City of Talent

Community Development Department - Planning

STAFF REPORT

Type II Land Use Application — Administrative Review

Date: June 8, 2016
Item: SPR 2016-005, Timothy Dawson
Site: 401 S. Pacific Hwy.

Applicant:	Timothy Dawson 1934 Pioneer Rd. Talent, OR 97540
Property Owner:	Timothy Dawson 1934 Pioneer Rd. Talent, OR 97540
Requested Action:	Approval of a Site Development Plan to allow the conversion of a residential structure to a commercial structure, and to permit the operation of a pool and spa equipment/supply store.
Assessor's Map Number:	38-1W-26AA, Tax Lot 200
Site Location:	401 S. Pacific Hwy.
Zoning:	CH – Commercial Highway
Deemed Complete:	April 25, 2016
Notice Mailed:	May 3, 2016
120-Day Limit:	August 23, 2016

PROPOSAL

To allow the conversion of a residential structure to a commercial structure, and to permit the operation of a pool and spa equipment/supply store.

APPROVAL CRITERIA

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

PROPERTY CHARACTERISTS

The site is located near the intersection of Rapp Road and OR 99. The subject parcel has two buildings; one residential structure and one accessory structure (shop).

AGENCY COMMENTS

One comment from Rogue Valley Sewer Services was received, indicating that there is no requirement for a Stormwater management plan because the development site is under 2,500 square feet and proposes to use permeable asphalt paving; however, this development will need to meet erosion and sediment control standards outlined in the Regional Stormwater Quality Manual.

PROPERTY OWNER COMMENTS

One property owner comment was received, recommending approval of the application.

ANALYSIS

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

8-3D.430 BUILDINGS AND USES SUBJECT TO TYPE-II SITE DEVELOPMENT PLAN REVIEW

F. *Retail (excluding sales of medical or recreational marijuana by producers, wholesalers, processors and retail outlets) and wholesale business and service establishments providing home furnishings; nursery supplies; retail lumber, paint and wall paper; plumbing, heating and electrical sales and service; drapery, floor covering and tile sales.*

Finding: The subject parcel is zoned Commercial Highway (CH) and allows retail uses subject to a Type-II Site Development Plan review. The proposed retail store would convert an existing dwelling unit to commercial meeting the intent of the Talent Zoning Code (TZC). **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 CH zone allows retail uses subject to an Administrative Site Development Plan review and notice to the neighboring property owners.

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

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

Finding: According to TZC 8-3D.210, the Commercial - Highway (CH) Zone is intended to accommodate businesses and trade oriented toward automobile and truck usage. Tourist trade and heavy commercial or light industrial uses can also be accommodated in this zone. Uses such as the one proposed are best located along arterial streets to accommodate higher traffic and larger delivery vehicles. **The provisions of this section have been met.**

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

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

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

Finding: The proposed building is adjacent to both residential and commercial uses. The existing building is situated on along the western portion of the parcel away from Mountain View Estates mobile home park. The existing building, once converted will not increase the building footprint nor will it encroach any further to the east towards the residential development.

Considering the distance between the existing building, its elevation above the residential development and that no expansion of the building footprint is being requested, no buffering is necessary since there is adequate separation. **The provisions of this section have been met.**

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

Finding: The proposed building conversion does not create any new impervious surface and the proposed parking surface will be built with permeable asphalt paving. Because the parking area is proposed to be constructed with permeable pavement, no detention or treatment facilities are required by RVS. However, RVS does require a site plan indicating the locations where permeable pavement will be used. Additionally, to ensure that stormwater runoff is adequately detained and treated in accordance with RVS and the City of Talent Stormwater Design standards, the applicant shall prior to the issuance of building permits, provide Community Development with a revised site plan identifying the locations where permeable payment will be used as well as provide an O & M plan and agreement approved by RVS. **The provisions of this section have been met subject to conditions of approval.**

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

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

Finding: The proposed conversion from residential to commercial does not involve any expansion in building footprint and currently meets all building height and setback requirements. The standards for vehicular ingress and egress as well as internal circulation, parking and loading have also been met in accordance with Section 8-3J.540 and 8-3J.630 addressed below. No buffer walls have been proposed and all proposed fences have a height not greater than six (6) feet, in conformance with the provisions of Section 8-3J.3 of the Talent Zoning Code.

