



Staff Report Date:
February 25, 2025

Lead Staff:
Henry Hearley, LCOG

FINDINGS AND DECISION OF THE PLANNING DEPARTMENT:

{Dairy Queen} {Development Review} (File # DEV 24-33)

Application Summary:

The applicant is seeking Development Review for a 2,416-square-foot (gross floor area) Dairy Queen in the General Commercial zone. The existing Dairy Queen on the adjacent parcel will be demolished and relocated to tax lot 02700 (474 W 10th Ave). Site improvements include off-street parking, stormwater management facilities, landscaping, the closure of two existing curb cuts (one along Ivy Street and one along 10th Street), and the installation of new curb to match the existing curb profile at the corner of Hwy 99 and 10th Street.

Applicant:

John S. Odom, Architect
PO BOX 410394
St. Louis, MO
63141

Property Owner:

Chris Bothman
1025 Ivy Street
Junction City, OR
97448

Lead City Staff:

Henry Hearley, Associate Planner, Lane Council of Governments (LCOG)

Subject Property/Zoning/Location:

Tax Lots 2500, 2600, 2700, and 0100 of Map 14-04-32-23, designated Commercial on Junction City Comprehensive Plan and zoned General Commercial and located at the corner of Hwy 99 and 10th Street.

Relevant Dates:

The application was originally submitted to the City on September 24, 2024. Following a review of the application materials, the City determined the application to be incomplete for processing on October 7, 2024. Referral notice was duly sent to affected governmental agencies on October 3, 2024. After submittal of revised materials on January 23, 2025,

the application was deemed complete on January 23, 2025. A revised landscape plan was submitted on February 25, 2025. See **Exhibit C**.

Present Request:

Applicant is seeking Development Review for a 2,416 gross floor area Dairy Queen restaurant. The existing Dairy Queen will be demolished however during the construction of the new Dairy Queen, the existing Dairy Queen will remain in operation. Concurrent with this request for Development Review, applicant is seeking an administrative variance to permit 22 off-street parking spaces and not the 24 required per code. Variance was processed as application file # VAR-25-02.

General Property Information:

The current Dairy Queen restaurant is located at 1025 Ivy Street and fronts Highway 99. The property where the current Dairy Queen is sited is 0.27 acres. The property where the new Dairy Queen will be sited is 0.23 acres. The parcel to the rear of the Dairy Queen is vacant and paved. The property is designated Commercial on the Comprehensive Plan map and is zoned for General Commercial uses.

Public Notice and Referrals:

Per JCMC 17.150.070(A)(1), development review for an outright permitted use in the Commercial zone follows a Type I review and approval process. As such, a Type I review and approval process does not require a public hearing or notice. Therefore, public notice was not sent. However, referral comment to affected governmental agencies is still necessary. Staff sent referral notice to affected governmental agencies on October 15, 2024

The City Engineer’s comments are substantive. Relevant comments and conditions will be presented throughout this staff report and incorporated into findings where applicable. Please refer to **Exhibit E** for a complete copy of the City Engineer’s comments.

Evaluation:

The following findings demonstrate that the proposal will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC) as well the applicable Oregon Statewide Planning Goals. The approval criteria and related standards are listed below in **bold**, followed by staff response addressing standards or criteria.

TITLE 17 – ZONING AND LAND USE

17.35.010 Uses permitted outright.

In a GC zone, only the following uses and their accessory uses are permitted outright:

A. A use permitted outright in a C2 zone.

Staff Response and Finding: The General Commercial zone permits any use that is also allowed in the Central Commercial zone. Therefore, staff will now review and discuss the outright permitted uses in the Central Commercial zone.

17.30.010 Uses permitted outright.

A. In a C2 zone, only the following uses and their accessory uses are permitted outright:

58. Restaurant or tearoom.

Staff Response and Finding: A restaurant is an outright permitted use in the General Commercial zone.

17.35.030 Development review.

In a GC zone, development review by the city administrator or designee shall be required to ensure compliance regarding GC standards.

A. Procedure. Development review is a nondiscretionary, administrative review conducted by the city administrator or designee. Development review shall follow JCMC 17.150.070(A)(1), Type I Procedure – Administrative Decision.

B. General Submission Requirements. The applicant shall submit an application on forms provided by the city administrator that shall:

- 1. Contain all the general information required;**
- 2. Address the criteria in sufficient detail for review and action; and**
- 3. Be filed with the required fee as established by the city council.**

Staff Response & Finding : The applicant duly submitted an application for Type I Development Review to the City September 24, 2024. Following a review of the application materials, the City determined the application to be incomplete for processing on October 7, 2024. Referral notice was duly sent to affected governmental agencies on October 3, 2024. After submittal of revised materials on January 23, 2025, the application was deemed complete on January 23, 2025.

