
Site Plan Review & Variance Applications

Submitted to: City of Stayton
Planning and Development Department
311 N. Third Avenue
Stayton, OR 97383
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Applicants/Property Owners: Dark Horse Enterprises LLC
1308 N 1st Avenue
Stayton, OR 97383
Dr. Micheal Reynolds, Managing Member
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Applicant's Representative: Udell Engineering and Land Surveying, LLC
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Site Location: 1336, 1328, 1308 North First Avenue and 181 and 190 East Hollister Street, Stayton

Marion County Assessor's Map No.: 9S-01W-10AC Tax Lots 2400, 2500, 2600, 2700 and 2800

Site Size: 0.98 acres

Existing Land Use: Veterinary Hospital with associated site improvements.

Zone Designation: Commercial General (CG)

Comprehensive Plan Designation: Commercial

Surrounding Zoning: North: CG
South: CG and Medium Density Residential
East: Medium Density Residential
West: CG

Surrounding Uses: North: Parking Lot, Professional Office, Residential
South: Professional Office, Residential
East: Residential
West: Service Station, Retail



I. Executive Summary

Dr. Micheal Reynolds, Managing Member of Dark Horse Enterprises LLC (“Applicant”) request approval of a concurrent Site Plan Review and Variance applications for redevelopment of the Stayton Veterinary Hospital.

II. Findings of Fact

A. General Findings

1. The owners of the property are Dark Horse Enterprises LLC.
2. The applicants are the owners.
3. The property can be described as Township 9, Range 1 West of the Willamette Meridian, Section 10AC, Tax Lots 2400, 2500, 2600, 2700 and 2800. The five tax parcels have addresses assigned: 1308, 1328, 1336 North First Avenue and 181 and 190 East Hollister Street Stayton.
4. The property is inside the Stayton City Limits, zoned Commercial General (CG), and designated as Commercial by the Comprehensive Plan Map.
5. The property consists of an entire city block bounded to the north, east, south, and west by East Pine Street, North Second Avenue, East Hollister Street, and North First Avenue, respectively.
6. The property is approximately 0.98 acres in area with approximately 215 feet of frontage on East Pine Street and East Hollister Street and 200 feet of frontage on North First Avenue and North Second Avenue.
7. The site is bounded to the north, east, south, and west by a mix of commercial and residential developments.

III. Existing Conditions

8. The south portion of the property was substantially developed in 2017 as a veterinary hospital and associated parking lot. The north portion of the property was previously developed with residential uses, which have been demolished to allow for redevelopment of the site.

IV. Proposal

9. The proposal is to expand the existing Stayton Veterinary Hospital building to the southeast of the site and parking lot to the west and north of the subject property.

V. Analysis

10. Site plan review applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.220 and applicable provisions of the

Development and Improvement Standards of SMC Title 17, Chapter 20. The applicable sections of Chapter 20 are 17.20.060 – Off Street Parking and Loading; 17.20.080 – Special Street and Riparian Setbacks; 17.20.090 Landscaping Requirements; 17.20.170 – Outdoor Lighting and 17.20.200 - Commercial Design Standards. In addition, the application must meet SMC Section 17.26.020 - Access Management Requirements and Standards. Variance applications are required to satisfy approval criteria contained in SMC Title 17, Section 17.12.200(6)(a)(b).

VI. Site Plan Review - Review Criteria

Pursuant to SMC 17.12.220(5) the following criteria must be demonstrated as being satisfied by the application:

- a. *The existence of, or ability to obtain, adequate utility systems (including water, sewer, surface water drainage, power, and communications) and connections, including easements, to properly serve development in accordance with the City's Master Plans and Public Works Design Standards. Where an adopted Master Plan calls for facilities larger than necessary for service to the proposed use, the developer shall install the size facilities called for in the Master Plan and shall be provided credit for the excess costs in accordance with SMC 13.12.245.*

Findings: There is an existing 12-inch water main on west side of North First Ave, a 10-inch water main on the south side of East Hollister Street, a 2-inch water main on the east side of North Second Avenue, and a 4-inch water main on the south side of East Pine Street. There is an existing fire hydrant across North First Avenue, one at the southeast corner of North First Avenue/East Pine Street, and one at the southeast corner of the North Second Avenue/East Pine Street intersection. The applicant intends to install additional public hydrants as needed to provide adequate fire flow to the proposed building expansion. Based on a preliminary water service fixture unit estimate, the existing 1" domestic meter at the north side of East Hollister Street is adequate to serve the proposed building expansion.

