



STAFF REPORT

Date: August 23, 2022 Item: SPR 2022-005
Prepared by: Kim Trimiew Site Development Plan Review

Applicant.....Bonnie Morgan, Owner
650 Ashland St
Ashland, OR 97520
Application Received.....July 25, 2022
Application CompleteJuly 28, 2022
Request for Public Comment mailed.....July 28, 2022
Requested ActionHistoric renovation and improvements
Assessor’s Map Number38-1W-23DC, Tax Lot 2000
Lot Size0.17 Acres
Zoning.....Commercial Zone, Central Business District (CBD)
Other applicable code sections.....Talent Municipal Code (TMC) Title 18, Zoning

PROPOSAL

The request is to provide historic renovation and improvements to the Malmgren Garage. The improvements will include two live-work units into the existing concrete shell structure of the historic Malmgren Garage. The live-work units are comprised of commercial space and a rear residential unit with bathroom and kitchen facilities. The project shall incorporate restoration of the existing concrete shell structure of the historic Malmgren garage. The original structure partially burned in the 2020 Alameda Drive Fire.

PROPERTY CHARACTERISTICS

The subject property was constructed in 1925, according to the Talent Survey of Historic and Cultural Resources prepared by George Kramer in 1995. Prior to the 2020 Alameda Drive Fire, the building was occupied by Southern Oregon Pottery (30 years) and between 2008 and 2020 housed artists’ studios and an antique store. According to Kramer, the building was “essentially unaltered from its original construction.” The concrete shell of the Malmgren Garage survived the Alameda Drive Fire, and has been evaluated by engineers and found to be structurally viable. Applicant is seeking to restore the building to meet National Register criteria, and to add a residential unit to the back of the structure. Additional improvements include 2 parking stalls for the residences and full sidewalk connectivity serving the building frontage, pedestrian access to the back residences, and landscape planters.

This lot measures approximately 0.17 acres and has access from Talent Avenue, a fully improved public road classified as “Collector Street” in the Talent Transportation System Plan.

The subject property is zoned Central Business District (CBD) and is identified as Commercial (c) on the Comprehensive Plan Map and is inside of the Old Town District overlay.

Stormwater/Waste Water

Sewer services are currently available to the site.

Water Service

Water Service is currently available to the site.

APPROVAL CRITERIA

TMC Ch 18.50, Commercial Zone, Central Business District (CBD). The purpose of the CBD 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.*”

TMC Ch 18.150, Site Development Plan. The purpose of a site plan review is to “*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.

PUBLIC COMMENTS

Two public comment forms, dated 7/30/22 and 8/1/22, were received in response to the request for public comment mailed on July 28, 2022, encouraging approval of this project.

AGENCY COMMENTS

Jackson County Fire District #5 response: Regarding the proposed restoration of the Malmgren Garage and additional buildings, SPR2021-013, 111 Talent Ave. Fire District 5 requires at least one Knox box to be installed at the main entrance. Additional Knox boxes may be required depending on the occupancy lay out. Knox applications may be obtained at Fire District Headquarters. If it is determined that any of the proposed buildings will require a sprinkler system, the fire department connection (FDC) shall be off building and include a post indicator valve. Additionally, any FDC shall be within 100 feet from a hydrant.

Rogue Valley Sewer Services (RVSS) response: RVSS provided comments that have been incorporated into the findings below.

City of Talent Public Works Department:

The section of Talent Ave. adjacent to 111 was recently overlaid in May of this year and has a 5-year moratorium, the language can be found in 12.20.010 of the Talent Municipal Code.

TMC 12.20.010: There shall be no excavation in newly paved or resurfaced streets by anyone, including the departments of the city of Talent, for a period of five years from the date of such paving. [Ord. 895 § 1, 2015; Ord. 842 § 2 (Exh. A); Ord. 608 § 1.]

Update: Talent City Council approved a water line excavation waiver for this project on July 20, 2022, allowing excavation for utility connections to proceed during the moratorium period.

Talent Police Department: Talent Police Department has no comments or concerns.

Talent Irrigation District: Talent Irrigation District does not have any concerns.

