



STAFF REPORT and TENTATIVE DECISION

Type-2 Land Use Application — Administrative Review

Date: November 1, 2019 Item: SPR 2019-002
Prepared by: Jeff Wilcox Site Development Plan Review

Applicant..... Dew Engineering, Inc.
815 Bennett Ave.
Medford, OR 97504

Owner..... ACH Foundation
P.O. Box 98
Ashland, OR 97520

Application Received..... August 23, 2019

Application Complete October 2, 2019

Notice Mailed and Posted..... October 2, 2019

Requested Action..... Parking lot addition.

Site Location:..... 209 N. Pacific Hwy.

Assessor’s Map Number..... 38-1W-23CA, Tax Lot 700, 1200 and 1300

Lot Size..... 1.09 Acres

Zoning: Central Business District (CBD)

APPROVAL CRITERIA

Talent Municipal Code (TMC) Sections:

- 18.50, Commercial Zone – Central Business District
- 18.100, Tree Preservation and Protection
- 18.105, Landscaping, Fencing and Hedges
- 18.110, Off-Street Parking and Loading
- 18.115, Access, Circulation and Street Improvements
- 18.150, Site Development Plan

PROPERTY CHARACTERISTICS



The site is located on the west side of Highway 99 just north of New Street. The site is currently used as a medical complex comprised of two building and a partially improved common parking area.

AGENCY COMMENTS

Rogue Valley Sewer Services (RVSS) provided comment and development requirements which are addressed in the Findings below.

PROPERTY OWNER COMMENTS

Two public comments were received; one marked 'no comment' the other encouraging approval.

ANALYSIS

Tentative administrative approval is subject to compliance with the approval criteria above, and the underlying zoning district. Text from the code appears in *italics*.

18.50.030 BUILDINGS AND USES SUBJECT TO TYPE-2 SITE DEVELOPMENT PLAN REVIEW

G. *Public and commercial off-street parking lots or structures, not exceeding 200 parking spaces.*

FINDING: The proposal is for a parking lot addition. **The provisions of this section have been met.**

18.100.020 DEFINITIONS

“Remove” means:

- 1. To cut down a tree, or to damage a tree so as to cause the tree to decline and/or die within a three-year period. Types of damage which may constitute removal include but are not limited to topping, damage inflicted upon a root system by application of toxic substances, and girdling. “Removal” does not include normal trimming or pruning of trees as defined by ANSI A300 pruning standards current on the day this definition was adopted.*
- 2. To perform activities which result in impacts to more than 30 percent of the critical root zone if the CRZ is determined by Method A in the definition of “critical root zone” in this section.*
- 3. To perform activities which impact any of the CRZ if determined using Method B in the definition of “critical root zone” in this section.*

FINDING: All existing trees are proposed to remain and be protected during construction phase. As a general condition of approval, the property owner shall obtain a Type “B” Tree removal permit if retained trees (adjacent to 49 Talent Ave.) are to be affected as defined by “Remove” in TMC 18.100.020. **The provisions of this section have been met subject to conditions of approval.**

18.105.020 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 1.09 acres (or 47,480 square feet). Considering the size of the parcel, 9,496 square feet of the property shall be landscaped. In accordance with Section 18.105.030, trees and shrubs shall be planted at a ratio of one tree and four five-gallon shrubs / accent plants per 1,000 square feet of required landscaped area.

As a condition of approval, prior to Community Development final inspection, the property owner shall:

- a. plant ten (10) 2” caliper trees, and
- b. plant forty (40) five-gallon shrubs / accent plants (Existing noninvasive vegetation may be used in meeting landscaping requirements), and
- c. ensure 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 are continually maintained.

The provisions of this section have been met subject to conditions of approval.

18.105.070 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 TMC 18.105.020 and 18.105.030.*

FINDING: The subject parcel is approximately 1.09 acres (or 47,480 square feet). Considering the size of the parcel, 9,496 square feet of the property shall be landscaped. In accordance with Section 18.105.030, trees and shrubs shall be planted at a ratio of one tree and four five-gallon shrubs / accent plants per 1,000 square feet of required landscaped area.

As a condition of approval, prior to Community Development final inspection, the property owner shall:

- a. plant ten (10) 2” caliper trees, and
- b. plant forty (40) five-gallon shrubs / accent plants (Existing noninvasive vegetation may be used in meeting landscaping requirements), and
- c. ensure 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 are continually maintained.

The provisions of this section have been met subject to conditions of approval.

