

PLANNING COMMISSION AGENDA FEBRUARY 12, 2015



Commission Members

Tim D'Alessandro
Norman Fincher
Chris MacMillan
Bill Mansfield
David McFadden
Mark McKechnie
Patrick Miranda
Jared Pulver
Alec Schwimmer

Regular Planning Commission
meetings are held on the second &
fourth Thursdays of every month

Beginning at 5:30 p.m.

City of Medford

City Council Chambers

411 W Eighth Street, Third Floor

Medford, OR 97501

(541) 774-2380



MEDFORD PLANNING COMMISSION **AGENDA**
February 12, 2015
5:30 p.m.

Council Chambers
411 West Eighth Street, Medford, OR

10. Roll Call

- 10.1 Election of Officers
- 10.2 Appointments/Reappointments to Site Plan and Architectural Commission and Joint Transportation Subcommittee.

20. Consent Calendar/Written Communications (Voice Vote)

- 20.1 E-14-059 Final Order for an Exception to allow for the reduction of required street dedication along a northerly section of Cedar Links Drive adjacent to Cedar Landing Planned Unit Development within an SFR-4 (Single Family Residential – 4 units per acre) zoning district. (Cedar Investment Group LLC, Applicant; Hoffbuhr and Associates, Agent).

30. Minutes

- 30.1 Approval of Minutes from the January 22, 2015, meeting.

40. Oral and Written Requests and Communications

50. Public Hearings

New Business

- 50.1 DCA-14-133 The Planning Department proposes an ordinance amending *Land Development Code*, Sections 10.250 and 10.294 to allow revisions to Conditional Use Permit and Site Plan and Architectural Review approvals. The proposed code amendment provides criteria to identify circumstances in which permit revisions shall be allowed. The proposal aims to simplify the land use process by allowing applicants to modify permits without having to start the application process from the beginning. (City of Medford, Applicant).
- 50.2 LDP-14-132 Consideration of tentative plat approval for a three lot partition on approximately 11.9 acres located on the west side of Crater Lake Highway and the east side of Grumman Drive approximately 400 feet south of Burlcrest Drive within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district. (Lithia Real Estate, Inc., Applicant; Maize and Associates, Inc., Agent).
- 50.3 PUD-14-074/
LDS-14-091/
ZC-14-103 Consideration of a request for a Planned Unit Development consisting of a Preliminary PUD Plan for Rockland Place and Tentative Plat for a 31 lot single family subdivision and a zone change from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600. (Richard & Leslie Lovett Trust, Applicant; Richard Stevens and Associates, Agent).
- 50.4 PUD-14-116/
LDS-14-117 Consideration of a Preliminary Planned Unit Development Plan, including proposed modifications to Land Development Code standards pertaining to specific lots including: 1) modification of minimum lot area, width, depth,

MEDFORD PLANNING COMMISSION MEETING AGENDA February 12, 2015

coverage, and frontage standards, and 2) implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on an 8.16 gross acres located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive, within the SFR-6 (Single Family Residential, 6 dwelling units per gross acre) zone district. (Stella Real Estate Investments, LLC, Applicant; CSA Planning, Ltd., Agent).

- 60. Report of the Site Plan and Architectural Commission**
- 78. Report of the Joint Transportation Subcommittee**
- 80. Report of the Planning Department**
- 90. Messages and Papers from Chair of Planning Commission**
- 100. Remarks from the City Attorney**
- 110. Propositions and Remarks from the Commission**
- 120. Adjournment**

**BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR)
) **ORDER**
Cedar Landing)
) [E-14-059]
)

ORDER granting approval of a request for an exception to allow for the reduction of required street dedication along a northerly section of Cedar Links Drive adjacent to Cedar Landing Planned Unit Development within an SFR-4 (Single Family Residential – 4 units per acre) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.211 and 10.252; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of an exception to allow for the reduction of required street dedication along a northerly section of Cedar Links Drive adjacent to Cedar Landing Planned Unit Development within an SFR-4 (Single Family Residential – 4 units per acre) zoning district, with the public hearing a matter of record of the Planning Commission on January 22, 2015.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception for Cedar Landing stands approved per Staff Report dated January 15, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Staff Report dated January 15, 2015.

BASED UPON THE ABOVE, the Planning Commission determined that the exception is in conformity with the provisions of law and Section 10.253 criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 12th day of February, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



MINUTES
Planning Commission Meeting
January 22, 2015

The regular meeting of the Medford Planning Commission was called to order at 5:30 p.m. in the Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Robert Tull, Vice Chair
Bill Christie
Tim D'Alessandro
Norman Fincher
Chris MacMillan
Bill Mansfield
David McFadden
Patrick Miranda

Staff

Bianca Petrou, Assistant Planning Director
Kelly Akin, Principal Planner
Kevin McConnell, Deputy City Attorney
Debbie Strigle, Recording Secretary
Alex Georgevitch, Acting City Engineer
Sarah Sousa, Planner IV

Commissioners Absent

Alec Schwimmer, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications. None.

30. Minutes.

30.1 The minutes for January 8, 2015, were approved as submitted.

40. Oral and Written Requests and Communications. None.

Kevin McConnell, Deputy City Attorney, read the Quasi-Judicial Statement.

50. Public Hearing.

New Business

50.1 E-14-059 Consideration of an Exception to allow for the reduction of required street dedication along a northerly section of Cedar Links Drive adjacent to Cedar Landing Planned Unit Development within an SFR-4 (Single Family Residential – 4 units per acre) zoning district. (Cedar Investment Group LLC, Applicant; Hoffbuhr & Associates, Inc., Dennis Hoffbuhr, Agent).

Vice Chair Tull inquired whether any Commissioners have a conflict of interest or ex parte communication they would like to disclose. None were disclosed.

Vice Chair Tull inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Sarah Sousa, Planner IV, read the exception criteria and gave a staff report.

The public hearing was open.

Neither the applicant nor the applicant's agent was in attendance.

Vice Chair Tull inquired whether it made a difference in what action the Planning Commission takes and how they proceed without testimony from the applicant or agent.

Mr. McConnell stated that normally the applicant and/or agent would be present. Staff has presented findings for each of the criteria listed. If the Planning Commission were to find the findings adequate and the exception should be granted it could do so.

- a. Edie Gilder, 3093 Westminster Drive, Medford, Oregon, 97504. Ms. Gilder stated that she walks the area twice a day and is very familiar with street. It is her understanding that the piece in question was northeast of Wilkshire Drive. It looks like it is northwest of Wilkshire Drive. Is that correct?

Vice Chair Tull asked what issue does this raise for Ms. Gilder. Ms. Gilder replied that she and some of the neighbors were concerned with widening the street.

Alex Georgevitch, Transportation Manager/Acting City Engineer reported that if the exception is granted there is no reason to widen the street. There is a sidewalk planned north of the street that would be far enough from the road that no widening is necessary.

Vice Chair Tull asked who has the responsibility for construction of the sidewalk if it is not on City right-of-way. Mr. Georgevitch replied that it would be the applicant's responsibility whoever develops Tract A and whatever portion of Tract D is part of this exception. They would be required to build it as if it was a City street. It will be a granted easement to the public to allow them to cross the land. It will not be in public right-of-way. It will be north of it, approximately an additional 10 feet or so. The intent is to only build a sidewalk outside of the impact area of the trees.

Vice Chair Tull asked if the trees sit within the right-of-way. Mr. Georgevitch replied that the trees will be in the right-of-way which is a typical condition. When streets are built with a 10 foot planter strip on a high order street like this, there would be street trees planted that would be in the right-of-way. This would not be abnormal.

Vice Chair Tull asked Ms. Gilder if that speaks to the question that she came with. Ms. Gilder replied that it did. She was under the impression that the area in question was northeast of Wilkshire and she was going to be advocating for widening the street in that area because of the increased traffic they were predicting with this project

Mr. Georgevitch clarified that northeast of the area the road is not fully improved and as future phases of the development move forward there will be improvements. This was only to deal with the tree section. It is northwest not northeast. The section in concern will eventually be widened as the development moves forward.

Commissioner McFadden asked that with the reduction in the road right-of-way width, the edge of the road will be south of the trees and therefore, the trees will be on private property north of the street right-of-way. That is why Public Works is reducing the street right-of-way and why they need the easement for the sidewalk further north of the trees. Mr. Georgevitch replied that right now the street is 42 feet wide. Public Works standard is 44 feet wide. Face-of-curb to face-of-curb the standard for a major collector is 44 feet. The current staff report states that it is 42 feet in width. They would essentially be moving the road 2 feet. It could be 2 feet to the north or 2 feet to the south or 1 foot to the north and 1 foot to the south. Moving further to the north could interfere with the root structure and damage the trees. The trees are in the public right-of-way.

The public hearing was closed.

Motion: Adopt the Findings as recommended by staff and direct staff to prepare a Final Order for approval of E-14-059 per the Staff Report dated January 15, 2015, including Exhibits A through G.

Moved by: Commissioner McFadden Seconded by: Commissioner Miranda

Voice Vote: Motion passed, 8-0.

60. Report of the Site Plan and Architectural Commission.

60.1 Commissioner Miranda reported that the Site Plan and Architectural Commission met on Friday, January 16, 2015. They had three items on their agenda. An exception request to allow for the expansion of a building with a non-conforming setback on Crews Road. This application was withdrawn. They heard consideration of plans for the construction of a 4,087 square foot medical office building located on East Barnett. That item was approved. Last on their agenda was consideration of plans for the construction of a 3,200 square foot Wellness Pharmacy building and an exception to allow reduction of required right-of-way dedication located at 522 Crater Lake Avenue. That item was also approved.

70. Report of the Joint Transportation Subcommittee.

70.1 Commissioner Christie reported that the Joint Transportation Subcommittee has not met. Vice Chair Tull stated so that the public understands is that there is staff work underway updating of the City's Transportation System Plan and that staff work is in process and working with the consultants that will come to the Subcommittee when it is ready for public input that is expected.

80. Report of the Planning Department.

80.1 Kelly Akin, Principal Planner, welcomed Commissioner D'Alessandro and Commissioner

MacMillan.

The Planning Commission study session scheduled for Monday, January 26, 2015, has been cancelled.

There is business scheduled for the Planning Commission study session on Monday, February 9, 2015 and Monday, February 23, 2015.

There is business for the Planning Commission meeting on Thursday, February 12, 2015.

Last week City Council heard an appeal on a zone change on West 8th and Lozier Lane by Lewis Park. City Council upheld the Planning Commission's decision. The person that appealed did not receive notice. He purchased the property in June and the Assessor's office did not update their records before the applicant submitted the mailing labels. It was a question of timing. City Council will affirm that decision at their next meeting by a resolution.

There are two new Commissioners, Jared Pulver and Mark McKechnie, starting at the next regular Planning Commission meeting on Thursday, February 12, 2015.

Ms. Akin gave many thanks and present a certificate to Commissioner Christie for his four years of service and participation.

Friday, January 26, 2015, is the Boards and Commissions luncheon at the Rogue Valley Country Club at noon.

Ms. Akin prepared a resolution for Vice Chair Tull that Commission McFadden will read. Ms. Akin requested the Commissioners to stay and sign the resolution after tonight's meeting.

90. **Messages and Papers from Chair of Planning Commission.** None.
100. **Remarks from the City Attorney.** None.
110. **Propositions and Remarks from the Commission.**
- 110.1 Commissioner McFadden made a motion to pass a resolution of the City of Medford Planning Commission honoring Bob Tull, Planning Commissioner. Whereas, Mr. Tull has served on the City of Medford Planning Commission from June 6, 1996 to January 31, 2015; and as Chair of the Planning Commission from February 1, 2002 to January 31, 2005; whereas during his tenure, Mr. Tull contributed to the improvement of the Medford Land Development Code and Comprehensive Plan, the development of policies regarding the management of the City's Urban Growth Boundary, and the City's leadership in the Regional Problem Solving process; and whereas Mr. Tull served as the Planning Commission liaison on several committees, including the Joint Transportation Subcommittee, the Southeast Plan Implementation Advisory Committee, the Regional Problem Solving Policy Committee and the Regulatory Barriers to Affordable Housing Task Force; now, therefore, be it resolved by the Planning Commission of the City of Medford, Oregon, that the Commission hereby

expresses its appreciation for his dedication and holds Mr. Tull in high regard for his many years of thoughtful service to the community as a Planning Commissioner. Passed by the Planning Commission this 22nd day of January, 2015. Commissioner Christie seconded the motion. It was a unanimous affirmative vote by the Planning Commissioners.

Vice Chair Tull stated that he was very moved by the resolution. He had forgotten all the ways in which he was involved. He has enjoyed this. This has been a major focus of satisfaction for him to be of service, as best as he can, with what he has to offer to a City that he holds in very high regard. He has worked with some very fine people on the Commission and on staff. A part from the role he may have played, the City of Medford is well served by those who volunteer to work on its Planning Commission and by staff that have responsibility for the work of planning in the City. Medford is very well served by its professional staff and well supported by its ready volunteers. It has been a privilege to be a Commissioner for a while. Enough is enough. There are others ready to step in and take responsibility and take the Commission further along and that is exactly the way it should be. If he has helped to lay some good groundwork for the next twenty years or more it is fine. He is pleased that he could do so and thanked the Commission for their support they have offered.

120. Adjournment.

The meeting was adjourned at 6:10 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Rozzana
Recording Secretary

Planning Commission Chair

Approved: February 12, 2015



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT – LAND DEVELOPMENT CODE AMENDMENT

Date: February 2, 2015

To: Planning Commission (for the February 12, 2015 public hearing)

From: Aaron Harris, Planner II

Reviewer: John Adam, Senior Planner *JA*

Subject: Process for Plan Authorization Amendments (SPAR & CUP)
City of Medford, Applicant

File no.: DCA-14-133

BACKGROUND

Proposal: To amend Municipal Code Sections 10.031 and 10.250 to allow minor revisions to Conditional Use Permits, and to amend Municipal Code Section 10.294 to clarify the minor revisions process for Site Plan and Architectural Review approvals. The proposed code amendment provides standards to identify circumstances in which permit revisions shall be allowed. The proposal aims to clarify existing code language and to simplify the land use process by allowing applicants to modify a Conditional Use Permit without having to start the application process from the beginning. Modifications would be approved by the Director and completed as a Class E (ministerial) decision.

Discussion: City of Medford's Code does not currently allow for minor revisions to a Conditional Use Permit after its initial approval. Code currently requires an applicant to restart the land use application process from the beginning in order to make minor revisions to an approved proposal. This results in a process that is inefficient and time consuming for applicants.

Code currently allows for minor revisions to a Site Plan and Architectural Review permit after its initial approval, but fails to provide standards to identify what constitutes a minor revision. This results in staff having to determine if a revision is minor or major without objective standards on which to base their decision.

Planning Commission discussed this topic at a January 12, 2015 study session. Planning Commission expressed approval of the code amendment and did not recommend any changes to the proposal. The City's legal department expressed concern with regard to subjective

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language and suggested making the proposed standards more objective. Staff eliminated the subjective terms and also added a provision under 10.031(B) to avoid conflicting standards.

Criteria: *Medford Land Development Code* Section 10.184(2)

APPROVAL CRITERIA COMPLIANCE

10.184 Class 'A' Amendment Criteria.
10.184 (2) Land Development Code Amendment.

The Planning Commission shall base its recommendation, and the City Council its decision, on the following criteria:

CRITERION 10.184 (2)(a). Explanation of the public benefit of the amendment.

Findings: Any revision to a Conditional Use Permit, no matter how small, requires a full repetition of the review process. Minor revisions to Site Plan and Architectural Review permits are allowed by Code, but standards defining a minor revision do not exist. These issues result in a process that is inefficient and time consuming for applicants and staff.

Conclusion: Setting limits for minor revisions and creating a simple process will eliminate excessive procedure.

CRITERION 10.184 (2)(b). The justification for the amendment with respect to the following factors:

CRITERION 10.184 (2)(b)(1). Conformity with applicable Statewide Planning Goals and Guidelines.

Findings: The following demonstrates conformity with the applicable Statewide Planning Goals:

1. *Citizen Involvement:* Goal 1 requires the City to have a citizen involvement program that sets the procedures by which a cross-section of citizens will be involved in the land use planning process, including participation in the revision of the *Land Development Code*. Goal 1 requires providing an opportunity to review proposed amendments prior to the public hearing, and any recommendations must be retained and receive a response from policy-makers. The rationale used to reach land use policy decisions must be available in the written record. The City of Medford has an established citizen involvement program consistent with Goal 1 that includes review of proposed *Land Development Code* amendments by the Planning Commission and the City Council. Affected agencies and interested persons are also invited to review and comment on such proposals, and hearing notices are published in the local newspaper. This process has been adhered to in the proposed amendment. The document was made available for review on the City of Medford website and at the Planning Department. It will be considered by the Planning Commission and the City Council during televised public hearings.

2. *Land Use Planning:* Goal 2 requires the City to adopt a comprehensive plan which must include identification of issues and problems, inventories, and other factual information for each applicable Statewide Planning Goal, and evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. Comprehensive plans must state how the Statewide Planning Goals are to be achieved. The plan must contain specific implementation strategies that are consistent with and adequate to carry out the plan, and which are coordinated with the plans of other affected governmental units. Implementation strategies can be management strategies such as ordinances, regulations and project plans, and/or site or area-specific strategies such as construction permits, public facility construction, or provision of services. Comprehensive plans and implementation ordinances must be reviewed and revised on a periodic cycle to take into account changing public policies and circumstances. The City of Medford has an established land use planning program consistent with Goal 2.

Staff finds that Goals 3–8 do not apply in this matter.

9. *Economic Development:* Goal 9 requires the City's Comprehensive Plan policies to contribute to a stable and healthy economy. Such plans shall be based upon past trends and updated employment forecasts. Medford's Comprehensive Plan complies with Goal 9. By looking at past trends, future forecasts, policies that affect economic growth, and the availability of employment lands, the City of Medford has adopted a set of Conclusions, Goals, Policies, and Implementation Measures related to economic development within the Economic Element of the Comprehensive Plan.

Staff finds that Goals 10–14 do not apply to this matter. Goals 15–19 apply only to other regions of the State and are not evaluated here.

Conclusion: Criterion 10.184 (2)(b)(1) is satisfied.

CRITERION 10.184 (2)(b)(2). Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Applicable Comprehensive Plan Goals, Policies, and Implementation Strategies:

ECONOMIC

GOAL: To actively stimulate economic development and growth that will provide opportunities to diversify and strengthen the mix of economic activity in the City of Medford.

Policy 1-3: The City of Medford shall, as appropriate under the Goal above, support the retention and expansion of existing businesses.

Implementation 1-3(a): Adopt code amendments that encourage the development of existing sites.

Findings: It is common for development plans to change during the interim period between the time a land use application has been approved and the time building permits are applied for. In some circumstances, this is the result of on-site civil engineering findings. In other circumstances, developers have determined that a minor revision to the original land use approval would result in a superior end product. By allowing minor revisions to approved land use applications, the City of Medford encourages development by providing developers with the flexibility to better realize their objectives. This kind of flexibility in the Code might also help to encourage new developers to locate in Medford.

Conclusion: The addition of this new flexibility will stimulate economic activity. Criterion 10.184 (2)(b)(2) is satisfied.

CRITERION 10.184 (2)(b)(3). Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings: The proposed code amendment was sent to 11 City departments and outside referral agencies on January 6, 2015. The Planning Department has not received any comments on the proposal from these agencies.

Conclusion: Referral agencies have no objections. Criterion 10.184(2)(b)(3) is satisfied.

CRITERION 10.184 (2)(b)(4). Public comments.

Findings: The code amendment was posted on the City website on January 6, 2015 and no comments have been received from the public. A study session was held by the Planning Commission on January 12, 2015 to discuss the text amendment proposal.

Conclusion: The Planning Department has not received any outside public comments on the proposal. Criterion 10.184(2)(b)(4) is satisfied.

CRITERION 10.184 (2)(b)(5). Applicable governmental agreements.

Findings: No governmental agreements apply to the proposed code amendment.

Conclusion: Criterion 10.184 (2)(b)(5) does not apply.

RECOMMENDED ACTION

Discussion: In this case, like with most code amendments, the recommendation made by the Planning Commission comes down to a policy decision. Should Conditional Use Permit minor revisions be permitted in the City? Further, what standards shall be used to determine when a revision will be considered minor and therefore not require an applicant to start the land use process from the beginning? Staff has considered these questions and has presented what it believes to be the best course of action should the Planning Commission, and ultimately City Council, decide that these should be permitted.

Recommendation: Based on the materials presented in the staff report dated February 2, 2015, staff recommends the Planning Commission adopt the findings and conclusions that all of the approval criteria are either met or are not applicable and forward a favorable recommendation for adoption to the City Council per the staff report dated February 2, 2015, including Exhibits A and B.

EXHIBITS

- A. Proposed Code Amendment, dated January 15, 2015
- B. Minutes from the January 12, 2014 Planning Commission Study Session

PLANNING COMMISSION AGENDA: February 12, 2015

Exhibit A

Modification of a Conditional Use Permit

1. Major Modification.

A request to substantially modify a conditional use permit shall be processed in the same manner as a request for a conditional use permit in 10.246. The Planning Director may waive submittal requirements deemed unnecessary or inapplicable to the proposal.

2. Minor Modification.

A minor modification to an approved permit may be approved by the Planning Director provided the Planning Director determines that the modification does not constitute a major modification. The purpose of the determination is to assure that a modification does not significantly affect other property or uses; will not cause any deterioration or loss of any natural feature, process or open space; nor significantly affect any public facility. A minor modification shall meet all of the following standards:

- a. Meets all requirements of the Land Development Code and other legal requirements.
- b. The amount of open space and landscaping is not decreased.
- c. No relocation of vehicle access points and parking areas where the change will generate an impact that would adversely affect off-site or on-site traffic circulation.
- d. No reduction or elimination of any project amenities such as recreational facilities, significant natural resources (streams, creeks, landform), fencing and other screening material.
- e. Modifications to facilities and utilities conform to the adopted facility plans.
- f. Modifications to any other components of the plan conform to standards of the Land Development Code.
- g. No modification to any condition of approval.

Modification of a Site Plan and Architectural Review

1. Major Modification.

When modification to an approved plan is determined to be a Major Modification, the plan shall be processed in the same manner as a request for a site plan and architectural review in 10.285. The Planning Director may waive submittal requirements deemed unnecessary or inapplicable to the proposal.

2. Minor Modification.

A minor modification to an approved plan may be made by the Planning Director provided the Planning Director determines that the modification does not constitute a major modification. A minor modification shall meet all of the following standards:

- a. Meets the exemption criteria of 10.031.
- b. No increase in the number of dwelling units.
- c. The amount of open space or landscaping is decreased by no more than 10% of the previously approved area, provided the decrease does not drop below the minimum standards as required by the code.
- d. No relocation of vehicle access points and parking areas where the change will generate an impact that would adversely affect off-site or on-site traffic circulation.
- e. No reduction or elimination of any project amenities such as recreational facilities, significant natural resources (streams, creeks, landform), fencing and other screening material.
- f. Modifications to facilities and utilities conform to the adopted facility plans.
- g. Modifications to any other components of the plan conform to standards of the Land Development Code.
- h. No modification to any condition of approval.

MLDC 10.031 (B)

Exemptions under this section do not apply to uses subject to a conditional use permit or major modifications thereof.



MINUTES
PLANNING COMMISSION STUDY SESSION
January 12, 2015

The study session of the Medford Planning Commission was called to order at 12:00 p.m. in Room 151 of the Lausmann Annex on the above date with the following members and staff in attendance:

Commissioners: Robert Tull, Alec Schwimmer, Bill Christie, David McFadden, Bill Mansfield, Norman Fincher and Patrick Miranda (arrived at 12:10 p.m.).

Staff: Jim Huber, Bianca Petrou, Kelly Akin, John Adam, Aaron Harris and Kevin McConnell.

Subject: 1. DCA-14-133 Process for plan authorization amendments.

Jim Huber, Planning Director, reported that today's study session would be on a proposed text amendment for minor revisions to plans that have already been approved.

Aaron Harris, Planner II, stated that he will be presenting the Medford Land Development Code amendment proposal to allow the process for plan authorization amendments for Site Plan and Architectural review and conditional use permit. Currently, the Code allows revisions for Site Plan and Architectural review (SPAR) but there is no criteria provided to identify when a revision shall be deemed a minor and major revision. The Code currently does not allow for Conditional Use Permit (CUP) revisions and applicants must restart the land use application process from the beginning. The process is inefficient and time consuming for staff and applicants.

The proposed amendment would adopt criteria to identify circumstances in which permit revisions shall be allowed. The public benefit is that it simplifies the land use process for applicants. Minor modifications would be approved by the Planning Director and completed as a Class 'E' ministerial process.

There are five criteria proposed for a minor modification to a SPAR and CUP: 1) No relocation of vehicle access points where the change may generate an impact that could adversely affect off-site or on-site traffic circulation or might adversely affect the community; 2) No reduction or elimination of any project amenities such as recreational facilities, significant natural resources, fencing, and other screening material; 3) Modifications to facilities and utilities conform to the adopted facility plans; 4) Modifications to any other components of the plan conform to standards of the Code; and 5) No modification to any condition of approval. In addition to these five shared criteria there are three additional criteria for SPARs and three additional criteria for CUPs. These criteria differ to the nature of each type of land use application. The additional criteria for SPAR are: 1) Meets the exemption criteria of 10.031; 2) No increase in the number of dwelling units; and 3) The amount of open space or landscaping is decreased by no more than 10% of the previously approved area, provided the decrease does not drop below the minimum standards as required by the code. The three additional criteria for CUP are: 1) Meets the requirements of the Code and other legal requirements; 2) Does not significantly affect other property or uses; will not cause any deterioration or loss of any natural feature, process or open space; nor significantly affect any public facility; and 3) The amount of open space and landscaping is not decreased.

Commissioner Fincher asked what would be an example of a minor SPAR revision. Mr. Harris reported an example of a minor revision would be such as the amount of open space an applicant wants to reduce or move the screening for disposal to another area of the site.

Vice Chair Tull asked how does this differ from the de minimus things that the Planning Director can already approve? Mr. Huber reported that is limited to Planned Unit Developments only.

Vice Chair Tull asked who is going to determine that it may generate an impact that could adversely affect off-site and on-site traffic. Does that become the discretion of the Director? Mr. Huber stated that he would refer back to the original approval to see if the change was significant.

Kevin McConnell, Deputy City Attorney, stated that he discussed this language with Ms. Akin. The legal department thinks there are too many "may", "could", and "might". There is too much discretion to one person. Section D needs to be reworked. He also sees an issue with 1 (b) under conditional use permits. There needs to be a firm understanding.

This will be presented to the Planning Commission at their public hearing on Thursday, February 12, 2015.

Commissioner Mansfield expressed his regret that Vice Chair Tull is not going to be on the Planning Commission any longer. He has relied on Vice Chair Tull a great deal for his expertise, knowledge and judgment.

Vice Chair Tull thanked Commissioner Mansfield but said enough is enough. He is in his 19th year and there are others that can slip into his spot and do it very well for the next 19 years.

Vice Chair Tull stated that one of the things the Planning Commission has accomplished over the years that he has been on the Planning Commission is that they have changed the nature of the relationship between the Planning Commission and staff. When he first came on the Commission the Commission generally was distrustful of initiatives coming from staff. There were some unpleasant confrontations at Commission meetings. Commissioners challenged staff as to why a project had been done a certain way and who said to do it that way. There were times when he wished they had not been in public session. There was fine staff at that time. Generally speaking, this City has equipped itself with very professional planners and has done a good job bringing people into the department and training them to increase responsibility. Mr. Huber is responsible for what they have seen in the last couple of years. The other thing that has changed is that there is a far better trustful relationship between the Planning Commission and the City Council. It is his opinion, that the City Council highly regards the judgment that comes from the Planning Commission regarding land use issues.

Commissioner McFadden reminded the Planning Commission to RSVP, if they have not already done so, for the Boards and Commission luncheon on Friday, January 23, 2015.

Mr. Huber commented that if there are things that annoy the Planning Commission or see areas they would like to change or room for improvement, please let staff know.

Commissioner Miranda stated that he finds the staff reports very thorough and detailed.

John Adam, Senior Planner, noted that at today's meeting Commissioner Miranda joined at 12:10 p.m.

Mr. Huber thanked and complimented the Planning Commission for their volunteer work that they do.

Vice Chair Tull stated that the Planning Commission is one of the key focal points of citizen input into the operation of the City's government. Those who come give testimony before the Planning Commission need to be commended for coming forth and they need to be listened to. They come because they have a concern that they feel needs to be added to the process that the Planning Commission is working on. There are neighbor citizens who want to talk to the Planning Commission about things that as neighbors, are focusing on because, the City has asked the Planning Commission to do. That is a good relationship that gets reflected in the Planning Commission meetings. People are treated with respect and thanked for their contribution. The Planning Commission is a focal point of citizen input. It needs to be an open and welcoming process.

The meeting was adjourned at 12:31 p.m.



Submitted by:

Terri L. Rozzana, Recording Secretary

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF)
)
LITHIA REAL ESTATE, INC. [LDP-14-132]) ORDER

ORDER granting approval of a request for tentative plat approval of File No. LDP-14-132.

WHEREAS:

- 1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
- 2. The Medford Planning Commission has duly held a public hearing on the request for consideration of tentative plat approval for a three lot partition on approximately 11.9 acres located on the west side of Crater Lake Highway and the east side of Grumman Drive approximately 400 feet south of Burlcrest Drive within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district, with a public hearing a matter of record of the Planning Commission on February 12, 2015; and
- 3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
- 4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and approved the final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for Lithia Real Estate, Inc., stands approved per the Staff Report dated February 5, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Staff Report dated February 5, 2015.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.270 Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 12th day of February, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT

Date: February 5, 2015 for meeting of February 12, 2015

To: Planning Commission

From: Sarah Sousa, Planner IV

Reviewed By: Kelly Akin, Principal Planner *[Signature]*

Subject: Lithia Real Estate Partition (LDP-14-132)
Lithia Real Estate, Inc. (Maize & Associates, Inc., Agent)

BACKGROUND

Proposal

Consideration of tentative plat approval for a three lot partition on approximately 11.9 acres located on the west side of Crater Lake Highway and the east side of Grumman Drive approximately 400 feet south of Burlcrest Drive within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district.

Subject Site Zoning, GLUP Designation and Existing Uses

Subject Site Zoning: I-L/AR/RZ
GLUP Designation: GI (General Industrial)
Existing Uses: Vacant

Surrounding Property Zoning and Uses

North	I-L Auto Dealership
South	I-L Auto Dealership
East	EFU (County Zoned - Exclusive Farm Use) Vacant Land Outside of Urban Growth Boundary
West	I-L Vacant Land

"Working with the Community to Shape a Vibrant and Exceptional City"

Related Projects

CP-99-081	GLUP Map Amendment - Heavy Industrial (HI) to General Industrial (GI)
ZC-99-115	Zone Change of 113 acres from County AD-MU to I-L
LDS-05-319	8 lot subdivision for multiple dealership auto complex
CUP-06-223	Conditional Use Permit to allow auto dealership
AC-06-227	Jeep Dodge Dealership Building
CUP-13-092	Conditional Use Permit to allow three auto dealerships
AC-13-108	Nissan Dealership Building
AC-14-005	Volkswagen Dealership Building
AC-14-006	BMW Dealership Building

Applicable Criteria

**LAND DIVISION APPROVAL CRITERIA
MEDFORD LAND DEVELOPMENT CODE SECTION 10.270**

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;

- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

Corporate Names

The property owner and applicant is Lithia Real Estate. The Secretary of the State Business Registry lists Dick Heimann as the president and Chris Holzshu as secretary.

ISSUES/ANALYSIS

Background

The subject area is within the Oregon Automall Phase 1 (LDS-05-319), a 7 lot subdivision for an auto dealership complex. In 2013, the Planning Commission approved a Conditional Use permit for the Nissan, Volkswagen, and BMW dealerships on Lots 3 & 4. The three newer dealership buildings have also been reviewed and approved by the Site Plan & Architectural Commission. The Nissan and Volkswagen dealerships have recently been completed and the BMW dealership is still under construction. All three dealership buildings are included in the subject area proposed for land division.

Restricted Zoning

The subject area has the Restricted Zoning (RZ) Administrative Overlay placed upon it. The zone change approved for the area was conditioned with a trip cap that restricts the overall development of the auto complex to not produce more than 24,624 Average Daily Trips (ADT). As each lot develops, calculations are done to verify that the overall vehicle trips are still within the maximum allowance.

Vehicular Access

Primary vehicular access to the project is from a shared entry driveway from Grumman Drive. This access provides the main entrance for all three dealerships. The Public Works Report requires the submittal of a covenant to assure the access between the parcels will remain shared in the event of different ownerships in the future (Exhibit E). Two smaller driveways exist off of Grumman Drive, one to the northwest to the future Parcel 1 and one to the southwest to future Parcel 3. There is no direct vehicular access off of Crater Lake Highway.

Through Lot

Medford Land Development Code Section 10.704 defines a "through lot" as a lot containing both a front and rear lot line abutting a street. Through lots are only allowed when one of the abutting streets is collector or Arterial Street. Since Parcel 3 fronts upon Grumman Drive and has a rear line abutting Crater Lake Highway, it is considered a through lot. However, it is permissible since Crater Lake Highway is an arterial street.

Site Development Standards

All of the Site Development Standards listed in 10.721 have been met.

FINDINGS OF FACT

Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibit D) and recommends that the Commission adopt the Findings as presented.

RECOMMENDED ACTION

Adopt the Findings as recommended by staff and adopt the Final Order for approval of LDP-14-132 per the Staff Report dated February 5, 2015, including Exhibits A through M.

EXHIBITS

- A Conditions of Approval dated February 5, 2015
- B Tentative Plat received December 4, 2014
- C Colored Tentative Plat designating parcels received January 22, 2015
- D Applicant's Findings of Fact and Conclusions of Law received December 4, 2014
- E Public Works Report received January 14, 2015
- F Fire Department Report received January 14, 2015
- G Medford Water Commission memo & Map received January 14, 2015
- H Rogue Valley Sewer Services memo received January 9, 2015
- I Jackson County Roads letter received January 12, 2015
- J Jackson County Airport email received January 7, 2015
- K Oregon Department of Transportation email received January 22, 2015
- L Medford Zoning Map received December 4, 2014
- M Jackson County Assessor's Map received December 4, 2014
Vicinity Map

PLANNING COMMISSION AGENDA:

FEBRUARY 12, 2015

EXHIBIT A

LDP-14-132
Conditions of Approval
February 5, 2015

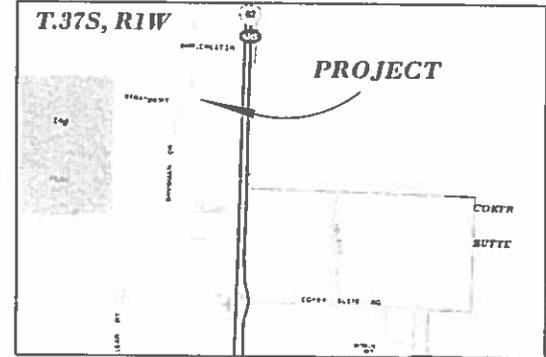
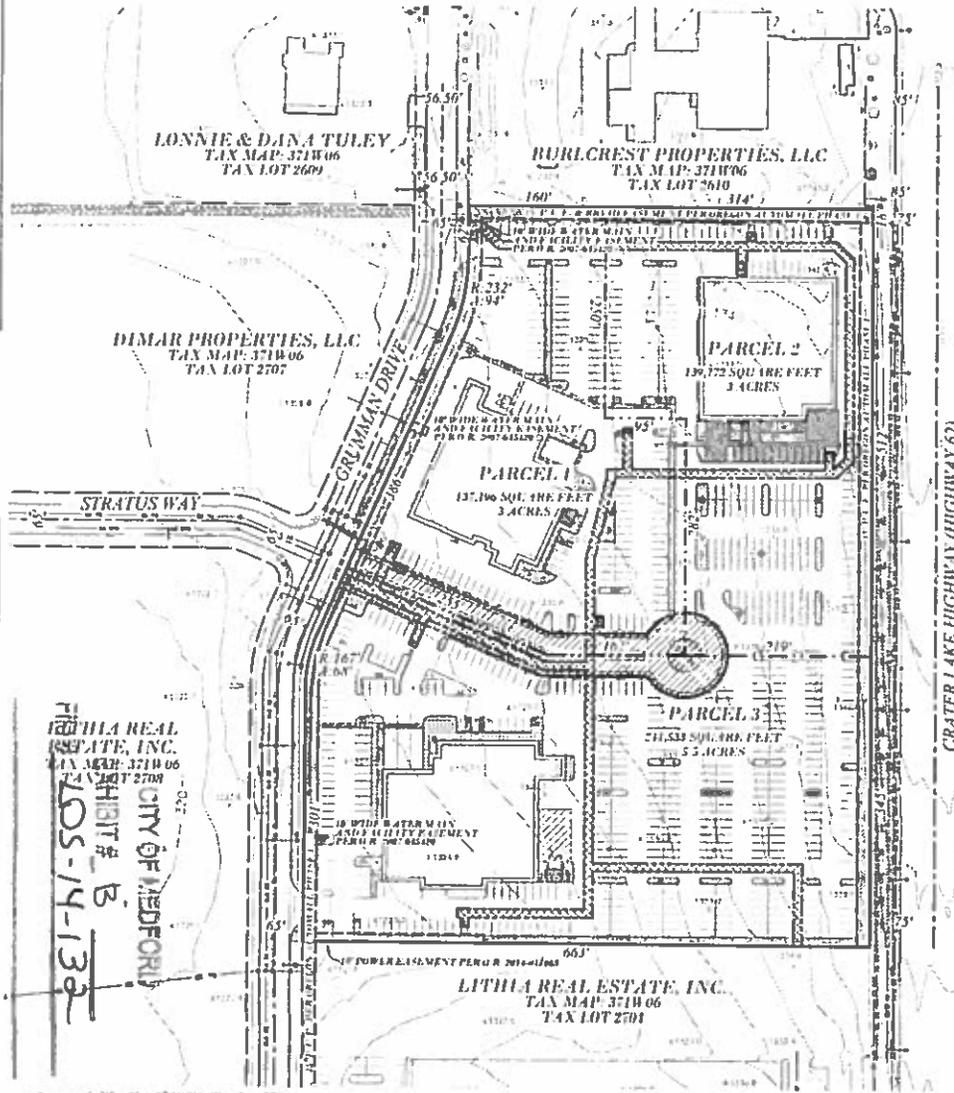
CODE REQUIREMENTS

1. Prior to Final Plat approval, the applicant shall comply with the:
 - a. Public Works Department Staff Report received January 14, 2015 (Exhibit E);
 - b. Rogue Valley Sewer Services letter received January 9, 2015 (Exhibit H);
 - c. Jackson County Airport email received January 7, 2015 (Exhibit J).

TENTATIVE PLAT

LOCATED WITHIN
THE SOUTHEAST QUARTER OF SECTION 6
TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
JACKSON COUNTY, OREGON

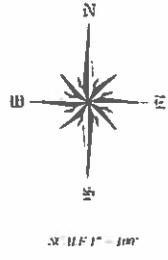
FOR
DIMAR PROPERTIES, LLC
426 ROUNDELAY CIRCLE
MEDFORD, OREGON 97504



APPLICANT'S EXHIBIT
" / "

EASEMENT NOTES

- 1) RESTRICTIVE COVENANT, RECORDED IN DOCUMENT NUMBER 2003-39566 IN JACKSON COUNTY, OREGON FOR TRAFFIC RESTRICTIONS FOR FUTURE DEVELOPMENT
- 2) LIMITED ACCESS FROM CRATER LAKE HIGHWAY RECORDED IN VOLUME 592, PAGES 160 TO 162 AND MODIFIED BY RECORDED DOCUMENT NUMBER 2003-39566 IN JACKSON COUNTY, OREGON.
- 3) AVIATION, NOISE & HAZARD EASEMENT RECORDED IN DOCUMENT NUMBER 2007-048139 IN JACKSON COUNTY, OREGON.
- 4) THIS PROPERTY IS ALLOWED ACCESS ONLY FROM GRUMMAN DRIVE PER RESTRICTIONS ON THE PLAT AND DEDICATION OF "OREGON UTILITY PURPOSE"
- 5) THE TERMS AND CONDITIONS DETAILLED IN THE OPERATION AND MAINTENANCE AGREEMENT FOR STORM WATER FLOW CONTROL FACILITY IN RECORDED DOCUMENT 2010-011531 IN JACKSON COUNTY, OREGON.
- 6) BUILDING SITE IMPROVEMENT AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF IN RECORDED DOCUMENT NUMBER 2014-015460 IN JACKSON COUNTY, OREGON.
- 7) FUTURE EASEMENT FOR UTILITIES AND WATER FACILITIES TO BE RECORDED AFTER CURRENT CONSTRUCTION.



REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
MAY 8, 2012
JACOB M. MARTIN
04728
RENEW: 1/1/2015

LEGEND

- EXISTING BOUNDARY LINE
- PROPOSED BOUNDARY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- FUTURE UTILITY COMMISSION EASEMENT SEE EASEMENT NOTE 7
- PROPOSED EGRESS/EGRESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- H.R.U.I.D. HAZARDOUS MATERIALS REGULATORY DISTRICT

NOTES

- 1) PROPERTY IS IN UNDEVELOPED FLOOD ZONE.
- 2) THERE ARE NO EXISTING WELLS OR IRRIGATION CANALS.
- 3) THERE IS NO PUBLIC OR COMMON USE PROPOSED.
- 4) ZONING: R-1 ZONE.
- 5) MEDFORD SCHOOL DISTRICT 300C.
- 6) IRRIGATION DISTRICT: RHD 10.
- 7) NO CONCEPTUAL GRADING PLAN IS REQUIRED BY PUBLIC WORKS SINCE THE CONSTRUCTION DRAWINGS FOR EACH PARCEL WERE APPROVED BY PUBLIC WORKS ENGINEERS THIS YEAR.
- 8) THE SUBJECT PROPERTY IS DESIGNATED AS A STORM WATER SERVICE PERIOD CONSTRUCTION DRAWINGS.
- 9) CONTROL ARE BASED ON THE CITY OF MEDFORD CITY MEDFORD AREA UTILITY MAPS AND CONSTRUCTION DRAWINGS FOR DESIGNED GRADES.

GROSS ACREAGE

ORIGINAL PARCEL AS DESCRIBED IN DOCUMENT NUMBER 2013-01054 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON IS 308,100 S.F. OR 7.05 ACRES.

RECEIVED
JAN 04 2014
PLANNING DEPT
BASIS OF BEARING
THE BASIS OF BEARING IS FILED IN RECORD NUMBER 2013-01054
SURVEYED BY:
TO THE POINT LAND SURVEYING, LLC
P.O. BOX 217
GOLD HILL, OR 97525
(541) 840-7587
Date: December 2, 2014
Project No. 0024-14

TO THE POINT LAND SURVEYING

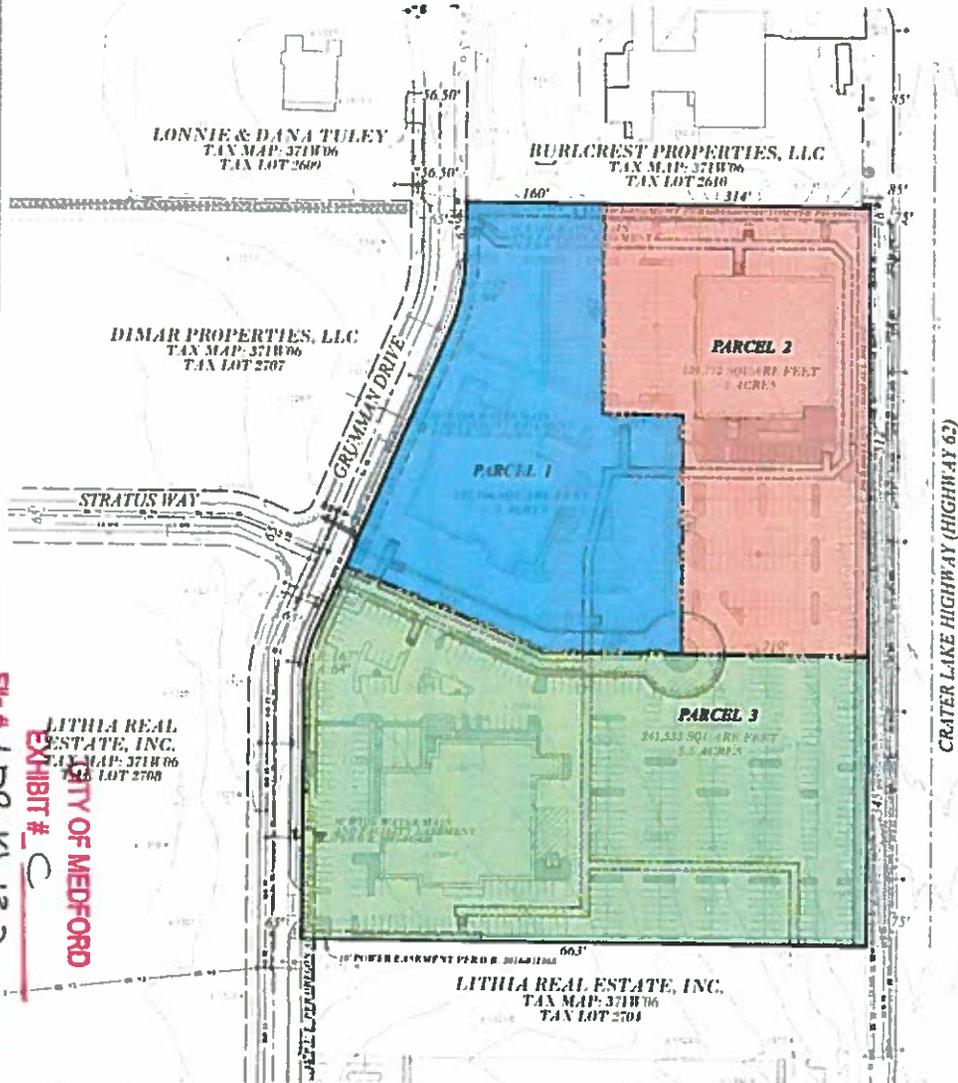
Page 26

9

TENTATIVE PLAT

LOCATED WITHIN
THE SOUTHEAST QUARTER OF SECTION 6
TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
JACKSON COUNTY, OREGON

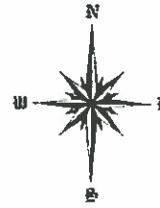
FOR
DIMAR PROPERTIES, LLC
426 ROUNDELAY CIRCLE
MEDFORD, OREGON 97504



VICINITY MAP
NOT TO SCALE

EASEMENT NOTES

- 1) RESTRICTIVE COVENANT, RECORDED IN DOCUMENT NUMBER 99-42700 IN JACKSON COUNTY, OREGON FOR TRAFFIC RESTRICTIONS FOR FUTURE DEVELOPMENT.
- 2) LIMITED ACCESS FROM CRATER LAKE HIGHWAY RECORDED IN VOLUME 592, PAGES 160 TO 162 AND MODIFIED BY RECORDED DOCUMENT NUMBER 2003-09566 IN JACKSON COUNTY, OREGON.
- 3) AVIATION, NOISE & HAZARD EASEMENT RECORDED IN DOCUMENT NUMBER 2005-048200 IN JACKSON COUNTY, OREGON.
- 4) THIS PROPERTY IS ALLOWED ACCESS ONLY FROM CRUMMAN DRIVE PER RESTRICTIONS ON THE PLAT AND DEDICATION OF "OREGON AUTOMAIL, PHASE 1"
- 5) THE TERMS AND CONDITIONS DETAILED IN THE OPERATION AND MAINTENANCE AGREEMENT FOR STORM WATER FLOW CONTROL FACILITY IN RECORDED DOCUMENT 2014-01751 IN JACKSON COUNTY, OREGON.
- 6) BUILDING SITE IMPROVEMENT AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF IS RECORDED DOCUMENT NUMBER 2014-015460 IN JACKSON COUNTY, OREGON.
- 7) FUTURE EASEMENT FOR WATER MAINS AND WATER FACILITIES TO BE RECORDED AFTER CURRENT CONSTRUCTION.