The City Engineer has recommended the applicant provide documentation that the Stayton Fire District has reviewed and approved any required fire protection devices and systems.

There is an existing 8-inch sanitary sewer main in North First Avenue, an 8-inch main in East Hollister Street and an 8-inch main in North Second Avenue. Use of the existing sewer lateral that serves 181 East Hollister Street is proposed. The Public Works Design Standards require a 6-inch lateral for commercial buildings and the existing sanitary sewer service is likely to be only a 4-inch lateral. However, based on a preliminary drainage fixture unit estimate, the existing 4-inch lateral is adequate to serve the proposed building expansion.

There is an existing 15-inch storm drain on the west side of N First Ave with a catch basin at the north end of the subject property and one at the corner with E Hollister. There is an existing 12-inch storm drain on the north side of East Hollister Street with a catch basin located at the former alley between North First Avenue and North Second Avenue and one about 50

feet west of the North Second Avenue intersection. The applicant intends to direct surface water runoff through a stormwater basin that will infiltrate surface water into the ground. Overflow runoff from the stormwater basin will enter a private storm line and connect to the existing public catch basin at the corner of North First Avenue and East Hollister St. A preliminary stormwater report, prepared by Andrew Rappé, PE was submitted with the application.

The site is currently provided with public water, sewer, and other private utility services. The proposed redevelopment will utilize existing laterals to adjacent public water service and sewer systems and reconnect with other adjacent private utility services. The application includes a preliminary stormwater management report. Therefore, this criterion is met.

- b. *Provisions have been made for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and for safe access to the property for vehicles, as well as bicycle and pedestrians, from those public streets which serve the property in accordance with the City's Transportation System Plan and Public Works Design Standards.*

Finding: The subject site has seven existing access encroachments: three to/from East Pine; two to/from North First Avenue; and one to/from North Second Avenue and East Hollister Street. Two encroachments: one to/from East Pine and one to/from North Second Avenue are proposed in association with site redevelopment. A public sidewalk runs along all adjacent public rights-of-way. Pedestrian connectivity to the site will be provided via internal sidewalk connections to the adjacent public sidewalk system.

- c. *Provision has been made for all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development of the site in accordance with Chapter 17.26, the City's Transportation System Plan, and Public Works Design Standards. Improvements required as a condition of approval shall be roughly proportional to the impact of the development on transportation facilities. Approval findings shall indicate how the required improvements are directly related to and are roughly proportional to the impact of development.*

Finding: North First Avenue is under Marion County jurisdiction and designated a Major Arterial Street in the Stayton Transportation System Plan. North First Ave is fully improved to a Major arterial street standard with 40 feet of pavement, curb, gutter, and sidewalk within a variable width right-of-way (i.e., 55-foot to 60-foot). A 5-foot right-of-way dedication will be required along the west property lines of Tax Lots 2400 and 2500 so that the entire street frontage conforms to the required 60-foot right-of-way Major Arterial Street standard.

All other abutting public streets are under the City of Stayton jurisdiction. East Hollister Street is designated a Neighborhood Collector with a 60-foot right of way. East Hollister Street is a fully improved local street with paved travel lanes, curb, gutter, and a 4-foot-wide sidewalk within a 60-foot wide right of way. Included in the proposal are improvements where the accessway will be removed.

East Pine Street is designated as a Local Street with 60-foot right-of-way. East Pine Street is a partially improved local street with a variable pavement width, curb but no gutter, 5-foot-wide landscape strip, and a 5-foot-wide sidewalk within a 60-foot right of way. The applicant has proposed construction of curb, gutter, sidewalk, and completion of the paving.

North Second Street is designated as a Local Street with 50-foot right-of-way. North Second Ave is a partially improved street local street with a variable pavement width, curb but no gutter, 3-foot-wide landscape strip, and a 4 to 5-foot-wide sidewalk within a 50-foot right of way. The applicant has proposed construction of curb, gutter, sidewalk, and completion of the paving.

