

City of Talent

Community Development Department - Planning



STAFF REPORT

Type-3 Land Use Application — Planning Commission

Meeting date: May 14, 2019
Prepared by: Zac Moody

File no: PUD 2019-001
Item: Modification to PUD 2005-002

GENERAL INFORMATION

Applicant.....Clearview Commercial LT Holding, LLC.

Assessor's Map Number38-1W-23DC Tax Lot 3400
.....38-1W-23DB Tax Lot 4501

Site Location160 N. Pacific Hwy.

Site Area.....2.24 acres

Zoning.....CBH –*Highway Central Business District*

Adjacent zoning and land uses.....North: CBH –*Highway Central Business District*
.....South: CBH –*Highway Central Business District*
.....East: CBH –*Highway Central Business District*
.....West: CBH –*Highway Central Business District*

Applicable Code Sections.....TMC 18.150, Talent Zoning Code 8-3L.3
(Planned Unit Development)

120-Day Limit.....July 6, 2019

SITE DESCRIPTION

The sites are located on the east and west sides of Clearview Parkway and the south side of Poppy Bay Place and Wintersage Circle. Tax lot 3400 is an irregular shaped parcel of land that contains a total of 1.26 acres. Tax lot 4501 is an irregular shaped parcel of land that contains a total of 0.98 acres. Tax Lot 4501 also fronts onto Highway 99, South Pacific Highway. Both sites are part the Clearview of Talent Planned Unit development a project that was approved by file number PUD 2005-02 (attached).

PROJECT DESCRIPTION AND BACKGROUND

The Clearview development, as originally approved contained 58 residential units, five live work units and 20,960 square feet of retail/office space and 10,080 of ground floor Live Work space. Recently a site plan modification was approved (SPR-2018-001) to convert one of the live work unit locations to a six-plex apartment. All infrastructure including roads and utilities for the original project have been completed.

As part of this modification, the applicant is requesting that the bank drive up facility that was approved as part of the original Clearview Site Plan (Building F), be relocated to the location of Building D in the original Clearview site plan shown on the applicant's Exhibit B.

In addition, this proposal includes a modification of the original site plan to replace the Commercial Building F, that was originally planned as the bank, with a new live-work, mixed use unit. The location and schematic design of the new Building F and the relocated drive up facility are shown on the applicant's Exhibit B.

As proposed, the new Building F will have a total of 2,037 square feet of ground floor commercial area and 2 single car garages with a total of 756 square feet to serve the second floor residential units. The second floor contains two, 3-bedroom 2 bath residential units. The original Building F had 2,284 square feet of commercial area on the ground floor and no second floor.

The original parking ratio for the entire Clearview commercial development area was 1 parking space for each 220 square feet of building area. This proposal adds two residential units but adds two residential garages and reduces the commercial area by 247 ft.².

No architectural plans for Building D have been submitted at this time. The applicant has provided a schematic drawing of a possible drive through banking facility in the applicant's Exhibit B.

APPROVAL CRITERIA

Talent Municipal Code, Chapter 18.55 regulates uses allowed in the Highway Central Business District (CBH).

Talent Zoning Code, Section 8-3L.3 regulates Planned Unit Developments (PUD) and modifications of approved PUDs.

MODIFICATION PROCESS

As detailed in the proposed final order, modifications of a Planned Unit Development are allowed subject to Section 8-3L.374(C). The modification follows the same review process and approval criteria as for a new concept plan, except that the City Planner may waive those application submittal requirements that do not apply.

In the case of this modification, staff believes that the proposed amendments are consistent with Section 8-3L.385 that allows minor changes to the approved concept plan to be approved concurrently with the detailed plan if specific criteria are met. These criteria have been addressed in the proposed final order and the request is consistent with a minor change.

No new commercial uses are being proposed and the residential uses being added are consistent with the Highway Central Business District. Although no longer permitted outside of the Drive-Thru Overlay zone, Building F was approved as a drive-thru banking facility. Section 8-3L.320 of the PUD Ordinance states the following:

“PUD standards allow flexibility in land use and design that may not otherwise be permitted by the Subdivision Code or the Zoning Code...”

As detailed in the proposed final order, the proposed modification is consistent with the uses approved and no additional impacts from the modification are anticipated.

AGENCY COMMENTS

Rogue Valley Sewer Service (RVS) requested that approval of the proposed development be subject to conditions. However, the proposed modification does not increase the area of impervious surface or require a revision to the stormwater management plan. All RVSS conditions are attached in a memo from RVSS. Condition 5 is the only applicable condition to this request.

5. Related sewer fees must be paid prior to construction.

Talent PD and Jackson County Fire District 5 responded, stating they had no comment or concerns regarding the proposed amendment.

PUBLIC COMMENTS

No public comments have been submitted to Community Development at the time of this Staff report.

RECOMMENDATION

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

ATTACHMENTS

The following information was submitted regarding this application:

- Attachment A - Applicant’s Statement and Proposed Plan
- Attachment B -Agency Comment
- Attachment C - Proposed Final Orders
- Attachment D - PUD 2005-002 Detailed Plan Final Order and Staff Report
- Attachment E - PUD 2005-002 Modification Final Oder and Staff Report
- Attachment F – Planned Unit Development Code – 8-3.L3



Zac Moody, Community Development Director

May 6, 2019
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 Municipal Code, 18.190 establishes procedures for quasi-judicial hearings.

A public hearing on the proposed action is scheduled before the Planning Commission on May 14, 2019 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.