C. Development Review Information.

- 1. North arrow, scale, names, addressed, and telephone numbers of all persons listed as owners on the most recently recorded deed.**

2. Name, address, and phone numbers or project designer, engineer, surveyor, and/or planner, if applicable.
3. The proposed development site, including boundaries, dimensions, and gross area.
4. Features which are proposed to remain on the site.
5. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan, including dimensions necessary to calculate commercial floor area if applicable.
6. Landscape plan if applicable.
7. Location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements.
8. Location and dimensions of entrances and exist to the site for vehicular and pedestrian access, including pedestrian circulation routes and location and dimensions of parking areas if applicable.
9. Location and dimensions of common and private open spaces if applicable.
10. Location and dimensions of trash receptacles if applicable.
11. Detail drawings of site-obscuring fence if applicable.
12. Architectural drawings.
 - a. Building elevations which illustrate building orientation (JCMC 17.20.100) and building form design features (JCMC 17.20.110).
 - b. Building plans which illustrate townhome supplemental standards (JCMC 17.20.120) if applicable;
 - c. The name, address, and phone number of the architect. [Ord. 1278 § 2 (Exh. B), 2023; Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 22A, 1991.]

Staff Response & Finding: The application materials submitted by the applicant included the necessary information and plans sufficient for staff Development Review. Criterion met.

17.35.050 Setback requirements.

Except as provided in JCMC 17.95.060, in a GC zone the yards are measured from the property line to the foundation of the building with a maximum projection of one foot into any setback area. Projections may include eaves, chimneys, bay windows, overhangs, and similar architectural features. Setbacks shall be as follows:

A. A minimum front (street-facing) setback is not required, except as necessary to comply with the vision clearance standards in JCMC 17.95.090. In the case of a corner lot, both street-facing sides of the lot shall be considered the front.

B. The side yard is not required except where the foundation of a structure abuts a residential zone, in which case it shall be a minimum of 10 feet.

Staff Response & Finding: The property to the north is zoned Commercial Residential and appears to contain an existing residential use. Therefore, a 10' setback is required. As seen on the site plan, the proposed Dairy Queen is 23.4 feet from the northern property line. Criterion met.

C. A rear yard is not required except where the foundation of a structure abuts a residential zone, in which case it shall be a minimum of 15 feet. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 43, 1991.]

Staff Response & Finding: A 35.5' rear setback is maintained from the Dairy Queen to the western property line.

17.35.060 Building orientation guideline.

In order to create streets which are attractive to pedestrians, create a sense of enclosure, and provide activity and interest along the street edge of a building, the siting of new commercial buildings shall be close to the street rather than set back from the street behind large parking lots. Front (street-facing) setbacks between zero and 25 feet from the front property line are required where site size and configuration permit (see Appendix A, Diagram 10). [Ord. 1178 § 2, 2007; Ord. 1116 § 1, 2003; Ord. 950 § 43A, 1991.]

Staff Response & Finding: As seen on the site plan, the Dairy Queen building is within 5' of the property line and has a public facing door opening to 10th Street and public sidewalk. Criterion met.

17.35.070 Height of buildings.

In a GC zone, no building shall exceed a height of 35 feet. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 44, 1991.]

Staff Response & Finding: As seen on the site plan, the building does not come close to exceeding 35' in height. Criterion met.

17.35.080 Parking.

In a GC zone, parking lots shall comply with the following standards:

A. Off-street vehicle parking must comply with the landscaping, size, and pedestrian circulation standards specified in Chapter 17.90 JCMC.

Staff Response & Finding: A review of JCMC Chapter 17.90 will be addressed later in these findings.

B. Parking Lot Siting. To minimize the visual impact of parking areas, new commercial developments shall site off-street parking lots to the rear or side of the building where site size and configuration permit. [Ord. 1178 § 3, 2007; Ord. 1116 § 1, 2003; Ord. 950 § 44A, 1991.]

Staff Response & Finding: The development consists of two separate parcels. The parcel to the west will contain the new Dairy Queen restaurant, with a small parking area located to the side of the main building, off the alley. The parcel located across the alley to the east will solely consist of a parking lot, with no building to which parking can be located at the rear or side.

17.35.090 Building entries.

In a GC zone, new commercial buildings shall comply with the following building entry standards:

A. All commercial buildings must provide at least one customer entrance within 50 feet of an adjacent public sidewalk. Direct pedestrian access from the public sidewalk to the building entrance shall be provided and must be separated, raised, or protected from vehicular traffic and provide access for disabled persons in a manner that complies with applicable state and federal law. This standard does not apply to mini-storage, automobile paint shop, or car wash uses (see Appendix A, Diagram 12). [Ord. 1116 § 1, 2003; Ord. 950 § 44B, 1991.]

Staff Response & Finding: As seen on the site plan, the entry to Dairy Queen facing 10th Street is located directly adjacent (within 5') to a public sidewalk. Criterion met.

17.35.100 Building form.

In a GC zone, new commercial buildings shall comply with the following building form standards:

A. Building Articulation. Buildings with 10,000 square feet or greater of enclosed ground floor space shall have articulated facades on all street-facing elevations.