According to Table 5 of the Stayton Transportation System Plan, the existing right-of-way widths of East Hollister, East Pine Street, and North Second Street conform to required widths based on roadway classification; therefore, no street dedications are required.

The applicable transportation requirements per Chapter 17.26 of the SMC are as follows:

- i. An access permit is required (SMC 17.26.020(1)(a)).

Finding: This standard can be met with a condition of approval requiring an access permit to be obtained in association with site development and/or building permit(s).

- ii. The number of non-residential access encroachments is based on the daily trip generation. One driveway shall be allowed for up to 2,500 daily trips generated with a maximum of two driveways (SMC 17.26.020(3)(c)).

Finding: Two driveway accessways, one to/from North Second Avenue and one to/from East Pine are proposed and sufficient as outlined in the transportation assessment letter.

- iii. Vehicle access locations must be a minimum of 50 feet from the intersection property lines and onto lowest function classification roadway (SMC 17.26.020(3)).

Finding: As shown on the site plan, proposed access locations are sufficient as outlined in the transportation assessment letter.

- iv. The minimum public intersection space on a commercial local street is 260 feet. The minimum space between driveways and/or streets along a commercial local street is 50 feet.

- i. Access spacing between two driveways on Neighborhood Collector and Local Streets (50 feet) shall be measured from the perpendicular near edge of the

driveway to the perpendicular near edge of the driveway. (See figure 303.11. b)

- ii. Access spacing between a driveway and an Arterial, Collector, or Local Street (50 feet) shall be measured from the perpendicular near edge of the driveway to the point of intersection for the intersecting street. See figure 303.11.

Finding: Two driveway accessways, one to/from North Second Avenue and one to/from East Pine are proposed and sufficient as outlined in the transportation assessment letter.

- v. According to the Public Works Standards, the minimum and maximum commercial driveway widths onto local street is 12-feet and 36-feet, respectively (See SPW 303.11.E).

Finding: As shown on the site plan, proposed driveway widths comply with these standards.

- vi. According to the Public Works Standards, for driveways along local access roads in urban and residential areas, the sight distance triangle is measured along the property lines of the street and along the driveway. The horizontal limits of the sight (vision) clearance area shall be a triangular area measuring 10 feet along the right-of-way or private access.

Finding: As shown on the site plan and stated in the transportation assessment letter Based on the detailed analysis of the potential approach paths, design speeds, and sight distances, adequate sight distance is available for safe and efficient operation of the proposed site access on East Pine Street and North Second Avenue.

d. Provision has been made for parking and loading facilities as required by Section 17.20.060.

Finding: The applicable parking and loading facilities per Section 17.20.060 are as follows:

- i. Off street vehicle parking and loading areas for any new, expanded, or change of use per 17.20.060(1).

Finding: Off-street vehicle parking and loading areas are included in the application proposal.

- ii. Off street parking and loading areas shall be provided on the same lot with the main building or use except that in any commercial, industrial, or public district, the parking area may be located within 500 feet of the main building per Section 17.20.060(5).

Finding: Proposed off-street parking will be located within 500 feet of the building.

- iii. According to 17.20.060(7)(b), offices for physicians, dentists, and other health professionals are required to have 3.5 vehicle parking spaces per 1,000 square feet of building area.

Finding: The square footage of the clinic consists of 5,701 square feet of existing area and 6,005 square feet additional area, requiring a minimum of 41 parking spaces.

As stated in the transportation assessment letter, Parking generation for the proposed facility was projected using data from the Parking Generation Manual, 5th Edition, published by the Institute of Transportation Engineers. Parking generation was calculated using the published parking demand rates for ITE land use code 640, Animal Hospital/Veterinary Clinic. The calculations are based on the gross floor area of the building. Based on the analysis, an 11,488 square foot veterinary hospital would be projected to generate a peak parking demand of 38 vehicles. This high estimate of parking demand for an 11,488 square foot veterinary hospital was 50 vehicles.

The site plan submitted provides for 45 parking spaces and there are 14 on-street parking spaces along the site street frontages. Therefore, there is sufficient on-site parking to meet peak parking demand and additional on-street parking sufficient for high estimate of parking demand.

