

Re: CUP 2018-001 - Brewery and Tasting Room

David Meads <Meads@JCFD5.com>

Fri 1/4/2019 1:40 PM

To: Jeff Wilcox <jwilcox@cityoftalent.org>;

Jeff,

The Fire District has no comment on the brewery and tasting room application at 59 Talent Avenue.

Thank you,

Engineer Dave Meads
Jackson County Fire District 5
[5811 S. Pacific Highway](#)
[Phoenix, Oregon 97535](#)
541 535 4222



From: Jeff Wilcox <jwilcox@cityoftalent.org>
Sent: Wednesday, January 2, 2019 3:16:40 PM
To: David Meads; Charles Hanley; Vince Lockett
Subject: CUP 2018-001 - Brewery and Tasting Room

Hello!

Attached you will find an application for a Brewery and Tasting Room at 59 Talent Ave., (38-1W-23DC-902)

This will be heard at the Planning Commission on Tuesday, 8 January. Apologies for the delayed notice!!

If you have any comments or concerns, let us know – we've reserved a spot in the Findings for potential Fire Department requirements. Also attached.

Respectfully,

Jeff Wilcox

Community Development Assistant

City of Talent

110 E. Main Street

Talent, Oregon 97540

Office: 541-535-7401

www.cityoftalent.org



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

December 26, 2018

City of Talent
Community Development Department
PO Box 445
Talent, OR 97540

ATTN: Zac Moody

Re: CUP-18-001. Tax Lot 902, Map 38 1W 23DC

There is an 8 inch sewer main along Talent Avenue and a 4 inch service to the existing building on the subject property. The proposed planning action will not affect this service. However, there will be sewer System Development Charges owed to RVSS.

The project is within the Phase 2 stormwater quality area and will require a stormwater management plan in accordance with the Regional Stormwater Quality Design Manual if the project includes 2,500 sf or more, additional or reconstructed impervious surface.

Rogue Valley Sewer Services requests that approval of this project be subject to the following conditions:

Prior to the start of construction:

1. Applicant must prepare a stormwater management plan in accordance with the Regional Stormwater Quality Design Manual if the project includes 2,500 sf or more impervious surface.
2. Applicant must pay all associated sewer System Development Charges to RVSS.

Feel free to call me if you have any questions.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, PE
District Engineer

1-8-19

I note that this application appears incomplete in at least two ways.

No agency comments are provided. Following a conversation late today, I discovered that Shannon Hertel, Development specialist with RVSS, was consulted and spoke with the applicant. I inquired with Source Control Supervisor Robert Corliss at the City of Medford Regional Water Reclamation Facility located in Central Point (where City of Talent wastewater ends up) and he informed me that both he (as a representative of City of Medford) and RVSS should be consulted on this type of project.

RVSS
According to Corliss, despite the small scope of this project, any commercial or industrial waste disposal (oversight by EPA through the NPDES permitting process) would trigger a "Sewer Use Information Form" from an operator as they have concerns around acidity, in this case pH from caustics, as well as solids and the impact of those on infrastructure, both biological and mechanical, as well as for some operations, bypass to the river.

I note that Chapter 8-3 Division J.173 (USES NOT PERMITTED IN ALL ZONES) directs that "Any use that causes or could cause a violation of State environmental quality rules and standards will not be permitted in any zone in the City. When a use is proposed for which it is unclear whether or not it will cause such a violation, the planning staff advisor or the Planning Commission may require a letter from the State Department of Environmental Quality certifying whether or not the proposed use meets said rules and standards."

Given that the appropriate agencies were not consulted or were unresponsive, I cannot consider affirming this application tonight without appropriate consultation and response.

Additionally, I note that our Approval Criteria in the staff report includes Chapter 8-3 Division L. Article 1 SITE DEVELOPMENT PLAN and the staff recommends approval with conditions outlined in the Proposed Final Orders. While the Approval Criteria addresses 8-3L.150 REQUIRED FINDINGS FOR APPROVAL OF PLAN, Chapter 8-3L.140, SITE DEVELOPMENT PLAN - REQUIRED DATA is unaddressed by staff and the applicant and the application does not address all of the required data. 8-3L.150, states:

"After an examination of the site, the Planning Commission shall approve or approve with conditions the site development plan if all of the following findings are made:

- A. All provisions of this Chapter and other applicable City ordinances and agreements are complied with;"

Given that the required data for the Site Development Plan is incomplete, I cannot consider affirming this application tonight.

Furthermore, Under 8-3 Division L. Article 2, CONDITIONAL USE PERMIT (CUP), 8-3L.244 GENERAL CRITERIA FOR APPROVAL states that "A conditional use may be granted only if:""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."

Because 8-3L.150 cannot be satisfied, the Conditional Use Permit criteria for 8-3L.244 GENERAL CRITERIA FOR APPROVAL, cannot be satisfied. Given the incomplete nature of this application, I cannot consider affirming this application tonight.

Additional notes:

With respect to wastewater consultation,

Mr. Corliss shared with me that a 2017 DEQ audit determined the need for a baseline industrial survey of wastewater accounts (a defacto reset) and that has allowed them to interface with commercial/industrial users they had no prior knowledge of and today the City of Medford is cooperatively working with the Talent-based Micro Trains, a business that manufactures zinc die cast miniature trains. In that case they had concerns of treatment bypass to the Rogue River and by working together they avoid environmental damage to the river and its aquatic ecosystem.

He also provided me with Section 11.201 (Prohibitive Discharge Standards) of the Medford Municipal Code that is the same as Section 7.10.010 of the Rogue Valley Sewer Services Code. The code addresses specific prohibitions and I am happy to forward that on to the Commission or staff if desired.