

Agenda

Shady Cove Planning Commission Public Hearing
September 14, 2023
6:00 PM

<https://us02web.zoom.us/j/89879961227?pwd=cFI2TWxURXJkMVJCL21laFo1U1R4UT09>

Meeting ID: 898 7996 1227

Passcode: 646826

One tap mobile

+12532158782,,89879961227#,,,,*646826# US (Tacoma)

+13462487799,,89879961227#,,,,*646826# US (Houston)

I. Call to Order

A. Roll call.

B. Announcements by Presiding Officer.

1. This meeting is being digitally recorded.
2. The next regularly scheduled meeting of the Planning Commission will be September 28, 2023, at 6:00 PM both in Council Chambers and via Zoom.
3. The meeting date is subject to change.

II. Public Hearing

A) Public Hearing to Consider a Site Design Review located at 21287 Hwy 62

Open Public Hearing.

A Public Hearing to accept public testimony and consider approval of a Site Design Review Application to develop a vacant lot with coffee kiosk drive-through, plus associated utilities, pavement, and landscaping. The property is located at 21287 Hwy 62, Shady Cove, Oregon. Assessor's Map and Tax Lot: 34-1W-15CC, 4400. Zoning is General Commercial (GC). Owner/Applicant: Shawn and Jasmine Sauter File Number: SD 23-01.

1. Read Public Hearing Opening Statement.
2. If you would like to speak before the Commission, please sign sheet on the back table or via Zoom raise your hand.
3. Jurisdiction Question.
4. Conflict of Interest.
5. Ex Parté Contact.
6. Site Visit.
7. Staff Comments. (Fairfield)
8. Applicants' Testimony/Proponents Testimony/Commission Questions
9. Opponents' Testimony/Commission Questions.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

10. Rebuttal.
11. Final Staff Comments.
12. Close/Continue Hearing.
13. Deliberations/Discussion/Decision

III. Old Business

None

IV. New Business

None

V. Department Reports

A. Planning Technician Report

VI. Public Comment

VII. Commissioner Comments

VIII. Adjournment



**City of Shady Cove
Type III Staff Report
Site Design Review**

Date: August 17, 2023
Address: 21287 Hwy 62, Shady Cove, OR
Applicant: Shawn Sauter
Assessor's Map: 34-1W-15CC Tax Lot 4400
Planning File: SD 23-01

Planning Commission Public Hearing Date: August 24, 2023

1.0 PROPOSAL

To develop a vacant lot with coffee kiosk drive-through, plus associated utilities, pavement, and landscaping.

2.0 AUTHORITY

Per the Municipal Code § 154.311, a Site Design Review is a discretionary review, conducted by the Planning Commission with a public hearing. Site Design Reviews are conducted as a Type III (quasi-judicial) procedure, described in § 154.379.

3.0 PROCEDURE and TIMELINE

- 3.1 **Pre-Application:** The applicant applied for a Pre-Application Conference on 5/25/2022. Comments were provided by ODOT and others.
- 3.2 **Submittal:** The applicant submitted their application on January 17, 2023, and it was deemed incomplete by city staff on February 10, 2023. A revised submission was received on July 20, 2023 and it was deemed complete on July 25, 2023.
- 3.3 **Notice:** Adhering to § 154.379, on August 4, the property owners, neighbors within 200 feet, relevant agencies, and other invested stakeholders were mailed notice of this application and public hearing.
- 3.4 **Hearing:** The public hearing will be held on August 24, 2023, which is at least twenty (20) days after the mailed notice, as required by § 154.379 (C)(1)(a).
- 3.5 **Appeal:** A Type III decision is made by the Planning Commission, and therefore may be appealed to the City Council, no later than 10 calendar days after the decision has been made. Appeals shall be processed according to §154.455 through §154.462.

4.0 PROPERTY CHARACTERISTICS

- 4.1 **Access:** Highway 62
- 4.2 **Zoning:** General Commercial (GC)
- 4.3 **Size:** 0.22 acres
- 4.4 **Current Land Use:** Undeveloped, gravel lot
- 4.5 **Neighboring Land Uses:** Developed and undeveloped commercial lots, public services, and to the west, residences.

5.0 CONTEXT FINDINGS

None.

6.0 CRITERIA FOR APPROVAL

Per § 154.315, the review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions or denying an application for Site Design Review:

- 6.1 *The application is complete, as determined in accordance with § 154.314 and § 154.375 through 154.382;*

Staff Response: Satisfied

The application contained the completed form, a site plan map that meets all submission requirements, narrative statements, and an impact statement (required of all Type III applications).

- 6.2 *The application complies with all of the applicable provisions of the underlying land use district, including building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture and other special standards as may be required for certain land uses;*

Staff Response: Satisfied with Conditions

The zone is General Commercial (GC), and its general requirements (§ 154.083) are met:

- Lot area meets the minimum standard of 5,000 square feet.
- Lot depth, width, and yard size have no minimum requirements in this zone.
- Lot coverage has no minimum or maximum requirements in this zone.
- Kiosk height will not exceed the limit of 35 feet.

Fencing and screening requirements (§ 154.085) are met, per the site plan map.

Landscaping standards apply to this project. The site plan map shows landscaping to border the entire lot except for the driveway and the cross-access. Applicant has stated that plant selection will be determined by "what is available and placement will be determined as we progress." Plant selection shall be "a combination of deciduous and evergreen trees, shrubs and ground covers" and landscaping shall follow other requirements in §154.318. Staff notes that frontage landscaping will be constrained by overhead powerlines.