18.50.030 BUILDINGS AND USES SUBJECT TO TYPE II SITE DEVELOPMENT PLAN REVIEW

No structure shall be erected, enlarged or structurally altered, nor shall land be developed, except for the following uses or structures, which shall not include drive-in, drive-through or drive-up facilities. The following uses are permitted subject to the provisions of Chapter 18.150 TMC and review by the planning department:

K. Live-work units. [Ord. 817 § 8-3D.230, 2006.]

FINDING: The proposed plan has two commercial units located in front and two dwellings located at the ground level behind the non-residential uses. The units shall be designated as live-work units, comprised of a commercial space with an associated dwelling unit located in back. Live-work units are permitted in the Central Business District subject to Type II Site Development Plan Review. Collectively, the two dwelling units shall not exceed 50 percent of the total ground floor space of the building. **The provisions of this section have been met.**

18.50.060 YARD REGULATIONS

A. Front Yard.

- 1. Minimum: zero feet.*
- 2. Maximum: 10 feet for no more than 50 percent of the ground-floor width.*
- 3. Parking lots: 10 feet, which shall be landscaped to provide screening.*

B. Side Yard.

- 1. Minimum: zero feet.*
- 2. Maximum: 10 feet for no more than 50 percent of the ground-floor width on street-facing sides; 10 feet on alley-facing sides.*
- 3. Parking lots: 10 feet, which shall be landscaped to provide screening.*

C. Rear Yard. No rear yard is required between commercially zoned properties.

FINDING: The existing footprint of the historic building will remain the same. **The provisions of this section have been met.**

18.50.090 PARKING AND LOADING REQUIREMENTS

A. Off-street loading spaces shall be provided as prescribed in Chapter 18.110 TMC. Off-street parking spaces adequate to serve commercial establishments shall be made available, but may be provided on a district-wide or joint use basis rather than adjacent to each commercial use. If adequate public or commercial parking areas are not available, the individual business shall be responsible for providing adequate off-street parking in conformance with the requirements of Chapter 18.110 TMC.

FINDING: The subject parcels are zoned Central Business District however, per 18.110.050(C)(2), dwellings are not exempt from off-street parking requirements. The proposed plan shows two future parking spaces located on the southeast corner of the property to accommodate the two dwellings in back of the building. The project is located on Talent Avenue adjacent to a tax lot (38-1W-23DC-2100) that is designated in the Transportation System Plan (TSP) as a future collector street connecting Talent Avenue to West Valley View Road. As a condition of approval, an easement along the north side of the affected tax lot will be required to provide access to the proposed parking until such time as the Wagner Creek Extension is constructed. The easement shall be revokable upon construction of the new road. **The provisions of this section can be met subject to conditions of approval.**

18.50.100 LANDSCAPING, FENCES, WALLS AND SIGNS

All required landscaped areas shall be installed in accordance with Chapter 18.105 TMC. Fences, walls, hedges and screen plantings shall be permitted in accordance with Chapter 18.105 TMC. In all cases, and at all times, they shall not exceed four feet in height within front and street-side yards. Signs shall be permitted in accordance with Chapter 18.120 TMC. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.295, 2006.]

18.50.110 BUFFERING

When a development or use is proposed on property within the CBD zone which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the planning commission shall require a buffer in accordance with TMC 18.105.050. The planning commission may waive buffering that would otherwise be required by TMC 18.105.050(B) if it finds that the need to fulfill the intent of the CBD zone outweighs the need for buffering. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3D.296, 2006.]

FINDING: The project is surrounded by commercially zoned properties, therefore there is not a requirement to buffer this use. **The provisions of this section have been met.**

18.105.020 MINIMUM LANDSCAPED AREA

- A. *The minimum percentage of required landscaping is as follows:*
2. *Central Business District (CBD) and Commercial Neighborhood (CN) Zones. Fifteen percent of the site.*

18.105.030 MINIMUM VEGETATION AND GROUND COVER

- A. *Minimum number of trees and shrubs acceptable per 1,000 square feet of landscaped area:*
1. *One tree, minimum 2" caliper.*
 2. *Four 5-gallon shrubs or accent plants.*
- B. *Minimum percentage Ground Cover. All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material as defined in subsection (C) below, shall have ground cover plants that are sized and spaced to achieve 75 percent coverage of the area not covered by shrubs and tree canopy unless a xeriscape plan is approved.*
- C. *Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below. "Coverage" is based on the projected size of the plants at maturity, i.e., typically three (3) or more years after planting. The landscape materials below may be modified as part of an approved xeriscape plan.*