This criterion is met when an elevation contains at least one of the following features for every 40 feet of horizontal building length: primary entrances; weather protection (awnings, canopies, arbors, trellises); building offsets or projections of a minimum of two feet in depth; changes in elevation or horizontal direction; sheltering roof terraces; a distinct pattern of division in surface materials; ornamentation; screening trees; small scale lighting (e.g., wall-mounted lighting or up-lighting); and similar features as generally shown in Appendix A, Diagram 11.

Staff Response & Finding: As seen on the site plan, the proposed building is 2,416 square feet. Therefore, the standard for building articulation is not applicable, however, as seen on the building elevations, the building is well articulated with contrasting facades.

B. Windows. All street-facing building facades shall provide windows along a minimum of 50 percent of the length and 20 percent of the ground floor wall area (doorways may be used to help satisfy this standard). On corner lots, the general ground floor window standards must be met on one street frontage only. On the other street(s), the requirement is one-half of the general standard. This standard does not apply to mini-storage, automobile paint shop, or car wash uses (see Appendix A, Diagram 12). [Ord. 1178 § 4, 2007; Ord. 1116 § 1, 2003; Ord. 950 § 44C, 1991.]

Staff Response & Finding: As seen on Sheet A3.1, the façade facing 10th Street contains 29.1% window transparency. Refer to **Exhibit B**. Criterion met.

17.35.110 Trash receptacles.

Trash receptacles shall be screened on all sides with an evergreen hedge or solid fence or wall of not less than six feet in height. No trash receptacle shall be located within required setbacks or within 25 feet of property lines abutting residential zones. [Ord. 1116 § 1, 2003; Ord. 950 § 44D, 1991.]

Staff Response and Finding: A trash enclosure is shown on the site plan and is not located within 25' of any property lines nor required setbacks. Criterion met.

17.35.120 Utilities.

All utilities on the development site shall be placed underground. Ground-mounted equipment such as transformers, utility pads, cable television and

telephone boxes, cell tower equipment boxes, and similar utility services shall be placed underground wherever practicable. Where undergrounding is not practicable, equipment shall be screened from view from adjacent streets, sidewalks, and abutting residentially zoned properties with an evergreen hedge or solid fence or wall at least four feet in height and must be sited to comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 44E, 1991.]

Staff Response and Finding: City Engineer's General Condition of Approval #7 address underground utilities.

General Condition of Approval #7 states: " All existing overhead and proposed utility lines onsite or along the frontage including, but not limited to, those required for electric, communication, lighting and cable television services, and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high-capacity electric lines operating at 50,000 volts or above."

17.35.130 Delivery and loading facilities.

In a GC zone, new commercial buildings shall comply with the following delivery and loading facility standards:

A. Delivery and loading facilities are not permitted in required setback areas.

Staff Response and Finding: Delivery and loading will occur during off-hours of operation and occur in the drive-thru lane as seen on the site plan. No delivery or loading facility is located in a required setback. Criterion met.

B. All loading spaces for commercial buildings and uses shall be off the street, shall be in addition to required off-street parking spaces, and shall be served by service drives and maneuvering areas so that no backward movement or other vehicle maneuvering within a street, other than an alley, will be required. [Ord. 1116 § 1, 2003; Ord. 950 § 44F, 1991.]

Staff Response and Finding: Delivery and loading will occur during off-hours of operation and occur in the drive-thru lane as seen on the site plan. No maneuvering or backing within a street will occur. Criterion met.

17.35.140 Drive-through facilities.

Drive-up and drive-through facilities (e.g., associated with restaurants, banks, car washes, and similar uses) shall conform to all of the following standards:

A. A stacking lane a minimum of 80 feet in length shall be provided for cars waiting to access a drive-through window. The stacking lane must be contained entirely on private property between the public right-of-way and the drive-through window and shall not interfere with vehicle parking or circulation. [Ord. 1116 § 1, 2003; Ord. 950 § 44G, 1991.]

Staff Response and Finding: A stacking lane of at least 80 feet in length is provided for cars waiting to access the drive-through window. The stacking lane begins on the eastern parcel and crosses over the alley to the western parcel. A stop sign will be placed where the stacking lane meets the alley to alert vehicles to stop and yield to any pedestrians or other vehicles that may be using the alley. Additionally, per a February 25, 2025, email to staff from the applicant's architect, applicant voluntarily proposed to place two signs: a "*Slow-Vehicle Crossing*" sign in the alley facing north and the second sign facing east stating "*Do not block alley.*" These signs shall be in place and functional before certificates of occupancy are issued to operate the new Dairy Queen restaurant. Signs aid in vehicular and pedestrian crossing safety. Refer to **Exhibit J**.

TITLE 17 – ZONING AND LAND USE

17.90 Off-Street Parking and Loading

A. Off-Street Parking Spaces Required. At the time of erection of a new structure, at the time of enlargement of an existing structure's floor area by more than 20 percent, or at the time of change in use of an existing structure within any zone in the city, off-street parking spaces shall be provided in accordance with the requirements of this section.

