

# City of Talent

Community Development Department - Planning



## STAFF REPORT

Type II Land Use Application — Administrative Review

Date: November 2, 2016  
Item: SPR 2016-007, Garth Evey  
Site: 102 Talent Ave.

Applicant:	Garth Evey 399 Laurel St. Ashland, OR 97520
Property Owner:	Dan Gregory PO Box 1505 Talent, OR 97540
Requested Action:	Approval of a Site Development Plan for the modification of an existing parking lot, including the installation of an expanded awning system to serve as an expanded outdoor seating area.
Assessor's Map Number:	38-1W-23CD, Tax Lot 5500
Site Location:	102 Talent Ave.
Zoning:	CBD – Central Business District
Deemed Complete:	September 30, 2016
Notice Mailed:	September 30, 2016
120-Day Limit:	January 27, 2017

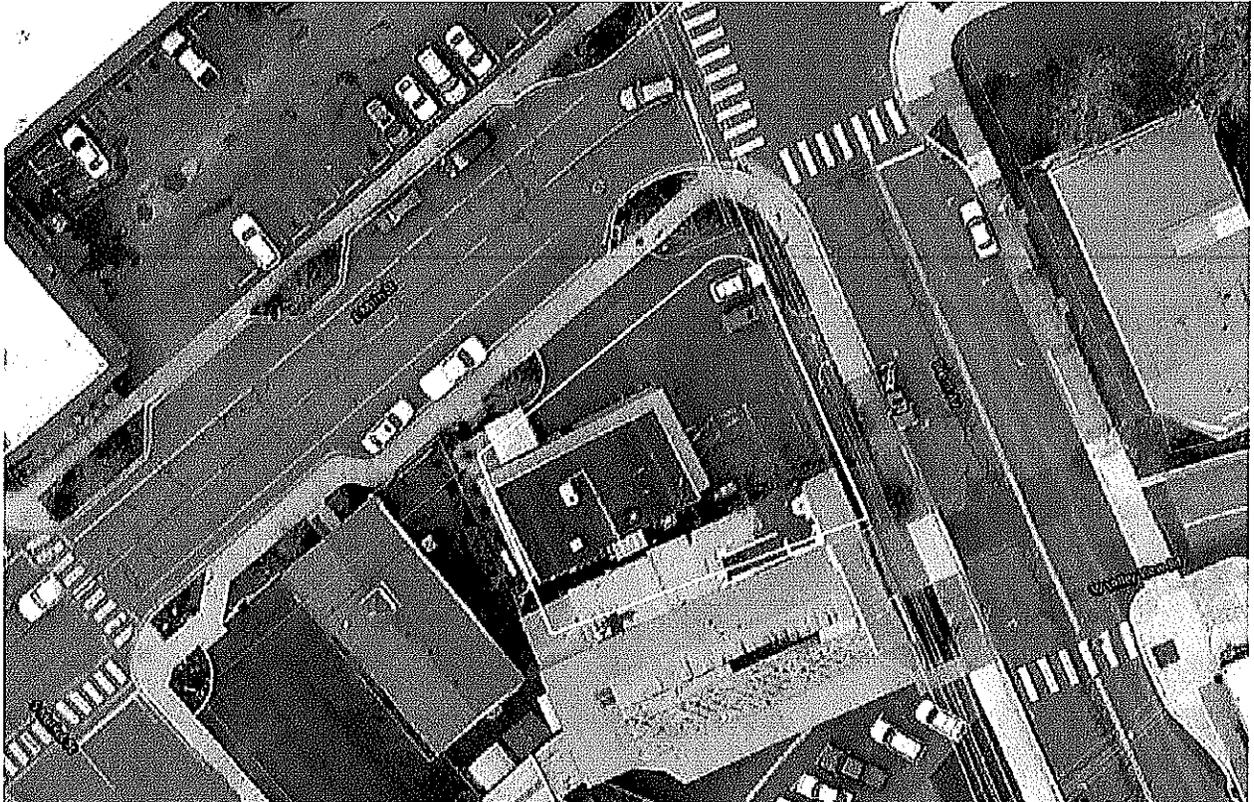
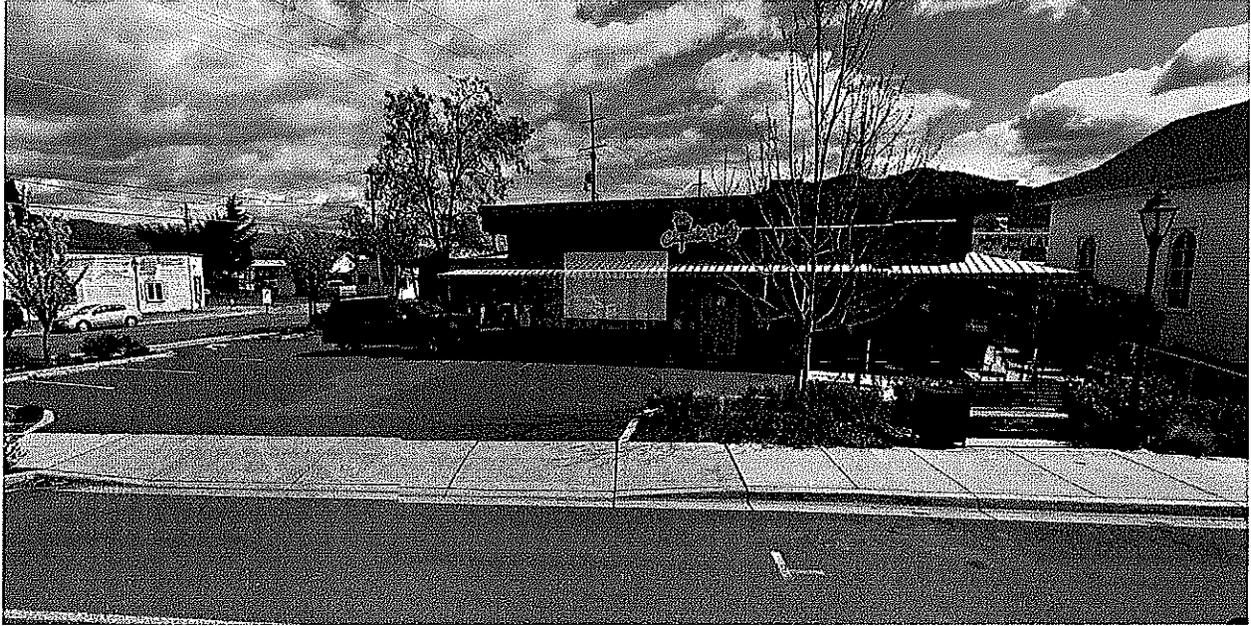
### PROPOSAL

