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**PROPOSED FINAL ORDER OF THE  
VENETA BUILDING & PLANNING OFFICIAL**

**FRONTIER RESOURCES  
SITE PLAN REVIEW (SR-2-09)**

**A. The Veneta Building & Planning Official finds the following:**

1. The applicant has submitted information required by Section 6.03 of Veneta's Land Development Ordinance No. 461.
2. The Veneta Building & Planning Official provided proper notice of Limited Land Use Action according to Section 2.13 of the Veneta Land Development Ordinance No. 461.
3. The Veneta Building & Planning Official followed the required procedure and standards for approving a site plan amendment as required by Section 2.06 and 6.06 of Veneta's Land Development Ordinance No. 461.

**B. The Veneta Building & Planning Official approves the Site Plan Amendment for Frontier Resources (SR-2-09) with the following conditions of approval:**

**WITHIN 30 DAYS OF FINAL APPROVAL**

- (1) Any garbage collection areas, service facilities and air conditioning facilities located outside of the building shall be identified on a final site plan map and shall have sight-obscuring screening.
- (2) At least four bicycle parking spaces are provided. One space shall be sheltered.
- (4) The applicant shall sign and record a development agreement approved by the City Attorney within 15 days of final approval of this amendment stating that:
  - (a) All landscaping and screening areas shall be maintained in a clean, weed free manner.
  - (b) Required landscaping that was not previously installed as part of the original site plan approval (SR-3-02) and the Veneta Business Park subdivision (S-4-02) shall be installed.
  - (c) All landscaped area shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the area not covered by shrubs and tree canopy.

C. **IT IS HEREBY ORDERED THAT the Veneta Building & Planning Official approves with conditions the Site Plan Amendment (SR-2-09) based on the information presented in the following findings of fact:**

**Site Plan Amendment applicable criterion.** Ordinance language is shown in *italics* and findings in **bold**.

The Veneta Land Development Ordinance No. 461

Article 4 USE ZONES

Section 4.09 MEDIUM INDUSTRIAL (MI)

(2) *Permitted Uses: In an MI zone, the following uses and accessory uses are permitted. All uses must meet and continually comply with the Performance Standards listed for the LI zone. Any uses specifically listed as only allowed in an MI zone (except item (a)) are not allowed in a LI zone. All permitted uses are subject to Site Plan Review provisions of Article 6.*

(a) *All uses permitted in the LI zone.*

Section 4.08 LIGHT INDUSTRIAL (LI)

(2)(h) *Offices for business, labor, scientific, and professional organizations.*

**The proposal is consistent with the provisions of this section. As part of this application Frontier Resources submitted a Site Plan Amendment in accordance with Article 6 of the Veneta Land Development Ordinance for an office for professional organizations. All criterion required as part of this section are addressed below in Article 6.**

(5) Yards. *In an MI zone, yards shall be as follows:*

(a) *Front yards shall be a minimum of twenty (20) feet.*

(b) *Back and side yards shall be a minimum of ten (10) feet from property line, except when a lot abuts a residential zone the minimum setback shall be twenty (20) feet.*

(c) *Side yard requirements may be waived on common lot lines when adjoining lot owners enter into a joint development agreement for coordinated vehicular access and parking development and party wall or adjoining building walls meeting required fire separation requirements of the State Structural Specialty Code and Fire and Life*

*Safety Code.*

- (d) *Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets.*
- (e) *See Veneta Tree Felling Ordinance for possible setback exemptions for the preservation of heritage trees.*

**The proposal is consistent with the provisions of this section. The existing building currently meets all required yard setbacks. No trees are proposed to be removed as part of this application for site plan amendment.**

- (6) *Lot Coverage. One hundred percent lot coverage will be allowed when minimum parking standards, loading space and required yards are provided, and all performance standards are met.*

**The proposal is consistent with the provisions of this section. No new buildings are being proposed.**

- (7) *Off-Street Parking and Loading. Off-street parking shall be provided as specified in Section 5.20 of this ordinance.*