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

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

Finding: The proposal is adjacent to Highway 99 and does not require any street related improvements. The site is currently served by water, sewer and storm facilities, but changes in the flow of surface water may require a modified storm facility line.

As noted by Rogue Valley Sewer (RVS), there is an existing 8-inch sewer main that runs along the easterly side of the property. The subject property is currently served by a connection to this 8-inch line and the proposed change in use will not affect this service.

The change of use will trigger a re-calculation of the System Development Charges (SDCs) and the new commercial use will be assessed based on the number and type of plumbing fixtures. As a condition of approval, the applicant shall, prior to certificate of occupancy for the change of use, submit a plumbing plan to RVS identifying the number of fixtures that will remain and provide Community Development evidence that all required SDCs have been paid to RVS.

The property is located within the MS4 Phase 2 boundary and must comply with the stormwater quality requirements outlined in the Regional Stormwater Quality Design manual. RVS's Stormwater Design Manual along with the provisions of this section require the property owner to maintain the stormwater system in an operational manner. To ensure compliance, RVS requires an Operation and Maintenance Plan (O & M) and agreement. As a condition of approval, the applicant shall, prior to the issuance of building permits, provide Community Development with a revised site plan identifying the locations where permeable payment will be used as well as provide an O & M plan and agreement approved by RVS. **The provisions of this section have been met subject to conditions of approval.**

8-3J.180 BUFFERING

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

Finding: The proposed building is adjacent to both residential and commercial uses. The existing building is situated on along the western portion of the parcel away from Mountain View Estates mobile home park. The existing building, once converted will not increase the building footprint nor will it encroach any further to the east towards the residential development.

Considering the distance between the existing building, its elevation above the residential development and that no expansion of the building footprint is being requested, no buffering is necessary since there is adequate separation. **The provisions of this section have been met.**

8-3J.340 PLACEMENT

A. Fences and walls may be erected directly up to common property lines. An exception to this rule may be required when the placement would prevent the use of adjacent property or right-of-way, or prevent the safe use of a

driveway or alley. In such cases, the City may require the fence or wall to be set back a minimum distance from the driveway, right-of-way, alley or property line.

Finding: The applicant has proposed the installation of a new chain link fence, six (6) feet in height along the western, northern and southern property lines directly surrounding the proposed development. As proposed the existing wood fence, currently installed in the ODOT right of way will be removed and replace by the aforementioned chain link fence. Considering the site plan includes the proposed fence location, no fence permit is necessary if installed as proposed on the approved site plan. **The provisions of this section have been met.**

8-3J.440 DEVELOPMENT STANDARDS – RETENTION OF TREES

A. Site Development Plan Review. Building permits subject to Site Development Plan review before the Planning Commission must include a preservation plan for tree retention. This plan shall include a mapping of all existing Street Trees and native and ornamental trees with a caliper size of four inches or greater, measured at a point three feet above the grade at the base of the tree, and located on the property to be developed. The Tree Committee shall review the tree preservation plan and make recommendations to the Planning Commission. All the trees listed in the plan shall be retained unless such retention is considered to be unfeasible based on the Tree Retention Guidelines listed below. The party proposing the construction shall replace all trees removed as approved with an equal number of trees having a minimum caliber size of 1.5 inches.

Finding: The subject parcel contains multiple trees along the northern and western boundary of the property. The applicant has proposed planting multiple trees on the site, but did not locate the existing trees on site. As a condition of approval, the applicant shall prior to issuance of building permits, provide a revised site plan that includes identification of all trees (native and ornamental) with a caliper size of four (4) inches or greater, measured at a point three feet above the grade of the base of the tree. **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.

