



City of Talent

Planning Commission

Public Meeting

Thursday, October 23, 2014 – 6:30 PM

Talent Community Center, 206 East Main Street

AGENDA

The Planning Commission of the City of Talent will meet on Thursday, October 23, 2014 at 6:30 P.M. in the Talent Community Center, 206 E. Main Street.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012.

The Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

- I. Call to Order/Roll Call;
- II. Brief Announcements;
- III. Consideration of minutes from the September 25, 2014 Planning Commission meeting;
- IV. Public Comments on Non-Agenda Items;

Action Item(s):

- V. **Public Hearing** (quasi-judicial) **Variance** allowing *the construction of a single-family dwelling with a reduced front and side yard setback located at 202 W. Main St., Talent, Oregon and legally described as Township 38 South, Range 1 West, Section 26BA, Tax Lot 2600. File: VAR 2014-003. Decisions are based on the approval criteria found in Zoning Ordinance 8-3L.4. The property is zoned RS-7 (Single Family – Medium Density). Applicant: Linda Kay*

BackgroundSubmitted by applicant on October 1, 2014.

Attachments.....Staff report, proposed final order and related materials submitted by applicant

ActionVote to approve, approve with conditions, or deny

Suggested Time: 30 minutes

Note: This agenda and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website (www.cityoftalent.org) in advance of each meeting. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

- VI. **Public Hearing** (quasi-judicial) **Site Development Plan Review and Variance** allowing the construction of a single-family dwelling located on steep slopes with a reduced front yard setback, located at 1885 Summer Place., Talent, Oregon and legally described as Township 38 South, Range 1 West, Section 25BD, Tax Lot 4100. **File: SPR 2014-005/VAR 2014-002.** Decisions are based on the approval criteria found in Zoning Ordinance 8-3H.1, 8-3L.1 and 8-3L.4. The property is zoned RS-7 (Single Family – Medium Density). **Applicant: RNN, LLC.**

Background.....Submitted by applicant on September 23, 2014.

Attachments.....Staff report, proposed final order and related materials submitted by applicant

ActionVote to approve, approve with conditions, or deny

Suggested Time: 30 minutes

Other Items:

- VII. Updates - Community Development Director
- VIII. Next Meeting; TBD (January 22, 2015;
- IX. Adjournment

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**TALENT PLANNING COMMISSION
REGULAR COMMISSION MEETING MINUTES
TALENT COMMUNITY CENTER
September 25, 2014**

*Study Session and Regular Commission meetings are being digitally recorded and will be available on the City website:
www.cityoftalent.org*

The Planning Commission of the City of Talent will meet on Thursday, September 25, 2014 in a regular session at 6:30 P.M. in the Talent Community Center, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012. The Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

REGULAR COMMISSION MEETING- 6:30 PM

Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the Minute Taker. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the "Citizens Heard on Non-agenda Items" section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the Planning Commission.

I. Call to Order/Roll Call 6:30 P.M.

Members Present:

Chair Wise
Commissioner Abshire
Commissioner Hazel
Commissioner Heesacker
Commissioner Schweitzer

Members Absent

Also Present:

Zac Moody, Community Development Director
Betsy Manuel, Minute-Taker

II. Brief Announcements

There were none.

III. Consideration of Minutes from August 28, 2014

Motion : *Commissioner Abshire moved to approve the Minutes of August 28, 2014 as presented. Commissioner Hazel seconded and the motion carried.*

IV. Public Comments on Non-Agenda Items.

There were none.

V. **Public Hearing (Appeal) (quasi-judicial) Appeal of an Administrative Decision for a Site Development Plan** allowing the construction of a new fitness building located at 5921 S. Pacific Hwy. Talent, Oregon and legally described as Township 38 South, Range 1 West, Section 23B, Tax Lot 1800. **File: SPR 2014-002.** Decisions are based on the approval criteria found in Zoning Ordinance 8-3L1. The property is zoned CBH (Central Business District). **Applicant: Tom Bradley.**

Staff Report: Moody detailed the appeal process, highlighting the revised Staff Report intended to address the appellant's parking concerns.

Moody summarized prior findings. He discussed pertinent approval criteria per the original staff report (dated 7-31-14) and the amended staff report. (dated 9-8-14) He stated that the Type II application met the approval criteria for the Central Business Highway District. He stated that in his opinion, the application also met the approval criteria for landscaping, setbacks, solar coverage, and parking requirements. He stated the Type II application was approved on August 5, 2014. On the 19th of August, a request for appeal was filed. He noted that the appellant requested the appeal per Code 8-3J.550 "Parking Requirements for Uses Not Listed".

Moody presented revised findings focused on parking requirements (Section 8-3J.550 of the Zoning Code). He stated that the appellant had raised concerns about sufficient parking on site, and possible on-street parking hazards should parking be allowed along Suncrest Road.

Moody noted that the specific use (a fitness gym) was not itemized in Talent's code, so consideration was given to calculations that were listed in the Code for Personal Uses. He highlighted medical or dental offices, noting requirements for 1 parking space for every 350 square feet of floor area. He compared the use against skating rinks, bowling alleys and other similar uses that list requirements for 1 parking space for every 100 ft. He averaged the results.

Moody also researched other Rogue Valley Cities, and how they calculate parking spaces for similar uses. He determined that 21 spaces would be appropriate for the proposed fitness facility given that basis. Moody highlighted the lack of data for people who bike or walk to the fitness center, stating that alternative methods of transportation were not factored into the calculations.

Moody reviewed other methodologies used to quantify the optimum number of parking spaces appropriate for a fitness facility. Data provided by ITE (Institute of Transportation Engineers) suggested 5 parking spaces for every 1000 square feet. Moody explained that many City's utilize ITE data to figure trip generation; but that the calculations for parking spaces were based on limited studies in larger populations. The facilities considered were typically larger – 26,000 feet or more. Using the ITE standard, Snap Fitness would need 30 or more parking spaces.

Moody stated that many jurisdictions rely on the applicant's data. He noted that typically the business submits data that is based on experience, together with a rationale that justifies the number of spaces proposed for the intended use. In this case, Snap Fitness extrapolated data from the number of card swipes per hour, the length of time per average stay, and a factor adjusted per 1000 square feet. He stated that Snap Fitness calculations equated to 18 parking spaces.

Finally, Moody noted that the fitness center was located in close proximity to residential areas, (single family homes and apartments); and it was likely that a number of people would walk or bike to the facility. He stated that the applicant had prepared spaces for 6 bicycles.

Moody also reviewed data prepared by the appellant. Based on the appellant's rationale, the fitness center would utilize 30-40 (original appeal) or 28-48 parking spaces. (supplemental appeal submittal).

Moody reminded the Planning Commission that a decision must be reached by the 24th of October to be in compliance with the State's land use laws. After that, the development would be automatically approved without mitigating conditions.

7:10 to 7:15 P.M. A break was taken to give the Commissioners time to review new data submitted by the appellant.

Chair Wise called for final comments from Director Moody.

Moody highlighted additional data from the appellant. He stated that data submitted by Mr. Strauss from other larger Cities may or may not be appropriate for Talent. Moody noted that on-street parking concerns appear to be targeting the S curve along Suncrest. He stated that the area is off-limits for parking, and violators would be ticketed.

In response to a question by Wise, Moody stated that he was recommending 21 parking spaces, including one that would be designated for handicapped parking, and 2 spaces for employees.

The Opening Statement was read. **The Public Hearing opened.**

Applicant Tom Bradley of 612 Iowa St. Ashland, OR. was called forward.

Mr. Bradley highlighted that card-swipe matrix provided by Snap Fitness, providing more in-depth analysis of the swipes per hour per day. He reviewed the numbers for each of 4 Snap Fitness facilities currently active in the Rogue Valley.

Bradley commented that the addition of a group fitness room was primarily for the existing membership. He stated that increasing membership was secondary. New uses such as virtual training classes would take place in the room. Bradley corrected the appellant – stating that the matrix data took into account current demand that included a group fitness room.

In response to a question by Wise, Bradley stated that an important component of the larger footprint was to provide more outdoor workout spaces. Bradley highlighted additional components of the Snap Fitness "wish list" that helped shape the proposed design; detailing everything from the view, and more room for members, to more efficient heating and cooling to keep maintenance costs down.

Commissioner Hazel asked about parking issues in the current space. Bradley replied that it was common knowledge that many people preferred to park in front of the facility. Demand for those premier spaces, indicated that more parking spaces were needed, when in reality, it was a desire for those more convenient spaces. He also contrasted the faster paced parking turnover of a fitness facility compared to a slower more socially-connected facility such as a restaurant, noting that shared parking varies according to use. Bradley highlighted parking management

techniques that could be applied, such as scheduling classes for times outside peak demand hours.

Chair Wise noted that lack of sufficient parking would cause difficulty for the facility. Bradley agreed, stating that customers would leave if not sufficiently satisfied with the accommodations. He emphasized the importance of each design detail, including parking.

Wise asked about future uses for the buildings. Bradley replied that the building could be ideal for medical or dental offices. He stated that the building was designed so that it could be divided into suites if necessary. Wise recommended lighting and enhancements that would encourage pedestrian access. Bradley replied, highlighting the attractive landscaping and capabilities for unobtrusive lighting.

Ms. Diane Chasmar of 468 N. Laurel St. Ashland, OR. was called forward.

She stated that peak hours for the Center were either 5:00 A.M. or 5:30 P.M. noting that such times that would fit in well with other business's in the area. She reiterated that it was not the intention of Snap Fitness to grow the membership. She noted that expectations were commiserate with the limited population in Talent – i.e. some growth but not double the current membership. She stated that it was not feasible in spite of the larger space. She emphasized greater flexibility with the increased variety of fitness programs, and more open space.

Commissioner Abshire questioned the amount of equipment in the new space. Chasmar replied that they planned to upgrade the existing equipment, and would add only one or two new machines. She stated that the demand was for more open space for existing clients – not additional equipment.

Mr. Jack Straus of 249 Wintersage Circle, Talent, OR. was called forward.

Straus noted that while he objected to the proposed parking spaces, he was a supporter of Snap Fitness, recognizing its value to the community.

Straus countered the information prepared by Snap Fitness, stating that in his experience clients usually exercised an hour or more rather than the 30 to 45 minutes used for data calculations.

Straus stated that he walks past the existing facility daily and in his experience there are at least 18 vehicles parked for an evening workout. He noted that the 18 count was the average for Monday nights when (most) surrounding businesses were closed. He highlighted the data collected from the Ashland fitness center; stating that it did not give sufficient context to adequately determine parking capacity. Straus talked about the Ashland YMCA, where he currently exercises. He noted that parking for the YMCA was generous, unless a class was offered. Parking overflow was then relegated to the street.

Straus questioned the rationale that doubling the size of the building was primarily for the existing clientele – stating that the extra expense of a larger facility was only cost-effective with corresponding membership growth.

Straus stated that now was the time to consider future impacts. He reminded the Commission that once that project had been approved, there would be no opportunity to make changes to accommodate growth. He recommended approximately 30 parking spaces.

Wise asked Straus for ideas that might improve the parking situation. Straus replied that there was adjacent land owned by the City that could possibly provide additional parking. Schweitzer asked for clarification about the data used by Straus. Straus replied that he did not have his calculations with him, but he assumed that doubling the current use was reasonable, given the data provided by Snap Fitness.

Applicant Tom Bradley was called forward for rebuttal.

Bradley noted that 2 spaces were set aside for Snap Fitness trainers even though they would be on site intermittently. He stated that the calculations used, assumed that all members would be arriving by auto, when some will bike or walk. Bradley also noted that the facility would self-regulate to some extent: i.e. if there were no parking spaces then members would eventually go elsewhere.

Schweitzer asked the applicant about converting landscaping to parking stalls if necessary in the future. Bradley replied that code requirements require setbacks, and lot size restrictions, among other criteria. He stated that the site was constrained by those rules, making conversion into parking spaces unlikely. Moody agreed, noting setback requirements for parking and zoning regulations. He stated that at best, it might be possible to add one space – with negligible impact. He reiterated that there is right of way on all 4 sides of the property.

There followed further discussion with the applicant about his vision for the future and how that might result in changes to the proposed facility and/or membership parking.

The Public Hearing closed.

Moody addressed the possibility of vacating City-owned property, adjacent to the facility. He stated that while possible, it was unlikely. He noted the location of water lines and other underground infrastructure that might interfere. He stated that the case must be made that it would be in the City's best interest to deed the property to others.

Motion: Commissioner Heesacker moved to approve SPR2014-2 with conditions as set forth in the proposed final order. The motion died for lack of a second.

Wise interjected that the issue was mainly parking, calling for further discussion about the issue. He asked whether the conditions in the proposed order were deemed sufficient for approval of the application.

Abshire stated that in his opinion, the card swipe data assumes that all participants are arriving by automobile. He noted that in his opinion, a percentage of arriving clients are either walking, biking or arriving by bus.

Wise noted his support of creating a pedestrian friendly environment in Talent. Hazel expressed concern about preparation for future needs, using Ray's parking lot as an example. She asked about recourse if it were to become apparent that more parking spaces would be needed. Moody replied that if it were to result in parking where parking is not permitted, then violators

would be ticketed. He noted that people would go elsewhere if parking becomes unmanageable.

Motion: Commissioner Schweitzer moved to approve SPR2014-2 with conditions as set forth in the proposed final order. Commissioner Heesacker seconded and the motion carried.

Motion: Commissioner Wise moved to amend the motion for approval by refining a condition for lighting to mandate neighbor-friendly lighting that does not encroach on other properties. Commissioner Hazel seconded. The motion carried.

Heesacker commented that the appellant (Mr. Straus) did an admirable job of providing alternative information for consideration. He stated that he was impressed by the depth and scope of his findings.

VI. Public Hearing (Legislative) DCA 2014-001. Consideration of amendments to the Talent Zoning Code, Title 8 Chapter 3, Division D & F and Title 8, Chapter 3 Division L, Article 2 whereas the Planning Commission will review and make recommendations to the Talent City Council.

Moody noted a streamlined number of amendments due to time constraints. He stated that the focus would be restricted to new code creating standards and approval criteria for medical marijuana dispensaries, the addition of breweries, wineries, and distilleries to the zoning codes and conditional use amendments such as the keeping of bee colonies in residential areas.

Moody stated that amendments to the codes concerning Bed & Breakfast facilities were removed from consideration and the original term of "Guest Lodgings" would remain. He noted changes to the medical marijuana criteria: stating that there would be no requirement for annual permit renewals.

In response to a question by Heesacker, Moody stated that conditional use renewals must be applied consistently throughout the codes, and because of the complexity of issues, further discussion on those issues would be postponed until 2015.

Moody discussed criteria for breweries, wineries and distilleries. He noted that consideration of a percentage of the facility as a restaurant should be reviewed in future discussions. After further discussion, it was agreed by consensus that the matter would be revisited in 2015.

8:25 P.M. Public Hearing opened. The approval criteria were read into the record by Director Moody.

The Public Hearing Closed.

Motion: Commissioner Heesacker moved to approve DCA 2214-001 as presented. Commissioner Hazel seconded and the motion carried.

VII. Next meeting October 23, 2014.

Moody noted that the meeting would be short. He stated that meetings for November and December may be cancelled unless there is an application to review.

VIII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 9:05 PM.

Submitted by: _____ Date: _____

Attest:

Zac Moody, Community Development Director

Chair Wise

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City of Talent

Community Development Department - Planning



STAFF REPORT

Type III Land Use Application — Quasi-Judicial

Date: October 20, 2014

Item: SPR 2014-005/VAR 2014-002, RNN, LLC.

Site: 1885 Summer Place

Applicant:	Galli Group 612 NW 3rd St. Grants Pass, OR 97526
Property Owner:	RNN, LLC 2640 E. Barnett Rd. #E-431 Medford, OR 97504
Requested Action:	Approval of a Site Development Plan to construct a single family dwelling on steep slopes with a reduced front yard setback.
Assessor's Map Number:	38-1W-25DB, Tax Lot 4100
Site Location:	1885 Summer Place
Zoning:	RS-7 Single Family - Medium Density
Deemed Complete:	October 2, 2014
Notice Mailed:	October 2, 2014
120-Day Limit:	January 30, 2015

PROPOSAL

The applicant is proposing to construct a single family dwelling with a reduced front yard setback to accommodate the steep slopes on the southeastern portion of the parcel.

APPROVAL CRITERIA

Talent Zoning Code, 8-3C.2, 8-3H.1, 8-3L.1 and 8-3L.4

PROPERTY CHARACTERISTICS

The subject property is an irregular triangular shaped parcel with the narrow portion facing Summer Place. The lot is flat to gently sloping back away from the street for about 55 feet on its west side and 95 feet on its east side. It then falls steeply away to Hwy 99 with slopes between 20% and 45%.

The parcel has moderate to dense vegetation with occasional large trees



AGENCY COMMENTS

Rogue Valley Sewer Service commented with the following suggested conditions of approval:

- Applicant must obtain a sewer permit from RVS for the extension of the sewer line to the proposed building.
- Applicant must pay Rogue Valley Sewer Service system development fees for connection into the sanitary sewer.
- All sewer line construction to be in accordance with RVS and Oregon Plumbing Specialty Code standards.

The City Engineer provided comment stating that a cursory review of the geo-technical report appears to be consistent with the industry standards.

PROPERTY OWNER COMMENTS

There were four comments received by the public prior to preparing this staff report. Three of the four comments were in support of the development and one encourages denial based on the request for reduced front yard setbacks and concerns over increased on street parking due to the reduced setbacks. All referenced public comments are attached.

DISCUSSION

Overall, staff is very supportive of proposed site development plan and the variance because of its ability to meet overall intent of the residential zoning district without compromising the vehicle safety in the neighborhood. In addition, the applicant has gone to great lengths to ensure that the site was appropriately engineered to ensure slope stability is maintained.