Most of the standards in § 154.319 *NON-RESIDENTIAL BUILDINGS* and § 154.320 *CIVIC SPACE AND PEDESTRIAN AMENITIES* should not apply to this development, because it is not a new structure, because there are no sidewalks, and/or because it is a small drive-through coffee kiosk. Staff notes that the following may apply:

Street level entrances. *All primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable. Primary entrances above or below grade may be allowed where ADA accessibility is provided*
(§ 154.319 *NON-RESIDENTIAL BUILDINGS* (D)(4)).

Civic space standards. *At least 3% of every development site shall be designated and improved as civic space (plaza, landscaped courtyard, or similar space) that is accessible to the general public, pursuant to all of the following standards in divisions (C)(1)(a) through (e) of this section (§ 154.320 CIVIC SPACE AND PEDESTRIAN AMENITIES (C)(1)).*

Staff finds that the walk-up awning should count towards the civic space standards. The lot is 0.22 acres or 9,580 square feet. 3% of the lot = 288 square feet. The walk-up awning is 160 square feet. 288 – 160 = 128 square feet of additional civic space should be allocated. Staff notes that, on the site plan, the northeast corner has about 400 square feet of asphalt that is not dedicated to landscaping, parking, or maneuvering space, that could be used for civic space, landscaping, or additional parking as needed.

Drive-up and drive-through facilities are specifically subject to standards in § 154.321:

1. *The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street.*
2. *The drive-up or drive-through facility shall not be oriented to a street corner.*
3. *The drive-up or drive-through facility shall not be located within 20 feet of a street right-of-way.*
4. *Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.*

These drive-through standards are met.

No off-street loading space is required. Standards in § 154.334 *DEVELOPMENT STANDARDS* are met.

Off-street parking requirements are met. "Other retail establishments" need 1 space for 400 square feet of gross floor area plus 1 space per employee, per § 154.337. The floor area of the kiosk is exactly 400 square feet, and will have maximum of 2 employees per shift. Therefore, 3 spaces are required and 3 are provided.

- 6.3** *The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with §§ 154.270 through 154.276;*

Staff Response: Not applicable

The lot is a conforming lot. There are currently no structures or uses on the lot, nonconforming or otherwise.

- 6.4 *The application complies with the design standards contained in Chapter 95;*

Staff Response: Satisfied with Conditions

There are no sidewalks on this block, so public sidewalk improvements are not required. Pedestrian access is a marked crosswalk to the kiosk awning and porch (the "primary entrance" for walk-up customers) that crosses the drive-through area. The development will be mostly paved, so pedestrian access will be reasonably direct.

The three parking spaces meet the dimension standards of §95.46. However, no ADA-compliant disabled parking is provided, as required by §95.47. An ADA-compliant accessible parking space could be provided as a condition of approval.

Bicycle parking is recommended but not required by the Code.

Surface water run-off is managed with a stormwater planter, with overflow to an existing ditch. A ten-foot public utility easement is provided. A drainage plan with calculations will need to be approved by the City Engineer (per § 95.62) and by ODOT (per their pre-application comment).

Sewer service is proposed from an 8-inch main located on the east side of Highway 62, which will require an RVSS permit, and boring under Highway 62 will require an ODOT permit.

- 6.5 *Conditions required as part of a land division, conditional use permit, master planned development, specific area plan or other approval shall be met;*

Staff Response: Not applicable

No active conditions found for this property.

- 6.6 *Exceptions to criteria, above may be granted only when approved as a variance.*

Staff Response: Not applicable

No variance is requested.

7.0 TESTIMONY

Four comments were received for the pre-application. They are incorporated into the conditions of approval as recommended by staff.

Comment from ODOT on 6/7/2022:

1. The access spacing does not meet state standards and presents safety conflicts for pedestrian/bicycles. The applicant will need to apply for a **single approach permit** and open frontage should be defined to meet state standards.
2. Any business **sign** visible from the Highway needs to be approved by ODOT to ensure it meets state standards
3. A **misc./utility permit** will be required prior to any work within the State Right-of-Way.
4. The applicant will be required to **provide drainage calculations** showing the proposal will not adversely affect State facilities for review and approval by ODOT

Comment from Scott Pingle, KAS, on 6/1/2022:

1. ODOT will need to approve the access to Highway 62.
2. Where does the stormwater runoff discharge or leave the site? What City facility will it drain into?
3. Is there a cross-access easement with the adjoining property?

Comment from RVSS on 5/25/2022:

Sewer service is available from an 8 inch main located on the East side of Highway 62. Connection to this main will require a **permit from RVSS** which will be issued upon payment of related development fees.

It may be possible to avoid the highway crossing by connecting to existing sewer mains on either Alder Street or Birch Street. Both of these alternate connections would require an easement across the intervening properties.

All of the sewer mains in this area are relatively shallow, which may make it difficult to make a gravity connection. The applicant should verify the sewer depth to determine if a gravity connection is feasible or if a pressure sewer system is needed.

Comment from Watermaster on 6/1/2022: No adverse affect.

Two comments were received for this application.

Comment from Scott Pingle, KAS, on 8/8/2023: Don't understand why crosswalk goes to private adjacent property and not to Hwy 62. Is there proposed access easement to north property? ODOT approves access.

Comment from Trevor Smith, Jackson County Assistant Watermaster, on 8/14/2023: Commercial use from an exempt well may not exceed 5,000 gallons per day.

8.0 CONCLUSION

Staff recommends that this application for Site Design Review be **approved with conditions**.

