

# City of Talent

Community Development Department - Planning



## STAFF REPORT

Type-3 Land Use Application — Planning Commission

Meeting date: April 23, 2015

File no: SPR 2015-001

Prepared by: Zac Moody

Item: Mixed Commercial/Residential

Use

### GENERAL INFORMATION

Applicant ..... Calvin Martin

Assessor's Map Number ..... 38-1W-23CD Tax Lot 4200

Site Location ..... 115 Lapree St.

Site Area..... 0.07 Acres (3,049 sq. ft.)

Zoning ..... CBD – *Central Business District*

Adjacent zoning and land uses ..... North: RM-22 – *Multiple Family – High Density*

..... South: CBD – *Central Business District*

..... East: CBD – *Central Business District*

..... West: RS-7 – *Single Family – Medium Density*

Applicable Code Sections ..... Articles 8-3D.2, 8-3K.1, 8-3L.1 and 8-3M.2

120-Day Limit..... June 23, 2015

### PROPOSAL

The proposal is for a mixed use commercial/residential structure housing two residential and two commercial units. The new use replaces a non-conforming residential use that was removed by the property owner. The site is in an area where there are multiple zoning districts, including a commercial zone. Each lot that surrounds the parcel is developed with a residential unit and the surrounding area, with the exception of the Civic Center and Library, are also developed with residential units.

## BACKGROUND

The parcel, until recently was developed with an 1,118 square foot single-family residence built in 1946. The property was purchased by the current property owner on December 26, 2014 and in February, the owner began to renovate the dwelling.



## PROPERTY CHARACTERISTICS

The site is located near the corner of Lapree St. and Gibson St. The parcel is currently non-conforming for lot size and until February of 2015 had a residential structure that was not only non-conforming, but built partially in the City right-of-way. Gibson St., which was recently reconstructed was designed around this encroachment. The property contained a 1946 single-family home that was in disrepair and since late 2012 had been vacant. The image above identifies the parcel as well as its current zoning. The property is surrounded to the south and east by other properties zoned Central Business District and to the north and west by medium density residential. It should be noted that this parcel is one of only three parcels zoned commercial in that general area that are not developed with a commercial use.

### Stormwater/Waste Water

Stormwater is currently available to the area.

### Water Service

Water service is currently available to the area.

## **APPROVAL CRITERIA**

8-3 Division D. Article 2 of the Talent Zoning Ordinance regulates Central Business District. The purpose of 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 CBD shall be pedestrian oriented and shall highlight and incorporate historic places and structures, parks and public transit facilities and opportunities.”*

8-3 Division K. Article 1 of the Talent Zoning Ordinance regulates Old Town Design Standards. The purpose of Old Town Design Standards with this application is to *“respect and enhance the character of talent’s original core areas while maintaining the city’s traditional, rural, vernacular architectural heritage.”*

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.

8-3 Division L. Article 4 of the Talent Zoning Ordinance regulates Variances. The purpose of a variance is to provide options for land owners where practical difficulties, unnecessary hardships exist that do not exist generally elsewhere.” Approval of a variance must comply with this section.

## **AGENCY COMMENTS**

None

## **PUBLIC COMMENTS**

During the public hearing on March 26, 2015, many concerns were raised about the potential of increased traffic, size and design of the building and the proposed on-street parking. These concerns have been addressed in the Proposed Final Order and are summarized in the section below.

## **ISSUES**

### **Increased Traffic**

Many of the public comments focused on the potential of increased traffic from the proposed development. The subject parcel is located in the Central Business District (CDB), adjacent to the RM-22 zoning district, an area for high density residential. Although the area is not currently developed to the maximum density allowed and commercial development has not been established, this area is beginning to transition to the allowed uses. Property availability and the desire to be in the core downtown area will also have an impact on how the neighborhood develops.

This development is not proposing a high traffic generating commercial use. The proposed use is two small commercial spaces that will likely house a home occupation or small home office to a resident above. These types of small commercial uses do not generate the kind of

traffic of larger commercial establishments and have the potential to attract less auto dependent uses.

### **Livability of Neighborhood**

Concerns of livability in the neighborhood have been addressed. The applicant submitted a development plan that is in general conformance with the Talent Zoning Code. The structure as designed will be no larger than a standard two story home in the neighborhood. Open space areas on the east and west ends of the building have developed to provide some separation from adjacent properties. Each ground floor unit has a recessed entry similar to the style of many neighborhood homes.

The main difference between this building and others in the neighborhood is how closely it is sited to the front of the parcel. In the commercial zone, and especially in the CBD, buildings are encouraged to be brought towards the street. The success of the “livability” aspect neighbors are seeking is dependent upon how inviting the ground floor commercial spaces are to the passerby. The applicant has adequately met the landscape requirements and or will adequately meet the requirements through conditions of development approval.

### **Pedestrian Safety**

Pedestrian safety will not be compromised as a result of this project. In fact, the addition of parking stall along Lapree increase pedestrian safety by serving as a traffic calming mechanism. The sidewalk as it is today is directly adjacent to the street leaving pedestrians no separation from passing traffic. The addition of parking between the curb and the travel lane provides a natural buffer either because of park automobiles or simply by the space provided between the travel lane and the sidewalk. It is staff's opinion that the proposed relocation of the sidewalk further to the south enhances the pedestrian experience and provides a much safer area for people to walk.

### **Building Design**

The proposed building is required to meet the standards of the Old Town District. As currently proposed, there are some deficiencies that need to be addressed. The two main issues are the building transitions on the east and west property lines and the addition of false-front gables to hide the pitched roof.

The windows and doors chosen for the development meet the standards, but more are needed to conform to the transparency requirements. Currently, the front façade of the building only has about 10% transparency and a general requirement of 75%. Keeping in mind that this lot is relatively small, the building too will be small. To provide adequate living space in each unit, the applicant had to design them in such a way as to maximize the use. Meaning, some elevations of the building have few windows for a reason. Staff required through a variety of conditions, the addition of more windows, but not to a 75% standard due to the size and shape of the lot and the type of building that could be built on it.

## RECOMMENDATION

Based on the findings for the Site Development Plan and Variance stated in the Proposed Final Order, staff recommends approval of the application, with conditions outlined in the Proposed Final Order.

## ATTACHMENTS

The following information was submitted regarding this application:

- Applicant's Statement
- Applicant's Supplemental Statement
- Proposed Site Plan
- Public Comment
- Architectural Review Application



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Zac Moody, Community Development Director

April 16, 2015  
Date

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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 23, 2015 at 6:30 PM at the Community Center.**

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](mailto:zmoody@cityoftalent.org).