

# PLANNING COMMISSION AGENDA APRIL 23, 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



Public Hearing

April 23, 2015

5:30 PM

Council Chambers— City Hall, Room 300  
411 West Eighth Street, Medford, Oregon

10. Roll Call

20. Consent Calendar/Written Communications (voice vote)

**20.1. CUP-14-127 / E-15-026**

Final Orders for a request for a Conditional Use Permit to allow for the construction of the replacement of Fire Station #3 and an Exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district. City of Medford (Greg McKown), Applicant; ORW Architecture (David Wilkerson), Agent.

**20.2. LDS-15-015 / E-15-016 / ZC-15-017**

Final Orders for a request for a consolidated application consisting of a Zone Change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, a tentative plat for a 57 lot residential subdivision and an associated Exception request seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford. HH Medford One, LLC, Applicant; CSA Planning, Ltd. (Jay Harland), Agent.

**20.3 PUD-14-136 / LDS-14-137 / LDS-14-138**

Final Orders for a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approvals of the tentative plats for Sky Lakes Subdivision Phase 1, a 60 lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

Cedar Investment Group LLC, Applicant; Hoffbuhr & Associates (Dennis Hoffbuhr), Agent.

20.4 **NO FILE NUMBER**

Planning Department request for Commission to authorize an ad hoc committee to develop design standards for the core area of the downtown. This is part of the reform of the Central Business District zoning overlay and implementation of the "Downtown 2050 Plan."

30. Minutes

30.1. Approval of Minutes from the April 9, 2015, meeting.

40. Oral and Written Requests and Communications

50. Public Hearings—New Business

**50.1. CP-15-022**

General Land-Use Plan (GLUP) Map amendment from Urban Residential (UR) to Service Commercial (SC) on 0.33 acres composed of three tax lots located at the intersections of East Jackson Street and Mae Street and East Jackson Street and Marie Street (map/taxlot no. 37-1W-19DD/8400, 8500, 8600). Ryan Kantor, James & Eva Kell, and Michael Malepsy, Applicant.

60. Reports

60.1. Site Plan and Architectural Commission

60.2. Report of the Joint Transportation Subcommittee

60.3. Planning Department

70. Messages and Papers from the Chair

80. Remarks from the City Attorney

90. Propositions and Remarks from the Commission

100. Adjournment

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

IN THE MATTER OF PLANNING COMMISSION FILE CUP-14-127 )  
APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY ) **ORDER**  
CITY OF MEDFORD (GREG MCKOWN) )

ORDER granting approval of a request for a Conditional Use Permit to allow for the construction of the replacement of Fire Station #3 and an Exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, as provided for in the City of Medford's Land Development Code.

**WHEREAS:**

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.246 and 10.247; and,
2. The Medford Planning Commission has duly held a public hearing on the matter of an application for a conditional use permit to allow for the construction of the replacement of Fire Station #3 and an Exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, with a public hearing a matter of record of the Planning Commission on April 9, 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 a conditional use permit to allow for the construction of the replacement of Fire Station #3 and an Exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, and directed staff to prepare a final order with all conditions and findings set forth for the granting of a conditional use permit.

THEREFORE LET IT BE HEREBY ORDERED that the application of City of Medford (Greg McKown) stands approved in accordance per the Planning Commission Report dated April 9, 2015.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request to allow for the construction of the replacement of Fire Station #3 and an Exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, is hereafter supported by the findings referenced in the Planning Commission Report dated April 9, 2015.

Accepted and approved this 23rd day of April 2015.

**CITY OF MEDFORD PLANNING COMMISSION**

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Planning Commission Chair

**ATTEST:**

\_\_\_\_\_  
Planning Department Representative

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

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR )  
 ) **ORDER**  
CITY OF MEDFORD (GREG MCKOWN) [E-15-026] )

ORDER granting approval of a request for an exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, and a request for a Conditional Use Permit to allow for the construction of the replacement of Fire Station #3, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district.

**WHEREAS:**

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.251 and 10.252; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of an exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, and a request for a Conditional Use Permit to allow for the construction of the replacement of Fire Station #3, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, with the public hearing a matter of record of the Planning Commission on April 9, 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 the City of Medford (Greg McKown), stands approved per the Planning Commission Report dated April 9, 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 Planning Commission Report dated April 9, 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 23rd day of April, 2015.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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Planning Department Representative



# **CITY OF MEDFORD**

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# **PLANNING DEPARTMENT**

## **PLANNING COMMISSION REPORT**

**Date:** April 9, 2015

**Subject:** Fire Station #3 (CUP-14-127 / E-15-026)  
City of Medford (Greg McKown), Applicant  
ORW Architecture (David Wilkerson), Agent

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### **BACKGROUND**

#### Proposal

Consideration of a request for a Conditional Use Permit to allow for the construction of the replacement of Fire Station #3 and an Exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive, approximately 200 feet south of the intersection of Highland Drive and Siskiyou Boulevard, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district.

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

Subject Site Zoning: SFR-6  
GLUP Designation: PS (Parks & Schools)  
Existing Uses: Fire Station

#### Surrounding Property Zoning and Uses

North	Zone: SFR-6 / C-N (Neighborhood Commercial) Use: Single Family Homes / Shopping Center
West	Zone: SFR-6 Use: City Park
South	Zone: SFR-6 / MFR-30 (Multi-Family Residential – 30 dwelling units per gross acre) Use: City Park
East	Zone: SFR-4 (Single Family Residential – 4 dwelling units per gross acre) Use: Cemetery

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

Related Projects

CUP-74-153 Conditional Use Permit for expansions to Fire Stations #3 & #4

Applicable Criteria

*Medford Land Development Code Section 10.248  
Conditional Use Permit Approval Criteria*

*The approving authority (Planning Commission) must determine that the development proposal complies with either of the following criteria before approval can be granted.*

- (1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.*
- (2) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.*

*In authorizing a conditional use permit the approving authority (Planning Commission) may impose any of the following conditions:*

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*
- (2) Establish a special yard or other open space or lot area or dimension requirement.*
- (3) Limit the height, size, or location of a building or other structure.*
- (4) Designate the size, number, location, or nature of vehicle access points.*
- (5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.*
- (6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.*
- (7) Limit or otherwise designate the number, size, location, height, or lighting of signs.*
- (8) Limit the location and intensity of outdoor lighting, or require its shielding.*
- (9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.*
- (10) Designate the size, height, location, or materials for a fence.*
- (11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.*

*Medford Land Development Code Section 10.253  
Exception Approval Criteria*

*No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority (Planning Commission/Site Plan and Architectural Commission) having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:*

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.*
- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.*
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.*
- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.*

## **ISSUES/ANALYSIS**

### Background

Medford Fire Station #3 is located near the intersection of Highland Drive and Siskiyou Boulevard, near the City's first public roundabout. It is situated on over 23 acres, most of which is dedicated to Bear Creek Park. Throughout the years, the existing station has been expanded (in 1976 and 1989), to its current size of 4,365 square feet.

In 2014, the Medford City Council voted to rebuild three of Medford's oldest fire stations in need of modernization. In regards to Fire Station #3, the proposal is to rebuild a new 11,620 square foot building, just south of the existing station. The existing fire station building is planned for reuse by the Parks Department for Bear Creek Park storage.

As the subject property is zoned residential, a Conditional Use Permit is required for institutional uses, such as fire stations, in all residential zones per Medford Land Development Code Section 10.314(6).

### Project Summary

The project area is approximately 1.5 acres and is located approximately 200 feet south of the intersection of Highland Drive and Siskiyou Boulevard. Much of the project boundary is surrounded by Bear Creek Park. Directly across Highland Drive to the east is Siskiyou Memorial Cemetery.

The proposed station includes a total of 11,620 square feet and is a one-story building. The site plan shows public and private parking areas, a generator and trash enclosure, a secured patio, and landscaping (Exhibit B). A three-vehicle apparatus bay comprises a large portion of the south side of the building that leads out to a large driveway for the trucks to exit out of onto Highland Drive.

### Consolidated Review

Medford Land Development Code Section 10.247(a) states that Conditional Use Permits shall be exempt from Site Plan & Architectural Commission review. However, often the Planning Commission has delegated authority to the Site Plan & Architectural Commission, per Medford Land Development Code Section 10.247(a)(1), for the review of the architecture and landscaping.

Fire Station #2 is located on commercially zoned property and not subject to a Conditional Use Permit, but does require Site Plan & Architectural Commission approval. The Site Plan & Architectural Commission will evaluate the architecture of Fire Station #2, which is identical to Fire Station #3, on April 6, 2015.

Staff can provide the Planning Commission with the results of that meeting at the public hearing on April 9, 2015. Since the architecture is the same, staff recommends that the Planning Commission approve the Conditional Use Permit without delegation to the Site Plan & Architectural Commission for Fire Station #3.

**Decision:** The Commission approved the Conditional Use Permit without delegation to the Site Plan & Architectural Commission.

### Fire Station Operation

The Deputy Fire Chief supplied information related to the operation of fire stations (Exhibit L). Staffing for each station is three to seven firefighters on duty 24 hours a day, 365 days a year. Fire personnel respond to emergency calls related to fire, medical, natural disasters, and motor vehicle collisions. Approximately 10,000 calls for service are handled between five fire stations. Response is handled at any time during a 24-hour period. Generally, one full size fire engine responds per emergency. Each station contains one or two fire engines as backup within the apparatus bay.

Fire stations are places for firefighters to live and work. The new Fire Station #3 has been designed to accommodate bunk rooms for personnel to sleep in, full bathrooms with showers, a laundry area, kitchen and dining space, an outdoor patio, a physical training room, a multi-purpose room, offices, storage, and an apparatus bay. According to the Applicant's Findings, no outdoor recreational facilities are planned for Fire Station #3 other than possibly a basketball hoop in the rear paved area for daytime use (Exhibit J).

### Access

Access to the new station will be from Highland Drive. Two access points are proposed due to the nature of a fire station's operation. A 30-foot wide driveway is shown on the north side of the property for vehicles during non-emergency events. An additional 81-foot wide driveway is planned to the south for the fire trucks to exit from a three-bay garage.

### Exception

In conjunction with the CUP, the applicant submitted an Exception application for relief of driveway width requirements in Medford Land Development Code Section 10.550-1. According to the Applicant's Findings, the south driveway is designed to accommodate the rapid deployment of large fire apparatus during emergencies. It is further analyzed under the Findings of Fact section later in the report.

**Decision:** The Commission approved the Exception as requested for an 81-foot driveway (southern driveway). A condition was added to include truncated domes at each end of the southern driveway at curb returns to alert pedestrians they are entering a path in which vehicles travel.

### Circulation

The majority of vehicles will enter the site from the northern driveway off of Highland Drive. It's from this driveway that visitors will enter and park. Heading west to the back of the site, a 20-foot steel gate will secure employee parking spaces behind the building. During non-emergency times, the large trucks will access the site from this northernmost driveway and enter into the large apparatus bay. Generally, the fire trucks will be the only ones using the southern driveway as they exit the site.

### Vehicular Parking

In regards to parking, there is no standard specified for fire stations. The closest category listed in Medford Land Development Code Section 10.743-1 is public services. Based upon this use, 1.0 space per 1.1 employees on the largest work shift plus 1 space per company vehicle stored on the premises is required. A total of three to seven firefighters are typically on duty at one time and seven spaces are provided at the back of the building. The apparatus bay serves as parking for the station's trucks. The additional parking shown for visitors (11 spaces) is based upon the need the station has experienced over the years. Staff recommends approval of the parking as proposed.

### Bike Parking

The Medford Land Development Code requires institutional uses to provide bicycle parking in a ratio that is 10% of the vehicular parking provided. The applicant submitted a Demonstration of Compliance with Development Standards that listed the use as residential/congregate housing, which is exempt from bicycle parking (Exhibit K). However, the use is actually institutional, and a total of two bicycle parking spaces will be required in accordance with Medford Land Development Code Section 10.748-10.750. A condition is included requiring the bicycle parking to be shown on a revised site plan as well as the submittal of a bike rack design consistent with an inverted "U" or staple design prior to issuance of the building permit for vertical construction.

### Building Elevations

The building elevations show a modern style building with a flat roof (Exhibit G). The exterior materials include red brick with a band of concrete masonry (CMU) towards the top that wraps around the entire structure. The front and most prominent elevation provides interest with a floor to ceiling glass window panel, large red colored bay doors with windows, and a large station number. There are varied roof heights with a black metal coping that help to break up the mass of the building.

### Lighting

A lighting plan & detail specifications were submitted to demonstrate compliance with Medford Land Development Code Section 10.764 in regards to glare (Exhibits E & S). A total of eight pole lights are proposed, six within the parking areas and two in the front of the facility. The lights are shown as shielded and downward-facing.

### Landscaping

The landscape plan shows the site enhanced with trees and shrubs around the perimeter of the site (Exhibit D). The majority of the landscaping is shown along the western boundary within a 40-foot detention area. All required landscaping has been met. The Parks Department recommends replacement of one tree (*Cotinus Coggygria*) with one from the street tree list (Exhibit P). A revised landscape plan will be required to be submitted prior to issuance of the building permit for vertical construction.

**Decision:** The Commission added a condition to eliminate one tree on each side of the southerly driveway as well as remove shrubs from the property line 10-feet back to the west along the southerly driveway to help with pedestrian visibility.

### Concealments

A trash enclosure is proposed at the northwest portion of the site. A detail was provided of the enclosure to ensure compliance with the requirements listed in Medford Land Development Code Section 10.781.

Heating and air equipment (HVAC) is proposed as roof mounted behind a visual screen.