Staff Response and Finding: A new structure is being proposed, thus off-street parking requirements of this section apply to the proposed development.

B. Exceptions to Off-Street Parking Requirements.

1. Exemptions. Properties are exempt from the requirement for off-street parking if such properties:

a. Are or have been assessed for public off-street parking facilities;

Staff Response and Finding: The subject property is not nor has been assessed for public off-street parking facilities. Exemption does not apply.

b. Have a commercial use and are bounded by 3rd Avenue to the south, 10th Avenue to the north, West Front Street to the east, and the alley between Juniper Street and Kalmia Street to the west. Properties within this area are exempted from off-street parking requirements, except at the time of erection of a new structure, at the time an existing structure's floor area is enlarged by more than 20 percent, or when the property changes from a commercial use;

Staff Response and Finding: Exemption does not apply because exemption excludes cases in which new structures are erected. A new structure is proposed to be erected with this proposal.

c. Have a commercial use, are located within 900 feet of a city of Junction City parking lot, and are located in an existing residential structure located in the area bounded by W 4th Avenue to the north, W 2nd Avenue to the south, Holly Street to the west, and Front Street to the east, including abutting properties to the alleys.

Staff Response and Finding: If applicant were seeking an exemption from off-street parking standards, then the site plan should have identified a Junction City parking lot within 900' of the site. Commercial use is not located in an existing residential structure. Exemption not applicable.

2. Reduction. A reduction of up to 25 percent of the minimum off-street parking spaces required for industrial uses may be allowed, subject to public works director's or designee's review and approval, based on one or more of the following criteria:

a. The nature of the use, the size of the site or other physical constraints, or location of the site results in a situation where the parking requirements cannot be met on site without unnecessary hardship, practical difficulties or negative impact on the visual character of the site or neighborhood; or

b. The applicant can satisfactorily demonstrate by means of a parking study that the parking needs of the use will be adequately served, and, if the reduction is due to the nature of the use, the applicant shall provide assurance that the nature of the use will not change; or

c. A mix of uses is proposed and the parking needs of all the uses can be accommodated through joint use of parking spaces with varying time periods of use.

Staff Response and Finding: Applicant has duly submitted an application to request an administrative reduction to off-street parking standards. The applicant's application for reduction of off-street parking minimums can be found in **Exhibit D**.

The reasons stated for the reduction are as follows:

- The neighboring property owner requested that a minimum 5' green space buffer be placed along the northern property line to buffer their parcel from the proposed development;
- ODOT required the applicant to close off two existing curb cuts (one along Ivy Street and one along 10th Street); and
- The City code requires landscape islands within the parking areas.

Once these features were incorporated into the site design, the number of parking stalls had to be reduced to accommodate the features. Furthermore, there is available on-street parking along 10 Street and Juniper Street.

Staff agree with the applicant's reasoning and find that a reduction of two parking spaces will not be detrimental to the site and the site contains adequate parking spaces (22) and nearby on-street parking, if ever needed. The site features listed above are more important than two parking spaces. The notice of decision for approval of the administrative variance was sent to adjacent neighbors on February 5, 2025, and the appeal period expires on February 17, 2025. Approval of administrative variance is included in this staff report and final order as **Exhibit D**.

E. Off-Street Parking Spaces. The minimum number of off-street parking spaces shall be provided as follows:

6. Commercial.

- a. Retail store except as provided in subsection (E)(6)(b) of this section One space per 350 square feet of floor area.
- b. Service or repair shop, retail store handling exclusively bulky merchandise such as automobiles and furniture One space per 600 square feet of floor area. Floor area calculation does not include canopied or unenclosed structures.
- c. Bank, office (except medical and dental) One space per 400 square feet of floor area.
- d. Medical and dental clinic One space per 350 square feet of floor area.
- e. Eating or drinking establishment One space per 100 square feet of floor area.
- f. Mortuaries One space per four seats or eight feet of bench length in chapels.

7. Industrial.

- a. Storage warehouse One space per 2,000 square feet of functional floor space.

Staff Response and Finding: With a ratio of one parking space per 100 square feet of floor space and a total gross floor area of 2,416 square feet, this equates to a requirement of 24 parking spaces. The applicant plans to provide 22 parking spaces and is seeking an administrative reduction for the remaining two spaces. Additionally, two ADA parking spaces will be provided.

F. Bicycle parking facilities shall be provided as part of new multifamily developments of three units or more, new retail, office and institutional developments, and all transit transfer stations and park and ride lots. Bicycle parking requirements shall apply to new development, changes of use, and building expansions and remodels where the floor area of the building is being increased by 50 percent or more. Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet wide, and shall provide at least seven feet of vertical clearance. Bicycle parking shall not interfere with pedestrian circulation. For any use where bicycle parking is required, if the vehicular parking is covered or partly covered the bicycle parking will be covered at the same ratio. Bicycle parking spaces shall be provided as indicated below:

1. Multifamily dwellings of three or more dwelling units	At least one covered bicycle space for each dwelling unit.
2. Parking lots: All public, commercial, and institutional parking lots	One bicycle space for every 10 motor vehicle parking spaces.

