

# City of Talent

Community Development Department - Planning



## STAFF REPORT

Type II Land Use Application — Administrative Review

Date: November 21, 2016  
Item: SPR 2016-006, Mark & Krista Peterson  
Site: 305 Lithia Ave.

Applicant:	Mark & Krista Peterson 125 Tracy Ln. Phoenix, OR 97535
Property Owner:	Mark & Krista Peterson 125 Tracy Ln. Phoenix, OR 97535
Requested Action:	Approval of a Site Development Plan for the conversion of two single car garages to one single family living space
Assessor's Map Number:	38-1W-26AA, Tax Lot 2000
Site Location:	305 Lithia Ave.
Zoning:	RM-22- Multiple-Family – High-Density
Deemed Complete:	September 30, 2016
Notice Mailed:	October 3, 2016
120-Day Limit:	January 28, 2017

### **PROPOSAL**

Conversion of two single car garages to one single family living space.

### **APPROVAL CRITERIA**

Talent Zoning Code 8-3C.4, 8-3J.4-6 and 8-3L.1

**PROPERTY CHARACTERISTICS**



The site is located at the end of Lithia Ave as shown above.

## AGENCY COMMENTS

One comment from Rogue Valley Sewer Services (RVS) was received, indicating that there is no requirement for a Stormwater management plan because there are no changes to the impervious surface. However, RVSS does recommend that the new dwelling unit be served by a separate service lateral to avoid possible future blockages. Additionally, changes to the internal configuration of the building and the addition of new plumbing fixtures will require additional System Development Charges (SDCs) to be paid to RVS.

## PROPERTY OWNER COMMENTS

Three property owner comments were received, recommending approval of the application although one comment identified concerns of traffic safety and congestion as well as the potential to block mail boxes. These concerns are addressed in the findings below.

## ANALYSIS

Tentative administrative approval is subject to compliance with the approval criteria above, and the underlying zoning district (8-3C.4, RM-22). Text from the code appears in *italics*.

### **8-3C.430 BUILDINGS AND USES PERMITTED SUBJECT TO TYPE-2 PERMIT REVIEW**

*A. Up to four dwelling units, either duplexes, multiple-family dwellings, condominiums, row houses and townhouses (attached single-family dwellings), but not including the conversion of multiple-family dwellings to unit ownership. Attached single-family dwellings (row houses or townhouses) are permitted only if vehicular access is provided via alleyway(s).*

**Finding:** The subject parcel is zoned Multiple-Family – High Density (RM-22) and allows for up to four (4) dwelling units or 22 units per acre. The property is approximately 0.18 acres and allows four (4) units, provided the development can meet the parking requirements. The applicant is proposing to reconfigure the existing parking lot to include eight (8) parking stalls. **The provisions of this section have been met.**

### **8-3L.150 REQUIRED FINDINGS FOR APPROVAL OF PLAN**

*After an examination of the site, the planner 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.*

**Finding:** The RM-22 zone allows for up to four (4) dwelling units subject to an Administrative Site Development Plan review and notice to the neighboring property owners.

All applicable code sections of the TZC have been addressed within the application submittals or will be made to comply with the attached conditions of approval. **The provisions of this section have been met subject to conditions of approval.**

- b) *The proposed development will be in conformance with the intent and objectives of the zone in which it will be located.*

**Finding:** According to T'ZC 8-3C.410, the RM-22 zone is intended to provide a healthful and livable residential environment, together with the full range of urban services, for housing units at densities higher than provided for in other residential zones. This zone is also intended to accommodate housing alternatives to conventional housing. By converting the underutilized garage spaces into dwelling space, the dwelling unit density is made more consistent with the intent of the zoning designation. **The provisions of this section have been met.**

- c) *All applicable portions of the City comprehensive plan or other adopted plan are complied with;*

**Finding:** The proposed site development plan is consistent with the approval criteria of the Talent Zoning Code and meets the overall intent of the commercial Comprehensive Plan designation. **The provisions of this section have been met.**

- d) *The proposed development will be compatible with or adequately buffered from other existing or contemplated uses of land in the surrounding area.*

**Finding:** The proposed dwelling unit is within the existing foot print of the garage and is not proposed to be expanded. There are no compatibility issues with the proposal as no substantial changes of use are being proposed and the other uses are similar in nature. All adjacent properties are zoned for high density uses. **The provisions of this section have been met.**

- e) *That no wastes, other than normal water runoff, will be conducted into City storm and wastewater facilities.*

**Finding:** The proposed conversion and reconfiguration of the parking area does not create any new impervious surface or generate any waste other than normal water runoff. **The provisions of this section have been met.**