## FINDINGS OF FACT

### Conditional Use Permit

Uses classified as a conditional use shall be evaluated in order to assure its appropriateness for a site as well as determine compatibility with adjacent land uses. As explained in the Applicant's Findings on page 11, qualities that constitute livability and determine whether a proposed use will cause more than a minimal adverse impact relate to noise, safety, transportation, visual impact, lighting and off-street parking. The Applicant's Findings address those impacts thoroughly. Some of the points in the Applicant's Findings as well as staff's analysis are described below.

(2) *The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.*

1. Noise will be produced by vehicles entering and leaving the site, voices, sound from electronic devices such as televisions and radios when windows are open, and periodic noise produced when fire apparatus leave in response to emergencies. However, when emergency calls are received and fire apparatus are deployed from the location, no sirens are used until the apparatus are two or more blocks from the responding fire stations, and then only as needed. During nighttime hours when traffic is comparatively light, sirens are only used when approaching intersections and then only as needed to alert motorists. In regards to noise produced by voices and electronic devices, this is not expected to exceed what is produced by a typical single family dwelling. Lastly, no outdoor training is proposed at the site.
2. In regards to safety, the occupants of the proposed fire station include fire fighters and paramedics with a high degree of training in emergency preparedness. They also provide public outreach to the community related to safety and also serve as a significant benefit to those who live or work in the neighborhood who might seek out assistance.
3. Although there is no trip generation number attributed to fire stations, Fire Station #3 will have from three to seven employees at one time at the station. Once employees are at the station, they are there at the site for a 24-hour shift unless called out on an emergency. The general public does not frequent the station very often so the vehicles coming and going from the site are generally from the employees during shift changes.
4. The visual impact from the proposed building will be minimized by the aesthetically pleasing design. The mass of the structure is broken up by varied roof heights from 16 feet to 21 feet in height. In addition, there are no nearby homes adjacent to the site. Much of the land to the north, south and west is occupied by the city park while a cemetery is situated to the east.

5. All proposed lighting is designed to be shielded and downward-facing in order to prevent glare from adjacent properties.
6. Sufficient off-street parking is shown on the site plan. Spaces for employees (seven at the maximum shift) are provided as well as potential visitors to the site.
7. Unlike a new use, the station currently operates on the same site. Adjacent property owners will not be adversely affected as changes are not being made to the current operation of the fire station.

In summary, the Planning Commission can find that the proposal meets the Conditional Use Permit Criteria listed in Medford Land Development Code Section 10.248(2) in that the proposal is in the public interest and the project has been designed to minimize impacts.

**Decision:** The Commission approved the Conditional Use Permit with Criterion #2.

Exception

Medford Land Development Code Section 10.550-1 allows for a 36-foot wide driveway for institutional uses off of collector streets. An Exception application was submitted requesting a wider driveway than what is allowed by Code. The applicant submitted Findings of Fact addressing Exception criteria listed in Medford Land Development Code Section 10.253. Staff recommends the Planning Commission adopt the Applicant's Findings with the following analysis below.

- (1) *The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.*

The applicant requests an 81-foot driveway off of Highland Drive. This proposed Exception has no impact on adjacent sites as it affects those exiting the site. The wider driveway will only serve as a point of egress for the large apparatus exiting, often during emergencies. As described in the Applicant's Findings, the wider driveway was specifically designed to accommodate the rapid deployment of large fire apparatus during emergencies.

The Public Works Report supports the Exception of a wider driveway but with the limit of 48-56 feet wide. In response, the applicant submitted Fire Engine Maneuvering Diagrams to help support the need for the 81-foot driveway (Exhibit F). It is expected the Public Works Department will review the new information and provide a recommendation at the public hearing. City staff supports the need for the Exception

and recommends the width be allowed as recommended by the Public Works Department after review of the additional information submitted.

**Criterion 1 is met.**

- (2) *The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.*

No new use is being established by the Exception. It pertains only to the allowance of a wider driveway.

**Criterion 2 is met.**

- (3) *There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.*

Fire Stations require unique accommodations to support large fire apparatus to exit a site during an emergency. Only other emergency responding facilities with large apparatus have this requirement, which is limited in the city of Medford. The Applicant's Findings point out the owner of the property is the City of Medford, which operates on behalf of its citizens. If the standard was strictly applied, the efficiency of emergency apparatus deployment would be reduced and therefore producing an undue hardship on citizens by reducing emergency response times.

**Criterion 3 is met.**

- (4) *The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.*

The need for the Exception is not the result of an illegal act. As stated in the Applicant's Findings, the applicant is aware of the standards from which the Exception relief is sought and any fire station would require similar relief.

**Criterion 4 is met.**

In summary, the Planning Commission can find that the proposal meets the Exception Criteria listed in Medford Land Development Code Section 10.253.

### **ACTION TAKEN**

Directed staff to prepare a Final Order for approval of CUP-14-127 and E-15-026 per the Planning Commission Report dated April 9, 2015, including Exhibits A-1 through Y.

### **EXHIBITS**

- A-1 Revised Conditions of Approval dated April 9, 2015
- B Site Plan received February 5, 2015
- C Utility & Grading Plan received February 5, 2015
- D Landscape Plan received February 5, 2015
- E Lighting Plan received November 25, 2014
- F Fire Engine Maneuvering Diagrams received March 31, 2015
- G Building Elevations received February 5, 2015
- H Generator / Trash Enclosure Details received November 25, 2014
- I Project Narrative received November 25, 2014
- J Applicant's Findings of Fact received February 5, 2015
- K Demonstration of Compliance with Standards received February 5, 2015
- L Fire Station Description of Operation received November 25, 2014
- M Public Works Department Report received March 11, 2015
- N Medford Fire Department Report received March 11, 2015
- O Building Department memo received March 11, 2015
- P Parks Department memo received March 31, 2015
- Q Medford Water Commission memo received March 11, 2015
- R Oregon Department of Transportation email received March 17, 2015
- S Lighting Specifications received November 25, 2014
- T Aerial Photograph with zoning received November 25, 2014
- U General Land Use Plan map received November 25, 2014
- V Aerial Photograph with surrounding uses received November 25, 2014
- W Site Photographs received November 25, 2014
- X Jackson County Assessor's map received November 25, 2014
- Y Aerial Photo of Park Amenities to Remain received April 9, 2015  
Vicinity Map

### **MEDFORD PLANNING COMMISSION**

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David McFadden, Chair

**PLANNING COMMISSION AGENDA:      APRIL 9, 2015**  
**APRIL 23, 2015**

**EXHIBIT A-1**  
**Revised Conditions of Approval**

CUP-14-127 / E-15-026  
Fire Station #3 CUP  
April 9, 2015

**DISCRETIONARY CONDITIONS**

1. Prior to issuance of the first building permit for vertical construction, the applicant shall submit a bike rack detail of an inverted U or staple style rack.
2. Prior to issuance of the first building permit for vertical construction, the applicant shall submit a revised landscape plan in compliance with the Parks Department memo received March 31, 2015 (Exhibit P). The revised landscape plan must also show the deletion of one tree on either side of the southern driveway as well as the removal of shrubs from the property line 10-feet back to the west along the southern driveway.
3. Truncated domes are required to be installed at each end of the southern driveway at curb returns to alert pedestrians they are entering a path in which vehicles travel.

**CODE-REQUIRED CONDITIONS**

4. Prior to issuance of the first building permit the applicant shall:
  - a. Comply with the report from the Public Works Department received March 11, 2015 (Exhibit M);
  - b. Comply with the Medford Fire Department Report received March 11, 2015 (Exhibit N);
  - c. Comply with the Medford Water Commission memo received March 11, 2015 (Exhibit Q);
  - d. Submit a revised site plan showing the location of 2 bicycle parking spaces consistent with Medford Land Development Code Section 10.748-10.750.



**RECEIVED**  
APR 09 2015  
PLANNING DEPT.

City of Medford fire station #3  
Highland drive medford, oregon 97504

CITY OF MEDFORD  
PROJECT # Y

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF )  
 ) ORDER  
DELTA ESTATES SUBDIVISION [LDS-15-015] )

ORDER granting approval of a request for tentative plat approval of Delta Estates Subdivision.

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 57 lot residential subdivision and an associated Exception request seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford and a Zone Change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, with the public hearing a matter of record of the Planning Commission on April 9, 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 the tentative plat for Delta Estates Subdivision stands approved per Staff Report dated April 2, 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 April 2, 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 23rd day of April, 2015.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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Planning Department Representative

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF DENIAL OF AN EXCEPTION FOR )  
 )  
DELTA ESTATES SUBDIVISION [E-15-016] ) **ORDER**

ORDER denial of a request for an exception seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford and approval of a Zone Change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, a tentative plat for a 57 lot residential subdivision.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.251 and 10.252; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of an exception seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford and approval of a Zone Change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, a tentative plat for a 57 lot residential subdivision, with the public hearing a matter of record of the Planning Commission on April 9, 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, denied the exception and directed staff to prepare a final order with findings set forth for the denial of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception for Delta Estates Subdivision stands denied per the Staff Report dated April 2, 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 denying this request for exception is hereafter supported by the findings referenced in the Staff Report dated April 2, 2015.

BASED UPON THE ABOVE, the Planning Commission determined that the exception is not in conformity with the provisions of law and Section 10.253 Exception Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 23rd day of April, 2015.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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Planning Department Representative

**BEFORE THE MEDFORD PLANNING COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF PLANNING COMMISSION FILE ZC-15-017 APPLICATION )  
FOR A ZONE CHANGE SUBMITTED BY HH MEDFORD ONE, LLC ) **ORDER**

ORDER granting approval of a request for changing the zoning from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, a tentative plat for a 57 lot residential subdivision and an associated Exception request seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, a tentative plat for a 57 lot residential subdivision and an associated Exception request seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford; 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 Planning Commission Staff Report dated April 2, 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 08 Tax Lot 1100

is hereby changed from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, a tentative plat for a 57 lot residential subdivision and an associated Exception request seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford.

Accepted and approved this 23rd day of April, 2015.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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Planning Department Representative

Exhibit B

RECEIVED

Legal Description

Delta Estates

Assessors Map No 371W08-1100, 371W08DB-400

JAN 30 2015

PLANNING DEPT.

Parcel 1 of Partition Plat No P-26-2014 as recorded in the Records of Jackson County, Oregon;  
Index Volume 25, Page 26; County Surveyor's File No 21564.

Prepared by: Herbert A Farber  
Farber & Sons, Inc.  
d.b.a. Farber Surveying  
431 Oak Street  
Central Point, Oregon 97502

Date: January 5, 2015

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE PUD-14-136 )  
APPLICATION FOR REVISIONS TO CEDAR LANDING SUBMITTED ) ORDER  
BY CEDAR INVESTMENT GROUP LLC )

ORDER granting approval for a revision to the Cedar Landing Planned Unit Development (PUD) and for approvals of the tentative plats for Sky Lakes Subdivision Phase 1, a 60 lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.245(A), Revision of a Preliminary or Final Planned Unit Development; and
2. The Medford Planning Commission has considered in an open meeting the applicant's request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approvals of the tentative plats for Sky Lakes Subdivision Phase 1, a 60 lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district; and
3. Evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. After consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, a revision to the Cedar Landing Planned Unit Development (PUD) and for approvals of the tentative plats for Sky Lakes Subdivision Phase 1, a 60 lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

THEREFORE LET IT BE HEREBY ORDERED that the approval for a revision to the Cedar Landing Planned Unit Development (PUD) and for approvals of the tentative plats for Sky Lakes Subdivision

Phase 1, a 60 lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district, per the Planning Commission Report dated April 9, 2015.

Accepted and approved this 23rd day of April, 2015.

**CITY OF MEDFORD PLANNING COMMISSION**

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**Planning Commission Chair**

**ATTEST:**

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**Planning Department Representative**

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF )  
 )  
SKY LAKES SUBDIVISION PHASE 1 [LDS-14-137] ) ORDER

ORDER granting approval of a request for tentative plat approval of Sky Lakes Subdivision Phase 1.

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 the tentative plats for Sky Lakes Subdivision Phase 1, a 60 lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district, with the public hearing a matter of record of the Planning Commission on April 9, 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 requested 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 the tentative plat for Sky Lakes Subdivision Phase 1 stands approved per Planning Commission Report dated April 9, 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 Planning Commission Report dated April 9, 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 23rd day of April, 2015.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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Planning Department Representative

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF )  
 )  
THE VILLIAGE AT CEDAR LANDING SUBDIVISION PHASE 1 [LDS-14-138] ) ORDER

ORDER granting approval of a request for tentative plat approval for The Village at Cedar Landing Subdivision Phase 1.

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 The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision, a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for Sky Lakes Subdivision Phase 1, a 60 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district, with the public hearing a matter of record of the Planning Commission on April 9, 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 the tentative plat for The Village at Cedar Landing Subdivision Phase 1 stands approved per Planning Commission Report dated April 9, 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 Planning Commission Report dated April 9, 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 23rd day of April, 2015.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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Planning Department Representative



# **CITY OF MEDFORD**

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# **PLANNING DEPARTMENT**

## **PLANNING COMMISSION REPORT**

Date: April 9, 2015

Subject: Cedar Landing PUD Revision (PUD-14-136)  
The Village at Cedar Landing, Phase 1 Tentative Plat (LDS-14-137)  
Sky Lakes Village at Cedar Landing, Phase 1 Tentative Plat (LDS-14-138)  
Cedar Investment Group LLC, Applicant  
(Hoffbuhr & Associates, Agent)

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### **BACKGROUND**

#### Proposal

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approvals of the tentative plats for Sky Lakes Subdivision Phase 1, a 60-lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 37-lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of:

- 1) the addition of Longstone Drive;
- 2) the loss of one lot in Sky Lakes Phase 1;
- 3) the gain of one lot in The Village at Cedar Landing;
- 4) the relocation of pedestrian/bicycle paths;
- 5) a reduction of front yard setbacks from 20-feet to 15-feet for all lots in The Village at Cedar Landing Phase 1; and
- 6) an increase of the maximum lot coverage from 40 percent to 55 percent for all lots within The Village at Cedar Landing Phase 1.