Staff Response and Finding: Two bicycle parking spaces are provided. See site plan. Criterion met.

17.90.030 General provisions – Off-street parking and loading.

A. Submission of Parking Plans and Changes of Use. The provision and maintenance of off-street parking and loading spaces are continuous obligations of the property owner. No permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this chapter. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it shall be unlawful and in violation of this chapter to begin or maintain such altered use until the required increase in off-street parking or loading is provided.

Staff Response and Finding: The applicant’s site plan shows how off-street parking will be provided for the new Dairy Queen.

B. Requirements for Buildings and Uses Not Specifically Listed. Requirements for types of buildings and uses not specifically listed herein shall be determined by the city administrator based upon the requirements of comparable uses listed.

Staff Response and Findings: This criterion is not applicable because the use proposed is listed in the City's minimum off-street parking table.

C. Multiple Uses in Structure or on Parcel. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.

Staff Response and Finding: Several uses do not occupy the proposed structure or parcel. Criterion not applicable.

D. Agreements for Joint Use. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap; provided, that satisfactory legal evidence is presented to the city in the form of deeds, leases or contracts to establish the joint use. Failure to utilize this parking will constitute a violation of this chapter. If owners eliminate parking spaces or if the approved agreement expires, it shall constitute a violation of this chapter.

Staff Response and Finding: All parcels are under the same common ownership.

E. Distance of Parking From Use. Off-street parking spaces shall be located on the same lot with the building. However, nonresidential required parking spaces may be located not farther than 400 feet from the building or use they are required to serve, measured in a straight line from the building, and shall be used by the business's employees. Exceptions to this requirement are listed in JCMC 17.90.010(B).

Staff Response and Finding: The proposed parking area for the new structure is located near the proposed new building and not farther than 400 feet from the proposed building.

F. Parking Space Usage. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

Staff Response and Finding: Parking spaces will be appropriately used and available for patrons for the parking of operable vehicles. Parking spaces shall not be used for

storage of vehicles or materials or for parking of trucks used in conducting the business or use.

G. Visual Clearance and Safety Hazards. Off-street parking of any vehicle, watercraft, or parts designed to be affixed thereto which creates a vision clearance problem, as defined in JCMC 17.05.020, 17.95.090 and Appendix A, or potential safety hazard shall not be allowed in any required yard.

Staff Response and Finding: Off-street parking of any vehicle shall not create a vision clearance problem nor be a safety hazard and shall not be permitted in any required yard.

H. Design Requirements. Design requirements for parking lots and spaces, with the exception of single-family and duplex dwelling units:

1. Areas used for parking, standing, and maneuvering of vehicles shall have a hard surface of asphalt or concrete and be maintained adequately for all-weather use and so drained as to avoid flow of water onto adjacent property. Lots may be paved with a permeable surface, subject to approval by the city administrator or designee. Permeable pavement parking lots may be sited anywhere, but are subject to the requirements listed in subsections (l)(1) and (3) through (6) of this section. Gravel lots may be approved as a conditional use as outlined in subsection (l) of this section. Size of standing and maneuvering areas, in addition to the required number of parking spaces, shall comply with the areas illustrated in Appendix A, Diagram 14.

Staff Response and Finding: As seen on the site plan, areas used for parking will be made of a hard surface of asphalt or concrete and be maintained adequately for all-weather use and so drained as to avoid flow of water onto adjacent property.

2. Except for parking to serve single-family detached, townhome, or duplex residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence of not less than four feet in height except where vision clearance is required by this code.

Staff Response and Finding: There is an existing residence adjacent to the site on the western parcel along the northern property line. The applicant's architect has indicated to staff via email on February 5, 2025, that a 4' high fence will be placed along the north property line of the western parcel. This shall be a condition of approval before issuance of certificate of occupancy is issued for the new Dairy Queen restaurant located on the westerner parcel. The final site plan shall reflect presence of this fence. Refer to **Exhibit H**.

3. Parking spaces within a parking lot shall be designed and constructed so that no portion of a parked vehicle, including an opened door, will extend beyond the property line.

Staff Response and Finding: As seen on the site plan, parking spaces and vehicles that use the parking spaces will not extend beyond any property line. Criterion met.

4. Artificial lighting which may be provided shall be so arranged as to not produce direct glare on any abutting or adjacent residential zone or on any adjacent dwelling.

Staff Response and Finding: Site lighting is full-cut off and designed to shine down and not skyward or onto adjacent properties. Criterion met.

5. Access aisles shall comply with the aisle widths illustrated in Appendix A, Diagram 14.

Staff Response and Finding: The access aisle through the site leading to the drive through window is 12' wide, which is sufficient for vehicular access. Criterion met.

