

February 20, 2024

Veneta Ace Hardware
Attn: Gary Stecher
24991 Highway 126
Veneta, OR 97487

Lulu LLC
PO Box 2266
Eugene, OR 97402

Re: Ace Hardware – Temporary Use Permit Renewal
24917 Highway 126, Veneta OR
Map / Tax Lot: 17-06-36-11-00901
File No. TUP-24-1(R)

To whom it may concern:

The Veneta Building and Planning Official has **approved** your application for the Temporary Use Permit Renewal for the Ace Hardware outdoor storage. Enclosed is the signed renewal dated February 20, 2024.

A decision of the Building and Planning Official may be appealed to the Planning Commission within 15 days after the final order has been signed and mailed. Therefore, the appeal period expires on **March 6, 2024**.

Appeals must be in writing, along with a land use application and fee. The written notice of appeal shall include all matters specifically appealed, including a brief summary of the material presented. Reference Veneta Zoning and Development Code, Section 11.06. Further, specific statutory citations supporting the appeal shall also be included. Any issue not specifically raised in the written appeal shall be deemed waived and will not be heard by the Planning Commission as part of the appeal.

If you have any questions concerning this letter or the Building and Planning Official's decision, you may contact me at 541-935-2191 or dfindlay@ci.veneta.or.us.

Sincerely,



Daniel Findlay
Associate Planner
City of Veneta

Enclosure: Planning File

VENETA

oregon

Inc. 1962

FEB 16 2024

CITY OF VENETA

PO Box 458 * Veneta, OR 97487 * 541-935-2191 * Fax 541-935-1838 * www.venetaoregon.gov

Temporary Use Application**APPROVED**

Planning Authorization: 2-20-2024 - DF
 Submission Date: 2-16-2023
 Planning File #: TUP-24-1

Renewal (if applicable): TUP-24-1
 Previous File #: TUP-2-23

Temporary Use Permits allow the establishment of specified uses on a short-term basis in certain, specified land use zoning districts. No temporary use permit can be granted which would have the effect of permanently rezoning or granting privilege not shared by other property in the same zone. RETAIL SALES are permitted only in Commercial or Industrial/Commercial zones.

Garage Sales are permitted only in residential zones in accordance with Veneta Municipal Code Chapter 5.15 and do not need a permit.

Temporary Use Renewal Permits shall be subject to review by the Building & Planning Official one (1) year from the date of approval. Public notice requirements may be waived for renewal of Temporary Use Permits at the discretion of the Building & Planning Official provided that no formal complaints have been filed regarding the temporary use or there have been no changes made to the site plan or activities from the time of initial approval.

_____ Application.....\$350 (non-refundable)
 _____ Technical Review/Public Notice.....\$350 (deposit)

Renewal

☒ Application Fee (Renewal only).....\$200 annually (non-refundable)

Applicant Name: VENETA ACE HARDWARE
 Mailing Address: 24991 HWY 126
 City/State/Zip: VENETA, OR 97487
 Applicant Phone: 541-935-2236 Applicant Email: GARYS@HI-SCHOOLPHARMACY.COM
 Property Owner Name: LULU LLC
 Mailing Address: PO BOX 2266
 City/State/Zip: EUGENE, OR 997402
 Property Owner Phone: 541-683-1140 Property Owner Email: JULIA@JPHAMMER.COM

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lots(s)	Site Address	Zone
NORTHEAST 1/4 PF SECTION 36, TOWNSHIP 17 SOUTH RANGE 6 WEST OF THE WILLAMETTE MERIDAN (SEE ATTACHED LEGAL DESCRIPTION.	170606361100 90	24917 HWY 126 VENETA, OR 97487	HC

PRIOR TO PREPARING AN APPLICATION, applicants should check with City Staff to make sure they have the most updated versions of the Veneta Comprehensive Plan and the Veneta Zoning and Development Code. Ordinances are available on the City website, www.venetaoregon.gov

Approval will be based on the general criteria listed in the Veneta Zoning and Development Code, Article 7, Section 7.03 (1) through (3) as well as specific criteria, depending upon the type of use, listed in Section 7.04. (Check the type of use and submit a written statement and plans supporting the criteria listed in the applicable subsections of the Veneta Zoning and Development Code, Section 7.03 & 7.04)