9.0 CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval.

Conditions prior to operation:

1. The applicant shall revise the site plan to include the following adjustments. The revised site plan may be approved by city staff with a Type 1 procedure.
 - a. One parking stall shall be an ADA-compliant, van-accessible space, with a 96" access aisle on the passenger side, per § 95.47.
 - b. The northeast portion of the lot that is not otherwise developed with buildings, structures, vehicle maneuvering areas, or parking, shall be landscaped and/or improved as pedestrian/civic space, per § 154.319 – .320.
2. A drainage plan shall be approved by the City Engineer per § 95.62.
3. Landscaping shall be installed in accordance with § 154.318.
4. Signs require a permit; apply to City if any signs are to be erected or altered.
5. The applicant shall obtain permits and approvals as necessary from ODOT, per ODOT's pre-application comments, including but not limited to:
 - a. Single-approach permit to create the access from Highway 62,
 - b. utility permit to do work in the State's Right-of-Way,
 - c. drainage approval, and
 - d. sign approval.
6. The applicant shall obtain a permit from RVSS for the sewer connection, per RVSS's pre-application comments.

Conditions during operation:

7. Comply with all applicable state and federal environmental, health and safety regulations.

Respectfully submitted on August 17, 2023,



Rowan Fairfield, Contract City Planner

CITY OF SHADY COVE
SITE DESIGN REVIEW
APPLICATION

OFFICE USE:

Application No. SD 23-01 Received By D. Jermain Date 1-17-23
Amount Paid \$350.00 Receipt No 27313 Hearing Date JPD 8/24/23

TO BE COMPLETED BY APPLICANT:

Name of Property Owner(s): Shawn Sauter Jasmine Sauter
Property Street Address: 21287 Hwy 62, Shady Cove OR. 97539
Between Alder St and Birch streets.
County Assessor's Map & Tax Lot Number: 341W15CC TL 4400
Current Zoning: Commercial (GC) Adjacent Zoning: Commercial (GC)

MATERIALS REQUIRED (Application must include all required supplemental materials and application form at the time of filing.)

- 1) Attach 2 copies of property plat map.
- 2) Attach 2 copies of a plot plan indicating the existing property lines and the proposed use.
- 3) Attach a metes and bounds description of the property.

Any person(s) or developer who proposes any dedication to the City shall enter into a bonding agreement with the City of Shady Cove prior to site plan review by the Planning Commission, or recordation of plat with Jackson County.

CERTIFICATION

I hereby certify that the information given above and attached hereto is true and correct, that the property owner is aware of and agrees with this application, and that falsification of fact will result in invalidation of the application. I understand that any approval given is valid for the specific project only, and is subject to all applicable laws, regulations and conditions. Further, I understand that the fee paid at the time of submitting this application does not cover any professional, legal, or consulting fees incurred by City and that I am responsible for all costs incurred by the City of Shady Cove in connection with processing this application.

APPLICANT'S NAME Shawn Sauter
APPLICANT'S SIGNATURE [Signature]
MAILING ADDRESS: 1905 Birdseye crk Rd. Gold Hill, OR. 97525
PHONE NUMBER _____ CELL NUMBER 541-973-7363
APPLICANT'S EMAIL ADDRESS Sauterone@gmail.com

PURSUANT TO ORS 227, THIS APPLICATION IS CONSIDERED COMPLETE WHEN REVIEWED, DATED AND SIGNED BY THE CITY

PLANNER OR HIS/HER DESIGNATE

Complete Incomplete

Signature

[Signature]

Date

7/25/2023 complete
2/10/2023 inc.

SITE DESIGN REVIEW APPLICATION
Page 2

Describe your proposal

We propose to relocate our mobile coffee kiosk to the property across the street at 21287 Hwy 62, Shady Cove, OR. 97539. There, we will improve and develop said lot, hooking up to city power and sewer. Paving, curbs, landscape.

Size of Structure: 10 x 16

Number of employees on maximum shift: 2

Hours and days of operation: 6am to 6pm 7 days a week

Parking spaces proposed: 7

Section 154.379(B)(d) requires applicants to include an impact study for all Site Design Review applications. The impact study shall assess the effect of the development on public facilities and services including, at a minimum, the transportation system, including pedestrian ways and bikeways, the drainage system, the parks system, the water system, the sewer system and the noise impacts of the development. The study shall propose improvements necessary to meet city standards and to minimize the impact of the development on the public at large, public facilities systems and affected private property users.

Explain how your proposal complies with Section 154.379(B)(D).

Please see attached.