18.105.050 BUFFER AND SCREENING

- A. *General Requirements.*

1. *The property owner is responsible for the installation and maintenance of required buffers and screens including compliance with TMC 18.135.060(A).*
2. *The community development director may waive the buffering/ screening requirements of this section where the required buffer/ screen has been installed on the adjacent property in accordance with this chapter.*
3. *Where a proposed use abuts undeveloped property, only one-half of the buffer width shall be required.*

B. Buffer Location. A buffer consists of an area within a required setback adjacent to a property line. It has a depth equal to the amount specified in Table 18.105.050-1 and contains a length equal to the length of the property line of the abutting use(s).

C. Buffer Requirements.

1. *At least one row of trees. These trees will not be less than 10 feet tall at the time of planting and not spaced more than 30 feet apart and five feet tall at the time of planting for evergreen trees and spaced not more than 15 feet apart. This requirement may be waived by the community development director when it can be demonstrated that such trees would conflict with other provisions of this code (e.g., solar access).*
2. *At least five five-gallon shrubs or 10 one-gallon shrubs for each 1,000 square feet of required buffer area.*
3. *The remaining buffer area shall be planted in accordance with TMC 18.105.030(C).*

D. Screening. Where screening is required or provided, at least one of the following techniques shall be provided in addition to the buffering requirements above:

1. *One row of evergreen shrubs that will grow to form a continuous hedge at least six feet tall within two years of planting; or*
2. *A fence or masonry wall at least six feet in height to provide a uniform sight-obscuring screen; or*
3. *An earthen berm combined with evergreen plantings or a fence that forms a sight and noise buffer at least six feet tall within two years of installation.*

E. Clear Vision. Buffering and screening provisions are superseded by the clear vision requirements of TMC 18.105.055.

F. Landscaping within the buffer shall count towards minimum landscaped area and vegetation required by TMC 18.105.020 and 18.105.030.

FINDING: The subject parcel totals approximately 8,161 square feet which requires 1,224 square feet of landscaping. As shown on the proposed site plan, the development includes approximately 1,294 square feet of landscaped area, meeting the requirement. The proposal does not show shrubs, trees or groundcover. As a condition of approval, prior to the issuance of certificate of occupancy, the applicant shall install trees, shrubs, and ground cover in accordance with 18.105.030. **The provisions of this section can be met subject to conditions of approval.**

18.105.055 CLEAR VISION AT INTERSECTIONS

D. The clear vision area for all street intersections and all street and railroad intersections shall be that area described in the most recent edition of the “AASHTO Policy on Geometric Design of Highways and Streets.” The clear vision area for all corner lots shall be that area within a 30-foot radius from where the lot line and the edge of a street intersect. The clear vision area for all driveways shall be that area within a 10-foot radius from where the driveway and the edge of a street intersect.

FINDING: The project is located on Talent Avenue adjacent to a tax lot that is designated in the Transportation System Plan (TSP) as a future collector street connecting Talent Avenue to West Valley View Road. Once this new road has been constructed, the property will be considered a corner lot and will need to ensure a vision area of 30-feet from where the lot line and the edge of the street connects. The temporary access, and any future vehicular access proposed for the site will require a 10-foot radius from where the driveway and the edge of the street connect. **The provisions of this section can be 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

In commercial zones, areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities shall be 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 proposed landscaping shall be properly maintained and provided with irrigation. **The provisions of this section can be met subject to conditions of approval.**

18.110.050 OFF-STREET PARKING APPLICABILITY

C. The following uses shall be subject to limited application of this chapter:

2. All uses in the central business district zone (CBD) are exempt from providing off-street parking consistent with this chapter, except that residential uses shall provide off-street parking consistent with this chapter at a ratio of 50 percent of the spaces otherwise required in TMC 18.110.060. [Ord. 966 § 2 (Exh. B), 2021; Ord. 817 § 8-3].530, 2006.]

18.110.060 NUMBER OF PARKING SPACES REQUIRED

A. The number of off-street parking spaces required shall be not less than as set forth in Table 18.110.060-1, except as otherwise provided in this chapter.