- ☐ Temporary displays, sales, and/or event [Section 7.04, subsection (1)]
- ☐ Mobile food and flower vendor or other kiosks [Section 7.04, subsection (2)]
- ☐ Second dwelling on property during construction or demolition of dwelling [Section 7.04, subsection (3)]
- ☒ Outdoor Storage (not involving sales) [Section 7.04, subsection (4)]
- ☐ Manufactured dwelling as a temporary office in the commercial or industrial zone during construction of a permanent structure.
- ☐ Other (explain) _____

Required Submittals:

(Veneta Zoning and Development Code, Article 7, Section 7.02)

- ☐ A completed application Form (signed by the applicant and property owner).
- ☐ A Statement explaining the request.
- ☐ Site plan showing location of any proposed structures, activity area, and parking with respect to property lines and existing buildings, parking areas and landscaping.
- ☐ Drawings or photos showing proposed structures.
- ☐ Any other information needed to describe the proposed use in sufficient detail for the Building and Planning Official to determine how the proposed use meets the approval criteria.
- ☐ Veneta Zoning and Development Code, Article 4 & 5 for zoning information, including but not limited to required setbacks, parking, signs traffic flow and special setbacks.

Approval Criteria:

(Veneta Zoning and Development Code, Article 7)

- ☐ The temporary use is not inconsistent with the purpose of the zoning district in which it is placed.
- ☐ The temporary use will not have a significant adverse impact on the surrounding uses.
- ☐ The temporary use shall comply with the applicable criteria listed in Section 7.04.

Note: Temporary Use Renewals are subject to review and approval by the Building and Planning Official on an annual basis per Veneta Zoning and Development Code, Section 7.06. Public Notice requirements may be waived for a renewal of Temporary Use Permits at the discretion of the Building and Planning Official provided that:

(a) No formal complaints have been filed regarding the temporary use.

(b) There have been no changes made to the site plan or activities from the time of initial approval as verified by the Building and Planning Official

I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE PLANS AND DOCUMENTS SUBMITTED HERewith ARE TRUE, COMPLETE, CORRECT, AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant's Signature: _____

Property Owner's Signature: _____

APPLICATION FEES & DEPOSITS

Fees and deposits are intended to cover the full cost for processing applications. They are not intended to cover the cost for interpretation of ordinances or for long-range planning. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits. Applicant acknowledges and agrees that Applicant's failure to pay City costs over the base fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to lien on Property in the amount owed; prosecution for violation of the City's current fee resolution and the Veneta Zoning and Development Code; issuance of a stop work order, non-issuance of building permits for Property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. City staff time shall be monitored for applications which require a deposit in lieu of a non-refundable fee. Any unused portion of the deposit shall be returned to Applicant upon completion of the application process, conditions of approval, and any ensuing appeals. Any additional costs incurred beyond the deposit amount shall be charged to and paid by Applicant on a monthly basis. Applicant agrees that Applicant's failure to pay these amounts triggers City's option to pursue any or all remedies, as listed above.

Application Fees: Fixed fees are non-refundable and are based on average application processing costs rounded to the nearest \$25.

Technical Review/Publication Deposit: The actual costs charged to the City for technical review of land use applications, including but are not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing Application, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to Applicant. Such costs shall be adjusted as soon as the specific amounts are known. Applicant agrees that any deficiencies shall be collected from Applicant, and that Applicant's failure to pay these amounts triggers City's option to pursue any or all remedies, as listed above.

Renewal Report

PLANNING DEPARTMENT USE

Original file: Temp-1-16

Application Information:

Previous Staff Report Date: 3-1-22

Complaints Received: Yes ☐ No ☒

Changes to Previous Permit: Yes ☐ No ☒

If yes to either, send notice and referral.

Notice Posted: N/A

Notice Mailed: N/A

Referrals Sent: N/A

Referrals & Public Comments:

The Veneta Building & Planning Official has received comments from referral agencies and/or the public regarding this temporary application.

☐ Yes

☒ No

Approval Criteria:

(Veneta Zoning and Development Code, Article 7, Section 7.03) – Check All That Apply

- ☒ The applicant has proposed no changes and all findings of fact in the attached report are consistent with the proposed land use.
- ☒ There have been no new criteria adopted by the City or other regulatory agencies that require new findings of fact.
- ☐ Other regulatory agencies have required the applicant to provide additional information which has required staff to amend the findings of fact in the attached staff report. Amended findings are listed below.
- ☐ The applicant has proposed changes to the temporary use which require amendment to the findings found in the previous report.