RECOMMENDATION

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

ATTACHMENTS

The following information was submitted regarding this application:

- Applicants Statement
- Geo-technical Engineering Report
- Proposed Site Plan
- Public Comments
- Proposed Final Order

C 

10/21/14
Date

Staff has recommended this proposal for approval, but it will require at least one public hearing before the Planning Commission for a decision. The Talent Zoning Code establishes procedures for quasi-judicial hearings in Section 8-3M.150.

A public hearing on the proposed action is scheduled before the Planning Commission on October 23, 2014 at 6:30 PM at the Community Center.

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at zmoody@cityoftalent.org.



**BEFORE THE TALENT PLANNING COMMISSION
STATE OF OREGON, CITY OF TALENT**

IN THE MATTER OF PLANNING COMMISSION FILE NO. SPR)
2014-005/VAR 2014-002 LOCATED AT 1885 SUMMER PLACE) ORDER
[MAP NO. 38-1W-26DB TAXLOT 4100], THE CITY OF TALENT)
PLANNING COMMISSION FINDS THE FOLLOWING:)

1. The Planning Commission held a properly noticed public hearing on this matter on October 23, 2014;
2. The Planning Commission asked the Community Development Director to present a staff report and a proposed final order with findings and recommendations;
3. At the public hearing evidence was presented and the public was given an opportunity to comment;
4. The Commission found that the requested variance to the front yard setbacks is necessary because exceptional and extraordinary circumstances apply to the property;
5. The Commission found that sufficient evidence was submitted to support the construction of a single family dwelling on steep slopes.
6. The Commission found that the proposed application, with conditions in all other respects complied substantially with the criteria for approval in 8-3H.1, 8-3L.1, and 8-3L.4.

The Talent Planning Commission approves the Site Development Plan (SPR 2014-005) and Variance (VAR 2014-003) for reduced front yard setbacks and the construction of a dwelling on steep slopes at 1885 Summer Place with the following conditions of approval:

PRIOR TO ISSUANCE OF PERMITS:

1. **The applicant shall provide evidence from an independent third party engineer that all proposed mitigation measures have been met.**

PRIOR TO CERTIFICATE OF OCCUPANCY:

2. **The applicant shall provide evidence from an independent third party engineer that all site drainage has be installed according to the approved plan and that all stormwater runoff generated on the site is to the greatest extent practicable is retained on site.**

3. The applicant shall install all permanent landscaping in accordance with the approved erosion control and landscape plans.

IT IS HEREBY ORDERED THAT the Talent Planning Commission approves with conditions the requested site development plan for the construction of a single family dwelling on steep slopes and for a variance to the front yard setback requirement based on the information presented in the Staff Report and Findings of Fact below:

In the following, any text quoted directly from City codes appears in *italics*; staff findings appear in regular typeface.

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

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses:

- A. *Single-family detached dwellings.*

FINDING: The subject parcel is zoned Single Family – Medium Density (RS-7) which allows single-family detached dwelling uses subject to a Type-I review. However, considering that the proposed dwelling is located on steep slopes, a Type 2 site development plan review was required for proper review. The proposed dwelling is consistent with the intent of this section. **The provisions of this section have been met.**

8-3C.260 DENSITY AND DIMENSIONAL REQUIREMENTS

- C. *Minimum Setbacks:*

1. *Front: 20 feet for dwellings; 24 feet for garage and carport entrances.*
2. *Side: Five (5) feet for the first story, plus three (3) feet for buildings over 18 feet in height. The following additional provisions shall also apply to side setbacks:*
 - a. *10 feet for street-facing side yards on corner lots when side street is a local or an alley; 15 feet when side street is a collector or arterial; 20 feet for garage and carport entrances.*
 - b. *10 feet on one side for zero lot-line lots.*
3. *Rear: 10 feet; five (5) feet for alley-access garages; and 20 feet for double-frontage lots.*

FINDING: The site, which has frontage along Summer Place meets the minimum requirements for rear and side-yard setbacks. A variance is being requested for the required front yard setback. **The provisions of this section have been met subject to approval of the requested variance.**

8-3D.470 PARKING AND LOADING REQUIREMENTS

Off-street parking and loading spaces shall be provided as prescribed in Articles 8-3J.5 and 8-3J.6

FINDING: The proposed dwelling provides two off-street parking spaces as prescribed in Article 8-3J.5. A request for a variance of the front yard setbacks caused concern for some neighbors because it was perceived that the reduction would not provide adequate space on the lot to park vehicles. A standard parking stall is 8' x 19', the proposed driveway for the dwelling provides approximately 19' of space, sufficient to park a standard size vehicle. **The provisions of this section have been met.**

8-3D.475 LANDSCAPING, FENCES, WALLS AND SIGNS

All areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific uses shall be landscaped and maintained. Fences, walls, hedges and screen plantings shall be permitted in conformance with Article 8-3J.3, and may be required in conformance with Section 480, below. All fences, walls, hedges and screen plantings shall be properly maintained. Signs shall be permitted and in conformance with Article 8-3J.7.

FINDING: The proposed development provides landscaping in accordance with the provisions of Section 8-3J.3. **The provisions of this section have been met.**

8-3H.150 STANDARDS OF DEVELOPMENT IN THE OSS ZONE

A. *The following standards applicable to the OSS overlay zone must be incorporated in development and improvement plans.*

4. *Natural Hazards. Lands subject to known natural hazards such as steep slope failure, mass movement, erosion, high runoff, extremely sensitive soils, or areas otherwise unsuitable for structures intended for habitation shall be either:*
 - b. *Improve with such corrective measures that will limit the hazard and make the land suitable for the intended use, provided, however, that such corrective measures are approved by the City Engineer and are designed and constructed in conformity with any standards contained by the City and/or approved by the City Engineer and in such a manner as not to cause substantial risk of environmental damage. Low profile vegetation growth shall be required for stabilization of slopes and prevention of traffic hazards on intersections.*

FINDING: The proposed development is in an area of steep slopes and known geo-technical hazards. The applicant has provided Community Development with a geo-technical report that considers slope stability, site drainage and erosion mitigation. As presented, the geo-technical report is consistent with industry standards. As a condition of approval, prior to issuance of permits, the applicant shall provide evidence from an independent third party engineer that all proposed mitigation measures have been met. **The provisions of this section have been met subject to conditions of approval.**

B. *Statement by City Engineer. Certified final approval of subdivisions shall be conditioned upon a statement by the City Engineer that improvement plans meet the following standards:*

2. *Grading. Any grading performed within the boundaries of a development shall take into account the environmental characteristics of that property, including but not limited to*

prominent geological features, existing streambeds and drainage ways, and significant tree cover. Grading shall be designed in keeping with the best engineering practices to avoid erosion or slides, and to have as minimal effect on the environment as possible. Chapter 70 of the Uniform Building Code shall be adopted by reference as part of this Chapter prescribing standards for proper grading procedures. The City Engineer may request any additional information on grading as determined to be necessary to meet the requirements of this Article.

FINDING: The proposed development is in an area of steep slopes and known geotechnical hazards. The applicant has provided Community Development with a geotechnical report that considers slope stability, site drainage and erosion mitigation. As a condition of approval, prior to issuance of permits, the applicant shall provide evidence from an independent third party engineer that all proposed mitigation measures have been met. **The provisions of this section have been met subject to conditions of approval.**

8-3H.165 STANDARDS FOR BUILDING AND CUT-AND-FILL PROJECTS

All building construction and cut-and-fill projects shall conform to the following standards.

- A. *The standards set forth in Sections 150(A)(4b) and (B)(2), above.*
- B. *All storm water runoff generated on the site shall as much as possible be retained on the site. Dry wells, holding ponds, trenches or other mechanisms may be utilized to accomplish this standard. As a second priority, natural drainage channels may be utilized.*

FINDING: The geo-technical report provided details to ensure that on site drainage is considered. As a condition of approval, prior to certificate of occupancy, the applicant shall provide evidence from an independent third party engineer that all site drainage has been installed according to the approved plan and that all stormwater runoff generated on the site is to the greatest extent practicable is retained on site. **The provisions of this section have been met subject to conditions of approval.**

8-3J.450 DEVELOPMENT STANDARDS—LANDSCAPING PLANNING

New subdivision or Site Development Plan Review applications subject to review by the Planning Commission shall include a plan for Street Trees along arterial, collector, and local streets and a general landscaping plan for all undeveloped areas on the property. The general landscape plan should consider the use of native and drought resistant species, erosion control, and water quality mitigation.

FINDING: The proposed site development plan includes landscaping sufficient for residential development. Prior to Certificate of Occupancy, the applicant shall install all permanent landscaping in accordance with the approved erosion control and landscape plans. **The provisions of this section have been met subject to conditions of approval.**

8-3J.540 NUMBER OF PARKING SPACES REQUIRED

- A. *The number of off-street parking spaces required shall be not less than as set forth in (the following) Table 540-1, except as otherwise provided in this Article.*

Table 540-1. Parking Requirements by Use

Use	Standard
Residential Uses.	
One- and two-bedroom dwelling unit	two (2) spaces per dwelling unit
greater-than-two-bedroom dwelling unit	two (2) spaces plus one (1) space per additional bedroom, up to five (5) spaces

FINDING: The proposed dwelling provides two off-street parking spaces as prescribed in Article 8-3J.5. A request for a variance of the front yard setbacks caused concern for some neighbors because it was perceived that the reduction would not provide adequate space on the lot to park vehicles. A standard parking stall is 8' x 19'; the proposed driveway for the dwelling provides approximately 19' of space, sufficient to park a standard size vehicle. The required third stall for a dwelling greater than two bedroom is allowed on street in accordance with 8-3J.540(F) below. **The provisions of this section have been met.**

F. *Credit for On-Street Parking. The amount of off-street parking required shall be reduced by one off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by City of Talent standards. The following constitutes an on-street parking space:*

1. *Parallel parking, each 24 feet of uninterrupted curb;*

FINDING: The proposed dwelling provides two off-street parking spaces as prescribed in Article 8-3J.5. Although the street is narrow and does not adequately provide parking on both sides of the street, there is at least 24 feet of uninterrupted curb adjacent to and across from the proposed dwelling. **The provisions of this section have been met.**

8-3J.565 LOCATION AND USE OF OFF-STREET PARKING SPACES

B. *Parking, Front Yard. Unless otherwise provided, required parking and loading space shall not be located in a required front yard setback, except in the case of single-family dwellings and mobile homes on individual lots; but such space may be located within a required side or rear yard.*

FINDING: The proposed development includes parking in the required front yard setbacks. Parking in the front yard setback is allowed in the case of a single-family dwelling. **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 RS-7 zone allows for single family dwelling in an area of steep slopes subject to a Site Development Plan review permit and public notice.

The applicant's proposed site development plan and findings address all provisions of this Chapter and other applicable City ordinances or meet the provisions of this chapter and other applicable City ordinances through the applications 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: According to TZC 8-3C.2 the Single Family – Medium Density zone is intended to accommodate residential uses. The use of the property for a single family dwelling is consistent with the provisions of this section. **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 applicant's proposed site development plan and findings address all applicable provisions the City's comprehensive plan and other adopted plans. **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 surrounding uses are residential and similar in nature. No buffering is required. **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 single family residential dwelling will not produce any more waste than any other residential use in the zone. **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 does not require any street related or other needed public facilities. **The provisions of this section are not applicable.**

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

- A. *There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control;*

FINDING: The lot located at 1885 Summer Place has some very unusual topography and soil conditions that create an extraordinary condition for building on this lot. The lot is flat to gently sloping back and away from the street for about 55 feet on the west side and 95 feet on the east side. It then falls steeply away to the roadside (Hwy 99) ditch below with slopes between 20% and 45%.

This site is adjacent to two lots, which recently had slope movement issues that had to be resolved with geo-technical engineering and the subsequent installation of slope movement mitigation measures. This work and subsequent design and monitoring of a large buttress fill behind the houses down to Hwy 99 provided the applicant with a good understanding of uniqueness and challenges of this slope. A variance is necessary to mitigate any potential for structural damage to the home due to the known hazards of this slope. In addition to moving the house forward, the applicant will be completing extensive excavation and foundation improvements outlined in the Steep-slope report completed by the Galli Group. **The provisions of this section have been met.**

- B. *The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;*

FINDING: As proposed, the subject house will be situated mostly on the upper south end of the lot. As shown detailed in the report and on the site plan, a portion of the rear of the house will be out onto the steep slope area. It will be embedded into the slope (daylight basement) and the rear portion will be supported on deep foundations to overcome any adverse impacts of the old slope movements.

Being able to site the house farther to the south makes it easier and less expensive to implement the slope mitigation measures in the house design. A smaller daylight basement, less excavation, and minimizing vegetation and soil removal are some of the benefits of reducing the setback for this lot. These benefits also extend to the neighbors on both sides of subject parcel. The less impact the development has on the back of the parcel, the more likely the bank will not shift further in the future. **The provisions of this section have been met.**

- C. *The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and*

FINDING: Siting the house 5 or 6 feet closer to the street will likely encroach into the normal setbacks. However, it still leaves enough room for a reasonable length driveway. This lot is on the outboard side of a curve in Summer Place and in an area of somewhat narrow street sections. These tend to keep traffic speeds low (10 to 15 mph). Therefore, a

garage somewhat closer to the street is not a hazard. (This still leaves 19' of driveway before the ROW), It should also be noted that due to the shape of this lot and those on both sides, moving the front of the garage 5 to 6 feet into the setback actually lines up this house with those on both sides. Therefore, staff believes placing this house and garage footprint closer to the street will decrease costs, decrease encroachment onto the steep slope and not disturb the viewscape of adjacent homes or cause a traffic hazard on Summer Place. **The provisions of this section have been met.**

D. *The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.*

FINDING: The variance is the minimum needed to avoid slope issues on the southeast corner of the lot and mitigate costs and disruption to the bank as a whole and is the minimal variance that we feel would alleviate the hardship caused by this unique and challenging lot. **The provisions of this section have been met.**

This approval shall become final 14 days from the date this decision and supporting findings of fact are signed by the Chair of the Talent Planning Commission, below. A Planning Commission decision may be appealed to the Hearing's Officer within 14 days after the final order has been signed and mailed. An appeal of the Hearing's Officer decision must be submitted to the Land Use Board of Appeals within 21 days of the Hearing Officer's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Daniel Wise
Chairperson

Date

ATTEST

Zac Moody
Community Development Director

Date



CITY OF TALENT • COMMUNITY DEVELOPMENT

PO Box 445, Talent, Oregon 97540
Phone: (541) 535-7401 Fax: (541) 535-7423 www.cityoftalent.org

GENERAL LAND USE APPLICATION

Project Description: <i>New Construction</i>		
Property Owner <i>RNN, LLC</i>	Mailing Address (include city, zip) <i>2640 E. Barnett rd Medford, OR #E-431</i>	Phone <i>541-944-5463</i> <i>97509</i>
Street Address or Property Location <i>1885 Summer Place</i>	Email Address <i>rick@ventanawellness.com</i>	
Applicant/Consultant (if not owner) <i>Bill Galli, Galli Group</i>	Mailing Address (including city, zip) <i>612 NW 3rd St G.P. OR</i>	Phone <i>541-955-1611</i>

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lot Number	Acres	Zone
38-1W- <i>25 DB</i>	<i>4100</i>		
38-1W-			

Subzone (if applicable) _____

Pre-Application Meeting Completed? Yes No N/A Date Completed: _____

Type of Application (check all boxes that apply)

<i>288</i> <input checked="" type="checkbox"/>	Site Development Plan Review	<input type="checkbox"/>	Conditional Use Permit
<i>576</i> <input checked="" type="checkbox"/>	Variance	<input type="checkbox"/>	Home Occupation
<i>864</i> <input type="checkbox"/>	Conditions Modification	<input type="checkbox"/>	Code Interpretation
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Comprehensive Plan Amendment (text)
<input type="checkbox"/>	Accessory Dwelling Unit	<input type="checkbox"/>	Comprehensive Plan Map/Zoning Map Change
<input type="checkbox"/>	Appeal (flat fee)	<input type="checkbox"/>	Development Code Amendment

APPLICATION DEPOSITS (Application fees are calculated by ACTUAL PROCESSING COSTS)

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location is found to be incorrect, the owner assumes full responsibility.

Paul B. Galli
 Applicant's Signature _____ Date *9/23/14*
Paul B. Galli, RNN, LLC
 Property Owner's Signature (required) _____ Date *9/23/14*

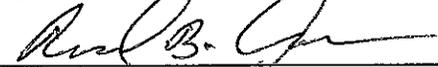
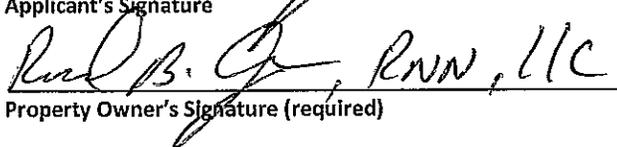
APPLICATION FEES & DEPOSITS

Fees and deposits are intended to cover the full cost for processing applications. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits.

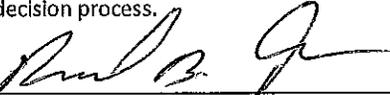
Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. The actual costs charged to the City for technical review of land use applications, including but not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing applications, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to applicant. Any additional costs incurred beyond the deposit amount shall be charged to and paid by the applicant on a monthly basis. The applicant agrees that any deficiencies shall be collected from applicant, and that applicant's failure to pay these amounts triggers the City's option to pursue any or all remedies, as listed below.

Fixed Fee Applications: Fees are non-refundable and are based on average application processing costs rounded to the nearest dollar.

Applicant acknowledges and agrees that Applicant's failure to pay City costs over the deposit fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

 _____ Applicant's Signature	9/23/14 _____ Date
 _____ Property Owner's Signature (required)	9/23/14 _____ Date

I hereby acknowledge that my applications may be consolidated. When an applicant applies for more than one type of land use or development permit (e.g., Type-II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: (1) City Planner, (2) the Planning Commission, and (3) the City Council. Joint meetings between governing bodies may be held to streamline the decision process.