- iv. Off Street parking Reductions are permitted for sites with more or more of the following features per Section 17.20.060(7)(g):
 - a. The site has an existing or planned bus stop located adjacent to it, and the site's frontage is improved with a bus stop shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20 percent reduction to the required number of automobile parking spaces;
 - b. The site has one (1) or more dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 10 percent reduction to the required number of automobile parking spaces;
 - c. The site has dedicated parking spaces for motorcycles, scooters, or electric carts: Allow reductions to the standard dimensions for these parking spaces;
 - d. The site has more than one and a half minimum number of required bicycle parking spaces: Allow up to a 5 percent reduction to the required number of automobile parking spaces.

Finding: The number of proposed parking spaces exceeds the minimum number of parking spaces required; therefore, no off-street parking reductions features are necessary. The parking analysis in the transportation assessment letter are also incorporated herein by reference.

- v. One off street loading space is required for office buildings with a gross floor area of 15,000 square feet per Section 17.20.060(9).

Finding: The proposed development is 11,706 square feet (i.e., 5,701 square feet of existing area and 6,005 square feet additional area); therefore, a loading space is not required.

- vi. Commercial office buildings are required to provide one bicycle parking space per 1,000 square feet. Each space is required to be at least 6 feet long by two feet wide (SMC 17.20.060(9-A)).

Finding: The square footage of the clinic consists of 5,701 square feet of existing area and 6,005 square feet additional area, requiring a minimum of 12 bicycle parking spaces. Due to the nature of the business, it is unlikely that patrons will use bike facilities. Therefore, a concurrent variance application has been submitted for approval to reduce the required bicycle parking from 12 to 7 spaces. As shown on the site plan, seven bicycle parking spaces are provided near the building entrance.

- e. *Open storage areas or outdoor storage yards shall meet the standards of Section 17.20.070.*

Finding: Open Storage Area is defined as an area on a lot where the main use stores or displays materials, equipment, finished product, or merchandise or provides long-term parking for vehicles in its fleet (SMC 17.04.100).

Outdoor Storage Area is defined as all the building support functions located outside of a building including, but not limited to loading docks and bays, trash containers and compactors, storage sheds and containers, heating, ventilation, and air conditioning (HVAC) facilities, and disk antennas (SMC 17.04.100).

Finding: A screened trash enclosure is proposed near the North Second Avenue driveway access outside of the required landscape buffer area; therefore, the standards of SMC 17.20.070 are met.

- f. *Site design shall minimize off site impacts of noise, odors, fumes, or impacts.*

Finding: No off-site impacts (i.e., noise, odors, or fumes) are anticipated because of the proposed use; therefore, this criterion is not applicable.

- g. *The proposed improvements shall meet all applicable criteria of either Section 17.20.190 Multi-family Residential Design Standards, Section 17.20.200 Commercial Design Standards, Section 17.20.220 Downtown Development Design Standards, or Section 17.20.230 Industrial Design Standards.*

Finding: The applicable commercial design standards of SMC 17.20.200 are outlined below.

- i. Height step downs between new multistory commercial buildings and existing adjacent single-story dwellings are required per SMC 17.20.200(3)(a).

Finding: The proposed building is two stories. It is approximately 90 feet from the neighboring residential building to the north.

- ii. New commercial developments must have buildings oriented to the street per SMC 17.20.200(3)(b):
 - a. In commercial districts, off street parking, driveways, and other vehicle areas shall not be placed between buildings and the street(s) to which they are oriented, except as provided under subsection 3 off street parking in the commercial districts shall be oriented internally to the site and divided by landscaped areas meeting the standards of Section 17.20.060.10.
 - b. In commercial districts, the building orientation standard may be met with vehicle areas allowed between the street right-of-way and a building's primary entrance when the decision authority finds that the following criteria are met:
 - i. Placing vehicle areas between the street right-of-way and the building's primary entrance will not adversely affect pedestrian safety and convenience based on the distance from the street sidewalk to the building entrance, projected vehicle traffic volumes, available pedestrian walkways, and Section 17.26, Title 12, Standard Specifications, and the adopted Transportation System Plan.
 - ii. The proposed vehicle areas are limited to one driveway meeting the requirements of 17.26, Title 12, Standard Specifications, and the adopted Transportation System Plan, with adjoining bays of not more than 8 consecutive parking spaces per bay (including ADA accessible spaces) on the side(s) of the drive aisle.
 - iii. The building's primary entrance is connected to an adjoining street by a pedestrian walkway that meets the standards of Section 17.26.020.5.