SCALE 1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
1607 & 2012
JACOB LE WARTH
04729

RENEWED: 1/1/2015

LEGEND

- EXISTING BOUNDARY LINE
- - - PROPOSED BOUNDARY LINE
- - - EXISTING EASEMENT
- - - PROPOSED EASEMENT
- FUTURE WATER COMMISSION EASEMENT
SEE EASEMENT NOTE 7.
- PROPOSED INGRESS / EGRESS EASEMENT
- P.U.K. PUBLIC UTILITY EASEMENT
- R.R.V.I.D. ROGUE RIVER VALLEY IRRIGATION DISTRICT

NOTES

- 1) PROPERTY LIES IN A NON-HAZARD FLOOD ZONE.
- 2) THERE ARE NO EXISTING WELLS OR IRRIGATION CANALS.
- 3) THERE IS NO PUBLIC OR COMMON AREA PROPOSED.
- 4) ZONING: I-L ZONE
- 5) MEDFORD SCHOOL DISTRICT 50C.
- 6) IRRIGATION DISTRICT: RRVVD
- 7) NO CONCEPTUAL GRADING PLAN IS REQUIRED BY PUBLIC WORKS SINCE THE CONSTRUCTION DRAWINGS FOR EACH PARCEL WERE APPROVED BY PUBLIC WORKS EARLIER THIS YEAR.
- 8) THE SUBJECT PROPERTY HAS DESIGNED SEWER, STORM AND WATER SERVICES PER SAID CONSTRUCTION DRAWINGS.
- 9) CONTOURS ARE BASED ON 2002 CITY-WIDE UPDATES, CITY OF MEDFORD AERIAL BASE MAPS AND SEE SAID CONSTRUCTION DRAWINGS FOR DESIGNED GRADES.

BASIS OF BEARING

THE BASIS OF BEARING IS FILED SURVEY NUMBER 102

SURVEYED BY:
TO THE POINT LAND SURVEYING, LLC
P.O. BOX 217
COLD HILL, OR 97525
(541) 840-7587

Date: December 2, 2014
Project No. 0024-14

GROSS ACREAGE

ORIGINAL PARCEL AS DESCRIBED IN DOCUMENT NUMBER 2013-011054 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON IS 518,001.119 ACRES.

TO THE POINT LAND SURVEYING

Page 27

File # LDR-14-132

EXHIBIT # C
CITY OF MEDFORD

Assessor's Plat No. 371W06, Tax Lot 2706

RECEIVED

JAN 22 2015

PLANNING DEPT.

TENTATIVE PLAT

FINDINGS OF FACT AND CONCLUSIONS OF LAW

**BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION**

RECEIVED
DEC 04 2014
PLANNING DEPT.
APPLICANT'S
EXHIBIT 2

**IN THE MATTER OF AN APPLICATION FOR
APPROVAL OF THE TENTATIVE PLAT FOR A
THREE-LOT PARTITION.**

APPLICATION: Request for approval of a 3-lot partition on an approximate 11.9-acre parcel, located between Grumman Drive and Crater Lake Highway, approximately 1,000 feet north of Coker Butte Road, within an I-L/RZ/AR (Light Industrial/Restricted Zoning Overlay/Airport Radar Overlay) zoning district.

APPLICANT: Lithia Real Estate, Inc.
150 N. Bartlett Street
Medford, OR 97501

OWNER: DiMar Properties, LLC
426 Roundelay Circle
Medford, OR 97504

AGENT: Maize & Associates, Inc.
P.O. Box 628
Medford, OR 97501

A. BACKGROUND INFORMATION

The subject property is located in the northern part of the City of Medford between Crater Lake Highway and the Rogue Valley International - Medford Airport, just north of Coker Butte Road. The subject property is currently being developed with 3 separate auto businesses - the Nissan, VW, and BMW dealerships, which received Conditional Use Permit and Site Plan and Architectural Commission development permits in 2013 and 2014 (Files CUP-13-092, AC-13-108, AC-14-005 and AC-14-006 respectively).

Adjoining the parcel to the south is the Chrysler Jeep Dodge auto dealership that was constructed in 2007. A Property Line Adjustment was accomplished in 2013 to shift the common boundary between the Chrysler Jeep Dodge parcel and the subject parcel approximately 130 feet to the north to modify the subject Tax Lot 2706 into its current configuration.

CITY OF MEDFORD
EXHIBIT # D
File # LD 14-132

B. PROPOSAL AND SCOPE OF THE APPLICATION

The applicant proposes to place each of the three auto dealerships (BMW on Parcel 1, VW on Parcel 2, and Nissan on Parcel 3) on their own discreet lot.

C. APPLICANT'S SUBMITTALS

- Exhibit 1 – Partition Tentative Plat
- Exhibit 2 – Findings of Fact and Conclusions of Law
- Exhibit 3 – Assessor's Map showing subject property
- Exhibit 4 – Medford Zoning Map showing subject property

D. RELEVANT APPROVAL CRITERIA

MEDFORD LAND DEVELOPMENT CODE

LAND DIVISION CRITERIA – SECTION 10.270

Section 10.270 of the Land Development Code states that the approving authority (the Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together the provisions for its design and improvement:

1. *Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;*
2. *Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
3. *Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;*
4. *If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;*
5. *If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*
6. *Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Planning Commission has considered the following facts that are pertinent to the application request:

MEDFORD LAND DEVELOPMENT CODE - SECTION 10.270

LAND DIVISION CRITERIA

CRITERION NO. 1

1. *Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;*

Findings of Fact

Comprehensive Plan

Medford's Comprehensive Plan provides the general goals and policies that guide the many land use decisions that the City will need to make. The goals and policies are implemented by the specific standards and requirements of the City's Land Development Code. The design standards for a land division are found in Article IV and V of the Code.

There are no Goals or Policies within Medford's Comprehensive Plan, that by their specific language serve as relevant approval criteria. However, there are several specific plans that deserve discussion.

Neighborhood Circulation Plan

The subject property is included on the City's Adopted North Medford Circulation Plan map that addresses approved Neighborhood Street Circulation Plan systems. The North Medford Plan shows Grumman Drive, abutting to the west in its existing location as a local street, which is now developed as an Industrial Street. The plan also shows Crater Lake Highway abutting to the east as a Major Arterial street, a standard to which it has been developed.

Wetlands and Riparian Plans

Medford's Local Wetland and Riparian Inventories indicate that the subject property is located within the Midway Creek Drainage Basin, and although there are both wetlands and Riparian areas in the vicinity, there are no designated wetlands or riparian areas located on the subject property.

Applicable Design Standards of the Medford Land Development Code

The proposed Tentative Plat meets all standards of the Land Development Code. A discussion of several aspects of the proposal in relation to the standards has been included below.

1. Parcel Standards for the Subject I-L Zoning District

	Required	Proposed		
		Parcel 1	Parcel 2	Parcel 3
Lot Size	20,000 square feet minimum	137,196 sq. ft.	139,772 sq. ft.	241,533 sq. ft.
Lot Coverage	50% maximum	22.6%	22.2%	15.7%
Lot Width	70 feet minimum	520 ft.	512 ft.	344 ft.
Lot Depth	100 feet min.	308 ft.	219 ft.	664 ft.
Lot Frontage	70 feet min.	458 ft.	512 ft.	797 ft.
Street Setback	10 feet min.	40 ft.	38 ft.	92 ft.
Side/Rear Setback	0 feet min.*	98 ft.	15 ft.*	63 ft.

* with a building height of 21' 9" on Parcel 2, the minimum side/rear setback is 1 ft.

2. Restrictive Zoning Overlay - Traffic

The subject property was part of a 1999 zone change that was approved by the Planning Commission with the condition that future "...uses developed on the subject property shall not produce average daily vehicle trips (ADT) which in the aggregate, exceed 24,614 ADT ..."

To date, the only development within the 133 acres that is subject to the condition so far are the existing Dodge Jeep Chrysler dealership and the three dealerships being constructed on the subject parcel. The aggregate total Average Daily Trips (ADT) on the property subject to the zone change condition is presently 5,043 ADT, which is less than the maximum 24,614 ADT allowed.

3. Airport Radar Zoning Overlay

The Medford Zoning Map shows that the subject property is within the area subject to the Airport Radar (AR) zoning overlay. That overlay district requires that (1) all development within the boundary not exceed a height of 40 feet, and (2) all construction be reviewed and approved by the FAA.

As stated earlier, the proposed development of the three auto dealerships was reviewed and approved by the Site Plan and Architectural Commission before construction occurred (Files AC-13-108, AC-14-005, and AC-14-006). The Commission determined that both of the AR standards had been met.

4. Through Lot

Although Parcel 3 is considered a “through lot”, it is permitted by the Medford Land Development Code Section 10.704, because one of the two abutting streets, Crater Lake Highway, is designated as an Arterial Street.

5. Block Length

Section 10.426(C2d) of the Land Development Code provides that the Planning Commission may approve blocks that exceed the standards for the particular zoning district if there is a proximity to a state highway that makes a street extension impractical. In this case, Crater Lake Highway, a designated Major Arterial street adjoins the east side of the subject property.

Conclusions of Law

The Planning Commission concludes that the proposed tentative plat is consistent with the Medford Comprehensive Plan and all of Medford’s applicable adopted plans. The Planning Commission also concludes that the tentative plat also conforms, or will be made to conform through the imposition of conditions, with all other applicable design standards of Articles IV and V.

CRITERION NO. 2

2. *Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*

Findings of Fact

The subject property exists as a single tax lot that is being partitioned to provide for the placement of the three auto dealerships under construction on their own parcels, and there is no remaining property to be developed. The adjoining parcel to the south is already developed with its own access from Grumman Drive. The parcel adjoining to the north is currently taking its access from Burlcrest Drive and has the ability to also take access from Grumman Drive upon future development of the parcel.

Conclusions of Law

The Planning Commission concludes that the tentative plat will not prevent the development of, or the access to the remainder of the subject property or to adjoining land.

CRITERION NO. 3

- 3. Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;*

Findings of Fact

The subject application proposes a three-lot partition and the City of Medford does not require that a partition have a name, and no name is proposed.

Conclusions of Law

The Planning Commission concludes that because no name is required or proposed, Criterion #3 does not apply to this application.

CRITERION NO. 4

- 4. If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;*

Findings of Fact

The partition does not include the creation of streets or alleys. Primary vehicular access will be taken from a driveway from Grumman Drive that will be shared by the three proposed parcels.

Conclusions of Law

The Planning Commission concludes that as no streets or alleys are required or proposed, Criterion #4 does not apply to this application.

CRITERION NO. 5

- 5. If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*

Findings of Fact

Again, the partition does not include the creation of private streets or alleys. Primary vehicular access will be taken from a driveway from Grumman Drive that will be shared by the three proposed parcels.

Conclusions of Law

The Planning Commission concludes that as there are no streets or alleys proposed to be held for private use, Criterion #5 does not apply to this application.

CRITERION NO. 6

6. *Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

Findings of Fact

The City of Medford, as evidenced by Section 10.801 of the Land Development Code has determined that urban development being proposed on land that shares a common property line with lands which are zoned Exclusive Farm Use (EFU) or Exclusive Agriculture (EA) need to assess any possible impacts and mitigations upon those two abutting uses, with the submittal of an Agricultural Impact Analysis.

The lands that adjoin the subject parcel to the north, west, and south have a City of Medford zoning of Light Industrial (I-L) and Heavy Industrial (I-H). The approximate 200-foot Crater Lake Highway/Avenue right-of-way adjoins the subject property to the east.

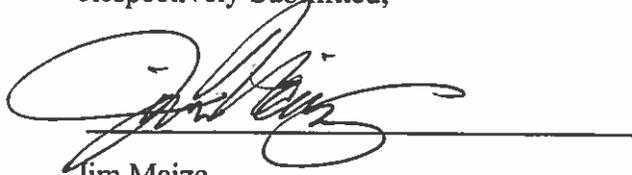
Conclusions of Law

The Planning Commission concludes that as there are no adjoining agricultural lands within the EFU zoning district that share a common lot line with the subject property, the proposal will not cause an unmitigated land use conflict between the land division and any adjacent agricultural land, and therefore Criterion #6 has been met.

F. ULTIMATE CONCLUSION

Based upon the above Findings of Fact and Conclusions of Law, the Planning Commission concludes that the application for the Tentative Plat for the subject three-lot partition is consistent with the relevant decisional criteria found in Section 10.270 of Medford's Land Development Code, and can be approved as submitted.

Respectively Submitted,

A handwritten signature in black ink, appearing to read "Jim Maize", is written over a solid horizontal line.

Jim Maize

Maize & Associates, Inc.

Dated: December 3, 2014

DATE: January 14, 2015
NO.: LDP-14-132

PUBLIC WORKS DEPARTMENT STAFF REPORT **RECEIVED**

PROJECT: Consideration of tentative plat approval for a three-lot partition of an approximately 11.9 acre parcel.

JAN 14 2015
PLANNING DEPT.

Location: Located on the west side of Crater Lake Highway and the east side of Grumman Drive, approximately 400 feet south of Burlcrest Drive, within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district.

APPLICANT: Lithia Real Estate, Inc.

NOTE: Items A –D Shall be Completed and Accepted Prior to Approval of the Final Plat

- Prior to approval of final plat of this land partition, the following items shall be completed and accepted:
 - Confirm that previously conditioned items per CUP-13-092, AC 13-108, AC 14-005, and AC 14-006 have been satisfied.

A. STREETS

a. DEDICATIONS

No additional street dedication is needed for this Development. The main access from Grumman Drive shall be privately owned. A shared access easement exists between the parcels.

b. IMPROVEMENTS

1. Public Streets

With the exception of streetlights and sidewalks, Crater Lake Highway is under the jurisdiction of the Oregon Department of Transportation (ODOT). The Developer should contact ODOT with regard to this development and potential highway improvement requirements.

Grumman Drive is an existing street. Consistent with the City of Medford's adopted Transportation System Plan, the Developer has installed a five-foot sidewalk along the entire frontage of Grumman Drive, separated from the curb with an eight (8) foot planter strip, measured from the front of curb. No additional public improvements are required.

2. Lighting and signing

No additional lighting is needed for this Development.

c. ACCESS AND CIRCULATION

The driveway approaches were constructed per CUP-13-092, AC 13-108, AC 14-005, and AC 14-006, and comply with Medford Land Development Code (MLDC Section 10.550). The main access entering from Grumman Drive, opposite Stratus Way, is be privately owned and maintained. To assure current access between parcels exists in the future, Developer shall provide a restrictive covenant to prevent owner of any parcel from instituting any changes to traffic flow. No direct access is allowed onto Crater Lake Highway from these developments.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service area. Each tax lot shall have a separate sanitary sewer lateral installed prior to approval of the Final Plat.

C. STORM DRAINAGE

a. Hydrology

The site lies within the Upton Slough drainage basin. Drainage requirements were previously conditioned per CUP-13-092, AC 13-108, AC 14-005, and AC 14-006.

b. Stormwater Detention and Water Quality

To assure current drainage configuration between parcels exists in the future, Developer shall provide a restrictive covenant to prevent owner of any parcel from instituting any changes to stormwater runoff. The Developer shall also provide a Joint Use Maintenance Agreement for the shared private stormwater system. Stormwater detention and water quality requirements were previously conditioned per CUP-13-092, AC 13-108, AC 14-005, and AC 14-006.

c. Grading

Grading requirements were previously conditioned per CUP-13-092, AC 13-108, AC 14-005, and AC 14-006.

d. Mains and Laterals

The mains and laterals were previously conditioned and no changes are anticipated as a part of the proposed action.

e. Wetlands

No physical changes to the parcels are proposed. The proposed partition will have no effect on any wetlands.

f. Erosion Control

No physical changes to the parcels are proposed. The proposed partition will have no effect on erosion control measures.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to Engineer Division approval of the final plat.

Prepared by: RH2 Engineering, Inc.
Revised by: Doug Burroughs 1-13-15



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

RECEIVED

JAN 14 2015

PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 01/14/2015

From: Fire Marshal Kleinberg

Report Prepared: 01/09/2015

File #: LDP - 14 - 132

Site Name/Description:

Consideration of tentative plat approval for a three lot partition on approximately 11.9 acres located on the west side of Crater Lake Highway and the east side of Grumman Drive, approximately 400 feet south of Buricrest Drive, within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district; Lithia Real Estate, Inc., Applicant (Maize & Associates, Inc., Agent). Sarah Sousa, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.



Staff Memo

TO: Planning Department, City of Medford

FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: LDP-14-132

PARCEL ID: 371W06 TL 2706

RECEIVED
 JAN 14 2015
 PLANNING DEPT.

PROJECT: Consideration of tentative plat approval for a three lot partition on approximately 11.9 acres located on the west side of Crater Lake Highway and the east side of Grumman Drive, approximately 400 feet south of Burlcrest Drive, within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district; Lithia Real Estate, Inc., Applicant (Maize & Associates, Inc., Agent). Sarah Sousa, Planner.

DATE: January 7, 2015

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

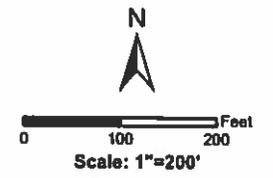
- 1. No conditions.

COMMENTS

- 1. Off-site water line installation is not required.
- 2. On-site water facility construction is not required.
- 3. MWC-metered water service does exist to this property. Each proposed parcel has its own domestic water service and fire protection service. Access to MWC water lines is available, there is a 12-inch water line is located in Grumman Drive, and also on-site looped 12-inch water lines.
- 4. Static water pressure is expected to be between 65 to 80 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
- 5. All water meters have approved back flow prevention devices installed behind all on-site water meters.

CITY OF MEDFORD
 EXHIBIT # 6

File # LDP-14-132 Page 1 of 1



**Water Facility Map
for
LDP-14-132**

Legend

- ◆ Air Valve
- Sample Station
- Fire Service
- ⊕ Hydrant
- ▲ Reducer
- ⊠ Blow Off
- ◆ Plugs-Caps

Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

Water Mains:

- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

- ▭ Urban Growth Bounda
- ▭ City Limits
- ▭ Tax Lots

MWC Facilities:

- C** Control Station
- P** Pump Station
- R** Reservoir



This map is based on a digital orthophoto provided by Medford Water Commission. It is not a warranty of accuracy. Medford Water Commission assumes no liability for errors, omissions, or other inaccuracies. Please refer to applicable regulations for further information.



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

January 8, 2015

RECEIVED

JAN 09 2015

PLANNING DEPT

City of Medford Planning Department
411 West 8th Street
Medford, Oregon 97501

Re: LDP-14-132, Lithia Real Estate, Inc (371W06, TL 2706)

ATTN: Sarah Sousa,

The subject property is currently served by three separate sewer services serving Parcels 1,2 and 3. However, the sewer service for Parcel 2 transects Parcel 1; therefore an easement is required for the portion of Parcel's two's service crossing Parcel 1.

Rogue Valley Sewer Services request the above named planning action be subject to the following conditions:

- Provide RVSS with a copy of the recorded easement for the portion of Parcel 2's sewer service transecting Parcel 1.

Feel free to contact me directly with any additional questions.

Sincerely,

Wade Denny, PE
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\LAND PART2014\LDP-14-132-LITHIA.DOC

CITY OF MEDFORD

EXHIBIT # H

File # LDP-14-132



JACKSON COUNTY

Roads

**Roads
Engineering**

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
christke@jacksoncounty.org

www.jacksoncounty.org

January 6, 2015

Attention: Sarah Sousa
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RECEIVED

JAN 12 2015

PLANNING DEPT.

RE: Partition off Crater Lake Highway – a state maintained road.
Planning File: LDP-14-132.

Dear Sarah:

Thank you for the opportunity to comment on the consideration of tentative plat approval for a three lot partition on approximately 11.9 acres located on the west side of Crater Lake Highway and the east side of Grumman Drive, approximately 400 feet south of Burlcrest Drive, within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district. Jackson County Roads has no comment.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,

Kevin Christiansen
Construction Manager

CITY OF MEDFORD

EXHIBIT # I

File # LDP-14-132

Sarah K. Sousa

From: Marcy Black <BlackMA@jacksoncounty.org>
Sent: Wednesday, January 07, 2015 4:17 PM
To: Sarah K. Sousa
Subject: File LDP-14-132 Project Name: Lithia Real Estate, Inc

RECEIVED
JAN 07 2015
PLANNING DEPT

Sarah:

The Airport's requests an Avigation, Noise, and Hazard Easement be required as part of the partition process.

Thanks for the opportunity to comment.

Marcy Black
Deputy Director-Administration

Sarah K. Sousa

From: MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>
Sent: Thursday, January 22, 2015 2:45 PM
To: Sarah K. Sousa
Subject: LDP-14-132

RECEIVED

JAN 22 2015

PLANNING DEPT.

Sarah,

Thank you for sending agency notice of a consideration of tentative plat approval for a three lot partition on approximately 11.9 acres located on the west side of Crater Lake Highway and the east side of Grumman Drive, approximately 400 feet south of Burlcrest Drive, within an I-L/AR/RZ (Light Industrial/Airport Radar Overlay/Restricted Zoning) zoning district. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

Don Morehouse
Senior Transportation Planner
ODOT Region 3, District 8 (Rogue Valley Tech Center)
Ph: (541) 774-6399
Fax: (541) 774-6349
Donald.Morehouse@odot.state.or.us

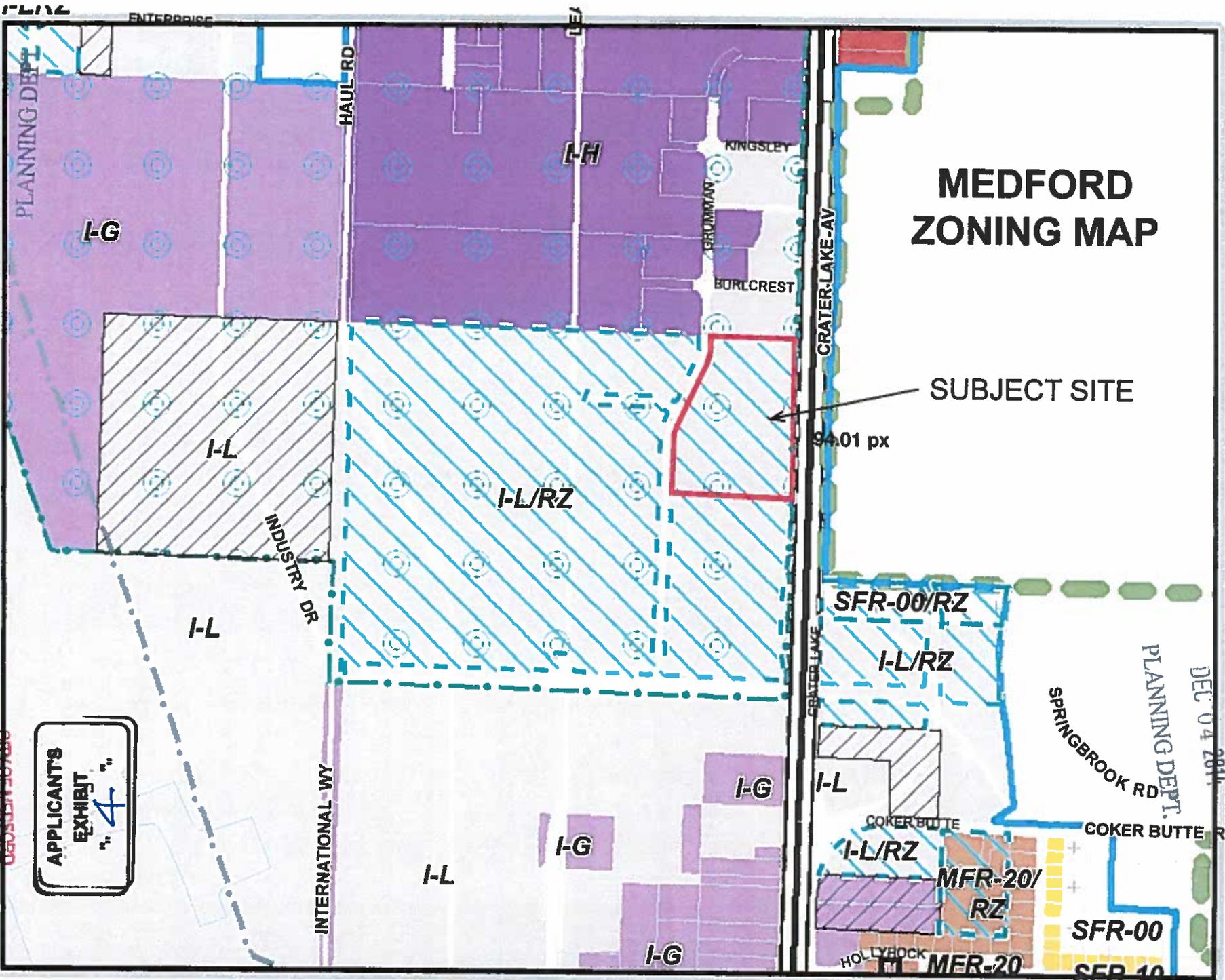
CITY OF MEDFORD
EXHIBIT # K
File # LDP-14-132

RECEIVED

DEC 04 2014

Page 46

EXHIBIT # 4
FILE # LD 14-132



MEDFORD ZONING MAP

SUBJECT SITE

94.01 px

RECEIVED

DEC 04 2014

PLANNING DEPT.

APPLICANT'S EXHIBIT 4

2

JACKSON COUNTY ASSESSOR MAP RECEIVED

DEC 04 2014

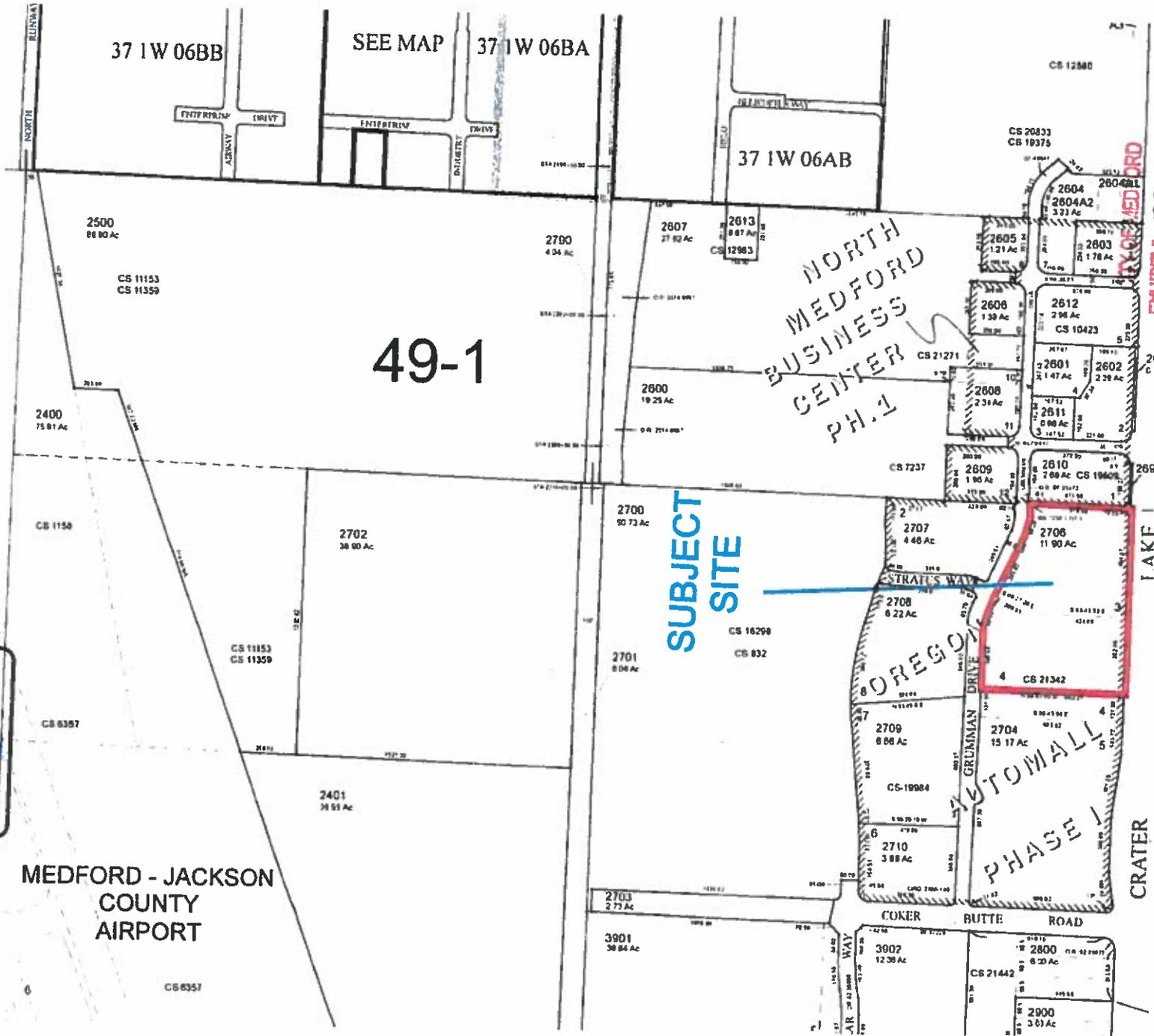
PLANNING DEPT.

37-1W-6

SEE MAP 372N01A

APPLICANTS EXHIBIT "B"

MEDFORD - JACKSON COUNTY AIRPORT



49-1

SUBJECT SITE

NORTH MEDFORD BUSINESS CENTER PH. 1

OREGON AUTOMALL PHASE I CRATER

EXHIBIT # M
File # ADP-14-132

Vicinity Map

Application Name/Description:
Lithia Land Partition

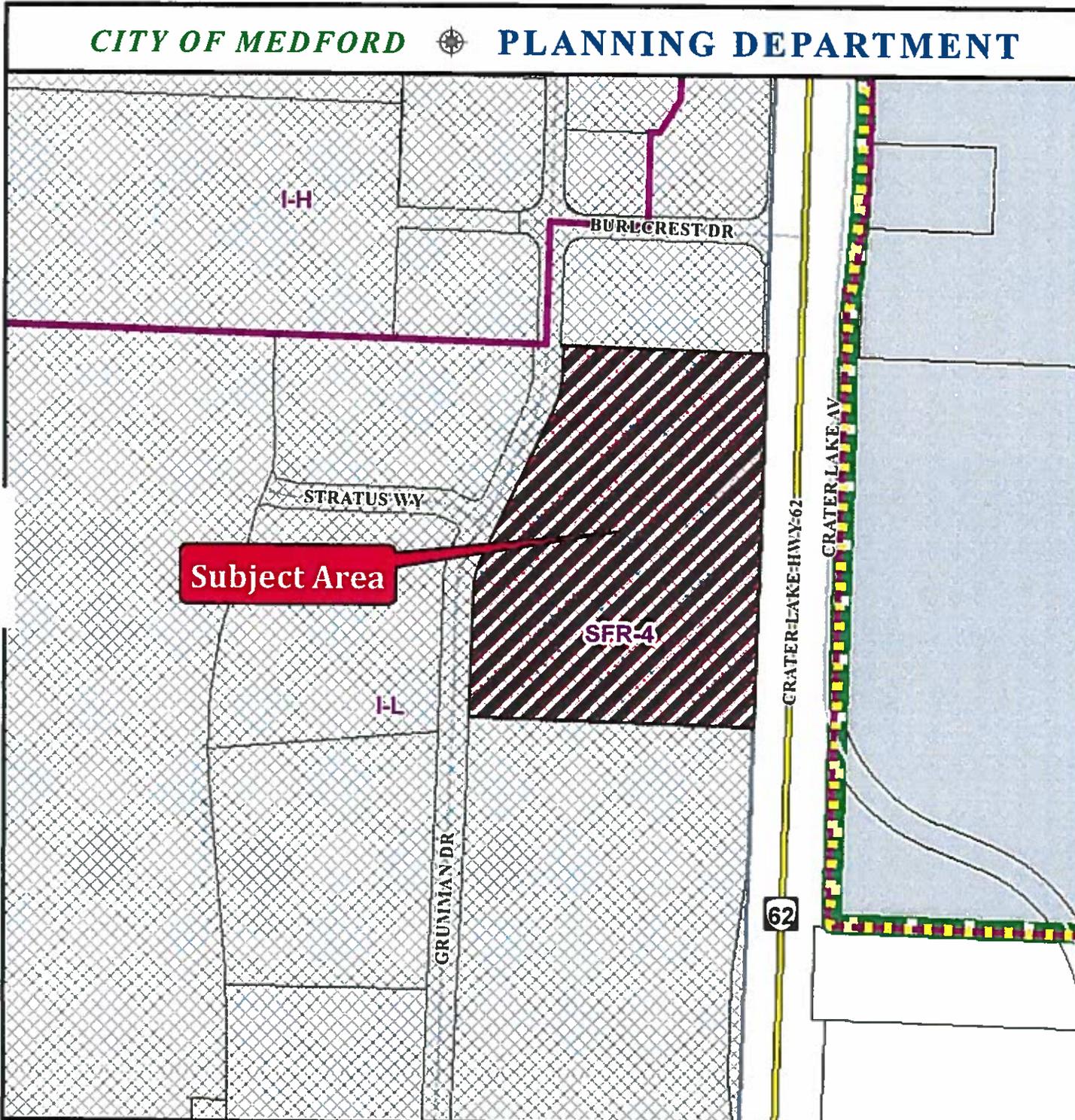
Proposal:
3 Lot Partition

File Numbers:
LDP-14-132

Applicant:
Lithia Real Estate, Inc

Map/Taxlot:
371W06 TL 2706

Page 48



	Subject Area
	Medford Zoning
	UGB
	Tax Lots
	City Limits
	Airport Radar

Area of Map

The inset map shows the outline of the City of Medford. A red square indicates the location of the subject area within the city limits. A north arrow is located to the left of the map. The City of Medford logo is in the top right corner of the inset map.

12/23/2014

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE PUD-14-074/LDS-14-091/)
ZC-14-1043 APPLICATION FOR A PLANNED UNIT DEVELOPMENT) ORDER
SUBMITTED BY ROCKLAND PLAC)

ORDER granting approval of a preliminary PUD plan for Rockland Place and Tentative Plat for a 31 lot single family subdivision and a zone change from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600, as provided for in the City of Medford Land Development Code.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.230 Application, Planned Unit Development, and
2. The Medford Planning Commission has duly held a public hearing on the matter of an application for approval of a preliminary PUD plan for Rockland Place and Tentative Plat for a 31 lot single family subdivision and a zone change from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600, with a public hearing a matter of record of the Planning Commission on February 12, 2015.
3. At the public hearing on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted preliminary plan approval for a Planned Unit Development and approved a final order with all conditions and findings set forth for the granting of the Preliminary Plan approval.

THEREFORE LET IT BE HEREBY ORDERED that the application for approval of a preliminary PUD plan for Rockland Place and Tentative Plat for a 31 lot single family subdivision and a zone change from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600, stands approved subject to compliance with the conditions stated in the Staff Report dated February 5, 2015.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this application for preliminary plan approval for a planned unit development is hereafter supported by the findings adopted by the Planning Commission as Exhibit "H" and any additional findings contained in the Staff Report dated February 5, 2015.

FINAL ORDER

PUD-14-074/LDS-14-091/ZC-14-103

Accepted and approved this 12th day of February 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF)
)
ROCKLAND PLACE [LDS-14-091]) ORDER

ORDER granting approval of a request for tentative plat approval of Rockland Place.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of tentative plat approval for a 31 lot single family subdivision, preliminary PUD plan and a zone change from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600, with the public hearing a matter of record of the Planning Commission on February 12, 2014.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and approved a final order with all conditions and findings, set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for Rockland Place stands approved per the Staff Report dated February 5, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Staff Report dated February 5, 2015.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.270 Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 12th day of February, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)
ZC-14-103 APPLICATION FOR A ZONE CHANGE SUBMITTED) **ORDER**
BY ROCKLAND PLACE)

ORDER granting approval of a request for changing the zoning from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600. The application also includes approval of a preliminary PUD Plan for Rockland Place and tentative plat for a 31 lot single family subdivision.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600. The application also includes approval of a preliminary PUD Plan for Rockland Place and tentative plat for a 31 lot single family subdivision; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Final Order, Staff Report dated January 5, 2015, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

The zoning of the following described area within the City of Medford, Oregon:

37 1W 34 Tax Lot 1600

is hereby changed from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre / Southeast Overlay) zoning district.

Accepted and approved this 124th day of February, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT

Date: February 5, 2015 for meeting of February 12, 2015

To: Planning Commission

From: Sarah Sousa, Planner IV

Reviewed By: Kelly Akin, Principal Planner

Subject: Rockland Place PUD (PUD-14-074 / LDS-14-091 / ZC-14-103)
Richard & Leslie Lovett (Richard Stevens & Associates, Agent)

BACKGROUND

Proposal

Consideration of a request for a Planned Unit Development consisting of a Preliminary PUD Plan for Rockland Place, and Tentative Plat for a 31 lot single family subdivision and a zone change from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 dwelling units per gross acre / Southeast Overlay) zoning district. The zone change pertains only to 371W34 Tax Lot 1600.

Subject Site Zoning, GLUP Designation, Southeast Designation and Existing Uses

Zoning: RR-5 / SFR-10/SE
GLUP: UR (Urban Residential)
SE Plan Sub-Area: 15
SE Plan Category: Small Lot
Existing Use: Single Family Home / Vacant Land

Surrounding Property Zoning and Uses

North

Zoning: SFR-10/SFR-00/SE (Single Family Residential – 1 dwelling unit per existing lot/Southeast Overlay)
GLUP: UR/UM (Urban Medium Density Residential)
SE Plan Sub-Area: 15 / 13
SE Plan Category: Small Lot / Rowhouse
Existing Use: Single Family Homes

“Working with the Community to Shape a Vibrant and Exceptional City”

South

Zoning: SFR-10/SE/PD
GLUP: UR
SE Plan Sub-Area: 15
SE Plan Category: Small Lot
Existing Use: Single Family Homes within Stonegate Estates PUD

East

Zoning: SFR-00/SE
GLUP: UR
SE Plan Sub-Area: 15
SE Plan Category: Small Lot
Existing Use: Single Family Home / Vacant Land

West

Zoning: SFR-10/SE/PD
GLUP: UR
SE Plan Sub-Area: 15
SE Plan Category: Small Lot
Existing Use: Single Family Homes within Whitney Place PUD

Related Projects

A-02-207 Annexation
ZC-05-087 Zone Change (for Tax Lot 1700)
PUD-06-239 Elmwood PUD (Expired)

Applicable Criteria

Planned Unit Development, Section 10.235(C)

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

1. The proposed PUD:
 - a. preserves an important natural feature of the land, or
 - b. includes a mixture of residential and commercial land uses, or
 - c. includes a mixture of housing types in residential areas, or
 - d. includes open space, common areas, or other elements intended for common use or ownership, or
 - e. is otherwise required by the *Medford Land Development Code*.
2. The proposed PUD complies with the applicable requirements of this Code, or
 - a. the proposed modified applications of the Code are necessary for the project to be consistent with the criteria in Section 10.235(C)(1)(a-e), and
 - b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and

- c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.
3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
 - a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
 - b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
 - c. Limited Service Area adopted as part of the Medford *Comprehensive Plan*.
4. The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.
5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D) (8)(c), the applicant shall alternatively demonstrate that either:
 - 1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
 - 2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:
 - a. Public sanitary sewerage collection and treatment facilities.
 - b. Public domestic water distribution and treatment facilities.
 - c. Storm drainage facilities.
 - d. Public streets.

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the *Comprehensive Plan* which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(8)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.
7. If approval of the PUD application includes the division of land or the approval of other concurrent development permits applications as authorized in Subsection 10.230(C), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

Land Division, Section 10.270

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

Zone Change, Section 10.227

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation.

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon

Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the *Comprehensive Plan* "Public Facilities Element."
- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
- (b) Adequate streets and street capacity must be provided in one of the following ways:
- (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
- (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
- (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:
- (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
- (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
- (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street

- adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
 - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES/ANALYSIS

Prior Approval

A portion of the subject area (Tax Lot 1700) was originally included as part of another PUD known as Elmwood (PUD-06-239). The Preliminary PUD Plan has since expired for that project.

PUD Requirement

The subject property is within the Southeast Medford Overlay (SE) Sub-area 15. Medford Land Development Code Section 10.374 requires development of properties of over 1 acre in size in this area to be approved as a Planned Unit Development (PUD).

Scope of Project

The applicant has submitted three applications for review: a PUD, Land Division, and a Zone Change. The PUD consists of two parcels to be developed with single family detached homes. The Land Division consists of a tentative plat for a 3 phase, 31-lot subdivision. The zone change request is from County RR-5 to City SFR-10. The zone change applies to only one of the parcels (Tax Lot 1600).

Project Summary

As described above, the project includes 31 residential lots, with no commercial or other non-residential uses proposed. The PUD is divided into three phases, with single family detached home lots. The PUD does not include any common areas or private streets.

Density

The project density is a minimum of 30 units and a maximum of 49 units. The project is proposed with 31 lots, which is within the allowable range.

Street Circulation

The street circulation for the project is consistent with the Southeast Circulation Plan. Rutherford Drive is shown on the tentative plat to extend from the stubbed portion, to the south within Stonegate Estates, to Harbrooke Road (Exhibit C). Sidney Way, currently stubbed from the west within Whitney Place PUD, will extend and stub to the undeveloped property to the east. Both streets are planned as public rights-of-way as no private streets are proposed.

Modifications

Medford Land Development Code Section 10.230(D) lists modifications of standards the Planning Commission can allow within the scope of the PUD. The applicant is proposing modifications to vehicle access, street design, and setbacks. Each is discussed below.

Vehicle Access Modification

Medford Land Development Code Section 10.381(2) requires that lots of 50-feet in width or less be accessed by an alley or minimum access easement. The applicant is requesting a modification to the PUD to eliminate this requirement. The Findings explain that with the existing street circulation and development in the area, there is insufficient area to propose an alley (Exhibit H).

In looking at the surrounding development to the west and south, two streets are stubbed to the project. Both are proposed for extension through the project. If not for those street extensions, an alley may have worked for vehicular access. But because of the existing street pattern, alleyways do not seem feasible.

Street Design Modification

Medford Land Development Code Section 10.430 sets forth the general standards for all types of city streets. Residential Lanes require a 17-foot travel lane, a 7-foot parking lane on one side of the road, and a 5-foot sidewalk on one side of the road.

The applicant is requesting a modification to the street design for the southern portion of Rutherford Drive south of Sidney Way. The southern portion of Rutherford Drive, south of Sidney Way, is a Residential Lane. North of Sidney Way, Rutherford Drive is a Minor

Residential Street. The applicant is requesting a modification to Rutherford Drive (the Residential Lane portion south of Sidney Way) to eliminate the 7-foot parking lane and instead have a 5-foot sidewalk on both sides of the street. This proposal is consistent with the portion of Rutherford Drive within Stonegate Estates, which is also a Residential Lane with a sidewalk on both sides of the street. This consistency will allow pedestrians walking north on Rutherford Drive from Stonegate Estates to continue on a sidewalk as opposed to having to walk into the street around a parked car. This request provides better functionality in this area than the Code standard.

Setback Modification

The applicant seeks a modification from side yard setbacks for all of the lots. Medford Land Development Code Section 10.710 requires a minimum of a 4-foot side yard setback for structures within the residential zoning district. Setbacks increase a half a foot for every foot in building height over 15 feet. The Findings state the majority of the dwellings will be two-story and approximately 27 feet in height. Based upon that height, a 10-foot side yard setback would be required on both sides of the building to the property line. The applicant is requesting the minimum setback of 4-feet to apply instead.

The Findings describe the difficulty of home siting for small, narrow lots. The lots in the project vary from 41 to 53 feet in width. Because of the small lot size, two-story homes provide the best opportunity for livable square footage. However, two-story homes have increased setbacks, making for yet another design challenge.

The Commission may want consider allowing a reduced side yard setback. Average setbacks for two-story homes are generally 7-8 feet. The Commission could consider reducing the side yard setback to 6 feet (for the homes over 15 feet in height), which is closer to the average than the requested 4-feet. It is also important to note that the setback reduction requested is for side yards and not rear yards.

Street Tree Plan / Frontage Landscaping

Medford Land Development Code Section 10.379 regulates the street tree standards within the Southeast Overlay. The applicant submitted a street tree plan in accordance with the requirements. The Parks Department has reviewed the plan and has recommended changes relating to the specification of the variety of the Zelkova tree proposed (Exhibit Q). The other comment of the Parks Memo relates to the replacement of the London Plane Tree with a tree that will grow to a more manageable size.

Site Development Standards

All proposed lots conform to the standards of the Medford Land Development Code for length, width, square footage, and lot frontage.

Street & Pedestrian-Scale Lighting

Medford Land Development Code Section 10.380 designates special SE Overlay standards for street lighting and pedestrian-scale lighting and references the *City of Medford Street Lighting Standards and Specifications*. One street light shall be installed at each street intersection and at any pedestrian street crossing. Pedestrian-scale lighting is required on both sides of lower order streets at least every eighty feet within the planter strips. A condition has been included requiring a street and pedestrian-scale lighting plan to be reviewed and approved by the Public Works Department prior to the first final plat approval.

Zone Change

As part of this review, a zone change is requested for one of the two subject parcels. Tax Lot 1700 received a zone change from County RR-5 to SFR-10 back in 2005 (ZC-05-087). The applicant is requesting the same change for Tax Lot 1600.

The applicant has submitted Findings of Fact concluding that the proposed SFR-10 zoning is consistent with the GLUP and Southeast Overlay designation and demonstrating that urban services and facilities are available to serve the subject property (Exhibit I). The SFR-10 zoning district is an allowable zone within the Urban Residential GLUP designation and the corresponding zoning to the Small Lot Sub-Area of the Southeast Overlay. Water, sewer, storm drainage, and street facilities have adequate capacity to serve the subject property at the proposed density, according to the Medford Water Commission and the Public Work Department (Exhibits K & P).

The conclusion can be made that all of the zone change criteria have been met.

Phasing

Medford Land Development Code Section 10.269 allows the Commission to grant additional time for tentative plat approvals for phased projects. Since the project is proposed to be developed into three phases, staff is recommending the Commission allow the maximum time allowable for phased project of five years.

Criteria Compliance

Staff finds Preliminary PUD Plan for Rockland Place to be consistent with the approval criteria for a Planned Unit Development, Land Division, and Zone Change based upon the Applicant's Findings of Facts and Conclusions of Law.

FINDINGS OF FACT

Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibit H & I) and recommends that the Commission adopt the Findings, with the following modification:

1. A 6-foot side yard setback shall be allowed for dwellings over 15-feet in height. This is based upon the average two-story setback of 7-8 feet.

RECOMMENDED ACTION

Adopt the Findings as recommended by staff and adopt the Final Order for approval of PUD-14-074, LDS-14-091, & ZC-14-103 per the Staff Report dated February 5, 2015, including Exhibits A through W.

EXHIBITS

- A Conditions of Approval dated February 5, 2015
- B Preliminary PUD Plan received February 4, 2015
- C Tentative Plat received February 4, 2015
- D Landscape Plan received July 11, 2014
- E Conceptual Grading & Drainage Plan received July 11, 2014
- F Conceptual Sanitary Sewer & Water Plan received July 11, 2014
- G Project Narrative received February 4, 2015
- H Applicant's Findings of Fact (PUD/Land Division) received January 28, 2015
- I Applicant's Findings of Fact (Zone Change) received January 28, 2015
- J Public Works Department Report (PUD/Land Division) received Sept. 3, 2014
- K Public Works Department Report (Zone Change) received January 20, 2015
- L Medford Fire Department Report (PUD/Land Division) received Sept.3, 2014
- M Medford Fire Department Report (Zone Change) received October 22, 2014
- N Building Department Memo received September 3, 2014
- O Medford Water Commission Memo (PUD/Land Division) received Sept. 2, 2014
- P Medford Water Commission Memo (Zone Change) received October 22, 2014
- Q Parks & Recreation Department Memo received February 3, 2015
- R Talent Irrigation District Response Form received August 25, 2014
- S Jackson County Roads email received August 27, 2014
- T General Land Use Plan Map
- U Zoning Map received September 10, 2014
- V Southeast Plan Map
- W Jackson County Assessor's Map received July 11, 2014
Vicinity Map

PLANNING COMMISSION AGENDA: FEBRUARY 12, 2015

EXHIBIT A

Rockland Place PUD
PUD-14-074/LDS-14-091/ZC-14-103
Conditions of Approval
February 5, 2015

DISCRETIONARY CONDITIONS

1. The lots in the subdivision (Lots 1-31) are allowed a 6-foot setback for structures over 15 feet in height.
2. The land division is granted a five-year approval period allowed for phased projects.