Table 18.110.060-1. Parking Requirements by Use

Use	Standard
Residential Uses	
Multifamily dwelling:	0.5 space per dwelling unit
Studio dwelling units	1 space per dwelling unit
One- and two-bedroom dwelling units	1.5 spaces per dwelling unit
Three-bedroom or larger dwelling units	

FINDING: The subject parcels are zoned Central Business District and are therefore exempt from off-street parking requirements with the exception of residential uses. As (2) two parking spaces are typically required per TMC 18.110.060, only one space (50%) is required in the CBD per TMC 18.110.050. Two parking space have been proposed, exceeding the minimum requirement. As stated

earlier in these findings, an easement on the adjacent property will be required to provide access the proposed parking. **The provisions of this section can be met subject to conditions of approval.**

18.110.100 BICYCLE PARKING FACILITIES

A. Number of Bicycle Parking Spaces. A minimum of two 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:

5. Downtown District. Within the CBD, bicycle parking for customers shall be provided along the street at a rate of at least one space per use. Individual uses may provide their own parking, or spaces may be clustered to serve up to six bicycles. Bicycle parking spaces shall be located in front of the stores along the street, either on the sidewalks or in specially constructed or designated areas such as pedestrian curb extensions. Inverted “U” style racks are recommended and creative designs are strongly encouraged. Bicycle parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions. Customer spaces may or may not be sheltered. When provided, sheltered parking (within a building, or under an eave, overhang, or similar structure) shall be provided at a rate of one space per 10 employees, with a minimum of one space per store.

C. Location and Design. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided, unless demonstrated otherwise by the applicant. Street furniture includes benches, streetlights, planters, and other pedestrian amenities. Creative designs are strongly encouraged.

FINDING: The proposed site plan provides the minimum required bike parking space, located in the in front of the historic facade, no further than the closest parking space, well-lit by street lights, and outside of the path of pedestrian travel. **The provisions of this section have been met.**

18.115.030 PEDESTRIAN ACCESS AND CIRCULATION

To ensure safe, direct, and convenient pedestrian circulation, all developments, except residential development of four or fewer units on a single lot, shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicyclists.) The system of pathways shall be designed based on the standards in subsections (A) through (E) of this section:

B. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

3. For commercial, industrial, mixed use, as well as public and institutional buildings, the primary entrance is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

FINDING: An existing 7-foot-wide public sidewalk fronts the historic building, providing safe, direct and convenient pedestrian access to the site. The primary entrances to the two commercial establishments are on Talent Avenue shall serve as the main public entrances. **The provisions of this section have been met.**

18.115.040 STREET TREES

A. Purpose. This section is intended to improve the comfort, safety and appearance of streets through the appropriate use of street trees. The standards in this section supplement, but do not replace, the provisions of Chapters 18.105 and 18.135 TMC.

- B. *Plantings.* Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to land division or site design review, except that street trees may be planted in planter wells as provided in subsection (E) of this section. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in TMC 18.105.030. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.
- E. *Spacing and Location.* If a planter strip is provided, street trees shall be planted within the planting strip. If a planter strip is not provided, trees shall be planted behind the sidewalk or in sidewalk tree wells (e.g., downtown area) when determined in the review process to be a reasonable accommodation. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with sight distance requirements, or existing trees, retaining walls, utilities and similar physical barriers.

FINDING: Applicant's submittal shows one street tree located in an existing sidewalk tree well adjacent to Talent Avenue. **The provisions of this section can be met subject to conditions of approval.**

18.115.060 VEHICULAR ACCESS AND CIRCULATION

C. *Access Permit Required.* A new or modified connection to a public street requires an access permit in accordance with the following procedures:

1. *Permits for access to city streets shall be subject to review and approval by the public works director based on the standards contained in this section and the provisions of TMC 18.115.050, Transportation facility standards. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval.*

F. *Access Options.* When vehicle access is required for development, access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider.