The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single Family Residential – 4 units per acre / Planned Development) zoning district.

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

Zoning District: SFR-4/PD  
GLUP Designation UR (Urban Residential)  
Existing Uses: Vacant Golf Course

#### Surrounding Property Zoning and Uses

North Zone: SFR-4  
Use: Single Family Dwellings

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

South	Zone: SFR-4 Use: Single Family Dwellings
East	Zone: SFR-4 Use: Single Family Dwellings
West	Zone: SFR-4 Use: Single Family Dwellings

Related Projects

PUD-05-035	Cedar Landing PUD
LDS-05-036	Cascade Terrace Subdivision
LDS-05-037	Sky Lakes Subdivision
PUD-05-035	Termination of 5.47 acre portion of PUD for park property in 2011
LDS-13-121	Sky Lakes Village Subdivision Phases 7A & 7B
PUD-13-119	PUD Revision
E-14-059	Exception to required right-of-way dedication

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.

#### **Revision or Termination of a PUD, Section 10.245(A)(3)**

3. Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in Subsections 10.235(D) or 10.240(G), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Subsection 10.235(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

**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.

Corporate Names

The State of Oregon Business Registry lists Eric Artner as the registered agent for Cedar Investment Group, LLC.

**ISSUES/ANALYSIS**

Project History

On April 27, 2006, the Planning Commission approved Cedar Landing Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of

existing open space. The overall project is organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43.0 ± acres) consists of five (5) phases including single-family lots, 55 and older, pad lots and common area/open space.
2. The Village at Cedar Landing (21.42 ± acres) is made up of five (5) phases of single-family lots, condominiums, retirement facilities and common area/open space.
3. Cascade Terrace (15.4 ± acres) is comprised of two (2) phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.
4. Sky Lakes Village (41.6 ± acres) consists of single-family residential lots and common area/open space.

Three phases of the original project have final plan and plat approvals. Sky Lakes Village Phases 5, 6, and 7A have received final plat and plan approvals. In addition, a request was approved to allow the termination of portions of Cascade Terrace and Sky Lakes Village. The 5.47 acre terminated portion of the project was sold to the City for use as a public park.

In 2013, a revision to the PUD was approved which included modifications for naming, numbering, and design. An important item discussed in the Public Works Report at that time was the realignment of Cedar Links Drive at Foothills Road. A traffic signal and the realigned intersection have recently been completed.

In January 2015, an exception was approved for the reduction of required right-of-way dedication for Cedar Links Drive. The Planning Commission approved modifications to the street design as part of the original approval in order to preserve existing Cedar trees on the north side of Cedar Links Drive. An Exception was necessary in order to reduce the amount of right-of-way dedication.

### Project Update

The PUD revision requests should be evaluated by the review of the entire PUD. The changes proposed are listed on pages 2 and 3 of the Applicant's Narrative and Findings of Fact (Exhibit H). The revisions apply only to the portion of the PUD located north of Cedar Links Drive, and specifically address: street design, number of lots, the relocation of paths, a reduction in the front yard setback, and an increase in maximum lot coverage. In addition, to coordinate with the PUD revision, the applicant has submitted tentative subdivision plats for Sky Lakes Phase 1 and The Village at Cedar Landing Phase 1.

### *Street Design*

This revision includes the addition of Longstone Drive, a new street on the east side of the City park site. Longstone Drive will provide access to the park, rather than the park having direct access off of Cedar Links Drive.

### *Number of Lots*

The addition of Longstone Drive and overall street design constraints resulted in the loss of one lot in Sky Lakes at Cedar Landing Phase 1 and the gain of one lot in The Village at Cedar Landing Phase 1. Sky Lakes Phase 1 now consists of 60 residential lots and The Village Phase 1 consists of 37 residential lots. Per the applicant's narrative and findings of fact, as revised, the overall PUD will have a density of 103% of the maximum density allowed in the SFR-4 zone district. This remains within the 120% maximum bonus density allowed per the Cedar Landing PUD.

### *Relocation of Paths*

The overall design of the project is much the same. However, through past iterations of this project, the location of pedestrian and bicycle paths behind residential lots, connecting to open space areas, has been an issue with neighbors. The original design placed these paths between the rear yards of existing homes and the rear yards of future homes within this project. Privacy and safety concerns were raised with this design. These paths have now been relocated to open space easements along the front of the same lots.

The applicant has provided a cross section of the proposed path (Exhibit G) which illustrates the open space easements to be located along the front of approximately ten lots in Sky Lakes Phase 1. The open space areas will be maintained by the Homeowner's Association and are proposed to consist of an eight foot meandering path with grass planter strips and a street tree per lot, on each side of the path.

### *Front Yard Setback*

This revision allows the front yard setback for all lots within The Village at Cedar Landing Phase 1 to be reduced from 20 feet to 15 feet. These lots will take access from rear alleys and the reduced setback allows the houses to be closer to street with more room for garages and patios in the rear.

### *Lot Coverage*

Similar to the front yard setback requests, this PUD revision allows all the lots in The Village at Cedar Landing to increase maximum lot coverage from 40 to 55 percent. Again, as these lots have access from rear alleys, and are fairly small in size, an increased lot coverage standard will allow for garages and covered patio areas.

### Sky Lakes Phase 1

The tentative subdivision plat for Sky Lakes Phase 1 corresponds with the revised PUD Plan. The plat consists of 60-residential lots ranging in size from approximately 6,400 square feet to over 13,800 square feet as well as over 47,000 square feet (or just over an acre) of open space. The lots are accessed from Cedar Links Drive via Longstone Drive which will also provide access to the City park site just south of this subject area. A second point of access for these lots is provided by Yamsay Drive located farther to the

east off of Cedar Links Drive. Within Sky Lakes Phase 1, the street system is comprised of Deschutes Drive, Umpqua Street, and Sky Lakes Drive, which are minor residential streets with width of 55-feet, as well as Mount Thielson Drive, a standard residential street with a width of 63-feet.

#### The Village at Cedar Landing Phase 1

The tentative subdivision plat for The Village at Cedar Landing Phase 1 also corresponds appropriately with the revised PUD Plan. The plat consists of 37-residential lots ranging in size from approximately 4,600 square feet to over 7,300 square feet. This plat also contains just over 9,100 square feet of open space on the south side of the lots, along Cedar Links Drive. The design in The Village at Cedar Landing Phase 1 is for all of the lots to have vehicular access from 20-foot alleys in the rear of the lots. These lots, like Sky Lakes Phase 1, take access from Cedar Links Drive via Longstone Drive on the west and Yamsay Drive on the east. The northern portion of this phase is bounded by Mount Thielson Drive and DeLorraine Drive, a minor residential street, bisects the phase into two blocks with 18 and 19 lots each, respectively.

#### Rationale

The Applicant's Findings affirm the revisions are in keeping with the purpose of the original project. The project continues to contain a mix of residential housing types, commercial uses, along with open space. The density of the project also remains about the same. The PUD amendment is simply updating to the current conditions, which relate to a new street and modifications in lot design.

#### Conditions of Approval

All conditions of the Preliminary PUD plan approval are still in effect, other than those modified by this revision request.

#### **FINDINGS OF FACT**

The applicant submitted Findings of Fact addressing PUD and revision criteria listed in Sections 10.235(C) and 10.245(A)(3) of the Medford Land Development Code, as it pertains to PUD-14-136. The findings incorrectly identify the number of lots gained in The Village at Cedar Landing Phase 1. Subject to the correction that there was a gain of only one lot in The Village at Cedar Landing Phase 1, staff recommends the Planning Commission adopt the Applicant's Findings.

The applicant submitted Findings of Fact addressing land division criteria listed in Sections 10.270 of the Medford Land Development Code, as it pertains to LDS-14-137. Staff recommends the Planning Commission adopt the Applicant's Findings as submitted.

The applicant submitted Findings of Fact addressing land division criteria listed in Sections 10.270 of the Medford Land Development Code, as it pertains to LDS-14-138. Upon correcting the number of lots in The Village at Cedar Landing Phase 1 to 37, for a

gain of one lot, staff recommends the Planning Commission adopt the Applicant's Findings.

### **ACTION TAKEN**

Directed staff to prepare a Final Order for approval of PUD-14-136, LDS-14-137, and LDS-14-138 per the Planning Commission Report dated April 9, 2015, including Exhibits A through Q.

### **EXHIBITS**

- A-1 Revised Conditions of Approval dated April 9, 2015
- B Revised PUD Plan received March 31, 2015
- C Tentative Plat for Sky Lakes Village Phase 1 received March 31, 2015
- D Tentative Plat for The Village at Cedar Landing Phase 1 received March 31, 2015
- E Conceptual Utility Plan received December 17, 2014
- F Conceptual Grading & Drainage Plan received December 17, 2014
- G Proposed Path Detail received February 24, 2015
- H Applicant's Narrative and Findings of Fact – PUD Revision received March 16, 2015
- I Applicant's Narrative and Findings of Fact – Tentative Plat of Sky Lakes Subdivision Phase 1 received February 17, 2015
- J Applicant's Narrative and Findings of Fact – Tentative Plat of The Village at Cedar Landing Subdivision Phase 1 received February 17, 2015
- K-1 1 of 3 Public Works Staff Report for PUD-14-136 received April 9, 2015  
2 of 3 Public Works Staff Report for LDS-14-137 received April 9, 2015  
3 of 3 Public Works Staff Report for LDS-14-138 received April 2, 2015
- L Medford Fire Department Report received March 17, 2015
- M Medford Water Commission Memo received March 24, 2015
- N Building Department Memo received March 18, 2015
- O Address Technician Memo received March 18, 2015
- P Medford Irrigation District Letter received March 19, 2015
- Q Letter from Z. Nickerson received April 9, 2015  
Vicinity Map

### **MEDFORD PLANNING COMMISSION**

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David McFadden, Chair

**PLANNING COMMISSION AGENDA:      APRIL 9, 2015**  
**APRIL 23, 2015**

## **EXHIBIT A-1**

**Cedar Landing PUD Revision and Subdivision Plats  
PUD-14-136 / LDS-14-137 / LDS-14-138  
Revised Conditions of Approval  
April 9, 2015**

**All conditions of the Preliminary PUD plan approval (PUD-05-035) are still in effect, other than those modified by this revision request.**

### **CODE CONDITIONS**

1. Comply with the Public Works Staff Report received April 9, 2015 (Exhibit K-1);
2. Comply with the Medford Water Commission Memorandum received March 24, 2015 (Exhibit M );
3. Comply with the Medford Fire Department Report received March 17, 2015 (Exhibit L);
4. Comply with the Address Technician Memorandum received March 18, 2015 (Exhibit O);
5. Revise the Preliminary/Final PUD Plan to correctly label The Village at Cedar Landing Phase 4.
6. Revise the Tentative/Final Plat for The Village at Cedar Landing Phase 1 to correctly identify Longstone Drive with the 55-foot typical cross section.
7. Revise the Tentative/Final Plat for Sky Lakes Phase 1 to correctly identify Mount Thielson Drive with the 63-foot typical cross section and Sky Lakes Drive, Umpqua Street, and Deschutes Drive with the 55-foot typical cross section.

RECEIVED

APR 09 2015

PLANNING DEPT.



Continuous Improvement Customer Service

**CITY OF MEDFORD**

Revised Date: April 15, 2015

File Number: PUD 14-136

(Reference: PUD-05-035 and PUD-13-011)

**PUBLIC WORKS DEPARTMENT STAFF REPORT  
CEDAR LANDING PUD - REVISION**

**Project:** Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD). The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of one lot in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths

**Location:** North and south side of Cedar Links Drive, west of Foothill Road on approximately 114 acres.

**Applicant:** Cedar Investment Group, LLC

**Applicability:** The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006. The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

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

**A. STREETS**

**1. Dedications**

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CITY OF MEDFORD

EXHIBIT # K-1 1 of 3

File # PUD-14-136

LDS-14-137 LDS-14-138

**Longstone Drive, Mount Thielson Drive, and Yamsay Drive** are each proposed as Standard Residential Streets with a right-of-way width of 63 feet in accordance with Medford Land Development Code (MLDC) Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat, and in accordance with MLDC 10.442. Mount Thielson Drive was previously named Mount Thielson Place and Yamsay Drive was previously named Yamsay Parkway. IT APPEARS NECESSARY TO ADJUST THE WEST BOUNDARY OF THE VILLAGE PHASE 1 IN ORDER TO DEDICATE THE REQUIRED RIGHT-OF-WAY ON THE SUBDIVISION PLAT. OTHERWISE, THE DEVELOPER SHALL DEDICATE THE REQUIRED RIGHT-OF-WAY FOR LONGSTONE DRIVE BY SEPARATE DOCUMENT PRIOR TO FINAL PLAT APPROVAL.

**DeLorraine Drive, Deschutes Drive, Sky Lakes Drive, and Umpqua Street** are each proposed as Minor Residential Streets with a right-of-way width of 55 feet in accordance with MLDC Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat.

Streets as shown on the Tentative Plat in which any portion terminates to an the boundary line of the subdivision shall be dedicated to within one foot of the boundary line, 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 streets, 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)

In accordance with MLDC, Section 10.471, the property owner shall dedicate 10 foot wide Public Utility Easements (PUEs) adjoining all lot lines abutting a street.