CODE CONDITIONS

Land Division

3. Prior to first Final Plat approval, the applicant shall:
 - a. Submit a street and pedestrian lighting plan to be reviewed and approved by the Public Works Department consistent with the requirements listed in Medford Land Development Code Section 10.380.
4. Prior to the Final Plat approval for each phase, the applicant shall:
 - a. Received Final Plan approval;
 - b. Comply with the Public Works Staff Reports (Exhibit J & K);
 - c. Comply with the Medford Fire Department Report (Exhibit L);
 - d. Comply with the Medford Water Commission Memo (Exhibit O);
 - e. Comply with the Talent Irrigation District Land Use Agency Response Form (Exhibit R);

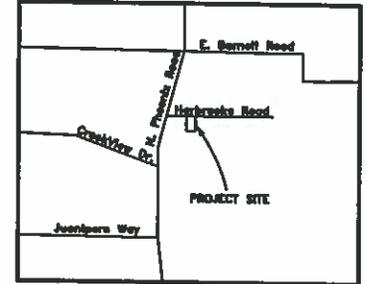
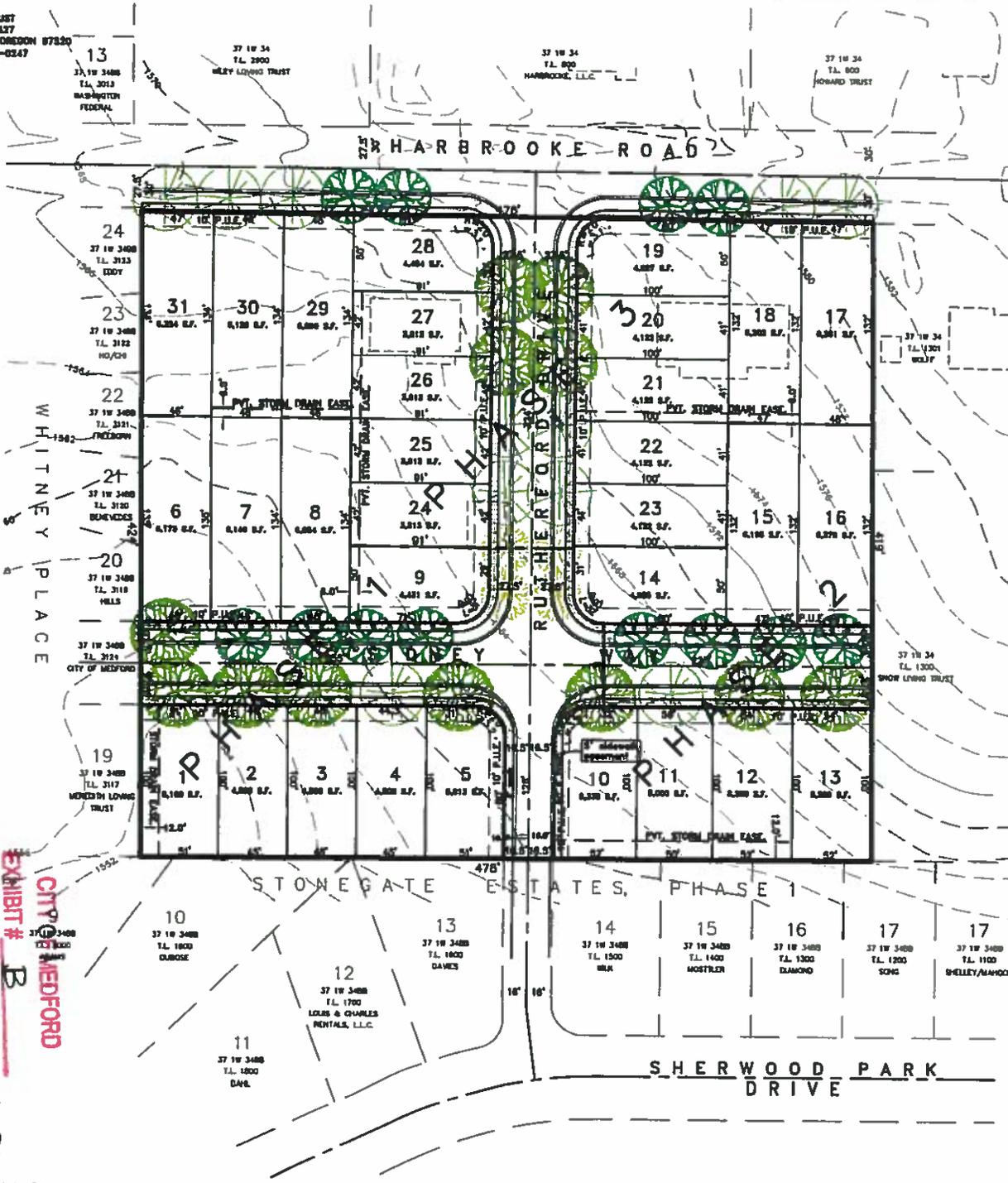
OWNER
LOVETT TRUST
P.O. BOX 437
ASHLAND, OREGON 97520
(541) 582-0247

PRELIMINARY P.U.D. PLAN

FOR
ROCKLAND PLACE
A PLANNED UNIT DEVELOPMENT
SITUATED IN
THE SOUTHEAST QUARTER OF
SECTION 34,
TOWNSHIP 37 SOUTH, RANGE 1 WEST,
WILLAMETTE MERIDIAN,
CITY OF MEDFORD, JACKSON COUNTY, OREGON

Page 64

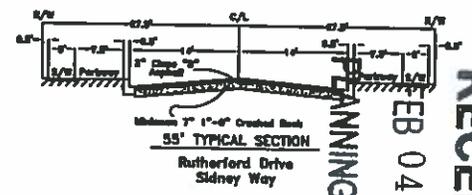
File # PUP-14-074/LDS-14-091
EXHIBIT # B
CITY OF MEDFORD



VICINITY MAP
NO SCALE

- NOTES:**
- 10' PUBLIC UTILITY EASEMENTS WILL BE PROVIDED ALONG ALL STREET FRONTAGES AND AS REQUIRED BY UTILITY COMPANIES.
 - CONTOURS ARE AT 2' INTERVALS WITH THICK CONTOURS AT 10' INTERVALS.

SCHOOL DISTRICT: PHOENIX-TALENT SCHOOL DIST. 4
IRRIGATION DISTRICT: T.L.D.
SANITATION DISTRICT: CITY OF MEDFORD
AREA: 4.846 ACROSS AND 4.814 NET
ZONING: SR-10/ RW-8
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL



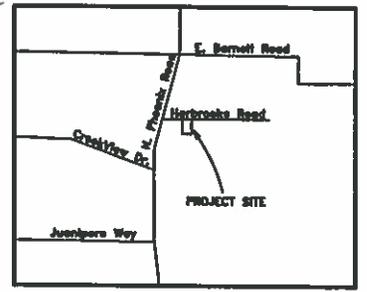
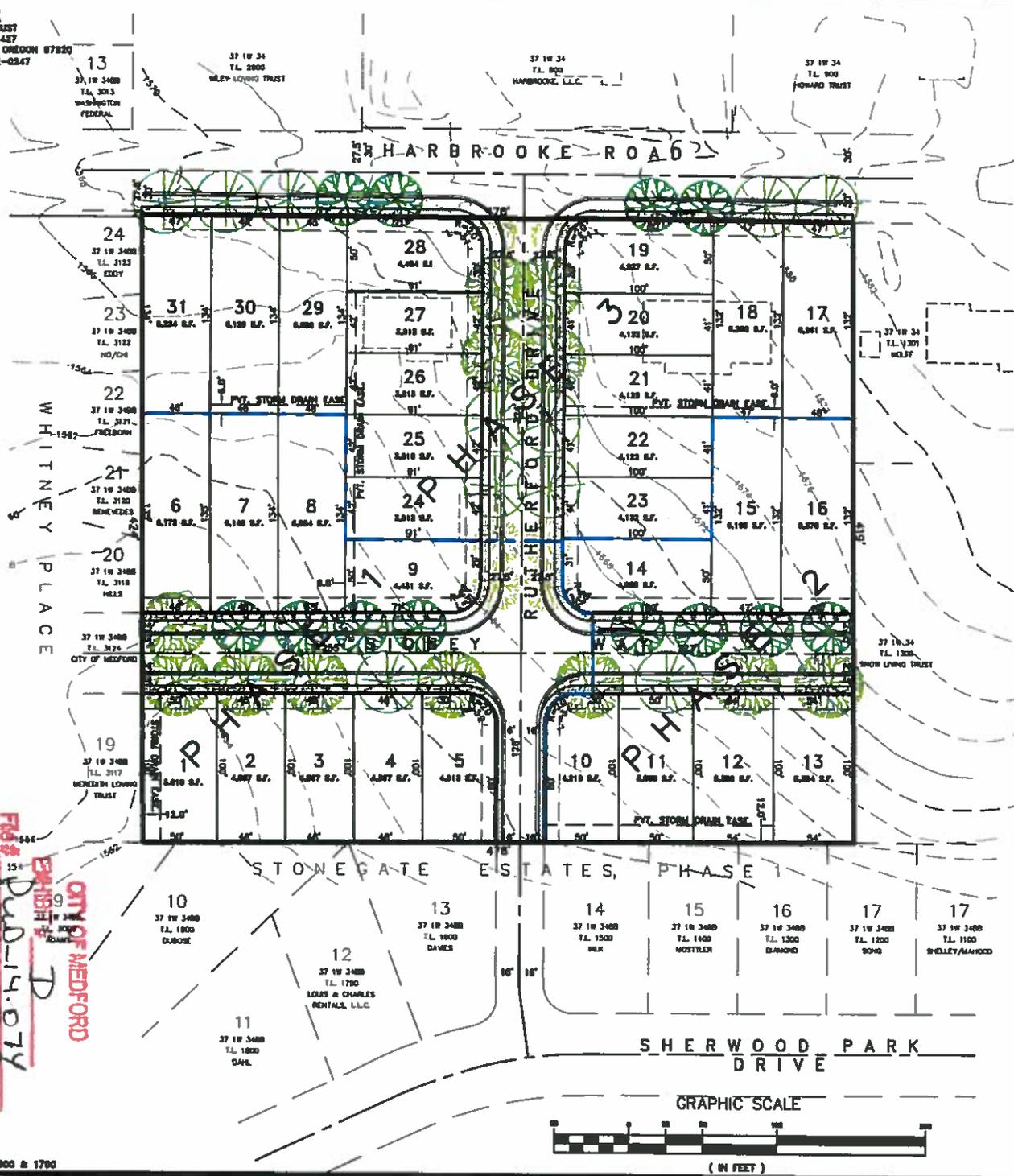
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FEB 04 2015
PLANNING DEPT.

REGISTERED PROFESSIONAL LAND SURVEYOR
Dan Z...
OREGON
COUNTY & DISTRICT
DARRYL L. HUCK
2002
Expires 8/20/2015

BY: DARRYL L. HUCK	L.S. 20241
PROJECT: HARBRooke ROAD/LOVETT TRUST	
PROJECT NO: 14-082	
DRAWING FILE NO: 12042 Tent. R1.dwg	
DATE: 1/23/15	
REVISION NO:	
REVISION DATE: FEBRUARY 4, 2015	
SHEET 1 OF 1	
BASED ON BEARING: STONEGATE ESTATES PHASE I	
IRREGULAR DIVISION NONE	
CREATED BY: D.L.H.	
CHECKED BY: D.L.H.	

OWNER
 LOVETT TRUST
 P.O. BOX 437
 ASHLAND, OREGON 97830
 (541) 835-0247

LANDSCAPE PLAN
 FOR
ROCKLAND PLACE
 A PLANNED UNIT DEVELOPMENT
 SITUATED IN
 THE SOUTHEAST QUARTER OF
 SECTION 34,
 TOWNSHIP 37 SOUTH, RANGE 1 WEST,
 WILLAMETTE MERIDIAN,
 CITY OF MEDFORD, JACKSON COUNTY, OREGON



VICINITY MAP
 NO SCALE

-  ZELKOVA
-  LONDON PLANE TREE
-  GREEN MOUNTAIN LINDEN

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 JUL 11 2014
 PLANNING DEPT.



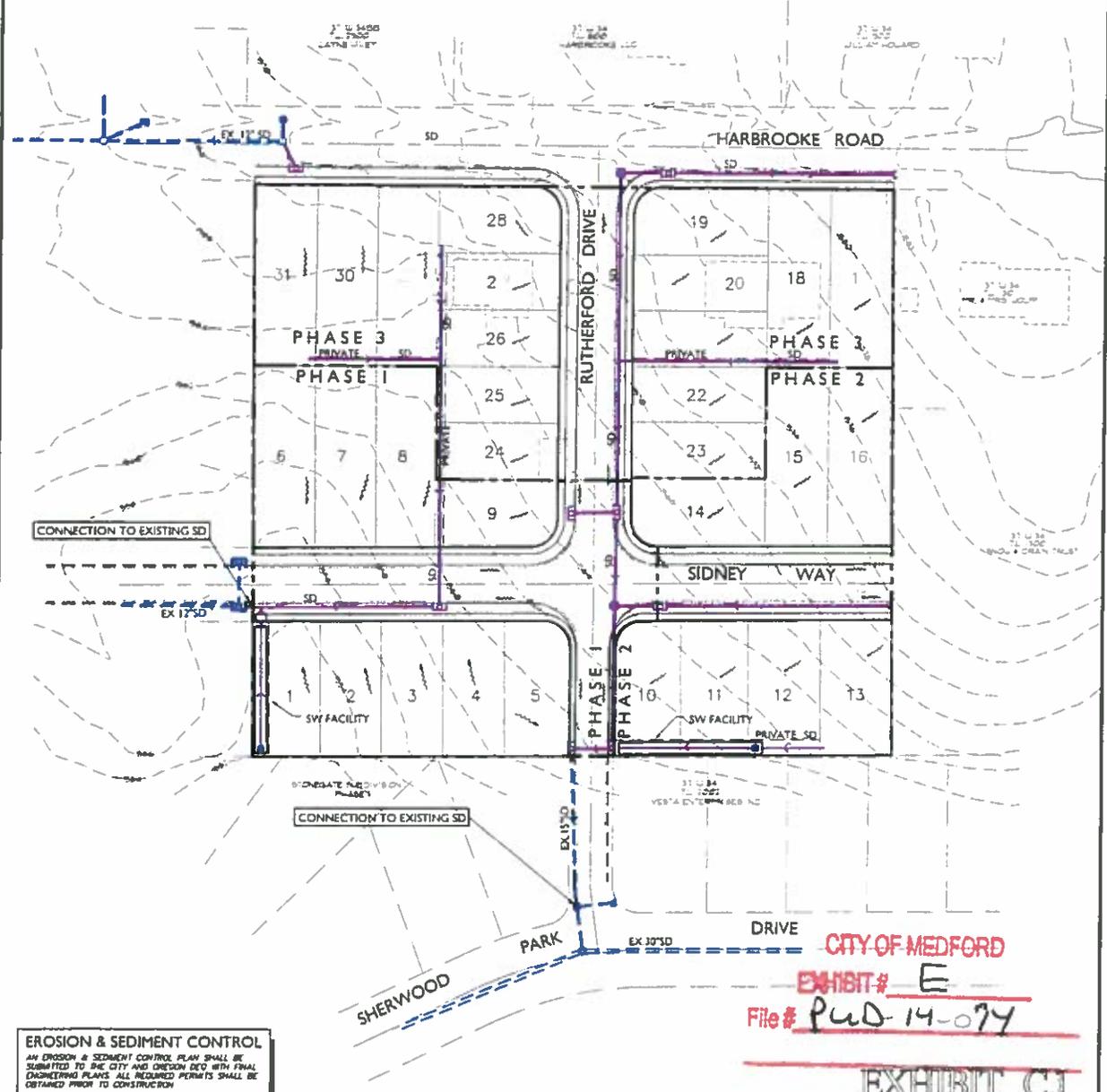
REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 DANIEL L. HUCK
 5023
 Expires 8/30/2018

	BY: DANIEL L. HUCK (L.S. 2021)
PROJECT: HAR BROOKE ROAD/LOVETT TRUST	
PROJECT NO. 12-052	
PLANNING FILE NO. 12082 1 unit.dwg	
DATE: 1-2-14	
SCALE: 1" = 50'	
DATE: MARCH 31, 2014	
DATE OF MEETING: MARCH 31, 2014	
NAME OF MEETING: STONEGATE ESTATES, PHASE 1	
PREPARED BY: DANIEL L. HUCK	
DRAWN BY: DDD	
REVIEWED BY: DDD	

RECEIVED
 JUL 1 2014
 PLANNING DEPT.



- LEGEND**
- DRAINAGE DIRECTION
 - PROPOSED STORM DRAIN
 - EXISTING STORM DRAIN
 - PROPOSED CURB INLET
 - PROPOSED SD MANHOLE
 - EXISTING SD MANHOLE
 - EXISTING 10' CONTOUR
 - EXISTING 2' CONTOUR
 - PROPOSED DITCH INLET
 - PROPOSED LYNDH BASIN



EROSION & SEDIMENT CONTROL
 AN EROSION & SEDIMENT CONTROL PLAN SHALL BE SUBMITTED TO THE CITY AND DESIGN DEPT WITH FINAL ENGINEERING PLANS. ALL REQUIRED PERMITS SHALL BE OBTAINED PRIOR TO CONSTRUCTION.

NOTE
 1. EXISTING STORM DRAIN LINES SHOWN ARE FROM CITY RECORDS. ACTUAL LOCATIONS SHALL BE DETERMINED WITH SITE ENGINEERING PHASE.
 2. NO EXTENSIVE CUTS OR FILLS ARE ANTICIPATED.

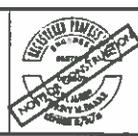
CITY OF MEDFORD
 EXHIBIT # E
 File # PLD-14-074

EXHIBIT C1

NO	REVISION	DATE	BY

CONSTRUCTION ENGINEERING CONSULTANTS
 P.O. BOX 1724 - MEDFORD, OREGON 97501
 TEL (541) 779-0286 - FAX (541) 779-2129

DRAWN BY	TAM	DATE	5/08/14
CHECKED BY	MAR, AMB	DATE	5/08/14
		DATE	
		DATE	



CITY OF MEDFORD
 ROCKLAND PLACE P.U.D.
 CONCEPTUAL GRADING AND DRAINAGE PLAN

RECEIVED
JUL 11 2014
PLANNING DEPT.

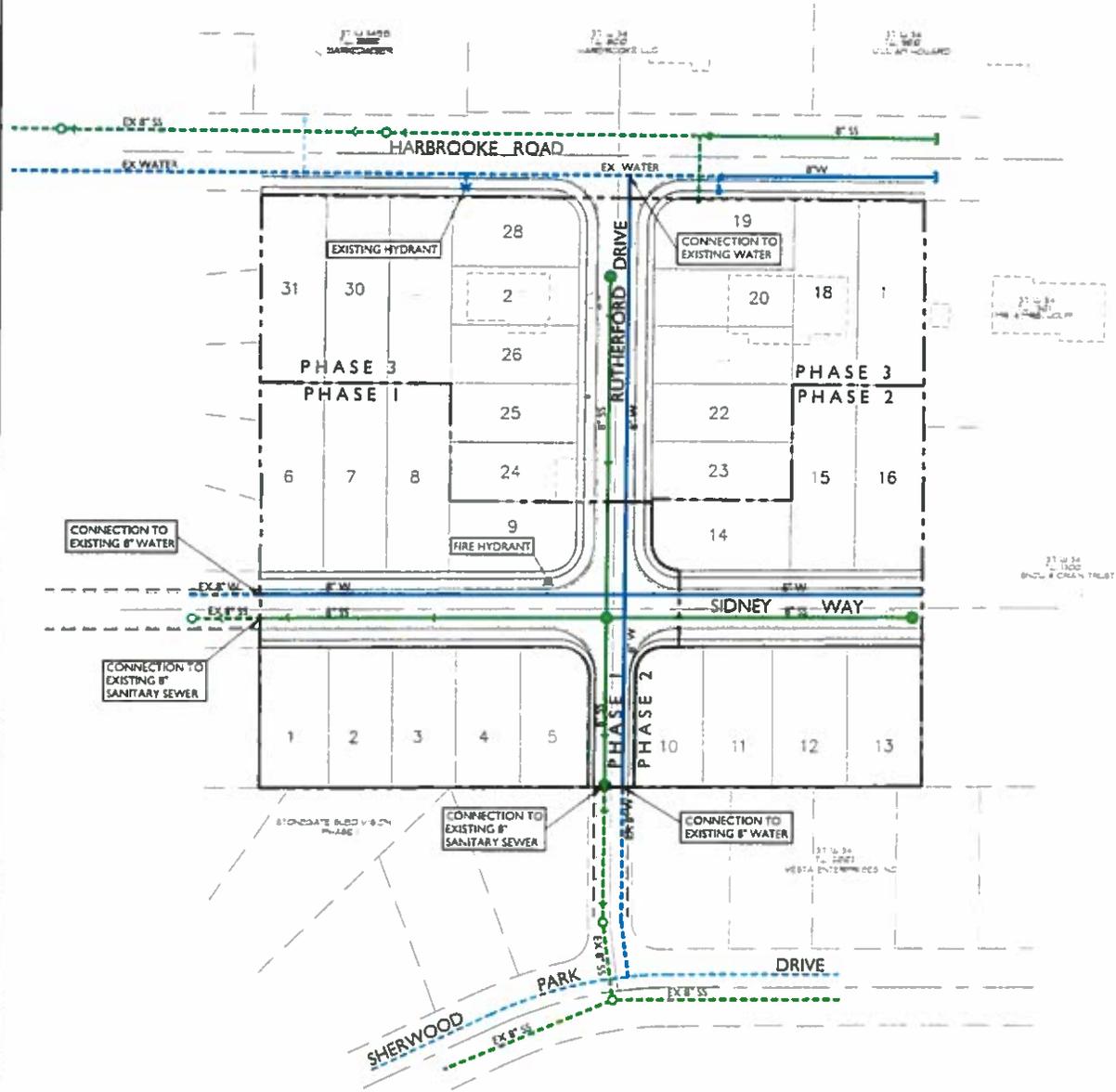


WATER LEGEND

- PROPOSED WATER
- EXISTING WATER
- PROPOSED FIRE HYDRANT

SANITARY SEWER LEGEND

- PROPOSED SS
- EXISTING SS
- EXISTING SS PM
- PROPOSED SS PM
- PROPOSED SS CLEAN OUT



CITY OF MEDFORD
EXHIBIT # **F**
File # **PUD-14-014**

EXHIBIT C.2

NO.	REVISION	DATE	BY

CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1724 MEDFORD, OREGON 97501
PH. (541) 779-8268 FAX (541) 779-8139

DRAWN BY	TAM	DATE	3/06/14
CHECKED BY	MIR, AMB	DATE	3/06/14
		DATE	
		DATE	



ROBERT H. HARRIS, P.E.
CONCEPTUAL SANITARY SEWER AND WATER PLAN
FILE # **F08**

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FEB 04 2015

PLANNING DEPT.

ROCKLAND PLANNED UNIT DEVELOPMENT

NARRATIVE

The purpose of this application is to establish a development plan via the Planned Unit Development process and designate the site as a single family residentially zoned area as provided in the Medford Land Development Code, consistent with the Medford Comprehensive Plan and the Southeast Plan Map. The Southeast Plan Map identifies the properties as "subarea 15" with the corresponding SFR-10 zoning district and development standards. The attached Preliminary PUD Site Plan for Rockland Planned Unit Development identifies the proposed urban residential use for the property for detached single family dwellings.

Rockland PUD is proposing residential opportunities for properties within the Southeast Medford Overlay District in East Medford. The subject properties consists of 2 parcels that total 4.94 gross acres to be developed with 31 detached residential dwellings to be developed in three phases. Phase 1 is located in the southwest quadrant of the site and is anticipated to be the first project area with Phase 2 next in the southeast quadrant of the project.

The applicants are requesting that concurrent review for a land division/subdivision tentative plat be processed with this application for a Planned Unit Development. There are no areas identified within this project for open space or common ownership. There are also no signs proposed for the development. The project consists of three phases likely to be developed sequentially or two phases at the same time.

In order to be consistent with the South East Medford Street Circulation Plan, the location of Rutherford Drive dissects the project area. The project is requesting three modifications to the strict standards of the Code. Since Rutherford Drive was developed with a different design standard within Stonegate Estates, the applicants are desiring to extend the sidewalk on both sides of the street, to have the same improvement design north to the intersection of Sidney Way.

The applicants are also requesting that no alley be proposed with the size constraint of the property along with the existing development pattern abutting to the west, inhibiting any through alley. In addition, the applicants are requesting a modification to the side yard setbacks for the proposed dwellings within Rockland PUD.

CITY OF MEDFORD

EXHIBIT # 6

File # PUD-14-074/LDS-14-091

2C-14-103

Modification Requested	Authority for Modification	MLDC Section for which Modification is sought	Lots affected by the Modification
Design standards for a Residential Lane	10.230(D)(5)	10.430(3), sidewalk easement to match existing sidewalk	None, a public roadway
Minimum Side Yard Setbacks	10.230(D)(2)	10.710, 4 feet plus ½ foot for each foot in height over 15 feet	Lots 1-31 (all lots)
Vehicle Access Standards S-E	10.230(D)(4)	10.381(2), Residential lots with 50 feet or less width and frontage shall receive vehicular access from an alley	Lots 1-31 (all lots)

The documents of the pre-submittal PUD neighborhood meeting, that was held April 1, 2014, are attached with the Preliminary PUD application for Rockland PUD.

RECEIVED

JAN 28 2015

Planning Dept.

BEFORE THE PLANNING COMMISSION
CITY OF MEDFORD, OREGON

IN THE MATTER OF AN APPLICATION)
FOR A PLANNED UNIT DEVELOPMENT)
ON PROPERTY LOCATED EAST OF)
NORTH PHOENIX ROAD, SOUTH OF)
HARBROOKE ROAD; THE PROPERTY IS)
DESCRIBED AS ASSESSOR'S MAP NO.)
37S-1W-34, TAX LOTS 1600 AND 1700;)
RICHARD & LESLIE LOVETT, LOVETT)
TRUST, OWNERS; RICHARD STEVENS &)
ASSOCIATES, INC., AGENTS)

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

RECITALS:

Owners/ Applicants-	Richard & Leslie Lovett Lovett Trust PO Box 427 Ashland, OR 97520
Agents-	Richard Stevens & Associates, Inc. PO Box 4368 Medford, OR 97501
Surveyors-	Hoffbuhr & Associates, Inc. 880 Golf View Drive, Suite 201 Medford, OR 97504
Property Description-	37-1W-34, Tax Lots 1600 & 1700
Acreage-	4.94 gross acres 4.61 net acres; TL 1600 2.15 acres, TL 1700 2.46 acres
Zoning-	SFR-10 S-E; and RR-5 (Jackson County)
Land Uses-	Southeast Plan Area 15, Small Lot Detached Single Family Residential

CITY OF MEDFORD

EXHIBIT # H

File # PUD-14-074/LDS-14-091

20-14-103

INTRODUCTION:

The purpose of this application is to establish the residential land uses via the PUD process as provided in the Medford Land Development Code, consistent with the Medford Comprehensive Plan and the Southeast Plan Map. This process affords both the City of Medford and the Developer assurances that the land use distribution is agreed upon and established by a review process. The attached Preliminary PUD Site Plan for Rockland Place Planned Unit Development adequately defines the proposed urban residential uses for the property.

A portion of this project was previously approved as a Planned Unit Development, File No. PUD-06-239, (Elmwood PUD). This Preliminary PUD Plan for Elmwood PUD has expired and the property owners for this project desire to resubmit with this Preliminary PUD Plan for Rockland Planned Unit Development.

PURPOSE AND INTENT, SECTION 10.230(A):

Rockland Place PUD is proposing detached single family residential opportunities for properties within the Southeast Medford Overlay District in East Medford. The subject properties consist of 2 parcels that totals 4.94 gross acres to be developed with 31 lots for detached single family residential dwellings. Tax Lot 1600 is currently zoned RR-5 and contains a dwelling currently used for residential purposes that will be removed with the development of Phase 3.

The purpose of this request for a Planned Unit Development is that for being within the Southeast Medford Overlay District it is a requirement to submit a Preliminary PUD Plan. The property owners are proposing to establish single family residential lots through the PUD process, consistent with the Southeast Overlay District, Southeast Plan Map and the Medford Comprehensive Plan. Phasing is proposed within the project as identified on the Tentative Plat, with no specific order for development; however, Phase 1 is contemplated to be initiated and developed first.

The minimum dwelling units (DU's) required for the proposed SFR-10 zoning district is 29.64 DU's. The maximum dwelling units, without the 20% density bonus, is 49.40 DU's. The applicants are proposing 31 DU's which exceeds the minimum standards and is within the maximum allowed.

The intent of this project is to promote an efficient well planned use of the land, while considering the neighboring land use designations within the Southeast Medford Overlay. The applicants are requesting that concurrent review for the land division, Tentative Subdivision Plat, be processed and reviewed with this application for a Planned Unit Development. A change of zoning is being applied for with a separate application.

SECTION 10.235, PRELIMINARY PUD PLAN:

The application procedures and Criteria for a planned unit development are listed in Section 10.235, Medford Land Development Code. The standards are:

Section 10.235(A) *“Neighborhood Meeting Requirement.”*

“To ensure neighborhood knowledge of proposed development and to provide an opportunity for direct communication, the applicant shall present the development proposal at a neighborhood meeting prior to submitting the land use application to the City Planning Department...”

Discussion:

The applicant properly advertised and held a neighborhood meeting that noticed a minimum of 75 property owners surrounding the subject properties boundaries. The meeting was held on April 1, 2014 at the Medford Masonic Lodge. There were 16 persons in attendance for this meeting. All of the required displays were provided for review by the attendees. The questions raised were generally regarding: type of dwellings and public facilities in particular storm drainage, as the project area is located uphill from the property to the south within Stonegate Estates PUD, Phase 1.

FINDING:

The City of Medford finds that the applicant properly advertised and held a neighborhood meeting where a minimum of 75 persons were noticed for the meeting to review the proposal prior to submission of this Preliminary PUD application.

Section 10.235(B) *“Application for a Preliminary PUD Plan.”*

“An application for Preliminary PUD Plan shall be on forms supplied by the City. A complete application shall include the materials and information listed in this Subsection... Unless waived by the Planning Director the following items shall be required to constitute a complete application for a Preliminary PUD Plan:”

(B) 1. Current assessor map with the boundaries of the proposed PUD identified.

(B) 2. 16 copies of the Preliminary PUD Plan and supplemental materials conforming to the Site Plan and Architectural Review application requirements in Section 10.287. Additionally, such plans shall include preliminary plans for providing public water and sanitary sewer service. The Preliminary PUD Plan shall

indicate boundaries within the property which distinguish areas devoted to different land uses pursuant to Subsections 10.235(B)(3)(f), 10.230(D)(7) and 10.230(D)(8)... One copy of the Preliminary PUD Plan shall be a reduced size suitable for photocopying. If a tentative plat for a land division is submitted concurrently with the Preliminary PUD Plan, the Preliminary PUD Plan and tentative plat shall be on separate sheets.

(B) 3. A narrative description of the PUD. See Narrative below.

(B) 4. Written findings of facts and conclusions of law which address the approval criteria in Subsection 10.235(D). See findings addressing Subsection 10.235 below.

(B) 5. Names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson county Assessor's Office, located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy-five (75) tax lots shall be notified of the pending land use hearing... The applicants have provided proper notice to a minimum of 75 tax lots.

(B) 6. A conceptual stormwater facility plan with associated landscape plan, if applicable...

(B) 7. Documentation of pre-submittal PUD Neighborhood Meeting...

The applicants are not submitting any architectural plans for the single-family detached dwellings. This area of the Southeast Medford Plan reflects a standard subdivision for residential uses within the SFR-10 SE/PD. The applicants are submitting a street tree plan for review with this application.

The applicants are not proposing any private streets or non-city street lighting within Rockland Place PUD. The applicants will be using City approved street lighting for the Southeast Medford Overlay.

SECTION 10.235(B)(3) Narrative Description:

(3)(a) The rationale and planned use of the proposed Rockland Place PUD is to provide detached single family dwellings. The Southeast Plan Map identifies that the subject properties are within Area 15 for SFR-10 development, north of the Middle Fork Larson Creek and south of the identified Village Center.

The project is requesting modifications to the strict standards of the Code. The subject property is located within the S-E Medford Overlay District that requires a PUD application for all developments over one acre.

There are three modifications to the Code that are being requested for the development of Rockland Place Planned Unit Development, being the *Minimum Side Yard Setbacks* and *Vehicle Access Standards S-E*. In addition, the applicants are requesting that the Planning Commission modify the current residential lane standards for Rutherford Drive, south of Sidney Way. This is proposed to match the existing as built improvements of Rutherford Drive within Stonegate Estates PUD, Phase 1.

The applicants are also desiring the minimum 15 foot front yard setback to locate the proposed dwelling walls, and to be consistent with the other provisions within Section 10.375.

(3)(b) Not Applicable. There are no common open space areas or natural open space areas to be held in common ownership with this application. There are two separate private storm drainage basins that are proposed to have an easement for drainage purposes. The individual property owners will be responsible for maintenance of the drainage facility through a Homeowners Association.

(3)(c) The following modification is being requested for the project:

There are three modifications to the SFR-10 S-E zoning development standards of the Code. These modifications are identified as Side Yard Setbacks for the detached single family dwellings and the establishment of alleys for the proposed lots less than 50 feet in width within the S-E Overlay District. The applicants are also requesting that the Planning Commission consider the street arrangement for Rutherford Drive south of Sidney Way, as provided for in Section 10.426(A).

Modification Requested	Authority for Modification	MLDC Section for which Modification is sought	Lots affected by the Modification
Design standards for a Residential Lane	10.230(D)(5)	10.430(3), sidewalk easement to match existing sidewalk	None, a public roadway
Minimum Side Yard Setbacks	10.230(D)(2)	10.710, 4 feet plus ½ foot for each foot in height over 15 feet	Lots 1-31 (all lots)
Vehicle Access Standards S-E	10.230(D)(4)	10.381(2), Residential lots with 50 feet or less width and frontage shall receive vehicular access from an alley	Lots 1-31 (all lots)

The first requested modification provides for a Residential Lane with 33 feet of dedicated right of way with a sidewalk on one side of the street; however, this does not the design standards that were approved for Stonegate Estates PUD by providing a sidewalk on both sides of the street. This modification is proposed from the project's southern boundary north to the intersection with Sidney Way to match the existing design abutting to the south. This modification will provide two sidewalks that enhances the pedestrian travel from the neighborhoods and to the Larson Creek Greenway. This improvement is for Rutherford Drive from Stonegate Estates PUD to Sidney Way. The Right of Way north of Sidney Way will be 55 feet in width, consistent with the minor residential street standards.

The second modification is to specify the lots 50 feet or less in width with a 4-foot side yard setback standard. The lots vary in width from 41 feet to 53 feet. The typical lots width is 46 feet; therefore, with the minimum 4 foot side yard setback standard, this reflects a remaining buildable width of 38 feet for the dwellings. The majority of the dwellings are proposed to be two story and approximately 27 feet in height, as calculated per Section 10.705 MLDC. With the dwellings calculated height, this would require approximately a 10-foot side yard setback on each side yard, resulting in a 28-foot wide footprint for the 46-foot lot widths. Therefore, the applicants are requesting relief/modification from the strict standards of the Code to be able to construct a modest two story home, 1600-2000 square feet, within the SFR-10 zoning district, containing a 4 foot side yard setback on the individual lots.

The third modification is regarding alleys for the proposed lots 50 feet or less in width. With the design of the street circulation system in the area and the existing development, there is not sufficient area or width to propose an alley. In addition, the location of Stanford Avenue is in close proximity that has restricted access onto it that also has a radius curve in the design that inhibits the grid design of streets and alleys. The existing urban residential development to the west and south with the existing street stubs also inhibits the establishment of alleys within the project boundaries.

(3)(d) No signs are being proposed that require modification from the Code standards.

(3)(e) The Preliminary PUD Plan identifies three separate phases for the project. There is no development schedule for the project, it is anticipated that Phase 1 will be developed first with no specific order of development. The phase lines are identified on the Tentative Plat for Rockland Place.

(3)(f) The gross acreage devoted to the development of detached single family homes is 4.94 acres. There is no other housing type proposed.

SECTION 10.235(B)(4) Written findings of fact and conclusions of law which address the approval criteria in Subsection 10.235(D).

SECTION 10.235(D) Approval Criteria for Preliminary PUD Plan:

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

(D)(1) The proposed PUD:

- a.) Preserve an important natural feature of the land, or*
- b.) Includes a mixture of residential and commercial land uses, or*
- c.) Includes a mixture of housing types in residential areas, or*
- d.) Includes open space, common areas, or other elements intended for common use or ownership, or*
- e.) Is otherwise required by the Medford Land Development Code.*

Discussion:

The subject site does not contain any natural features, open space, common areas for common ownership, enhancement or protection. The proposed project does not contain any commercial lands to warrant the PUD application. The proposed project does not include a mixture of housing types within the SFR-10 zoning district.

The proposed residential uses are detached single-family homes, consistent with the SFR-10 zoning district standards. The subject site is located within the South East Medford Overlay District, and being within this overlay designation is required to submit a Planned Unit Development application, per Subsection 10.235(D)(1)(e) MDLC.

CONCLUSION:

The City of Medford concludes that Subsections 10.235(D)(1)(a)(b)(c)(d) are not applicable to this application. The City further concludes that this application does meet Subsection 10.235(D)(1)(e) in that the Preliminary PUD Plan for Rockland Place is located within the Southeast Plan Overlay, which is required to submit a Planned Unit Development application.

FINDING:

The City of Medford finds that the subject site is located within the Southeast Overlay District and is required to submit a PUD application for review by the City. This application is in compliance with 10.235(D)(1)

(D)(2) The PUD complies with the applicable requirements of this Code, or

a.) The proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and

b.) The proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and

c.) The proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

Discussion:

The modifications from the MLDC are listed and discussed above in Subsection 10.235(B)(3). The requested modifications to the Code are:

Section 10.430(3) for the design standards within the 33-foot dedication of Right of Way for Rutherford Drive south of Sidney Way to the project's southern boundary to match the existing as built street improvements within a 32-foot Right of Way; and,

Section 10.710 for Side Yard Setbacks on narrow lots for any two story dwellings within the project boundaries; and,

Section 10.381(2) for access from an alley on residential lots 50-feet or less in width.

The proposed modifications of the Code are related to the rationale for the PUD. In addition, the property is located within the Southeast Medford Overlay which requires a PUD application if over 1 acre in size. The modification to the standard of the Development Code is proposed for the equal Right of Way dedication and improvements that already exist for Rutherford Drive within Stonegate Estates PUD.

The SFR-10 district is designed for a more intensive single family density and the narrow lot development is provided for individual single family dwelling ownership. The applicants are proposing to development the project consistent with the provision of Section 10.375. This proposed Planned Unit Development provides for detached single-family residential opportunities for the future residents in the Southeast Medford Plan.

The proposed Rockland PUD preliminary site plan does not propose to have private streets. The proposed streets within the PUD will be public streets and will be designed and constructed to the City of Medford standards for residential public streets. The modification from the Code proposed for the project will not significantly impact the function, safety or efficiency of the street circulation system. The modification is for only 1 foot less than the required dedication for a Residential Lane that will not impact any part of the street system or circulation.

The function and efficiency of the street circulation will not be adversely impacted within the Rockland PUD and the vicinity. The proposed streets have been designed to be consistent with the Southeast Plan Map and will provide for connectivity of the street system in the vicinity to provide for safe and efficient traffic circulation.

CONCLUSION:

Based on the Street Circulation Map in the vicinity, North Phoenix Road and Rutherford Drive will provide the primary north/south public access streets. Harbrooke Road will provide the primary east/west public access street in the immediate area with Sidney Way also providing east/west street connectivity and meeting the block length standards. The extension and construction of Rutherford Drive will provide connectivity to the street circulation system within the area to provide for a safer and more efficient street system. Based on the modifications proposed with the conclusions and findings found in this PUD application, the City of Medford concludes that Rockland PUD is in compliance with the MLDC.

FINDING:

The City of Medford finds that this application for Rockland PUD is in compliance with the applicable requirements of the MLDC, except for the requested modifications, and is consistent with Section 10.235(D)(2).

(D)(3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:

(a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.

(b) Public Facilities Strategy pursuant to ORS 197.768 as amended.

(c.) Limited Service Area adopted as part of the Medford Comprehensive Plan.

Discussion:

The City of Medford has not placed a Moratorium on Construction or Land Development in the vicinity of the subject property. The subject property is not located within a Public Facilities Strategy area. The subject property is not located within an area designated as Limited Service Area, as identified within the Medford Comprehensive Plan.

CONCLUSION:

The subject property is not subject to a Limited Service Area, Public Facilities Strategy or a Moratorium on Construction within the City of Medford, as provided by the State statutes and Medford Comprehensive Plan.

FINDING:

The City of Medford finds that there are no moratoriums or inhibitions to development. This application is in compliance with Section 10.235(D)(3) MLDC.

(D)(4) The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

Discussion:

There are no common areas or open space areas proposed within Rockland PUD. There are two small private storm drain facilities that are provided to be appropriate for their use, strictly as storm drain retention. These facilities are not intended to provide for any open space, natural area or common space for neighborhood playgrounds. These two facilities will be maintained by a Homeowners Association.

CONCLUSION:

Based on the fact the drainage facilities are for storm water retention only and not an area for open space or common area proposed with Rockland PUD, this standard is not applicable with this application.

FINDING:

The City of Medford finds that there will be no common areas within Rockland PUD. This criterion is not applicable.

(D)(5) If the Preliminary PUD plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D)(7)(c), the applicant shall alternatively demonstrate that either: (1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or (2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:

Discussion:

The proposed Rockland PUD is not proposing any uses that are not allowed within the underlying zone. Section 10.235(D)(5) is not applicable.

FINDING:

The City of Medford finds that Section 10.235(D)(5) is not applicable to this PUD application.

(D)(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.

Discussion:

The proposed site plan for Rockland PUD is planned for detached single family dwellings. the Preliminary PUD Plan is not proposing any uses authorized by Subsection 10.230(D)(7)(c). Section 10.235(D)(6) is not applicable.

FINDING:

The City of Medford finds that Section 10.235(D)(6) MLDC, is not applicable to this PUD application.

(D)(7) If approval of the PUD application includes the division of land or the PUD application includes the development permits applications as authorized in Subsection 10.230(c), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

Discussion:

Rockland PUD is proposing a division of lands with the preliminary review and approval for the entire Rockland PUD master plan. This is an Article II provision as identified within the Code. The applicable criteria in Article II is found in Section 10.270 MLDC, Land Division Criteria, that is applicable to this application.

With the approval of File No. ZC-14-103, the project area will be zoned SFR-10 S-E.

COMPLIANCE WITH SECTION 10.270 LAND DIVISION

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that the proposed land division together with the provisions for its design and improvement:

Section 10.270(1) *Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, and all applicable design standards set forth in Article IV and V.*

Discussion:

The subject property is designated on the Medford Comprehensive Plan, General Land Use Plan map and the Southeast Plan Map as Urban Residential (UR). The existing zoning within Rockland PUD is SFR-10, which is in compliance with the UR designation on the Medford Comprehensive Plan and the Southeast Overlay District, Subarea 15.

The alignments of Harbrooke Road, Rutherford Drive and Sidney Way are consistent with the Street Circulation Map and the Southeast Plan Map, which are adopted as a part of the Medford Comprehensive Plan.

Rockland PUD has been planned and designed to meet the needs of the future residents for the City of Medford, consistent with the Southeast Overlay District. This proposed land division meets the standards required in Articles IV and V, MLDC for public improvement standards and site development standards.

CONCLUSION:

The City of Medford concludes that this proposed land division is in compliance with standards for the SFR-10 zoning districts and road alignments as implemented within the Comprehensive Plan. The City can also conclude that the design of the site meets the standards for a land division as prescribed within Articles IV and V MLDC.

FINDING:

The City of Medford finds that this proposed land division is in compliance with the Comprehensive Plan and the standards found in Articles IV and V MLDC.

Section 10.270(2) *Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter.*

Discussion:

The design of Rockland PUD will not prevent the development of the remainder of the property under the same ownership. This PUD application is for the entire site under common ownership by the applicants. The proposed street layout provides for stubbed streets onto other abutting lands for access. Rockland PUD does not prevent access or development on adjacent lands.

The proposed street extension of Rutherford Drive with Harbrooke Road, along with the extension of Sidney Way, will provide access to the subject site. The development of these streets will in fact provide access to other properties in the vicinity for improved street circulation. This proposed Planned Unit Development will not prevent any future development or access to properties surrounding the subject site.

CONCLUSION:

The City of Medford concludes that the design and development of Rockland PUD consists of the entire ownership and will not prevent any development of property under the same ownership. The City of Medford can also conclude that the development of the subject property will not prevent access or development to adjoining properties. Access to adjoining properties will actually be improved with the development of the site and the construction of public streets, Rutherford Drive and Harbrooke Road.

FINDING:

The City of Medford finds that the development of the site consists of the total acreage and will not prevent development on the subject property or adjoining properties. The construction of public streets will improve access and development potential to adjoining properties, in compliance with Section 10.270(2).

Section 10.270(3) *Bears a name that has been approved by the approving authority...*

Discussion:

The name of the PUD "Rockland Planned Unit Development" bears a name approved by Jackson County Surveyor's Office that meets the requirements.

CONCLUSION:

The City of Medford concludes that the name, Rockland Planned Unit Development, bears a name approved by the Jackson County Surveyor.

FINDING:

The City of Medford finds that the name for the site, Rockland Planned Unit Development meets the requirements of Section 10.270(3).

Section 10.270(4) *If it includes the creation of streets, that such streets are laid out to be consistent with existing and planned streets and alleys and with the plats of land division already approved for adjoining property...*

Discussion:

As identified on the site plan for Rockland PUD the proposed street system conforms with the existing streets within the City of Medford. The City has adopted a street circulation plan for the Southeast Overlay District as designed by the Medford Engineering Department. This site plan and street layout conforms to the adopted street circulation plan map and the Southeast Medford Plan.

It is important to note that Harbrooke Road currently contains 60 feet of Right of Way, and the urban standard for a minor residential street is 55 feet. It will be necessary for the City of Medford to initiate and process a street vacation for the unused portions of Harbrooke Road.

CONCLUSION:

The City of Medford concludes the proposed street locations conform to the adopted Southeast street circulation plan. The design and connection of Rutherford Drive and Sidney Way is also consistent with land divisions already approved adjacent to the subject site.

FINDING:

The City of Medford finds that the design and location of Harbrooke Road, Sidney Way and Rutherford Drive conforms to the Southeast Medford Plan and the street circulation plan as designed by the Medford Engineering Department.

Section 10.270(5) *Has streets that are proposed to be held for private use...*

Discussion:

Not Applicable. There are no private streets proposed within Rockland PUD.

Section 10.270(6) *Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU zoning district.*

Discussion:

Not applicable. There are no abutting lands that are zoned EFU. Therefore, this land division will not cause any conflicts with other lands zoned EFU.

SUMMARY

Based upon the above conclusions and findings of fact regarding Section 10.270 and the tentative plat submitted for review, the City of Medford finds that Rockland PUD meets the minimum requirements and standards for a land division as part of this Preliminary PUD application.

SOUTHEAST OVERLAY DISTRICT, SECTIONS 10.370-10.385:

SECTIONS 10.370-10.376:

Section 10.370 MLDC establishes the objectives, special standards and criteria with lands within the Southeast Overlay District. The subject properties are identified within this district and have addressed the development controls within Southeast Plan Subarea 15 as prescribed within the Medford Comprehensive Plan, Southeast Plan element and the MLDC.

Section 10.371 MLDC establishes the scope of review for lands within the Southeast Overlay District. Compliance with these criteria and the other applicable regulations are addressed below.

Section 10.372 MLDC establishes that the proposed residential densities and zone changes shall be consistent with the Medford Comprehensive Plan, General Land Use Plan Map and the Southeast Plan Map. The proposed Rockland PUD does comply and is consistent with these documents.

The subject site is located within "Subarea 15" on the Southeast Plan Map. This area is designated as Urban Residential, small lots.

10.373(1) provides for the land use categories, the appropriate zoning district and residential densities within the S-E Overlay District. The existing zoning within the proposed Rockland PUD is SFR-10(S-E), consistent with the subarea 15, Southeast Medford Land Use Category.

10.373(2) provides for special residential densities. Rockland PUD is not seeking any special provisions for residential density.

10.374(1) Requires that for all new developments consisting of one or more acres shall require approval of a Planned Unit Development and all applicable provisions of the S-E Overlay District. This Preliminary PUD application is consistent with the applicable provisions.

10.374(3) Requires that with PUD application approvals within the S-E Overlay District, the Planning Commission shall find that the application conforms to the S-E Overlay District standards. The Planning Commission may grant modifications of City standards, including provision of the S-E Overlay District, except for the prohibited uses in 10.378(4). The applicants are requesting only one modification to the Code for the right of way dedication for a Residential Lane on Rutherford Drive south of Sidney Way to the project boundary.

10.375(A) Allows for the modification of the lot coverage standard for the underlying SFR-10 zoning district for lots containing single family residences to be 50%. The applicants are not proposing to exceed the 50% lot coverage for building footprints.

10.375(B) Allows for the modification of the building setback standards for the underlying zoning. Based on the Rockland Preliminary PUD Plan, the applicants development plan for the project will meet the building wall 15- foot front yard setback and the garages will meet the minimum 20- foot front yard setback.

Section 10.376 MLDC prescribes additional special design standards for attached dwelling units. This standard is not applicable with this application, The applicants are providing for detached single family dwellings within Rockland PUD.

CONCLUSION:

The City of Medford concludes that this application for a Planned Unit Development is in compliance with the Comprehensive Plan, Southeast Overlay District and the designated zoning for the properties.