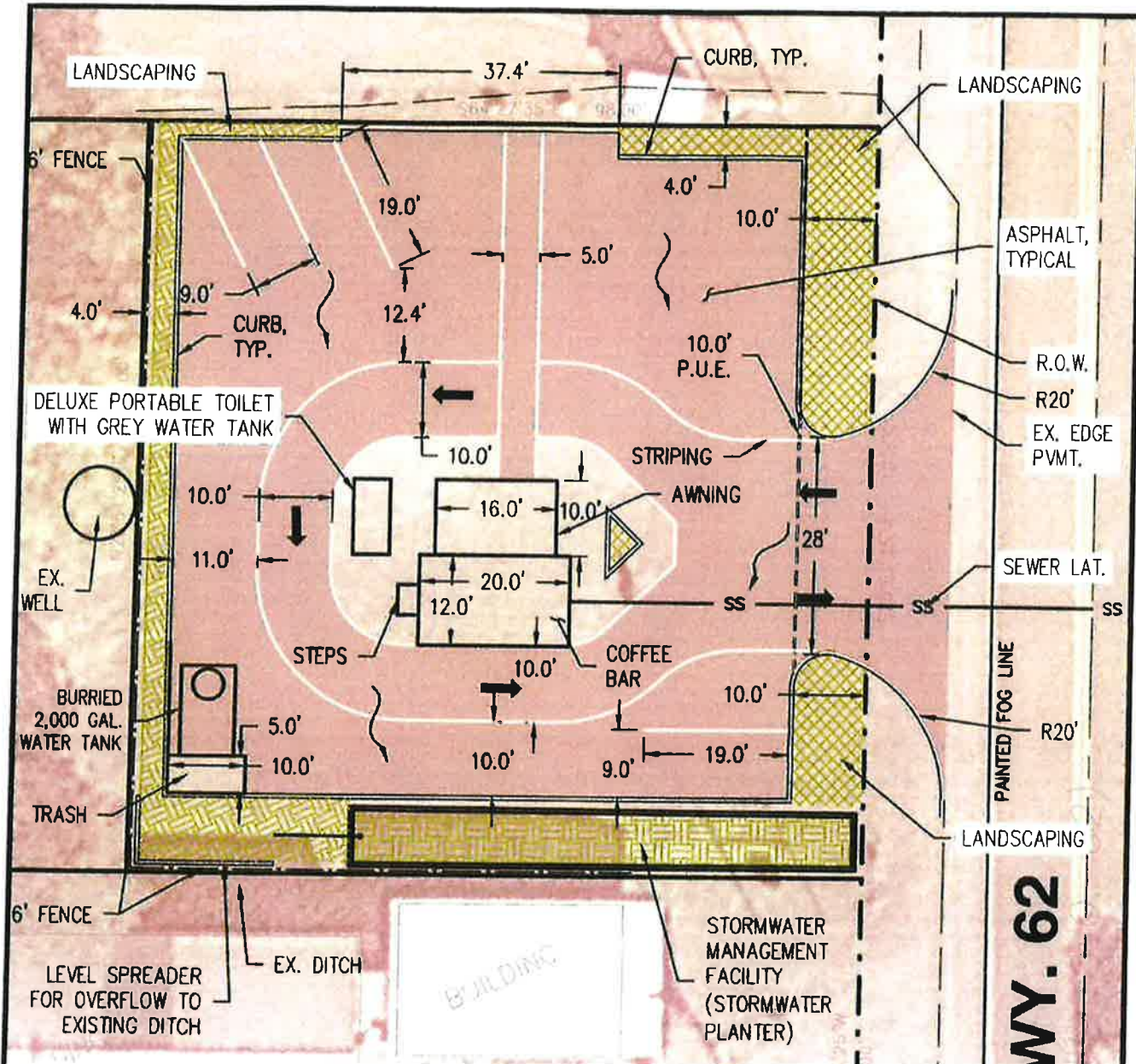
Attach additional sheets as necessary

Other comments you feel are pertinent to your application

We feel this move will bring something positive to ourselves, our employees, our customers, and the community as a whole.

Impact Study:

Brewed Awakenings, located at 21222 Hwy 62, will be relocating a mobile coffee kiosk and business operations to 21287 Hwy 62. We feel this will have little to no effect on the surrounding area. The traffic flow should remain relatively the same given we are simply moving the building across the street. No "new traffic" will be created as well as alleviating some congestion on the East side of the highway. There are no sidewalks, bike paths, or crosswalks adjacent to said property. There will be no pedestrian or traffic impediments during construction. There will be minimal noise from machinery lasting only days and all improvements including water runoff, highway access, and landscaping requirements shall strictly adhere to all local building codes.



HWY. 62



BREWED AWAKENINGS

PRELIMINARY SITE, UTILITY AND LANDSCAPING PLAN

6/16/23

0" 1"
IF THIS LINE IS NOT 1 INCH SCALE IS NOT AS SHOWN

Sheet No.
1 of 1

Drawing
C1

Fwd: Notification: your Site Design Review Application

shawn sauter <sauterone@gmail.com>

Sun 3/19/2023 9:18 PM

To: Jasmine <jazzygirl0602@yahoo.com>

Cc: Debby Jermain <djermain@shadycove.org>

 1 attachments (374 KB)

Screenshot_20220718-133221_Adobe Acrobat.jpg;

----- Forwarded message -----

From: **shawn sauter** <sauterone@gmail.com>

Date: Sun, Mar 19, 2023, 3:13 PM

Subject: Re: Notification: your Site Design Review Application is INCOMPLETE

To: Rowan Fairfield <rfairfield@rvcog.org>

Well, thank you for getting back to me. I have to say, the amount of detail and requirements from the planning commission have grown exponentially over the past 20 years. It is a very small lot and we will do our best to adhere to every requirement, but some exceptions will need to be made, otherwise it is a useless peace of dirt.

Because i was told paving the lot was mandatory, I didn't think it needed to be mentioned. So yes, it will be paved.

As far as the landscaping goes, we will be working with Plant Oregon of Ashland to bring in Native and drought resistant plants and shrubs. We will be limited to what is appropriate and available.

The entry way will be built to code and adhere to ODOT's requirements. An exact blueprint is in my application file. I will attach another copy here as well.

Parking spaces will also be painted to code. Being there's a range of sizes for parking standards, we plan to use the most appropriate size the space allows.

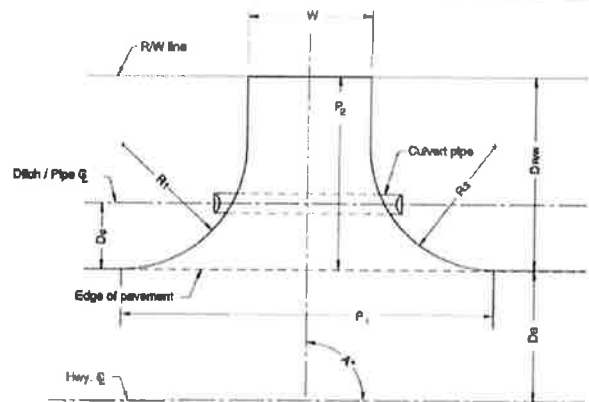
Is there a requirement for a minimum amount of parking spaces needed? 90% of our customers use the drive thru and there's usually only one employee working at a time.