The Developer shall provide a pedestrian easement for any portion of a public sidewalk or pathway located outside of the public right-of-way.

If dedicated by documentation separate from the final plat, public rights-of-way and public utility easements shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

**Alleys**, which have been proposed shall have a right-of-way width of 20 feet, and a radius of 15 feet on the right-of-way line at their intersection with a street right-of-way line, in accordance with MLDC 10.430 (2). All public alleys shall be "through alleys".

## **2. Public Improvements**

### **a. Public Streets**

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**Longstone Drive, Mount Thielson Drive, and Yamsay Drive** shall be improved to full width Standard Residential Street standards with 36-foot wide paved sections, complete with curbs, gutters, 8-foot wide park strips, 5-foot wide sidewalks and street lights. (MLDC 10.430(1) & 10.442)

**DeLorraine Drive, Deschutes Drive, Sky Lakes Drive, and Umpqua Street** shall be improved to Minor Residential Street standards in accordance with MLDC 10.430 (2).

**Alleys:** The alley approaches to Longstone Drive and Yamsay Drive may be constructed as standard commercial driveway aprons.

The alleys shall be designed and constructed in accordance with City Standards and MLDC 10.430A (2), which includes an 18 foot paved section.

#### **b. Street Lights and Signing**

All street lights and signing for public streets shall be installed to City of Medford specifications, and the quantity and type shall be specified for each development application as they are submitted.

On Cedar Links Drive, the Applicant's engineer may need to address the existing power lines when considering the placement of the proposed street lights. The required mounting height shall be 35 feet, and the power lines may need to be adjusted to accommodate the new street lights.

In addition, pedestrian street lights, including base mounted cabinets, shall be designed and constructed in accordance with the MLDC, Section 10.380. 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 General Conditions, Section 'E' 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. Pavement Moratoriums**

There is no pavement cutting moratorium currently in effect along this frontage.

### **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

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which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

This application is a revision of the previously approved Cedar Landing PUD, and the conditions stated herein were required as a condition of the original PUD and subsequent DeMinimus changes. The one new condition indicated in this application is new street lights on the northerly right-of-way line of Cedar Links Drive, but the applicant will receive S.S.D.C. credits for the additional lights, which will fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking in accordance with the MLDC, Section 10.668.

## **B. SANITARY SEWERS**

This site lies within the Medford sewer service area. A private sanitary sewer lateral shall be constructed to each building lot prior to approval of the Final Plat. All public sanitary sewers shall be located in public streets, or within public sanitary sewer easements. All sanitary sewer manholes not located within public streets or alleys shall be accessible via paved surfaces having a width of at least 10-feet.

## **C. STORM DRAINAGE**

### **1. Hydrology**

The Engineer of Record 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 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 larger 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 Engineer of Record 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**

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The Engineer of Record shall submit for approval with the public improvement plans a comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. 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 building 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.

#### **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 public improvement 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 Conditions**

##### **1. Design Requirements and Construction Drawings**

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All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

## **2. Construction Plans**

Construction drawings for any public improvements 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 of Record shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

## **3. Phasing**

The Tentative Plat shows that the subdivisions will be developed in 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

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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, collection 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 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 public 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 sanitary sewer and storm drain mains be inspected by video camera 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.

Prepared by: Earl Lighthill & Doug Burroughs  
Revised by: Doug Burroughs 4-2-2015  
Revised by: Doug Burroughs 4-15-2015

**SUMMARY CONDITIONS OF APPROVAL**  
**Cedar Landing PUD - REVISION**  
**PUD 14-136**

**Applicability of previously adopted conditions of approval remains in effect. See full report.**

**A. Streets**

**1. Street Dedications to the Public:**

- Dedicate Longstone Drive, Mount Thielson Drive, and Yamsay Drive rights-of-way sixty three (63) feet wide.
- Dedicate DeLorraine Drive, Deschutes Drive, Sky Lakes Drive, and Umpqua Street rights-of-way fifty five (55) feet wide.
- Dedicate Alleys, right-of-way 20 feet wide.
- Dedicate 10 foot public utility easements (PUE).

**2. Improvements:**

**a. Public Streets**

- Construct Longstone Drive, Mount Thielson Drive, and Yamsay Drive to Standard Residential Street standards.
- Construct DeLorraine Drive, Deschutes Drive, Sky Lakes Drive, and Umpqua Street to Minor Residential Street standards.
- Construct Alleys to Public Alley standards.

**b. Lighting and Signing**

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.

**B. Sanitary Sewer:**

Developer installs public mains to serve lots and provides a private service lateral constructed to each lot prior to Final Plat.

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**C. Storm Drainage:**

Developer provides an investigative drainage report.

Development includes above ground water quality and detention facilities.

A comprehensive grading plan is required for the project and made part of the public improvement plans.

Provide a storm drain lateral to each building 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.

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.



Continuous Improvement Customer Service

CITY OF MEDFORD

Revised Date: April 15, 2015

File Number: LDS-14-137

(Reference: PUD-14-136, PUD-05-035 and PUD-13-011)

PUBLIC WORKS DEPARTMENT STAFF REPORT  
SKY LAKES VILLAGE AT CEDAR LANDING, PHASE 1

**Project:** Consideration of a request for approvals of the tentative plat for Sky Lakes Subdivision, Phase 1, a 60 lot subdivision

**Location:** North side of Cedar Links Drive, west of Foothill Road on approximately 114 acres.

**Applicant:** Cedar Investment Group, LLC

**Applicability:** The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006. The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

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

**A. STREETS**

**1. Dedications**

Longstone Drive, Mount Thielson Drive, and Yamsay Drive are each proposed as Standard Residential Streets with a right-of-way width of 63 feet in accordance with Medford Land

Development Code (MLDC) Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat, and in accordance with MLDC 10.442. Mount Thielson Drive was previously named Mount Thielson Place and Yamsay Drive was previously named Yamsay Parkway.

**Deschutes Drive, Sky Lakes Drive, and Umpqua Street** are each proposed as Minor Residential Streets with a right-of-way width of 55 feet in accordance with MLDC Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat.

Streets as shown on the Tentative Plat in which any portion terminates to an the boundary line of the subdivision shall be dedicated to within one foot of the boundary line, 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 streets, 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)

In accordance with MLDC, Section 10.471, the property owner shall dedicate 10 foot wide Public Utility Easements (PUEs) adjoining all lot lines abutting a street.

The Developer shall provide a pedestrian easement for any portion of a public sidewalk or pathway located outside of the public right-of-way.

If dedicated by documentation separate from the final plat, public rights-of-way and public utility easements shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

## **2. Public Improvements**

### **a. Public Streets**

**Longstone Drive, Mount Thielson Drive, and Yamsay Drive** shall be improved to full width Standard Residential Street standards with 36-foot wide paved sections, complete with curbs, gutters, 8-foot wide park strips, 5-foot wide sidewalks and street lights. (MLDC 10.430(1) & 10.442)

**Deschutes Drive, Sky Lakes Drive, and Umpqua Street** shall be improved to Minor Residential Street standards in accordance with MLDC 10.430 (2).

### **b. Street Lights and Signing**

All street lights and signing for public streets shall be installed to City of Medford specifications, and the quantity and type shall be specified for each development application as they are submitted.

The following street lighting and signing installations will be required:

**Sky Lakes Village, Phase 1**

Street Lighting - Developer Provided & Installed

- A. 12 – 100W HPS street lights with/out Pedestrian Lighting
- Or
- 4 – 100W HPS street lights with Pedestrian Lighting

Traffic Signs and Devices - City Installed, paid by the Developer

- A. 6 – street name signs
- B. 1 or 2 - Barricades

In addition, pedestrian street lights, including base mounted cabinets, shall be designed and constructed in accordance with the MLDC, Section 10.380. 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 General Conditions, Section 'E' 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. Pavement Moratoriums**

There is no pavement cutting moratorium currently in effect along this frontage.

**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.

This application is a revision of the previously approved Cedar Landing PUD, and the conditions stated herein were required as a condition of the original PUD and subsequent DeMinimus changes. The one new condition indicated in this application is new street lights on the northerly right-of-way line of Cedar Links Drive, but the applicant will receive S.S.D.C. credits for the additional lights, which will fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking in accordance with the MLDC, Section 10.668.

## **B. SANITARY SEWERS**

This site lies within the Medford sewer service area. A private sanitary sewer lateral shall be constructed to each building lot prior to approval of the Final Plat. All public sanitary sewers shall be located in public streets, or within public sanitary sewer easements. All sanitary sewer manholes not located within public streets or alleys shall be accessible via paved surfaces having a width of at least 10-feet.

## **C. STORM DRAINAGE**

### **1. Hydrology**

The Engineer of Record 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 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 larger 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 Engineer of Record 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**

The Engineer of Record shall submit for approval with the public improvement plans a comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. 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 building 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.

#### **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 public improvement 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 Conditions**

#### **1. Design Requirements and Construction Drawings**

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

#### **2. Construction Plans**

Construction drawings for any public improvements for this project shall be prepared by a

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PUBLIC WORKS DEPARTMENT  
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET  
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TELEPHONE (541) 774-2100  
FAX (541) 774-2552

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 of Record shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

### **3. Phasing**

The Tentative Plat shows that the subdivisions will be developed in 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, collection 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 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 public 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 sanitary sewer and storm drain mains be inspected by video camera 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.

Prepared by: Earl Lighthill & Doug Burroughs

Revised by: Doug Burroughs 4-2-2015

Revised by: Doug Burroughs 4-15-2015

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## **SUMMARY CONDITIONS OF APPROVAL**

### **Sky Lakes Subdivision at Cedar Landing, Phase 1**

LDS-14-137

**Applicability of previously adopted conditions of approval remains in effect. See full report.**

#### **A. Streets**

##### **1. Street Dedications to the Public:**

- Dedicate Longstone Drive, Mount Thielson Drive, and Yamsay Drive rights-of-way sixty three (63) feet wide.
- Dedicate Deschutes Drive, Sky Lakes Drive, and Umpqua Street rights-of-way fifty five (55) feet wide.
- Dedicate 10 foot public utility easements (PUE).

##### **2. Improvements:**

###### **a. Public Streets**

- Construct Longstone Drive, Mount Thielson Drive, and Yamsay Drive to Standard Residential Street standards.
- Construct Deschutes Drive, Sky Lakes Drive, and Umpqua Street to Minor Residential Street standards.

###### **b. Lighting and Signing**

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.

#### **B. Sanitary Sewer:**

Developer installs public mains to serve lots and provides a private service lateral constructed to each lot prior to Final Plat.

#### **C. Storm Drainage:**

Developer provides an investigative drainage report.

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Development includes above ground water quality and detention facilities.

A comprehensive grading plan is required for the project and made part of the public improvement plans.

Provide a storm drain lateral to each building 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.

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.**

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Continuous Improvement Customer Service

## CITY OF MEDFORD

Revised Date: April 2, 2015

File Number: LDS-14-138

(Reference: PUD-14-136, PUD-05-035 and PUD-13-011)

### PUBLIC WORKS DEPARTMENT STAFF REPORT THE VILLAGE AT CEDAR LANDING, PHASE 1

**Project:** Consideration of a request for approval of the tentative plat for The Village at Cedar Landing Subdivision, Phase 1, a 37 lot subdivision.

**Location:** North side of Cedar Links Drive, west of Foothill Road on approximately 114 acres.

**Applicant:** Cedar Investment Group, LLC

**Applicability:** The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006. The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

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

#### A. STREETS

##### 1. Dedications

Longstone Drive, Mount Thielson Drive, and Yamsay Drive are each proposed as Standard Residential Streets with a right-of-way width of 63 feet in accordance with Medford Land

Development Code (MLDC) Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat, and in accordance with MLDC 10.442. Mount Thielson Drive was previously named Mount Thielson Place and Yamsay Drive was previously named Yamsay Parkway. IT APPEARS NECESSARY TO ADJUST THE WEST BOUNDARY OF THE VILLAGE PHASE 1 IN ORDER TO DEDICATE THE REQUIRED RIGHT-OF-WAY ON THE SUBDIVISION PLAT. OTHERWISE, THE DEVELOPER SHALL DEDICATE THE REQUIRED RIGHT-OF-WAY FOR LONGSTONE DRIVE BY SEPARATE DOCUMENT PRIOR TO FINAL PLAT APPROVAL.

**DeLorraine Drive**, is proposed as Minor Residential Streets with a right-of-way width of 55 feet in accordance with MLDC Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat.

Streets as shown on the Tentative Plat in which any portion terminates to an the boundary line of the subdivision shall be dedicated to within one foot of the boundary line, 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 streets, 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)

In accordance with MLDC, Section 10.471, the property owner shall dedicate 10 foot wide Public Utility Easements (PUEs) adjoining all lot lines abutting a street.

If dedicated by documentation separate from the final plat, public rights-of-way and public utility easements shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

**Alleys**, which have been proposed shall have a right-of-way width of 20 feet, and a radius of 15 feet on the right-of-way line at their intersection with a street right-of-way line, in accordance with MLDC 10.430 (2). All public alleys shall be "through alleys".

## **2. Public Improvements**

### **a. Public Streets**

**Longstone Drive, Mount Thielson Drive, and Yamsay Drive** shall be improved to full width Standard Residential Street standards with 36-foot wide paved sections, complete with curbs, gutters, 8-foot wide park strips, 5-foot wide sidewalks and street lights. (MLDC 10.430(1) & 10.442)

**DeLorraine Drive**, shall be improved to Minor Residential Street standards in accordance with MLDC 10.430 (2).

**Alleys:** The alley approaches to Longstone Drive and Yamsay Drive may be constructed as standard commercial driveway aprons.

