

**VENETA PLANNING COMMISSION
STAFF REPORT**

Bolton Hill Ranch 1st Addition Subdivision (S-1-08)

Application Received: February 22, 2008

Application Deemed Complete: March 18, 2008

Notice Mailed and Posted March 18, 2008

Planning Commission Meeting: May 5, 2008

Staff Report Date: April 28, 2008

Prepared by: Zac Moody, Assistant Planner

Referrals: Veneta Public Works Superintendent
City Engineer
Lane County Fire District No. 1
EPUD
Lane Electric
Lane County Transportation
Lane County Public works
Qwest

Timeline: The 120 day timeline ends July 16, 2008

BASIC DATA

Applicant: ATR Land LLC
P.O. Box 518
Cresswell, OR 97426

Property Owners: ATR Land LLC

Assessor's map: 18-06-01-00 Tax Lot 1702

Area: 24.1 acres

Plan Designation: Low Density Residential (L)

Zoning Designation: Single Family Residential (SFR 8000 sq. ft. minimum)

REQUEST

Tentative Plan

The request before the Planning Commission is for approval of a tentative plan to divide 24.1 acres into 54 residential lots (**EXHIBIT A**)

PROPERTY CHARACTERISTICS AND SURROUNDING CONTEXT

The subject property currently consists of 1 parcel, Tax Lot 1702. There are 5 existing structures, which are all proposed to be removed.

Transportation Service

Access is available to the property from Bolton Hill Road which is a major collector and under Lane County jurisdiction.

Wastewater Service

Wastewater service is not currently available to the property. A proposed new sewer main in Bolton Hill Road which will connect to the 10th Street system as part of Bolton Hill Ranch Estates or Bolton Hill Ranch 1st Addition. There is not currently a gravity sewer system available to this site. When the development of the SWAP property occurs gravity sewer will become available. As an alternative, a temporary lift station and force main system is being proposed. The proposed lift station and force main system will be the responsibility of the developer or homeowners association and shall be abandoned when the connection to the gravity sewer becomes available.

Stormwater

The site generally slopes from west to east towards the SWAP with slopes varying from approximately 10%-30%. The project is downhill from one of the basins described in the report prepared by EGR for Bolton Hill Ranch Estates. Approximately 95% of the runoff from this site flows to the east, but a small area located in the southwest corner of the site sheet flows to the west

Water Service

Water service is not currently available to the subject property. There is an existing 8" water line approximately 1200 linear feet north of the proposed Perkins Road / Bolton Hill intersection. This connection will be established either as part of the first Bolton Hill Ranch Estates subdivision or as part of this project.

Natural Resources

A wetlands expert prepared a detailed OFWAM assessment of the wetlands on the property including a search of the Natural Heritage Information center database records of threatened and endangered species in the area. No substantial evidence has been presented to suggest that the site is habitat to any sensitive species.

SUBMITTAL REQUIREMENTS

Tentative Plan (S-1-08)

The applicant has submitted the application, plans, and other supplementary data as required by Section 4.01 of Veneta Land Division Ordinance No. 462.

AGENCY COMMENTS

Comments from agency referrals are found in **EXHIBIT B**.

PUBLIC COMMENTS

No public comment received

ISSUES

Site Topography and Stormwater Drainage

Most of the site has a slope between 15%-30% with many areas greater than 30%. These slopes present special problems in detaining runoff to predevelopment levels. The applicant has proposed a system of piped conveyance and detention ponds to control runoff. A storm larger than the 10-year frequency storm, or the obstruction of the detention pond outlets could cause the facility to be overtopped. Holding large amounts of water on a hillside pose a significant danger to downstream properties should these structures fail or be overtopped. In order to ensure safety and reduce the risk the detention facilities could have, staff recommends conditions of approval requiring that the applicant provide a revised geotechnical report, approved by the City Engineer that clearly identifies all potential risks of the detention facilities and recommendations to manage these facilities in case of failure.

Bolton Hill Road Improvements

Several factors conspire to prevent full improvement of Bolton Hill Road at this time. First, the applicant is generally only responsible for improving the section of road adjacent to the project. This would result in intermittent improvements and is not a feasible option considering the distance between the proposed Bolton Hill Road improvements and the section of road along the proposed subdivision. The potential need to acquire additional ROW and/or slope easement also presents problems as the applicant does not have the same ability as a public entity to acquire private property. At this time there are no scheduled improvements for the section of Bolton Hill Road fronting the proposed development.

In order to ensure that the applicant pays their fair share for future street improvements, staff recommends conditions of approval requiring the applicant to pay the estimated cost of their proportional share of the future street improvements. Given that actual costs at the time of construction are likely to be much higher than current costs, staff also recommends a condition of approval requiring that all lots within the subdivision be held to a non-remonstrance agreement so that if/when an LID is formed to re-construct the street, all lots will be assessed for the difference due to inflation.

Detention Pond Ownership

Based on discussions during the SWAP approval process, it is current City policy not to accept dedication of detention ponds as a City facility due to the high cost of maintenance associated with such facilities. Staff recommends that all detention facilities located outside of the ROW be privately owned and maintained by a Home Owners Association or similar entity. Staff has proposed conditions of approval requiring that the applicant submit a signed HOA agreement prior to plat which clearly details the responsibilities of the HOA, provides an operations maintenance manual, maintenance schedule, and financial plan to cover operation, maintenance, and replacements costs for these facilities. The City will continue to cover flow control aspects while the HOA will handle all aesthetic elements.

Many other Cities, handle detention facilities in this manner. The City of Veneta has approved such an agreement submitted and recorded by Hayden Homes for the SWAP. As we work through that agreement with the City Attorney, we should have a better idea of what needs to be included.

STAFF RECOMMENDATION

Based on the information presented in the application, this staff report, and proposed final orders, staff recommends conditional approval of subdivision S-1-08.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Approve the Tentative Plan with specified conditions of approval based on the findings in the Proposed Final Order.
- b. Modify the proposed findings or conditions of approval in the Proposed Final Order.
- c. Deny the Tentative Plan based on the Commission's findings.
- d. Continue deliberations on the Tentative Plan if more information is needed.

EXHIBITS

A. Application Materials

1. Land Use Application
2. Applicant's Narrative Statement
3. Revised Foundation Investigation dated January 28, 2008
4. Traffic Impact Study dated October 19, 2007
5. Preliminary Stormwater Management Plan (EGR) dated October 22, 2007
6. Tentative Subdivision Plat dated September 2007

B. Referral Comments

1. Kyle Schauer, Veneta Public Works Superintendent
2. Jerry Elliott, City Engineer
3. Heather Hill, Lane County Fire District # 1
4. Jody Ogle, Lane Electric
5. Randy Nelson, Charter Communications

C. Public Comment

No public comment received

D. Color map of slopes within the development area (Commissioner's packets only)*

*Please refer to the previous packet for Bolton Hill Ranch Estates.