 _____ Applicant's Signature	9/23/14 _____ Date
 _____ Property Owner's Signature (required)	9/23/14 _____ Date

FOR OFFICE USE ONLY			
Deposit Paid (Amount): \$ 804.00	Date: 10/1/14	Received By: S Williams	File Number: SPR-14-005 1/APR-14-001

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

8-3L.440

REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

- A. *There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control;*

The lot located at 1885 Summer Place has some very unusual topography and soil conditions that create an extraordinary condition for building on this lot. The lot is flat to gently sloping back and away from the street for about 55 feet on the west side and 95 feet on the east side. It then falls steeply away to the roadside (hwy 99S) ditch below with slopes between 20% and 45%.

This site is adjacent to two lots, which we investigated and then designed and monitored foundation underpinning for, approximately nine years ago. This work was necessitated by a large-scale slope movement on the slope below the house to the west of this lot. This work and subsequent design and monitoring of a large buttress fill behind the houses down to Hwy 99S have given us a good understanding of uniqueness and challenges of this slope and subsequent lot. We feel a variance is necessary to mitigate any potential for structural damage to the home due to the known hazards of this slope. In addition to moving the house forward, the owners will be undergoing extensive excavation and foundation improvements outlined in the Steep-slope report completed by the Galli Group and submitted to the City of Talent.

- B. *The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;*

The following is from the Steep-Slope Report and reflects the views of the property owner and the Geo-Tech Engineer, “The subject house will be situated mostly on the upper south end of the lot. A

portion of the rear of the house will be out onto the steep slope area. See approximate footprint by dashed line on Figure 2. It will be embedded into the slope (daylight basement) and the rear portion will be supported on deep foundations to overcome any adverse impacts of the old slope movements. However, being able to site the house farther to the south will make it easier and less expensive to implement the slope mitigation measures in the house design.” (Steep-Slope report P 5 & 6) Such things as a smaller daylight basement, less excavation, and minimizing vegetation and soil removal are some of the benefits of reducing the setback for this lot. In addition, these benefits extend to the neighbors on both sides of 1885 Summer Place. The less impact we have on the back the more likely the bank will not shift further in the future.

- C. *The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located;*

Further findings in the Steep-Slope report: “Locating the house 5 or 6 feet closer to the street will likely encroach into the normal set back width. However, it will still leave enough room for a reasonable length driveway. This lot is on the outboard side of a curve in Summer Lane. This area also has somewhat narrow street sections. These tend to keep traffic speeds low (10 to 15 mph). Therefore, a garage somewhat closer to the street is not a hazard. (This still leaves 19’ of driveway before the ROW), It should also be noted that due to the shape of this lot and those on both sides, moving the front of the garage 5 to 6 feet into the setback actually lines up this house with those on both sides. Therefore, we believe placing this house and garage footprint closer to the street will decrease costs, decrease encroachment onto the steep slope and not disturb the viewscape of adjacent homes or cause a traffic hazard on Summer Place Lane.” (Steep-Slope report page 5 & 6.)

- D. *The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.*

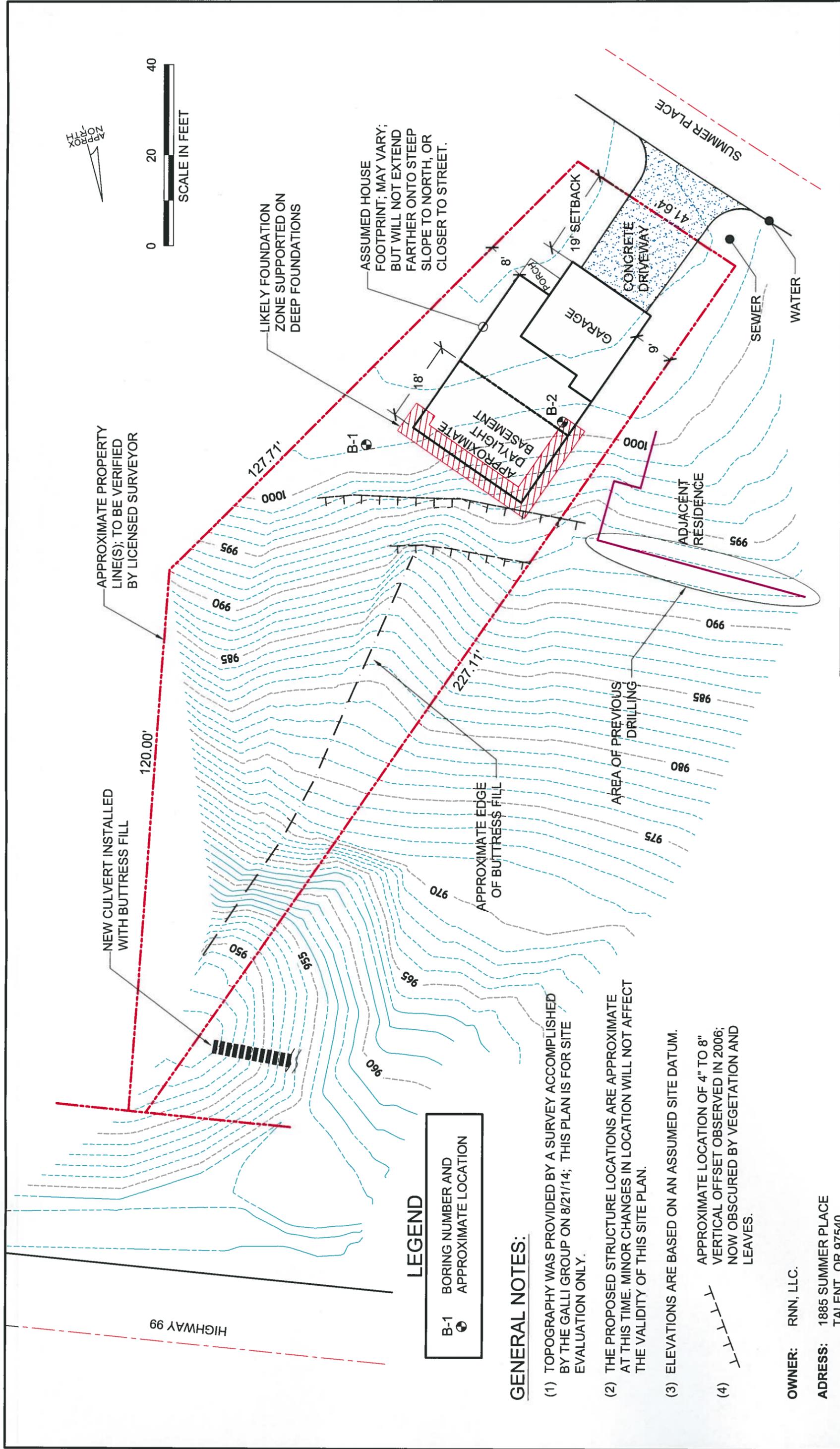
The variance we are asking for is 5-6 feet, which is the minimum needed to avoid slope issues on the southeast corner of the lot and mitigate costs and disruption to the bank as a whole. This is equal to the standard setback of a house without a garage. Because of the narrow lot in front we have to have a garage in front of the porch. We are asking for a very minimal variance that we feel would alleviate the hardship caused by this unique and challenging lot.

Thank you for your consideration of this matter.

Rick Jackson

RNN Properties LLC

Owner Agent: Galli Group



LEGEND

- B-1 BORING NUMBER AND APPROXIMATE LOCATION
- APPROXIMATE LOCATION

GENERAL NOTES:

- (1) TOPOGRAPHY WAS PROVIDED BY A SURVEY ACCOMPLISHED BY THE GALLI GROUP ON 8/21/14; THIS PLAN IS FOR SITE EVALUATION ONLY.
- (2) THE PROPOSED STRUCTURE LOCATIONS ARE APPROXIMATE AT THIS TIME. MINOR CHANGES IN LOCATION WILL NOT AFFECT THE VALIDITY OF THIS SITE PLAN.
- (3) ELEVATIONS ARE BASED ON AN ASSUMED SITE DATUM.
- (4) APPROXIMATE LOCATION OF 4" TO 8" VERTICAL OFFSET OBSERVED IN 2006; NOW OBSCURED BY VEGETATION AND LEAVES.

OWNER: RNN, LLC.

ADDRESS: 1885 SUMMER PLACE
TALENT, OR 97540

MAP ID: 38-01-25DB
TL 4100

	THE GALLI GROUP GEOTECHNICAL CONSULTING 612 NW 3rd Street Grants Pass, OR 97526	SITE PLAN WITH SITE TOPOGRAPHY SUMMER PLACE, TAX LOT 4100 TALENT, OREGON	DATE: SEPTEMBER 2014 JOB NO: 02-4987-01 REV: 9/29/2014 9:00 AM PREPARED BY: MG3 <small>4987 Summer Pl Jackson - 02 - Site Plan.dwg</small>	FIGURE: 2
--	---	---	--	---



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

October 7, 2014

City of Talent
Community Development Department
PO Box 445
Talent, OR 97540

ATTN: Zac Moody

Re: SPR_2014-005/VAR_2014_002: RNN LLC. (38 1w 25D-- 4100)

The subject property can be served by an existing service line stub out to the properties southwestern boundary. The existing sewer system has adequate capacity to serve the proposed zoning.

Rogue Valley Sewer Services requests that approval of the proposed development be subject to the following conditions:

1. Applicant must obtain a sewer permit from Rogue Valley Sewer Services for the extension of the sewer line to the proposed building.
2. Applicant must pay Rogue Valley Sewer Services system development fees for the connection into the sanitary sewer.
3. All sewer line construction to be in accordance with Rogue Valley Sewer Services and the Oregon Plumbing Specialty Code standards.

Feel free to call me if you have any further questions.

Sincerely,

Wade Denny, PE

Wade Denny, P.E.
District Engineer

Digitally signed by Wade Denny, PE
DN: cn=Wade Denny, PE, o=Rogue Valley
Sewer Services, ou=District Engineer,
email=wdenny@rvss.us, c=US
Date: 2014.10.07 14:22:08 -0700

Zac Moody

From: bustard@jcf5.com
Sent: Wednesday, October 08, 2014 12:06 PM
To: Zac Moody
Cc: chiefdan@jcf5.com; welburn@jcf5.com
Subject: RE: Request for Agency Comment - City of Talent SPR2014-005/VAR 2014-002

No comments from us on this plan,

Aaron Bustard
Captain
Jackson County Fire Dist. 5
(541) 535-4222

----- Original Message -----

Subject: Request for Agency Comment - City of Talent SPR2014-005/VAR 2014-002

From: Zac Moody <ZMoody@cityoftalent.org>

Date: Fri, October 03, 2014 11:46 am

To: Wade Denny <wdenny@rvss.us>, Aaron Bustard <bustard@jcf5.com>, "chad.pliler@ecso911.com" <chad.pliler@ecso911.com>, Mike Moran <moran@cityoftalent.org>, Bret Marshall <BMarshall@cityoftalent.org>, "tid@talentid.org" <tid@talentid.org>, "Jeff Ballard (jballard@rh2.com)" <jballard@rh2.com>

Local Agency,

Please see the attached notice and provide comment by **10/10/14**. If you use the attached form, please be sure to provide your name and agency as well as contact number. Email responses are encouraged. If you are unable to open the attached document, please use the link below to review the application.

<http://www.cityoftalent.org/Page.asp?NavID=52>

Thanks,

Zac

Zac Moody
Community Development Director
City of Talent
110 East Main Street
PO Box 445
Talent, Oregon 97540

Office: 541-535-7401 ext. 1010

Fax: 541-535-7423

zmoody@cityoftalent.org

City of Talent

PO Box 445

110 East Main St.

Talent, OR 97540

www.CityofTalent.org

The City of Talent is an Equal Opportunity Provider

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Talent, Oregon

Zac Moody

From: Jeff Ballard <jballard@rh2.com>
Sent: Monday, October 20, 2014 4:58 PM
To: Zac Moody
Subject: RE: Request for Agency Comment - City of Talent SPR2014-005/VAR 2014-002

Zac,
I have made a cursory review of the Geotechnical report and it looks to be consistent with industry standard. I am glad to see that the property owner had an evaluation done for this site and it is very important that the recommendations of the report by the licensed Geotechnical engineer are followed during construction.

Please let me know if you have any other questions.
Thanks,

Jeff Ballard, P.E. | RH2 Engineering, Inc.
P: 541.665.5233 ext.5412
D: 425.951.5412
C: 541.301.1555
www.rh2.com

From: Zac Moody [mailto:ZMoody@cityoftalent.org]
Sent: Monday, October 20, 2014 8:45 AM
To: Roger Allemand (roger.b.allemand@odot.state.or.us); MOREHOUSE Donald; jim.grimes@dsl.state.or.us; Jeff Ballard
Subject: FW: Request for Agency Comment - City of Talent SPR2014-005/VAR 2014-002

Last chance to comment. Please have any last minute comments in by 12pm if you would like them included in the staff report to the Planning Commission.

Thanks,

Zac

Zac Moody
Community Development Director
City of Talent
110 East Main Street
PO Box 445
Talent, Oregon 97540

Office: 541-535-7401 ext. 1010
Fax: 541-535-7423

zmoody@cityoftalent.org

From: Zac Moody
Sent: Friday, October 03, 2014 11:51 AM
To: Roger Allemand (roger.b.allemand@odot.state.or.us); 'MOREHOUSE Donald'; 'jim.grimes@dsl.state.or.us'
Subject: Request for Agency Comment - City of Talent SPR2014-005/VAR 2014-002

Comment Form

File No. **SPR 2014-005**

VAR 2014-002

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: Mark + Krista Peterson

Mailing Address: 125 Tracy Ln
Medford, OR 97501

Date: 10-14-14

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

Notice to mortgagee, lien holder, vendor or seller: The City of Talent Zoning Code requires that if you receive this notice it shall be promptly forwarded to the purchaser

Comment Form

File No. **SPR 2014-005**

VAR 2014-002

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

see attached letter

- We encourage denial of this request for the following reasons:
-
-
-

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: [Signature]

[Signature]

Mailing Address: 1737 Hithier Way
Talent OR 97140

Date: 10/8/2014

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

Notice to mortgagee, lien holder, vendor or seller: The City of Talent Zoning Code requires that if you receive this notice it shall be promptly forwarded to the purchaser

1737 Lithia Way
Talent, OR 97540
October 8, 2014

Mr. Zac Moody
City of Talent Community Development Office
110 East Main Street
Talent, OR 97540

RE: Planning File No: SPR 2014-005/VAR 2014-002

Dear Mr. Moody,

As nearby property owners, we have been sent the Request for Public Comment concerning the above referenced proposed variance.

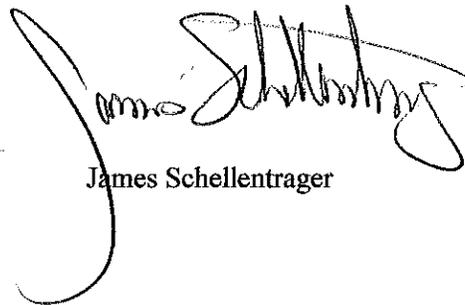
We have reviewed the extensive application filed by the proponent, including the comprehensive study of the slope and complications of this lot and the accompanying drawings. Both the studies and the proposed ameliorations are very impressive and reasonable. The needed variance is amply supported by evidence. We have observed that this lot is the only remaining vacant lot in our neighborhood due to the configuration and slope challenges. We are aware of the problems encountered in the nearby lots, which problems were not addressed until after the homes were constructed on those lots. We believe that a well planned development of the lot will enhance all of our property values. This applicant has demonstrated the careful planning needed and we are confident that the final construction will be an asset to our neighborhood.

We encourage approval of the variance application. Please include this letter as a matter of record in the staff report.

Sincerely,



Marguerite Schellentrager



James Schellentrager

Comment Form

File No. **SPR 2014-005**

VAR 2014-002

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

The standard setback allows for the resident to park in the driveway - less than that will put vehicles in the sidewalk area. If not parked in driveway, there is no room in front of house

- We encourage denial of this request for the following reasons:

Parking on the street is already causing a hazard. There is no room for emergency vehicles. This person knew this was a narrow, stopway property - they bought it anyway and now want a variance

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: Robin McKenzie

Mailing Address: 1843 Summer Place

Talent OR 97540

Date: Sept. 14, 2014

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

Notice to mortgagee, lien holder, vendor or seller: The City of Talent Zoning Code requires that if you receive this notice it shall be promptly forwarded to the purchaser

RECEIVED

OCT 14 2014

Comment Form

File No. **SPR 2014-005** OF TALENT
VAR 2014-002 COMMUNITY DEVELOPMENT

Variance to modify the standard setback requirements for structure to be built on lot at 1885 Summer Place.

I encourage denial of this request for the following reasons:

- a. There are reasons why the building code has a setback requirement. The persons who wrote the code and the city council that approved it obviously believed that these requirements were necessary. The idea was that builders building in Talent would follow the rules.
- b. Allowing the builder to construct a house closer to the street than the existing homes in the neighborhood will look somewhat odd, lessen the street appeal of the our neighborhood, and perhaps negatively impact property values.
- c. Modifying the setback requirement will most certainly reduce or eliminate some off-street parking for the person(s) living at 1885 Summer Place. The requested setback modification would make it challenging to park a full-size pickup, van or most SUV's off street. Those living at this new address would most likely be forced to either park in their garage or on the street, giving the neighborhood a business district feel. This effect will be more pronounced than one might think because the lot in question is pie shaped with no place to park a car immediately in front of the house. Street parking is already crowded because one neighborhood resident has meetings/gatherings that draw 5 or 6 cars to our street 4 or 5 times a week. Congestion would certainly be increased. In addition, sidewalk safety would probably suffer as well.
- d. The lot at 1885 Summer Place was purchased at a price considerably less than other available lots in Talent. Other builders have told me that it was understood that this discounted price was due to the fact that it would be more expensive to build on this lot. I feel confident that the persons requesting this variance knew this when they purchased the lot in question and knew the additional expense of building on this lot was off-set by the reduced cost to purchase the property. The reduced cost of this lot more than makes up for the expense of the additional foundation work. As such, the owner/builder already has a considerable cost saving to build on this lot. They now want the City of Talent to modify the setback so that they can reduce their costs even more.
- e. I believe that a house can be built on this lot without degrading the neighborhood by reducing the setback. The builder/owner knew it was going cost more to build on this lot. If they don't want to incur this additional cost, perhaps they should modify their plans.