The alleys shall be shall be designed and constructed in accordance with City Standards and MLDC 10.430A (2), which includes an 18 foot paved section.

**b. Street Lights and Signing**

All street lights and signing for public streets shall be installed to City of Medford specifications, and the quantity and type shall be specified for each development application as they are submitted.

On Cedar Links Drive, the Applicant's engineer may need to address the existing power lines when considering the placement of the proposed street lights. The required mounting height shall be 35 feet, and the power lines may need to be adjusted to accommodate the new street lights.

The following street lighting and signing installations will be required:

**The Village, Phase 1**

Street Lighting - Developer Provided & Installed

A. 12 – 100W HPS street lights with/out Pedestrian Lighting

Or

5 – 100W HPS street lights with Pedestrian Lighting

B. 3 – 250W street lights with base mounted cabinet (Cedar Links Dr., north side)

Traffic Signs and Devices - City Installed, paid by the Developer

A. 5 – street name signs

B. 2 – stop signs

C. 3 - Barricades

In addition, pedestrian street lights, including base mounted cabinets, shall be designed and constructed in accordance with the MLDC, Section 10.380. 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 General Conditions, Section 'E' 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. Pavement Moratoriums**

There is no pavement cutting moratorium currently in effect along this frontage.

**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.

This application is a revision of the previously approved Cedar Landing PUD, and the conditions stated herein were required as a condition of the original PUD and subsequent DeMinimus changes. The one new condition indicated in this application is new street lights on the northerly right-of-way line of Cedar Links Drive, but the applicant will receive S.S.D.C. credits for the additional lights, which will fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking in accordance with the MLDC, Section 10.668.

**B. SANITARY SEWERS**

This site lies within the Medford sewer service area. A private sanitary sewer lateral shall be constructed to each building lot prior to approval of the Final Plat. All public sanitary sewers shall be located in public streets, or within public sanitary sewer easements. All sanitary sewer manholes not located within public streets or alleys shall be accessible via paved surfaces having a width of at least 10-feet.

**C. STORM DRAINAGE**

**1. Hydrology**

The Engineer of Record 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 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 larger 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 Engineer of Record 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**

The Engineer of Record shall submit for approval with the public improvement plans a comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. 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.

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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.

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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.

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**1. Design Requirements and Construction Drawings**

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Construction drawings for any public improvements 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.

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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.

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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.

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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

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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.

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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.

Prepared by: Earl Lighthill & Doug Burroughs  
Revised by: Doug Burroughs 4-2-2015

## **SUMMARY CONDITIONS OF APPROVAL**

### **The Village at Cedar Landing, Phase 1**

LDS-14-138

**Applicability of previously adopted conditions of approval remains in effect. See full report.**

#### **A. Streets**

##### **1. Street Dedications to the Public:**

- Dedicate Longstone Drive, Mount Thielson Drive, and Yamsay Drive rights-of-way sixty three (63) feet wide.
- Dedicate DeLorraine Drive, right-of-way fifty five (55) feet wide.
- Dedicate Alleys, right-of-way 20 feet wide.
- Dedicate 10 foot public utility easements (PUE).

##### **2. Improvements:**

###### **a. Public Streets**

- Construct Longstone Drive, Mount Thielson Drive, and Yamsay Drive to Standard Residential Street standards.
- Construct DeLorraine Drive to Minor Residential Street standards.
- Construct Alleys to Public Alley standards.

###### **b. Lighting and Signing**

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.

#### **B. Sanitary Sewer:**

Developer installs public mains to serve lots and provides a private service lateral constructed to each lot prior to Final Plat.

**C. Storm Drainage:**

Developer provides an investigative drainage report.

Development includes above ground water quality and detention facilities.

A comprehensive grading plan is required for the project and made part of the public improvement plans.

Provide a storm drain lateral to each building 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.

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.**

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APR 09 2015

Planning Dept.

April 9, 2015

Medford Planning Dept.

Revision Cedar Links PUD

File # PUD-14-136/LDS-14-137x138

Dear Medford Planning Dept.,

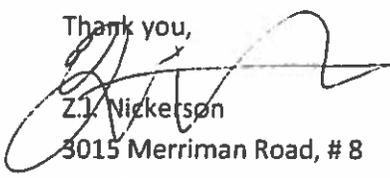
I think the Cedar Links PUD should be made into a park. It already has paved trails and duck ponds and a stream between the two.

I have observed ducks, geese, a pair of loons, robins, and a flock of yellow finches, Bluebirds, Blue Jays, and White Spotted Flickers on the green way. Plus there are fingerling fish in the stream. Since it is already a Wildlife refuge like area, it only makes since to leave it that way.

Plus we already have enough houses in this valley. We need park areas for every so many housing units. There are no parks out that way. The cost would be low and the improvement to the quality of high.

Please consider making the Cedar Links PUD into a park.

Thank you,



Z.J. Nickerson

3015 Merriman Road, # 8

Medford, OR 97501



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# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## MEMORANDUM

**SUBJECT** Subcommittee Authorization for Downtown Design Standards  
**TO** Planning Commission  
**FROM** Aaron Harris, Comprehensive Planning  
**DATE** April 15, 2015

---

### OVERVIEW

The Planning Department would like to form a committee to produce architectural design standards for new development in the downtown commercial core (generally along Main Street, 8th Street, 10th Street, Riverside Avenue, and Central Avenue). Staff seeks the input of local architects and other professionals to help guide this process. Proposed standards would regulate design elements such as setbacks, off-street parking, and building materials. Staff is asking the Planning Commission to create an ad hoc subcommittee and to appoint a commissioner to serve as the Planning Commission liaison.

Staff estimates that the proposed subcommittee will initially meet every two weeks for four or five meetings beginning in June 2015. If successful, the committee may reconvene in order to develop additional standards for other portions of the downtown. In addition to the Planning Commission, staff will request liaisons from the Site Plan and Architectural Commission and the Historic Commission. The remaining subcommittee members will be composed of architects that want to participate. Staff will call and email local professionals in an effort to recruit five to seven subcommittee members.



**MINUTES**  
**Planning Commission Meeting**  
**April 9, 2015**

The regular meeting of the Medford Planning Commission was called to order at 5:31 p.m. in the Council Chambers on the above date with the following members and staff in attendance:

**Commissioners Present**

David McFadden, Chair  
Patrick Miranda, Vice Chair  
Norman Fincher  
Chris MacMillan (left at 9:04 p.m.)  
Bill Mansfield  
Mark McKechnie  
Jared Pulver

**Staff**

Jim Huber, Planning Director  
Kelly Akin, Principal Planner  
Kevin McConnell, Deputy City Attorney  
Greg Kleinberg, Fire Marshal  
Brian Fish, Fire Chief  
Justin Bates, Deputy Fire Chief  
Alex Georgevitch, Acting City Engineer  
Terri Rozzana, Recording Secretary  
Jennifer Jones, Planner II  
Sarah Sousa, Planner IV  
Desmond McGeough, Planner II

**Commissioners Absent**

Tim D'Alessandro, Excused Absence  
Alec Schwimmer, Unexcused Absence

**10. Roll Call**

**20. Consent Calendar/Written Communications. None.**

**30. Minutes.**

30.1 The minutes for March 26, 2015, were approved as submitted.

**40. Oral and Written Requests and Communications. None.**

40.1 Don Bartlett, 3342 Wellington Drive, Medford, Oregon, 97504. Mr. Bartlett testified regarding Delta Estates Subdivision. One of two main accesses into the subdivision will be off of Springbrook. Ford Drive will be a main access. His concern is the traffic flow. When the City opened up Owen Drive off of Springbrook up to Crater Lake Highway, it greatly increased the traffic flow. It is his estimate that the average flow of speed is at least 35 to 40 mph. It is posted at 25 mph. He would like to see speed bumps or grooved pavement in order to slow traffic.

Kelly Akin, Principal Planner, reported that the item Mr. Bartlett testified about is the third item on tonight's agenda, 50.3 LDS-15-015/E-15-016/ZC-15-017. He should testify under that public hearing.

Kevin McConnell, Deputy City Attorney, read the Quasi-Judicial Statement. Mr. McConnell also stated that the staff reports for the City of Medford as applicant will serve as the applicant's case.

50. Public Hearing.

New Business

- 50.1 CUP-14-127/E-15-026 Consideration of a request for a Conditional Use Permit to allow for the construction of the replacement of Fire Station #3 and an Exception to driveway width standards on a 23.12 acre parcel located on the west side of Highland Drive near the intersection of Highland Drive and Siskiyou Boulevard, within a SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district. (City of Medford Fire-Rescue, Applicant; ORW Architecture, Agent).

Sarah Sousa, Planner IV, stated that the agent listed as CSA Planning, Ltd., is incorrect. The correct agent is ORW Architecture. Ms. Sousa read the conditional use permit and exception criteria and presented a staff report.

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

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

Commissioner McKechnie stated that Ms. Sousa reported that Fire Station #2 was approved by the Site Plan and Architectural Commission. What driveway width did they approve? Ms. Sousa replied that a specific width was not approved. It is to be worked out between Public Works and the applicant.

The public hearing was opened and the following testimony was given.

- a. David Wilkerson, ORW Architecture, 2950 East Barnett Road, Medford, Oregon, 97504. Mr. Wilkerson addressed the width that was approved at the Site Plan and Architectural Commission for Fire Station #2. The applicant requested 80 feet Public Works suggested 56 feet. They have done a truck turning analysis that substantiates the 80 feet. The Site Plan and Architectural Commission approved a driveway width up to 80 feet. The final width would be worked out in concert with staff coming up with an agreeable solution. The applicant is asking for that same language tonight for Stations #3 and #4. They have similar issues. In the audience tonight is Brian Fish, Fire Chief, Justin Bates, Deputy Fire Chief and Greg Kleinberg, Fire Marshal, from the City of Medford Fire Department that can speak specifically to the truck movements and the need for the truck turning radius that they have shown in the analysis. A particular concern to the Fire Department is the need to do a U-turn movement on the front apron. That is one of the items driving the width. Also, with Mr. Wilkerson tonight is Civil Engineer, John Hardy. He prepared the analysis. Mr. Wilkerson addressed concerns whether the Fire Station is being built on top of the park or the skate board park. Mr. Wilkerson presented and submitted into the record an aerial photograph depicting the project site. The Medford Parks and Recreation Department and Medford Fire Department intend to do a land swap. The current facility will be used for parks maintenance.

Commissioner MacMillan asked if the applicant considered the impact of moving the driveway closer to the entrance to the footpath of the park would have on the safety of the people entering the skate park? Mr. Wilkerson deferred the question to Deputy Fire Chief, Justin Bates. The concern that Public Works had about the driveway width was not so much about a pedestrian being ran over by a fire truck as it leaves the station, but more to the fact that when a pedestrian is on the wide driveway apron they are not in the veld of safety behind the curb, parkway strip and trees. Trucks being driven by a first responder are trained to drive that fire truck in a safe manner.

Commissioner McKechnie asked that on the existing fire station once it is transferred to Parks are they going to abandon the driveway on Highland? Mr. Wilkerson did not know the answer.

Commissioner McKechnie has concerns with the building and pointed out for the record that the elevations submitted were not for building 3 they were for building 2 which is a mirror image of this one. His concern is the trees on either side of the driveway, especially the exit driveway. They will be blocking visibility of the fire trucks. His recommendation is to eliminate the requirement for the tree on the north and south side of that driveway. He is also concerned about the shrubs that run down the side of the building all the way to the sidewalk. It seems to him they should be eliminating shrubs back about 10 feet so people can see what is going on.

Commissioner McKechnie is concerned with the position of the building. The building seems close to the street. Mr. Wilkerson stated that the reason for that is for the trucks to be able to make the big U-turn. The parking lot is a little over width because of the turning radius.

Chair McFadden asked if there was an architecture style for the fire station? Mr. Wilkerson said he did not know that there is a name. His firm inherited this project and the design after it was already established. There were many discussions before his involvement about what the City wanted to see. It had to have red brick and flat roofs. They did not want it to look like a house.

Chair McFadden asked if the extra landscaping on the west side of the building is a storm drainage detention area? Mr. Wilkerson replied yes on the backside.

Commissioner Pulver asked if the sidewalks were level on the driveways? Mr. Wilkerson stated they were level as they crossed the driveway. Staff requested the applicant with the oversized driveway clearly identify the sidewalk so as pedestrians were crossing the wide driveway they do not meander off.

Doug Burroughs, Public Works Development Services Manager, reported that they have been working with the applicant's engineer assessing the truck turning data that was submitted to them recently. It is his understanding that at the Site Plan and Architecture Commission meeting last week that the project for Fire Station #2 was approved with the condition that

the driveway width would be determined between Fire staff and Public Works. They support the exception they just need to dial in the driveway width. Their concern is for pedestrian safety crossing a vast area.

Commissioner Mansfield asked what is the argument with staff wanting 56 feet? Are they staying with that or willing to compromise? Mr. Burroughs replied that they are willing to compromise. The 48 to 56 feet was based on the approximate width of the bays plus addition width for every vehicle travel. This particular case does not have vehicle travel around the building as some of the other ones do. They did not have the auto turn information at that time either. They want to review the information further and discuss it with the applicant's engineer and come up with better idea of the width.