I have a rough draft started for the impact study. I will add the scale and other details to the plot plan and get back to you.

Thanks.

PERMIT NO. : _____

DATE: 03/20/23 11:54 AM



**Type A
Driveway Dimensions**

W(d) = _____
 P₁ = _____
 P₂ = _____
 R₁ = _____
 R₂ = _____
 D₀ = _____
 D_d = _____
 D_p = _____

PLAN

- STANDARD DRAWING REFERENCES:**
- Refer to the following Standard Drawing for all "Type A" permits:
- Standard Drawing:
RD500 : Trench Backfill Bedding, Pipe Zone, and Multiple Installations.
 - When metal pipes are used, refer to Standard Drawing:
RD118 : Sloped Ends For Metal Pipe.
RD325 : Safety End Section For Metal Pipe.
RD326 : Coupling Bands For Corrugated Metal Pipe.
 - When concrete pipes are used, refer to Standard Drawing:
RD116 : Sloped Ends For Concrete Pipe.
RD324 : Safety End Section For Concrete Pipe.
 - For details, sizes, and backfill, refer to Standard Drawing:
RD713 : Approaches And Non-Sidewalk Driveways.

Approach Road Dimensions
 (See page 1 for dimensions not shown)

Pipe ends sloped at 1: _____

Note: Slope ends of culverts within the abutment zone as follows:
 Posted speeds < 45 mph - 1:1
 Posted speeds > 45 mph - 1:1

Abutment section sloped at 1: _____

Note: Culvert pipes that are parallel to the road, and in the abutment zone, with diameters > 24 inches require safety ends and sections with safety bars.

- D₀ = This is an old dimension replaced by D_d.
- D_d = Distance from roadway centerline to edge of pavement at approach.
- D_d = Distance from edge of pavement to ditch/pipe centerline.
- D_{dw} = Distance from edge of pavement to right-of-way line.
- D_p = This is an old dimension replaced by D_d.
- K = Distance from back of curb to back of driveway.
- W = Width.
- P₁ = Paving limit 1.
- P₂ = Paving limit 2.
- R₁ = Radius 1.
- R₂ = Radius 2.
- A = Angle of approach.
- C = Centerline.

NOTES:

Concrete culvert pipe - Use class V reinforced concrete pipe.

Metal culvert pipe - Use 0.075 inch thickness aluminum steel pipe.

Submit alternate pipe material for review and approval to District Manager or designated representative.

The selection and use of this sheet is the responsibility of the user and shall not be used without consulting a Registered Professional Engineer.	OHIO DEPARTMENT OF TRANSPORTATION TRENCH SERVICES ACCESS MANAGEMENT PLAN SHEETS	
	TYPE A - DITCH SECTION APPROACH ROAD	Type A

TYPE A



**SITE DESIGN REVIEW
PRE APPLICATION CONFERENCE**

**YOU ARE INVITED TO PARTICIPATE IN A
PRE-APPLICATION CONFERENCE**

Date: Tuesday June 7, 2022; 11:00 a.m.

Location: City Hall City of Shady Cove – 22451 Highway 62 Shady Cove, Oregon 97539

Purpose: Review proposal to relocate a coffee drive thru kiosk

Address: 21287 Highway 62, Shady Cove, OR 97539

Description of Property: 34-1W-15CC, Tax Lot 4400

Owner / Applicant: Mike Carpenter / Shawn & Jasmin Sauter

Zoning: General Commercial (GC)

If you cannot attend, please complete the following:

- This property is not in our jurisdiction
- We have no comment
- This proposal has an impact or adverse effect on the following

- Please address the following agency or governmental policies, and or regulations that relate to this proposal.

- Please address the following constraints concerning this proposal.

Return comments on or before June 3, 2022 at 11:30 a.m. to:

City of Shady Cove, Attention Ryan Nolan
P. O. Box 1210
Shady Cove, Oregon 97539

Carl Tappert, PE
District Manager, RVSS
PO Box 3130
Central Point, OR 97502

Scott D Pingle, PE, SE
KAS & Associates, Inc
304 S Holly Street
Medford, OR 97501

JJ
Hiland Water
PO Box 699
Newburg, OR 97132

Shavon Haynes
Water Master's Office
10 S Oakdale Avenue, Room 309
Medford, OR 97501

Greg Winfrey
Fire District #4
PO Box 1400

Bill Meyers
DEQ
221 Stewart Ave Ste. 201
Medford, OR 97501

Todd Brooks
JC Development Services
10 S Oakdale Ave Rm 100
Medford, OR 97501

Micah Horowitz,
ODOT Region 3
100 Antelope Road
White City, OR 97503

Chad Petersen
JC Environmental Public Health
140 S. Holly St
Medford, OR 97501

Thomas Corrigan
Spencer McMahan
NO ENVELOPE

Pre-App Agency Labels
for June 7, 2022

Mailed 5/20/22

21287 Hwy. 62

Site Design Review

SD 22-01

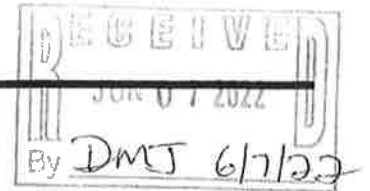


[Back](#) [New Search](#)
ASSESSMENT & PLANNING
[Account Detail](#) [Sa](#)
[Overlay Report](#) [Permit](#)
[Zoom map to this taxlot](#)
[View Details](#)
 Account: 1427248

