Section 5.26 of the Land Development Ordinance. If the City has an interest in acquiring a portion of a proposed land division in excess of that required for dedication by Section 5.26 of the Land Development Ordinance for a public purpose, or if the City has been advised of such interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that those portions of the land division be reserved for public acquisition, for a period not to exceed one year, at a cost not to exceed the value of the land prior to subdivision.

The applicant will comply with any condition of approval that requires dedication of land for public parks and open spaces or payment of an assessment.

Section 6.09 Stormwater Facilities

All new development and redevelopment shall be designed and constructed such that the system(s) peak discharge for a 10-year frequency storm of the fully developed site shall not exceed the peak storm discharge of the pre-developed site, as determined and approved by the sole discretion of the City Engineer or his/her designee.

The project engineer at Olson & Morris has carefully prepared a storm drainage plan that ensures that the amount of runoff leaving the site is no more than the rate of discharge at the site at the present time. Please refer to the detailed design calculations on the attached plans for additional information on this proposed drainage plan.

Land Division Ordinance No. 462: Article 7 – Improvement Requirements

All of the public improvement facilities necessary to serve the building sites of the proposed partition are already in place. There is an 8” wastewater line and 6” water line located within Eighth Street. There are also overhead electric lines located within the same right-of-way. Eighth Street is a paved street. Based on these facts, no public improvements are proposed with this partition and thus the requirements of Article 7 of LDO462 are not applicable. The installation of the private utilities as shown on the attached plans will comply with all applicable requirements of the City of Veneta. Given that Article 7 is not applicable, the requirements are not individually addressed below.

Land Development Ordinance No. 461: Article 4 – Use Zones

Section 4.02 Single-Family Residential Zone (SFR)

(1) Purpose. To provide areas suitable and desirable for primarily single-family use with provisions for associated public service uses, planned developments and limited multiple-family use under controlled conditions on lots incapable of division to city standards.

The existing development that will remain on Parcel 1 is a single-family dwelling. The future planned uses for Parcels 2 and 3 are additional single-family dwellings. These uses will meet the purpose of the single-family residential (SFR) zone.

(2) Permitted Uses. In an SFR zone, the following use and its accessory use is permitted. As described in Section 6.01, some development activities or changes in use, including those on properties located within subzones or properties with physical characteristics which may be affected by the development, may require a Site Plan Review.

(a) One single-family dwelling per buildable legal lot.

As listed above, the one future single-family dwelling on both of the proposed vacant parcels (Parcels 2 and 3) will be a permitted use.

(3) Conditional Uses Permitted. In an SFR zone, the following uses and their accessory uses may be permitted subject to the provisions of Article 8, Conditional Uses. Some Conditional Uses are also subject to the provisions of Article 6, Site Plan Review. As described in Section 6.01, some development activities or changes in use may require Site Plan Review if the property is located within a subzone or has physical characteristics which may be affected by the development.

The anticipated future single-family dwelling on both Parcel 2 and 3 will be permitted uses, not conditional uses.

(4) Lot Size and Width. Except as provided in Articles 5, 6 and 8, the minimum lot size and width in an SFR zone shall be as follows:

(a) The minimum lot area shall be 6,000 square feet east of Territorial Road and the Land Development Ordinance No. 461 page 20 minimum lot area shall be 8,000 square feet west of Territorial Road and the average minimum lot width shall be 60 feet.

The subject site is located on Eighth Street; which is to the west of Territorial Road. All of the parcels exceed the minimum area of 8,000 square feet. Parcel 1 will be 19,452 square feet. Parcel 2, exclusive of the panhandle, will be 9,966 square feet. Parcel 3, exclusive of the panhandle, will be 9,991 square feet. The three parcels also exceed the minimum lot width of 60 feet. Parcel 1 will be 112 feet wide. Parcel 2 will be 81 feet wide. Parcel 3 will be 75 feet wide.