Comments by: Orville Leao
Mailing Address: 1852 Summer Place, Talent
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Date: October 14, 2014



THE GALLI GROUP
Engineering Consulting

**STEEP SLOPE CONSTRAINTS AND
GEOTECHNICAL DESIGN REPORT
SUMMER PLACE, TAX LOT 4100
TALENT, OREGON**

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APPENDIX A: Boring Logs



STEEP SLOPE CONSTRAINTS AND GEOTECHNICAL DESIGN REPORT SUMMER PLACE, TAX LOT 4100 TALENT, OREGON

1.0 INTRODUCTION

The owner of Tax Lot 4100 on Summer Place desires to construct a new residence at the site. Portions of the site are within the Talent "Steep Slope Overlay Zone (slopes in excess of 10%). The purpose of this report is to present findings of our Steep Slope Evaluation and Geotechnical Design evaluation of the site. It provides steep slope mitigation measures and design recommendations for the subject project.

2.0 SITE AND PROJECT DESCRIPTION

The subject site is an irregular triangular shaped property fronting with the narrow end on Summer Place, Talent, Oregon. See Figure 1, Vicinity Map for a more precise location. The lot is flat to gently sloping back away from the street for about 55 feet on its west side and 95 feet on its east side. It then falls steeply away to the roadside (Hwy 99S) ditch below with slopes between 20% and 45%. The southern flat portion of the lot is almost devoid of significant vegetation. The sloped portion has moderate to dense vegetation with occasional large trees.

The project consists of constructing a two story, wood-framed single-family residence with a daylight basement embedded into the top of the slope. Associated walkways, auto parking, patios, deck, front porch and landscaping will also be included.

3.0 SUBSURFACE CONDITIONS

3.1 SOIL

This site is adjacent to two lots which we investigated and then designed and monitored foundation underpinning for, approximately nine years ago. This work was necessitated by a large scale slope movement on the slope below the house to the west of this lot. This work and subsequent design and monitoring of a large buttress fill behind the houses down to Hwy 99S have given us a good understanding of this site and steep slope on its north end.

In general, our test pits and the drilled pile holes at the edge of this lot encountered a surficial layer of slightly clayey sandy Silt and silty Clay over the gravels. This varied between 2 and 3 feet deep. Then we encountered medium dense to dense, silty Sand with gravels. Below this we encountered a thick zone of gravels and cobbles in a silty sand matrix. Some areas had relatively clean gravels with cobbles.

Farther down on the slope a large excavation for the new culvert encountered a weathered siltstone/sandstone unit at a depth of between 8 and 10 feet. This unit was stable.

On September 9, 2014, our staff used an ATV-mounted, solid stem auger drill rig to accomplish two borings at the site. These were drilled near the top of the slope on the east and west sides of the site to depths of between 10 and 11 ½ feet. Boring locations are presented on Figure 2, Site Plan.

The soils encountered were very similar to those described above for the adjacent lot. Boring Logs are presented in Appendix A, Boring Logs.

3.2 WATER

The drilled piles adjacent to the west property boundary of this lot encountered abundant groundwater at a depth of between 11 and 12 feet in the gravel and cobble zone. Based on our review of the area it appears this is water that migrates downslope from the south and finds its way into the old gravel and cobble deposit. The water becomes trapped behind the thick soil layer on the face of the slope. This causes instability on the slope due to the elevated pore pressure, especially during wetter periods of the year. This water is likely "perched" on top of the underlying siltstone/sandstone layer which underlies the cobbles and gravels.

The recent borings encountered only moist soils to 1 ½ feet. It should be noted that while the pile drilling next door took place in the winter months, the recent drilling was after one of the driest years on record. Therefore, we would expect the current water levels to be very low. In the future it is likely that during wet weather the water levels could again be within 10 to 12 feet of the ground surface.

We do not anticipate water issues during construction at the site. If some seepage is present it could cause added sloughing of excavation walls and should be easily handled by open sumps.

4.0 GEOLOGIC HAZARDS EVALUATION

4.1 GEOLOGIC HAZARDS REVIEW

Slope Stability. The native ground surface on the south portion of the project has a relatively gentle slope to the north, ranging between approximately 2 to 4 percent. The north portion has a steep slope (25% to 50%) that has undergone partial slope failure 8 to 10 years ago. This will be discussed in the Slope Stability section of this report.

Recommendations for site grading and proper methods of cut-and-fill construction on the top of the slope are provided in our geotechnical report. Similarly, recommendations addressing surface and subsurface drainage in the project area and driven or augered piles for house support, on or near the top of the slope, are provided in this report and must be followed during construction to maintain stability in the project area. In-progress grading

inspections and pile installation inspection must be made during construction to note any adverse conditions which could negatively affect the slope and the house.

Expansive Soils. Soil with mild to moderate expansiveness was encountered. Remediation methods for these expansive soil conditions are provided in our geotechnical report, and will provide proper design for buildings, AC pavement, and flatwork.

Liquefaction. Based on drilling immediately adjacent to the site and on this site, the saturated gravel zones are too dense to liquefy. Therefore, liquefaction is not a hazard for the project.

Ground Rupture. No Quaternary faults are identified at the project site on published geologic maps (Madin and Mabey, 1996; USGS, 2013). Therefore, the risk of damage at the site due to ground rupture is considered very low.

Ground Shaking. The expected peak horizontal bedrock acceleration at the project site, due to all earthquake hazards for an event with frequency of occurrence of once in 475 years (10% chance of occurrence in any 50-year period) is approximately **0.14g** (USGS, 2008).

Seismic Ground Amplification or Resonance. No hazardous amplification or resonance effects from seismic waves have been associated with the soil/bedrock subsurface conditions in the project area. The IBC Site Class designation, D, should compensate for any ground amplification or resonance that would occur at the proposed site. The risk of damage at the site from unexpectedly severe shaking due to seismic wave amplification is low.

There is some risk of slope movement farther east on the slope. However, the design recommendations provided in this report will mitigate its potential impact on this project.

Tsunami and Seiche. The project site is located over 50 miles inland, and is therefore not subject to inundation from a tsunami. The site is not located downstream of major dams or adjacent to large reservoirs or lakes. There are also no known large water tanks directly upslope of the proposed site. Therefore, the site is not subject to hazard from seiche or seismic-induced flooding.

Conclusions. Therefore, based on our site observations and review of geologic literature and mapping, in our opinion, there are no geologic hazards that will cause severe damage at the site. The project must be designed for the potential for severe ground shaking during the anticipated seismic events as well as mildly expansive soils and past partial failure on the slope below. Also, as noted earlier, adverse soil profiles in any cuts are items that must be reviewed during final design and construction in order to decrease the potential risk of bank sloughing on cut slopes.

5.0 SLOPE STABILITY ISSUES

As discussed earlier in this report, there has been instability on the adjacent lots. This was confined to the steep slope at the rear of the residence to the west and partially onto the next westward lot. The headscarp of the wide (130 feet) slope failure (creeping downslope of the overlying 8 to 12 feet of soil) was located approximately 12 to 14 feet upslope of the northwest corner of this proposed new residence (as staked on the slope by Mr. Jackson).

During our site investigation at that time, (\approx 2006) we also noted that at least two small headscarps from instability extended across the slope onto this subject lot. These were located at between 6 and 10 feet upslope of the NW corner stake for this proposed new residence. These old headscarps (4" to 8" in vertical offset) have become obscured with surface vegetation and vegetation debris over the past eight years.

There was also evidence farther to the east, behind the lot east of Tax Lot 4100, of older slope movements. These indicated that somewhat similar movements of the surficial soil unit on the steep slope had also taken place on that portion of the slope.

In our opinion this phenomenon has been taking place on this section of the slope for decades. The large buttress fill subsequently placed behind the Peterson house (lot immediately west of TL 4100) has halted the soil movement on that lot. Our recent observations and discussion with the property owner confirm additional movements have not been noted since the buttress fill was constructed. As can be seen on the site topography map on Figure 2, this buttress fill extended across the property boundary somewhat onto TL 4100. This has effectively buttressed the slope movements in this area. Recent observations at the site did not reveal any existing headscarps from past or current slope movements. However, to be prudent, mitigation measures will be included in the geotechnical recommendations which will provide long-term positive support to the rear portion of this new residence where it extends into this area of older instability.

There has been no evidence of instability found or observed on the flatter southern portion of this tax lot (TL 4100). Based on our review of this site and extensive work in the adjacent lots, in our professional opinion, the flat portion of the lot will not experience such instability when the mitigation measures we recommend are implemented at the site.

6.0 STEEP SLOPE CONSIDERATIONS

6.1 SLOPE STABILITY

As discussed in the earlier section of this report, there has been a history of instability on the slope along the rear of these lots. Portions of this slope have been stabilized by the buttress fill placed on the lot to the west. Any remaining residual of the instability will be

effectively mitigated with design of the house foundations and daylight basement in accordance with recommendations contained later in this report. No fill will be placed on the steep slope. Conversely, the daylight basement proposed will remove load from the top of the slope.

The overall project will not, in our professional opinion, adversely impact the stability of this or adjacent parcels. We believe the development will actually improve the stability by removing load off the slope and by controlling site runoff.

6.2 SITE DRAINAGE

The subject site development will control currently uncontrolled runoff onto the top of the slope. The runoff will be intercepted by the roof and area drains. These will discharge into a tight-line which will empty near the large culvert at the base of the slope.

This water interception will not decrease flows to local streams. It also will not decrease subsurface flow that is required for downslope properties.

6.3 EROSION MITIGATION

Some vegetation will be removed during construction of the residence and associated items. This will include brush, grass and one full sized tree (tree is located on the rear wall line of the house). The slope below the work area will be protected from erosion by construction erosion control and long-term permanent erosion control measures. With these erosion control measures in place there should be only minimal off site migration of soil fines (such as now takes place). Therefore the construction will not increase erosion off the site.

7.0 HOUSE AND GARAGE SITING

The subject house will be situated mostly on the upper south end of the lot. A portion of the rear of the house will be out onto the steep slope area. See approximate footprint by dashed line on Figure 2. It will be embedded into the slope (daylight basement) and the rear portion will be supported on deep foundations to overcome any adverse impacts of the old slope movements. However, being able to site the house farther to the south will make it easier and less expensive to implement the slope mitigation measures in the house design.

Locating the house 5 or 6 feet closer to the street will likely encroach into the normal set back width. However, it will still leave enough room for a reasonable length driveway. This lot is on the outboard side of a curve in Summer Lane. This area also has somewhat narrow street sections. These tend to keep traffic speeds low (10 to 15 mph). Therefore, a garage somewhat closer to the street is not a hazard. It should also be noted that due to the shape of this lot and those on both sides, moving the front of the garage 5 to 6 feet into the setback actually lines up this house with those on both sides. Therefore, we

believe placing this house and garage footprint closer to the street will decrease costs, decrease encroachment onto the steep slope and not disturb the viewscape of adjacent homes or cause a traffic hazard on Summer Lane.

8.0 GEOTECHNICAL DESIGN RECOMMENDATIONS

The subject site has 1) mildly expansive soils, 2) steep slope area with minor past instability near one corner of the proposed residence and potentially loosened subsurface soils near or at the old headscarp crevice. These will be mitigated by the geotechnical recommendations provided in the following sections of the report.

8.1 SITE PREPARATION AND GRADING

The area has some loose old fill and much vegetation. Therefore, normal methods of debris removal, clearing, grubbing, stripping for organic and loose fill removal and subgrade soil preparation will apply.

8.1.1 Expansive Clay Considerations

The soils at the site are mildly expansive. With some overexcavation and replacement with structural fill beneath the structure the potential adverse impacts of expansive soils will be adequately mitigated. This will be addressed later in individual sections of the report.

8.1.2 Clearing, Grubbing and Stripping

All areas proposed for the structure, parking area, sidewalks or structural fill beneath these items should have all debris removed and be cleared and grubbed of all trees, stumps, brush and other debris and/or deleterious materials. The site should then be stripped and cleared of all vegetation, sod, organic topsoil and other deleterious materials. It appears that a stripping depth of from 4 to 6 inches will be required in most areas. Additional stripping (or excavations) will most likely be required to remove root balls beneath larger bushes and trees and any waste fill areas encountered. The stripped materials and old fills soils removed should be hauled from the site or stockpiled for use in landscape areas only (such as landscape mounds). This material should not be used in structural fill or trench backfill. All old, undocumented fill must be removed beneath the structure and driveway due to the possibility of it consolidating/densifying under new load.

Holes or depressions resulting from the removal of underground obstructions (such as old building foundations) and old ditches or excavations for stump removal or old fill that extend below the finish subgrade and will be beneath structures, walkways or parking, shall be cleared of all loose material and dished to provide access for compaction

equipment. These areas shall then be backfilled and compacted to grade with structural fill, as described later in this report.

Where site soils are stripped or excavated to expose the silty Clay soils which may remain in place and serve as subgrade below buildings, structural fill, roadways, driveways, or exterior slabs, *it is imperative to keep the surface moist and in a "fully-swelled" condition until the concrete or fill is placed.* This will inhibit shrinkage within the unit and formation of shrinkage cracks; which when it re-swells can cause heave of overlying items. Possible methods for protecting the exposed silty Clay soils include using sprinklers, periodic sprinkling with a water truck, covering with plastic sheeting, or delaying stripping until immediately before placing backfill materials. If dried-out expansive silt or clay soils are covered and not rewetted, swell related problems could develop in the future.

It is recommended that grubbing and stripping of the site, old fill removal, decision for reuse of old fill and backfill and compaction of depressions below finish subgrade, be observed and/or decided by the geotechnical engineer or his representative from The Galli Group.

8.1.3 Subgrade Proofrolling

The exposed subgrade throughout the site which will support the structure and parking should normally be proofrolled (after grubbing and stripping and overexcavation where required) under the observation of a representative from The Galli Group. The proofrolling may be accomplished with a loaded dump truck, loaded water truck or large heavy roller (no vibration). Proofrolling should not be attempted in wet weather and should be discontinued if it appears the operation is pumping moisture up to the surface or otherwise disturbing the in-place soils. *When proofrolling, the tires of a loaded truck should not deflect the soils more than 3/8 inch.* This may not be possible on the slope or in the daylight basement area. These areas will be visually inspected.

Where subgrade soils are disturbed or do not demonstrate a firm, unyielding condition when proofrolled, the soil should be removed, aerated and replaced, or replaced with imported granular fill. The imported fill material should be compacted to a minimum of 95 percent of the maximum dry density as determined by ASTM Test Method D-698 (Standard Proctor). All soft and/or unstable areas should be over-excavated and backfilled with granular structural fill. This includes areas beneath footings.

Where the subgrade consists of silty and clayey soils, if these soils are firm and generally unyielding they should be kept moist but not be scarified or recompacted. *In no case should the subgrade soils be allowed to become dried-out with severe shrinkage cracks. When severely dried-out, these soils are difficult to rewet and then if covered can result in heave related problems.* Severely dried-out clay or silt subgrade soils must generally be removed down to fully swelled, moist soils prior to proceeding with construction over the area.

We recommend our firm observe proofrolling of the excavated subgrade after excavations are complete and prior to placement of structural fill. After completion of site stripping and/or excavation to subgrade, the contractor should take care to protect the subgrade from drying out or from disturbance due to construction equipment, especially during very wet or very dry weather.

8.2 SITE EXCAVATIONS

During the construction of the project, we anticipate utility excavations and a basement excavation will be required for construction. The excavations will generally encounter the silty clay and silty sand.

Excavations. Excavators of all sizes should have no difficulty in excavating to depths of 10 feet. Trench excavations during dry weather should stand for short periods of time (several hours) in shallow trenches in the soils (less than 3 feet) which are not subjected to emerging groundwater seepages or surface water. Seepage or wet weather will cause the silty clay and sand soils to cave and slough into the trench. Excavations deeper than 3 feet would require the use of temporary shoring, trench boxes and/or temporary cut slopes.

Temporary Cut Slopes. During dry weather, temporary cut slopes may be cut at 1 1/4H:1V or flatter for cuts up to 10 feet. During wet weather, the contractor must be prepared to flatten temporary cut slopes in the soils to 1 1/2H:1V or flatter. **Note:** At any time, if recommended cut slopes appear to be unstable they should be flattened or shored to protect the workmen.

Permanent Cut Slopes. Some areas near the rear of the house may have the slopes reshaped during construction. For these site soils we recommend permanent cut slopes be no steeper than 2 1/2 H:1V.

Please note, that while we have commented on the anticipated stability of the soil in trenches and cuts, we are not responsible for job site safety. The contractor is at all times responsible for job site safety, including excavation safety. We recommend all local, state and federal safety regulations be adhered to.

8.3 STRUCTURAL FILL PLACEMENT AND COMPACTION

8.3.1 Beneath Structures and Roadways

Structural fill is defined as any fill placed and compacted to specified densities and used in areas that will be under structures, driveways, sidewalks and other load-bearing areas or that will create fill slopes. It appears that the building pad, parking area, exterior slabs and sidewalks could have structural fill below them. The subgrade needs to be prepared properly and the soils must be placed and compacted correctly for proper long-term performance.