18.110.060 NUMBER OF PARKING SPACES REQUIRED

C. *The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act (Table 18.110.060-2). Disabled parking is in addition to the minimum number of required parking spaces in subsection (A) of this section.*

Table 18.110.060-2. Minimum Number of Accessible Parking Spaces - ADA Standards for Accessible Design

Total Number of Parking Spaces Provided (per Lot)	Total Minimum Number of Accessible Parking Spaces (60" and 96" Aisles)	Van Accessible Parking Spaces with Min. 96" Wide Access Aisle	Accessible Parking Spaces with Min. 60" Wide Access Aisle
	Column A		
1 - 25	1	1	0
26 - 50	2	1	1
51 - 75	3	1	2
76 - 100	4	1	3
101 - 150	5	1	4
151 - 200	6	1	5
201 - 300	7	1	6
301 - 400	8	1	7
401 - 500	9	2	7
501 - 1,000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1,001 and over	20 plus 1 for each 100 over 1,000	1/8 of Column A*	7/8 of Column A**

* One out of every 8 accessible spaces
 ** 7 out of every 8 accessible spaces

Handicapped parking spaces shall be located in a safe location in close proximity to a building entrance.

FINDING: The proposal is for a parking lot addition. Within the extent of the project area (the three taxlots noted above) there are currently twenty-eight (28) parking stalls. The applicant has requested approval to add thirty (30) parking stalls. This would bring the grand total to fifty-eight (58) parking stalls. As a condition of approval, prior to Community Development final inspection, the property owner shall provide a minimum of three (3) parking stalls consistent with Americans with Disability Act Standards for Accessible Design and table 18.110.060-2. **The provisions of this section have been met subject to conditions of approval.**

18.110.100 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 proposal is for a parking lot addition. Within the extent of the project area (the three taxlots noted above) there are currently twenty-eight (28) parking stalls. The applicant has requested approval to add thirty (30) parking stalls. This would bring the grand total to fifty-eight (58) parking stalls. As a condition of approval, prior to Community Development final inspection, the property owner shall provide a minimum of six (6) bicycle parking spaces. **The provisions of this section have been met subject to conditions of approval.**

18.110.120 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 applicant has requested approval to add thirty (30) parking stalls. 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 TMC 18.110.060(C).*

FINDING: The applicant has requested approval to add thirty (30) parking stalls. All proposed parking stalls meet parking stall standard dimensions. Existing parking stalls also meet standard dimensions. Surfacing, stormwater management, and striping will be addressed through separate findings below. **The provisions of this section have been met.**

18.110.130 *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.**

- B. *All parking areas, aisles, turnarounds, and outdoor vehicle sales areas shall be graded so as not to drain storm water over sidewalks, public rights-of-way, and abutting private property. Storm water runoff generated beyond that which is normal for the site in its natural state shall, as much as possible, be retained on the site. Direct flow in stream channels is to be avoided. Methods to accomplish this provision include exhausting the possibilities of grading and draining parking lots into one or more of the following: percolation wells, trenches or ponds; vegetated or landscaped swales; natural drainage channels other than creek channels; and, for peak rainfall or runoff periods, seldom-used portions of the parking lot itself. It is the responsibility of the property owner to maintain the storm water system on his property in an operational manner so as to maintain the public safety and welfare; failure to maintain such a system in good repair may be constituted as a public nuisance in accordance with the provisions of any city ordinance regarding public nuisances. At least, drainage systems shall be conducted to public storm water sewers and ditches. (Please see Storm Drainage Design Standards (Res. 517).)*

FINDING: RVSS requirements supersede City Storm Drain Design Standards for projects of this scale (2,500+ square feet additional impervious surface area). As a general condition of approval, the property owner shall satisfy the following RVSS storm water requirements:

Prior to the start of construction:

1. Applicant must provide construction plans prepared per RVSS standards for approval.
2. Applicant must prepare a stormwater management plan in accordance with the Regional Stormwater Quality Design Manual.
3. Applicant must record a Declaration of Covenants for all new stormwater quality features.

During Construction:

1. Sewer facilities must be constructed and inspected per RVSS standards.
2. Applicant must sequence construction so that the permanent stormwater quality features are installed and will be operational when stormwater runoff enters them.
3. Applicant must fence off exposed subgrade of stormwater quality features from equipment traffic and storage.

Prior to final acceptance of project:

1. Applicant must have all stormwater quality facilities, including vegetation when applicable, inspected and approved by RVSS.

The provisions of this section have been met subject to conditions of approval.

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

FINDING: The applicant has requested approval to add thirty (30) parking stalls. All proposed parking stalls are to be permanently and clearly marked. Existing parking stalls are not clearly marked.

As a condition of approval, prior to Community Development final inspection, the property owner shall permanently and clearly mark all parking stalls (existing and proposed). **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 applicant has requested approval to add thirty (30) parking stalls. All proposed parking stalls are adjacent to interior walkways or landscaping. Existing parking stalls adjacent to the building at 209 N. Pacific Hwy. and 49 Talent Ave. are missing wheel stops.