Map & Taxlot	341W15CC 4400
Tax Code	9-15
Acresage	0.22
Zoning	
Land Class	UNX 0.22 Ac
Property Class	200
Star Class	000
Unit ID	117411-1
Maintenance Area	1
Neighborhood	000
Study Area	74
Account Status	ACTIVE
Tax Status	Assessable
Sub Type	VOR-ML
Owner	CARPENTER MIKE CARPENTER VICK CARPENTER MIKE TRUST
Site Address	21287 HWY 62 S CARPENTER MIKE AL
Mailing Address	PO BOX 695 SHADY COVE OR

34W15CC 4400 7695
 Taxlot Acresage 0.22

Debby Jermain



From: HOROWITZ Micah <Micah.HOROWITZ@odot.oregon.gov>
Sent: Tuesday, June 07, 2022 9:56 AM
To: Ryan Nolan; Debby Jermain
Cc: SCRUGGS Julee Y; WANG Wei; BROOKS Aaron G; SCHAUFFLER Lucas D; GRIFFIN Jeremiah M
Subject: RE: Shady Cove Pre-App coffee kiosk relocation

Hi Ryan, thank you for the follow-up. please find ODOT comments below.

- I. The access spacing does not meet state standards and presents safety conflicts for pedestrian/bicycles. The applicant will need to apply for a single approach permit and open frontage should be defined to meet state standards.
- II. Any business sign visible from the Highway needs to be approved by ODOT to ensure it meets state standards
- III. A misc./utility permit will be required prior to any work within the State ROW.
- IV. The applicant will be required to provide drainage calculations showing the proposal will not adversely affect State facilities for review and approval by ODOT

Please direct the applicant to contact Julee Scruggs at Julee.Y.SCRUGGS@odot.state.or.us or 541.864.8811 to discuss the application process for all necessary ODOT permits.

Best regards,
Micah

Micah Horowitz, AICP
Senior Transportation Planner
ODOT Region 3 | Southwest Oregon
p: 541.774.6331 | c: 541.603.8431
e: micah.horowitz@odot.oregon.gov

From: Ryan Nolan <rnolan@rvcog.org>
Sent: Tuesday, June 7, 2022 8:57 AM
To: HOROWITZ Micah <Micah.HOROWITZ@odot.oregon.gov>
Subject: Shady Cove Pre-App coffee kiosk relocation

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Micah,

The City of Shady Cove sent a request for comment to ODOT, I don't see any ODOT response, but am assuming you will need an access permit for the new use. And probably plans showing that no drainage will be directed to ODOT ditch...?

Ryan Nolan, Principal Planner
Rogue Valley Council of Governments
541-423-1382

PA 22-01 Brewed Awakenings

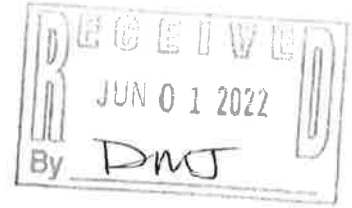
From: scott [kasinc.com](mailto:scott@kasinc.com) [mailto:scott@kasinc.com]

Sent: Wednesday, June 01, 2022 7:42 AM

To: Debby Jermain

Subject: RE: FW: 34-1W-15CC. TL-

TL 4400



Debby:

You sent me the information for the Coffee Shop.

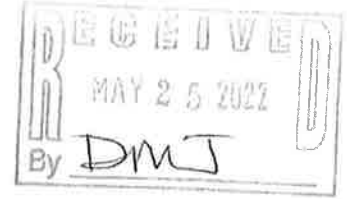
As far as this Coffee Shop goes I do have a couple of comments:

1. ODOT will need to approve the access to Highway 62.
2. Where does the Stormwater runoff discharge or leave the site? What City facility will it drain into?
3. Is there a cross-access easement with the adjoining property?

Overall I think the concept looks fine but am interested in comments from ODOT regarding access from Highway 62.



ROGUE VALLEY
SEWER SERVICES
CLEAN WATER - HEALTHY COMMUNITIES



May 25, 2022

Ryan Nolan
22451 Highway 62
Shady Cove, OR 97539

RE: Pre-Application for Coffee Kiosk, 21287 Highway 62

Sewer service is available from an 8 inch main located on the East side of Highway 62. Connection to this main will require a permit from RVSS which will be issued upon payment of related development fees.

It may be possible to avoid the highway crossing by connecting to existing sewer mains on either Alder Street or Birch Street. Both of these alternate connections would require an easement across the intervening properties.

All of the sewer mains in this area are relatively shallow, which may make it difficult to make a gravity connection. The applicant should verify the sewer depth to determine if a gravity connection is feasible or if a pressure sewer system is needed.

Sincerely,

Carl Tappert

Carl Tappert, PE
Manager



**SITE DESIGN REVIEW
PRE APPLICATION CONFERENCE**



**YOU ARE INVITED TO PARTICIPATE IN A
PRE-APPLICATION CONFERENCE**

Email
Shavon Haynes
Watermaster

Date: **Tuesday June 7, 2022; 11:00 a.m.**

Location: City Hall City of Shady Cove – 22451 Highway 62 Shady Cove, Oregon 97539

Purpose: Review proposal to relocate a coffee drive thru kiosk

Address: 21287 Highway 62, Shady Cove, OR 97539

Description of Property: 34-1W-15CC, Tax Lot 4400

Owner / Applicant: Mike Carpenter / Shawn & Jasmin Sauter

Zoning: General Commercial (GC)

If you cannot attend, please complete the following:

- This property is not in our jurisdiction
- We have no comment
- This proposal has an impact or adverse effect on the following

- Please address the following agency or governmental policies, and or regulations that relate to this proposal.