- b. Justin Bates, Deputy Fire Chief, clarified that they do have fire trucks coming out on that driveway but all of their drivers are very careful when they come out. The U-turn movement is a big deal for them. They do this at all of their fire stations currently. It is not only the fire trucks at that station but also other trucks that come to the station. Typically, they have a training scenario or meetings that other fire trucks from other stations come to this fire station. With the bays being drive through, they will be full of fire trucks. Trucks cannot just drive through and come park on the front apron. There is a U-turn movement that has to happen where additional fire trucks will come in and do a U-turn and back in in front of couple of the bays that do not have the primary engine coming out. At the current Fire Station 2 the trucks have to come out into the lane of travel which is hazardous. At nighttime it has been problematic for them even with their lights flashing. It is dangerous for their personnel to stand out in the street and direct traffic.

Chair McFadden asked why access off of Siskiyou Boulevard was not maintained by coming through that property to the new location? Deputy Fire Chief Bates stated that they did look at maintaining the current driveway to come back from behind but the cost was prohibitive and it would impact more of the park. There is a creek that runs through that area that they would have to be careful of.

Commissioner MacMillan asked what lights and sounds happen when the trucks are coming out? Deputy Fire Chief Bates reported that they try to be respectful to the neighbors that are around that area. They are getting hit continually multiple times a day living near a fire station. They have instructed their personnel to not come out with the fire engine blazing with the siren and horn. If they have to get out in traffic they will. Sometimes that is the case at Station 3 with the round-a-bout. In the evenings when traffic is not flowing through there they do not do that. They will turn on their lights in order to give an indicator for pedestrians and traffic coming and 99% of the time that is enough.

The public hearing was closed.

Chair McFadden stated that he sees three points of putting this motion together: 1) Which of the two criteria this gets approved under; 2) An exception for the driveway width; and 3) How the Commission handles this in terms of Site Plan and Architectural Commission review.

Mr. McConnell commented that normally under Robert's Rules a motion is made and then the Commission can discuss the motion. There are exceptions for small bodies that they can discuss issues before a motion is made unless someone objects. In this case it may be appropriate or helpful to the Commission to discuss the issues before crafting a motion.

Commissioner McKechnie asked where are they with the Site Plan and Architectural Commission review? Vice Chair Miranda reported that based on staff's recommendation and the fact that they have already reviewed and approved Fire Station #2 he does not believe this needs to go to the Site Plan and Architectural Commission. Chair McFadden replied that the Commission can forward this to the Site Plan and Architectural Commission for review. Vice Chair Miranda stated that the Planning Commission does not do Site Plan and Architectural review. The Planning Commission either forwards it or does not.

Mr. McConnell stated that there is an issue of the driveway width. He recommends that this body does not kick it back for staff to work out with the applicant. There needs to be direction from the Commission as to what they want for the driveway width. It does not have to be an exact size but tell them what they need to do to come up with a number that is acceptable.

Vice Chair Miranda reported that referencing Fire Station #2 there was an agreement between Public Works and the Fire Department that they would work out a specific number. Would something along those lines suffice? Mr. McConnell stated that the Planning Commission needs to flush out their concerns and make sure those concerns are addressed by staff and the Fire Department.

Kelly Akin, Principal Planner, reported that at the Site Plan and Architectural Commission hearing there was new information submitted by the applicant and what was provided in tonight's staff report was different than what was presented at that hearing. The 80 foot driveway width was new at the hearing. The concern was not articulated by the Site Plan and Architectural Commission. It was staff's inability to react quickly because it was new information. The Planning Department and Public Works supports the function of the Fire Station and the exception request. Staff's concerns have partially been addressed with having a pedestrian identifier so they do not get lost in the sea of concrete. Site Plan and Architectural Commission's motion did not include a number. It was to work it out between the departments up to 80 feet.

Commissioner Pulver asked Mr. Burroughs if Public Works would be supportive of bumper strips on the sidewalk on both sides of the 80 foot driveway? Mr. Burroughs replied that ADA compliant ramps are normally at intersections. They are called truncated domes. Public works would not be opposed to having them installed. He does not believe that fully addresses the vast width being proposed.

Motion: (Commissioner Pulver) Direct staff to prepare a Final Order for approval of CUP-14-127 and E-15-026 per the Staff Report dated April 2, 2015, including Exhibits A through X, with the addition of truncated domes on the north and south edges of the sidewalk at the south driveway.

Friendly amendment made by Chair McFadden: To approve the application with Criterion #2, that it is for the good of the public and conditions have been placed on it to mitigate difficulties.

Friendly amendment made by Vice Chair Miranda: This application should not be forwarded to the Site Plan and Architectural Commission. Also, up to 80 feet for the driveway width. The "up to 80 feet for the driveway width" was denied by Commissioner Pulver.

Friendly amendment made by Commissioner McKechnie: Eliminate the shrubs the first 10 feet from the right-of-way going west of the south driveway and eliminate the tree on each side of the south driveway.

Moved by: Commissioner Pulver      Seconded by: Commissioner McKechnie

Secondary Motion: Amend the main motion to change the wording to "up to 80 feet for the driveway width."

Moved by: Commissioner McKechnie      Seconded by: Vice Chair Miranda

Roll Call Vote: Motion failed, 3-4, with Commissioner MacMillan, Commissioner Fincher, Commissioner Pulver and Commissioner McFadden voting no.

Main Motion Roll Call Vote: 7-0.

- 50.2 **CUP-14-128/E-15-027** Consideration of a request for a Conditional Use Permit to allow for the construction of a replacement of Fire Station #4 and an Exception to driveway width standards on a 3.54 acre parcel located east of Table Rock Road on the south side of Berrydale Avenue west of the Railroad Park, within a MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zoning district. (City of Medford Fire-Rescue Department, Applicant; ORW Architecture, Agent).

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

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

Jennifer Jones, Planner II, reported that the correct agent for this application is ORW Architecture not CSA Planning, Ltd. Ms. Jones stated that she would just point out the differences since this application is similar to the previous application.

Commissioner McKechnie asked if there was a map showing the right-of-way that is being dedicated? Ms. Jones does not have a map at this time. The applicant may have that with him tonight. They may have additional issues to bring to the Commission's attention. Commissioner McKechnie asked that since this is a dead end street, was it Public Works that wants to extend the street? Ms. Jones deferred the question to Mr. Burroughs.

Chair McFadden asked if there were was any history of neighborhood complaints dealing with the existing Fire Station? Staff has not been made aware of any complaints.

Commissioner Pulver asked if there were any other improvements on the tax lot that are not Fire station improvements? Ms. Jones replied that they are all Fire Station improvements. They are not all part of this subject area. She just focused on the front 1 ½ acres. There are some other Fire Station related improvements on the 3 ½ acre site.

The public hearing was opened and the following testimony was given.

- a. David Wilkerson, ORW Architecture, 2950 East Barnet Road, Medford, Oregon, 97504. Mr. Wilkerson stated that they are asking for a final order for Fire Station #4 because of the need to put a modular building which will be temporary housing and a new metal building that will be temporary apparatus bay that will become storage after the new building is built. The applicant is requesting an 80 foot driveway based on the truck turning analysis that was done. Mr. Wilkerson discussed the right-of-way dedication on Berrydale. Berrydale is a private street that serves the Fire Station and the Railroad Park. Making this a public street would be a significant impact on the project budget. The applicant would like to provide the pedestrian amenities that are shown on the site plan, sidewalk and tapered parkway strip to the Railroad Park. They want to avoid rebuilding the road to a public street standard. The applicant requests that in making the approval to amend this condition, either to remove the requirement to rebuild the street or to leave it more open that the applicant would have the flexibility to work this out with staff. Mr. Wilkerson learned of this on his way to the meeting tonight. He requested, even though they do not want to continue this agenda item and it would severely impact the schedule, he would rather get the continuance than have to commit to the public street tonight or have the application denied outright.

Commissioner McKechnie asked how much right-of-way is the City requesting? Mr. Wilkerson stated that the right-of-way tapers because of the configuration of the property. There will be some right-of-way required to be taken from the other side that the City also owns. The applicant does not object to the granting of the right-of-way. They would prefer not to put in the new street at this time.

Commissioner Fincher asked that according to the agent, it makes economic sense to demolish and rebuild the Fire Station but it does not make economic sense to improve the roadway to the Fire Station? Mr. Wilkerson replied that at first this project was to be a remodel of the existing building. It was determined that it made more sense economically to rebuild a new building and give the Fire Department exactly the station they wanted. He is

not saying it does not make economic sense it is not a part of this projects budget. The budget assumed a certain level of work in the station that they were able to stretch to build a new station and it assumed the normal amount of site improvements of curbs, sidewalks, parkway strips and street trees. It did not assume rebuilding the street in front of the station because the prior design team thought that street was adequate.

Commissioner Fincher asked if this was an additional exception that the applicant is requesting? Chair McFadden replied that they will hear more on that from staff. There is an issue of does this rise to the issue of something covered by the Medford Land Development Code or is this an issue that is solved as a recommendation from Public Works. Mr. Wilkerson stated that the applicant is proposing to work it out with staff and getting their support of leaving the existing road.

Commissioner Mansfield stated that it appears to him that this application is not ready to be presented to the Planning Commission. He suggested continuing this hearing to the first Planning Commission meeting in May.

Mr. McConnell echoed some of Commissioner Mansfield's concerns. He is hearing that the applicant is requesting an exception to a Code requirement that usually requires an exception application. They have an exception application for another request. He does not see an application on whether to rebuild the street or not.

Ms. Akin stated that she had procedural suggestions. Ms. Akin addressed Commissioner McKechnie's question regarding the right-of-way. Page 150 of the agenda packet under Dedication it states "will vary from 69 feet on the west end to 49 feet on the east end". If the exception is granted it states "would then vary from 61 feet on the west end to 41 feet on the east end". As far as the question of constructing the street, procedurally it was not part of the exception request. It does need to be. It is a requirement of the Code under Section 10.431 that street improvements are required to be made. An option would be to make a decision on what is before the Planning Commission and then the applicant could come back with an exception request independent of this decision. It would be relief from that particular standard. An alternative to the applicant is to appeal the requirement. Another option is a continuance of this application.

Mr. Burroughs stated that not wanting to reconstruct the street come up rather suddenly. As Ms. Akin mentioned it is a Code requirement. It seems an exception would be the appropriate procedure to deal with that issue. He is not in a position to say tonight whether it is okay or not. Another issue on this application is the driveway width. He reiterated that Public Works is still reviewing the auto turn information from the engineer. At this station they have the ability to drive around the building. It may affect the need to make a U-turn in the driveway. He desires more time to explore the reconstruction of the street which is a Code standard.

Commissioner McKechnie asked Mr. Burroughs when did the right-of-way requirement come up? Was it at the Land Development meeting? Mr. Burroughs stated that they have been

discussing the right-of-way since the middle of February. They sent the applicant an exhibit around the middle of February showing what Public Works was proposing. Public Works was supportive of an exception to eliminate the park strip and do a curb tight sidewalk beginning at the existing sidewalk on the northwest corner going straight across to the northeast corner. The Railroad Park land lot does not have any right-of-way frontage and this would provide them with public street frontage.

Commissioner Fincher asked if an exception can be granted to improve the road because they do not want to spend money? Mr. Burroughs replied that they would have to meet all the exception requirements. Mr. McConnell replied that there is not a specific exception ordinance for this particular requirement. Applications have to meet the requirements of the Code. If they do not meet the requirements of the Code and they want an exception they have to meet the criteria. That is for the Planning Commission to decide whether they meet those criteria or not. The Planning Commission does not have the information in front of them to make that decision.

The Planning Commission took a 10 minute break and resumed at 7:47 p.m.

Ms. Akin reported that the question is what to do with the improvements. In the Public Works report on page 149 specifies prior to issuance of the first building permit the following items shall be completed: 1) Submittal and approval of plans for site grading and drainage, and detention; and 2) Completion of all public improvements. An alternative would be to push back the public improvements to the Certificate-of-Occupancy for the new fire station not the modular housing and temporary apparatus bay. That will give time to figure out how to fund it. It would be difficult to make the finding under the exception criteria. It is not impossible; it may be a challenge.

Commissioner Fincher asked what happens if they cannot come up with the funding? Does that mean there is a vacant building at the end of the street that cannot be occupied? Ms. Akin replied that it does apply pressure on everyone to get that work resolved in some fashion through the exception process or appeal process to make sure those improvements are completed. It is important even though the City owns the property to the south of the Railroad Park, it is a separate property, and there is no guarantee that the City will own it in perpetuity.

Commissioner Fincher asked if that was not backwards? Shouldn't the Commission understand the exception prior to going into a project as opposed to extending a project in hopes that an exception can be found before occupancy? Ms. Akin replied that the Code allows bonding. Before the issuance of a building permit under the current recommendation the street would need to be designed and then the Code allows applicants to post a bond for those improvements guaranteeing completion prior to occupancy. It is odd because it is the City. She does not know that the City would bond to itself.

Commissioner Mansfield asked what is the urgency of this project getting done so quickly? Ms. Akin reported that there is a construction schedule and they are under contract.

Mr. McConnell reported that he does not know if the bonding would work in this particular case because the City is the one paying for the bond. They would have an interest in not complying so they could take from the bond. It is talking public money here. He does not know if a bonding company would consider that.

Mr. Wilkerson stated that the applicant will move forward with this application as presented. As he understands from Ms. Akin they have the option to come forward with an exception request after this is approved tonight. It gives them time to figure out if there is a viable request. This project has a fairly tight schedule. They also have the opportunity figure out how this might be funded if an exception is not a viable option. Mr. Wilkerson requested to tie the improvements to the Certificate-of-Occupancy for the building so that this work does not have to be designed before they pull a permit. They will be breaking ground in late July.