The City of Medford also concludes that the subject site consists of 4.94 gross acres that is consistent with Subarea 15 for the SFR-10 zoning district standards as described in Table 10.373. The City also concludes that this PUD is consistent with the design standards for the Southeast Overlay District, except where the modification to the right of way have been requested.

FINDING:

The City of Medford finds that Rockland PUD is consistent with the provisions of development for being within Southeast Plan, Subarea 15 and meets the standards as provided for within the Southeast Medford Overlay District.

SUMMARY AND CONCLUSIONS:

The City of Medford concludes that this application for Rockland Planned Unit Development has addressed the applicable criteria for a Planned Unit Development in the Southeast Medford Overlay District as outlined in Sections 10.230-10.235 and the applicable standards in Sections 10.370-10.385 MLDC. The City of Medford also concludes that this PUD application meets, or exceeds, the minimum standards and requirements for a Planned Unit Development application and the requested concurrent review for a tentative plat subdivision. Further, the City of Medford concludes that this Preliminary PUD application is in compliance with the Medford Land Development Code, Medford Comprehensive Plan, Southeast Overlay District and state law.

With this information before the City, the applicants respectfully request approval of this application for a Planned Unit Development.

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read "Clark Stevens". The signature is fluid and cursive, with a large, sweeping flourish at the end.

RICHARD STEVENS & ASSOCIATES, INC.
Clark Stevens

RECEIVED

JAN 28 2015

Planning Dept.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF
MEDFORD, JACKSON COUNTY, OREGON:

IN THE MATTER OF AN APPLICATION FOR)
A CHANGE IN ZONING DESIGNATION FOR)
2.15 ACRES OF LAND, LOCATED ON THE)
SOUTH SIDE OF HARBROOKE ROAD,)
EAST OF ASHFORD WAY; RICHARD &)
LESLIE LOVETT, LOVETT TRUST, THE)
APPLICANTS; RICHARD STEVENS &)
AND ASSOCIATES, INC. AGENTS)

FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

PROPERTY OWNERS: Richard & Leslie Lovett
Lovett Trust
PO Box 427
Ashland, OR 97520

AGENT: Richard Stevens & Associates, Inc.
PO Box 4368
Medford, OR 97501
(541) 773-2646

PURPOSE: The purpose of the application is to change the Zoning Designation on the property from Jackson County Zoning Rural Residential 5 (RR-5) to City of Medford single family residential zoning (SFR-10) on one parcel described as T.37S-R.1W-34, TL 1600 totaling 2.15 net acres. This will allow the applicant the ability to file a development plan on the property, consistent with the neighboring lands and the Comprehensive Plan designation for the site, which is Southeast Plan Area 15, Small Lot, Urban Residential.

Ownership of the property is by Lovett Trust, also the applicants. A copy of the legal description for this property, as well as the appropriate plat maps, are attached as exhibits to these findings.

II. APPLICABLE CRITERIA:

In order to approve a Zoning Amendment and change the Zoning Map, the applicant must submit findings addressing Sections 10.225 through 10.227 of the Land Development Code. A review of Section 10.226 indicates that an application for a Zone Change must contain the following:

1. A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.
2. An Assessor's map with the proposed zone change area identified.
3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.
4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.
5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.227, Zone Change Criteria.

FINDING:

The Planning Commission finds that this application for a change in zoning designation from RR-5 to SFR-10, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area to be changed, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of Section 10.227.

**FINDINGS IN COMPLIANCE WITH SECTION 10.227 OF THE
MEDFORD LAND DEVELOPMENT CODE:**

Section 10.227 provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

1. CONSISTENCY WITH OAR 660, DIVISION 12: TRANSPORTATION

The adopted Medford Transportation Plan (TSP) addresses Chapter 660, Division 12 of the Oregon Administrative Rules which provides for implementation of the Statewide Transportation Goal (Goal 12), Transportation Planning Rule (TPR). It is also designed to explain how local governments and state agencies responsible for transportation planning address all modes of travel including vehicles, transit, bicycles and pedestrian. The TPR envisions development of local plans that will provide changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less.

The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long term needs.

More specifically, there are provisions within Chapter 660 that apply specifically to Comprehensive Plan and Land Use Regulation Amendments.

These provisions are contained in OAR 660-012-0060, which states:

1) If an amendment to a functional plan, an acknowledged comprehensive plan or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).

b) Change standards implementing a functional classification system, or

c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of the evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

2) If a local government determines that there would be a significant affect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection(3)(e), section (3), or section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to the congestion.

a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

c) Amending the TSP to modify the planned junction, capacity or performance standards of the transportation facility.

d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a propose amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsection (a) through (c) of the section.

(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below:

(b) Outside of interstate interchange areas, the following are considered planned facilities improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or service that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected, a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government or transportation service provider responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)-(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 105, 205 and 405;

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as a amendment to the Oregon Highway Plan.

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Discussion:

An overview of existing transportation facilities that would provide service to the subject property indicates that ground transportation via existing City designated residential, collector and arterial streets is the sole transportation facility that is affected by this amendment.

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The site is accessible by motor vehicle from Harbrooke Road with North Phoenix Road.

An evaluation of the subject property and the orientation, location and size of the existing structural development, as well as the existing and historic uses of the properties, indicates that there are two transportation issues that should be addressed:

1. The first issue is access management, involving the size, location, orientation and control of the access onto Harbrooke Road and the potential of a new north/south residential street (Rutherford Drive).
2. The second issue is trip generation potential, and if that trip generation will result in a significant effect on the function, capacity, or performance standards on North Phoenix Road and Barnett Road or any new residential streets.

Access Management:

The subject property is located along Harbrooke Road (designated as a residential street). The future development of this property will take access from Harbrooke Road along with the extensions of Rutherford Drive and Sidney Way. The development plan for the site will conform with all access management and location requirements of the City of Medford to insure adequate and effective access management.

The applicants submit that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

Trip Generation Potential:

Existing and potential uses on this property is in essence already documented, and the 2012 traffic counts on North Phoenix Road (8,000 south of Barnett Road, 6,300 north of Juanipero Road) are such that the current capacity of the roadways will not be compromised by the maximum potential addition of 23 dwelling units (DU's), or 220.11 additional trips generated from this site (2.30 gross acres X SFR-10= 23 DU's). Based on the Preliminary PUD Plan and Tentative Plat for Rockland Place, the maximum development of the site will be 19 dwelling units with the site currently containing one residential structure. Therefore, the total potential traffic generation would be 172 ADT's (18 DU's X 9.57 ADT's = 172.26 ADT's).

Traffic generation from the proposed development of the existing parcel is anticipated to be 9.57 ADTs per dwelling unit for a proposed residential subdivision. Access is anticipated to be primarily onto Harbrooke Road.

A comparison of the traffic capacity and the traffic counts of this immediate area, provided by the City of Medford, indicates that there is adequate capacity available to serve the subject site.

This issue, as part of the overall traffic management plan for this area, can be found to be consistent with the existing traffic facilities, the City of Medford TSP and ODOT.

CONCLUSION:

The City of Medford concludes that based on the information contained herein this application is consistent with the intent of the Statewide Transportation Planning Rule and the adopted Medford TSP:

- 1. The site is within an incorporated city with an adopted and acknowledged Comprehensive Plan.**

2. The property totals 2.15 net acres with a maximum potential of 23 additional residential lots; however, a maximum of 19 lots are proposed with 18 additional dwelling units. This is based on the Preliminary PUD Plan for Rockland Place, located adjacent to a residential street, Harbrooke Road. Uses proposed are consistent with the Comprehensive Plan and the requested zoning designation as SFR-10 within the S-E Overlay District.
3. The zone change does not significantly affect the overall transportation capacity, including the I-5 Interchanges or performance standards of the existing transportation facility, as defined in OAR 660-012-0060 since the proposed use will be consistent with the maximum uses established for the site (SFR-10 S-E).

FINDING:

The City of Medford finds that this application for SFR-10 is consistent with the City of Medford TSP and OAR 660-012-0060, Transportation Planning Rule, which are in compliance with Section 10.227(1) MLDC. There are no adverse impacts contemplated on the I-5 Interchanges, or the local street system.

CONSISTENCY WITH THE GENERAL LAND USE PLAN MAP:

A review of the General Land Use Plan Map of the City of Medford indicates that this area of the City is designated on the General Land Use Plan Map as "Urban, Residential". The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the "Urban Residential" Designation are: SFR-2, SFR-4, SFR-6 and SFR-10, consistent with the provisions of Section 10.306 of the Medford Land Development Code.

The subject property is also located within the Southeast Overlay for the City of Medford. The Southeast Plan Map identifies that the subject property is located within sub-area 15 with the corresponding zoning district to be SFR-10. Due to the special area plan, S-E Overlay the locational standards within Section 10.227(1)(b) are not applicable to this application.

The proposed zoning district for the subject property is SFR-10. This district is consistent with the Urban Residential designation as identified on the GLUP map.

FINDING:

As the subject property lies within the Urban Growth Boundary and City Limits of the City of Medford, and delineated on the General Land Use Plan Map as Urban Residential and the Southeast Plan Map, the requested SFR-10 zoning is found to be consistent with the General Land Use Plan Map. This application is in compliance with Section 10.227(1) MLDC.

2. COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The second criteria for a zone change is:

"It shall be demonstrated that Category A urban services and facilities are available or can and will provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan."

The Medford Comprehensive Plan, Public Facilities Element, provides the list of Category "A" services and facilities to be considered. These are:

Water Service
Sanitary Sewer and Treatment
Storm Drainage and
Streets, Transportation Facilities

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the vicinity within the City. There is an existing 12-inch main line located along Harbrooke Road with an 8-inch water line located within Sidney Way and Rutherford Drive. Extension and development of a looped water system within the property is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject site upon urban development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 130,000 persons, with a design capacity of the water treatment plant to serve approximately 185,000 persons. Adequate water capacity exists to serve the subject site.

Water service for fire protection will be a requirement of the design considerations. The placement of fire hydrants and other fire safety features will be accomplished during the development review process.

Sanitary Sewer:

Sanitary Sewer service is provided by the City of Medford. There is currently an 8-inch line along Harbrooke Road, that currently serves residences in the vicinity. There is also an 8-inch main line along Sidney Way. These collection lines are available to be extended to serve the future development of the site. The Sanitary Sewer collection system is adequate to accommodate the proposed change in density. Additional sewer service connection will be extended to the proposed project by the owner/developer consistent with existing regulations.

Sewage treatment is provided by the Regional Water Reclamation Facility (RWRF). The plant presently treats approximately 16.7 mgd. The treatment capacity of the plant is approximately 20 mgd with a peak wet weather flow of 60 mgd. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

The development of the property requires a system development charge which is dedicated to the expansion of the regional plant. This assures that the future sewage treatment of the plant remains available.

Storm Drainage:

At the time of development storm sewer will be collected in an underground collection system and will be designed in accordance with the City of Medford Master Storm Sewer Program.

The subject site lies within the Larson Creek Drainage Basin. Currently, there is no urban storm drain system on the site. The property is currently served by road side ditches along Harbrooke Road, providing storm drainage for the area. The development of the site will require an integrated storm sewer system, with a maximum of 0.25 CFS discharge. The construction drawings prepared for the development of this property will provide the engineering to provide the storm sewer system in accordance with the City of Medford.

Streets:

The subject site fronts along the south side of Harbrooke Road which is designated as a residential street. Vehicular access to serve the subject site will be primarily from Harbrooke Road with the extensions of Rutherford Drive and Sidney Way.

One dwelling unit is currently existing on the property. The maximum development of 18 additional dwelling units will generate an estimated 172 vehicle trips per day based on the Institute of Traffic Engineers manual.

Harbrooke Road (60 feet ROW) is currently developed to County standards, with 24 feet of paved roadway, and roadside ditches. The future development of the site will dedicate the necessary Right of Way for Sidney Way and Rutherford Drive, for improvement to urban residential street standards.

The following traffic counts, as related by the Medford Web Site for the Medford Engineering Department, reflects the year 2012 traffic volumes.

North Phoenix Road-

north of Juanipero Rd.	6,300 ADT
south of Barnett Rd	8,000 ADT

The addition of 18 dwelling units with the potential of generating 172 vehicle trips will not significantly impact the public streets adjacent to the proposed development.

These streets have ample capacity in their present form to accommodate the projected vehicle trips from the development of the site and certainly will have sufficient capacity at the time of construction to urban street standards. It is anticipated that improvement to North Phoenix Road, an arterial street, will occur in the near future with improvements to Harbooke Road as development occurs in the area.

Construction of arterial and collector streets are the responsibility of the City of Medford. The future construction of dwellings will be charged a system development fee for the improvements of arterial and collector streets.

CONCLUSION:

Based upon the information contained herein, the City of Medford concludes that there are adequate public facilities to supply potable water to the property, as water distribution system improvements have already been in

place on the property; sanitary sewer service is available to the site and capacity at the Regional Reclamation Facility is adequate to accommodate the area; that there is sufficient capacity on the existing local street system to accommodate the proposed use, and that the storm drainage facilities are adequate and will be in compliance with the Medford Master Storm Drain Plan.

FINDING:

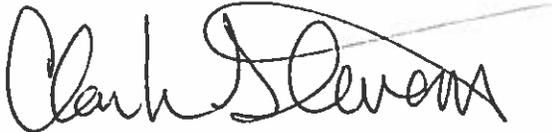
The City of Medford finds that there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as SFR-10.

SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a change of zoning. A review of the application, the above Conclusions and Findings of Fact with the supporting documentation attached, demonstrates that this application complies with the applicable standards of the Land Development Code, is consistent with GLUP map, Southeast Overlay Plan map and is consistent with the Medford TSP, Oregon Transportation Planning Rule.

With this in mind, the applicant respectfully requests that the City of Medford designate the subject property, T.37S-R.1W-SEC.34, Tax Lot 1600 as SFR-10 S-E on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Richard Stevens", written over a horizontal line.

Richard Stevens & Associates, Inc.

RECEIVED

SEP 03 2014

REPORT DATE: September 3, 2014
NO.: PUD 14-074/LDS 14-091

PLANNING DEPT.

**PUBLIC WORKS DEPARTMENT STAFF REPORT
ROCKLAND PLACE, PUD**

Consideration of a request for a Planned Unit Development consisting of a Preliminary PUD Plan for Rockland Place and Tentative Plat for a 31 Lot single family subdivision on two parcels totaling 4.61 acres, located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road within an SFR-10/SE zoning district.

NOTE: Items A – E Shall be Completed and Accepted Prior to Approval of the Final Plat

A. STREETS

1. DEDICATIONS

Harbrooke Road classified as a Minor Residential Street, which requires a 55-foot wide right-of-way dedicated to the public. The existing right-of-way, south of centerline is 30 feet wide, so no additional right-of-way is needed on Harbrooke Road.

Sidney Way and Rutherford Drive, north of Sidney Way, are also classified as Minor Residential Streets. The Developer shall dedicate, to the public, a 55 foot wide right-of-way for each of these streets.

Rutherford Drive, south of Sidney Way is proposed as a Residential Lane. The minimum right-of-way width for a Residential Lane is 33 feet. The Developer shall dedicate, to the public, a 33 foot wide right-of-way for this section of Rutherford Drive.

Public Utility Easements, 10 feet in width, shall be dedicated along and adjacent to the street frontage of all the Lots within this PUD in accordance with the Medford Land Development Code (MLDC), Section 10.471.

A 15 foot corner radius shall be provided at the right-of-way lines of all intersecting streets in accordance with the MLDC, Section 10.445.

2. IMPROVEMENTS

a. Public Streets

Harbrooke Road shall be improved to Minor Residential Street Standards with a 28-foot wide curb-to-curb section, 8-foot wide park strips, 5-foot wide sidewalks and street lights. The Developer shall improve the south half of the street, plus 12 feet north of centerline along the entire frontage of this PUD.

Sidney Way and Rutherford Drive north of Sidney Way shall be improved to Minor Residential

Street Standards with a 28-foot wide curb-to-curb section, 8-foot wide park strips, 5-foot wide sidewalks and street lights.

Rutherford Drive, south of Sidney Way is classified as a Residential Lane, which has a standard 26-foot wide curb-to-curb section, sidewalk, adjacent to the curb, on one side, and street lights.

b. Lighting and signing

All street lights and signing for public streets shall be installed to City of Medford specifications. The following street lighting and signing installations will be required:

Traffic Signs and Devices - City Installed

- A. 2 – street name signs
- B. 1 – dead end barricades

Street Lighting - Developer Provided & Installed

- A.2– 100W street lights
- B. 1 – Base Mounted Cabinet

In addition, pedestrian street lights, including base mounted cabinets, shall be designed and constructed in accordance with the MLDC, Section 10.380. The pedestrian lights shall be designed by an engineer per City of Medford Specifications and shall be submitted to the Engineering Division as part of the public improvement drawings described under Section E, 1. and E, 2. of this report.

All street lights shall be operating and turned on at the time of the final “walk through” inspection by the Public Works Department.

c. Soil Testing

The Developer’s engineer shall obtain soil testing data to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development.

3. Section 10.668 Analysis

To support a condition of development that an applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

10.668 Limitation of Exactions

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless:

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so

*that the exaction will not result in a taking of private property for public use, or
(2) a mechanism exists and funds are available to fairly compensate the applicant for the excess
burden of the exaction to the extent that it would be a taking.*

*Provided, however, that this section does not prohibit unconditional denial of an application
where adequate public facilities and services are not available to serve the proposed
development, so long as there are other economically viable uses of the land which are allowed
by the Chapter and by the existing zoning and which can be adequately served.
[Added, Sec. 1, Ord. No. 8257, Dec. 19, 1996.]*

Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, and pedestrians. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

Rough proportionality between the dedications and improvements, and the impacts of development.

No mathematical formula is required to support the rough proportionality analysis. Furthermore, benefits to the development resulting from the dedication and improvements when determining “rough proportionality” have been considered, including but not limited to: increased property values, intensification of use, as well as connections to municipal services and the transportation network.

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

In determining rough proportionality, the City considers the impacts of this Development in the way of additional trips on the transportation system. The number of trips from the Development were computed and compared to the square footage of street dedication and road improvements of two other SFR-10 Developments. The proposed development has 31 Lots, which will generate 297 trips per the Trip Generation Manual. Rockland Place PUD will dedicate approximately 44,264 square feet of right-of-way and improve approximately 37,064 square feet of roadway, which equates to 149 square feet of dedication per trip and 125 square feet of street improvements per trip.

To determine proportionality, the City looked at the two other SFR-10 subdivisions, and averaged the same parameters to see how the exactions for those subdivisions compared with Rockland Place Subdivision. The two SFR-10 subdivisions average street dedication per trip generated was 207 square feet, and the average area of street improvements per trip generated was 115 square feet.

As demonstrated above, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 31 Lots within the City of Medford and increase vehicular traffic by approximately 297 average daily trips. The proposed street

improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of connecting streets will decrease emergency response times and provide emergency vehicles alternate choices in getting to an incident and reducing miles traveled.
- e. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.
- f. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in other SFR-10 developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

All public sanitary sewers shall be constructed to the standards of the Department of Environmental Quality in addition to standards approved by the City of Medford.

A sanitary sewer lateral shall be constructed to each lot prior to approval of the Final Plat. All public sanitary sewers shall be located in public streets.

C. STORM DRAINAGE

1. Hydrology

The Design Engineer shall provide an investigative report of the off-site drainage on the subdivision perimeter, a distance not less than 100 feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

2. Stormwater Detention and Water Quality Treatment

This site lies within the Larson Creek Drainage Basin. This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual.

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision shall be submitted with the public improvement plans for approval. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

4. Mains and Laterals

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing a private drain line, including a tee at the low point of each lot to provide a storm drain connection. All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each lot prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing lots other than the one being served by the lateral.

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads.

5. Wetlands

The Developer shall contact the Division of State Lands for the approval or clearance of the subject property with regards to wetlands and/or waterways, if they are present on the site.

6. Erosion Control

Subdivisions/P.U.D.'s of one acre and greater require a run-off and erosion control permit from DEQ. The permit must be submitted to the Engineering Division prior to construction plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. All disturbed areas shall have vegetation cover prior to final inspection/"walk-through" for this subdivision.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to the final "walk-through" inspection of the public improvements by City staff.

E. GENERAL

1. Construction Plans

Construction drawings for this project shall be prepared by an engineer registered in the State of Oregon and submitted to the Engineering Division for approval. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings will be accepted for review. This includes plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the Planning Commission's Final Order, together with all pertinent details and calculations.

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of the Final Inspection (walk through). Also, the engineer shall coordinate, with the utility companies, and show all final utility locations on the "as built" drawings.

2. Design Requirements

All public improvements including streets, street lights, sanitary sewers and storm drainage facilities shall be designed and constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council in December, 2004. Copies of this document are available in the office of the City Engineer.

3. Phasing

The Tentative Plat shows that this subdivision will be developed in three phases. The Engineering Department recommends that any public improvements, which correspond with a particular phase, be improved at the time each phase is being developed. The public improvements that are not included within the phase being developed but are needed to serve each respective phase shall be constructed with each phase as needed.

4. Draft of Final Plat

The developer shall submit a preliminary draft of the final plat at the same time the public improvement plans are submitted. No lot number or lot line changes on the plat will be allowed after that time, unless approved by the City and all utility companies.

5. Permits

Building Permit applications shall not be submitted to the Building Department until the Final Plat has been recorded and a "walk through" inspection has been conducted and approval of all public improvements required by the Planning Commission for this development.

Concrete or block walls built within a P.U.E., sanitary sewer, or storm drain easements require review and approval from the Engineering Department. Walls will require a separate permit from the Building Department and may require a professional engineer's certification.

6. System Development Charges

Buildings in this development are subject to street, sewer collection and sewer treatment system development charges. These shall be paid at the time individual building permits are taken out. This development is also subject to a storm drain system development charge which shall be paid prior to final plat approval. Per Ordinance No. 4940, the developer may receive a credit of 25% of the estimated cost of storm drains which are 24 inches in diameter or larger and are not used for storm drainage detention. Developments in which Collector/Arterial streets are being constructed may be eligible for Street SDC credits for street construction and public right of way dedication as stated in City of Medford Code 3.815.

7. Pavement Moratoriums

The developer shall be responsible for notifying, by certified letter, all utility companies and existing property owners of parcels, which are adjacent to any public street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer prior to the final order of approval of the Tentative Plat by the Planning Commission. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

8. Construction and Inspection

Contractors proposing to do work on public streets, sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of improvement drawings, which have been approved by the City of Medford Engineering Division. Work within the County right-of-way will require a permit to perform from the County.

The City Public Works Maintenance Division requires that both public sanitary sewer and storm drain mains be inspected by T.V. prior to acceptance of these systems by the City.

The developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Respectfully Submitted,

Larry Beskow

RECEIVED

JAN 20 2015

Revised Report Date: January 20, 2015
PLANNING DEPT.
ZC-14-103

PUBLIC WORKS DEPARTMENT STAFF REPORT

for a proposed Zone Change from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single-Family Residential – 10 units per gross acre) on a 2.15 acre parcel located on the south side of Harbrooke Road, approximately 385 feet east of N. Phoenix Road.

Lovett Trust, Richard & Leslie Lovett, Applicant

I. Sanitary Sewer Facilities

This site lies within the City of Medford Sewer Service area. The proposed change in zoning will not significantly affect the capacity of the sanitary sewer system. Sufficient capacity exists.

II. Storm Drainage Facilities

This site lies within the Larson Creek Drainage Basin. Adequate storm drainage can be provided by extension of existing drainage pipe in Rutherford Drive, or extension of drainage pipe in Sidney Way through Tax Lot 1500, located west of this lot, if an easement is obtained.

III. Streets, Street Capacity, and Access

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per MMC 10.461 (3).

Harbrooke Road is a 60 foot wide right-of-way along the frontage of this lot and is unimproved and currently maintained by Jackson County.

Harbrooke Road is classified as a minor residential street. No additional right-of-way dedication is required for a minor residential classification in accordance with Section 10.428 of the Municipal Code.

The City's current standard for a minor residential street is 55 ft. of right-of-way, 28 ft. wide pavement curb to curb, 5 ft. wide sidewalks, and 8 ft. wide planter strips.

At the time of future land division, Public Works will condition the developer to improve their frontage on Harbrooke Road to the City's standard at that time. The developer's share will be half width of a minor residential street plus 12 feet on the north side of the centerline of

Harbrooke Road. Improvements shall include paving, drainage, curb and gutter, street lighting, sidewalk, and planter strip on the south side.

Prepared by: Dorothy Hicks (10/21/14)

Approved by: Larry Beskow (10/22/14)

Revised by: Doug Burroughs (1/20/15)



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

RECEIVED

SEP 03 2014

PLANNING DEPT

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 09/03/2014

From: Greg Kleinberg

Report Prepared: 08/28/2014

Applicant: Richard Stevens & Associates, Inc.

File #: PUD - 14 - 74

Associated File #'s: LDS - 14 - 91

Site Name/Description:

Consideration of a request for a Planned Unit Development consisting of a Preliminary Plan for Rockland Place and Tentative Plat for a 31 lot single family subdivision on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential - 10 units per gross acre/Southeast Overlay) zoning district; Lovett Trust, Richard/Leslie Lovett, Trustees, Applicants (Richard Stevens & Associates, Inc., Agent). Sarah Sousa, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Requirement MEDFORD CODE STREET DESIGN OPTIONS

MEDFORD

10.430

Section 10.430 of the Medford Code states the following:

In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus, the developer shall choose from one of the following design options:

(a) Clustered, offset (staggered) driveways (see example) (design approved by Fire Department), and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet.

(b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet.

(c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips.

The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

Minor residential streets have a 28 foot paved surface. When vehicles are parked on both sides of the street there is 14 feet for fire department access, which is considerably less than the 20 foot requirement. Fire department pumpers are approximately 9 feet wide, this leaves approximately 2.5 feet on each side to remove equipment, drag hose, etc. We normally dispatch 3 fire engines and the ladder truck to all reported structure fires. The 14 feet becomes so congested that fire engines and or ambulances are required to back-up to leave the fire scene. Sometimes the on scene equipment is dispatched to another alarm. This backing up slows response times. The citizens of the City of Medford have certain expectations that when they require our assistance we will arrive in a timely manner. With a 20 foot clear and unobstructed width engines are able to pass on the side when necessary to respond to another incident or clear to return to their assigned area.

CITY OF MEDFORD

EXHIBIT # L



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 09/03/2014

From: Greg Kleinberg

Report Prepared: 08/28/2014

Applicant: Richard Stevens & Associates, Inc.

File #: PUD - 14 - 74

Associated File #'s: LDS - 14 - 91

Site Name/Description:

When the clustered-offset driveway option is chosen, a note indicating driveway locations shall be included on the final plat.

Requirement FIRE HYDRANTS

OFC

508.5

Fire hydrants with reflectors will be required for this project.

Hydrant locations shall be as follows: In addition to the existing fire hydrant on Harbrook, four (4) new fire hydrants will be required for this project - One on Harbrook near the property line between lots 18 and 19; one on Rutherford near the property line between lots 25 and 26; one on Sidney in front of lot 3 or lot 8; and one near the property line between lots 11 and 12.

Additional hydrants may be required to comply with the requirement of proximity to fire department connections (for fire sprinkler and standpipe systems, the fire department connection shall be located at an approved location away from the building and within 75' of a fire hydrant. The fire department connection shall be located on the same side as the fire department access route.).

The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Plans and specifications for fire hydrant system shall be submitted to Medford Fire Department for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

Requirement "NO PARKING-FIRE LANE" SIGNS REQUIRED

OFC

503.3

The South portion of Rutherford Drive is a Residential Lane only allows parking on one side. One side of this section is required to be posted with NO PARKING - FIRE LANE signs.

Where parking is prohibited for fire department vehicle access purposes, NO PARKING-FIRE LANE signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING FIRE LANE TOW AWAY ZONE ORS 98.810 to 98.812" (See handout).

Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 09/03/2014

From: Greg Kleinberg

Report Prepared: 08/28/2014

Applicant: Richard Stevens & Associates, Inc.

File #: PUD - 14 - 74

Associated File #'s: LDS - 14 - 91

Site Name/Description:

widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).

This restriction shall be recorded on the property deed as a requirement for future construction.

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

RECEIVED

OCT 22 2014

PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 10/22/2014

From: Fire Marshal Kleinberg

Report Prepared: 10/15/2014

File #: ZC - 14 - 103

Site Name/Description:

Consideration of a request for a change of zone from County RR-5 (Rural Residential - 5 acre minimum lot size) to SFR-10 (Single Family Residential - 10 units per gross acre) on a 2.15 acre parcel located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road; Lovett Trust, Richard & Leslie Lovett, Applicants (Richard Stevens & Associates, Inc., Agent). Sarah Sousa, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Approved as Submitted

Meets Requirement: No Additional Requirements

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.



RECEIVED
SEP 03 2014
PLANNING DEPT.

Memo

To: Sarah Sousa, Planner III, Planning Department
From: Tanner Fairrington, Plans Examiner II, Building Department
Date: September 3, 2014
Re: File No. PUD-14-074/LDS-14-091

Building Department Requirements:

Please note; This is not a plan review. These are general notes based on the general information provided. Plans need to be submitted and will be reviewed by a residential plans examiner to determine if there are any other requirements for this occupancy type. Please contact the front counter for fees.

1. Applicable building codes are 2011 Oregon Residential Specialty Code, 2011 Oregon Plumbing Specialty Code, 2014 Oregon Electrical Specialty Code, and 2014 Oregon Mechanical Specialty Code.
2. A site excavation permit will be required for any excavation improvements to the subdivision.
3. A site specific soils engineering report for each lot will be required at time of submittal for each building permit.
4. 2014-2015 School Construction Tax is \$1.17.
5. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us. Go to City Departments; Building; click on ELECTRONIC PLAN REVIEW for information.



Staff Memo

RECEIVED

SEP 02 2014

PLANNING DEPT.

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: PUD-14-074 & LDS-14-091
PARCEL ID: 371W34 TL's 1600 & 1700

PROJECT: Consideration of a request for a Planned Unit Development consisting of a Preliminary PUD Plan for Rockland Place and Tentative Plat for a 31 lot single family subdivision on two parcels totaling 4.61 acres located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road, within an SFR-10/S-E (Single Family Residential – 10 units per gross acre/Southeast Overlay) zoning district; Lovett Trust, Richard/Leslie Lovett, Trustees, Applicants (Richard Stevens & Associates, Inc., Agent). Sarah Sousa, Planner.

DATE: August 29, 2014

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of new 8-inch water lines is required in Rutherford Drive between Harbrooke Road and the south property line of this proposed PUD. An 8-inch water line is also required to be installed in Sidney Way between the west and east property lines. Proposed water lines can be phased as shown for Phases 1 and 2.
4. Installation of a new 12-inch water line is required in Harbrooke Road from the east end of the existing 12-inch water to the east property line. This water line will be required to be installed with proposed Phase 3.
5. MWC will reimburse developer for upsizing costs from 8" to 12" for materials only. Coordinate with MWC engineering department prior to site development to establish reimbursement amount. All costs to be submitted to MWC for review approval prior to plan approval.
6. Applicant's civil engineer shall coordinate with Medford Fire Department for proposed locations of fire hydrants.



COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. MWC-metered water service does NOT exist to this property.
4. Access to MWC water lines is available. A 12-inch water line is located in a portion of Harbrooke Road, and there are 8-inch water lines stubbed to the west and south property lines.



BOARD OF WATER COMMISSIONERS

Staff Memo

RECEIVED

OCT 22 2014

PLANNING DEPT.

TO: Planning Department, City of Medford

FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: ZC-14-103

PARCEL ID: 371W34 TL 1600

PROJECT: Consideration of a request for a change of zone from County RR-5 (Rural Residential – 5 acre minimum lot size) to SFR-10 (Single Family Residential – 10 units per gross acre) on a 2.15 acre parcel located on the south side of Harbrooke Road, approximately 385 feet east of North Phoenix Road; Lovett Trust, Richard & Leslie Lovett, Applicants (Richard Stevens & Associates, Inc., Agent). Sarah Sousa, Planner.

DATE: October 20, 2014

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

COMMENTS

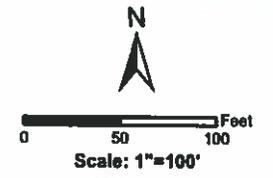
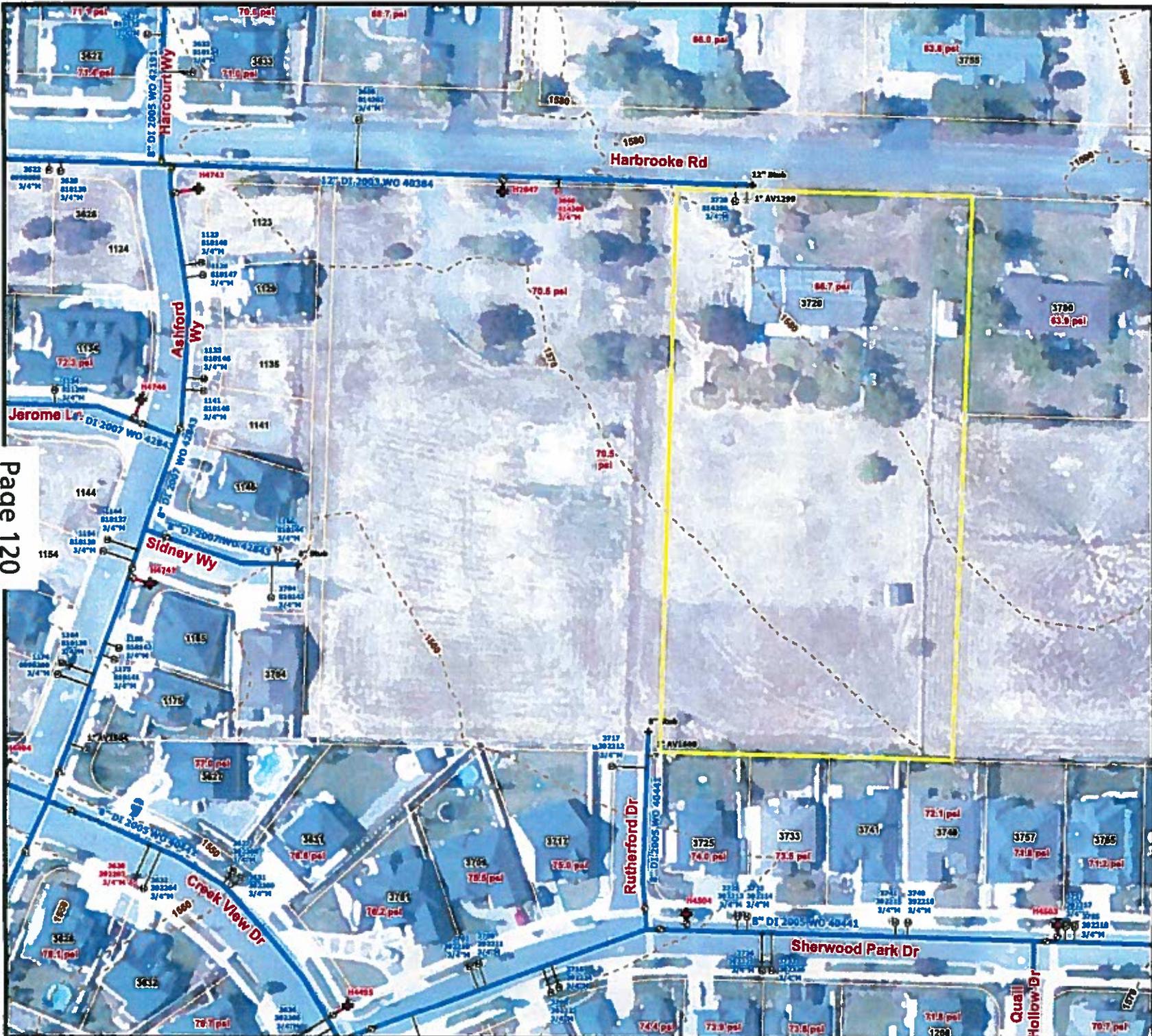
1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. There is a ¾" water meter near the northwesterly property corner along the Harbrooke Road frontage.
7. Access to MWC water lines for connection is available. A 12" water line is located in Harbrooke Road, and currently terminates near the driveway to the house on this parcel.

CITY OF MEDFORD

EXHIBIT # P

File # PUD-14-074/LDS-14-091

ZC-14-103



Water Facility Map for ZC-14-103

Legend

- ◊ Air Valve
 - Sample Station
 - Fire Service
 - ⊕ Hydrant
 - ▲ Reducer
 - ⊠ Blow Off
 - ⊕ Plug-Caps
- Water Meters:**
- Active Meter
 - On Well
 - Unknown
 - Vacant
- Water Valves:**
- ⊙ Butterfly Valve
 - ⊙ Gate Valve
 - ⊙ Tapping Valve
- Water Mains:**
- Active Main
 - - - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
- ▭ Urban Growth Bound
 - ▭ City Limits
 - ▭ Tax Lots
- MWC Facilities:**
- C** Control Station
 - P** Pump Station
 - R** Reservoir



This map is based on a digital image supplied by Medford Water Commission. It is not intended to be used for legal purposes. The user assumes all responsibility for any errors or omissions. Medford Water Commission is not responsible for any errors or omissions.

MEDFORD PARKS & RECREATION

HEALTHY LIVES. HAPPY PEOPLE. STRONG COMMUNITY.

TO: Planning Department
FROM: Pete Young, Parks & Recreation Planner
SUBJECT: LANDSCAPE / IRRIGATION REVIEW OF PUD-14-074
DATE: February 2, 2014

RECEIVED
FEB 03 2015
PLANNING DEPT.

I have reviewed the applicant's Street Tree plan and have the following comments:

1. The plan calls out a "Zelkova", but does not specify which variety of Zelkova. Zelkova serrata 'Green Vase' is a moderate to fast growing tree with an upright habit making it suitable for narrow streets. The Musashino Zelkova (Zelkova serrata 'Musashino') has an even narrower habit. The Zelkova serrata 'Halka' is a large growing spreading tree, sometimes used instead of elm trees, fast growing and generally very hardy. Zelkova serrata 'Village Green' will form a wide crown and makes a good shade tree. Look also to the form Zelkova serrata 'Halka Red' with red foliage. The applicant needs to specify which Zelkova species is to be used.
2. The landscape plan calls out a "London Plane Tree" The London plane (*Platanus × acerifolia*) is a large deciduous tree growing 65–100 ft., and exceptionally over 130 ft tall. Staff advises the applicant that this may be a bit larger than the site will allow, and recommends the applicant find a smaller tree for this location. If the applicant is clear that trees of this size are desired, staff will not object.

CITY OF MEDFORD

EXHIBIT # Q

File # PUD-14-074 / LDS-14-091

2C-14-103



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE

701 N COLUMBUS AVE | MEDFORD, OR 97501 | 541.774.2400
WWW.PLAYMEDFORD.COM | PARKS@CITYOFMEDFORD.ORG



COMMUNITY ENRICHMENT EXCELLENCE EXCEPTIONAL CUSTOMER SERVICE INNOVATION

TALENT IRRIGATION DISTRICT LAND USE AGENCY RESPONSE FORM

104 W. Valley View Rd.
P.O. Box 467
Talent, OR 97540

Phone: 541-535-1529
Fax: 541-535-4108
Email: tid@talentid.org

NAME OF ENTITY REQUESTING RESPONSE: City of Medford
ENTITY REFERENCE NUMBER: PUD-14-074/LDS-14-091
MEETING REVIEW DATE: September 3, 2014
MAP DESCRIPTION: 37-1W-34 Tax Lots 1600 and 1700
PROPERTY ADDRESS: 3720 Harbrooke Rd.

RECEIVED
AUG 25 2014
Planning Dept.

NO COMMENT ON LAND USE ISSUE (IF NOT MARKED, CONTINUE BELOW)

NO COMMENT IF CHECKED COMMENTS ARE APPLICABLE

A. WATER RIGHT ISSUES

- 1. Water rights need to be sold to someone or transferred back to Talent Irrigation District. Number of Irrigated Acres:
Comments:
- 2. Must have District approval for water rights to remain in place on subject property.
Comments:

B. EASEMENTS

DISTRICT EASEMENTS

- 1. Easement needs to remain clear. No permanent structures or deep rooted plants will be allowed within the easement limits.
Comments:
- 2. If facility is to be relocated or modified, specifications must meet the District's standards and be agreeable to the District. A new written and recorded easement must be conveyed to the District.
Comments: _____
- 3. If a written and recorded easement does not exist for an existing facility, then one must be provided in favor of the District.
Comments: _____

PRIVATE EASEMENTS

- 1. Property may have private facilities (ditch or pipeline) that the District does not manage. Arrangements may need to be made to provide continued service through the subject property for downstream water users.
Comments: _____

CITY OF MEDFORD
EXHIBIT # R
File # PUD-14-074/LDS-14-091
2C-14-103

NO COMMENT

IF CHECKED COMMENTS ARE APPLICABLE

PRIVATE EASEMENT PROVISIONS FOR MINOR PARTITIONS AND/OR LOT LINE ADJUSTMENTS

- 1. If the property currently has water rights and it is being partitioned or a lot line adjustment is being made, easements must be written and recorded which allow access for all of the pieces of property with water rights to continue to have access to the water.
Comments: _____

WATER METER REQUIREMENT ON TRANSFERRED WATER RIGHTS

- 1. If the water right on this property is a transferred water right that currently has a water meter requirement, then each of the properties split off of the original parcel all need to have water meters installed prior to the use of irrigation water on the newly formed parcels.
Comments: _____

C. FACILITIES (including but not limited to pipelines, ditches, canals, control checks or boxes)

- 1. Upgrades to District facilities may be required to support any land use changes or developments, such as pipe installations or encasing existing pipe under roads or concrete.
Comments: _____

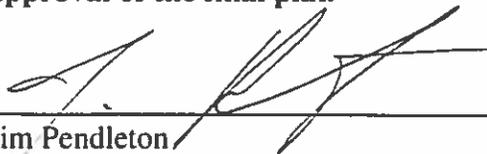
D. DRAINAGE / STORM WATER

- The District relies on the Bureau of Reclamation's Storm Water Policy. No urban storm water or point source flows will be allowed into the District's facilities without going through the Bureau of Reclamation process. (Developments in historically agricultural areas need to be aware of agricultural run off water and take appropriate action to protect the development from upslope water.)
Comments: _____

GENERAL COMMENTS:

1. No interruptions to irrigation water deliveries will be allowed.
2. T.I.D. is a Federal Project and some facilities and/or easement issues may need Bureau of Reclamation approval.
3. The developer/sub-divider will take all appropriate actions to ensure the reliability and protection of the original function of the District's facilities.

As required by ORS 92.090(6) the entity must receive a certification form from the District before approval of the final plat.



 Jim Pendleton
 Manager
 Talent Irrigation District

Date Signed: 8-21-14

Sarah K. Sousa

From: Kevin Christiansen <ChristKE@jacksoncounty.org>
Sent: Wednesday, August 27, 2014 8:55 AM
To: Sarah K. Sousa
Cc: Mike Kuntz; Dan Baker
Subject: File No.: PUD-14-074/LDS-14-091

RECEIVED
AUG 27 2014
PLANNING DEPT.

Sarah,

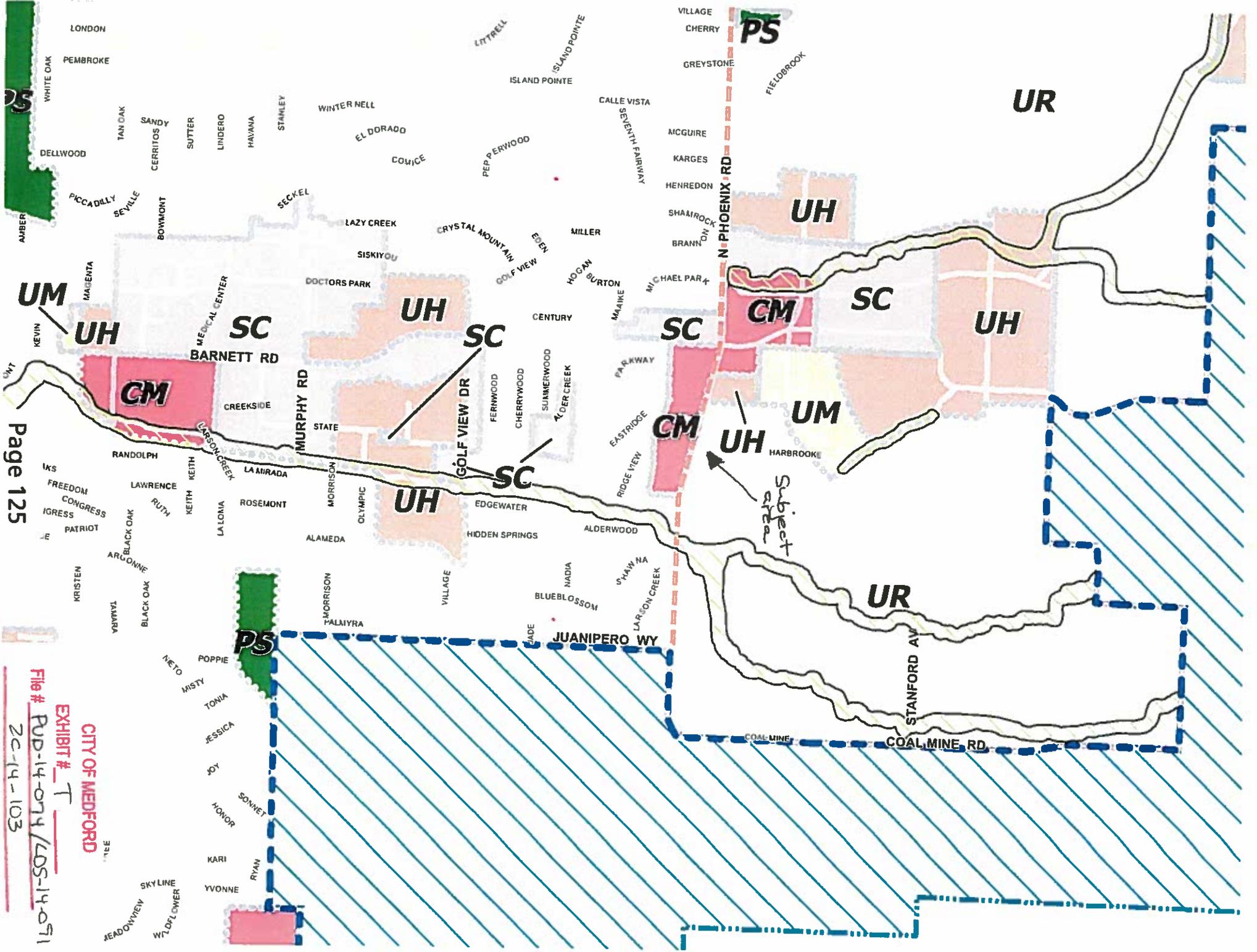
Jackson County does not have any comments.

