

November 14, 2018

RE: SPR 2018-005

Addendum to the Findings for the proposed Magnolia Multi-Family Apartment Development Located at 408 S Pacific Highway (38 1W 26AA; 3700 & 5800).

One of the proposed buildings exceeds 30-feet in height. The average building height of Building A is 32-feet, 11-inches. This exceeds the maximum height allowed outright by code, but is allowable according to the Talent Zoning Code, it is possible to increase height with the approval of a Conditional Use Permit.

*8-3C.450 BUILDINGS AND USES PERMITTED SUBJECT TO CONDITIONAL USE REVIEW*

*The Planning Commission may grant or deny a conditional use permit in accordance with the procedure set forth in Article 8-3L.2. The following uses permitted conditionally in the RM-22 zone meet the description and purpose set forth in Article 8-3L.2:*

*8-3L.244 GENERAL CRITERIA FOR APPROVAL In judging whether or not a conditional use permit shall be approved or denied, the Planning Commission shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable. A conditional use may be granted only if:*

*A. The proposed use is consistent with the City of Talent Comprehensive Plan.*

The proposed development of apartments in the Multi-Family Zoning (RM-22) is consistent with the Comprehensive Plan.

*B. The proposed use is consistent with the purpose of the zoning district.*

The use of the property as multi-family apartment dwelling is the envisioned purpose and intent of the RM-22 Zoning District.

*C. The proposed use and development is found to meet the required findings of 8-3L.150, "Required Findings for Approval of Plan," set forth for approval of a site development plan review.*

It can be found that the proposed use and development is found to meet the required findings from 8-3-L.150 as set forth in the Site Development Plan Review application.

*D. The proposed use will not adversely affect the livability, value, and appropriate development of abutting properties and the surrounding area, compared to the impact of uses that are permitted*

*outright. Testimony of owners of property located within two hundred and fifty (250) feet of the boundaries of the property in question shall be considered in making this finding.*

The proposed use of the RM-22 zoned property as an apartment development will not adversely affect the livability, value and appropriate development of the abutting properties in the surrounding area. The properties that are directly adjacent are zoned either RM-22 or Commercial and similar or more intense (commercial uses) are permitted on the adjacent properties.

The proposal exceeds the minimum required setbacks in the zone. The building materials, rhythm of openings, openspaces, etc. are reflective of the minimum requirements in the zone and of the residential development on the adjacent properties.

To reduce the average height of the building, the roof pitch could be lowered by 2:12 and a metal roof installed. This would be inconsistent with the roof pitches and materials in the zone, thus a conditional use permit is requested for the additional 2-feet, 11-inches that exceeds the maximum building height.

The proposed increase in building height allows for a more efficient use of the space by allowing for additional parking in garages instead of a larger surface parking area.

*E. All required public facilities have adequate capacity to serve the proposal. System Development Charges will be assessed at the time a building permit is issued. Additional SDCs will be assessed for change in use that are more intense than a pre-existing use.*

The required public facilities have adequate capacity to service the proposed development. This is addressed in the Site Design findings.

*F. The conditional use must include mitigation for any decrease in level of service exceeding City standard or operational safety of the transportation system if the proposal generates more than 500 daily vehicle trips or an additional fifty (50) peak hour trips, per Section 8- 3L.9 Traffic Impact Study.*

As previously noted, the development is below the thresholds for a TIA or Traffic Study because less than 50 peak hour trips are generated and less than 500 daily trips are generated.

*G. The site size, dimensions, location, topography, and access are adequate considering such items as the bulk, coverage or density of the proposed development; the generation of traffic; environmental quality impacts; and health, safety or general welfare concerns.*

The lot size, lot dimensions, lot location, topography, lot access, etc. are adequate when considering the structures bulk, coverage and development density. The proposal provides

greater than required setbacks increasing development compatibility and reducing concerns about the negative impacts on the general welfare of the RM-22 zone.

*H. The City of Talent has adequate firefighting equipment to protect the structure, as verified by the Talent Fire Chief, or arrangements have been or will be made by the developer to insure that adequate equipment will be available before the occupancy of the building for any use.*

The structures are outfitted with sprinkler systems and adequate access is provided to and through the development that allows for firefighting equipment to protect the structure.

*8-3J.123 BUILDING HEIGHT A. Limitations and General Exceptions. The maximum height of any structure shall be two-and-a-half (2½) stories or thirty (30) feet, whichever is less. Taller structures shall be permitted only as a conditional use in each zone.*

*B. Building Height Transition. To provide compatible building scale and privacy between developments, buildings that exceed thirty (30) feet shall “step-down” to create a building height transition to adjacent single-story building(s) in residential zones.*

*1. This standard applies to new and vertically expanded buildings located within 30 feet (as measured horizontally) of an existing building with a height of thirty (30) feet or less.*

The proposal is for a new building that exceeds the maximum building height by 2-feet, 11-inches.

*2. The building height transition standard is met when the height of the taller building (X) does not exceed one (1) foot of height for every one (1) foot separating the two buildings (Y).*

The proposed setback of 15-feet, 8-inches on the subject property provides a greater setback from the adjacent properties on the east side yard adjacent to Building A. The minimum side yard setback for a building over 18-feet is ten feet. In the transition zone for buildings that exceed 30-feet, an additional five feet, eight inches has been proposed to increase the setback from the property line. The single and two story structures on the adjacent properties also meet minimum setbacks increasing the separation between the buildings beyond the minimums required by both the code and the building height transition standards.

See sheet A6.1 and the Site Plan for additional details.