**The proposal is consistent with the provisions of this section. There are currently 39 parking spaces and 3 accessible spaces. The existing office building is approximately 7,700 square feet and requires one (1) space per 300 square feet of floor area. Base on the calculations (7,700 building/300 square feet floor space) the applicant is required to provide 26 parking spaces and 2 accessible spaces.**

*Section 4.14 SPECIFIC DEVELOPMENT PLAN SUBZONE (SDP)*

- (1) *Purpose. The purpose of the “/SDP” subzone is to allow the development and approval of specific development plans in the City of Veneta. A specific development plan is a master plan applied to one or more parcels to coordinate and direct development in terms of transportation, utilities, open space, and land use. The purpose is also to streamline the land use review process and encourage development that is consistent with the specific development plan. Specific development plans are intended to promote coordinated planning and pedestrian-oriented mixed-use development.*

**The proposed development is consistent with the development requirements of the Northeast Employment Center.**

(7) Specific Development Plan Standards. Standards for specific development plans are listed below. The standards shall be utilized in conjunction with the specific development plan adopted as an exhibit to the "/SDP" subzone. This section will be amended as new specific development plans are adopted.

(a) *Northeast Employment Center*

1. Report Adopted. The Northeast Employment Center Specific Development Plan Final Report, dated June 1999, and Thomas Alternative Veneta Mixed use Employment Center map dated March 2000, is hereby adopted by reference.

2. Permitted Uses and Conditional Uses. All uses permitted under the base zoning districts are also permitted in the "/SDP" subzone.

**The proposal is consistent with the provisions of this section. The proposed use is allowed within the Medium Industrial Zoning District.**

3. Streets and Pedestrian Path Standards. Streets and paths shall be designed in compliance with the Circulation Plan and street sections.

**The proposal is consistent with the provisions of this section. All required streets and pedestrian paths were designed in compliance with the circulation plan as part of the Veneta Business Park subdivision.**

5. Signage. Monument signs for Employment Center at the intersection of Hope Lane and Highway 126 allowed in addition to other signage allowed in the Highway 126 Corridor District. Monument signs for Employment Center at intersections of Jeans Road and Hope Lane allowed in addition to other signage allowed in the Business District.

**The proposal is consistent with the provisions of this section.**

6. Street Trees. Deciduous street trees (minimum two (2) inch diameter at time of installation) shall be planted every 40 foot (or the equivalent number for each property) with ground cover or unobstructing vegetation as under story.

**The proposal is consistent with the provisions of this**

**section. Street tree requirements are outlined in an irrevocable development agreement for the Veneta Business Park subdivision.**

7. *Design Theme for Improvements.* As part of site review, Building and Planning Official or Planning Commission must approve plan for public improvements and site amenities to ensure they establish or support a design theme throughout the area. Relevant public improvements and amenities include signage, pedestrian crosswalks, lighting, transit stops, landscaping in public right-of-way, and on-street parking.

**The proposal is consistent with the provisions of this section. All required streets and pedestrian paths were designed in compliance with the circulation plan as part of the Veneta Business Park subdivision.**

8. *Parking Area Landscaping.* A minimum of one shade tree per sixteen (16) parking spaces shall be provided in planter islands distributed throughout the lot. A maximum of twenty (20) spaces shall be allowed between planter islands.

**The proposal is consistent with the provisions of this section. Section 5.20 requires 26 parking spaces; therefore at least two (2) trees are required. The existing planter island identifies ten (10) trees and existing shrubs.**

9. *Building Facades.* The following design standards shall apply:

- (i) *Commercial and industrial front building facades must not extend for more than 300 feet without a pedestrian connection between or through the building.*

**The existing building façade does not extend more than 300 feet; therefore the provisions of this section are not applicable.**

- (ii) *Commercial and industrial buildings facing a public street shall have no more than 100 feet without providing variation in building material or articulation.*

**The proposal is consistent with the provisions of this section. The existing building façade is approximately 175 feet in length with the building massing broken by angled building wings and variations by fenestration and access steps and landings on both sides of the building.**