A. Tree Selection. Street Trees should be consistent with the city-approved Recommended Street Tree List. Trees should be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should also guide tree selection:

1. *Trees should be consistent with the character, height, canopy and spacing of a neighborhood's original plantings, and the scale and function of the street within the City. No more than 30% of the trees planted along a single street shall be of the same species.*

2. *Trees should be planted of a type and in a manner that does not interfere with sidewalks, overhead utility lines, sewers, the maintenance of underground utilities or the solar access of properties.*

3. *Trees shall be planted in a manner to maintain clear vision and not cause dangerous traffic conditions. Trees that can be "limbed up" should be selected where vision clearance is a concern.*

4. *Trees should be selected that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.*

B. *Caliper Size. The minimum caliper size for new Street Tree plantings shall be 1.5 inches.*

C. *Spacing and Location. Street Tree spacing should be based upon the type of tree(s) selected and the canopy size at maturity. Street Trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers, or in cases where special plantings are designed or approved by a landscape architect or urban forester.*

D. *Planting Area. The City requires the following as a minimum planting area for each Street Tree:*

1. *Small trees (under 25 feet tall at maturity): 40 square feet*

2. *Medium trees (under 25-50 feet tall at maturity): 60 square feet*

3. *Large trees (over 50 feet tall at maturity): 96 square feet*

E. *Distance from Street Corners and Fireplugs. No Street Tree shall be planted within 15 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No Street Tree shall be planted within 10 feet of any fireplug.*

F. *Utilities. No Street Tree other than those species listed in the Recommended Street List as being appropriate under powerlines may be planted under or within 10 feet of an overhead utility line.*

Finding: The proposed site plan does not have any identified street trees along Highway 99. All Site Development Plan Review applications shall include a plan for Street Trees along arterial streets. The applicant has submitted a general landscaping plan proportional to the requested improvement that uses a mix of native and drought resistant species to prevent erosion, and enhance water quality. As a condition of approval, the applicant shall prior to issuance of permits, provide a revised site plan that includes the following:

1. Location, size and species (consistent with Section 8-3J.450 (B)-(F)) of all required street trees.

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

8-3J.460 LANDSCAPE MAINTENANCE

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

A. *Commercial Areas*

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

Finding: As a general condition of approval, all landscaped areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities and fences, walls, hedges

and other screen plantings or buffers shall be continually maintained. **The provisions of this section have been met subject to conditions of approval.**

2. *Buffering. The Planning Commission shall require a buffer when a development or use proposed in a commercially zoned area is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone. The buffer shall be sufficient to protect the intent of the adjacent zone or the integrity of the incompatible use. The type of buffer shall be considered in relation to existing and future land use, the degree of conflict between adjacent uses, and the amount of permanence desired. Buffers may consist of spatial separation, physical barriers, landscaping, and natural topography of other features. The greatest amount of buffering shall be required in areas where it is necessary to protect an agricultural resource. Proposed buffers shall be subject to the approval of the Planning Commission, who shall review the buffering for adequacy and appropriateness as part of the site development plan review.*

Finding: The proposed building is adjacent to both residential and commercial uses. The existing building is situated on along the western portion of the parcel away from Mountain View Estates mobile home park. The existing building, once converted will not increase the building footprint nor will it encroach any further to the east towards the residential development.

Considering the distance between the existing building, its elevation above the residential development and that no expansion of the building footprint is being requested, no buffering is necessary since there is adequate separation. **The provisions of this section have been met.**

8-3J.520 OFF-STREET LOADING

Every hospital, institution, hotel, commercial or industrial building hereafter erected or established, and every existing structure enlarged or changed for these uses within any zone of the City, having a gross floor area of 10,000 square feet or more, shall provide and maintain at least one (1) off-street loading space plus one additional off-street loading space for each additional 20,000 square feet of gross floor area. Any use requiring one-half or more of a loading space shall be deemed to require the full space. Each loading space shall be at least ten (10) feet in width, twenty-five (25) feet in length, and have fourteen (14) feet vertical clearance.