- f) *The following are arranged so that traffic congestion is avoided; pedestrian and vehicular safety, solar access, historic sites, and the public welfare and safety are protected; and there will be no adverse effect on surrounding property:*

- (1) buildings, structures, and improvements;*
- (2) vehicular and pedestrian ingress and egress, and internal circulation;*
- (3) parking and loading facilities;*
- (4) setbacks and views from structures;*
- (5) walls, fences, landscaping and street and shade trees;*
- (6) lighting and signs; and*
- (7) noise generation facilities and trash or garbage depositories.*

**Finding:** The proposed garage conversion does not include any expansion of building footprint. The standards for vehicular ingress and egress as well as internal circulation and parking have also been met in accordance with Section 8-3J.540 and 8-3J.630 addressed below. No buffer walls or fences have been proposed or are required.

Pedestrian ingress, egress and internal circulation as well as lighting, noise generation facilities and trash enclosures have been addressed below. **The provisions of this section have been met subject to conditions of approval.**

- g) *The applicant has made any required street and other needed public facility and service improvements in conformance with the standards and improvements set forth in this Chapter and the applicable portions of the City Subdivision Code, or has provided for an adequate security arrangement with the city to ensure that such improvements will be made.*

**Finding:** The proposal is located at the end of Lithia Ave. and does not require any street related improvements. The site is currently served by water, sewer and storm facilities, and no changes in the flow of surface water are anticipated.

As noted by Rogue Valley Sewer (RVS), there is an existing 8-inch sewer main on Lithia Ave. The subject property is currently served by a 4-inch lateral connection to this 8-inch line and the proposed change does not affect this service. However, RVS has recommended that an additional 4-inch lateral be provided to the new dwelling to avoid possible future blockages. Since this is not a City requirement and doesn't appear to be a requirement by RVS, the applicant will need to coordinate with RVS in regards to the possible new lateral.

The change of use will trigger a re-calculation of the System Development Charges (SDCs) for both RVS and the City of Talent. As a condition of approval, the applicant shall, prior to issuance of building permits for the change of use, submit a plumbing plan to RVS identifying the number of fixtures that will be added and provide Community Development evidence that all required SDCs have been paid to RVS. All City of Talent SDCs shall be paid prior to the issuance of building permits. **The provisions of this section have been met subject to conditions of approval.**

### ***8-3J.180            BUFFERING***

*Where buffering is required between adjacent uses or zones, the type of buffering shall be appropriate to its purpose. Where the purpose is primarily the screening of objectionable views, a fence, wall or screen planting of six feet in height—or of such greater or lesser height as will be adequate to obscure the objectionable view—shall be required. Fences or walls shall either be of a material so as to provide an aesthetically pleasing or shall be landscaped so as to provide an aesthetically pleasing buffer for adjacent properties. Other appropriate means of buffering, including but not limited to spatial separations, landscaping, natural topography and other barriers shall be utilized to minimize other types of incompatibility between land uses.*

**Finding:** The proposed building is adjacent to other high-density residential uses and does not require buffering. **The provisions of this section are not applicable.**

### ***8-3J.420            MINIMUM LANDSCAPED AREAS***

A. *The minimum percentage of required landscaping is as follows:*

1. *Residential Zones. 30 percent of each lot for residential developments.*

**Finding:** The subject parcel is partially landscaped, including two (2) trees and multiple shrubs. The parcel is approximately 7,840 square feet which would require approximately 2,352 square feet of

landscaping or three (3) trees and twelve (12) shrubs. As a condition of approval, prior to Certificate of Occupancy of the new dwelling unit, the applicant shall plant one (1) 2” caliper tree on site. No additional shrubbery is required. **The provisions of this section have been met subject to conditions of approval.**

#### **8-3J.470      LANDSCAPE MAINTENANCE**

*It shall be the responsibility of the property owner to maintain landscaping on their property. All landscaping and trees shall be provided with irrigation or other facilities for the continuing care of the vegetation.*

- B. *Commercial Areas. Landscaping. In commercial zones, areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities shall be landscaped and maintained. Fences, walls, hedges and screen plantings shall be permitted in conformance with the requirements of 8-3J.3.*

**Finding:** As a general condition of approval, all landscaped areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities and fences, walls, hedges and other screen plantings or buffers shall be continually maintained. **The provisions of this section have been met subject to conditions of approval.**

#### **8-3J.530      OFF-STREET PARKING**

*Off-street parking spaces shall be provided and maintained as set forth in this Article for all uses in all zoning districts, except in the Central Business District Zone (CBD), or as otherwise provided at the time:*