2. *Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., shared driveway). An access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private access.*

G. *Access Spacing.* Driveway access shall be separated from other driveways and public and private street intersections in accordance with the following standards and procedures:

2. *Arterial and Collector Streets. Access spacing on collector and arterial streets shall be determined by the public works director. Access to State Highway 99 shall be subject to review and approved by the Oregon Department of Transportation (ODOT), based on the applicable standards contained in the city's transportation system plan and policies contained in the 1999 Oregon Highway Plan.*

H. *Road Access Points.* For single-family (detached and attached), duplex, triplex and quadplex housing types, one street access point is permitted per lot. Alley access is strongly encouraged before other access points are considered; except that two access points may be permitted for duplexes, triplexes and quadplexes on corner lots (i.e., no more than one access per street), and subject to the access spacing standards in subsection (G) of this section. The number of street access points for multiple-family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared driveways may be required, in conformance with subsection (I) of this section, in order to maintain the required access spacing, and minimize the number of access points.

Standards for the number and location of road access points are as follows. Variations from these standards shall satisfy and be subject to the requirements of Chapter 18.160 TMC, Variance.

2. *Collector and Local Streets.* All uses: road access permit required as set forth in subsection (B) of this section, subject to general considerations for safety and transportation mobility; curb cuts and driveways. A minimum of 10 feet for local streets and 30 feet separation for collectors (as measured from the sides of the driveway/street) from street intersections.

J. *Driveway Openings/Curb Cuts.* Driveway openings or curb cuts shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

4. *Commercial and industrial uses:* maximum curb cuts and driveway approaches are the following according to property frontage:

Property Frontage	One Two-Way Driveway	Two or More Two-Way Driveways
Under 30 feet	60% of frontage	-
30 - 50 feet	18 feet	-
50 - 80 feet	29 feet	-
80 feet or more	33 feet	28 feet

Note: One-way driveways can be a maximum of 50 percent of the two-way maximum driveway standards.

5. In no case shall a driveway or curb cut exceed 60 percent of property frontage.

N. *Construction.* The following construction standards shall apply to all driveways and private streets:

1. *Surface Options.* Driveways, parking areas, aisles, and turnarounds shall be paved with asphalt, concrete or comparable surfacing, or a durable nonpaving material that will support emergency vehicles may be used to reduce surface water runoff and protect water quality.

2. *Surface Water Management.* When a paved surface is used, all driveways, parking areas, aisles and turnarounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.

3. *Driveway Aprons.* When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing. (See also subsection (J)(7) of this section.)

FINDING: The project is located on Talent Avenue adjacent to a tax lot (38-1W-23DC-2100) that is designated in the Transportation System Plan (TSP) as a future collector street connecting Talent Avenue to West Valley View Road. As a condition of approval, an easement along the north side of the affected tax lot will be required to provide access to the proposed parking until such time as the Wagner Creek Extension is constructed. The easement shall be revokable upon construction of the new road. Any future vehicular access proposed for the site will be subject to TMC 18.115.060. Applicant will be responsible for repairing and re-surfacing the existing asphalt at this location, and for the continuing maintenance of the driveway for the duration of its use by the applicant.

Applicant has proposed to demolish the existing access driveway ramp located on the west side of the tax lot, and to reconstruct sidewalk, curb and gutter at this location. Access permit is required, and all work is to be completed according to the City's specifications. **The provisions of this section can be met subject to conditions of approval.**

18.115.100 STORM DRAINAGE AND SURFACE WATER MANAGEMENT

A. General Provisions. The city shall issue a development permit only where adequate provisions for storm water and surface water runoff have been made pursuant to Resolution 517, Storm Drainage Design Standards.

FINDING: RVSS has provided the following comments, which shall be incorporated into the conditions of approval:

There is an 8 inch sewer along Talent Avenue and two 4 inch services to the proposed development, one for each tax lot. The services to each lot have been capped, and new cleanouts has been installed near the property boundary. Sewer service for each tax lot may be had by connecting to the existing service stubs.

Standard RVSS policy requires the applicant to demonstrate compliance with the Rogue Valley Stormwater Quality Design Manual if installing or redeveloping over 2,500 sf of impervious surfaces. In response to the Almeda Fire, redevelopment in areas burned will be subject to Stormwater management based on the net increase in impervious surface above 2,500 sf when compared to the pre-fire impervious area footprint. The development will also require a 1200-CN erosion control permit issued by RVSS if disturbing over one acre of ground.