Finding: The primary building entrance is located mid-block near East Hollister Street right-of-way. The main entrance is directly accessible from the internal parking lot and located less than 20 feet from the adjacent public right-of-way with a 5-foot-wide private sidewalk connection it to the adjacent public sidewalk. As shown on the site plan, the building orientation standards are met.

- iii. All buildings on a site shall support a safe and attractive pedestrian environment per SMC 17.20.200(4)(a).
 - a. Primary building entrances shall open directly to the outside and, if not abutting a street, shall have walkways connecting them to the street sidewalk.

- b. Corner buildings shall have corner entrances or shall provide at least one entrance within 20 feet of the street corner or street plaza.
- c. Ground floor windows or window displays shall be provided along at least 45 percent of the building's ground floor street facing elevations(s); windows and display boxes shall be integral to the building design.
- d. Primary building entrance(s) are designed with weather protection such as awnings, canopies, overhangs, or similar features.

Finding: As shown on the site plan, the primary building entrance is located mid-block near East Hollister Street right-of-way. The main entrance is directly accessible from the internal parking lot and public right-of-way via a 5-foot-wide sidewalk connection. The main west entrance is less than 20 feet from East Hollister Street right-of-way. As shown in the building elevations, the ground floor window and primary building entrance weather protection features comply with standards of SMC 17.20.200(4)(a).

- iv. All buildings on a site shall be at a scale that is safe and inviting per SMC 17.20.200(4)(b).
 - a. Regularly spaced and similarly shaped windows are provided on all building stories.
 - b. On multi-story buildings, ground floors are defined and separated from upper stories by appropriate architectural features that visually identify the transition from ground floor to upper story. These features should be compatible with the surrounding architecture. Such features include, but are not limited to: cornices, trim, awnings, canopies, arbors, trellises, overhangs, string courses, or other design features.
 - c. For all buildings more than 50 feet long:
 - i. A pitched roof building shall have a break in the roof plane or wall plane, or articulation of the building face at least every 50 feet.
 - ii. A flat roof building shall have a horizontal or vertical change in the wall plane, or articulation of the building face at least every 50 feet.
 - d. Horizontal and vertical offsets required by this Section shall relate to the overall design and organization of the building, its entrances, and door and window treatments. Features shall be designed to emphasize building entrances.

- e. Offsets should be grouped and organized in a manner to provide variation in scale and massing rather than providing a series of identical repeating masses.
- f. Exceptions: For walls not visible from public view; An exception to the horizontal offset provisions for zero lot line setbacks on interior or side yards to enable a building to utilize the property fully; Exceptions to the horizontal offset provisions for buildings abutting the public sidewalk. When a building abuts a public sidewalk, the horizontal offset provisions may be reduced from a depth of 3 feet to 12 inches.
- g. Standards for massing.
 - i. Building(s) with a pitched/false pitched roof. No building shall have a sloping roof plane more than 50 feet in length measured at the eave line without a break in the roof plane between the ridge/peak and the eave line at least 3 feet in height and 12 feet wide. A combination of offsets and breaks in the roof plane may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide.
 - ii. Building(s) with a flat roof. No building shall have a wall plane more than 50 feet in length without a horizontal or vertical break in the cornice line at least 18 inches in height or 3 feet in depth and at least 12 feet wide. A combination of horizontal and vertical offsets may be used to satisfy this requirement. The total width of the offset combination shall not be less than 12 feet wide.
 - iii. Grouping, variation, and a combination of features is desirable to avoid repetition of offsets that are identical in size and shape.
- h. All new commercial development shall provide a lighting plan that meets the standards of Section 17.20.170.

Finding: As shown in the architectural drawings, the proposed structure is multi-story with an overall height of 29'-7" and wall planes less than 50 feet in length. Design features include pitched roofs, regularly evenly spaced ground floor windows, ground floor and second story offsets, and variations in wall finishes and trim; therefore, the building design features comply with standards of SMC 17.20.200(4)(b). Additionally, a lighting plan in conformance with SMC 17.20.170 is included with the application submittal.

- h. Landscaping of the site shall prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historic features, provide for vegetative ground*

cover and dust control, present an attractive interface with adjacent land uses and be consistent with the requirements for landscaping and screening in Section 17.20.090.

