

City of Talent

Community Development Department - Planning



STAFF REPORT

Type II Land Use Application — Administrative Review

Date: October 23, 2018
Item: SPR 2018-004, David & Laura Powell
Site: 111 N. Pacific Hwy.

Applicant:	David & Laura Powell 107 N. Pacific Hwy Talent, OR 97540
Property Owner:	David & Laura Powell 107 N. Pacific Hwy Talent, OR 97540
Requested Action:	Change of use from residential to commercial, including the development of a paved parking area.
Assessor's Map Number:	38-1W-23DC, Tax Lot 300
Site Location:	111 N. Pacific Hwy.
Zoning:	CBD –Central Business District
Deemed Complete:	October 8, 2018
Notice Mailed:	October 8, 2018
120-Day Limit:	January 6, 2019

APPROVAL CRITERIA

Talent Zoning Code 8-3D.2, 8-3J.1, 8-3J.4-6 and 8-3L.1

PROPERTY CHARACTERISTICS



The site is located on the south side of Highway 99 between Valley View Road New Street. The site is currently used as a single-family dwelling. The existing building is situated towards the southern portion of the property with the parking area near the front.

AGENCY COMMENTS

No agency comments received.

PROPERTY OWNER COMMENTS

No public comments received.

ANALYSIS

Tentative administrative approval is subject to compliance with the approval criteria above, and the underlying zoning district (8-3D.2, CBD). Text from the code appears in *italics*.

8-3D.220 BUILDINGS AND USES PERMITTED SUBJECT TO TYPE-1 PERMIT REVIEW

- E. *Paving, surfacing, or resurfacing of existing parking lots subject to city staff review for conformance with the provisions of Article 8-3J.5...*

FINDING: The proposed change of use includes paving of a parking area to serve the new commercial use. Parking is not required in the CBD zone; however, the applicant has requested approval to install five (5) parking stalls, including three (3) compact and one (1) ADA stall. The proposed parking area is approximately 2,475 square feet in size and pursuant to the 2008 Rogue Valley Stormwater Quality Design Manual, projects under 2,500 square feet of impervious surface are exempt from these standards. **The provisions of this section have been met.**

8-3D.230 BUILDINGS AND USES SUBJECT TO TYPE-2 SITE DEVELOPMENT PLAN REVIEW

- B. *Retail stores (excluding sales of medical or recreational marijuana by producers, wholesalers, processors and retail outlets) and offices; personal, business and repair services, not including automotive repair. Such uses may not exceed 6,000 square feet. Automotive parts and sales are permitted provided that the activity happens fully within enclosed buildings.*

FINDING: The proposed change of use is from residential to office/personal business. **The provisions of this section have been met.**

8-3J.420 MINIMUM LANDSCAPED AREAS

- A. *The minimum percentage of required landscaping is as follows:*
2. *Commercial Business District (CBD). 20 percent of the site.*

FINDING: The subject parcel is approximately 0.12 acres (or 5,227 square feet). Considering the size of the parcel, 1,045 square feet of the property shall be landscaped. In accordance with Section 8-3J.430, trees and shrubs shall be planted at a ratio of one tree and five shrubs per 1,000 square feet of required landscaped area. As a condition of approval, the applicant shall, prior to occupancy, plant one (1) 2" caliper tree and five (5) five-gallon shrubs. **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 Central Business District (CBD). No parking is required for the proposed change of use. **The provisions of this section are not applicable.**

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 plan proposes the installation of 5 parking stalls. As a condition of approval, the applicant shall, prior to certificate of occupancy, install a minimum of 1 bicycle parking space adjacent to the proposed improvement area. Although the general nature of the area is not pedestrian oriented, the applicant is encouraged to provide sheltered bicycle parking to support multimodal transportation and reduce vehicle trip generated to the site. **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 site plan includes 5 off-street parking stalls for customer and employees. All the identified spaces are served by a service drive and all backward movement and

maneuvering of a vehicle can be safely accommodated. **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: No parking is required in the CBD zone, therefore the number of compact stalls permitted are not regulated and this section is not applicable. **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 existing off-street parking stalls meet the standard dimensions and all parking stalls are improved to conform to the City standards for surfacing, stormwater management (as required) and striping. **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 proposed parking area will be paved with a durable, dust-free surface of asphaltic concrete. **The provisions of this section have been met.**

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

FINDING: As proposed, all spaces will be permanently and clearly marked. **The provisions of this section have been met.**

- 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: All proposed parking stalls are either adjacent to the building or the pedestrian walkway along the highway. As a condition of approval, the applicant shall, prior to occupancy install wheel stops in each proposed parking stall. **The provisions of this section have been met subject to conditions of approval.**

- 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 new outdoor lighting. If parking area 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 have been met.**

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: No new access points are proposed as part of this development. **The provisions of this section are not applicable.**

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 CBD zone allows for commercial office uses subject to the provisions of Section 8-3J.4, Landscaping, Fences and Hedges and Section 8-3J.6, Access, Circulation and Street Improvements and the Site Development Plan Review standards in Section 8-3L addressed in the findings below. **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: The CBD zone is intended to serve as the hub of government, public services and social activities and permits retail trade, personal and business services. The addition of small scale commercial operations meets the intent of the zone. **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 subject property as well as all adjacent properties are zoned commercial and are either vacant, have an established commercial use or are adequately separated and do not require the use of buffers. **The provisions of this section are not applicable.**

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

FINDING: The proposed commercial use within the existing building does not create any new impervious surface. The proposed parking area includes approximately 2,475 square feet of paved surface and will not generate any waste other than normal water runoff. Stormwater for the development is currently conveyed off-site through a curb cut into the State highway. **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: Vehicular and pedestrian ingress and egress are improved as part of this request. Additionally, landscaping is improved with the addition of a new tree and five shrubs. **The provisions of this section have been met.**

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 for the change of use from residential to commercial. The proposed office use will occupy the existing building onsite and no changes to the building footprint are being proposed. No changes in access circulation or street related access are required as part of this request. **The provisions of this section are not applicable.**

DISCUSSION

Overall, staff is supportive of the proposed site development plan because of its ability to meet the intent of the Commercial Business Highway zone, converting a non-conforming residential use to commercial, enhancing the commercial area.

RECOMMENDATION

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

GENERAL CONDITIONS

1. 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.

PRIOR TO CERTIFICATE OF OCCUPANCY

2. The applicant shall plant one (1) 2" caliper tree and five (5) five-gallon shrubs.
3. The applicant shall install a minimum of 1 bicycle parking space adjacent to the proposed improvement area.
4. The applicant shall install wheel stops in each proposed parking stall.



Zac Moody
Community Development Director

October 23, 2018
Date