RVSS has a stormwater incentive policy to encourage the use of Low Impact Development methods for stormwater management. Funding is available for eligible projects for stormwater management plan development and construction. Private projects are eligible for up to \$10,000 and projects initiated by RVSS' co-implementers are eligible for up to \$50,000 in funding. Visit our website for more information. Rogue Valley Sewer Services requests that approval of this project be subject to the following conditions:

Prior to the start of construction:

1. Applicant must submit site construction drawings to RVSS for review.
2. Applicant must provide RVSS with architectural drawings for the calculation of sewer SDC's.
3. Applicant must obtain a sewer service connection permits from RVSS and pay all related fees.
4. Applicant must prepare a stormwater management plan in accordance with the Regional Stormwater Quality Design Manual as applicable.
5. Applicant must record a Declaration of Covenants for all new stormwater quality features.

During Construction:

6. Sewer and stormwater facilities must be constructed and inspected per RVSS standards.

Prior to final acceptance of project:

7. All new sewer must be constructed, inspected, and accepted per RVSS standards.
8. Applicant must have all stormwater quality facilities, including vegetation when applicable, inspected and approved by RVSS.

The provisions of this section can be met through conditions of approval.

18.115.110 UTILITIES

A. Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground and shall provide for future expansion of services, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed aboveground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or higher. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

- 1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. All aboveground equipment shall not obstruct vision clearance areas for vehicular traffic per TMC [18.105.055](#);*
- 2. The city reserves the right to approve the location of all surface mounted facilities;*
- 3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets;*
- 4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made; and*
- 5. Adequate capacity for communications services shall be provided. Underground conduit for communications lines, or oversized conduit for phone or other compatible utilities, shall be installed whether or not provision of such services is planned at the time of development.*

FINDING: All utility connections shall be underground. Final design and connections shall be approved by Public Works prior to installation as a condition of approval. **The provisions of this section can be met subject to conditions of approval.**

18.150.045 REQUIRED FINDINGS FOR APPROVAL OF TYPE II MINOR SITE DEVELOPMENT PLAN

After an examination of the site, the review authority shall approve, or approve with conditions, the minor 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;*
- B. The proposed development will be in conformance with the standards of the zone in which it will be located;*

FINDING: The proposed development complies with the provisions of the Talent Zoning Code and meets the objectives of the zone subject to conditions of approval. **The provisions of this section can be met subject to conditions of approval.**

C. The proposed development will be in conformance with the following standards, as applicable:

- 1. Chapter 18.90 TMC, General Provisions.*
- 2. Chapter 18.95 TMC, Residential Lot Improvement Standards.*
- 3. Chapter 18.100 TMC, Tree Preservation and Protection.*
- 4. Chapter 18.105 TMC, Landscaping, Fencing and Hedges.*
- 5. Chapter 18.110 TMC, Off-Street Parking and Loading.*
- 6. Chapter 18.115 TMC, Development and Design Standards.*
- 7. Chapter 18.120 TMC, Signs, Billboards and Advertisements.*
- 8. Chapter 18.125 TMC, Solar Energy and Access.*
- 9. Chapter 18.135 TMC, Public Trees.*

FINDING: With respect to setbacks, vehicular circulation, parking, buffering, landscaping, lighting and noise generation, the proposed use meets the minimum requirements for development in the Residential High Density Zone as described in TMC Ch. 18.40 as demonstrated in the above findings. **The provisions of this section have been met.**

D. That no wastes, other than normal water runoff, will be conducted into city storm and wastewater facilities; and

FINDING: The proposed project does not conduct any waste other than normal water runoff into the City storm and wastewater facilities. **The provisions of this section have been met.**

E. 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 title and the applicable portions of TMC Title 17, or has provided for a required security arrangement with the city to ensure that such improvements will be made. [Ord. 966 § 2 (Exh. B), 2021.]

FINDING: The applicant's proposal includes demolition of the existing driveway ramp and construction of curb, gutter and sidewalk in the demolished area. Applicant shall obtain an access permit and perform all work according to the City's specifications. **The provisions of this section have been met.**

18.185.020 APPLICABILITY

A. A transportation impact study (TIS) shall be required if any of the following actions exist:

2. A development proposal is projected to generate 50 or more net peak hour trips on an arterial or collector segment or intersection.