Respectfully,

Kevin Christiansen
Construction Manager



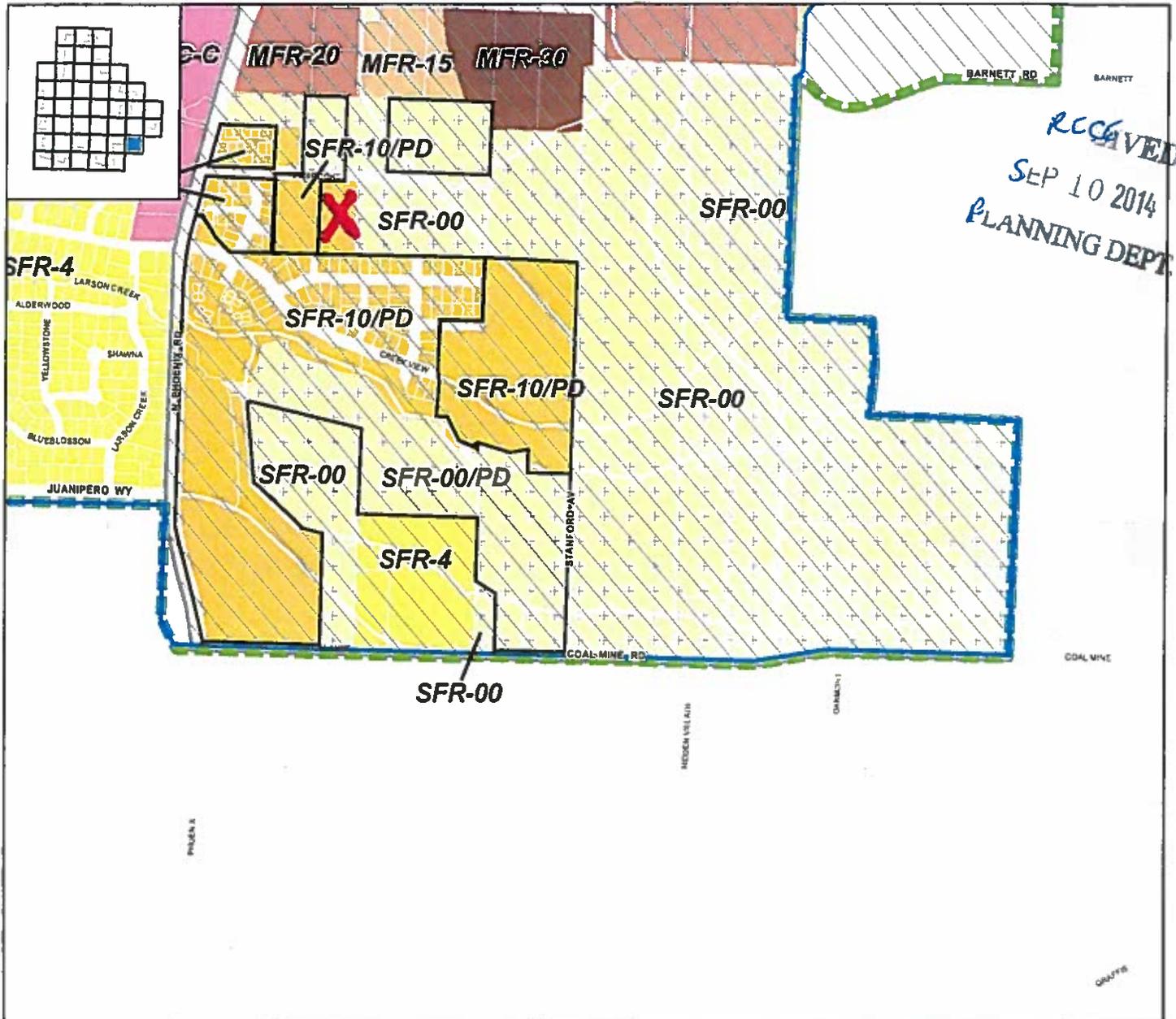
200 Antelope Road
White City, OR 97503
Office: 541-774-6255
Cell: 541-601-9267
Fax: 541-774-6295
christke@jacksoncounty.org



CITY OF MEDFORD
 EXHIBIT # T
 File # PD-14-074 / LOS-14-051
 2014-103

CITY OF MEDFORD ZONING MAP

Township, Range and Section: 371W34



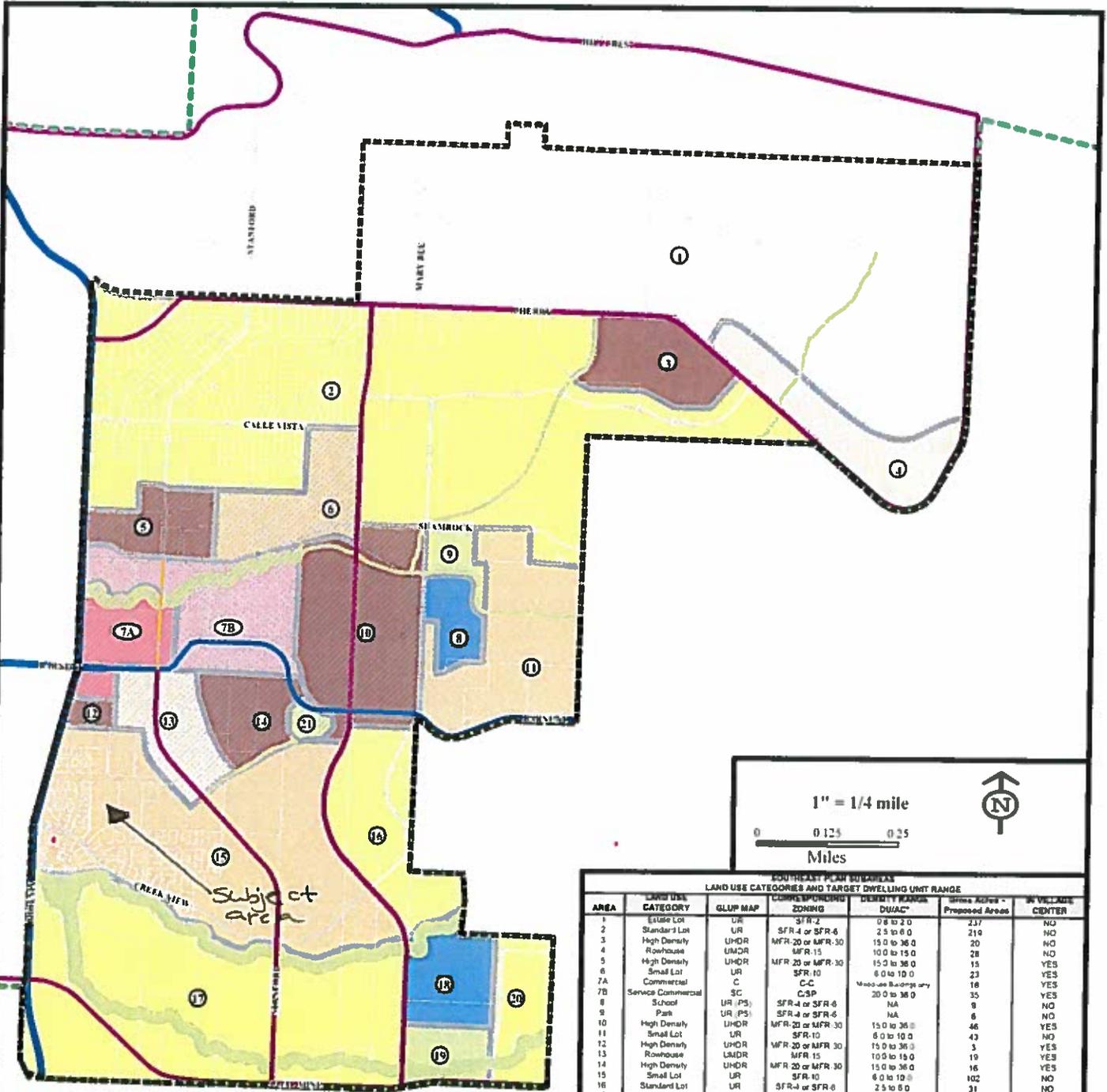
RECEIVED
SEP 10 2014
PLANNING DEPT.

0 220 440 660 880 Feet

Railroad City Limits UGB Outside UGB

North Arrow

MEDFORD CITY ZONES				COUNTY ZONES IN MEDFORD	
Residential				Residential	Commercial
Multi-Family - 30 Units/Acre (MFR-30)	Single Family - 6 Units/Acre (SFR-6)	Suburban - 2.5 Acre Minimum (SR-2.5)	General (GC)	Neighborhood (NC)	
Multi-Family - 20 Units/Acre (MFR-20)	Single Family - 4 Units/Acre (SFR-4)				
Multi-Family - 15 Units/Acre (MFR-15)	Single Family - 2 Units/Acre (SFR-2)				
Single Family - 10 Units/Acre (SFR-10)	Single Family - 1 Unit/Lot (SFR-00)				
Commercial		Industrial		OVERLAYS	
Heavy (C-H)	Neighborhood (C-N)	Heavy (I-H)	Freeway	Limited Service	
Regional (C-R)	Service/Professional (C-S/P)	General (I-G)	Historic	Planned Development	
Community (C-C)		Light (I-L)	Limited Industrial	Southeast Plan	
			Airport Approach		
			Airport Radar		
			Central Business District		
			Exclusive Agricultural		



SOUTHEAST PLAN SUBAREAS
LAND USE CATEGORIES AND TARGET DWELLING UNIT RANGE

AREA	LAND USE CATEGORY	GLUP MAP	CORRESPONDING ZONING	DENSITY RANGE DU/AC*	Proposed Areas	% VILLAGE CENTER
1	Little Lot	UR	SFR-2	0.8 to 2.0	237	NO
2	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	219	NO
3	High Density Rowhouse	UMDR	MFR-20 or MFR-30	15.0 to 36.0	20	NO
4	High Density Rowhouse	UMDR	MFR-15	10.0 to 15.0	28	NO
5	High Density Small Lot	UR	MFR-20 or MFR-30	15.0 to 36.0	15	YES
6	Commercial	C	SFR-10	6.0 to 10.0	23	YES
7A	Service Commercial	SC	C-3P	20.0 to 36.0	16	YES
7B	School	UR (PS)	SFR-4 or SFR-6	NA	35	YES
8	Park	UR (PS)	SFR-4 or SFR-6	NA	9	NO
9	Park	UR (PS)	SFR-4 or SFR-6	NA	6	NO
10	High Density Small Lot	UMDR	MFR-20 or MFR-30	15.0 to 36.0	46	YES
11	High Density Rowhouse	UMDR	SFR-10	6.0 to 10.0	43	NO
12	High Density Rowhouse	UMDR	MFR-20 or MFR-30	15.0 to 36.0	3	YES
13	High Density Rowhouse	UMDR	MFR-15	10.0 to 15.0	19	YES
14	High Density Small Lot	UMDR	MFR-20 or MFR-30	15.0 to 36.0	16	YES
15	Standard Lot	UR	SFR-10	6.0 to 10.0	102	NO
16	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	31	NO
17	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	124	NO
18	School	UR (PS)	SFR-4 or SFR-6	NA	17	NO
19	Park	UR (PS)	SFR-4 or SFR-6	NA	10	NO
20	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	17	NO
21	Park	UR (PS)	SFR-4 or SFR-6	NA	3	NO

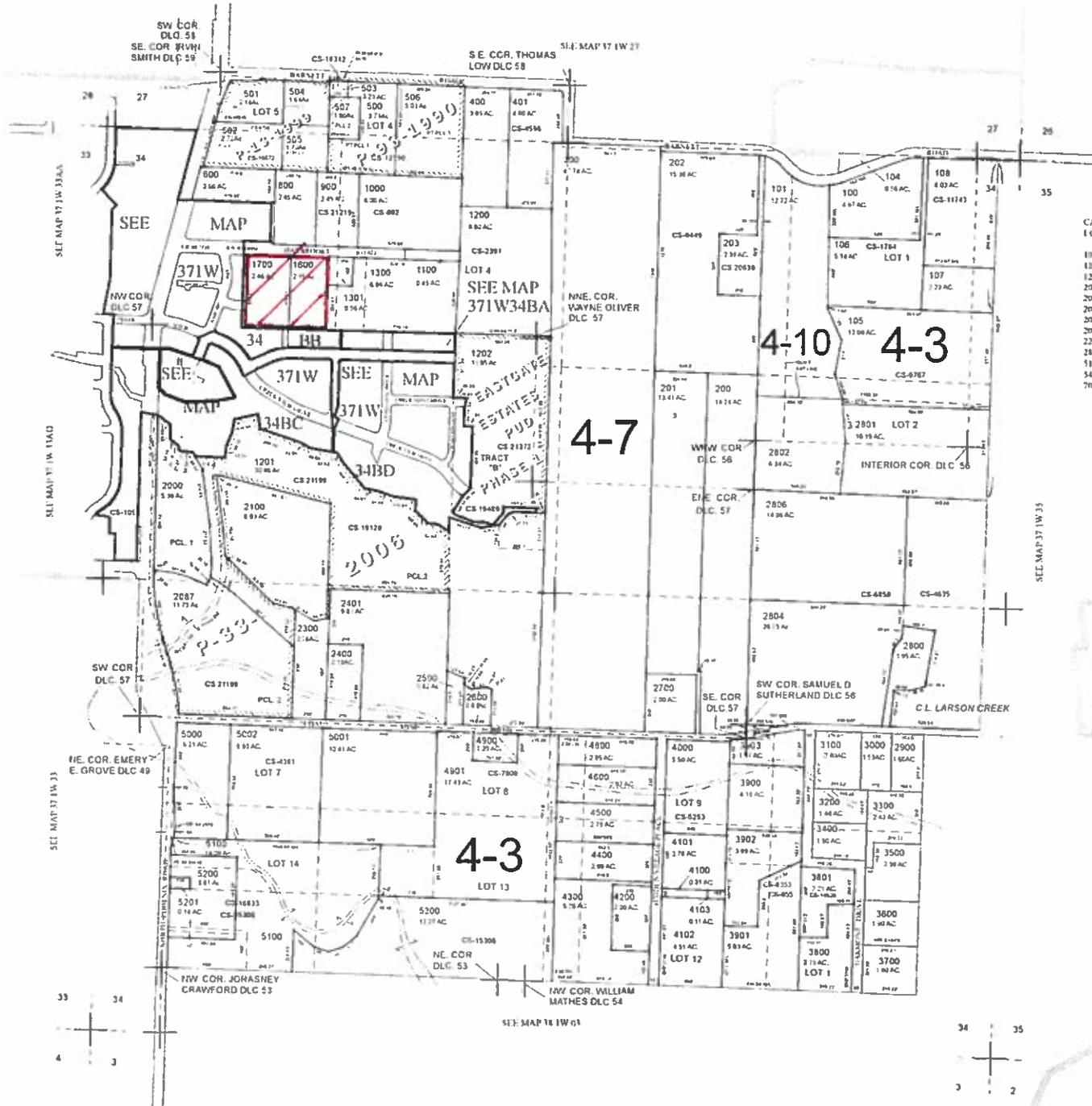
*Minimum 1 PUD (Planned Unit Development) process permits an increase in density of up to 20%.

**ADOPTED March 7, 2013
ORDINANCE #2013-42**

**SOUTHEAST
PLAN MAP**

- UGB
- Major Arterial
- Estate Lot
- SE Plan Boundary
- Minor Arterial
- Standard Lot
- Village Center TOD
- Major Collector
- Small Lot
- Existing Taxlots
- Minor Collector
- Row House
- Greenway
- Commercial Street
- High Density
- Standard Residential
- Commercial
- Service Commercial
- Schools
- Parks

No guarantee or warranty is expressed or implied in terms of data accuracy or legitimacy. This product is intended for use as public information and precise interpretations of the official record should be solicited from the Medford Planning Department.



CANCELLED TAX LOT NUMBERS

112
 1204 ADDED TO 2001
 1204 REMAPPED TO 171W343D-1600
 2001, 2004-2012 & 2000 REMAPPED TO 191W148A
 2002 ADDED TO 2001
 2001-2028-2046 & 2079 REMAPPED TO 171W148C
 2014-2027 & 2091-2061 REMAPPED TO 171W148D
 2041-2077 2079 & 2064-2086 REMAPPED TO 171W148D
 2700 ADDED TO 1202
 2805 ADDED TO 2804
 5101 ADDED TO 4900
 5400 ADDED TO 5100
 700 701 1000 REMAPPED TO 171W148B

RECEIVED
 JUL 11 2014
 PLANNING DEPT.

37 1W 34
 MEDFORD
 DATE CONVERSION MAY 12 1999
 REV. 10-13-2008

Page 128

CITY OF MEDFORD
 EXHIBIT # W
 PUD-14-074

Application Name/Description:

Rockland PUD

Proposal:

**PUD, 31 Lot Subdivision,
and Zone Change**

File Numbers:

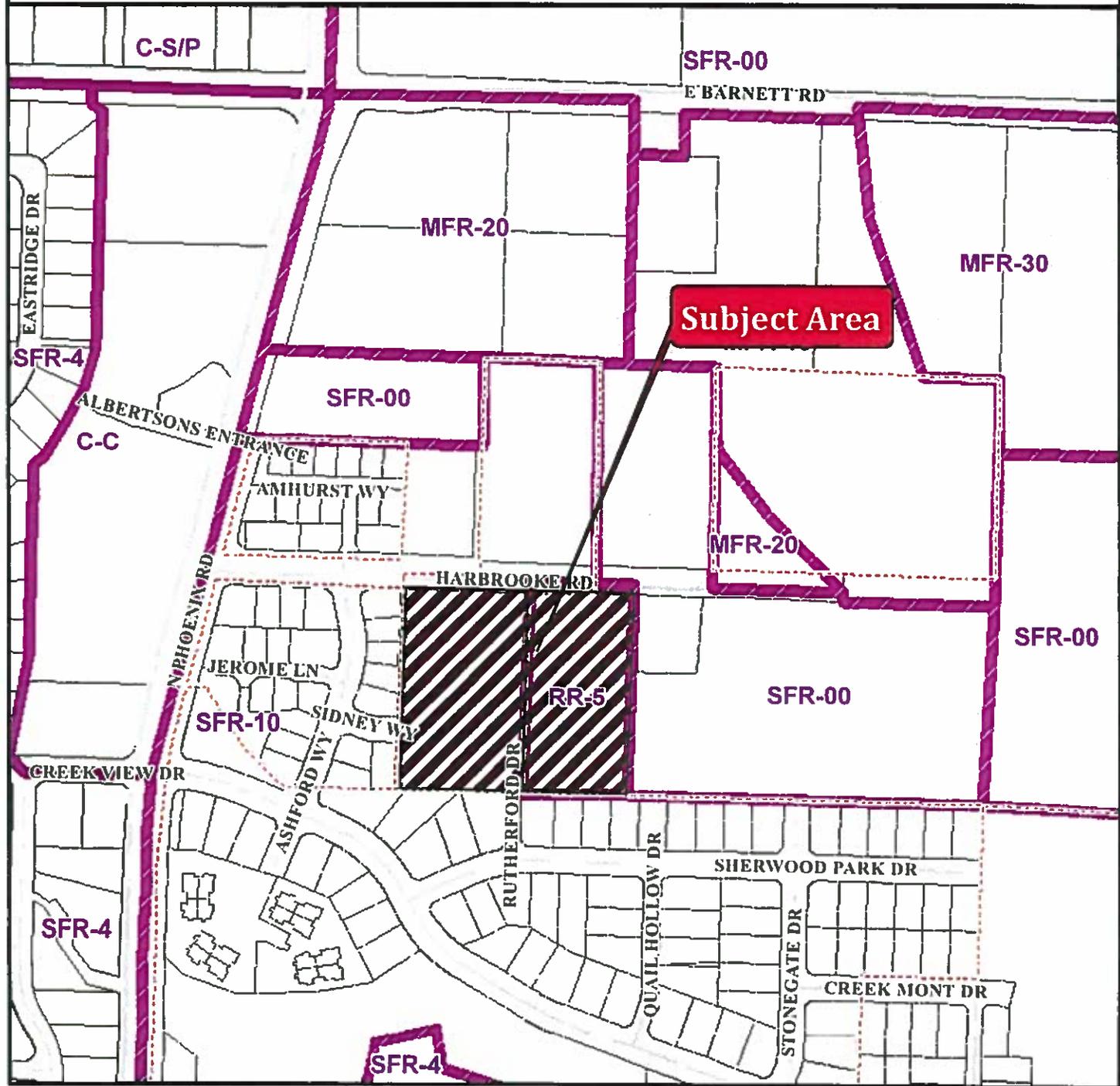
**PUD-14-074, LDS-14-091,
ZC-14-103**

Applicant:

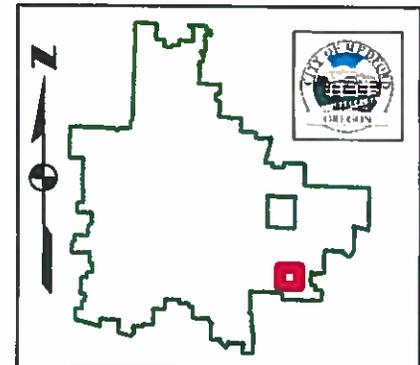
Lovett Trust

Map/Taxlot:

371W34 TL 1600, 1700



	Subject Area
	Medford Zoning
	UGB
	Tax Lots
Overlays	
	PUD
	SE



10/22/2014

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF)
)
STELLA RE INVESTMENTS, LLC [LDS-14-117]) ORDER

ORDER granting approval of a Preliminary Planned Unit Development Plan, including proposed modifications to Land Development Code standards pertaining to specific lots including: 1) modification of minimum lot area, width, depth, coverage, and frontage standards, and 2) implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on an 8.16 gross acres located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive, within the SFR-6 (Single Family Residential, 6 dwelling units per gross acre) zone district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for a Preliminary Planned Unit Development Plan, including proposed modifications to Land Development Code standards pertaining to specific lots including: 1) modification of minimum lot area, width, depth, coverage, and frontage standards, and 2) implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on an 8.16 gross acres located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive, within the SFR-6 (Single Family Residential, 6 dwelling units per gross acre) zone district, with the public hearing a matter of record of the Planning Commission on February 12, 2015.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that a Preliminary Planned Unit Development Plan, including proposed modifications to Land Development Code standards pertaining to specific lots including: 1) modification of minimum lot area, width, depth, coverage, and frontage standards, and 2) implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on an 8.16 gross acres located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive, within the SFR-6 (Single Family Residential, 6 dwelling units per gross acre) zone district., stands approved per the Staff Report dated February 5, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Staff Report dated February 5, 2015.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.270 Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 12th day of February, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE PUD-14-116/LDS-14-117)
APPLICATION FOR A PLANNED UNIT DEVELOPMENT SUBMITTED) **ORDER**
BY STELLA RE INVESTMENTS)

ORDER granting approval of a preliminary PUD plan including proposed modifications to development code standards pertaining to specific lots, including modification of minimum lot area, lot width, lot depth, lot coverage, lot frontage standards of the SFR-6 (Single Family Residential – 6 Dwelling Units Per Gross Acre) Zone District, and for implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on a 8.16 gross acre site within an SFR-6 zone district, located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive, as provided for in the City of Medford Land Development Code.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.230 Application, Planned Unit Development, and
2. The Medford Planning Commission has duly held a public hearing on the matter of an application for approval of a preliminary PUD plan including proposed modifications to development code standards pertaining to specific lots, including modification of minimum lot area, lot width, lot depth, lot coverage, lot frontage standards of the SFR-6 (Single Family Residential – 6 Dwelling Units Per Gross Acre) Zone District, and for implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on a 8.16 gross acre site within an SFR-6 zone district, located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive, with a public hearing a matter of record of the Planning Commission on February 12, 2015.
3. At the public hearing on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted preliminary plan approval for a Planned Unit Development and approved a final order with all conditions and findings set forth for the granting of the Preliminary Plan approval.

THEREFORE LET IT BE HEREBY ORDERED that the application for approval of a preliminary PUD plan including proposed modifications to development code standards pertaining to specific lots, including modification of minimum lot area, lot width, lot depth, lot coverage, lot frontage standards of the SFR-6 (Single Family Residential – 6 Dwelling Units Per Gross Acre) Zone District, and for implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on a 8.16 gross acre site within an SFR-6 zone district, located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive stands approved subject to compliance with the conditions stated in the Staff Report dated February 5, 2015.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this application for preliminary plan approval for a planned unit development is hereafter supported by the findings adopted by the Planning Commission as Exhibit "B" and any additional findings contained in the Staff Report dated February 5, 2015.

FINAL ORDER

PUD-14-116

Accepted and approved this 12th day of February, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT

Date: February 5, 2015 for meeting of February 12, 2015

To: Planning Commission

From: Desmond McGeough, Planner II *DM*

Reviewed By: Kelly Akin, Principal Planner

Subject: Stella Estates PUD and Subdivision (PUD-14-116/LDS-14-117)
Stella Real Estate Investments, LLC, Applicant (CSA Planning, Agent)

BACKGROUND

Proposal

Consideration of a Preliminary Planned Unit Development Plan, including proposed modifications to Land Development Code standards pertaining to specific lots including: 1) modification of minimum lot area, width, depth, coverage, and frontage standards, and 2) implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 40 residential lots and two common area lots on an 8.16 gross acres located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive, within the SFR-6 (Single Family Residential, 6 dwelling units per gross acre) zone district.

REQUEST

Subject Site Zoning, GLUP Designation and Existing Uses

Zoning: SFR-6 (Single Family Residential – 6 dwelling units per gross dwelling acre)

GLUP: UR (Urban Residential), UM (Urban Medium) UH (Urban High) *[Submitted and deemed complete prior to GLUP Amendment; entire property under UR Designation prior to December 4, 2015]*

Existing Use: Four Single Family Homes / Underutilized Land

"Working with the Community to Shape a Vibrant and Exceptional City"

Surrounding Property Zoning and Uses

North

Zoning: SFR-6/PD (Single Family Residential – 10 dwelling units per gross acre – Elk Creek Estates PUD), S FR-00 (Single Family Residential – 1 unit per existing lot)
GLUP: UR (Urban Residential)
Existing Use: Single Family Homes

South

Zoning: SFR-6
GLUP: UR, UM
Existing Use: Single Family Homes

East

Zoning: SFR-00 SFR-6
GLUP: UH, UM
Existing Use: Future Cunningham Road Alignment, Single Family Homes / Underutilized Land

West

Zoning: SFR-00, SFR-6
GLUP: UR
Existing Use: Single Family Homes

Related Projects

ZC-06-010 Zone Change from SFR-00 to SFR-6
PLA-06-296 Property line adjustment
PUD-07-049 Thomas Lagune Estate Preliminary PUD (Expired)
LDS-07-050 Thomas Lagune Estates PUD Subdivision – 47 lot subdivision (Expired)

Applicable Criteria

Planned Unit Development, Section 10.235(C)

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

1. The proposed PUD:
 - a. preserves an important natural feature of the land, or
 - b. includes a mixture of residential and commercial land uses, or

- c. includes a mixture of housing types in residential areas, or
 - d. includes open space, common areas, or other elements intended for common use or ownership, or
 - e. is otherwise required by the *Medford Land Development Code*.
2. The proposed PUD complies with the applicable requirements of this Code, or
 - a. the proposed modified applications of the Code are necessary for the project to be consistent with the criteria in Section 10.235(C)(1)(a-e), and
 - b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
 - c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.
3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
 - a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
 - b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
 - c. Limited Service Area adopted as part of the *Medford Comprehensive Plan*.
4. The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.
5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D) (8)(c), the applicant shall alternatively demonstrate that either:
 - 1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
 - 2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:
 - a. Public sanitary sewerage collection and treatment facilities.
 - b. Public domestic water distribution and treatment facilities.
 - c. Storm drainage facilities.
 - d. Public streets.

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the *Comprehensive Plan* which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(8)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.
7. If approval of the PUD application includes the division of land or the approval of other concurrent development permits applications as authorized in Subsection 10.230(C), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

Land Division, Section 10.270

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

ISSUES/ANALYSIS

Prior Approval

A preliminary PUD plan and tentative subdivision plat to create 47 residential lots, including 19 detached units and 28 attached units were approved by the Planning Commission on September 27, 2007. (PUD-07-049 / LDS-07-050). The subject plat and PUD have since expired in 2008 and 2010, respectively.

Scope of Project

The applicant has submitted two applications for review; a Planned Unit Development consisting of entirely residential development and a Land Division. The PUD area encompasses three parcels (Assessor Plat 372W35DB, Tax Lots 801 & 250, and Assessor Plat 372W35DC, Tax Lot 400). The applicant is proposing 26 single family homes and 14 attached residential units. The Land Division consists of a tentative plat for to be constructed in four phases.

Project Summary

As described above, the project includes 40 residential lots, with no commercial or other non-residential uses proposed. The PUD is divided into four phases with single family detached home lots. The PUD contains approximately 1.51 acres that will be reserved as common area for the preservation of Elk Creek and adjacent wetland marsh (Lots 34 & 35), which will also be utilized for storm water quality and detention facilities.

Of the 26 single family homes, 16 are proposed to have garage access via a shared driveway with an adjoining unit and 10 will be constructed with a driveway that provides access solely to that particular unit. Of the 14 attached units, all will be constructed with a two car garage that takes access from a shared driveway, clustered around a courtyard. All units proposed in the development will be constructed with a two car garage, with exception of one single family unit having a single garage and one uncovered parking space (Lot 28). Shared driveways that provide access two units have a typical width of 16 feet. Shared driveways that provide access to more than two units have a minimum width of 18 feet. In addition to the two open space lots associated with Elk Creek, a small open space is located upon lot 29 which provides parking spaces for three vehicles.

Density

The subject underlying zoning district is SFR-6, which has a density range of 4 to 6 dwelling units per gross acre. Based on the 8.16 gross acre size, the SFR-6 zoning district would require a minimum of 33 residential dwelling units for the project and permit a maximum of 48 units. The proposed number of dwelling units for the project is 40, which results in a density of 4.9 dwelling units per gross acre.

The Medford Land Development Code allows for any residential housing type to be considered within a PUD. If requested by the applicant, the Commission may consider and approve a density bonus of up to 20% permitted within the respective zoning district. The applicant has not requested a density bonus through this PUD. The Medford Land Development Code also permits unbuildable natural open space acreage to be excluded from the density calculation if requested by the applicant to meet the required density range of the zoning district. Since the project density falls at the midpoint of the density range, the open space has been left in the calculation. When excluding open space from the equation, the buildable acreage calculates as 6 dwelling units per acre.

Street Circulation

The street circulation for the project is consistent with the Southwest Circulation Plan (Exhibit B-7) and Section 10.426 (C) for maximum block length and perimeter. The proposed development contains two minor residential streets, Orleans Street and Stella Drive, which will have a 55 foot total width consistent with the Medford Land Development Code standards.

Stella Drive is shown on the tentative plat to extend along the easterly property line from Orleans Drive on the north and terminating in the southeast corner with as it turns toward the existing Westwood Drive right-of-way. Stella Drive will terminate with a barricade until such time that properties to the east are redeveloped and improve Westwood Drive to development standards.

The project proposes two residential lanes: Dubois Lane and Blanche Lane. Residential lanes may be employed when the less than 8 residential units take access from the street. Dubois Lane north of Orleans Street has eight lots. Dubois Lane south of Orleans Street is proposed to turn westward into Blanche Lane. Seven lots will take vehicular access from this street segment. A residential lane has a total right of way width of 33 feet, consisting of a total paved width of 28 feet with street parking on one side and a five foot sidewalk on one side of the street.

The property surrounds an exception parcel on three sides that is not of the applicant's ownership or control. The applicant proposes to construct the full street improvement associated with Blanche Lane. Dubois will temporary terminate at the common property line of the exception parcel and have a temporary emergency vehicle turnaround easement on lots 11 and 12. When the owner of the exception parcel opts to develop in the future, that project will extend Dubois Lane into Blanche Lane on the far west portion of that parcel to connect the street segment. As the 70 foot width of the exception parcel will only facilitate two potential lots under the MLDC development standards, only one additional lot will take access off this segment.

As part of the modifications requested by the applicant, lots 26 through 31 (5 lots) are proposed to take access off one shared driveway having a paved width of 18 feet. This paved width is equivalent to the typical paved width of a minimum access easement, which serves three units under the Development Code standards. Thus, the applicant is requesting two additional units be permitted to take access from the drive. The applicant has also proposed an auto court-type configuration for Lots 36 through 43 in the

southeast portion of the development and for lots 11 through 13 on the west side of the development. The minimum width of shared driveways for the auto-court product is 18 feet with all of the proposed housing having a recessed garage to ensure adequate vehicle maneuverability in and out of the auto-court development. (See Exhibit B-3, Preliminary PUD Plan). Staff recommends that the Commission approve the street layout as provided in the Tentative Plant and Preliminary PUD Plan.

Modifications

Medford Land Development Code Section 10.230(D) lists modifications of standards the Planning Commission can allow within the scope of the PUD. The applicant is proposing several modifications of the SFR-6 zoning district. Each modification requested is discussed thoroughly within the applicant's PUD project narrative (Exhibit B-10) on pages 4 through 7 and include the following:

- Reduced lot area for three detached single family dwellings (Lot 18,19 and 29)
- Reduced lot area for fourteen duplex dwellings (Lots 11, 12, 26, 27, 30, 31 and 36-43)
- Reduced lot width for 11 detached single family dwelling units (Lots 3, 5, 14,15, 22 and Lots 16-21)
- Reduced lot width for three duplex dwelling units (Lots 39, 41,and 43)
- Reduced lot depth for one detached single family dwelling units (Lot 28)
- Maximum lot coverage percentage for duplex units.
- Lot frontage and access standard modification for courtyard duplex units (Lots 12, 27, 30, 36, 38, 40, and 42)
- Application of private streets utilizing shard driveway easement (Lots 5-13, 20, 23, 24-26, 30, 31, 36-43)

The proposed mix of single-family detached and attached duplex units within Stella Estates allows clustering and particular juxtaposition of structures, thus establishing efficient development pattern which preserves over 19% of the gross project area as open space while generally falling at the midpoint of the required density range. It is through the shared driveway configurations and modification to the lot size that allow for the density calculation to be met while preserving significant open space wetlands. Staff supports the applicant's requests for modification per the project Preliminary PUD Project Narrative (Exhibit B-10) and as represented on the Preliminary Development Plan (Exhibit B-2, B-3 and B-4).

Street Tree Plan / Frontage Landscaping

The Parks Department has reviewed the Street Tree and Open Space Landscape Plan. The Parks Department Memo recommends that PUD Landscape Plan be approved as submitted (Exhibit F).

Riparian Corridor

Elk Creek, running through the project, is not identified as a fish bearing stream on the City of Medford's Riparian Corridor Map. However the creek area is identified as a locally significant wetland as depicted on the City of Medford Local Wetland Inventory (LWI) (Exhibit B-9).

The applicant has retained services of a wetland consultant to delineate the extent of the wetland area. The wetland area, as delineated wetland consultant, is shown on the tentative subdivision plan and preliminary PUD plans. The delineation has been submitted to the Oregon Division of State Lands and is currently pending approval. Field work and survey of the area indicated the wetlands are more extensive than suggested by the Medford WLI map.

Phasing

Medford Land Development Code Section 10.269 allows the Commission to grant additional time for tentative plat approvals for phased projects. Since the project is proposed to be developed into four phases, staff is recommending the Commission allow the maximum time allowable for phased project of five years.

Criteria Compliance

Staff finds Stella Estates PUD to be consistent with the approval criteria for a Planned Unit Development and Land Division, based upon the Applicant's Findings of Facts and Conclusions of Law.

FINDINGS OF FACT

Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibit B-1) supporting evidence (Exhibit B-10) and recommends that the Commission adopt the Findings as presented by the applicant.

RECOMMENDED ACTION

Adopt the Findings as recommended by Staff and adopt the Final Orders for approval of PUD-14-116 and LDS-14-117, per the Staff Report dated February 5, 2015, including Exhibits A through K.

EXHIBITS

- A Conditions of Approval dated February 5, 2015
- B Applicant's Findings of Fact and Conclusions of Law received January 21, 2015, with applicant supporting exhibits;
 - Tentative Plat for Land Division
 - Preliminary PUD Plan
 - PUD Landscape Site Plan

- Conceptual Grading and Stormwater Drainage Facility Plan
- Conceptual Sewer and Water Plan
- Conceptual Roadway7 Cross Sections
- City of Medford Zoning Map on Aerial Photo
- Adopted Southwest Medford Circulation Plan
- City of Medford Riparian Inventory Map
- City of Medford Local Wetland Inventory Map
- PUD Narrative Description and Rationale

- C Public Works Department Staff Report dated February 5, 2015
- D Medford Water Commission Memo dated November 7, 2014
- E Medford Fire Department Report prepared November 17, 2014
- F Parks Department Memo dated December 1, 2014
- G Building Department Memo dated November 25, 2014
- H Oregon Department of Transportation email correspondence received December 15, 2014
- I Correspondence from Rogue Valley Sewer Services, dated November 21, 2014
- J Correspondence from Jackson County Roads, dated November 17, 2015
- K Site Photographs
Vicinity Map

PLANNING COMMISSION AGENDA: FEBRUARY 12, 2015

EXHIBIT A

Stella Estates PUD & Tentative Subdivision Plat
PUD-14-116, LDS14-117
Conditions of Approval
February 5, 2015

CODE CONDITIONS

1. Prior to approval of the Final Plat, The applicant shall:
 - a. Comply with the Public Works Staff Report received dated February 5, 2015 (Exhibit C);
 - b. Comply with the Medford Water Commission Staff Memo dated November 7, 2015 Exhibit D);
 - c. Comply with the Fire Department Land Development Report prepared November 17, 2015 (Exhibit E);
 - d. Comply with the correspondence from Rogue Valley Sewer Services, dated November 21, 2015 (Exhibit I);
 - e. Comply with the correspondence from Jackson County Roads, dated November 17, 2015 (Exhibit J).

DISCRETIONARY CONDITIONS

2. Prior to the submission of a Final Plat, the applicant shall submit a Final PUD Plan to the Planning Department for review and approval.
3. The tentative subdivision plat for Stella Estates Phases 1-4 shall be valid for a period of five years from Final Order approval date of PUD-14-116 and LDS-14-117.

CITY OF MEDFORD
EXHIBIT # "A"
File # PUD - 14-116 / LDS-14-117
1 of 1

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

RECEIVED

JAN 21 2015

PLANNING DEPT.

IN THE MATTER OF AN APPLICATION)
FOR PRELIMINARY PLANNED UNIT)
DEVELOPMENT PLAN AND TENTATIVE)
SUBDIVISION PLAT APPROVAL TO)
CREATE 40 RESIDENTIAL LOTS AND)
THREE COMMON AREA LOTS ON 8.16)
GROSS ACRES LOCATED AT 1727)
THOMAS ROAD APPROXIMATELY 800)
FEET NORTH OF ITS INTERSECTION)
WITH SUNSET DRIVE WITHIN THE CITY)
OF MEDFORD, OREGON. THE)
SUBJECT PROPERTY IS FURTHER)
IDENTIFIED AS TAX LOTS 801 AND)
2501 ON JACKSON COUNTY)
ASSESSMENT MAP 352W35DB AND)
TAX LOT 400 ON JACKSON COUNTY)
ASSESSMENT MAP 372W35DC.)

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

Applicant's Exhibit 1

Owner/Applicant: Stella RE
Investments, LLC

Agent: CSA Planning, Ltd.

I

NATURE, SCOPE AND INTENT OF APPLICATION

Stella RE Investments, LLC ("Applicant") seeks approval of a Preliminary Planned Unit Development Plan and Tentative Subdivision Plan to create forty residential lots and three common area lots in four phases on 8.16 acres (gross)¹ of land located in southwest Medford east of Thomas Road. The project has been designed to preserve existing wetland and stream corridor areas associated with Elk Creek over the eastern half of the property by reserving two common area lots for protection of the same. Twenty-six lots will provide for detached single family dwellings and fourteen lots will provide for attached single family homes clustered along common courtyard driveways.

¹ 7.84 net acres

CITY OF MEDFORD,
EXHIBIT # "B"
File # RJD-14-116 / LDS-14-117
LoF 48



The project will create two new minor residential streets (Orleans Street and Stella Drive) and two new residential lanes (Blanche Lane and DuBois Lane). Orleans Street will extend from Thomas Road to the east property line through the center of the property. Stella Drive will extend south from Orleans Street to the south property line. The project will also dedicate right-of-way for a future extension of Cunningham Lane as a planned minor arterial over the northeast corner of the property.

II

EVIDENCE SUBMITTED WITH THE APPLICATION

Applicant herewith submits the following evidence with the Preliminary PUD and Land Division applications:

- Exhibit 1.** Proposed Findings of Fact and Conclusions of Law (this document) demonstrating how the Tentative Subdivision Plat and Preliminary PUD Plan applications comply with the applicable substantive criteria of the MLDC
- Exhibit 2.** Tentative Plan for Land Division (LJ Friar & Associates)
- Exhibit 3.** PUD Plans
 - a. Preliminary PUD Plan (CSA Planning, Ltd.)
 - b. Landscape Site Plan (Galbraith & Associates)
- Exhibit 4.** Engineering Plans (CEC Engineering)
 - a. Conceptual Grading and Stormwater Drainage Facility Plan
 - b. Conceptual Sewer and Water Plan
 - c. Conceptual Roadway Cross Sections
- Exhibit 5.** City of Medford Zoning Map on Aerial Photo
- Exhibit 6.** Assessor's Plat Map (37-2W-35DB and 35DC) with subject parcels identified
- Exhibit 7.** Adopted Southwest Medford Circulation Plan
- Exhibit 8.** City of Medford Riparian Inventory Map
- Exhibit 9.** City of Medford Local Wetland Inventory – Map 6
- Exhibit 10.** PUD Narrative Description and Rationale
- Exhibit 11.** Completed application forms and power of attorney from the record owner of the property.

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III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which these applications must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria for each of the land use applications are recited verbatim below and again in Section V where each is followed by the conclusions of law of the Planning Commission:

PLANNED UNIT DEVELOPMENT

10.230 Planned Unit Development (PUD) – General Provisions

- A. Purpose and Intent: The PUD approach permits flexibility to allow creative and imaginative urban development that would otherwise not be possible under the strict requirements of this Code. The intent is to promote more efficient use of urban land and urban services while protecting natural features, creating common open space, promoting the development of transit-oriented design along designated transit corridors and within designated transit-oriented development (TOD) areas, and encouraging a mixture of land uses and housing types that are thoughtfully planned and integrated.
- B. Acreage Limitation: PUDs must contain one (1) acre or more at the time of application filing.
- C. Stepped Process: Consolidated Applications Authorized: Approval of a PUD shall be a two-step process involving approval of a Preliminary PUD Plan by the Planning Commission as the first step and approval of a Final PUD Plan by the Planning Director as the second step. As used in MLDC 10.230 through 10.245, the Planning Director shall mean the Director of the Medford Planning Department or his/her designee. Except applications for annexations and comprehensive plan amendments, applications authorized in Article II may be consolidated with an application for a Preliminary PUD Plan.
- D. Modified Application of Standards Authorized. To fulfill the purpose and intents of the standards set forth in Section 10.230(A), authority is herewith granted for the approval of PUDs which vary from the strict standards of this Code. The nature and extent of potential modifications shall be limited to the categories below described, provided that the City, in approving such modifications, shall not violate substantive provisions of the Oregon Transportation Planning Rule:
 - 1. Lots and Parcels: Limitations, restrictions and design standards pertaining to the size, dimension, location, position and coverage of lots, and restrictions related to through lots.
 - 2. Yards, Setbacks and Building Height: Limitations, restrictions and design standards pertaining to the location, size, height, yards and setbacks for buildings and other structures.
 - 3. Parking, Bicycle and Pedestrian Standards: Limitations, restrictions and design standards pertaining to off-street vehicle and bicycle parking and loading, and standards related to pedestrian access.
 - 4. Frontage, Access, Landscaping and Signs: Limitations, restrictions and design standards pertaining to lot frontage, access, required landscaping, signs and bufferyards.
 - 5. Streets Generally: Streets within PUDs may be either city streets dedicated for public use or private streets owned and maintained by an association of owners, and may exceed maximum block length and perimeter standards provided in Section 10.426 C.1. Streets within or adjacent to a PUD shall comply with the following:
 - a. Collector and arterial streets shall be dedicated city streets, the existence and general location of which shall be determined by the comprehensive plan.
 - b. City streets shall comply fully with the strict requirements of this Code, provided that the City in approving a PUD may permit the width of parking lanes for city streets to be less than the Code otherwise requires.

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- c. The City may require any proposed PUD street or segment thereof to be constructed and dedicated as a city street.
6. Private Streets: Private streets may vary from the limitations, restrictions and design standards pertaining to streets with respect to length, width, position, aspect, intersection standards, grades, curve radii, cul-de-sac turnarounds, street lights, easements, sidewalks, curbs and driveway approaches for streets within the PUD, provided:
- a. With respect to the amount, quality and installation of construction materials, private streets shall be structurally equivalent to or better than city-standard streets.
- b. The City Fire Marshall shall approve the design of all private streets for access by emergency vehicles before approval of the Preliminary PUD.
- c. Private streets shall be posted as private streets and shall connect to the public street system. The applicant shall convey to the City and all appropriate utility companies a perpetual easement over the private street(s) for use by emergency vehicles and employees of the City and utility company(s) in the maintenance of public facilities and utilities.
7. Allowed Uses; Housing Types: The following uses and housing types shall be permitted as part of a PUD subject to the following:
- a. In addition to permitted uses, any portion of a PUD may contain any housing type listed in Subsection 10.314(1-3). In approving housing types, the Planning Commission may waive or reduce any of the special use regulations or standards contained in Sections 10.811 through 10.838 ("Special Use Regulations").
- b. Any conditional use listed for the underlying zone may be permitted without addressing the Conditional Use Permit criteria except when the conditional use is within 200 feet of the perimeter of the PUD. This exemption does not apply to conditional uses within Riparian Corridors pursuant to 10.925 "Conditional uses within Riparian Corridors".
- c. Use(s) not permitted in the underlying zone may, nevertheless, be permitted and approved to occupy up to 20% of the gross area of the PUD provided that no portion of the use(s), including its parking, is located nearer than 200 feet from the exterior boundary of the PUD. If any portion of the use(s) is nearer than 200 feet from the exterior PUD boundary, then said use(s) shall be considered to be a conditional use and may be approved subject to compliance with the conditional use permit criteria in Section 10.248. However, this provision shall not apply where the land outside the PUD which is nearer than 200 feet from proposed use(s) is inside a zone in which the proposed use(s) is permitted.
8. Mixed Land Use Designations. Unless otherwise prohibited, PUDs that have more than one General Land Use Plan designation or Southeast Plan land use category shall have the flexibility to mix or relocate such designations within the boundaries of the PUD in any manner and/or location as may be approved by the Planning Commission.
- E. Common Elements: A multi-family residential PUD must include a minimum of 20% of the land area as common area unless otherwise modified by the Planning Commission. This common area shall be for the purpose of providing protection for natural features, common recreational space, landscaped area, or commonly enjoyed amenities other than parking areas or private streets. Where a PUD has open spaces, private streets, parking or other elements to be owned or maintained in common by the owners or future owners of land or improvements within the PUD, the Final PUD Plan shall not be approved and no unit shall be sold or conveyed until the PUD has been found to comply with the following requirements, as applicable:
1. If the PUD is a planned community under ORS Chapter 94, the declaration and tentative plat for the planned community shall be submitted with the Final PUD Plan for approval by the Planning Director before recording in the official records of Jackson County.
2. If the PUD is a condominium under ORS Chapter 100, a copy of the recorded declaration and plat shall be submitted to the City after it has been approved by the Oregon Real Estate Commissioner and recorded in the official records of Jackson County. A condominium declaration and plat shall not be reviewed and approved by the Planning Director and the Planning Director shall have no authority under this Subsection to require changes thereto.

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3. If the PUD contains elements intended for common ownership but ORS Chapters 94 and 100 do not apply, there shall be appropriate legal documents which assure that the common elements will be improved and perpetually maintained for their intended purposes. The legal documents in such instance shall be submitted to the Planning Director for approval as part of the Final PUD Plan before recording in the official records of Jackson County.
 4. When a PUD is proposed to be developed in phases, the phased provision of improved common elements shall be roughly proportional with the development of housing and other elements intended for private ownership. Unless approved by the Planning Commission as part of a phasing plan pursuant to Subsection 10.235(A)(3)(c) or which was approved by the Planning Commission prior to the adoption of this ordinance, no significant common element shall be postponed to the final phase of a PUD. Nothing in this Subsection shall prevent the provision of improved common elements at a rate that is proportionally greater than the development of housing and other elements intended for private ownership.
 5. Land shown on the Final Development Plan as a common element or which is intended for public dedication shall be conveyed under one of the following options:
 - a. To a public entity which shall agree in writing to perpetually maintain the common element(s) being conveyed.
 - b. To an association of owners created pursuant to ORS Chapters 94 or 100 or as otherwise created under Subsection 10.230(E)(3) in which instance the legal document which establishes the association shall provide that the association cannot be terminated or discontinued without the City's prior consent.
 6. If the PUD will have private streets, the legal document which establishes the association of owners shall provide that the City may enforce the maintenance or protection of its easements or public facilities.
- F. PUDs exempt from Site Plan and Architectural Review: PUDs approved under this Section shall be exempt and there shall be no requirement to apply separately for Site Plan and Architectural Review or to demonstrate compliance with the criteria in Section 10.290. However, the Planning Director in his/her discretion may forward a Preliminary PUD Plan or proposed revisions thereto to the Site Plan and Architectural Commission for review. When forwarded by the Planning Director, the Site Plan and Architectural Commission shall have authority to review the PUD plans and make recommendations to the Planning Commission.
- G. Delegation of Authority: The Planning Commission may delegate authority to the Site Plan and Architectural Commission or to the Planning Director to approve in its name the plans for buildings or any other element of a PUD or revisions thereto after the Planning Commission has approved the Preliminary PUD Plan. The authority delegated by the Planning Commission under this Subsection shall be delimited in conditions attached to the approval. Notwithstanding any other provision of this Code and subject to an applicant's written request, the approval of delegated matters, where eligible, shall be procedurally treated as an Expedited Land Division pursuant to ORS 197.360 through 197.380, as amended. Lacking a written request from the applicant, approval of delegated matters shall be subject to a Class "C" Procedure as set forth in Article II.
- H. Building Permits: Development and Operation of a PUD: All building and construction plans submitted to the City for the purpose of obtaining building and other site improvement permits shall be consistent with the approved Final PUD Plan. The development and operation of the PUD shall conform in all respects with the approved Final PUD Plan.
- I. Residential Density:
- (1) Residential Density Calculation. Minimum and maximum permitted residential densities in PUDs shall be calculated pursuant to Section 10.708, except, in PUDs having residential and non-residential land uses within a residential zoning district, including mixed-use buildings as defined herein, the minimum and maximum number of dwelling units shall be calculated using the gross area of the residentially zoned land including any to be occupied by non-residential uses. "Natural unbuildable areas" may be excluded at the developer's option as provided in Section 10.708.
 - (2) Residential Density Bonus. In PUDs larger than five (5) acres, the residential density may be increased by up to twenty percent (20%) more than the maximum density permitted by (1) above.