Finding: The subject site was previously developed, void of major vegetation, and lacks unusual natural or historic feature(s).

The applicable landscaping and screening standard of Section 17.20.090 are as follows:

- i. A minimum of 15 percent landscaping is required per lot in the CG zoning district.

Finding: the total area of the site is 42,568 square feet. A minimum of 6,385 square feet of landscaping is required. The application indicates that 10,129 square feet of landscaping will be provided.

- ii. Planting of trees is required along public street frontages, and along private drives more than 150 feet long. Trees with a medium canopy shall be spaced 20 feet on-center. Trees with a large canopy shall be spaced 25 feet on-center. (see SMC 17.20.090(5)).

Finding: As shown in the landscaping plan, existing and/or proposed street trees comply with these standards.

- iii. Street trees shall not be planted within 10 feet of fire hydrants and utility poles, unless approved otherwise by the City Engineer or under overhead power lines if tree height at mature age exceeds the height of the power line.

Finding: As shown in the landscaping plan, existing and/or proposed street trees comply with these standards except for along a portion of North Second Avenue (i.e., next to the proposed and existing building) where the planting of street trees would conflict with overhead powerlines (see SMC 17.20.090(6) tree planting restrictions).

- iv. A landscape (along parking lots with four or more parking spaces. The 10-foot-wide along arterial and collector streets and 15-foot-wide landscape buffer along local streets. (see SMC 17.20.090(11)(a)(1))

Finding: Parking is proposed along North First Avenue and East Pine Street. According to the Stayton Transportation Plan, First Avenue is classified as a Major Arterial, which requires a 10-foot-wide landscape buffer and East Pine Street is classified as Local Street, which requires a 15-foot-wide landscape. As shown in civil site plan and landscape plan, a 10-foot-wide landscape buffer consisting of 5-foot-wide of public right-of-way and 5-foot-wide private land is proposed along North First Avenue; and a 10-foot-wide landscape buffer is proposed along East Pine. A concurrent application for a variance has been submitted to allow landscape buffer areas narrower than required by this section. In 2016, Stayton Planning File no. 4-02/16 was approved, which included variance for reduce landscape buffers to 8-feet between parking areas and North First Avenue and East Hollister Street.

- v. Screening of refuse containers is required per SMC 17.20.090(2)(c)(8).

Finding: As shown on the site plan the refuse contain complies with required setbacks, clear vision areas, and screening requirements.

- vi. Parking area landscaping can be counted towards the overall landscaping requirements of SMC 17.20.090. (SMC 17.20.060(11)).

Finding: As shown in the landscape plan, parking area landscaping is included in the overall landscaping area calculations.

- vii. All parking areas shall be landscaped along the property boundaries as required by 17.20.090(11).

Finding: As shown in the landscape plan, landscaping is proposed along all property boundaries per 17.20.090(11).

- viii. Interior landscaping of parking areas with 20 or more parking spaces shall meet the following standards.

- a. One landscaped island shall be required for every 10 parking spaces in a row. The interior islands shall be a minimum of 6 feet in width (as measured from the inside of the curb to the inside of the curb) and shall include a minimum of one tree per island.
- b. Divider medians between rows of parking spaces, that are a minimum of 6 feet in width (as measured from the inside of the curb to the inside of the curb) may be substituted for interior islands, provided that one tree is planted for every 40 feet and shall be landscaped in accordance with Section 17.20.090(8). Where divider medians are parallel with the buildings, there shall be designated pedestrian crossings to preserve plant materials.
- c. A row of parking spaces shall be terminated on each end by a terminal island that is a minimum of six feet in width (from the inside of the curb to the inside of the curb). The terminal island shall have one tree planted and shall be landscaped in accordance with Section 17.20.090(8).
- d. At the sole discretion of the decision authority, the requirement for landscaped islands or medians may be met through the design of additional parking area landscaping if the configuration of the site makes the use of islands or medians impractical.

Finding: As shown in the landscape plan, the application submittal conforms with the parking lot area landscaping requirements.

- ix. Off street parking areas shall be required to meet the following pedestrian access standards:
 - a. The off-street parking and loading plan shall identify the location of safe, direct, well lighted, and convenient pedestrian walkways connecting the parking area and the buildings.