Structural Fill Materials. Ideally, and particularly for wet weather construction, structural fill should consist of a free-draining granular material (non-expansive) with a maximum particle size of six to eight inches. The material should be reasonably well-graded with less than 5 percent fines (silt and clay size passing the No. 200 mesh sieve). During dry weather, any organic-free, non-expansive, compactable granular material, meeting the maximum size criteria, is typically acceptable for this purpose. Locally available crushed rock, jaw-run crushed "shale" (low-grade rock) and decomposed granite (DG) have performed adequately for most applications of structural fill.

Structural Fill Placement. All structural fill should be placed in horizontal lifts not exceeding 8 inches loose thickness (less, if necessary to obtain proper compaction) for heavy compaction equipment and four inches for light and hand-operated equipment. Each lift should be compacted to a minimum of 98 percent of the maximum dry density, as determined by ASTM Test Method D-698 (Standard Proctor). We recommend the clayey on-site soils not be used as structural fill beneath the structure.

A large smooth drum vibratory roller should be utilized when compacting rock materials such as imported crushed rock, jaw-run "shale" or DG.

Beneath Footings. Structural fill placed beneath footings or other structural elements must extend beyond all sides of such elements a distance equal to at least $\frac{1}{2}$ the total depth of the structural fill beneath the structural element in question for vertical support (i.e. for 2 feet of structural fill beneath footings, extend the fill at least 1 foot past all edges of the footing). These fills must extend further beyond edges of footings if lateral support is required (generally in the order of 5 feet or more).

To facilitate the earthwork and compaction process, the earthwork contractor should place and compact fill materials at or slightly above their optimum moisture content. If fill soils are too high on the wet side of optimum, they can be dried by continuous windrowing and aeration or by intermixing lime or Portland Cement to absorb excess moisture and improve soil properties. If soils become dry during the summer months, a water truck should be available to help keep the moisture content at or near optimum during compaction operations.

Fill Placement Observation and Testing Methods. The required construction monitoring of the structural fill utilizing standard nuclear density gauge testing and standard laboratory compaction curves (ASTM D-698 specified) is applicable to materials 2-inch size and under. Larger ($2\frac{1}{2}$ " or above) jaw-run "shale", crushed rock or larger broken decomposed granite (DG) do not yield consistent results with this type of testing. The high percentage of rock particles greater than $\frac{3}{4}$ "s of an inch in these materials causes laboratory and field density test results to be erratic and does not provide an adequate representation of the density achieved. Therefore, construction specifications for this type of material typically specify method of placement and compaction coupled with visual observation during the placement and compaction operations, instead of nuclear density testing.

Observation of Fill Placement. For these larger rock materials, or those that have erratic density, we recommend the 8-inch lift (after being “worked in” with a dozer) be compacted by a minimum of 3 passes with a heavy vibratory roller. One “pass” is defined as the roller moving across an area once in both directions. The placement and compaction should be observed by our representative. After compaction, as specified above, is completed the entire area should be proofrolled with a loaded dump truck to verify density has been achieved. *All areas which exhibit movement or compression of the rock material more than 1/4 inch, under proofrolling, should be reworked or removed and replaced as specified above.*

Nuclear Density Testing of Fill. Field density testing by nuclear density gage would be adequate for verifying compaction of 2-inch to 3/4-inch minus crushed base rock, expansive clay and silt soils, Decomposed Granite and other materials 2 inches or smaller in size. Therefore, typical % compaction specifications would suffice. Testing should be accomplished in a systematic manner on all lifts as they are placed. Testing only the upper lifts is not adequate.

8.3.2 Non-Structural Fill

Any waste soil, organic strippings or other deleterious soil (such as wet or dried out expansive clay) would be considered non-structural fill. These materials may make reasonable landscape soils and lawn topsoil material. This material may be placed in landscape areas and waste soil areas such as berms with slopes at 3.5H:1.0V or flatter. It should not be placed under structures, sidewalks, roadways, parking areas or as part of a structural fill slope. It is recommended that when these soils are used they be given a moderate level of compaction (90 to 92 percent) to help seal them from surface water.

8.4 UTILITY LINE RECOMMENDATIONS

Below we have provided general recommendations for utility construction for the project. Recommendations are based upon observations from our field investigation and experience on other projects in the area.

Trench Excavation. Trenches will be required across the site for utility installation of various kinds. As discussed earlier, all soils encountered should be able to be excavated with a large excavator. Trench excavation should be relatively easy in all areas of the site. Sideslopes can ravel and slough, especially in wet weather, in these fill materials. Therefore, trench boxes could be required.

Trench Backfill and Compaction. The new utility lines will require trench backfill and compaction along the entire alignment. The pipes need to be adequately supported and the trenches need to be backfilled and compacted properly to prevent subsidence of the surface or damage to utility lines or the potential overlying pavement section. The on site clayey soils do not provide good trench backfill due to difficulty getting good compaction. A crushed rock such as 3/4" minus or sandy DG, or small size jaw-run shale, usually work well and are recommended for this project.

In our experience, utility trench backfill has been the source of the majority of post-construction fill settlement problems in paved areas. They are also areas which cause early pavement failure due to inadequate subgrade support.

8.5 BUILDING SUPPORT RECOMMENDATIONS

In our professional opinion, except on the steep slope, the surficial underlying silty Sand soils would be adequate to support the footings. Therefore, footings with underlying crushed rock structural fill must penetrate into this layer and be at least 24 inches below the exterior surface grade.

8.5.1 Building Pad Preparation

To mitigate potential adverse impacts of expansive soils and loose fill the house must be placed on a prepared building pad.

1. Remove all upper expansive clayey soil to at least 2 feet outside of the building footprint to a depth of at least 2 feet below finish exterior grade by the footings.
2. Preparation of the subgrade of these excavations should be consistent with earlier recommendations in this report. Any soft or disturbed soils must be removed and replaced with structural rock fill. Keep the subgrade moist and fully swelled.
3. Backfill the entire area with at least 12 inches of compacted crushed rock (jaw run shale works fine) structural fill, compacted as described earlier for Structural Fill.
4. Continue to sprinkle through the rock fill to keep the subgrade moist until the house is constructed.

8.5.2 Footing Support and Design

Foundations should be designed and constructed as listed below.

1. Footings placed on a pad constructed as listed above, with at least 12" of compacted rock fill below footings, may be designed for an allowable bearing pressure of 2,000 pounds per square foot. A 1/3 increase in this allowable bearing pressure may be used when considering short-term transitory wind and seismic loads.
2. The width of the crushed rock structural fill placed beneath any footings not within the building footprint should extend outward from both sides of the footing a horizontal distance equivalent to one half the depth of the fill placed (i.e. for 1 foot of fill beneath the footings, extend fill past all edges of footings at least 6 inches). But must also extend at least 2 feet beyond the building footprint. It must then also be provided with lateral support such that the crushed rock will not ravel away (which should not be an issue on this flat site).
3. All footings must be placed on level excavations covered with the compacted rock fill. Where footings must step down the slope the concrete thickness and reinforcing must be the same in vertical drops as on the horizontal subgrade areas. This may be

the case when footings step down to the daylight basement level. Maximum step heights should be 32 inches.

4. Footing subgrade in the daylight basement area that is at least four (4) feet below the surface may be recompacted and utilized without the structural rock fill. However, if there is the likelihood of rain prior to concrete placement, at least 6 inches of compacted crushed rock should be placed to protect the subgrade. These footings may also be designed for a bearing pressure of 2,000 psf (1/3 increase for transitory live loads).
5. Spread footings shall be buried a minimum of 16 inches below finish grade in order to provide lateral support and frost protection.
6. We recommend minimum lateral dimensions of 12 inches for continuous load bearing footings and 18 inches for isolated piers constructed in this manner.

Anticipated Settlements. For properly constructed foundations founded on 12" of crushed rock over the medium dense, silty Sand, we anticipate maximum total and differential settlement to be approximately 3/4-inch and 3/8-inch, respectively.

Foundation Drains. We recommend all footings be installed with a footing drain to intercept groundwater seepage. Footing drains consisting of a rigid, smooth-wall perforated pipe surrounded by drain rock (sides and above), all wrapped in a non-woven geotextile fabric and should be placed adjacent to the footings. This is addressed more fully later in this report (Section 8.13).

8.5.3 Deep Foundations

The portion of the residence which is near to or extends out onto the slope must be supported on deep foundations. This type of foundation support will penetrate any soils compromised by the past instability and be founded in the stable, dense underlying soils and/or gravels and cobbles. The recommended method of support for technical capacity and ease of construction would be driven small diameter steel pipe piles.

Driven Small Diameter Pipe Piles. These have been used successfully on scores of projects throughout Southern Oregon and northern California. Some installation companies have smaller track-mounted pile drivers that are 6 feet or less in width and can work well on a site such as this.

Pipe Pile Design

- Driven 4" diameter steel pipe piles.
- Standard wall thickness (Sch 40; 0.237" wall thickness)
- Drive open ended
- Utilize vibratory driver sized for 4" pipe (850 pound to 1100 pound class)
- Final set criteria; drive until less than 1 inch of advancement in 10 to 16 seconds (depends upon pile hammer used).
- Pile Top; new construction cap of ½"x6"x6" plate for each pile

- Use sleeved couplers; piles are for vertical compression load only (no Uplift Load Capacity)
- Pile capacity is 20 kips with Factor of Safety of 2.0+
- Typical Spacing; 5 to 6 feet depending upon the loads above

Embed top of pile with 6" x 6" reaction plate at distance up into footing or grade beam as recommended by project structural engineer (usually 4" to 6" depending upon footing/grade beam thickness).

Note: Number and location of these small diameter piles will be determined when final house footprint and daylight basement footprint have been located on the site plan. It is likely the north wall and side walls of basement level will be pile supported.

8.6 INTERIOR FLOOR SLABS

Properly prepared compacted structural fill over a moist, firm and unyielding subgrade would be reasonably adequate for support of concrete slabs-on-grade. *In order to help mitigate the underlying highly expansive clay soils, we recommend the total of all non-expansive fill layers (drain rock plus underlying structural fill) be at least 18 inches thick beneath the concrete floor slabs.* This does not include the basement slab.

Slab Section. The following recommendations are provided for slabs constructed on the minimum 10-inch thick structural fill over properly prepared subgrade soils consisting of the native non-expansive soils.

1. A six-inch layer of clean (less than 2% passing the no. 200 sieve and less than 5% passing the No. 10 sieve) crushed rock ($\frac{1}{2}$ " to $\frac{3}{4}$ " clean crushed rock works well) should be placed over the structural fill to provide a positive capillary moisture break and uniform slab support. The capillary break is especially helpful in areas with floors that will not "breathe" or where solid bases sit on the floor.
2. A tough impermeable membrane, such as Stego Industries 15-mil vapor barrier (or an equivalent product) should be placed over the "clean" rock layer to further retard upward migration of moisture vapor into and through the concrete slab. Seal all seams well with manufacturers recommended method.
3. In order to protect the membrane, one to two inches of clean coarse sand or $\frac{3}{4}$ " minus crushed rock could be placed on top of the membrane. The sand should be moistened slightly prior to placing concrete.

Note: In some cases others have felt the sand layer and/or vapor barrier could trap moisture causing dampness in the floor. Many times they use concrete additives to decrease moisture transmission through the slab. While we disagree with this position, we leave the decision to the building designer to use or not use the sand layer, concrete additives and vapor barrier.

The subgrade preparation and structural fill beneath interior slabs shall be accomplished as described earlier in this report.

8.8 FOUNDATION AND FLOOR DRAINS

All exterior foundations and embedded structures should have proper drainage.

Footing Drains. Foundation drainage should consist of a rigid smooth wall perforated pipe surrounded by at least 8 inches of drain rock on top and sides, all wrapped in a non-woven geotextile designed as a filter fabric (such as Mirafi 140N or equivalent). We recommend the fabric be covered with a two to three-inch layer of sand to protect it against damage during backfilling operations and potential long-term plugging from soil fines. The perforated pipe should be located on the footing next to the stem wall (or beside the footing), provided this is at least 12 inches below underslab drain rock. Please see Figure 3.

Basement Wall Drainage. Wall drains should also have a minimum 12-inch wide drainage zone of drain rock wrapped in non-woven filter fabric immediately behind the wall extending up from the drainage section to within 12 inches of the surface. A preformed, fabric-wrapped, polymer sheet drain, such as Amerdrain, Linq Drain or Enkamat may be used in lieu of the vertical drainage zone, provided this is backfilled with clean, free-draining material. Exterior wall drains, which will not be sealed on top by asphalt or concrete, should have the upper 12 inches backfilled with compacted onsite silt soils to minimize intrusion of surface waters into the wall drain system.

Walls that will be part of a basement level must be fully sealed (with 2 coats of a quality bitumen-based sealer that will not harden or crack) and have the drainage mat and free-draining backfill. Drainage should be as shown on Figure 4.

Floor Drains. Where the drain rock layer below slabs will be lower than the adjacent exterior grades, such as basements, water will tend to accumulate in this low area. One method to drain this water is to include a series of subdrains at the bottom of the drain rock layer beneath the slab. The drain rock section should be thickened to at least 10-inches for such lower areas. The subdrain lines typically consist of 3-inch diameter, smooth interior, solid wall, perforated pipe at spacing of 10 to 15 feet (or less) across the structure (and around the interior perimeter). The perforated pipe is placed in a deepened zone of the drain layer as shown on Figure 5. The pipes are sloped to drain and collected by a tightline which leads to the stormwater disposal system. We recommend we be allowed to review the subdrain system design prior to final plan submittal or construction bidding.

All drains should be tightlined and positively sloped to an approved stormwater disposal location into the public storm drain system. **Note:** In no case shall water be collected and/or directed or discharged close to the foundations. Such improper water discharge can cause added water related problems.

We strongly recommend against connecting roof drains or surface area drains to foundation or floor subdrains. Foundation drains should consist of rigid smooth-wall perforated pipe. The rigid smooth-wall pipe can be cleaned out by means of a “roto-rooter” type system should it become plugged with sediment or fine roots. We

recommend cleanouts be placed periodically by the designer to facilitate cleaning and maintenance of the drains.

8.9 EXTERIOR CONCRETE FLATWORK DESIGN

Reinforced concrete could be utilized for walkways and auto parking.

Due to slightly expansive clay soils below the site the overall section (concrete over crushed rock) will have to be thicker than typical minimums.

Standard Duty Concrete/Pavements

4" Portland Cement Concrete (3,500 psi mix)

10" Aggregate Base (3/4" or 1" minus Crushed Rock)

Note: These concrete section designs assume the subgrade is prepared properly and that the woven fabric is used to help distribute construction loads and provide some added protection to the subgrade.

The following items should be part of the concrete design and construction.

Aggregate Base: Extend beyond edges of concrete at least 12 inches.

Reinforcing: No. 3's @ 16" O.C. each way; Include continuous edge bars at 3" to 4" from all edges. Reinforcing to be continuous across all different pours or joints. Overlap all bars at least 24 inches.

Concrete: 3,500 psi 28-day strength mix; 5% ± 2% entrained air; place at 4" slump or use admixtures to keep same water/cement ratio for higher slump. Do not over-trowel surface early and trap bleed moisture below the finish, which can lead to freeze-thaw damage.

Surface Jointing: Surface jointing at 6 to 8 feet on center each way will help decrease cracking in the "field". If saw cutting is used it must be done as soon as the surface will support the work to make sure cracks do not develop within the concrete mass prior to the surface cutting.

Note: If your finisher feels it will not cause surface discoloration of the concrete the 10 inches of crushed rock could be replaced with compacted DG for the concrete support.

Standard Duty Concrete/Walkways

3 ½" Portland Cement Concrete (3,000 psi mix)

6" DG or Crushed Rock Structural Fill

Some site prep, rebar and other particulars as specified for the concrete pavement should be used.

Note: Due to the possibility of expansive movements we recommend rebar be extended across all joints and between dissimilar pours for all portions of project flatwork to help prevent vertical offset at these locations.

8.10 ASPHALTIC PAVEMENTS

The driveway could consist of Hot Mix Asphaltic Concrete (HMAC) paved surface. The following sections provide recommendations for asphaltic concrete section design and construction.

8.10.1 Pavement Subgrade & Traffic Loading

The subject site is underlain by slightly clayey Silt soils. These clayey soils will provide poor support for the asphaltic concrete paving. Based on typical asphalt design methods and tested R-values for expansive clay soils we have assumed an R-Value of 5 for these subgrade soils.

The following asphalt sections were designed utilizing a Crushed Rock Equivalent (CRE) method. Sufficient thickness of asphaltic concrete and rock materials are used to provide the computed crushed rock equivalent needed to protect the subgrade soils and successive rock layers from anticipated traffic loads.

We anticipate the traffic loading to consist of autos, pick-ups and a few medium delivery trucks. In our professional opinion, the project should use the Traffic Index (TI) as listed. The TI value is based on anticipated traffic numbers, axle loads from trucks and for a 20-year life.

Project Area	Traffic Index (TI)
Driveway	4.5

The successful performance of pavement structures is a function of subgrade material properties, traffic conditions, drainage conditions, the pavement material properties and design, careful construction, and ongoing maintenance.

8.10.2 Asphaltic Concrete Pavement Design

We have designed the pavement section using the Traffic Index (TI) listed above. Based on this TI and R-values of 5, 40 and 80, (subgrade soil, 4" minus or low grade subbase and ¾" or 1" minus crushed rock), we have computed asphalt design sections (utilizing the Crushed Rock Equivalent Method) with the following results.

Standard Duty Pavements (TI = 4.5)

2½" AC

8" AB (¾" or 1" minus Crushed Rock)

Woven Geotextile Support Fabric (ACF 180 or Equivalent)

8.10.3 General Recommendations

Subgrade Preparation. Subgrade preparation should begin with removal of debris and loose and disturbed soils. All debris and organic material should be disposed of properly and is not permitted as subgrade or fill material.