Commissioner McKechnie clarified that the Planning Commission is being requested to approve an exception for the width of the driveway, an exception for the width of the right-of-way dedication, fire stations will be built according to the requirements of Public Works that states prior to the issuance of the building permits completion of all public improvements. Public Works needs to agree that particular requirement can be moved to their second phase which is prior to Certificate-of-Occupancy. Other than that staff is expecting public improvements will be completed as if the City was a private developer. Ms. Akin replied that is correct.

Ms. Akin stated that there are two items happening on the site. There is the construction of the new Fire Station and then there is the installation of the temporary apparatus bay and the housing quarters. If the Planning Commission moves to approve to specify that permits be issued for the two modular buildings. The requirements that specify prior to the issuance of the first building permit apply to the Fire Station building and not the modular buildings.

Mr. Burroughs stated that it is uncommon for them to defer public improvements especially plan approval to after a building permit is issued. He agrees with Ms. Akin that it would be prudent in this case to allow the applicant to pull a building permit for the two temporary buildings to allow them to get started. They can also pull a demolition permit for the other building once the temporary buildings are in place. During that process they can get their public improvement plans reviewed and approved. After that they could bond for the improvements for the public street. Or it would give them time to decide if they want to file an exception. Public Works is supportive of that. That would take care of the right-of-way issue. The other question that still remains is the driveway width and that would be something Public Works would like to continue to work with the applicant's engineer to determine the appropriate width given the information they were given last week.

The public hearing was closed.

Motion: Approve the Final Order for CUP-14-128/E-15-027 per the Staff Report dated April 2, 2015, including Exhibits A through Q and granting the exception for the right-of-way

dedication, exception for driveway width of 80 feet and completion of all public improvements prior to the issuance of the Certificate-of-Occupancy for the completed Fire Station.

Friendly Amendment made by Chair McFadden: Approve this under Criterion #2.

Moved by: Commissioner McKechnie      Seconded by: Vice Chair Miranda

Friendly Amendment made by Commissioner Pulver: The applicant will work with Public Works on the exception of driveway width but not to exceed 80 feet. An acceptable width that can be agreed upon by both parties.

Roll Call Vote: Motion passed, 6-1, with Commissioner Fincher voting no.

- 50.3 **LDS-15-015/E-15-016/ZC-15-017** Consideration of a request for a consolidated application consisting of a Zone Change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to SFR- 6 (Single Family Residential- 6 dwelling units per acre) on one parcel totaling 11.36 acres, a tentative plat for a 57 lot residential subdivision and an associated Exception request seeking relief to side yard setbacks on particular lots within the subdivision. The subject site is located east of the terminus of Ford Drive and north of the terminus of Cheltenham Way within corporate limits of the City of Medford. (HH Medford One, LLC, Applicant; CSA Planning, Ltd/Jay Harland, Agent).

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

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

Desmond McGeough, Planner II, read the zone change and land division criteria. Mr. McGeough reported that the exception criteria was read previously and gave a staff report.

Commissioner McKechnie stated that the exception is to Section 10.710 Detached Single Family dwellings. The minimum side yard building setback is 4 feet plus ½ foot for each foot in building height over 15 feet. If there is a two story unit with a partial two story, in other works like a split foyer or split level old style where there is a two story wing on one side and a one story wing on the other, would one evaluate both sides of the house the same? Take the tallest part of the house and require whatever the setback is on the tallest side, to be on both sides? Mr. McGeough replied that is the way staff interpreted the Code.

Ms. Akin reported that the Code tells how to measure building heights. It states one takes the average peak to the eave and measure at the average ground level. The Code directs to measure only one place. It assumes a monolithic structure. It does not contemplate undulating roof line and single and multiple stories in a single structure. Staff is drafting a Code amendment to address this issue.

Commissioner Fincher asked that changing from SFR-10 to SFR-6 would they be expected to make up the difference in Phases 3 and 4 or is it no longer expected? Mr. McGeough reported that there is nothing that obligates them to do that. The density range would remain with the zoning district should the Planning Commission drop this down to SFR-6.

The public hearing was opened and the following testimony was given.

- a. Jay Harland, CSA Planning Ltd., 4497 Brownridge Terrace, Medford, Oregon, 97504. Mr. Harland reported that Eric Peterson was in the audience tonight. Mr. Harland clarified who is the applicant. Mr. Harland has been before the Commission on this property before with the applicant as Delta Waters Properties LLC. This particular portion has been sold to HH One Medford LLC. It is a project company for Hayden Homes. Mr. Harland is present tonight representing HH One Medford LLC and Hayden Homes. The land division and zone change meets all requirements and requests that it be approved. The exception is requested because that is how they understood how it had been applied in the past. He agrees with Commissioner McKechnie that it does not make sense and he does not read it to require quite that literal of an application. That would be one way to resolve the issue is to deny the exception by virtue of its inapplicability because the Commission finds that the Code can be interpreted to allow the garages to be located in that location. An argument could be made to interpret the Code to allow the calculation of building setback for the single story garage attached to the single family dwelling to be calculated based on the height of that roof structure.

Chair McFadden stated that if the applicant is playing with depth why not look at an alley situation and put all the garages off the back therefore have narrower houses to fit on a narrower lot. Mr. Harland replied that is not the product they build. That would be a totally different layout. It would only work for the center block.

Mr. McConnell commented on the interpretation of the Code stating that Ms. Akin gave a plausible interpretation on how the City interprets its Code. A court shall defer to a City's interpretation of its own Code if it is plausible. Mr. McConnell asked the Planning Commission to defer to the Planning Department's interpretation of this Code. If people disagree with that interpretation the correct way to change it is to have the City Council make that change, not a Planning Commission on an application.

Mr. Harland responded to Mr. McConnell's statement reporting that it cuts both ways. Generally building setbacks will come before the Planning Commission. This is a unique circumstance. The applicant is doing several different designs along the frontage of the individual streets by having different buildings with different layouts that look good. Is it plausible to say, on this side the roof line will be reviewed for the setback and on the other side the roof line will be reviewed on that setback side. The Planning Department will look at that different ways. Doing it a certain way for a long time and now maybe thinking about it differently does not make the new interpretation necessarily wrong if it is resulting in a good outcome.

Ms. Akin reported that should the Planning Commission choose to approve the exception there are several items to consider. On page 203 of the agenda packet there are stipulations related to that action that were offered by the applicant. It has to do with deed declarations. Mr. Harland indicated that should the Planning Commission approve the exception request, they would stipulate to not having a third car garage on the lots that abut the project boundaries. That would be restricted to lots 32 through 52 (the block in the center). Mr. Harland crafted the findings of fact and conclusions that state if made a condition attached to the approval of the applications then those stipulations will become effective.

Mr. Harland stated that this particular project had three different options for off-site storm drainage that were not covered in the findings. It looks like they are going with option C which is the most expensive option down Owen Drive to where Garrett Creek crosses. The applicant is working with Public Works on the value of reimbursement for those improvements. Mr. Harland stated for the record that they did not put in any findings and Public Works did not put anything with respect to what reimbursement may be appropriate. There is nothing in tonight's decision resolving that. It may be a matter of dispute later.

The public hearing was closed.

Motion: Adopt the Findings for the Zone Change and Land Division and direct staff to prepare a Final Order for approval of LDS-15-015 and ZC-15-017 and for denial of E-15-016, per the Staff Report dated April 2, 2015, including Exhibits A through F.

Moved by: Commissioner McKechnie

Seconded by: Commissioner Mansfield

Roll Call Vote: Motion passed, 7-0.

- 50.4 **PUD-14-136/LDS-14-137/LDS-14-138** Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approvals of the tentative plats for Sky Lakes Subdivision Phase 1, a 60 lot subdivision, and The Village at Cedar Landing Subdivision Phase 1, a 38 lot subdivision. The PUD revision request applies only to the portion north of Cedar Links Drive and consists of: 1) the addition of Longstone Drive, 2) the loss of one lot in Sky Lakes Phase 1, 3) the gain of two lots in The Village at Cedar Landing, and 4) the relocation of pedestrian/bicycle paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district. (Cedar Investment Group LLC, Applicant; Dennis Hoffbuhr, Agent).

Chair McFadden inquired whether any Commissioners have a conflict of interest or ex parte communication they would like to disclose. Commissioner MacMillan recused himself from this agenda item and left the meeting.

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

Jennifer Jones, Planner II, reported that the land division criteria were read previously. Ms. Jones read the planned unit development criteria and presented a staff report.

The public hearing was opened and the following testimony was given.

- a. Dennis Hoffbuhr, Hoffbuhr & Associates, 880 Golf View Drive #201, Medford, Oregon, 97504. Mr. Hoffbuhr reported that there is a new intersection at Cedar Links and Foothills that was paid for by this project to allow it to move forward. That was one of the conditions of the City that that intersection be completed first. Many of the changes were in response to the addition of the Park and the redesign that was necessary to include the Park. When the City first bought the Park property they thought it might be a possibility to access it from Cedar Links Drive. Because of the grade differential and other issues the City came back to the applicant and requested that they redesign the project to allow access from inside the project. That is how Lone Stone Drive came about. It is a joint project between the Parks and Recreation Department and the applicant. When the road is built the Parks Department will participate in the construction of that road. During the original hearing there was a lot of concern expressed by the neighbors about the pedestrian paths being located on the exterior of the project. They were uncomfortable with the fact that there would be people adjacent to their rear property lines. Also, there were security issues raised. The applicant relocated the pedestrian paths to the interior and adjacent to the street but they wanted to do something different than a standard sidewalk. They are providing a meandering sidewalk in front of the lots linking it to the open space. Street trees will be on each side of the walk way per lot. The applicant is requesting a 15 foot front yard setback.

Commissioner McKechnie asked if the lots in The Village on Cedar Links Drive had on-street parking and will they have guest parking in the alley? Mr. Hoffbuhr reported that there will be on-street parking on the streets themselves because there are no driveways. There will be ample on-street parking.

Mr. Burroughs clarified that in the Public Works staff report that the street would be built to City standards which varies somewhat. He would like to add if any of those portions of the meandering sidewalks are outside of the public right-of-way there should be a pedestrian easement included.

The public hearing was closed.

Motion: Direct staff to prepare a Final Order for approval of PUD-14-136, LDS-14-137, and LDS-14-138 per the Staff Report dated April 2, 2015, including Exhibits A through P, with modification to the Public Works report to require any meandering sidewalks outside of the public right-of-way to have a pedestrian easement.

Moved by: Commissioner Pulver      Seconded by: Commissioner Vice Chair Miranda

Roll Call Vote: Motion passed, 6-0.

**60. Report of the Site Plan and Architectural Commission.**

60.1 Ms. Akin reported that the Site Plan and Architectural Commission met on Friday, April 3, 2015. They heard and approved Fire Station #2. They also heard a medical office and a Starbucks on Barnett Road and Medical Center Drive that was continued. They heard Sky Park that is downtown on Central between 10<sup>th</sup> and 9th that was also continued.

**70. Report of the Joint Transportation Subcommittee. None.**

**80. Report of the Planning Department.**

80.1 Kelly Akin, Principal Planner, reported that the Planning Commission's next study session schedule for Monday, April 13, 2015, has been cancelled.

There is business scheduled for the Planning Commission through June.

**90. Messages and Papers from Chair of Planning Commission. None.**

**100. Remarks from the City Attorney. None.**

**110. Propositions and Remarks from the Commission. None.**

**120. Adjournment.**

The meeting was adjourned at 9:36 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Rozzana  
Recording Secretary

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David McFadden  
Planning Commission Chair

**Approved: April 23, 2015**



# CITY OF MEDFORD

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## PLANNING DEPARTMENT

### STAFF REPORT – GENERAL LAND USE PLAN MAP AMENDMENT

**Date:** April 13, 2015

**To:** Medford Planning Commission for 4/23/2015 Hearing

**From:** Aaron Harris, Planner II

**Reviewer:** John Adam, Senior Planner *JA*

**Subject:** GLUP Amendment: UR to SC at the intersections of East Jackson Street and Mae Street and East Jackson Street and Marie Street (file no. CP-15-022)  
Ryan Kantor, James & Eva Kell, and Michael Malepsy, Applicant

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### BACKGROUND

**Proposal:** Consideration of a General Land Use Plan Map amendment to reclassify three 0.11-acre lots located at the intersections of East Jackson Street and Mae Street and East Jackson Street and Marie Street from urban residential (UR) to service commercial (SC).

The Planning Commission will be considering the evidence in this report and in public testimony as it develops its recommendation to the Council on changing the General Land Use Plan (GLUP) map designation for these properties. The GLUP map is a component of the City's Comprehensive Plan and is the basis for zoning district designations. The GLUP map covers the entire urban area, including property that has not yet been annexed to the City.

**Authority:** This action is a Class "B" legislative Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Municipal Code Sections 10.102, 10.110, 10.111, 10.122, 10.165, and 10.185.

**Review Criteria:** Medford Land Development Code 10.184(1) refers one to the criteria in the "Review and Amendments" section of the Comprehensive Plan for amendments to map designations.