- Please address the following constraints concerning this proposal.

Return comments on or before June 3, 2022 at 11:30 a.m. to:

City of Shady Cove, Attention Ryan Nolan
P. O. Box 1210
Shady Cove, Oregon 97539

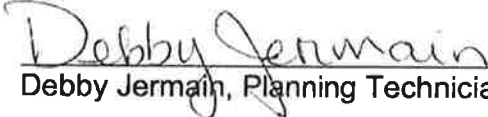


Mayor
Jon Ball

Councilors
Kathy Nuckles
Paige Winfrey
Jim Hubbard
Steve Mitchell

CERTIFICATE OF MAILING

I hereby certify that on August 4, 2023, I provided a copy of the NOTIFICATION OF ADJACENT PROPERTY USE PROPOSAL, APPLICATION NO. SD 23-01 by first class mail to the following (list attached):


Debby Jermain, Planning Technician

"The City of Shady Cove is an equal opportunity provider."

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226
E-Mail: djermain@shadycove.org ♦ Web Site: www.shadycove.org

GOLD BAR INVESTMENTS LLC
PO BOX 39
SHADY COVE, OR 97539

ROSE KAREN D TRUSTEE ET AL
PO BOX 390
SHADY COVE, OR 97539

GOLD BAR INVESTMENTS LLC
PO BOX 39
SHADY COVE, OR 97539

ROSE DOUGLAS W SR/KAREN D
PO BOX 390
SHADY COVE, OR 97539

GOLD BAR INVESTMENTS LLC
PO BOX 39
SHADY COVE, OR 97539

LAST VETS CLUB
VFW POST 6881
PO BOX 1643
Shady Cove OR 97539

BOND MELISA
SELLS JOE T
55 BIRCH ST
SHADY COVE, OR 97539

NEWBY RAYMOND L TRUSTEE ET AL
34 EDGEWOOD PARK DR
SHADY COVE, OR 97539

YORK CARMEN C
PO BOX 232
SHADY COVE, OR 97539

NEWBY ELLEN ADDELENE
34 EDGEWOOD PARK DR
SHADY COVE, OR 97539

HODGES SADIE ET AL
8865 ELK CREEK RD
TRAIL, OR 97541

21195 HIGHWAY 62 LLC
TIM AND CAROL LICHLYTER
683 S STAGE RD
MEDFORD, OR 97501

SAUTER JASMINE S/SHAWN A
1905 BIRDSEYE CREEK RD
GOLD HILL, OR 97525

COLVIN OIL I LLC
2520 FOOTHILL BLVD
GRANTS PASS, OR 97526

COSTA GRACE TRUSTEE ET AL
PO BOX 663
SHADY COVE, OR 97539

COLVIN OIL I LLC
2520 FOOTHILL BLVD
GRANTS PASS, OR 97526

LITTLE KATHRYN
1001 OLD FERRY RD
SHADY COVE, OR 97539

JACKSON COUNTY FIRE DIST #4
PO BOX 996
SHADY COVE, OR 97539

GORDON JAMES ET AL
LEFFLER WILLIAM ET AL
LOANCARE SERVICING
7125 CROWFOOT RD
TRAIL, OR 97541

JACKSON COUNTY FIRE DISTRICT
PO BOX 1400
SHADY COVE, OR 97539

**CITY OF SHADY COVE
PLANNING COMMISSION**

NOTIFICATION OF ADJACENT PROPERTY USE PROPOSAL

DESCRIPTION OF PROPERTY: 34-1W-15CC, Tax Lot 4400, located at 21287 Hwy 62.

PROPOSED CHANGE: Site Design Review application to develop a vacant lot with relocated coffee kiosk drive-through. ZONING: General Commercial (GC). PLANNING FILE #: SD 23-01

DATE AND TIME OF MEETING: Thursday, August 24, 2023 at 6:00 p.m.

LOCATION: Shady Cove City Hall Council Chamber, 22451 Highway 62 or via Zoom

RESPONSE DATE: August 17, 2023 OWNER/APPLICANT: Shawn and Jasmine Sauter

The applicable criteria and standards to be considered at the public hearing are found in the Shady Cove Code of Ordinance §§ Site Design Review 154.313-154.315; 154.318; Procedures 154.379

A copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at City Hall at no cost, and copies will be provided at a reasonable cost. Staff report will be available for public review 7 days prior to the hearing at 22451 Highway 62, Shady Cove during regular office hours (Monday-Friday 8:00am - 5:00pm). Public attendance is welcome. For more information please contact the Planning Department at City Hall, 541-878-8204. The public is invited to attend in person or via zoom and comment at this public hearing.

Failure to raise an issue at a hearing, in person or in writing, accompanied by statements or evidence sufficient to afford the decision maker and the applicant an opportunity to respond to the issue, shall preclude appeal to the Oregon State Land Use Board of Appeals based on that issue. All testimony and evidence must be directed towards specific criteria.

"Notice to mortgagee, lien holder, vendor, or seller: The Shady Cove Zoning Ordinance requires that if you receive this notice it shall be promptly forwarded to the purchaser."

* * REVIEW AND COMMENT * *

- No adverse effect.
- No comment.
- It has adverse effects as stated below.