The subgrade should be shaped to a uniform surface running reasonably true to established line and grade described in the contract documents. Areas so specified must be redensified and/or backfilled with structural fill. It is important that dense, stable conditions of the subgrade be maintained until the subgrade is covered with the subbase aggregate. Subgrade preparation should include cleaning and proofrolling to identify soft and disturbed subgrade areas.

Note: *The subgrade could be expansive. This must be kept in a moist and fully swelled condition until covered with the asphaltic concrete or PCC paving.* This can be achieved by periodic sprinkling of the surface and through rock layers.

In NO case should a dried out subgrade exhibiting shrinkage cracks be covered with fabric or crushed rock fill. This will result in future swell related problems.

After subgrade preparation is completed, the upper 12 inches of exposed subgrade prepared for the pavement structure should demonstrate at least 95 percent of the maximum dry density, as determined by the Standard Proctor test (ASTM D-698).

Note: This should not be accomplished if the subgrade is undisturbed native soils or clay.

Soft or loose materials disturbed during the excavation process, incapable of achieving the compaction criteria should be removed to appropriate bearing materials prior to replacing with structural fill. Where loose or softened subgrade areas are identified, the area should be over-excavated and replaced with imported granular fill with less than 10 percent passing the number 200 sieve.

It should be noted that in no case should construction trucks be allowed to “run” directly on top of the subgrade soils until they are covered with rock. This would most likely result in the disturbance of the subgrade soils due to the heavily loaded vehicles (which would result in additional over-excavation to remove softened soils). We recommend covering the subgrade soils with at least 12 inches of crushed rock or “shale” over the woven fabric prior to light construction truck traffic traversing the area. Therefore, construction traffic must be carefully coordinated in order to minimize disturbance to the underlying fine-grained soils. **Note:** The clayey subgrade in some areas may need at least 16 inches of rock over the fabric to protect it.

Wet Weather Construction. We recommend that for construction during wet weather, the subgrade should be covered with a woven geotextile support fabric (ACF 180 or equivalent) and a minimum of 16 inches of imported granular 4-inch minus crushed rock.

Compaction of the fill should not begin until a minimum of 12 inches of rock is placed above the fabric. Compact carefully so as not to disturb the subgrade. This should provide an adequate working surface and help protect the subgrade from damage from construction traffic. Construction traffic should not be allowed to traverse the area until the minimum of 18 inches of compacted material has been placed and compacted.

Note: Preparation of subgrade and rock placement during dry weather typically yields a better asphaltic concrete section.

Geotextile Fabric Placement. When the subgrade soils have been properly prepared, the silt and clay areas should be covered with the woven geotextile support fabric. We recommend a fabric such as ACF 180 or equivalent. The fabric should be laid longitudinally with the roadway. All ends and edges should be overlapped a minimum of 5 and 2 feet, respectively. Fabric layout shall be such that it “runs” aligned with the lane traffic directions.

Care must be taken to not damage the fabric. In no case shall track vehicles be allowed on the fabric. At least 12 inches of rock (16 inches during wet weather) should be over the fabric prior to allowing truck traffic in the area. Then the traffic should be light to protect the subgrade. Be careful not to disturb the subgrade when compacting the rock.

Materials. All materials used and construction techniques applied at the site must result in conditions as assumed for design of the pavement sections. We recommend materials used in the pavement support sections be as follows:

Aggregate Base Rock

- Crushed Rock ($\frac{3}{4}$ or 1” Minus); R=80 or greater
- Exceeds the fracture, durability and sand equivalent requirements outlined in Section 00641 of the Oregon Standard Specifications for Construction
- Maximum passing the No. 200 sieve=7%
- Compacted to 95% of the maximum dry density as determined by ASTM D698 or AASHTO T-99

Aggregate Subbase Rock

- Crushed (jaw run) hard “Shale” (4” to 6” Minus) or Crushed Rock (2” to 4” Minus); R=40 or greater
- Exceeds the fracture, durability and sand equivalent requirements outlined in Section 00641 of the Oregon Standard Specifications for Construction
- Maximum passing the No. 200 sieve=10%
- Compacted to 95% of the maximum dry density as determined by ASTM D698 or AASHTO T-99; initial lift may not attain 95% due to soft subgrade.

We recommend avoiding the use of soft rock or subrounded and/or sandy gravel materials for the aggregate base, since they typically do not perform well in supporting asphaltic pavement sections (i.e., usually do not meet CBR requirements).

Installation of utilities and other site work, which may compromise the integrity of the support fabric or completed base rock section, should be avoided when possible. Therefore, utilities which must cross through these areas should be placed and backfilled before fabric and base rock are placed.

We recommend that the finished subgrade and subbase be viewed and that base rock be tested for density and stability by a representative of The Galli Group prior to placement of asphalt at the site.

Asphaltic Concrete. We recommend the project plans and specifications require the use of Dense Graded Hot Mix Asphalt Concrete (HMAC) and the contractor must provide an ODOT approved HMAC design mix. Section 00745 of the 2008 edition (or newer) of the Oregon Standard Specifications for Construction should be specified for all HMAC provided for this project. We recommend all aspects of the asphaltic paving be accomplished in accordance with applicable ODOT standards and recommendations.

Drainage. Adequate provision should be made to direct surface water away from the pavement section and subgrade. Ponded water adjacent to the asphalt areas can saturate the subgrade resulting in loss of support. Therefore, we recommend the areas along the edge of the asphalt be well drained. All paved areas should be sloped and drainage gradients maintained to carry surface water to catch basins or ditches for transmission off the roadway and parking areas. Excessive landscape watering can also saturate the subgrade and decrease pavement life. Deep curbs, drip irrigation and/or use of dry-land plants will mitigate these affects.

Maintenance. Pavement life can be extended by providing proper maintenance and overlays as needed. Cracks in the pavement should be filled to prevent intrusion of surface water into the subbase. Asphalt pavements typically require seal coats or overlays after 10 to 12 years to maintain structural performance and aesthetic appearance.

8.11 SITE DRAINAGE

The site should be graded during construction such that surface water does not pond within the building footprint or beneath pavement areas. Surface runoff should be controlled during construction and with final site grading. All areas adjacent to the house should have a permanent slope away from the foundations at an inclination of at least 6 inches in eight (8) feet. This surface water should be channeled into landscape area drains or catch basins, or should be conveyed around the structures and to the public right-of-ways or storm drain system by means of tightline pipes. *In no case should this water be allowed to collect and run uncontrolled onto the slope.* Where items such as landscape areas and walkways block the flow of surface water, small area drains should be installed to collect the surface runoff. Good site design accommodates all site runoff and conveys it away from the structures and off the site to an acceptable disposal location, without undue erosion problems.

All roof downspouts should be connected to a sealed tightline system, which discharges to an acceptable disposal location. *These tightlines should NOT discharge onto the slope but should be extended to near the roadside culvert to the north. In no case should these be connected to footing drains, base of retaining wall drains or subdrains beneath floors.*

9.0 EROSION CONTROL

The site soils are moderately susceptible to erosion, depending upon which soil layer is exposed. The site grades are relatively flat and then steep. Therefore, site erosion could be moderate to high if proper erosion control is not installed.

Construction Erosion Control. All disturbed areas shall have the low side surrounded by a silt fence with the bottom edge embedded in the soil at least two (2) inches. Some areas where concentrated flow may gather during construction may require a second silt fence as a backup. At select locations settling ponds of hay-bale backed silt fence should be established to decrease silt content of water flowing off site. Hay bales or wattles should be used to protect street catch basins within 300 feet of the site (if water flow from the site can reach them).

The site will also require crushed rock (or shale) entrances to prevent "tracking" of mud by construction vehicles on the City streets. These are typically required to be 25 to 50 feet long and be constructed of 12" of rock over a woven fabric.

Permanent Erosion Control. Permanent project landscaping and paving as required by the City of Talent will meet most needs of long-term erosion control. All disturbed areas on the site but outside the developed area of the project must be reseeded with local native grasses for erosion prevention. These areas shall be graded reasonably smooth and the surface scarified to ½ inch deep. The area should then be hydroseeded with a combination of erosion control grass seed, fertilizer and mulch.

10.0 ADDITIONAL SERVICES AND LIMITATIONS

10.1 ADDITIONAL SERVICES

We should review construction plans and specifications for this project as they are being developed. In addition, The Galli Group should be retained to review all geotechnical-related portions of the plans and specifications to evaluate whether they are in conformance with the recommendations provided in our report. Additionally, to observe compliance with the intent of our recommendations, design concepts, and the plans and specifications, all construction operations dealing with earthwork, foundations and rock placement and compaction should be observed by a representative from The Galli Group.

For this project, we anticipate additional services could include the following:

- Review and comment on final footprint and concrete design for location of pipe piles and added lateral resistance.
- Review and comment on the basement subdrain plan.
- Review of final construction plans and specifications for compliance with geotechnical recommendations.
- Possible project team meetings to clarify issues and proceed smoothly into and through the construction process.
- Observation of onsite cuts and trenches to verify the presence of soft silt or seepage.
- Observation and/or testing of over-excavated areas, building pads, structural fill placement, subdrains, subgrade proofrolling, pavement subgrade preparation, footing subgrade, aggregate base placement and compaction, site grading, surface drainage, wall and floor drainage.
- Observation and documentation of pile installation.
- Periodic construction field reports, as requested by the client and required by the building department.

We would provide these additional services on a time-and-expense basis in accordance with our current Standard Fee Schedule and General Conditions at the time of construction. If we are not retained to provide these services we cannot be held responsible for the decisions by others or geotechnical related issues in the constructed product.

10.2 LIMITATIONS

The analyses, conclusions and recommendations contained in this report are based on site conditions and assumed development plans as they existed at the time of the study, and assume soils, rock and groundwater conditions exposed and observed in the borings during our investigation are representative of soils and groundwater conditions throughout the site. If during construction, subsurface conditions or assumed design information is found to be different, we should be advised at once so that we can review this report and reconsider our recommendations in light of the changed conditions. If there is a significant lapse of time between submission of this report and the start of work at the site, if the project is changed, or if conditions have changed due to acts of God or construction at or adjacent to the site, it is recommended that this report be reviewed in light of the changed conditions and/or time lapse.

This report was prepared for the use of the owner and his design and construction team for the design and construction of the project. It should be made available to contractors for information and factual data only. This report should not be used for contractual

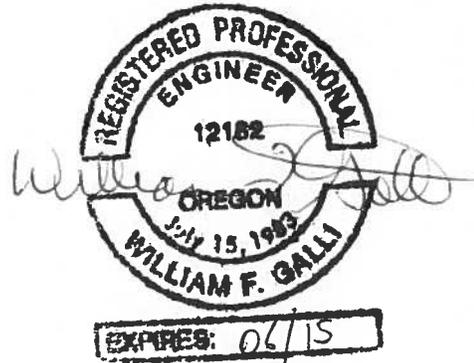
purposes as a warranty of site subsurface conditions. It should also not be used at other sites or for projects other than the one intended.

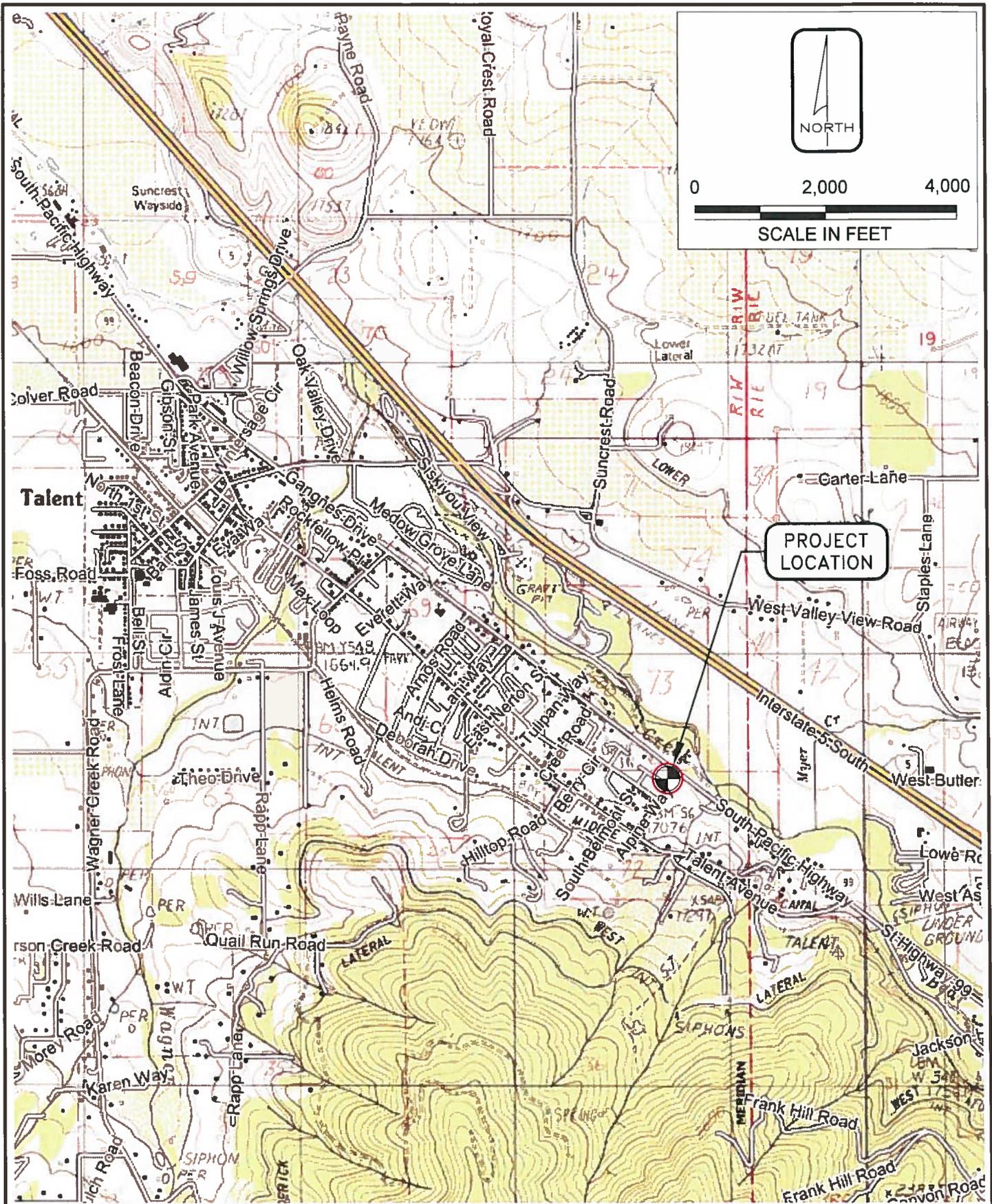
We have performed these services in accordance with generally accepted geotechnical engineering practices in southern Oregon, at the time the study was accomplished. No other warranties, either expressed or implied, are provided.

THE GALLI GROUP
GEOTECHNICAL CONSULTING



William F. Galli, P.E.
Principal Engineer





THE GALLI GROUP
 GEOTECHNICAL CONSULTING
 612 NW 3rd Street
 Grants Pass, OR 97526