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10.235 Preliminary PUD Plan – Application Procedures

- A. Neighborhood Meeting Requirement. To ensure neighborhood knowledge of proposed development and to provide an opportunity for direct communication, the applicant shall present the development proposal at a neighborhood meeting prior to submitting the land use application to the City Planning Department. The applicant shall arrange and conduct the neighborhood meeting. City staff need not attend. Attendees shall be asked to sign a signature sheet and provide their mailing address. Attendance at the neighborhood meeting does not give an attendee legal standing for appeal.
1. The presentation at the neighborhood meeting shall include at a minimum the following:
 - a. A map depicting the location of the subject property proposed for development; and,
 - b. A visual description of the project including a tentative site plan, tentative subdivision plan and elevation drawings of any structures, if applicable; and,
 - c. A description of the nature of the proposed uses and physical characteristics, including but not limited to, sizes and heights of structures, proposed lot sizes, density,; and,
 - d. A description of requested modifications to code standards.
 - e. Notification that attendance at the neighborhood meeting does not give legal standing to appeal to the City Council, the Land Use Board of Appeals, or Circuit Court.
 2. It shall be the responsibility of the applicant to schedule the neighborhood meeting and provide adequate notification of the meeting. The applicant shall send mailed notice of the neighborhood meeting to the owners of no less than seventy-five (75) of the nearest tax lots regarding the neighborhood meeting. If seventy-five (75) tax lots are not located within two-hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy-five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification shall receive written notice; therefore, noticing of more than seventy-five (75) tax lots may be required. In addition to the affected property owners, the applicant shall also provide notice to the City Planning Department. The applicant shall use the Jackson County Tax Assessor's property owner list from the most recent property tax assessment roll. The notice shall be mailed a minimum of fifteen (15) days prior to the neighborhood meeting which shall be held in Medford on a weekday evening. A certificate of mailing attesting to the date of mailing and the name and signature of the agent responsible for mailing said notices shall be prepared and submitted to the Planning Department in accordance with the materials identified in Section 10.235 (B)(7). The notice for PUD neighborhood meeting shall include:
 - a. Date, time and location of the neighborhood meeting; and,
 - b. A brief written description of the proposal; and,
 - c. The location of the subject property, including address (if applicable), nearest cross streets and any other easily understood geographical reference, and a map (such as a tax assessor's map) which depicts the subject property.
- B. Application for a Preliminary PUD Plan. An application for Preliminary PUD Plan shall be on forms supplied by the City. A complete application shall include the materials and information listed in this Subsection. However, the Planning Director, in his/her discretion, may waive the submittal of any of the materials or information that are deemed to be excessive, repetitive or unnecessary based upon the size and nature of the PUD. If an application for a PUD is accepted by the City as complete under ORS 227.178 but the application does not contain all of the items listed below, the missing items shall be deemed to have been waived by the Planning Director. Unless waived by the Planning Director, the following items shall be required to constitute a complete application for a Preliminary PUD Plan:
1. Current assessor map with the boundaries of the proposed PUD identified.
 2. Preliminary PUD Plan (16 copies) and supplemental materials conforming to the Site Plan and Architectural Review application requirements in Section 10.287. Additionally, such plans shall include preliminary plans for providing public water and sanitary sewer service. The Preliminary PUD Plan shall indicate boundaries within the property which distinguish areas devoted to different land uses pursuant to Subsections 10.235(B)(3)(f), 10.230(D)(7) and 10.230(D)(8). Where different land uses are separated by

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streets, railroad rights-of-way, drainage channels or other water courses, the centerlines of such features shall be their boundaries. One copy of the Preliminary PUD Plan shall be a reduced size suitable for photocopy. If a tentative plat for a land division is submitted concurrently with a Preliminary PUD Plan, the Preliminary PUD Plan and tentative plat shall be on separate sheets. It is further provided that:

a. Unless otherwise required in this Code, architectural plans for single family detached dwellings and landscaping plans for lots occupied by single family detached dwellings are not subject to review or approval as part of a PUD. However, nothing shall prevent an applicant from supplying architectural or landscaping plans for single family detached housing as a means to comply with one or more approval criteria.

b. If private or non-city standard street lighting is proposed, a street lighting plan shall be provided which provides a detail of the proposed lighting fixture(s). The Preliminary PUD Plan shall indicate the location of proposed private or non-city-standard light fixtures.

c. An applicant may postpone the submission and approval of architectural plans for proposed buildings and to have such plans approved later as a separate matter under Subsection 10.235(G) after the Preliminary PUD Plan has been approved. When the approval of architectural plans has been postponed, the Preliminary PUD Plan shall show a conceptual footprint for each planned building and each building footprint shall be separately enclosed by a dashed line which shall be called and labeled a building envelope. Building envelopes shall reasonably anticipate and define the maximum extent of the footprint for each building in the PUD.

3. A narrative description of the PUD which shall cover:

a. The rationale for planning this development as a PUD.

b. The nature, planned use, future ownership and method of perpetual maintenance of land to be left in natural or developed open space or which will be held in common ownership.

c. A listing of all modified applications of the Code that are proposed, followed by a brief explanation which covers the nature of, extent of, and reason for each modification.

d. If one or more signs are intended to vary from the provisions of this Code, then a detailed plan for all signs which require a sign permit shall be submitted. The sign plan shall specify the size, number, type, height and location of all signs which require a sign permit and shall clearly indicate all proposed modifications.

e. A proposed development schedule. If the PUD will be constructed in phases, the development schedule for each phase shall be keyed to a plan that indicates the boundaries of each phase.

f. The gross acreage devoted to the various proposed land uses and housing types.

4. Written findings of fact and conclusions of law which address the approval criteria in Subsection 10.235(D).

5. The names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor's Office, located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy-five (75) tax lots shall be notified of the pending land use hearing. If seventy-five (75) tax lots are not located within two hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy-five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification area shall receive written notice; therefore, noticing of more than seventy-five (75) tax lots may be required. The names and mailing addresses shall be typed on mailing labels and shall include the assessor map and tax lot numbers for each parcel.

6. A conceptual stormwater facility plan with associated landscape plan, if applicable, pursuant to Sections 10.486(B) or 10.729(B).

7. Documentation of pre-submittal PUD Neighborhood Meeting. Documentation shall include:

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- a. A copy of a Certificate of Mailing for the neighborhood meeting notification mailing pursuant to Section 10.235(2);
 - b. A completed Verification of Neighborhood Meeting form attesting to the contents of the materials provided or reviewed at the meeting;
 - c. A set of the notification materials listed in Section 10.235(A)(2); and,
 - d. The signature sheet(s) from the Neighborhood Meeting.
- C. Action on an Application for a Preliminary PUD Plan. The Planning Commission may approve, approve with conditions or deny a Preliminary PUD Plan.
- D. Approval Criteria for Preliminary PUD Plan. The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:
1. The proposed PUD:
 - a. preserves an important natural feature of the land, or
 - b. includes a mixture of residential and commercial land uses, or
 - c. includes a mixture of housing types in residential areas, or
 - d. includes open space, common areas, or other elements intended for common use or ownership, or
 - e. is otherwise required by the Medford Land Development Code.
 2. The proposed PUD complies with the applicable requirements of this Code, or
 - a. the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and
 - b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
 - c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.
 3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
 - a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
 - b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
 - c. Limited Service Area adopted as part of the Medford Comprehensive Plan.
 4. The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.
 5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D)(7)(c), the applicant shall alternatively demonstrate that either: 1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or 2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:
 - a. Public sanitary sewerage collection and treatment facilities.
 - b. Public domestic water distribution and treatment facilities.

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c. Storm drainage facilities.

d. Public streets.

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.

7. If approval of the PUD application includes the division of land or the approval of other concurrent development permits applications as authorized in Subsection 10.230(C), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

E. Conditions: If the Planning Commission approves a Preliminary PUD Plan, in addition to conditions authorized under Section 10.291, it may attach conditions to the approval which are determined to be reasonably necessary to ensure:

1. The Final PUD Plan will be substantially consistent with the approved Preliminary PUD Plan and specifications related thereto.

2. Development of the PUD will be consistent with the approved Final PUD Plan and specifications related thereto. To ensure satisfactory completion of a PUD in compliance with the approved plans, the Planning Commission may require the developer to enter into an agreement with the City as specified under Section 10.296.

3. The PUD will comply with the Comprehensive Plan, the Medford Municipal Code and all provisions of this Code except the specific provisions for which there are approved modifications.

4. There are appropriate safeguards to protect the public health, safety and general welfare.

5. There will be ongoing compliance with the standards and criteria in this Section.

6. To guarantee that streets, public facilities and utilities can be appropriately extended from one PUD phase to each successive future phase in accordance with the approved Preliminary PUD Plan, the City may require the conveyance of easements or other assurances.

F. Revised Plans: In instances where approval conditions result in substantial, complex or unpredictable changes to a proposed Preliminary PUD Plan, the Planning Commission, as a condition of Preliminary PUD Plan approval, may require an applicant to incorporate the changes into a revised Preliminary PUD Plan. When required, the revised plans shall be approved by the Planning Commission and when approved, the revised plans shall become the approved Preliminary PUD Plan and any conditions satisfied by the revised plans shall be stricken or appropriately altered.

G. Postponed Preliminary PUD Plan Approval for Building Architecture: When the approval of architectural plans for buildings in the PUD has been postponed under Subsection 10.235(B)(2)(c), no Final PUD Plan shall be approved until the architecture of buildings has been approved by the Planning Commission, or by the Site Plan and Architectural Commission pursuant to MLDC 10.230(G), and the Final Order for such approval has been appended to the earlier approval of the Preliminary PUD Plan.

H. Engineering Construction Plans: Engineering construction plans, profiles, details and specifications for all public facility and utility improvements shall be prepared by a qualified engineer registered in Oregon. The engineering plans shall be approved by the City before the start of construction. Unless specifically authorized by the Planning Commission in the Preliminary PUD Plan approval, all public facilities and utilities shall be designed and constructed in accordance with the standards and procedures of the City or other public entity to which ownership will be conveyed.

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The procedures for engineering design, plan approval and inspection shall in all respects be the same as for land divisions under this Code.

LAND DIVISION – TENTATIVE SUBDIVISION PLAT

10.270 Land Division Criteria

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, and all applicable design standards set forth in Article IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys with the plats of land divisions already approved adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

IV

FINDINGS OF FACT

The following facts are found to be true with respect to this matter. The below Conclusions of Law are supported by the facts provided herein.

1. **Property Location, Description, and Size:** The subject property is a tract of three parcels located at 1727 Thomas Road approximately 743 feet north of Sunset Drive. The tract is located adjacent and extends approximately 595 feet east of Thomas Road. The three parcels are identified as Tax Lots 801 and 2501 on Jackson County Assessment Plat 372W35DB and Tax Lot 400 on Jackson County Assessment Plan 372W35DC. The gross project area has 8.16 gross acres as measured to the center line of Thomas Road. Tax Lot 801 has net 2.73 acre, tax Lot 2501 has 3.28 net acres, and Tax Lot 400 has 1.84 net acres, for a total of 7.85² net acres. The subject tract surrounds three smaller parcels which abut

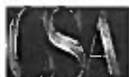
² 7.84 acres indicated on the tentative plan by surveyor is based rounding of total tract acreage rather than summing rounded acres by individual tax lot.



Thomas Road but are not part of the subject property. These are Tax Lots 800 and 2500 on MAPID 372W35DB and Tax Lot 100 on MAPID 372W35DC.

2. **Comprehensive Plan and Zoning:** The subject property is designated Urban Residential on the Medford's General Land Use Map (GLUP) and zoned SFR-6.³
3. **Prior Land Use Actions:** A zone change from SFR-00 to SFR-6 was approved by the City through File ZC-06-010 for the subject property and the three parcels surrounded by the subject tract. The current property line configuration for the subject property was approved by the City through File PLA-06-296. A Preliminary PUD Plan and Tentative Subdivision Plan to create 47 residential lots (19 detached and 28 attached dwellings) were approved by the City through Files PUD-07-049 and LDS-07-050 for the Thomas Lagune Estates project. That project approval has expired.
4. **Riparian Corridor and Wetland Areas:** The subject property is traversed by Elk Creek, which flows in a northeasterly route through the eastern half of the property. Elk Creek is not designated as a fish-bearing stream on the City of Medford's adopted Riparian Corridor Map or in the riparian inventory study upon which it is based. Associated wetlands are depicted on Map 6 of the City of Medford Local Wetland Inventory (dated September 2002), which is included herein as Applicant's Exhibit 9. An on-site field survey to delineate the wetlands was conducted in January 2014 by the project wetlands consultant, Martin Schott, Ph.D., PWS of Schott & Associates, Inc. The wetland consultant coordinated with the project surveyor to delineate the identified wetlands by ground survey. The delineated wetland area is shown on the tentative subdivision and preliminary PUD plans for the project. The delineation has been submitted to the Oregon Division of State Lands and is pending approval (DSL WD2014-0192). The field work and survey indicated that the wetlands are more extensive than indicated on the City's Local Wetland Inventory and by prior on-site study conducted in 2007. At its widest point, the wetland area measures 160 feet. The current project has been designed to generally avoid the wetland areas except for two street crossings. The Cunningham Drive alignment for minor arterial roadway will be dedicated to correspond with existing right-of-way already obtained by the City for that purpose. One local order minor residential street crossing (Orleans Street) is proposed through the center of the subject tract over a narrow reach of the wetland area. All lots

³ On December 4, 2014 and subsequent to submittal of the Stella Estates PUD and subdivision applications, Ordinance 2014-154 was adopted by the Medford City Council which enacted "Selected Amendment Locations" city wide to Medford's GLUP Map. The northeast quarter of the subject tract was included as part of "SAL" No. 630a for re-designation as Urban High Density Residential land and the southeast quarter of the subject tract was included as part of "SAL" No. 630b for re-designation as Urban Medium Density Residential Land. Both SAL Nos. 630a and 630b extend east to Orchard Home Drive. The balance of the subject tract (i.e., the west half) retains the original Urban Residential GLUP Map Designation and the current SFR-6 zoning was not changed at all by Ordinance 2014-154. The PUD and subdivision applications are subject to the GLUP Map changes because 1) SFR-6 Zoning is still in effect, and 2) because ORS 227.178 provides that approval or denial of the applications shall be based upon the standards and criteria that were applicable at the time the applications were first submitted. However, it is noteworthy as a change to factual circumstances that a marked increase in residential density for this neighborhood is now planned and expected to occur. The Stella PUD plan is laid out to provide a transition west to east from detached to attached residential housing types as is now planned on the Medford GLUP Map.



and common area improvements (e.g., drainage) have been designed to otherwise avoid encroachment into the wetland area.

5. **Surrounding Land Uses:** Applicant's Exhibit 5 is an aerial photo map depicting the current zoning and existing development of the subject property and surrounding vicinity. Land uses that presently surround the property are:
 - A. **North:** Residential development exists to the north of the northeast corner of subject tract. These residential lots are typical subdivision lots ranging from 0.14 to 0.19 acres in size. This subdivision is platted as Elk Creek Estates (Phase 3). Public right-of-way was dedicated to the City along the south boundary of the Elk Creek Estates project for a future arterial street extension for Cunningham Lane. The City of Medford also owns Tax Lot 700 (372W35DB) in fee simple to be used for construction of the future Cunningham Lane extension. That property is two-thirds of an acre in area and contains one home built in 1941 (1364 square feet). Properties to the northwest of the project site are SFR-00 zoned and developed to suburban residential intensities under the former county SR-2.5 zoning.
 - B. **South:** Lands adjacent and south of the subject property to Sunset Drive are residentially developed with parcels ranging in size from 0.30 to 2.88 acres in the SFR-00 zoning district.
 - C. **East:** Land to east of the subject property is zoned SFR-6. Approximately five acres between the northeast quarter of the subject property and Orchard Home Drive was re-designated by Ordinance 2014-154 as UHDR land on the Medford GLUP Map as part of SAL No. 630a. Approximately 28 acres to the south of SAL No. 630a has been re-designated as UMDR land as part of SAL No. 630b which extends to Sunset Drive. A manufactured dwelling and small outbuildings are sited on Tax Lot 400 (MAPID 352W35DD) near the southeast corner of the subject tract. Otherwise, the area to the east of the subject property and north of Westwood Drive is vacant. A prior approval for subdivision of that tract (Westwood Estates) has expired and the original tract is under a variety of new ownerships.
 - D. **West:** Lands west off Thomas Road and west of the subject property are residentially developed with parcels ranging in size from 1.38 acres to 3.57 acres in size. The area to the west is generally zoned SFR-00 except for a tract zoned SFR-6 west of the subject Tax Lot 400 (southern-most parcel). The City approved a tentative subdivision plan for that property to be divided into 19 single family residential lots as the Anjou View Subdivision (File LDS-13-067).
6. **Topography:** The natural grade of the subject property is southwest to northeast and ranges in elevation from 1490.0 at the southwest corner to 1480.0 at the northeast corner, a slope of less than 1 percent.

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7. **Description of the Planned Unit Development (PUD) and Rationale:** *See*, Applicant's Exhibit 10.
8. **Density:**
 - A. **Proposed Density:** The project proposes 40 dwelling units within a gross area of 8.16 acres, for an overall density of 4.90 units per acre.
 - B. **Allowable Density:** The base residential density range within the SFR-6 zoning district is 4.0 to 6.0 dwelling units per gross acre pursuant to MLDC 10.310-1 which may be increased by 20% more than the maximum in PUDs larger than five acres pursuant to MLDC 10.230(I)(2). The proposed density falls within the base range of 4.0 to 6.0 dwellings per acre.
9. **Modified Application of Standards Requested:** Pursuant to MLDC 10.230(D), authority is granted for the approval of Planned Unit Developments, which vary from the strict standards of the code to fulfill the purpose and intents of MLDC 10.230(A).⁴ The following modification to standards are proposed:

MLDC 10.230(D)(1) Lots and Parcels:

Common Area Lots: The MLDC does not specify lot design standards for common area lots. Rather, Section 10.702(1) provides that the approving authority may permit tax lots and common areas to be of an area, width, frontage, or depth different from prescribed areas or dimensions. Lot 29 is planned as a common area lot of 2,539 square feet that will accommodate three shared parking spaces and open space to serve the residents of the that cluster of homes (i.e., Lots 26-28, 30 and 31). Lots 34 and 35 are planned common area lots of 21,313 and 44,631 square feet, respectively, be reserved for preservation of the Elk Creek, adjacent wetland marsh area and open space for storm water quality and detention facilities (i.e., bioswales, pond, and landscaping).

Lot Area – Detached Single Family Dwellings: The standard is 4,500 square feet. Lot 18 is proposed as 4,403 square feet, Lot 19 as 4,494 square feet, and Lot 29 as 3,638 square feet on the tentative subdivision plan.

Lot Area – Duplex Dwellings: The standard is 6,000 square feet. Seven attached homes (duets) proposed on fourteen lots (11-12, 26-27, 30-31, and 36-43) are proposed to range between 3,689 and 5,346 square feet.

⁴ MLDC 10.230(A) Purpose and Intent: The PUD approach permits flexibility to allow creative and imaginative urban development that would otherwise not be possible under the strict requirements of this Code. The intent is to promote more efficient use of urban land and urban services while protecting natural features, creating common open space, and encouraging a mixture of land uses and housing types that are thoughtfully planned and integrated.



Lot Width – Detached Single Family Dwellings: The standard is 50 feet for interior lots and 60 feet for corner lots. Lots 16-21 are interior lots all proposed to be 45 feet in width. Lots 3, 5, 14, 15, and 22 are corner lots proposed to be 59.9, 50.9, 59.9, 48, and 48 feet in width, respectively.

Lot Width – Duplex Dwellings: The standard is 50 feet for interior lots and 60 feet for corner lots. Only Lot 37 of the duet lots will be located at a public street corner and it exceeds 60 feet in width. To the extent that the proposed shared driveway easements for the driveway courts are construed to be a street then Lots 39, 41, and 43 would be corner lots having 56 feet rather than 60 feet each in width.

Lot Depth – Detached Single Family Dwellings: The standard is 90 feet. Lot 28, adjacent to the future Cunningham Avenue (minor arterial), is proposed to be approximately 65 feet deep (perpendicular bisect from court yard access). A common area (Lot 29) is planned adjacent to Lot 28 which will provide for additional parking and yard area (i.e., “limited common element”) to serve that cluster of homes.

Lot Depth – Duplex Dwellings: The standard is 90 feet. Seven duplex (duet) homes proposed on fourteen lots (11-12, 26-27, 29-30, and 36-43) will range between 56 and 75.2 square feet in depth.

Lot Coverage Factor – Detached Single Family Dwellings: The standard is 40 percent which may be exceeded when the building footprint is no more than 2,000 square feet. No modification to this standard is requested for the detached dwelling lots.

Lot Coverage Factor – Duplex Dwellings: The standard is 40 percent. Lot coverage of up to 50% is proposed for the duets. Each dwelling unit of this type will be less than 2,000 square feet in living area, with a footprint of approximately 1600 per lot. The building coverage will be between 40 and 50 percent based on final design of the respective units for each duet lot. The 50 percent coverage will provide some flexibility in final design of the buildings which will otherwise meet all setback standards. The proposed modification would, in effect, allow for coverage in a manner consistent with that which would be allowed outright (MLDC 10.710) for detached homes having a footprint of less than 2,000 square feet in the SFR-6 district.

MLDC 10.230(D)(2) Yards, Setbacks, and Building Height: Shared easements for courtyard driveways will be adjacent to the buildings for direct garage access, and adjacent duplex units will share a common wall (zero setback). All yard, setback, and building height standards will otherwise be met for each lot.

MLDC 10.230(D)(3) Parking, Bicycle and Pedestrian Standards: No modifications are proposed to parking, bicycle and pedestrian standards.



MLDC 10.230(D)(4) Frontage, Access, Landscaping, and Signs: Lots 12, 27, 30, 36, 38, 40, and 42 for the back half of duplex structures in Phases 3 and 4 will have shared driveway easement access over courtyard drives rather than direct street frontage. Single family dwelling lots 28 and 32 in Phase 3 will have frontage along minor arterial Cunningham Avenue but will instead be provided access over shared driveway easements to the minor residential Orleans Street. The homes will orient toward the easement drives and, accordingly, an eight-foot high fence will be provided along the Cunningham Avenue right-of-way as a vertical separation feature consistent with the opposing lots in the Elk Creek subdivision on the north side of the alignment. Mitigation planting will be utilized along the stormwater quality and detention areas as indicated on the proposed landscape plan. The stream corridor and wetland areas will retain natural vegetation or mitigation planting as may be required through state and federal permit approvals. To preserve visual openness along the creek corridor and to provide a sense of larger yards for the lots along the creek, the landscape plan specifies black vinyl coated chain-link fence no taller than four feet along lot lines abutting the creek corridor. Chain link with black coloring is recommended in landscape design because it blends into the background very well. No signage is now proposed. If such is contemplated in the future, normal City standards will apply.

MLDC 10.230(D)(5) Streets Generally: Streets within the PUD will be city residential streets and lanes dedicated for public use in accordance with city standards. *See*, Applicant's Exhibit 4 – Sheet 3 for roadway cross sections. The proposed plan reserves area for a future extension of Cunningham Lane as a city arterial street. Given the geometry of the area and the third tier status of this project in the Medford Transportation System Plan as a long-term and as yet unfunded project, actual construction of this segment would be untimely now. There would be no physical connection available off-site to the east or west with which the crescent shaped segment along the subject property could be built. A similar request for right-of-way dedication without construction was approved by PUD modification under this section for the Thomas Lagune Estates project on the subject property, and dedication-only was also approved for Phase 3 of the Elk Creek Estates subdivision to the north of the Cunningham alignment. A 6.5 foot wide strip will also be dedicated for right-of-way along Thomas Road, which will be improved to center line plus twelve feet to the City's standard residential street cross section. The same improvements will be made along the Thomas Road frontage to Tax Lots 800 and 2500 which are surrounded by the subject tract but are no longer in the same ownership. A 6.5 foot strip along the Thomas Road frontage was retained for future dedication and improvement when those lots and homes were sold by the previous owner so that a cohesive continuous frontage treatment would be assured. For Orleans Street, the 33-foot wide total paved section alternative to the standard 28-foot section for a minor residential street is proposed in accordance with MLDC 10.430(2)(c) and as requested by the fire district.

MLDC 10.230(D)(6) Private Streets: Shared driveway easements are proposed to minimize the number of direct driveway accesses to public streets and lanes and to also encourage rear-loaded garages. Lots 5 & 6 will share a driveway access to Thomas

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Road. Lots 7 & 8 and Lots 9 & 10 will share driveways to Blanche Lane. Lots 11, 12 (duplex) & 13 (single family) will share a driveway to DuBios Lane south of Orleans Street. Lots 16 & 17 and Lots 19 & 20 will share driveways to DuBois Lane north of Orleans Street. Lots 23 & 24 will share a driveway on the south side of Orleans Street. A shared courtyard driveway from the north side of Orleans Street will serve two pairs of duets and a detached home on Lots 26-28, 30 and 31 to avoid any need for direct access to Cunningham Avenue. Lot 28 will provide additional parking and yard space within a common area to serve that cluster of homes. A shared driveway on the north side of Orleans Street will serve single family Lots 32 (which will also abut Cunningham Avenue) and 33. That shared drive will also provide access to the stormwater detention facility and parking for maintenance and service vehicles. Both Lots 32 and 33 also border Common Area Lot 34 for the creek. Shared courtyard access from the west side of Stella Drive will be provided to serve each of the two pairs of duets on Lots 36-39 and Lots 40-43 which border the Elk Creek Common Area Lot 35. The courtyard easement will be similar to those in the West Belleview subdivision as shown in the photo below:



The proposal is a modification to MLDC 10.430(A) Non-Street Alternatives for which a minimum access easement is limited to serve only three homes and is treated as a street for setback purposes. The courtyard and shared driveways easements would extend to the building footprints. Courtyard access will consist of a minimum 16-foot wide driveway throat (increased to 18-feet where more than two lots served) would extend to a 25-wide courtyard – and each dwelling unit would have a double-garage opening to the courtyard area. Each garage entry will include a driveway apron from the court adequate to maintain a minimum 20-foot wide clear lane through the courtyard or will alternatively

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additional common parking spaces at the far end of the court between the end units. The modification promotes a traditional single-family home aesthetic as viewed from the adjoining public streets and an efficiency of design.

MLDC 10.230(D)(7) Allowed Uses; Housing Types: The proposed mix of single-family detached and attached (duplex) are housing types listed in MLDC 10.314(1-3) and are thereby allowed within a Planned Unit Development pursuant to MLDC 10.230(D)(7). The use of attached housing within Thomas Estates allows clustering of structures and thereby avoids encroachment into delineate wetlands associated with Elk Creek. The stream and wetland enhancement on site can then be available to all as a common amenity, and will further regional stream enhancement efforts within the Bear Creek basin to which Elk Creek is a tributary. In this manner, Medford's goals to provide an adequate housing inventory is balanced with and complemented by its environmental goals. The project does not propose any conditional uses or other uses not permitted within the zone.

MLDC 10.230(D)(8) Mixed Land Use Designations: The project area (at the time of application submittal) consists solely of Urban Residential Land that is zoned SFR-6. Accordingly, MLDC 10.230(D)(8) is not applicable.

10. **Common Elements:** Common elements include the Elk Creek stream corridor with associated wetlands, stormwater quality and detention open space areas, a pedestrian access way, and shared courtyards and parking as a limited common elements for adjoining housing units. Common areas will be landscaped as indicated in the proposed landscape plan.
11. **Sanitary Sewer:** Rogue Valley Sewer Service serves the subject property. An existing 15-inch sewer main is located on Thomas Road along the subject property frontage.
12. **Water:** The Medford Water Commission has indicated that off-site improvements are needed to extend a twelve-inch water main in Sunset Drive east from Tivoli Drive to Thomas Road from there to extend an eight-inch main north in Thomas Road to the subject property. Existing wells on the subject tract currently serving the home on the subject Tax Lot 400 and the adjoining homes on Tax Lots 800 and 2500 (formerly part of the subject tract) will be abandoned and replaced by municipal water service to be extended by the developer.

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CONCLUSIONS OF LAW

The following conclusions of law are based on the findings of fact contained above in Section IV of this document and relate to the approval criteria for a Preliminary PUD Plan and Tentative Plat. The substantive applicable approval criteria are recited verbatim below and followed by the conclusions of law:



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PRELIMINARY PUD PLAN

MLDC 10.235(D) Approval Criteria for Preliminary PUD Plan:

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

PUD Criterion 1

1. The proposed PUD:
 - a. preserves an important natural feature of the land, or
 - b. includes a mixture of residential and commercial land uses, or
 - c. includes a mixture of housing types in residential areas, or
 - d. includes open space, common areas, or other elements intended for common use or ownership, or
 - e. is otherwise required by the Medford Land Development Code.

Discussion; Conclusions of Law: The project will preserve wetlands and the stream associated with Elk Creek consistent with (a) above and includes a mixture of housing types in residential areas consistent with (b) above. Open space, common areas, or other elements intended for common use or ownership will also be included consistent with (d) above. Therefore, it is concluded that the application is consistent with PUD Criterion 1.

PUD Criterion 2

2. The proposed PUD complies with the applicable requirements of this Code, or
 - a. the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and
 - b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
 - c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

Discussion; Conclusions of Law: The requested Modified Application of Standards are enumerated and reviewed in context with the rationale for the Planned Unit Development in the project narrative at Applicant's Exhibit 10 and as incorporated into the Findings of Fact at Section IV hereinabove. The requested modifications are directed to promoting a mix of clustered housing types along the creek corridor to preserve the natural features as common open space. The project is also designed to accommodate three existing separately-owned homes on properties intermingled with the project boundary along Thomas Road. None of the proposed modifications will materially impair the function, safety, or efficiency of the

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circulations system or the development as a whole. The adopted Southwest (*See*, Applicant's Exhibit 7) indicates that Westwood Drive is to dogleg diagonally to the Northwest from its current terminus at the Southeast corner of the subject tract to connect with Thomas Road. It also indicates that a second local and as yet un-named road is to also cross the subject tract at the same angle north of Westwood Drive but south of Cunningham – which is also planned to cross the subject property. Elk Creek and associated wetlands are not indicated on the adopted circulation plan. The effect of that plan would be to create three separate public road crossing over Elk Creek within a stream reach of approximately 600 feet. The combined right-of-way width of a minor arterial and two minor residential streets would total 188 feet. Almost one-third of the stream length within the reach would need to be disturbed to strictly accommodate that plan. The proposed alternative would consolidate the two local street crossings into a single crossing at the mid-point of the property where the stream width is narrowest and in a manner that will avoid the removal of existing homes on neighboring properties. Stella Drive as proposed would connect Westwood Drive to the crossing at Orleans Street approximately 260 feet to the north – less than a short city block (i.e., the traditional 330 feet at 16 blocks per mile on a 16 by 8 block city street grid). DuBois Lane on the west side of the creek will then intersect with Orleans Street to provide north-south connectivity for lots between Thomas Road and Elk Creek. Blanche Lane to the south will provide east-west connectivity to the west side of the creek south of Orleans Street, effectively providing the second local street alignment indicated for this vicinity on the adopted Southwest Circulation Plan with minimal out-of-the-way travel. Combined with the future east-west planned minor arterial along the north side of the property, the proposal will provide for a well-connected street system while also minimizing disturbance to the natural areas. Based on these findings, it is concluded that the application is consistent with the requirements of PUD Criterion 2.

PUD Criterion 3

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:

- a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
- b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
- c. Limited Service Area adopted as part of the Medford Comprehensive Plan.

Discussion; Conclusions of Law: The subject properties are *not* subject to any of the measures listed above. Therefore, it is concluded that the application is consistent with the requirements of PUD Criterion 3.

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PUD Criterion 4

4. The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

Discussion; Conclusions of Law: The common area for natural features and open space has been designed in coordination with an on-site wetlands delineation and mitigation plan prepared for review and approval for federal and state permitting requirements by the Oregon State Division of State Lands. The proposed clustering of homes with a dedication of commonly held open space lots is an alternative to preserving the wetland area by easement over the back yards of standard individual lots as is typically the case for standard subdivisions.

PUD Criterion 5

5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D)(7)(c), the applicant shall alternatively demonstrate that either: 1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or 2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:

- a. Public sanitary sewerage collection and treatment facilities.
- b. Public domestic water distribution and treatment facilities.
- c. Storm drainage facilities.
- d. Public streets.

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

Discussion; Conclusions of Law: The attached housing proposed is allowed pursuant to Subsection 10.230(D)(7)(a). The project proposes no uses that implicate Subsection 10.230(D)(7)(c). Consequently, PUD Criterion 5 is not applicable to this application.

PUD Criterion 6

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.

Discussion; Conclusions of Law: The attached housing proposed is allowed pursuant to Subsection 10.230(D)(7)(a). The project proposes no uses that implicate Subsection 10.230(D)(7)(c). Consequently, PUD Criterion 6 is not applicable to this application.

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PUD Criterion 7

7. If approval of the PUD application includes the division of land or the approval of other concurrent development permits applications as authorized in Subsection 10.230(C), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

Discussion; Conclusions of Law: Division of land is proposed as a concurrent application. The Land Division criteria are addressed directly herein below and are found to be satisfied. A Planned Unit Development also requires that architecture and landscape elements be provided for other than detached single-family construction. Phases 3 and 4 include clustered attached housing types (duplex structures with shared courtyard driveways) that may be subject to architectural review as part of the Planned Unit Development. Pursuant to MLDC 10.235(B)(2)(c), Applicant elects to postpone the submission and approval of architectural plans for the attached homes (clustered housing) for Phases 3 and 4 and to have such plans approved later as a separate matter under Subsection 10.235(G) after the Preliminary PUD Plan has been approved. A conceptual site plan for the housing clusters is shown on the Landscape Site Plan at Applicant's Exhibit 3(b) and building envelopes are indicated on the Preliminary PUD Plan for the building sites pursuant to MLDC 10.235(B)(2)(c). Examples have also been provided in photos of similar development at Applicant's Exhibit 10 (Project Narrative) and in Section IV herein above.

LAND DIVISION – TENTATIVE SUBDIVISION PLAT

Land Division Approval Criteria

10.270 Land Division Criteria.

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:

Land Division Criterion 1

(1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, and all applicable design standards set forth in Article IV and V;

Discussion; Conclusions of Law: A final decision pertaining to a site within an urban growth boundary that concerns the approval or denial of a tentative subdivision plan is a limited land use decision pursuant to ORS 197.015(12)(a). Pursuant to ORS 197.195, cities and counties – within two years of September 29, 1991 – are required to incorporate all comprehensive plan standards applicable to limited land use decisions within their land use regulations. The Oregon Land Use Board of Appeals (LUBA) has ruled that in order to incorporate a comprehensive plan standard into a local government's land use regulations within the meaning of ORS 197.195(1) and thus apply that plan standard to a limited land use decision as an approval criterion, the local government must at least amend its land use regulation to identify specific plan policies or provisions that apply to a limited land use decision as approval criteria. A code requirement to "comply with the comprehensive plan" is insufficient to incorporate any comprehensive plan standard under ORS 197.195(1).

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Paterson v. City of Bend, 49 Or LUBA 160 (2005). The application includes findings and conclusions that the application complies with specific standards adopted into the Medford Development Ordinance except as per the requested modifications which may be authorized as part of a Planned Unit Development under MLDC Sections 10.230 and 10.235. Nonetheless, and alternatively, the policies of the Medford Comprehensive Plan were reviewed to determine if the Stella Estates project would be in anyway inconsistent with the same. No inconsistencies were identified. To the contrary, Medford Comprehensive Plan strongly encourages flexibility in design of projects to preserve natural areas:

Natural Resources Element – Water Quality, Wetlands and Wildlife Habitat

Goal 6: *To recognize Medford's waterways as essential components of the urban landscape that improve water quality, sustain wildlife habitat, and provide open space.*

Policy 6-C: The City of Medford shall encourage the incorporation of waterways, wetlands, and natural features into site design and operation of development projects.

Implementation 6-C(1): Promote clustered development in order to avoid alteration of topographical and natural features, to reduce impervious surfaces, and to enhance the aesthetics of development projects. Investigate incentives for clustering development.

The design of Stella Estates utilizes clustering and the use of narrower residential lanes and shared driveway easements to avoid alteration of natural features and to reduce impervious surfaces. The PUD ordinance as adopted by the City incentivizes such an approach by allowing for modification to the limitations, restrictions, and design standards of the Code for developments that will preserve an important natural feature of the land, among other qualifying attributes listed at MLDC 10.235(D).

Housing Element

Policy 5: The City of Medford shall provide opportunities for alternative housing types and patterns, such as planned unit developments, mixed-uses, and other techniques that reduce development costs, increase density, and achieve projects that are flexible and responsive to the site and surroundings, including conservations and enhancement of areas having special scenic, historic, architectural, or cultural value.

Policy 6: The City of Medford shall plan for multi-family residential development encouraging that which is innovative in design and aesthetically appealing to both the residents and the community.

Implementation 6-A: Assess policies, regulations and standards affecting residential development and pursue amendments as needed to meet Policy 6. Assess for factors such as:

- a) Not inhibiting innovative residential design;
- b) Requiring adequate aesthetics and amenities in residential development;
- c) Requiring trees to be installed in residential development;



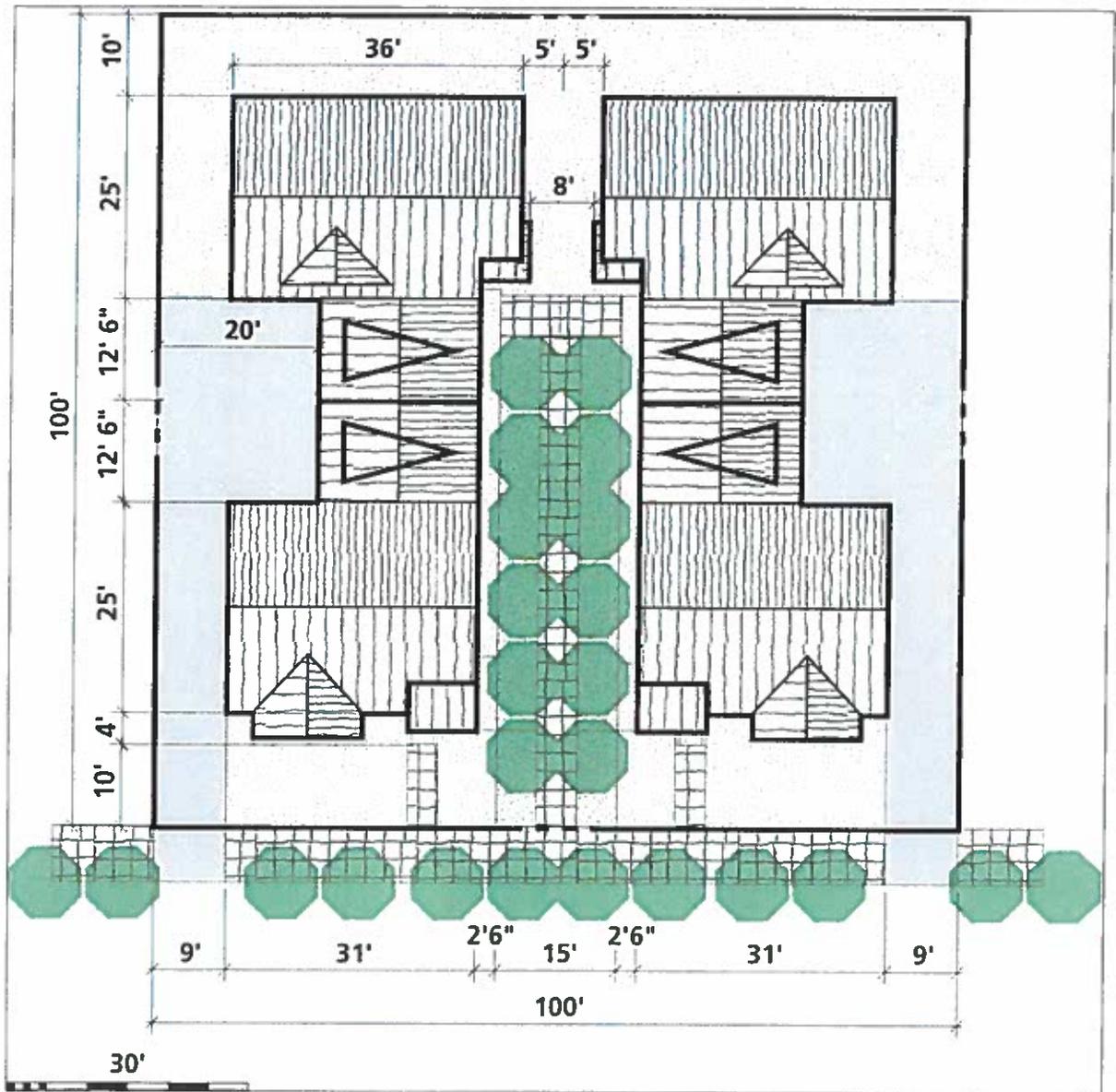
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- c) Providing open space in residential development;
- e) Assuring land division design standards and approval criteria encourage thoughtful neighborhood design;

The site and surroundings required a design approach that would yield a sufficient number of lots to offset the cost of building a creek crossing to meet neighborhood connectivity goals while avoiding as far as possible the encroachment into the creek and associated wetland area. The design also needed to provide a type of housing that would be marketable in southwest Medford and compatible with the overall neighborhood. The majority of the proposed lots are intended for detached single-family homes that are for the most part consistent with SFR-6 design standards with minor modifications to some lot dimensional and access standards. The proposed duet homes and lot configuration was inspired by a similar housing and lot design utilized for the Belleview Estates project in the City of Ashland which is integrated into a traditional detached single-family residential neighborhood in the southeast of that city. A similar design has also been adopted by the City of Portland in The Infill Design Toolkit as a housing prototype for achieving density and neighborhood-friendly design on infill sites. The toolkit examined what can be built besides 4-5 rowhouses on a 10,000 square-foot site. A prototype for "Cottage Clusters" with shared courtyards provides for four units that could each have a 2,500 square foot lot. The units may be detached with open parking spaces or attached with as paired duplexes sharing a common wall between single car garages as shown in the site plan below:

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For Stella Estates, larger lots were designed to accommodate two-car garages for each unit in recognition that the neighborhood is not yet served by transit and that prospective homeowners in this neighborhood would be averse to purchasing a home with shared access that does not include at least two dedicated parking spaces per home. The design otherwise appears as two single-family homes oriented to the public street frontage rather than as two duplex homes in promotion of neighborhood aesthetic.

Policy 6: The City of Medford shall promote preservation of the existing housing stock and existing neighborhoods through continued support of programs related to housing rehabilitation and neighborhood revitalization.

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The proposed PUD design will avoid the necessity to extend Westbrook Drive westward through two existing well-kept homes on the adjoining Tax Lots 500 and 600 to the south. Both property owners (Victor/Dixie Smith, Tax Lot 500; David Lexow, Tax Lot 600) through the neighborhood meeting for the project expressed great concern that the City is planning to extend that street through to Thomas Road. Their homes could not be replaced given the narrow lot configuration if Westwood Drive were to be extended to Thomas Road through their properties. The proposed design provides for Westbrook to instead be linked to the north with a minor residential street (Stella Drive) to Orleans Street which will then cross Elk Creek and continue west to Thomas Road. Orleans Street will also provide for additional connectivity to the east on an alignment that will avoid the existing homes in that direction.

Transportation Plan Element

Policy 2-D: The City of Medford shall balance the needed street function for all travel modes with adjacent land uses through the use of context-sensitive street and streetscape design techniques.

Implementation 2-D(3): When designing new or reconstructed streets, make adjustments as necessary to avoid valuable topographical features, natural resources, historic properties, schools, cemeteries, significant cultural features, etc. that affect the livability of the community and surrounding neighborhood.

The Transportation System Plan provides that Cunningham Avenue is to be extended as a minor arterial across Elk Creek and through the northwest corner of the subject property and Applicant proposes to dedicate right-of-way to the City to provide for the same. The adopted Southwest Medford Neighborhood Circulation Plan indicates the two additional parallel local street connections are to be extended obliquely (southeast to northwest) and over Elk Creek (although Elk Creek is not shown as a feature on the plan). One of those is Westbrook Drive, and the other is un-named on the plan. The plan does not require that Westbrook be extended due west to Thomas, but rather on the diagonal to the northwest. The above Policy 2D and Implementation 2-D(3) provides support to make adjustments as necessary to avoid a variety of features that should be preserved. That flexibility is also included at MLDC Section 10.426 (Street Circulation Design and Connectivity), Subsection 2A (Street Arrangement Suitability) which requires consideration of adopted neighborhood circulation plans along with consideration of compatibility with existing natural features, among other considerations. The proposed design will provide for a short street connection from Westbrook Drive to Orleans Street so that one less crossing over Elk Creek would be necessary to provide for neighborhood connectivity west to Thomas Road.

Based upon the findings of fact in Section IV and the evidence enumerated in Section II, the land division is compliant with the requirements in MLDC Articles IV and V, except where modification to standards therefrom have been expressly requested for approval by the City under its authority to approve code modifications as part of a PUD pursuant to MLDC



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10.230(D). Accordingly, it is concluded that the application is consistent with the requirements of Land Division Criterion 1.

Land Division Criterion 2

- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;

Discussion; Conclusions of Law: All property within the same ownership is proposed for development at this time. The proposed subdivision and street layout was carefully designed to make possible the future division of adjacent parcels for urban infill in a manner consistent with Medford land division standards. The street alignments were adjusted after meeting with neighboring property owners to discuss their particular concerns. For example, the initial alignment for Orleans Street was to connect to Thomas Road further north where Lot 2 is now proposed. The owners of property to the east of Thomas Road opposite of the subject property expressed concern that the alignment would be located directly across from the front of their home. The proposed intersection was adjusted to the south to align with their paved drive to the south of the home along the common property line with the parcel to the south. A future residential street or lane could be accommodated to the west along the alignment to connect to a future extension of Tivoli Drive to create an appropriate block pattern. DuBois Lane has been aligned to allow for extension through the enclaved Tax Lot 100 owned by Lincoln Hilman such that his property may be partitioned into two parcels – one fronting on Thomas Road and one on DuBois Lane. That property, being just over 70-feet in width, will yield compliant corner lots for the SFR-6 zoning district as Blanche Lane will connect Thomas Road and DuBois Lane adjacent and south of Mr. Hillman’s parcel. The driveways have been planned to assure that no more than eight homes, including a future east parcel from Mr. Hillman’s property, will take access from the residential lanes between the minor residential Orleans Street and the standard residential Thomas Road when DuBois Lane is linked with Blanche Lane. The arrangement of Stella Drive along the east property line to connect Westwood Drive with Orleans Street will also establish a sensible block pattern to the east side of Elk Creek. The configuration, existing development, and creek/wetland impact for Tax Lots 500 and 600 to the south is not conducive to further division of those properties – and both property owners expressed alarm about the notion of connecting Westwood Drive due west through their narrow parcels to Thomas Road which would necessitate demolition of their homes and an addition creek crossing. Based on the foregoing findings, it is concluded that Land Division Criterion 2 is met.

Land Division Criterion 3

- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name;

"B"
71,0 of 48



or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

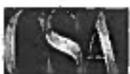
Discussion; Conclusions of Law: The name of the project has been confirmed with the Jackson County Surveyor's office, the approving authority pursuant to ORS Chapter 92, that the proposed name Stella Estates is available and has reserved the same for use by this property.

