

City of Talent

Community Development Department - Planning



STAFF REPORT

Type-3 Land Use Application — Planning Commission

Meeting date: April 28, 2016
Prepared by: Zac Moody

File no: SPR 2016-002/004
Item: Commercial Retail

GENERAL INFORMATION

Applicant Embree Asset Group, INC.

Assessor's Map Number 38-1W-23DD Tax Lot 3200 and 3201

Site Location 105 W. Valley View Rd.

Site Area..... Parcel 1 - 0.7 Acres (30,492 sq. ft.)
Parcel 2 – 1.02 Acres (44,431 sq. ft.)

Zoning CBH – *Highway Central Business District*

Adjacent zoning and land uses.....North: RM-22 – *Multiple Family – High Density*
.....South: CBH – *Highway Central Business District*
.....East: CBH – *Highway Central Business District*
.....West: RM-22 – *Multiple Family – High Density*

Applicable Code Sections Articles 8-3D.3 and 8-3L.1

120-Day Limit..... July 17, 2016

PROPOSAL

Embree Asset Group, INC. has formally submitted a Site Development Plan review with the City for a proposed commercial project located on W. Valley View Rd. The proposal is to construct a 9,100 square foot retail building to house Dollar General. Dollar General is a small scale neighborhood retail store that sells products similar to larger big box stores but in a smaller footprint.

The retail store as proposed, would be located at 105 W. Valley View, between SNAP Fitness and the Anjou Club apartment complex. The proposed building occupies a small portion of the southern parcel (Parcel 1) with the primary entrance to the store facing east toward SNAP Fitness. The southern portion of Parcel 2 (northern parcel) serves as an addition parking area

and possible stormwater detention area while the most northerly portion of the parcel remains undeveloped.

The site has been designed to provide adequate buffers to the adjacent residential properties to the west (Anjou Club Apartments) and to the northeast (Oak Valley Subdivision) and parking for the proposed site is located away from any residential uses.

BACKGROUND

The development site consist of two parcels. The applicant has submitted two separate site plan review applications; one for each parcel. The application for the proposed parking area on Parcel 2 is a Type II review and the application for the development of the retail site is a Type III review. Since the applications were filed together, the Type II application has been consolidated and will be processed concurrently as a Type III Planning Commission Review.

Both parcels (Parcel 1 and Parcel 2) were created in 1995 by Partition Plat No. P-8-1995 with the remaining parcel (Parcel 3) being developed as a small retail building now used by SNAP Fitness and Edward Jones insurance.

Parcel 1 and 2 are currently developed with a 24 foot driveway and emergency vehicle turn-around. Both parcels serve as secondary access for SNAP Fitness and Edward Jones insurance through a shared access agreement. Utilities for all three parcels are within a PUE that will continue to be used to serve Parcel 1 and 2 for the new development.



PROPERTY CHARACTERISTICS

The site is located between SNAP Fitness/Edward Jones and the Anjou Club Apartments. The property is surrounded by residential to the west and north/northeast and commercial to the east. The parcel slopes to the northeast and presents a relative steep grade change from W. Valley View. The parcel is not located within the 100 or 500 year floodplain as shown on the 2011 FEMA Flood Hazard map.

Stormwater/Waste Water

Stormwater is currently available to the site.

Water Service

Water service is currently available to the site.

APPROVAL CRITERIA

8-3 Division D. Article 3 of the Talent Zoning Ordinance regulates Highway Central Business District. The purpose of Highway Central Business District is to “*serve as the hub of government, public services and social activities; shall permit retail trade, personal and business services; and shall include residential uses to strengthen and enliven the community core. The CBH zone shall be developed with full accommodation for all travel modes, but will tend to be more automobile oriented than the CBD zone.*”

8-3 Division L. Article 1 of the Talent Zoning Ordinance regulates Site Plan Reviews. The purpose of a site plan review is “*determine and establish compliance with the objectives of the Zoning Code in those zones where inappropriate development may cause a conflict between uses in the same or an adjacent zone and to determine the conformance with any City plan.*” Approval of a site plan or site plan amendment must comply with this section.

AGENCY COMMENTS

Rogue Valley Sewer Service (RVS) requested that approval of the proposed development be subject to the following conditions:

1. Applicant must obtain a sewer connection permit from RVS prior to the start of building construction. Permit will be issued by RVS upon payment of related development fees. ***This condition was addressed in the proposed findings and in the conditions of approval (condition #4).***
2. Applicant must submit a stormwater management plan demonstrating compliance with the stormwater quality standard in the Regional Stormwater Quality Design Manual. Plan must be approved by RVS prior to the start of construction. ***RVS is the City’s MS4 Phase II permit holder and has regulatory control of the City’s stormwater management. This condition was addressed in the proposed findings and in the conditions of approval (condition #3, condition #6b and condition #7).***
3. Applicant must obtain an NPDES 1200-C Erosion Control Permit from RVS prior to the start of any ground disturbing activities. ***Erosion control permits***

are mandated by State Statute and the Department of Environmental Quality (DEQ). This condition was not addressed in the proposed findings since it is required by State Law, but it was added as a general condition of approval (condition #2).

The Rogue Valley Council of Governments (RVCOG) provided the following comments in regards to the proposed development:

The project location is within an “Activity Center” as identified by the City of Talent as part of the RVMPO Regional Transportation Plan, Alternative Measures. In order for this project to be counted toward the region meeting Alternative Measure #6: Percent of New Employment in Mixed Use/Pedestrian-Friendly Areas, the RVMPO encourages the City/Developer to consider certain design elements.

In order to satisfy the benchmark, businesses must meet the following standards:

- *Provide no parking between the building and street – **Threshold Met***
- *Provide a main entrance from the street – **Threshold NOT met***
- *Include a vertical mix of housing – **Threshold NOT met***
- *The project be within ¼ mile of higher density residential development – **Threshold Met***
- *A complete pedestrian connection exists between the project and the higher density residential development – **Threshold Met***

Considering that the proposed development is retail in nature, the benchmark for including a vertical mix of housing can't be met. Additionally, the shape of the parcel with the existing access does not allow the orientation of the building to be towards the street; therefore that benchmark also can't be met. Many of the standards in the Talent Zoning Code ensure that these benchmarks are met, however, in the case of irregular lots and the proposed use it is sometimes not possible, as in this case. The developer was able to meet four (4) of the six (6) benchmarks.

PUBLIC COMMENTS

No public comment have been submitted to Community Development in writing, however, Staff did receive one phone call requesting general information. The citizen making this inquiry was supportive of the proposal.

CONSIDERATIONS

The proposal generally meets the standards and criteria in the Talent Zoning Code. However, there were a few items that Planning and Public Works staff determined needed refinement. These refinements are included in the proposed final orders and subsequent conditions of approval.

RECOMMENDATION

Based on the findings for the Site Development Plan, staff recommends **APPROVAL** of the application, with conditions as outlined in the Proposed Final Order.

ATTACHMENTS

The following information was submitted regarding this application:

- Applicant's Statement
- Proposed Site Plan
- Proposed Landscape Plan
- Proposed Building Elevations
- Public Comment
- Proposed Final Order



Zac Moody, Community Development Director

April 20, 2016

Date

Staff has recommended this proposal for approval, but it will require at least one public hearing before the Planning Commission for a decision. The Talent Zoning Code establishes procedures for quasi-judicial hearings in Section 8-3M.150.

A public hearing on the proposed action is scheduled before the Planning Commission on April 28, 2016 at 6:30 PM at the Town Hall.

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at zmoody@cityoftalent.org.