6. All parking spaces, except single-family detached, townhomes, and duplex residential, shall be served by a driveway designed so that no backing movements or other maneuvering within a street, other than an alley, will be required.

Staff Response and Finding: As seen on the site plan, maneuvering will not occur within a street, but will likely occur in an alley, which is permitted. Criterion met.

7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic

on the site. In no case shall two-way and one-way driveways be less than 20 feet wide and 12 feet wide respectively. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by service drives. Service drives are also subject to the requirements of Chapter 17.85 JCMC.

Staff Response and Finding: The one-way service drive providing vehicle access to the drive-through is 12' wide and is constructed in such a manner to provide maximum safety and efficient movement of vehicles throughout the site. A stop sign will be placed at the alleyway so vehicles know not block the alleyway and be aware of pedestrians.

8. Lots containing more than three parking spaces shall have all spaces permanently and clearly marked.

Staff Response and Finding: As seen on the site plan sheets, all parking spaces are appropriately and duly marked. Criterion met.

9. If four or more off-street parking spaces are required under this code, then off-street parking and maneuvering areas adjacent to public streets and drives shall provide a minimum of two square feet of landscaping for each lineal foot of street and/or drive frontage. Such landscaping shall consist of landscaped berms or evergreen shrubbery at least two feet in height upon maturity, which shall be parallel to and adjacent to the street frontage and drive as much as practical. Additionally, one tree, which will provide a canopy of at least 300 square feet upon maturity, shall be provided for each 30 lineal feet of street frontage or fraction thereof. For a list of allowed trees, see JCMC 12.35.110. Said landscaping shall be provided with irrigation facilities and protective curbs or raised wood headers.

Staff Response and Finding: As seen on the landscaping plan, landscaped island are proposed throughout the parking lot and meet the minimum square footage. Irrigation is provided via pop up sprinklers. Criterion met.

[...]

12. Commercial, industrial, multifamily, and mixed use developments with two or more buildings shall provide safe, reasonably direct, and convenient pedestrian connections between primary building entrances and between building entrances and all adjacent streets. Where walkways cross a driveway or street, they shall be clearly marked with contrasting paving materials, painted striping (“crosswalk”), or humps/raised crossings (see Appendix A, Diagram 13).

Staff Response and Finding: The proposed development does not involve two or more buildings for which pedestrian access must be provided to.

13. New off-street parking lots located in R3, R4, CR, C2, and GC zones shall be placed to the rear or side of the building in accordance with JCMC 17.20.100 (R3 zone), 17.30.080 (C2 zone), and 17.35.080 (GC zone).

Staff Response and Finding: The development consists of two separate parcels. The parcel to the west will contain the new Dairy Queen restaurant, with a small parking area located to the side of the main building, off the alley. The parcel located across the alley to the east will solely consist of a parking lot, with no building to which parking can be located at the rear or side.

City Engineering Comments & Development Conditions of Approval:

- 1. General:** These comments are not an exhaustive list and should be used as a preliminary idea for the applicant to understand the requirements for development. These comments do not include engineering specifications or other more specific requirements of the City of Junction City. Other engineering standards and code specifications will be applicable at the time of engineered plan review and building permit application. Please refer to the Junction City Public Works Design Standards (PWDS), Public Works Construction Standards (PWCS), and the Junction City Transportation System Plan (TSP) found on the City's website at the following links: <https://jcpwd.com/pwds.html>, <https://jcpwd.com/pwcs.html>, and https://www.junctioncityoregon.gov/index.asp?Type=B_BASIC&SEC={5F620604-8FE9-4A2C-82F9-15698044DFB0}&DE={AF8E7F0F-F7A8-4E11-BF52-508205C36844}. Please review the Public Works Design Standards, Public Works Construction Standards, and Transportation System Plan to ensure all standards are met. All work not covered by the above standards shall conform to the current version of the Oregon Standard Specifications for Construction and Oregon Standard Drawings and Details.
- 2. General:** Refer to the City of Junction City Municipal Code (JCMC), Public Works Design Standards (PWDS), Public Works Construction Standards (PWCS), and the Transportation System Plan (TSP) for more information and an exhaustive list of all City requirements. The current code and/or standard at the time of permit submittal shall govern. The City's public utility maps can be found at the following link (<https://www.junctioncityoregon.gov/?SEC=6B300EA1-A75F-498D-8A82-878E07A55E02>), which maps existing public utilities and is provided for informational purposes only.
- 3. General:** The developer and their design team are encouraged to meet with the Director of Public Works and the Assistant City Engineer prior to final design of the proposed improvements. Engineering and construction document submittal requirements can be found in the PWDS section 1.10. City approved engineering and construction documents are required for this development prior to construction. Any proposed design variances/deviations to the PWDS should be discussed with the Public Works Director and Assistant City Engineer prior to the plan submittal, followed by a written request explaining why the design deviation should be approved at the time of plan submittal per PWDS section 1.11. Prior to final approval of the construction drawings, all proposed drawings from utility service companies must be received and approved by the City. Approval from all other agencies with jurisdiction must also be received by the City. Prior to construction, the developer and their design team shall provide the City with the items described in the PWDS section 1.9h. Prior to construction, a preconstruction conference shall be held per PWDS section 1.12.
- 4. General:** A representative of the design engineer shall be on site every day throughout the construction of public/right of way (ROW) improvements as described in PWDS section 1.13.