Modification of an existing parking lot to include expanded bicycle parking and the expansion of an outdoor seating area.

### APPROVAL CRITERIA

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

## PROPERTY CHARACTERISTICS



The site is located at the intersection of Talent Ave and E. Main St. across from the Camelot Theater.

## AGENCY COMMENTS

One comment from Rogue Valley Sewer Services (RVS) was received, indicating that there is no requirement for a Stormwater management plan because there are no changes to the impervious surface. However, changes to the internal configuration of the building and the addition of new plumbing fixtures will require additional System Development Charges (SDCs) to be paid to RVS.

## 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.2, Central Business District). Text from the code appears in *italics*.

### **8-3D.220 BUILDINGS AND USES PERMITTED SUBJECT TO TYPE-I PERMIT REVIEW**

- E. *Paving, surfacing, or resurfacing of existing parking lots subject to city staff review for conformance with the provisions of Article 8-3J.5. If a question arises as to conformance with said provisions, the City Planner shall subject the project to a site plan review without a public hearing.*

**Finding:** The subject parcel is zoned Central Business District (CBD) and allows for paving, surfacing or resurfacing of existing parking lots. As proposed, the applicant is proposing to reconfigure the existing parking lot to include additional bicycle parking and additional outdoor seating. The addition of outdoor seating does NOT decrease the amount of parking on the parcel. Additionally, there are no parking requirements for properties zoned CBD. **The provisions of this section have been met.**

### **8-3D.240 BUILDINGS AND USES SUBJECT TO TYPE-II SITE DEVELOPMENT PLAN REVIEW**

- C. *Eating and drinking establishments (which may include entertainment) not exceeding 6,000 square feet.*

**Finding:** The subject parcel is zoned Central Business District (CBD) and allows eating and drinking establishments subject to a Type-II Site Development Plan Review. The proposal is for a eating and drinking establishment and to modify an existing parking area to include an expanded outdoor seating area and additional bicycle parking. **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 CBD zone allows eating and drinking establishments and parking lot 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 CBD Zone is intended to serve as the hub of government, public services and social activities; shall permit retail trade, personal and business services. The CBD shall be pedestrian oriented and highlight and incorporate historic places and structures, parks and public transit facilities and opportunities. The proposed application is creating a pedestrian oriented environment by adding an outdoor seating element to the existing site. The proposed outdoor seating area will be covered by an awning, consistent with the historic gas station architecture. An Architectural Review Application has been received and is consistent with the downtown design standards. As a condition of approval, prior to the issuance of building permits, the applicant shall provide Community Development with a set of plans consistent with the approved Architectural Review approval. **The provisions of this section have been met subject to Conditions of Approval.**