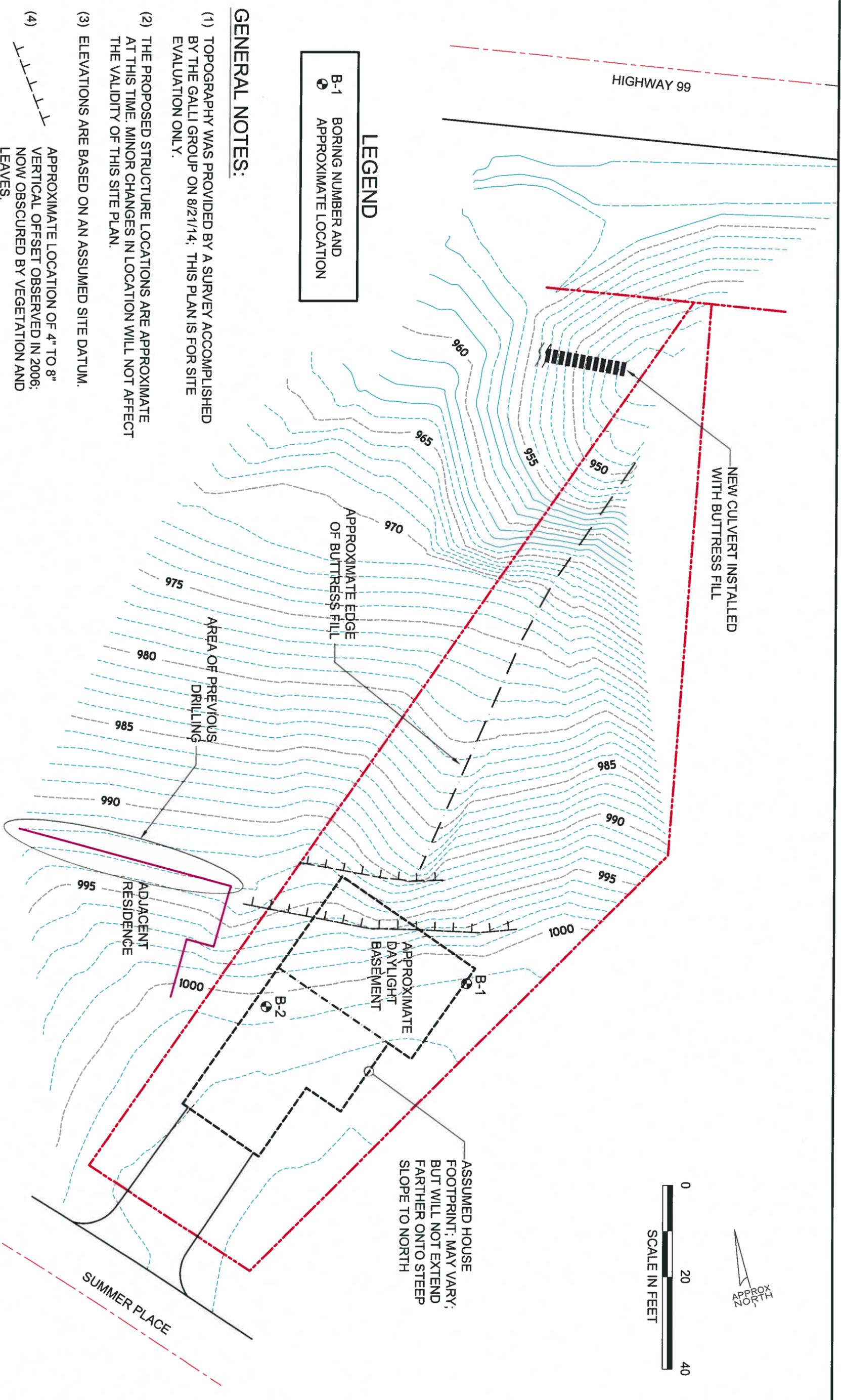
VICINITY MAP

SUMMER PLACE, TAX LOT 4100
 TALENT, OREGON

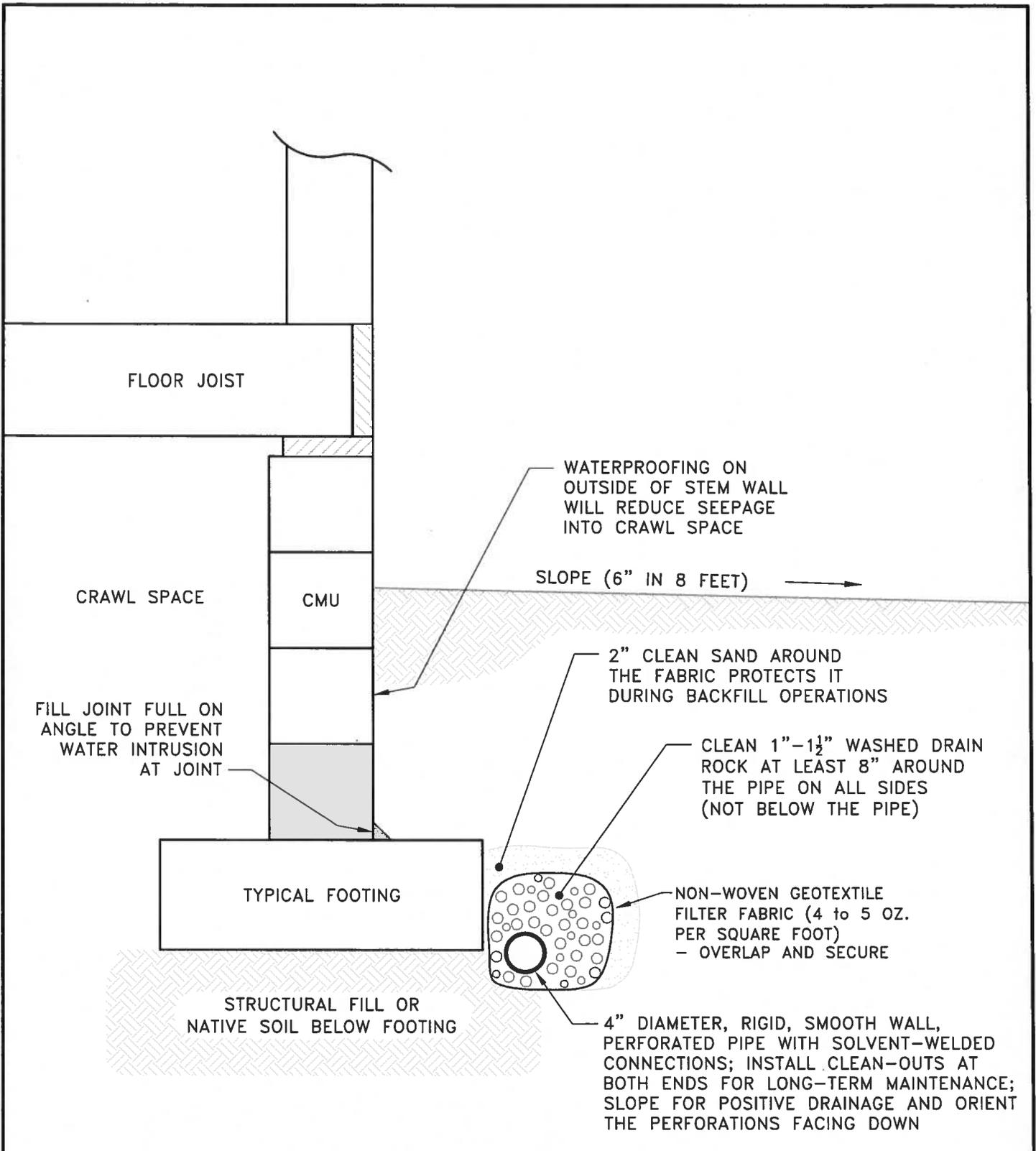
DATE: SEPTEMBER 2014
 JOB NO: 02-4987-01
 REV: 9/18/2014 4:32 PM
 PREPARED BY: MG3

FIGURE:
1

4987 Summer Pl Jackson - 01 - Vicinity.dwg



 <p>THE GALLI GROUP GEOTECHNICAL CONSULTING 612 NW 3rd Street Grants Pass, OR 97526</p>	<p>DATE: SEPTEMBER 2014</p>	<p>FIGURE: 2</p>
	<p>JOB NO: 02-4987-01 REV: 9/18/2014 4:32 PM PREPARED BY: MG3 4987 Summer Pl Jackson - 02 - Site Plan.dwg</p>	
<p>SITE PLAN WITH SITE TOPOGRAPHY</p>	<p>SUMMER PLACE, TAX LOT 4100 TALENT, OREGON</p>	



FOR ILLUSTRATION PURPOSES ONLY
NOT TO SCALE



THE GALLI GROUP
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612 NW 3rd Street
Grants Pass, OR 97526

TYPICAL FOUNDATION DRAIN
WITH CRAWL SPACE

SUMMER PLACE, TAX LOT 4100
TALENT, OREGON

DATE: SEPTEMBER 2014

JOB NO: 02-4987-01

REV: 9/18/2014 4:44 PM

PREPARED BY: MG3

4987 Summer Pl Jackson - 03 - fnd drn-crawl.dwg

FIGURE:

3

TYPICAL RETAINING WALL CROSS-SECTION

NOTE: TWO COATS (OR ONE THICK COAT) OF A HIGH QUALITY WALL SEALER. FLEXIBLE BITUMEN-BASED, SPRAYED, ROLLED OR TROWELED-ON MATERIALS SHALL BE USED. BENTONITE PANELS AND STICKY-BACKED MEMBRANES ALSO WORK WELL. THIS IS CRITICAL FOR WALLS WHICH HAVE DRY LIVING SPACE INSIDE

STANDARD WALL DRAIN CONSISTING OF 12" WIDE (AT LEAST) WASHED DRAIN ROCK WRAPPED IN A NON-WOVEN GEOTEXTILE FABRIC (4 TO 5 OZ. PER SQUARE FOOT); TO WITHIN 6" OF SURFACE AND MUST EXTEND DOWN TO FABRIC WRAPPED BASE DRAINAGE SECTION. BACKFILL MAY BE ANY APPROVED GRANULAR MATERIAL CAPABLE OF NECESSARY COMPACTION. NOTE: THIS STANDARD WALL DRAIN MAY BE OMITTED IF THE MAT/SHEET DRAIN IS IN PLACE AND BACKFILL IS FULLY FREE DRAINING. SEE BELOW.

ALTERNATIVE TO STANDARD WALL DRAIN: RETAINING WALL BACKFILL SHALL CONSIST OF COMPACTED GRANULAR BACKFILL WHICH MUST BE FULLY FREE-DRAINING MATERIAL AND MUST EXTEND DOWN TO THE BASE DRAINAGE SECTION; THIS ALTERNATIVE ALSO MUST INCLUDE THE WALL MAT/SHEET DRAIN, DESCRIBED BELOW.

FABRIC COVERED POLYMER COMPOSITE MAT/SHEET DRAIN - SUCH AS ENKAMAT OR LINO DRAIN. ATTACH WITH THE PERMEABLE FABRIC SIDE AWAY FROM THE RETAINING WALL.

ALTERNATE FOOTING/BASE DRAIN LOCATION WITH SOMEWHAT LESS EFFECTIVENESS.

NOTE: 2" CLEAN SAND OVER THE FABRIC PROTECTS IT DURING BACKFILL OPERATIONS.

CLEAN 1"-1½" WASHED DRAIN ROCK AT LEAST 8" AROUND THE PIPE ON ALL SIDES (NOT BELOW PIPE). NON-WOVEN GEOTEXTILE FILTER FABRIC (4 TO 5 OZ. PER SQUARE FOOT) - OVERLAP AND SECURE.

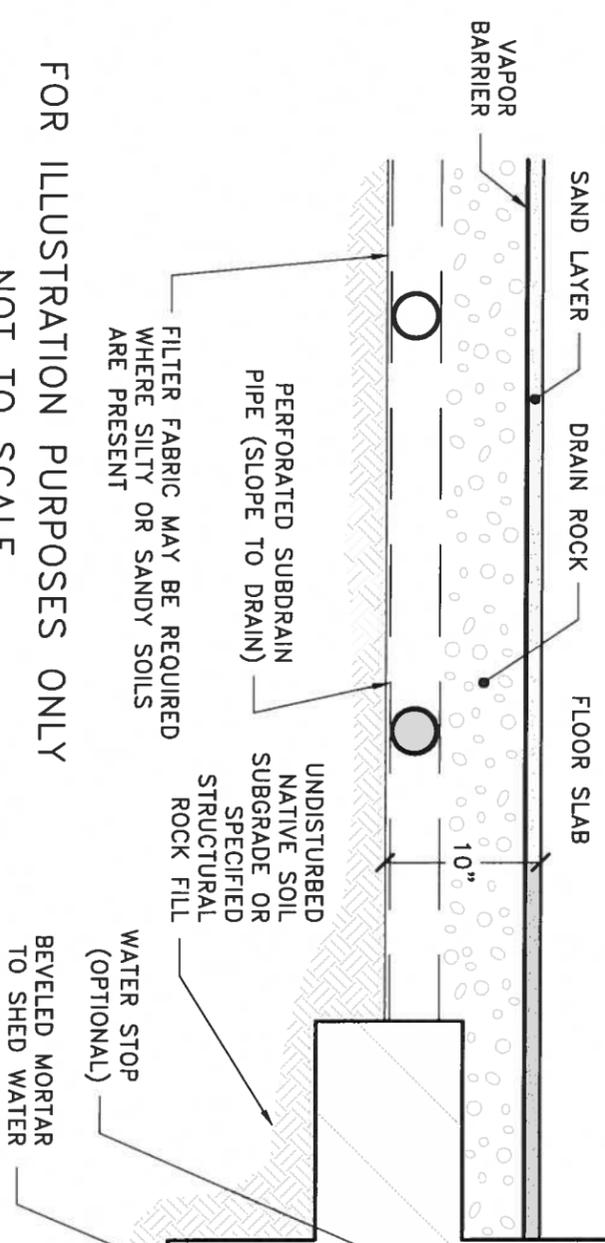
4" DIAMETER, RIGID, SMOOTH WALL, PERFORATED PIPE (HOLES DOWN) WITH SOLVENT-WELDED CONNECTIONS: INSTALL CLEAN-OUTS AT BOTH ENDS FOR LONG-TERM MAINTENANCE; SLOPE FOR POSITIVE DRAINAGE AND ORIENT THE PERFORATIONS FACING DOWN

CLAYEY SOIL SEAL OR PLASTIC SHEETING ON TOP OF DRAIN ROCK

BACKSLOPE EXTERIOR SURFACES AT LEAST 2% TO 5% FOR A MINIMUM OF 6 FEET

BEVELED MORTAR TO SHED WATER

THESE WALL SECTIONS ASSUME FULLY DRAINED CONDITIONS FOR THE LIFE OF THE STRUCTURE.
IN NO CASE SHOULD WEEP HOLES BE SUBSTITUTED FOR THIS DRAINAGE SECTION.



FILTER FABRIC MAY BE REQUIRED WHERE SILTY OR SANDY SOILS ARE PRESENT

UNDISTURBED NATIVE SOIL SUBGRADE OR SPECIFIED STRUCTURAL ROCK FILL

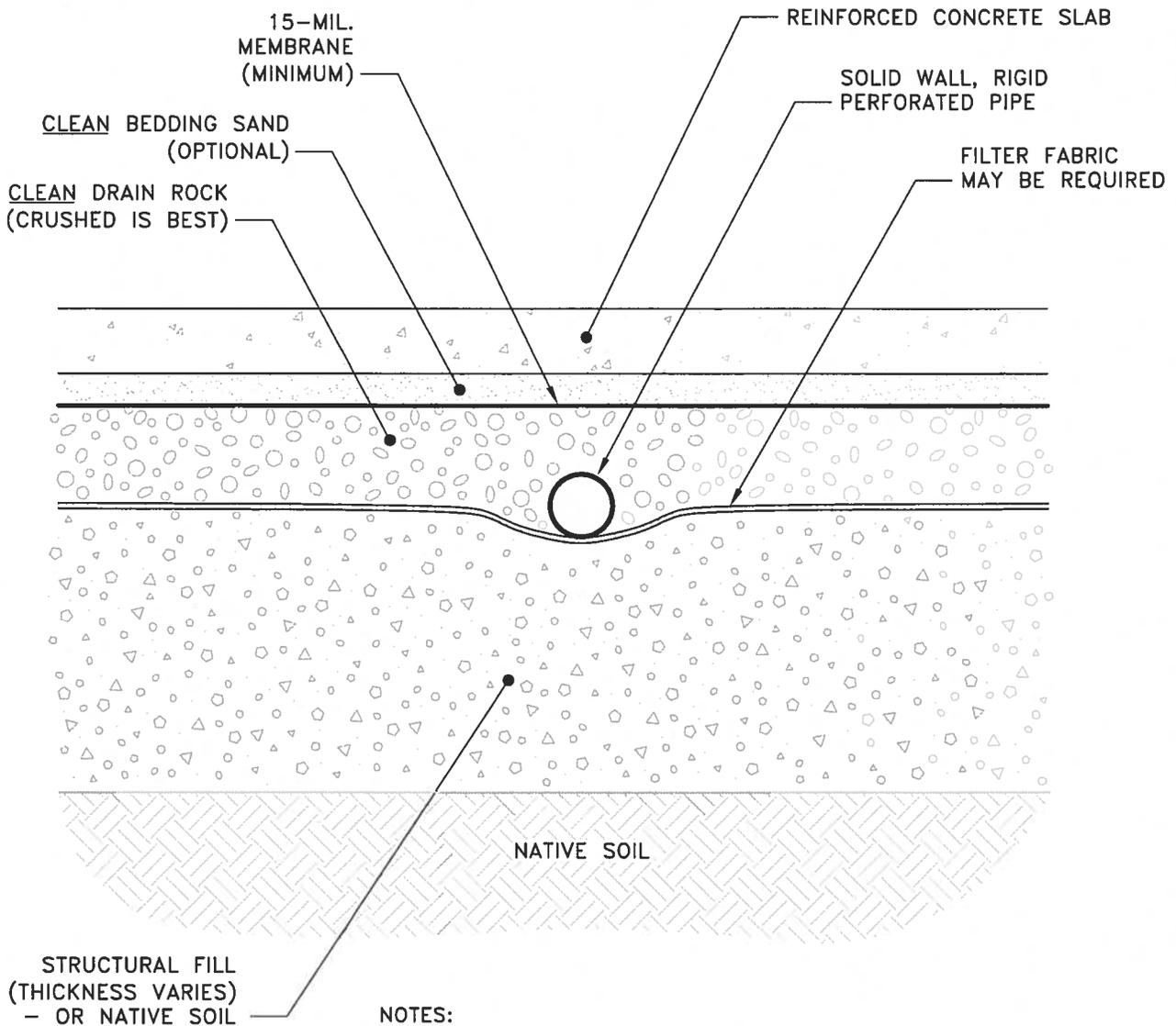
WATER STOP (OPTIONAL)

BEVELED MORTAR TO SHED WATER

FOR ILLUSTRATION PURPOSES ONLY

NOT TO SCALE

 <p>THE GALLI GROUP GEOTECHNICAL CONSULTING 612 NW 3rd Street Grants Pass, OR 97526</p>	<p>RETAINING WALL DRAINAGE CROSS-SECTION</p>	<p>DATE: SEPTEMBER 2014 JOB NO: 02-4987-01 REV: 9/18/2014 4:46 PM PREPARED BY: MG3</p>	<p>FIGURE: 4</p>
	<p>SUMMER PLACE, TAX LOT 4100 TALENT, OREGON</p>	<p>4987 Summer Pl Jackson - 06 - final.dwg</p>	



NOTES:

- (1) MAXIMUM SPACING IS 15 FEET.
- (2) ORIENT PIPE PERFORATIONS TO BOTTOM.
- (3) ASSEMBLE PIPE USING SOLVENT-WELDED CONNECTIONS.
- (4) DO NOT DRIVE OVER DRAIN LINES.
- (5) DRAIN ROCK AND STRUCTURAL FILL TO MEET SPECS. IN REPORT BODY - SLOPE PIPE TO DRAIN.
- (6) MAY REQUIRE FILTER FABRIC ON NATIVE SUBGRADE OR IF STRUCTURAL FILL IS VERY SILTY OR SANDY.