Finding: The existing buildings have a cumulative gross floor area of approximately 2,340 square feet. Because the existing buildings have less than 10,000 square feet of gross floor area, an off-street loading space is not required. **The provisions of this section have been met.**

8-3J.530 OFF-STREET PARKING

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

A. A new building is hereafter erected or enlarged; or

Table 540-1. Parking Requirements by Use

Use	*Standard*
Commercial Uses	

Retail establishments, except as otherwise provided herein	*1 space for each 400 square feet of gross floor area*

Finding: The existing buildings have a cumulative total of approximate 2,340 square feet. However, the only building be converted to commercial at this time is only 1,152 square feet and requires one (1) space for each 400 square feet of gross floor area. As required by Table 540-1, the existing 1,152 square foot building requires 3 standard parking stalls. The proposed plan identifies only two standard parking stalls. As a condition of approval, the applicant shall prior to issuance of building permits, provide a revised site plan that identifies an additional standard parking space. **The provisions of this section have been met subject to conditions of approval.**

C. *The following parking shall be provided for disabled persons, in conformance with the Americans With Disabilities Act (Table 540-2). Disabled parking is in addition to the minimum number of required parking spaces in 8-3J.540(A).*

Table 540-2. Minimum Number of Accessible Parking Spaces
ADA Standards for Accessible Design 4.1.2 (5)

Total Number of Parking spaces Provided (per lot)	*Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles)*	*Van Accessible Parking Spaces with min. 96" wide access aisle*	*Accessible Parking Spaces with min. 60" wide access aisle*
	Column A		
1-25	*1*	*1*	*0*
26-50	*2*	*1*	*1*

Finding: The existing buildings have a cumulative total of approximate 2,340 square feet. However, the only building being converted to commercial at this time is 1,152 square feet, which requires one (1) space for each 400 square feet of gross floor area. As required by Table 540-1, the existing 1,152 square foot building requires 3 standard parking stalls. Based on the proposed number of off-street parking stalls, the applicant shall provide one (1) accessible parking spaces. The required stall shall be van accessible with a minimum 96" wide access aisle. The proposed plan identifies two (2) accessible spaces. **The provisions of this section have been met.**

8-3J.560 BICYCLE PARKING FACILITIES

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

A. *Number of Bicycle Parking Spaces. A minimum of 2 bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking spaces. The following additional standards apply to specific types of development:*

2. *Parking Lots. All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces. Sheltered bicycle parking is recommended to encourage bicycle use.*

Finding: The proposed plan identifies four (4) parking stalls. Based on the proposed number of off-street parking stalls, the applicant shall provide one (1) bicycle parking spaces. The applicant is encouraged to provide sheltered bicycle parking to support multimodal transportation. As a condition of approval, the applicant shall, prior to the issuance of building permits, provide a revised site plan identifying a minimum of one (1) bicycle parking space. **The provisions of this section have been met.**

8-3J.570 PARKING AREA DESIGN STANDARDS

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

Finding: The proposed plan identifies four (4) parking stalls. All parking stalls are served by service drives so that no backwards movement or other maneuvering of vehicles takes place in a street. Staff has some concerns about the movement of larger delivery trucks on site. As proposed, the parking area does not appear to provide for adequate turning movements for large vehicles. To ensure that large vehicles are not parked in the public right of way and to prevent backward movement on to the highway, the applicant shall, prior to issuance of building permits, provide a turn-around area large enough to accommodate large vehicle movement and to prevent backward movements into the public right of way. **The provisions of this section have been met subject to conditions of approval.**

C. *In cases where a lot fronts on a major or minor arterial street, parking spaces shall be arranged so that no backward movement in the public right-of-way or other maneuvering of a vehicle, including any trailer being towed by a vehicle, within the arterial street shall be required.*

Finding: The proposed plan identifies four (4) parking stalls. All parking stalls are served by service drives so that no backwards movement or other maneuvering of vehicles takes place in a street. Staff has some concerns about the movement of larger delivery trucks on site. As proposed, the parking area does not appear to provide for adequate turning movements for large vehicles. To ensure that large vehicles are not parked in the public right of way and to prevent backward movement on to the highway, the applicant shall, prior to issuance of building permits, provide a turn-around area large enough to accommodate large vehicle movement and to prevent backward movements into the public right of way. **The provisions of this section have been met subject to conditions of approval.**

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

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

E. *Parking Stall Standard Dimensions and Compact Car Parking. All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management, and striping. Standards parking spaces*

shall conform to the dimensions below (Figure 570-1 and Table 570-1). Disabled parking shall conform to the standards in 8-3J.540(C).