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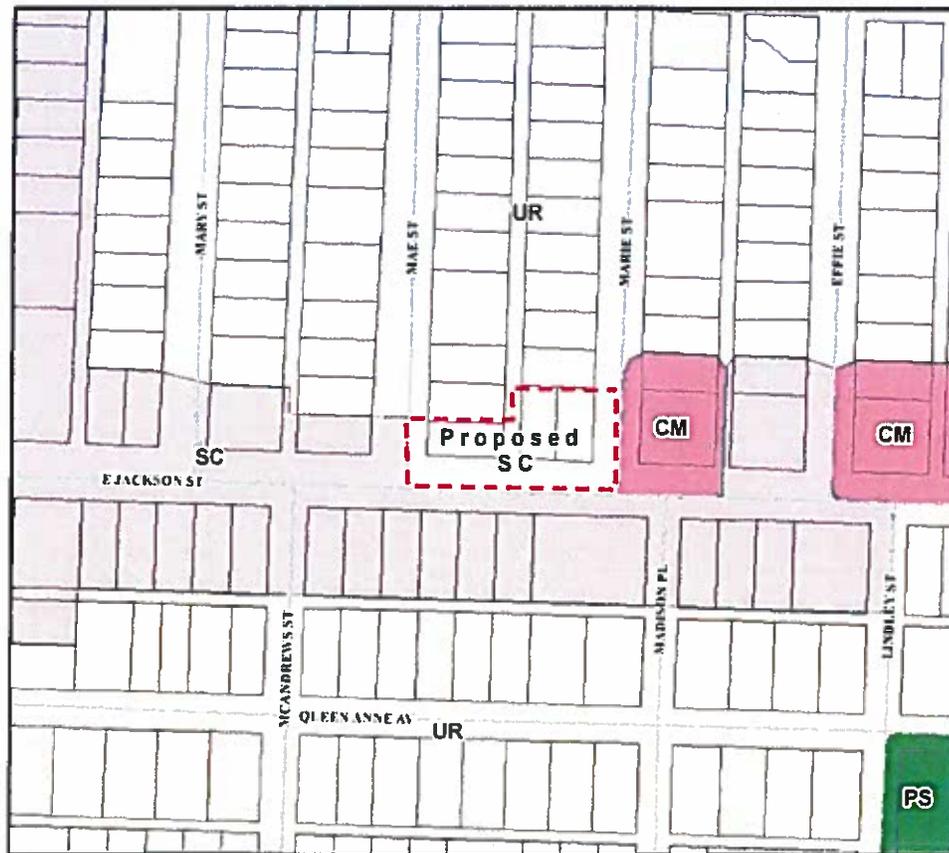


Figure 1. Proposal location and vicinity

### GENERAL ANALYSIS OF PROPOSED AMENDMENT

1. Is this site appropriate for the proposed designation?

There are policies in the Comprehensive Plan that support mixing uses, and the General Land Use Plan Element states that SC “may be located adjacent to residential designations” (GLUP Element, p. 2) without qualification. The applicant notes that the three 0.11-acre acre lots are the only properties that front E. Jackson Street in this vicinity that are still zoned as residential.

2. How would this amendment affect the supply of Residential, Commercial, and Industrial lands?

The City has a documented need for hundreds of acres of both UR and SC categories for the 20-year planning period according to the Housing Element and Economic Element. Even if the City were not pursuing an urban growth boundary amendment to address the need, the change of this small acreage does not sig-

nificantly affect the supply of either category. Further, a change in designation from SFR-10 to Service Commercial does not prevent the property from being used for multifamily housing, as residential units meeting the density standard of the MFR-30 (Multiple-Family Residential – 30 units per acre) zoning district are allowed on commercially zoned properties. The proposed change would increase the flexibility of the property.

3. How would this amendment affect public facilities?

Public Works and Medford Water Commission were notified but did not comment, from which one can conclude that the proposed change has no significant impacts to transportation, sanitary sewer, storm drainage systems, and water distribution.

4. Assessment of comments received.

No comments were received.

#### **APPROVAL CRITERIA COMPLIANCE**

**Comprehensive Plan—Review and Amendments section: Map designation amendments shall be based on [criteria 1–7, as follow]:**

**Criterion 1. A significant change in one or more Goal, Policy, or Implementation Strategy.**

#### Findings

The Economic Element, adopted 12/4/2008, projects a 290-acre need for Service Commercial land over the 20-year planning period to be added by changes to existing designations (Policy 1-5 & Implementation 1-5(b)) and/or by adding land to the urban area. The City is pursuing both the options on its own, but that process is far from completion. The City also needs 826 acres of low-density urban residential (UR), a greater need than for SC. However, there are also policies and implementation strategies in the Economic, Housing, and Transportation Elements that support mixed uses.

#### Conclusions

Despite the greater need for UR, this proposal is not a large amount and it complies with policies supporting mixed-use development. The proposed change is consistent with pertinent Comprehensive Plan policies and implementation strategies that seek to provide an adequate supply of commercial land.

**Criterion 2. Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.**

Findings

As noted under Criterion 1, the Economic Element projects a 290-acre need for Service Commercial. One component of that need is for “large” office sites, which are typically five acres in size (Economic Element, *Figure 28*, p. 47). Again, there is a larger housing need, but this is an opportunity to provide a greater mix of uses to an area mostly composed of low-density residential development.

Conclusions

The proposal responds to a demonstrated need for adequate employment opportunities and the desirability of mixing uses. The proposal is sustainable.

**Criterion 3. The orderly and economic provision of key public facilities.**

Findings

Transportation, water, and sewer utilities are available to the site and can handle the changes without upgrading the facilities.

Conclusions

Sufficient facilities exist to accommodate the proposed classification change.

**Criterion 4. Maximum efficiency of land uses within the current urbanizable area**

Findings

The Service Commercial GLUP designation allows for high-density residential in addition to permitted commercial uses. A designation change would not eliminate possible residential use of the site.

Conclusions

A designation change would mean the land could be used for both service commercial and residential uses; it is a more efficient use of a buildable site within the current city limits.

**Criterion 5. Environmental, energy, economic and social consequences.**

Findings

*Environmental.* The lot is already inside the UGB, thus has already met the test concerning environmental impacts; change of designation does not affect suitability for urbanization.

*Energy.* No energy consequences are discernable.

*Economic.* The designation change would help address a deficit in employment land.

*Social.* The General Land Use Plan Element of the Comprehensive Plan states that the Service Commercial designation may be located adjacent to residential designations. Additional provision for compatibility is made through the use of buffering standards at time of development. For example, building height is limited to 35 feet within 150 feet of residential GLUP designations, coverage by structures is limited to 40 percent of the lot, and retail uses are very limited.

Conclusions

*Environmental.* Since the property is not in a natural state and has long been identified for urban development, there will be no adverse environmental impacts.

*Energy.* There are no energy consequences.

*Economic.* By addressing an employment land deficit, there is an economic benefit.

*Social.* The SC designation is appropriately located adjacent to the UR designation.

**Criterion 6. Compatibility of the proposed change with other elements of the City Comprehensive Plan**

Findings

**Economic Element**

Policy 1-5: The City of Medford shall assure that adequate commercial and industrial lands are available to accommodate the types and amount of economic development needed to support the anticipated growth in employment in the City of Medford and the region.

Implementation 1-5-b. Reduce projected deficits in employment lands by changing GLUP Map designations within the existing Urban Growth Boundary.

### Conclusions

This change does supply a small amount of the projected need for Service Commercial land.

### **Criterion 7. All applicable Statewide Planning Goals**

The following demonstrate conformity with the applicable Statewide Planning Goals.

#### **Goal 1—Citizen Involvement**

##### Findings

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process, including participation in the quasi-judicial revision of the Comprehensive Plan. Goal 1 requires provision of the opportunity to review proposed amendments prior to a public hearing, and recommendations must be retained and receive a response from policy-makers. The rationale used to reach land use 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 Comprehensive Plan amendments by the Planning Commission and City Council. Affected agencies and departments are also invited to review and comment on such proposals, and hearing notices are mailed to nearby property owners, published in the local newspaper, and posted on the site. This process has been adhered to in this proposed amendment. The proposal was made available for review on the City of Medford website and at the Planning Department. It was considered by the Planning Commission and the City Council during televised public hearings.

##### Conclusions

By following the standard notification and comment procedure, the City provided adequate opportunities for citizen input.

#### **Goal 2—Land Use Planning**

##### Findings

The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code that comply with Goal 2. These are the bases for decisions and actions.

##### Conclusions

There is an adequate factual basis for the proposed designation change.

Goal 3—Agricultural Lands does not apply.

Goal 4—Forest Lands does not apply.

Goal 5—Natural Resources, Scenic & Historic Areas, and Open Spaces does not apply.

## **Goal 6—Air, Water, and Land Resources Quality**

### Findings

The allowable uses in the Service Commercial designation do not generally produce discharges that are notably different from allowed uses in the Urban Residential designation, with the exception that commercial uses are greater trip generators than low-density residential. There are no streams on the lot that would be impacted. The land in question is not classified a resource in terms of agriculture because it is classified urbanizable.

### Conclusions

The proposed change will have no discernable effect on the production of pollutants. Though commercial land is a greater trip generator, there is no appreciable difference between placing a commercial area in this location as opposed to another location in the City with respect to overall air quality. There are no water or land resource quality impacts.

Goal 7—Areas Subject to Natural Hazards does not apply.

Goal 8—Recreation Needs does not apply.

## **Goal 9—Economic Development**

### Findings

The first section of this Goal requires Comprehensive Plans to “3. Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.”

### Conclusions

The proposed change will provide some new commercial land in the existing urban area.

## **Goal 10—Housing**

### Findings

The goal requires that “plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.” The proposed change would remove the potential for a definite number of low-density housing units and replace it with a potential for a greater number of high-density housing units.

Conclusions

Despite the loss of low-density potential, there is a benefit in retaining a housing potential on the property. It is change of type and density, but it does not exceed the identified need.

**Goal 11—Public Facilities and Services**

Findings

Refer to findings under Criterion 3, above.

Conclusions

Refer to conclusions under Criterion 3, above.

**Goal 12—Transportation**

Findings

The “Transportation Planning Rule” (OAR 660-012) requires cities to have plans to accommodate anticipated transportation system needs. The City has defined an adequate level of service (LOS) as “D” on an A–F scale. A traffic impact analysis form signed by a City of Medford traffic engineer states that a traffic impact analysis is not required with the GLUP change proposal.

Conclusions

The change will have minimal impact on facilities, and will not require upgrades to maintain adequate level of service.

Goal 13—Energy Conservation does not apply.

Goal 14—Urbanization does not apply.

Goals 15–19 do not apply to Medford.

**OVERALL CONCLUSIONS**

The applicant has not identified a specific development plan for this lot. Approving the change to this location means deeming acceptable all the outright permitted uses that are allowed under the C-S/P zoning designation that corresponds to it, including offices, medical facilities, service-oriented businesses, and residential development at 20–30 dwelling units per acre. The C-S/P zoning district is permitted adjacent to residential districts without qualification; the only mitigation perceived as necessary is a height restriction for development within 150 feet of a residential district (10.721) and buffering requirements for various types of development (10.790). There is, in other words, an inherent presumption of compatibility for the designation adjacent to UR land. There are also no significant facility impacts rising from the change. The remaining question is

whether it is a good idea to swap 0.33 acres of a deficient land category for another deficient land category. On the one hand, the UR deficiency is nearly three times greater than the SC deficiency. On the other hand, there are Comprehensive Plan policies that support an increase in mixed uses in order to provide variety and to bring goods and services into closer proximity to residences. Staff concludes that the proposed GLUP amendment is supportable.

#### **RECOMMENDED ACTION**

Based on the findings and conclusion that all of the approval criteria are met or are not applicable, forward a recommendation for approval of CP-15-022 to the City Council per the staff report dated April 13, 2015, including Exhibit A.

#### **EXHIBITS**

- A Applicant's Findings, received February 12, 2015

**PLANNING COMMISSION AGENDA: April 23, 2015**

**RECEIVED**

FEB 12 2015

PLANNING DEPT.

## Findings of Fact

### Criterion 1

Since the designation of the subject property as SFR10 the city of Medford has adopted new components of the City of Medford Comprehensive Plan. The new plan elements contain updated goals and policies that are significant to this criterion and form a basis for this GLUP map amendment, specifically deficits of office development pattern lands in the Service Commercial designation. The proposed amendment will help alleviate that deficit.

### Criterion 2

The change of designation from SFR10 to Service Commercial does not prevent the property from being used for multifamily housing, as residential units with a density that is equivalent to MFR30 zone are allowed on Commercial designated properties. Changing the zoning would increase the flexibility of the property and is consistent with this criterion.

### Criterion 3

Sanitary sewer in the subject area has recently been upgraded, along with the paving of the alleys, and there are no identified deficiencies from development associated with this GLUP amendment.

Water is available in sufficient quantity and pressure to accommodate this change.

The storm drainage is adequate in this area and this change would have little or no effect.

### Criterion 4

The evidence shows that the Economic Element reports shortages of land in the Service Commercial land category. Additionally, this criterion is the most compelling reason for this change. The three .11 acre lots are the only properties that front E. Jackson Street in this vicinity that are still zoned as residential. Both sides of E. Jackson Street in this area are zoned Service Commercial and this change would be consistent with the other properties and the orderly development of properties in the city. This amendment meets this criterion.

CITY OF MEDFORD

EXHIBIT # A

File # CP-15-022

## Criterion 5

### Environmental

Applicant is unaware and there is no knowledge of any environmental contamination on the property. The property is currently three residential properties. Any environmental consequences in connection with this change are the same and not unusual or significant.

### Energy

There are no important energy consequences in connection to this property. However added Service Commercial in this close-in, arterial served property would reduce transportation to access similar properties further from the main population center.

### Economic

There is a positive economic consequence in that this change helps reduce the shortfall of Service Commercial. It may be developed for more employment opportunities.

## Criterion 6

This amendment is compatible with other elements of the comprehensive plan not intended to be amended. The proposed GLUP amendment will increase the efficient use of land within the city by converting land to needed Service Commercial. It also provides for the orderly development of the city with adjacent and already existing Service Commercial in this area. It therefore meets this criterion.

## Criterion 7

The State of Oregon has found the city's comprehensive plan to be consistent with statewide planning goals. The minor nature of this change will not violate any of Oregon's applicable planning goals.