Land Division Criterion 4

- (4) If it includes the creation of streets or alleys, that such streets are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the approving authority determines it is in the public interest to modify the street pattern;

Discussion; Conclusions of Law: The planned streets as depicted on the adopted Southwest Medford Circulation Plan will be accommodated by the proposed development plan except for an adjustment as discussed under Land Division Criterion 1 herein above to consolidate two creek crossings to a single crossing and thereby avoid further disturbance to the natural area and the existing homes adjacent and south of the subject property. There are no active land divisions on adjoining property. The City has approved a tentative subdivision plan for nineteen residential lots to the west of Thomas Road (Anjou Estates). A one-block long minor residential street (Westwood Drive) in Anjou Estates will extend to the west where it will "T" into another minor residential street (Tivoli Drive). The Westwood Drive alignment for Anjou Estates is approximately one-eighth of a mile west of the existing alignment which currently terminates at the Southeast Corner of the subject tract. The adopted Southwest Medford Circulation Plan indicates that Westwood Drive was actually planned to dogleg to the northwest rather than to extend due west. To now connect the existing Westwood Drive alignment directly west to the planned Westwood Drive alignment for Anjou Estates would require the street to be built through Tax Lots 500 and 600. Those parcels are only 70 feet wide (north to south) along that alignment and contain well maintained owner-occupied homes. Less than 10-feet of the right-of-way would be located on the subject tract along that alignment. Applicant proposes instead to provide reasonable public street connectivity with a single creek crossing to the north by way of Orleans Street which will intersect with Thomas Road 440 feet north of the planned Westwood Drive that will serve Anjou Estates. Dubois Lane and Blanche Lane, each approximately 300 feet in length, will connect south of Orleans Street and east of Thomas Road to form a small residential block to the west of Elk Creek. Blanche Lane will intersect with Thomas Road 140 feet north of the Westwood Drive intersection that will serve the Anjou Estates subdivision. The minimum distance between intersections for offset streets, pursuant to MLDC Section 10.426(D), is at least 200 feet except when the approving authority finds that utilizing an offset of less than 200 feet is necessary to economically develop the property with the use for which it is zoned or an existing offset of less than 200 feet is not practical to correct. The authority to approve a reduced distance under this code section is independent of the authority to approve code modifications within PUDs under MLDC 10.1230(D). Applicant requests that the City approve the proposed 140 foot offset because it is necessary to economically develop the

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- - c 48



subject Tax Lot 400 which is divided by Elk Creek and otherwise juxtaposed between two 70-foot wide parcels in separate ownership. The proposed plan will provide for access to approximately one acre (net) of buildable land situated between Thomas Road and Elk Creek which will yield six residential lots, accommodate the future partition of Tax Lot 100 to the north, and make possible a blocked street system and direct residential lane access along the creek.

Land Division Criterion 5

- (5) If it has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

Discussion; Conclusions of Law: The streets will all be city streets dedicated to the public. To the extent the proposed shared driveway easements are construed to be streets, the same are distinguished on the tentative plan and will be reserved for private access to serve the adjoining lots in accordance with Land Division Criterion 5.

Land Division Criterion 6

- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

Discussion; Conclusions of Law: There are no adjoining agricultural lands within the EFU zoning district. Land Division Criterion 6 does not apply.

VI

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for a Preliminary Planned Unit Development and Tentative Plan for Land Division is consistent with all of the relevant approval criteria as addressed hereinabove.

VII

STIPULATIONS OFFERED BY APPLICANT

If made conditions attached to the approval of any of these land use permit applications, applicant herewith agree to stipulate:

1. The project will be constructed in accordance with the application herein provided, subject to reasonable conditions that the City may require in its final action.



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2. Dedication of rights-of-way for streets will be provided as indicated on the land division plan. Dedication of right-of-way for a future extension of Cunningham Lane as a City arterial street is offered subject to SDC credits or other fair compensation.
3. Applicant will provide copies of all state and federal permits related to wetland impacts prior to commencing development activities within these areas.
4. The final landscape plan for the wetland areas will be consistent with DSL approved wetland mitigation plans.
5. Frontage improvements to Thomas Road will be provided to City standard and depicted on the final Planned Unit Development plan, to include the frontage along the two parcels identified as 342W35DB-800 and 372W35DB-2500 that were formerly part of the same ownership.
6. Applicant agrees to submit application(s) for SPAC review and approval of architectural and site development plans for the clustered housing and final landscaping plans for the common area lots prior to final PUD plan approval of Phases 3 and 4.

Respectfully submitted on behalf of Applicant:

CSA Planning, Ltd.



Raul Woerner
Consulting Planner

Revised January 20, 2015

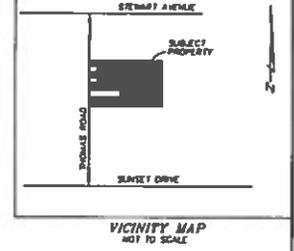


TENTATIVE PLAT
STELLA ESTATES, PHASES 1-4
 A PLANNED COMMUNITY
 Located in the SE 1/4 of Sec. 26, T.17S., R.17E., W.4.
 & in the City of Medford Jackson County, Oregon

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PHASE 1

PHASE 3

PHASE 4

PHASE 1

PHASE 2

Scale "A"
 1" = 100'
 1/4" = 25'
 1/8" = 12.5'
 1/16" = 6.25'

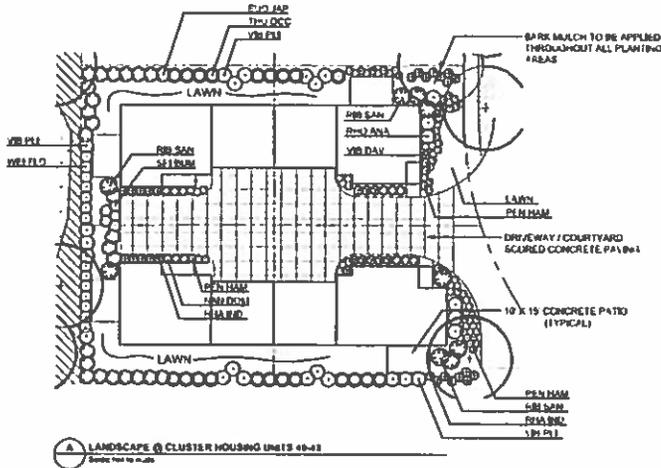


NOTES:
 1. OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF MEDFORD AND THE STATE OF OREGON.
 2. ALL UTILITIES SHALL BE DEPTH MARKED PRIOR TO CONSTRUCTION.
 3. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
 4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MEDFORD ZONING ORDINANCES.

RECEIVED PROFESSIONAL LAND SURVEYOR <i>Jane C. Hill</i> 1211 N. 10th St. Medford, OR 97504 (541) 753-1111 www.janechill.com	TENTATIVE SUBDIVISION PLAT PROJECT NO. 3724-2008 1/2 SEC 26, T.17S. & 200' E. 220' E. 1400' CITY OF MEDFORD, OREGON L.S. FRANK & ASSOCIATES P.C. 1111 N. 10th St. Medford, OR 97504 (541) 753-1111	SHEET NO. 1 OF 2 DATE: 1/15/15
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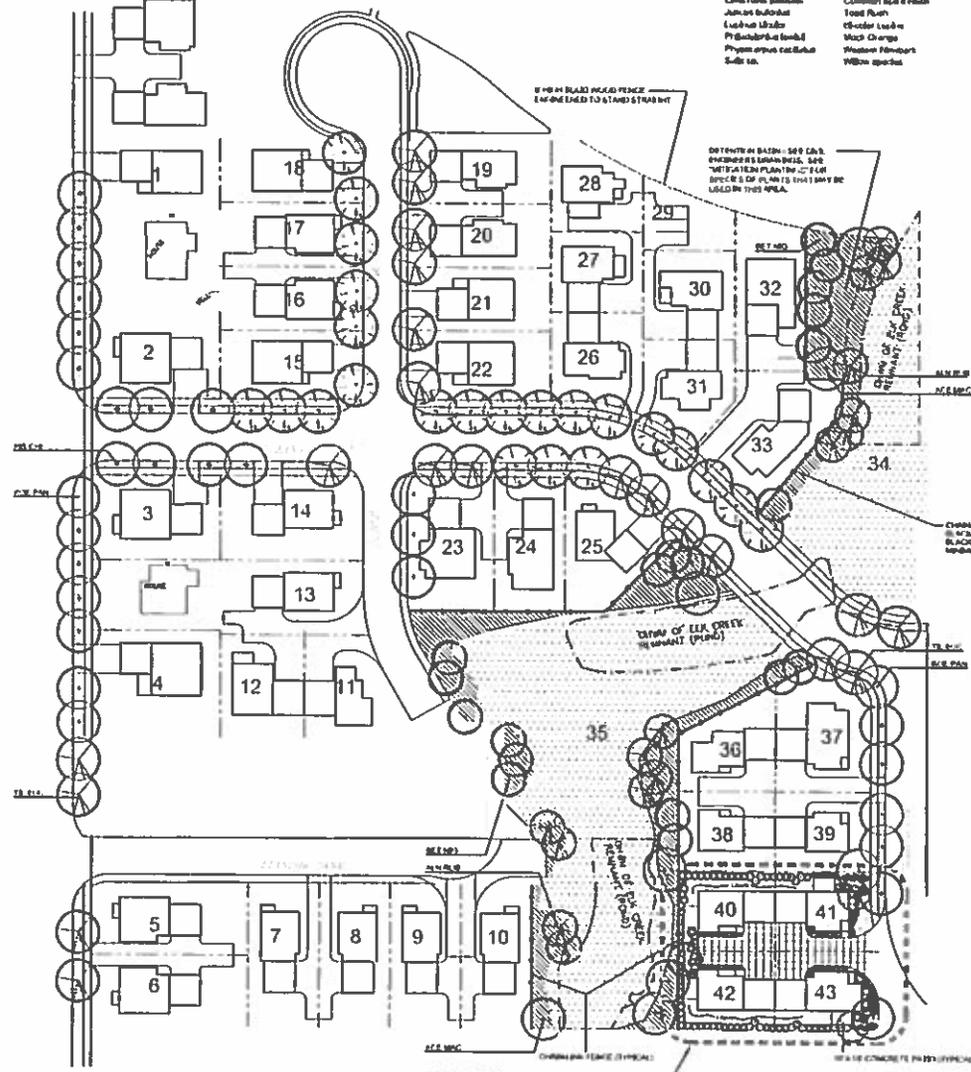
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 Page 173 of 48

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MITIGATION PLANTINGS

Latin Name	Common Name
<i>Amygdalus alba</i>	Strawberry
<i>Cornus canadensis</i>	Spiny Dogwood
<i>Cornus sericea</i>	Flowering Dogwood
<i>Lonicera caerulea</i>	Common Honeysuckle
<i>Juniperus horizontalis</i>	Ground Juniper
<i>Lonicera xylosteum</i>	Black Chokeberry
<i>Physocarpus opulifolius</i>	Physocarpus
<i>Solidago canadensis</i>	Canada Goldenrod



PLANT SCHEDULE

CODE	LATIN NAME	COMMON NAME	SIZE
TREES			
ACE NAC	<i>Acer macrophyllum</i>	Bigleaf Maple	1.5" cal.
ALN RUB	<i>Alnus rubra</i>	Western Red Alder	1.5" cal.
BEY ING	<i>Betula nigra</i>	River Birch	1.2" cal. multi-trunk
FRA LAT	<i>Fraxinus latifolia</i>	Oregon Ash	1.5" cal.
KOE PAN	<i>Koeleria paniculata</i>	Goldenshrill Tree	2" cal.
PIS CH	<i>Platanus chinensis</i>	Chinese Platanus	2" cal.
QUE RUB	<i>Quercus robur</i>	Northern Red Oak	2" cal.
TR EUC	<i>Tilia euclora</i>	Crimson Linden	2" cal.
SHRUBS			
CEA VIC	<i>Conoclinium victoriae</i>	Victoria Liliac	5 gal.
COB SER	<i>Cornus stolonifera</i> 'Kobeyf'	Kobeyf Redwing Dogwood	5 gal.
COB LAC	<i>Cornus stolonifera</i>	Red Chokeberry	5 gal.
HAN DUM	<i>Hardenia dumosa</i>	Heavenly Bamboo	5 gal.
RHA IND	<i>Rhamnus indica</i> 'Ballotina'	Ballotina Hawthorn	5 gal.
PEN HAM	<i>Pennisetum alopecuroides</i> 'Hemuh'	Hemuh Fountain Grass	1 gal.
RHO ANA	<i>Rhododendron Anah Kestel</i>	Anah Knockout Rhododendron	18" DIA. 6-8'
RIB SAN	<i>Ribes sanguineum</i>	Red Flowering Currant	5 gal.
SPI BLM	<i>Spiraea dumalis</i> 'Anthony Waterer'	Anthony Waterer Spiraea	5 gal.
SYR MEY	<i>Syringa meyeri</i> 'Palibin'	Dwarf Blue Lily Liboc	8 gal.
THU OCC	<i>Thuja occidentalis</i> 'Emerald'	Emerald Green Arborvitae	5" DIA. 6-8'
VIB BUR	<i>Viburnum burkwoodii</i>	Burkwood Viburnum	2 gal.
VIB DAY	<i>Viburnum dentatum</i>	Dwarf Viburnum	2 gal.
VIB FLI	<i>Viburnum p. l.</i> 'Summer Snowflake'	Summer Snowflake Viburnum	5 gal.
WEI FLO	<i>Wetzelia florida</i> 'Dark Horse'	Dark Horse Wetzelia	5 gal.

GROUNDCOVERS / HYDRISEED

COT DAM	<i>Cotoneaster edulis</i> 'Roseum'	Trailing Cotoneaster	1 gal. - 4" D.C.
GEN PE	<i>Geranium plene</i> 'Vancover Gold'	Vancover Gold Geranium	1 gal. - 4" D.C.
VIN HIB	<i>Vinca minor</i>	Dwarf Periwinkle	4" - 2" D.C.
LAWN	Hydriseed: 3 Way Perennial Ryegrass Mix		900s per 1,000 sq ft
ECC-LAWN	Hydriseed Mix		

LANDSCAPE SITE PLAN
 Scale: 1" = 60'

galbraith LAND ARCHITECTS
 LANDSCAPE ARCHITECTS
 1150 N. MARKET ST.
 MEDFORD, OR 97504
 TEL: 541-750-7000
 FAX: 541-750-5144

REGISTERED
 LANDSCAPE ARCHITECT

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Stella Estates
 Thomas Road
 Medford, Oregon

ALL CLIENTS
 A - 100%
 B - 100%
 C - 100%

DATE: 1/15/15
 DRAWN BY: JG
 CHECKED BY: JG
 DATE: 1/15/15

L1

Page 175

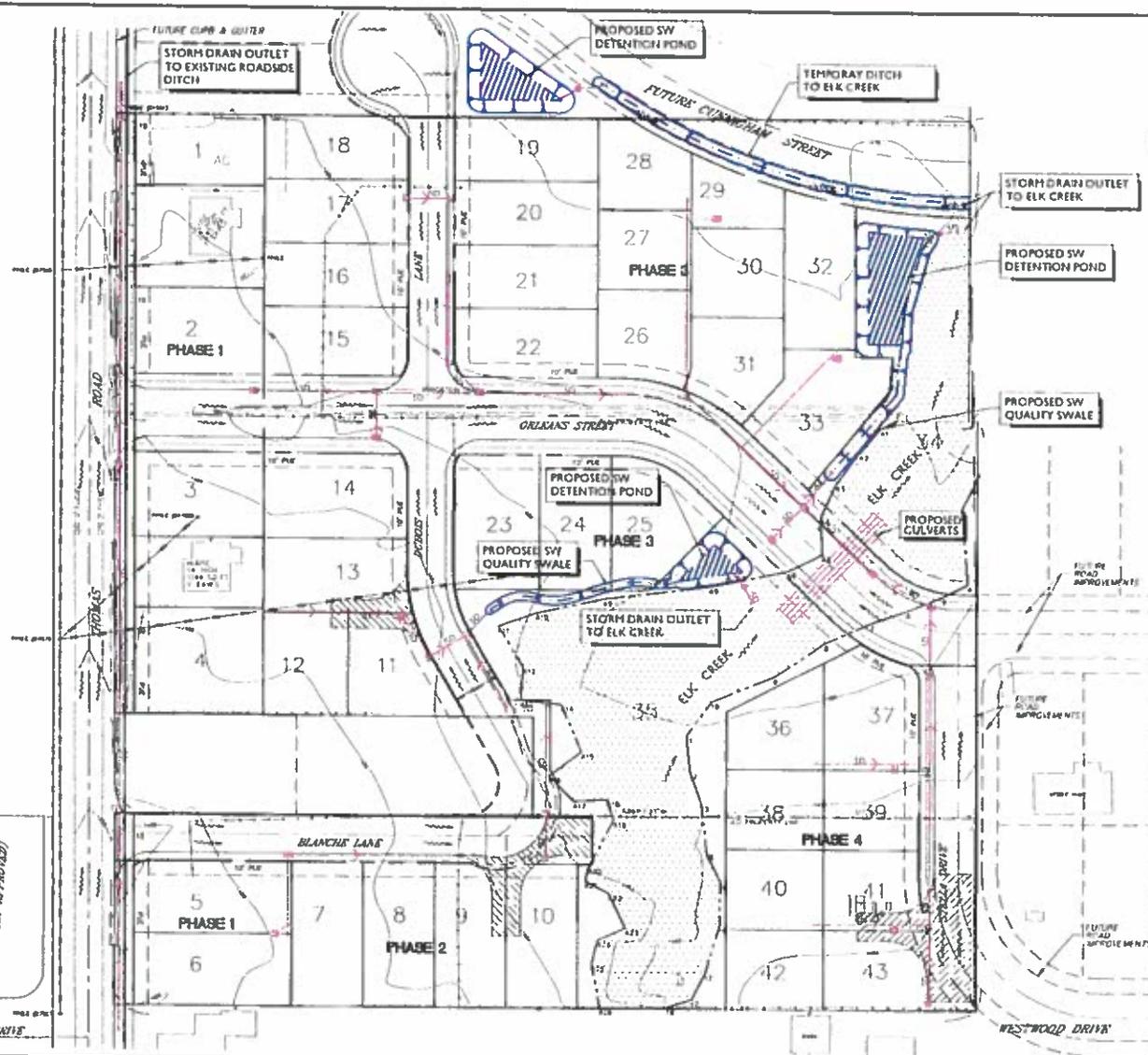
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LEGEND

- STREET DRAINAGE DIRECTION
- SURFACE DRAINAGE DIRECTION
- PROPOSED STORM MAIN
- EXISTING STORM MAIN
- PROPOSED STORM INLET
- PROPOSED SD MANHOLE
- EXISTING SD MANHOLE
- - - EXISTING CONTOUR (2' INTERVAL)



LOT 1
 ALSO SEE SUBDIVISION
 (EXHIBIT C1 APPROVED)



EXHIBIT C.1

Page 176



P.O. BOX 3724 - MEDFORD, OREGON 97501
 PH: (541) 778-5288 - FAX (541) 778-9129

DRAWN BY	TAM	DATE	08/14
CHECKED BY	MMK	DATE	08/14
		DATE	
		DATE	
		DATE	

NO.	REVISION	DATE	BY



CITY OF MEDFORD
 STELLA SUBDIVISION
 CONCEPTUAL GRADING AND
 STORMWATER DRAINAGE FACILITY PLAN

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NOTE
FIRE HYDRANT PLACEMENT SHALL BE COORDINATED WITH
CITY OF MEDFORD FIRE DEPARTMENT REQUIREMENTS

LEGEND

- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED SEWER MANHOLE
- EXISTING SEWER MANHOLE
- PROPOSED SANITARY SEWER MAIN
- EXISTING SANITARY SEWER MAIN
- ★ PROPOSED FIRE HYDRANT

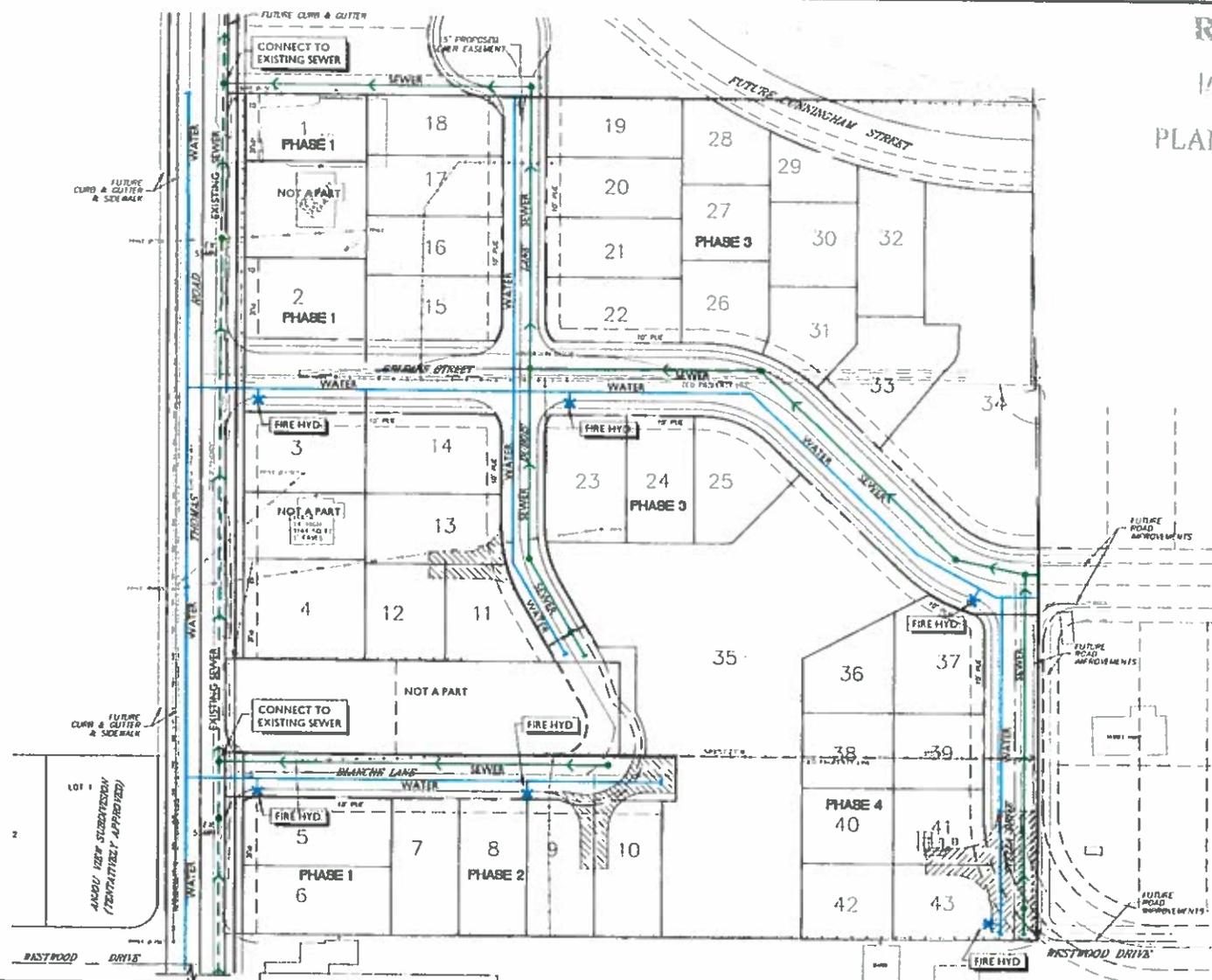


EXHIBIT C.2

CITY OF MEDFORD

STELLA SUBDIVISION
CONCEPTUAL
SEWER AND WATER PLAN

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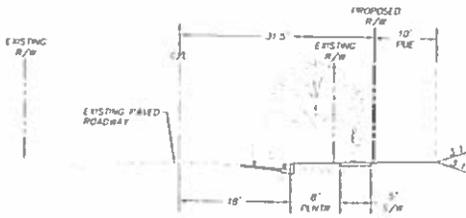
OFFSITE WATER LINE IMPROVEMENTS
REQUIRED. CONNECT TO THE EXISTING
WATER MAIN AT THE INTERSECTION OF
SUNSET DRIVE & TIVOLI DRIVE, AS REQUIRED
BY THE MEDFORD WATER COMMISSION.

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CREATED BY: MAR

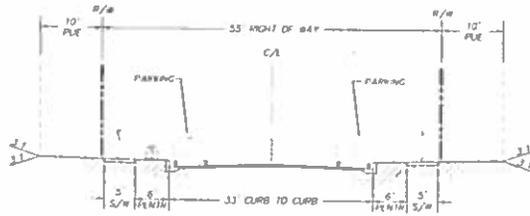
NO	REVISION	DATE	BY



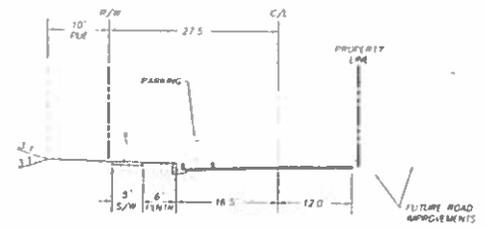
P.O. BOX 1224 • MEDFORD, OREGON 97501
PH. (541) 779-5288 • FAX (541) 779-5129



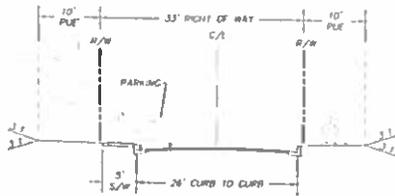
THOMAS ROAD
(HALF STREET IMPROVEMENT SECTION)



ORLEANS STREET



STELLA DRIVE
(HALF STREET IMPROVEMENT SECTION)



**BLANCHE LANE
DUBOIS LANE**

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Page 178

EXHIBIT C3



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Tel: (541) 779-5268 • Fax: (541) 779-3133

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CHECKED BY: MJK

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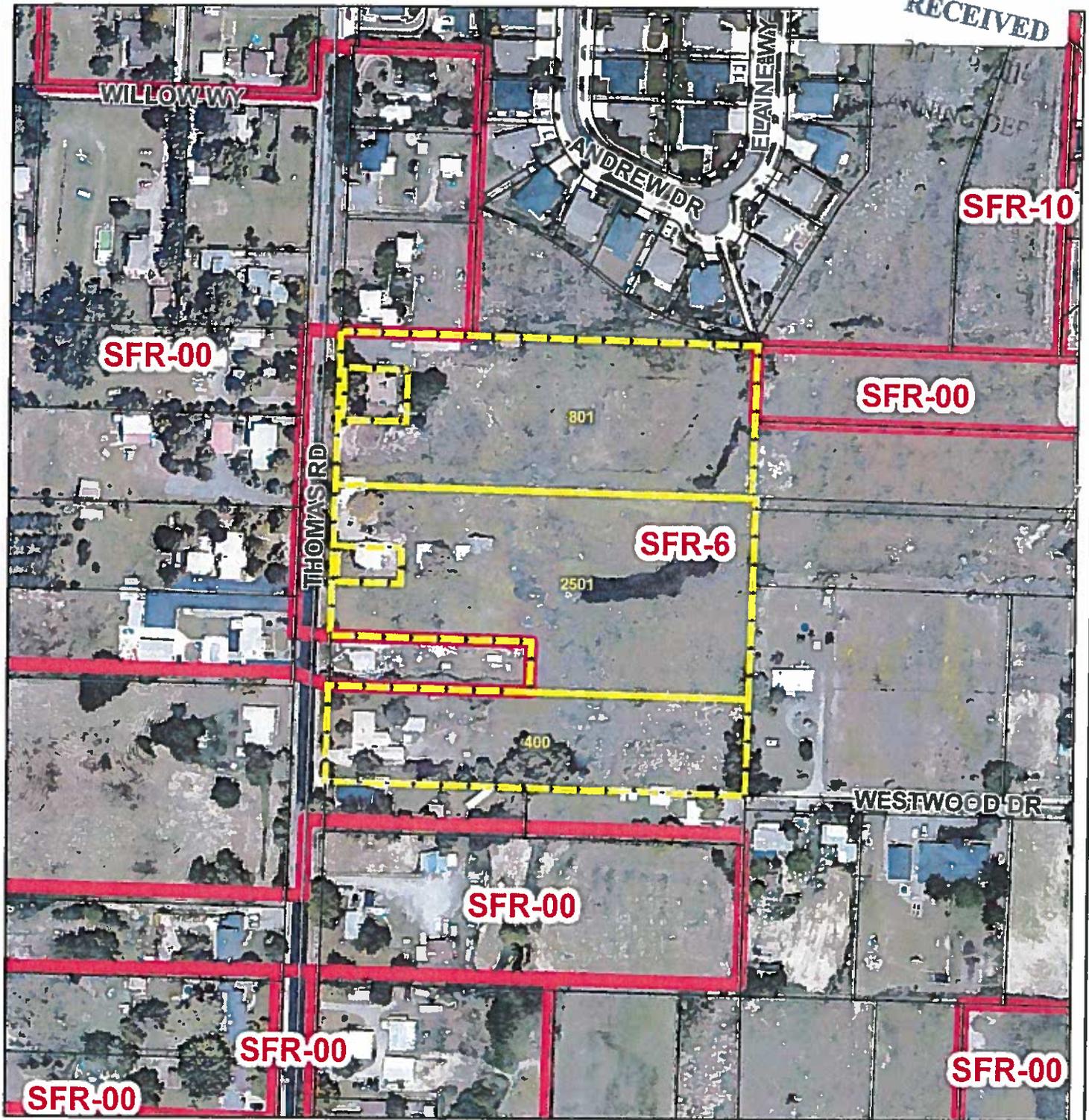
NO. REVISION

DATE BY



CITY OF MEDFORD
STELLA SUBDIVISION
CONCEPTUAL ROADWAY
CROSS SECTIONS

PROJECT NO:
DRAWING NO:
3 of 3



Legend

-  Subject
-  Tax Lots
-  Medford Zoning

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Zoning Map

37-2W-35DB-801 & 2501; and CITY OF MEDFORD
37-2W-35DC-400

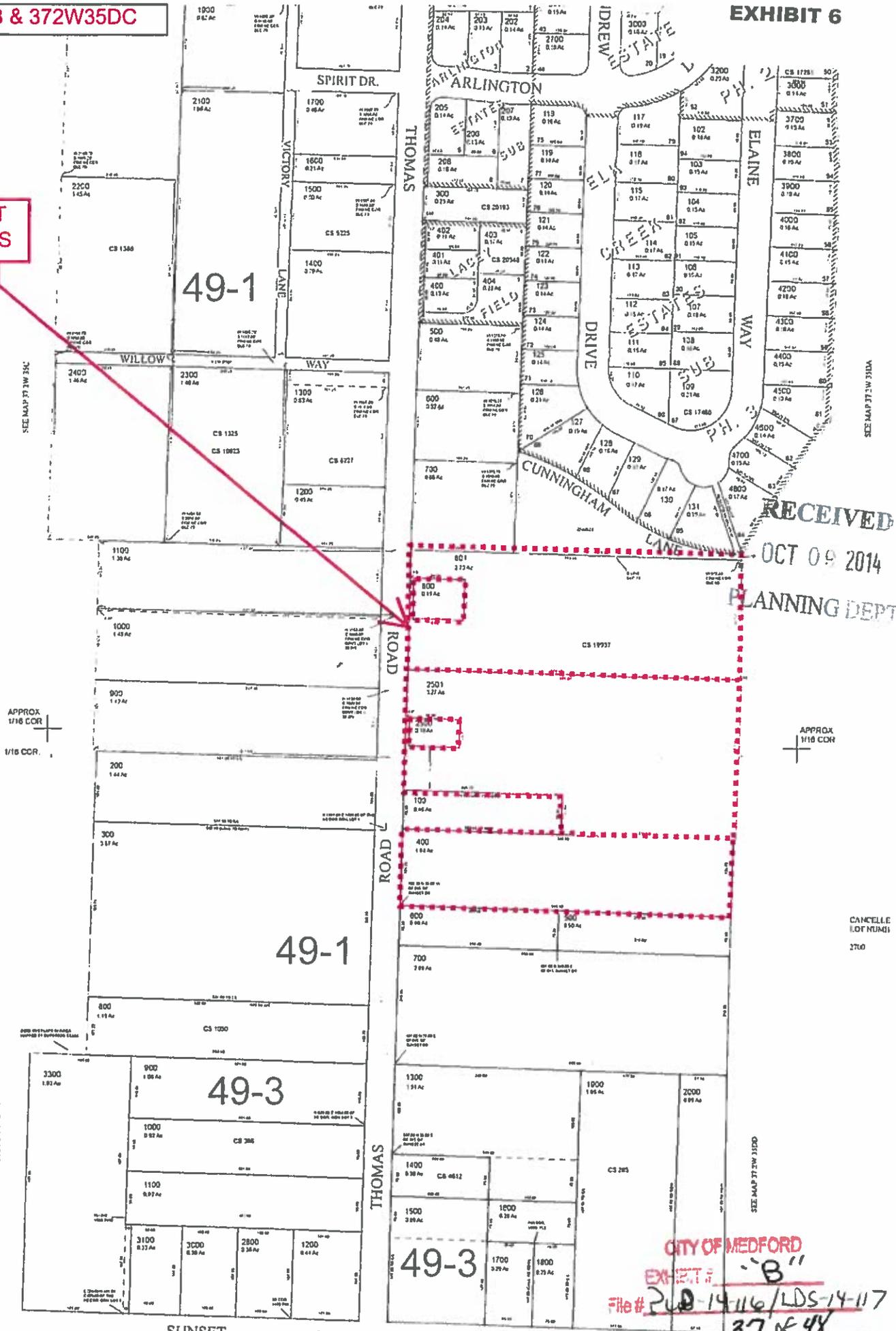
EXHIBIT # "B"
File # PUD-14-116/LDS-14-117
316 of 48

200 100 0 200 Feet

CSA Planning, Ltd.

9-18-2014 Source: CSA Planning, Ltd. Jackson County GIS

SUBJECT TAX LOTS



APPROX 1/16 COR. 1/16 COR.

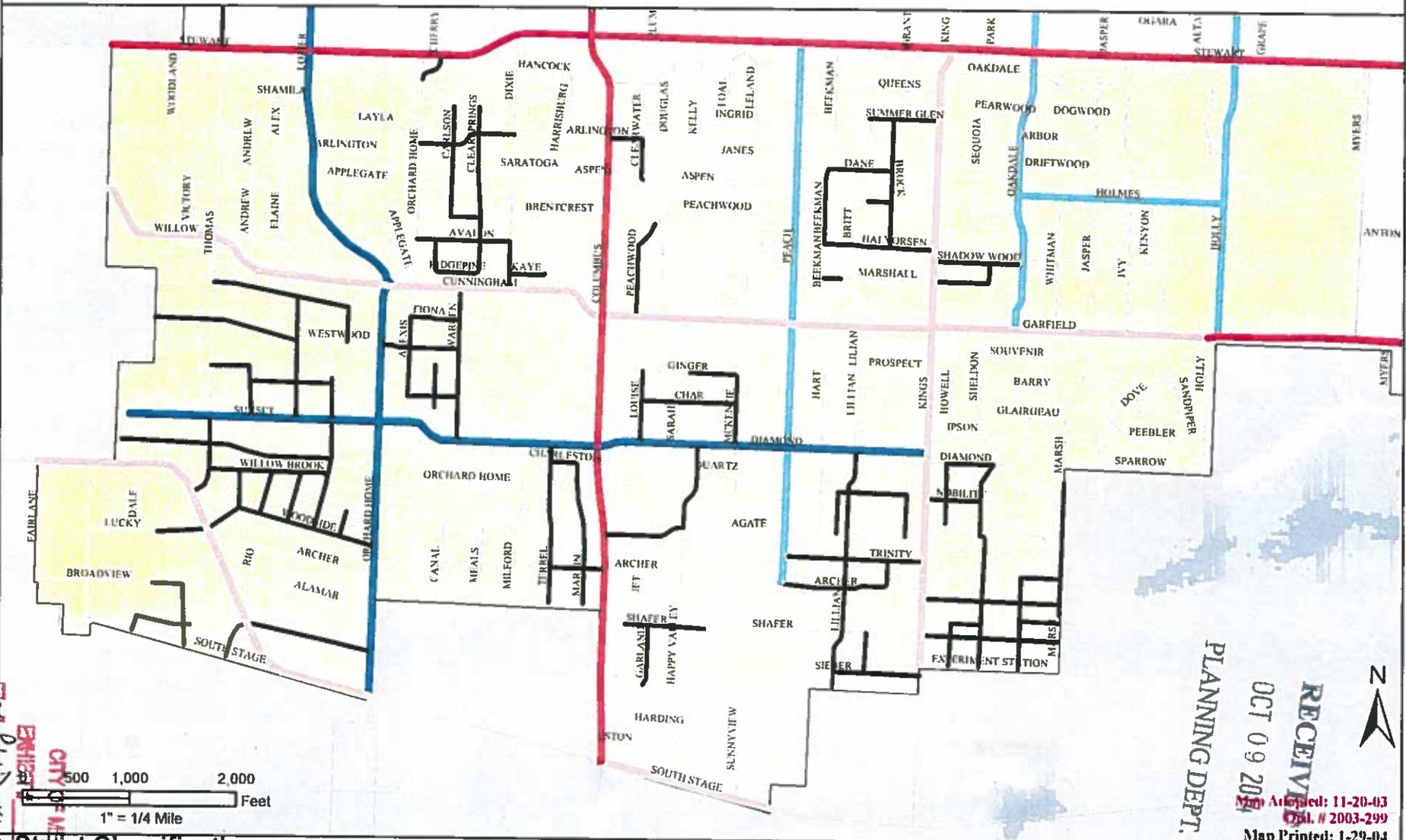
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CANCELLED
(LOT NUMBER)
1710

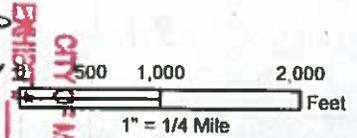
CITY OF MEDFORD
EXHIBIT B
File # 2014-116/LDS-14-117
37 of 48

Adopted Southwest Medford Circulation Plan



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File Path: I:\Project Files\Planning\Circulation Plans\Southwest\Southwest Circulation Plan.mxd
 38 of 48



Street Classifications

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Residential
- Other Streets
- UGB
- Adopted Circulation Plan Area



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 Map Printed: 1-29-04





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CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541 779 0569
Fax 541 779 0114
Raul@CSAplanning.net

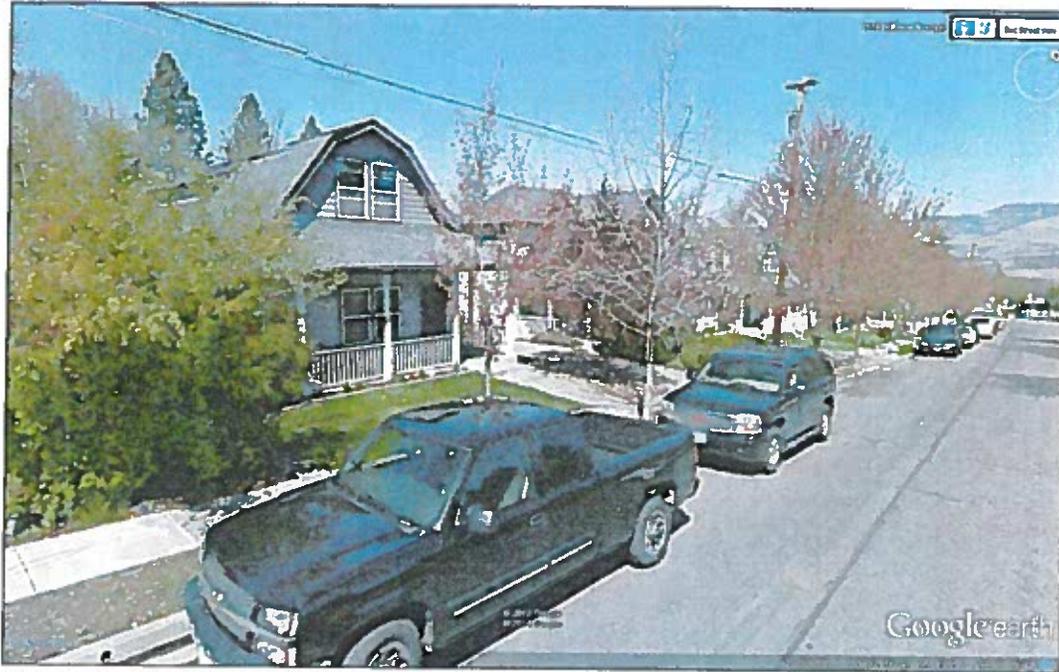
**Stella Estates PUD
Narrative Description
MLDC Section 10.235(B)(3)**

a. PUD Description and Rationale

Stella RE Investments, LLC ("Applicant") seeks approval of a Preliminary Planned Unit Development Plan and Tentative Subdivision Plan to create forty residential lots and three common area lots in four phases on 8.16 acres (gross) of land located in southwest Medford east of Thomas Road. The project has been designed to preserve existing wetland and stream corridor areas associated with Elk Creek over the eastern half of the property by reserving two common area lots for protection of the same. Twenty-six lots will provide for detached single family dwellings, and fourteen lots will provide for attached single family homes (in duets) clustered along common courtyard driveways.

The subject property consists of three existing parcels having a total net area of 7.84 acres. Of this, approximately 1.51 acres is to be reserved as common area for preservation of the Elk Creek and adjacent wetland marsh area and open space for storm water quality and detention facilities (i.e., swales, pond, and landscaping) and 0.06 acres for shared parking. The common area will be held in three lots to be owned and maintained by an association of homeowners. Another 1.96 acres will be dedicated for public street rights-of-way. The remaining 4.31 acres, being approximately 56 percent of the subject tract's net area, will be divided into 40 residential lots. The lots will provide for twenty six single family detached homes and fourteen "duet" homes – which are duplex dwellings with each unit having its own lot. The overall rationale for the Stella Estates PUD is to protect the wetland and creek area while also providing for good street circulation that will promote future infill development opportunities for the neighboring properties. The homes within the project are intended to fit in with the single-family of new development in the surrounding neighborhood, such as the Elk Creek Estates subdivision to the north, while providing enough lots to offset the cost of constructing a stream crossing and mitigation of impacts from the same. The design objectives are to create the majority of lots for detached single-family dwellings and to utilize a contextually appropriate infill alternative closer to the creek and wetland areas. The concept of clustering duets along a shared driveway court was chosen as this configuration that will present an appearance of just two homes along the adjoining street frontage similar to the example shown in the photos below:

"B"
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The above are photos of duet homes that were built in the City of Ashland as part of the West Belleview Subdivision, a planned unit development near the Belleview Elementary School in the southeast of that city. The homes are 3 bedroom, two-bath dwellings that range between 1,300 and 1,800 square feet in living area. An aerial photo of those homes with lot lines shown is provided below:

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Because the design of the West Belleview duet homes closely resemble standard single-family homes and can be constructed in a very land-efficient manner, a similar design was determined to be an ideal fit for the subject property in southwest Medford where the market preference is for single-family homes. The proposed Stella Estates PUD plan will provide fourteen lots for two-story duets with common wall provided between two-car garages. Conceptual building envelopes as shown on the preliminary PUD plan provide for two-story construction (nine-foot setbacks from side and rear lot lines).

b. Common Ownership

Stella Estates PUD will be a planned community established pursuant to ORS Chapter 94 which will include an association of homeowners to provide for the maintenance of common areas. Lot 29 will provide shared parking and yard area for the adjacent housing cluster. Lots 34 and 35 will be held in common as open space for stormwater facilities and preservation of natural wetland and creek area.

c. Modified Application of Standards Requested

Pursuant to MLDC 10.230(D), authority is granted for the approval of Planned Unit Developments, which vary from the strict standards of the code to fulfill the purpose and intents of MLDC 10.230(A).¹ The following modification to standards are proposed:

¹ MLDC 10.230(A): Purpose and Intent: The PUD approach permits flexibility to allow creative and imaginative urban development that would otherwise not be possible under the strict requirements of this Code. The intent is to promote more efficient use of urban land and urban services while protecting natural features, creating common open space, and encouraging a mixture of land uses and housing types that are thoughtfully planned and integrated.



MLDC 10.230(D)(1) Lots and Parcels:

Common Area Lots: The MLDC does not specify lot design standards for common area lots. Rather, Section 10.702(1) provides that the approving authority may permit tax lots and common areas to be of an area, width, frontage, or depth different from prescribed areas or dimensions. Lot 29 is planned as a common area lot of 2,539 square feet that will accommodate three shared parking spaces and open space to serve the residents of the that cluster of homes (i.e., Lots 26-28, 30 and 31). Lots 34 and 35 are planned common area lots of 21,313 and 44,631 square feet, respectively, be reserved for preservation of the Elk Creek, adjacent wetland marsh area and open space for storm water quality and detention facilities (i.e., bioswales, pond, and landscaping).

Lot Area – Detached Single Family Dwellings: The standard is 4,500 square feet. Lot 18 is proposed as 4,403 square feet, Lot 19 as 4,494 square feet, and Lot 29 as 3,638 square feet on the tentative subdivision plan.

Lot Area – Duplex Dwellings: The standard is 6,000 square feet. Seven attached homes (duets) proposed on fourteen lots (11-12, 26-27, 30-31, and 36-43) are proposed to range between 3,689 and 5,346 square feet.

Lot Width – Detached Single Family Dwellings: The standard is 50 feet for interior lots and 60 feet for corner lots. Lots 16-21 are interior lots all proposed to be 45 feet in width. Lots 3, 5, 14, 15, and 22 are corner lots proposed to be 59.9, 50.9, 59.9, 48, and 48 feet in width, respectively.

Lot Width – Duplex Dwellings: The standard is 50 feet for interior lots and 60 feet for corner lots. Only Lot 37 of the duet lots will be located at a public street corner and it exceeds 60 feet in width. To the extent that the proposed shared driveway easements for the driveway courts are construed to be a street then Lots 39, 41, and 43 would be corner lots having 56 feet rather than 60 feet each in width.

Lot Depth – Detached Single Family Dwellings: The standard is 90 feet. Lot 28, adjacent to the future Cunningham Avenue (minor arterial), is proposed to be approximately 65 feet deep (perpendicular bisect from court yard access). A common area (Lot 29) is planned adjacent to Lot 28 which will provide for additional parking and yard area (i.e., "limited common element") to serve that cluster of homes.

Lot Depth – Duplex Dwellings: The standard is 90 feet. Seven duplex (duet) homes proposed on fourteen lots (11-12, 26-27, 29-30, and 36-43) will range between 56 and 75.2 square feet in depth.

Lot Coverage Factor – Detached Single Family Dwellings: The standard is 40 percent which may be exceeded when the building footprint is no more than 2,000 square feet. No modification to this standard is requested for the detached dwelling lots.



Lot Coverage Factor – Duplex Dwellings: The standard is 40 percent. Lot coverage of up to 50% is proposed for the duets. Each dwelling unit of this type will be less than 2,000 square feet in living area, with a footprint of approximately 1600 per lot. The building coverage will be between 40 and 50 percent based on final design of the respective units for each duet lot. The 50 percent coverage will provide some flexibility in final design of the buildings which will otherwise meet all setback standards. The proposed modification would, in effect, allow for coverage in a manner consistent with that which would be allowed outright (MLDC 10.710) for detached homes having a footprint of less than 2,000 square feet in the SFR-6 district.

MLDC 10.230(D)(2) Yards, Setbacks, and Building Height: Shared easements for courtyard driveways will be adjacent to the buildings for direct garage access, and adjacent duplex units will share a common wall (zero setback). All yard, setback, and building height standards will otherwise be met for each lot.

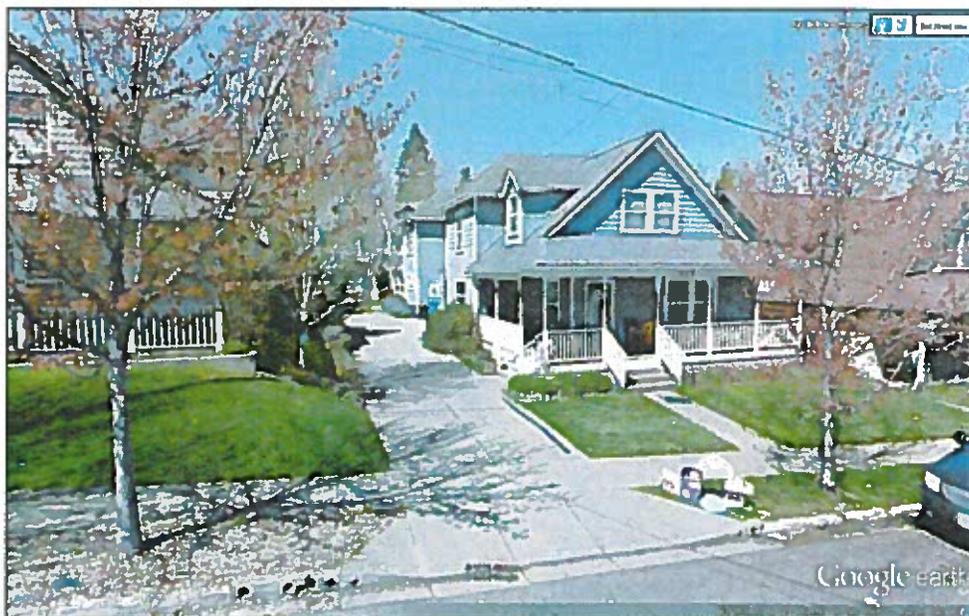
MLDC 10.230(D)(3) Parking, Bicycle and Pedestrian Standards: No modifications are proposed to parking, bicycle and pedestrian standards.