10. *Cross Connections. Development sites shall be designed to allow for internal connections between parking lot drive aisles and between abutting developments without requiring access to a public street.*

**The proposal is consistent with the provisions of this section. A 30-foot wide emergency vehicle access easement that crosses lots 12 of the Veneta Business Park subdivision is indicated on the recorded plat.**

11. *Exterior lighting. All exterior lighting shall be shielded and reflected downward to minimize glare on adjacent parcels, other land uses, and street rights-of-way.*

**There are two existing pole mount double light fixtures located in the existing planter island between the vehicle parking areas. No new lighting is proposed at this time; therefore the provisions of this section are not applicable.**

12. *Transportation Impacts. Prior to the City granting site plan approval or any other type of construction approval within the Northeast Employment Center, a Transportation Impact Study shall be conducted, if deemed necessary by the City's Building and Planning Official. The study shall identify traffic impact and needed mitigation measures to the impacted street intersections, and shall describe the location, type and thresholds (vehicle trips) for street improvements necessary to mitigate identified traffic impacts. The study assumptions, which shall be established on a case-by-case basis upon submittal of the application, shall meet all requirements of the City and ODOT. The study shall include a funding mechanism, approved by the City, to assure that adequate funding is available to pay the developer's proportional share of the state, county and city street improvements, as identified in the traffic impact study. Possible mechanisms may include:*

*City adoption of transportation impact fees;*

*A development agreement encompassing the funding mechanism set forth in the applicant's Transportation Impact Study must be entered into between the City and the developer that will run with the land;*

*Formation of a local improvement district; or  
Some combination of the above.*

**The proposed site plan amendment does not include any new construction or more intensive uses. The development of Cornerstone alleviated traffic concerns by adding an additional right hand turn. No impacts in the overall traffic in the area are expected due to the amendment of the existing site plan.**

*Article 5*                      **SUPPLEMENTARY PROVISIONS**

*Section 5.11*                 **PROJECTIONS FROM BUILDINGS**

*Architectural features such as cornices, canopies, sunshades, gutters, chimneys and flues may not project into required yards or public easements. Eaves may extend up to two (2) feet into a required side and/or rear yard and up to six (6) feet into a required front yard. The building setback shall be measured from the foundation of the structure, including covered porches.*

**No architectural modifications are being proposed; therefore the provisions of this section are not applicable.**

*Section 5.12*                 **LANDSCAPING**

*All yards and parking areas shall be landscaped in accordance with the following requirements:*

- (1) Provisions for landscaping, screening and maintenance are a continuing obligation of the property owner and such areas shall be maintained in a clean, weed free manner.*

**The proposal is consistent with the provisions of this section with the condition of approval that the applicant shall sign and record a development agreement approved by the City Attorney within 15 days of**

**final approval of this amendment stating that:**

- (a) **All landscaping and screening areas shall be maintained in a clean, weed free manner.**
- (2) *Site plans indicating landscape improvements shall be included with the plans submitted to the building and Planning Official or Planning Commission for approval. Issuance of a Building permit includes these require improvements which shall be completed before issuance of a Certificate of Occupancy.*

**The proposal is consistent with the provisions of this section with the condition of approval that the applicant shall sign and record a development agreement approved by the City Attorney within 15 days of final approval of this amendment stating that:**

- (a) **The parcel shall be landscaped in accordance with the parking and landscaping plan approved as part of the previous site plan review (SR-3-02) and the requirements of the Irrevocable Development Agreement for the Veneta Business Park subdivision (S-4-02).**
- (3) *Minimum Landscaped Area. The minimum percentage of required landscaping is as follows:*

- (a) *Industrial Zones (IC, LI, MI). 5 percent of the site.*

**The lot size is 125,772 square feet and requires that 6,287 square feet of the site be landscaped. The proposal is consistent with the provisions of this section with the condition of approval that the site is landscaped in accordance with the landscaping plans approved as part of the original site plan (SR-3-02) and the Veneta Business Park subdivision (S-4-02).**