FOR ILLUSTRATION PURPOSES ONLY
NOT TO SCALE



THE GALLI GROUP
GEOTECHNICAL CONSULTING
612 NW 3rd Street
Grants Pass, OR 97526

FLOOR SUBDRAIN DETAIL

SUMMER PLACE, TAX LOT 4100
TALENT, OREGON

DATE: SEPTEMBER 2014

JOB NO: 02-4987-01

REV: 9/18/2014 4:45 PM

PREPARED BY: MG3

4987 Summer Pl Jackson - 04 - subdrain sog.dwg

FIGURE:

5

APPENDIX A

BORING LOGS

City of Talent

Community Development Department - Planning



STAFF REPORT and **PROPOSED FINAL ORDER**

Type-3 Land Use Application — Planning Commission

Meeting date: October 23, 2014

File no: VAR 2014-003

Prepared by: Zac Moody

Item: Setback Variance

GENERAL INFORMATION

Applicant.....Linda Kay

Owner.....Chris Barrett

Assessor's Map Number38-1W-26BA, Tax Lot 2600

Site Location.....202 W. Main St.

Site Area.....0.14 Acres (6,098 sq. ft.)

Zoning.....RS-7 – *Single Family – Medium Density Residential*

Adjacent Zoning and Land UsesRS-7 – *Single Family – Medium Density Residential*

Applicable Code Sections.....Article 8-3L.4

120-Day Limit.....January 30, 2015

REQUEST

The request is for a variance of one (1) foot to the standard setbacks for a home over 18 feet in height which is eight (8) feet and a variance to the front setback requirements of Section 8-3K.140(4)(a).

BACKGROUND

This lot was originally created as part of the original Talent Town Plat in 1888 and was reconfigured by deed 1948 Volume 290 Page 19-20. An alley, 16' in width, which is adjacent to the lot was also created in 1888 as part of the original plat. The portion of the alley adjacent to the subject lot is still an official right-of-way.



PROPERTY CHARACTERISTICS

The site is located along West Main St. between North First St. and North Second St. The lot is sub-standard for the zone by current standards. A lot in the RS-7 Zoning District must have at least 65 feet of road frontage to be lawfully conforming. This lot is long, but a very narrow 40 feet in width. Access to the lot is from the alley. There are at least two major utilities that front the property making in difficult for access to be obtained anywhere else on site. The photo below shows a street level view of the site including the adjacent alley and the utilities.



Wastewater Service

Wastewater service is currently available to the subject parcel by Rogue Valley Sewer Service (RVS).

Stormwater

Stormwater on the site currently sheet flows in a north easterly direction off the site possibly on to neighboring properties.

Water Service

Water service is currently available to the subject parcel by the City of Talent.

APPROVAL CRITERIA

8-3 Division L. Article 4 of the Talent Zoning Ordinance regulates Variances. The purpose of a variance is to “*provide modifications to standards where practical difficulties, unnecessary hardships and results inconsistent with the general purposes of this chapter at the Talent Comprehensive Plan result from the strict and literal interpretation and enforcement of the provisions of this chapter.*” Approval of the proposed site plan is contingent upon the approval of the requested variance.

AGENCY COMMENTS

As of the date of this staff report, no agency comments have been received.

PUBLIC COMMENTS

Three comments were received from neighboring properties. One comment was received via phone while the other two were submitted on the comment sheets provided to neighbors. The comments received in writing recommended approval of the request. The phone comment from the neighbor at 204 W. Main (next door on the opposite side of the alley to the west) included concerns that the requested 1 (one) foot variance would have a negative impact on privacy of their parcel due to the proposed two story elevation of the building.

ISSUES

The primary reason for the requested side yard setback variance is the narrow parcel width. As shown on the plot plan provided, a parcel of this size, which still requires a setback of 16 feet between both sides, provides very minimal building space compared to other of a conforming size. With lots that have substandard widths, it is not uncommon to see a variance setback request.

The primary difference between this parcel and others is that this parcel has an additional 16 feet of separation from the alley to the west of the subject property. The overall setback from the neighboring property line and proposed structure is 23 feet, providing a more separation than required between standard lots without an alley.

RECOMMENDATION

Based on the findings for the Variance stated in the Proposed Final Order, staff recommends approval of the Variance, with conditions outlined in the Proposed Final Orders

ATTACHMENTS

The following information was submitted regarding this application:

- Applicants Statement
- Proposed Site Plan

- Public Comments
- Proposed Final Order



Zac Moody, Community Development Director

10/16/14

Date

Staff has recommended this proposal for approval, but it will require at least one public hearing before the Planning Commission for a decision. The Talent Zoning Code establishes procedures for quasi-judicial hearings in Section 8-3M.150.

A public hearing on the proposed action is scheduled before the Planning Commission on October 23, 2014 at 6:30 PM at the Community Center.

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at zmoody@cityoftalent.org.



**BEFORE THE TALENT PLANNING COMMISSION
STATE OF OREGON, CITY OF TALENT**

IN THE MATTER OF PLANNING COMMISSION FILE NO. VAR)
2014-003 LOCATED AT 202 WEST MAIN STREET [MAP NO. 38-) ORDER
1W-26BA TAXLOT 2600], THE CITY OF TALENT PLANNING)
COMMISSION FINDS THE FOLLOWING:)

1. The Planning Commission held a properly noticed public hearing on this matter on October 23, 2014;
2. The Planning Commission asked the Community Development Director to present a staff report and a proposed final order with findings and recommendations;
3. At the public hearing evidence was presented and the public was given an opportunity to comment;
4. The Commission found that the requested variance to the side yard setbacks is necessary because of exceptional and extraordinary circumstances apply to the property;
5. The Commission found that insufficient evidence was submitted to support the requested variance to the setback standards of Section 8-3K.140(4)(a) of the Talent Zoning Code.
6. The Commission found that the proposed application, with conditions in all other respects complied substantially with the criteria for approval in 8-3L.4.

The Talent Planning Commission approves the Variance (VAR 2014-003) for reduced side yard setbacks at 202 West Main St. with the following conditions of approval:

PRIOR TO ISSUANCE OF BUILDING PERMITS:

1. The applicant shall provide Community Development with an approved Architectural Review application and a plot plan identifying the location of the proposed dwelling as well as the proposed dwelling's location relative to the surrounding properties.

IT IS HEREBY ORDERED THAT the Talent Planning Commission approves with conditions the requested variance to side yard setbacks based on the information presented in the Staff Reports and Findings of Fact below:

In the following, any text quoted directly from City codes appears in *italics*; staff findings appear in regular typeface.

8-3C.220 BUILDINGS AND USES PERMITTED SUBJECT TO A TYPE I PERMIT REVIEW

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses:

A. *Single-family detached dwellings.*

Finding: The subject parcel is zoned Single Family -Medium Density (RS-7) and allows for the construction of a single family detached dwelling through a Type-I review. **The provisions of this section have been met.**

8-3C.260 DENSITY AND DIMENSIONAL REQUIREMENTS

D. *Minimum Setbacks:*

1. *Front: 20 feet for dwellings; 24 feet for garage and carport entrances.*
2. *Side: Five (5) feet for the first story, plus three (3) feet for buildings over 18 feet in height. The following additional provisions shall also apply to side setbacks:*
 - a. *10 feet for street-facing side yards on corner lots when side street is a local or an alley; 15 feet when side street is a collector or arterial; 20 feet for garage and carport entrances.*
 - b. *10 feet on one side for zero lot-line lots.*
3. *Rear: 10 feet; five (5) feet for alley-access garages; and 20 feet for double-frontage lots.*

Finding: As shown on the proposed plot plan, the building envelope is set back 20 feet from the front (Main St.) and 10 feet from the back. The building envelope is setback 8 feet from the eastern property line. The setback on the western boundary is more difficult to achieve since the standard side yard setback of 8 feet for a building over 18 feet in height on each side would reduce the width of the building envelope to 24 feet. A one (1) foot variance to setbacks on the western property line adjacent to the alley is being considered as part of this application and is addressed in the findings below for variances. **The provisions of this section have been met, subject to approval of the requested variance and other conditions of approval.**

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

A. *There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or*

other circumstances over which the applicant has no control;

Finding: The subject parcel was originally created as part of the original Talent Plat in 1888, which provided the lot with ample space and alley access. However, in 1948 prior to zoning or subdivision laws, the parcel was divided by deed creating what is now a non-conforming lot of record that is only 40 feet in width.

All of the lots in the vicinity meet the minimum lot width requirements and therefore the circumstances do not generally apply to other properties in the area.

The siting of a dwelling on the lot will be further complicated by the lack of available access. Access to the dwelling is via the alley with no other Main St. access option available. This means that the dwelling (if a garage is proposed) would likely have to face the alley, further minimizing the options for building a dwelling that is affordable. **The provisions of this section have been met.**

B. *The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;*

Finding: All of the adjacent properties are at least 60 feet in width. If any one of these properties were vacant and requested to build a dwelling that required side yard setbacks of 8 feet (two-story homes or homes over 18 feet in height), they would have a building envelope of approximately 44 feet, nearly twice that of the subject parcel. Without a side yard setback variance, it could be argued that the property rights of the subject property owner *are* substantially different than that of others in the vicinity. **The provisions of this section have been met.**

C. *The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and*

Finding: A variance would not be detrimental to the purpose of this chapter or the objectives of the policies of the City. No variance from the standard setbacks are being requested for the east side of the parcel, so there is no negative impact along that property line. An approved variance of one (1) foot on the western property line, adjacent to the alley would have less impact on the adjacent property owner to the west simply because of the additional separation of the alley, which most property owners do not benefit from. A variance of one (1) foot allows for 23 feet of separation between the dwelling to the west and the proposed subject dwelling, fifteen (15) feet more than a standard single family residential lot. **The provisions of this section have been met.**

D. *The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.*

Finding: The requested variance is the minimum variance from the provisions and standards of this chapter and will alleviate the hardship. Floor plans less than 25 feet in width are very difficult to design and often times more costly. Allowing a reduction of one

(1) foot on the side of the property that faces an alley is the minimum variance possible to alleviate the hardship. **The provisions of this section have been met.**

8-3K.140 RESIDENTIAL STRUCTURES

- A. **Residential Standard 140(A):** *Volume & Mass*
Historically, residential architecture in the Old Town core was composed of multiple volumes, with extended porches, intersecting roof lines, dormers, and other features creating a complex whole rather than a single large volume. To maintain that traditional visual character, the following standards apply:
1. *Context. This standard regulates the massing of new structures relative to their surroundings. The objective is to establish similar "street presence" by adjusting setbacks and coverage to better resemble neighboring structures. The context standards follow:*
 - a. *Front Setback: New residential structures will have the same front setback as the average of the front setbacks of existing structures on same side of the street within the same block or 200 feet, whichever is less.*

Finding: The required minimum setback in the zone is 20 feet and considering the potential orientation of the dwelling, it is likely that the narrow lot width will require a long, narrow home. However, because the parcel is nearly 150 feet in depth, it is not unreasonable for the new dwelling to meet this standard and as such, the proposed home shall be setback in a manner consistent with the neighboring properties. As a condition of approval, the applicant shall prior to the issuance of building permits, provide Community Development with an approved Architectural Review application and a plot plan identifying the location of the proposed dwelling as well as the proposed dwelling's location relative to the surrounding properties. **The provisions of this section have been met subject to conditions of approval.**

This approval shall become final 14 days from the date this decision and supporting findings of fact are signed by the Chair of the Talent Planning Commission, below. A Planning Commission decision may be appealed to the Hearing's Officer within 14 days after the final order has been signed and mailed. An appeal of the Hearing's Officer decision must be submitted to the Land Use Board of Appeals within 21 days of the Hearing Officer's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Daniel Wise
Chairperson

Date

ATTEST

Zac Moody
Community Development Director

Date



CITY OF TALENT • COMMUNITY DEVELOPMENT

PO Box 445, Talent, Oregon 97540
Phone: (541) 535-7401 Fax: (541) 535-7423 www.cityoftalent.org

GENERAL LAND USE APPLICATION

Project Description:
Property Owner: Chris Barrett
Mailing Address: P.O. Box 651
Phone: 541-535-7478
Street Address: 202 N. Main St
Email Address: LindaKay@mind.net
Applicant/Consultant: Linda Kay
Mailing Address: PO 651, Talent
Phone: 541 621-7024

Table with 4 columns: Assessor's Map Number, Tax Lot Number, Acres, Zone. Row 1: 38-1W-26BA, 2600, 0.1400, RS-4. Row 2: 38-1W-

Subzone (if applicable)

Pre-Application Meeting Completed? [X] Yes [] No [] N/A Date Completed: 9/30/14

Type of Application (check all boxes that apply)

Grid of checkboxes for application types: Site Development Plan Review, Variance, Conditions Modification, Annexation, Accessory Dwelling Unit, Appeal, Conditional Use Permit, Home Occupation, Code Interpretation, Comprehensive Plan Amendment, Comprehensive Plan Map/Zoning Map Change, Development Code Amendment.

APPLICATION DEPOSITS (Application fees are calculated by ACTUAL PROCESSING COSTS)

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct.

Chris Barrett (Signature)

Chris Barrett (Property Owner's Signature)

10/1/14 (Date)

10/1/14 (Date)

APPLICATION FEES & DEPOSITS

Fees and deposits are intended to cover the full cost for processing applications. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits.

Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. The actual costs charged to the City for technical review of land use applications, including but not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing applications, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to applicant. Any additional costs incurred beyond the deposit amount shall be charged to and paid by the applicant on a monthly basis. The applicant agrees that any deficiencies shall be collected from applicant, and that applicant's failure to pay these amounts triggers the City's option to pursue any or all remedies, as listed below.

Fixed Fee Applications: Fees are non-refundable and are based on average application processing costs rounded to the nearest dollar.

Applicant acknowledges and agrees that Applicant's failure to pay City costs over the deposit fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

<u>Chris Barnett</u>	<u>10/1/14</u>
Applicant's Signature	Date
<u>Chris Barnett</u>	<u>10/1/14</u>
Property Owner's Signature (required)	Date

I hereby acknowledge that my applications may be consolidated. When an applicant applies for more than one type of land use or development permit (e.g., Type-II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: (1) City Planner, (2) the Planning Commission, and (3) the City Council. Joint meetings between governing bodies may be held to streamline the decision process.

<u>Chris Barnett</u>	<u>10/1/14</u>
Applicant's Signature	Date
<u>Chris Barnett</u>	<u>10/1/14</u>
Property Owner's Signature (required)	Date

FOR OFFICE USE ONLY			
Deposit Paid (Amount):	Date:	Received By:	File Number:
\$5710.00	10/1/14	SW/SM	VAR.14-003

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

Variance requested for 202 W. Main St., Talent, OR

8-3L.440

(A)-(D)

Property located at 202 W. Main St. was created prior to the adoption of this chapter with a lot width of 40'. Current minimum lot width requirements in the City are 50' therefore lot is nonconforming through no fault of our own.

All but one of the nearby taxlots in vicinity meets the minimum lot width requirements and therefore, this circumstance does not apply generally to other to other properties in the same zone and vicinity.

In addition, this property borders an alley, which requires a minimum 10' setback according to 8-3C.260(D), which only allows for 22' feet construction width when building a two story dwelling.

The alley is not developed or maintained as an emergency vehicle access, and if it were it would be serving approximately 6 dwellings. As we are requesting to reduce the side yard setback on the alley side from 10' to 7', the adjacent 5 property owners would not be encroached upon or negatively impacted as the spatial separation between proposed dwelling and the existing dwellings would meet current code requirements, and a 7' setback would still provide adequate clearance for emergency vehicles in the alley, if it ever developed.

Allowing property owner to apply a 7' setback is the variance requested to alleviate the hardship. Requesting permission to build a narrow floorplan with a 25' width is not unreasonable in this circumstance.

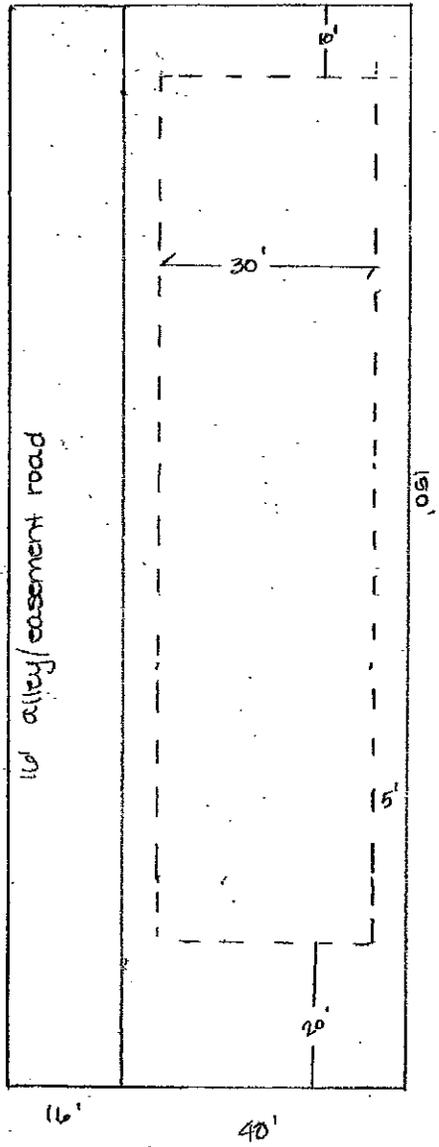
8-3K.140

4.

(a)

Front Setback of existing dwelling/structure was established prior to adoption of this chapter, it is the intent of property owner to preserve and improve historic character of property.

Therefore variance request for front setback of more than 20' if needed, is not unreasonable.



Comment Form

File No. VAR 2014-003

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: Don Boma

Mailing Address: BX 586
Talent OR

Date: 10/10/14

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

Notice to mortgagee, lien holder, vendor or seller: The City of Talent Zoning Code requires that if you receive this notice it shall be promptly forwarded to the purchaser

Comment Form

File No. **VAR 2014-003**

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: B Smith

Mailing Address: PO BOX 172
TALENT, OR 97540

Date: 10-6-14

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

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