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 commercial uses on all sides. There are no compatibility issues with the proposal as no substantial changes of use are being proposed and the other uses are similar in nature. **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 parking lot conversion and addition of outdoor seating does not create any new impervious surface or generate any waste other than normal water runoff. **The provisions of this section have been met.**

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

- (1) buildings, structures, and improvements;*
- (2) vehicular and pedestrian ingress and egress, and internal circulation;*
- (3) parking and loading facilities;*
- (4) setbacks and views from structures;*
- (5) walls, fences, landscaping and street and shade trees;*

- (6) *lighting and signs; and*
- (7) *noise generation facilities and trash or garbage depositories.*

**Finding:** The proposed parking lot conversion does not include any expansion. The proposed outdoor seating area does propose to expand the building footprint into the parking area, but 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 or fences have been proposed.

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 Talent Avenue and E. Main Street and does not require any street related improvements. The site is currently served by water, sewer and storm facilities, and no changes in the flow of surface water are anticipated.

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 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 commercial uses and does not require buffering. **The provisions of this section are not applicable.**

#### **8-3J.420      *MINIMUM LANDSCAPED AREAS***

A. *The minimum percentage of required landscaping is as follows:*

2. *Central Business District (CBD) and Central Business Highway (CBH) Zones. 20 percent of the site.*

**Finding:** The subject parcel and adjacent parkrows are landscaped in accordance with the provisions of this section. No additional landscaping is required. **The provisions of this section have been met.**

#### **8-3J.470 LANDSCAPE MAINTENANCE**

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

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

**Finding:** The subject parcel is landscaped in accordance with the provisions of this section. As a general condition of approval, all landscaped areas not occupied by structures, roadways or parking areas, walkways, bicycle paths, patios or other specific facilities and fences, walls, hedges and other screen plantings or buffers shall be continually maintained. **The provisions of this section have been met subject to conditions of approval.**

#### **8-3J.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 building has a cumulative gross floor area of approximately 1,023 square feet. Because the existing building has 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:*

**Finding:** The subject parcel is zoned CBD and does not require off-street parking. As proposed the site will provide three (3) parking spaces, including a single van accessible parking space as required by Section 8-3J.530(C) below. **The provisions of this section have been met.**

- 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 subject parcel is zoned CBD and does not require off-street parking. As proposed the site will provide three (3) parking spaces, including a single van accessible parking space as required by Section 8-3J.530(C). **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 three (3) parking stalls. Based on the proposed number of off-street parking stalls, the applicant shall provide one (1) bicycle parking space. The applicant has stated that the bicycle parking area will include bicycle repair facilities, but did not provide information in regards to whether the parking will be open or sheltered. The applicant is encouraged to provide sheltered bicycle parking to support multimodal transportation. **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 three (3) parking stalls. All parking stalls are accessed via 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, however the one-way configuration of the parking area provides large delivery trucks the ability to pull in off of the street and not block parking. **The provisions of this section have been met.**

- 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 three (3) parking stalls. All parking stalls are accessed via 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, however the one-way configuration of the parking area provides large delivery trucks the ability to pull in off of the street and not block parking. **The provisions of this section have been met.**

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

**Finding:** 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. **The provisions of this section have been met.**

### **8-3J.575      PARKING AREA IMPROVEMENTS**

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

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

**Finding:** The parking area is surfaced with a durable, asphaltic concrete and meets the improvement requirements. **The provisions of this section have been met.**

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

**Finding:** The proposed plan identifies three (3) 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 and remove parking stall lines for parking spaces that are being removed. **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 three (3) parking stalls adjacent to the property to the south. Wheel stops are not necessary for these stalls because there is an existing curb between the parking stalls and the adjacent property line. **The provisions of this section have been met.**

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:** There are no residential developments adjacent to the proposal. **The provisions of this section are not applicable.**

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 properties and limit excessive light pollution. **The provisions of this section are not applicable.**

### **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 two existing accesses. The first access is an egress point on Talent Ave., while the second access is an ingress point on E. Main St. No changes to the proposed access points have been requested. The existing access points provide a safe and efficient flow of traffic and do not interfere with the free movement of normal road, bicycle or pedestrian traffic. **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 District 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.
2. 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 BUILDING PERMITS

3. The applicant shall provide Community Development with a set of plans consistent with the approved Architectural Review approval.

## PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

4. 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.
5. The applicant shall permanently and clearly mark all standard and ADA parking spaces and remove parking stall lines for parking spaces that are being removed.



Zac Moody  
Community Development Director

11/2/16  
Date