Finding: All proposed stalls meet the dimensions of Figure 570-1 and Table 570-1 in Section 8-3J.540. As proposed, the development of these parking stalls and associated driveways uses permeable asphalt paving which is allowed in the Rogue Valley Sewer Service's (RVS) stormwater design manual. These standards ensure that stormwater runoff is adequately detained and treated in accordance with RVS standards.

Because the parking area is proposed to be constructed with permeable pavement, no detention or treatment facilities are required by RVS. However, RVS does require a site plan indicating the locations where permeable pavement will be used. Additionally, to ensure that stormwater runoff is adequately detained and treated in accordance with RVS and the City of Talent Stormwater Design standards, the applicant shall prior to the issuance of building permits, provide Community Development with a revised site plan identifying the locations where permeable payment will be used as well as provide an O & M plan and agreement approved by RVS. **The provisions of this section have been met subject to conditions of approval.**

8-3J.575 PARKING AREA IMPROVEMENTS

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

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

Finding: As proposed, the development of these parking stalls and associated driveways uses permeable asphalt paving which is allowed in the Rogue Valley Sewer Service's (RVS) stormwater design manual. These standards ensure that stormwater runoff is adequately detained and treated in accordance with RVS standards.

Because the parking area is proposed to be constructed with permeable pavement, no detention or treatment facilities are required by RVS. However, RVS does require a site plan indicating the locations where permeable pavement will be used. Additionally, to ensure that stormwater runoff is adequately detained and treated in accordance with RVS and the City of Talent Stormwater Design standards, the applicant shall prior to the issuance of building permits, provide Community Development with a revised site plan identifying the locations where permeable payment will be used as well as provide an O & M plan and agreement approved by RVS. **The provisions of this section have been met subject to conditions of approval.**

C. All spaces shall be permanently and clearly marked.

Finding: The proposed plan identifies four (4) parking stalls. As a condition of approval, the applicant shall, prior to Certificate of Occupancy permanently and clearly mark all standard and ADA parking spaces. **The provisions of this section have been met subject to conditions of approval.**

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

Finding: The proposed plan identifies all four (4) parking stalls adjacent to the building. Wheel stops are not necessary for these stalls, provided a concrete walkway between the building and parking stalls is installed to serve as a buffer to the building. As a condition of approval, the applicant shall, prior to the issuance of building permits, provide a revised site plan identifying a concrete walkway between the building and parking stalls. **The provisions of this section have been met subject to conditions of approval.**

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

Finding: No parking areas are adjacent to the residential development to the east. **The provisions of this section are not applicable.**

F. *Trees and Landscaping.*

1. *A minimum of forty percent (40%) of the outdoor parking area shall be shaded by trees within fifteen (15) years of planting, and buildings at noon on August 21 Pacific Daylight Time. Noon on August 21 constitutes a 58-degree solar altitude and shadow lengths shall be calculated by multiplying the height of a shadow-casting object by 0.625. Shadow patterns will be cast in a due north direction from the object.*

Finding: The proposed landscaping plan identifies eight (8) new trees onsite. The applicant has identified by location and based on the size of the parking area, staff believes that the tree proposed will achieve the minimum forty (40) percent shading requirement and as proposed, is proportional to the project. **The provisions of this section have been met.**

2. *Trees shall be retained and/or planted in landscaped areas, which shall cover not less than seven percent (7%) of the area devoted to outdoor parking facilities. Such landscaping shall be uniformly distributed throughout the parking area and may consist of trees plus shrubs, ground cover or related material. The intent is to break up large expanses of asphalt and thus provide shade in the warmer months and pervious surfaces for stormwater, and aesthetic relief. At a minimum, one tree per 5 parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of 4 feet by 4 feet to ensure adequate soil, water, and space for sustainable plant growth, with appropriate timing devices to encourage water conservation.*

Finding: The proposed landscaping plan identifies eight (8) new trees that are uniformly distributed throughout the parking area and will provide shade in the warm months. **The provisions of this section have been met.**

3. *Irrigation facilities or other provisions for the continuing care of the vegetation and protective curbs or raised wood headers shall be provided for landscaped areas.*

Finding: The proposed landscape plan does not identify the require irrigation facilities to provide for the continuing care of the vegetation. As a condition of approval, the applicant shall, prior to the issuance of permits provide a revised landscape plan that includes the location of the proposed irrigation system. **The provisions of this section have been met subject to conditions of approval.**