- (4) *Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:*
  - (a) *One tree, minimum 2" caliper.*
  - (b) *Four 5-gallon shrubs or accent plants.*

**The proposal is consistent with the provisions of this section with the condition of approval that the required landscaping that was not previously installed as part of the original site plan approval (SR-3-02) and the Veneta Business Park subdivision (S-4-02) is installed.**

- (5) *Minimum percentage Ground Cover. All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material, shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the area not covered by shrubs and tree canopy.*

**The proposal is consistent with the provisions of this section with the condition of approval that the applicant shall sign and record a development agreement approved by the City Attorney within 15 days of final approval of this amendment stating that:**

- (a) **All landscaped area shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the area not covered by shrubs and tree canopy or shall be covered with non-plant ground covers in accordance with Section 5.12(6)g of the Veneta Land Development Ordinance.**

- (8) *Garbage collection areas, service facilities and air conditioning facilities located outside the building shall have sight-obscuring screening. Mechanical equipment, lights, emissions, shipping/receiving areas, and garbage collection areas for industrial, commercial, and public facility uses shall be located away from residential areas, schools, and parks.*

**The proposal is consistent with the provisions of this section with the condition of approval that within 15 days from the date of the final approval, any garbage collection areas, service facilities and air conditioning facilities located outside of the building shall be identified on a final site plan map and shall have sight-obscuring screening.**

*Section 5.15*                      *SIGNS*

- (1) *Purpose.*

- (c) *The purpose of this section is to safeguard, preserve, and enhance economic, recreational, and aesthetic values through regulation of the size, number, location, illumination, construction and maintenance of signs; and thereby protect public health, safety and general welfare.*

**The proposal is consistent with the provisions of this section.**

*Section 5.20*                      *OFF-STREET PARKING REQUIREMENTS*

- (2) *Design and improvement requirements for parking lots (not including single-family two-family dwellings.*

- (d) *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.*

**The proposal is consistent with the provisions of this section. All off-street parking along the outer boundaries of the parking area is contained by a curb or bumper to prevent motor vehicles from extending over the property lines.**

- (e) *Service driveways to off-street parking lots shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site. The number of service driveways shall be limited to the minimum that will allow the property to accommodate and service the traffic anticipated.*

**The proposal is consistent with the provisions of this section. The existing parking lot and emergency vehicle access easement was constructed to facilitate the flow of traffic.**

- (f) *All off-street parking lots within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the Building and Planning Official to minimize disturbances to adjacent residents.*

**The existing site is not within or abutting a residential district or use therefore; the provisions of this section are not applicable.**

- (g) *A grading structure and drainage plan shall be submitted to the City Building and Planning Official and approved by the City Engineer.*

**The proposal does not change the grading or drainage of the site therefore; the provisions of this section are not applicable.**

- (h) *Parking lots shall be provided with landscaping as provided in Section 5.12 and other suitable devices in order to divide the parking lot into sub-units to provide for pedestrian safety, traffic control and to improve the appearance of the parking lot. A minimum of one shade tree per sixteen (16) parking spaces shall be provided in planter islands distributed throughout the lot. A maximum of twenty (20) spaces shall be allowed between planter islands.*

**The proposal is consistent with the provisions of this section with the condition of approval that the required landscaping that was not previously installed as part of the original site plan approval**

**(SR-3-02) and the Veneta Business Park subdivision (S-4-02) is installed.**

- (i) *Parking lot lighting must comply with Veneta Municipal Code Chapter 15.15.*

**The proposal is consistent with the provisions of this section. No new lighting is being proposed.**

(3) *Location standards for parking lots*

- (a) *Off-street parking shall be provided on the development site for all zones, except for the Commercial, Residential-Commercial, Public Facilities & Park zone, and Industrial zones which may be located no farther than 400 feet from the building or use they are required to serve. Owners of two (2) or more uses, structures, or parcels of land may agree to use the same parking spaces jointly when peak demands do not occur at the same time periods, provided substantial proof is presented to the Building and Planning Official or Planning Commission pertaining to the cooperative use of the parking facilities.*