As a condition of approval, prior to Community Development final inspection, the property owner shall install wheel stops consistent with applicant Supplemental Planning Information sheet C0, received 10/31/2019. **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 sight-obscuring fence, wall or evergreen hedge not less than five feet and not more than six 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 12 months of the issuance of the building permit required in subsection (H) of this section.*

FINDING: Subject property is adjacent to a residential use (North) and separated by an existing chain link fence. As a condition of approval, prior to Community Development final inspection, the property owner shall install a sight-obscuring fence, wall or evergreen hedge not less than five feet and not more than six feet in height along the north property line of taxlot 700. **The provisions of this section have been met subject to conditions of approval.**

F. *Trees and Landscaping.*

1. *A minimum of 40 percent of the outdoor parking area shall be shaded by trees within 15 years of planting, and buildings at noon on August 21st, Pacific Daylight Time. Noon on August 21st constitutes a 58-degree*

solar altitude and shadow lengths shall be calculated by multiplying the height of a shadow-casting object by 0.625. Shadow patterns will be cast in a due north direction from the object.

FINDING: The proposed landscape plan indicates shade coverage will satisfy this requirement. **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 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.**

18.115.030 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.**

18.115.040 PEDESTRIAN ACCESS AND CIRCULATION

C. *Connections within Development. For all developments subject to site development plan review (Chapter 18.150 TMC), pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas, and adjacent developments to the site, as applicable.*

E. *Design and Construction. Pathways shall conform to all of the following standards:*

1. *Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from the driveway/ street by, at minimum, a five-foot-wide strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.*

3. *Crosswalks. Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a colored concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application acceptable to the public works department.*

4. *Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least six feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 10 feet wide. (See also TMC 18.115.050 for public, multi-use pathway standard.)*

5. *Accessible Routes. Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.*

FINDING: No pathway or crosswalk currently connects the primary building entrances of 209 N. Pacific Hwy. and 49 Talent Ave. As a condition of approval, prior to Community Development final inspection, the property owner shall ensure required crosswalk and pathways are installed consistent with applicant Supplemental Planning Information sheet C0, received 10/31/2019. **The provisions of this section have been met subject to conditions of approval.**

18.150.050 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 public and commercial parking lot uses subject to a Site Development Plan Review. The proposal complies with the provisions of this Chapter and other applicable City ordinances and agreements through the application of conditions of approval. **The provisions of this section have been met.**

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; shall permit retail trade, personal and business services. The proposed parking lot addition will enhance personal and business services and 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: Subject property is adjacent to a residential use (North) and separated by an existing chain link fence. As a condition of approval, prior to Community Development final inspection, the property owner shall install a sight-obscuring fence, wall or evergreen hedge not less than five feet and

not more than six feet in height along the north property line of taxlot 700. **The provisions of this section have been met subject to conditions of approval.**

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

FINDING: The proposed parking lot addition will conduct no waste other than normal water runoff into City storm and wastewater facilities. Stormwater management is addressed by separate findings provided above (TMC 18.110.130(B)). **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 ingress and egress, parking and loading are improved as part of this request. Additionally, landscaping is improved with the addition of new trees and 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 a parking lot addition. 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 CBD zone, providing additional parking for adjacent businesses, improving landscaping and buffering conditions, thereby enhancing the local area.

RECOMMENDATION

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

GENERAL CONDITIONS

1. The property owner shall obtain a Type “B” Tree removal permit if retained trees (adjacent to 49 Talent Ave.) are to be affected as defined by “Remove” in TMC 18.100.020.
2. The property owner shall satisfy the following RVSS storm water requirements:
 - Prior to the start of construction:
 1. Applicant must provide construction plans prepared per RVSS standards for approval.
 2. Applicant must prepare a stormwater management plan in accordance with the Regional Stormwater Quality Design Manual.
 3. Applicant must record a Declaration of Covenants for all new stormwater quality features.
 - During Construction:
 1. Sewer facilities must be constructed and inspected per RVSS standards.
 2. Applicant must sequence construction so that the permanent stormwater quality features are installed and will be operational when stormwater runoff enters them.
 3. Applicant must fence off exposed subgrade of stormwater quality features from equipment traffic and storage.
 - Prior to final acceptance of project:
 1. Applicant must have all stormwater quality facilities, including vegetation when applicable, inspected and approved by RVSS.

PRIOR TO COMMUNITY DEVELOPMENT FINAL INSPECTION

3. The property owner shall
 - a. plant ten (10) 2” caliper trees, and
 - b. plant forty (40) five-gallon shrubs / accent plants (Existing noninvasive vegetation may be used in meeting landscaping requirements), and
 - c. ensure 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 are continually maintained.
4. The property owner shall provide a minimum of three (3) parking stalls consistent with Americans with Disability Act Standards for Accessible Design and table 18.110.060-2.
5. The property owner shall provide a minimum of six (6) bicycle parking spaces.
6. The property owner shall permanently and clearly mark all parking stalls (existing and proposed).
7. The property owner shall install wheel stops consistent with applicant Supplemental Planning Information sheet C0, received 10/31/2019.
8. The property owner shall install a sight-obscuring fence, wall or evergreen hedge not less than five feet and not more than six feet in height along the north property line of taxlot 700.
9. The property owner shall ensure required crosswalk and pathways are installed consistent with applicant Supplemental Planning Information sheet C0, received 10/31/2019.



Jeff Wilcox
Assistant Planner

11/1/2019

Date