4. *Trees shall be of a type and distribution to reduce the reflection of heat by paved surfaces and should have an adequate lifespan, be pollution tolerant and have low maintenance requirements in order to save long-term costs. An approved recommended tree list will be provided to the applicant.*

Finding: The proposed landscaping plan identifies eight (8) new trees onsite. The applicant has identified by location and based on the size of the parking area, staff believes that the tree proposed will reduce the reflection of heat by paved surfaces and as proposed, is proportional to the project. **The provisions of this section have been met.**

5. *Trees shall be planted in a manner that will minimize interference with the solar access of adjacent properties.*

Finding: The proposed parking area trees are identified in an area that minimizes interference with the solar access of adjacent properties. All proposed trees are located near the center of the western site of the property and will not interfere with the solar capabilities of the adjacent residential or commercial properties. **The provisions of this section have been met.**

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

Finding: The proposed site plan does not identify any outdoor lighting. If parking lot lighting is being considered, the applicant shall install lights that are shielded or arranged to reflect light away from abutting or adjacent residential districts and limit excessive light pollution. As a condition of approval if parking lot lights are to be installed, the applicant shall prior to the issuance of permits provide a revised site plan that includes the light specifications for all exterior parking lot and building lighting. All lights shall be shielded or directed in a manner that prevents light from reflecting towards the residential uses. **The provisions of this section have been met subject to conditions of approval.**

8-3J.630 STREET ACCESS AND CIRCULATION

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

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

Finding: The proposed development is served by an existing access just south of the intersection of OR 99 and Rapp Rd. The access is an approved ODOT location and limits turning to right in and right out, limiting the potential for conflict. Should the site be redeveloped in the future, a potential exists that a Traffic Impact Study will be required and the access could be moved to the north to align with Rapp Road. However, at this time, major improvements to the intersection would not be proportional to the requested changes and are therefore not being required. **The provisions of this section have been met.**

2. *Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum width of 10 feet per lane is required). These methods are "options" to the developer/ subdivider, unless one method is specifically required by Divisions 8-3C through 8-3H, and Article 8-3J.1.*

    a. *Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/ developer may be required to close or consolidate an existing access point as a condition of approving a new access point. Street access points shall comply with Paragraph 630(A)3.*

Finding: Access currently exists for this property and no modifications to the access are being proposed. **The provisions of this section have been met.**

DISCUSSION

Overall, staff is very supportive of the proposed site development plan because of its ability to meet the intent of the Central Business Highway zone, providing a needed service to Talent residents.

RECOMMENDATION

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

GENERAL CONDITIONS

1. The applicant shall continually maintain all landscaped areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities and fences, walls, hedges and other screen plantings or buffers.

PRIOR TO ISSUANCE OF BUILDING PERMITS

2. The applicant shall provide Community Development with a revised site plan identifying the locations where permeable payment will be used as well as provide an O & M plan and agreement approved by RVS.

3. The applicant shall provide a revised site plan that includes identification of all trees (native and ornamental) with a caliper size of four (4) inches or greater, measured at a point three feet above the grade of the base of the tree.
4. The applicant shall provide a revised site plan that includes the location, size and species of all required street trees.
5. The applicant shall provide a revised site plan that identifies an additional standard parking space.
6. The applicant shall provide a revised site plan identifying a minimum of one (1) bicycle parking space.
7. The applicant shall provide a turn-around area large enough to accommodate large vehicle movement and to prevent backward movements into the public right of way.
8. The applicant shall provide a revised site plan identifying a concrete walkway between the building and parking stalls.
9. The applicant shall provide a revised landscape plan that includes the location of the proposed irrigation system.
10. If parking lot lights are to be installed, the applicant shall provide a revised site plan that includes the light specifications for all exterior parking lot and building lighting. All lights shall be shielded or directed in a manner that prevents light from reflecting towards the residential uses.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

11. The applicant shall submit a plumbing plan to RVS identifying the number of fixtures that will remain and provide Community Development evidence that all required SDCs have been paid to RVS.
12. The applicant shall permanently and clearly mark all standard and ADA parking spaces.

Zac Moody
Community Development Director

6/8/16
Date