REMARKS: _____

SIGNATURE: _____

PRINTED NAME(S): _____

STREET AND MAILING ADDRESS: _____

Please submit your response to: City of Shady Cove Planning Dept, PO Box 1210, Shady Cove, OR 97539

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

21287 Hwy 62



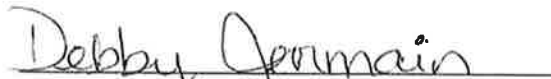


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E-Mail: djermain@shadycove.org ♦ Web Site: www.shadycove.org

Carl Tappert, PE
District Manager, RVSS
PO Box 3130
Central Point, OR 97502

Scott D Pingle, PE, SE
KAS & Associates, Inc
304 S Holly Street
Medford, OR 97501

JJ
Hiland Water
PO Box 699
Newburg, OR 97132

Shavon Haynes
Water Master's Office
10 S Oakdale Avenue, Room 309
Medford, OR 97501

Travis Crume
Fire District #4
PO Box 1400
Shady Cove, OR 97539

Bill Meyers
DEQ
221 Stewart Ave Ste. 201
Medford, OR 97501

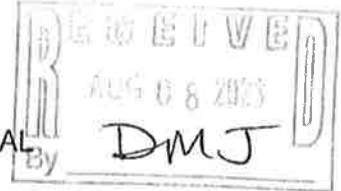
Todd Brooks
JC Development Services
10 S Oakdale Ave Rm 100
Medford, OR 97501

Micah Horowitz,
ODOT Region 3
100 Antelope Road
White City, OR 97503

Chad Petersen
JC Environmental Public Health
140 S. Holly St
Medford, OR 97501

Thomas Corrigan

CITY OF SHADY COVE
PLANNING COMMISSION



NOTIFICATION OF PROPERTY USE PROPOSAL

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REMARKS: DONT UNDERSTAND WHY CROSSWALK GOES TO PRIVATE ADJACENT PROPERTY AND NOT TO HWY 62. IS THERE PROPOSED ACCESS EASEMENT TO NORTH PROPERTY? DONT APPROVES ACCESS.

SIGNATURE: Scott D. Pingue

PRINTED NAME(S): SCOTT D. PINGUE

STREET AND MAILING ADDRESS: 304 South Holly St. Medford, OR 97501

Please submit your response to: City of Shady Cove Planning Dept, PO Box 1210, Shady Cove, OR 97539

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CITY OF SHADY COVE
PLANNING COMMISSION



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**** REVIEW AND COMMENT ****

- No adverse effect.
- No comment.
- It has adverse effects as stated below.

REMARKS: Commercial use from an exempt well may not exceed 5,000 gallons per day.

SIGNATURE: Trevor Smith

PRINTED NAME(S): Trevor Smith

STREET AND MAILING ADDRESS: 10 S. Oakdale Ave, Room 309, Medford, OR 97501

Please submit your response to: City of Shady Cove Planning Dept, PO Box 1210, Shady Cove, OR 97539

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NOTICE OF PUBLIC HEARING

The City of Shady Cove Planning Commission will hold a Public Hearing at 6:00 p.m. on **Thursday, August 24, 2023**, at the Shady Cove City Hall Council Chamber, 22451 Highway 62, Shady Cove, Oregon or via Zoom for the following purpose:

To consider an application for a **Site Design Review** to develop a vacant lot with relocated coffee kiosk drive-through, plus associated utilities, pavement, and landscaping located at **21287 Hwy 62, Shady Cove, Oregon**. Said parcel is legally described as 34-1W-15CC, Tax Lot 4400 and currently zoned General Commercial (GC).

Owner/Applicant: Shawn and Jasmine Sauter

File Number: SD 23-01

Individuals may submit written comments relating to this planning action **at any time up to, and during, the public hearing**, although it is preferred that such comments be submitted to the City at least one week prior to the above scheduled hearing date so that they may be included in the agenda packet. Please mail comments to City of Shady Cove, PO Box 1210, Shady Cove, OR 97539.

The applicable criteria and standards to be considered at the public hearing are found in the Shady Cove Code of Ordinance §§ Site Design Review 154.313-154.315; 154.318; Procedures 154.379

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The public is invited to attend at City Hall or via Zoom and comment at this public hearing.

<https://us02web.zoom.us/j/89398900478?pwd=UGRFRMWZ3WEV0UjhBSIR1bkphaVdzdz09>

Meeting ID: 893 9890 0478

Passcode: 904252

One tap mobile

+16699006833,,89398900478#,,,,*904252# US (San Jose)

+17193594580,,89398900478#,,,,*904252# US

07/13/23 Through 09/08/23 Planning and Building Activities

YEAR Permit No.	DATE	NAME	BUILDING PERMITS		ADDRESS	MAP	TAX LOT
			TYPE				
23-21	7/14/23	Rachel Cardinal	Replacement Dwelling		104 Cedar St	15CC	1800
23-22	7/18/23	RVSS	Encroachment Permit		7228 Rogue River Dr	16DA	1100
	8/4/23	Michael Finch	Solar Panels		155 Train Ln	10CA	1600
	8/9/23	Jay Taylor	Solar Panels		6532 Rogue River Dr	21BA	1701
	8/10/23	Steve Smiley	Solar Panels		295 Hudspeth Ln	10CB	5100
23-24	8/14/23	Terry Rasmussen	New ADU and shop		19707 Hwy 62	28	911
	8/16/23	Richard Chavez	Solar Panels		1011 Celtic Circle	10CD	2201
23-25	8/22/23	Matthew Kosak	New Home		144 Hannahs Way	10CC	2407

PLANNING APPLICATIONS

Property Action Log	Name	Address	Comments due back	Staff report due back	Section/TL
9/5/2023 CUP 23-05	Boffing/EEPM LLC	242 Williams Lane			15BB 4501
9/6/2023 FPA 23-03	James Isaac	410 Park Dr	FLOODPLAIN CLEARANCE FOR PERMIT		16DD 1100