5. **General:** As-built drawings shall be provided to the City for review and approval prior to recording of the plat or issuance of building permits and shall include all items as described in PWDS section 1.14. The as-builts shall be provided in PDF and DWG format to the City.
6. **General:** An eight foot (8') public utility easement (PUE) is required along all frontage of public streets and can be narrowed adjacent to buildings where setbacks less than 8-feet are allowed. No private utility structures will be allowed within the City ROW, except for limited street crossings. Private franchise utilities shall be installed in public utility easements (PUE) when PUE's are required as part of the approved development.
7. **General:** All existing overhead and proposed utility lines onsite or along the frontage including, but not limited to, those required for electric, communication, lighting and cable television services, and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.
8. **General:** The Oregon Department of Environmental Quality requires a National Pollutant Discharge Elimination System (NPDES) 1200 – C permit for all projects that disturb one acre or more. Contact the Eugene regional DEQ office at 541-686-7930 for permit application forms and more information.
9. **Frontage Improvements:** The City's TSP classifies Ivy St (HWY 99) as a Principal Arterial. The TSP states Major Collectors (Figure 5 – Principal Arterial) are to have a 56'-72' ROW width, 34'-50' paved width, 11'-12' travel lanes, 12'-14' median/center turn lane, 6' bike lanes, 6-inch curb and gutter, 5-foot planting strip, and 6-foot separated sidewalk. Ivy St (HWY 99) ROW is under ODOT jurisdiction, however the City has input in required improvements to the planter strip and sidewalk. ODOT will set the ROW cross-section requirements (refer to ODOT comments). Where existing driveways off Ivy St (HWY 99) are either removed or modified, the curb shall be brought up to full height and sidewalk to be reconstructed to meet ADA standards.
10. **Frontage Improvements:** The City's TSP classifies W 10th Avenue as a Major Collector. The TSP states Major Collectors (Figure 6 – Major Collector) are to have a 46'-72' ROW width, 34'-50' paved width, 11'-12' travel lanes, 6' bike lanes, 6-inch curb and gutter, 5-foot planting strip, and 6-foot separated sidewalk. The existing public ROW is approximately 60-feet wide, with a half street section of approximately a 20-foot travel lane, 6-inch curb and gutter, and 6-foot curb tight sidewalk. The existing curb, gutter, and sidewalk are in poor condition. The required improvements include replacing the existing curb, gutter, and sidewalk along the entire frontage to meet ADA requirements and City standards.

11. **Frontage Improvements:** Per Junction City Municipal Code section 17.85.060- Corner Clearance, “New accesses shall meet or exceed the minimum spacing requirements as set forth in Table 17.85.060 for that roadway’s classification, as set out in the city’s transportation system plan. The measurement shall be from centerline to centerline of the intersection. Where no other alternatives exist, the city may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connection restrictions (i.e., right in/out, right in only, or right out only) may be required.”

Table 17.85.060: Access Spacing

Roadway Type	Access Spacing
Arterial	150 feet
Major Collector	75 feet
Minor Collector	50 feet
Local Street	25 feet

Based on Table 17.85.060, the proposed driveway off W 10th Street onto tax lot 100 is approximately 74 feet apart (measured from centerline of driveway to centerline of Ivy St intersection) does not meet the minimum access space requirement to Ivy St (HWY 99), which is classified as an arterial street. Since an existing public alley provides access to tax lot 100 and all tax lots in this development, driveway access to tax lot 100 off W 10th St will not be allowed.

12. **Frontage Improvements:** The City’s Transportation System Plan (TSP) classifies Juniper St as a Major Collector. The TSP states Major Collectors (Figure 6 – Major Collector) are to have a 46’-72’ ROW width, 34’-50’ paved width, 11’-12’ travel lanes, 6’ bike lanes, 6-inch curb and gutter, 5-foot planting strip, and 6-foot separated sidewalk. The existing public ROW is approximately 60-feet wide, with a half street section of approximately a 15-foot travel lane, 6-inch curb and gutter, approximately a 6-foot planter strip, and a 5-foot separated sidewalk. The existing curb, gutter, and sidewalk are in poor condition. The required improvements include replacing the existing curb, gutter, and sidewalk along the entire frontage, including the modified driveway approach, to meet ADA requirements and City design standards.

13. **Frontage Improvements:** A public alley exists in the north/south direction between tax lots, which takes access off W 10th Ave. The existing public alley ROW is approximately 20-feet wide and has concrete surfacing. The required improvements include improving the existing driveway approach such that it is ADA compliant for the sidewalk crossing along W 10th Ave and replacing any sections of the public alley ROW in poor condition as determined by the City Public Works Director or City Engineer.