(b) The Planning Commission may require larger lot areas, at the time a land division is granted, when it determines that it is necessary to do one of the following:

- 1. Protect natural drainage-ways.*
- 2. Provide drainage or utility easements.*
- 3. Protect future right-of-way.*
- 4. Protect un-buildable steep slope areas above the 450-foot elevation level.*
- 5. Protect flood plain hazard areas.*

There are no natural drainage-ways, existing easements, or steep unbuildable slopes within the boundaries of the proposed partition. There are also no future right-of-ways planned through the development site and the property is located in Zone 'X' on the flood insurance rate maps; which is an area outside of the 500' year floodplain. Given these facts, there is no need for the Planning Commission to require larger lots than what is being proposed with the subject application.

(c) Smaller lots may be allowed if public space in addition to that required by section 5.26 Parkland Dedication Requirements, is dedicated to protect natural resources or provide recreational opportunities. When the provisions of this section are utilized to develop smaller lots than would otherwise be allowed by the base zone, the following standards shall apply and shall supersede the standards for the base zone.

- 1. In no case shall the gross density of the development exceed the maximum gross density of the site if it were developed with standard minimum lot sizes for the base zone.*
- 2. In no case will the minimum lot size be less than 70% of the minimum lot size for the base zone.*
- 3. Development shall only qualify for such a density bonus if any structures existing prior to the adoption of the greenway overlay are relocated outside of the greenway area.*
- 4. Side yards shall be no less than 5 feet on a side, 10 feet total.*
- 5. Front yard setbacks shall be no less than 10 feet.*
- 6. Garage setbacks shall be no less than 20 feet.*

7. Exceptions to these setback requirements may be allowed when necessary to provide a larger buffer between waterways or other natural resources and development.

8. Minimum average lot width for single family detached dwellings shall be 40 feet.

None of the three proposed parcels is less than the minimum lot size; thus this requirement is not applicable. No exception to the minimum lot size for any of the parcels is proposed.

(d) When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities, including future street extensions.

Parcel 2 and 3 are each a little smaller than 10,000 square feet exclusive of the panhandle area. Both of these parcels are not more than double the 8,000 square foot minimum lot size standard.

Parcel 1 is 19,452 square feet; which is a little more than double the minimum lot size of 8,000 square feet. However, given the location of the existing house and trench drain, as well as proposed hammerhead turnaround there is not a feasible solution to divide the property further and still leave enough area of development of a primary dwelling. Given this fact, no shadow plat for Parcel 1 is proposed with this partition.

(5) Yards. Except as provided in Articles 5, 6 and 8, in an SFR zone, yards shall be as follows:
(a) Front yards shall be a minimum of twenty (20) feet.

The front yard setback between the existing house and new front lot line after right-of-way dedication will be 47.7 feet; which exceeds the minimum of 20 feet.

(b) Back yards shall be a minimum of five (5) feet. Side yards shall be a minimum of five (5) feet on one side and the total of the two (2) side yards shall be a minimum of fifteen (15) feet. Yards shall be landscaped as provided in Section 5.12. See Section 5.09 for additional setbacks on designated street, or construction of new streets.

The back yard setback between the existing house and proposed lot line between Parcel 1 and 2 is 80.5 feet; this exceeds the 5 foot minimum standard. Each of the side yards for the existing house is just over 22 feet; which clearly meets the minimum of five feet and combined width of 15 feet. In addition, all of these yard setbacks are presently, and will continue, to be landscaped.

(c) See Veneta Tree Felling Ordinance for possible setback exemptions for the preservation of heritage trees.

There are no heritage trees that are proposed for removal; thus this standard is not applicable.

(6) Lot Coverage. In an SFR zone, all buildings shall not occupy more than 40 percent of the lot area.

The footprint of the existing house on Parcel 1 is 2,110 square feet in area. Given the proposed lot area of 19,452 square feet, the lot coverage is approximately 11 percent; which does not exceed the maximum coverage of 40 percent. At the time of future lot development, the lot coverage standard for Parcel 2 and 3 will be reviewed with the building permit.

(7) Building Height. Except as provided in Articles 5, 6 and 8, in an SFR zone, no building shall exceed 2-1/2 stories or 35 feet.