**The proposal is consistent with the provisions of this section. There are currently 39 parking spaces and 3 accessible spaces. The existing office building is approximately 7,700 square feet and requires one (1) space per 300 square feet of floor area. Based on the calculations (7,700 building/300 square feet floor space) the applicant is required to provide 26 spaces.**

- (b) *Off-street parking areas shall not be located in a required front yard.*

**The proposal is consistent with the provisions of this section. No existing parking is located within a front yard setback.**

- (12) *Accessible Parking Spaces.* *Parking shall be provided for disabled persons, in accordance with the Americans with Disabilities Act.*

**The proposal is consistent with the provisions of this section. The proposed site plan amendment provides two (3) accessible parking spaces.**

*Section 5.21*                      **BICYCLE PARKING**

*Bicycle parking requirements shall apply to all developments that require a site plan or amended site plan for new development, changes of use, and building expansions and*

*remodels. Bicycle parking spaces provide a convenient place to lock a bicycle and shall be at least six (6) feet long, two (2) feet wide, and seven feet high. Bicycle parking shall not interfere with pedestrian circulation.*

- (2) ***Non-Residential Parking.** There shall be a minimum of one bicycle space for every seven motor vehicle spaces. At least ten percent of all bicycle parking spaces shall be sheltered. Bicycle parking provided in outdoor areas shall be located near the building entrance, similar to vehicle parking spaces, unless existing development on site precludes that option. Fractions shall be rounded to the nearest whole number.*

**The proposal is consistent with the provisions of this section with the condition of approval that within 15 days of the date of the final approval at least four bicycle parking spaces are provided. One space shall be sheltered.**

*Section 5.22*                      *PEDISTRIAN ACCESS AND CIRCULATION*

- (2) *Pedestrian access to transit facilities shall be provided from new commercial, employment, and multi-family residential developments and new activity centers shall be provided while existing developments shall provide safe and accessible pedestrian access to transit facilities when a site changes uses or is retrofitted.*

**The proposal is consistent with the provisions of this section. All required streets and pedestrian paths were designed in compliance with the circulation plan as part of the Veneta Business Park subdivision.**

*Article 6*                              *SITE PLAN REVIEW*

*Section 6.04*                      *REQUIRED FINDINGS*

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

- (1) *That all provisions of city ordinances are complied with.*

**The proposal is consistent with all applicable provisions of the City of Veneta Land Development Ordinance No. 461 based on the findings addressed below.**

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

**The proposal is consistent with the provisions of this section. The existing facility has not caused traffic congestion or pedestrian, bicycle or vehicular safety issues. The right-of-way has already been established; therefore no future right-of-way is necessary.**

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

**There are no new proposed signs or lighting proposed as part of the site plan amendment at this time, therefore the provisions of this section are not applicable.**

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

**There are no proposed changes in water, sewer or utilities as part of the site plan; therefore the provisions of this section are not applicable.**

- (5) *The drainageways are protected and drainage facilities provided.*

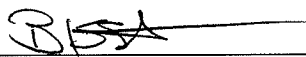
**The proposal is consistent with the provisions of this section. There is no change in the existing drainageways or drainage facilities.**

- (6) *That the extent of emissions and potential nuisance characteristics are reasonably compatible with the land use district, adjacent land uses and standards of all applicable regulatory agencies having jurisdiction.*

**The proposal is consistent with the provisions of this section. The site is located in the Medium Industrial zoning district and will not interfere with adjacent land uses. The extent of traffic, emissions, and potential nuisance characteristics are compatible with the zoning district per Section 4.09 of the Veneta Land Development Ordinance No. 461.**

- D. This decision shall become final on the date this decision and supporting findings of fact are signed by the Veneta Building & Planning Official, below. A Building & Planning Official's decision may be appealed to the Planning Commission within 15 days from the date the final order is signed and mailed.**

**Failure of the applicant to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for any damages in Circuit Court.**

  
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Brian Issa  
Community Services Director

6-17-09  
\_\_\_\_\_  
Date