**Finding:** The subject parcel is zoned RM-22 and requires two (2) spaces per dwelling. With the conversion of the garage to a dwelling unit, the subject parcel would include four (4) one and two bedroom units, requiring eight (8) spaces. As proposed the site will provide all eight (8) parking spaces either within an enclosed garage or elsewhere on site. **The provisions of this section have been met.**

#### **8-3J.560      BICYCLE PARKING FACILITIES**

*Commercial, industrial facilities and multiple-family dwellings shall provide adequate, safe and conveniently located parking facilities for bicycles. All uses, which are subject to Site Design Review, shall provide bicycle parking, in conformance with the following standards, which are evaluated during Site Design Review:*

- A. *Number of Bicycle Parking Spaces. A minimum of 2 bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking spaces. The following additional standards apply to specific types of development:*
- 2. Parking Lots. All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces. Sheltered bicycle parking is recommended to encourage bicycle use.*

**Finding:** The proposed plan identifies eight (8) parking stalls. Based on the proposed number of off-street parking stalls, the applicant shall provide one (1) bicycle parking space. The applicant is encouraged to provide sheltered bicycle parking to support multimodal transportation. Prior to Certificate of Occupancy, the applicant shall install a single bicycle parking space. **The provisions of this section have been met subject to conditions of approval.**



### 8-3J.570 **PARKING AREA DESIGN STANDARDS**

- B. *Groups of three (3) or more parking spaces shall be served by service drive so that no backward movement or other maneuvering of a vehicle within a street other than an alley will be required.*

**Finding:** The proposed plan identifies eight (8) parking stalls. All parking stalls are accessed via service drives so that no backwards movement or other maneuvering of vehicles takes place in a street. **The provisions of this section have been met.**

- D. *The Planning Commission may allow thirty-five percent (35%) of the required off-street parking spaces to be reduced to seven feet six inches by fifteen feet (7'6" x 15') to accommodate compact or hybrid electric cars.*

**Finding:** All parking stalls have been designed to meet the standard parking stall dimensions. No compact stalls have been requested. **The provisions of this section are not applicable.**

- E. *Parking Stall Standard Dimensions and Compact Car Parking. All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management, and striping. Standards parking spaces shall conform to the dimensions below (Figure 570-1 and Table 570-1). Disabled parking shall conform to the standards in 8-3J.540(C).*

**Finding:** All proposed stalls meet the dimensions of Figure 570-1 and Table 570-1 in Section 8-3J.540. **The provisions of this section have been met.**

### 8-3J.575 **PARKING AREA IMPROVEMENTS**

*All public and private parking areas, which contain three (3) or more off-street parking spaces, except for single and two-family dwellings and mobile homes on individual lots, shall be improved according to the following:*

- A. *All parking areas shall have a durable, dust-free surfacing of asphaltic concrete, Portland Cement Concrete, or other materials approved by the City Engineer. The use of pervious asphalt paving in parking areas is encouraged to meet on-site stormwater standards that may significantly reduce the requirement for drainage facilities.*

**Finding:** The parking area is surfaced with a durable, asphaltic concrete and meets the improvement requirements. **The provisions of this section have been met.**

- C. *All spaces shall be permanently and clearly marked.*

**Finding:** The proposed plan identifies eight (8) parking stalls. As a condition of approval, the applicant shall, prior to Certificate of Occupancy permanently and clearly mark all standard parking spaces. **The provisions of this section have been met subject to conditions of approval.**

- D. *Wheel stops and bumper guards shall be provided where appropriate for all spaces abutting property lines or buildings, and where necessary to protect trees or other landscaping; and no vehicle shall overhang a public right-of-way.*

**Finding:** The proposed plan identifies four (4) parking stalls adjacent to the new dwelling and the adjacent property near the fence on the east and west side of the subject parcel. Wheel stops are necessary for these stalls because there is not an existing curb between the parking stalls and the adjacent building. As a condition of approval, prior to Certificate of Occupancy, the applicant shall install two (2) parking bumpers adjacent to the new dwelling and two (2) parking bumpers adjacent to the east and west property line. **The provisions of this section have been met subject to conditions of approval.**

E. *Where parking facilities or driveways are located adjacent to residential or agricultural uses, school yards, or similar institutions, a site-obscuring fence, wall or evergreen hedge not less than five (5) feet and not more than six (6) feet in height (except that such wall, fence or screen planting may exceed six feet in height if located beyond the required yard setbacks), and adhering to any vision clearance requirements and the yard requirements of the zone in which it is located, shall be provided on the property line, or between the property line and the parking area or driveway. Screen plantings shall be of such size and number as to provide the required screening at maturity, and shall be planted within twelve (12) months of the issuance of the building permit required in subsection H, below.*