The existing house is one story high. None of the future homes built on Parcel 2 or 3 by the current owner or his successor(s) will be over 35 feet high (or 2.5 stories). This standard will be met.

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

Applicable sections of Article 5 from LDO461 are addressed below to comply with this requirement.

Land Development Ordinance No. 461: Article 5 – Supplementary Provisions

Section 5.02 Access

Generally, every lot shall abut a street other than an alley as for a minimum width of 50 feet and 35 feet for a cul-de-sac. Exceptions to the frontage requirement may be made where the Planning Director has approved panhandle lots or an easement for access, where an easement existed prior to 1989, or the lot will be used for single family attached housing.

The applicant respectfully requests a modification to the minimum frontage requirement through Planning Director approval of panhandle lots and a joint access easement for access. This proposal is the only manner in which the subject parcel can be partitioned and will allow for infill development and effective utilization of land within the City of Veneta Urban Growth Boundary (UGB).

This proposal will also result in the efficient utilization of residential land within the City of Veneta UGB. Rather than developing bare land, this proposal is for infill development of land that is already developed with single family housing. This means that the necessary urban services are already in place minimizing infrastructure costs and disturbances to open space.

The applicant respectfully submits numerous beneficial results would follow from the approval of this application. Stormwater problems would be remedied not only on this property but in the entire area. The proposal will use on-site detention to ensure that no additional runoff comes

from the site. The stormwater discharge will be retained at pre-development rates. The proposal also would minimize access points and infrastructure costs while at the same time maximizing the potential of residential land within the UGB. The proposed layout will be functional and efficient. In addition, there will be 20 feet of clear width in the proposed panhandle area to allow for access to the panhandle lots by emergency vehicles.

For these reasons, the applicant respectfully requests a modification to the frontage requirement as specifically provided for in the Veneta Code.

Section 5.07 Future Development Potential

Buildings must be placed on a site to allow for future street extensions and appropriate setbacks. When a residential property is larger than twice the minimum lot size and has potential for division, the applicant must submit a shadow plat showing how the future land division could take place and site the residence(s) accordingly.

The existing building (house) is located in such a manner so as to facilitate a future street extension from Eighth Street if the City determines that it were necessary. The current owner or successor will construct homes on Parcel 2 or 3 in locations to facilitate a future street as well.

Parcel 2 and 3 are each a little smaller than 10,000 square feet exclusive of the panhandle area. Both of these parcels are not more than double the 8,000 square foot minimum lot size standard. Parcel 1 is 19,452 square feet; which is a little more than double the minimum lot size of 8,000 square feet. However, given the location of the existing house and trench drain, as well as proposed hammerhead turnaround there is not a feasible solution to divide the property further and still leave enough area of development of a primary dwelling. Given this fact, no shadow plat for Parcel 1 is proposed with this partition.

Section 5.08 Exceptions to Lot Size Requirements

(1) If a lot or the aggregate of contiguous lots held in a single ownership as recorded in the office of the Lane County Assessor prior to 1989 has an area or dimension which does not meet the lot size requirements of the zone in which the property is located, the holdings may be occupied by a use permitted in the zone subject to the other requirements of the zone. If there is an area deficiency, residential use shall be limited to a single-family dwelling or to the number of dwelling units consistent with the lot area per dwelling unit requirement of the zone.

The proposed parcels will exceed the minimum lot size requirements of the SFR zone; thus this subsection is not applicable.

(2) The minimum lot size for panhandle lots shall be calculated for the area exclusive of the portion of the lot that provides access.

The lot sizes exclusive of the panhandle on Parcels 2 and 3 are shown on the attached tentative partition plans. These lot sizes exceed the minimum per the SFR zoning district as mentioned above.

Section 5.14 Improvement Requirements

(1) Water and Sewer connections. All developments requiring water within the SFR, GR, CR, CC, IC, and I zones shall be connected to City water and sanitary sewers.

The applicant and/or his successors shall connect to the existing 6” water main for the provision of water and connect to the 8” wastewater line as shown on the attached drawing. These connections shall be in accordance with specifications approved by the City Engineer.