Conditions of Approval:

The Veneta Building & Planning Official has reviewed the conditions of approval in the attached staff report and has found:

- ☐ All conditions of approval listed in the attached staff report shall be applied to the land use application submitted for approval.
- ☒ There are no conditions of approval for this application.
- ☐ Previous conditions of approval are attached and shall be added to the conditions of approval listed in the attached staff report. All previous conditions of approval still apply.
- ☐ The conditions of approval attached shall substitute the conditions previously listed in the attached staff report. All previous conditions are void for the current Temporary Use Permit.

All material relevant to the temporary use renewal, which has been submitted by the applicant, staff, and general public regarding this matter, has been reviewed and the required procedures and standards for taking action on a temporary use permit renewal have been followed. Based on the findings and conditions of approval, the Veneta Building & Planning Official grants conditional approval of the temporary use renewal. This conditional approval of the plans shall become final on the date this decision is signed below. An appeal of this decision to the Veneta Planning Commission must be filed in writing within fifteen (15) days of the date below


Veneta Building & Planning Official

2-20-2024
Date

STATUTORY WARRANTY DEED
(CONTINUED)

LEGAL DESCRIPTION (Continued)

Order No. 1 J00394aa

A parcel of land lying in the Northwest 1/4 of Section 36, Township 27 South, Range 6 West of the Willamette Meridian, and being more particularly described as follows:

Beginning at a point in the Westerly right of way of Territorial Highway as said right of way was conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded on Reel No. 538, Reception No. 52569, Lane County Oregon Deed Records, said point being opposite to and 130.00 feet Westerly of Engineer's Centerline Station TM 1100+00.4 P.S.C.; from the point of beginning, thence along said Westerly right of way line South 01° 03' 05" West 95.04 feet to the Northerly right of way line of the Relocated Florence-Eugene Highway as said right of way was conveyed to the State of Oregon by the above-mentioned instrument No. 52569; thence South 44° 15' 30" West along said last mentioned right of way line 707.26 feet; thence North 03° 20' 30" West 15.71 feet perpendicular to Centerline Station 412+00, offset 110 feet North; thence South 65° 39' 30" West along said right of way 358.50 feet; thence leaving said right of way North 07° 41' 40" West 336.50 feet; thence North 04° 57' 54" East 205.00 feet; thence North 22° 17' 26" East 66.00 feet to the USCE traverse line of the 377 foot contour line of the Fern Ridge Reservoir; thence along said traverse line South 57° 42' 34" East 491.07 feet to USCE Monument P-153; thence North 41° 09' 59" East along said traverse line 508.73 feet to its intersection with the Westerly right of way line of the above-mentioned Territorial Highway; thence South 14° 04' 45" East along said right of way line 309.66 feet to a point opposite to and 130.00 feet Westerly of Engineer's Centerline Station TM 1100+00.4 P.S.; thence continue on said right of way line along the arc of a 130.00 foot offset spiral curve to the right (centerline spiral curve L equals 160.00; S equals 0° 46', S equals 0.625), the long chord of which bears South 13° 42' 50" East 158.18 feet to the point of beginning, in Veneta, Lane County, Oregon.

17-06-36-1-00900
1407 624
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Hi-SCHOOL pharmacy

916 W. Evergreen Blvd., Vancouver, WA 98660

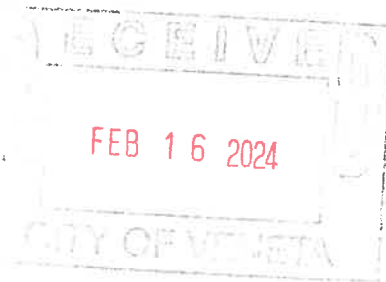
Phone 360-693-5879

FAX 360-694-5161

February 6, 2024

Mr. John Hammer
LULU, LLC
PO Box 2266
Eugene, Oregon 98402

Re: Temporary Use Permit Renewal



Dear Mr. Hammer:

It is time for us to renew our temporary use permit for the garden center we have at the Veneta Location. Enclosed is the completed application. Please sign as property owner on page 2. I have included a self-addressed stamped envelope so that you can mail to City of Veneta.

Again, always appreciate your help with this. Let me know if you have questions.

Thanks,

Gary Stecher
Controller
Direct: 360-213-2240
Email: garys@hi-schoolpharmacy.com