- b. All pedestrian walkways constructed within parking lots areas be raised to standard sidewalk height.
- c. Pedestrian walkways shall be attractive and include landscaping and trees.

Finding: As shown on the site plan, pedestrian access standards are met.

- i. *The design of any visual, sound, or physical barriers around the property such as fences, walls, vegetative screening, or hedges, shall allow them to perform their intended function and comply with the requirements in Sections 17.20.050 and 17.20.090.*

Finding: No barriers are proposed; therefore, this criterion is not applicable.

- j. *The lighting plan satisfies the requirements of Section 17.20.170.*

SMC 17.20.170(3) states that when an application for land use approval contains outdoor lighting installation or replacement, the decision authority shall review and approve the lighting installation as part of the application.

The following standards per SMC 17.20.170(4)(c)(d) are applicable to this application:

- i. Parking area lighting shall provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets. All lighting fixtures serving parking areas shall be fully cut-off fixtures.
- ii. All security lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area and not cast on other areas. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and roadways. The use of general floodlighting fixtures is discouraged unless the above standards can be met.
 - Security lighting may illuminate vertical surfaces (e.g. building facades and walls) up to a level 8 feet above grade or 8 feet above the bottoms of doorways or entries, whichever is greater.
 - Security lighting fixtures may be mounted on poles located no more than 10 feet from the perimeter of the designated secure area.
 - Security lights intended to illuminate a perimeter (such as a fence line) shall include motion sensors and be designed to be off unless triggered by an intruder located within 5 feet of the perimeter.
 - Security lighting shall meet the standards of the table below:

Feature	Commercial Zones
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Maximum Mounting Height	20 feet
Maximum Average Horizontal Illumination Level on Ground	1.0 foot-candle
Maximum Average Illumination Level on Vertical Surface	1.0 foot-candle
Minimum Color Rendering Index	65

- k. *The applicant has established continuing provisions for maintenance and upkeep of all improvements and facilities.*

Finding: The property owner will be responsible for upkeep and maintenance of the improvements.

- l. *When any portion of an application is within 100 feet of North Santiam River or Mill Creek or within 25 feet of Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

Finding: The subject site is not within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch; therefore, this criterion is not applicable.

- m. *Notwithstanding the above requirements the decision authority may approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20 and the access spacing standards of Chapter 17.26 provided the decision authority finds that improvements proposed are in conformance with Secretary of the Interior's Standards for Treatment of Historic Properties, the site will provide safe ingress and egress to the public street system, and that adequate stormwater management will be provided.*

Finding: Per SMC 17.20.080, there is a 50-foot building setback along First Avenue. Since this setback is only applicable to buildings, the proposed parking lot along First Avenue is only subject to the landscape buffer standards.

The subject site is not within a National Register Historic District or an individually listed historic resource; therefore, this criterion is not applicable.

VII. Variance - Review Criteria

Pursuant to SMC 17.12.200(6) the following criteria must be demonstrated as being satisfied by the application:

- A. General Criteria Applicable to All Requests.

1. The granting of the variance would not be materially detrimental to the public health, safety, or welfare or the overall public interest of the citizens of the city as expressed within this title and the adopted Comprehensive Plan.

Finding: The proposal includes two variance requests:

1. A variance request to reduce the required 10-foot-wide landscape buffer to 5-foot-wide along the East Pine Street property frontage. The requested variance will allow the placement of 12 parking stalls and an adjacent 24-foot-wide driveway along this frontage. Denial of the variance would result in a decrease of 12 parking stalls and noncompliance with the city's minimum parking standard.
 2. In 2016, Stayton Planning File no. 4-02/16 was approved, which included variance for reduce landscape buffers to 8-feet between parking areas and North First Avenue and East Hollister Street.
 3. A variance to reduce the required 12 bicycle parking stalls from 12 spaces to seven spaces since only a portion of employees and little to no patrons will be likely to utilize bicycle parking.
2. The granting of the application complies with the applicable specific approval criteria as follows.

B. Specific Variance Criteria.

1. Variance to Land Use Regulations.

- a) The property is subject to exceptional or extraordinary circumstances such as lot size, shape, topography, or other similar circumstances over which the property owner has no control, and which do not generally apply to other properties in the same zoning district and/or vicinity.