(2) Agreements for Improvements. Before approval of a building permit, the land developer may be required to install required street, sidewalk, water, sewer, storm sewer, drainage and other required public facilities and shall repair existing streets and other public utilities damaged in the development of execute and file with the city an agreement between the owner of the land and the city specifying the period within which required improvements and repairs shall be completed. If the improvements are not installed within the period specified, the City may complete the work and recover the full cost and expense.

Before approval of a building permit, the applicant or his assigns shall install the required improvements if required to do so by the City.

(3) Specifications for Improvements. All improvements shall comply with the Public Improvement Specifications of Veneta Ordinances in addition to the standards of this ordinance. If the city does not have adopted standards or specifications, the developer shall submit proposed improvement standards and specification to the City for approval by the City Engineer.

There are no improvements contemplated as part of this application for which the City does not have adopted design standards.

(4) Improvements within a Public Right-of-Way. A construction permit shall be required for all improvements required within a public right of way. The City Engineer shall have the authority to approve, disapprove or modify construction permits and plans in accordance with Veneta Ordinances.

The applicant or his assigns shall comply with this requirement.

(5) Dedication of Street Right-of-Way. Before approval of a building permit, the City may require dedication of additional public right-of-way in order to obtain adequate street widths, in accordance with the Veneta Comprehensive Plan, Land Division Ordinance and any adopted street plans. Dedication shall be required whenever the existing street width adjacent to or within a development is of inadequate width.

The applicant is willing to make the required five foot street dedication as part of this application. The 5 foot dedication is shown on the attached plans.

(6) Utility and Drainage Easements. Before approval of a building permit, the City may require that an easement agreement be executed between the City and the property owner for sewer, water, electric, drainage, storm sewer or other public utility easements wherever necessary. The easements shall be at least fourteen (14) feet wide and located adjacent to lot or parcel lines, except for utility pole tieback easements which may be reduced to six (6) feet in width.

The applicant or his successors or assigns will execute the required easement agreement(s) wherever necessary and comply with all other requirements of this ordinance. The applicant has located the proposed utility easement in compliance with this ordinance.

(7) Waiver. The City administrator may waive improvement requirements for construction of sidewalk improvements when a paved street with curbs and gutters is not adjacent to the proposed development. If this requirement is waived, the developer may be required to deposit with the City the cash to recover the cost of improvements based on an estimate approved by the City Engineer or sign an Irrevocable Petition for the future installation of sidewalks.

The applicant respectfully requests the City waive this requirement as no streets with curbs and gutters are adjacent to the proposed development. Because there are no near term plans to install these improvements on 8th Street the applicant also requests the discretionary deposit be waived.

Section 5.20 Off-Street Parking Requirements

(1) Design and Improvement Requirements for residential parking for single-family and two-family dwellings.

(a) All parking areas, driveways, and driveway approaches shall be surfaced with two (2) inches of asphaltic concrete or six (6) inches of Portland Cement concrete over approved base or other materials approved by the City Engineer. Paved Driveways are not required in situations approved by the Planning Commission or Building and Planning Official in which the driveway will be used temporarily until further land divisions or development occur.

The proposed shared driveway for Parcel 2 and 3 shall comply with these standards.

(b) 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.

No such parking areas are proposed as part of this application.

(c) Off-street parking areas shall not be located in a required front yard, except that driveways may be used for off-street parking.

The applicant's development plans shall comply with this ordinance.

(11) Space requirements for off-street parking shall be listed in this section. Fractional space

requirements shall be counted as a whole space. When square feet are specified, the area measured shall be the gross floor area of the building primary to the use.

USE

SPACE REQUIREMENT

(a) One- and two-family dwellings

Two (2) spaces per dwelling unit

The applicant or his successors or assigns will comply with this requirement.

This partition application clearly meets all standards of the land division and land development ordinances and thus the owner respectfully requests that the Planning Commission approve this application. If there are any questions, please do not hesitate to contact the project coordinator at Olson & Morris.

Respectfully,

Scott Morris, PE
Principal Engineer
Olson & Morris
(Project Coordinator)

Robert Stevens, AICP
Associate Planner
Metro Planning