**Finding:** The subject parcel is surrounded by residential development and two of the eight parking stalls face the adjacent development. These two parking stalls have a site-obscuring fence in front of the parking stall to reduce the impacts on neighboring properties. **The provisions of this section have been met.**

G. *Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect light away from any abutting or adjacent residential district and limit excessive light pollution.*

**Finding:** The proposed site plan does not identify any outdoor lighting. If parking lot lighting is being considered, the applicant shall install lights that are shielded or arranged to reflect light away from abutting or adjacent properties and limit excessive light pollution. **The provisions of this section are not applicable.**

### **8-3J.630 STREET ACCESS AND CIRCULATION**

A. *General. This Article shall apply to all public streets within the City and to all properties that abut these streets.*

1. *General Considerations. The number of access points to a single property shall be limited to a minimum that will allow the property to accommodate and service such traffic as may be reasonably anticipated to be commensurate with the safety of the traveling public, and must not infringe on the frontage of adjoining property. Access points shall be located where they do not create undue interference or hazard to the free movement of normal road, bicycle or pedestrian traffic. Locations on sharp curves, steep grades, areas of restricted sight distance or at points which interfere with the placement and proper functioning of traffic control signs, signals, lighting or other services that affect traffic operation are to be avoided.*

**Finding:** The proposed development is served by a single existing access at the end of Lithia Ave. The access is offset from the main street, providing some separation between the end of the street and the residential parking area. The access is approximately 22 feet wide and must be increased to 24 feet to meet the standards for two-way traffic. Additionally, there have been some comments from neighbors indicating that on street parking at the end of Lithia Ave. creates a traffic hazard for



emergency personnel. As a condition of approval, prior to Certificate of Occupancy, the applicant shall, at their own expense, have Public Works install a “FIRE LANE -NO PARKING” sign adjacent to the landscape strips on both sides of the ingress/egress point and shall have the curbs painted red. **The provisions of this section have been met subject to conditions of approval.**

2. *Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum width of 10 feet per lane is required). These methods are “options” to the developer/subdivider, unless one method is specifically required by Divisions 8-3C through 8-3H, and Article 8-3J.1.*
  - a. *Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access point. Street access points shall comply with Paragraph 630(A)3.*

**Finding: Finding:** The proposed development is served by a single existing access at the end of Lithia Ave. The access is offset from the main street, providing some separation between the end of the street and the residential parking area. The access is approximately 22 feet wide and must be increased to 24 feet to meet the standards for two-way traffic. Additionally, there have been some comments from neighbors indicating that on street parking at the end of Lithia Ave. creates a traffic hazard for emergency personnel. As a condition of approval, prior to Certificate of Occupancy, the applicant shall, at their own expense, have Public Works install a “FIRE LANE -NO PARKING” sign adjacent to the landscape strips on both sides of the ingress/egress point and shall have the curbs painted red. **The provisions of this section have been met subject to conditions of approval.**

## **DISCUSSION**

Overall, staff is very supportive of the proposed site development plan because of its ability to meet the intent of the Multi-Family High Density zone, providing needed housing to Talent residents.

## **RECOMMENDATION**

Staff tentatively approves the Site Development Plan application subject to the following conditions:

## **GENERAL CONDITIONS**

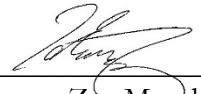
1. The applicant shall continually maintain all landscaped areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities and fences, walls, hedges and other screen plantings or buffers.
2. If parking lot lights are to be installed, the applicant shall provide a revised site plan that includes the light specifications for all exterior parking lot and building lighting. All lights shall be shielded or directed in a manner that prevents light from reflecting towards the residential uses.

## **PRIOR TO ISSUANCE OF BUILDING PERMITS**

3. Submit a plumbing plan to RVS identifying the number of fixtures that will be added and provide Community Development evidence that all required SDCs have been paid to RVS.

**PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

4. The applicant shall plant one (1) 2” caliper tree on site.
5. The applicant shall install a single bicycle parking space.
6. The applicant shall permanently and clearly mark all standard parking spaces.
7. The applicant shall install two (2) parking bumpers adjacent to the new dwelling and two (2) parking bumpers adjacent to the east and west property line.
8. The applicant shall, at their own expense, have Public Works install a “FIRE LANE -NO PARKING” sign adjacent to the landscape strips on both sides of the ingress/egress point and shall have the curbs painted red.



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Zac Moody  
Community Development Director

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11/21/2016

Date