FINDING: This project will not generate 50 or more net peak hour trips. **The provisions of this section are not applicable.**

ORD #725 SYSTEM DEVELOPMENT CHARGES

Section 8. COLLECTION OF CHARGES

A. The System Development Charge is payable upon, and as a condition of, issuance of:

- 1. A building permit*
- 2. A development permit and/or a development permit for development not requiring the issuance of a building permit;*
- 3. A permit or approval to connect to the water or storm drainage system, or sewer system;*
- 4. A right-of-way permit.*

FINDING: The proposed development includes the addition of two residences. System Development Charges (SDCs) will be assessed for each new use in accordance with Ordinance #725 adopted October 5, 2005. Credit for SDCs assessed for land uses in place prior to the Alameda Drive Fire will be applied. As a condition of approval, prior to the issuance of building permits, the applicant shall provide evidence that any additional SDCs have been paid in full. **The provisions of this section can be met subject to conditions of approval.**

DECISION

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

GENERAL CONDITIONS

1. Upon construction of the future collector street connecting Talent Avenue to West Valley View Road, a vision area per TMC 18.105.055 will be required.
2. An easement along the north side tax lot 38-1W-23DC-2100 will be required to provide access to the proposed parking until such time as the Wagner Creek Extension is constructed. The easement shall be revokable upon construction of the new road. Applicant will be responsible for repairing and re-surfacing the existing asphalt at this location, and for the continuing maintenance of the driveway for the duration of its use by the applicant.
3. Any future vehicular access proposed for the site will be subject to TMC 18.115.060.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

4. Applicant shall obtain access permits for all work done in the public right of way.
5. Applicant will submit plans detailing the closure of the access apron on Talent Avenue, including construction details for sidewalk, raised curb and gutter following City standards and specifications.

PRIOR TO START OF CONSTRUCTION

6. Applicant must submit site construction drawings to RVSS for review.
7. Applicant must provide RVSS with architectural drawings for the calculation of sewer SDC's.
8. Applicant must obtain a sewer service connection permit from RVSS and pay all related fees.
9. Fence permits are required, please obtain a fence permit prior to any fence construction.
10. Sign permits are required, please obtain a sign permit prior to any sign installation.

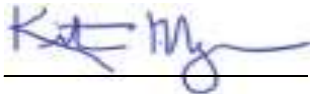
DURING CONSTRUCTION

11. Sewer and stormwater facilities must be constructed per RVSS standards. Prior to final acceptance of project:
12. All new sewer must be inspected and accepted per RVSS standards.
13. Applicant will screen mechanical equipment, garbage collection areas, and other site equipment and utilities so they are not visible from the street and open spaces. Screening shall be visually compatible with other architectural elements in the development.
14. Fire District 5 shall require at least one Knox box to be installed at the main entrance. Additional Knox boxes may be required depending on the occupancy lay out. Knox applications may be obtained at Fire District Headquarters. If it is determined that any of the proposed buildings will require a sprinkler system, the fire department connection (FDC) shall be off building and include a post indicator valve. Additionally, any FDC shall be within 100 feet from a hydrant.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

15. Prior to the issuance of a Certificate of Occupancy, the applicant shall install landscaping in accordance with the Landscaping Standards of TMC Chapter 18.105.
16. Prior to the issuance of a Certificate of Occupancy, the applicant shall install street trees in accordance with TMC Chapter 18.115.040.

Approved by:

A handwritten signature in blue ink, appearing to read "Kristen Maze", is written over a horizontal line.

Kristen Maze
Community Development Director

August 23, 2022

Date

This matter has been approved administratively without a public hearing. The Talent Zoning Code allows administrative decisions under specified conditions. If no one requests a hearing on this matter within **14 days** of this tentative decision, it becomes the final decision of the city. To appeal an administrative decision requires written notice and a \$257.00 deposit. Please refer to TMC 18.190.040(E)(5), "Appeal," for specific provisions for appeals on Type-2 decisions.

This decision is being mailed to the applicant and all property owners who responded to the original notice.

For copies of any public documents or more information related to this application, please contact the Community Development Director at 541-535-1566 or via e-mail at kmaze@cityoftalent.org.