Finding: A proposed 5-foot-wide landscaping buffer is proposed along East Pine Street where none existed previously. Meeting the required 10-foot-wide landscape buffer would reduce the area available for parking and reduce the number of spaces. Most of the lots with N First Ave frontage in the area have at least 100 feet of lot width.

Additionally, due to the nature of the business bicycle parking will likely only be used by a portion of employees and little to no patrons.

- b) The variance is necessary for the reasonable preservation of a property right of the applicant which is the same as that enjoyed by other landowners in the zoning district.

Finding: There is a tradeoff in the number of parking spaces and the landscape buffer width. Reducing the buffer width allows the number of parking spaces.

A reduction to the required number of bicycles of parking spaces or basing the number of required bicycle parking space on the number of peak shift employee can be similarly applied to other uses in the CG zoning district that are not likely to generate patron-based bicycle ridership.

- c) The variance would conform to the purposes of the applicable zoning regulations and would not generate a significant adverse impact on other property in the same zoning district or vicinity.

Finding: The purpose of the landscape buffer is to improve the aesthetics of the city and minimize impacts of parking areas on neighboring residential properties. A 5-foot-wide landscape buffer will still provide a physical separation between the sidewalks and the parking area.

The purpose of bicycle parking spaces is to allow for alternative modes of transportation. As proposed, there will be seven bicycle parking spaces, which will accommodate up to 20 percent of employees (i.e., based on peak shift). According to 2013-2017 ACS 5-year estimates, only 0.4 percent of commuters outside of metro cities travel to work by bicycle. Therefore, proposed parking is expected to exceed demand.

- d) Approval of the variance would not create an identifiable conflict with the provisions of the Comprehensive Plan or achieve the same conditions as a comprehensive plan amendment or zone change for the property.

Finding: There are no policies in the comprehensive plan that address landscape buffer widths, number of vehicle parking spaces, or number of bicycle parking spaces.

- e) The variance being requested is the minimum relief available to alleviate the difficulty giving rise to the application.

Finding: The reduction in parking is to allow the maximum number of spaces as will fit on the property. The reduction in landscape buffer width is to the widest possible buffer that will permit the number of parking spaces provided.

The reduction in bicycle parking spaces is the minimum relief available. Any additional bicycle parking spaces would require a reduction in on-site landscaping or parking areas.

- f) The variance would not have the effect of granting a special privilege not generally shared by other property in the same zoning district.

Finding: The site consists of a city block and is bounded on all sides by public rights-of-way and the development proposal is for full-build out which lacks undeveloped areas that are not already utilized or set aside to meet development code open space/landscaping standards and additional bicycle parking. The proposed site design balances commercial design and numeric dimensional development standards and except for the two requested minor variances meets or exceeds city code requirements.

- g) The request for the variance is not the result of an action taken by the applicant or a prior owner.

Finding: The request for the variances is needed to comply with commercial design and numeric dimensional development standards on an infill, redevelopment site bounded on all sides by public rights-of-way.

VIII. Conclusion

Based on the above analysis, the submitted land use applications are consistent with the applicable provisions of the City of Stayton Municipal Code, Comprehensive Plan, and Public Works Design standards. Therefore, the applicant respectfully requests that the Stayton Planning Commission approve the submitted land use applications.

IX. Exhibits

- A. Architectural Plan Set, MD Architects
 - 1. Architectural Site Plan, Sheet A0.2
 - 2. First Floor Demolition Plan, Sheet A1.0.1
 - 3. First Floor Architecture Floor Plan, Sheet A1.1.1
 - 4. Second Floor Demolition Plan, Sheet A1.1.2
 - 5. Second Floor Architectural Floor Plan, Sheet A1.1.3
 - 6. Building Elevations, Sheet A2.1
- B. Civil Plan Set, Udell Engineering and Land Surveying, LLC
 - 1. Cover Sheet, Sheet C100
 - 2. Existing Conditions/Demolition Plan, Sheet C102
 - 3. Preliminary Site Plan, Sheet C102
 - 4. Preliminary Grading and Drainage Plan, Sheet C200
 - 5. Preliminary Utility Plan, Sheet C400
- C. Preliminary Landscaping Plan, Laurus Design, LLC, Sheet L1.1
- D. Lighting Plan, Pure Energy Group, Sheet 1 of 1