14. **Frontage Improvements:** The existing ADA curb ramp at the NE corner of W 10th Ave and Juniper Street will be required to be improved as necessary to meet current ADA standards.
15. **Grading:** Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall take place so that there is no adverse effect on neighboring properties, public rights-of-way, or the public storm drainage system. Graded areas shall be replanted as soon as possible after construction to prevent erosion.
16. **Stormwater:** Public storm piping might exist in W 10th Ave near the intersection of Juniper St, however City records are not complete in this area. City records show an existing 24" public storm main in Ivy St (HWY 99).
17. **Stormwater:** A stormwater management plan as described in the PWDS will be required for this development. Concentrated stormwater runoff will be required to connect to a public storm system.
18. **Water:** Public Water, 4" PVC, is available in Juniper St. According to City records, it appears that a ¾" water service and meter currently serves tax lot 2700, which may be reused if in good condition and up to a 1" domestic water service. If a domestic water service larger than 1" is needed, a new water service and meter shall be connected to the water main in Juniper St. Additional connections or service upsizing will require SDC fees.
19. **Water:** Per PWDS 9.6B, fire hydrants are to be located per the Oregon Uniform Fire Code. If required, the applicant shall install new fire hydrants to provide adequate distance to all buildings on site. PWDS Section 5.17-A.1, states the coverage shall result in a maximum hydrant spacing of 300 feet in high value districts and no further than 250 feet from the furthest point of any dwelling, business, garage, or building. An existing fire hydrant is located near the SE corner of the intersection of W 10th Ave and Juniper St, which is approximately 150 feet from the proposed building.
20. **Sanitary Sewer:** Public Sanitary Sewer, 8" PVC, is available in the alley. If the existing sanitary sewer lateral stubbed to tax lot 2700 is in good condition, it can be reused for this development. Additional connections or service upsizing will require SDC fees. According to City records, an 8" PVC pressure sewer pipe runs north/south in the public alley and should be protected.
21. **Sanitary Sewer:** The City, as well as the current Oregon Plumbing Specialty Code (OPSC), requires that all Food Service Facilities (FSE) have an adequately sized grease interceptor(s). The interceptor(s) shall be connected to all plumbing fixtures in the food preparation area including floor drains (not just the prewash sink).

22. **Sanitary Sewer:** In general, grease interceptors sized per the OPSC will need to be pumped or cleaned every 1 to 1.5 months. The City recommends installation of grease interceptors that are large enough to only require being cleaned every 90 days. The applicant is encouraged to talk to their mechanical contractor to determine what their estimated grease cleaning frequency shall be. A useful link to estimate the pumping frequency of the FSE for various grease interceptor sizes can be found at <http://schierproducts.com/sizing>
23. **Streetlights:** Streetlights shall be provided such that the maximum spacing is 200' or three lot widths, whichever is the lesser when required by the photometric design and meet the PWDS. The applicant shall provide a photometric plan for all existing and proposed lighting improvements along the public road frontages. Coordinate with private utility company Emerald People's Utility District (EPUD) or Pacific Power for streetlight installation. The design and installation of streetlights shall be paid for by the developer.
24. **Fencing:** A 4' high fence shall be placed along the north property line of the western parcel. Fence shall be in place and existing prior to issuance of occupancy permit for new Dairy Queen restaurant is issued by the Building Official. Final site plan submitted for building permit review shall reflect presence of this fence in the aforementioned location. Refer to **Exhibit H**.
25. **Signage:** Per a February 25, 2025, email to staff from the applicant's architect, applicant voluntarily proposed to place two signs: a "*Slow-Vehicle Crossing*" sign in the alley facing north and the second sign facing east stating "*Do not block alley.*" These signs shall be in place and functional before certificates of occupancy are issued to operate the new Dairy Queen restaurant. Signs aid in vehicular and pedestrian crossing safety. Refer to **Exhibit J**.

Exhibits

- Exhibit A – Application Type I, File # DEV-24-33
- Exhibit B – Final Development Plans, Cover Sheet C000-A3.2
- Exhibit C – Landscape Plan, Submitted February 25, 2025
- Exhibit D – Variance Application, File # VAR 25-02.
- Exhibit E – City Engineer Comments
- Exhibit F – ODOT Comments
- Exhibit G – Confederated Tribes of the Grand Ronde Community of Oregon Comments
- Exhibit H – 2/6/2025 Email from Applicant re North Property Line Fence
- Exhibit I – Completeness Files
- Exhibit J – 2/25/2025 Email from Applicant re Signage

For information contact:

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Approved, Subject to Attached Conditions, this 25th day of February 2025.
Type I Development Review Approval Issued to Applicant via Email and US Mail on
February 25, 2025.



Henry O. Hearley
Associate Planner, Lane Council of Governments