MLDC 10.230(D)(4) Frontage, Access, Landscaping, and Signs: Lots 12, 27, 30, 36, 38, 40, and 42 for the back half of duplex structures in Phases 3 and 4 will have shared driveway easement access over courtyard drives rather than direct street frontage. Single family dwelling lots 28 and 32 in Phase 3 will have frontage along minor arterial Cunningham Avenue but will instead be provided access over shared driveway easements to the minor residential Orleans Street. The homes will orient toward the easement drives and, accordingly, an eight-foot high fence will be provided along the Cunningham Avenue right-of-way as a vertical separation feature consistent with the opposing lots in the Elk Creek subdivision on the north side of the alignment. Mitigation planting will be utilized along the stormwater quality and detention areas as indicated on the proposed landscape plan. The stream corridor and wetland areas will retain natural vegetation or mitigation planting as may be required through state and federal permit approvals. To preserve visual openness along the creek corridor and to provide a sense of larger yards for the lots along the creek, the landscape plan specifies black vinyl coated chain-link fence no taller than four feet along lot lines abutting the creek corridor. Chain link with black coloring is recommended in landscape design because it blends into the background very well. No signage is now proposed. If such is contemplated in the future, normal City standards will apply.

MLDC 10.230(D)(5) Streets Generally: Streets within the PUD will be city residential streets and lanes dedicated for public use in accordance with city standards. See, Applicant's Exhibit 4 – Sheet 3 for roadway cross sections. The proposed plan reserves area for a future extension of Cunningham Lane as a city arterial street. Given the geometry of the area and the third tier status of this project in the Medford Transportation System Plan as a long-term and as yet unfunded project, actual construction of this segment would be untimely now. There would be no physical connection available off-site to the east or west with which the crescent shaped segment along the subject property could be built. A similar request for right-of-way dedication without construction was approved by PUD modification under this section for the Thomas Lagune Estates project on the subject property, and dedication-only

was also approved for Phase 3 of the Elk Creek Estates subdivision to the north of the Cunningham alignment. A 6.5 foot wide strip will also be dedicated for right-of-way along Thomas Road, which will be improved to center line plus twelve feet to the City's standard residential street cross section. The same improvements will be made along the Thomas Road frontage to Tax Lots 800 and 2500 which are surrounded by the subject tract but are no longer in the same ownership. A 6.5 foot strip along the Thomas Road frontage was retained for future dedication and improvement when those lots and homes were sold by the previous owner so that a cohesive continuous frontage treatment would be assured. For Orleans Street, the 33-foot wide total paved section alternative to the standard 28-foot section for a minor residential street is proposed in accordance with MLDC 10.430(2)(c) and as requested by the fire district.

MLDC 10.230(D)(6) Private Streets: Shared driveway easements are proposed to minimize the number of direct driveway accesses to public streets and lanes and to also encourage rear-loaded garages. Lots 5 & 6 will share a driveway access to Thomas Road. Lots 7 & 8 and Lots 9 & 10 will share driveways to Blanche Lane. Lots 11, 12 (duplex) & 13 (single family) will share a driveway to DuBios Lane south of Orleans Street. Lots 16 & 17 and Lots 19 & 20 will share driveways to DuBois Lane north of Orleans Street. Lots 23 & 24 will share a driveway on the south side of Orleans Street. A shared courtyard driveway from the north side of Orleans Street will serve two pairs of duets and a detached home on Lots 26-28, 30 and 31 to avoid any need for direct access to Cunningham Avenue. Lot 28 will provide additional parking and yard space within a common area to serve that cluster of homes. A shared driveway on the north side of Orleans Street will serve single family Lots 32 (which will also abut Cunningham Avenue) and 33. That shared drive will also provide access to the stormwater detention facility and parking for maintenance and service vehicles. Both Lots 32 and 33 also border Common Area Lot 34 for the creek. Shared courtyard access from the west side of Stella Drive will be provided to serve each of the two pairs of duets on Lots 36-39 and Lots 40-43 which border the Elk Creek Common Area Lot 35. The courtyard easement will be similar to those in the West Bellevue subdivision as shown in the photo below:



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The proposal is a modification to MLDC 10.430(A) Non-Street Alternatives for which a minimum access easement is limited to serve only three homes and is treated as a street for setback purposes. The courtyard and shared driveways easements would extend to the building footprints. Courtyard access will consist of a minimum 16-foot wide driveway throat (increased to 18-feet where more than two lots served) would extend to a 25-wide courtyard – and each dwelling unit would have a double-garage opening to the courtyard area. Each garage entry will include a driveway apron from the court adequate to maintain a minimum 20-foot wide clear lane through the courtyard or will alternatively additional common parking spaces at the far end of the court between the end units. The modification promotes a tradition single-family home aesthetic as viewed from the adjoining public streets and an efficiency of design.

MLDC 10.230(D)(7) Allowed Uses; Housing Types: The proposed mix of single-family detached and attached (duplex) are housing types listed in MLDC 10.314(1-3) and are thereby allowed within a Planned Unit Development pursuant to MLDC 10.230(D)(7). The use of attached housing within Thomas Estates allows clustering of structures and thereby avoids encroachment into delineate wetlands associated with Elk Creek. The stream and wetland enhancement on site can then be available to all as a common amenity, and will further regional stream enhancement efforts within the Bear Creek basin to which Elk Creek is a tributary. In this manner, Medford's goals to provide an adequate housing inventory is balanced with and complemented by its environmental goals. The project does not propose any conditional uses or other uses not permitted within the zone.

MLDC 10.230(D)(8) Mixed Land Use Designations: The project area consists solely of Urban Residential Land that is zoned SFR-6. Accordingly, MLDC 10.230(D)(8) is not applicable.

d. Sign Variances

No sign variances are proposed

e. Development Schedule

Stella Estates will be developed in four phases.

Phase I: Lots 1-6 for detached single family dwellings; right-of-way dedication and improvements for Thomas Road to meet standard residential street design. Blanche Lane (residential lane) and Orleans Street (minor residential street) within the Phase I boundary will also be improved and dedicated.

Phase II: Lots 7-10 for detached single family dwellings; construction and dedications of Blanche Lane to serve those lots. The four lots will utilize shared driveway easements as shown on the development plans to limit driveway cuts along the lane, and a temporary hammerhead turnaround will be provided over Lots 9 and 10 until the connection with DuBois Lane is made in the future through the adjoining Tax Lot 100. The future intersection



design as shown on the plans will allow for that neighboring parcel to be partitioned into two standard residential parcels in a way that will avoid the need for a flaglot or double-frontage lots.

Phase III: Lots 11-35; Orleans Street will be extended to the west property boundary to include the creek crossing as a minor residential street with a 33-foot wide paved section as per fire district request. DuBois Lane will provide a north-south connection west of the creek. Lots 11, 12, 26, 27, 30, and 31 will provide for duet homes. Lots 13-25, 28, 32 and 33 will provide for single-family detached dwellings. Lot 29 will provide additional parking within a common area to serve the adjacent cluster of homes. Lots 34 and 35 will be created to accommodate the open space in common areas to the north and south of Orleans Street. The common areas will be maintained by an association of homeowners to preserve the natural stream and wetland areas and additional land for water quality treatment and detention facilities. An access way and utility easement will also be provided over Lot 35 to connect Phases II and III between the east line of the neighboring Tax Lot 100 and the wetland area along Elk Creek.

Phase IV: Lots 36-43 to the east of Elk Creek along with the dedication and improvement of Stella Drive as a minor residential half street.

[revisions dated January 20, 2015]

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**PUBLIC WORKS DEPARTMENT STAFF REPORT
STELLA ESTATES**

Consideration of a Preliminary Planned Unit Development Plan, including proposed modifications to Development Code standards pertaining to specific lots, including lot frontage standards; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots. Location is on the east side of Thomas Road, approximately 800 feet north of Sunset Drive.

NOTE: Items A - D Shall be Completed and Accepted Prior to Approval of the Final Plat

A. STREETS

1. DEDICATIONS

Cunningham Avenue has a designated classification of minor arterial. The Tentative Plat indicates the proposed right-of-way dedication consistent with the standard width of 78 feet Medford Land Development Code (MLDC 10.428), and a centerline alignment and curve radius concentric and equal to with those of the existing dedicated right-of-way adjacent on the north boundary of the proposed development. The Developer shall dedicate the right-of-way for Cunningham as shown on the Tentative Plat.

The developer shall receive S.S.D.C. (Street System Development Charge) credits for the public right-of-way dedication for Cunningham Avenue, per the methodology established by the Medford Municipal Code, Section 3.815.

Should the developer elect to have the value of the S.S.D.C. credits determined by an appraisal, a letter to that effect must be submitted to the City Engineer within 60 calendar days of the date of the Final Order by the Planning Commission for this development. If the City of Medford receives said letter within 60 calendar days of the date of the Final Order, it will then select an appraiser, and a deposit from the Developer shall be required as stated in the Code, Section 3.815. Should any phase expire, and need to go back to Planning Commission, the ability to have an additional appraisal is void.

Thomas Road is designated a Standard Residential Street, and has an existing dedicated public right-of-way width of 50 feet, as represented by the tentative plat submittal. The Tentative Plat indicates the proposed right-of-way dedication of 6.5 feet, resulting in a width of 31.5 feet measured from centerline. The proposed dedication is consistent with the standard total width of 63 feet (MLDC 10.430). The Developer shall dedicate the right-of-way for Thomas Road as shown on the Tentative Plat.

Orleans Street is proposed as a Minor Residential Street with a right-of-way width of 55 feet (MLDC 10.430). The Developer shall dedicate the length and width of proposed Orleans Street as shown on the Tentative Plat to within one foot of the east boundary line of the subdivision, and the remaining one foot shall be granted in fee, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said Orleans Street, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford. (MLDC 10.439)

Stella Drive is proposed as minor residential street, having a right-of-way dedication 27.5 feet wide west of centerline, and 13 feet east of centerline. The Developer shall dedicate the length and width of proposed Stella Drive as shown on the Tentative Plat to within one foot of the east boundary line of the subdivision, and the remaining one foot shall be granted in fee, as a non-access reserve strip to the City of Medford. Upon approved dedication of the remaining right-of-way to the east, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford. (MLDC 10.439)

Dubois Lane is proposed as a 33 foot wide right-of-way, consistent with the standard for a residential lane classification (MLDC 10.430). As such, it shall serve the sole function of providing direct access to the immediately adjacent residentially zoned land, and upon which a maximum of eight (8) dwelling units take access. The segment of Dubois Lane extending north from proposed Orleans Street is shown by the Preliminary PUD Plan to serve the eight SFR Lots 15 thru 22, which is consistent with the codified standard. Likewise, the segment of Dubois Lane extending south from proposed Orleans Street is shown to serve the three SFR Lots 11, 12 and 13, also consistent with the codified standard. The Developer shall dedicate the right-of-way for Dubois Lane as shown on the Preliminary PUD plan to within one foot of the north, south and west boundary lines of the subdivision, and the remaining one foot shall be granted in fee, as a non-access reserve strip to the City of Medford. Upon approved dedication of the remaining right-of-way to the north, and/or extension to the south, the one-foot reserve strips shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford. (MLDC 10.439)

With respect to the classification parameters of Dubois Lane as a residential lane, future connections with Cunningham Avenue to the north are precluded.

Blanche Lane is also proposed as a 33 foot wide right-of-way, consistent with the standard for a residential lane classification (MLDC 10.430). As shown by the Preliminary PUD plan, it shall provide access to SFR Lots 7, 8, 9, and 10, within the codified limits for a residential lane classification. The Developer shall dedicate the right-of-way for Blanche Lane as shown on the Preliminary PUD plan to within one foot of the north boundary line of the subdivision, and the remaining one foot shall be granted in fee, as a non-access reserve strip to the City of Medford. Upon approved dedication of the remaining right-of-way to the north, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford. (MLDC 10.439). The Tentative Plat shall be revised to reflect the “knuckle” at the east terminus as shown on the Preliminary PUD plan.

A **15 foot corner radius** shall be provided at the right-of-way lines of all intersecting streets. (MLDC 10.445)

Public Utility Easements, 10 feet in width, shall be dedicated along and adjacent to the street frontage of all the Lots within this PUD. (MLDC 10.471)

2. IMPROVEMENTS

a. Public Streets

Cunningham Avenue is proposed as a right-of-way dedication only, and no improvements are proposed by the Preliminary PUD Plan or Tentative Plat. No public improvements to Cunningham Avenue shall be required as a condition of this proposed development because of its mid-block nature.

Thomas Road shall be improved by the Developer to the standards for a Standard Residential Street (MLDC 10.430), consistent with a 36-foot wide paved section complete with curbs, gutters, 8-foot wide planter strips, 5-foot wide sidewalks and street lights. In accordance with MLDC 10.442, the Developer shall improve the east half of Thomas Road plus the twelve feet lying west of the existing right-of-way centerline. Said improvements shall include concrete curb and gutter, street lights, sidewalk with planter strip along the east side of Thomas Road along the entire length of the development frontage.

Orleans Street shall be improved by the Developer to Minor Residential Street Standards (MLDC 10.430), with a 28-foot wide curb-to-curb section, 8-foot wide planter strips, 5-foot wide sidewalks and street lights.

Stella Drive shall be improved by the Developer to Minor Residential Street Standards. Because Stella Drive is situated along the east boundary of the proposed subdivision, and in accordance with MLDC 10.442, the Developer shall construct the west half of Stella Drive plus 12 feet lying east of the proposed right-of-way. Said improvements shall include concrete curb and gutter, street lights, and sidewalk with planter strip along the west side of the street and appropriate drainage on the east side. Future development of the land east of Stella Drive would be expected to provide for dedication of the additional 14.5 feet of right-of-way necessary for additional street, concrete curb and gutter, street lights and sidewalk with planter strip.

Dubois Lane and **Blanche Lane** shall be improved by the Developer to Residential Lane standards, having a standard 26-foot wide curb-to-curb section, 5-foot wide sidewalks and street lights. The north termini of Dubois Lane shall terminate with a standard cul-de-sac or other approved turn-around limited to within current public right-of-way and that complies with the requirements of MLDC 10.450. The east terminus of Blanche Lane shall terminate with an approved turn-around within proposed easements as shown on the Preliminary PUD Plan.

b. Lighting and signing

All street lights and signing for public streets shall be installed to City of Medford specifications. The following street lighting and signing installations will be required:

Street Lighting - Developer Provided & Installed

14 – 100W street lights

Traffic Signs and Devices - City Installed

4 – street name signs

2 – stop signs

3 – dead end signs

2 – speed signs

5 – dead end barricades

c. Access and Circulation

The shared driveways proposed for access to Lots 12, 27, 28, 29, 31, 36, 38, 40, and 42 shall be designed and constructed in accordance with requirements of MLDC 10.746.

d. Soil Testing

The Developer’s engineer shall obtain soil testing data to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development.

3. Section 10.668 Analysis

To support a condition of development that an applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

10.668 Limitation of Exactions

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless:

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

(2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

Rough proportionality between the dedications and improvements, and the impacts of development.

No mathematical formula is required to support the rough proportionality analysis. Furthermore, benefits to the development resulting from the dedication and improvements when determining “rough proportionality” have been considered, including but not limited to: increased property values, intensification of use, as well as connections to municipal services and the transportation network.

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

Cunningham Avenue is classified as a minor arterial street per the adopted Transportation System Plan. It is planned to be the primary connector between Orchard Home Drive and all points westward, and shall provide safe travel for all modes of transportation. As a higher order street, it is eligible for street SDC credits for the right-of-way dedication. SDC credits offset costs to the developer and as such provide the mechanism by which the City of Medford is able to fairly compensate the applicant for the excess burden of dedicating right-of-way.

Thomas Road, Orleans Street, Stella Drive, Dubois Lane & Blanche Lane: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications. The proposed development has 41 dwelling units and will improve approximately 1985 lineal feet of roadway which equates to 48 lineal feet per dwelling unit. Also the development will dedicate approximately 67,760 square feet of right-of-way which equates to approximately 1653 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Spring Meadows Subdivision Ph 1-5 located between Griffin Creek Road and Orchard Home Drive and Sunset Drive and South Stage Road and consisting of 66 dwelling units. The previous development improved approximately 3,048 lineal feet of roadway and dedicated approximately 151,756 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 46 lineal feet of road per dwelling unit and approximately 2,299 square feet of right-of-way per dwelling unit.

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 41 Lots within the City of Medford and increase vehicular traffic by approximately 392 average daily trips. The proposed street

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improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in previous developments in the vicinity to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

The proposed development is situated within the Rogue Valley Sewer service area. The Developer shall contact RVS for conditions and requirements relevant to the construction of public sewer facilities to serve this project.

A private sanitary sewer lateral shall be constructed to each tax lot prior to approval of the Final Plat.

C. STORM DRAINAGE

1. Hydrology

The Design Engineer shall provide an investigative report of the off-site drainage on the subdivision perimeter, a distance not less than 100 feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

For the stream channel of Little Elk Creek, a drainage and hydrology study must be prepared by a licensed civil engineer. The study must establish the 10, 25, and 100-year flood plain boundaries and

the 100-year base flood elevations. No fill shall be allowed within the floodplain without a Flood Plain Permit from the Building Department. Water surface elevations for the 10 and 25 year events shall also be provided on the public improvement plans.

2. Stormwater Detention and Water Quality Treatment

As mentioned, this site lies within the Little Elk Creek Drainage Basin. This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual. Since this development is bigger than five acres, Section 10.486 requires that the development set aside a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Upon completion of the project, the developer's design engineer shall provide written certification to the Engineering Division that the construction of the controlled storm water release drainage system was constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to certificate of occupancy of the new building.

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

4. Mains and Laterals

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing a private drain line, including a tee at the low point of each lot to provide a storm drain connection. All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each tax lot prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing lots other than the one being served by the lateral.

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the Final Plat and the public improvement plans.

5. Wetlands

The Developer shall contact the Division of State Lands for the approval and/or clearance of the subject property with regards to wetlands and/or waterways, as they are present on the site. The Developer shall also contact the US Army Corps of Engineers for the approval and/or clearance of the proposed culverts and street crossing of Little Elk Creek.

6. Erosion Control

Subdivisions/P.U.D.'s of one acre and greater require a run-off and erosion control permit from DEQ. The approved permit must be submitted to the Engineering Division prior to construction plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. All disturbed areas shall have vegetation cover prior to final inspection/"walk-through" for this subdivision.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to the final "walk-through" inspection of the public improvements by City staff.

E. MISCELLANEOUS

1. Construction Plans

Construction drawings for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the Planning Commission's Final Order, together with all pertinent details and calculations. The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of the Final Inspection (walk through). Also, the engineer shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

2. Design Requirements

All public improvements including streets, street lights, and storm drainage facilities shall be designed and constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council in December, 2004. Copies of this document are available in the office of the City Engineer.

3. Phasing

The Tentative Plat shows that this subdivision will be developed in four phases. The public improvements corresponding to a particular phase shall be constructed at the time such phase is being developed, and the public improvements that are not included within the geometric boundaries of any phase being developed, but are needed to serve each respective phase, shall be constructed with each phase as needed.

4. Draft of Final Plat

The developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

5. Permits

Building Permit applications shall not be accepted by the Building Department until the Final Plat has been recorded, and a "walk through" inspection has been conducted and approval of all public improvements as required by the Planning Commission has been obtained for this development.

Concrete or block walls built within a P.U.E., or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

6. System Development Charges

Buildings in this development are subject to sewer treatment and street systems development charges. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges, the Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24 inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development charge shall be collected at the time of the approval of the final plat

Developments in which Collector and/or Arterial streets are being dedicated are eligible for Street SDC credits in accordance with MMC 3.815.

7. Pavement Moratoriums

The developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any public street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility

5/2/12
9/2/12

companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

8. Construction and Inspection

Contractors proposing to do work on public streets, sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of improvement drawings, that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit to perform from the County. The City Public Works Maintenance Division requires that public storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

The Developer should contact RVSS for acceptance conditions pertaining to public sanitary sewer improvements.

The developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Updated By Doug Burroughs 2-5-15

Stella Estates PUD 14-116

Summary Conditions of Approval

A. Streets

1. Street Dedications to the Public:

Cunningham Avenue shall be dedicated to a total width of 78-feet as shown on the Tentative Plat

Thomas Road shall have an additional 6.5-feet dedicated along the entire frontage of the property to total to 31.5-feet east of centerline as shown on the Tentative Plat.

Orleans Street shall be dedicated to 55-feet in width as shown on the Tentative Plat. The easterly one-foot (along the east boundary) shall be granted in fee simple to the City.

Stella Drive shall be dedicated to 40.5-feet in width (27.5 feet west of centerline and 13-feet east of centerline) as shown on the Tentative Plat. The east and south one-foot shall be granted in fee simple to the City.

Dubois Lane and Blanche Lane shall be dedicated to 33-feet in width as shown on the Tentative Plat.

15-foot corner radius shall be provided at the right-of-way lines of all intersecting streets.

10-foot public utility easements shall be granted along all street frontages.

2. Improvements:

a. Public Streets

No improvements are required along Cunningham Avenue.

Thomas Road shall be improved to Standard Residential Street standards east of centerline plus 12-feet of paving west of centerline.

Orleans Street shall be improved to Minor Residential Street standards.

Stella Drive shall be improved to Minor Residential Street standards west of centerline plus 12-feet of paving east of centerline.

Dubois Land and Blanche Lane shall be improved to Residential Lane standards.

b. Lighting and Signing

The above street shall include 14 100-watt street lights. Traffic signs and devices shall be paid for by the developer and installed by the City. Soil testing is required for all public roadways and sidewalks.

B. Sanitary Sewer:

The developer shall contact Rogue Valley Sewer Services for this development. A private lateral shall be constructed to each lot prior to Final Plat.

C. Storm Drain:

An investigative drainage report is required.

Little Elk Creek requires a drainage and hydrology study to establish the 10, 25 and 100-year flood plain.

The site requires above ground water quality and detention facilities.

A comprehensive grading plan is required for the project and made part of the public improvement plans.

A storm drain lateral shall be constructed to each tax lot. In the event lots drain to the back, a private system will be required.

The developer shall contact Division of State Lands for approval and/or clearance of the development with regards to wetlands and US Army Corps of Engineering for culverts and street crossing of Little Elk Creek.

Erosion Control Permit from DEQ required for this project prior to public improvement plan approval.

D. Survey Monumentation

All survey monuments shall be in place, field checked and approved by the City Surveyor prior to final walk-through of public improvements.

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.

"C"
12 of 12



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: PUD-14-116 & LDS-14-117

PARCEL ID: 372W35DB TL 801, 2501 & 372W35DC TL 400

PROJECT: Consideration of a Preliminary Planned Unit Development Plan, including proposed modifications to development code standards pertaining to specific lots, including modification of minimum lot area, lot width, lot depth, lot coverage, lot frontage standards of the SFR-6 (Single Family Residential – 6 Dwelling Units Per Gross Acre) Zone District, and for implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on a 8.16 gross acre site within an SFR-6 zone district, located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive; Stella RE Investments, LLC., Applicant (CSA Planning, Ltd., Agent). Desmond McGeough, Planner.

DATE: November 24, 2014

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of an off-site 12-inch water line is required in Sunset Drive from the point of connection to the Medford Water Commission water distribution system located at Tivoli Drive and shall extend to Thomas Road. MWC will reimburse developer for upsizing costs from 8-inch to 12-inch for materials only. Coordinate with MWC engineering department prior to site development to establish reimbursement amount. All costs to be submitted to MWC for review approval prior to plan approval.
4. Phase 1 will require the installation of an 8-inch water line in Thomas Road from Sunset Drive to the north end Lot 1 in Phase 1. Also, Orleans Street will require the installation of a new 8-inch water line that shall be stubbed for extension at the east property line of Phase 1.
5. Phase 2 will require the installation of an 8-inch water line in Blanche Lane with connection to the 8-inch water line in Thomas Road.

Continued to next page

CITY OF MEDFORD
EXHIBIT # "D"
File # PUD-14-116 / LDS-14-117
1 of 3



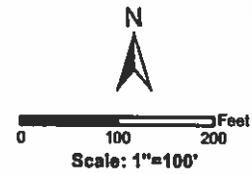
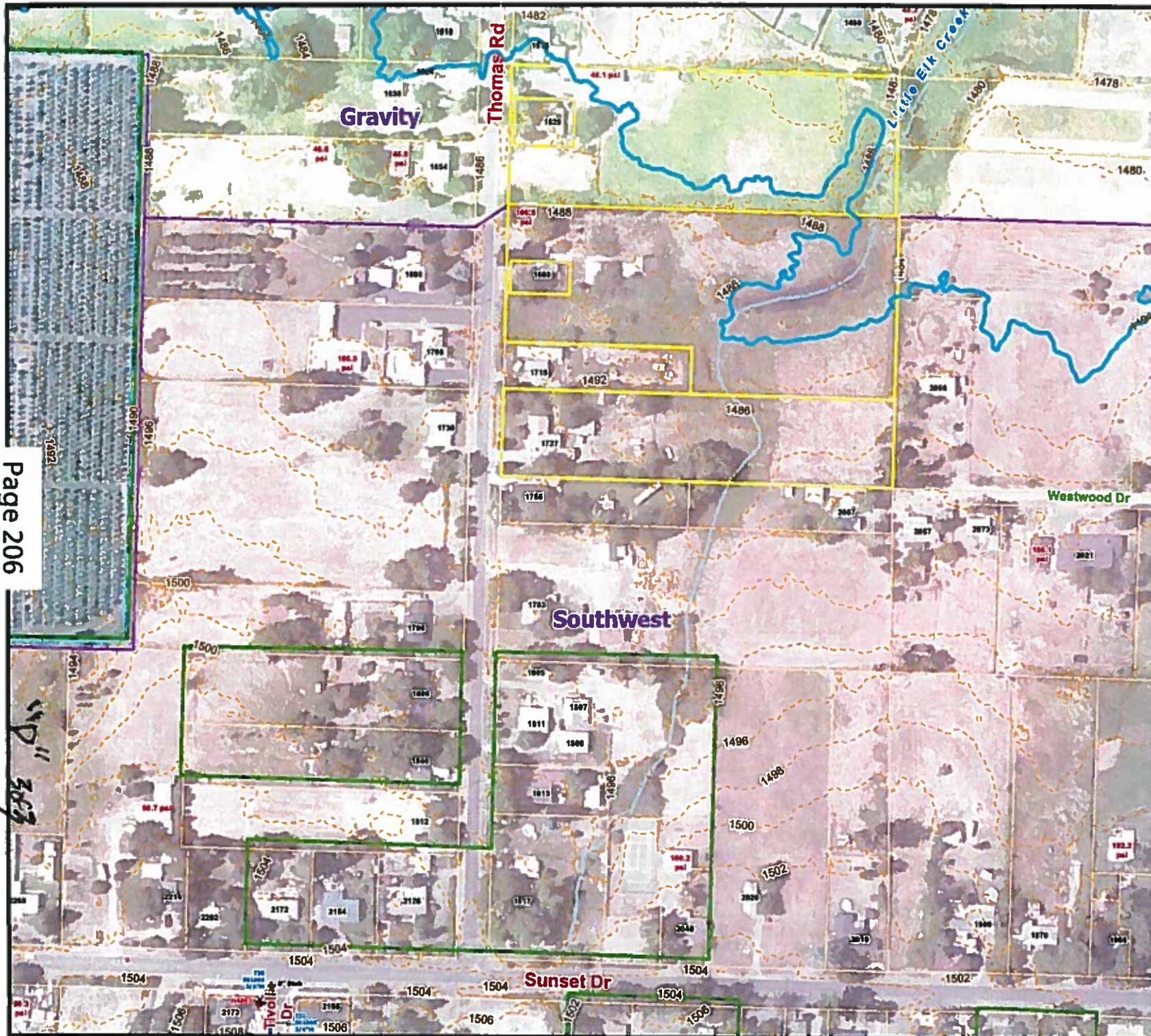
Continued from previous page

6. Phase 3 will require the installation of 8-inch water lines in Orleans Street, Dubois Lane, and an 8-inch stub in Stella Drive for future extension into Phase 4.
7. Phase 4 will require the installation of an 8-inch water line in Stella Drive that is stubbed for future extension at the south property of Phase 4.
8. Applicants' civil engineer shall coordinate with Medford Fire Department for location of proposed fire hydrants.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Conditions 3-7 above)
3. This proposed development is located in MWC's Southwest Pressure Zone and subject to Southwest Side High Level SDC charges.
4. Static water pressure is expected to be between 105 psi and 108 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
5. MWC-metered water service does not exist to this property.
6. Access to MWC water lines is available. A Southwest Pressure Zone 8-inch water line is available for connection at the intersection of Tivoli Drive and Sunset Drive.

"D"
2 of 3



**Water Facility Map
for Proposed
Stella Subdivision
PUD-14-116 &
LDS-14-117**

Legend

- Air Valve
- Sample Station
- Fire Service
- ⊕ Hydrant
- ▲ Reducer
- ⊘ Slow Off
- ⊕ Plug-Caps
- Water Meters:**
- Active Meter
- On Well
- Unknown
- Vacant
- Water Valves:**
- ⊙ Butterfly Valve
- ⊙ Gate Valve
- ⊙ Tapping Valve
- Water Mains:**
- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line
- Boundaries:**
- ▭ Urban Growth Boundary
- ▭ City Limits
- ▭ Tax Lots
- MWC Facilities:**
- C Control Station
- P Pump Station
- R Reservoir



This map is based on a right-of-way provided by Medford Water Commission for a water main extension. Medford Water Commission is not responsible for any errors or omissions in this map. Medford Water Commission is not responsible for any damages or liabilities arising from the use of this map.



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 11/26/2014

From: Greg Kleinberg

Report Prepared: 11/17/2014

Applicant: Stella RE Investments, LLC., Applicant (CSA Planning, Ltd., Agent)

File #: PUD - 14 - 116

Associated File #'s: LDS - 14 - 117

Site Name/Description:

Consideration of a Preliminary Planned Unit Development Plan, including proposed modifications to development code standards pertaining to specific lots, including modification of minimum lot area, lot width, lot depth, lot coverage, lot frontage standards of the SFR-6 (Single Family Residential - 6 Dwelling Units Per Gross Acre) Zone District, and for implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on a 8.16 gross acre site within an SFR-6 zone district, located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive; Stella RE Investments, LLC., Applicant (CSA Planning, Ltd., Agent). Desmond McGeough, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Requirement ADDL. FD ACCESS REQUIRED-1 & 2 FAMILY DWELLINGS

OFC

D107.1

If a secondary access road is not provided, the homes on lots # 11-43 will have to be protected with fire sprinkler systems.

Lots/Units Affected: 11-43

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses (D104.3).

A minimum size 3/4" x 3/4" water meter is normally required to supply the required water flow for a residential fire sprinkler system. Consult the Medford Water Commission for additional information.

CITY OF MEDFORD

EXHIBIT # "E"

File # PUD-14-116 / LDS-14-117

1 of 5



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 11/26/2014

From: Greg Kleinberg

Report Prepared: 11/17/2014

Applicant: Stella RE Investments, LLC., Applicant (CSA Planning, Ltd., Agent)

File #: PUD - 14 - 116

Associated File #'s: LDS - 14 - 117

Site Name/Description:

Requirement MINIMUM ACCESS ADDRESS SIGN

OFC

505

These signs are required for any structure where the address is not visible from the street.

The developer must provide a minimum access address sign. See attached minimum access street address sign installation sheet for the proper installation information. A pre-approved address sign can also be utilized.

Requirement FIRE HYDRANTS

OFC

508.5

Fire hydrants with reflectors will be required for this project.

Hydrant locations shall be as follows: In addition to the proposed fire hydrants, two (2) additional fire hydrants are required: One on Blanche in front of lot #9 and one on Stella in front of lot #43.

The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Plans and specifications for fire hydrant system shall be submitted to Medford Fire Department for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

Requirement FD APPARATUS ACCESS ROAD DESIGN

OFC

503.2.1

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.

(See also OFC 503.4; D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

Requirement MEDFORD CODE STREET DESIGN OPTIONS

MEDFORD

10.430

Section 10.430 of the Medford Code states the following:

"E"
2015



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 11/26/2014

From: Greg Kleinberg

Report Prepared: 11/17/2014

Applicant: Stella RE Investments, LLC., Applicant (CSA Planning, Ltd., Agent)

File #: PUD - 14 - 116

Associated File #'s: LDS - 14 - 117

Site Name/Description:

In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus, the developer shall choose from one of the following design options:

- (a) Clustered, offset (staggered) driveways (see example) (design approved by Fire Department), and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet.
- (b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet.
- (c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips.

In areas where driveways cannot be clustered and offset to provide a minimum 20' unobstructed access, one side of the 28' wide street shall be posted as NO PARKING - FIRE LANE.

The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

Minor residential streets have a 28 foot paved surface. When vehicles are parked on both sides of the street there is 14 feet for fire department access, which is considerably less than the 20 foot requirement. Fire department pumpers are approximately 9 feet wide, this leaves approximately 2.5 feet on each side to remove equipment, drag hose, etc. We normally dispatch 3 fire engines and the ladder truck to all reported structure fires. The 14 feet becomes so congested that fire engines and or ambulances are required to back-up to leave the fire scene. Sometimes the on scene equipment is dispatched to another alarm. This backing up slows response times. The citizens of the City of Medford have certain expectations that when they require our assistance we will arrive in a timely manner. With a 20 foot clear and unobstructed width engines are able to pass on the side when necessary to respond to another incident or clear to return to their assigned area.

When the clustered-offset driveway option is chosen, a note indicating driveway locations shall be included on the final plat.

"E"
305



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 11/26/2014

From: Greg Kleinberg

Report Prepared: 11/17/2014

Applicant: Stella RE Investments, LLC., Applicant (CSA Planning, Ltd., Agent)

File #: PUD - 14 - 116

Associated File #'s: LDS - 14 - 117

Site Name/Description:

Requirement "NO PARKING-FIRE LANE" SIGNS REQUIRED OFC 503.3

Blanch Lane, Dubois Lane, and Stella Drive are residential lanes which require a 26' width with parking prohibited on one side. One side shall be posted as shown below (Medford Code 10.430).

Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).

Where parking is prohibited for fire department vehicle access purposes, NO PARKING-FIRE LANE signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING FIRE LANE TOW AWAY ZONE ORS 98.810 to 98.812" (See handout).

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).

This restriction shall be recorded on the property deed as a requirement for future construction.

Requirement FIRE DEPARTMENT TURN-AROUND OFC 503.2.5

All the fire department turn-around areas shall be posted as NO PARKING - FIRE LANE.

Dead-end Fire Apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

Requirement FD ACCESS TO BUILDINGS AND FACILITIES OFC 503.1.1

Lots/Units Affected: #28 and 31

Because the structures on these lots exceed the 150' requirement, they will have to be protected with NFPA 13D fire sprinkler systems.

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 (See Appendix D).

"E"
4 of 5



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 11/26/2014

From: Greg Kleinberg

Report Prepared: 11/17/2014

Applicant: Stella RE Investments, LLC., Applicant (CSA Planning, Ltd., Agent)

File #: PUD - 14 - 116

Associated File #'s: LDS - 14 - 117

Site Name/Description:

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to modify Sections 503.1 and 503.2 where any of the following applies:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies (OFC 503.1.1).

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

"E"
5 of 5

MEDFORD PARKS & RECREATION

HEALTHY LIVES. HAPPY PEOPLE. STRONG COMMUNITY.

TO: Planning Department
FROM: Pete Young, Parks & Recreation Planner
SUBJECT: LANDSCAPE / IRRIGATION REVIEW OF FILE PUD-14_116/LDS-14-117
DATE: December 1, 2014

I have reviewed the applicant's landscape and irrigation plan and recommend it be accepted as submitted.

This report addresses horticultural concerns only. Applicant shall comply with all aspects of Medford Code 10.780 Interpretation of the Medford Code will be per the Planning Department. Aesthetic considerations will be per the Site Plan and Architectural Review Commission or Planning Commission upon their review.

CITY OF MEDFORD
EXHIBIT # "F"
File # PUD-14-116 | LDP-14-117
1 of 1



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE
701 N. COLUMBUS AVE. | MEDFORD, OR 97501 | 541.774.2400
WWW.PLAYMEDFORD.COM | PARKS@CITYOFMEDFORD.COM



COMMUNITY ENRICHMENT EXCELLENCE EXCEPTIONAL CUSTOMER SERVICE INNOVATION



Memo

To: Desmond McGeough, Planning Department
From: Mary Montague, Building Department
CC: Stella RE Investments, LLC
Date: November 25, 2014
Re: File No. PUD-14-116/LDS-07-050

Building Department Requirements:

Please note: This is not a plan review. These are general notes based on the general information provided. Plans need to be submitted and will be reviewed by a residential plans examiner to determine if there are any other requirements for this occupancy type.

Please contact the front counter for fees.

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. Per the building code: The "Duplex" Dwellings you refer to will be submitted as attached single family dwellings since there is a property line dividing them. Two one-hour fire-resistance rated walls are required at the property line. Chapter 3 of the 2014 ORSC will apply. Also, maintenance and utility agreements are required at building final for anything that crosses the path of the property lines per Chapter 3.
4. A site excavation/grading permit is required to develop this lot.

CITY OF MEDFORD
EXHIBIT # "G"
File # PUD-14-116 / LDS-14-117
1 of 2



BUILDING SAFETY DEPARTMENT
ROOM 277

CITY OF MEDFORD
LAUSMANN ANNEX
200 SOUTH IVY STREET
MEDFORD, OREGON 97501

TELEPHONE (541) 774-2350
FAX (541) 774-2575
E-MAIL:
bldmed@ci.medford.or.us

Policy on Installation of Pressure Reducing Valves

August 5, 2014

Section 608 of the 2011 Edition of the Oregon Plumbing Specialty Code requires a pressure regulator (commonly called a Pressure Reducing Valve or PRV) where the static pressure in the water supply piping exceeds 80 psi. Although this section gives limited guidance as to installation, it does require the device to be

"...accessibly located above ground or in a vault equipped with adequate means to provide drainage and shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping."

"Accessible" and "readily accessible" are defined in chapter 2.

To assure uniform and appropriate installation of these devices within Medford, the following standards have been agreed to by the City of Medford Building Safety Department and the Medford Water Commission:

1. The need for these devices will be based on pressure information provided by the Medford Water Commission, and can be verified on-site with a pressure gage. While factory settings of these devices may be adjusted, MWC recommends that the regulated pressure be set no higher than 65 psi.
2. PRVs shall NOT be installed when static pressure is less than 50 psi, except for limited specific equipment-based needs.
3. The PRV shall be installed outside the street right of way as close as practical to the water meter.
4. No expansion tank is necessary.
5. No fixture, device or system is permitted between the meter and the PRV.
6. The PRV must NOT be direct buried nor installed in a crawl space.
7. PRVs shall be installed within a readily accessible valve box / vault following the same standard as used for double check backflow assemblies, as follows:

"On new installations, at least 12-inches clearance will be required as per section 603.3.4. When replacing an existing assembly, the 12-inch clearance requirement can be waived as long as there is at least 3-inches clearance between the bottom of the assembly and the ground, and the device is tested and serviced from the top."

Sam Barnum

Building Safety Director

"G"
282

Desmond,

Thank you for sending agency notice of a Preliminary Planned Unit Development Plan, including proposed modifications to development code standards pertaining to specific lots , including modification of minimum lot area, lot width, lot depth, lot coverage, lot frontage standards of the SFR-6 (Single Family Residential – 6 Dwelling Units Per Gross Acre) Zone District, and for implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on a 8.16 gross acre site within an SFR-6 zone district, located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

Don Morehouse
Senior Transportation Planner
ODOT Region 3, District 8 (Rogue Valley Tech Center)
Ph: (541) 774-6399
Fax: (541) 774-6349
Donald.Morehouse@odot.state.or.us

RECEIVED
DEC 15 2014
PLANNING

CITY OF MEDFORD
EXHIBIT # 14
File # BE PDD-14-116 | LDS-14-115
10F1



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

November 21, 2014

City of Medford Planning Department
200 South Ivy Street, Room 240
Medford, Oregon 97501

**Re: PUD-14-116/LDS-14-117 Thomas Estates PUD (372w35DB – 800, 2501;
372w35DC - 400)**

ATTN: Desmond,

There is a 15 inch sewer main on Thomas Road and an 8 inch sewer main on Westwood Drive. There are existing service laterals to each of the subject properties. Sewer service to the proposed development will require main line extensions from one or both of these existing mains. Lots which front directly on Thomas Road will be served by new connections to that main line.

Rogue Valley Sewer Services requests that approval of this development be subject to the following condition:

1. The existing sewer service laterals must be located and sealed within 5 feet of the property line when the existing buildings are removed. These services may later be extended to serve new development.
2. The sewer main extension must be designed and constructed in accordance with RVS standards.
3. The sewer main extension must be accepted as a public sewer main prior to the issuance of building permits.

Feel free to call me if you have any questions regarding this project

Sincerely,

Wade Denny,
PE

Digitally signed by Wade Denny, PE
DN: cn=Wade Denny, PE, o=Rogue Valley
Sewer Services, ou=District Engineer,
email=wdenny@rvss.us, c=US
Date: 2014.11.21 10:01:58 -0800

Wade Denny P.E.
District Engineer

CITY OF MEDFORD
EXHIBIT # VI
File # PUD-14-116/LDS-14-117
1 of 1

K:\DATA\AGENCIES\MEDFORD\PLANNG\LAND SUB\2014\LDS-14-117_STELLA
ESTATES.DOC



JACKSON COUNTY

Roads

Roads
Engineering

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
christke@jacksoncounty.org

www.jacksoncounty.org

November 17, 2014

Attention: Desmond McGeough
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RE: Subdivision off Thomas Road – a county-maintained local road.
Planning File: PUD-14-116/LDS-14-117.

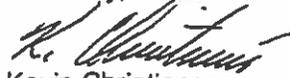
Dear Desmond:

Thank you for the opportunity to comment on the consideration of a Preliminary Planned Unit Development Plan, including proposed modifications to development code standards pertaining to specific lots, including modification of minimum lot area, lot width, lot depth, lot coverage, lot frontage standards of the SFR-6 (Single Family Residential – 6 Dwelling Units Per Gross Acre) Zone District, and for implementation of private streets to be utilized as shared driveway easements; and consideration of a tentative subdivision plat to create 41 residential lots and two common area lots on a 8.16 gross acre site within an SFR-6 zone district, located on the east side of Thomas Road, approximately 800 feet north of Sunset Drive. Jackson County Roads has the following comments:

1. Any new or improved road approaches off Thomas Road shall be permitted and inspected by the City of Medford. We recommend shared or limited direct driveway access to Thomas Road.
2. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
3. If frontage improvements are required, they shall be permitted and inspected by the City of Medford.
4. Jackson County Roads concur with any right-of-way dedication required by the City of Medford.
5. Please note the City of Medford maintains the storm water system along Thomas Road.

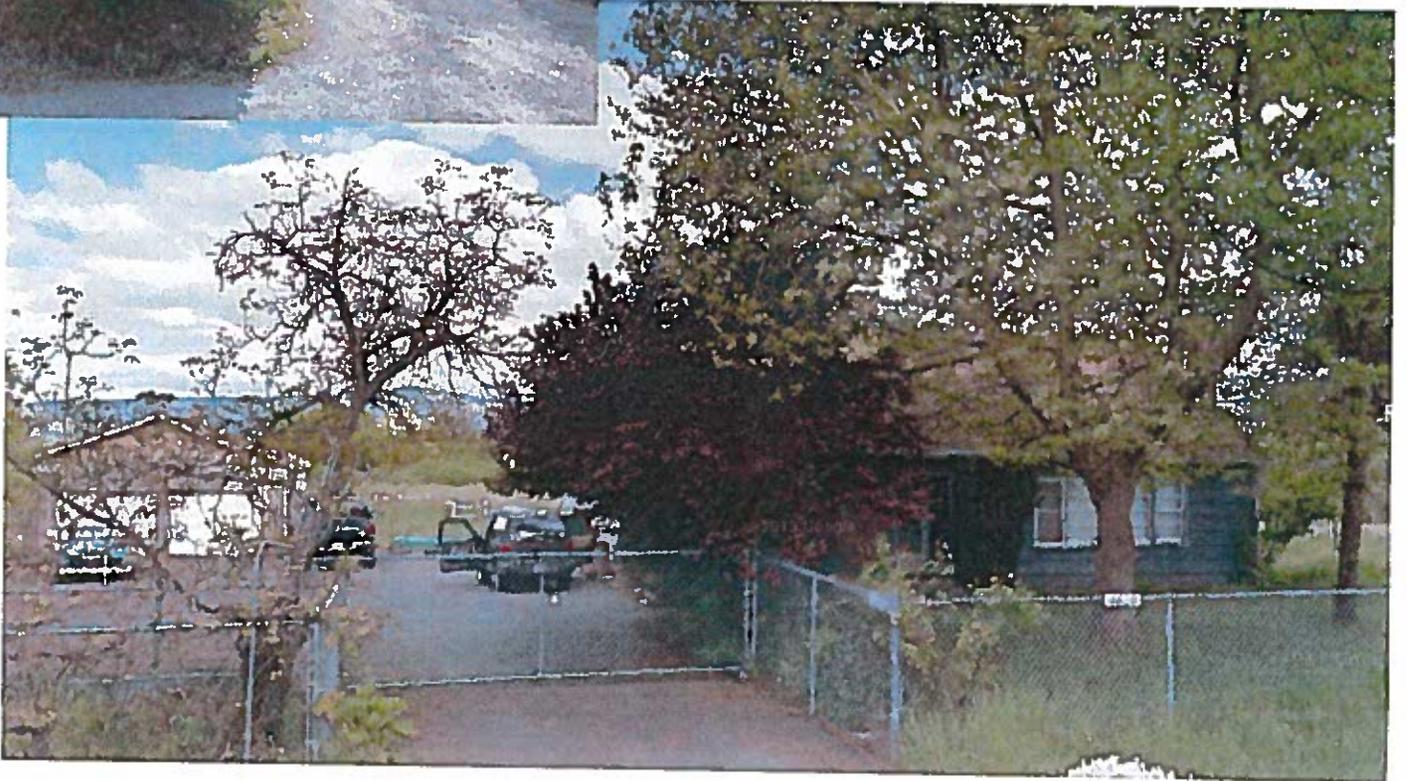
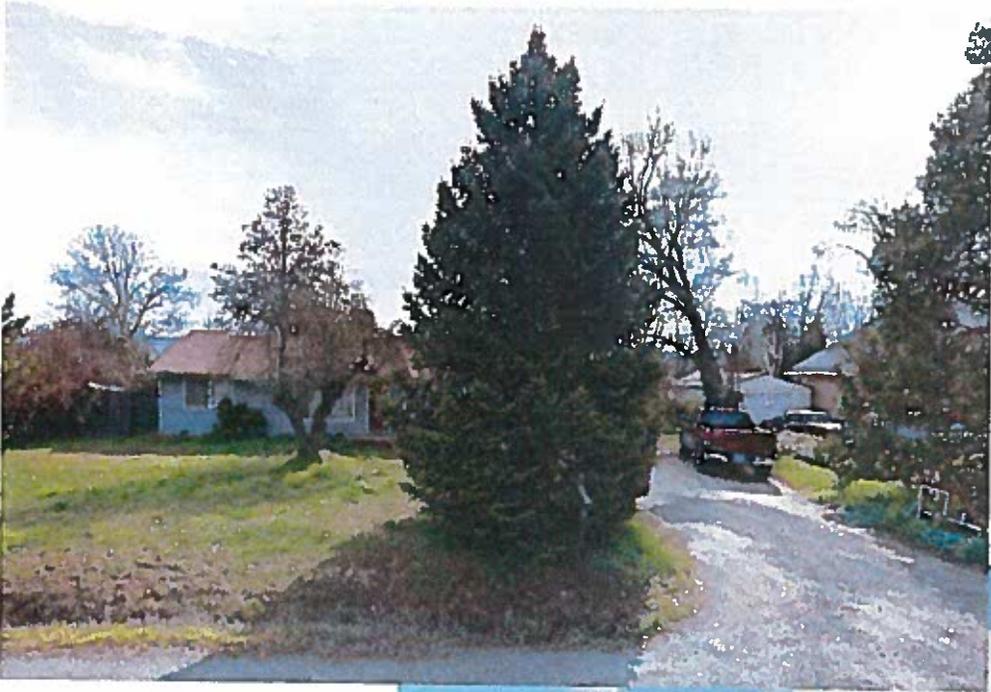
If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,


Kevin Christiansen
Construction Manager

CITY OF MEDFORD
EXHIBIT # "3"
File # PUD-14-116 / LDS-14-117
1 of 1

Site Photos
(Exhibit K)



CITY OF MEDFORD

EXHIBIT # "K"

File #

800-14-1116 / 005-14-117
1 of 1

Vicinity Map

Application Name/Description:
Stella Estates PUD

Proposal:
Residential Planned Unit Development

File Numbers:
PUD-14-116
LDS-14-117

Applicant:
Stella RE Investments

Map/Taxlot:
372W35DB TL 801, 2501
372W35DC TL 400

	Subject Area
	Medford Zoning
	UGB
	Tax Lots
	City Limits
	PUD

Area of Map